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Ralph D. Churchill

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SCRIBES: Mid-1972 News of Legal Writers

*Ralph D. Churchill**

EDITOR'S NOTE:

The *Cleveland State Law Review* is the periodical selected as the official organ for the dissemination of the SCRIBES Newsletter. SCRIBES, the honorary society of distinguished legal writers, is seeking particularly to direct its efforts towards the general improvement of the quality of writing in the legal profession and especially in the training of law students. It is our hope that in reporting the activities of these, the most distinguished writers and scholars in the legal profession, the *Cleveland State Law Review* will be of service to this organization, its readers, and the Bar.

The *Scribes* annual dinner meeting was held Sunday, August 13, 1972, in the San Francisco Hilton Hotel, preceded by the cocktail party at which the winner of the annual book award (this year, F. Lee Bailey of Boston) was introduced.

In addition, *Scribes* conducted a *Scribes* Seminar Panel at the ABA meeting in San Francisco, on the subject "How to Communicate with 'Clout'", on Wednesday, August 16, at 2:00 p.m., at the *Jack Tar Hotel*. Participants included *Melvin M. Belli* of San Francisco, *Henry V. Rothblatt* of New York City, *Paul Wolkin* of Philadelphia, plus *Howard L. Oleck*, our 1971-72 vice president, who served as moderator.

New York and London Meetings

The Mercury Ballroom Rotunda of the New York Hilton resounded to the *Scribes* meeting in July, 1971 and then subsequently the *Scribes* meeting was moved to London where Justice McGarry, a fellow of the British Academy, spoke to a meeting of the *Scribes* grouped with the *Selden Society* on Wednesday, July 14th, 1971.

President Gerhart (1970-71 president of *Scribes*) presented the *Selden Society* with some of our books, including *George Rossman's* "Advocacy and the King's English".

Book Award 1972

The 1972 book award went to *F. Lee Bailey* for his publication, "The Defense Never Rests". On the book award committee were *Jack Kleiner*, *Robert Hunter*, and *Paul Wolkin*.

*Editor of this SCRIBES Newsletter; member of the Dallas, Texas, Bar; and member of SCRIBES. His office is at 2020 Live Oak Street, Dallas, Texas, 75201. [Note: Mr. Churchill invites contributions of items of news about legal writers and writing that are in any way related to SCRIBES.]

Mid-Year Meeting

New Orleans — February 5, 1972

Membership was discussed and *James Brown* of the University of Missouri at Kansas City Law School was appointed as National Chairman of the Membership Committee. Other members of the 1971-72 membership committee are *James Spiro*, *James Fossberg*, *Lynn Twinin*, and *Louis M. Brown*.

Possible launching of a new national publication to be called *Scribes Review* was discussed.

The program for the 1972 annual meeting to be held in San Francisco on August 13 was planned.

Avery S. Friedman brought the group up to date on the cooperation of the ABA with *Scribes*. *Howard Oleck* was appointed representative of the *Scribes* for the National Conference of Law Reviews held in Washington, D. C. in April, 1972.

A note in *Case and Comment* described the action of *Scribes* starting its speaker's bureau. President Bernstein reported that the response to this has been quite good and a number of law schools have asked about the writing clinics.

News About Us

Thanks to the *Cleveland State Law Review* (Volume 20, Number 3, September, 1971) for publishing the *Scribes* Newsletter. We appreciate their continuing coverage of our activities.

James F. Corn of Cleveland, Tennessee has written a new book titled "Farewell the Hills". It deals with the valley and mountain country of north Georgia, south-east Tennessee, and western North Carolina during the early 1800's.

Shepherd, cowboy, ranch owner, lawyer, and judge; all these describe our member, *Clcl Georgetta* from Reno, Nevada. His newest book is "Golden Fleece in Nevada". The book, in two parts, describes the sheep drives of the West when there were no fences, contains biographies of the great sheepmen of the past, and accounts for the bitter feuds between the sheepmen and cattlemen. There is a wealth of legal and general information on public domain, Forest Reserves, the Bureau of Land Management, Federal land laws, and water laws of western states contained herein.

Our congratulations to *Georgene G. Nolte* who has been appointed to the newly-created position of assistant director of the Law Division of the American Optometric Association. She will edit "Lex Optometrica," an optometricolegal bulletin.

William Q. de Funiak with *Michael J. Vaughn* has just brought out a second edition of Mr. de Funiak's text, "Principles of Community Property".

Along with several other articles, our member, *Jack E. Horsley* from Mattoon, Illinois, has written "Legal Standards of Care in Medical Diagnosis and Treatment", edited by *Cyril H. Wecht, M.D.*

C. James Heft and *Carroll R. Heft* of Racine, Wisconsin have written a 400 page hard-bound book entitled "Comparative Negligence Manual". It contains suggestions and tables for the disposition of claims before litigation.

In addition to praising the *Newsletter*, *Earl A. Hagan* of Milwaukee, Wisconsin tells us of several articles he has written including one in progress, "A Study of the Plumbing Price Fixing Cases: The One-Two Punch of Criminal and Civil Actions".

New member, *Richard F. Record, Jr.* of Mattoon, Illinois, has written several articles, including: "Current Federal Appellate Practice: The New Uniform Rules"; "Motions in Limine"; and "Trial Briefs".

Our long-time member, *Dwight McCarty* of Emmetsburg, Iowa, has retired from the practice of law, but continues to write, *even at the age of 93!* He has been president of his county bar association and the Iowa Conference of Bar Association Presidents. He was recently presented the Iowa State Bar Association "award of merit". He has written, among many other publications, "Psychology for the Lawyer" and "Horizons Unlimited", a book of poems.

Kline D. Strong, our member from Salt Lake City, and *Paul Wolkin* have written a handbook, "Professional Corporations".

"The Law of Oil and Gas" has recently been published by *Richard W. Hemingway* of the Texas Tech University School of Law at Lubbock, Texas. This is an addition to the Hornbook series.

Our member, *Juan F. Rivera* of Quezon City, Philippines, has an intriguing letterhead which we do not see here in the States. He not only has the various logos of the organizations to which he belongs at the top, but also his picture! (The *Scribes* logo is *top and center*). Professor Rivera had some difficulty in paying his dues because of his government's restriction of the dollar remittance to our country. His niece in Los Angeles sent the money on to us.

We are sorry to hear of the death of *Harrison Tweed* of New York City.

We stand corrected on page three of the last Newsletter! *Murray Seasongood* established the Hamilton County Park District forty years ago, not four. This past year he wrote a guest editorial in the *Cincinnati Post and Times Star*. He also received the B'nai B'rith Guardian of the Menorah Award for his public service. For those of you who did not know, he was mayor of Cincinnati from 1926 until 1930.

Lowell J. Myers has decided not to renew his membership in *Scribes*. We are sorry to hear of this because of his fine work with the deaf. He is the author of the book "The Law and the Deaf". Since

I work with the deaf in Dallas, I do know their special needs and this book helped point up these problems to others.

Congratulations to *Frank N. Bratton* of Athens, Tennessee, for his recent election to the presidency of the Tennessee Bar Association. He has written "A Crisis to Meet—Is A Public Defender System The Answer"?

Our member, *Earl F. Thomas* of Jackson, Mississippi died on December 22, 1970.

Carl W. Funk of Philadelphia tells us of an article he expects to be published in two parts in the "Business Lawyer". The article deals with the changes proposed by the Review Committee on Article 9 of the Uniform Commercial Code, appointed by the Permanent Editorial Board. Mr. Funk has also been appointed counsel to the Permanent Editorial Board.

We are sorry to hear of the incapacitating illness of *Charles J. Bloch* of Macon, Georgia. He has been out of his office for almost two years.

Burton B. Gilbard of Jenkintown, Pennsylvania, has been named to the Editorial Staff of the "Federal Bar Journal".

We received letters from two of our lady members, *Florence H. Frazier* and *Charlotte P. Arutt* commenting on their inability to wear the tietac. (A note from the typist: I got one and wear it as a pin. I clipped off the chain and bar and it works quite well that way. s/ac) Ms. Arutt from New York City has been installed as the President of the Nassau County Women's Bar Association. She also received an award for service in establishing, and as the Editor of, the Bankruptcy Bar Bulletin for the period of 1965 until 1971.

Congratulations to another new member, *Alexis M. Hawkins*, who has written "Death Damages in Iowa". Mr. Hawkins is from Des Moines.

We received compliments on the Scribes pin from *John A. Vosburgh*. He has a book in the press now entitled "Law and Politics in Outer Space: A Bibliography".

Edward M. Swartz of Boston has written a most informative book for the lay public titled "Toys That Don't Care". It is about the dangerous toys we manufacture and buy for our children and what can be done about them. He has also published several law review articles: "Malpractice Hazards of Spinal Anesthesia"; "Problems of Proof"; "Case Analysis, Exploiting Bottle Case"; "Recovery for Burn Injuries"; and "Product Liability: The Torch Cases".

"The Constitution of the United States: A 20th Century Interpretation" has been completed by *William F. Swindler* of Williamsburg, Virginia.

The Horovitz Workmen's Compensation Library, the largest in the world on that subject, has been given to our member, *Samuel B. Horovitz* of Boston. He has also been appointed by the President of the United States to the National Commission on State Workmen's Compensation Laws to represent the general public. On this committee, along with several others, are the Secretary of Labor, the Secretary of Commerce, and the Secretary of Health, Education, and Welfare.

[Letter, *verbatim*.:]

Dear Brother Churchill,

They didn't do well by *Scribes* when they made those tie tacs. The idea was good, but they seem to have molded it as a unit, so that the pin is of the same soft metal as the quill. As a result, the pin bends like butter. The better technique would have been to solder steel pins to the back of the quill.

Other than that, I remain

Yr. obd. svt.

s/Len Rose

We are sorry to hear that *J. M. Barrett* of Jekyll Island, Georgia is planning to retire from his practice at the end of this year. He is working on a book entitled "The Valuation of Shares of Closely Held Corporations, Proprietorships and Partnership Interests".

There was a fund to the credit of *Scribes* left over from 1967 found by *George R. Richter, Jr.* of Los Angeles. Thank you George for your punctiliousness and the \$23.40!

J. E. Covington of Columbia, Missouri, has been a Director of Testing for the National Conference of Bar Examiners, administering the new Multistate Bar Examination. This will be used by about twenty states.

Joseph T. Karcher of Sayreville, New Jersey sent us a biographical sketch including several pictures. Some of his many publications are: "A Country Lawyer Speaks"; "Handbook on Parliamentary Law"; and "Epitaph for Ellen".

Dr. Miriam Theresa Rooney of Washington, D. C., was awarded the first *Pax Orbis Ex Jure Medal* ever given to outstanding women jurists of the world. She has published several articles on legal philosophy.

We are sorry to hear of the death of *Alfred E. Sapp* of Miami, Florida. His widow, *Vera M. Sapp*, has requested to keep his pin.

Junius L. Allison has become associated with the School of Law at Vanderbilt University in Nashville, Tennessee.

"The Elusive Franchise Fee" was published in the *Florida Bar Journal* by *Coleman R. Rosenfield*.

Stanley Rothenberg has written an article titled "Actions for Interference with Contract Rights".

The first dues received for the 1972 season were paid by *Richard C. Losh* of Albuquerque, New Mexico.

Congratulations to our 1971-72 President, *Sidney Bernstein*, who is now managing editor of Matthew Bender Company, 235 East 45th Street, New York City.

We were sent a copy of *Charles S. Ryan's* new book, "International Law". It covers the substance, processes, procedures, and institution for world peace with justice. It seems like a book worth reading.

We were pleased to see the *National Geographic* magazine mention *Alfred Porro, Jr.*, in its May issue, concerning an attorney who writes and then performs, concerning our threatened environment.

Robert Lawless of Prentice-Hall, Inc. has written expressing interest in receiving, for possible publication, a variety of manuscripts. If you are interested, please contact him directly at P-H, Englewood Cliffs, New Jersey, 07632.

Anyone who didn't receive his tietac (or pin!) should write to me and ask for another.

Ralph D. Churchill
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It's still free (to members).

EDITOR'S NOTE:

As this issue goes to press, we note that SCRIBES elected new officers at the August, 1972 meeting in San Francisco, as follows:

President: Howard L. Oleck (Cleveland);
Vice-President: Jack Kleiner (Atlanta);
Immediate Past-President: Sidney Bernstein (New York City);
Treasurer: Ralph D. Churchill (Dallas);
Secretary: James J. Brown (Kansas City, Mo.);
Directors: Vincent L. McKusick (Portland, Maine);
Linn K. Twinem (New York City);
William H. Erickson (Denver);
Jacob A. Stein (Washington, D. C.);
George Gold (New York City);
Francis L. Kenny (St. Louis).