

The W&L Law News

School of Law, Washington and Lee University, Lexington, Virginia

VOLUME I

LEXINGTON, VIRGINIA, SEPTEMBER 29, 1972

Number 1

'Split' Completed: Legal Aid, Research Finish Reorganization

Due to a rapid expansion in both the Legal Aid and Legal Research programs, the groups have officially split into two organizations, effective this year.

The two organizations each have their own Board of Directors, but share a common secretary-treasurer. Mr. Lawrence Gaughan, is the advisor to the Legal Aid Association, while Mr. Benjamin Vandegrift has assumed duties as advisor to the Legal Research Association.

The Legal Aid group has moved into what was formerly the Law Review room, while Legal Research remains in its former office.

Legal Aid handled more than 200 cases last year, and according to Jim Stalnaker, Legal Aid Chairman, "we anticipate a 25%-40% increase in the caseload this year." Legal Aid offices now in operation include Lexington, Staunton, and Waynesboro, with the opening of a Western State Hospital Assistance Program slated for the near future.

Eighteen first-year law students will be staffing the Lexington office. Stalnaker, commenting on the 56 applicants from the first-year class, stated that "choosing eighteen interviewers was a very difficult decision, since many of the applicants had professional experience in either interviewing or in indigency work."

The Legal Research Association prepared more than forty memoranda last year, and expects to increase its output by approximately 25% this year. Ken Wernick, Legal Research Chairman, stated, "Projects which are currently being researched include an analysis of the potential legal problems in the Lexington Housing Code, and a study of the legality of sensitivity training by church officials in Virginia."

Wernick stated that members of The Legal Research Association will present their findings concerning the Lexington Housing Code to the Lexington City Council within the next month.

The Legal Research Association is

Law School Project Claims First Fatality

By STEVE SUTTON

Robert H. Brogan, 22, of Lexington was killed at 10:00 a.m. on August 30 while working on the construction of the new Washington and Lee Law School near Wilson Field.

As an employee of the C. W. Barger & Sons Construction Co., the prime contractor for the construction, Mr. Brogan was operating his forklift obliquely across a steep incline. With his forklift up and loaded with brush, the right track on the vehicle slipped on the wet, muddy surface. Violently the machine flipped over twice. Mr. Brogan attempted to escape but could not due to the suddenness of the accident. Death was instantaneous as he was crushed beneath the falling machine.

A female construction worker described the accident as "freak". One worker who observed the accident had started to warn Mr. Brogan not to enter the dangerous area he was working in when he was killed.

Had a roll bar and seat belt been used by Mr. Brogan, his life might have been saved. This safety equipment was not available for Mr. Brogan's use.

also undertaking to initiate a Legislative Research Program, which will work with committees in the Virginia Legislature in Richmond.



Women Register

Vassar graduate Sara Green registers in Tucker Hall. She is one of six women who were admitted to the law school for the first time in W&L's history.

—Photo by Eric Hauser

Law Class of '75 Begins Quest for J. D. Degrees

By JOHN BROADWAY

Seventy-four men and six women have enrolled at Washington and Lee in the Law Class of 1975, chosen from among 1411 applications submitted this past year—a 71% increase above the previous year's 827. The applicants were from 328 different undergraduate colleges, up from 261 last year. Of this total, 167 were tendered offers of admission, including 13 of the 49 women applicants.

The first class enters law school with a mean grade point average of 3.09, and a mean Law School Admission Test score of 639, ranging from one student with an LSAT score of below 500, to eight scoring above 700. By comparison, last year's freshmen had means of 2.9 GPA and 602 LSAT.

Colleges with more than two graduates among the new registrants are W&L, 17; U.Va., seven; Colgate, four; and Duke, Rutgers, Williams, Yale, St. Lawrence, and Roanoke College, two each. Other undergraduate schools represented include N.Y.U., Harvard, Georgetown, Trinity, and Johns Hopkins in the East; Emory, Auburn, Davidson, and U.N.C. in the South; and Kansas, Michigan, Kenyon, Notre Dame, and Northern Arizona in the Mid-west and West. The other Virginia schools are Mary Baldwin, William and Mary, Randolph-Macon, Randolph-Macon (Women's), Richmond, Virginia State, Old Dominion, V.P.I., and V.M.I. In addition to Baldwin and RMWC, the women students earned their undergraduate degrees at Smith, Vassar, Wellesley, and the University of Louisville.

Geographical distribution is spread

W&L Alumni Appointed To Serve on Federal Cts.

By BILL BARKLEY

President Nixon announced Monday he is appointing Judge H. Emory Widener, Jr. of Bristol to the 4th U.S. Circuit Court of Appeals and has chosen State Senator James C. Turk of Radford to succeed him on the bench of the U.S. District Court

for Western Virginia. Both appointees are graduates of Washington and Lee University Law School. Their names are expected to go before the Senate for confirmation before its adjournment this year.

Judge H. Emory Widener graduated from Annapolis and went into the Navy. In 1949 he entered law school at Washington and Lee with fellow classmate, James C. Turk. Judge Widener was called back for another tour in Korea and had to leave law school. He returned and graduated in February of 1953. Widener then went into private practice with his father.

During World War II Judge Widener was awarded the Bronze Star and the Combat V. During his term in Korea he was an Aide and Flag Lieutenant to the Commander of the Middle East Force and Amphibious Groups 2 and 4.

Senator James C. Turk, the man chosen to succeed Judge Widener as

judge of the U.S. District Court for Western Virginia, is from Radford. Turk has been a State Senator for twelve years and for the last seven years has been the Senate minority leader.

Senator Turk graduated from Roanoke College in 1949. He then began law school at Washington and Lee. Upon graduation in 1952 he became associated with the law firm of Dalton-Poff in Radford. Turk had planned to stay with the firm only a short time but Poff was appointed to the bench and Turk decided to stay and help with the firm's reorganization.

Judge Widener and Senator Turk are the latest Washington and Lee alumni to be distinguished by appointment to a federal bench. They join fellow alumni Walter E. Hoffman (31), Chief Judge of the Eastern District of Virginia, Norman C. Roettger, Jr. (58), judge for the Southern District of Florida, and Lewis F. Powell (31), judge for the U.S. Supreme Court.

Vandegrift Favors Litigation Aspects

By STEVE ELKINS

"I'm not interested in teaching men who want to know THE LAW," said Professor Vandegrift, capitalizing with his voice the last two words. "Rather, I want to teach men to become LAWYERS."

Training students for work as practicing attorneys is the goal which the new W&L professor hopes to achieve.

"The thing I want to emphasize most in my classes is litigation," said Vandegrift. "I love litigation. It's the thing I like most about being in the legal profession."

Vandegrift brings considerable experience in the litigation area with him to the podium in Tucker Hall. He spent the last four years with the New York firm of White and Case, which ranks as the fifth largest gathering of lawyers in the world. While there, he went to the courthouse regularly, as well as appearing before appellate benches.

"Yes, I did appeal work, but trial work is the most fun," said Vandegrift, breaking into a characteristically broad smile. "The only trouble with trial work is all the pre-trial business. Depositions, interrogatories, examinations; it can become annoying some-

times. I always looked forward to getting through with discovery."

Vandegrift's original home was New Castle, Delaware. He did undergraduate work at Dickinson College. Then he joined the Marine Corps.

"The biggest thing the Marines taught me was that I didn't want to be one," he said chuckling.

While stationed at Quantico, Vandegrift met the man who now occupies the second floor office opposite his, Professor LaRue.

"Lash is one of the biggest reasons for my being at Washington and Lee. He suggested this school to me as a place to take up teaching, and



Prof. Vandegrift lectures in his Wills and Trusts class.

through him I met Dean Steinheimer."

"In fact, Lash and his associates in the Marines were influential in my deciding to go to law school in the first place," Vandegrift said.

When his three year commitment to the Corps was up, Vandegrift attended Georgetown Law School.

"I always liked the academic atmosphere of a law school. That's the reason I decided to leave private practice and to go into teaching. In law school teaching, you are not dictated to so much by the demands of clients. You can do more of the kind of work you enjoy," he said.

SBA Outlines Plans For Upcoming Academic Year

By JOHN ZUNKA

"Involvement will be the central theme of this year's Student Bar Association," states the organization's president, Mac Squires. Through more effective use of its nine standing committees, the S.B.A. is looking forward to a year of purposeful work toward effecting a more ideal student climate, both academic and extra-curricular.

The Board of Governors will hold a full meeting of the Student Bar Association once a month on Wednesday at 10:00 a.m. Furthermore, in an effort to expedite the handling of student problems, the Board of Governors will be the Grievance Committee this year and will sit in open session on the remaining Wednesdays in the month.

Students are encouraged to bring suggestions and grievances to the attention of this body.

Clinical education possibilities are being studied by the Curriculum Committee. Under this program a student would be able to receive full semester credit by working that semester as a law clerk for legal aid and in other approved legal fields.

A modified pass/fail system is currently under examination by the Academic Standards Committee. The system would allow a student during his last year to take one course per semester pass/fail.

Mac Squires has expressed a personal goal of involving as many students as possible in the activities of the Student Bar Association.

The Collective Waste

A newspaper so pompous or impertinent as to mimic the masthead of the **New York Times** should give the readers of its opening edition some hint of a memorable editorial policy. We could ape the **Times** (and some of our classmates) by spewing profound inanities on all subjects passing through our craw. But irreverence tempered with some measure of relevance seems a more palatable blend to serve up to you. We will attempt to be pertinent to the affairs of the Law School if that limited community can tolerate what we hope will be a pungently impertinent flavor.

Within that narrow arena, we will probably not threaten the national security or push libel law to the cracking place. We may often be in the present predicament where our public offers nothing for us to rant about. For instance, the collective unconscious of the Law School, a.k.a. the S.B.A. Board of Governors, currently considers our most pressing internal concerns to be:

—that barking dogs, leashed outside, interrupt naps in classrooms and the Law Review offices;

—that unleashed dogs befoul inappropriate places inside the school;

—that the liquor budget should be invaded to buy a tube so lounge lizards can watch Redskins games.

It may be that life here has stopped imitating art since Edward Albee and Roger Mudd (pick your favorite brand of fiction) left Lexington. The S.B.A. certainly seems content to satirize itself. But the blandness suggested by such exclusive attention to minutiae should bother even those of us who are not involved in broader interests and issues.

The Dean has attempted to change this place from a rest home for W&L graduates whose creditors would not let them leave town into a law school with a national reputation. The more impressive academic credentials and greater regional diversity of the student body should point to some intellectual and social ferment. While the dramatic damn-yankee invasion may cause Bob Lee's revolving body to torque the Chapel off its foundations, it should also create a welcome counterpoint to Lexington's charming and comfortable parochialism.

The contrary indications are that most of us have succumbed to the burden of grinding our way through a trade school and the temptations of the soft life in a small town. Perhaps this paper can at least serve to give more content to conversation than sexual innuendo and Joe Namath's knees. We will try to raise its level somewhere above the collective waist.

For The Record . . .

"In addition to their regular teaching duties, our faculty actively participates in important professional and community affairs . . . Mr. Laughlin is a United States Magistrate and Chairman of the Lexington Electoral Board . . ."

—Dean's Report 1971-1972

§ 24.1-33. Persons holding other offices not to serve as member of board, registrar or officer of election.—No person, nor the deputy of any person, who is employed by or holds any office or post of profit or emolument, or who holds any elective office or profit or trust, under the governments of the United States, the Commonwealth, or any county, city, or town, shall be appointed a member of the electoral board or registrar or an officer of election.

Va. Code Ann. § 24.1-33
(Cum. Supp. 1972).

Virginia Law Schools Lobby For Third-Year Practice Rule

By WAT ELLERSON

Foremost in the minds of many W&L law students these days (other than the date of the next cocktail party) is the commencement of third-year-student law practice, including appearance in court. After much fumbling around, the student bodies of each Virginia law school, except T. C. Williams, have coordinated their efforts to obtain a third-year practice rule primarily through their legal aid associations. A resolution favoring such a rule is up before the Council of the Virginia State Bar to be considered sometime in late October in Staunton. The resolution, according to Professor Gaughan, has the active support of the president of the bar, Philip L. Lotz of Staunton, and the passive support of the Virginia Bar Association. It is not known at this time whether this meeting will be open to the general public or not. Nevertheless, it is important that all students interested in passage of the measure lobby in favor of it. If the Council approves the resolution, it will then go to the Supreme Court of Virginia. The

Supreme Court is almost certain to approve it if it gets past the Council.

The proposal allows students to represent clients in civil actions and misdemeanors with the permission of the client. Felony representation is excluded in the Virginia rule. The main purpose of the proposal is clinical education for law students, according to Mr. Gaughan. This has been the motivation behind all of the proposals.

It is interesting to note that the U.S. court of Appeals for the Fourth Circuit has approved a third-year practice rule. Professor Ritz has been admitted to practice before the Court, and Bill Williams of W&L will tentatively argue a case for the Alderson Legal Assistance Program this fall under Mr. Ritz's guidance.

Those students interested in lobbying for the proposal should write the president of the state bar, Philip L. Lotz, P.O. Box 1206, Staunton, Virginia 24401, or they should contact anyone they know on the Council. A list of Council members is presently posted on the main bulletin board in the law school.



Letters to the Editor

(All Letters to the Editor are to be submitted no later than the Monday preceding publication date; all letters should be typed, double-spaced, and signed). —ED.

Athletic Dept.

Editor:

As the SBA Athletic Chairman, I have become increasingly displeased with many of the facilities and services offered to law students by the Intramural Department. Many students have complained of difficulty in checking out equipment, such as basketballs. If there is equipment on hand, one often does not have a satisfactory place to use it, as evidenced by football practice last Wednesday which was held amid rugby kicks, lacrosse shots, and construction trucks. And after an all too brief workout students must then face dirty showers with no soap.

Aside from the physical deficiencies in the gym, law school athletes have been subjected to some rules interpretations which would make Olympic judges look like experts. For instance, I have heard about and seen changes in volleyball rules before the final game, shifting of seeded tennis players, and "home-cooking" against the law school football champions.

As law students, we seek only a fair shake in intramural officiating. As students, we ask that improvements be made in the services at Doremus.

Bev Wood

SBA Athletic Comm. Chairman

Reserved Books

Editor:

I am hereby giving notice to the library staff and the world at large, that I am renouncing my ingenious plan to crack the "cage", steal the

rare and invaluable collection of Hornbooks contained therein, and then highjack a Piedmont 747 to a nameless sub-tropical dictatorship.

The special security force (Murphy disguised as a set of cold notes) and the present reserve book use regulations may now be safely suspended, in order that the library may once again operate as the convenient service for the students that it was intended to be.

Stealthily,

Ace Blatt, d.b.a. Fearless Thief

Grafitti

Editor:

As a perennial commentator on the law schools scene, I wish once again to address what has come to be a chronic problem in Tucker Hall: the deplorable lack of bulletin board space.

Not that I am afflicted with Madison Avenue mania, but it seems that a more desirous method of communication could be devised for intra-law

school messages. With the utilization of portable blackboards in the lobby, the now cluttered bulletin boards could be made available for a much needed form of legal prose—improved grafitti.

A small law school such as Washington and Lee presents students with the unique opportunity for expressing themselves in and out of class more readily than in a larger institution. Why then should paper pushing congestion stifle the sometimes outraged student's creative pundits?

Grafitti is a legitimate form of commentary and many of the occurrences within Tucker Hall offer spectacular possibilities for the urbane scrivener.

Besides, additional bulletin board space for topical tabulae will certainly save the men's room wall (and in the future the ladies room wall as well) from the sordid fate of the New York subway walls.

Sincerely Yours,

"H.F."

What's Happening

Law School Activities

Saturday, September 30, 4-7 p.m.—Picnic, Glen Maury Park, Buena Vista (Hamburgers, free beer).

Friday, October 20, 5-7 p.m.—Cocktail Party, Alumni House (Hard liquor, potato chips, peanuts).

October—Legal Fraternity Football Game—(Probable rematch of last year's much disputed PAD-PDP clash).

November 7—Election Night Party—sponsored by the SBA.

December 7—Semi-Formal Dance (co-sponsored by the SBA and Law Wives).

University-Wide

Saturday, September 30

2 p.m.—Football: W&L vs. Centre; away.

8 p.m.—Mixer with Sweet Briar women at the Cockpit (Music by "Daddy Rabbit" (Admission: \$1.00).

Tuesday, October 3

8 p.m.—Civilisation, a film (In duPont Auditorium).

Saturday, October 7

2 p.m.—Football: W&L vs. Hampden-Sydney; at home.

The W&L Law News

TOBY HARDER

Editor-in-Chief

MIKE CAMPILONGO

Associate Editor

KEN WERNICK

Managing Editor

DICK MANDELSON

Business Manager

DEPARTMENT EDITORS

Distribution Richard Kaufman
Editorial Jess Crumley; Fred Franke
Entertainment and Art Larry Carlson; Al Hulten; Tom Shuttleworth
Features Sean Gilronan
News Bill Barkley
Photography Steve Deay; Eric Hauser
Sports Pete Wimbrow

The W&L Law News is published twice each month, with the exception of vacations and holidays. The views expressed herein are those of the Editors or of by-lined reporters, and do not necessarily reflect those of the student body, faculty or administration unless otherwise specifically stated.
Mailing address: Tucker Hall, Washington and Lee University, Lexington, Va. 24450. Tele. 463-9111.

Local Girls' Schools

W&L Veteran Explores Road Tripping

By JOHN MOORE

With all due deference to age (but none to Women's Lib), the Editor has requested me to write a column concerning a Valley of Virginia phenomenon known as "going down the road." Considering the number of years logged in the Valley (off and on seven ever since 1962!) and the number of miles I've watched click away on the odometer, I seem to bridge the gap between the old methods and the new.

To begin, there are certain basic ground rules for "going down the

road" as that custom is practiced in the Valley. First of all, the trip must take place during the week and must be a spontaneous affair. More importantly, the majority rule calls for no prearranged dates unless, of

course, they happen to be blind. For the secret excitement of all road trips consists in the lustful anticipation of the unknown.

In the old days we used to take off at about 7:30 p.m., hitting Sweet

Briar some 3 beers and 43 minutes later. The drive itself took us through the gaily-lit town of Buena Vista (beautiful view) and on into the winding darkness of the Blue Ridge. Just past the mountains, a three or four mile straight-away indicated that the delights of the Briar were close at hand. On arrival, the long entrance road through the woods provided a more sobering anticipation as well as three or four choice watering spots.

The waiting rooms were always overheated and the chairs and sofas always overstuffed. And more often than not, the appearance of the date dispelled any remaining anticipation. However, the evening was by no means lost, since the Amherst area provided a virtually unlimited choice of entertainment spas. First and foremost was a local cabaret known as "Bucks" which, as I understand, has since been 'dozed. The evening itself would end in a flourish of sorts (depending) and a race back over the mountain.

Today, the drive (to Sweet Briar) takes 4 beers and 38 minutes, (Jeff Diamond claims a 27 minute record

—with a few more beers). Buena Vista is now more beautiful than ever, and the watering spots have become extremely scarce.

As for the various girls' schools in the area, they seem to have retained their own special images, composed of both fact and fantasy. Hollins and Randolph-Macon are reputed to be filled with girls combining the best of intelligence and good-looks with Sweet Briar offering more of the striking features, the Debs and the horsey set. Mary Baldwin houses all the "girls from back home" but suffers from its setting where life is about as wild as in Glasgow.

Often maligned by some but never by law students is the inestimable Seminary for young ladies. Fondly (and traditionally) referred to by the cadets as "Hungry Hill," the Seminary has made "believers" of quite a few law students (most of whom will sorely miss Zet and her fine ladies.)

A final word to the class of '75—don't miss the famed mixers of these fine institutions nor the unforgettable experience of "going down the road."

Shuttleworth: Cocktail Circuit

By TOM SHUTTELWORTH

Friday night, two weeks ago, was the first law school-wide function of the year—the Dean's Cocktail Party. Given three or four times a year, one-half the party is provided by the Dean. I have always looked on the cocktail parties as being a place to socialize and get tight. I have never seen much good in criticizing the parties, but that may be because I have never been much on passing up a free drink. It seems some how like sacrilege. Like being against motherhood, apple pie and the Flag. Anyway, during my two years here I could not help hearing the cocktail party being maligned and criticized by many of my peers.

The main gripe went something like this: "The cocktail parties are artificial. They teach you how to hold your liquor at a client's party. Go to the cocktail parties and learn to be a traditional W&L 'Gentleman C' and fit into a big firm." Well, maybe its because I never held my liquor very well, or maybe its because I'm looking through the bottom of an empty scotch glass, but how come the people who bad-mouth the cocktail parties are always in line in front of me when I go to get a drink?

Road Trip Information

Mary Baldwin, Staunton	885-0811	(38 min.)
Sweet Briar, Amherst	381-5100	(40 min.)
Randolph-Macon, Lynchburg	846-7392	(55 min.)
Hollins, Roanoke	362-6000	(45 min.)
Southern Seminary, Buena Vista	261-2181	(9 min.)
Lynchburg College, Lynchburg	845-9071	(70 min.)
Madison, Harrisonburg	433-6211	(1 hr.)
Longwood, Farmville	392-4015	(2 hr.)
Mary Washington, Fredericksburg	373-7250	(2 hr.)
Radford College, Radford	731-5000	(1 3/4 hr.)
Shenandoah Conservatory, Winchester	667-8714	(2 hr.)

Lexington Eateries Offer Hometown Haute Cuisine

By AL HULTEN

The next time you find yourself furtively munching a brown bag lunch within the confines of Tucker Hall, stop immediately and study your surroundings. After careful scrutiny it should become apparent that this is no way to treat your already acidic stomach. Liberate your latent gastronomic desires and accompany me on a short verbal tour of gourmet dining in some of Lexington's finer restaurants.

Proceeding up Washington street from the law school, our first encounter with haute cuisine occurs in the Paramount Inn, affectionately known to true connoisseurs as Ernie's. If one can avoid the very temptation of the numerous gaming devices prevalent in the establishment (rang-

ing from Electro-Dart, Foosball, and pinball to the more mundane pool table), he can settle down to enjoy a real culinary treat in the form of a California Burger. After eating, be sure and "flip" Ernie for the juke box which might entitle you to listen to several free songs.

Rounding the corner at Main Street, the neon glitter of the College Inn attracts our eye. Epicurean items which should not be missed when dining here are the best roast beef sandwich in town and the pizza with everything. Wine tasters should revel in the smooth bouquet of the Bacco Noir which unfortunately does not become evident until the third bottle. Directly across the street from the C.I. is the Central Lunch whose exterior has recently been remodeled. However this facelifting should only be a lure to those with the more intrepid intestines.

Moving across town to the vicinity of the Post Office, a good watering hole can be found in the Corner Grill which entertains a hard core crew of jurisprudents every Friday afternoon from 5 to 7 p.m. during happy hour. Buffet lunches and the Hi-Doc burger are the highlights of the bill of fare at this quaint eatery.

Head Severed In Yugoslavian Flick

By LARRY CARLSON

Mysterious is not the word for **WR: Mysteries of the Organism**. Those who went to the Lyric last week looking for a good wholesome skin flick were in for something of a shock.

It's hard to say just what this film was. It seems that a few years ago there was this politico-sexual mad scientist named Wilhelm Reich. Reich, who was actually a psychiatrist, pioneered and developed the "Orgone Accumulator" (it's wood on the outside but metal on the inside). He was subsequently persecuted for his theories. But now, at long last, he is revered as a martyr.

This all had something to do with the progress of world Communism and/or the total realization of the human body. Further elaboration would be pointless. It should be noted, however, that the film does include an excellent soliloquy by a severed female head (ice-skates, how else?) and a recurrent anthem of some sort. Incidentally, two-thirds of the dialogue is in Yugoslavian.

Suggestion: for more prurient fare, catch **Kansas City Bomber** at the Lyric (Sept. 29-30). With Raquel Welch as the lead, the flick ought to promise, at the least, some kind of visual entertainment.

Current Movies

Lyric

Fri.-Sat. Sept. 29, 30 **Kansas City Bomber** with Raquel Welch (Visually interesting)

Sun., Mon., Tues. Oct. 1, 2, 3 **Decameron** unpreviewed.

Wed.-Sat. Oct. 4-7 **Fritz the Cat**—R. Crumb shows all animateds aren't necessarily Micky Mouse.

Sun., Mon., Tues. Oct. 8, 9, 10 **Blacula**—Blacks get civil frights.

State

Fri.-Sat. Sept. 29, 30. Hitchcock's **Frenzy**. Not Alfred's best venture.

Sun., Mon., Tues. Oct. 1, 2, 3. **Joe Kidd**. Clint Eastwood in this "uncomplicated western."

Wed.-Sat. Oct. 4-7. **Napoleon and Samantha**.

Sun., Mon., Tues. Oct. 8, 9, 10. **The Revengers**. Holden and Borgnine aided by Woody Strode (The Professionals). "The Wild Bunch" it isn't.

Coming—**Butterflies are Free**—**Easy Rider**—**J. W. Coop**.

Jerry Lewis Cinema—Buena Vista

Fri., Sat. Sept. 29, 30—**Conquest of the Planet of the Apes**.

Sun., Mon., Tues. Oct. 1, 2, 3—**Billy Jack**. Tom Laughlin in a "B" rate exploitation film.

Wed.-Tues. Oct. 4-10. **The Cowboys**. John Wayne gets killed. Lord of the Flies goes west.

First National Exchange Bank

A Dominion Bank Bankshares Bank



Look to Leggett
for Quality Ladies',
Men's & Children's
Apparel
and . . .
We've got just the
thing to make your
apartment a
little more
comfortable.

LEGGETT, DOWNTOWN, LEXINGTON
We're open til 8:30 Friday nites.

IM Sports: 'Roy's Boys' Seek Football Title



The law school intramural football team practices for upcoming gridiron battles. Pictured from left to right are Pete Wimbrow, Bob Osmond, and Bev Wood. —Photo by Eric Hauser

By PETE WIMBROW

Under the leadership of Coach Doolittle, the Law School football team began its quest Tuesday for its fourth straight I.M. Football title by meeting ZBT. The quest continued on Wednesday when Roy's Boys met Route 4. This is an independent team with a nucleus of ex-Phi Gams. All-Star middle guard Bard Wrisley and quarterback Don Weiss are the most important defections for Phi Gam.

Practice last week was very unproductive, because of the many absences. Veterans Russ Kirk, Tim Wright, Bob Westerman, and Bill Oast had classes. Center Walter Butchka was in the wrong ballpark and rookie John Gee's wife wouldn't let him play. John Miller was busy helping Coach Lyles coin new phrases; Rick Grimes got lost.

In one of Coach Doolittle's pre-season personnel changes D. B. Ross has been switched from defensive safety to wide receiver. The switch gives the offense more speed and blocking, but better hands might be available.

Rick Grimes returns for his third year as wide receiver. At 6'4", 207 lbs. and fair speed, he combines a willingness to hit with great hands. Maybe this will be the year he finally realizes his All-Star potential. The blocking of Ross and Grimes should spring more than one sweep for good gains.

Pretty Boy Brad Griffin and big Kent Brown round out at the receiving corps.

The backfield includes Russ Kirk, John Miller, and Larry Young. Russ is also returning for his third year. He has a fine arm, great hands, and quick feet. Last year he also began learning how to block. John is fairly quick with good size (5'11", 188 lbs.). He has good hands and if he would ever learn to block would be a stand-out back. Larry Young doesn't mind hitting at all, and is fairly quick, but his hands are very suspect. The wisdom of putting a man his size in the backfield is doubtful, especially with one of the offensive guard spots open.

Doolittle has moved Bill Oast, a fine defensive end last year, to offensive guard. Bill is very fast and should improve the running game with his ability to get out in front of the ball carrier and lead those sweeps.

If negotiations (no win progress) can be settled with Butchka, the Law School will again have the services of one of the finest centers in intramural football.

On defense the Law School will be using a 3-3-2. Anchoring the defensive line is All-Star end Pete Wimbrow, returning for his third year. Having retired as an active player in the Midnight Football League, he devoted his summer to a rigorous weight program, gaining 10 lbs. He will be playing at 205 lbs. Already the most feared defensive lineman in the league, that fact may cause some premature retirements among opposing tackles and quarterbacks.

At 5'6", 150 lbs., Robert Osmond is probably the smallest defensive lineman in the league. At middle guard he is a fine pass rusher, although weak against the run.

At right defensive end, returning after a two year layoff is Jim Kelley. The question is, "Have the years taken their toll?"

The secondary seems a bit unsettled with rookies Pete Britten, Jim Fitter, Bob Forrest, Bob Taylor and veterans Tim Wright and Bob Westerman. Wright possesses adequate quickness, although a little gunshy. Westerman is a very smart ballplayer, although small and slow. Rookies Fitter and Britten looked impressive in camp.

Upcoming Games

PKS	Oct. 2	4:45
SN	Oct. 3	4:45
SC	Oct. 11	3:20
PKPhi	Oct. 17	4:45
Ind.	Oct. 19	4:45
Phi Gam	Oct. 23	3:20

Offensive Line Success Highlights Gridiron Play

By PETE WIMBROW

The congratulations in that Colt-Jet game should go not to Namath, but rather to his offensive line. They won the battle in the trenches Sunday. Billy Newsome played good ball, although not good enough to make anyone forget Bubba. Freddie Miller got eaten up and after Roy Hilton left with an injury the pressure from the right side of the line was nonexistent.

Of the three Colt linebackers, only Hendricks can be said to have had an adequate game. Curtis must have been on tranquilizers. The times he blitzed, the closest he came to Namath was John Schmitt's forearm. Schmitt's replacement John Mooring handled Curtis just as well. Ray May's pass coverage left something to be desired, obviously. Most of Namath's long strikes were against the Colt right side, a weak spot in the Colt defense ever since Lenny Lyles let age catch him.

On offense the Colt line got beat by the Jet front four. Gerry Philbin was especially effective against Dennis Nelson. The rush bothered Units all afternoon.

Matte was his usual dependable self, fumbling once and failing to turn around for a pass. At 6'0", 215 lbs. Matte is too slow to give the Colts the breakaway potential that could be realized in McCauley.

Can't understand why the Cardinals don't run Leon Burns more. He is starting but Donny Anderson is doing all of the work. Leon is 6'1", 228 lbs. He runs a 4.6 forty.

THIS SUNDAY

Baltimore at Buffalo—Colts by 10, Johnny U. looks sharp.

Cincinnati at Cleveland—Bengals by 5. Paul Brown always wants this one extra special.

Dallas vs. Packers at Milwaukee—Cowboys by 15. Two much firepower for the Pack.

Detroit at Chicago—even. Dick Butkus and Jim Harrison are healthy. Kansas City at Denver—Chiefs by

20. Broncos outclassed at every position except running back.

Los Angeles at Atlanta—Rams by 7. Lance Rentzel has yet to break one.

Miami at Minnesota—Dolphins by 5. That offensive line will be too much for the Vikings.

New York Jets at Houston—even. Joe's due for some interceptions.

Pittsburgh at St. Louis—Steelers by 11. Van Gelder meets Mean Joe Green.

San Diego at Oakland—Chargers by 5. Raiders riding on their reputation of the A.F.L. days.

San Francisco at New Orleans—even. Maybe Archie can do it again.

Washington at New England—Skins by 13. Too early for the 'Skins to falter.

MONDAY NIGHT

New York Giants at Philadelphia—Eagles by 2. Giants are bums!

Pennant Races Resolved Soon

By JOHN MILLER

As the baseball season swings into its final week, there is only one division race yet to be decided. The Pirates and the Reds, in the National League, both clinched a play-off spot last week and are merely tuning up for their three game playoff. Oakland appears to have taken the Western Division of the American League despite a valiant effort by the White Sox and Dick Allen.

The American League East is a different story altogether. Boston, Detroit, Baltimore and New York all have a chance for the title. Each of these teams has flirted with the top spot but none has been able to sustain its play long enough to eliminate the others. The crucial series will take place this weekend when Boston visits Baltimore for three games. Prediction: Baltimore will knock off the Red Sox and the Tigers and Mickey Lolich will face Oakland for the American League crown.

Hockey Commentary

Canada v. USSR

By SCOTT TURNER AND JOHN GEE

When Team Canada and the Soviet Union resumed their hockey competition in Moscow this past weekend, no one expected the Canadians to rise from the dead (a 1-2-1 record on Canadian ice). They didn't. Bobby Orr, who had expected to play, was again out of action because of forty excess pounds and unsatisfactory recovery from knee surgery. Without Orr, who has the uncanny ability to control the tempo of play through, his incomparable hockey skills, the Canadians were at the mercy of the Russians' pin-point passing attack, made more effective by the enormity of the Russian rinks.

The first Moscow game best exemplified the plight of Team Canada. For five-sixths of that contest, the Canadians shut out the Soviets and took a three goal lead. Then the problems which have plagued the Canadians—lack of conditioning, of teamwork, and of mental toughness—reappeared. Scoring five goals in the final ten minutes, the Russians reasserted their position as the finest

hockey TEAM (not players) in the world.

Clearly Canadian pride has been stung, but this does not excuse the backbiting and sore-loser posture taken by the Canadian public and Team Canada players (the most notable being Ken "the sieve" Dryden and the Rangers premier griper and prima donna Vic Hadfield). Even given its better hockey players, Team Canada should not have expected to win all eight games.

Prognosticator Prowess On Line In Pigskin Picks

By JEFF DIAMOND

The following predictions are based upon years of sports experience and a few hot tips. After committing all of last week's prognostications to pencil, it was felt, by some insane seasoning, that this week's should be committed to ink. Therefore, as we look into the empty can we see:

Washington and Lee 30, Centre College 6—Generals have always outranked Colonels and this Saturday will be no exception.

Richmond 41, VMI 7—The Keydets will again be Kelobbered.

UCLA 42, Oregon 10—The Bruins will Harmonize while the Ducks are on the gridiron.

Iowa 17, Penn State 13—The Hawkeyes will bag the Nittany Lions in their own cage.

Tennessee 42, Auburn 7—It is written that, as the Vols shall handle the Nittany Lions, so shall they trounce the Orange and Blue Tigers.

Duke 28, Virginia 10—Though the terms may be synonymous, it is seldom that a Gentleman can beat a Devil.

Kansas 45, Florida State 17—The Seminoles of Florida State will fare no better than the Cowboys of Wyoming. The Jayhawks will pillage again.

Nebraska 40, Minnesota 13—The Gophers had better dig a deep hole because the Cornhuskers will continue to roll.

Notre Dame 30, Purdue 24—The Irish green will handle the Boiler-maker machine.

Oklahoma 51, Clemson 10—The Tigers would Sooner play alone than face the Okie wishbone.

Colorado 28, Oklahoma State 24—The Buffalos will not be cowed by the boys from Oklahoma.

Southern California 38, Michigan State 14—The Spartans had better find a horse because the Trojans will triumph this week.

Stanford 24, West Virginia 17—The Mountaineers will learn that there are too many Cardinals in the hills of California.

Colgate 24, Cornell 20—Red Raiders will scalp Marinero-less Big Red.

Mississippi 35, Mississippi Southern 7—Rebels are sure bet.

Classic Clothing

DAVIDSONS

123 West Nelson Street, Lexington

Minority Recruitment

Minority recruitment is new at our law school and results show that present minority recruitment is inadequate. At this time it is a benevolent expression lacking content. Washington and Lee has made efforts to recruit minority students but the low number of minority entrants indicates this law school should increase its effort substantially.

The arrival this fall of W&L's newest minority—women—demonstrates that an improved effort can be made in our approach to Tucker Hall's smallest minority—black law students.

For years women were denied admission to the Law School—and then, for reasons which are now well-known, the ban was lifted last year.

But W&L's long history as a single-sex law school has not discouraged female applicants because women know that they will be regarded skeptically at nearly any law school they attend.

A similar situation does not exist for blacks. Black applicants do feel that because of our history as a white school they will not be as welcome at W&L as they will be at other schools. Their apprehensions are understandable. Until W&L takes convincing steps to dispel such worries we can expect little change in the impression black college students have of this law school.

W&L can dispel these worries if it begins to attract blacks in the numbers it has begun

to attract women. The very fact of a significant increase in black enrolment will do much to remove existing black apprehensions. One positive improvement would include major recruiting efforts in the fall at black institutions outside Virginia. Dean Steinheimer is the logical person to expand minority recruiting efforts. But he should not be expected to act alone. The SBA must develop and articulate a stronger sustained effort toward minority recruitment.

A significant feature of Dean Steinheimer's tenure, besides the expanding faculty and growing endowment, has been the increased diversity of the law student body. His determination to give the law school a national character and the multiplication of applications have made that possible. Recent indicators reveal a serious decline in applications across the country. If that decline continues, it will become more difficult to maintain a truly diversified student body. Significantly increased minority recruitment will overcome that difficulty.

In the future the public will have requirements for more lawyers with a working knowledge of administrative law, environmental law, consumer protection, and constitutional litigation. To meet these requirements adequately the profession will need more diversity. That diversity begins—or ends—in law school enrollments.



Faculty Attitude Toward Colleagues' Competency or Actions: 'See No Evil, Hear No Evil, Speak No Evil.'

Recent Decision

Burger Court Legislates

By RHETT FLATER

The Constitution, said Justice Holmes dissenting in *Lochner v. New York*, "is made for people of fundamentally differing views, and the accident of our finding certain opinions natural and familiar or novel and even shocking ought not to conclude our judgment upon the question whether statutes embodying them conflict with the Constitution of the United States." When Justice Holmes' now-famous dissent was written in 1905, the Supreme Court was in the process of deciding social and economic issues on the basis of its own convictions of what was wise, derived from the laissez-faire philosophy of Herbert Spencer. Routinely, the Court gave substantive content to due process in an effort to protect values not specifically stated in the Bill of Rights.

Today, rejection of the *Lochner* heritage is a common starting point for modern justices who react against the excessive intervention of the pre-1937 Court. "We have returned to the original constitutional proposition announced Justice Black in 1963, 'that courts do not substitute their social and economic beliefs for the judgment of legislative bodies, who are elected to pass laws.'" On January 22, however, the Supreme Court, paying formal tribute to Holmes' 1905 dissent, but violating its spirit, undertakes to settle the abortion issue.

In the companion cases of *Roe v. Wade* and *Doe v. Bolton*, the Court struck down in their entirety most, if not all, state laws regulating abortion. In their place, the court prescribed an alternative statute virtually comprehensive in scope. For the duration of the first trimester of pregnancy, the abortion decision and its effectuation must be left completely to the medical judgment of the pregnant woman's attending physician. During the second trimester, the state may regulate abortion procedure in ways reasonably related to maternal health. Only during the last trimester may the State in promoting its interest in the potentiality of human life, regulate or proscribe abortion.

Declaring the challenged state laws unconstitutional, the Court specifically held that the right asserted by Jane Roe, the right of privacy, is embraced within the personal liberty protected by the due process clause of the fourteenth amendment. The court considered but rejected the opportunity to base its holding solely on the ninth amendment, or in vague penumbras of the first, fourth, fifth and ninth amendments. Substantive due process. Certainly in this context the due process clause represents more than mere procedural due process.

The Court, moreover, added a new wrinkle to the "compelling state interest" test by transposing it from the legal considerations associated with the equal protection clause of the fourteenth amendment to this case arising under the due process clause of the fourteenth amendment. Only compelling state interest, Justice Blackmun opined, could justify regulating limiting fundamental rights—here, the woman's right to privacy. Any regulation during the first trimester would be invalid as failing to meet the standard, even a requirement that abortion be performed within a hospital. Yet, historically, health and safety regulation has been well within the state's police power.

Arguably, this particular piece of national legislation prescribed by the Court is reasonable. But what direction now in the name of due process? A national gun control statute? A uniform divorce law?

Letters to the Editor

1st Year Reaction

Dear Sir:

At a fairly recent SBA meeting, I stated that even with the addition of the downstairs reading room and the Annex, library seating is grossly inadequate. I further noted the tuition increase and wondered aloud if another was in the works for the following year, stating that it appeared we are being asked to pay for benefits which will accrue to enrolling classes in the new law school building. Therefore, I made a motion that the SBA request the members of the Board of Trustees to view the inadequate library seating conditions. I further moved that they be asked to reconsider the tuition increase in light of these conditions. As I recall, the motion passed with no opposing votes.

My comments were and are in no way meant as criticism of Mr. Neal or his staff. One would have to be blind not to recognize the improvements in both the number of periodicals and books (a 20% increase is remarkable) and in the quality of library services provided. The "cage" is a very tired bone of contention

which badly needs burying. It is not Mr. Neal's fault that reserve books get "lost" but the fault of the students, and its necessity cannot be questioned.

The following arguments are made for a tuition increase: (1) Our tuition is comparable to that of other schools. Does that mean that if Georgetown raised its tuition to \$3,000 we would follow proportionally, or does it simply indicate we are not pricing ourselves out of the market? Regardless, it is not a very strong argument for tuition charges. (2) Costs are increasing. Barring full disclosure of the Law School's financial status, this is not very convincing either in light of the more than \$10 million the Law School has recently received. (3) Resources are increasing in the form of more faculty and course offerings. (4) Resources are increasing in the form of more books and periodicals in the library plus and expanded library staff.

These last two arguments would eliminate my objection to a tuition increase if we had adequate space in which to research, and apply

these resources. The fact that we do not largely neutralizes the advantage of having them. Extensive efforts have been made to find further study areas but it appears unlikely any will be found. Therefore, in spite of the much broadened resources, the fact remains that even with the space available in the downstairs reading room and the Annex, library seating is and will likely remain, highly inadequate. According to the standards set by the American Bar Association, the total number of seats now available in our library (including the Annex) is twenty-eight fewer than the minimum requirement. The fact that these standards do not go into effect until January 1, 1975, does not make the situation any less acute at present.

For the reasons set forth above, I do not think it is unreasonable to ask the Board of Trustees to personally view the situation in the library and to reconsider the tuition increase. Those signing with me agree on this matter as, I believe, does a majority of the first year class.

Sincerely,
Charles B. Tomb

(12 members of the first-year class also signed Mr. Tomb's letter.—Ed.)

Calendar

LAW SCHOOL

Tonight—Wine Tasting Party, Evans Dining Hall, 8:30-11:00 p.m.
Friday, March 17—SBA Cocktail Party, Alumni House, 6:00-8:00 p.m.
Monday, March 26—P.A.D. Rush Party.
Wednesday, March 28—P.D.P. Rush Party.
Friday, March 30—D.T.P. Rush Party.
Saturday, March 31—SBA Party with combo. Trip to Bahamas Island will be raffled off. Many other goodies.

UNIVERSITY WIDE

Saturday, February 24—SABU's Black Culture Week Ball, with music by Black Rock. Price: \$5.00 per couple. Evans Dining Hall, 8:30 p.m.
Wednesday, February 28—Frank Mankiewicz, former McGovern adviser will speak on "Freedom of the Press." Lee Chapel, 8:00 p.m.
Thursday, March 1—Betty Friedan, feminist, will speak. Lee Chapel, 8:00 p.m.
Friday, March 2—James Dickey, poet and novelist, will read and comment. Lee Chapel, 8:00 p.m.
Monday, March 5—Dick Gregory will speak, 8:30 p.m., Gym.
Tuesday, March 6—FBI Director Patrick Gray, 8:00 p.m., Lee Chapel.

Sensationalism?

Dear Sir:

I am unable to restrain myself from objecting to your increasingly sensationalistic manner of reporting the "news." Of course, it was to be expected that a semi-journalistic howl would arise when a professor dared to encroach upon the inner sanctum of your staff's egos by downgrading one member's ability. But little did we know that we were to be the honored recipients of what for posterity must be referred to as the Crucifixion Issue. There, nestled among the distillates and venom expropriated upon Professor Bond, was the seemingly irrelevant fact that nine members of the SBA Board of Gov-

(Continued on page 3)

The W&L Law News

TOBY HARDER
Editor-in-Chief

MIKE CAMPILONGO
Associate Editor

KEN WERNICK
Managing Editor

DICK MANDILSON
Business Manager

DEPARTMENT EDITORS

Distribution
Editorial
Entertainment and Art
Features
News
Photography
Sports

Richard Kaufman
Jesse Crumley; Fred Frank
Larry Carlson; Al Hulten; Tom Shottelworth
Sean Gilmore
Bill Barkley; Steve Elkin
Steve Deary; Eric Hauser; Jeff Tward
Pete Wimbrun

The W&L Law News is published twice each month, with the exception of vacations and holidays. The views expressed herein are those of the Editor or of by-lined reporters, and do not necessarily reflect those of the student body, Faculty or administration unless otherwise specifically stated. Subscription rate: \$5.00 per year.

Mailing address: Tucker Hall, Washington and Lee University, Lexington, Va. 24450. Tele. 463-9111.

The W&L Law News

School of Law, Washington and Lee University, Lexington, Virginia

VOLUME I

LEXINGTON, VIRGINIA, DECEMBER 8, 1972

Number 5

'24 Plus 46

Dean Light To Close Long Teaching Career

By STEVE ELKENS

After 46 years of teaching, Dean Light has other things he wants to do. And so, he's retiring at the end of this semester.

"This is the hardest semester I've taught in a lifetime," said the senior faculty member, leaning forward at his desk. "I've got Con Law II, Federal Jurisdiction and two sections of Con Law I this time. And one of those first year sections meets at four this afternoon."

He laughed. "I wouldn't dare inflict anyone with a four o'clock Friday class unless it were my last semester."

Charles Porterfield Light Jr. spent his first semester in Lexington back in 1919. That's when he entered VMI. Finishing up there, the Dean left town long enough to get a J.D. at Harvard. But he returned in 1926 and the fall of that year found him teaching Constitutional Law in "old" Tucker Hall.

One of his Con Law students from those days went on to become a Supreme Court Justice. But you've probably heard something about that already.

So, Dean Light settled in and found himself standing on the front steps of Tucker Hall along with Charles McDowell and other faculty members as a procession of law school graduating classes had their pictures taken.

World War II interrupted the pictures. Called to active duty, the Dean served as staff judge advocate and as Legal Advisor to the War Department General Staff. But in 1946 Colonel Light came back to W&L and picked up where he left off.

In 1960 he took over from Clayton E. Williams and became head of the law school, a position he held until 1967 when President Huntley stopped by the Dean's office for a few months on his way to Washington Hall. And the Dean occupied the front office again the following year until the new man could get to Lexington from Michigan.



Dean Light

But now Dean Light is going to leave Tucker Hall and get caught up on his reading.

"I'll continue to keep up with the art's advance sheets, of course, but there are some treatises and magazines I want to read as well. I'm really quite far behind."

So, from his home at Rockbridge

Baths, Charles Porterfield Light Jr. will be able to look up from opinions written by former students and gaze across the Maury River as it flows through Goshen Pass.

"I intend to enjoy my OLD age very much," he said, chuckling immoderately.

University Council Votes Not To Oust Faculty 'Squatters'

In its November 10 edition, the Law News reported that two W&L faculty members, earning \$16,000 and \$11,000 per year, resided at the Davidson Park complex for married students.

On November 29, the University Council overwhelmingly defeated a resolution which had called for the ouster of the University faculty and staff living at the complex. The consensus of the Council seemed to be that the aggregate of married law students were as affluent—or nearly affluent as the faculty members housed at Davidson Park.

The only vote favoring ouster of the Faculty was cast by Ted Ritter, the Vice-President of the law school Student Body and also author of the resolution.

Those voting against ouster included law professor Andrew McThenia, President Robert Huntley, all University administrative personnel on the Council, nine members of the undergraduate student body and eight undergraduate students.

Tom McJunkin, a law student representative, abstained. Dean Roy Steinheimer was absent from the meeting.

Discussion in favor of the resolution was limited to arguments by Ritter. He cited faculty pay versus law income as the crux of the issue.

Dean Walt inquired whether admissions to married student housing were currently made according to financial need. Answer: no.

Typical of the discussion concerning the proposal was the statement of one professor who observed, "If law students are so poor, why are there speed boats parked behind some of the apartments at Davidson Park?"

Another faculty critic of the resolution asked, "Why don't these so-called indigent law students move into the vacancies at Hillside Terrace?"

Ritter replied, "Because, frankly, Hillside is a hole!"

"But I lived there for a while and enjoyed it," added another faculty member, Ritter, visibly upset by the tenor of the remarks made by the Council, declined rejoinder.

Dr. Ray, an English professor, commented, "When I held a fellowship at the University of Virginia, I lived in a small cottage while a law student lived in a big house up on the hill."

Dean Atwood, an undergraduate official, summed up by saying, "Nobody forced the law students to get married."

At that point, an undergraduate called the question and debate ended. During the meeting it was revealed that Hillside Terrace would be phased out over the next two years. It

(Continued on page 3)

First Year Students Excluded

Pass-Fail Grade System Approved By Faculty

On November 17 the Faculty overwhelmingly voted to implement a Pass-Fail system at the Law School. The system will go into effect next semester providing approval is forthcoming from the Faculty at its meeting scheduled for today.

According to D'Arcy Didier, Chair-

man of the SBA Academic Standards Committee, the Pass-Fail scheme applies only to second and third-year students and prescribes a "floor" of ten graded hours.

The minimum 'pass' mark has been set at 2.0. A grade of 1.5, as the minimum requirement for passing

had been recommended by the SBA Academic Standards Committee but was rejected by the Faculty.

Didier recently stated that "the over-all purpose of the Pass-Fail system is to encourage students to enroll in a greater number of courses, including the more difficult ones." "At the same time," he added, "the retention of a certain number of courses on a graded basis will allow a continuation of comparative measurements of student achievement."

The highlights of the new law school Pass-Fail system are:

- Exclusion of first-year students.
- Minimum grade needed to "pass" 2.0.
- At least ten hours of each semester's work must be "graded." (Presently, Criminal and Juvenile Justice, etc. will qualify as graded hours, but "extra-curricular hours" will not.)
- Number of Pass-Fail credits permitted in any one semester is unlimited (subject to the ten graded hour requirement).
- Election of the pass-fail basis must be made within three weeks after any given course has commenced.
- Elections are irrevocable.
- Pass-Fail courses may be dropped, subject to the usual rules.
- Anonymity has been preserved. Elections of the pass-fail basis will not be disclosed to professors.
- The minimum requirement for graduation remains 85 hours.

The basic components of the Pass-Fail system, as approved on November 17, were first authored by SBA President Mac Squires and then submitted to the SBA Academic Standards Committee which worked out a proposal to forward to the Faculty.

The only area of controversy which developed over the new system centered on the question of the minimum mark needed to qualify a student for a "pass." The SBA urged a 1.5 as the minimum standard. The Faculty Academic Standards Committee disagreed, noting that anything below a 2.0 was, in its opinion, really evidence of "failing" performance. The Faculty Committee further noted that a grade below 2.0 after the first year was evidence of sub-standard performance.

What effect the new system will have on grading and competition for class rank is not clear. Chairman Didier commented that the law school Pass-Fail scheme may eliminate some competition for grades and at the same time allow for distinguishing excellent students from the average or poor.



Electric Chair

Two members of Prof. Ritter's Criminal Justice Seminar, Dick Mandelson and Jim Patterson, stand beside the electric chair at the Virginia State Penitentiary (Richmond). Despite the U.S. Supreme Court's ruling against the death penalty, Virginia's "Chair Room" may not be dismantled. Last Friday, a Powhatan County Court sentenced Malcolm M. Jefferson to die in the electric chair following his conviction for murder in the slaying of a Virginia state prison guard.

—Photo by Harder

Drug Trials Slated

By JOHN HAMMOND

At 3:15 p.m. Wednesday in the Rockbridge Circuit Court all but two of nineteen defendants were accounted for as the first public legal action commenced against W&L students and others indicted November 14 on assorted drug charges. The packed courtroom had an ever so slight air of anxiousness as Judge Paul Holstein (W&L '32L) began calling the names on the docket. Tom Spencer (W&L '69L), who represented the first named defendant, Corwith, asked the court to give the defense more time for discovery and trial preparation. The indictments, Spencer contended, originated from a secretive Grand Jury session thereby denying defense the benefit of a preliminary hearing's openness.

Considerable argument ensued as defense attorneys, Pat Coleman (W&L '34L), Bernie Nafkin (W&L '51L), Bill Roberts (W&L '58L), Shuler Kizer, and John Gray Paul (W&L '69L), sought to support Spencer's motion. Holstein turned to Sister (W&L '69L), the Commonwealth Attorney, who explained that he wanted

the cases against Hummer, Bruell, and Darby definitely set for trial. The court obliged the State and set the trials for February 2, 13, and 16 respectively. These defendants individually accounted for 19 of the 55 indictments. The other 12 defendants

(Continued on page 3)

News Briefs

Jeffrey M. Diamond, a third-year law student, was critically injured on November 11 when his car collided with a truck on Interstate 81 south of Roanoke. Mr. Diamond, who was a regular contributor to the sports page of the Law News, is hospitalized at Roanoke Community Hospital. His condition is reported to be steadily improving.

The Law School tuition fee for 1973-74 has been set at \$2,100. This represents a fifty percent increase over the tuition in 1970-71 which was \$1,400.

The SBA Board of Governors recently passed a unanimous resolution asking that unmarried female law students be allowed to live in Baker Dormitory.

The resolution noted that unmarried women students are uniquely disadvantaged in obtaining suitable, reasonably priced housing in the Lexington area and that accommodating them in the law dorm could be accomplished without inconveniencing male residents.