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Spring 1965

### UT Lawyer (Spring 1965)

University of Tennessee College of Law

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# The U-T Lawyer

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SPRING 1965

## U-T Law Day Scheduled for April 23rd

### Edward Kuhn to be Honored

Edward Kuhn, now President-Elect of the American Bar Association, will be honored with the "Order of the Coif" by the U-T Chapter on account of his outstanding services to the legal profession. This event will be part of the annual Law Day Ceremonies on April 23rd.



Edward Kuhn

The Order of the Coif is a nationwide honorary fraternity with membership confined to those elected from the top ten percent of a graduating class. Graduates selected during the past year were: Charles D. Susano, Lewis R. Hagood, Wheeler A. Rosenbalm, Robert V. Owens, and Richard E. Ladd. Local chapter members may annually elect to honorary membership one person who has attained distinction in the legal profession.

Mr. Kuhn was born in Memphis, Tennessee and received his early education at St. Thomas Parochial School and the Christian Brothers High School. After completing part of his college work at Catholic University of America, in Washington, D. C., Mr. Kuhn received his A.B. and LL.B. degrees from the University of Michigan in 1927 and 1933.

Mr. Kuhn married the former Miss Mattie Mahaffey in June 1936 while he was Assistant City Attorney for Memphis.

Mr. and Mrs. Kuhn have three sons: Phillip Edward Kuhn, the eldest, is currently a Senior at Tulane University Law School, New Orleans, La., Barry Williams is now a Junior at the University of Michigan, and Brian Lawrence is a junior at Christian Brothers High School in Memphis.

In 1934, Mr. Kuhn was admitted to practice before the Supreme Court of Tennessee. After a period of service for the City of Memphis, Mr. Kuhn in 1941 became Assistant District Attorney General and served in this position until 1944, when he entered private practice. The law firm with which Mr. Kuhn is now associated is McDonald, Kuhn, McDonald, Crenshaw and Smith.

In past years, Mr. Kuhn's bar association activities include service as President, during 1949-50, of the Memphis

The University of Tennessee College of Law will hold its 15th annual observance of Law Day this year on April 22nd and 23rd. The highlight of the celebration will be a banquet on the evening of the 23rd scheduled to be held at the Senators Country Club. The Honorable Edward Kuhn will be the featured speaker at the banquet. On this occasion, Mr. Kuhn will be made an honorary member of the Order of the Coif for his outstanding services to the legal profession.

Just prior to the banquet, a social hour will be held at the Senators Club. Immediately after the banquet, "The Jazz Giants" will play for the dance. The social hour, banquet and dance at The Senators County Club will climax a full day of activities to be held at the College of Law.

The finals of the Law Day Appellate Arguments will be held in the afternoon of April 22nd. The subject-matter of the argument will involve two areas of current interest: products liability, and the Uniform Commercial Code.

Immediately after the Law Day Arguments are completed, the names of the recipients of several other honors also will be made public. Awards will be made to those students who have made the highest grades in several courses during the past year. At this time, the winner of the Hamilton National Bank Wills Contest will also be announced along with the winner of the Lawyer's Title Award and the Phi Delta Phi Scholarship Award. Also certificates will be presented to the officers of the Student Bar Association, contributors to the Tennessee Law Review, and to the participants in the Appellate Arguments.

The third annual "Outstanding Graduate of the Year" award will be made at the Banquet. A certificate of the award and a complete set of Tennessee Code Annotated, donated by the Bobbs-Merrill Co., will be presented to the recipient.

Delegates to the Annual Conference of the Sixth Circuit of the American Law Students Association, which will also be held at the U-T College of Law on the week-end of April 23, will be present at the festivities as guests.

All Tennessee judges and lawyers are cordially invited to attend these U-T Law Day programs.

and Shelby County Bar Association; as president, during 1954-55 of the Tennessee Bar Association; as Trustee of the Tennessee Bar Association Insurance Trust, and as State Delegate, from 1956 to 1960, to the American Bar Association.

# U-T Law Alumni News Notes

Kenneth P. Murtagh, '57, has announced the opening of his law office at 239 Higbie Lane, West Islip, New York.

John Hale Carey, '62, has been appointed Assistant United States District Attorney, Knoxville.

Carl H. Langschmidt, Jr., '54, is a member of the firm of Boone, Boone, Langschmidt & Pemberton, First National Bank Building, Memphis.

Randolph Ayres, '62, and Allen Carter, '62 are forming a partnership and will have offices in Athens.

Roland Prince, '51, has been appointed Judge of a newly created Circuit Court in Anderson County.

Jonathan H. Burnett, '51, of Frantz, McConnell & Seymour, is now the Director of Law, City of Knoxville. He succeeds Robert L. Crossley, '52. Mr. Crossley is associated with Bernard E. Bernstein, '58 and Charles D. Susano, '63, Hamilton Bank Building, Knoxville.

Richard Hollow, '64, law clerk for Hamilton S. Burnett, Chief Justice, Tennessee Supreme Court, will become the Deputy Law Director, City of Knoxville.

Joe M. Oglesby, '64, is a clerk in the offices of Robert L. Wilson, 441 South Ridgewood Avenue, Daytona Beach, Florida.

David R. Piper, '58, is associated with Robert H. Leonard, Jr. '47, Burwell Building, Knoxville, Tennessee.

David Earl Smith, '58, is leaving the California Company, and will be associated with the firm of Privette (Ivan T. '35) and Mann (Robert F. '34) Bank of Knoxville Building, Knoxville.

Donn A. Southern, '52, has announced the formation of a partnership for general practice of law under the firm name of Bruce & Southern with offices in 100 N. Main Building, Memphis.

Arnold Peebles, who will graduate in June 1965, has been appointed law clerk to the Honorable Hamilton S. Burnett, Chief Justice, Tennessee Supreme Court.

Earl M. Bradley, '40, Colonel JAGC. State Judge Advocate, Fort Eustis, Virginia, is making plans to retire from the Army and locate in Knoxville.

## Appellate Argument Finals on Law Day

The Law Day Appellate Argument semi-finals will be held in the Law College Courtroom on Wednesday, April 21, at 3:00 p.m. The finals will be on Thursday, April 22, at 3:00 p.m. in conjunction with the ceremonies during the Seventy-fifth Anniversary of the Law College and Law Day celebration.

The Law Day appellate argument question involves two areas of current interest: products liability, and the Uniform Commercial Code. Among the issues to be argued are: (1) whether an action for wrongful death can be maintained for breach of an implied warranty; (2) whether the personal injury or the Uniform Commercial Code statute of limitations applies to a personal injury action for breach of warranty; (3) whether the "sealed container" doctrine is still applicable under the Uniform Commercial Code; and (4) the requirement of privity under the Uniform Commercial Code.

Participants will be: Ford Quillen, Sandy McPherson, David Dycus, Jon Jones, David Burkhart, Bob Knolton, Robert Godwin, Carol Catalano, Richard Curran, Bill Gentry, Bill Sheffield, Nick Smith, Art Stowers, Bill Leech, Dennis Miller, and Walt West.

## Law Scholarships Awarded

The John W. Green Scholarships, awarded annually to the applicants with the highest average in each class, were presented to Ross Jennings of the first-year class, Harold Wimberly of the junior class, and Lowry Kline of the senior class.

The Florence S. Hyman and Arthur Hyman Scholarships were awarded to Marya Rowan and Bob Knolton. Charles McAfee has been awarded the Taylor Scholarship, and Jon Jones, the Harber Scholarship. Richard Stair has received the Woodlee and Foley Scholarships, and Don Poole, the Woodlee and Hoskins Scholarships.

The Woodlee, Stivers, Knoxville Bar Association and other scholarship funds were shared by the following students: David Dycus, Thomas Helton, Richard Gossett, Jack Irion, Leslie Jeffress, Ben Cantrell, William Shelton and Virginia Moore.

Freshman scholarship recipients include John Williams, Alex Shipley, Victor Byrd and Don Castleman.

The Faculty of the College of Law is constantly seeking new sources of scholarship funds to help meet the growing demands placed upon the Law College to aid deserving students in the attainment of their legal education. The assistance of the bench and bar in this worthy cause is deeply appreciated.

### THE U-T LAWYER

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SPRING, 1965

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### PLACEMENT SERVICES

The Law College offers to law firms, corporations, and government agencies an opportunity to interview undergraduates and graduates for full or part-time legal positions.

If you are interested in this service, kindly communicate with:

The U-T Law College Placement Office  
1505 West Cumberland Avenue  
Knoxville, Tennessee

## Chief Justice of the Tennessee Supreme Court to Speak on Law Day

The Honorable Hamilton S. Burnett, Chief Justice of the Tennessee Supreme Court, will speak on "Professional Responsibility: A Judicial View" at the Seventy-fifth Anniversary—Law Day ceremonies to be held at The University of Tennessee College of Law on Friday, April 23.



Chief Justice Burnett

Justice Burnett was born at Jefferson City, Tennessee, on August 20, 1895. After receiving his undergraduate education at Carson-Newman College in Jefferson City, he attended the Law School of the University of Virginia where he obtained his LL.B. degree in 1920. In 1948, Justice Burnett received an honorary LL.D. degree from the University of Virginia.

Admitted to practice in 1920, Justice Burnett became a member of the law firm of Poore, Testerman and Burnett. From 1932 until 1942, he served as circuit judge in Knox County. In 1942 he became a judge on the Tennessee Court of Appeals where he served until 1947 when he became an associate justice of the Tennessee Supreme Court. In 1963, he was elected Chief Justice.

Justice Burnett's distinguished presence at Law Day ceremonies has become a tradition at the Law College. We are honored that he will address the enthusiastic audience of alumni and friends of the College of Law who will attend this year's celebration.

## PAD Announces New Pledges

In keeping with Phi Alpha Delta's motto: "Service to the student and the profession", the fraternity has had an active winter. Coffee hours have been sponsored both jointly and separately with PDP. A party at Deane Hill was given where the wives and dates of the law students, as well as the students and faculty themselves, could become acquainted.

New pledges this quarter are: Sonny Bond, Ron Sealey, Charles Fraley, John Williams, Ken Sands and Jerry Farmer.

Newly elected officers are Tom Bandy, President; Ken Fruchter, Vice President; John Turnbull, Secretary; Dave Rosenbaum, Treasurer; and Bill Leech as Marshall.

Committee heads are Fred Adkins, Scholarship Committee; John Palmer, Social Chairman; Bob Godwin, Publicity; Sandy McPherson, Telephone Committee; Dave Crockett, Alumni Coordinator, and Bill Leech, Rush Chairman.

Speakers this quarter have been such prominent figures as Howard Baker, Jr., and also some of a more controversial nature, including the district representative of the John Birch Society.

## Honorable William E. Miller to be Featured Speaker

The Honorable William E. Miller, District Judge of the United States District Court of Middle Tennessee, will be presented by the University of Tennessee Law School as one of the featured speakers in the Seventy-Fifth Anniversary celebration and Law Day program on April 23.



Judge William Miller

Judge Miller was born in Johnson City, Tennessee in 1908. He received his A.B. degree from the University of Tennessee, and LL.B. degree from Yale Law School. Prior to his enlistment in the Army Air Force during the Second World War, from which he emerged as a Major, Judge Miller was a member of the Law Firm of Cox, Epps, Miller and Weller, of Johnson City, Tennessee, and served as Chancellor of the First Chancery Division of Tennessee.

Judge Miller attended the Constitutional Convention of Tennessee in 1953, as a delegate. In 1955 he was appointed to his present position as United States District Judge of the Middle District of Tennessee. Judge Miller is currently a member of the Board of Trustees of the University of Tennessee, Nashville Bar Association, Tennessee Bar Association, American Bar Association, and the American Law Institute. Judge Miller was awarded the Order of the Coif by the Vanderbilt Law School in 1958.

## President of Tennessee Bar to Speak

The Honorable J. Olin White, President of the Tennessee Bar Association, will be one of the featured speakers during the Law College's Seventy-fifth Anniversary ceremonies. He will discuss "Professional Responsibility: A Lawyer's View."



J. Olin White

Mr. White was born in Nashville, Tennessee, and took his preparatory education in this state. He received his LL.B. degree from Nashville Y.M.C.A. Law School in 1934. Mr. White served as a major in the Air Force from 1942 until 1946. He was a member of the Tennessee State Senate from 1947-48, a member of the Davidson County Court, 1946-54, and in 1955, president of the Nashville Bar Association.

He is a member of the American Bar Association, American Judicature Society, the International Association of Insurance Counsel, and a Fellow of the American College of Trial Lawyers.

Mr. White is a member of the Nashville law firm of Manier, Crouch, White and Herod.

*Seventy-fifth Anniversary—Law Day . . . Banquet and Dance*

Friday Evening, April 23, 1965 — at the Senators Club, Alcoa Highway

## Professor Karlen To Discuss Judicial Administration

Three Quarters of a Century in Judicial Administration will be the topic of an address by Professor Delmar Karlen, Director of the Institute of Judicial Administration, at the Seventy-fifth Anniversary ceremonies of the Law College on Friday, April 23.

Mr. Delmar Karlen has been a Professor of Law at the New York University since 1953, before which time he had been a Professor of Law at the University of Wisconsin. Born in Chicago, Illinois, Mr. Karlen received his A.B. degree from the University of Wisconsin, and his LL.B. degree from Columbia University where he was a member of the Order of the Coif. Upon being admitted to the New York Bar in 1938, he became an associate in the firm of Simpson, Thacher and Bartlett, and after having served in the United States Army, JAGC, he started teaching at the University of Wisconsin.



Delmar Karlen

While serving as a Colonel in the Army Reserve, and as Associate Director of the Institute of Judicial Administration, Mr. Karlen was also

the American Co-Director of the Legal Research Institute of Ankara, Turkey during 1956-57. He now is Director of The American Institute of Judicial Administration, an organization dedicated to the improvement of the administration of justice through research, judicial education and publications. As a teacher and writer Mr. Karlen has been recognized as a noted authority on court procedure. Among his works are: Primer of Procedure, Civil Litigation in Turkey (with Arsel), Cases and Materials on Trials and Appeals, Cases and Materials on Pleading and Procedure (with Elliott), Appellate Courts in the United States and England, Law in Action and The Citizen in Court. Mr. Karlen currently resides in Garrison, New York. He is a member of the American Bar Association, Association of the Bar of the City of New York, and the New York State Bar Association.

## PDP Initiated Fourteen

The Roosevelt Inn Chapter of Phi Delta Phi Legal Fraternity increased its membership this quarter by the addition of fourteen initiates and twenty-nine pledges. Those initiated were: Archie Carpenter of Greenback, Tennessee; Richard Curran of Memphis, Tennessee; Mallory Jeffress of Crossett, Arkansas; Roger Jenne of Herkimer, New York; Tom McCallie of Chattanooga; George McHenry of Wiggins, Mississippi; Robert McNees of Oak Ridge, Tennessee; Bill Marks of Nashville, Tennessee; John Murrey of Gallatin, Tennessee; Edward Parrot of Strawberry Plains, Tennessee; Tom Parsons of Manchester, Tennessee; Tom Rasnic of Knoxville, Tennessee; Charles Sexton of Oneida, Tennessee, and John Threadgill of Milan, Tennessee. Those pledged were: Wilton Bond of Milan, Tennessee; James Butler of Jackson, Tennessee; Bill Cannon of Memphis, Tennessee; Thomas Clark of Brownsville, Tennessee; Guy Dotson of Winchester, Tennessee; Tom Doyle of Linden, Tennessee; John Edwards of Sharon, Tennessee; Leslie Enoch of Nashville, Tennessee; Fred Ford of Nashville, Tennessee; Lewis

Foster of Knoxville, Tennessee; Bill Gregory of Mount Vernon, Kentucky; James Hall of Greensboro, North Carolina; Albert Harvey of Knoxville, Tennessee; Frederick Humphreys of Alexandria, Virginia; Derry Jackson of Union, Mississippi; John Jay of New Orleans, Louisiana; Peter Kasdin of Newark, New Jersey; Jerry Kizer of Brownsville, Tennessee; Felix Laughlin of Germantown, Tennessee; Thomas McKee of Johnson City, Tennessee; Carl Olsen of Memphis, Tennessee; Ben Patty of Maryville, Tennessee; Roger Ridenour of Clinton, Tennessee; Donald Roe of Huntington Woods, Michigan; James Rollyson of South River, New Jersey; Alex Shipley of Knoxville, Tennessee; Charles Smith of Abingdon, Virginia, and Peter Von Elten of Nyack, New York.

The January 25th initiation was held in conjunction with a monthly speakers' program featuring Province President Keith McCord and International President Joe Haynes, as guest lecturers for the month of January.

The newly elected officers of Phi Delta Phi are: Arnold Peebles, Magistrate; Dennis Miller, Exchequer; Ford Quillen, Scribe; Jim Hart, Historian, and Tom Rasnic, Social Chairman.

## Dean Ritchie to Speak on Legal Education on Law Day

John Ritchie, Dean and Professor at Northwestern University School of Law, Chicago, will deliver a talk on the subject of Legal Education at the University of Tennessee's Law Day Ceremonies, April 23rd.

Born in 1904, Dean Ritchie, attended the University of Virginia from which he received the degree of B.S. in 1925, and an LL.B. in 1927. Soon after his graduation, Dean Ritchie was admitted to practice in the states of Virginia, Nebraska, Missouri, Illinois and Wisconsin.



Dean Ritchie

From 1928 to 1930, Dean Ritchie practiced law with the firm Ritchie, Chase, Canaday and Swenson in Omaha, Nebraska and then accepted a position as Assistant Professor of Law at the University of Washington in 1931 where he remained until 1936.

After teaching at the University of Maryland and the University of Chicago and later at the University of Virginia (1937-1952), Mr. Ritchie became Dean and Kirby Professor of Law at Washington University in 1952. In 1957 he moved to his present position as Dean and Professor of Law at Northwestern University.

In the teaching area, Dean Ritchie is well known in the field of decedents' estates and trusts, having taught in this subject as early as 1937 at the University of Chicago.

For many years, Dean Ritchie participated actively on the Executive Committee of the American Association of Law Schools, and became President of the Association in 1964. He has also served on the Council, A.B.A. Section on Legal Education, for ten years ending in 1963. In 1951-52 he was president of the Judge Advocates Association and is currently serving as a director of the American Judicature Society and as a member of the Illinois Advisory Council.

In the Second World War, Dean Ritchie served with the United States Army (1942-1946).