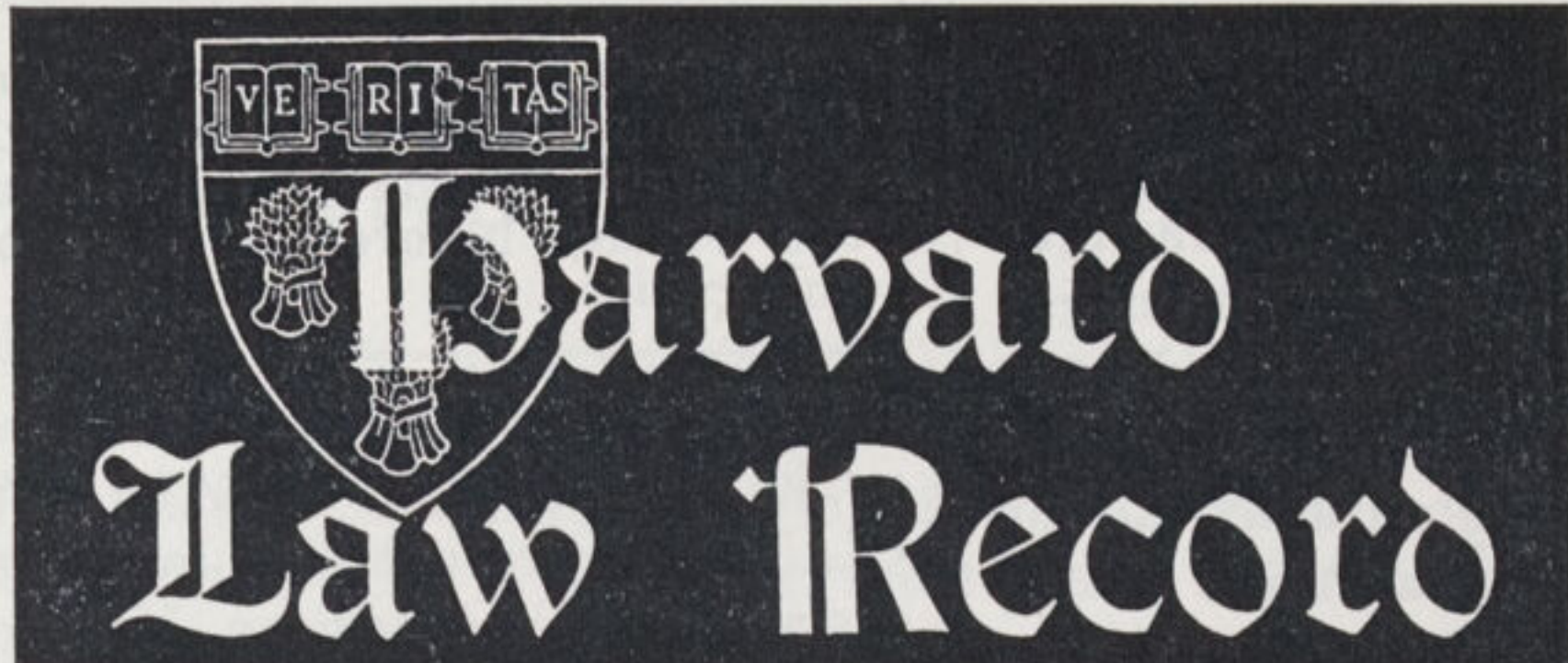




*"America's Oldest
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NO. 8

Ames Semifinals Later This Month

The semifinal arguments of the Ames Competition will be held on Tuesday, November 22 and Tuesday, November 29 in the James Barr Ames Courtroom in Austin Hall. Dates for the arguments and the facts of each case were announced this week by Mr. Daniel G. Partan, Faculty Assistant for the Ames Competition.

The Gower-Herwitz Club will represent the plaintiff-appellant and the Magruder Club the defendant-appellee in *Thompson v. Whittier*, the case to be argued first. The Jaffe Club will represent the United States and the Gardner Club the defendants in *Silverman et al. v. United States of Ames* in the other half of the semifinal round.

Judges for the argument between the Gower-Herwitz and Magruder Clubs will be the Hon. Simon E. Sobeloff, United States Court of Appeals for the Fourth Circuit, Hon. Philip Halpern, Supreme Court of New York, Appellate Division and Mr. Hans F. Loeser of the Boston law firm of Foley, Hoag & Eliot.

Seeks Reversal

The plaintiff in this case, a World War II veteran and leading member of the Communist Party, seeks reversal of a decision of the Administrator of Veterans Affairs terminating plaintiff's disability benefits under a statute declaring forfeiture of benefits of veterans who are shown "by evidence satisfactory to the Administrator" to be guilty of "rendering assistance to an enemy of the United States." The Administrator relied in part on statements made by the plaintiff during the Korean War that the war was "the

savage Truman-MacArthur war of aggression" and that "mass action now can still halt a police state."

A three-judge district court held that the statute "does not seek to impose punishment but merely prescribes an additional qualification for eligibility to receive a gratuity" and that the action of the Veterans Administration was not subject to judicial review. A dissenting judge thought that the application of the statute "to the speech and writings of the plaintiff constitutes a direct penalty for, and restriction upon, the use of speech and press" and that the statute should not be construed to prevent a veteran who is receiving

(Continued on Page 6)

Many Torts in Issue Before Model Trial

Professor Robert E. Keeton and James D. St. Clair, Lecturer on Law and a member of the Boston firm of Hale and Dorr, were opposing attorneys in this fall's Model Trial. The trial was held last night in the James Barr Ames Courtroom. The jury verdict was not available in time to be reported in the RECORD this morning.

Set in the Superior Court of Thayer County in the Commonwealth of Ames, the case of *Schofield v. Armstrong* involved charges of battery and false imprisonment which were alleged to have resulted in physical injury, fear, mental distress and shock. Damages in the amount of \$19,492 were claimed.

(Continued on Page 8)

Harvard Law Record

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Hearsay

"There is more variety." "It's better food." "... improvement over last year." Such are typical responses heard concerning the 1960 edition of the Harkness Commons dining room. Perhaps it is not too early to say that these comments do, indeed, seem to be merited by those who are responsible for the feeding of the Law School community.

Harkness Commons seems to have come closer to giving students what they want this year than at any time that we can remember. It is the greater variety that some students appreciate this year. And the food appeals to both sight and taste.

Other "musts" which show an improvement over previous years are those of quantity and expense. The student wending his way from the beginning of the line to his place at the table is conscious of the amount of food that he takes with him and the money that he leaves with the cashier. The situation in this respect is handled with some success.

Complaints, however, are heard from those who arrive to find that some choices have been exhausted. Perhaps this can hardly be avoided when the aims of presenting a variety from which to choose and of controlling expenses — and therefore prices — must inevitably conflict.

Another complaint, however, seems less excusable. Many wonder at the lack of cleanliness which seems to be the Harkness rule today. Trays and dishes sometimes appear to have been less than carefully washed. Tables often show that insufficient effort has been expended in clearing away paper and crumbs.

A partial explanation — but not an excuse — must be that students fail to realize that a little effort in clearing up after themselves can provide a considerably improved atmosphere for their fellows. We wonder if the same persons who do not deign to return books to the shelves in the library are also above carrying their own coffee cups away from the table. Courtesy to one's associates would seem to dictate a little greater evidence of an awareness of social responsibility.

We look forward to the rest of the year with the hope that the food will not diminish in amount or variety and that student support of Harkness Commons will continue.

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, November 10

The INTERNATIONAL LAW CLUB will present Mr. John Hanessian of the American Universities Field Staff, in the Wheeler Room of Holmes Hall, at 4 p.m. Mr. Hanessian will speak on "The Antarctic Conference and Treaty, 1959."

Friday, November 11

VETERANS' DAY will be a holiday in the Law School.

Sunday, November 13

The FORD HALL FORUM will present Mrs. Eleanor Roosevelt speaking on "Is America Facing World Leadership?" in Jordan Hall, at 8 p.m.

Monday, November 14

The CALIFORNIA CLUB will present Mr. Brent M. Abel, president of the Harvard Law School Association of Northern California, at a luncheon meeting, in the Malory Smith Room of Harkness Commons, at 1 p.m.

Tuesday, November 15

The STUDENT BAR ASSOCIATION will have the first of three tours of Federal Courts in Boston, leaving Harkness at 1:30 p.m. Other tours will be on November 17 and 21.

Wednesday, November 16

The HARVARD LAW WIVES will hold a bridge meeting, in the Meeting Room of Harkness Commons, at 8 p.m.

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At the Forum

Allen, Lederer Weigh Propaganda

The Harvard Law School Forum presented George V. Allen, director of the United States Information Agency, and William J. Lederer, co-author of *The Ugly American* last Friday. Speaking in Sanders Theater, they discussed the question "Are We Losing the Propaganda War?" Professor Richard Baxter served as moderator.

Professor Baxter introduced Mr. Allen as a career ambassador and, in the words of Mr. Allen's own agency, which had provided an adequate press release on him, a man who "fairly exudes confidence and sincerity." Immediately assuming the air ascribed to him, Mr. Allen suggested that a more positive approach should have been presented than the title of the evening's panel indicated.

Proceeding along these constructive and optimistic lines, he said that it is only the unfavorable things which "make noise" when, in fact, there are many things that usually are not known or made known to people but which are worthy of praise. Among these are the national exhibit held in Moscow last summer, the defection of people to the West and the successes of United States Information Centers and Libraries in the principal cities of the world.

Russian Comments

As an illustration of the success of the exhibit, Mr. Allen told of some of the inscriptions in the book that was located at the exit in which the Russian people could record their comments. One Russian had written, "Good show, Yanks. We'll pass you by." (Referring, of course, to Mr. Khrushchev's boast that the Soviet Union would pass the United States by and wave as it did so.) The next comment in the book was: "Please let me off in the U. S. as you go by."

A further indication that the United States is winning the propaganda war is the number of people who cross the Iron Curtain and defect to the West. Mr. Allen said that every week for 15 years 3000 to 4000 people make the crossing, and about 90% of them want to come to the United States. In the interrogation of them, one of the points that receives the most emphasis is the desire to retain their individuality, especially that represented by

freedom of religion which is "a strong magnet towards free society."

The success of United States Information Libraries was the point which Mr. Allen emphasized most. There are 165 of these centers in the principal cities of the world; they offer books, films, lectures and other cultural events. Taking the center located in Cairo as an example, Mr. Allen demonstrated the great effect that these libraries are having



William Lederer

George V. Allen

the world over. After the Suez crisis, when Egyptian policies were running exactly contrary to those of the United States, the center was full every day. When the Soviets opened an information center, nobody visited it. As a result, they sent "stooges" around to the American center. On their visit, the Russians found that the language classes were very popular. Thus it turned out that the Soviet center began teaching courses in English. "It's a great form of flattery."

But the centers are not all as successful as the one in Cairo. Some of them serve as "lightning rods" whenever the people get worked up." Thus some students marched on the center in Cyprus, although the "United States had put \$2 billion into Greece since the war, and the students had no reason to resent United States activity." The cause, as it

turned out, was the unfulfilled hope that the United States would put its support behind the proposal in the United Nations to make Cyprus Greece's.

In conclusion, Mr. Allen said that "the need is for us to grow up. We suffer from a complex of complexes." Although having a high standard of living, we are shocked when our Vice President is stoned or when signs appear demanding that the Yankees go home. This is partly because our international role is so new. We must grow up by assuming our responsibility in international affairs and by making decisions in the best way we can. "We must go forth with the leadership that has been thrust upon us."

No Contest

Mr. Lederer, in turn, insisted that "there is really nothing I can talk about on this subject. It takes two to make a contest. If one lets the other take everything, there's no war. All it is is rape." In spite of his insistence, Mr. Lederer managed to offer a few worthwhile suggestions while keeping the audience thoroughly amused.

With Mr. Allen on the stage, Mr. Lederer acknowledged that Mr. Allen has done his job well; he stated Mr. Allen's job as being that of showing people "we're good." But Mr. Lederer claimed that "we have no agency, no propaganda, no nothin' that is in charge of carrying on this war. Mr. Allen is not responsible for this. I wish to God he were."

Defining propaganda as the sum total of all the acts used to acquire or protect or hold on to our national power, he said that we have to use everything our society has to win this war. "That includes everything — trade, cultural exchange, Olympics, technical achievements and the rest. This is non-violent combat. If that doesn't work, we will have to go into the other kind of combat. This battle goes on a second at a time."

In demonstrating the fact that the United States is losing the war, Mr. Lederer opened a New York *Times* and read headlines from it: "Three Thousand in Tunisia Shout Against U. S. at Algerian Rally"; "Bolivia Weighing Soviet Bid Offer"; "Indonesia Moves To Take over Oil." These, he maintained, show the inch-by-inch defeat the United States is suffering in the propaganda war.

Mr. Lederer said that in order to win this war we need an organization that is responsible for the coordination and direction of the

vast undertaking that is required. The United States has no organization or plans for this kind of total war. "What we have is a propaganda anarchy." No one can say who is responsible.

An agency which would be headed by the second most powerful man in the United States is needed. He would have an open field in which to work; no restrictions would be placed on him. Furthermore, his objectives should be known so that it would be possible to say what area or what goals he was striving to influence.

"This is a weapon; it is an instrument which can retain prestige for the United States. It must be able to influence every American who has any dealing with the international situation be he a tourist, a diplomat or a President." The agency's work must be continuous since we are at war continuously. Everybody involved in the agency would be required to have training in foreign languages and in Communist techniques.

The next best thing to the establishment of this agency would be a more effective communication system abroad. "We have neither a good system of sending or receiving these vital messages." Other nations have this as well as an organization that looks after the minutest details when any of their citizens come in contact with other countries by visitation or official representation. "All we have is an information agency that is doing its job well. We should assign Ambassador Allen to this post."

Charity Drive Set

The Law School Combined Charities Drive will take place during the week beginning November 28, it was announced by William Jack, 3L, Titusville, Pa., chairman of the charity drive committee.

This annual event is sponsored by the Law School Committee of Phillips Brooks House and is the one appeal made to law students during the school year for charitable contributions. This year law students may choose among ten charities: World University Service, Jimmy Fund, United Fund, CARE, World Health Organization, Phillips Brooks House, the International Student Center in Cambridge and three major sectarian charities.

All of these charities need aid now, and all make efficient use of their funds.

Ike's Years Called 'The Best'

Representative Laurence Curtis of Massachusetts spoke at a luncheon meeting of the Law-Graduate Young Republican Club last week in the Mallory-Smith Room of Harkness Commons.

A graduate of Harvard College (1916) and the Harvard Law School (1921), Representative Curtis served as legal secretary to Mr. Justice Holmes from 1921 to 1922. He also served as Assistant United States Attorney for Massachusetts, as Treasurer of Massachusetts and as a member of both houses of the state legislature.

Representative Curtis, a member of the House Foreign Affairs Committee, has been engaged in a close contest for reelection in his changing district, which includes the Back Bay area of Boston as well as suburbs like Brookline and Newton. Results of his bid for reelection were not known at press time.

The Massachusetts Republican criticized the comparison of voting records in Congress. He pointed out that a Congressman may vote against a particular bill because he expects that a more satisfactory version will come up for a later vote.

Deceptive Statements

Attacking the deceptive statements that have been made in the Presidential campaign by the Democrats, Representative Curtis cited as an example the charge that the United States is "standing still." In fact, he said, the United States has had eight years of the best government it has ever had. Before the Republicans took office in 1953, there were controls on wages and prices, and inflation was rampant. The Eisenhower Administration reintroduced fiscal responsibility to the United States. Controls were removed, and the inflated budget and excessive taxes were reduced.

Representative Curtis noted that the decline in the value of the dollar has been almost halted during the last eight years. On the basis of a dollar being worth 100 cents in 1939, a dollar in 1948 was worth only 57 cents, in 1953, 51.9 cents and in 1959, 48 cents.

Not only has inflation been curbed, Representative Curtis continued, but the federal government has expanded its financial sup-

port of many activities. For example, public housing subsidies (payments to local authorities to cover the difference between expenses and income of low-cost housing projects) have risen from \$12,000,000 in 1953 to \$115,000,000 in 1959.

Sound Dollar

Representative Curtis emphasized that the best way to encourage economic growth is to maintain a sound dollar. The private sector of the economy cannot be encouraged by stimulating the public sector. The Democratic theory that greater expenditures can be paid for through economic growth is simply a return to discredited policies which failed before President Eisenhower took office.

Turning to foreign affairs, Representative Curtis pointed out that communist aggression has been halted during the past eight years. Peace has been preserved with honor and without surrendering any territory, despite the fact that the Soviet Union has the power to create disturbances around the world by reason of its hard core of supporters in every country.

It is easy, Representative Curtis said, for the Democrats to say that the United States shouldn't have followed a particular course of action, but he noted that "they don't say what they would have done." He reminded his listeners that the communist "line" is easier to sell to underdeveloped countries than is our "line."

In response to a question concerning the caliber of United States representatives abroad, Representative Curtis stated that our ambassadors are very devoted and that the government always attempts to get the best. He suggested that the law be changed to enable the giving of proper expense accounts to the ambassadors to countries such as the United Kingdom and France, where the United States is expected to put up a big front. Such posts would then not have to be limited to wealthy men.

Representative Curtis concluded his remarks by emphasizing that good government is now more important than ever, because the government is much more involved in everyone's daily life.

— Matia

Ames Semifinals

(Continued from Page 1)

disability benefits from criticizing the government's participation in a war. Plaintiff took a direct appeal to the Supreme Court of the United States of Ames. The decision below is reported at 185 F.Supp. 306.

Members of Gower-Herwitz doing the oral arguments for the plaintiff will be George B. Martin, Jr. and Robert A. Zeiger. Counsel on the brief are Roger N. Beilenson, Michael E. Freeman, Simeo J. Gallo, Thomas I. Gill, Herbert F. Kahler and Paul L. Kalos. Oralists for the Magruder Club are Thomas G. Conway and John Minor Wisdom, Jr. Counsel on the brief are Richard I. Burnham, Jacqueline Crawford, Garret A. Hobart IV, Edward C. Leckey, Sheldon R. Shapiro and Herman Wilson.

Silverman et al. v. United States of Ames will be argued on November 29. Judges will be the Hon. John Biggs, Jr., United States Court of Appeals for the Third Circuit, Hon. Clement F. Haynsworth, Jr., United States Court of Appeals for the Fourth Circuit and Hon. Andrew A. Caffrey, United States District Court for the District of Massachusetts.

Gambling Tax Unpaid

Defendants in this case were convicted of gambling offenses in the District of Columbia and of engaging in the business of accepting wagers without having paid the special tax required by the Internal Revenue Code. The trial court ruled that the action of officers who entered a row house adjoining that in which they suspected defendants were maintaining an unlawful betting office and inserted an antenna spike under the baseboard and into the party wall so that they were able to overhear the defendants conducting their betting business by telephone was not an unlawful search and seizure under the Fourth Amendment and did not violate the Federal Communications Act.

Defendants allege that these rulings were in error and that it is fatally inconsistent for a judge sitting without a jury to convict the defendants on the gambling and tax counts while acquitting them of the charge of accepting wagers. Defendants also complain that simultaneous convictions under several gambling counts are improper under the District of Columbia Code and constitute double

jeopardy. The case is based on *Silverman v. United States*, 275 F.2d 173 (D.C.Cir. 1960), *certiorari granted* 363 U.S. 801 (1960) and *United States v. Maybury*, 274 F.2d 899 (2d Cir. 1960).

Representing the United States, Jaffe Club oralists are Charles C. Collins, Jr. and Thomas A. Skornia. Counsel on the brief are Thomas F. Field, A. Remy Fransen, Jr., R. Timothy Hanlon, David C. Weisberg, Jack C. Wood and Charles M. Wyndham III. Oralists for the Gardner Club, which represents the defendant, are Robert W. Scrivner and Robert S. Smith. Counsel on the brief are S. Donald Gonson, Charles R. Kinnaird, Craig M. McAtee, Gwynne H. Wales, Jerome P. Weiss and Loren A. Wittner.

Copies of the record and briefs for *Thompson v. Whittier* are available at the main desk in the Reading Room in Langdell Hall. Those for *Silverman et al. v. United States of Ames* will be available on November 15.

— Graham

Dorm Council Revives Law Variety Show

A variety show will be presented this year by the Dormitory Council, reviving a law school tradition last seen in 1954. Walter Strine, Jr., 3L, Dormitory Council president, announced that the show, one of many council activities, will take advantage of the diverse talents found in the faculty and students of the law school.

The show will be divided into independent, co-ordinated units in an effort to give everyone interested a chance to appear and to cut down on individual time demands. Among the people now needed are writers, directors, stagehands, actors, singers and musicians. Complete acts or skits will also be considered. Experience is not necessary, although those with experience are urged to contact the committee.

This invitation to be a part of the variety show is open to all students, faculty and friends of the school; those interested are asked to contact members of the Dormitory Council, in particular George L. Kelley, Jr., 2L, 204 Shaw Hall, UNiversity 4-3615 or Richard M. Glazer, 2L, 3 Hastings Hall, ELiot 4-6860.

Dean Pound to Judge Ames

Dean Roscoe Pound will judge one of the arguments in the qualifying round of the Ames Competition on Tuesday, November 15, at 4:30 p. m. in the James Barr Ames Courtroom. Dean Pound has always taken a strong interest in the Ames Competition and judges one argument each year. The case this year is in the field of corporation law.

The judges who will appear with Dean Pound are Mr. Gerald Gillerman, LL.B. 1952, of the Boston firm of Slater & Goldman, and James V. Springer, 3L, President of the *Harvard Law Review*. Counsel for the appellant are Henry G. Zapruder, Dallas, Texas, and Edward F. Michalak, Evanston, Ill., of the Sacks Club, while Sidney A. Slobodkin, Lynn, Mass., and Marcel Shwergold, Kew Gardens, N. Y., of the Choate Club will represent the appellee. All law students and their guests are invited.

Lawyers' Tax Ethics

Professor Robert Braucher, chairman of the Seminar on Professional Responsibility, which is part of the Program of Instruction for Lawyers to be held in Cambridge from July 17 to July 29, 1961, has announced that the Hon. Dana Latham, LL.B. 1922, Commissioner of Internal Revenue, will give an address on the professional responsibilities of the practicing lawyer in relation to the administration of the federal tax laws.

Commissioner Latham will speak on Thursday evening, July 27, 1961. His address will be the concluding session of the Seminar on Professional Responsibility, which will deal with problems of professional responsibility and ethics. The other sessions will be panel discussions of problems of professional responsibility and ethics in the fields of Estate Planning, Business Planning, Administrative Law and Controlling the Use of Land.

Professor Braucher has expressed the expectation that these five meetings, in addition to throwing light on significant practical problems, will serve to test an approach to law school instruction in professional responsibility which has been under faculty consideration for some time.

Commissioner Latham is a native of California. He received his A.B. degree from Ohio Wesleyan University in 1919. Before

going to Washington he practiced in the firm of Watkins and Latham in Los Angeles. He is past chairman of the Harvard Law School Association of Southern California and is a member of the Executive Committee of the Harvard Law School Association.

Tax Forum on Three Subjects

The Federal Tax Institute of New England will hold a forum on the three subjects of "Taxation of Deferred Compensation and Benefits for Employees' Dependents," "New Tax Law on Real Estate Investment Trusts" and "Tax Problems in Charitable Giving" on December 3 in John Hancock Hall. The sessions will begin at 9:15 a. m. Dean Erwin N. Griswold is president of the Institute and will serve as chairman of the meeting.

The meeting will consist of discussions on each of the three topics listed. The panel on "Deferred Compensation and Benefits for Employees' Dependents" will discuss the significance of the 1960 ruling of the Internal Revenue Service relating to individual deferred compensation contracts. Consideration will also be given to stock options and insurance arrangements. The current status of after-death payments will also be reviewed.

The topic of "1960 Legislation Relating to the Taxation of Real Estate Investment Trusts" will be discussed by Mr. Charles D. Post of the Boston firm of Goodwin, Procter & Hoar. Consideration will be given to problems of qualification under the new law, the rendering of services through independent contractors and pitfalls in the ownership, operation and diversification rules of the new law.

The luncheon speaker will be Mr. Jay W. Glasmann, head of the Legal Advisory Staff of the Treasury Department in Washington. He will speak on "Problems Relating to Tax Legislation."

The afternoon session, beginning at 2 p. m., will feature a panel on "Tax Problems in Charitable Giving." Methods of obtaining tax advantages from charitable donations will be discussed. Registration for the Institute can be obtained by sending \$12 to the Federal Tax Institute of New England, Room 701, 6 Beacon Street, Boston.

A special registration fee, which does not include luncheon, is available for students at \$2.

I. L. C. Fills Vacancies

The results of a recent election held by the International Law Club to fill seven positions on the Executive Committee have been announced by Ronald D. Levin, 3L, president of the club. Three graduate students were elected: Bartholme De Schutter, Boom, Belgium; David R. Mummery, Palmerston North, New Zealand; and Arthur V. J. Nylander, Lagos, Nigeria. Others elected to the committee were Morris J. Amitay, 3L, New York, N. Y.; Jonathan Mallamud, 3L, New York, N. Y.; Henry H. Thayer, 1L, Weston, Mass.; and William J. Waterman, 2L, Wilmette, Illinois.

The new members of the committee will serve with those previously elected. These include, in addition to those reported in the RECORD, VOL. 31 No. 2 (September 29, 1960): Robert H. Neuman, 3L, Brooklyn, N. Y., Club Bulletin; Françoise Gallot, Graduate, Paris, France, Social Activities; Robert E. Fast, 2L, La Belle, Pa., Moot Courts; and Ronald G. Russell, 3L, San Jose, Calif., Liaison with Graduate Students.

Law Review Out Today

The first issue of Volume 74 of the *Harvard Law Review* makes its appearance today. It contains two articles by former members of the Harvard Law School community and a 100-page note on the 1959 term of the United States Supreme Court. This note, according to the editors of the *Law Review*, "purports

not to be exhaustive but rather to discuss those cases which may be most significant in the legal sense and most susceptible to further analysis."

The Foreword to the note was written this year by Dean Erwin N. Griswold. Dean Griswold examines certain aspects of the Court's work and also considers the dispute which broke out in the pages of the *Review* last year between Professor Henry M. Hart, Jr. of the Law School and Thurman W. Arnold.

The first of the two articles in this initial issue of the 1960-61 volume considers the subject of double jeopardy and collateral estoppel in federal criminal actions. The other article is concerned with the use of the defense of privilege by government executive officials in defamation suits.

Torts on Model Trial

(Continued from Page 1)

The facts involved a recently married woman who reappeared in the Compleat Department Store a few days after she had mistakenly signed a check there with her maiden name. The check had been returned because her bank account had been changed to her married name.

The defendant store-owner detained her in his office while she tried to contact her husband by telephone. She later became ill and lost a teaching opportunity.

The Hon. Eugene A. Hudson, Associate Justice of Massachusetts Superior Court, presided.

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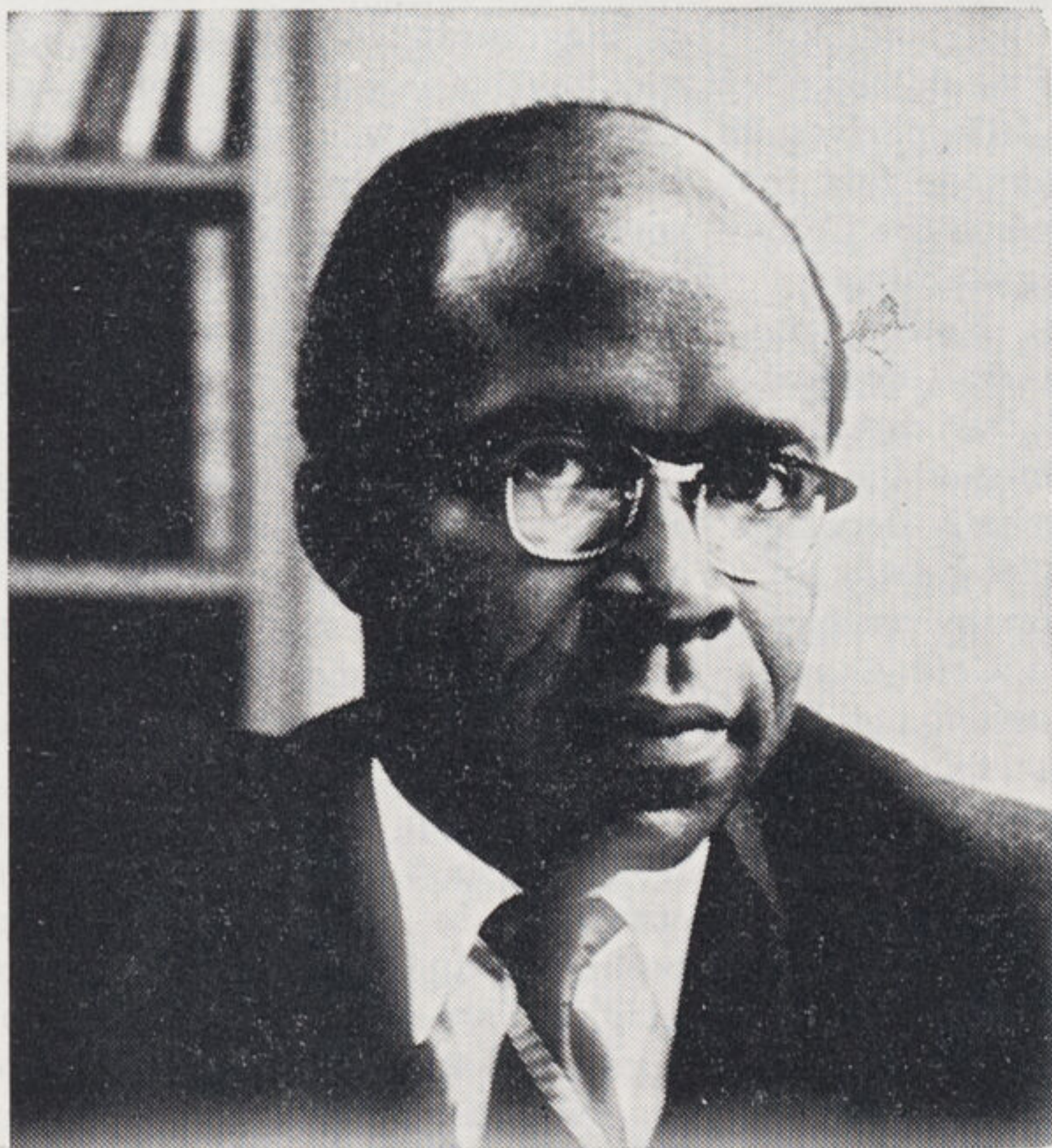
**THE
COOP**

FEATURES SECTION

Ghana Faces Constitutional Problems

By Kwamena Bentsi-Enchill

On July 1, 1960 there came into operation in Ghana a new Constitution which, among other things, substituted a Ghanaian President for the Queen of England as the Head of State and in place of the Judicial Committees of the English Privy Council, constituted a new local Supreme Court as the final Court of Appeal. In the process of bringing this new Constitution into force, a quite formidable avalanche of new legislation has been generated. Nevertheless it cannot be said that the new legislation has radically altered



the answer to the question which is intended to be answered here, namely, "How far and in what sense is the common law operative in present day Ghana?"

Although the answer to this question seems on the first look relatively easy, there are latent complexities which have troubled the Ghana Courts in the past and bedevilled the drafting of new legislation now in force, and which the new Supreme Court will have to clarify.

To begin with, Article 40 of the new constitution which came into force on July 1, provides that the laws of Ghana shall comprise the following (subject to any future enactments) —

- "(a) the Constitution
- (b) enactments made by or under the authority of the Parliament established by the Constitution
- (c) enactments other than the Constitution made by or under the authority of the Constituent Assembly,
- (d) enactments in force immediately before the coming into operation of the Constitution,
- (e) the Common law
- (f) customary law."

"Common Law" as defined in the Interpretation Act which came into force at the same time as the Constitution, "consists, in addition to rules of law generally known as the common law, of the rules generally known as the doctrines of equity and of rules of customary law included in the common law under any enactment providing for the assimilation of such rules of customary law as are suitable for general application." (Italics added.) And "customary law" as defined in the same place "consists of rules of law which by custom are applicable to particular communities in Ghana, not being rules included in the common law under any enactment providing for the assimilation of such rules of customary law as are suitable for general application."

The Interpretation Act further provides that "in the case of inconsistency, an assimilated rule shall prevail over any other rule, and a rule of equity shall prevail over any rule

Mr. Bentsi-Enchill is a Ghanaian who was educated at Achimota School, Ghana, and at Oxford, England, where he studied politics, philosophy and economics. He was called to the English Bar in January, 1950 and has been in private practice as a barrister and solicitor in Ghana since that time. He was for two years secretary of the Ghana Bar Association and of "Freedom & Justice," the Ghana Section of the International Commission of Jurists. He has been teaching in the new Ghana School of Law for a year and is now in America under a Ford Foundation grant to study American methods of teaching law.

other than an assimilated rule." And further that "in deciding upon the existence of content of a rule of the common law, as so defined, the Court may have regard to any exposition of that rule by a court exercising jurisdiction in any country."

Thus it may be concluded from the foregoing that the common law is in some sense in force in Ghana and that express authority is given to the Ghana courts to look further afield than England for guidance in the determination of any rule of the common law. It is of interest to add here that the liberty thus accorded to the courts to consult common law sources outside England is buttressed by the provision of the new constitution which makes the Supreme Court of Ghana the final Court of Appeal and thus frees it from any obligation to follow the previous decisions of any court except its own, and then only in principle.

It will be observed from the constitutional enumeration of what comprises the law of Ghana quoted above, that it is impossible to tell from it how far and in what sense the common law is in force in Ghana without first determining the extent to which the other items affect the operation of the common law. In particular, what were "the enactments in force immediately before the coming into operation of the Constitution" which affect this issue, and what is the meaning of the provision for the assimilation of customary law rules?

Of particular relevance among the enactments previously in force is the Courts Ordinance of 1935. This enactment gave to the Supreme Court of the Gold Coast (as it was before the name was changed to Ghana on the attainment of Independence in 1957) the jurisdiction of the High Court of Justice in England, all the power of the Lord High Chancellor of England including the power to appoint guardians and committees of lunatics, and directed that "the jurisdiction hereby conferred upon the Supreme Court in Probate, Divorce and Matrimonial Causes and

proceedings may, subject to this Ordinance and to Rules of Court, be exercised by the Supreme Court in conformity with the law and practice for the time being in force in England." The Admiralty jurisdiction was to be exercised in accordance with the Colonial Courts of Admiralty Act of 1890.

Further

It further provided as follows:—

Section 83. Subject to the terms of this or any other Ordinance, the common law, the doctrines of equity and the statutes of general application which were in force in England on the 24th day of July, 1874 shall be in force within the jurisdiction of the Courts.

(It may here be explained that the date 24th July 1874 derives its special sanctity from the fact that that was the date when the Colony obtained a local legislature.)

Section 87 (1) Nothing in this Ordinance shall deprive the Courts of the right to observe and enforce the observance or shall deprive any person of the benefit, of any native law or custom existing in the Gold Coast, such law or custom not being repugnant to natural justice, equity and good conscience, nor incompatible either directly or by necessary implication with any ordinance for the time being in force.

Such laws and customs shall be deemed applicable in causes and matters where the parties thereto are natives and also in causes and matters between natives and non-natives where it may appear to the Court that substantial injustice would be done to either party by a strict adherence to the rules of English law.

No party shall be entitled to claim the benefit of any local law or custom, if it shall appear either from express contract or from the nature of the transac-

tions out of which any suit or question may have arisen, that such party agreed that his obligations in connection with such transactions would be regulated exclusively by English law; and in cases where no express rule is applicable to any matter in controversy, the Court shall be governed by the principles of justice, equity, and good conscience.

The law in force in Ghana prior to the coming into force of the new constitution may thus be summarized:

(1) In all causes and matters where parties thereto were natives of the country, the applicable law was "native law and custom," provided such law and custom was not repugnant to natural justice, equity and good conscience, nor incompatible either directly or by necessary implication with any ordinance for the time being in force. This was also the applicable law to the exclusion of English law in causes and matters between natives and non-natives where the court considered that substantial injustice would be done to either party by a strict adherence to the rules of English law.

(2) English law, by implication from the last rule above, applied otherwise in all transactions between natives and non-natives. English law was also the law applicable to anybody, whether native or non-native if "it shall appear either from express contract or from the nature of the transactions out of which any suit or question may have arisen, that such party agreed that his obligation in connection with such transactions should be regulated exclusively by English law."

(3) Where English law was applicable, in Probate Divorce and Matrimonial Causes, the applicable law was to be the law and practice for the time being in force in England.

(4) Where English law was applicable, in so far as the main body of the common law including equity was concerned, the applicable

law was the law as it stood in England on July 24, 1874, when the Colony had its legislature, and as affected by statutes of general application then in force in England. So far as the Admiralty jurisdiction was concerned this was to be exercised in accordance with the provisions of an English Act of 1890. By specific provision of the Marriage Ordinance of 1884, the English law relating to the distribution of the personal estates of intestates then in force was made partially applicable to the estates of persons married under that Ordinance and to the estates of the issue of such marriages.

(5) Where no express rule was applicable to a matter in controversy, the Courts were to be "governed by the principles of justice, equity and good conscience."

Now Repealed

It must next be stated that, although the Courts Ordinance was in force immediately before the coming into operation of the Constitution, it has been repealed by a new Courts Act which came into force at the same time as the new Constitution. A saving Section of the new Courts Act, however, expressly provides that, notwithstanding the repeal, the Admiralty jurisdiction and the provisions relating to infants and persons of unsound mind and to probate and matrimonial causes, respectively contained in certain sections of the Courts Ordinance, "shall continue to apply in Ghana until other provision in that behalf is made by law." Furthermore, "the repeal by this Act of section 83 of the Courts Ordinance (Cap 4) shall not be taken to affect the continued application of such of the statutes of general application which were in force in England on July 24, 1874, as applied in Ghana immediately before the commencement of this Act."

The omission in these saving provisions of reference to the common law and the doctrines of equity is more than compensated for by the specific inclusion of the common law in Article 40 of the Constitution quoted above which prescribes what the law of Ghana

shall comprise.

One effect of the new Courts Act on the applicable common law is apparently to release it from any suggestion of confinement to the state of the law as it stood in England on July 24, 1874, thus making relevant any post-1874 exposition of the common law anywhere.

Later Exposition

However, any such later exposition of the common law must be of the common law as affected by statutes of general application in force in England on July 24, 1874, in view of the saving provision in the new Courts Act quoted above, which continues the application of such English statutes. In fact, the Interpretation Act provides that "while any of the statutes of general application continue to apply . . . they shall be treated as if they formed part of the common law..."

Thus, whenever any part of the common law is applicable, it is necessary now as it was under the repealed Courts Ordinance to determine what, if any, statute of general application in force in England on July 24, 1874 affected that aspect of the common law. And, as the new legislation gives no clue regarding this apart from implicitly referring the inquirer to the repealed Courts Ordinance, there is no choice but to turn to it and to previous decisions of the courts of the old dispensation for guidance.

It must suffice to state here briefly that the decisions lend some support to an inference that not all statutes of general application in force in England at the said date are considered to have been in force in Ghana and that every such statute will be appraised on its own merits. It will be seen that in the wording of the relevant provision in the new Courts Act the draftsman has apparently supported this inference.

Section 154 (4) The repeal by this Act of section 83 of the Courts Ordinance (Cap 4) shall not be taken to affect the continued application of *such of the statutes* of general application which were in force in England on 24th July 1874

as applied to Ghana immediately before the commencement of this Act. (Italics added.)

Supported Inference

Furthermore, this inference is thought by some to be supported by the reference in some of the said decisions to another of the provisions of the Courts Ordinance (Section 85) which empowered the local courts when applying an imperial law "to construe the same with such verbal alterations, not affecting the substance, as may render the same applicable to the matter before the court" and which declared such statutes to be in force "so far only as the limits of the local jurisdiction and local circumstances permit."

It is submitted, however, that the better opinion, based on the very same decisions and on the wording of the old Courts Ordinance, is that in so far as English law is the applicable law in any cause or matter before the court, any relevant statute of general application which was in force in England on 24 July 1874 must be deemed to be applicable; and in any cause or matter to which the applicable law is the customary law, such English statutes (with the rest of English law — although in force in Ghana) are inapplicable.

Not only is this latter view in harmony with the provisions of the said Courts Ordinance, it affords a rational explanation of most of the decisions. Thus, although the relevant statutes of limitations are statutes of general application and have been held to apply to the "colony," *Fischer v. Swanniker* (1889), they have also been held to be inapplicable to land "held by natives under native tenure," *Bodaa v. Ofoli* (1910).

Similarly with the Statute of Frauds and the Real Property Act of 1845, both of which have been held to be in force, although in *Amissa v. Anawooma* (1892) it was said that "as between illiterate natives the Statute of Frauds should not be strictly enforced" and although English real property law does not apply to transactions in land conducted in accordance

with customary law. It must be conceded, however, that some of the decisions are hard to explain.

It should be added that the provisions which make the "law and practice for the time being in force in England" in probate, divorce and matrimonial causes the applicable law of Ghana, have also not received consistent application. Thus, in matrimonial causes, the law and practice consistently and, it is submitted, rightly applied is the current law of England; but in probate the law and practice consistently and, it is submitted, questionably applied is pre-1874 English probate law and practice.

When Applicable

It remains, however, to deal with when the customary law is the applicable law to the exclusion of English law, and what is the meaning of the new provision for the assimilation into the common law of "such rules of customary law as are suitable for general application."

The answer to the first question under the old dispensation has been given above. Customary law ousted English law "in all causes and matters where the parties thereto are natives and also in causes and matters between natives and non-natives where it may appear to the court that substantial injustice would be done to either party by a strict adherence to the rules of English law." Some of the problems which draftsmen of the new legislation appear to have believed themselves to be confronted with under the general rubric of drafting legislation "befitting Ghana's status as an independent state" were the following: how to get rid of the word "native," which has become objectionable owing to the misuse of it by the owners of the language, who should have known better; how to provide for conflicts of customary laws, there being more than one system of customary law; how to get rid of the unsatisfactory rule that English law was the applicable law in all causes and matters between natives and non-natives unless substantial injustices would result from a strict adherence to the rules

of English law; and how, nevertheless, to retain the common law in the law of Ghana.

This is how they solved this problem in Part III of the new Courts Act which is headed "Common Law and Customary Law":

66. (1) Subject to the provisions of any enactment other than this subsection, in deciding whether an issue arising in civil proceedings is to be determined according to the common law or customary law and, if the issue is to be determined according to customary law, in deciding which system of customary law is applicable, the court shall be guided by the following rules, in which references to the personal law of a person are references to the system of customary law to which he is subject or, if he is not shown to be subject to customary law, are references to the common law:—

Rule 1. Where two persons have the same personal law, one of them cannot, by dealing in a manner regulated by some other law with property in which the other has a present or expectant interest, alter or affect that interest to an extent which would not in the circumstances be open to him under his personal law.

Rule 2. Subject to Rule 1, where an issue arises out of a transaction the parties to which have agreed, or may from the form or nature of the transaction be taken to have agreed, that such an issue should be determined according to the common law or any system of customary law, effect should be given to the agreement.

In this rule "transaction" includes a marriage and an agreement or arrangement to marry.

Rule 3. Subject to Rule 1, where an issue arises out of any unilateral disposition and it appears from the form or nature of the disposition or otherwise that the person ef-

fecting the disposition intended that such an issue should be determined according to the common law or any system of customary law, effect should be given to the intention.

Rule 4. Subject to the foregoing rules, where an issue relates to entitlement to land on the death of the owner or otherwise relates to title to land—

(a) if all the parties to the proceedings who claim to be entitled to the land or a right relating thereto trace claims from one person who is subject to customary law, or from one family or other group of persons all subject to the same customary law, the issue should be determined according to that law; (b) if the said parties trace their claims from different persons, or families or other groups of persons, who are all subject to the same customary law, the issue should be determined according to that law;

(c) in any other case, the issue should be determined according to the law of the place in which the land is situated.

Rule 5. Subject to Rules 1 to 3, where an issue relates to the devolution of the property (other than land) of a person on his death it should be determined according to his personal law.

Rule 6. Subject to the foregoing rules, an issue should be determined according to the common law unless the plaintiff is subject to any system of customary law and claims to have the issue determined according to that system, when it should be so determined.

(2) Where under this section customary law is applicable in any proceedings but a relevant rule of customary law has been assimilated by the common law under any enactment such as is mentioned in section 18 (1) of the Interpretation Act, 1960, that rule shall nev-

ertheless apply in those proceedings, but in the form in which it has been so assimilated.

(3) Notwithstanding anything contained in the foregoing provisions of this section, but subject to the provisions of any other enactment,—

(a) the rules of the common law relating to private international law shall apply in any proceedings in which an issue concerning the application of law prevailing in any country outside Ghana is raised;

(b) the rules of estoppel and such other of the rules generally known as the common law and the rules generally known as the doctrines of equity as have heretofore been treated as applicable in all proceedings in Ghana shall continue to be so treated.

It may be stated broadly that subsection (1) of this provision summarizes much of the case law on section 87(1) of the old Courts Ordinance; that it also rephrases that old section in seeming answer to the questions posed above; and that rule 6 actually alters the previous law in favoring the common law in two ways, first by making the common law and not "the principles of justice, equity and good conscience" the rule of last resort, and secondly by substituting for the former presumption of applicability of customary law to causes and matters between natives, a general presumption of the applicability of common law subject to the previous rules, "unless the plaintiff is subject to any system of customary law and claims to have the issue determined according to that system." Subsection (3) also restates the old position.

It now remains to consider the provision for assimilation by the common law of "such rules of customary law as are suitable for general application." Concerning this, the chief observation that remains to be made is that it suggests a completely new departure.

As the relevant legislation providing for such assimilation has yet to see the light of day, comment must await the raw material. Historically, it seems to have been the sugar-coating which served to enable the drafters or their instructors to administer the common law pill to Ghana's law-makers.

Short of legislative enactment by the national legislature, it is not easy to see how it can be left to the courts to decide which customary law rules to assimilate and generalize, and how communities subject to a different system of customary law of which they are equally proud are going to be induced to drop their own rule merely because the court has seen fit, in some particular case before it, to declare that a particular rule of customary law in one system is suitable for universal application and should be assimilated into the common law. This would seem to indicate that it would be preferable for the national legislature rather than the courts to tackle the general problem of customary law.

In one very important field, the new Courts Act makes an unqualified improvement. Under the old dispensation, customary law was treated as foreign law, a question of fact requiring to be proved as such. Not only was it paradoxical that the indigenous law should be so treated, but the consequent necessity for parties to prove customary law made the process of ascertaining customary law a hazardous and unsatisfactory one. It furnished scope for misstatement of the customary law in support of whatever happened to be a party's claim.

The new Act makes customary law a question of law for the court and utilizes machinery which was previously available for the independent ascertainment of customary law. It provides as follows:

Section 67. (1) Any question as to the existence or content of a rule of customary law is a question of law for the Court and not a question of fact.

(2) If the Court entertains

any doubt as to the existence or content of a rule of customary law relevant in any proceedings after considering such submissions thereon as may be made by or on behalf of the parties and consulting such reported cases, textbooks and other sources as may be appropriate, the court shall adjourn the proceedings to enable an inquiry to take place under the next subsection.

(3) The inquiry shall be held as part of the proceedings in such manner as the Court considers expedient, and the provisions of this Act relating to the attendance and testimony of witnesses shall apply for the purpose of tendering opinions to the Court at the inquiry, but shall apply subject to such modifications as may appear to the Court to be necessary:

Provided that—

(a) the decision as to the persons who are to be heard at the inquiry shall be one for the Court, after hearing such submissions thereon as may be made by or on behalf of the parties;

(b) the Court may request a House of Chiefs, State Counsel or other body possessing knowledge of the customary law in question to state its opinion, which may be laid before the inquiry in written form.

It remains to add, in conclusion, that common law rules of evidence are followed by all but the lowest courts of the land, that civil and criminal procedure, although laid down in codes, as is the criminal law, are modelled on precedents traceable to England and that they all exert a powerful influence on local customary law.

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Recent Books

By Robert C. Berry

STATES' RIGHTS VS. THE SUPREME COURT, by Thomas Wilcox. Forum Publishing Company, Boston, Massachusetts, 1960.

The people of the United States, we are told, have been entrapped by a monarch gone mad. Only it is not literally a monarch; it is the United States Supreme Court. "Indeed, we feel sometimes as if our entire 175 million inhabitants were being driven down the sheer declivity of history by madmen in the driver's seat; madmen whom it is impossible or extremely difficult to remove."

The result, we are informed, has been a trampling of the most basic intents of our Constitution. It has been an insistence on civil rights that is completely alien to the whole spirit of democracy. "As a result we today observe this entire half-continent rapidly deteriorating into one vast SKIDROW wherein anthropoids of every conceivable race, color and degree of spiritual degradation are forced by Big Government to mingle in narrow quarters to the ultimate of racial and familial confusion . . . In the long run, and not so long a run at that, it means the hybridization or mongrelisation of the races involved . . . [T]heir program, extrapolated a bit through time, can only mean the utter annihilation of that great Northern race which held forth for milleniums in Europe and for centuries in North America."

The Supreme Court and the nine men thereon are the harpies. And as they weave their spell, strumming their tunes of doom, the good ship United States is headed for the reefs. But here the author is

ready to leap into the breach, stuff cotton in the people's ears and steer them to safety. To do so, one need only return to pre-Civil War, pre-Revolutionary days, when there was only one people in these here hills.

Colorful

This is a colorful book; there is no denying that. It runs through all the hues of expression. The author has his thesis, and in case people do not catch it the first time, he repeats it over and over and over. Racial homogeneity is the word. National ethnic homogeneity is the goal.

It is not enough, however, for this author to state his thesis simply. Instead, he rages. He uses big words — anthropoidal, radices, even libertarianism. He attaches titles to the enemy — Negrophiles, ochlocrats, azonics, red-tinged publicists, werewolfists. Even his footnotes roar.

"It must be evident to any historically informed and reasoning mind that the 'Civil Rights', currently espoused by mixed megapolitans and race confusionists, are antipodeally at variance with States' Rights of the Jeffersonian model. When the confusionists speak of rights they are speaking of something which no man rightfully possessed during all prior ages. In reality, they are not speaking of natural rights but of a license to

trespass which they seek to have validated and enforced by powerful central governments. They are seeking a special license which could only result in the obliteration of all state, racial and familial boundries [sic] and the reduction of the entire population to a condition of racial bastardy and proletariahood." (f.n., p. 15.)

But the author is not content to restrict his message to a general exposition. He turns bard as well, with 46, yes 46, sonnets germane to the subject. Written in non-rhythmic, non-iambic, non-pentametric haberdashery, they do manage to have 14 lines.

"Before us now is that famous paper,
The Constitution of the You-Ess-Ay.
We begin to read from that potent shaper
Of politic destiny: 'We the People'
Is its prelude but already a stray
Doubt disturbs us. Who is this

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People
That the Drafters refer to?
Were they
Thinking of *homo sapiens*
entire
Or some special fraction of
those wise men?
Then comes 'of the United
States'. It lies then
That they had no intention to
aspire
As lawgivers to the whole hu-
man race;
Those early Americans had no
place
For such generality."

This book is dedicated to Gov-
ernment of the People, by the Peo-
ple, for the People. "People," of
course, means those of Celtic-Teu-
tonic stock. The rest can go, go
anywhere, but just go. For the
Negro, however, he has a specific
solution. Justice for Negroes is in-
terpreted as their voluntary return
to the tropics under the induce-
ment of sizable expatriation bonus-
es.

The Negroes, as would be ex-
pected, are his chief targets. Even
going back to times of slavery, he
is not entirely sympathetic. For
one thing, the slave owners, he
insists, were not wholly mercenary.
Their buying slaves was partly to
keep them from being hauled out
to sea and dumped. So here was
philanthropy, long disguised but
now revealed.

The author has long been out-
spoken on the subject of civil rights
or the need for the lack thereof.
It should be mentioned, though,
that his list of published works is
not overpoweringly long. In an-
other field is his *Anti-Bolshevik*

Bibliography, but otherwise one
will look largely in vain.

In the recital of his anti-bolshe-
vik bibliography, printed in typed
reproduction form, he does "dare"
to list some of his own writings on
the subject, but he explains that
they are still in manuscript form.
He "despairs" of their ever reach-
ing print. Somehow, though,
States' Rights vs. the Supreme
Court made it. It should not be
missed for the world. What fun!

True Democracy

The author goes into a long nar-
ration explaining the true spirit of
democracy and the states' rights
concept, as envisioned by the found-
ing fathers. He then proceeds to
show the past one and one-half
centuries of error. From mistakes
in the Constitution itself to the
horrendous calumnies which are
the 14th and 15th Amendments to
the abominable unmentionables of
the Supreme Court decisions, the
exposé proceeds.

At the end he outlines what
every good man and true should
strive to effectuate. The list is
long. Some of the more forth-
right tasks include: an organiza-

tion of militant states' rights par-
tisans; the impeachment of the
present Supreme Court; the rever-
sal of such decisions as *Shelley v.*
Kraemer and, needless to say,
Brown v. Board of Education; the
repeal of the 14th, 15th and 16th
Amendments; a *finis* to the "saga"
of immigration; and opposition to
the "un-American, pro-Communist
and race confusionists programs of
such azonic, exotic and Johnny-
come-lately organizations as the
Anti-Defamation League, The
American Civil Liberties Union,
The Association of the Foreign-
born and the National Association

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5:30, 9:20. This Angry Age —
3:35, 7:35. (Starts Sun.) Hell To
Eternity; The Flying Fontaines.

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ASTOR — Spartacus — Evenings
8:15 p.m.; Sun. Evening 7:30
p.m. — Mats. Wed., Sat., &
Sun. 2:00 p.m.

EXETER — I'm All Right, Jack —
2:05, 3:50, 5:40, 7:30, 9:20.

KENMORE — Song Without End
— 1:00, 3:10, 5:20, 7:30, 9:30.

TELEPIX — "M" — 11:56, 1:56,
3:56, 5:56, 7:56, 9:56. Cartoon &
The Golden Fish — 11:30, 1:30,
3:30, 5:30, 7:30, 9:30.

UPTOWN — Strangers When We
Meet — 10:55, 2:30, 6:05, 9:45.
(Fri. & Sun.) — 2:35, 6:10, 9:50.
Under Ten Flags — 12:50, 4:30,
8:05. (Fri. & Sun.) — 1:00, 4:30,
8:10.

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Anthony Perkins

Silvana Mangano

"This Angry Age"

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for the Advancement of Colored People."

This book could have stated simply and clearly the arguments for the states' rights position, based on the intention of the drafters of the Constitution and denying the right to change by other than formal amendment. It could, in its consideration of the many Supreme Court cases in this area, have stuck strictly to legal arguments — *stare decisis*, constitutional and legislative intent and so forth. It could have avoided ranting and raving. It could have been something other than ludicrous. It is not.

Whatever basic ingredients exist for a responsible states' rights position, there is little use in trying to make a crepe suzette out of an ordinary pancake. When the blowtorch is applied, the substance just becomes burned, unappetizing and unpalatable. It might be amusing to behold but not to digest.

Did you know that "Jesus Christ, Too, Was a Racist and Segregationist?" The author knows. But why be content with Christ? Why not cinch the matter as to Judaism as well? He does. "Moses was a 'Racist' and 'Segregationist,'" he declares.

Cervantes wrote *Don Quixote*.

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Letters to the Editor

To the Editor:

I would appreciate your giving some attention to the shocking abuses of the facilities of the Langdell Library. Books are taken and left in ridiculous, unused — and unusable — stacks on the reading tables by a careless few. As a result many students must spend more time *finding* an index volume than they should spend in the research of the whole point in question.

That all of these books are not being read is manifest; that they are being kept from the eyes of many who would read them is scandalous. And that the men of Har-

vard Law School go so far as childish to remove indices such as Digest "Tables of Cases" volumes and volumes of "descriptive words" is a sad commentary on their readiness for a far from childish profession.

Studying behind piles of thick tomes impresses no one. Why not bend down and put the Digest back? Why not return all but the half-dozen reporter volumes your immediate needs require? Why not use the indices at the reference table — insofar as possible — and replace them in their proper order when you have finished with them?

I submit that such mature consideration and thoughtfulness for others costs each of us but a moment and, in the long run, saves everyone hours.

Nicholas G. Ciriello, 1L

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Anchovy	99¢
Italian Sausage	\$1.15
Mushrooms, Green Pepper	99¢
Shrimp	\$1.15
Chicken	\$1.20
Salami, Mushroom, Onion, Green Pepper	\$1.25
Lobster	\$1.15

Any Combination of 2, 15¢ Extra

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Open 9 a. m. — 1 a. m.

Fri. Thru Sun. 'til 2 a. m.

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