

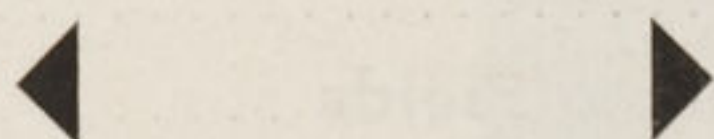


Harvard Law Record

Deans Study New Harkness Plan

Noted Educators Disagree

Ames Victory



A Course on Municipal Corporations

Students Comment on Harvard Legal Education

Harvard Law Record

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CALENDAR

Notices for publication in the Calendar should be in the RECORD offices not later than noon the Friday before the date of publication.

Thursday, March 19

The Chayes Club and the Story Law Club will compete in an AMES QUARTERFINAL ARGUMENT at 8 p.m. in the Ames Courtroom.

3L CLASS ELECTIONS will be held in the Property II classrooms following 9 a.m. and 11 a.m. classes. Opportunity to vote will also be available Friday, March 20 following the 10 a.m. Property II class.

Friday, March 20

An Evening With TOM LEHRER will be presented at Sanders Theatre Friday and Saturday evenings at 8:30 p.m.

Sunday, March 22

Judge Justine Wise Polier and Norman Thomas will debate "Israel's Immigration Policy as it Affects the Arab States" at the FORD HALL FORUM, Jordan Hall at 8 p.m.

ANDRES SEGOVIA will appear in a recital at Jordan Hall at 3:30 p.m.

Christopher Dawson will speak at a communion breakfast of the ST. THOMAS MORE SOCIETY in the Mallory Smith Room in Harkness Commons at 10 a.m., following mass at 9 a.m. in St. Paul's Church.

Monday, March 23

ST. THOMAS MORE SOCIETY ELECTIONS will be held in Holmes Hall at 7:30 p.m.

"The BUDDHIST CONCEPT OF LAW AND ORDER," the first of a series of presentations on "Law, Religion and World Order," will be presented at 8 p.m. in the Harkness Meeting Room. The principal discussant will be His Excellency, U Win, Ambassador for the Union of Burma. President Nathan M. Pusey will preside.

Tuesday, March 24

The Root Equity and Story Equity Clubs will compete in an AMES QUARTERFINAL ARGUMENT at 8 p.m. in the Ames Courtroom.

Continued on page 16

Deans Study New Harkness Plan

A new concept in management at Harkness Commons is being considered by University officials as a result of a report by New York management consultants. The firm of Harris, Kerr, Forster, & Co. proposes that Harkness Commons operate as a cafeteria in which students could select a variety of foods anytime in the day between 7:30 a.m. and 7 p.m. It also recommends that a compulsory sign-on contract be imposed on students.

Vice Dean Louis A. Toepfer, who is on the eight man committee established to study the report, plays down the proposal that students be forced to sign contracts to buy all or most of their meals in the Commons. He says the loss in patronage over the past five years indicates that students are not satisfied with the facilities offered in the Commons. He adds that "The consultants studied the problem as a question of restaurant management, but the University is not in the restaurant business. The recommendations must be considered in the light of the needs of the academic community it serves."

He expressed frank opposition to the compulsory sign-on proposal, as did Reginald H. Phelps, Associate Dean of the Graduate School of Arts and Sciences.

The study was requested by the University, because of declining patronage of the Commons. Last year its operation lost \$12,000. This year, losses are mounting at a rate which indicates a total loss of \$27,000 by June.

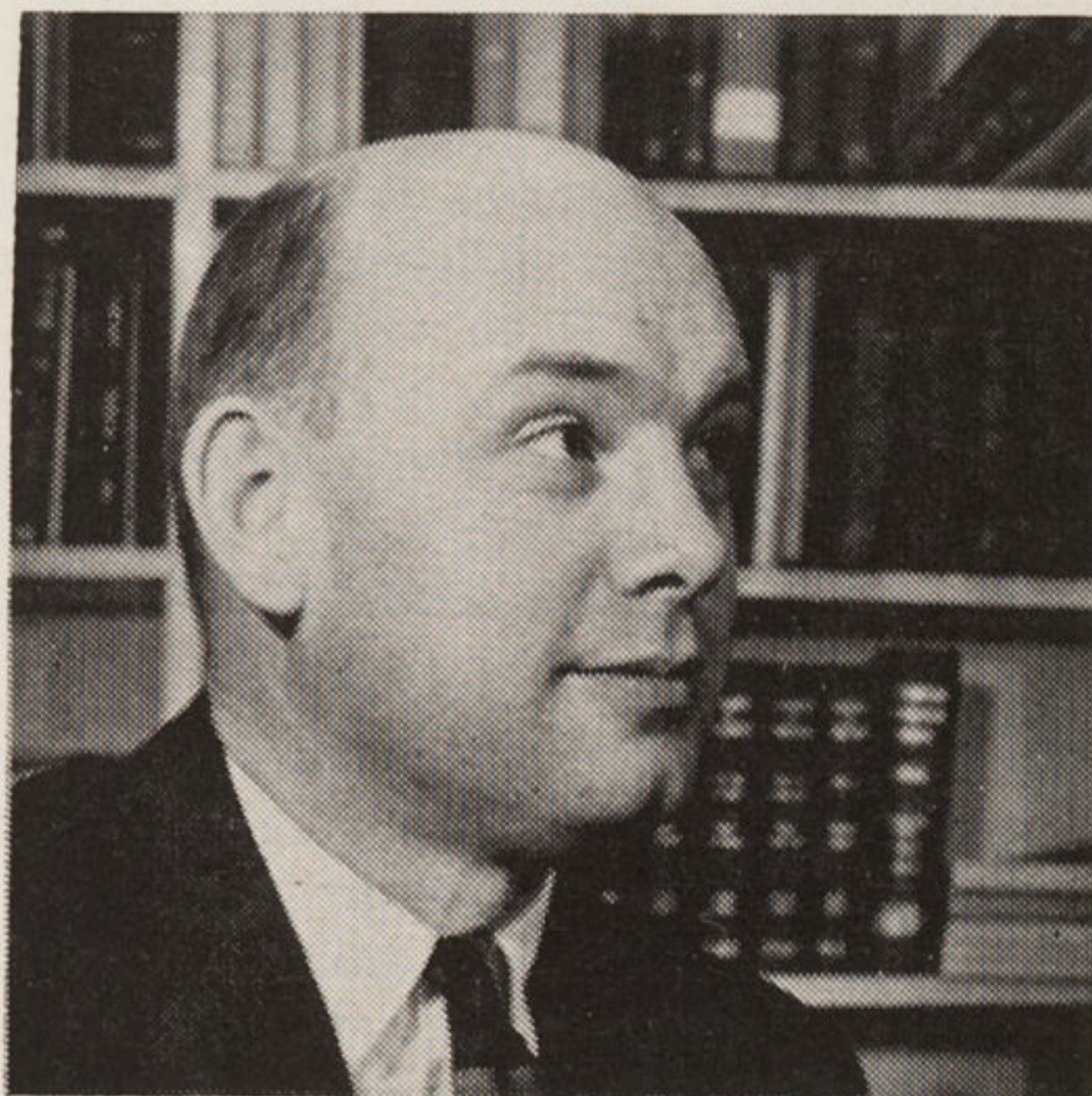
No action has been taken on the recommendation, but the thinking of the committee appears to be that if the new cafeteria proposal can put into operation, it should be done by next fall. The Dining Hall Department is presently studying the report to see if the cafeteria operation can be put into effect.

In order to convert the facilities of Harkness Commons to a new cafeteria operation, it is necessary to spend \$40,000. Whether or

not this remodeling job will be undertaken will probably be decided within the next few weeks. The decision will be based upon consideration of three major problems. (1) Will the new facility accommodate the heavy load at rush hours? (2) How can the \$40,000 expenditure be financed? (3) How can the dining hall acquire the security of a steady volume of business without compulsory sign-on contracts?

One of the suggestions of the consulting firm was that an "express" line be operated at lunch time. This would serve soups, salads, sandwiches, desserts and beverages. The other line would offer a greater variety, including hot entrees and vegetables.

"Flexibility" is Dean Toepfer's suggestion to provide steady volume without compulsory sign-ons. Flexibility is planned in the menus,



Louis A. Toepfer

the hours of service, and the method of payment. The consultants suggest that cash be used instead of coupon books to make payment. While, the new operation would probably use cash, Dean Toepfer suggests that chits should also be available to students who want to charge their meals. The consultants suggest that three kinds of sign-on contracts be made available, whereby stu-

dents could contract for 21, 17, or 15 meals each week.

If the remodeling job is undertaken, a decision will be necessary soon, because of the planning that must proceed such a change. The committee that is going to decide what should be done is composed of: Acting Dean Livingston Hall; Assistant Dean Wesley E. Bevins, Jr.; Carl T. Tucker, Director of the Dining Hall Department; C. G. Hurlburt, Jr., Administrative Assistant, Dining Hall Department; L. Gard Wiggins, Comptroller of the University; Arthur D. Trottenberg, Manager of Operating Services; and Dean Phelps and Dean Toepfer.

Noted Educators Disagree On Women's Education

"Women will never be fathers. Men will never be mothers. These are axioms."

Thus, Mildred McAfee Horton, former President of Wellesley College, former director of the WAVES, set the tone of the Harvard Law School Forum's program last Friday evening on "The Problems of Women's Education". Having established the panel's credentials ("At this distance from their colleges, college presidents become experts on education."), Mrs. Horton presented two arguments in favor of the separate women's college. First, less courage is required to invade "men's courses" (economics) as opposed to "women's courses" (sociology). And second, since, historically, we have good women's colleges, we should keep them.

President William E. Stevenson of Oberlin College (co-educational) directed his attention to Mrs. Horton's first argument in his plea for co-education. He pointed out that, at Oberlin, women are not second class citizens, that there are no "men's courses", and that there are even many women chemistry majors. Furthermore, he argued, "We are educating young people for life. And what is life? It is men and women closely interacting at every level . . . A mother should have some idea of how her son works and how to manipulate her husband if necessary."

Anne G. Pannell, president of Sweet Briar College, directed her remarks to the topic

"How to educate women for the space age" in view of the fact that "matrimony almost invariably seems more attractive to a young woman than any job . . . 90 per cent of our graduates have three children within five years." President Pannell's resolution of the problem — marriage plus a job. And the role, therefore, of the women's college — vocational training as well as liberal arts. Although the working woman is becoming ever more prevalent, certain problems stemming from this extended function continue to arise in family relationships. The solution — "A woman must make sure that her husband thinks that she thinks that his career is twice as important as hers." "But", President Pannell added, "while offering vocational training, the women's college must not neglect the liberal arts, lest the Russians exceed us as people".

The final panelist was President Harold Taylor of Sarah Lawrence College. "Abolish grades, examinations and lectures — as a starter. Give each women complete freedom in choosing what to study (If a girl's old



Harold Taylor

enough to choose a husband, she's old enough to choose a course). And introduce creative arts into the curriculum as an academic subject."

President Taylor took issue with President Pannell's suggestion that women in college

should be given be given vocational training ("I'm against teaching people in college to *do* anything."). The basic problem, in President Taylor's estimation, is that students are not interested in the aims of western civilization, but in the techniques of achieving goals already established by others. High school students say they go to high school to get into college. College students say they go to college to get out. Courses are given in college to get students into graduate school. And there the questions have to stop because there is no conceivable justification for most of the stuff taught in graduate schools.

Following the discussion, the panel entertained questions from the audience. To a question as to whether the panel thought that one means of facilitating racial integration in the South would be to segregate the sexes and then integrate the races by sex, President Stevenson responded that the question evidenced too superficial an ap-



Mildred M. Horton

proach and that even if it would work, it "wouldn't be worth it". President Pannell said that she was just thankful "we haven't had a Little Rock in Virginia."

In response to a request for a judgment on the new four day Wellesley week (Wednesdays off), Mrs. Horton replied that the plan gave the girls time to concentrate on something during the week without being interrupted by classes, that the problem was

overcrowding in the library during the class free hours, and that it was unlikely that the WAVES would also adopt the four day week. President Pannell expressed approval of the four day week if the college adopting it were near a large cultural center. President Taylor suggested a one day week, with all other time spent on independent study.

— Levinson

Ames Victory

The Frankfurter Club defeated the Bruce Law Club last Tuesday evening in the first round of quarter-finals of the Ames Competition. The case, which involved an action against a radio station for defamatory remarks uttered by a candidate for political office, was argued before the Hon. Edward Gaulkin of the Superior Court of New Jersey, Appellate Division; Dudley W. Orr of Concord, N. H.; and Leonard A. Pierce of Portland, Maine.

Oralists for the Frankfurter Club were Herbert J. Korbel of New York City and Burton A. Schwalb of Hyde Park, N. Y. The team also included Michael P. Arra of Maynard, Mass.; Charles S. Blankstein of Greensboro, S. C.; Stephen I. Hockhauser of Ossining, N. Y.; David I. Rakov of Newton, Mass.; Arthur I. Settles of Sunnymead, Calif.; and Richard T. Watson of Maple Hights, Ohio.

Lehman Brothers Man Compares Banking Fields

The relationship between law and investment banking was the subject of a talk by Harold Szold, general partner and head of the industrial department of Lehman Brothers, delivered to the Bull and Bear Club last Friday. Covering a broad range of topics on investment banking, Harvard Business School graduate Szold stressed similarities between his field and the law, and discussed the reasons for the increasing prominence of lawyers in industry and finance.

Unlike many Wall Street houses, Lehman Brothers, according to Szold, emphasizes a continuing relationship with businesses for which it has underwritten securities. This is accomplished partly through the work of its industrial department and partly by

maintaining partners on many corporate boards. Asked if the latter policy did not lead to interest conflicts, Szold, who is a director of both Gimbels and Allied Stores, said that the greater competence which he could bring to both jobs as a result of holding both positions outweighed the danger of favoring one firm at the expense of the other. He compared the problem to that of large law firms which, he said, successfully meet similar situations.

Meeting criticism of investment bankers for often dominating the boards of industrial concerns, Szold said that representation of underwriters on corporate boards often met a need for a long term stable influence. In proxy fights between inadequate managements and irresponsible corporate "raiders." Szold said that the investment banker, interested in the solidity of issues he had underwritten, is becoming increasingly the representative of the stockholders.

Turning to the recent rise in the number of lawyers in key management positions, Szold cited three reasons for the trend. First, he said, lawyers, unlike "line" executives, are familiar with the top level policy of their clients. Secondly, the lawyer, with his specialized knowledge, gives answers instead of advice, and thus tends to become accepted as a figure of authority, instead of just another one of the "team." Finally, Szold said, he might be willing to admit that lawyers are often smarter than businessmen.

— Smart

Student Bar to Review Legal Problems of Railroads

"The Marriage of the Iron Rails", the legal problems of proposed railroad mergers, will be the subject of an address by Mr. James B. Gray, General Counsel of the New York Central Railroad, before the Student Bar Association, on Friday March 20th, at 1:45 p.m. in the Harknes Meeting Room.

Mr. Gray has had comprehensive experience with the problems of railroads, having served as Attorney for the Illinois Central Railroad 1942 to 1946, Commerce Attorney, Missouri Pacific Railroad 1946 to 1951, and with the Law Department of the New York

Central since 1951. He was appointed to his present post as General Counsel in 1946, at the age of 42.

Mr. Gray is a graduate of the University of Southern Illinois, 1935, and University of Illinois College of Law, '41, where he was awarded the Judge Harker Award for the highest Law School average in the graduating class, and was a member of the Order of the Coif. He is a member of the A. B. A., the Association of I. C. C. Practitioners, and has been admitted to practice in Illinois, Missouri and New York.

Lawyers Seek Admission To Law School Summer Program

Professor A. James Casner, Director of the Program of Instruction for Lawyers, reports that applications for the Program are coming in at a steady rate. With five months to go before the Program is scheduled to begin, two of the seminars are fully subscribed. Advance registrations are more than fulfilling the School's expectations for the Program.

Professor Casner states that he is particularly gratified by the appeal that the Program has had for senior lawyers. 39% of those registered in the Program graduated from law school prior to 1940. 31% graduated between 1940 and 1949 and 30% graduated subsequent to 1950. Half of the applicants are partners in firms.

Applications from lawyers who attended a law school other than Harvard account for 48% of the enrollment to date.

Professor Casner also expresses himself as gratified by the wide geographical distribution of the applicants, with 57% of the applicants coming from states other than the New England and Middle Atlantic States. Two lawyers are coming from the Virgin Islands, one from South Africa, and two from Saudi Arabia.

While, as was expected, the tax and estate planning courses have the largest enrollment, a surprising feature has been the unexpectedly heavy response to the course in jurisprudence, with 35% of those enrolled electing this as one of their courses.

Democratic Elections

Roy A. Schotland, 2L of East Orange, New Jersey, was elected President of the Harvard Law-Graduate School Democratic Club in elections held Friday, March 6.

Other officers elected at that time were, David W. Adamany, 1L of Green Bay, Wisconsin, Vice-President-Treasurer; Elizabeth Woodruff, 2L of Saranac Lake, New York, Recording Secretary; Mona A. Harrington, 2L of Graniteville, Mass., Corresponding Secretary; and Stephen R. Kaplan, 2L of Northampton, Mass., Member-at-Large to the Executive Committee.

In addition to their club activities, several of the new officers have been active in the past working for the Democrats. Mr. Schotland was on the staff of Oregon Senator Richard Neuberger. Mr. Adamany worked on the campaign for Wisconsin Senator William Proxmire while Miss Woodruff has worked for former New York Governor Averell Harriman. Peter A. Donahoe, 2L of College Place, Wash., was appointed to the Executive Board.

Loss Visits Puerto Rico

Professor Louis Loss is in Puerto Rico this week to testify before a committee of that commonwealth concerning the advisability of adopting The Uniform Security Act. Questions will be directed specifically at the



Louis Loss

first two sections of the Act dealing with fraudulent practices and the registration of dealers.

The Uniform Securities Act is the result of a two-year study of state securities regulation conducted by Professor Loss in association with Edward M. Cowett, LL.B. '54. It was approved by the National Conference of Commissioners on Uniform State Laws for adoption by the states in the fall of 1956.

The Act has been substantially adopted in Kansas, Virginia, and Hawaii. Seven other states have adopted it in part. Oklahoma is presently considering the enactment of the entire act and hearings on a "blue sky" bill based on the act are currently being held in Alaska.

Graduates to Vote

Balloting for the Class of 1959 Class Marshal, Secretary, and Committeemen begins today immediately following the usual meetings of Professor Westfall's Property II course. Another session of voting will take place tomorrow after Professor Casner's meeting of Property II. All 3L and Graduate students who have not previously participated in a class election are eligible to vote.

The five candidates for Marshal are: Andrew J. Casner, Jr.; Eugene Frese; James W. Jackson; F. Herbert Prem, Jr.; and John B. Winston.

Three candidates were nominated for Secretary: Charles P. Bovone; John J. Moss; and Leonard V. Quigley.

Ten persons were nominated for the four positions as Committeemen: Charles L. Edson; Richard A. Levin; David Linett; Harvey R. Penn; Robert M. Royalty; Paul A. Renne; Edward R. Schwartz; Winthrop D. Thies; and Peter A. Tomei. A system of cumulative voting will be used to determine the winners in the Committeemen race.

Contest

The Decalogue Society of Lawyers has announced an essay contest, open to second and third year law students. The subject to be treated is "The Constitution and Religion in Public Schools." First prize is \$300.00. Rules of the contest may be obtained at the RECORD office.

THE WINNER



William J. Jones, Jr., 2L of Orange, N. J., director of the second Third Floor Floor Art Contest awards the first prize to the entry of Walter G. VanDoren, 2L of Maplewood, N. J. There were 85 entries of original works by present and past residents of the third floor of Story Hall, and their friends. Several entries were contributed by the sixth grade class of Thoreau School, Newton.

Dean Cavers Resigns

Professor David F. Cavers has resigned his position as Associate Dean of the Law School. He will continue as Fessenden Professor of Law.

Professor Cavers is presently on leave in Stanford, California where he accepted an invitation to become a Fellow of the Center for Advanced Study in the Behavioral Sciences.

Professor Cavers graduated from the Law School, *cum laude*, in 1926. After three years of practice with a New York law firm, he embarked upon a teaching career commenc-

ing with an instructorship at the Law School in 1929-30. Following this, Professor Cavers taught law at the University of West Virginia and at Duke University. He returned to Harvard in 1945 as professor of law, was made Associate Dean in 1951 and Fessenden Professor of Law in 1952.

During the school year 1959-60, Professor Cavers will teach the limited enrollment section of Conflict of Laws in the spring, the regular fall Conflict of Laws section, and seminars in Atomic Energy Regulation and Legal Education.

First Year Class

Government and political science students constitute the largest percentage of the first year class, with 152 students. They are followed by 127 history and American studies students and 74 economic students. A statistical breakdown of the 540 registrants in the first-year class follows:

APPLICANTS REGISTERED

Undergraduate Major Fields

Major Field	Number	Percentage of Total
Government, Political Science, Public Affairs	152	28.1%
History, American Studies	127	23.5%
English	59	10.9%
Economics	74	13.7%
Social Sciences, Humanities	34	6.2%
Philosophy	18	3.3%
Psychology	7	1.3%
Foreign Languages	9	1.7%
Subtotal	480	88.7%
Engineering	14	2.6%
Physics	3	.5%
Mathematics	11	2.0%
Chemistry	3	.5%
Other Sciences	5	.9%
Subtotal	36	6.5%
Business Administration	19	3.5%
Accounting	6	1.1%
Subtotal	25	4.6%
Speech	1	.2%
TOTALS	542	100%

Summer Research Positions

Professor Louis B. Sohn and Assistant Professor Richard R. Baxter have announced that they are seeking student research assistants for the Responsibility of States Project. Employment will be for the duration of the summer and will possibly extend into the next academic year.

With the assistance of an Advisory Committee, the two faculty members have been drafting a "Convention on the International Responsibility of States for Injuries to Aliens" and an accompanying commentary. The work has been undertaken at the suggestion of the United Nations Secretariat, and the completed study will be furnished to that agency for submission to the International Law Commission. The student assistants would be called upon to prepare, largely on their own responsibility, sections of the Commentary relating to various articles of the draft Convention.

To be eligible for these posts, students must:

- Have completed their second year of Law School. Graduates will also be accepted.
- Be of high academic standing.
- Have a knowledge of at least one foreign language.
- Be available for work in Cambridge for at least two months of the summer.



Louis B. Sohn

Application forms may be obtained from Miss Julia Casey in Langdell and are to be turned in to her, not to Professor Sohn or Mr. Baxter. Two meetings have been scheduled at which Professor Sohn and Professor Baxter will outline the nature of the work and will answer questions. These will be held on Tuesday, March 24th at 11 a.m. in Seminar Room L-1, and on Friday, March 27th at 3 p.m., also in Seminar Room L-1.

Soundproof Dorms?

Sheet rock with pine facing has been installed in two dormitory rooms (one in Ames Hall, the other in Story Hall) in an experimental sound-proofing project. The Administration is attempting to determine the economic feasibility of sound-proofing in the dormitories. Dean Bevins inspected the rooms but no decision has yet been reached.

Law School Burglary

Four electric typewriters, an adding machine, and a calculator were stolen Monday night, March 2 from the Dormitory Office in the basement of Walter Hastings Hall.

The burglary was discovered Tuesday morning when the Office staff reported for work. At that time, the office was locked as usual and there were no signs of breaking and entering. The Cambridge Police have been called in and are conducting an investigation.

The stolen property was not insured. Dean Bevins placed the replacement value of the machines at \$2200.

Harvard Brings Progress

Last June, Robert Oliver, LL.B. '58, went to Oregon to serve as counsel to the Oregon Legislature.

Less than a year after his arrival in Oregon the Legislature ratified the 15th Amendment to the United States Constitution.

There had been some talk of ratification of the amendment in 1870, but Southern partisans blocked the measure for 89 years.

Why a Law Course on Municipal Corporations?

The lawyer ought to be a guiding force in his municipal government. The new law school graduate is not properly trained to take his place in this operation. The necessary skills and knowlege need some recognition in law school curricula. The author suggests courses in Municipal Corporations.

by

Murray Seasongood

"Should Lawyers Be Citizens", RECORD, p. 1, September 11, 1946, sought to interest law students in knowledge and study of the problems of Municipal Corporations and urged new members of the bar to plunge into, or at least support good local politics. "Public Service By Lawyers In Local Government," 2 Syracuse Law Review, (Spring Issue 1951), pp. 210, 216-17, took the view that the part lawyers have played in local government has, on the whole, been somewhat earthy and not glorious and the author tried to show some of the reasons why this has been so. This present paper seeks to emphasize that a contributing cause of the general prevalent lack of knowledge, interest, and participation in the problems of Municipal Corporations by lawyers on an unselfish basis is due to schools, universities, law schools, bar associations and bar examiners having left the law and practice of Municipal Corporations

in a gray ugly duckling period. If the law school would give courses on the subject by teachers having enthusiasm, and preferably some practical experience, and if they would impress upon students the vital importance of the law being taught in their course, the ugly duckling could grow into the fabled white swan.

Too often the operations of local government and law relating to it are not taught or are taught indifferently, without enthusiasm by persons having no real knowledge of the legal problems and workings of local government. One of the reasons for this is that not enough bar examiners include the subject, even optionally. True, the newer curricula in law schools comprise many branches of law, such as taxes, private international law, labor law, Industrial or Workmen's Compensation, statutory law, Security Exchange Commission and the law relating to numerous other administrative agencies. Many of these new

subjects were scarcely referred to half a century ago. But now they are of very great importance. Still, they are no more essential or interesting than the study of Municipal Corporations in the broad sense, including all the agencies of local government. If a law student, after graduation, knows little of local government; and becomes a judge or other public official, he may deal repressively with experiments for improved local government. But schools, colleges and particularly law schools can easily, if they will try, inspire the quest and support of good local government as among the highest types of peacetime activity. President Bonsal, in a letter to the members of the Association of the Bar of the City of New York, January 15, 1959, quotes the following from the late great Chief Justice Hughes, always a local good government enthusiast:

You cannot maintain democratic institutions by mere forms of words or by occa-



sional patriotic vows. You maintain them by making the institutions of our Republic work as they are intended to work.

Law students have a lot of idealism and are receptive. An account of the cleaning by the late William Travers Jerome, as District Attorney, and his lawyer group, of the Augean stables of vice and crime in New York City should be read by law students. During a visit to Cambridge, early in the century, in which he told of them, he had many of his student hearers aflame with resolve to do their utmost to prevent such conditions in the locality in which they would practice.

The present-day law schools turn out excellent lawyers, skilled technicians, much in demand in the large cities and elsewhere, well paid and ready and adequate to transact important legal business and to carry on the good legal traditions of the offices with which they affiliate. But, in general, graduates are not equipped to go into legal positions in local government nor are they possessed of an interest in local government legal problems. (See "Some Observations on Local Government in New York State", Diamond, 8 Buffalo Law Review 27, 1958.) If they were, the standing of the legal profession would be improved.

Then, too, there is a practical value to a knowledge of the law relating to Municipal Corporations. Experts in this field are needed. The state, county and city legal

departments in the more populous communities have places for thousands of lawyers. These should be selected, as in most instances they are not, and serve on the basis of proficiency with merit tenure rather than as part of the patronage system.

In no other branch of law are there more interesting, novel experiments. A grant of home rule that frees local subdivisions from the restraints of strict construction of state granted powers is still unknown in most of our country. The extent of the grant of home rule is determined by court interpretations. A grudging, unsympathetic or machine politics approach to these may enfeeble or destroy the grant.

Modern zoning and planning in cities, counties and regions are vital for the success of the territory involved. Multiple legal questions arising every year in connection with these and with problems of annexation, regional and metropolitan government, for successful solution, require understanding and open-mindedness for success. Some random examples are: To what extent may zoning be retroactive? What are the comparative rights of the public and of the abutter in connection with freeways, parking meters? To what extent are the *caveat* of setbacks or of long delay following declaration of intention to condemn for street widening to be allowed under the police power without compensation? Is excess

condemnation constitutional? It was expressly authorized in the Ohio Constitution, but practically obliterated by court decisions until the necessities of public housing and redevelopment in effect restored it in the ever changing realm of public purpose. As respects the merit system and civil service in local government, how are these to be successfully conducted in the face of Veterans Preference Laws and the rise of unions of public employees with demands for compulsory arbitration, closed shop, and maintenance of membership. Whether a municipal corporation shall be liable for negligence of its employees calls for reexamination and escape from the still prevalent doctrine that originated under different conditions so that the sovereign should not be liable, although the employee concerned would be, when the operation is in a governmental rather than in a proprietary capacity. Shall public-

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private capacity doctrine be allowed to insinuate itself into other subjects like taxation and interpretations of powers?

The student of the law of Municipal Corporations will find a casebook on Municipal Corporations published even fifteen or twenty years ago, to a substantial degree, outdated. New legal problems come with the advent of more modern mechanical agencies, e. g., photo-stats, photocopies, microfilm, parking meters, automotive vehicles, police, fire, water, lighting, garbage and waste collections and disposals, and numerous services being modernized. The importance of legal protection for the aesthetic in the public domain is more and more being recognized. City airports, taken for granted now, have presented and still present important legal problems. National and state leagues of municipalities, to cope with problems common to members, that were regarded as invalid in some places a generation ago, are valuable aids in the enlarged functions impressed upon munici-

palities. New theories of rate regulation; public ownership; growth of authorities; the recurrent question whether advertising the advantages of the city and promotion of private industries are permissible; these involve legal problems which the local community is called on to solve. New and better methods of election and new forms of city, county, regional and metropolitan government and legal problems inherent in all of these are pushing forward. None but the most callous can be made acquainted with these without wanting to have a part in their successful development. If the public administration of local communities is a citizen merit system, the difference shown in results over performance of the same functions by political machines serving on the basis of favors and patronage will amount to a saving of mil-

lions of dollars and create a more respected government. Some of the increasing burden of taxation cannot be avoided. But, a substantial portion of it can be lessened by efficiencies such as are used in private industry and by experiments viewed sympathetically and allowed to function by devoted understanding and non-partisan courts and local officials.

Let law schools give the idealistic and practical study of Municipal Corporations a fair chance to establish its worth. It will not fail to do so.

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Students Comment on Harvard Legal Education

The weekly meetings of the Faculty Committee on Legal Education, now in the information-gathering phase, indicate the current interest at the Law School in curriculum evaluation. In conjunction with the Faculty activity, the RECORD has invited third-year students to comment on the curriculum in general, and, more specifically, on the following questions:

- 1) Factors influencing the choice of third-year seminars.
- 2) The value to the student of the various electives, and recommendations that particular electives be required.
- 3) Whether any of the currently required courses should be modified or eliminated.
- 4) Whether there is a need for any particular new courses in the curriculum.
- 5) Whether the size of the first and second-year sections should be modified.
- 6) Whether four years of study should be required for the Bachelor of Law degree.

Following is a selection of student opinion on the above issues. More about the curriculum will appear in future issues; in the meantime the RECORD invites further comment on the curriculum by our readers.

Lack of Professional Information

THIRD-YEAR SEMINARS: I found that there were many things that I did not know about the profession I was proposing to enter. I considered this lack of information surprising because it had always been my opinion that a student's law school career, while certainly not teaching him everything about the law, at least gave him a nodding acquaintance with the most important parts of it. And

it seems to me that knowledge about our profession, i.e. its history, important figures, responsibilities to client, public, and other lawyers, ethics, organizations such as voluntary or integrated bar associations, and many other things, is a very important part of the study of the law. The graduating law student is not only going to have to think like a lawyer, but act like one as well. Of the courses which I have had, the Legal Process one is the only other in which the activities of a lawyer are given extensive consideration. Since Professor Cheatham's course was being taught in the spring, I took the opportunity presented to gain some of the knowledge that was lacking.

Legal Process

ELECTIVES: The Legal Process has undoubtedly been my most valuable elective. By showing the institutional arrangement within which judge-made law operates, it gives to the law student a perspective which other courses cannot give him.

When you ask what was the least-valuable elective, I assume you mean the least-valuable subject-matter, and not the least-valuable professor, for a professor can ruin any course. With that assumption, I can safely say that I have not taken a least-valuable elective.

I would definitely recommend that the Legal Process course be required.

REQUIRED COURSES: On this topic I have no set feelings. It seems, however, that the Trusts course could be adequately taught as a three-hour semester course. The Accounting course should be a three-hour course also, in view of the importance of that field in the law today.

NEW COURSES: In my mind, there should definitely be a course in legal writing. Perhaps the first-year group work program could add an extra hour per week to accomplish this.

SIZE OF CLASS: I have never had any complaint with the size of the classes.

Four Years

I would not be in favor of extending law school to four years. There

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are several reasons for this. From the point of view of time alone, three years is sufficient to spend not earning your own way in the world. More importantly though, I am not at all convinced that the extra year would be worth it. As I noted above, it isn't possible to learn all there is to know about the law at law school, even if it took 10 years to get through. And for the purpose which law school should serve — to give the broad outlines and to train the student to think and act as a lawyer — three years is sufficient. Once having accepted that important consideration, other reasons arise for not extending the time spent in school. The additional year would, I think, be a strong deterrent to older men, i.e. those who have been in the service and who perhaps are married, when they consider whether to come to profession of law. In addition, the extra year would entail additional drain on the resources of an individual, or his family. True, it can be said that the extension would operate to weed out only those who were uninterested in the law, and came to law school for want of better things to do. In addition, it would, at least to some extent, present to the world a better trained lawyer. I am not persuaded by these considerations, however, and feel that they are out-weighted by the opposing ones.

In conclusion let me just mention one aspect of the curriculum that has stuck in my craw this year. It is well known among the third-

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year class that the schedule of electives available to us this year was arranged to prevent the taking of some courses. The prime example is the scheduling of Corporations II and Federal Courts at the same hour. As long as this law school's third-year program is run on the theory "to encourage students to exercise their own judgment as to the kind of program which will best suit their individual needs and interests," (Harvard Law School Catalogue, 1958-59, p. 43) the adoption of such a policy seems to me wholly unjustified and should be abandoned. And there are some students, including myself, who came to Harvard because, among other reasons, this freedom of choice was possible.

With All Due Respects to Mr. Seavey

In the first year, I would think that the courses in contracts, property, procedure, and torts ought to remain what they are and where they are in the curriculum. Something, however, should be done about criminal law — although I have no idea exactly what. I overheard a Professor say that he taught the criminal law course as "general jurisprudence with a flavor of crime." While he was quite

good at that, the course nevertheless left me vaguely discontented. Perhaps more content and concreteness ought to be introduced; in short, the flavor of crime ought to be strengthened. Agency, on the other hand, left me more than *vaguely* discontented; it struck me as a peculiar waste of time and effort to devote a half year course to a subject which appears to be an artificial creation in the first place. With all due respects to Mr. Seavey, it's like trying to make a dinner out of the leftovers. I would suggest that the subject should be covered in contracts and torts, and if necessary, the time previously devoted to agency be used to give those subjects more classroom hours during the year (maybe we could then get up to libel and slander in the torts book).

Deadly Dull

The second year I found to be deadly dull. But I frankly don't see what can be done about that; tax and commercial law I suppose must stay in the curriculum, but more inspired teaching in corporations and particularly constitutional law would perhaps have greatly improved my second year. I have heard the suggestion made that trusts should be cut down to a half year course, and the legal process should be made into a required course. I agree with this fully.

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The third year should be left the way it is — with a wide range of choice in subjects. I would recommend, however, that those who, like myself, are taking second semester seminars be required to start their seminar papers in the fall. The February-May period is too short and too rushed to really do an adequate job on a paper. And, incidentally, since you want to know, my seminar is Legislation, and I chose it mainly because Henry Hart teaches it.

My only other comment is that anyone who suggests that the Law School course be extended to four years should be locked up as a public menace.

CALENDAR

Continued from page 2

Future Events

Thursday, March 26

The Holmes Club will compete against the Sacks Club in the **AMES FINAL ARGUMENT** at 8 p.m. in the Ames Courtroom.

Tuesday, April 7

Herbert Wechsler, Professor of Law at Columbia University, will deliver the Oliver Wendell **HOLMES LECTURE** in the Ames Courtroom at 8 p.m. His subject is "Towards Neutral Principles of Constitutional Law."

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