1969

Report of the Dean of the School of Law for the Year 1968-1969

Charles O. Galvin

*Southern Methodist University, School of Law*

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REPORT OF THE DEAN
OF
THE SCHOOL OF LAW
FOR THE YEAR 1968-1969

Southern Methodist University
Dallas, Texas
SOUTHERN METHODIST UNIVERSITY

Report of the Dean

of

THE SCHOOL OF LAW

For the Year

1968 - 1969

DALLAS, TEXAS
To the President, Members of the Board of Trustees, Members of the Board of Visitors, Law Alumni, and Friends of Southern Methodist University:

As Dean of the School of Law, I have the honor to submit this report for the summer session, 1968, and the regular session, 1968-1969. This is my sixth report and is divided into the following parts:

I. General Statement
II. Faculty
III. Degree Programs
IV. Curriculum
V. Recruiting and Enrollment
VI. Law Library and Plant Improvements
VII. Alumni Relations, Law School Fund, Student Aid
VIII. Publications
IX. Legal Clinic
X. Placement
XI. Spring Seminar on Professional Responsibility and Other Events
XII. Negotiations with the Southwestern Legal Foundation

Appendix A—Class of 1969, honors and awards, student activities and organizations for the year 1968-1969.

Appendix B—Faculty bibliography, committee assignments and activities, 1968-1969.

Appendix C—Law School Committee of the Board of Trustees; Board of Visitors; Law Alumni Association; and Named Scholarships.

Appendix D—Statement of Professor Arthur Leon Harding delivered at the Law School Convocation on September 5, 1969.
I. General Statement

In May, 1969, the School of Law completed its forty-fourth academic year. At that time degrees were awarded to those who completed the requirements for their degrees in August, 1968, January, 1969, and May, 1969. The following tabular analysis reflects comparative data with respect to degrees conferred or certificates granted during the period 1964-1969:

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</thead>
<tbody>
<tr>
<td>Bachelor of Laws</td>
<td>113</td>
<td>107</td>
<td>128</td>
<td>125</td>
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<td></td>
</tr>
<tr>
<td>Juris Doctor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>126</td>
<td>145</td>
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<tr>
<td>Master of Comparative Law</td>
<td>15</td>
<td>12</td>
<td>19</td>
<td>23</td>
<td>24</td>
<td>19</td>
</tr>
<tr>
<td>Master of Laws</td>
<td>1</td>
<td>4</td>
<td>4</td>
<td>7</td>
<td>3</td>
<td>8</td>
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<tr>
<td>Doctor of the Science of Law</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Certificate in Comparative Law</td>
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<td>1</td>
<td>4</td>
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<tr>
<td>Totals</td>
<td>133</td>
<td>124</td>
<td>151</td>
<td>159</td>
<td>163</td>
<td>172</td>
</tr>
</tbody>
</table>

Appendix A contains detailed information regarding the 1969 degree candidates, honors and awards, and student activities and organizations for the year 1968-1969.

It is trite to state that the single most obvious phenomenon of our times is change—social, political, economic, and technological. When the class of 1959 graduated, who would have thought that in ten years men would walk on the moon with the whole world listening and looking? Who would have thought that a heart, a kidney, or a lung could be transplanted from one person to another? Who would have thought that the academic community—traditionally regarded as the place of quiet, contemplative, scholarly reflection—would become the center ring for militancy and activism?

When the class of 1979 graduates, who can imagine where change will have taken us?

All of these events impose upon the Law School the obligation of continuous reexamination of its academic program. Are we training young men and women to mold the legal institutions for the ordering of the society of the future? We are aware of the need for grounding in the traditional disciplines of study—contracts, torts, property, procedure, constitutional law, administrative law, and the like. We must be equally aware of the need
for interdisciplinary studies, for lawyers and the law must be concerned with every aspect of the human predicament. The Law School must provide an outreach not just to the legal profession but to the entire community.

We have sought to keep abreast of rapid change. The educational program and available extracurricular activities offer the committed professional student the opportunity for a variety of experiences to prepare him for the complex professional life ahead.

II. Faculty

Appendix B sets out in detail faculty bibliographies and activities for the year 1968-1969.

Changes in assignments, leaves, and part-time faculty for the period under review were as follows:

Visiting Professor Paul D. Carrington was in residence during the summer session 1968 from the University of Michigan. Professor Carrington holds the Bachelor of Arts degree from the University of Texas and the Bachelor of Laws degree from Harvard University. During the summer he taught Administrative Law.

Visiting Professor Parker C. Fielder was in residence during the summer session 1968 from the University of Texas. Professor Fielder holds the Bachelor of Science degree from Northwestern University and the Bachelor of Laws degree from the University of Texas where he was Editor-in-Chief of the Texas Law Review. During the summer he taught Income Taxation.

At the May meeting of the Board of Trustees, Assistant Professors Bernstein, Craig, and Pelletier were each appointed to the rank of Associate Professor of Law. Professor Pelletier served during the year as Director of the Legal Clinic. Professor Bernstein was Visiting Professor of Law at American University, Washington, D.C., during the summer session, 1968.

Assistant Professor Paul B. Larsen left the School at the end of the academic year to do further graduate work at Yale University.

Associate Professor William VanDercreck was on leave during the year as Visiting Professor of Law at Florida State University, Tallahassee, Florida.
Mrs. Clarice McDonald Davis was in residence during the spring semester 1969 as Instructor of Law. Mrs. Davis holds her Bachelor of Arts and Master of Arts degrees from the University of Texas, and Juris Doctor degree from Southern Methodist University. She assisted Professor Rasor in teaching Legal Writing.

Assistant Dean and Assistant Professor Charles A. Thompson left the School on February 1, 1969, to engage in the general practice of law in Dallas, Texas.

The following part-time lecturers taught seminars or courses during this period:

Adjunct Professor Henry D. Akin, course in Workmen’s Compensation; Professor B. J. Brabham, course in Law in Society I; R. W. Callaway, course in Estates II; Professor John R. Carrell, course in Law in Society II; Professor Frederick S. Carney, seminar in Ethics and Law (with Dean Galvin); Edward A. Copley, Jr., Esq., together with Herbert S. Kendrick, Esq., course in Tax Procedure and Litigation; Adjunct Professor Robert S. Glen, seminar in Law and Psychiatry; Carl D. Richards, Esq., course in Patent Law; Helmut O. Wolff, seminar in Non-Labor Arbitration; David C. Musslewhite, Esq., course in Practice Court; Stephen Swayze, Esq., course in Federal Oil and Gas Taxation; Stanley Simon, Esq., course in Taxation of Business Entities; Adjunct Professor Ozro T. Woods, seminar in Medico-Legal Problems (with Professor Ray).

Charles William Webster, a member of the Faculty of Southern Methodist University School of Law since 1954, died on March 26, 1969.

He was born in Escanaba, Michigan, in 1920. He received his Ph.B. from Marquette University in 1942. For three years, from 1943 to 1946, Professor Webster served in the United States Coast Guard, most of the time as commanding officer of a cutter, and was released to inactive duty in 1946 with the rank of Lieutenant, Senior Grade. He received his LL.B. degree with honors from the University of Wisconsin in 1948, where he was a member of the Order of the Coif and Editor-in-Chief of the Wisconsin Law Review. From 1948 until 1953 he was a member of the faculty of the School of Law of the Uni-
versity of Buffalo and held the rank of associate professor at the time of his leaving that institution to join the legal staff of the General Electric Company. In addition to teaching and practice, Professor Webster served as a consultant to the New York State Bar Revision Commission and worked for the American Law Institute on the Model Penal Code. He was a member of the bars of the states of Wisconsin, New York, and Texas and was admitted to practice before the United States Supreme Court.

In 1954, he became associated with the Southern Methodist University School of Law as Associate Professor, at which time he took over the Faculty Editorship of the *Southwestern Law Journal* and worked primarily in the field of Administration of Criminal Justice. In 1955, he was appointed Professor of Law, which rank he held at Southern Methodist University at the time of his death.

Chuck was always interested in those less fortunate and gave unstintingly of his time and resources toward improving their lot. His good works extended to many local and state-wide projects.

He was a member of the Texas Council on the Administration of Justice, was a consultant to Texas Children and Youth, Incorporated, and served on the Executive Committee of the Dallas Association for Mental Health. He organized and was active in the Catholic Interracial Council.

A completely unselfish person, he had a warm and engaging personality. He will be sorely missed by his friends. Chuck is survived by his wife, Pat, and six children, Maureen, Charles J., Michael Mary, Patrick, Kevin, and Terrence.

### III. Degree Programs

The School of Law operated the following major programs during the year 1968-1969:

(A) The three-year Juris Doctor program in the undergraduate Day Division.
(B) The fourth year curriculum of the four-year J.D. program in the Evening Division. The Evening Division was phased out at the end of the 1968-1969 academic year.

(C) The general graduate program for both part-time and full-time students leading to the degree of Master of Laws.

(D) The special graduate program sponsored by the Institute of Aerospace Law leading to the degree of Master of Laws.

(E) The graduate program in international and comparative law leading to the degree of Master of Comparative Law.

(F) The graduate program in research and writing leading to the degree of Doctor of the Science of Law.

IV. Curriculum

The curriculum in effect for the summer session 1968 consisted of 12 sections of courses and seminars; during the regular session 145 sections of courses and seminars were offered. Under the program for the Juris Doctor degree, the student had to complete 51 hours of required courses and 39 hours of electives, at least one course involving international and comparative law or jurisprudence, a planning course, and a seminar in which a substantial paper is required.

During the year new offerings included Business Taxation, Non-Labor Arbitration, Legal Problems of Outer Space Activities, and the Seminar in Civil Rights was divided into two parts: Civil Rights, Substantive and Civil Rights, Criminal Procedure.

V. Recruiting and Enrollment


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<tbody>
<tr>
<td></td>
<td>Day Eve</td>
<td>Day Eve</td>
<td>Day Eve</td>
<td>Day Eve</td>
<td>Day Eve</td>
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</tr>
<tr>
<td>First Year</td>
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<td>75</td>
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<tr>
<td>Second Year</td>
<td>96</td>
<td>50</td>
<td>111</td>
<td>58</td>
<td>109</td>
<td>39</td>
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<tr>
<td>Third Year</td>
<td>85</td>
<td>42</td>
<td>101</td>
<td>46</td>
<td>98</td>
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</tr>
<tr>
<td>Fourth Year</td>
<td>49</td>
<td>34</td>
<td>46</td>
<td>30</td>
<td>35</td>
<td>22</td>
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<tr>
<td>Graduates and Auditors</td>
<td>28</td>
<td>29</td>
<td>22</td>
<td>22</td>
<td>15</td>
<td>7</td>
</tr>
<tr>
<td>Totals</td>
<td>314</td>
<td>245</td>
<td>265</td>
<td>156</td>
<td>458</td>
<td>90</td>
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Totals | 559 | 561 | 521 | 544 | 378 | 555 |
The following comparative statistics for the same period reflect mean averages for the Law School Admission Test, undergraduate college scores, and other data concerning the First Year Class:

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<tbody>
<tr>
<td><strong>LSAT Score</strong></td>
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<td>533</td>
<td>557</td>
<td>553</td>
<td>541</td>
<td>533</td>
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<tr>
<td><strong>Percentile Represented</strong></td>
<td>60</td>
<td>66</td>
<td>74</td>
<td>73</td>
<td>65</td>
<td>66</td>
</tr>
<tr>
<td><strong>UGA (on 4.0 scale)</strong></td>
<td>2.76</td>
<td>2.64</td>
<td>2.58</td>
<td>2.67</td>
<td>2.67</td>
<td>2.69</td>
</tr>
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</table>

The tuition during the regular session was $1,400 for the two semesters.

During the year we continued, as in prior years, an intensive program of recruiting in colleges and universities throughout the country. This has resulted in an increasing number of well-qualified applicants.

Nine professors visited 74 schools, interviewing 344 prospective students, and one student visited seven schools, interviewing 30 students. (A total of 81 universities and colleges were visited during the year.)

**Arizona:** Arizona State, Tempe; University of Arizona, Tucson.

**California:** Claremont-Pomona, Claremont; Loyola University of Los Angeles, Los Angeles; San Francisco State College, San Francisco; San Jose State College, San Jose; Stanford University, Stanford; University of California at Berkeley, Berkeley; University of California at Los Angeles; University of the Pacific, Stockton; University of Redlands, Redlands; University of San Francisco, San Francisco; University of Santa Clara, Santa Clara; University of Southern California, Los Angeles, Whittier College, Whittier.

**Connecticut:** Fairfield University, Fairfield; Wesleyan University, Middletown; Yale University, New Haven.

**Indiana:** Butler University, Indianapolis; De Pauw University, Greencastle; Franklin College of Indiana, Franklin; Purdue Uni-
University, Lafayette; University of Indiana, Bloomington; Wabash College, Crawfordsville.

Kansas: Kansas State University, Manhattan; Southwestern College, Winfield; University of Kansas, Lawrence; University of Wichita, Wichita.

Massachusetts: Boston College, Chestnut Hill; Boston University, Boston; Harvard, Cambridge.

Minnesota: Augsburg College, Minneapolis; Carleton College, Northfield; Macalester College, St. Paul; St. Olaf College, Northfield; St. Thomas College, St. Paul; University of Minnesota, Minneapolis.

Nevada: University of Nevada, Reno.

New Mexico: New Mexico State University, University Park.

New York: City College of New York, New York; Columbia, New York; Cornell University, Ithaca; Fordham University, New York; Hobart & William Smith Colleges, Geneva; Long Island University, Zeckendorf Campus, Brooklyn; State University at Albany, Albany; Syracuse University, Syracuse; Union College, Schenectady; University of Rochester, Rochester; U. S. Military Academy, West Point.

Oklahoma: Oklahoma State University, Stillwater; University of Oklahoma, Norman.

Pennsylvania: Allegheny College, Meadville; Carnegie-Mellon University, Pittsburgh; Duquesne University, Pittsburgh; Geneva College, Beaver Falls; University of Pittsburgh, Pittsburgh; Washington & Jefferson College, Washington.

Rhode Island: Brown University, Providence; Providence College, Providence.

Texas: Austin College, Sherman; East Texas State University, Commerce; North Texas State University, Denton; Prairie View A&M, Prairie View; Rice University, Houston; Sam Houston State College, Huntsville; Southern Methodist University, Dallas; Southwest Texas State College, San Marcos; Southwestern University, Georgetown; Texas A&M, College Station; Texas Technological College, Lubbock; Texas Christian University, Fort
Worth; Texas Wesleyan, Fort Worth; Trinity University, San Antonio; University of Houston, Houston; University of Texas, Austin; University of Texas at Arlington, Arlington; University of Texas at El Paso, El Paso.

Utah: Brigham Young University, Provo; Utah State University, Logan; University of Utah, Salt Lake City.

If a private, graduate professional school is to be effective, it must do so by emphasis on quality—quality of students, faculty, and program. Our recruiting program, in which most of our faculty participate, has proved to be an important factor in the maintenance of a high-quality student body.

We announced last year the Hatton W. Sumners Scholarship program. Each fellowship will be worth in excess of $3,000 per year and will be renewed each year if the holder maintains a high level of scholastic performance. The first five holders of the full scholarships were recruited to begin their work in the fall semester, 1969. As was pointed out last year, this magnificent gift voted by the trustees of the Hatton W. Sumners Foundation will enable the School to attract scholars of the highest caliber.

VI. Law Library and Plant Improvements

During the year $144,874.71 was expended on the library operation. About 8,384 volumes were added, making a total of 154,729 volumes. The report of the Section of Legal Education and Admissions to the Bar of the American Bar Association shows that of 131 schools, our library is 22nd in size; of the schools west of the Mississippi it is ranked 7th; of the private schools west of the Mississippi, it is ranked 2nd, with Stanford having the greater number of volumes, 168,274 compared to our 147,344.

The formal opening of refurbished Florence Hall was held on March 9, 1969. Representatives of the Florence and Hoblitzelle Foundations, which had made special commitments to this project, were present for this occasion at which time two portraits were unveiled, one of Fred Florence and the other of Karl Hoblitzelle.

The construction of the new Underwood Law Library, announced in last year’s report, continued through the year with expected completion by September 1, 1970.
VII. Alumni Relations, Law School Fund, Student Aid

Donald J. Lucas, Esq. and Eugene Jericho, Esq., President and Vice President, respectively, of the Law Alumni Association, headed the annual Law School Fund drive for the year. We continued, as in prior years, the practice of inviting to a series of breakfasts the class representatives who worked on the Fund, members of the Faculty, and students. These breakfast meetings have proved to be especially effective in providing an interchange of views among faculty, students, and alumni.

A detailed report of the Law School Fund for 1968-1969 was incorporated in a special issue of The Brief of the School of Law and was mailed to alumni and friends in August 1969. Total gifts and scholarships from alumni and non-alumni totaled $112,737.36. These contributions have been used for financial assistance to students in various ways: loans, tuition grants, research assistants, expenses of moot court, law journals, Student Bar Association, and the like. Alumni gifts totaled $51,105.03, with 37.6% of alumni participating. This compares with gifts of $44,264.19 from alumni and a 36% participation during the year 1967-1968. The faculty of the School of Law also contributed generously to the Fund.

Other events relating to alumni relations were as follows: On September 19, 1968, those contributing named scholarships and amounts of $100 or more for the 1967-1968 Law School Fund were honored at a Century Club dinner. The featured speaker was Dr. John Moseley, President of Austin College.

On November 23, 1968, the officers, directors, and members of the Law Alumni Association attended a breakfast at Lawyers Inn as part of Homecoming activities.

Appendix C lists the names of the officers and board of directors of the Law Alumni Association and named scholarships awarded for the year. The total amount of financial assistance granted from the Fund and from the general budget of the School was approximately $100,791.92.

VIII. Publications

The Southwestern Law Journal published again this past year the Annual Survey of Texas Law, which was well received. The
Journal of Air Law and Commerce sponsored a Symposium on Air Transport Labor Relations which was held March 26-28, 1969. This program exemplified the same high standards of the previous years' similar conferences.

Professor Craig and Professor Larsen were faculty advisers to the Southwestern Law Journal and Journal of Air Law and Commerce, respectively, during the year.

Other publications during the year included The Brief of the School of Law in four issues edited by Assistant Dean Purcell, the Law School Yearbook, edited by Mr. Fred Hosey, and the Law School Weekly Bulletin, called "The Green Sheet."

The Southwestern Legal Foundation continues to edit the Oil & Gas Reporter, which has its editorial offices in Storey Hall, and regularly uses law students on its staff.

IX. Legal Clinic

The Legal Clinic was under the direction of Professor George A. Pelletier; the joint student-faculty policy committee for the Clinic was chaired by Professor Joseph W. McKnight. The Clinic continues to provide a variety of practical experiences with an emphasis on improving not only the student's lawyer-like techniques but also a greater sense of professional responsibility.

X. Placement

Assistant Dean David W. Purcell, assisted by Mrs. Lillian Blair, offered students a thorough program of placement. Students desiring to take advantage of this service were counselled in the preparation of attractive individual brochures. The number of interviewing firms was larger than in any previous year. A tally of the graduating seniors shows that 45 were placed with law firms, 32 were placed with corporate legal counsel, 18 were in military service, 32 were in other activities, and 18 were still uncommitted as of October 1, 1969.

XI. Spring Seminar on Professional Responsibility and Other Events

Each year the Board of Visitors, the Law School Committee of the Board of Trustees, faculty, students and others meet to-
gether for a day to have an in-depth discussion of various aspects of the School's operation, of the School's relationship to the community, and of the work of the legal profession. During the period March 20-22, 1969, Professors Eugene L. Smith and Joseph W. McKnight planned and conducted a seminar on professional responsibility. Professor Andrew W. Watson, who holds a joint appointment from the School of Law and School of Medicine of the University of Michigan, visited classes and talked with groups of students on the days of March 20 and 21, 1969. Professor Robert E. Mathews of the University of Texas School of Law, and Dr. Wagner Thielens of Columbia University's Bureau of Applied Social Research, joined Professor Watson on Saturday, March 22, at the Hilton Inn to discuss legal education as it relates to training in professional responsibility with students who had asked to participate, selected members of the Board of Visitors, the Law School Committee of the Board of Trustees, and alumni and friends.

On March 27, 1969, the Supreme Court of Texas made its visit to the School, continuing a very pleasant tradition, begun a few years ago, of spending a day in informal discussions with senior students about developments in the law. Following a coffee and reception, Mr. Associate Justice Hamilton made the principal statement about the work of the Court. The School was pleased to welcome two new members of the Court, Associate Justices Sears McGee and Tom Reavley.

On March 25, 1969, President Morris Abram of Brandeis University delivered the Robert G. Storey Lecture entitled "Liberalism: A Response to the Campus." The paper appears in 23 Sw. L. J. 662. Earlier in the day President Abram had lunch with a group of students and discussed informally some of the crises facing the American university today.

During the spring the Student Bar Association sponsored a series of discussions with members of the faculty on various aspects of the operation of the Law School. These discussions culminated in a conference in April, 1969, which was a general review of curriculum and related matters.
XII. Negotiations with the Southwestern Legal Foundation

During the year a negotiating committee composed of the Honorable Alfred P. Murrah, Chief Judge, United States Court of Appeals for the Tenth Circuit and Chairman, Law School Committee of the Board of Trustees, and Mr. George M. Underwood, Jr., member of the Law School Committee of the Board of Trustees and Liaison to the Law School from the Board of Governors of the University, and Mr. Neil Mallon and Harry Jack, Esq., sought to reach a settlement of the differences existing between the School and the Southwestern Legal Foundation.

These efforts continued through the summer of 1969 and were not productive of any overall solution.

On August 13, 1969, at a meeting of the Board of Governors after a full report by Judge Murrah and Mr. Underwood, the Board unanimously adopted a resolution approving the Law School’s undertaking a major program of continuing legal education. The Board further confirmed the authority of the President of the University to determine ultimately the use of physical facilities and to arbitrate any differences. These latter two actions were intended to confirm the University’s position that, although the Southwestern Legal Foundation is an independent entity, its independence cannot override the University’s ultimate authority over the University premises and what takes place on the premises.

As of this writing, the School of Law and the Practising Law Institute have entered into an agreement to co-sponsor a series of high-level professional institutes and conferences.

XIII. University Administration

I express my sincere thanks to students, faculty, alumni, University administration, and others for all the assistance we have received during the year.

Appendix C sets out the names of the Law School Committee of the Board of Trustees, the Board of Visitors, and the officers and directors of the Law Alumni Association.

Appendix D is the Statement of Professor Arthur Leon Harding delivered at the Law School Convocation on September 5, 1969.
Appendix A

Class of 1969, honors and awards, student activities and organizations for the year 1968-1969

1. Class of 1969

a. Degree of Juris Doctor

August 23, 1968

George Washington Hager, Jr.
B.S.E.E., University of Texas

Lanny Rolf Ramsay
B.A., Southern Methodist University

Joseph Alan Robinson
B.A., Southern Methodist University

Barry Michael Skiles
B.A., Southern Methodist University

Harry Averil Sweitzer, III
B.A., St. Olaf College

Robert Michael Tolleson
B.B.A., Southern Methodist University

William V. Traeger
B.S., Northwestern University

Jerry Michael Traver
B.B.A., University of Michigan

Henry Jackson Zinn
B.A., Kansas University

December 21, 1968

Robert Vernon Baylis
B.S., Texas A&M University

Hayden Haskell Cooper
B.B.A., North Texas State University

Clarice McDonald Davis
B.A., University of Texas
M.A., University of Texas

James Nelson Dearien
B.S., Georgetown University

Leon Stewart Eubanks, Jr.
B.A., Southern Methodist University

Gibson Trabue Hatfield
B.S., Centenary College of Louisiana

Raymon H. He Lal
B.A., University of Texas at Arlington

Joe Bailey Hyden
B.A., Baylor University

Gary Brinkop Krueger
B.S., Kansas University

John Alexander Ligon
B.E.E., Georgia Institute of Technology

Marietta Morris Maxfield
B.A., Rice University

Pamela Thompson Maxham
B.A., Rice University

Charles William McHugh
B.S.M.E., University of Texas at Austin

David Metzger
B.B.A., University of Texas

Gene Pruett Moore
B.B.A., Texas Christian University

Jon Rodgers Sanford
A.B., Wheaton College

Francis Earl Schander
B.S., Jackson College, Honolulu, Hawaii
B.E., Jackson College, Honolulu, Hawaii

Gale Melanie Siegel
B.S., University of Missouri

Paul VanSlyke
B.S.E.E., University of Texas at Austin

Donald Pierce Wilcox
B.A., University of Texas

May 25, 1969

Roy Ryden Anderson, Jr.
B.A., Texas Christian University

Cecil Marion Arnold, Jr.
B.B.A., University of Texas at Austin

Robert Maxwell Bandy
B.A., University of Texas

Ronald Phillip Barbatoe
B.S.E.E., Texas Technological College

Hugh Tevis Blevins, Jr.
B.A., Rice University

Rhodes R. Bobbitt
B.B.A., University of Texas

Gerald Monroe Botts
B.B.A., University of Texas

Sam Bill Bournias
B.B.A., North Texas State University
Comer Clarence Brassell, Jr.  
B.A., University of Texas
David Lee Briscoe  
A.B., Wabash College
Jimmy Ray Brisendine  
B.A., North Texas State University
Norman Simon Brown  
B.S., Worcester Polytechnic Institute
Stephen Buchanan Brown  
B.A., University of Wisconsin
Harry Eugene Bryan  
B.A., West Texas State College
Charles Franklin Campbell, Jr.  
B.A., University of Texas at Arlington
Charles Lee Chapman  
B.S.E.E., Southern Methodist University
Thomas Edwards Dale  
B.A., Austin College
John Allen Daniel  
B.A., Southern Methodist University
J. Byron Davey  
B.A., Southern Methodist University
Laura Dean Ford Davidson  
B.A., University of Texas
Thomas Lee Demney  
B.A., Southern Methodist University
William Gordon Duff  
B.A., North Texas State University
John Donald Ellis, Jr.  
B.A., Military College of South Carolina
Wilson David Fargo  
B.A., Oklahoma City University
Thomas Lee Farris  
B.B.A., University of Oklahoma
George William Fazakerly  
B.S., Centenary College
John Mack Fincher  
B.S., University of Arkansas
Bowen Louis Florsheim  
B.B.A., Texas Christian University
Charles Craig Folson  
B.A., Southern Methodist University
Gerald Joe Ford  
B.A., Southern Methodist University
Peter Archibald Franklin, III  
B.A., Ohio Wesleyan University
Wayne Louis Friesner  
B.S., Iowa State University
Robert Henry Frost  
A.B., Monmouth College
Thomas Albert Fry, III  
B.S., Trinity University
Jeffrey Leesam Futter  
B.A., Dartmouth College
William Lea Garrett  
B.A., Southern Methodist University
Joseph Benevides Garza  
B.B.A., Southern Methodist University
John Hendrik Germeraad  
B.A., Illinois Wesleyan University
Michael Malone Gibson  
B.B.A., Texas Christian University
David Leon Gleason  
B.S., Oklahoma City University
Henry Walker Grenley  
B.S., Southern Methodist University
George Vincent Griffin  
B.S., University of Arkansas
Theodore Alfred Gross  
B.A., University of Texas at Austin
Kenneth Paul Gudgen  
B.S., Texas A&M University
Richard Charles Guinan, Jr.  
B.B.A., University of Texas
Charles Pittman Haymore  
B.B.A., Southern Methodist University
Wallace Ren Heitman  
B.A., George Washington University
Jack Hill  
B.A., University of Texas at Austin
Albert Dale Hoppe  
B.A., Texas A&M University
Gregory Charles Horsley  
B.A., University of Texas at Arlington
Richard Frederick Hosey  
B.A., Texas Christian University
Larry Leggett Huelbig  
B.A., Austin College
Stanley Robert Huller  
B.A., Southern Methodist University
Wendel Thad Hulse  
B.S., Texas A&M University
James Dudley Hyde  
B.A., University of Oklahoma
Burton Vernon Jones  
B.A., Akron University
Stephen Basil Jurbala  
B.A., Fairleigh Dickinson University
Dale Howard Jurgens  
B.A., University of Texas
Robert A. Kantor  
B.A., University of Colorado
Nancy Ellsworth Keane  
B.A., Oklahoma University
James Edward Keough  
B.S., Boston College
Tedford Eildon Kimbell  
A.B., Stanford University
Newell Daniel Krogmann  
B.A., Cornell College
Carey Mack Lavender  
B.S., Southern Methodist University
William Audie Long  
B.B.A., North Texas State University
Robert Earl Luna  
B.B.A., University of Texas
George Michael Maris  
B.A., Kansas State College of Pittsburg
Frederick William Marsh, Jr.  
B.S., Louisiana Polytechnic Institute
Michael Malone Gibson  
M.B.A., Louisiana Polytechnic Institute
James Bassett Martin  
B.A., Davidson College
Ronald Edward Massingill  
B.A., University of Dallas  
Albert Edward Masters  
B.A., North Texas State University  
Charles Redman McBeth  
B.S., Louisiana Polytechnic Institute  
Donald Kent McConnell  
B.S., Texas A&M University  
M.S., Southern Methodist University  
George Skinner McKearin, III  
B.A., Hamilton College  
James Hamilton McMenamy  
B.B.A., Texas Christian University  
James Marshall Medlin  
B.A., Westminster College  
Jerry William Melton  
B.A., Southern Methodist University  
Michael Duane Meredith  
B.B.A., University of Oklahoma  
Timothy Ernest Millard  
B.B.A., Southern Methodist University  
John Porath Millet  
B.B.A., North Texas State University  
George Philip Morehead  
B.A., Southern Methodist University  
Jack Chandler Myers  
B.S., Southern Methodist University  
Beverly Ann Neblett  
B.A., Duke University  
M.A., Emory University  
John Wood Noble  
B.S., Stephen F. Austin State College  
Russell Spates Olds  
B.B.A., North Texas State University  
Michael Leonard O'Neal  
B.M., Southern Methodist University  
M.M., Southern Methodist University  
Gordon Harold Potts, Jr.  
B.A., Baylor University  
B.D., Southwestern Baptist Seminary  
Th.D., Southwestern Baptist Seminary  
Loren Lee Purvines  
B.B.A., University of Texas  
Robert E. Rader, Jr.  
B.A., Harding College  
Cecil Robert Rainwater  
B.A., University of Tulsa  
Charles Hollis Robertson  
B.A., Southern Methodist University  
Howard David Rogers  
B.B.A., Southern Methodist University  
Thomas David Rorie  
B.S., Louisiana Polytechnic Institute  
M.B.A., Louisiana Polytechnic Institute  
Lynn William Ross, Jr.  
B.B.A., Texas Christian University  
Noble Leon Rumbo  
B.A., University of Texas  
M.D., University of Texas  
Rufus Stovall Scott  
B.A., Southern Methodist University  
John Percival Sears, Jr.  
B.B.A., University of Texas at El Paso  
Joseph Wesley Sheehan  
B.S., Kansas State University  
Aubyn Keith Shettle, Jr.  
B.A., North Texas State University  
Billy Braswell Short, Jr.  
B.B.A., Southern Methodist University  
Lawrence Robert Silver  
B.S., Colorado University  
David Ray Snodgrass  
B.A., Southern Methodist University  
Lawrence David Stuart, Jr.  
B.A., Southern Methodist University  
Robert Stephen Swanson  
B.A., Carleton College  
Michael Mills Tabor  
B.B.A., Southern Methodist University  
Paul Leighton Tubb  
B.B.A., University of Texas  
Richard Stephen Tucker  
B.B.A., University of Texas  
Edward DiMare Vassallo, Jr.  
B.A., Southern Methodist University  
Ronald Tackett Wade  
B.A., Westminster College  
William Miles Warren  
B.A., Texas Christian University  
Thomas Winston Weeks  
B.B.A., University of Oklahoma  
Linda Adeline Whitley  
B.A., Northwestern University  
Lee Wootton Williams  
B.B.A., Texas Technological College  
Jackie Ray Wills  
B.S., East Texas State University  
Robert Earl Wilson  
B.B.A., Southern Methodist University  
William Otto Wuester, III  
B.A., Upsala College

b. Degree of Master of Comparative Law

December 21, 1968

Raymond Joseph Termini  
B.A., Tulane University  
LL.B., University of Texas at Austin
May 25, 1969

<table>
<thead>
<tr>
<th>Noel Jeffrey Ackman</th>
<th>Jorge Manuel Roimiser</th>
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<tr>
<td>LL.B., Melbourne University</td>
<td>LL.B., University of Buenos Aires</td>
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<tr>
<td>Clavel Migallos Asas</td>
<td>Monica Cohen de Roimiser</td>
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<tr>
<td>LL.B., Southwestern University</td>
<td>LL.B., University of Buenos Aires</td>
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<tr>
<td>Charlie Bhatanachareon</td>
<td>Yasuyuki Shibata</td>
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<tr>
<td>LL.B., Chulalongkorn University</td>
<td>LL.B., Tokyo University</td>
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<tr>
<td>Eui-Jae Kim</td>
<td>Smaioob Suthiwart-Nanueput</td>
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<tr>
<td>LL.B., Seoul National University</td>
<td>LL.B., Thammasat University</td>
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<tr>
<td>LL.M., Seoul National University</td>
<td>Yoichiro Tagawa</td>
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<tr>
<td>Dick Tich-cheng Liu</td>
<td>LL.B., Law School of Meiji University</td>
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<tr>
<td>LL.B., National Cheng Chi University</td>
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<tr>
<td>Clara Meouchi</td>
<td>Jan Willem Maria VanGent</td>
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<tr>
<td>Licenciado En Derecho, Escuela Libre de Derecho</td>
<td>Meester in de Rechten, Catholic University</td>
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<tr>
<td>Puangpaka Phakdisongkram</td>
<td>Duff David Gordon Waddell</td>
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<td>LL.B., Thammasat University</td>
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<td>Preecha Wichaidisha</td>
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<td>Andreas Richter</td>
<td>Rudolf Hans Urs Zirfass</td>
</tr>
<tr>
<td>LL.B., Free University, Berlin</td>
<td>Lic. Jur, University of Berne</td>
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| May 25, 1969 |

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<tr>
<th>George Gordon Dowd</th>
<th>Ritva Kaarina Hagglund</th>
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<tr>
<td>B.A., Western Washington State College</td>
<td>LL.B., University of Helsinki</td>
</tr>
<tr>
<td>LL.B., University of Washington</td>
<td>Thesis: “Conditional Sales and Chattel Mortgages in the Conflict of Laws”</td>
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<tr>
<td>Thesis: “Proration of Natural Gas in Kansas, Louisiana, Oklahoma and Texas”</td>
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| December 21, 1968 |

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<th>Roderick Lewis Eisele</th>
<th>Frank Lemuel McClendon, Jr.</th>
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<td>B.S., University of Texas</td>
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<td>Woo Hyung Kim</td>
<td>Robert John Wade, Jr.</td>
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<tr>
<td>LL.B., Chonpuk National University College &amp; Political Science, Korea</td>
<td>B.S., in Bus., Indiana University</td>
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<tr>
<td>LL.C.M., University of Pennsylvania Law School</td>
<td>J.D., The University of Michigan</td>
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<table>
<thead>
<tr>
<th>Robert O'Neill Lewers</th>
<th>Robert Lee Ramsey</th>
</tr>
</thead>
<tbody>
<tr>
<td>LL.B., Westminster School of Law</td>
<td>B.A., Hofstra University</td>
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<tr>
<td>Thesis: “Doubtful Application of the Primary Jurisdiction Doctrine in Recent Cases”</td>
<td>M.P.A., Graduate School of Public Affairs, State University of New York</td>
</tr>
<tr>
<td></td>
<td>LL.B., Albany Law School</td>
</tr>
<tr>
<td></td>
<td>Thesis: “Legal Control of Aviation Noise”</td>
</tr>
</tbody>
</table>
2. Honors and awards

   a. The Order of The Coif

   Hugh T. Blevins, Jr.          Nancy E. Keane
   Clarice M. Davis              James E. Keough
   George W. Fazakerley         Frederick W. Marsh, Jr.
   Michael M. Gibson             Marietta M. Maxfield
   Albert D. Hoppe               Rufus S. Scott
   Stanley R. Huller             David R. Snodgrass
   Robert A. Kantor              Lawrence D. Stuart, Jr.

   b. Prizes and Awards

   Arthur Stedry Hansen Consulting Actuaries of Dallas Award—
      Robert M. Bandy
      Bowen L. Florsheim
      William O. Wuester III

      Barrister Award—
         Steven W. Stark

      Burleson Criminal Law and Procedure Award of Merit—
         Lyman G. Hughes

      Carrington, Johnson and Stephens Award—
         Raymond L. Dahlberg

      Dallas Lawyers Wives Club Award—
         Gary R. Rice

      Goldberg, Alexander & Baker Award—
         Albert D. Hoppe

      The Hornbook Awards—
         Gary R. Rice
         Raymond L. Dahlberg

      International Academy of Trial Lawyers Award—
         C. Robert Rainwater

      Johnson, Bromberg, Leeds and Riggs—
         Roy R. Anderson, Jr.
         Bruce L. Ashton

      Kilgore and Kilgore Award—
         Arthur W. Zeitler
Meer, Chandler and Carlton Award—
Woodrow T. Minick

Mercantile National Bank Award—
George W. Fazakerly
Stanley R. Huller

Moot Court Best Speaker Award—
Steven W. Stark

Moot Court Best Written Brief Award—
Martha H. Allan
George L. Hart

Passman, Jones, Stewart and Andrews Award—
Woodrow T. Minick

Phi Alpha Delta Scholarship Award—
George L. Hart

Prentice-Hall, Inc., Federal Taxation Award—
Robert M. Bandy

Prentice-Hall, Inc., Journal of Air Law and Commerce Award—
Robert E. Wilson

Robert J. Hobby Memorial Award—
S. David Blinn

Russell Baker Moot Court Awards—
1st place
Martin K. Donovan
Steven W. Stark

2nd place
J. Michael Alexander
Robert E. Sylvester

SMU Law Wives Award—
Clarice M. Davis

Southwestern Legal Foundation Award—
Monteith Inn Chapter, Phi Delta Phi

Texas Trial Lawyers Association Award—
Michael M. Gibson
The Wall Street Journal Award—
Lawrence D. Stuart, Jr.

Thompson, Knight, Simmons & Bullion Award—
Frederick W. Marsh, Jr.

U. S. Law Week Award—
Michael M. Tabor

West Publishing Company and Vernon Law Book Company Award—
Lawrence D. Stuart, Jr.

Wynne, Jaffe and Tinsley Moot Court Awards—
C. Robert Rainwater
Charles H. Robertson

3. Student activities and organizations

a. Student Bar Association

<table>
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<tr>
<th>Position</th>
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<tr>
<td>President</td>
<td>Edward D. Vassallo, Jr.</td>
</tr>
<tr>
<td>Vice President</td>
<td>Jack C. Myers</td>
</tr>
<tr>
<td>Secretary</td>
<td>David L. Jackson</td>
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<tr>
<td>Treasurer</td>
<td>Johnny P. Searls</td>
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Representatives

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<tr>
<th>Year</th>
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<tbody>
<tr>
<td>First Year</td>
<td>James A. Wood</td>
</tr>
<tr>
<td></td>
<td>James J. Robertson</td>
</tr>
<tr>
<td></td>
<td>Ira E. Tobolowsky</td>
</tr>
<tr>
<td>Second Year</td>
<td>Hugh E. Hackney</td>
</tr>
<tr>
<td></td>
<td>John D. Jackson</td>
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<tr>
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<td>Phillip R. Jones</td>
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<tr>
<td>Third Year</td>
<td>Roy R. Anderson, Jr.</td>
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<tr>
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<td>Loren L. Purvines</td>
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<td></td>
<td>Charles H. Robertson</td>
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<tr>
<td>Graduate</td>
<td>Ronald P. Barbatoe</td>
</tr>
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</table>

b. Southwestern Law Journal

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
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<tbody>
<tr>
<td>Editor-in-Chief</td>
<td>Lawrence D. Stuart, Jr.</td>
</tr>
<tr>
<td>Business Manager</td>
<td>Thomas W. Weeks</td>
</tr>
<tr>
<td>Casenotes Editors</td>
<td>Stanley R. Huller</td>
</tr>
<tr>
<td></td>
<td>Robert A. Kantor</td>
</tr>
</tbody>
</table>
Comments Editor
Leading Articles Editor
Managing Editor
Recent Decisions Editor
Research Editor
Texas Survey Editor
Associate Editors

Frederick W. Marsh, Jr.
David R. Snodgrass
Rufus S. Scott
Beverly A. Neblett
Michael M. Gibson
Hugh T. Blevins
Robert M. Bandy
Jerry J. Ford
Wayne L. Friesner

c. Journal of Air Law and Commerce
Editor-in-Chief
International and Book Review Editor
Leading Articles Editor
Managing Editor
Notes and Comments Editors
Research and Recent Decisions Editor
Symposium Editor
Associate Editors

Robert E. Wilson
John H. Germeraad
James E. Keough
Bowen L. Florsheim
Roy R. Anderson, Jr.
William O. Wuester, III
Newell D. Krogmann
Joseph W. Sheehan
David L. Briscoe
Nancy A. Ellsworth
James D. Hyde
James L. Irish, II
Linda A. Whitley

d. The Legal Clinic

Chief Counsel
Deputy Chief Counsel
(Civil)
Deputy Chief Counsel
(Criminal)

Michael M. Meredith
Kent Thompson
David M. Sudbury

Fall 1968
Spring 1969

David M. Sudbury
Arthur W. Zeitler
K. Bruce Stickler

e. Advocates of Lawyers Inn

Chief Justice
Associate Justice
Clerk
First Year Class Representative

John T. Campbell
Jeffrey L. Futter
Stanford M. Kaufman
William V. Garrett

Fall 1968
Spring 1969

Robert N. Price
Fred J. Fowler
William A. Bostdorff
Timothy J. Vineyard
Second Year Class Representative
Michael M. Tabor
John P. Clarson

Third Year Class Representative
Henry J. Zinn
Jeffrey L. Futter

Foreign Student Representative
Jan-Willem VanGent

f. Barristers
Lord Chief Baron
Frederick W. Marsh, Jr.

Lord Baron
C. Robert Rainwater

Scrivener
Stanley R. Huller

Sergeant-at-Arms
Hugh T. Blevins

g. Moot Court Team
State
G. Leroy Street
Michael B. Poyner
Robert I. Knopf

Regional
J. Marshall Medlin
G. Leroy Street
Dolores M. Veninga

h. Phi Alpha Delta Fraternity
Justice
George S. McKearin III

Vice Justice
John D. Jackson

Treasurer
Michael M. Tabor

Clerk
William J. Neilon, Jr.

Marshal
Ronald T. Wade

Social Chairman
R. Frederick Hosey

i. Phi Delta Phi Fraternity
Magister
J. Dudley Hyde

Exchequer
Robert M. Bandy

Clerk
S. Price Smith

Historian
Woodrow T. Minick

Program Chairman
K. Mark Pistorius

j. Delta Theta Phi Fraternity
Dean
James M. Medlin

Vice Dean
Larry L. Huelbig

Tribune
Tedford E. Kimbell

Exchequer
Jimmy R. Brisendine

Bailiff
Lynn W. Ross

Master of the Rolls
Robert H. Frost
## Appendix B
Faculty Bibliography and Activities, 1968-1969

### 1. Bibliography

**Bernstein, Robert A.** *What Transfers are Gifts for Federal Gift Tax Purposes?* Successful Estate Planning Ideas and Methods (1968);


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Pellettier, George A. An Introduction to the Estate Tax Marital Deduction, Successful Estate Planning Ideas and Methods (1969);
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Riegert, Robert A. The Max Planck Institute for Foreign and International Criminal Law (with foreword by Gerhard O. W. Mueller), 16 AM. J. COMP. L. 247 (1968);
The Max Planck Institute for Foreign Public Law and International Law (with foreword by Paul G. Kauper), 3 INT’L LAWYER 506 (1969);
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Copyright and Unfair Competition Law, 3 INT'L LAWYER 797 (1969);
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Thomas, A. J. Conflict of Laws, Annual Survey of Texas Law, 23 Sw. L. J. 159 (1969);
Development of International Legal Limitations on the Use of Chemical and Biological Weapons (co-author), study prepared for U. S. Arms Control and Disarmament Agency (1969);
Constitutionality of Aid by the State of Texas to Church-Related Institutions of Higher Education, prepared for Liaison Committee on Texas Private Colleges and Universities of the Coordinating Board, Texas College and University System (1969).


2. Activities

Bernstein, Robert A. Member: Curriculum Committee; Faculty Senate Public Relations Committee; Faculty Senate Committee on Faculty Evaluation;
Counsel, SMU Retirement Plan;
Faculty Advisor, Faculty-Student Discussion Forum;
Witness, Senate Interim Committee to Study Governmental Immunity (Testimony published in Report to the 61st Legislature, January 14, 1969).

Bromberg, Alan R. Chairman: Committee on Securities and Investment Banking, State Bar of Texas; Curriculum Committee; Committee (A) (Complaints), American Association of University Professors, SMU Chapter;
Member: American Law Institute, Committee on Corporate Law Revision, State Bar of Texas; Council of Section on Corporation, Banking and Business Law, State Bar of Texas; Executive Committee, Faculty Senate, SMU; Steering Committee, Institutional Self-Study Program, SMU; Executive Committee, University Planning Council, SMU; Program Committee, Graduate Council of the Humanities, SMU; Executive Committee, Dallas Theater Center; Institute Planning Committee (Securities Regulation, Corporate and Tax Aspects of Securities Transactions), Southwestern Legal Foundation; Executive Council, Dean of Law School;
Reporter, Revision of Penal Code, State Bar of Texas;
Coordinator, Medical Jurisprudence Series, University of Texas Southwestern Medical School at Dallas;
Trustee, SMU Retirement Plan
Lecturer: Practising Law Institute (New York, Las Vegas, Miami); Investment Analysts Society of Chicago; Program of Securities Law (Arkansas Bar Association, University of Arkansas, and
Arkansas State Banking Department, Securities Division); State-Federal-NASD Securities Law Cooperative Enforcement Conference (Ft. Worth); Dallas Bar Association; American Association of Law Schools, Business Associations Round Table (New Orleans); Southwestern Legal Foundation; Trust Section, Texas Bankers Association.

Craig, James R. Vice President, SMU Chapter AAUP;
   Member: Advisory Committee, Orientation Program in American Law, Association of American Law Schools; Faculty Senate; Faculty Senate Committee on Athletics; Admissions Committee;
   Faculty Advisor: Southwestern Law Journal.

Charmatz, Jan P. Member: Library Committee; Committee on Graduate Legal Studies; University Graduate and Professional Council; Editorial Board, American Journal of Comparative Law;
   Lecturer: University of Rome, Italy, School of Law; University of Padua, Italy, School of Law; Academy of American and International Law, Southwestern Legal Foundation.

Davis, Harvey L. Chairman, Legislative Committee, Texas Consumers Association;
   Director, Moot Court Activities;
   Member: University Senate; Committee on Academic Freedom and Tenure; Executive Committee, SMU Chapter, American Association of University Professors; Texas Professors Advisory Committee on Uniform Commercial Code; Board of Directors, Texas Consumers Association.

FitzGerald, John L. Area Chairman (Southwest), American Bar Association Panelists, U. S. Civil Service Commission Hearing Examiner Public Interview Panels;
   Chairman, Annual Meeting Committee (ABA 1969 Meeting), Administrative Law Section;
   Member: Committee on Admissions; SMU Committee on Buildings and Grounds; Advisory Committee, SMU Institute on Urban Studies; Board of Editors, Administrative Law Review; Committee on ABA Administrative Law Institute, 1969.

Flittie, William J. Member: Special Faculty Committee on Student Disciplinary Procedures; Committee on Curriculum; Board of Editors, Oil and Gas Reporter;
   Lecturer, Southwestern Legal Foundation.

Galvin, Charles O. Chairman, Special Committee on Substantive Tax Reform, Section of Taxation, American Bar Association; Committee on Substantive Tax Reform, American Bar Association;
   Vice Chairman, Committee on Arrangements for Annual Meeting, American Bar Association;
   President, Dallas County Community Action Committee, Inc.;
   Member: Council of Deans; Board of Editors, Oil and Gas Reporter; Advisory Group, American Law Institute, Estate and Gift Tax Project; Southern Regional Advisory Council, Institute of International Education; Committee on Faculty Appointments, Association of American Law Schools; Executive Committee, University Press;
American Bar Association Foundation Fellows; Law Enforcement Study Commission, North Central Texas Council of Governments; American Judicature Society; Advisory Council of Citizens of Human Relations Committee; Advisory Committee, Miami Institute of Estate Planning; Advisory Board of Catholic Interracial Council; Board of Directors, National Council of Christians and Jews; Texas Bar Foundation Fellows; Southwestern Legal Foundation Fellows; State and Local Bar Associations, Section of Taxation, American Bar Association; Section of Individual Rights and Responsibilities, American Bar Association; Section of Legal Education, American Bar Association; Dallas Bar Association; Texas Bar Association; Dallas United Nations Association; American Bar Association;

Trustee: Dallas Historical Society; Dallas Chapter, National Hemophilia Foundation; Catholic Foundation;

Lecturer: Southwestern Legal Foundation; Dallas College Lecture Series.

Harding, Arthur L. Director, American Society for the Comparative Study of Law;

Member: Committee on Legal Education, Dallas Bar Association; American Foreign Law Association; American Section of the International Association for Philosophy of Law; Committee on Graduate Legal Studies.

Larson, Lennart V. Chairman, Committee on Admissions; Secretary-Treasurer, Section on Labor Law, State Bar of Texas;

Member: Curriculum Committee, University College Council; University Senate; Committee on Tenure and Ethics.

McKnight, Joseph W. Chairman: Law School Committee on Legal Clinic; University Committee on Convocations; University Committee on Rhodes Scholarships; Committee on Bankruptcy and Reorganization Law, Corporation, Business and Banking Section, State Bar of Texas; Committee on Real Property Law, Real Estate Probate and Trust Section, State Bar of Texas; Committee on New Members, American Society for Legal History;

Director, Family Code Project, Family Law Section, State Bar of Texas;

Member: Law School Library Committee; Committee on New Laws and Constitutional Amendments, Dallas Bar Association; Committee on Ethics, Dallas Bar Association; Committee on History and Biography, Dallas Bar Association; Ad Hoc Committee on Exhibits for ABA Convention, Dallas Bar Association; Council of the Real Estate, Probate and Trust Law Section, State Bar of Texas; Board of Directors, Texas Old Forts and Missions Restoration Association; Editorial Board, American Journal of Legal History; Board of Directors, American Society for Legal History; Round Table Council on Legal History, Association of American Law Schools; Committee on Community Services, Association of American Law Schools; Committee on Succession, Real Property, Probate and Trust Section, American Bar Association; Committee on Arrangements for ABA Meeting, Real Property, Probate and Trust Section, American Bar Association;
Lecturer: Mortgage Lending Institute, The University of Texas at Austin; Family Law Section, Dallas Bar Association; Legal History Round Table, Association of American Law Schools, New Orleans, Louisiana; Laredo Bar Association; El Paso Estate Planning Council; Abilene Bar Association; Mothers of Twins Club, Dallas; Sons of the Republic of Texas, Dallas; Pan-American Round Table, Dallas; The National Secretaries Association, Irving; Family Law Section, State Bar of Texas, Ft. Worth; Testimony Before Judiciary Committee and Constitution Amendments Committee of the Texas House of Representatives and Jurisprudence Committee of Texas Senate.

Morris, Charles J. Chairman: 15th Annual Institute on Labor Law, Southwestern Legal Foundation; Public Law Board No. 297, Seaboard Coast Line Railroad and United Transportation Union;

Co-Chairman: Symposium on Air Transport Labor Relations, Journal of Air Law and Commerce;

Vice Chairman: SMU Dallas Symposium on the Administration of Criminal Justice.

Editor-in-Chief, The Developing Labor Law—The Board, the Courts and the National Labor Relations Act, Section of Labor Relations Law, American Bar Association;

Member: University Faculty Senate; Convocations Committee; Law School Committees on Admissions, Legal Aid, and Disciplinary Procedures (ad hoc); The Labor Law Group Trust; Committee on State Legislation Affecting Academic Freedom, American Association of University Professors;

Lecturer: Short Course on Labor Law, Southwestern Legal Foundation; Symposium on Air Transport Labor Relations; Industrial Relations Research Association, North Texas Chapter.


Pelletier, George A. Chairman: Committee on Information, Section on Corporation, Banking & Business Law of the State Bar of Texas;

Editor, Bulletin, Section on Corporation, Banking & Business Law of the State Bar of Texas;

Director, Legal Clinic;

Member: Advisor to Legal Clinic (ex officio); Committee on Comparative Criminal Law, American Bar Association;

Participant in panel discussion on Legal Services for the Poor at the 1969 annual meeting of the Rocky Mountain Political Science Association.

Rasor, Reba G. Chairman, Faculty Senate Committee on Public Relations;

Member, Faculty Senate Committee on Rules and Regulations.

Ray, Roy R. Chairman, Committee on Student Financial Assistance;

Member, Executive Council, Dean of Law School;

Lecturer: Corpus Christi Bar Association; Dallas Personnel Association.

Riegert, Robert A. Member: ABA Section of International and Comparative Law; ABA Section of Administrative Law; Dallas Bar Associa-
tion; Special Discipline Committee of Law School; University Faculty Committee on Student Organizations; Chapel Board of Directors of University Chapel.

Smith, Eugene L. Chairman, Faculty Senate Committee on Discipline; Co-Chairman, Committee on Standards of Admission to the Bar, State Bar of Texas;
Associate Director, Family Code Project, Family Law Section of the State Bar of Texas;
Member: Legal Clinic Committee; Discipline Committee; Legislative Internship Advisory Committee, State of Texas; Round Table Council on Professional Responsibility, Association of American Law Schools; Committee on Education for Professional Responsibility, Association of American Law Schools; Professional Efficiency and Economic Responsibility Committee, State Bar of Texas.

Taubenfeld, Howard J. Chairman, Math-Science Review Committee, University College;
Vice Chairman: Weather Modification Advisory Committee, Texas Water Development Board; Committee on International Law in the Courts of the United States, Section of International and Comparative Law, American Bar Association;
Director: Institute of Aerospace Law;
Member: Faculty Senate; Executive Council, American Society of International Law; Civil War Panel, American Society of International Law; Commission to Study the Organization of Peace; Advisory Committee, Standing Committee on Aeronautical Law, American Bar Association;
Lecturer: Dallas U. N. Association; North Texas Conference of the Methodist Church;
Consultant, National Center for Atmospheric Research, Stanford Research Institute, U. S. Department of State;
Principal Investigator: National Science Foundation Task Group on the Legal Aspects of Weather Modification Activities;
Professor at the AALS Orientation Program in American Law (Princeton), Summer 1968.

Thomas, A. J. Chairman, Committee on Graduate Legal Studies;
Member: University Graduate and Professional Council; Committee on Constitutional Law, Texas Bar Association; Committee on International Law, Texas Bar Association; Executive Council, Dean of Law School;
Appointed by President of University to work with Liaison Committee for Private Colleges and Universities for the State Coordinating Board.

Wingo, Harvey Chairman, Committee to Compare Texas Pretrial Release Practice with American Bar Association Minimum Standards;
Member: American Bar Association; Tennessee Bar Association; Assistant Reporter, Revision of Penal Code, State Bar of Texas;
Lecturer, Dallas Symposium on The Administration of Criminal Justice, SMU Law School, April 1969.
Appendix C

Law School Committee of the Board of Trustees; Board of Visitors; Law Alumni Association

1. Law School Committee

Alfred P. Murrah, Oklahoma City, Oklahoma, Chairman
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2. Board of Visitors

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3. Law Alumni Association

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W. Autry Norton, '28, Dallas, Texas
O. Jan Tyler, '63, Dallas, Texas
Jerry N. Jordan, '52, Dallas, Texas
Banker Phares, '64, Port Arthur, Texas
James H. Wallenstein, '67, Hopewell, Virginia

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John E. Banks, '52, San Antonio, Texas
Charles R. Dickenson, '57, Abilene, Texas
Donald C. Fitch, Jr., '55, Dallas, Texas
Elton Ray Hutchison, '59, Dallas, Texas
Kenneth B. Kramer, '59, Wichita Falls, Texas
Walter P. Zivley, '55, Houston, Texas

(to serve until 1969)
Clovis G. Chappell, Jr., '36, Midland, Texas
Jess T. Hay, '55, Dallas, Texas
Radford H. Byerly, '32, Houston, Texas
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James S. Dycus, '65, Houston, Texas
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4. Named Scholarships

Third-Year Students                Scholarships
Roy R. Anderson, Jr.               Dallas Judiciary
Clarice M. Davis                   Harvey L. Davis
Thomas L. Farris                   C. S. Potts Memorial
John M. Fincher                    Kalman Wolens Memorial
Peter A. Franklin, III             Atwell, Grayson & Atwell
Wayne L. Friesner                  Elton R. Hutchison
John H. Germeraad                  Fulbright, Crooker, Freeman, Bates & Jaworski
Henry W. Grenley                   W. Autry Norton
Albert D. Hoppe                    Harry S. Moss Foundation
J. Dudley Hyde                     James L. Noel
Nancy E. Keane                     Erin Bain Jones Endowed
James E. Keough
Newell D. Krogmann
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George M. Maris
Frederick W. Marsh, Jr.
Ronald E. Massingill
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Beverly A. Neblett
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Lawrence D. Stuart
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Edward D. Vassallo, Jr.
Thomas W. Weeks
Linda A. Whitley
Jack R. Wills
Robert E. Wilson

Second-Year Students
Peter M. Allison
Bruce L. Ashton
Alvin H. Badger, III
J. Christopher Bird
James P. Bradley
Robert R. Bridwell
Walter B. Chandler, III
Robert B. Cousins, IV
James C. Floyd, Jr.
Joe K. Gordon
Hugh E. Hackney
Lyman G. Hughes

Strasburger, Price, Kelton, Martin & Unis
Carrington, Johnson & Stephens
Duman, Huguenin & Boothman
Larry and Jane Harlan
John Leddy Jones Memorial
Geary, Brice & Lewis
Roy R. Ray
J. Cleo Thompson
Lennart V. Larson
Dallas Title & Guaranty—Dallas-Texas-National Title Company
Akin, Vial, Hamilton, Koch & Tubb
Robert G. Storey, Jr., Memorial
Gulf Coast Charity Foundation
Frank A. Liddell Memorial
Ritchie, Ritchie & Crosland
Ralph D. Baker
Bernstein, Pelletier & Thompson
Dallas Lawyers Wives Club
M. D. Anderson Foundation
Butler, Binion, Rice, Cook & Knapp
Johnson, Bromberg, Leeds & Riggs

Lomas & Nettleton Financial Corporation
Roy R. Ray
M. D. Anderson Foundation
M. D. Anderson Foundation
J. C. Judge
Wynne, Jaffe & Tinsley
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McCall, Parkhurst & Horton
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Clyde Emery
William B. Hunt, Jr.  |  Dallas Lawyers Wives Club  
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Joe E. Kyle          |  John T. Sharpe  
Joseph H. Lazara     |  Charles O. Galvin  
Glen A. Majure       |  Locke, Purnell, Laney, Boren & Neely  
Harriet E. Miers     |  Larry and Jane Harlan  
Patrick N. Moore     |  W. R. Harris, Sr., Memorial  
David J. Nowell      |  Eldon R. Vaughan  
Richard M. Parker    |  J. C. Judge  
Douglas H. Parks     |  Allen Hunter Strasburger Memorial  
Ava D. Poe           |  Hazel Porter Storey Memorial  
Perry M. Raymond     |  J. C. Judge  
Gary R. Rice         |  Clovis Chappell, Jr.  
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Appendix D

LAW AND ORDER, —AND JUSTICE

By Arthur L. Harding

It is paradoxical that lawyers, who pride themselves on precise use of language, have perhaps their greatest difficulty in defining their subject matter: Law. Hundreds of definitions have been written, reflecting not infrequently the dilemma of the three blind men describing the elephant.

Upon examination we seem to discern four disparate but nevertheless closely interacting aspects of this Law. First, there is the regime or institution devoted to adjusting relations between men or ordering their conduct in society. Here “law” means an integral but subordinate part of the machinery of government. Then there is law in the books: the authoritative patterns of decision, the formulated standards of conduct, various specific commands and rules, all of which are employed by the regime in the discharge of its function. Third, there is “law” as a method, a technique, both conscious and subconscious, by which the needs,
the hopes, and the beliefs of a people are translated into the law in the books. Finally, "law" also means remedies, the administrative processes by which the adjudications of the regime are made as nearly effective as the conditions of life will permit.

It is a serious shortcoming of most law schools and of most law students that they devote an inordinate amount of their time and attention to but a single aspect, that of law in the books, with some attention given to another aspect, that of law as remedies. That the regime of law has attained or is approaching perfection seems to be an article of faith, notwithstanding a paucity of objective demonstration. Law as a method appears to have been shunned as perhaps defying understanding. Let us attempt a little understanding.

Law Is a Human Construct

Let us begin by noting that law, in any of the aspects suggested, is a human device. It was devised by men and is maintained by men for the purpose of achieving practical solutions to human problems. We would hope that it reflects the best of contemporary human reason; we know that it reflects too much of human passion and unreason. We would hope that that law which has come to us from the experience of our predecessors represents wisdom; we know that it may represent mere habit.

Note that I carefully skirt around ideas of "higher" law. There are those who note that all things in the cosmos, except man, are subject to a verifiable natural order and conclude that man, too, must be so subject. Then there are many who seek to know God’s plan or command for man’s existence on earth. These beliefs and aspirations should not be deprecated; they represent a faith that well may be vindicated. The problem is that, despite literally centuries of inquiry we still do not know that natural order of man or God’s plan for him. At best we must, as we do, rely on our grossly imperfect understanding of these things and must seek to apply them by human means to the solution of human problems.

Law, using the term to mean a composite of the aspects mentioned, is certainly not to be made an object of veneration. Law is not, and should not be, an end in itself. It is a means, and only a means, by which certain social ends are sought to be attained. In final analysis law must be evaluated pragmatically, in light
of the validity of the ends sought to be attained, and the extent to which they are in fact attained.

**Law and Order**

All about us, the word “law” is coupled with the word “order.” Let us look at this word. Its meaning is not crystal clear.

To some, order means simply the absence of violence, with each person conducting his affairs in a pattern sufficiently rigid to avoid potential conflicts. This is the order of a prison. It does contain a part-truth: if a society is to achieve a destiny approaching its potential, it must have conditions of peace. There is no society at all if its members make war each on the others. There is scarcely a society if a man must remain in his home armed to protect his family and his possessions. A society is doomed if the individual fears to go about his ordinary affairs, lest he suffer grievous harm.

But peace and order do not mean elimination of conflict. Given the human condition, conflict between individuals is inevitable. If a society is to progress, to advance, a great liberty must be given to each individual to seek his own improvement and advancement. The felt needs of the individual will conflict with the felt needs of others. The aspirations of one will interfere with the attainment of the aspirations of another. Order means simply that we do not permit these conflicts to disrupt the functioning and advancement of the society. Order means that we seek to prevent conflicts from erupting into violence.

But order is not an ultimate value in society. A society that has achieved only order has achieved precious little. However, order is the almost indispensable condition to the achievement of ultimate values.

Here we have a principal but not the sole role of law. Law as a regime provides the institution to resolve conflicts peacefully, thereby obviating any need for self-help. Law in the books provides guidance for those who would order their own lives peacefully. Law as remedies provides deterrents to those who will not live in an orderly manner with their fellows.

Let it be said plainly that law is only one of the so-called agencies of social control, probably not even the most important. We of the law deal mainly with the failures of other agencies, and
try to cope with those few people who are immune to almost any sanction other than force.

—and Justice

But, the critic says, granted that order is essential to social living and that law is essential to order, still the whole thing is meaningless without justice. True enough, at least in great measure, but here we encounter the most difficult part of the problem.

There are pragmatists who deny the reality of justice. To them, the problem relates only to expedience and compromise. Such realists, self-labeled, advocate a simple “squeaky-wheel” jurisprudence, with all necessary concessions to those claimants who make the most noise and are most likely to create disturbance. At the other extreme are those innocents who think that there is an easily identifiable just solution to all problems. This is simple ignorance; these people merely equate justice with their own intuitions or perhaps with their preconceptions.

What is the relationship between law and justice?

In the first place, a substantial part of the stuff of law has nothing to do with the problem of justice; there is no conceivable basis on which to make an ethical choice between two positions. Efficiency and peace require merely that there be an established norm of conduct and that all comply with it. The precept, drive to the right, in a traffic code is the simplest illustration of what I am talking about; but many more complex precepts of law are equally devoid of ethical content. From time to time a novice will discover that a norm of conduct established as a legal standard is no more just than is its opposite, or in other ways is no better in result. And he will be greatly distressed. Let us admit readily enough that this is true. The point is that we need a rule, and cannot by any means use two.

Then there are cases where justice is involved, but where the rational discovery of the just solution baffles us. This occurs frequently where we are called upon to adjudicate between individuals equally blameless or equally blameworthy. Sometimes we can achieve a rough justice by dividing the loss, as we do in contribution between joint tort-feasors, or in the collision of ships at sea, or as in the case of the injured plaintiff and the tort-feasor under the comparative negligence statutes. But this is not always
possible. What about the suit of the owner of stolen property against one who purchased the property in good faith from a merchant to whom the thief had sold it? What is the just solution? No one yet has demonstrated one; but the case must be solved. And solve it we do, but on a basis other than justice, a basis principally of an economic nature.

However, despite the instances just mentioned, let it be said that the great bulk of legal issues do involve justice, or matters of right and wrong, and that the regime consciously seeks to attain the just solution. But the difficulties here are many.

In the first place, our standard of justice is relative and not absolute. I believe that there are absolutes, that there is such a thing as immutable truth; but I am certain that I do not know what it is. I am also convinced that no other mortal does either. If a man could fathom the end or purpose of the universe, or, to put it another way, could understand the will and reason of God, that man would be God. The best that we can do is to hope, with great minds from Aristotle and Cicero to Thomas Aquinas and Richard Hooker, that the rational soul that distinguishes man from other living things will enable us to comprehend a part, and to approximate an increasing portion of the remainder.

That the justice embraced in the legal order reflects a measure of eternal truth, we hope. All we can be sure of is that it reflects common morality. By this I mean those ideas of right and wrong that are generally accepted within the social organism. The interrelationship between the legal order and this morality is easily demonstrated; in fact the history of law can be written in terms of the history of morality. It could be no other way. The legal order is maintained and operated by human beings for human purposes. These same human beings obviously believe that right and wrong are highly relevant to the legal order, so they put into it the only ideas of right and wrong that they have. Rarely are these based on philosophic inquiry. Usually they are simply absorbed from the encompassing community.

These ideas change in time. We do have minds capable of attacking right and wrong as a philosophical problem. Empiric observation and inductive reasoning are available and helpful. Dialectical method, unpopular at the moment, is useful for our pur-
poses. Rational improvement is possible so long as we are careful to avoid him who would hand us a pat verbalization from which to deduce our answer, or who would bid us simply to rely on what he calls his conscience. (The ambiguities and pitfalls lurking in the word "conscience" could be the subject of another paper.)

Recognizing that we can make rational improvement in our standard of legal justice, and by all means should do so, we note also that common morality will change. This change will usually be evolutionary, rarely revolutionary; but change is inescapable. With increasing human knowledge and, we hope, increasing human rationality, we hope the change is for the better, but we know that not all change is. The legal order will follow and adjust to this change. There will be a time-lag; there should be a time-lag if the important values of stability and predictability in the legal order are to be made effective, but the lag should not be great.

To summarize for the moment: When ideas of justice are relevant the legal order generally seeks to vindicate them. But this is not a perfect or absolute justice because we simply do not know what that justice is; if we attain it, it is by chance. The legal order agrees pretty well with justice as it is understood in the society. If we did not, we would not be long in business.

It follows from what I have said that we will always have complaints of the claimed injustice of the legal order. Some will be valid; others of little or no validity. At one time we are hearing from those who are incapable of comprehending the social and individual values that enter into a notion of right; from critics who understand those values well and who challenge the conclusions that we have drawn from them; from those with claims of divine revelation; from those egomaniacs who cannot conceive of the morality of anything that would hamper them in realizing their own wills and desires; and from many, many others.

But let us not be too complacent. For about a century the great sin of the American legal order was its almost complete abandonment of any quest for a conscious legal philosophy, the foregoing of rational examination of the values sought to be perfected in the legal order. For the past forty or fifty years we have been working on this, but we still are far behind.

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If the picture is not already too confused, let me suggest that there are other problems.

First, justice according to law is justice according to rules of general application. If we could assemble a large body of almost infinitely wise men we could achieve justice in individual situations on the basis of ad hoc principles formulated after the fact, but this would not be justice according to law. Inherent in any concept of law are values of equality between individuals, of stability and predictability. The use of rules of general application, previously promulgated to the extent practicable, serves these values. But there will be particular cases falling within these rules but in which the application of the generally just rule will give a possibly unjust result. We meet this in part by breaking possibly overly-generalized rules into two or more more-limited rules, and by investing a controlled discretion in law administrators, but the solution is partial and hard cases remain. This is one of the great dilemmas of the law; no one has found a way to solve the problem without destroying law itself.

Second, important as it is, justice is not the only value sought to be achieved by society through law. If man is to live he must be increasingly successful in converting the physical world to the means of existence. This is the business of economics, and the establishment and improvement of economic institutions is a legitimate interest of the society. The difficulty is that the moment we introduce any value in addition to that of justice, we sow the seeds of possible conflict. Compromises will result and sometimes it will be felt wise to prefer the competing value. Instances with which you are familiar would include the parol evidence rule, and the objective standard of mutual assent applied in contract, or the rule of Adams v. Lindsell. Other social interests likewise to be placed on the balance include those in the preservation and improvement of family, religious, educational and cultural institutions.

In the third place, the most troublesome areas of conflict of competing interests which involve the social interest in the life of the individual human being. It is a social good that individual man be left free to, and even aided to, develop himself, his capabilities and his perceptions, to a maximum. In good measure a society grows and improves because its individual components
grow and improve, although it is not to be overlooked that a society can improve its members. After all, does society have any component other than individual humans? To attain this social value the open society recognizes very broad liberties in its members to live their own lives and to pursue their own ends. But this liberty is not absolute.

In the present context we must answer two particular questions. First, may the society acting through its legal order punish one for doing what he believes to be right and proper? The answer is yes. Valid social interests may so require. The effect of what this man has done, upon another person or upon the social structure generally, will be the same regardless of his belief as to its rightness or propriety. And the final decision on rightness or propriety is going to be a collective one.

The second question is, may we punish an individual for refusing to do what he considers to be wrong? Again the answer is yes. Social living imposes not only a duty to refrain from doing harm to others, but also affirmative duties to act for the society. We properly may require a good deal of affirmative conduct, whether it be paying taxes, serving on a jury, appearing as a witness, fighting a war, submitting to arrest or to search and seizure on probable cause, or any of many other social obligations. These things involve inconvenience and the coercion of human wills. They may encroach into what the individual regards as sin. In this latter case we instinctively hesitate to apply coercion, but reason may tell us that on balance of all the interests involved, coercion may be right and good.

What I am saying is that in a social context, and the context of law is social, our valued ideals of right and good or justice will have a social and not an individual content. It is difficult to see how it could be otherwise.

There is understandable reluctance to accept what I have just said. In the century past, John Stuart Mill's premise has been accepted as a part of our thinking. Mill, you will recall, asserted that individual man had a liberty to do as he willed so long as he harmed no one else. What I am doing is questioning Mill on two points. First, is it actually true that a man can do anything, literally anything, that will not have an affect on someone else? Mill assumed this; but is it true? If it be not true, Mill's proposi-
tion means little. Second, can we base an acceptable ethic on an assumption that man's duty to his fellows in society is solely negative, to refrain from harm; that he is under no obligation so to order his conduct as to benefit his fellows? The Jewish ethic and the Christian ethic reject this negativist approach. Can the legal ethic do otherwise?

In seeking an answer we must accept the fact that social living is obligatory. We cannot resign from society; we cannot escape it. The most that the dedicated anti-social can hope for is to be tolerated to exist as a parasite upon it.

I would close with a bit of wisdom older than that of Mill, an ethic that speaks directly and meaningfully to the law. John Donne wrote:

"No man is an Iland, intire of it selfe; every man is a peece of the Continent, a part of the maine; if a Clod bee washed away by the Sea, Europe is the lesse, as well as if a Promontorie were, as well as if a Mannor of thy friends or of thine owne were; any mans death diminishes me, because I am involved in Mankinde; And therefore never send to know for whom the bell tolls; it tolls for thee."