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THE LAW SCHOOL
(From September 1960 to December 1961)

ENROLLMENT

Opening enrollment in the fall of 1961 was 326, with 145 in the first year class. Both of these figures are the largest in the history of the School. In 1960 opening enrollment was 313, with 125 in the first year class. It is thus apparent that the increase in over-all enrollment is more than accounted for by the increase in the first year class, which occurred despite a stiffening of admission requirements for 1961.

There are four women students. Nonresidents of North Carolina comprise 14 per cent of the student body as a whole and 17 per cent of the first year class. The percentages for 1960 were, respectively, 12 and 15 and for 1959 were 9 and 10.

Seventy-eight per cent of the entering class earned A.B. or B.S. degrees prior to beginning law study. This is up from the 1960 percentage of 68, which, however, was unusually low. Our maximum percentage in this respect was 79 in 1957. Many of those without degrees have had college work considerably exceeding the minimum requirement of three years.

Ninety-six students, or 30 per cent, took all of their undergraduate work at other colleges and universities—this being the same percentage as in 1960. An additional 54, or 17 per cent (16 per cent in 1960), received some part of their undergraduate training elsewhere. Thirty-two per cent of the first year class had all of their undergraduate work elsewhere and an additional 20 per cent had part of such work elsewhere.

Some 101 (compared with 82 last year) universities, colleges, and junior colleges are represented. Other than the University at Chapel Hill, those with the highest representation are North Carolina State College (24), Duke University (22), and Davidson College (17). Despite the relatively small number of nonresidents in our student body, we have alumni of 66 universities and colleges located outside of North Carolina, scattered through 25 states and the District of Columbia.

The percentage of veterans, which hit a post-Korean peak of 69 in 1956, continues to decline and now stands at 28. Veterans re-
receiving G.I. benefits comprise only 5 per cent of the student body, by comparison with 15 per cent last year and 59 per cent in 1956. In the first year class 29 per cent are veterans, but only 4 per cent are receiving G.I. benefits.

THE FACULTY

Mr. Daniel H. Pollitt, who was promoted from Associate Professor to Professor in the summer of 1961, is on leave during the current academic year serving as a Special Assistant to the Chairman of the National Labor Relations Board. He expects to return to his teaching at the beginning of the next academic year.

We were joined this fall by Professor Thomas W. Christopher, who is serving this year in the position temporarily vacated by Mr. Pollitt, but whose appointment is permanent, as next year he will fill the vacancy created by the fact that two faculty members will be teaching half time.

Mr. Christopher holds the A.B. from Washington and Lee, the LL.B. from the University of Alabama and the LL.M. and S.J.D. from New York University. He is a member of the bars of Alabama, Georgia and New York. He has served as a faculty member and associate dean of the Emory University Law School and as a visiting professor at the University of California Law School. During 1960-61 he was an attorney on the staff of the General Counsel of the Corn Products Company in New York City. His graduate work was predominantly in food and drug law and he is the author of several treatises in that field. He is teaching this year the course in Federal Jurisdiction, a section of the course in Trusts, the seminar in Constitutional Law and the seminar in Food and Drug Law.

In the summer of 1961 Assistant Professor and Assistant Dean Robin L. Hinson left our faculty to enter the practice of law. The teaching vacancy thus created has been filled by Assistant Professor Dan B. Dobbs, who received his A.B. and LL.B. at the University of Arkansas, where he was editor-in-chief of the *Arkansas Law Review*. In 1960-61 he was a teaching assistant at the University of Illinois Law School, where he also took graduate work and received the LL.M. degree. He has had experience as a law clerk to a federal judge and some four years' experience in the practice of law. He is teaching a section of Legal Method, a section of Torts, a section of Real Property II, and the Moot Court course.
Filling a new position is Assistant Professor Richard E. Day, who received the B.S. in Economics from the Wharton School of the University of Pennsylvania and the J.D. from the University of Michigan Law School. He served for several years as a Naval officer. He has had four years’ of practice with law firms in Chicago and Washington, D.C., where he acquired substantial experience with anti-trust and fair trade practice cases. He is teaching this year a section of Credit Transactions, a section of Evidence, and the course in Trade Regulation.

Joining our faculty for the spring semester, filling another new position, will be Associate Professor John W. Scott, who received his B.S. from Alabama Polytechnic Institute and the LL.B. and LL.M. from Harvard Law School. While working for the LL.M. he supervised the Ames Competition at Harvard. For three years he was associated with the law firm of the late Randolph Paul and for the past five years has been first associate and then a partner in a New York City firm, continuing to specialize in tax practice. His writing has been primarily in the area of tax law and includes two chapters in the 1957 edition of Merten’s Law of Federal Income Taxation. He has frequently been a lecturer for the Practicing Law Institute and at other institutes for practicing lawyers. This spring he will assist in the seminar in Estate Planning and also give the seminar in Advanced Tax Problems.

Professor Albert Coates, who is also Director of the Institute of Government, and who was on leave from law teaching duties for the last two academic years, has returned this fall and is teaching both sections of the course in Criminal Law and Procedure.

On a commuting basis, while continuing his teaching here, Professor Robert H. Wettach was a visiting professor for one course at the Duke University Law School in the spring of 1961, and on the same basis, Kenan Professor M. T. Van Hecke will give a course at Duke in the spring of 1962.

A highlight of the faculty year was the appointment, in the spring of 1961, of Professor Herbert R. Baer as one of the first five Distinguished Alumni Professors on the University faculty. Mr. Baer’s article on Admiralty Law, “At Sea With the United States Supreme Court,” published in our Law Review in the spring of 1960, has continued in great demand throughout the country. He is currently at work on a second admiralty article.
Mr. Van Hecke was recently appointed by Governor Sanford to another four year term as a member of the North Carolina Employment Security Commission. He has an article in this issue of the Law Review and has agreed to be a lecturer at the Institute on Labor Law to be held next February. He has been appointed by the President-Elect of the Association of American Law Schools to serve as the first chairman of a new special Association Committee on Faculty Appointments.

Mr. Wettach was a lecturer at the Institute on Family Law held in November and Associate Professor J. Dickson Phillips was a lecturer at the Institute on Drafting Legal Instruments held last spring. Mr. Phillips also has an article in this issue of the Review. During the summer of 1961 Mr. Phillips was elected to the Board of Governors of the North Carolina Bar Association and appointed Chairman of the Committee on Administrative Law of that Association. By appointment of the Governor he also served as State Chairman for the United Nations Day program and is serving as a member of the North Carolina Wildlife Commission.

Professor Frank W. Hanft, after a long period of faithful and productive service as the representative of this School on the North Carolina General Statutes Commission, has become Chairman of that Commission. He served as Acting Chairman for some months prior to assuming the Chairmanship.

In the fall of 1960 Professor Frederick B. McCall was a lecturer at the Institute on the new Intestate Succession Act and he published an article on the Act in the December 1960 Law Review. He is currently serving as Chairman of a Drafting Committee, under the aegis of the General Statutes Commission, revising the North Carolina statutes governing the administration of decedents' estates.

In June 1961 Professor Seymour W. Wurfel lectured at Heidelberg University in Germany on legal education in the United States and in November he delivered one of a series of lectures sponsored by the Duke University World Rule of Law Center. He has a book review in this issue and has an article currently appearing in the Journal of the Japanese Union for World Federation.

Associate Professor Mary W. Oliver recently prepared an index to date of the North Carolina Bar Association publication, Bar Notes. She continues active in the committee work of the American Association of Law Libraries. Under the report of the Curricu-
lum Committee recently adopted by the law faculty, she will next year add to her teaching duties with a new seminar in Legal History.

In the spring of 1961 Mr. Christopher published an article in the *Food and Drug and Cosmetic Law Journal* and book reviews in the *Indiana Law Journal* and the *Journal of Public Law*. At the annual meeting of the Association of American Law Schools in December he will become Chairman of the Association Committee on Racial Discrimination.

The Dean has served during 1961 as a member of the Executive Committee of the Association of American Law Schools. He continues to serve as a member of the North Carolina Bar Association's Special Committee on Improving and Expediting the Administration of Justice, as a member of that Association’s Committee on Continuing Legal Education, and as an associate member of its Committee on Taxation.

The faculty was represented during the year at the annual meetings of the Association of American Law Schools, the American Association of Law Libraries, the American Bar Association, the American Law Institute, the North Carolina Bar Association, the American Society of International Law, the North Carolina State Bar, the Southeastern Conference of Law Teachers, the Southeastern Chapter of the American Association of Law Libraries, and the Southern Trust Conference of the American Bankers Association. Our representation at the last mentioned meeting was made possible by a grant from the Trust Division of the North Carolina Bankers Association.

**The Library**

During the year ending June 30, 1961, we added approximately 4600 volumes to our collection, including some 1200 received as gifts.

We are indeed grateful for the many gifts received. Particular mention should be made of a gift of 260 volumes from the I. R. Williams' Estate of Dunn, N. C.; a gift of approximately 260 volumes from George Watts Hill of Durham; and a set of the *North Carolina Law Review* from Robert H. Schmell of the New York City Bar. We also express our appreciation for the fact that the publications of the Hague Permanent Court of International Justice have been added to our collection through research funds available at the University's Main Library.
During 1960-61 we also acquired some 2700 microcards and now hold approximately 23,000 of these cards. Most of them contain briefs and records in cases before the Supreme Court of the United States or statutory histories of major federal statutes.

We are happy to report that the financial support of the Law Library has been substantially increased. One special project which this has enabled us to undertake is the binding (thus making available in useful form) the briefs and records of cases argued before the United States Court of Appeals for the Fourth Circuit.

A faculty Committee on Long Range Planning and Development of the Library Collection has been appointed, with Miss Oliver as Chairman and Messrs. Breckenridge, Pollitt, Van Hecke and Wurfel as members.

During the period covered by this report Assistant Librarian Frances Hall has arranged a number of excellent exhibits.

The Law Library's photo copying service continues to be available to practicing lawyers.

Admission Standards

In the report in the December 1960 Law Review we explained the new admission standards applicable to those seeking admission to the summer session of 1961 and thereafter. As already indicated, despite this change, the first year class increased from 125 in 1960 to 145 in 1961. It is impossible to ascertain the precise number of students who would have entered Law School this year except for the change in the admission requirements. A reasonably educated guess would fix the number at 20 to 25.

While the acid test of scholastic performance still lies ahead, the paper record seems to indicate a significant improvement in the over-all quality of the first year class. The median test score on the Law School Admission Test for the students in this class is more than 20 points above the median for Law School applicants taking the test throughout the country. Fifty-nine per cent of the students (by comparison with 42 per cent in 1960) have scores above the national median. Only 2 per cent (by comparison with 14 per cent in 1960) have scores below the twenty-second percentile for all of those taking the test.

Curriculum

Beginning this spring, the course in Real Property II will become a first year rather than a second year course, and the course in
Pleading and Parties will be shifted from the first year to the second. Changes in the first year program already approved for next year will reduce the course in Criminal Law and Procedure from five to four semester hours and include the Moot Court course in the spring semester of the first year.

This year a new seminar in Food and Drug Law is being offered and the course in Military Law is back in the curriculum after an absence of several years. Next year the curriculum will include a new course in Corporate Taxation and new seminars in Labor Law and Legal History.

**Summer School**

During the summer of 1961 our visitors were Dean Hiram H. Lesar of Washington University (Income Taxation), Professor Pierre Loisseaux of the University of Texas (Debtors' Estates), Dean Vernon X. Miller of Catholic University (Constitutional Law), and Professor F. Hodge O’Neal of Duke University (Corporations). Included in the summer curriculum were courses in Personal Property, Sales, and (as distinguished from a seminar) Debtors' Estates, which are not offered during the regular academic year. One hundred and eleven students were enrolled at the first term and one hundred at the second.

**Academic Achievement**

The masthead of this issue lists those students who are current members of the staff of the *Law Review*.

Other student scholastic honors were as follows:

Nine students, on the basis of standing at the time of election in the top 10 per cent of the class of 1961, 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 James Young Preston, John Hosea Kerr, III, Charles Edward Dameron, III, Oliver Wendell Alphin, Jack William Floyd, Kenneth Lawing Penegar, John Gilbert Shaw, William Harvey McNair, and George Dudley Humphrey, Jr. Alphin, Dameron, Kerr, Penegar and Preston were also winners of the Chief Justice Walter Clark Awards, made annually to the five students who, at the end of their fifth semester at this Law School, have the highest scholastic averages.

The degree of LL.B. With High Honors was awarded to James Young Preston. The degree of LL.B. with Honors was awarded
to Oliver Wendell Alphin, Charles Edward Dameron, III, Jack William Floyd, John Hosea Kerr, III, Allan Whitlock Markham, William Harvey McNair, Kenneth Lawing Penegar and John Gilbert Shaw. As reported in the December 1960 issue, the LL.B. With Honors and LL.B. With High Honors have replaced the J.D. degree.

Charles Edward Dameron, III was the winner of the Block Improvement Award given to the senior who, having devoted himself most sincerely to his law studies during all of his law school career, makes the most constant improvement in academic work from the date of enrollment to the end of the fifth semester. The Award, established by Mr. Norman Block of the Greensboro Bar in memory of his father, consists of $300.

The U.S. Law Week Award was won by Charles Halbert McGirt. This Award, consisting of a year's subscription to U.S. Law Week, goes to the senior making the most satisfactory scholastic progress during his senior year.

James Young Preston was the winner of the Lawyers Title Award of $100 to the senior demonstrating excellence in the study of real property law. The winner at this School is selected on the basis of achieving the highest average grade in the courses in Real Property, Future Interests and Titles.

Robert Howard Futrelle and George Robinson Ragsdale received Richardson Foundation Fellowship Grants for study of the operations of the federal government. Futrelle is attached during the current year to the staff of Congressmen David Henderson and Ragsdale is attached to the staff of Senator Sam J. Ervin, Jr.

The Judge Heriot Clarkson Award going to the student making the highest mark in the course (Trial and Appellate Practice) covering problems in legal ethics was won by James Young Preston.

Students winning the Bancroft Whitney Company and the Lawyers Cooperative Publishing Company prizes for the top grades in selected course were as follows: Oliver Wendell Alphin (Debtors' Estate), Julius LeVonne Chambers (Business Associations, Constitutional Law and Equity), Charles Edward Dameron, III (Administrative Law), William Douglas Etheridge (Trusts and Evidence), Jack William Floyd (Taxation II), Joseph Stuart Friedberg (Agency), Glen Bowers Hardymon (Contracts), Lawrence Townley Hammond, Jr. (Pleading and Parties), Loran Armstrong John-
Beginning with this issue, larger type is being used in the Review, for both text and footnotes. We hope that this will meet with the approval of our subscribers. This change will undoubtedly increase printing costs and it may be that an increase in the subscription price will be necessary next fall. The decision will be made in the light of financial experience this year.

While the annual survey of North Carolina case law will continue, there will be further deemphasis this year of commentaries on North Carolina legislation. So long as the adjournment date of the North Carolina Legislature permitted it, an extensive commentary on legislation appeared biennially in the June issue. Later adjournment dates have made this impossible and other publications dealing with the new statutes are now available. There will be a few selective comments on 1961 legislation.

The annual Law Review dinner, held on November 3rd this year, was the best attended in the series. The principal speaker was McNeill Smith of the Greensboro Bar, Chairman of the North Carolina Advisory Committee on Civil Rights. Editor-in-Chief Julius L. Chambers presided.

The Law Student Association and Student Activities

The officers for the Law Student Association for this academic year are C. Edwin Allman, Jr., President; Paul L. Whitfield, Vice President; J. Phillips Carlton, Secretary; Richard M. Lewis, Treasurer; W. George Huffman, Chief Justice of the Law School Court; and Edward Lawrence, Solicitor. Committee Chairmen are J. Thomas Hunt, Athletic Activities; Richard P. McNeely, Elections; James P. Erwin, Jr., Liaison; Ronald D. Rowe, Library; John Edgar Brown, Lounge; Paul L. Whitfield, Orientation; James F. Blue,
Placement; John R. Whitty, Public Relations; Robert M. Burroughs, Social Affairs; J. Donnell Lassiter and Mack B. Pearsall, Speakers and Film; Joseph A. Moretz, Tar Heel Barrister; Howard G. Doyle, Desk and Study Space; William D. Etheridge, Student Loan Fund; Charles M. Hensey, Placement Brochure; and John M. Rosenberg, Honor Court Study.

Our students continue to participate actively in the affairs of the American Law Student Association, which is sponsored by and affiliated with the American Bar Association. Our student body sent representatives both to the regional meeting for the fourth circuit and to the annual meeting held in conjunction with the annual meeting of the American Bar Association in St. Louis, Missouri.

The Law Student Association sponsored Student Legal Research Service continues in operation, with Jon Mazuy as Director. The Service does not operate during the summer or during examination periods. Its services are available only to members of the practicing bar.

During 1960-61 the Speakers Committee presented the following: Mr. James B. McMillan, President of the North Carolina Bar Association; Mr. Perry Nichols of the Miami, Florida Bar; Lieutenant Colonel William T. Keogh of the Judge Advocate General's Corps of the Army; and State Senator Robert Lee Humber. As of this writing, the Committee this year has presented Judge J. Spencer Bell of the United States Court of Appeals for the Fourth Circuit and will on December 6th present Major L. P. McLendon of the Greensboro Bar.

Members of our team in the National Moot Court Competition this year are seniors James P. Erwin, Jr., J. Edgar Moore and John M. Rosenberg. Regional Competition is scheduled at Richmond in November.

ALUMNI ACTIVITIES

From October 1960 to November 1961 the officers of the Law Alumni Association were Paul A. Johnston of Washington, D. C., President; Harper J. Elam, III of the Greensboro Bar and Albert J. Ellis of the Jacksonville Bar, Vice Presidents; and Mary W. Oliver of the law faculty, Secretary-Treasurer.

Officers of the Law Foundation Council were and continue to be: William A. Dees, Jr. of the Goldsboro Bar, Chairman; E. K. Powe of the Durham Bar, Vice-Chairman; Dan K. Moore of the
Since the Law Alumni Association was organized in the fall of 1952 the number of active members has shown an increase each year save one. As of this writing, the Association has received dues from 752 alumni, by comparison with 705 for all of 1960. This membership constitutes 41 per cent of the entire mailing list. Dues paid for 1961 to date total more than $3500 and contributions of 167 individual alumni to the Law Foundation total approximately $2500. Other sums placed in the Foundation, including a legacy of $10,000 from the late Thomas Ruffin, bring the capital fund of the Foundation to approximately $18,000.

At its meeting on November 3rd the Law Foundation appropriated to the Law Alumni Association $500 to be used as John J. Parker and Thomas Ruffin Scholarships. The increased dues revenue of the Law Alumni Association enabled the Association to appropriate $3000 (in addition to the $500 from the Foundation) for scholarships in 1962. This compares with a total of $2300 from the same sources in 1961 and we are much encouraged by the growth of this assistance.

In addition to scholarship aid, the availability of Alumni funds for purposes not supported by the state has been most helpful in developing a well-rounded School program. The Association has contributed materially to publication of the Tar Heel Barrister and the Placement Brochure and to travel expense of Law Library personnel, junior faculty members and (occasionally) students in attending national and regional professional meetings. During the past year less than 5 per cent of Association dues and contributions to the Foundation has been expended for administrative purposes.

We are particularly indebted to the officers and directors of the Association and the officers and Council members of the Foundation for their efforts in our behalf. We also wish to express our deep appreciation to Mr. Basil Sherrill of the Raleigh Bar, who has served most effectively and efficiently as Membership Chairman of the Association during 1961.

INSTITUTES FOR PRACTICING ATTORNEYS

In this state the organized program for continuing legal education for practicing attorneys is under the joint sponsorship of the North Carolina Bar Association and the Law Schools at Duke,
Wake Forest and the University. Under this program, an Institute on Drafting Legal Instruments was held in Chapel Hill in the spring of 1961 and an Institute on Taxation will be held here in the spring of 1962. Other institutes were held and will be held at Duke and Wake Forest.

BAR EXAMINATION RESULTS

In August of 1961 we had 77 graduates taking the North Carolina Bar Examination for the first time. Only five of them failed. We had three repeaters, all of whom passed. Our passing percentage was substantially better than the percentage for all candidates. It also compares very favorably with the record for 1960.

PLACEMENT

In January, June and August of 1961 we graduated a total of 90 students. Thirteen have entered or will enter military service. Forty-four, of whom three have opened their own law offices, are engaged in the practice of law. Four are clerks to judges, four are with the F.B.I., four are with insurance companies, two are on Richardson Foundation Fellowships in Washington, five are with federal agencies, two are with corporate legal departments, two are on the staff of the Institute of Government, three are with banks, one is taking graduate work in law, one is a local court official, one entered business, and four have not definitely notified us as to their employment.

Our 1962 class will be of substantially the same size as that of 1961. Present prospects are that many openings will be available to them but we repeat, with emphasis, our annual request that our alumni and friends give us all possible assistance in locating good opportunities for our prospective graduates.

SPEAKERS

A notable event of the spring was the appearance of Governor John B. Swainson of Michigan, a 1951 graduate of this School, as the principal speaker at the special hooding ceremony for our June law graduates.

In addition to the speakers, elsewhere identified, appearing under the auspices of the Law Student Association and at the Law Review Dinner, a number of lawyers and others have delivered special lectures in our classes, participated in class discussions or
appeared before the legal fraternities. We are deeply indebted for the assistance they have given us. Those so appearing, or definitely scheduled to appear this fall are: Glen E. Anderson, of Raleigh, President of the Carolina Securities Corporation and past Chairman of the Board of Governors of the National Association of Securities Dealers; Norman Block of the Greensboro Bar; Frank H. Bozarth, Vice President and Trust Officer of the Central Carolina Bank and Trust Company; Donald C. Bruce, member of Congress from Indiana; Edward L. Cannon, Secretary and Treasurer of the North Carolina State Bar; Major John L. Child of the Judge Advocate General’s Corps of the Army; Anthony A. DiGrazia, Supreme Justice of the Phi Alpha Delta Fraternity, of Chicago; Alfred C. Crodon, Jr. of the Washington, D. C. Bar, Master Scholar of the Delta Theta Phi Fraternity; Meredith M. Daubin of the Washington, D. C. Bar, Past Chancellor and Regional Coordinator of the Delta Theta Phi Fraternity; Dan K. Edwards of the Durham Bar; Victor E. Ferrell, attorney with a subcommittee of the U.S. Senate Judiciary Committee; S. F. Forrester, Vice President and Trust Officer, Wachovia Bank and Trust Company; Judge George M. Fountain of the North Carolina Superior Court; Nicholas Galifianakis of the Durham Bar; North Carolina State Treasurer Edwin Gill; Robert L. Hines of the Charlotte Bar; I. Beverly Lake of the Raleigh Bar; Arthur Larson, Professor of Law and Director of the World Rule of Law Center at Duke University; Milton E. Loomis, Trust Representative of the Central Carolina Bank and Trust Company; Assistant State Attorney General Ralph Moody; Don Moore, District Supreme Justice, Phi Alpha Delta Fraternity, Washington, D. C.; Julian E. Parker, Assistant Federal Representative with the North Carolina Department of Labor; Carver J. Peacock, Chartered Life Underwriter of Durham; J. C. Pittman of the Sanford Bar; J. C. Rush of the Charlotte Bar; Robert H. Schnell of the New York City Bar; Professor Frank Schwentker of the faculty of the University’s School of Business Administration; Malcolm Seawell of the Raleigh Bar; Lieutenant Colonel Toxey H. Sewell of the Judge Advocate General’s Corps of the Army; Major Earl A. Snyder, of the Judge Advocate General’s Corps of the Air Force; L. P. Sorrell, Deputy Commission of Labor for North Carolina; Earl M. Stanley of the Washington, D. C. Bar, Marshal of the Delta Theta Phi Fraternity; Solicitor Archie Taylor of the Fourth
Judicial District; and J. Theron Woodward, Trust Officer of the First Citizens Bank and Trust Company.

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