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# Law School, The

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# THE LAW SCHOOL

(From September 1952 to December 1953)

## ENROLLMENT

For the first time in five years fall registration is larger than for the preceding year. The increase is small—from 180 in 1952 to 185 this year—and comes about, despite smaller second and third year classes, because the first year class numbers 92 this year by comparison to last year's 64. This entering class, constituting virtually half of the entire student body, is the largest first year group since 1950.

The percentage of veterans in the entire student body is the same as last year—45%. However, 52% of the entering class are veterans, by comparison to 23% last year; the number of veterans with service during the Korean period has jumped from 5 to 39; and the percentage of law students receiving G.I. benefits has risen from 24% to 34%. Of course, this is still a far cry from the post-war peak when 81% of our students were receiving such benefits.

As between 1952 and 1953, the number of women students has declined from 9 to 8, while the percentage of non-residents has risen from 8% to 10%.

Seventy-one per cent of the first year class received a degree prior to entering Law School—a new record, though only a slight advance from last year's 70%.

Seventy-two of our students, or 39%, had all of their undergraduate work at some other institution and an additional 30, or 16%, had part of their undergraduate work elsewhere. Some 67 junior colleges, colleges and universities are represented. Other than the University at Chapel Hill, those with the highest representation are Davidson (16), N. C. State (11), and Duke University (10).

## THE FACULTY

On September 9, 10 and 11 the Southeastern Regional meeting of the Association of American Law Schools was held in Chapel Hill and Durham with the Law Schools of Duke, Wake Forest and the University as hosts. Mr. Herbert R. Baer of our faculty served as Chairman of the inter-school committee which planned and arranged the meeting and he was ably assisted by Professor Robert H. Wettach. The meeting concerned itself primarily with discussion of means by which the law schools may improve the training of students for the modern practice of law. Participants in the discussions included a number of faculty members from the law schools in the Southeastern region, including Professor Frank

W. Hanft and the Dean of this School. Participating also were Professor Lon L. Fuller of Harvard University Law School; Associate Justice S. J. Ervin of the North Carolina Supreme Court; Mr. Irving Carlyle of the Winston-Salem bar; Mr. Wallace Murchison of the Wilmington bar; Mr. Brantley Griffith of the Lebanon, Virginia bar; and Mr. James F. Justice of the Charlotte bar. It was an unusually successful meeting.

An article by Mr. William B. Aycock in the December 1952 *North Carolina Law Review*, "The Court of Military Appeals—The First Year," has attracted very wide attention. A similar article by Mr. Aycock summarizing the second year of the court's decisions will appear this fall in the *Journal of Public Law*. Mr. M. T. Van Hecke is associate editor of two volumes published in 1953: *Labor Relations and the Law*, and *Readings in Labor Law*.

The entire faculty participated in the summary of North Carolina's 1953 statutes, published in the June *Law Review*. During the year the *Review* also published articles by Mr. Baer, Mr. Van Hecke, and the writer (as co-author). Mr. Hanft contributed an article to the *Christian Lawyer* and Mr. Wettach book reviews to our *Review* and the *Journal of Legal Education*.

At the 1953 meeting of the Association of American Law Schools Mr. M. S. Breckenridge will be Chairman of the Roundtable on Commercial Law and Mr. Van Hecke will participate in the Roundtable on Equity, presenting a paper on "Injunction to Remove Structures Erected in Violation of Building Restrictions." Other members of the faculty continue to be active in the work of the Association as chairmen or members of various committees and in other capacities. Various faculty members have also been active in the work of the American and North Carolina Bar Associations, and during 1952-53 the writer served as Vice President of the latter.

Mr. Hanft continues to serve as a member of the North Carolina General Statutes Commission, and Mr. Breckenridge continues to devote a substantial amount of time and effort to the work of that Commission as a member of its Committee on Revision of the North Carolina Corporation Law. Mr. Coates, as Director of the Institute of Government, and the Lecturers in Law who are members of the Institute staff, have participated in numerous studies for the state and local governments and their agencies. Mr. Wettach continues as an arbitrator on the panel of the State Department of Labor and as a member of the National Academy of Arbitrators. During the past year Mr. Van Hecke served as a public member on the U. S. Department of Labor's Advisory Committee on Revision of the Taft-Hartley Act.

During the summer of 1953 the Dean served as a visiting Professor of Law at the University of Colorado.

Our faculty members continue to carry responsibilities, involving very considerable time and effort, as members of the general University faculty. For example, Mr. Wettach is Chairman of the Board of Governors of the University of North Carolina Press and Chairman of the Advisory Committee; Messrs. Aycock, Van Hecke, Wettach and the writer serve as members of the Faculty Council; and other members of the faculty serve on various committees and administrative boards.

All of our faculty continue their work as personal advisors to students, as supervisors of research and writing projects, and as members of law faculty committees.

#### THE LIBRARY

At the annual meeting of the American Association of Law Libraries held in Los Angeles in July, our Law Librarian, Miss Lucile Elliott, assumed the office of President after having served for a year as President-Elect. In the Association's membership are represented some 300 law libraries established by law schools, states, local governments, courts, bar associations, and law firms. We are, of course, very proud of this deserved tribute to Miss Elliott's professional standing.

During the past year Miss Mary Oliver, our Assistant Law Librarian, served as President of the Carolina Chapter of the American Association of Law Libraries; and at present she is serving as President of an expanded group which may become a Southeastern Regional Chapter of the Association.

In addition to her contributions to the President's page of the *Law Library Journal* Miss Elliott has published an important article in that *Journal*—"Fundamental Concepts of Law Librarianship."

During the year ending June 30, 1953 we acquired approximately 3400 volumes, almost 1500 of them by gift. Our total holdings are approaching 75,000 volumes.

Among the most significant gifts, for which we are profoundly grateful, are the libraries of the late Platt Dickinson Walker, Associate Justice of the North Carolina Supreme Court (almost 500 volumes) and the late James Lathrop Morehead of the class of 1903 (approximately 300 volumes). In each case the gift came through the generosity of the late owner's widow.

Not included in the above totals, because not in bound form, are thousands of briefs and records in cases argued before the United States Court of Appeals for the Fourth Circuit, which have been made available to the Law Library by the Court. These supplement similar materials previously given to the library by Chief Judge John J. Parker. The

earliest of the materials are for the year 1891. It is anticipated that this collection will be enlarged from time to time as the Court finds that the briefs and records are no longer required in its files. We are very thankful for this invaluable research material, particularly as we already have much similar material from the North Carolina Supreme Court and are acquiring briefs and records (in microcard form) in cases before the United States Supreme Court.

For the first time in several years we can report substantial improvement in our technical services, as we are now being given some critically needed cataloging assistance. However, the need for additional technically trained assistants and for clerical help in our Library remains acute.

#### ALUMNI ACTIVITIES

Organized law alumni activities got off to a solid start during the past year. The Alumni Association was incorporated, acquired a distinguished list of directors, and was most fortunate in having as its initial officers: Armistead W. Sapp, of the Greensboro Bar, President; Isaac B. Thorp, of the Rocky Mount Bar and T. Albert Uzzell, of the Asheville Bar, Vice Presidents; and William B. Aycock of the law faculty, Secretary and Treasurer.

It is anticipated that the coming year will see a substantial increase in the Association's membership and a widening of its activities. Even in its first year it has been able to render valuable assistance to the School. The Association has helped finance the *Tar Heel Barrister*, the newly established Law School newspaper; it has provided some scholarship money for deserving students; and it furnished a substantial part of the travel expense incurred by Miss Lucile Elliott, our Law Librarian, in attending the Los Angeles meeting of the American Association of Law Libraries, at which she assumed the Presidency of that organization.

This report must go to press before the second annual meeting of the Association is held in Chapel Hill on November 14 and so it cannot reflect the results of that meeting.

Also, as this report goes to press plans are being formulated for the third annual dinner of former principal editors of the *Law Review* to be held in Chapel Hill on the evening of November 13.

#### CURRICULUM

The major change in curriculum for the academic year 1953-54 is the increase to five of the number of seminar courses offered. The seminar subjects are Debtors' Estates, Estate Planning, Labor Law, Legislation, and Trade Regulation. To qualify for his degree, each student must now either perform satisfactory work as a member of the *Law Review* staff or successfully complete one of the seminar courses. Successful completion of a seminar course involves at least one intensive research project, the

results of which are incorporated in a written report. While the course in Legal Writing remains available to a student who wishes to take it, it no longer may be substituted for a seminar.

Elsewhere attention has been called to the fact that courses in Admiralty and Food and Drug Law were included in the 1953 summer curriculum. This is the first time—at least for many years—that either of these courses has been available to our students.

Our regular courses are supplemented to an extent not generally realized by lectures of visiting experts and by problems and drafting projects of all kinds. For example, the student is accorded some experience in the drafting of pleadings, wills, deeds, deeds of trust, incorporation papers, estate tax returns, etc.

During the current year it is anticipated that special lectures on appropriate medico-legal problems will be included in the courses in Agency, Criminal Law, Evidence and Family Law.

#### SUMMER SCHOOL

We continue a long standing policy of offering at summer school some courses which it is not possible to offer during the regular school year and of supplementing our resident faculty with outstanding visitors. During the summer of 1953 our visitors were Professor Percy Bordwell, Professor Emeritus at the University of Iowa and Visiting Professor at Rutgers University; Professor Thomas W. Christopher of Emory University; Dean Joseph A. McClain, Jr. of Duke University; and Professor George Stumberg of the University of Texas.

The courses offered in the summer school which were not offered in the preceding school year were Admiralty, Food and Drug Law, Personal Property and Sales.

#### SCHOLARSHIPS

For the second consecutive year some small progress can be reported in the matter of scholarships. From the profits of the University Book Exchange—allocated to scholarships for the first time this year—six law students have been allotted a total of \$1,400. Three law students—John V. Hunter, III and Peter G. Kalogridis of the second year class and Hamilton C. Horton, Jr. of the first year class—are Morehead Scholars. The funds provided by the newly formed Law Alumni Association have replaced the \$300 Phi Delta Phi scholarship, which was discontinued by its sponsors to avoid possible competition with the Association. The School retains the three resident tuition scholarships annually allotted to it—amounting to a total of \$450. The number of students on scholarships provided by other sources dropped from five last year to two this year, but the total picture represents a clear net gain. The increase of

the number of students receiving G.I. benefits also helps to improve the total financial picture.

Despite this progress, we still have a very small amount of scholarship money by comparison to the size of our student body. Increase in available scholarship funds remains one of the definitely acute needs of the School. This is particularly true since the policy of those awarding the Morehead scholarships seems to be to reduce the number of or eliminate awards at the professional level in favor of awards at the undergraduate level.

University loan funds are open to law students on a competitive basis and last year our students borrowed some \$2700 from this source. We have no accurate information as to the total borrowed from other sources, but we believe it to be considerable.

For the second consecutive year the Emanuel Sternberger Educational Fund of Greensboro has made it possible for one of our top ranking students to devote more time to law study through a substantial loan which carries no interest and no definite maturity date. We are very grateful for this and would welcome other offers of loans on such generous terms.

#### ACADEMIC ACHIEVEMENT

The masthead of this issue lists those students who are currently members of the staff of the *Law Review*. Each of them has achieved a B average in order to become eligible. The four principal editors are those students who, as of the end of their second year, had the highest scholastic averages in their class. Mr. Aycock is the principal faculty advisor to the editors and staff of the *Review*, though all members of the faculty supervise the preparation of student notes.

Student scholastic honors, other than selection to the staff of the *Review*, were as follows:

Six students, on the basis of standing in the top 10% of the class of 1953 were elected to the Order of the Coif, an honorary society with chapters in some 40 odd law schools. These students in the order of their standing were: Hurshell H. Keener, John G. Golding, Roger B. Hendrix, Ervin I. Baer, Willis D. Brown and Walker Y. Worth, Jr.

The degree of J. D. (requiring a B.S. or A.B. degree before entering Law School, a B average in Law School, and satisfactory contributions to the *Law Review*) was awarded to: Wallace Ashley, Jr., Ervin I. Baer, Tench C. Coxe, III, Harry E. Faggart, Jr., John G. Golding, Roger B. Hendrix, John R. Montgomery, Jr., Charles E. Nichols, James R. Trotter, Jr., Morton L. Union, and Walker Y. Worth, Jr.

The degree of LL.B. with honors was awarded to Willis D. Brown and Hurshell H. Keener.

The first Chief Justice Walter Clark Awards went to John G. Golding, Hurshell H. Keener, Roger B. Hendrix, Willis D. Brown, and Walker Y. Worth, Jr. The award consists of the two volume *Papers of Walter Clark* edited by Dr. Aubrey L. Brooks and Dr. Hugh T. Lefler. It will be presented annually by the University of North Carolina Press, through the generosity of Mr. John W. Clark, son of the late Chief Justice, to the five students who, at the end of their fifth semester at this Law School, have the highest scholastic averages.

The American Trust Company will-drafting prize, for this Law School, consisting of \$50.00, was won by Lyn Bond, Jr.

The U. S. Law Week Award to the student making the most satisfactory scholastic progress in the senior year was awarded to Hubert E. Olive, Jr.

Students winning the Bancroft-Whitney Company and the Lawyers Co-operative Publishing Company prizes for the top grades in selected courses were as follows: Willis D. Brown (Constitutional Law), John G. Golding (Debtors' Estates and Taxation II), Roger B. Hendrix (Labor Law and Conflict of Laws), John V. Hunter III (Agency), Peter G. Kalogridis (Pleading and Parties), Hurshell H. Keener (Credit Transactions and Municipal Corporations), Charles E. Nichols (Administrative Law), Hubert E. Olive (Taxation I), Frances Jeanne Owen (Contracts, Insurance, Sales, Personal Property, and Business Associations), Lucius Pullen (Equity), Earle Gene Ramsey (Evidence), Jennie N. Smythe (Agency), Sarah Lindsay Tate (Trusts and Wills) and Thomas L. Young (Negotiable Instruments).

Winners of the West Publishing Company prizes in the first year moot court competition were: Joseph G. Davis, Jr., James A. House, Jr., John V. Hunter, III, Peter G. Kalogridis, Naomi E. Morris, Louis Rabil and Calvin C. Wallace.

#### THE LAW SCHOOL ASSOCIATION AND STUDENT ACTIVITIES

The officers of the Law School Association, which includes all students as members, are Roderick Nicol, President; James White, Vice-President; Naomi Morris, Secretary; Michael McLeod, Treasurer; Elton Pridgen, Chief Justice Law School Court. Committee Chairmen are John Sanders, Liaison; Donald Erb, Speakers; Joseph Hennessee, Library; Edward Post, Placement; John Dortch, Social; Jerry Nall, Athletic; Robert Hight, Elections; and Lucius Pullen, Orientation.

The association, through its officers and committees, continues to carry on a very active program, both professional and social. The major innovation in its program during the past year was the founding of the School newspaper, the *Tar Heel Barrister*, under the able editorship of



Ed Post. The paper will continue this year for one issue each semester under the editorship of Peter G. Kalogridis.

The Speakers Committee in 1952-53, under the leadership of Lucius Pullen, was unusually active and presented a varied program. Speakers included Judge Sanya Dharmasakti of Thailand; President Robert G. Storey of the American Bar Association; President Don A. Walser of the North Carolina State Bar; Dr. Zechariah Chafee of the Harvard University Law Faculty; Chief Judge John J. Parker of the United States Court of Appeals for the Fourth Circuit; Dr. H. H. Walz of Wiesbaden, Germany, working with the World Council of Churches; Dr. Roger Howell, psychiatrist of the faculty of the University's School of Public Health; and President J. Spencer Bell of the North Carolina Bar Association. At the reception for beginning students this fall the speaker was President Armistead W. Sapp of our Law Alumni Association.

The Law School Association continues its affiliation with the American Law Student Association sponsored by the American Bar Association. Our students were represented by a delegation at the regional meeting held in conjunction with the regional meeting of the American Bar Association in Richmond, Virginia.

We are again competing in the inter-law school moot court competition sponsored nationally by the Association of the Bar of the City of New York and regionally by the Bar Association of the District of Columbia. As this report goes to press, we are scheduled to meet the team representing the University of South Carolina in the first round on the evening of November 6. The members of our team are Lucius Pullen, Thomas Young, and Durward Jones. We are deeply grateful to Chief Justice W. A. Devin and Associate Justices E. B. Denny and Jeff D. Johnson, Jr. in consenting to serve as judges for this competition.

#### BAR EXAMINATION RESULTS

Sixty-five members of the class of 1953 took the North Carolina Bar examination given in August and 51, or 78%, passed it. As usual, this is higher than the passing percentage for all candidates taking the examination, but it is below our post World War II average of 88%.

#### PLACEMENT

In February, June and August we graduated a total of 67 students. Of these, 19 are already in or about to enter military service (at least 7 with J. A. G. commissions), 5 are with family firms, 18 are with other firms, 7 have opened their own offices, 5 are with insurance companies, and 8 are engaged in miscellaneous pursuits. At this writing we do not have definite information concerning 5 graduates, including two who did

not pass the bar examination. The chances are that the three who did pass the examination are acceptably placed.

Eliminating those entering military service and those who failed the bar examination, about 80% of the graduates permanently placed are in the practice of law. This is the highest percentage of recent years and testifies to the fact that we had a good, if not perfect, placement experience.

In 1953-54 we will have a smaller class and proportionately more graduates going into military service. Nevertheless, we will again need all possible assistance from our alumni and friends in locating good opportunities for our graduates. This is particularly true since we will have some former graduates returning from military service and we would like to give them all the placement help possible.

It is a source of some pride to us that, so far as our current information goes, only two of our 1953 graduates have permanently located outside of North Carolina.

#### LECTURERS AND SPEAKERS

We continue our arrangement with the Institute of Government, directed by Law Professor Albert Coates, under which selected members of the Institute staff, as Lecturers in Law, participate in our classroom instruction. Those now so designated are George H. Esser, Philip P. Green, Jr., Henry W. Lewis, and John A. McMahan. It is anticipated that one or more Institute staff members will be added to this group during the current year.

In addition to the speakers, elsewhere identified, appearing under the auspices of the Law School Association, a number of judges, lawyers and others have delivered special lectures in our classes or appeared before the legal fraternities. It is probably not generally realized that, when examination time is subtracted, an average of about one visitor per week speaks to the Law School student body or some organized group of law students.

Of special interest during the past year were eight lectures in Military Law delivered by Colonel Seymour W. Wurfel, Judge Advocate of the Third Army, and three lectures in title examination by Mr. George H. Wright of the Asheville bar.

Others who have assisted us are: Mr. Norman Block of the Greensboro bar; Professor John S. Bradway of the Duke University Law School; Mr. Victor Bryant, Sr. of the Durham bar; Municipal Court Solicitor C. F. Burns of Winston-Salem; Professor W. O. Cummings of the University's School of Business Administration; Associate Justice E. B. Denny of the North Carolina Supreme Court; Solicitor Charles T. Hagan of Greensboro; Mr. H. Allen Keen of the Wachovia Bank and

Trust Company, Winston-Salem; State Senator John Larkins of Trenton; Mr. Thomas H. Leath of the Rockingham bar, member of the North Carolina Board of Law Examiners; Mr. John T. Manning of the Chapel Hill and Durham bars; Mr. C. F. Matton, Vice President and Trust Officer of the Wachovia Bank and Trust Company, Winston-Salem; President Justin Miller of the National Association of Broadcasters; Judge Frank H. Myers of the Municipal Court of Washington, D. C.; Mr. Carver Peacock, Certified Life Underwriter of Durham; Judge L. J. Phipps of Chapel Hill; Mr. Bonner Sawyer of the Hillsboro bar; and State Industrial Commissioner Robert Scott of Raleigh.

We are indeed grateful to these men for the time and money they have expended in sharing their experiences with our students.

#### DEDICATION

It is our devout ambition that the School, through its library, its student body, its faculty and its graduates may not only occupy but may truly deserve a place of steadily increasing importance in the field of legal education and in the life of our State.

HENRY BRANDIS, JR., *Dean.*