

College of William & Mary Law School  
**William & Mary Law School Scholarship Repository**

---

News Letter

Law School Newsletters

---

1970

## News Letter Vol. 13, No. 2 (Winter 1970)

William & Mary Law School

---

### Repository Citation

William & Mary Law School, "News Letter Vol. 13, No. 2 (Winter 1970)" (1970). *News Letter*. 46.  
<https://scholarship.law.wm.edu/newsletter/46>

Copyright c 1970 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository.  
<https://scholarship.law.wm.edu/newsletter>

# News Letter

MARSHALL - WYTHE SCHOOL OF LAW  
COLLEGE OF WILLIAM AND MARY  
*Williamsburg, Virginia*



Volume ~~Fourteen~~ **Thirteen**

Winter, 1970

Number 2



SIR ARTHUR GOODHART

## MEDAL TO GOODHART GRANTED CHARTER DAY

Sir Arthur L. Goodhart, distinguished leader of the legal profession on both sides of the Atlantic, was the fourth individual to receive the Marshall-Wythe School of Law Medallion, in ceremonies at the College's annual Charter Day on February 7.

Goodhart, the only American ever to become master of an Oxford University College, has been a periodic visitor to the William and Mary campus since 1955, when he delivered one of the commemorative addresses at the Marshall-Wythe-Blackstone Bicentennial. Editor of the *Quarterly Law Journal* since 1936, and a leading scholar in the work of the British Law Revision Commission, he has received a long list of honorary degrees and other citations from British and American institutions.

In the summer of 1969 Sir Arthur acted as host to a select group of American law students enrolled at the annual William and Mary Summer School of Law in England, entertaining them at his Oxford penthouse and giving a personally conducted tour of the campus.

The Marshall-Wythe Medallion was authorized by the law faculty in 1967 to give special recognition

(Continued on Page 2)

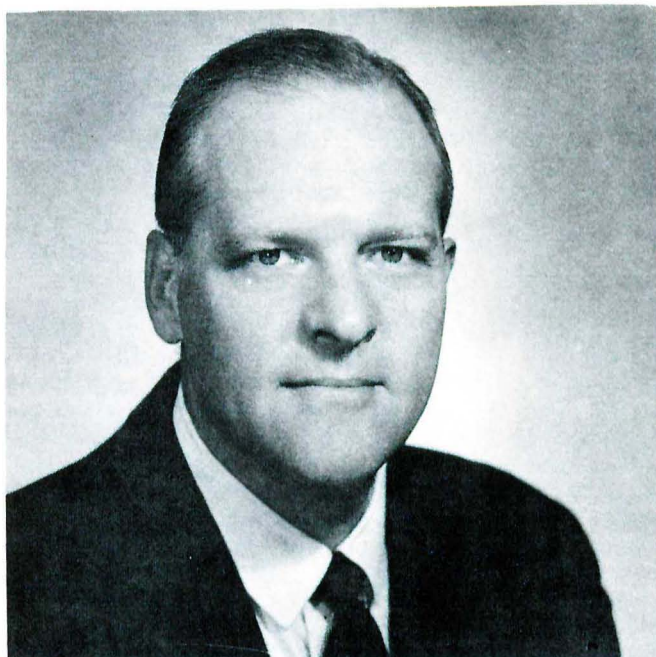
## JAMES P. WHYTE NAMED LAW DEAN

Professor James P. Whyte, Jr., who had been Associate Dean of the Marshall-Wythe School of Law since 1965 and Acting Dean since the resignation of Joseph Curtis last year, was named permanent Dean by the executive committee of the Board of Visitors this month. Dr. W. Melville Jones, vice-president for academic affairs, met with the law faculty early in February to advise that Professor Whyte, who had been unanimously recommended by the law faculty, had been formally appointed.

Dr. Jones, who was chairman of the special committee, said it had held several meetings the last 10 months both in Williamsburg and Richmond. It included representatives from the law faculty, the law school alumni organization, Student Bar Association representatives and members of the William and Mary board.

Dr. Davis Y. Paschall, college president, said in announcing Dean Whyte's appointment that the new dean "has rendered outstanding service to the Marshall-Wythe School of Law. His efforts have been

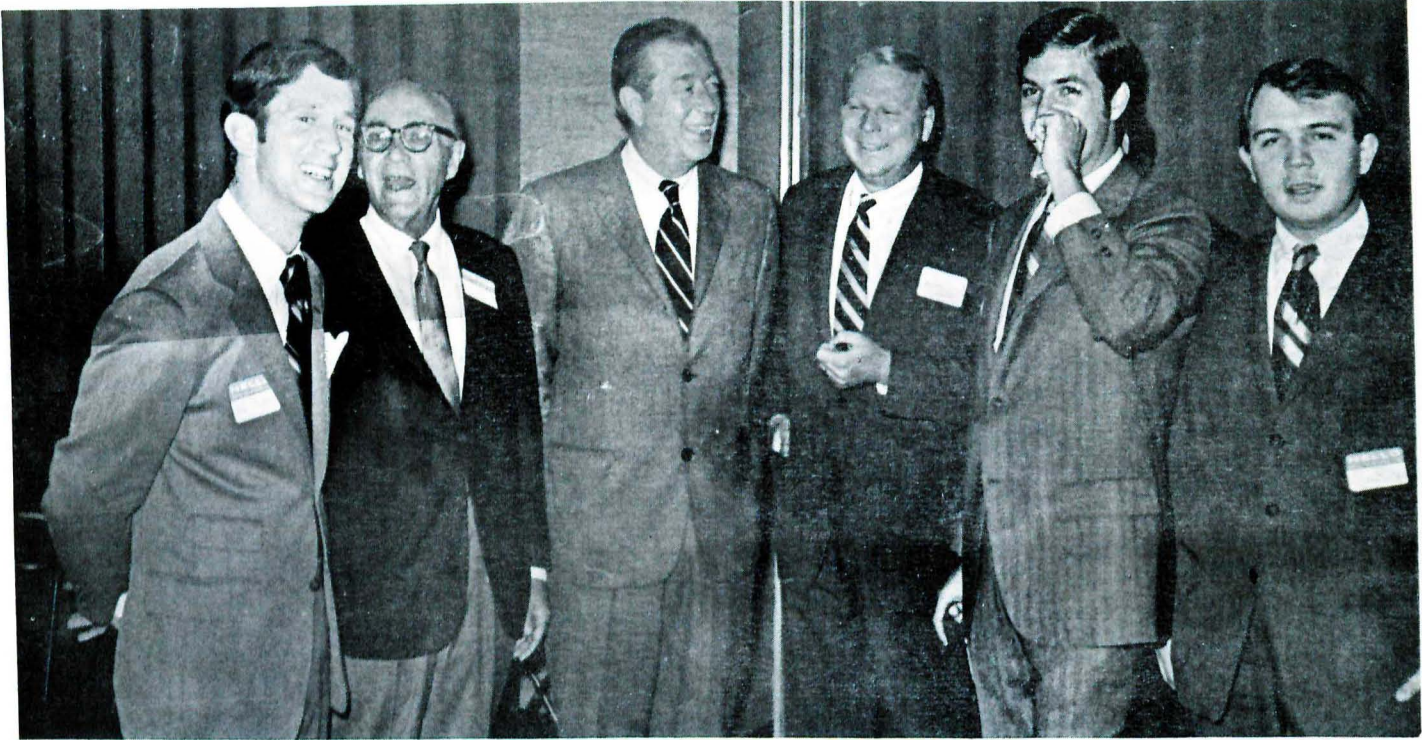
(Continued on Page 5)



DEAN JAMES P. WHYTE

LIBRARY  
AUG 11 1970





Students, alumni and friends gathered at the National Lawyers Club last fall for the two-day Washington trip sponsored by Phi Delta Phi. Shown above are Rick Shreves, '71; Otto Lowe, '26; Congressman Thomas N. Downing; Glenn J. Sedam, '69; Duncan Garnett, '71, and Jon Wilkin, '71.

## REPORTS ON CONFERENCES — PAST, PRESENT, FUTURE

Professional conferences on a wide variety of legal subjects usually centering around the facilities of the Williamsburg Conference Center but also involving the moot court room of the Law School, attest to the steadily expanding services of the Law School in continuing legal education. In the past few months, the annual Tax Conference and three conferences on aspects of government contracts have been conducted by the Law School in association with other sponsors.

A fourth contracting course will be jointly sponsored by the Law School and Federal Publications, Inc., in May. This will be off the campus, in Palm Beach, Fla., following last year's popular conference co-sponsored by the same two agencies.

Professors John H. Davies and Don W. Llewellyn of the Law School participated in the Tax Conference, speaking respectively on federal tax cases and tax rulings in 1969. Professor Emeric Fischer was in general charge of the program. Professor William F. Swindler was local coordinator for the three conferences in government contracts.

The largest training program in tax law yet to be offered by the Law School will be staged in Williamsburg June 14-26, when the Law School and the Tax Executives Institute will jointly sponsor an intensive course for junior executives. Professors John E. Donaldson, Davies, Fischer and Llewellyn will serve as part of the faculty for the program. Enrollment will be highly selective, and it is anticipated that participants will be drawn from leading business institutions and organizations throughout the eastern United States.

Tentatively set for early October is a one-day conference on international business and anti-trust law, jointly sponsored with the American Society of International Law and other professional agencies. Professor E. Blythe Stason, Jr., will be in charge of this program.

Late in 1970, with plans still only tentative, is a proposed national conference on the progress of programs for the improvement of judicial procedure in the various states, under the sponsorship of the Virginia Consortium on Law Enforcement and Crime Prevention and with the Law School as local "control."

In the spring of 1971 the William and Mary Law Review will be the official hosts for the annual National Conference of Law Reviews. The annual Tax Conference and related training programs with Federal Publications, Inc. are also on the agenda for the coming academic year.

### MEDAL TO GOODHART GRANTED CHARTER DAY

(Continued from Page 1)

by the pioneer American law school to leaders of the profession in England and America. Previous recipients have been Norris Darrell of the New York firm of Sullivan and Cromwell, president of the American Law Institute; Roger J. Traynor, recently retired chief justice of the California Supreme Court; and A. James Casner of Harvard University, distinguished teacher and author.



## 4TH SUMMER IN ENGLAND SET TO START JULY 6

Enrollments for the 1970 Summer School of Law in England have been coming in at a rate better than for any of the three previous years in which the program has been offered, according to Professor Emeric Fischer, director. The program, which has now become a recognized feature of the William and Mary curriculum in legal studies, annually attracts approximately sixty students from several dozen American law schools, for six weeks of study under the direction of the Marshall-Wythe School of Law on the campus of the University of Exeter in Devon.

The coming summer's program will move definitively into the area of comparative Anglo-American law, the dimension of the curriculum which gives it the unique character it has attained. In several courses, William and Mary and Exeter law professors will join in the same class to discuss the differences and similarities in the approach of American and English courts respectively to the same subject matter.

A typical seminar, to be offered this year for the first time, is Comparative Constitutional Law, in which Dr. William F. Swindler will develop studies on selected constitutional topics as they are treated in American, English, and European law. Professor Peter English of the Exeter faculty will join periodically in the class meetings to answer questions on British interpretation which arise during the week's seminars.

In another course, Comparative Legal History, Dr. Swindler will sit in periodically on classes conducted by Miss Christina Sachs, to discuss the historic factors which shaped changes in American common law from the developments in English common law after Independence.

In other courses, comparative aspects will also be stressed—in Anti-Trust Law and International Business Transactions, both offered by Professor E. Blythe Stason, Jr.; in Equity and Insurance, offered by Professor Fischer; in International Law, offered by Professor John Bridge of Exeter; and in the Introduction to Civil Law, offered by Dr. Dominik Lasok of Exeter, former visiting professor at Marshall-Wythe in 1966-67.

As in previous summers, trips to English judicial centers, and guest lectures by members of the English bar will add to the opportunities for detailed study of common law subjects in the mother country of the common law.

Plans are getting under way for incorporating into the 1971 summer program some of the activities of the American Bar Association meeting in London. The ABA meetings in London will be July 16-20.

## BIG LAW WEEKEND APRIL 17 - 18

Moving up its annual meeting to mid-April, the William and Mary Law School Association will merge its activities with the Law Review banquet and the Barristers' Ball to make an eventful spring weekend on April 17 and 18.

A conflict of reservations on the traditional Law Day weekend in May made it necessary to shift the dates for 1970.

Virginia Attorney General Andrew P. Miller is scheduled to give the principal speech at the Law Review dinner, which is expected to draw a large number of former editors and staff writers. Governor A. Linwood Holton has also been invited, but no definite word at this date has been received concerning his availability.

Details of the entire weekend, and the program for the Law School Association, will be prepared and mailed out under separate cover. The general order of events is as follows:

April 17, evening—Law Review dinner.

April 18, morning—Law School Association business meeting.

April 18, noon—Law School Association luncheon.

April 18, evening—Barristers' Ball.

Speakers for the several events have not yet been announced.

## FACULTY ACTIVITIES

Dr. William F. Swindler has been advised of his election to membership in the American Law Institute this spring. Other faculty members who are affiliated with the Institute include Dean James P. Whyte, *ex officio*, and Professor E. Blythe Stason, Jr.

Associate Professor John E. Donaldson spoke on "Tax Developments Affecting Non-Profit Institutions" at the first annual training conference sponsored in Washington by Tax Barometer/Federal Publications, February 5-6.

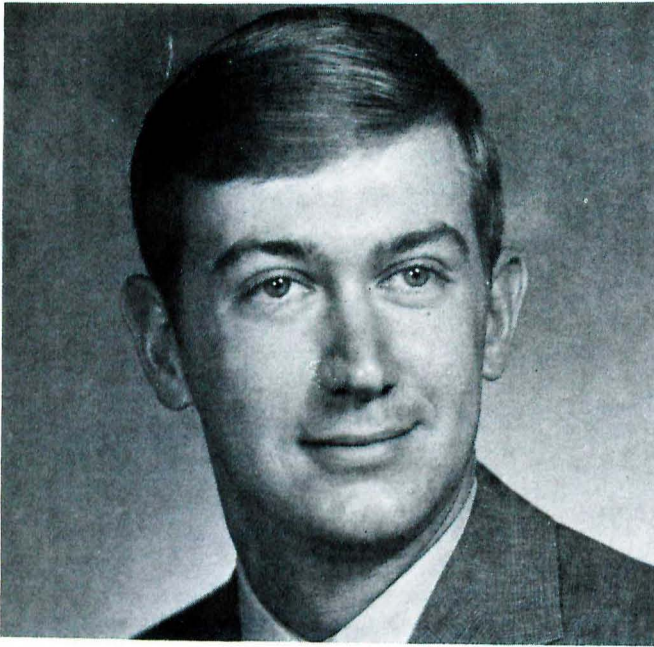
Associate Professor E. Blythe Stason, Jr. served as a judge for the moot court competition of the International Law School Society at the University of Virginia March 13-14. The competition represented the regional round of the Philip C. Jessup Competition of the American Society of International Law.

Professor William F. Swindler has been commissioned to prepare three articles in legal history for the next edition of the *Encyclopedia Americana*—on Sir William Gascoigne and Ranulf de Glanvill, early English jurists, and on the subject of freehold tenures. Dr. Swindler contributed articles on Sir Edward Coke, Sir Matthew Hale and Sir John Fortescue in earlier editions.

An article by Dr. Swindler, "The Warren Court: Completion of a Constitutional Revolution," will appear in the March issue of the *Vanderbilt Law Review*.

Professor Thomas H. Jolls was elected to the Board of Directors of the Mutual Trust Life Insurance Co. of Chicago at a meeting early this year.





HARRY D. SAUNDERS

Harry D. Saunders, a senior in the Law School, is a holder of the Phi Alpha Delta \$500 scholarship award for 1969-70. The award was announced at the meeting of the PAD Supreme Tribunal in New Orleans last fall. The annual grant is based upon need, academic standing and leadership in PAD chapter activities.

Mr. Saunders, a graduate of Oklahoma State University, was the first non-senior to be elected justice of the George Wythe Chapter, in 1968. He is currently deputy marshall for District 13 of the fraternity, and has served as a delegate to the national PAD conclave in Washington. He has also served on the staff of the William and Mary Law Review and has been a delegate to the Southern Conference of Law Reviews, as well as serving on various committees of the Student Bar Association.

Mr. Saunders has also held the William and Mary Endowment Fund Scholarship and the W. A. R. Goodwin Scholarship.

## ALUMNI ACTIVITIES

J. Larry Palmer, '69, has recently become associated with the firm of Plato G. Eliades in Hopewell.

Salvatore J. Jesuele, '68, is with the firm of Breslin and Monaghan in Englewood Cliffs, N. J., and is a member of the Fort Lee Board of Adjustment and Appeals. He recently married the former Lydia Dawn Bulynko, '69.

William R. Keown, '65, has recently opened an office in Richmond in association with Gordon K. Humphrey.

Frederick Bush, '62, is currently counsel for the St. Lawrence Seaway Development Corp. of Massena, N. Y.

Thomas C. Palmer, Jr., '66, is actively engaged in trial work with the firm of Brault, Lewis and Geschlechter in Fairfax.

Lt. Col. Brian B. Kent, '59, is with the staff of the Judge Advocate General at Twentynine Palms, Calif.

The Law School regrets to have learned of the death of Edward C. Longhead, '53, in Portsmouth, August 4, 1969.

Capt. Walter A. (Gus) Smith, III, '68, is with the JAG Corps in South Viet Nam.

E. Alvin Gentry, '62, is plant counsel at Alleghany Ballistics Laboratory near Cumberland, Md.

S5 Curran Clem, '67, is with JAG in South Viet Nam.

Wallace R. Heatwole, '50, recently completed a term as president of the Augusta County Bar Association which served as host to the Virginia State Bar meeting. He is currently on the Board of Directors of the newly organized Criminal Law Section of the Virginia State Bar.

Richard H. Harding, '68, is with the Marine Corps JAG at Kaneohe Air Base in Hawaii.

Capt. Donald P. Witty, '68, is with the Board of Adjustment at the Demilitarized Zone in Korea.

David G. Wittan, '67, is with the firm of Ellinson and Foxx in Newport News, after having served as a staff attorney for the Division of Statutory Research and Drafting in Richmond.

## SBA SLATES FULL SCHEDULE FOR SPRING

Two widely-known practitioners will feature the spring speakers program of the Student Bar Association, along with a calendar filled with both professional and recreational events. Softball, tennis, golf and dart competition has been arranged, as well as Law Day speakers for Tidewater area high schools and the annual awards luncheon April 30.

On April 8 the speaker for the SBA will be Frederick B. Lacey, United States Attorney for the District of New Jersey, who is one of the key figures in the current Nixon Administration war on organized crime. On April 24 the speaker will be Henry B. Rothblatt, noted defense attorney who recently was

involved in the defense of the Green Beret commander in Viet Nam.

Following the well-received program established last year, the SBA plans again in 1970 to offer a list of students as speakers on Law Day subjects for high schools and civic groups throughout the Tidewater Area.

Tom Reaveley, one of six S. B. A. delegates attending the 6th Circuit Conference of the ABA/LSD in Washington March 26-28, was elected District Governor for the 4th Circuit and awarded one of the association's gold keys. Other law students attending included Duncan Garnett, Don Owens, Rick Shreves, Bob Peterson and Richard Ashman.



## LAW REVIEW ARTICLES ARE WIDELY CITED

A student note by Dennis Hensley, '70, "The Application of Anti-Trust Laws to the Securities Industry," appearing in the *William and Mary Law Review* for the fall of 1968, has been reprinted in the annual yearbook of articles and essays entitled, *Securities Law Review*, 1969, published in New York.

A number of requests have come in for the lead article in the Fall 1969 issue of the *Law Review*—including two requests to reprint in yearbooks. This is, "Tax planning for the Not-so-Rich: Variable and Private Annuities," by Anthony M. Vernava, assistant dean of Wayne State University. Tax specialists have called the paper one of the few fresh contributions to tax law literature in recent years.

Other articles in the Fall 1969 issue—Volume 11, No. 1—include "Due Process for Servicemen—The Military Justice Act of 1968," by Francis T. McCoy, law professor at the University of Florida; "State Appellate Courts and the Judicial Process: Written Obscenity," by D. Greir Stephenson, member of the faculty of the National War College; "The Ombudsman in the Common Law System," by Walter W. Toxey, research coordinator for the Louisiana State Law Institute; and "The Normative Theory of Law," by George E. Glos, a member of the law faculty of St. Mary's University.

The largest candidate program in the history of the *Law Review* got under way at the start of the second semester with selection of first-year students on the basis of accomplishment in the first semester. An intensive writing and editing program has been prepared to select successful applicants.

The second issue of the current volume is currently being distributed. It contains four leading articles, as follows: "The Regulation and Administration of the Welfare Hearing Process—The Need for Administrative Responsibility," by Robert E. Scott, '68, a visiting professor at the Law School this year; "Libel and the Supreme Court," by Jerome L. Merin, currently a law secretary for Judge Reynier Wortendyke of the United States District Court for New Jersey; "A Hearing Examiner Comments on the APA and the Rule Making or Adjudication Controversy," by Robert R. Boyd, '52, director, Office of Hearings and Proceedings, Federal Railroad Administration.

This issue will also carry the text of the 1969 Sherwell Lecture, "The Human Comedy in Legal History," by Frederick Bernays Wiener, widely known Washington, D. C. attorney. Among the student projects will be a multi-state survey developed by Michael J. Kris, '71, on the impact of the 1969 Supreme Court rule on residency requirements for welfare recipients.

The bookplate of George Wythe, together with a facsimile of a page from John Marshall's Law Notes, are reproduced on a souvenir folder distributed occasionally by the Law School. A limited number of copies are available for interested persons.

## JAMES P. WHYTE NAMED LAW DEAN

(Continued from Page 1)

largely responsible for the improved facilities, larger enrollment, and increased resources, especially in library capability. He has served on commissions, and is highly regarded by those in the legal profession, particularly in the field of labor relations.

"I do not know of anyone who more deeply appreciates the progress that has been made in the law school, and who has a more practical vision for its future improvement, than Dean Whyte," Dr. Paschall said.

Dean Whyte, who is well known as a judge or arbitrator in the field of labor law, is also a specialist in constitutional and criminal law as well as appellate practice. He is a member of the American Bar Association, the Virginia State Bar Association and the Virginia State Bar.

A native of Columbus, Miss., he is an alumnus of Bucknell University and the University of Colorado Law School. He also holds a master of arts degree from Syracuse University. Dean Whyte practiced law and served as county prosecuting attorney to McAlaster, Okla., from 1951-57, and later served as attorney for the Great Lakes Pipeline Co. in Kansas City, Mo., before coming to Williamsburg.

A World War II naval commander, he was a certified trial and defense counsel for general courts-martial. He continues to serve as a judge for labor arbitration panels of the Federal Mediation and Conciliation Service, the American Arbitration Association and the Virginia Department of Labor and Industry.

Dean Whyte has published articles in several law reviews and is on the editorial advisory committee for the papers of John Marshall project at the Institute of Early American History and Culture.







Shown above, left, are Senator Spong extending opening greetings to the luncheon with PDP brothers Bob Bland, Mickey Golden and Job Taylor at the head table. Above right, Senator Mike Mansfield of Montana shares a political joke with the group, with Senator Joseph D. Tydings of Maryland and Dr. William F. Swindler, chapter adviser, reacting.



## TWO-DAY WASHINGTON TRIP COVERS MAIN LAW CENTERS

The Jefferson Inn of Phi Delta Phi repeated its highly successful 1967 professional field trip to the District of Columbia in October 1969, with benefits which everyone agreed were even more manifest. As the photographs on pages 3 and 6 attest, the sixty and more law students who attended were exposed to the whole gamut of legal officers in the national capital.

The first day began with an hour's briefing on the current work of the Department of Justice in crime prevention and prosecution, followed by a session at the Supreme Court which was climaxed

by an intimate 45-minute audience with Chief Justice Warren E. Burger. That evening, a reception for Washington area alumni, guests from the D. C. bench and bar and others was held at the National Lawyers Club.

The next day was taken up with an informative audience with the Chief Judge, clerk and commissioner of the Court of Claims, followed by a luncheon in the Senate Dining Room with Senator William B. Spong as host. In the afternoon a session with the National Labor Relations Board legal staff completed the tour.



Below, left, the Chief Justice of the United States sat informally in the Supreme Court reception room to discuss details of judicial administration with the assembled law students. Lower right shows Dr. Paul H. Gantt, '42, president of the Law School Association, chatting with Judge Wilson Cowen of the Court of Claims after the students were invited to the judge's chambers after their briefing session.



## MANY LAW FIRMS VISIT LAW SCHOOL

An abundance of recruiting partners of leading law firms from major cities along the East Coast, as well as representatives from more distant points, crowded the facilities of the Law School last fall to interview prospective employees in the senior class and a number of junior students interested in summer employment.

Tom Reaveley, '71, chairman of the SBA placement committee, worked almost around the clock during October and November to schedule successive teams of interviewers and keep lists of appointments for law students. His workmanlike administration won a formal statement of appreciation from the Law School faculty which was spread upon its official minutes.

Among major law firms which either sent members personally to interview, or invited law students to visit the firm offices for the purpose, were the following: Reed, Smith, Shaw and McClay of Pittsburgh; Morgan, Lewis and Bockius of Philadelphia; Greenebaum, Grissom, Doel, Matthews and Boone of Louisville; Christian, Barton, Parker, Epps and Brent of Richmond; Williams, Worrell, Kelly and Worthington of Norfolk; Gentry, Locke, Rakes and Moore of Roanoke. Among the accounting firms visiting was Price-Waterhouse of Washington. In addition, five government agencies, including the Justice department and the Atomic Energy Commission recruited here last fall.

## PLANS BEING MADE FOR 1971 MEETING

The 1971 National Conference of Law Reviews will be held in Williamsburg with the *William and Mary Law Review* as hosts. Initial plans for the gathering of several hundred of the nation's law school editors and staff members are already under way. Facilities at the Williamsburg Conference Center for March 18-21, 1971 have been reserved, and a preliminary list of guest speakers has been prepared.

This month, four members of the current editorial staff will represent the *William and Mary Law Review* at the 1970 meeting in Denver. They are Mike Kris, Dick Gold, Bruce Titus and Ray Stoner.

In 1968 the *Law Review* acted as host for the Southern Conference of Law Reviews.

---

William & Mary Summer School  
of Law in England

July 6 to August 16, 1970

William & Mary Summer School  
of Law in Williamsburg

June 15 to August 16, 1970

Jack Norman of Phi Alpha Delta presents plaque with names of members of 1969 National Moot Court team—Eileen Albertson and Paul Jensen.





## PHI DELTA PHI OFFICERS NEW PLEDGES ANNOUNCED

New officers of the Thomas Jefferson Inn of Phi Delta Phi were elected recently. They include Magister, Walter Jon Wilkins, Norfolk; Vice Magister, Rand Evan Shapiro, Norfolk; Clerk, Alan Gerard Enderle, Clarksville; Exchequer, Robert Leslie Freed, Richmond; Historian, Charles H. Duff III, Arlington.

The 1970 pledge class includes the following: Eliot M. Schlosser, '71, Hampton; and the following members of the Class of '72: Leonard F. Alcantara, Newport News; Alvin P. Anderson, Richmond; Frank F. Arness, Norfolk; Charles R. Ashman, Jackson, Missouri; Richard B. Blackwell, Newport News; Robert T. Boal III, Cedar Grove, New Jersey; Charles W. Boohar, Jr., Quarryville, Pennsylvania; Ronald E. Burgess, Perth Amboy, New Jersey; Charles H. Duff III, Arlington; Wayne L. Edmunds, Williamsburg; Alan G. Enderle, Clarksville; Robert L. Freed, Richmond; Frank H. Frye, Richmond; Joseph H. Godwin III, Norfolk; George N. Hudson, Williamsburg; Lawrence J. Lipka, Newport News; Michael D. Lubeley, Hampton; James T. Pye, Duxbury, Massachusetts; John B. Sanders, Cohasset, Massachusetts; Rand Evan Shapiro, Norfolk; Wilson F. Skinner, Jr., Williamsburg; Duncan C. Smith, Dover, New Jersey; Donald F. Snow, New Milford, Connecticut; James M. Stafford, Arlington; Charles D. Stark, Westfield, New Jersey; Douglas S. Wood, Virginia Beach; and Michael Zuk, Jr., Kansas City, Missouri.

## NEW PLEDGES ANNOUNCED BY PHI ALPHA DELTA

The George Wythe Chapter of Phi Alpha Delta recently announced the 1970 pledge class as follows: Dennis L. Beck, Hampton; Peter M. Desler, Williamsburg; Thomas P. Dougherty, Huntington, New York; James H. Freeman, Warwick, Rhode Island; Fay L. Gormly, Ventura, California; Q. Russell Hatchl, Arlington; Robert A. Holmes, Aliquippa, Pennsylvania; Wilson C. Jefferson, Fort Eustis; Richard C. Josephson, Bethesda, Maryland; Robert Kaplan, Los Angeles, California; Richard E. Knight, Arlington; Robert C. Koch, Aarrendon, Illinois; Jon LaRoche, Kankakee, Illinois; F. Ellen Lloyd, Cocahella, California; Robert L. Marks, Danville, Pennsylvania; Robert L. Petersen, Newport News; Richard B. Potter, Williamsburg; Elsie L. Powell, Norfolk; Robert Richardson, Hampton; E. Wayne Sawyers, Marion; John A. Scannelli, Paramus, New Jersey; Marc Scheumann, Cincinnati, Ohio; George L. Shetler, Portsmouth; Gary E. Tegenkamp, Sarasota, Florida; Alvin D. Treado, Marquette, Michigan; and Randall A. White, Toledo, Ohio.

**LAW WEEKEND 1970**

**April 17-18**

**Marshall Wythe School of Law**

RETURN POSTAGE GUARANTEED  
Marshall-Wythe School of Law  
College of William and Mary  
Williamsburg, Virginia 23185