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Newsletter

College of William and Mary in Virginia

1779 Marshall-Wythe School of Law 1964

Volume Eight

November, 1964

Number 1



EMERIC FISCHER

Emeric Fischer Added To Marshall-Wythe Faculty

The addition of Emeric Fischer as Instructor in Law and Research Associate in Taxation brings another man with a wide range of experience to the faculty of the Marshall-Wythe School of Law.

Fischer's appointment was announced in May by Dean Joseph Curtis.

A veteran of World War II, Fischer received his B.S. at the University of South Carolina, where he was graduated magna cum laude in Business Administration in 1952. He was first in a class of 184 and a member of Omicron Delta Kappa, national leadership fraternity.

The nine years immediately succeeding he spent as a qualified and practicing Certified Public Accountant.

(Continued on Page 2)

136 STUDENTS ENROLLED FOR 1964-1965 SESSION

Surpassing last year's enrollment by fifteen and representing nearly a three hundred percent growth in ten years, the Marshall-Wythe School of Law registered 136 students September 17.

The number represents 36 third year students, 54 second year, 43 first year and 3 unclassified students.

Thirty-four entering students hold baccalaureate degrees and were admitted as law degree candidates. Seven of those admitted were in the combined six year program or William and Mary seniors carrying more than ten hours of law, and two were special students completing the degree program but were not candidates for the law degree.

Friday night following registration, a reception for the new students was held in the Dodge Room of Phi Beta Kappa Hall. A program introducing members of the faculty and entering students was presided over by Dean Joseph Curtis and Nicholas J. St. George, president of the Student Bar Association.

The Student Bar Association sponsored a general orientation meeting for entering students the next morning in which they were briefed on methods of studying law and given a brief tour of the library.

Concurrently, the Barrister's Brides entertained the new law wives with a morning coffee.

A lawn party at the home of Stephen M. Kapral that afternoon was also sponsored by the Student Bar.

The geographical distribution of the first year students is as follows: Virginia—23; New Jersey—5; 2 from North Carolina, New York, Kentucky, Pennsylvania and Tennessee; and 1 from Connecticut, Delaware, Michigan, Ohio, and Rhode Island.

Colleges represented are: William and Mary—13; University of Virginia—4; Transylvania College—3; Richmond Professional Institute—2; Virginia Military Institute—2; and one each from Alma College, Belmont Abbey College, Colgate University, Elon College, Columbia University, Mt. Union College, Notre Dame University, Old Dominion College, Providence College, Pennsylvania State University, Southwest Missouri State College, Virginia Polytechnic Institute, St. John's College of Annapolis, Steph-

(Continued on Page 8)

FISCHER

(Continued from Page 1)

He entered the Law School in 1961, served as editor of the William and Mary Law Review during his final semester, and received the B. C. L. degree in 1963, again graduating at the head of his class. Fischer was awarded the J. D. Carneal Tax Scholarship by the College's Board of Visitors and stood first among those awarded the Masters Degree in Law and Taxation in 1964.

In addition to writing articles for the William and Mary Law Review, Fischer also delivered a paper at the annual Tax Conference sponsored by the law school in December.

Although this is his first year as a member of the faculty, Fischer had frequently been asked to teach classes when teachers were unexpectedly called away. He taught the business law course for several months last year while completing requirements for his masters.

Beginning his full time teaching duties last June, he taught insurance during the summer session. He will teach business law and agency during the first semester of the 1964-65 term.

As research associate in taxation, a new position designed to augment and improve the tax program, Fischer will concentrate on sales taxes, currently a big issue in the planning of the municipal and state economies in Virginia.

A member of the Virginia State Bar, Fischer, his wife Bernice and their two children, David and Paula, live in Williamsburg.

Louis Rives '43 In New Post

Louis H. Rives, Jr., William and Mary Class of '41 and recipient of the B.C.L. degree in 1943, has been named Program Planning Consultant for the Vocational Rehabilitation Administration. He had served as chief of the Division of Services to the Blind of the administration since June, 1959.

Rives, born in Norfolk in April, 1919, became blind at the age of two. He attended Perkins School for the Blind for three years, entered the Norfolk school system and was graduated with honors in 1937.

After graduation from the law school, Rives joined the General Counsel's Staff of the old Federal Security Agency, and was closely associated with the State-Federal vocational rehabilitation program. With V.R.A. since 1947, he has held various positions, some dealing with programs for the blind.

Rives has been recipient of a Superior Service Award from the Department of Health, Education, and Welfare; a Superior Work Performance Award and a Superior Service Citation from VRA, and the Louis Braille Achievement Award.

Sherman Bequest To School To Aid Study Of Roman Law

The late Charles Phineas Sherman of New Haven, Conn., has bequeathed \$5,000 to the Marshall-Wythe School of Law establishing a fund whose income will be applied toward the furtherance of the study of Roman Law. The gift will be known as the Charles Phineas Sherman Fund and may be used either for scholarship aid or addition to the library's volumes on Roman Law.

Dr. Sherman was an internationally known scholar in the field of Roman Law, and served for a number of years here as lecturer in Roman, canon and civil law.

During his lifetime, Dr. Sherman established a fund of \$5,000 in the name of William A. Hamilton, late professor of law and dean of the law school. The income from the Hamilton fund has been applied to an annual prize for the best essay by a law student on the subject of Roman law or comparative Roman and modern law.

The Marshall-Wythe Law School has also been the recipient of Dr. Sherman's personal library of Roman Law. As a result of this gift, the library enjoys a particular eminence in western legal literature and provides a fundamental source material on many phases of modern American jurisprudence.



Penny Dalton, Bill Cowardin and Gary Gleason (not shown) are the staff of the 1964-65 law school newsletter.

New Staff Assumes Control Of Alumni Newsletter

A two man and one woman staff is involved in producing this year's newsletter with Professor Thomas C. Atkeson as faculty advisor.

Miss Penelope I. Dalton, of Pulaski, Gary M. Gleason of Westfield, Pa., and William C. Cowardin Jr. of Newport News assumed the responsibility from Aldine J. Coffman and R. Gordon Scott, who edited last year's Newsletter but relinquished their duties to study for the December Bar Examination.

A new contract let by the State of Virginia with the Franklin Printing Co. will insure uniform appearance to this year's publication.



The staff of this year's William and Mary Law Review peer into the camera. Pictured in the front row are Jeffrey M. Graham, Raymond H. Strople, Gregory U. Evans, Paul Auster, and Robert C. Johnston. Second row: Gus James, S. Strother Smith III, Barry Hill, Penelope I. Dalton, Alan D. MacDonald, James L. Tucker, and William C. Cowardin, Jr.

EVANS ANNOUNCES NEW STAFF AND PLANS FOR LAW REVIEW CONFERENCE

A leading article by Assistant Professor of Law Marvin M. Moore of the University of Akron College of Law entitled "The Termination of Nonconforming Uses" will be featured in the Fall issue of the William and Mary Law Review.

Announcement of the selection of the article and the dates of publication were made by Gregory U. Evans, editor. The Fall issue will be published in December, and the Spring issue in May.

Evans also announced the addition of new board and staff appointments. Jeffrey M. Graham and Douglas Barry Hill have joined the board assisting Evans and Raymond H. Strople, Associate Editor.

New staff members, drawn from the second year class, include Miss Penelope I. Dalton, William C. Cowardin, Jr., Gus John James, Alan D. MacDonald, S. Strother Smith III, and James L. Tucker. Directing them will be M. Elvin Byler, Staff editor.

Paul Auster has been appointed Business Manager, Johnston Brendel is Comment editor, Robert C. Johnston is Case Note editor, and Professor James P. Whyte is faculty advisor.

The Law Review will also be host to the annual convention of the Southern Conference of Law Review Editors scheduled for Williamsburg in April. Graham and Hill are co-chairmen in charge of planning the event.

DEAN CURTIS ANNOUNCES SCHOLARSHIPS AWARDED TO TWENTY-ONE STUDENTS

Awards of scholarships and grants for the 1964-65 term were announced by Dean Curtis on September 19. A total of 21 students have won scholarship awards this Fall.

Three entering students have been awarded W. A. R. Goodwin Memorial Scholarships this year. The fund is named after the late rector of Bruton Parish Church who interested Mr. John D. Rockefeller in restoring the Colonial Capital of Virginia.

The three students are Peter Paul Broccoletti of Watchung, N. J., A.B. Notre Dame University, Vincent Fletcher Ewell of Hampton, A.B. Virginia Polytechnic Institute, and Robert Norman Lent of River Edge, N. J., A.B. College of William and Mary.

Four upperclassmen had Goodwin Scholarships renewed. They are William C. Cowardin, Jr., second year, Jeffrey M. Graham, third year, James L. Tucker, second year, and S. Strother Smith III, second year.

Awarded Goodwin grants-in-aid for having attained a cumulative average of B or better in their law work were Johnston Brendel, M. Elvin Byler, Jr., Gregory U. Evans, Richard C. Grizzard, Raymond H. Strople, and Douglas Barry Hill, all third year students.

Second year students earning such scholarships were Miss Penelope I. Dalton, Gus John James, Alan

(Continued on Page 4)

Phil Alpha Delta Fraternity Pledges Nine New Members

The Wythe Chapter of Phi Alpha Delta Law Fraternity pledged nine prospective new members Oct. 19. Initiation is scheduled for November 13.

Pledges are: William E. Culverhouse of Virginia Beach, Stephen M. Kapral of Watkins Glen, N. Y., Lacy L. Scoggin of Williamsburg, Gordon M. Kent of Altavista, Michael A. Ialongo of Cranston, R. I., Edwin K. Day of Philadelphia, Pa., William W. Richardson of West Point, Daniel D. Portanova of Trumbull, Conn., and Nathan S. Howard of Williamsburg.

Plans are also being made for the annual Fall banquet. It is tentatively scheduled for the campus center at 5:45 p.m. November 21. A dance will be held later at the Heritage Inn.

PAD MOCK TRIAL JURY FINDS DEFENDANT GUILTY

Craig Carlson, the president of the William and Mary Student Association, was the defendant in this year's annual mock trial, sponsored by Phi Alpha Delta.

Carlson was alleged to be the slayer of Bob Willey, a William and Mary student, with an umbrella following a fight arising from an unpaid debt. The trial was scheduled for October 28 with Judge Robert T. Armistead presiding.

Second year students were appointed as attorneys to handle the defense and prosecution of the student leader. Winston G. Snider and Alfred D. Swersky, both of Norfolk, handled the defense. Prosecutors were Bradford W. Coupe of Oakland, R. I., and Thomas C. Palmer of Williamsburg.

Richard C. Grizzard, Justice of the Wythe Chapter of PAD, noted that the trial gave the William and Mary students an opportunity to see what goes on in an actual courtroom and the law students a chance to get in a little practice in their chosen profession.

SCHOLARSHIPS

(Continued from Page 3)

D. MacDonald, George C. Overman, Donald A. Zaleski, and Alfred David Swersky.

First year student Michael Lesniak was awarded the Matthew Gault Emery scholarship, given each year to "an intelligent, deserving and personable law student at William and Mary."

The J. D. Carneal Tax Scholarship was awarded by the Board of Visitors of the College to Michael E. Overton, who will do graduate work in the tax program.

FACULTY ACTIVITIES

Dean Curtis prepared the section on Contracts and Sales for the Annual Survey of Virginia Law of the Virginia Law Review. The section will appear in the November issue.

Mr. Arthur W. Phelps's "Handbook of Virginia Rules of Appellate Procedure" is now being published. This volume completes his study of the Virginia rules of procedure.

Mr. Phelps is currently serving as chairman of the very active Virginia State Bar Association Committee on Legal Education and Admission to the Bar. He is also a member of the joint committee of the Virginia State Bar and the Virginia Bar Association on Continuing Legal Education.

He is chairman of the school's Law Library Committee.

Mr. and Mrs. Phelps attended the Fourth Circuit of Federal Judges Conference and the meeting of the Virginia State Bar Association this summer.

Dr. Thomas C. Atkeson is currently serving as chairman of the Special Sales Tax Study Committee of the Virginia State Chamber of Commerce; and, the Financial Advisory Commission of the City of Williamsburg.

In addition he is currently a member of the Graduate Council of the College of William and Mary. This council replaces the former Graduate Studies Committee as a result of the recent administrative reorganization of the college. He also is a member of the Projects Committee of the University Center in Virginia.

Dr. Atkeson is co-director of the Tenth Annual Tax Conference scheduled for Dec. 5 and a member of the public relations committee of the William and Mary Law School Association.

Dr. William F. Swindler will publish an article in the Fall issue of the North Carolina Law Review entitled "Reapportionment: Revolution or Revision?" He is currently serving on the Committee on Supreme Court Decisions of the Association of American Law Schools, which is composed of law teachers following the jurisprudence of the Supreme Court and undertaking an interpretation for laymen through a common medium.

In appreciation of Dr. Swindler's contributions, advice and service, the Lawyer's Literary Club has established a special collection of its books in the school library. This gift includes a set of 50 volumes and an addition of one new title each month.

Dr. Swindler also holds the position of Director of Development and chairman of the Special events committee of the College proper.

Mr. James P. Whyte has been appointed to the Joint Committee of the Virginia State Bar and the Virginia Bar Association on Continuing Legal Education for a three year term commencing Jan. 1, 1965.

He arbitrated two labor disputes with Allied Chemical Company and United Mine Workers of America in September and attended the Naval School of Justice at Newport, R. I., in August.

(Continued on Page 5)



Dean Emertius Dudley W. Woodbridge addresses his first year class in the new classroom remodeled from what used to be Bryan Lounge. The old lounge room, which was partitioned into two rooms in 1963, now serves the law library on one side of a dividing wall and as a classroom on the other side. The new addition gives the school two classrooms each seating sixty students.

ANNUAL TAX CONFERENCE

The Tenth Annual Tax Conference is to be held December 5 at the William and Mary Campus Center.

Addressing itself to students, accountants, attorneys and other professional and business groups, the conference will make available to them factual material relating to Federal and State tax returns, procedures, and practices.

FACULTY ACTIVITIES

(Continued from Page 4)

Mr. Whyte has recently spoken to the Eastern Shore Region of the Junior Chamber of Commerce in Suffolk on "The Supreme Court and Its Critics" and delivered a lecture on parliamentary procedure to student leaders at James Blair High School in Williamsburg.

Mr. Whyte currently serves on the College's Faculty Series and Student Activity Fees Committees, is faculty advisor for the William and Mary Law Review and co-ordinator of the National Moot Court Team.

Mr. E. Blythe Stason represented the school at the conference of the Southeastern Regional Law School Association on Dauphin Island near Mobile, Ala., in August.

TO BE HELD DECEMBER 5

It is sponsored by the Marshall-Wythe School of Law in cooperation with the Newport News, Norfolk-Portsmouth and Richmond Bar Associations and the Peninsula and Tidewater Chapters of the Virginia Society of Certified Public Accountants.

PROGRAM

REGISTRATION—Campus Center—Jamestown Road

8:30 A. M. to 9:30 A. M.

MORNING SESSION

Main Ballroom — Campus Center

9:30 A. M. to 12:45 P. M.

TAX AMENDMENTS ADOPTED BY THE 1964 GENERAL ASSEMBLY OF VIRGINIA —

Their nature and significance

H. Brice Graves

Hunton, Williams, Gray, Powell and Gibson
Richmond, Virginia

THE NORFOLK RETAIL SALES AND USE TAX—

Experience to date.

(Continued on Page 6)



Allen Zaleski of Newington, Conn., addresses the tribunal during an oral argument in connection with the second year Appellate Briefing course. This course, and the course in Trial and Appellate Practice, both taught by Professor James P. Whyte, give the students training in trial skills.

TAX CONFERENCE

(Continued from Page 5)

W. R. Moore
Commissioner of the Revenue
Norfolk, Virginia

CASE AND RULING COMMENTS —

On significance 1964 Federal Tax Decisions and Rulings.

William P. Oberndorfer
Kaufman, Oberndorfer, Spainhour and Hall
Norfolk, Virginia

THE REVENUE ACT OF 1964 —

Regulations and related matters.

Hon. Sheldon S. Cohen
Chief Counsel for the Internal Revenue Service
Washington, D. C.

OFFICIAL WELCOME BY THE COLLEGE

Dr. Davis Y. Paschall
President, College of William and Mary.

AFTERNOON SESSION

Main Ballroom — Campus Center

2:15 P. M. to 4:30 P. M.

PANEL DISCUSSION — Of Certain Problem

Areas Under the Revenue Act of 1964 — relating to —

Personal Holding Companies; Interest on Certain Deferred Payments; Stock Options; Multiple Corporation Problems; and, Income Averaging.

Chairman: Laurence N. Woodworth
Chief of Staff
Joint Committee on Internal Revenue Taxation
United States Congress

(Continued on Page 8)

NEW ALUMNI DIRECTORY TO BE PUBLISHED IF ADEQUATELY SUPPORTED

"The history of a college is to a large extent the history of its graduates. For a college exerts its influence on the world through its former students. They have made, are making, and will make the reputation of their college and determine her measure of usefulness. In no field is this more nearly true than in that of law." The quotation is from the Introduction written by Dean Emeritus Dudley W. Woodbridge for the Directory of Alumni published and distributed in 1959. Despite some supplementation since that year, the Directory is now obsolete and at its meeting on October 16, the Board of Directors of the William and Mary Law School Association authorized the publication of a new current Directory, provided that a sufficient number of the alumni indicated their wish that it should be done and their willingness to support its undertaking financially.

This indication will be evidenced by your completing and returning (promptly, please) the cut-out below to:

Emeric Fischer, Secretary-Treasurer
William and Mary Law School Association
College of William and Mary
Williamsburg, Virginia 23185

I am (in favor of) (indifferent to) the publication of a new Law School Directory and I am (not) willing to be assessed \$3.00 toward the cost of publication and distribution. (Do not send any money at this time, as if the response is not sufficiently favorable, the matter will be dropped. The assessment will be made at the time of dues billing, if we

proceed and you have stricken the "(not)", and payment thereof will entitle you to receive a copy without further cost).

WHETHER OR NOT I AM WILLING TO PAY THE ASSESSMENT AND RECEIVE A COPY, if the Directory is to be published, I wish my name and data to be recorded in the Directory as follows:

Please print

(Last name) (First name and middle name or initial)

(Baccalaureate degree, if any, and year of conference)

(Law degree, if any, year of conference or completion of requirements or withdrawal)

(Home address)

(Law firm name or business affiliation and address)

(Public office held, if any)

TAX CONFERENCE

(Continued from Page 6)

Panel Members:

Forrest W. Brown, Jr.
Certified Public Accountant

A. M. Pullen and Company
Richmond, Virginia

Hugh C. Stromswold
Attorney, Law Department

Reynolds Metals Company
Richmond, Virginia

Thomas D. Terry
Attorney, Legislation and Regula-
tions Division

Office of the Chief Counsel, Internal
Revenue Service
Washington

David O. Williams, Jr.
Attorney and Branch Chief, Legis-
tion and Regulation Division
Office of the Chief Counsel, Internal
Revenue Service
Washington

ENROLLMENT

(Continued from Page 1)

ens Institute of Technology, and the United States
Military Academy.

In addition, five students formerly taking law
courses in the combined six year program were ad-
mitted as law degree candidates, and one student
formerly in law school was admitted with advanced
standing.

One student with an A.B. degree from William
and Mary and an LL.B. degree from Yale University
was admitted as a candidate for the Master of Law
and Taxation degree.