



Harvard Law Record

Bok Reviews Steel Strike

Leibowitz Speaks Tomorrow

'But I Can't Just Grab Her!'



International Tax Program

Lincoln's Inn

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, October 22

A. M. Sonnabend, Director and Chairman of the Acquisitions Committee of Studebaker-Packard, will speak on "Progress at Studebaker-Packard," to the BULL and BEAR CLUB at 1:40 in Harkness Commons.

Friday, October 23

The STUDENT BAR ASSOCIATION will present the Honorable Samuel S. Leibowitz giving a talk entitled: "So You Want to be a Trial Lawyer" in the Ames Courtroom at 8 p.m.

Saturday, October 24

An INFORMAL DANCE will be held by the Dormitory Council at Harkness Commons at 8 p.m. Admission is by Dormitory Council Activities Card.

DUPLICATE BRIDGE tournament continues in Holmes Hall at 1 p.m.

Sunday, October 25

The FORD HALL FORUM will present Dore Schary offering "Reflections and Reminiscences on the Theatre, Movies and TV" at 8 p.m. at Jordan Hall, Boston.

Tuesday, October 27

The INTERNATIONAL LAW CLUB will be addressed by Professor Baxter in the Pound Room at 4 p.m.

Wednesday, October 28

The HARVARD LAW WIVES will play Bridge, Canasta, Scrabble and other games with each other for prizes in Harkness Commons at 7:30 p.m.

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Bok Reviews Steel Strike



Derek Bok

Assistant Professor Derek C. Bok highlighted his exploration of the issues in the steel strike with an exhortation for clear thinking and precise attention to current labor problems by individuals and political groups. He cautioned against falling back upon stereotyped abstractions left over from former political treatments of labor-management difficulties.

Introduced to an enthusiastic overflow meeting of the Harvard Law School Young Republican Club by president William C. Ives, 3L of Aledo, Ill., in the Mallory Smith Room on Wednesday, October 14, he noted that "doctrinaire political shibboleths" would solve nothing, and called for "flexible thinking without delay," on the problems facing the country in this three-month old strike, the longest in our history.

Professor Bok spoke on the "Issues in the Steel Strike" at the first of the Republican Club's series of fall luncheon meetings on the topic of "Labor: 1960." Later speakers scheduled to appear include Dean Roscoe Pound and a monitor of the Teamsters Union.

Professor Bok remarked that the question of the minute concerned the role that government would take in this controversy that had become a "three-cornered drama" with the addition of George W. Taylor of the President's fact finding group to the cast that already headlined industry's Roger Blough and the union's David McDonald. Observing that the steel industry's motives have been difficult to pinpoint, he noted Mr. McDonald's desire to stave off an injunction as long as possible. Winter will freeze the water routes from the Mesabi ore ranges to the steel mills and strengthen the union's bargaining position. Professor Taylor, meanwhile, could score a tremendous personal triumph if he could manage to "hammer out a compromise."

Turning to a consideration of the aims of the two sides, Professor Bok first listed three demands put forward by the union. These included an hourly wage increase, retention of the cost of living escalator, and abandonment by management of its demand for greater work prerogatives. He questioned the industry's stand upon the latter issue. In contrast to former contests when glaring examples of featherbedding have been reported, this time vague generalizations have been steel's main answer to requests for specifics. He further warned of the danger attendant upon rejection of the cost of living escalator. Without that, he observed, a nominal increase in the contract wage might not prevent the shrinking of the actual wage with a rise in the cost of living.

Industry's intentions have been the source of greater speculation. He reported that some say management set out to "bust" the union but asked why strike breakers had not been employed if such were actually the intent of the industry. Another goal might have been that of bringing to an end the easy bargaining that has prevailed since World War II. The formal tough bargaining sessions of today greatly contrast with the easier sessions favored by Mr. Fairless in previous years.

A third goal, and one consistently pro-

fessed by the steel industry, is that of restraining inflation. Roger Blough followed President Eisenhower's lead in professing to act to curb growing inflation, but, Mr. Bok queried, if he actually felt this way why did steel not decrease its prices during the spring of 1959 when profits were high? Finally, the pressure of foreign competition is becoming more strongly felt and the steel industry may have feared that high wages would hinder it in competing with imports of steel. Prolongation of the strike, however, can have the opposite effect of helping foreign imports at least at present.

"The question of 'Who is right?'" said the speaker, "resolves into 'What are the relative weights on each side?'" This has been answered by Secretary of Labor Mitchell and others with the remark that management might go further than it has so far in meeting labor. Its demands have not all been solidly founded or well supported. Thus, high profits

in the six months before the strike detract from management's cry of "inflation." On the other hand, if the history of past settlements is any indication, wage rises are reflected by price rises.

"A victory for steel would be a move away from informal to more rigid bargaining tactics," said Professor Bok. He noted the dilemma present is that "friendly, cooperative labor relations seem to have fostered inflation." Perhaps we can prevent inflation only with tough bargaining. The relation of the strike to collective bargaining in "what is left of a free economy" raised the warning of ever-greater government intervention in wage and price fixing. The end of such intervention might be hard to see. And Professor Bok warned that we should strive to evolve a workable solution before the crisis forced us to an *ad hoc* decision undesired but unavoidable.

— Winslow

Barnes Runs For Local Office

The academic hat has been tossed into the ring of local politics by Assistant Dean William S. Barnes, Director of the World Tax Series, who is actively campaigning for membership on the Cambridge School Committee. The Dean, running in a non-partisan, proportional representation election, launched his campaign at a Labor Day party held by the Cambridge Central Labor Union and has now accelerated his schedule to three or four speaking engagements each evening.

The School Committee, a part of the city government, is composed of six elected representatives and the mayor. It determines educational policy and chooses administrators with a high degree of autonomy. Dr. Judson T. Shaplin, Associate Dean of the Faculty of Education, is retiring from the Committee, and Dean Barnes is running with his endorsement.

Dean Barnes, the only Harvard faculty member currently seeking elective office, thinks his colleagues have a duty to take an interest in civic affairs. He cites President Nathan M. Pusey's appointment of Charles Whitlock as the University's Assistant for Civic Affairs as an example of the administration's concern with the role of Harvard in the community.

To Dean Barnes, his Harvard affiliation presents no "town-gown" problems. His theory is that it is an asset to enter the local campaign as a qualified educational administrator and with the support of a concerned group of Harvard alumni and staff members. Prior good service by other faculty members in community projects also aids his chances, he believes.

The issues in the campaign are centered around keeping the merit system alive in teacher appointments, around obtaining more efficiency in spending the money the committee receives from the state, and increasing the city's share of those funds. Other issues include the effective use of teachers and the fuller utilization of the schools. Dean Barnes favors a School Committee which will act as a real school lobby on Beacon Hill and a merit award system for excellence in teaching as means to making Cambridge's public schools match the quality of its institutions of higher learning.

This campaign marks Dean Barnes entry into politics. He reports that he has found the whole campaign characterized by a genuine interest on the part of the voters, and by

a cleanly conducted campaign, stemming, he suggests, from Dr. James B. Conant's observations on "the school as the cathedral" in America. He has particularly noted the reverence on the part of some of his constituents toward education and the part it plays in the community.

This high regard for the ability of a good educational system to stimulate many interests is no new truth to the Dean, who, as a captured World War II fighter pilot, completed a year's law school work in Stalag-Luft III.

— White

Leibowitz Speaks Tomorrow

As part of its evening speakers program, featuring people prominent in their fields, the Student Bar Association will present Judge Samuel S. Leibowitz tomorrow night, Friday, October 23, at 8 p.m. in the James Barr Ames Courtroom. His topic will be, "So You Want To Be a Trial Lawyer."

Judge Leibowitz was admitted to the New York Bar in 1917 and remained in private practice in New York City until 1941. During this period he became well known for his spectacular defenses in the field of criminal law.

In 1941 the bar lost one of its foremost criminal lawyers when Mr. Leibowitz was called to the bench to serve as a judge in Kings County Court, Brooklyn, N. Y. As a judge, Mr. Leibowitz has frequently drawn on his own experience as a trial lawyer to prevent the use of trickery in his courtroom.

Judge Leibowitz has recently been in the news concerning some suggestions he alleg-



Samuel S. Leibowitz

edly made relating the juvenile delinquency problem in New York City to the influx of citizens from Puerto Rico.

— Traum

Cavers Works With Thinkers

David F. Cavers, Fessenden Professor of Law, has returned to the frenetic pace of the Law School this fall after spending nearly a year in a program designed to allow thinkers to think uninterruptedly. So imbued with this objective is the Center for Advanced Study in the Behavioral Sciences, now completing its fifth year on the Stanford University campus, that its official program is, in fact, no program at all. Professor Cavers was invited to the gathering of fifty-three scholars as a representative of legal thinking in the behavioral sciences.

The Center, facetiously called "the leisure of the theory class," brings together from leading American universities faculty mem-

bers with special interests in various branches of human behavior. The principal disciplines represented last year were anthropology, psychology, sociology, political science, and history, with somewhat fewer participants in the fields of law, literature, philosophy, economics, linguistics, psychiatry, biology, mathematics, and pedagogy.

Although the aims of the Center include the stimulating interchange of ideas among and within the disciplines, the accent is not on the joint product approach. Fellows at the Center engage chiefly in individual research but also join in informal seminars on topics of interest to groups among the membership. Thus Professor Cavers took

part in seminars in the methods of study of social change and in the implications for social science in the atomic arms race, a subject for which his recent experience at Pugwash conferences was useful. He and Professor Carl Auerbach, LL.B. '38, of the University of Wisconsin Law School, conducted an inquiry into the reaction of the behavioral sciences to the problem of protection of privacy in the law.

Professor Cavers devoted much of his year to individual research in preparation for articles he wrote concerning atomic energy regulation and in assisting in the study of the international aspects of financial protection against nuclear risk completed by a research group at the Law School last year. He also completed work on a new book, of which he is co-author, on electric power regulation in Latin America.

Professor Cavers, the first member of the Law School faculty to attend the Ford Foundation-created Center since it began to include the law as a behavioral science in 1957, remarked that he had acquired "a better understanding of the problems involved for research in law in the relationship between law and other behavioral disciplines." For more than thirty years law teachers have been concerned with the problem of how to enrich legal studies with knowledge derived from fields of human activity upon which the law impinges, Professor Cavers continued. A good deal of progress has been made in certain areas, for example, in criminal responsibility, where law and psychology meet, and in antitrust, where law and economics touch. Generally, however, he stated, the relationship has not developed to the extent law teachers had hoped it would. The problem why the other disciplines haven't directed much attention to the law as a major institution of society is one in which Professor Cavers has been interested since the nine years he edited *Law and Contemporary Problems* while on the faculty at Duke University Law School.

While in the Golden West, Dean Cavers spoke at luncheons for Harvard Law School alumni at the California Bar Convention and in San Francisco. He also spoke in Modesto at the organization dinner of the Harvard Law School alumni group for the Central



David F. Cavers

Valley, a vast area extending from Sacramento to Fresno.

— White

Law School Mixer

More than 300 Boston-area college women graced the annual Law School Mixer last Thursday evening, October 15th. The social event was sponsored by the Law School Committee of Phillips Brooks House. Music was provided by Bob Norris and his orchestra. Ladies from the first and second year classes at the Law School acted as hostesses and served refreshments during the course of the evening.

Until Langdell Library had closed, however, the attendance of gentlemen law students was markedly thin. Alumni will be pleased to note that the jealous mistress is still the local favorite.

New Dorm Rulers

Walter M. Strine, Jr., 2L of Medina, Pa., was elected president of the Dormitory Council to replace Warren H. Greene, Jr., 3L of Bronxville, N. Y., who resigned because he has moved off campus. Other officers are Rudolph V. Lutter, 3L of Philadelphia, Pa., vice president; Sydney S. Traum, 2L of Belle Harbor, N. Y., treasurer; and Marvin J. Garbis, 2L of Baltimore, Md., acting secretary.

Local Scrimmage

'But I Can't Just Grab Her'

Although lacking a glee club, the Harvard Law School can boast of an all-girl football team. The "Battery Belles" of Wyeth Hall, led by Zona Mae Fairbanks, 3L (William & Mary '57) have now played two games against all-male opposition.¹

The "Trover Boys" won Tuesday's hour long contest 24 to 12. Both they and the crowd gathered on Cambridge Common were surprised by the spirit and skill of the girls. Initial fear ("Don't you all hurt.") and timidity ("But I can't just grab her.") gave way to more basic athletic drives after the first play.

Down 24 - 0 after the scoring trio of Dick Coleman 3L, Art Horn 3L, and Asher Rubin 2L, had shown how the game was to be played, the girls literally "snuck" back into the game. Nancy Eastham 1L (Mt. Holyoke '59) passed to Ellen Donovan 1L (Penn State '59) for fifteen yards. Zona Mae swept around right end to the Trover Boys' twelve.



The Captain

¹ The Dean may be comforted to recall that Miss Fairbanks is the lady he gleefully revealed as "Miss Apple Desert Queen of Virginia" in his welcoming address to the Class of 1960.



The "Battery Belles" line up in traditional pose. Gentleman on extreme right is not a member of the team.

At this point Battery Belle line play got very good, giving three backs enough time to conceal the ball 'neath someone's shirt. The male secondary was unable to cope with this expert fakery and Miss Eastham was across the goal before she was detected. Miss Fairbanks was held on the conversion plunge.

In the last quarter, Horn's pass to Coleman (6' 3") was taken by Miss Eastham (5' 5"). It was Donovan the Nittany Lioness this time with a twenty yard pass to Miss Fairbanks who ran to the Trover two. On the next play a massed Battery line pushed their answer to Charley Ravenal across to make it 24-12. Again the girls were unable to score after the touchdown.

Early Belle drives were frustrated by the alert pass defense of Peter Clapman 3L. A Belle front office official issued a post-game denial of the rumor that Paula Aronowitz 2L

(Barnard '59) is being traded to Green Bay for dropping a first quarter pass. There was high praise for Belle defensive line work and for Jacky Crawford 2L (Cornell '58) in particular. All this was despite the pre-game loss of Lillian Kim 2L (UCLA '59) who fell (no kidding) down the library steps.

There were few penalties and no poor form was shown save for Rubin's spying in the Belle huddle. He was ejected from the game despite some alibi about keeping warm in the 39° weather.

Other Belle starters were Janet Maleson 1L (Cornell '59), Pat Meloy 1L (Michigan State '59), Joni Lysett 1L (Michigan State '59), Adria Goodkin 1L (Cornell '59), and Betsy Zumwalt 1L (Radcliffe '59).

Prospective opponents are invited to call at Wyeth Hall.
— Hotvedt



It was a tough game but they lost anyway.



International Tax Program

At right is the "house that tax built." This frame building, called Kendall House, is the site of the International Program in Taxation.



Tax Center

In 1951 the United Nations indicated that a systematic study of various national tax systems would be useful. The Law School responded in 1954 by inaugurating its International Program in Taxation. The Program operates in conjunction with the United Nations (all conclusions and results are submitted to that body), and has the financial backing of some hundred large corporations and foundations. Its headquarters is a large frame building on Massachusetts Avenue called Kendall House.

The Program has three major functions: the training of tax officials from other countries; the production of the World Tax Series, an exhaustive study of foreign tax systems; and research projects aimed at aiding countries with their tax laws.

Mr. Jack Heller, Teaching Fellow assigned to the program trainees, explained the procedure involved in the training of the tax officials.

The Program begins each year with the selection of fifteen to twenty persons by their respective governments as trainees to come to the Law School. Most of them are from

undeveloped countries where it is important to have a smooth running and efficient tax system. These trainees are financed by the International Cooperation Administration, the United Nations, Harvard scholarships, and private funds. Difficulties arising from unfamiliarity with the English language and the American legal process are lessened somewhat by three weeks of instruction given the trainees prior to the commencement of regular classes.

The training program proper lasts the school year. It consists of courses in Tax Administration, Tax Policy, and the regular Law School course in Federal Taxation. There is also a seminar in International Tax Research. In addition, the foreign students are given supplementary tutoring in Federal Taxation and Accounting by members of the Law Review.

At the end of the school year, after receiving a certificate of training, the trainees proceed to Washington, D.C. for two weeks of on-the-spot observation of U.S. tax administration. Following this, there is an additional two-week inspection tour in Canada.

In many instances, foreign governments have made it a general practice to send trainees every year to profit from this tax program.

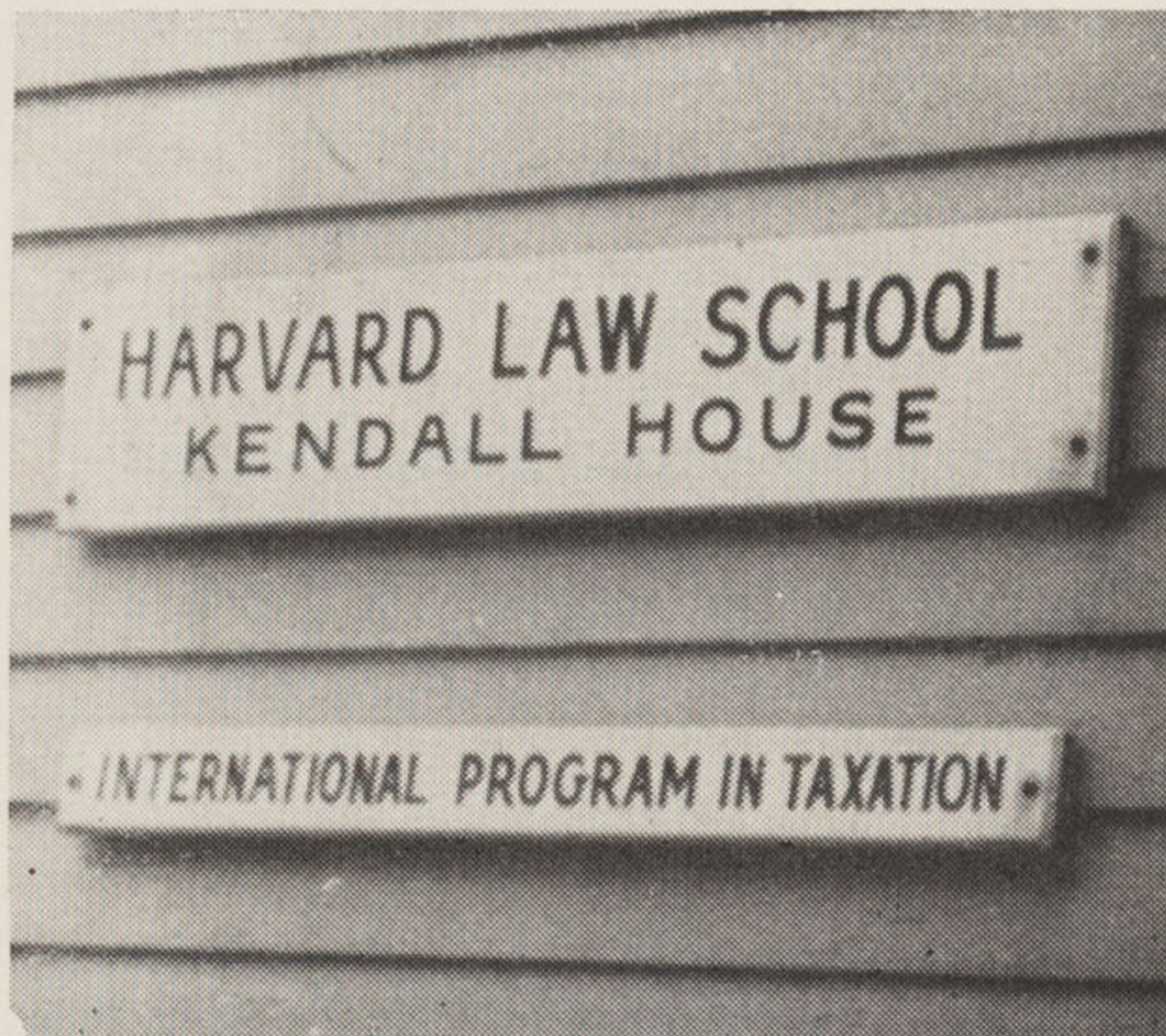
The second of the three functions of the Kendall House International Tax Center is to produce the World Tax Series. Mr. Henry Gumpel, author of the volumes on Mexico, Brazil, and currently, Germany, explained the system by which the Series is kept authoritative and current. Although each volume is put in final form by a Harvard "author," it is written in conjunction with a foreign "correspondent" who is a tax expert in the country studied. Thus, says Mr. Gumpel, the Series represents not merely book-knowledge but incorporates the practical expert's knowledge of unpublished decisions and prevalent interpretations. The volumes are kept up to date by cumulative supplements.

Venezuelan Law

The value of such a study to business planners and corporate attorneys is apparent in light of the confused state of much foreign law. Mr. William J. Gibbons, now working on the volume on Venezuela, pointed out that in many South American countries only supreme court decisions are published; there is little or no indexing; and the knowledge an attorney obtains of legal decisions and interpretations is liable to be treated by him as a trade secret. The tax administrators in these countries are equally in the dark and welcome the publishing of the Series.

Mr. Martin Norr, author of the volume on Sweden, believes that the completed Series will constitute an encyclopedia of tax law which can provide the basis for fruitful comparative study. He points out that intelligence is a monopoly of no one nation, and that

good solutions of similar tax problems can often be profitably borrowed from another nation, while solutions which have proved bad can be avoided.



Kendall House Markers

The third aspect of the Kendall House program is continuing research. An example of this is the mission to Colombia last summer, led by Assistant Dean Barnes, Director of the World Tax Series, and Assistant Professor Sander, which studied and made suggestions for improvement in the tax system of that country. Another mission, to Venezuela, included Professor Surrey, Director of the Program, and Assistant Professor Oldman, who is in charge of training. Invitations from other countries are in the offing. This aspect of the Program's work promises to become increasingly significant in the future.

— Fremont-Smith

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Gallery

Corporations students in Section I this year are studying under one of the newest members of the Harvard faculty. That teacher is Detlev Frederick Vagts, who, by taking his place on the faculty, not only returns to his Alma Mater but follows in the academic footsteps of his father.

The elder Vagts has taught at Harvard College and the Institute for Advanced Studies at Princeton; he is presently retired and devoting most of his time to his writings. One of these writings — a book on United States relations with Germany — brought Mr. Vagts' parents from their home in Germany to Washington, D. C., in 1929. It was during this stay that Mr. Vagts was born. Later the same year the family returned to Germany, where the father was a citizen. In 1933 the Nazi rise forced them to return to the mother's native land, America.

After graduating with an A.B., *summa cum laude*, from Harvard in 1948, Professor Vagts attended the Law School. While here he served on the *Law Review* for Volumes 63 and 64, and was Note Editor during his last year. He graduated, *magna cum laude*, in 1951.

Graduated With Honors

From 1951 to 1953 and again from 1956 to 1959 Professor Vagts practiced law with the New York firm of Cahill, Gordon, Reindel, and Ohl. The three year hiatus from 1953 to 1956 was devoted to a stint as supply officer at Moses Lake, Washington, AFB and then as legal officer at Everett, Washington, AFB.

During his years of practice, Mr. Vagts specialized in corporate and antitrust matters, with his work also involving a good deal of litigation.

Return to the Classroom

Mr. Vagts looks upon his return to the Law School with some irony. Partially as a reaction to the scholastic environment in which he had spent most of his formative years, he was anxious to come to grips with an everyday practice of law. He commented that his entire stay in New York, especially his law practice, presented many stimulating and rewarding experiences. However, the city

seemed to lose its initial attractiveness once he faced the prospects of raising a family in the less than satisfactory Manhattan school districts or making the unappealing transition to commuter status.

He expressed the hope that returning to Harvard will place him in a more advantageous environment for considering fundamental legal problems — something the lawyer in



Detlev Vagts

private practice is all too often precluded from doing.

Finds New Conservatism

Although he hesitated to appraise the student body of the Law School, due to his recent arrival, Mr. Vagts thought he detected an orientation towards the "New Conservatism" described by Vance Packard in his book, *Status Seekers*. The reasons for this trend towards early job security and specialization among young lawyers seem to Vagts to be earlier marriages, realization that expertise in the law is becoming more desirable and remunerative, and time strictures imposed by military service.

On the other hand, he has found more student participation in classes than when he

was a student. He noted that interest in the stock market and related financial matters is particularly accute. However, he pointed out that during the early 1950's many of his contemporaries were subject to the unsettling influence of the Korean conflict.

Deplores Self-Service

Vagts also observes a basic interest in matters of public concern among the students he has talked with, but he thinks there is also a concomitant desire among students to avoid personal involvement in such affairs. Noting that a similar attitude is present among many young lawyers he has known, he expressed his regret that American lawyers no longer seem to participate in public services to the extent they have in the past. Vagts views this self-serving ratiocination as typical of the times we live in. He would not favor changes in the curriculum, teaching methods, or extra-curricular opportunities of the Law

School to counteract such tendencies. All of these he finds adequate and vital — subject of course to periodic modernization.

Rather he thinks any reorientation of young lawyers must spring from early influences; that is, making public service and government employment more attractive by relying on environmental and pre-graduate level educational factors to condition capable young minds. In that way he feels that young lawyers will tend to gravitate less uniformly away from passivity in public affairs.

Mr. Vagts stressed his desire that students desirous of personal aid feel free to approach him. Though he is wary of attempts to institutionalize student-faculty contacts, he is aware that often the results of student consultation with an instructor can be extremely fruitful.

— Gold

Alumni Notes

The average age of eight graduates of the Law School who are on the faculty of Hastings College of Law, California is 68.8.

They are Lawrence Vold, A.B. '10, LL.B. '13, S.J.D. '14, born April 11, 1886; Everett Fraser, LL.B. '10, born August 24, 1879; Judson A. Crane, LL.B. '09, S. J. D. '15, born May 7, 1884; Rollin M. Perkins, S.J.D. '16, born March 15, 1898; George E. Osborne, LL.B. '19, S.J.D. '20, born June 11, 1893; Elliott E. Cheatham, LL.B. '11, born July 13, 1888; Calvert Magruder, LL.B. '16, born December 26, 1893; and David E. Snodgrass, A.B. '17, LL.B. '21, born September 11, 1894.

LL.B. '54 — Paul Koenig and Herbert D.

Katz have formed a law firm, Koenig & Katz, with offices at 4146 Southwest 64th Avenue, David, Florida.

LL.B. '50 — Norman S. Fink has become associated with the firm of Sherwood & Garner. They are located at 130 West 42nd Street, New York City.

LL.M. '46 — Joseph O. Tally, Jr., has been elected to the office of President-elect of Kiwanis International. He is the first Kiwanian to hold this newly created office. He will succeed to the Presidency in 1960.

LL.B. '51 — Frank Brenner has moved his office to 39 Broadway, Suite 902, New York 6, New York.

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Social Center Blooms On Follen Street

Founded in 1908, the Lincoln's Inn Society still flourishes as one of the law school's leading social outlets.



The Lincoln's Inn Lamppost

Since its founding in 1908 with the stated purpose of "furthering the interests of the Harvard Law School and maintaining a club house for the use of its members," the Lincoln's Inn Society has provided an off-duty social focus for its membership. And, although the leisurely era of "blue boar tobacco around the coal fire" has given way to the age of the sandwich lunch, the Inn continues to fulfill its vaguely defined but vital function.

The group that was later incorporated under the laws of the Commonwealth governing "religious, etc., societies" first met in 1908 in the upper rooms of a Dr. Bailey in Cambridge. Hoping to give some sort of recognition to the doctor's hospitality, they styled themselves the "Old Bailey Society"; but when it was decided to organize on a more permanent basis, respectability dictated the present name. The founders, mainly members of the classes of 1909 and 1910, were A.

Perry Osborn, Walton A. Green, John C. White, William D. Bangs, Winthrop W. Aldrich, Richard S. Aldrich, Richmond L. Brown, Ludlow S. Bull, James A. McPyle, William Iselin, Nathaniel C. Nash, Jr., Robert Schurman, Henry E. Sheffield, Walbridge S. Taft, W. Rodman Fay, Fitch Gilbert, Jr., and Harrison Tweed, Jr. The original home of the society was "an extremely rickety house" at 47 Brattle Street.

The Inn is now located in a newly renovated house at 44 Follen Street, adequate to provide dining and social facilities for approximately 250 members from the three present classes in the Law School. Lunch-

eon and dinner are served daily, except Sundays. The recreation room, decorated with panels illustrating various slurs on the law by Gilbert and Sullivan, is open before dinner and on Saturday evenings, when a three-piece combo is provided. Also, once during the fall and again in the spring, the Inn sponsors a formal dance for members and guests.

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Opp. Lowell House — TR 6-5417**

the Inn which persist today is the annual Christmas dinner, a formal affair to which members of the faculty are invited. According to one professor, a member of the Inn while a student, the early editions of the dinner were "scenes of sprawling intoxication." Present day repetitions tend to be more up-

right but equally anticipated by members and faculty.

One of the members' favorite corners in the Inn is the Lady Ellesmere Room, where coffee is served after dinner. The room is dominated by the portrait of a judicially disrobed young lady, togged up in the more or less full regalia of the Bench. The picture was donated to the Inn in 1949 after it spent several hours replacing one of the portraits in Langdell North, notably during a class given by Dean Erwin N. Griswold. The Dean, engrossed in the Internal Revenue Code, was not aware that the full attention of the class was elsewhere until, as one spectator put it, "he noticed the reverential awe and realized that, for the first time, the class was over his head."

The current officers of the Inn are Edwin P. Conquest, Jr., 3L of Richmond, Va., president; William H. Ruffin, Jr., 3L of Durham, N. C., vice-president; William D. Ruckelshaus, 3L of Indianapolis, Ind., secretary; and Thomas S. Jordan, Jr., 3L of Pomona, Calif., treasurer. Members of the board of governors are Gordon Lang, Jr., 3L of Lake Forest, Ill.; Eliot D. Hawkins, 3L of New York City, N. Y.; Frederick A. O. Schwarz, Jr., 3L of New York City, N. Y.; John Ritchie IV, 3L of Evanston, Ill.; P. Cameron DeVore, 2L of Spokane, Wash.; and Alfred L. Purrington III, 2L of Raleigh, N. C.

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This slogan, featured at the Original Tower of Pizza opening Friday (They hope) at 1728 Mass. Ave. (Between Harvard & Porter Squares), is fast becoming the by-word of people who appreciate prompt delivery of late snacks, particularly pizza. Cambridge residents will soon have a chance to sample the 21 varieties of pizza to be served at the new Original Tower of Pizza.

BRATTLE Theatre Harvard Sq. TR 6-4226

Ends Saturday
"HE WHO MUST DIE"

October 25-31

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prices.

Weekend Entertainment CAMBRIDGE

BRATTLE — He Who Must Die —
3:30 (Sat), 5:30, 7:30, 9:30
UNIVERSITY — The Doctor's Dilemma - 3, 6:15, 9:30; Gideon of Scotland Yard - 1:30, 4:45, 8

BOSTON

BEACON HILL — Sapphire —
10:10, 12:05, 2:05, 4:05, 6, 8, 10
CAPRI — Sapphire — 2:05, 4:03,
6:01, 7:59, 9:57
EXETER — Power Among Men -
2:15, 4:05, 5:55, 7:45, 9:35
GARY — Big Fisherman — 1:15,
4:15, 8:15
SAXON — Career — 10, 12, 2, 4,
6, 8, 10
TELEPIX — Senechal — 11:30,
1:30, 3:30, 5:30, 7:30, 9:30
UPTOWN — A Hole in the Head -
1:10, 5:20, 9:30; Blue Angel -
11:15, 3:25, 7:45

Letters To The Editor:

Editor's Note: The following letter is here printed as an explanation of the purpose of the accompanying story, both sent in by a law school alumnus.

Enclosed is a little story written in a facetious vein, but it points out what I believe to be an inequity in section 24 of the Copyright Act.¹ This inequity was observed in the case of *Miller Music Corp. v. Charles N. Daniels, Inc.*, 158 F. Supp. 188, (D.C. N.Y. 1957), the headnote of which states: "An author's assignment of his renewal rights in a copyright in the future may effectively transfer such rights to the assignee only if the author survives until commencement of the 28th, or last, year of the original term, and if the author survives he becomes vested with an absolute power to renew under this section, and the prior contingent assignment in turn vests such renewal rights in the assignee, but if the author fails to survive he does not become vested with any rights of renewal, and such rights by this section vest in the author's widow, children, executor or next of kin, and there is nothing which can pass by virtue of the assignment."

This inequity in the statute makes it difficult for authors to assign renewal rights, because if the

¹ "... the author of such work, if still living, or the widow, widower, or children of the author, if the author be not living, or if such author, widow, widower or children be not living, then the author's executors, or in the absence of a will, his next of kin shall be entitled to a renewal and extension of the copyright in such work for a further term of twenty-eight years when application . . . shall be made . . . within one year prior to the expiration of the original term of copyright."

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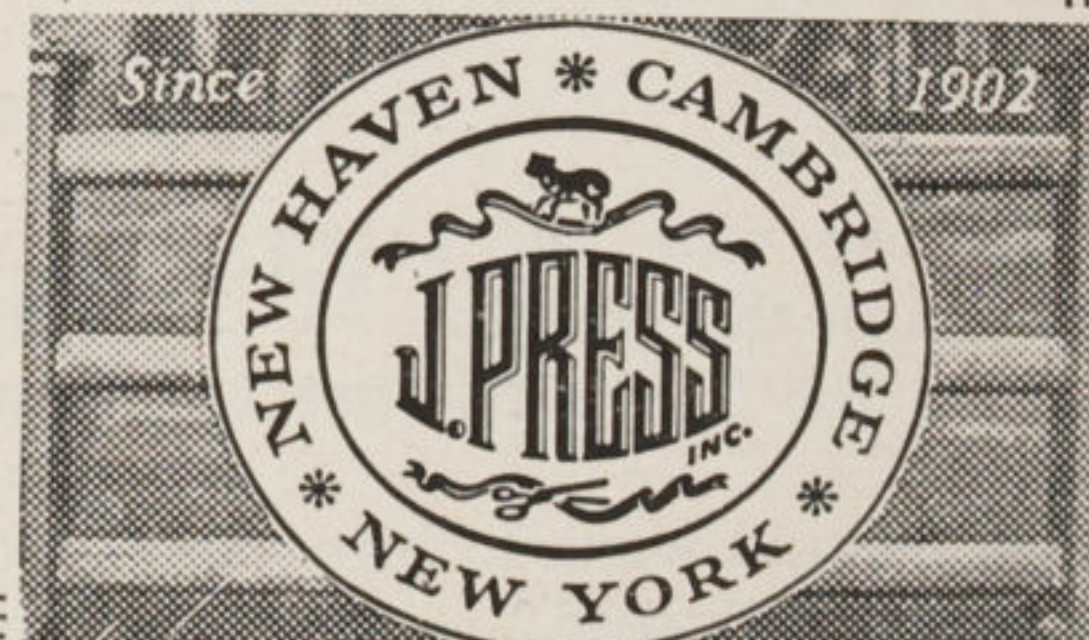
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author dies before the 28th year of the original copyright, his widow and children take to the exclusion of the assignee. By the time the 28th year comes, the children may be grown up and the widow remarried. Protection for the author's family is needed when the children are young. The statute should be changed to allow an author to assign renewal rights at his convenience, without imposing the condition that he survive until the 28th year.

Sincerely yours,

Richard B. Treanor, '56

In 1925, when Lyman J. Milkweed was seventeen years old, he won a high school prize for a song he wrote entitled "Moonlight and Gardenias." Having a legal mind, he copyrighted same, late at a New Year's Eve party, on January 1, 1926, by selling ten copies to some of the revelers for fifteen cents apiece, with notice of copyright affixed thereon. Thereupon he promptly deposited in the copyright office two complete copies of the best edition thereof.² He secured a publisher for his song, to wit: the ABC Music Company of the state of Ames, and assigned to it his original copyright for the term of 28 years from the date of securing same. He reserved to himself a certain percentage of the royalties. Immediately the song became a sensational hit and was broadcast nationally over the radio (assume they had radios in 1926, *arguendo*³). Clara Bow sang it at Carnegie Hall. Lyman J. Milkweed reaped in the profits, and made so much money that he put himself through Sundown Law School. He married a lovely girl named Gardenia and they soon had a garden of seven little Milkweeds. He could not get a job,⁴ but the royalties kept pouring in, and life assumed a gardenia-colored hue.

² The one with the hearts and gardenias in the margin.

³ Latin for "Let's not get technical."

⁴ Who would want to hire someone named Milkweed?

In the thirties, however, the song lost favor and the royalties dwindled. The little Milkweeds got bigger and hungrier. Gardenia began to wilt. Milkweed had no job and no money. Desperate, in 1939 he turned to the ABC Music Company of the State of Ames and proposed to assign to them his renewal rights in the song. The company knew when they had a Milkweed out in the proverbial pasture, and agreed to pay a lump sum of \$5000 for the renewal rights, without any royalties for Lyman. Faced with no alternative but starvation, Milkweed agreed.

Salvation Army

In the forties, the song continued to do poorly; the \$5000 was soon used up; the Milkweeds turned to the Salvation Army and lived in a third floor garret on Massachusetts Avenue.

Then, suddenly, in 1952, Elvis Pelvis made a recording of "Moonlight and Gardenias" which immediately sold five million copies. Milkweed for a few months continued to reap in the royalties from his original copyright.

But alas, the original copyright would run out on December 31, 1953. The ABC Music Company owned all the renewal rights; the Milkweeds would be penniless once more.

Milkweed searched everywhere for a solution to his problems. He visited Sundown Law School's library for hours at a time. Finally, in desperation, but with a crafty and knowing look on his face, he pulled out a revolver, at two minutes to midnight on the night of December 31, 1952 and shot himself. Police searched his apartment, found nothing, and reported the case as a routine suicide.

Gardenia and the little Milkweeds consulted a lawyer who was a Harvard Law School graduate. Instantly he phoned the ABC Music Company, which immediately turned over all the royalties, both

those under the original copyright as well as the renewal royalties, to Gardenia and her crew, who became fabulously wealthy. Gardenia was voted Queen of the Gardenia Bowl on January 1, 1954. And all the little Milkweeds will appear next week on the Ed Solomon show singing, "Moonlight and Gardenias." The Harvard Law School graduate now has a \$15,000 a year retainer with a bitter rival of the ABC Music Company of the state of Ames, to wit: the XYZ Music Company of the state of Story.⁵

⁵ "Story," as in, "This is the end of the —."

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