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1968

## 1968 Schedule

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### Repository Citation

"1968 Schedule" (1968). *William & Mary Annual Tax Conference*. 403.  
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# TAX CONFERENCE

MARSHALL-WYTHE SCHOOL OF LAW  
COLLEGE OF WILLIAM AND MARY

## FOURTEENTH ANNUAL CONFERENCE

LEADING 1968 FEDERAL TAX CASES  
AND RULINGS . . . . . *Edwin L. Kahn*

H. R. 10—PLANS AND PROBLEMS . . . . . *Emeric Fischer*

TAX STATUS OF EDUCATIONAL  
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PROFESSIONAL AND EDUCATIONAL  
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THE FEDERAL TAX ENACTMENTS  
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REASON FOR, AND EFFECT OF, THE  
1968 VIRGINIA ASSEMBLY TAX  
CHANGES . . . . . *Carrington Williams*

VIRGINIA SALES TAX—TECHNICAL  
ISSUES AND EXPERIENCE . . . . . *Stuart W. Connock*

PANEL DISCUSSION: SOME STATE  
AND LOCAL TAX QUESTIONS AND  
PROBLEMS RECENTLY ENCOUNTERED . . . . .  
*W. C. Andrews, Jr.,  
George D. Fischer  
and W. R. Moore*

COLLEGE OF WILLIAM AND MARY IN VIRGINIA  
WILLIAMSBURG, VIRGINIA

# P R E F A C E

## TAX CONFERENCE

This publication records the presentations and major discussions of the Fourteenth Annual Tax Conference held in Williamsburg, December 7, 1968. These Conferences are conducted by the Marshall-Wythe School of Law of the College of William and Mary as an adjunct to the graduate program in Law and Taxation. A list of prior Tax Conference publications may be noted on page 131.

These Conferences have for their objective the discussion of policy, technical and procedural matters of an advanced nature in the area of Federal, State and local taxation by recognized authorities for the enrichment of the Law School curriculum, and as a service of practical application to Virginia attorneys, accountants and representatives of business and industry.

It may be observed that those serving as speakers and discussion leaders for this and prior Conferences are distinctively representative Federal and State tax officials, tax practicing attorneys and accountants, and members of law school faculties. The College acknowledges with deep appreciation their significant contribution to these Conferences, and commends their participation in this leadership opportunity as a recognized exemplification of public service in the highest tradition.

The College also records its appreciation to the many attorneys, accountants, and representatives of business and industry who have responded so graciously by their participation in and support of these Conferences. This increasing manifestation of interest lends encouragement to students and faculty of the Law School, and accentuates the importance of the efforts made by all who sustain the Conferences.

The printing of this publication is made possible through a grant provided by Title I of the Higher Education Act of 1965 and the College gratefully acknowledges the support for such a worthy endeavor.

DAVIS Y. PASCHALL, *President*  
*The College of William and Mary*  
*in Virginia*

Williamsburg, Virginia  
February, 1969

## LAW AND TAXATION AT THE COLLEGE OF WILLIAM AND MARY

### THE MARSHALL-WYTHE SCHOOL OF LAW

A chair of law was established at the College of William and Mary by action of the Board of Visitors under the leadership of Thomas Jefferson, an alumnus and then Governor of the Commonwealth of Virginia, on December 4, 1779. The present Law School takes its name from the first occupant of this chair—George Wythe, signer of the Declaration of Independence, leading attorney of the age and later Justice of the Chancery Court in Richmond; and John Marshall, one of Wythe's first students and subsequently the great chief justice of the United States.

The first phase of the law program at the College of William and Mary extended from 1779 to 1861. Following the long years of suffering and devastation after the Civil War, the Law School reopened its doors in 1922. It became a member of the Association of American Law Schools in 1936.

### THE PROGRAM IN LAW AND TAXATION

The Marshall-Wythe School of Law of the College of William and Mary established a program leading to the Degree of Master of Law and Taxation in September 1954.

This program was premised upon the recognition of the need for competently trained persons to serve the nation in any capacity in which a thorough comprehension of all phases of taxation—Accounting, Business Administration, Economics and Law superimposed upon a baccalaureate degree in the liberal arts—is an essential requirement. Accordingly, all law graduate candidates for admission to this program must have received a bachelor's degree and a bachelor of laws degree from approved colleges or universities with a baccalaureate concentration in accounting and economics and with grades indicative of their ability to do graduate work in the law. The graduate program then offers them a broad range of courses in Federal and State tax policy, tax law and procedures. Upon completion of the program, the successful candidates are awarded the Degree of Master of Law and Taxation. The College follows with great interest the service rendered by all recipients of this advanced professional degree. A list of all on whom this degree has been conferred begins on page 127. An outline of the requirements and a description of the courses are shown in the Appendix beginning on page 125.

## FOURTEENTH ANNUAL TAX CONFERENCE

### PROGRAM PARTICIPANTS

**W. C. ANDREWS, JR.**—Commissioner of the Revenue, Newport News, Va., since 1958. Past President, Commissioners of the Revenue Ass'n of Va. Representative for the Commissioners of Revenue with the League of Municipalities, League of the Virginia Counties and the General Assembly of Virginia. Member of the Va. State Chamber of Commerce and the Virginia Ass'n. of Assessing Officers.

**JAMES P. BOYLE**—District Director, Internal Revenue Service, Richmond District, Richmond, Va. since June 6, 1965. Prior IRS experience includes that of Internal Revenue Agent, Atlanta District and Ass't District Director, Nashville District. Member of the Georgia Bar and Certified Public Accountant (Georgia). L.L.B., Woodrow Wilson College of Law and B.S., Strayer College of Accountancy.

**STUART W. CONNOCK**—Director, Sales and Use Tax Division, Department of Taxation, Liaison Officer between Dep't. of Taxation and the Int. Rev. Service, 1951-60; Field Consultant, Va. Municipal League, 1960-66; former instructor, V.P.I. Small Business Tax Conferences. Member of the Executive Committee of Northeastern Association of Sales Tax Administrators, B.S. in Commerce, University of Virginia.

**JOHN E. DONALDSON**—Member of the Virginia Bar. Associate Professor of Law, Marshall-Wythe School of Law and Ass't Vice President, College of William and Mary. Served as attorney in the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service, 1964-66; and, as special consultant since that time. A.B., Univ. of Richmond, Phi Beta Kappa; Bachelor of Civil Law, Marshall-Wythe School of Law, Editor of the William and Mary Law Review during senior year; L.L.M. Georgetown University.

**EMERIC FISCHER**—Member of the Virginia Bar; member of the American Institute and the South Carolina Society of Certified Public Accountants. Associate Professor of Law, Marshall-Wythe School of Law. B.S., magna cum laude, Univ. of South Carolina; Bachelor of Civil Law and Master of Law and Taxation, Marshall-Wythe School of Law. Editor of the William and Mary Law Review, 1962-63. Lecturer, Univ. of Exeter in England, course offerings by the Marshall-Wythe School of Law, summer 1968.

**GEORGE D. FISCHER**—Commissioner of the Revenue, Arlington County, Va. Member of the Virginia and District of Columbia bars. Appointed by the Governor to serve as a member of the Commission created by H. J. Res. No. 64 and the 1966 Assembly to study the desirability of conforming the State and Federal tax laws. Past President

of Commissioners of Revenue Ass'n. of Va. Member of the Virginia and the International Ass'ns. of Assessing Officers. L.L.B., National Univ. Law School.

**EDWIN L. KAHN**—Member of the North Carolina and District of Columbia bars; and, of the Dist. of Col., Federal and American Bar Ass'ns. Member of Council of the American Bar Ass'n., 1963-66, and Vice-Chairman, 1965-66. Member of the American Law Institute. Editor, *Harvard Law Review*, 1939-40; Lecturer, New York Univ. Tax Inst., 1967. Attorney and Ass't Head, Legislation and Regulations Division, Office of the Chief Counsel, Int. Rev. Service, 1949-52; Director, Technical Planning Div., Int. Rev. Service, 1952-55. A.B., Univ. of North Carolina, L.L.B. cum laude, Harvard Law School. Phi Beta Kappa. Firm: Arent, Fox, Kintner, Plotkin and Kahn, Washington, D. C.

**WILLIAM R. MOORE**—Commissioner of the Revenue, City of Norfolk. Admitted to the Virginia Bar in 1927. Past President of the Commissioners of the Revenue Association of Virginia. Appointed to an unexpired term as Commissioner on July 8, 1942, with continuous service as Commissioner since that date. Has served the City of Norfolk as a public official for approximately forty-five years.

**CARRINGTON WILLIAMS**—Member of the Virginia and District of Columbia bars; and, of the Fairfax County, Virginia State and American Bar Ass'ns. Member of the House of Delegates, General Assembly of Virginia, with Committee assignments of Courts of Justice, Finance, Public Institutions, Manufacturers and Mechanic Arts. Member of the Revenue Resources and Economic Study Commission established by the 1968 Assembly, and serves as Chairman of the Sub-committee on Tax Structure and Sources of that Commission. A.B., Johns Hopkins Univ., L.L.B., Univ. of Virginia. Firm: Bauknight, Prichard, McCandlish and Williams, Fairfax, Virginia.

**LAURENCE N. WOODWORTH**—Chief of Staff, Joint Committee on Internal Revenue Taxation, U. S. Congress. Prior to his appointment as Chief of Staff on July 31, 1964, as successor to Colin Stam, who retired on that date, he participated in all tax legislation considered by the House Ways and Means Committee and the Senate Finance Committee since 1944. A.B., Ohio Northern Univ., Masters degree in Government Management, Univ. of Denver, and Ph.D., New York University.

#### **CONFERENCE DIRECTORS—**

**JOSEPH CURTIS**, *Dean*, Marshall-Wythe School of Law\*

**THOMAS C. ATKESON**, Chancellor Professor of Taxation, Emeritus

**JOHN E. DONALDSON**, Associate Professor of Law

**EMERIC FISCHER**, Associate Professor of Law

**MARCIA R. MILES**, Executive Secretary

\*Ex officio

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