



Harvard Law Record

America's Oldest Law School Newspaper

VOL. 34

CAMBRIDGE, MASS., MARCH 15, 1962

NO. 6

'Political Revolution' Urged

By Donald W. Kramer

A sixty-year-old Negro minister from Mississippi came to Harvard Law School last week to seek support for a "political revolution" in the South.



— RECORD Photo by Donald W. Kramer

Reverend Smith

The Reverend Robert L. T. Smith, the first Negro to run for major political office in Mississippi since Reconstruction days, told

a crowd of nearly 100 persons at a Law-Graduate Young Democrats meeting that the Negro is no longer satisfied with the suppression of human dignity and human rights. "Any one who tells you we are happy, that we don't care about voting, that we are satisfied to stay in our 'place' is as far from the truth as the North Pole from the South Pole," he declared.

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Hoffa Presents 'Rain Check'

James Riddle (Jimmy) Hoffa, General President of the International Brotherhood of Teamsters since 1958, will address the Harvard Law School Forum on Friday, March 30 at 8:30 p. m. in the Rindge Technical High School Auditorium. The program comes on the heels of the Forum's presentation of the Reverend William Franklin (Billy) Graham on Monday, March 26, at 8:30 p. m.



Hoffa

(Continued on Page 4)

Hearsay

For purposes of the forthcoming room drawing, the Law School Dormitory Office has decided this year to allow members of the Dormitory Council (who are not also officers and do not therefore enjoy automatic priority) to be moved to the head of their priority group if "recommended by the [Council] officers as having actively and faithfully performed their functions as members of the Council" (see story on page 5). Due to the particularly high standards of conduct assumed by a student upon asking his fellow students to elect him to the Council, and since the granting of special priorities constitutes a *privilege* to the detriment of others on whom such a benefit is not similarly conferred, the RECORD would like to suggest that any Council member who has been guilty of a parietal hour violation during his term of office be conclusively deemed *not* to have "actively and faithfully" performed his function as a member of the Council.

* * * * *

For the past few weeks the law student's life has been a little more burdensome. The extra weight consisted of water-logged shoes, socks and other pieces of clothing (when maintaining a sense of balance became impossible). The reason for all this saturation was the slush and ice that was left lying on the sidewalks that surround the Law School like a moat. Instead of scraping the ice from the walks, "the boys" from Buildings and Grounds added another ingredient to the muck — pseudo-sand. That ingredient became a new base to which the next day's sand was added, thus building a quagmire from which we may still be digging come the rains. But come fair weather "the boys" will be out in force collecting the dry muck (possibly for reuse). In view of the expense of putting down and taking up the sand, why not just shovel the slush?

Harvard Law Record

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Published weekly on Thursdays during each academic year in the months September through December and February through April by THE HARVARD LAW SCHOOL RECORD CORPORATION, 23 Everett Street, Cambridge 38, Massachusetts. Subscription price: \$2.00 per semester, \$4.00 per year mailed; student subscription, \$2.00 per year distributed at the Law School. Individual copies 15c each at the Law School, 25c each mailed. Business and editorial offices, 23 Everett Street, Cambridge 38, Massachusetts. Telephone UNiversity 8-7600, extension 418.

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COMMENT

By Fenno

In the most recent renegotiation of the railroad labor contracts the issue which proved the most difficult to settle and which almost resulted in a strike was the railroads' insistence that feather-bedding be eliminated. The President appointed a fact-finding committee to explore this problem and make recommendations. The report of that committee is now in, and it seems to contain an eminently reasonable solution to this vexing problem.

It should be perfectly clear that many of the nation's railroads are in dire economic straits. Yet their maintenance in a healthy condition is vital to the security of the United States. If they are not to be forced into bankruptcy, they must effect economies in every way possible. One such imperative economy is the elimination of so-called "full crew" rules and other such antiquated relics of a plusher era.

Generally the report of the committee supports the roads' position that far too many unnecessary jobs exist.

The committee recognized, however, that a sizeable displacement of employees was involved in its recommendations. It therefore urged that provision be made for adequate severance pay, retraining where possible and the creation of a nationwide pool of displaced employees from which the railroads would fill vacancies.

As is monotonously the case with such proposals, no matter how reasonable, railroad labor has announced its opposition; the railroad brotherhoods have announced that they plan to conduct a mail vote to seek authorization for a strike (although they claim they have no specific strike in mind). The railroads, while not as enthusiastic as one might hope, seem to support the proposals.

One can only hope that public opinion will rally behind what seems to be a reasonable solution to a nagging economic and social problem.

Upper Ames Starts Tonight

By F. Bruce Abel

Before a week passes, two of the eight clubs participating in the Ames quarterfinal competition will be "washed overboard" after arguing cases concerning commercial shipping vessels. Tonight in the James Barr Ames Courtroom, second year members of Holmes and Casner Equity Clubs will argue the case of *West India Fruit and Steamship Co., Inc., v. National Labor Relations Board*. The court will decide whether the NLRB has jurisdiction over a dispute between an American union attempting to force organization of a foreign crew working on a ship under Liberian registry and operated by the other party in the dispute, a Virginia corporation. The Board upheld its jurisdiction when the union charged the Virginia company with unfair labor practices. The company then appealed to the United States Court of Appeals for the Ames Circuit.

Oralists Listed

Presenting the argument on behalf of the Holmes Club tonight will be Pierre S. du Pont IV, Rockland, Delaware, and David J. Supino, Demarest, New Jersey. Opposing them for Casner Equity Club will be Lawrence A. Carton, Locust, New Jersey, and Bryant C. Danner, Evansville, Indiana. They will argue before the Honorable Peter Woodbury of the United States Court of Appeals for the First Circuit, chief justice, and associate justices Kirk Smith, Esq., of the Providence firm of Edwards and Angell, and John J. Delaney, Jr., Esq., of Nutter, McClennen and Fish, Boston.

Joining in the preparation of the brief for the Holmes Club were Anthony M. Carey, Reisterstown, Maryland; James E. Kelley, Jr., West Hartford, Connecticut; Richard L. Lassen, Mesa, Arizona; James R. Nichols, Wellesley, Massachusetts; Harold I. Pratt, Jr., Oyster Bay, New York; and James A. Wallace, West Hartford, Connecticut. Their counterparts on the Casner Equity Club are John R. Burdick, Jr., Chicago, Illinois; Nicholas G. Ciriello, Waterbury, Connecticut; Stephen B. Hoskins, Morristown, New

Jersey; Miss Susan F. Schapiro, Hamilton, New York; Lawrence R. Small, Spokane, Washington; and Richard H. Troy, Melrose, Massachusetts.

Monday night the Choate and Root Law Clubs will argue the case of *Alejandro Q. Lopez v. Ramon Ruiz Guinart*, arising from injuries of a longshoreman allegedly sustained from inhaling fumes while "trimming wheat" aboard the respondent's vessel. The United States Court of Appeals for the Ames Circuit affirmed a district court judgment in favor of the respondent on the grounds that the owner was not liable *in personam* and because the vessel was not unseaworthy, since it was "staunch and fit" for the services intended.

Club Members Assist

Oralists for the Choate Club will be Duane R. Batista, Chicago, Illinois, and Joseph J. Zedrosser, Milwaukee, Wisconsin; opposing them will be Alan M. Black, Bethlehem, Pennsylvania, and Paul H. Feinberg, Shaker Heights, Ohio. Choate Club members of counsel on the brief are Edwin H. Amidon, Jr., Dewitt, New York; Alexander Bancroft, New York, New York; Peter L. Berkley, Millburn, New Jersey; John T. Franklin, Cambridge, Massachusetts; William P. Latimer, Paoli, Pennsylvania; and Harvey Tropp, Cambridge, Massachusetts. Associates for the Root Law Club are Herbert Bass, Ventnor, New Jersey; David I. Berman, Hollywood, Florida; George A. Chester, Jr., Fredericksburg, Virginia; Barry F. Corn, Flushing, New York; Michael J. Polelle, Chicago, Illinois; and Joel M. Shere, Southfield, Michigan.

Judges Named

The Honorable Andrew A. Caffery of the United States District Court in Boston will sit as chief justice, with J. Wells Henderson, Jr., Esq., of the Philadelphia law firm of Rawle and Henderson, and Robert J. Hallisey, Esq., of the Boston law firm of Bingham, Dana and Gould, sitting as associate justices.

Both arguments will begin at eight o'clock in the evening.

Professor Glueck To Deliver Four Lectures

Professor Sheldon Glueck has been selected to deliver the four-part 1962 Isaac Ray Lectures to be sponsored by the Schools of Law and Medicine of Tulane University in April.

The general topic of Professor Glueck's talks will be "Psychiatry and Law: Cold War or *Entente Cordiale*?" The individual lectures are entitled "Dilemmas in the Partnership of Law and Psychiatry," to be given on Tuesday, April 3; "From *M'Naughten* to *Durham*," on Wednesday, April 4; "Beyond *Durham*," on Thursday, April 5; and "Wider Horizons for Psychiatry and Law," on Friday, April 6.

Cram Room Is Site

All four talks will be given in the Kendall Cram Room of the Tulane University Center. The first three will begin at 8 p. m. on the respective evenings; the fourth is scheduled for 3 p. m. the final day.

The Isaac Ray Lectureship is made possible by a grant from the Board of the Isaac Ray Award of the American Psychiatric Association. Each year the Board has the responsibility of selecting an attorney or a member of the American Psychiatric Association to give a series of lectures in a university containing both a law school and a school of medicine. The Award has been in effect since 1951.

Hoffa

(Continued from Page 1)

in Sanders Theater.

The Hoffa program represents the fulfillment of a broken promise made to students during registration last fall, when Forum touts sold season tickets on the solemn affirmation that Hoffa would be the first speaker of the academic year, although news of the labor official's cancellation of that appearance had already been transmitted to the Forum prior to registration.

Hoffa is chief administrative and executive officer of an organization of one and a half million members. He rose to this position through his work in Local 299 and Joint Council 43 in Detroit. He became known first for his "aggressive area-wide bargaining" to secure contracts favorable to the employees

SMOKE GETS IN YOUR ICE



— RECORD Photo by Donald W. Kramer

Cambridge firemen are shown carrying hose line up aerial ladder to reach smoky fire in the Everett Street apartment of Michael Sklar, 2L, in the early morning hours of Sunday, March 3. The blaze broke out in a closet about 3 a. m., causing extensive damage to the apartment and forcing residents of the building out into the light snow and ice. Firemen worked nearly an hour to quell the fire and about an equal length of time to remove the heavy firefighting rigs from the snow-bound street.

of the trucking industry.

During a strike in 1939, Hoffa was jailed eighteen times within twenty-four hours for picketing. His union activities have been scrutinized by Congressional committees for several years, causing some of his supporters to claim "a persecution of the labor movement." Meanwhile, Hoffa's strength has continued to grow in proportion to the controversy which it generates. Personally he does not drink or smoke, is a devoted husband and father, and is a Republican.

Panelists at the meeting will be John T. Dunlop, Professor of Labor Economics, and John R. Meyer, Professor of Public Administration, both of Harvard University. Derek Bok, Professor of Labor Law at the Law School, will moderate the discussion.

Room Drawing Priorities Announced

By Charles F. Waite

The Law School Dormitory Office announced today the schedule of priorities to be used in the room drawing for dormitory accommodations during the 1962-63 school year.

Room reservation cards will be mailed to all first and second year students next week. Inasmuch as extensive renovation of the dormitories is planned to take place during the summer, some room categories on the reservation card may seem unfamiliar. [The RECORD suggests that students hold their confusion in abeyance until next week, at which time the RECORD will explain in detail the changes to be made as a part of the last article in its three-part series on the Harvard Law School Fund. — *Ed.*]

The room drawing, which is scheduled to take place this year during the Spring Recess, begins with the segregation of all cards returned by students currently in the first and second years into the following eighteen categories, with room assignments being made in the order shown in the left column. (References to classes in the chart are to those of the students *next term*; "signed" refers to the student's having signed the dining hall agreement on the back of the reservation card.)

- 1 Disabilities requiring special location.
- 2 Proctors and Dormitory Council officers.
- 3 Third year, never lived in, signed.
- 4 Third year, never lived in, not signed.
- 5 Second year, never lived in, signed.
- 6 Third year, lived in six months, signed.
- 7 Second year, never lived in, not signed.
- 8 Third year, lived in six months, not signed.
- 9 Second year, lived in six months, signed.
- 10 Third year, lived in one year, signed.
- 11 Third year, lived in one year, not signed.
- 12 Third year, lived in one and one-half years, signed.
- 13 Second year, lived in six months, not signed.
- 14 Third year, lived in one and one-half years, not signed.
- 15 Second year, lived in one year, signed.
- 16 Third year, lived in two years, signed.
- 17 Second year, lived in one year, not signed.
- 18 Third year, lived in two years, not signed.

Dormitory officials pointed out that the purpose of the priority system is to provide a fair and equitable means whereby all students who desire to live in the dormitories are given equal opportunity throughout their three years. (Inasmuch as there are only about a third as many rooms as there are law students, the Law School does not follow the system adhered to by many colleges which have a surfeit of rooms, *viz.*, giving priorities to those who have had rooms for the greatest lengths of time.)

Assistant Dean Wesley E. Bevins, Jr., pointed out that Dormitory Council officers — president, vice president, secretary and treasurer — are given priority just below that of students having serious disabilities, but that this priority does not include the right to demand a specific room.

"Other members of the Council recommended by the officers as having actively and faithfully performed their functions as members of the Council will be moved to the head of their own priority group," he added.

DRAMA NEWS

Law School Variety Show Set for March 24

The second annual (new series) Law School Variety Show will be presented by the Dormitory Council at Rindge Technical High School Auditorium on Saturday, March 24, at 8:30 p. m. The auditorium, largest in the Law School area, was chosen because of the sell-out performance of last year's show.

Among the numbers to be featured in this year's show will be selections from the 1961 Lincoln's Inn Christmas Show.

Tickets, at \$1.00 each (with a 50¢ discount for holders of Dormitory Association cards), are available from the Langdell Hall Receptionist and Dormitory Council representatives; they will also be sold at Harkness Commons.

Your Blood Is Wanted By PBH Committee

The Law School Committee of Phillips Brooks House announced this week that the PBH Drives Committee has put out a call for students to donate blood to the Cambridge Chapter of the American Red Cross.

In a letter to all graduate students (which was also sent to all law students), the committee pointed out that there is a need for blood every thirty-six hours in the Harvard community. In addition to helping satisfy this need, a law student who donates blood will "guarantee unlimited free blood" for himself, his wife and children, and his parents, brothers, sisters and grandparents. His donation of just one pint will also help the Red Cross to continue to supply free blood to disaster areas and hospitals, the committee added.

Students who wish to donate were asked to fill out and mail the card enclosed with the committee's letter as soon as possible.

Donations will be accepted at Harvard's Memorial Hall from 10:45 a. m. to 4:45 p. m., Monday through Friday, April 16-20.

NAACP Attorney To Speak

On Monday at 4 p. m. in the James Barr Ames Courtroom the Student Bar Association will present the fourth in its series of lectures on "Lawyers' Problems of Conscience." The speaker will be Jack Greenberg, legal counsel of the National Association for the Advancement of Colored People. His topic will be "Professional Responsibility and Its Relation to Civil Liberties." Admission for those who are not members of the Student Bar Association will be 50 cents or by series ticket.

Cox Talks Saturday

Former Royall Professor of Law Archibald Cox, currently Solicitor General of the United States, will be the principal speaker at the annual Dickinson School of Law Student Bar Association Dinner in Carlisle, Pennsylvania, on Saturday evening.

Mr. Cox began teaching at the Harvard Law School in 1945, serving continuously until his appointment as Solicitor General on January 23, 1961.

ILC 'Affair' Is Set As Weekend Attraction

"The International Affair" is the theme of an evening of "dancing and fun" to be sponsored by the Harvard International Law Club on Saturday at 8:30 p. m. in Harkness Commons.

The "original" Seven Sons of Harvard, featured band on the Holland-America Lines and at the Bermuda "College Week," will provide dance melodies. The aggregation was the United States' "representative" to the International Jazz Festival.

The "Affair," billed as a "dance and cabaret" with bar and refreshments, costs \$2.50 for couples, with "solo" admissions going for \$1.50. ILC officials pointed out that those attending are encouraged (but not required) to wear their native costume or national dress. Tickets are available from the Langdell Receptionist and from International Law Club officials.

Hillel To Hear Shulman

The Hillel Round Table of World Affairs will present Professor Marshall Shulman, Associate Director of the Harvard University Russian Research Center, at a meeting to be held Sunday at 4 p. m. in Phillips Brooks House. Professor Shulman will speak on "Recent Developments in Soviet Foreign Policy."

SHELTER DEBATE ON TAP

Two experts on armament policy will debate "Bomb Shelters" tomorrow at 1:40 p. m. in the Harkness Commons Meeting Room. The program will be sponsored by the Harvard Law-Graduate Democratic Club and is open to the public.

Debaters Named

George B. Kistiakowsky, chemistry professor and scientific advisor to President Eisenhower in 1959-60, will support shelters. Taking the opposite position will be David F. Cavers, Fessenden Professor of Law at Harvard. Roger D. Fisher, Professor of Law, will moderate the program.

Judicial Reform Recommended

By Donald W. Kramer

The Legislative Committee of the Massachusetts Bar Association, headed by Harvard Law School Professor Livingston Hall, has recommended a series of measures to alleviate congestion in the Commonwealth's judicial system.

The Committee has caused six bills to be filed with the legislature and at a meeting last month took a position on 32 of 35 other pending bills that were selected for consideration by Professor Hall and the MBA's new legislative representative, Charles J. Dunn.

Among the bills introduced at the urging of the Committee were ones to increase the number of associate justices of the Superior Court from 37 to 45, to extend the rule-making power of the Supreme Judicial Court, to increase from \$1,000 to \$3,000 the potential recovery in contract or tort cases transferred from Superior Courts down to District Courts and to increase the authority of the Administrative Committee of the Probate Courts.

Temporary Recall Approved

The Committee recommended approval of bills to allow temporary recall of retired justices of the Supreme Judicial Court to serve on a per diem basis as in the federal system, to avoid court shut-downs by eliminating the requirement of three judges in hearings on temporary restraining orders and preliminary injunctions in labor disputes and to increase the upper monetary limit of small claims court damages to \$150.

Another important measure supported, Professor Hall told the RECORD, was a bill to change the methods of determination, examination and disposition of defendants in insanity cases. He said the bill did not change the insanity test, however.

The group also compromised with a bill to increase the recovery limits for death caused by negligence from \$2,000-\$20,000 to \$5,000-\$50,000. The group recommended limits of \$4,000-\$40,000.

Professor Hall said the general committee program, now in its second year, was designed by MBA President Harold Horvitz,

LL.B. '25, in an effort to develop more effective communication between practicing lawyers and the legislature. He said it was difficult to get members to take time off to attend hearings or to testify. With a representative on Beacon Hill, he said, the bar is in a much better position to make itself felt.

Bills for consideration are determined by Professor Hall and Mr. Dunn from the more than 4,000 submitted each year. Mimeographed summaries are mailed to the committee members, the board of delegates, the presidents of local associations and chairmen of local legislative committees. A preliminary vote is taken by mail, and the final recommendations are agreed upon at a meeting of the full committee.

No Action on AMA Request

The group took no action on a request from the American Medical Association to adopt a position on the President's proposed bill for medical care benefits for the aged under Social Security. It did, however, recommend that prisoner docks be substituted in court rooms for the cages that Massachusetts still requires prisoners to sit in during trial.

Lodge at Republican Club

George C. Lodge, candidate for the Republican nomination for United States Senator from Massachusetts, will address a meeting of the Harvard Law and Graduate Schools Republican Club on Tuesday, March 20, at 1:30 p. m. in the Harkness Commons meeting room. Lodge was Assistant Secretary of Labor for International Affairs during the Eisenhower Administration.

On Monday, March 26, the Republicans will present a panel of national figures to discuss "Problems in the Integration of the NATO Countries."

Last Chance!

Today marks the last day of the Langdell Library Treasure Room's exhibit concerning Justice Stephen J. Field and his brother, David Dudley Field.

Attorney Brodsky Discusses Ethics

On Friday evening, noted New York defense attorney Abraham Brodsky, LL.B. '27, addressed a meeting sponsored by the Harvard Student Bar Association on the topic "Ethical Problems in the Prosecution and Defense of Criminals."

Mr. Brodsky used the recent sensational murder trial of Peter Manceri, in which he was counsel for the defendant, as the basis for his address. His lecture covered three main points: (1) the problems of the free press and the right to a fair trial, (2) the problem of discovery in criminal cases, and (3) the defense of unpopular causes.

Mr. Brodsky proclaimed a necessity for proper limitations on pre-trial press "sensationalism," especially in murder cases. As to discovery, he urged that district attorneys should be required to turn over all evidence discovered to the defense, in the interest of the fair administration of justice. He spoke of the success of California procedure in this regard. With respect to the defense of unpopular causes, Mr. Brodsky noted that the Constitution does not discriminate when it states that no man shall be deprived of life, liberty or property "without due process of law."

After his well-received lecture, Mr. Brodsky answered numerous questions from the audience. He later continued to do so at a reception held in his honor in the Harkness Commons meeting room.

Purim To Be Celebrated

The festival of Purim will be celebrated Monday at Hillel House, 5 Bryant Street, Cambridge. Hillel officials announced this week. At 6 p.m., a Purim Eve service will be held; at 6:30, the reading of the *Megilla*, the *Book of Esther*; at 7:30, a double feature of films ("The Bespoke Overcoat," an Academy Award winner, and "Greenfields," a Yiddish comedy with English subtitles); and at 9, a Purim party with singing, dancing and *Hamantaschen*.

A Purim morning service will be held in Phillips Brooks House at 7:30 a.m. on Tuesday. There will be a Purim Sherry Hour at Hillel House from 3 to 5 p.m. later that day.

Lighting Plan Is 'Guaranteed' by Fall

By Donald W. Kramer

The new lighting plan for the Langdell Library reading room is "guaranteed" to be completed by the opening of school next fall, Vice Dean Louis A. Toepfer said this week.

The \$150,000 project, designed by lighting genius Abe Feder, is proceeding on schedule. The lighting contract was let last week to the Kleigl Company, developers of television "Kleiglites." The electrical contract will be awarded in the very near future. About \$15,000 to \$20,000 of electrical work will be done in the attic above the ceiling before the end of the term.

Period of Testing

The final design characteristics were determined recently after a period of testing with the model fixture in the south end of the main reading room. The project is intended to provide better reading light with less glare for the student and less expense for the Law School. The new fixtures will be hung in a false ceiling in the main section of the reading room, with special effects added in the alcoves between the columns at each end.

Yearbook Almost Viable

The editors of the 1962 *Harvard Law School Yearbook* announced this week that the Yearbook is currently in the printing stage. They expect that it will be available for distribution immediately after the Spring Recess.

This year's *Yearbook* will have several new features. Its length has been increased from the 208 pages of previous editions to 220 pages. Color pictures have been added. There will also be an introductory section, and a new, special paper is being used. A limited number of subscriptions are still available and may be obtained by writing the *Yearbook* office, 23 Everett Street, Cambridge 38.

Loss Moderates 'Japanel'

Law School Professor Louis Loss moderated a panel discussion yesterday afternoon on "Aspects of Japanese Trade" at the International Trade Center of Boston. Panelists included prominent Japanese financial and business leaders.

Professor Berman Continues Moscow Lectures

By Stephen F. Robertson

Professor Harold J. Berman is continuing this week his lecture series on United States law at Moscow University. The series is the first of its kind ever to be delivered to Russian students and has received praiseworthy attention in the American press, including front-page coverage in the *New York Times*.



Professor Berman

The lecture series is scheduled to run for twelve weeks and is currently playing to "SRO" audiences. As it is a lecture course, the Socratic method will mercifully be eschewed, but the case method, of course, will be thrown into the breach. The subject matter of the series will range over the entire American system of government, presumably so as not to bore the students with nothing but stuffy legal matters.

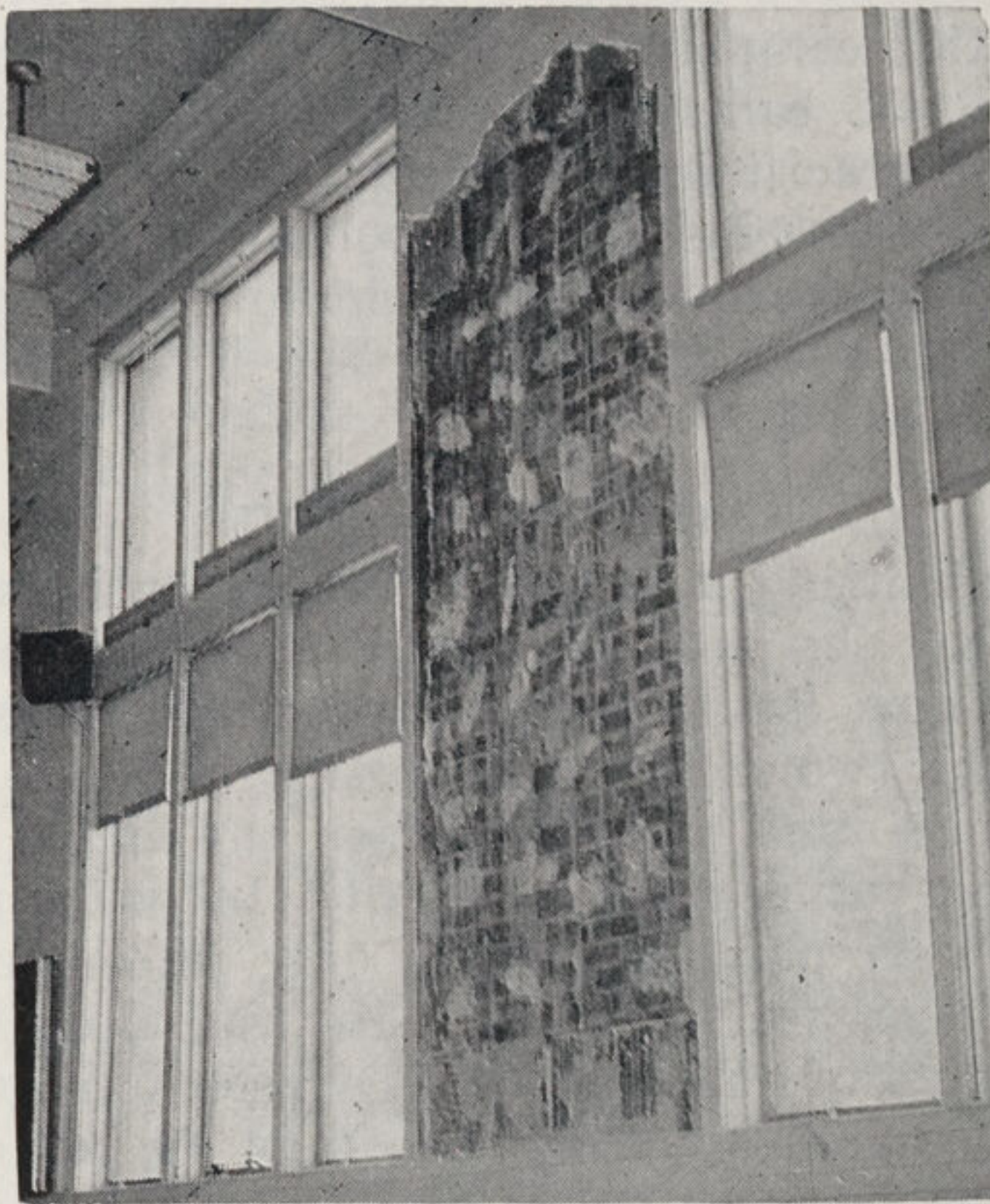
Professor Berman is on sabbatical leave from the Law School to do legal research in the Soviet Union. A Sovietologist of some renown, he normally teaches a course in Comparative Soviet and American Law at the Law School. He is currently preparing an article on the nature of his Moscow University lectures, the ideas he is attempting to communicate in them, and the response of the students for exclusive publication in the RECORD.

THE SKY IS FALLING!

By Donald W. Kramer

If Chicken Little had been in Langdell North last week, he would not have been far from wrong if he thought the sky was falling. University masons had to remove a portion of tiling from this section of the east wall after it began to bulge and became potentially dangerous.

According to Buildings and Grounds



— RECORD Photo by Donald W. Kramer

Superintendent James Ingraham, the tiles are about 12" by 12" by 11½", constructed in a "U" shape, with the hollow side towards the limestone and brick outer wall of the building, and are held up only by the mortar between the edges of the tile and the bricks. Moisture and vibrations over the years have knocked them loose. The University has previously had trouble with the end wall and another segment of the east wall.

Repairs will begin during the Spring Recess, the first week in April, Ingraham said. Three coats of plaster will be placed over wire lath so that there is no chance of its falling. The process will take nearly two weeks to complete.

'LITTLE BROTHER' DISSECTED

A former president of the RECORD, Joseph A. Page, LL.B. '58, dissects "The Precocious Ted Kennedy" in the lead article of the March 10 *Nation* magazine.

'Revolution'

(Continued from Page 1)

He called for support for two civil rights bills pending in Congress — the Mansfield-Dirksen bill in the Senate to make a sixth grade education sufficient to pass any literacy test and a House bill to abolish poll tax — and then described his own candidacy against Congressman John Bell Williams (D.-Mississippi) for the Democratic nomination in Mississippi's Fourth Congressional District. Smith's campaign manager, William Higgs, LL.B. '58, called Williams "probably the most ardent racist in the Congress." [Higgs has returned to his Law School on at least one previous occasion to promote civil rights causes — see the RECORD for November 9, 1961. — *Ed.*]

Furthering the Drive

Admitting it would be "overly optimistic" to say he had an even chance against Williams, Smith said, however, that passage of the two bills would greatly increase his chances and would further the drive for Negro voting rights generally. In his district, 46 or 47 per cent Negro, only six or seven per cent are registered. He estimated that passage of the Mansfield-Dirksen bill would immediately qualify more than 60 per cent of the Negroes in his district who are now unable to pass the literacy test that he claimed is arbitrarily and unfairly applied.

As part of his effort to "get the word out" about conditions in Mississippi, he said it was hard for Northerners to "imagine the fear a Negro has when he goes into a courthouse." They know white people "don't hit everybody who comes in," Smith said, "but they don't know when they will meet the one who *does* do the hitting." He said the fear was worse in areas where Negroes still "remember the tree and the limb where they saw people hanging."

Racial Violence, Killing

He went on to cite a case of alleged racial violence and killing in Liberty, Mississippi, last fall after Negroes began to seek to register. That was only "lynching by another method," he asserted.

He said his own area of Hinds County was not as bad as some others. He said that Negroes were allowed to pay their poll taxes and "if they go up a couple of times, they will

be allowed to register."

Conceding he had little chance against Williams in the primary election June 5, he quoted the proverb that a journey of a thousand miles starts with a single step. He plans to run as an independent in November even if he does not win the party nomination, he said.

When asked if he feared reprisals, he noted "there is nothing to be lost because we didn't have anything to start with.

"We have already accomplished part of what we started out to do — to get a political awakening of the Negroes and some whites. We might even awaken [Senator] Jim Eastland [D.-Mississippi]. He may not blab so many things that are unworthy of a man with the high office he holds."

Pleasant Gentleman

Smith, a pleasant gentleman who was described by Southerners in the audience as "almost typical" of Southern Negro ministers, also made stops at Brandeis University, Harvard College and the liberal "Stand Up For Freedom Rally" in New York during his trip last week. At each stop he urged support of the civil rights legislation and then discussed his own campaign.

Lapsing occasionally into a pulpit approach, he invariably took a circuitous route in answering questions from the floor. "I never went to law school and I don't know how to get right to the point," he quipped. But he appeared to make a generally favorable impression with his discussion of the campaign.

"Fair" Solution

He denied he made any appeal based on race alone. "If I don't have a fair solution and a better solution than the other candidates," he said, "I don't want anyone to vote for me." Asked for the points of his platform, he said no formal statement had been prepared but that it would follow closely the 1960 Democratic Party platform adopted in Los Angeles.

He said his campaign was receiving very little publicity in white newspapers in his district and that the best way to reach the people was by radio or television. "It takes a good deal of courage to come out to a mass rally," he noted. Both Negroes and whites fear for their physical safety and economic reprisals, he claimed.

Law School Fund Examined

This is the second of three articles to be published by the RECORD concerning the nature and administration of the Harvard Law School Fund and the Financial Aids Program. The final article will appear next week. — Ed.

By Daniel J. Kucera

The vital importance to our country of strong institutions of higher education is something which today needs no reiteration. Independent educational institutions not relying on appropriations from government sources must play a major part in the educational scheme of a free country. Independent institutions today face particular difficulties of their own, struggling with continually increasing operating costs not matched by corresponding increases in endowment income. Regular annual giving has become a major source of income and support for independent educational institutions; and this has become particularly true in the case of the Harvard Law School. . . . In playing a part in the great task of strengthening our educational system, each person has primary loyalties and obligations to the schools which gave him his own education. To the Harvard Law School we are indebted for our start in our profession and for much of what we have been able to achieve in it. *Carlyle E. Maw, LL.B. '28, New York City, National Chairman of the 1961-62 Twelfth Annual Giving of the Harvard Law School Fund.*

Before the Fund was established in 1950, there was no regular solicitation of alumni. The postwar needs of the Law School, however, made the urgent necessity of such a program evident. In 1948-50 an ambitious capital funds campaign was run chiefly to raise "wampum" for the new dormitory complex. The continuation of such an intensive effort, however, could not justify its costs. Consequently, in March of 1950 a

committee headed by Wilkie Bushby, LL.B. '21, New York, New York, recommended the immediate establishment of an annual giving program as a more realistic alternative. To inaugurate and direct the new fund, Assistant Dean Wesley E. Bevins, Jr., LL.B. '48, was recruited.

The establishment of a successful annual giving plan faced practical problems. Except for those few classes with active secretaries, there was little class cohesion, there were few reunions, and no Law School football team could draw old *Veritates* together. Most alumni had not also attended Harvard College; they had prior commitments to their own schools or to other institutions such as museums, orchestras or science projects. However, Harvard planners capitalized on their one unique asset: most alumni spoke and lived the common language of "law."

The first year was short, kicking off in December of 1950, hitting the end-zone on June 30, 1951. However, the response was good, as 1,781 alumni and friends contributed \$64,000 at a time when many were still paying on their pledges to the special 1948-50 drive. During this first year, the Scholarship Committee and the Parents' Fund were also established.

Loyal and Hardworking Alumni

Today the Fund organization comprises several hundred loyal and hardworking alumni across the country. The national officers include a chairman and several vice chairmen. The 50 states, Puerto Rico and Canada are divided into 73 districts, following state and population boundaries, and each district has a chairman. This whole area organization approaches every one of some 16,500 graduates and most of the 6,000 non-graduate alumni usually by the end of the calendar year.

There is a class organization complex, too. For every class in the 20th century, there is an agent. The agents take up the drive in February and contact alumni through June. There are also specific committees within the Fund which focus on more limited groups and particular purposes. These

include the Scholarship Committee, the Library Committee, the Graduating Class Parents' Committee and the 25th and 50th Anniversary Gift Committees.

Finally there is the Cambridge office of the Fund under the direction of Dean Bevins. This office does no solicitation; that is the job of the area chairmen and class agents. Rather it assists and coaches the "men in the field" by supplying them with tools such as Fund literature, lists, sample letters and notices of gifts received; it is the general information-and-supplies ganglion.

Time Schedule of Work

The *Twelfth Year of Annual Giving* began July 1, 1961, and will run to June 30, 1962. During this period, the area and class organizations follow a time schedule of intense work in contacting alumni. Early last fall, each graduate received a report summarizing last year's drive and, later, another brochure describing this year's needs. Then the state and district chairmen and committee members sent out letters or made personal calls to each alumnus during November and December. Before 1961 ended, the area organization followed up on most alumni who had not yet responded. Beginning in February, the class agents write to members of their classes to "encourage the silent men" and acknowledge gifts made. Meanwhile, the area organization continues to send personal notes and make visits and telephone calls to the dormant. In May class agents again mail letters of stimulation. In early June area people scan lists for old friends not yet heard from, and finally, in mid-June, last chance reminders are sent. These prodders are usually clear and effective. For example, one of a few years ago, developed from an idea of Edward S. Pinney, LL.B. '21, then national chairman, reads:

One thing we *can't* do with credit cards is to do our part in support of higher education.

Alumni and friends make gifts of many sizes and in many shapes and forms, for both current use and for additions to various endowment funds. Cash, checks, bonds, stock certificates, warrants and even deeds to houses have been received. "Grand Givers"

are those giving \$1,000 or more, and "Sustaining Givers," \$500 - \$1,000 for unrestricted purposes. Other donors make gifts for the \$500-or-more dues of the Scholarship Committee, for endowed memorial scholarships, for the purchase of books and for building purposes. Gifts come indirectly, too: bequests, corporate gifts matching those of alumni in their employ, and gifts in kind — books, papers, and memorabilia — to the library are becoming more common and generous.

The response to the Annual Giving Program is impressive. During the first eleven years of annual giving — December, 1950, to June 30, 1961 — contributions totaled \$3.9 million. In the 11th year alone, 8,000 donors gave \$566,000. Since 1950, the percentage of graduates participating per year has grown from 13.5% to a healthier 45%, the number of people contributing per year has risen 450% and the total monies received per year has soared 1,100%. The current giving year ending June 30 promises to break all records. To date, some 4,900 contributors have given \$408,000. Compared with this point last year, this represents a 20% increase in participation and 21% increase in income. The goal is \$600,000 income and at least 50% participation.

Rivals Growth Stock

If the Law School were a business corporation, its gross income increase would rival that of the best growth stocks on the market. However, a glance at the expense column emphasizes the rising costs and the need to improve facilities which make even this impressive growth curve insufficient to meet the ever-growing challenge.

Where has the over \$3.9 million received gone? \$1.1 million went to endowment, \$.9 million was given "restricted" for particular current uses and \$1.9 million was unrestricted by the donors. Most restricted gifts and gifts to endowment were made for student financial assistance. The unrestricted funds in the past twelve years financed the following: the first three years of annual giving helped pay for the new dormitories; the fourth through seventh years paid for drastic alterations to Langdell and Austin Halls — including the new Ames Courtroom, Morgan Courtroom, new seminar rooms, the Pound

Room and library reorganization; in the eighth year, funds helped to build the new International Legal Studies Building; in the ninth and tenth years, unrestricted gifts refurbished old tunnels and bored new ones to create the Austin-Langdell-Harkness subterranean matrix. In addition, these funds have underwritten the beginning of the Teaching Fellow program and the International Program in Taxation and have supplemented financial aid and loan awards.

Where will the money received this year go? \$300,000 are needed to support the Financial Aid Program. \$250,000 will be used to renovate the new dormitories (see story in next week's RECORD), and \$50,000 are needed for the library acquisition plan.

Dean Erwin N. Griswold has emphasized that "our interest in the Fund goes far beyond the financial return which it produces. We think of it as part of the process in which we bring the School and its Alumni closer together." Certainly those of us now at the Law School can sense and enjoy the fruits of this "togetherness." And as we can see and appreciate what is being done, so can we better grasp and do what must be done in the future.

(Next Week: Dormitory Renovation)

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NEXT WEEK: HARKNESS PROBE

RECORD editors are currently putting the finishing touches on the RECORD's report-in-depth of the Harkness Commons Dining Hall, first announced in the RECORD of February 8. Suggestions and comments which were requested from RECORD readers at that time have been worked into the report to make the report all-inclusive in its reflection of student opinion. In addition, interviews with Law School officials and Dining Hall personnel have been extensively drawn upon in the interest of providing proper interaction of all sides of issues presented.

Barnes To Address Wives

Assistant Dean William S. Barnes will talk about Latin America at a meeting of the Harvard Law Wives on Wednesday, March 21.

The Wives are now in the process of completing arrangements for their annual fashion show, to be presented on Wednesday, March 28.

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Recent Books

CRIMINAL LAW: Problems for Decision in the Promulgation, Invocation, and Administration of a Law of Crimes. Richard C. Donnelly, Joseph Goldstein and Richard D. Schwartz. The Free Press of Glencoe, Inc., New York, 1962. \$15.00.

By Charles F. Waite

In 1,133 oversized and tightly-packed pages, two Yale professors of law and a Northwestern University associate professor of sociology have collected an extremely broad range of both legal and non-legal materials on a diverse number of areas of the criminal law.

The basic theme of the work stems from an attempt to stir intelligent reappraisal of those parts of our law of crimes wherein assertedly outmoded concepts of justice and morality have produced anachronisms in the light of twentieth century findings in the disciplines of sociology, psychiatry and the allied behavioral sciences.

The editors are not only wise, but show the utmost self-restraint as well, in making no dogmatic value judgments. The material is presented (with a high percentage of success in giving space to all sides of an issue) with only those "questions for thought" felt necessary to evoke critical response. (The editors ought to be especially commended for presenting the reader with a particularized problem and then allowing him to make his *own* evaluation—a condition found all too infrequently these days in works dealing with areas of law in which reform is advocated by a respectable group of thinkers.)

Although less than half of the material in the book consists of reports of appellate case decisions, nevertheless due to the sheer volume of the work, this percentage constitutes a larger selection of cases than may be found in many "casebooks" designed for first year criminal law courses at law schools. For this reason, it is not an irresponsible prediction that the

book may be used at Yale in the course on the law of crimes—particularly since two of the three editors are law professors at that august institution—as well as elsewhere.

The remaining bulk of the materials includes actual case histories which did not reach an appellate court or which occurred subsequent to court proceedings (as in the very informative section concerning probation and parole practices), statutes, articles and letters written by a wide range of legal authorities (both academic and practical) and—perhaps most importantly, due to its almost universal omission in comparable works—writings from expert sources outside of the law, but identified with fields which should be investigated before a meaningful criminal law can be developed.

It should be pointed out that the book is by no means limited in its usefulness to a law school classroom (or a college classroom, for that matter—although, to the extent that criminal law courses in law school may lack proper examination of the findings of behavioral scientists, likewise courses in criminal behavior in the undergraduate curriculum as frequently neglect the legal framework within which any effective solutions to their special problems must lie). Despite its somewhat stiff price of \$15—stiff, that is, to one who has not recently purchased law books—it is an invaluable source of a variety of materials for anyone interested in achieving a closer alignment of American criminal law substance and procedure with contemporary reality.

* * *

VERSIONS OF CENSORSHIP.

Edited by John McCormick and Mairi MacInnes. Doubleday (Anchor), Garden City, New York. \$1.45.

By H. Stephen Cranston

To the modern Western man, the word "censorship" evokes great passion—a response that often proceeds from necessity, since the

idea conveyed by the word has no precise meaning generally accepted by our society. The word defies brief definition because the response it evokes depends so much on time, place and outlook.

In *Versions of Censorship*, the anthology's editors have brought together a number of classic, and some relatively obscure, examples of censorship in action. Some of these selections concern the censored material itself; others are commentaries by observers of the time; and still others are judgments of history. Yet in each case, the reader feels that he is progressing along a path that might be called the history of the civilizing of man. For at each stopping point, he reads not only how blind was the past, but also how easily the present may also be blinded.

Censorship, the reader learns, may present itself in manifold guises, each so complex, so closely tied to the historical and social situations of its time, that attempts to penetrate these guises without the help of an interested observer who was present will almost certainly be unsuccessful.

The careful reader will also discover that the entire history of censorship in its outward manifestations is linked to a past and present censorship of the imagination that indicates that the modern world is not finally a rational one.

As the editors point out in their introduction, their book does not attempt to provide answers. If anything, it shows rather conclusively why no definitive answer is possible for all times and all places. But it does give the reader a fascinating and challenging array of problems and partial answers—from censor and censored alike. With these in hand, the reader can better approach an understanding of censorship in our times, not only insofar as he practices censorship on himself, but also as it is practiced wholesale by the mind-controlling nations that threaten the present existence of Western Society.

1961 ANNUAL REPORT. New England Telephone and Telegraph Company, Boston, Massachusetts, 1962. Free on request.

By Charles F. Waite

In their annual report for 1961, the directors of the New England Telephone and Telegraph Company effectively point out all the new, glorious devices which modern technology and space-age engineering have made available to the telephone user—beginning with the petite Princess receiver (“it’s little; it’s lovely; it lights”) and ending with the “Data-Phone” system (whereby two electronic brains at isolated points may converse with each other over normal phone lines). The report, however, fails to explain why the quality of service for the average New England telephone subscriber (with just a plain old black telephone with dial) is twenty years behind that available almost anywhere else in the country.

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Letters to the Editor

To The Editor:

The “Hearsay” item in your issue for March 8 troubles me considerably. In it, you recount as an item warranting great mirth the story of a law student who (a) lied to, and (b) intentionally and successfully deceived a university officer.

When I was a student in the Law School, we studied a case called *Meinhard v. Salmon* [249 N. Y. 458, 164 N. E. 545 (1928) (4-3 decision), Scott, Cases on Trusts 412 (4th ed. 1951)], in which a great judge by the name of Cardozo made reference to “the punctilio of an honor the most sensitive.” This is not too much of a standard for lawyers, or for law students in their relation with their university. It is with real regret that I see the RECORD’s apparent

approval of a far lower standard circulated widely among our students and alumni.

Erwin N. Griswold
Dean

To The Editor:

If you add salt to a beef stew, you will season the meat as well as the vegetables. If you contribute to a church school, you are contributing to religious as well as to academic instruction, whether the school be Catholic, Protestant or Jewish. The two elements are inseparable, Professor [Mark DeWolfe] Howe to the contrary [as reported in the RECORD of February 15, 1962] notwithstanding.

Peyton Randolph Harris, LL.B. '15

(Continued on Page 16)

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Placement Opportunities

Further information is available at the Placement Office, 23 Everett Street. Not all opportunities are listed here. Interviews are listed in the following order: city, name of firm, interviewer, (deadline for contacting Placement Office), date of interview.

SECOND YEAR INTERVIEW

Denver: Ireland, Stapleton, Pryor & Holmes. Hardin Holmes, Esq. (2 p.m. Friday, March 30.) Wednesday, April 25.

SECOND YEAR OPPORTUNITIES

Cincinnati: Taft, Stettinius & Hollister. Requirement: average of 70 or above. Contact Donald C. Alexander, Esq.

New York: Meyer, Kissel, Matz & Seward. Contact Placement Office no later than 2 p.m. Friday, March 16.

THIRD YEAR OPPORTUNITIES

Chicago: Altheimer, Gray, Naibur & Lawton. Contact Samuel T. Lawton, Jr., Esq.

Foreign opportunities: Contact Placement Office or International Law Club.

Kansas City, Missouri: Caldwell, Blackwell, Oliver & Sanders. Contact Edward J. Matheny, Jr., Esq.

New York: Alexander, Maltitz, Derenberg & Kunin. Contact Louis Kunin, Esq.

Providence: Winograd, Winograd & Marcus. Contact Richard W. Zacks, Esq.

Seattle: Securities and Exchange Commission. Contact James E. Newton, Esq., Securities and Exchange Commission, Ninth Floor, Hoge Building.

LETTERS

(Continued from Page 15)

To The Editor:

This, sir, is *loyalty*! Three graduates of the Law School, an under-privileged gentleman (whose only knowledge of the law was gleaned at another university) and I were reading and discussing the clever statements of Professor [A. James] Casner, evoked by the occasion of his birthday celebration [presented to him as a surprise by members of his first year Property class] and reported in the [February 15, 1962] RECORD.

"This man is the *greatest*," I enthused. "Several years ago, I showed up at a Harvard Law Alumni Luncheon with David [Loeffler, LL.B. '48] to hear him speak, and turned out to be the only woman there. Never have I been so embarrassed! Remember, fellows?"

The three remembered and nodded [with] solemn affirmation in the direction of the fourth gentleman.

"After an agonizing meal," I continued, "Professor Casner was duly introduced and rose to address the group. He spent the first three minutes — fully — in flattering me egregiously and putting me completely at ease during his opening remarks; and so adroitly, mind you, no one in the room (including myself) was [not] absolutely certain my presence at the function was . . . a planned and very necessary part of the affair! Then he launched into a

terrific and profound speech, delivered in his usual brilliant and eloquent style — as smooth as silk! This man's got everything! Brains, ability, *savior faire*, perception. . . ."

"And," interrupted one of his former students, "the really remarkable thing is this. . . ."

All three of his former students eyed me a bit reproachfully.

"Originally, he wasn't *Harvard*, you know!"

Serious, you ask? You're "dog-gone" right they were!

(May I repeat: This, sir, is *loyalty*!)

Mrs. David H. Loeffler

To The Editor:

Some of your readers might find the following of interest:

ANNOTATED LAWS OF MASSACHUSETTS, Ch. 32, §74. Scrubwomen in State House. Any woman who entered the continuous employ of the superintendent of buildings or the sergeant-at-arms as a cleaner and scrubwoman prior to July first, nineteen hundred and twenty-one, if she has reached the age of sixty and has been in such employ for not less than fifteen years and has become physically or mentally incapacitated for labor, or any such employee if she has been in such employ for not less than ten years and has become physically or mentally incapacitated for labor by reason of any injury received in the performance of her duties, may, with the approval of the superintendent, be retired from service, and if so retired she shall receive from the Commonwealth for the remainder of her life the sum of three dollars per week.

Paul N. Crane, 3L

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