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Summer 1967

### UT Lawyer (Summer 1967)

University of Tennessee College of Law

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Summer 1967

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University of Tennessee College of Law

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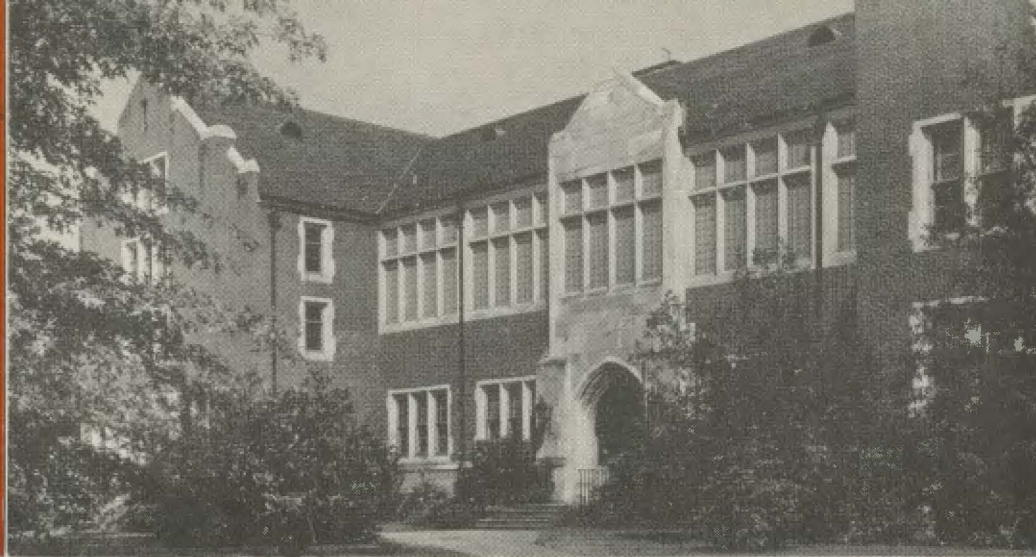
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# The U-T Lawyer

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SUMMER 1967



## LAW SCHOOL NAMED FOR GEORGE C. TAYLOR

### Dedication Ceremonies at the Law School Honor Outstanding Judge

George C. Taylor Law Center became the official name of the University of Tennessee College of Law Building by action of the Board of Trustees this spring. Dedication ceremonies were held at the Law Building on Thursday, June 15, 1967.

A distinguished group of Tennesseans were on hand for the dedicatory ceremonies. This group included the Honorable Buford Ellington, Governor of Tennessee; Dr. Andrew D. Holt, President of the University of Tennessee; Harry W. Laughlin of Memphis, Chairman of the Law Committee of the University Board of Trustees; Judge William E. Miller of Nashville, a friend of Judge Taylor, and a member of the Law Committee of the University Board of Trustees; Jerome Taylor of Knoxville, who is the son of Judge Taylor and also is a member of the Law Committee of the Board of Trustees; and Mrs. George C. Taylor, widow of Judge Taylor.

The Law Center is named in honor of the late Judge George C. Taylor who served for many years as a member of the Board of Trustees of the University of Tennessee. Judge Taylor, who was born and raised in Greene County, received his Bachelor of Science Degree from Tusculum College in 1906. He then came to the University of Tennessee where he received his law degree with honors in 1908 and was elected president of his law class. Upon graduation, Judge Taylor entered into private practice in Rockwood. In 1911 he took a position as Secretary to Governor Ben Hooper, but in 1913 returned to the practice of law in his hometown of Greeneville. From 1921 until 1928, he served as a United States District Attorney for the Eastern District of Tennessee. In 1928, President Calvin Coolidge appointed George C. Taylor to the position of Federal District Judge for the Eastern Division of Tennessee. Judge Taylor served in this capacity until his retirement in 1949.



Left to right: Jerome Taylor, Dr. Holt, Governor Ellington, Tim Manson, Jr., grandson of Judge Taylor, Mrs. George C. Taylor and George Taylor, another grandson.

The ceremony, which was presided over by Mr. Harry W. Laughlin, began with the invocation given by Dean-Emeritus William H. Wicker of the College of Law. Thomas F. Smith, President of the U.T. Student Bar Association, extended a welcome to those in attendance. Judge Miller then spoke on George C. Taylor, the Jurist. Dr. Holt followed with a speech on Judge Taylor's service to the University as a member of the Board of Trustees. The final speaker was Governor Buford Ellington who in speaking of both Judge Taylor and his son, Jerome Taylor, said: "U.T. is fortunate to have had great men as trustees, but our course has been made easier by two men named Taylor."

Following the speeches, Mrs. George C. Taylor unveiled the bronze plaque which dedicated the College of Law Building to the memory of her late husband. Jerome Taylor then spoke briefly on behalf of the family of Judge Taylor.

CENTURION SCHOLARSHIP:

SEE PAGE THREE FOR  
LIST OF CONTRIBUTORS

# Mr. Noel Is Honored

In a recent announcement, Dix W. Noel, Professor of Law, was named as one of three U.T. Alumni Distinguished Professors, a title which carries an annual salary supplement of \$2,000. The award is based on distinguished teaching, research, and public service.

Mr. Noel received his A.B. from Harvard with honors in 1927, his LL.B. from Harvard in 1930, and an MA in Public Law from Columbia in 1938. Prior to coming to U.T. in 1945, he spent eight years in private practice, and five years teaching at other law schools. At U.T., Mr. Noel's primary field of teaching and research has been in the area of torts with special emphasis on products liability, nuisance and defamation. He is also faculty advisor to the Tennessee Law Review. Since 1964, Mr. Noel has been an elected member of the American Law Institute.

Articles published by Mr. Noel, numbering approximately thirty, have appeared in various law reviews and professional journals. His articles have been frequently cited by courts and attorneys across the country and one article, "Manufacturers Negligence of Design or Directions for Use," published in the Yale Law Journal has been requested by numerous judges, attorneys, and design engineers, throughout the nation. Another article, "Defamation of Public Officers and Candidates," which appeared in the Columbia Law Review, has become the standard authority on that topic. It was quoted from and followed in the case of New York Times v. Sullivan, which is generally considered the most significant defamation case in the present century.

Mr. Noel's articles on "Products Liability in Tennessee" written in 1953 and 1965 were used and cited by the Tennessee courts in cases which overruled earlier decisions and modernized the Tennessee law with reference to manufacturers' liability. The 1953 article in the Tennessee Law Review was the basis for adopting the MacPherson rule on manufacturers' liability in Tennessee. In the case of Ford Motor Co. v. Lonon, the Tennessee Supreme Court again cited an article by Mr. Noel in adopting the strict liability doctrine in Tennessee.

In addition to his teaching and writing, Mr. Noel frequently has participated as a principal speaker in Law Institutes for Practitioners on various aspects of Tennessee law. In 1963 he spoke on products liability law at the Yale Alumni Day; in 1964 he was a lecturer at the Southern Law Institute in Dallas, and for the past two years Mr. Noel has been a speaker at the Practicing Law Institute in New York City.

# Dean Wicker Retires After 40 Years

William H. Wicker, the Dean Emeritus of the University of Tennessee College of Law, retires at the end of the summer quarter. Dean Wicker, who has rendered many valuable services as both a law teacher and as a university administrator, will not retire altogether, for he has taken a position as visiting professor at Drake University in Des Moines, Iowa. There he will teach for the academic year 1967-68 the courses that he taught at U.T. for the past four years since his retirement as Dean.



Dean Wicker has taught twenty-four different law courses, from agency to wills, and he is proud of the fact that while he was dean he taught at least two major courses each quarter in addition to his administrative duties. In the past forty-two years of teaching, he has the singular record of having taught both a father and his son in twenty different families. He is also as prolific in his writing as he is in his teaching and has published over seventy articles in various law reviews and legal periodicals throughout the country.

Dean Wicker is a native of Newberry, South Carolina. He received his B.A. from Newberry College in 1917, his LL.B. from Yale University in 1920, his LL.M. from Harvard University in 1925, and in 1957, Newberry College conferred upon him the Honorary Doctor of Laws Degree.

His further achievements are briefly as follows: private practice in New Haven, Conn., 1920-1922; member of editorial staff of the West Publishing Company, St. Paul, Minn., 1922-1924; research fellow, Harvard Law School, 1924-1925; faculty editor of the Tennessee Law Review, 1925-1929 and 1933-1945; Editor of the Compiled Code of South Carolina, 1930; Revising Editor of the Tennessee Digest, 1935-1939; Instructor of Law at the University of Tennessee, 1925-1926; Assistant Professor of Law at U.T., 1926-1928; Professor of Law at U.T., 1928-1929; Professor of Law at University of South Carolina, 1929-1933; Professor of Law at U.T., 1933-1944; Legal Counsel for U.T., 1944-1947; Acting Dean and Professor of Law, 1944-1946; Dean and Professor of Law, 1946-1963; Professor of Law and Dean Emeritus U.T., 1963-1967.

Since 1965 he has also been the chairman of a Federal Land Condemnation Commission for East Tennessee. His duties as such a commissioner are to inspect subject properties, conduct hearings, receive evidence and make awards in cases involving the Tennessee Valley Authority. Dean Wicker was a commissioner on Uniform State Laws for Tennessee from 1949 to 1960. He was a United States Juror Commissioner from 1949 to 1965. He is a member of the American Law Institute, the South Carolina Bar Association, the Tennessee Bar Association, the American Bar Association, the Institute on Judicial Administration, the Order of the Coif, Phi Alpha Delta Legal Fraternity, and Phi Kappa Phi Fraternity of which he was president in 1945.

Dean Wicker, aside from being a law teacher and writer, is also a horticulturist, and a conservationist. He was president of the Knoxville Men's Garden Club from 1959 to 1962 and again in 1967.

After a year in residence at Drake Law School, Dean Wicker plans to return to Knoxville.

## THE U-T LAWYER

John E. Buffaloe, Jr.  
*Editor-in-Chief*

Copy Editor .....John W. Wheeler  
Reporters .....Charles C. Baker, William Humphreys,  
Barry Kuhn

SUMMER, 1967

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## Centurion Endowment Fund Continues To Grow

Alumni, for whom current addresses were available, were recently invited by letter to join in the establishment of the College of Law Centurion Endowment Fund. Each alumnus was given the opportunity to pledge a minimum of \$100 per year for five years with the understanding that the money collected will be placed in the fund and invested by the Treasurer's Office. The income from the fund is to be used for scholarships, financial assistance, and for special programs of interest to the law students for which appropriate funds are not available. In this manner, it is hoped that a substantial fund can be established with the least amount of hardship to the individual donors. For example, it takes \$7,000 to \$8,000 to establish a funded scholarship. Many would hesitate to make an endowment

gift of this size, but by a cooperative effort the same goal can be reached through contributions of \$100 per year for five years. Each person making a pledge of \$100 per year becomes a charter member of the Centurion Endowment Fund program and also a member of the Century Club with all the rights and privileges that go with such membership. All gifts to the Endowment Fund are processed through the Development Office where credit is given and the Centurion memberships are assigned. At the present time, 136 alumni have made gifts in the amount of \$13,000 and have pledged to continue their contribution for four more years. It is believed that many more alumni will want to join in the 1967 Charter Membership in building this fund into a substantial endowment.

### CONTRIBUTORS TO THE CENTURION ENDOWMENT FUND.

Ables, Jerome C.	Davis, W. W.	Key, Clyde W.	Shelton, Joseph R.
Ailor, Earl S.	Davis, Sidney	Ladd, Leonard E.	Sledge, David
Anderson, Anna R.	Dotson, J. Ray	Ladd, Richard E.	Smith, Charles H.
Armitage, O. C.	Dunbar, Howard	Laughlin, Harry W.	Smith, Ewing, Jr.
Ashley, Barrett	Egerton, M. W., Jr.	Layman, Earl R.	Stair, Richard
Ashley, Randy	Elam, Tom	Lewallen, W. Buford	Stanley, W. Lloyd, Jr.
Ayres, John, Sr.	Emison, Theo J.	Linebaugh, George P., Jr.	Stone, Harold
Badger, Robert L.	Ernest, William M.	Lockett, Charles D.	Stout, Dorman L.
Baker, J. W.	Feild, Roscoe A., Jr.	Mayfield, Mark, Jr.	Strauch, Irving S.
Bandy, Thomas R.	Finnell, Conrad	McAuley, Ben F.	Swafford, Carl L.
Banker, Eugene	Fones, W. H. D.	McCord, Keith	Taylor, Calvin M.
Bartlett, F. Graham	Fountain, William J.	McCroskey, Ralph A.	Taylor, William L., Jr.
Batdorf, David L.	Ford, Richard R.	Miller, Gene	Thomas, D. K.
Baugh, John C.	Foster, E. Bruce	Moody, Rex	Thomason, John N.
Beasley, Elmer	Fowler, Arthur M.	Moseley, Ray H.	Thompson, James
Bernstein, Bernard	Fox, Thomas	Musick, Fred G.	Underwood, Shirley
Betts, Robert J.	Freas, C. Henry	Morgan, Charles	Baumgarten
Bird, Frank B.	Friar, C. Edward	Neblett, J. Leroy	Vesser, Hubert H.
Brooks, Frank B.	Garthright, James L., Jr.	Neyland, Robert, Jr.	Vorder Bruegge, Vincent
Brooks, R. W.	Gillenwater, Paul T.	Nicholson, R. H.	Waddey, Walter O.
Burnett, Jonathan H.	Goddard, Arthur B.	Ogle, Henry T.	Walls, Carter B.
Bush, Allen J.	Goddard, Houston M.	Ogle, Robert L., Jr.	Wallace, James E.
Cameron, J. Harvey	Gore, Charles M.	Oglesby, Joe M.	Warner, Harold C.
Carriger, John	Guess, Joe	Onks, Ernest C.	Warren, Shelbourne M.
Carson, Richard L.	Guthrie, Thomas E.	Pentecost, Cayce L.	Watson, James W.
Crossley, Robert L.	Haynes, Joe R.	Phillips, James O.	Weatherford, Heiskell, Jr.
Christenberry, Dexter	Harris, Robert J.	Rainwater, Chester R.	Wells, Winifred Townsend
Clark, Joe H.	Hazen, T. F.	Rayson, Edwin H.	Wilson, Frank
Clayton, James Lee	Hedgepath, Robert F.	Ritchie, Robert W.	Word, Roscoe C.
Cochrell, Edith H.	Hendricks, Hugh	Robertson, Richard	Worley, Charles E., Jr.
Cooley, J. Polk	Hodges, Thomas A.	Robinson, W. Harris	Worsham, Stephen M.
Corkland, I. Dwight	Irion, Jack M.	Russell, William S.	Wright, Emily G.
Creekmore, Frank B.	Johnson, Andrew	Senter, Harry L.	Yancey, Joe B.
Cummins, Roy	Joyce, Eugene	Seymour, Arthur G.	Young, Lindsay
Dale, Lucien			Young, Robert

### Alumni Elect New Officers

The new officers of the College of Law Alumni Association are: William C. Skaggs, '48, of Knoxville, was elected President. Mr. Skaggs had been elected Vice President but moved into the Presidency when Judge William S. Russell, '48, President-Elect moved to the Presidency of the General Alumni Association. James M. Glasgow, '48, of Union City, is President-Elect; Secretary is Carter B. Wall, '48, of Knoxville; and Treasurer is F. Graham Bartlett, '48, of Knoxville.

### Order of the Coif Elects Four

Following June Commencement, four outstanding graduates were elected into membership in the Order of the Coif. To be eligible for membership, the student must graduate in the upper ten percent of his class and must have contributed substantially to the Tennessee Law Review. This is the highest honor which can be conferred by the College of Law on its students.

The new members announced this year are: Albert C. Harvey, Knoxville; Thomas M. Keeling, Knoxville; Felix B. Laughlin, Memphis; and Hugh Morgan, Jackson.

## Law Day Awards Recognize Outstanding Achievements

Law Day activities for 1967 featured the appellate argument finals on "The Rights of Juveniles under Due Process." Supreme Court Chief Justice Hamilton S. Burnett, and Court of Appeals Judges Luke M. McAmis, and James W. Parrott presided over the arguments which saw the team of Mike Ellis and Mike Drake defeating William Berry and Jim Trotter. Jim Trotter and Mike Ellis were chosen first and second in the individual performance awards.

Various law students were honored for their outstanding accomplishments during the academic year. Thomas M. Keeling was named the Outstanding Graduate of the Year.

Russell Bean, Robert Baker, and William Gregory were awarded \$125, \$75 and \$50, respectively, by the Hamilton National Bank for the best will written upon a hypothetical set of facts.

National Moot Court Competition Awards went to Tom Keeling, Al Harvey, and Charles Cole. Trial Moot Court Awards went to John Gillenwater and James Butler for Spring Quarter; William Sheffield, Summer; Thomas McCallie and Thomas Hicks, Fall; and Drury Bagwell and Bill Marks, Winter, 1967.

American Jurisprudence honorees were Thomas McCallie, Administrative Law and Creditor's Rights; Mike Ellis, Agency and Private Corporations; Ed Ketchen, Personal Property; John Williams, Bills and Notes; Tom Keeling, Equity and Constitutional Law; Bill Humphreys, Contracts; Willis Kraemer, Evidence and Trusts; Tom Wilkinson, Criminal Law; Dalton Townsend, Labor Law; Jerry Diamond, Municipal Corporations; Jim Rifkin, Sales; and Jim Friedewald, Taxation.

Tennessee Law Review certificates were awarded to Tom Keeling, Bill Carriger, Felix Laughlin, Al Harvey, Dalton Townsend, and William Berry.

Student Bar Association Certificates were awarded to the Bar Officers for the past year: Alex Shipley and Tom Burnett, President; Tom O'Neal and Gordon Jackson, Vice President; Tom Kilpatrick and Greg O'Connor, Secretary; Dave Basker and Charles Solomon, Treasurer; Haynes Patterson and Jim Easterly, A.L.S.A. representatives; and Ron Lee and Gene Tunnell, independent representatives. The UT Lawyer award went to Jim Toms for his excellent achievements as Editor-in-Chief of that publication.

Phi Delta Phi named Tom Keeling as recipient of its annual scholastic award. Delta Theta Phi Fraternity initiated the Elvin E. Overton Scholarship Award in honor of their faculty adviser. Mike Ellis was the recipient. Phi Alpha Delta named Don Whitehead as their outstanding active of the year. John Lee Williams received the PAD scholarship award. In addition, Darrell Addington and Bob Haggard were named as outstanding team in Winter Quarter appellate arguments. Paul Hoover won the individual participant award. The Student Bar Association Scholarship Award went to R. O. Smith.

In concluding the day's activities that night at the Senators Club, The Honorable Glenn W. Woodlee was presented an Honorary Order of the Coif membership by Dean Warner. Chancellor Woodlee delivered the evening address.

## Thomas M. Keeling Named Outstanding Graduate of 1967

Thomas M. Keeling of Knoxville was named the outstanding graduate of the College of Law for the school year 1966-67. Announcement of this award was made by Dean Harold C. Warner at the Annual Law Day Banquet. In recognition of Mr. Keeling's outstanding achievement, he was presented a set of Tennessee Code Annotated by the Bobbs-Merrill Company, Inc., which annually makes this award to the outstanding graduate.

Mr. Keeling received his Bachelor of Science degree in Chemical Engineering from the University of Tennessee where he was elected to membership in Omicron Delta Kappa and Phi Eta Sigma and also was president of Sigma Chi Fraternity. At the College of Law, he was a member of Phi Delta Phi Legal Fraternity and a recipient of the Green Scholarship. Mr. Keeling has served as Editor-in-Chief of the Tennessee Law Review, Secretary of the Student Bar Association, and also as ALSA representative. He was a member of the National Moot Court Team that competed in Atlanta last fall. He has also been awarded the American Jurisprudence awards in Equity, Constitutional Law, and Agency. Following his graduation in June, Mr. Keeling was elected for induction into the Order of the Coif.

Beginning this fall, Mr. Keeling will have the honor of serving for one year as a law clerk for The Honorable Anthony Celebrezze, Judge, Sixth Circuit Court of Appeals.

## Student Bar Activities

The Student Bar Association during Summer Quarter, 1967, has attempted to use the usually slack period for more than just marking time. The Student Bar has continued to expand its activities and services under the leadership of Tom Smith, Kingsport, president; Charles Wagner, Knoxville, vice-president; Bob Jones, Lawrenceburg, secretary; Fred Lewis, Norris, treasurer; Polly Ann Olsen, Evansville, Indiana, Independent Representative; and Haynes Patterson, Oak Ridge, and John Slack, Charleston, West Virginia, ALSA Representatives.

Most notably, a Student Book Exchange was initiated during summer registration with representatives of the SBA manning a booth where books were handled on a consignment basis. The only fee was a small charge to the seller to cover expenses of the exchange. Business was much more extensive than expected and the exchange looks forward to handling a large percentage of SBA members' books in the Fall.

More in line with past activities the SBA enjoyed two very interesting and timely speakers during the quarter. Val Sanford, Nashville Attorney and Chairman of the Tennessee Law Revision Commission, gave a most informative speech on the state of the legal system in Tennessee, and Dr. Edward Boling, Vice-President in charge of development for the University, spoke on higher education in Tennessee with particular emphasis on the outlook for the law school.

Other SBA activities during the summer include: probably the "best ever" intramurals program featuring tennis, golf, and headed by ex-varsity athletes Mack Gentry and David Leake, and an outstanding General Issue edited by Darrell Addington.