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Newsletter

College of William and Mary in Virginia

1779 Marshall-Wythe School of Law 1964

Volume Seven

Friday, April 24, 1964

Number Three

Procedural Trilogy Completed By Professor Arthur Phelps

The third part of a trilogy of handbooks for Virginia lawyers is due from the pen--or type-writer--of a College of William and Mary law professor this year. Professor Arthur W. Phelps of the college's Marshall-Wythe School of Law is the author of the three books which, taken together, provide practicing attorneys with a practical guide to legal, equity and appellate procedure.

The first volume, on Virginia rules of procedure in actions at law, was published in 1959. Two years later the companion volume on equity practice and procedure was published. The 1964 volume on procedure on appeals to the state supreme court of appeals will complete the subject, but not the continuing work of revision to



PHELPS

keep the volumes current.

Michie Law Book Co. of Charlottesville is the publisher of all three volumes. The same company has published Phelps' fourth book, on the law of divorce and alimony in Virginia and West Virginia, which came out last year.

Four books in five years is something of a record for a full-time teacher, but Phelps points out that "one thing led to another" when the series began. There being nothing available in professional literature to correlate the procedural rules which lawyers must follow in the routine of trial practice,

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Professor Joseph Curtis Chosen New Law School Dean

Professor Joseph Curtis opened the Spring semester as the new Dean of the nation's oldest law school, filling the post vacated in 1962 by the administrative retirement of Professor Dudley W. Woodbridge. Curtis had served as acting Dean during the interim.

The appointment came upon the unanimous recommendation of the law school faculty, and drew praises from Dean John Richie of Northwestern University, President of the Association of American Law Schools. After congratulating the college on Curtis' selection, Richie noted that the college's procedure in relying upon faculty recommendations on the deanship is in the best of academic and professional tradition.



CURTIS

Curtis has been a faculty member at William and Mary since 1948. A native of New York, he received his B.S. and LL. B. degrees from New York University in 1934 and 1937 respectively, qualified for the New York bar in 1938 and practiced in New York City until the outbreak of World War II.

From 1941 through 1945 Curtis served in the Army Air Corps, attaining the rank of major. After the war, he returned to New York City to practice and completed the work for his LL.M. at New York University. In 1948 Curtis qualified

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FACULTY ACTIVITIES

Professor E. Blythe Stason, Jr., represented the Marshall-Wythe School of Law at the 1963 annual meeting of the Association of American Law Schools, held December 28-30 in the Statler-Hilton Hotel in Los Angeles, California. The Association is composed of, and represents, law schools in the United States. Its meeting this year was, as is customary, devoted principally to discussion of academic, curricular and other matters of particular interest to the law teaching profession.

Professor Arthur W. Phelps as a representative of the Law School attended the first mid-winter meeting of the Virginia State Bar Association, which was held in Williamsburg on January 17 and 18. The Committee on Continuing Legal Education of which Mr. Phelps is a member, met on January 17, in connection with the Bar meeting for the purpose of outlining future programs. Progress was reported on the preparation of a new handbook by the Committee on the proof of facts in Virginia.

As a member of the State Affairs Committee of the Virginia State Chamber of Commerce, Professor Thomas C. Atkeson attended a meeting of the Committee in Richmond on January 10, 1964, to discuss the relationship of Stanley Tax Commission Report to those of the State Chamber. Professor Atkeson served as a member of the Chamber's Tax Study Committee which produced the 1962 report entitled "Opportunities for Improvement of Virginia's Tax Structure."

Professor William F. Swindler has been named to the 1964 council on legal history of the Association of American Law Schools. He is also a member of the special subcommittee on public relations of the Virginia State Bar, which met in Williamsburg January 17-19.

The Newsletter is published by the Student Bar Association of the Marshall-Wythe School of Law at the College of William and Mary in Virginia.

Aldine J. Coffman, Jr., R. Gordon Scott, William Corwardin, and Karl Peters compose the Editorial staff.

Senior Gregory Evans Picked To Edit Spring Law Review

Gregory U. Evans of Alexandria has been appointed by the faculty of the Marshall-Wythe School of Law as editor-in-chief of the William and Mary Law Review for the spring semester of 1964.

Evans succeeds Shepard W. McKenney, editor-in-chief during the first semester, who graduated at the end of January.

Professor Joseph Curtis, dean of the law school, announced the appointment, which was made on the basis of Evans' scholarship and writing ability.

The William and Mary Law Review is published each semester by a staff of law students as a journal of articles of current interest to members of the legal profession. It is Evans' job to see that the best-written and most timely of the contributions are included.

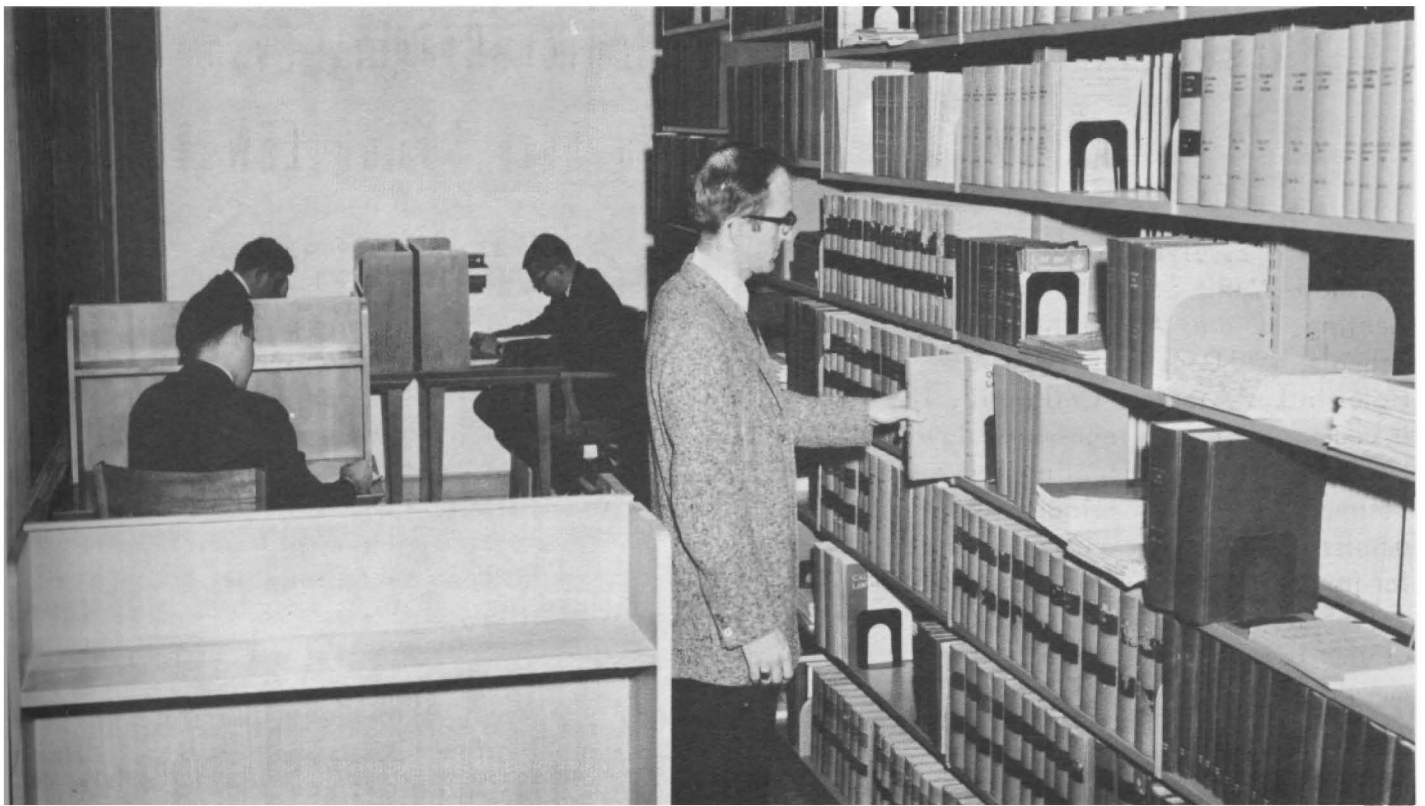
Members of the editorial board of the Law Review for the spring semester are Richard Crouch, Joseph Phillips and Joseph Wool. Staff members are Paul Auster, Johnston Brendel, M. Elvin Byler, Robert C. Johnston and Raymond Stropole.

Looking past law school, Evans, who plans to graduate in February 1965, is hoping to serve in the U.S. Army Judge Advocate General's Corps and then return to the Washington, D.C., area to practice.

Evans is married. He and his wife, Patricia, have a 16-month-old son, Phillip Gregory.

Law School Receives Two Gifts For Purchase Of Library Books

The law library has recently received gifts for the purchase of books from Mrs. Paul Kent and attorneys Louis Ellenson and Lawrence L. Lieberman. Mrs. Kent is from Altavista, Virginia, and is the mother of recent graduate James Kent. Mr. Ellenson (B.C.L. '50) is a practicing attorney in Newport News and Mr. Lieberman (B.C.L. '57) is a member of the firm of Lieberman and Cutler, also of Newport News.



LAW LIBRARY--The expanded wing of the law library has both study carrels and shelf space to

ease the growing pains of the increasing number of books and scholars.

LAW LIBRARY EXPANDS

The College of William and Mary's growing law library burst at the seams this winter--and has overflowed into a new reading room which opened with the second semester. The new unit--containing more than 6,300 volumes of the collection--also has virtually doubled the space for library users, with the addition of a number of new "carrels" or reading desks.

Mrs. Anna B. Johnson, librarian of the Marshall-Wythe School of Law at the college, reports a considerable growth in the library collection in the past three years. The William and Mary law books and periodicals now total approximately 32,000 catalogued items, with several thousand more waiting to be added.

This accelerated growth, by gift and exchange as well as by routine orders, suddenly used up the space in the present law school quarters. It had been hoped by college authorities that the existing

space could be made to serve the purpose until the present library building on campus could be remodeled for law school and related uses. Plans call for a general reconstruction of the present library upon completion of the new Earl Gregg Swem Library now under construction.

This timetable was upset by the accelerated growth of the law library, however, and necessitated the creating of a new reading room. At the same time, Mrs. Johnson points out, the added space made possible the more logical grouping of library materials by use and subject-matter.

Thus, the shelves in the new reading room accommodate the library's collection of more than 150 law reviews and other professional journals, the compiled statutes or codes of the various states, and the reported court cases for all the states. The old reading room now houses the federal and

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GODWIN, LAW DAY SPEAKER

LT. GOVERNOR TO SPEAK HERE

Principal speaker for the activities of the Law School's celebration of Law Day on May 2 will be Lieutenant Governor Mills E. Godwin.

Godwin was born in Nansemond County in 1914, receiving his preparatory education in the public schools there. Thereafter, he attended William and Mary and the University of Virginia to qualify for the degree of Bachelor of Law, and recently he was awarded an Honorary Doctor of Law Degree from Elon College.

Before becoming a practicing attorney in Suffolk Godwin was a special agent for the F.B.I. Today he divides his time between his 500 acre farm in Nansemond County, and his position on the Advisory Board of the Virginia National Bank at Suffolk and Vice-Presidency and Director of the Bank of Whaleville.

From 1948 through 1952, Godwin was a member of the House of Delegates, and afterward, until his election as Lieutenant Governor, a member of the State Senate, where in 1959 he was chairman of the Virginia Potomac River Commission which rewrote the original and historic Potomac River Compact of 1785.

SEVEN GRADUATE, FOURTEEN PASS BAR

This Spring, seven law students completed their academic requirements and graduated in January, and fourteen were notified in March that they had passed the December bar examination.

Those graduating were James Kent (A.B. College of William and Mary, '60) who is continuing his studies here in law; Shepard McKenney (A.B. College of William and Mary, '60), who is now with the firm of Kaufman, Oberndorfer, Spainhour, and Hall in Norfolk;

Richard Neve (B.B.A. University of Wisconsin, '59) who is with State Farm Insurance Company; Donald Porter (B.S. Naval Academy, M.S. University of Wyoming) who is practicing law with Peter Decker of Norfolk; David Short (A.B. Old Dominion College, '60) who is practicing law with William Hoyle of Newport News;

Prentiss Smiley (A.B. Lynchburg College, '60), who is planning to initiate a career in the F.B.I.; and Haral Lee Stuart (A.B. University of Alabama; '60) who has returned to his home in New Jersey to prepare for the state bar.

Passing the bar in December as students or alumni were Richard Crouch of Arlington; Reginald B. Frazier of Newport News; Charles Francis Groom of Newport News; Hugh Scott Hester of Reidsville North Carolina;

James P. Kent, Jr., Altavista; James Woodrow McGlothlin, Page; Shepard McKinney, Norfolk; William W. Merrit, Norfolk; Joseph F. Phillips, Williamsburg; N. Woodrow Pusey, Norfolk; David Lee Short, Newport News; N. Prentiss Smiley, Jr., Yorktown; Harold O. Telstad, Newport News; and Joseph C. Wool, Jr., Virginia Beach.

BARRISTERS' BRIDES NOTES

Barristers' Brides has just recently elected new officers and begun a housing committee under Suzy Palmer's chairmanship, whose purpose is to aid the married students in locating housing.

Diana Kapral is the new president of the group, aided by Carol Rideout, vice-president, Claire Cook, Secretary, and Holly Yurasek, treasurer.

LAW DAY MAY SECOND

The Law School will celebrate Law Day on May 2, 1964. In conjunction with this annual event the Law School Association will hold its annual meeting.

The day's activities will begin with a meeting of the Law School Association which will be held in Bryan Lounge at 10:30 a.m. Business to be conducted at this meeting includes the election of officers and a constitutional amendment. The purpose of the amendment is to eliminate the separate offices of Secretary and Treasurer and to consolidate them into the position of Secretary-treasurer. The reason announced for the proposed amendment is to facilitate the work of the association.

The second major item on the agenda is the election of officers. The nominating committee has submitted the following nominations: William B. Harman, Jr., of Arlington, president; John M. Hollis, of Norfolk, vice-president; Emeric Fischer of Williamsburg, secretary-treasurer. Nominated for seats on the Association's Board of Directors are Preston Shannon, of Richmond; Arthur B. Hanson of Washington, D.C., and L. Cleaves Manning of Portsmouth.

Following the business meeting, there will be a luncheon in the Ballroom of the new Campus Center

which will commence at 12:30 p.m. The speaker at the luncheon will be the Lieutenant Governor of the Commonwealth of Virginia, Mills E. Godwin. At approximately 3:30 a reception will be held in the Williamsburg Lodge in honor of the Lieutenant Governor.

Mrs. Anne Ware, Secretary of the Law School, will take reservations for the Law Day Functions. The charge for the luncheon will be \$2.50. It is requested that all reservations be in by April 30. However, those who find that they can attend at the last minute should see the Secretary, Mrs. John Lee Darat, at the business meeting. There will be a charge of \$1.00 for the reception.

The Law Day activities are being co-sponsored by the William and Mary Law School Association, the Student Bar Association, and the Williamsburg Bar Association.

Newsletter Under New Staff

Beginning with this issue of the Newsletter, the Student Bar Association has taken over the task and responsibility of publishing this primary link between the law school and its alumni. Elvin Byler, President of the Student Bar, and Professor Joseph Curtis, Dean of the Law School, initiated the transfer of the publication into student hands, under the editorship of second year students Aldine J. Coffman, Jr., and R. Gordon Scott. The new editors hope to publish at least quarterly, and intent to enlarge their present efforts into a more nearly adequate communication between alumni and the present students.

Grizzard, Tarrant Moot Court Champs

Second-year law students Richard C. Grizzard and John R. Tarrant copped first place in the annual Moot Court competition here April 15 with a win over Lacy Scoggin and Winston Snider.

Three tidewater area judges sat as the court of appeals for the contest. They were Judges Walter E. Hoffman of the Federal Court for the Eastern District of Virginia, Douglas M. Smith of Newport News Corporation Court, and Henry D. Garnett of the Newport News Circuit Court.

After attorneys for the petitioners--Grizzard and Tarrant--and the attorneys representing the United States--Scoggin and Snider--finished their arguments, the court retired for about thirty minutes, and returned with a verdict for the petitioners.

The case concerned the alleged illegal search and seizure of mythical Saul Scotch in connection with his arrest and conviction of bank robbing.

As reward for over two months efforts in preparation, the winning team won a copy of Black's Law Dictionary and several lesser prizes.



PHI ALPHA DELTA--The new officers of Phi Alpha Delta are (l-r) Woodrow Pussey, Justice; James

Kent, Treasurer, Ray Strople, Clerk, and Joe Phillips, Vice-Justice.

Phi Alpha Delta Fraternity Elects Pussey To Justiceship

Phi Alpha Delta, national honorary law fraternity, elected officers for the Marshall-Wythe chapter. Woodrow Pussey was elected Justice. Assisting him will be Joe Phillips, Vice Justice, Ray Strople, Clerk, James Kent, Treasurer, and Arthur Bruno, Marshall.

Many brothers attended the Phi Alpha Delta banquet. After the banquet the fraternity was addressed by Howard Gill, a noted criminologist from American University in Washington, D. C.

Justice Pussey and several other brothers will attend the regional conclave of the fraternity which is to be held in Washington, D. C. in March.

The following law students were initiated into Phi Alpha Delta: James R. Bray, Roland W. Dodson, Gary M. Gleason, Richard C. Grizzard, Douglas B. Hill, John K. Meagher, Jon L. Palmer, Rosser J. Petit, Stanley Sherwood, John C. Stephens, Nicholas St. George and James M. White.

Byler, Tarrant Head Delegation To Student Bar District Meeting

Elvin Byler, President of the Student Bar Association, and John Tarrant will be the official delegates to the District Convention of the American Law Students Association. The convention will be attended by representatives from the third and fourth Judicial Circuits and Washington area schools.

The Student Bar Association is sponsoring the intramural appellate moot court competition. Eight teams have entered this annual event and arguments should be completed before the first of April. Elvin Byler, Greg Evans and Jeff Graham, who represented the law school at the 1963 National Moot Court will act as judges in the preliminary rounds.

The Student Bar is corresponding with the University of Munster, Munster, Germany, in an effort to exchange ideas and law school methods of education.

Eight Law Students Given Second Semester Scholarships

Eight students at the Marshall-Wythe School of Law have been awarded grants for the second semester, it was announced by Professor Joseph Curtis, dean of the law school.

Award of the grants, made by the faculty of the school with Curtis as chairman, was based on the recipients having attained a B average in all their work to date. These awards were made in addition to yearly grants already held by other law students.

The grants were awarded from the late Rev. William A. R. Goodwin Memorial Fund, established from an estate in the name of a former rector of Bruton Parish Church, who first interested John D. Rockefeller in restoring this old Virginia capital.

Upperclass recipients of second semester grants are Douglas Barry Hill of Sudbury, Mass., and Gary M. Gleason of Westfield, Pa.

First year students awarded Goodwin grants are Gus John James of Danville, Alan D. MacDonald of Pulaski, Miss Penelope Irene Dalton of Pulaski, Alfred David Swersky of Norfolk, George Curtis Overman Jr. of Newport News and Donald Allen Zaleski of Newington, Conn.

Phelps' New Book Published

Continued from page 1

the William and Mary law teacher set out to fill the need. Since the need was threefold--in law, in equity and in appellate practice--it was predictable that three handbooks would be required.

All of the Phelps books published to date have received widespread professional commendation. They are in general use among practicing attorneys in Virginia and among students in the four law schools in the state.

Phelps has been a member of the William and Mary law faculty since 1945. A native of Westmoreland County, he received his A. B. degree from Washington and Lee University, his LL. B. from the University of Cincinnati and his LL. M. from Columbia University. He also earned a master of arts degree at Ohio State University and is a member of the Ohio and Virginia bars.

Curtis Appointment Draws Much Praise

Continued from page 1

before the Tax Court and became Associate Professor of Law at William and Mary.

In 1953 Curtis became Professor of Law and a member of the Virginia Bar. In the succeeding decade, he became closely affiliated with the college's pioneer graduate program in law and taxation, and today is widely known as a specialist in tax law.

In the law school classroom Curtis has taught courses in Contracts, Sales, and Future Interests, as well as a broad selection of subjects in tax law, including Federal Taxation, State and Local Taxation, Estate and Gift Taxation, and Adjective Tax Law.

Curtis is married to the former Joyce Phillipps of St. Johns, Newfoundland. Their three sons are Andrew, 20--a student at Virginia Polytechnic Institute; Kevin, 18--a student at William and Mary; and Joel, 13.

The new law Dean is a member of the American Law Institute and the committee on small law schools of the Association of American Law Schools. He is a contributor to the annual survey of Virginia law in the Virginia Law Review, and author of tax articles which have appeared in the "Virginia Public Accountant".

Law Library Facilities Enlarged

Continued from page 3

Virginia state legal materials. Many of the shelves in the special tax library have been cleared of overflow material, making way for the continued growth of the William and Mary tax collection.

Both reading rooms now follow a plan recommended by modern library administrators, according to Mrs. Johnson, in distributing reading desks among the shelves rather than grouping them in one large central area. The new reading desks and new shelving in the recently added reading room, according to law school officers, will be transferred to the new law quarters when they are completed.

ALUMNI ASSOCIATION NOTES

The officers of the Alumni Association will be expected to collect annual dues at the Association business meeting on Saturday, May 2.

If alumni can not attend, they may post dues to James P. Whyte, treasurer, c/o Law School.

LAW REVIEW PREVIEW

Gregory Evans, Editor of the William and Mary Law Review, has released plans for the spring issue of the Law Review. Tentatively, the lead article will be by the Attorney General of the United States Robert F. Kennedy, on the subject of the current civil rights legislation. Richard L. Bacon of the Internal Revenue Service will be the author of the lead article in the field of tax on the subject of casualty losses. In addition to this there will be the works selected from first year students, and the expected case comments.

The Alumni Association does not have the present mailing addresses of those person named on the following lists. The Newsletter staff request any information the reader may have concerning the whereabouts of these alumni. Please forward such information to the Law School Newsletter.

Barret, H.C., '39	McGuire, E.T.
Doll, A. Robert, '51	McQuade, D.A.
Cholko, E.F., '51	Manning, L. Cleaves
Daniels, V.E., '50	Mellon, R.E.
Ellert, R.B., '49	Morehouse, G.E.
Eure, D.H., '54	Moss, A.F.
Fox, P.J., '52	Oden, W.M.
Hage, K.C., or	Ohanahan, J.
Hagge, K.C.	Parry, E.R.
Harrison, David T., '56	Perry, D.P.
Heath, J.E.	Stewart, C.L.
Kent, B.B., Capt.	Van Fossen, E.C.
Kernan, F. von T., '60	Ward, Hal G.
King, C.L., '56	Ward, J.J.
Leslie, B.A., '59	West, J.W.
Loughead, E.C.	Wharton, T.W.
McMann, F.M.	Wright, P.T.

RETURN POSTAGE GUARANTEED

Marshall-Wythe School of Law
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Williams,
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