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Loss in Cromwell Chair

Professor Louis Loss, the country's leading authority on federal and state securities regulations, will become the first William Nelson Cromwell Professor of Law at Harvard University on July 1.

The new professorship honors the memory of William Nelson Cromwell, **CASNER V. CASNER**

one of the founding partners of the New York law firm of Sullivan & Cromwell, who died in 1948. A philanthropist as well as a noted attorney, Mr. Cromwell was a native of New

Ames Final Argument Set for April 11

By F. Bruce Abel

The Honorable William J. Brennan, Jr., Justice of the United States Supreme Court, will preside at the final round of the Ames Competition on Wednesday, April 11, at 8 p.m. in the James Barr Ames Courtroom of Austin Hall. The two finalist clubs — Casner Equity and Casner Law — realizing that the top position cannot be shared by both *per tout* or even *per my*, will each be attempting to destroy the right of survivorship of the other. The Honorable Nathan L. Jacobs of the Supreme Court of New Jersey and the Honorable Wade McCree of the United States District Court in Detroit, Michigan, will join Justice Brennan in passing upon this internecine battle.

The case to be argued — *Chamberlin v. The Dade County Board of Public Instruction* — involves the question of religious practices in public schools and is taken from two cases which are presently pending before the

(Continued on Page 12)



Professor Loss

York and received the LL.B. degree from Columbia University in 1876.

Professor Loss, a member of the Harvard Faculty since 1952, served as an attorney for

(Continued on Page 4)

Hearsay

As our lead story today the RECORD is pleased to have the privilege of announcing the appointment of Professor Louis Loss as the first William Nelson Cromwell Professor of Law at the Harvard Law School.

William Nelson Cromwell, of the legendary firm of Sullivan and Cromwell, left much of his very substantial estate to charity. Among other things, he provided bequests to the law schools which had been attended by his partners. The estate was divided into 100 parts, two of which were given to the Harvard Law School.

The Law School received the first payment on the bequest in 1949, amounting to more than \$200,000. Subsequently the estate became involved in tax litigation (over bequests to bar associations, which bequests the government contended were not deductible because the organizations did not meet the requirements for being classified as charitable organizations). When the litigation was finally terminated favorably to the estate, all of the beneficiaries, including the Law School, received a further distribution.

The total amount of the distributions received by the Law School brought the Cromwell fund up to the amount necessary to establish a professorship. Now the Harvard Corporation has voted to establish the William Nelson Cromwell Professorship of Law.

The Corporation, with the concurrence of the Board of Overseers, has elected Professor Loss as the first occupant of the Cromwell chair, effective July 1, 1962. In announcing the appointment, Dean Erwin N. Griswold said, "This is a most appropriate choice, since Mr. Cromwell was a very active corporate lawyer, and Professor Loss is a distinguished scholar in the corporate field."

The RECORD takes this opportunity to congratulate Professor Loss and to honor the memory of Mr. Cromwell.

Harvard Law Record

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COMMENT

By Fenno

A massive effort, including the support of the AFL-CIO, has been organized in behalf of the President's plan for lower tariffs. This is laudable, for the Common Market in Europe and similar associations elsewhere are going to offer increased competition, forcing high-priced U.S. items out of foreign markets unless our tariff policies are adjusted.

Not long ago an interesting juxtaposition of news articles appeared in the same issues of newspapers. One article included an account of testimony favoring the President's new trade policy of lower tariffs. In another, headlines announced a huge increase in tariffs on carpets and glass — ordered by none other than the same President who seeks authority to lower tariffs. Judicious editing by newspapers may have separated the articles by several pages of news (and advertising), but not so judicious politicking may have accounted for the opposing Presidential policies.

The Tariff Commission recommended duty increases on four items. The President raised tariffs on two and refused to increase the duty on ceramic mosaic tile and baseball gloves. By raising the tariff on carpets the President pleased congressmen of many eastern states and removed the chief irritant to the powerful and effective textile lobby. By increasing the tariff on glass he protected a large industry in unemployment-ridden West Virginia.

The President may soon have to hold two press conferences — one to advocate support of free trade and another to announce the political means used to get the support. But the President needs no announcement to make clear that the "benefits" of protectionism will remain (or be augmented) for those who have the political power, regardless of commitments to the Common Market countries or the ideal of economic efficiency of free trade.

Plan Married Student Housing

Harvard University is planning to build an apartment development on Memorial Drive to house some 400 married graduate students and their families.

The development, on land owned by Harvard south of the undergraduate Dunster House, will include three tall structures of about 18 stories each, interspersed with five-story buildings on the scale of Harvard's undergraduate Houses farther up the river. It will provide some 50 efficiency apartments, 150 one-bedroom units, 150 with two bedrooms and 50 with three. A nursery and pre-school facilities, meeting rooms, self-service laundry, library and study cubicles will be provided for residents, and a small retail center will house grocery, delicatessen and dry-cleaning services.

The buildings will rise on land between Hingham Street and the Flagg Street playground. The land is now occupied by a Harvard maintenance building and houses owned by the University.

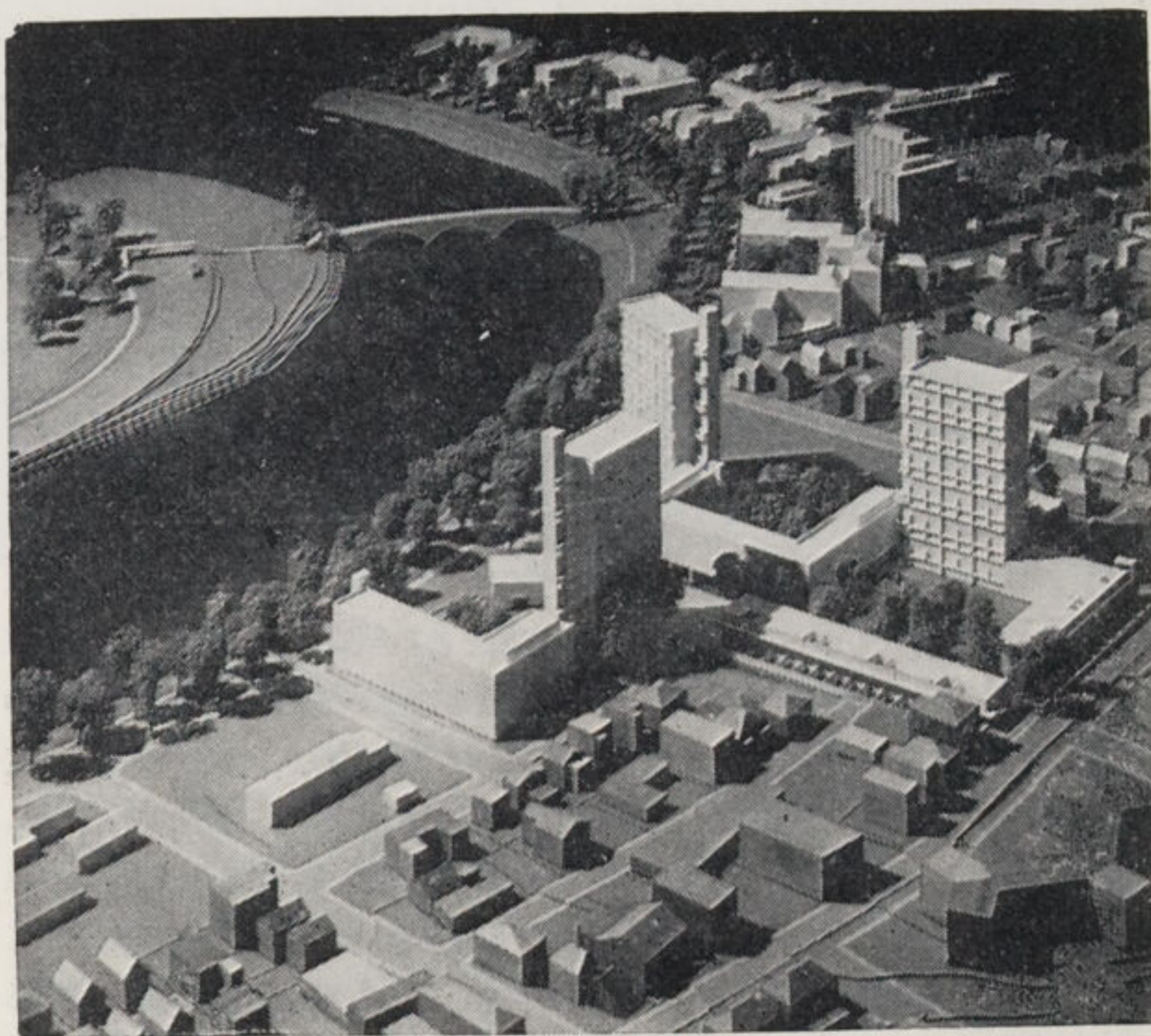
Offstreet Parking Provided

A pedestrian mall along present Sterling Street will connect Cambridge residents in the area with the river front and a landscaped setback with public benches along Memorial Drive. Offstreet parking for seventy per cent of the residents is provided in accordance with Cambridge zoning regulations.

The plan was prepared by the firm of Sert, Jackson and Gourley.

Harvard University President Nathan M. Pusey told the RECORD this week that he envisions a "community of graduate scholars and their families" — similar to the educational communities already established in the Harvard Houses — being made possible by this new project.

The Harvard School of Public Health has already created a similar community on a smaller scale at the Henry Lee Shattuck International House. This apartment house, located on Park Drive in Boston, provides for eighty families. A meeting room and television viewing room are included, in addition to nursery school facilities.



MARRIED GRADUATE STUDENTS COMPLEX — Harvard University plans to build this apartment development on Harvard-owned land along Memorial Drive south of the undergraduate Harvard Houses. The plan includes three high-rise structures of about 18 stories, interspersed with five-story buildings on the scale of the undergraduate Houses. The development will house about 400 married students and their families. In the model, the development is seen in the foreground, with (at left) Kresge Hall of the Harvard Business School across the river and the Weeks Memorial Bridge leading to the Harvard Houses (top center) in Cambridge.

The University already provides housing for married students in Cambridge at Haskins Hall on Irving Street, and in the privately-owned facilities of the Harvard Housing Trust — Holden Green, Shaler Lane and Gibson Terrace.

RECORD YEARBOOK SALES

The staff of the Harvard Law School Yearbook has reported that sales for the 1962 edition are the highest ever for this time of the year. Total sales have passed the 1,000 mark. In only one year has the final sales figure surpassed this year's present total; in 1956 approximately 1,100 copies were sold. The Yearbook staff feels that it will be able to top this figure also. The 1962 edition will be available following spring vacation.

Subdued Billy Defends Evangelism

By Peter R. Richards

The Reverend William F. (Billy) Graham, somewhat subdued oratorically compared to his regular crusade performances, perhaps suspecting a predominance of "intellectuals" in his audience, Monday night called on college students everywhere to "march under the banner of Christ and change the world."

Reverend Graham spoke on "Evangelism and the Intellectual" before a capacity crowd at Rindge Tech auditorium at the second Law School Forum program of the semester. Also on the program were Professor James L. Adams and Associate Professor Richard R. Niebuhr of the Harvard Divinity School and Dr. Harold J. Ockenga, pastor of the Park Street Church in Boston. Moderator was Dr. Krister Stendahl of the Divinity School.

"Spiritual Hunger"

Defending the beliefs of Christian evangelism as a solution to the problems of a modern world characterized by "spiritual

hunger" in a generation of revolt, fear, and confused morals, Reverend Graham said "decisions for Christ" will lead to a "spiritual revolution . . . and that is our hope for peace."

Loss

(Continued from Page 1)

the Securities and Exchange Commission from 1937 to 1952. He was chief counsel of the Division of Trading and Exchanges, 1944-48, and associate general counsel of the SEC, 1948-52.

His treatise, *Securities Regulation*, which was first published in 1951, with a second edition in 1961, is considered the leading book in its field and has been called "the first source of reference on securities regulation" by SEC Chairman William L. Cary. He is co-author of *Blue Sky Laws* (1958) and the Uniform Securities Act, which grew out of the work of the Harvard Law School Study of State Securities Regulation conducted by Professor Loss.

Professor Loss, a native of Lancaster, Pennsylvania, received the S.B. degree from the University of Pennsylvania in 1934 and the LL.B. degree from Yale University in 1937. He has lectured in law at the Catholic University of America, George Washington University and the Yale Law School.

Professor Loss teaches courses in Corporations, Agency, Administrative Law, Regulatory Aspects of Corporate Finance, and Securities Regulation.

COMMUNIST OFFICIAL INVITED

The Harvard Law School Forum revealed Monday that Benjamin J. Davis, Secretary of the Communist Party, U.S.A., will address a Forum program on Wednesday, April 18, at 8:30 p.m. in Sanders Theater. Davis is a graduate of the Harvard Law School Class of '28 ('29). Appearing with him will be his classmate, Dean Erwin N. Griswold, and Professor Mark DeWolfe Howe. The evening's topic will be "The Communist Party and Constitutional Guarantees."

Professor Byse to Speak

Professor Clark Byse will speak in Philadelphia April 3 at a morning session of the thirty-fourth annual conference of the National Association of Student Personnel Administrators on the topic "Procedure in Student Dismissal Proceedings: Law and Policy." In the afternoon he will attend a meeting of the Administrative Conference of the United States.

STORY, MARSHALL WIN AMES

The Story Equity and Marshall Law Clubs joined the Holmes and Choate Clubs as winners in this spring's Ames Competition by winning quarterfinal matches last Thursday and Monday nights over the Kent and Cardozo Clubs, respectively.

Oralists for Story Equity were Miss Katrina Renouf, Belchertown, Massachusetts, and Fred C. Scribner III, Portland, Maine. In Monday evening's argument David R. Anderson, Litchfield, Maine, and Theodore J. Martineau, Oconto, Wisconsin, spoke for the Marshall Law Club.

'Equity Revue' Highly Praised



By Charles F. Waite

When last year's Law School Dormitory Council revived a long-dormant tradition and produced the first annual (new series) Law School Variety Show, the resultant production succeeded in setting a high standard of excellence which would be difficult to equal in future years. That this year's second annual (new series) Law School Variety Show was continually every bit as good — and in some respects even better — than last year's production attests to the dedicated determination of the Council to make the "Equity Revue" a permanent feature of Harvard Law School life.

Technically Superior

The quality of the acts and individual performers was uniformly high, with the variety of entertainment quite similar to that of last year. The only major area in which last Saturday's production could have appreciably improved upon last year's efforts was in fact noticeably superior. There is an old axiom in the theater to the effect that the smoother the production, the less the audience is aware of its technical aspects. This was certainly true of the "Equity Revue." Only in one or two rare instances (such as when one performer pointed out that the wrong gel was placed over an arc spot because *he* had changed the order of his act) was there even an awareness of the complex technical preparation and coordination necessary to a variety production. (Think, for example, of the final act — "New Frontier Justice" — where all voices could be clearly heard throughout the cavernous Rindge Tech auditorium. This was due to the strategic placement of four microphones, including one

suspended from above the stage, to insure even sound pickup — not a mean trick even for those experienced in audio science.)

The technical precision, however, best served its purpose as an unobtrusive catalyst to create the fusion of on-stage performance and audience enjoyment. From the unbridled enthusiasm of the opening number (with words and music by Peter F. Knopp, 1L, Lynnbrook, New York), sung by the Ferae Naturae Four, it was obvious that an evening of fun was in store.

Master of Ceremonies Harold E. Fitzgibbons, Jr., 3L, Duxbury, Massachusetts, made the most of his opportunity to take a few moments off from studying and deliver many a biting commentary on the law and allied areas. Very few institutions escaped his sharp wit; those which did got theirs from somewhere else in the show anyway.

Leach Leads Off

Leading off the acts was W. Barton ("Pappy") Leach, Professor of Law, who assured the audience that his appearance had been cleared by the Pentagon. His "television commercial" for the Law School was enjoyed even by those who were hearing it for the fourth time.

Robert I. Postel, 2L, New York, New York, led off the student acts with an impression of the President at one of the latter's press conferences. Aided by questions from a quartet in the front row, Postel was equalled in his deft ability to impersonate a famous figure only by Michael D. Goodman, 3L, Chicago, Illinois, who presented a poignant portrayal of May Craig.

Miss Louisa Decker provided feminine charm and a healthy set of vocal chords as

she rendered "A Law Girl's Lament." She was followed by the equally vibrant Joshua Snoggs, '25, (*aka* Bussey Professor of Law Arthur E. Sutherland, Jr.), who sang the plaintive "Ballad of the McNabbs," which ended with the soul-baring refrain, "... we buried the Hatch Act in Grandpappy's still."

The curtain act of the first part of the production consisted of a quartet of songs written, played and sung by triple-threat Richard E. Rubenstein, 2L, Long Island, New York, who ranged from a Victorian waltz to calypso and rock-and-roll to capture the essence of Harvard and legal profession vulnerability with wit and taste. The fact that a group of lusty-voiced "shills" in the audience had practiced the choruses of Rubenstein's songs for a week prior to the show served only to add to the effectiveness of his "sing-along" request.

Following a fifteen-minute intermission (which gave enough time for law students to explain a goodly amount of the esoteria to their dates), the "golden guitar of Norwood Beveridge" appeared, as it had the preceding year, in the hands of Norwood P. Beveridge, Jr., 3L, Cambridge, Massachusetts. As with his prior appearance, his folk songs displayed his vocal and guitar-strumming abilities to their best advantage, and he thoughtfully eschewed the hackneyed — save, perhaps, for a minor Spanish Civil War number about sickness, apparently entitled "I'm Unwell."*

Closes With a Twist

The final act consisted of a repeat performance of the 1961 Lincoln's Inn Society's "New Frontier Justice," written and directed by David W. Brown, 2L, Cambridge, Massachusetts. Loosely placed within a plot frame of "The Dean's" trial-by-Western-kangaroo-court were a baker's dozen of songs extolling the Faculty. Harold Fitzgibbons took off his master-of-ceremonies glasses to don a Lone Ranger's mask, and — with his faithful *Pro Tanto* — conducted the inquisition. "The Dean's" triumphal departure for Australia solved the question of a verdict and allowed

*For the benefit of those RECORD readers who may be unaware that occasionally the publication tries to inject a small amount of humor into its otherwise serious content, it should be pointed out that this is a joke. — Ed.

Lincoln's Inn to show off their skill at the twist.

Participating in "New Frontier Justice" were John M. Arnold, 3L, Nowata, Oklahoma; John R. Axe, 2L, Allegan, Michigan; Fraser Barron, 3L, South Orange, New Jersey; John A. Bohn, Jr., 2L, Piedmont, California; F. Conger Fawcett, 3L, Annisquam, Massachusetts; William J. Graham, Jr., 2L, McKeesport, Pennsylvania; Gregory M. Harvey, 3L, Morristown, New Jersey; Samuel B. Hopkins, 1L, Baltimore, Maryland; Keith D. Jewell, 2L, Fresno, California; Jon J. Masters, 1L, New York, New York; and Charles N. Steele, 1L, New York, New York.

Production and Direction

Producer of the "Equity Revue" was Richard M. Glazer, 3L, Trenton, New Jersey. The production was directed and edited by Robert I. Postel. Associate producer and technical director was Wilfred E. Gardner Jr., who also took part in some very effective "black-out" sketches between the acts. Miss Joan S. Elbaum, 2L, Forest Hills, New York, applied the makeup. Stephen H. Polansky, 1L, Swampscott, Massachusetts, was business manager. Stage manager was Stephen P. Robin, 3L, Washington, D. C.

DEAN CASNER TO TRAVEL SOUTH

Law School Associate Dean and Weld Professor of Law A. James Casner will depart from Cambridge April 4 to points south for a three-day series of speaking engagements.

On April 5 Dean Casner will address afternoon and evening sessions of the Estate Planning Council of Birmingham, Alabama, a group comprised of lawyers, CPA's and trust officers. On the following day he will be the featured speaker at a luncheon of Harvard College and Law School graduates also to be held in Birmingham.

On April 7 Dean Casner will deliver an address at a banquet in Baltimore, Maryland, to be given by the alumni of the University of Maryland Law School in honor of retiring Dean Roger Howell.

Publish Adams Legal Papers

The legal papers of John Adams, illuminating his experience as a lawyer in the Colonial and early Revolutionary periods, will be published for the first time in 1964. Harvard University Press will include the two-volume work in its Belknap Press edition of *The Adams Papers*.

The Legal Papers of John Adams will contain, in full, Adams's defense of British soldiers involved in the Boston Massacre. Other materials will document the significant aspects of the legal and political — and to some extent the social — history of Colonial America.

Publication of *The Adams Papers* began in September 1961, when the four-volume *Diary and Autobiography of John Adams* appeared. The work is under the editorial sponsorship of the Massachusetts Historical Society, to which the Adams family has given its archives extending from the 17th to the 20th century.

Research and editorial work on Adams's legal papers has been underwritten by the William Nelson Cromwell Foundation of New York through a grant to Harvard Law School.

[The foundation was established by the late William Nelson Cromwell. The trust indenture charges the fifteen trustees of the foundation to use the funds for a variety of purposes related to the law and reflecting the universality of Mr. Cromwell's interest in legal matters. First in the long list of projects to which the trustees are directed to devote the funds and their energies is that of "research of the laws, judicial systems, legal procedure and legal history of the Colonial period of the United States of America." — *Ed.*]

Thus far, four books have been promulgated under the auspices of the trustees, including *The Pyncheon Court Record*, a judicial diary of the administration of justice in the Springfield courts in the Massachusetts Bay Colony, published by the Harvard University Press in 1961.

Under terms of the grant, two legal historians, L. Kinvin Wroth and Hillier B. Zobel, will become Research Associates of Harvard Law School for the purpose of editing the legal papers. They will work

under the supervision of Mark DeWolfe Howe, Professor of Law, and L. H. Butterfield, editor-in-chief of *The Adams Papers* at the Massachusetts Historical Society.

Mr. Wroth, who is Assistant Professor of Law at Dickinson School of Law, Carlisle, Pennsylvania, received the A.B. degree from Yale University in 1954 and the LL.B. from Harvard in 1960. Mr. Zobel, an associate in the Boston law firm of Bingham, Dana and Gould, received the A.B. degree in 1953 and the LL.B. degree in 1959 from Harvard.

Though many of the Adamses were trained as lawyers, John Adams was one of the few in this family of statesmen, scholars and writers who practiced extensively and attained eminence at the Bar. His diary for June 16, 1760, finds the young lawyer asking:

How many Actions shall I secure this Day?
What new Client shall I have? I found at Evening, I had secured 6 Actions, but not one new Client, that I know of.

But this first edition of Adams's legal papers will reveal a diversity of cases in a busy schedule from 1759 to 1777. The records which are available include not only those that he and his descendants preserved but also papers in the early files of the Massachusetts Supreme Judicial Court in the Suffolk County Courthouse, Boston, in various local courts in New England, and in other repositories of manuscripts throughout the United States.

Material to be published for the first time in full and reliable texts includes Adams's defense of Captain Thomas Preston, one of the British soldiers who took part in the Boston Massacre in 1770.

Adams wrote later of his part in the trial:

The Part I took in Defense of Captn. Preston and the Soldiers, procured me Anxiety and Obloquy enough. It was, however, one of the most gallant, generous, manly and disinterested Actions of my whole Life, and one of the best Pieces of Service I ever rendered my Country. Judgment of Death against those Soldiers would have been as foul a Stain upon this Country as the Executions of the Quakers or Witches, anciently. As the Evidence was, the verdict of the Jury was exactly right.

Contemporary newspaper and diary accounts — such as this comment from Adams's

diary — will accompany the cases, in addition to a short summary of the facts, the pleadings and selected file papers.

Adams's student book, his pleadings form book and his so-called "admiralty book" (notes on his cases in the Court of Vice Admiralty) will be printed in full.

A generous selection of his other cases will also be included to represent his involvement in such branches of law as procedure and practice, probate, torts, commercial law and contracts, real property, domestic relations, municipal law, criminal law and equity.

Recruit Negro Law Students?

In his speech before the Student Bar Association last week, NAACP counsel Jack Greenberg said the lack of Negro lawyers is a major obstacle to progress in civil rights in the South. He challenged bar associations and law schools to take active steps to attract Negroes into the legal profession. The RECORD has asked Director of Admissions and Vice Dean Louis A. Toepfer what Harvard is doing in this respect. — Ed.

By Donald W. Kramer

Although the Harvard Law School is "disappointed" and "distressed" by the small number of Negroes in its student body, the administration feels an active recruiting campaign might do more harm than good, Admissions Director Louis A. Toepfer said this week.

"We would not want to generate a lot of interest and then be forced to turn down applicants who could not stand up to the admissions pressure," he noted. "We have to be fair to all concerned — including the Law School and the individual."

As a result, the Law School has undertaken no specific program to attract Negroes. It has, however, joined with the University as a whole in an effort to make clear that Harvard education is available to anyone who is qualified, regardless of family background or financial resources.

Toepfer pointed up the problem of finding qualified applicants by citing the average College Entrance Board test scores at two well-known Southern Negro colleges. Compared with an average well over 600 at Harvard, the two Southern schools averaged less than 430, with only one or two students

The introductory essay by Messrs. Wroth and Zobel will describe Adams's life in the law and the high points in his practice. There will also be material on the procedure of the Massachusetts courts during the period of Adams's professional career.

The essay will also touch upon the role of Adams's legal experience in the political history of the pre-Revolutionary period. An assessment will be made of his legal reading and professional influence on the political climate that produced both the Massachusetts and United States constitutions.

scoring over 600 each year.

The admissions office is well aware of the built-in test handicaps facing those who come from less educated and less cultured backgrounds, white as well as Negro, Toepfer declared. In making decisions, the office will usually make some allowance where it appears the applicant comes from a background which would prejudice his test results.

In this respect, the Massachusetts anti-discrimination law permitting no reference to race or religion in the admissions file may work to the disadvantage of Negroes, Toepfer said. While calling it a "sound law with a good purpose," he noted the law makes it harder to know a person's background. Where the office is under heavy admissions pressure, this may work against those with environmental handicaps.

When it is known that the applicant is a Negro, however, Toepfer said there is a tendency to judge him alone, rather than in comparison with other applicants. If the admissions people think he can do the work, he will be accepted. They feel at the present time it is better to have Negroes in the class than to worry about the last white applicant who consequently fails to squeeze into the selected group. He is well qualified for another school.

The most promising source of Negro students may be not from the South, Toepfer asserted, but from the Northern schools that have made a determined effort to attract good Negro undergraduates. With these schools, the lines of communication are already in constant operation.

'Debate' Right-To-Work Laws

By Charles F. Waite

A "debate" between an advocate of right-to-work laws and an empty chair in the Wheeler Room of Holmes Hall on Wednesday, March 21, gave sponsoring Harvard-Radcliffe Young Americans For Freedom a rare opportunity to play devil's advocates.

The event, which emerged as a talk by Reed Larson, executive vice president of the National Right to Work Committee, was originally scheduled to consist of a debate between Charles Bailey, also a National Right to Work Committee official, and Frank Lavaigne, a member of the Education Committee of the Massachusetts State Labor Council. Larson's solo performance was the result of his substitution for Bailey and of Lavaigne's "inability to attend." A small covey of outsiders and a group of about thirty YAFers, however, admirably filled the void by playing able Abels to Larson's canny Cain, putting the speaker's views to the test for the better part of an hour.

Single-Purpose Organization

In a short interview prior to his talk, Larson told the RECORD that the National Right to Work Committee is a single-purpose organization — a coalition of workers and businessmen "dedicated to the principle that Americans should have the right to join unions but should not be compelled to join."

The organization, he said, doesn't do its work within the boundaries of a state where a right-to-work law is being proposed, but it often does "take the initiative" — sparking a drive, then providing films, tape recordings, charts and so forth as "campaign material."

He said that one of the reasons for speaking to local groups is "the surprising number of well-informed persons who don't know what 'right-to-work' means — simply legislation which allows a man to work at his job whether he is or is not a union member." Judging from the questions asked after Larson's talk, the YAF members already knew more than a little about the subject.

Larson said that he really doesn't care what people call "right-to-work" laws. "Voluntary unionism" is all right, and even



Right-To-Work's Larson . . .

. . . A Canny Cain

"compulsory open shop" is tolerable since it "sounds about as derogatory as 'compulsory freedom.'"

He pointed out that the heat generated whenever a right-to-work law is proposed does not stem from a management-*v.*-labor clash. "The real battle is between believers in compulsory unionism and those who are against it," he explained. The National Committee is just about evenly divided between workers and management, he said, with widely-known and respected public figures rounding out the board membership.

Heart of Controversy

During the question period, when YAF members and other spectators tried to present the opposition's argument as cogently and persuasively as possible, Larson got into the heart of the right-to-work controversy.

"Most of the arguments against right-to-work laws are based on the premise that a private organization [*i.e.*, a union] should be given not only governmental powers, but in addition the absolute power of a majority to inflict its views on the minority," Larson said.

In answer to the contention that federal law requires unions to represent non-

members when the union has won an election and that therefore the non-members in a right-to-work state are getting a "free ride," Larson pointed out that this "burden" is in fact a privilege for which the union lobby fought long and hard in Congress. Rather than getting a "free ride" under a right-to-work law, he pointed out, the non-union employee — particularly one with above-average ability — under that federal law does not have the right to bargain on his own and get a better scale of pay than the union — representing workers of varying ability — can get for him. The right which he *does* gain with right-to-work is to make the decision whether to join the union.

"I'd like to see just one union official who complains of this 'burden' demand that Congress remove it," he added with a wry smile.

Lose Some Power

Larson agreed that it is possible for union officials to lose some of their power after a right-to-work law is enacted. He pointed out, however, that this would be a "bad thing" only to those who felt union officials should keep the immense power they now have.

Union members, on the other hand, have a very good chance of gaining individual power with the enactment of a right-to-work law. Since they can then threaten to leave the union, they can often force union leaders to drive a harder bargain on their behalf. "The sweetheart contract is seldom found in a right-to-work state," Larson said. "In fact, this is the reason why some employers oppose the legislation."

Threat of Quitting

In conclusion, he pointed out that right-to-work laws do not outlaw unions, they merely make membership in them voluntary. The individual doesn't have to quit the union — but he can do so (or use the threat of quitting as an alternative) if the union does not truly represent his interests and those of his fellow members.

After the meeting ended, the Young Americans For Freedom filed out thoughtfully, happy they had presented both sides of the issue, but apparently quite unconvinced by the vigorous words they had been uttering moments before in the interest of a "fair hearing."

NEXT ISSUE

Since next Thursday, April 5, will come during a hectic vacation week at the Law School, members of the RECORD staff will join other law students in embarking for Geneva, Paris, Palm Springs, Bermuda and South Weymouth; hence, no RECORD will be published next week.

To make up for the void thereby created, two special "hands-across-the-sea" type features are planned for the issue of April 12. Dean Erwin N. Griswold will assist the RECORD in preparing a report on the European Conference on World Peace Through Law, to be held in Rome, Italy, April 1-4. The Dean will be a member of a delegation of ten American lawyers and law professors attending the gathering, the last of four "continental conferences" called to consider agenda items for a projected World Conference of Lawyers, tentatively set for New Delhi, India, in 1963.

In addition, the RECORD will also present a report by Professor Harold J. Berman, on leave of absence from the Law School this year, who is currently delivering weekly lectures in Moscow on the origins and nature of American law. Professor Berman's impressions of his Moscow stay have been written exclusively for the RECORD.

HOFFA AT FORUM

James R. Hoffa, president of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (occasionally known simply as "Teamster boss Jimmy Hoffa") will appear at the Rindge Technical High School Auditorium tomorrow at 8:30 p.m. A panel consisting of John T. Dunlop and John R. Meyer, both Professors of Economics at Harvard, will take part in the program. Derek C. Bok, Professor of Labor Law, will act as moderator. The program will be presented under the auspices of the Harvard Law School Forum.

Dorm Council Elects

W. Phillips Rockefeller has been elected president of the Harvard Law School Dormitory Council for the coming year.

Rockefeller, a second year student from Red Hook, New York, succeeds George L. Kelley Jr., 3L, Belle Harbor, New York, in the top post.

Serving with Rockefeller on the executive committee will be Nicholas G. Ciriello, 2L, Waterbury, Connecticut, vice president; John L. Worden III, 2L, Olean, New York, secretary; and John R. Burdick Jr., 2L, Chicago, Illinois, treasurer.

Ciriello and Burdick served as treasurer and vice president, respectively, during the past year. Worden succeeds David F. Patzman, 2L, Kansas City, Missouri, as secretary.

The officers were selected from among this year's Dormitory Council representatives at a meeting last week. Their terms begin immediately and will run until about this time next year.

In a two-hour session culminating in the balloting, the Council also heard reports on its Vari-

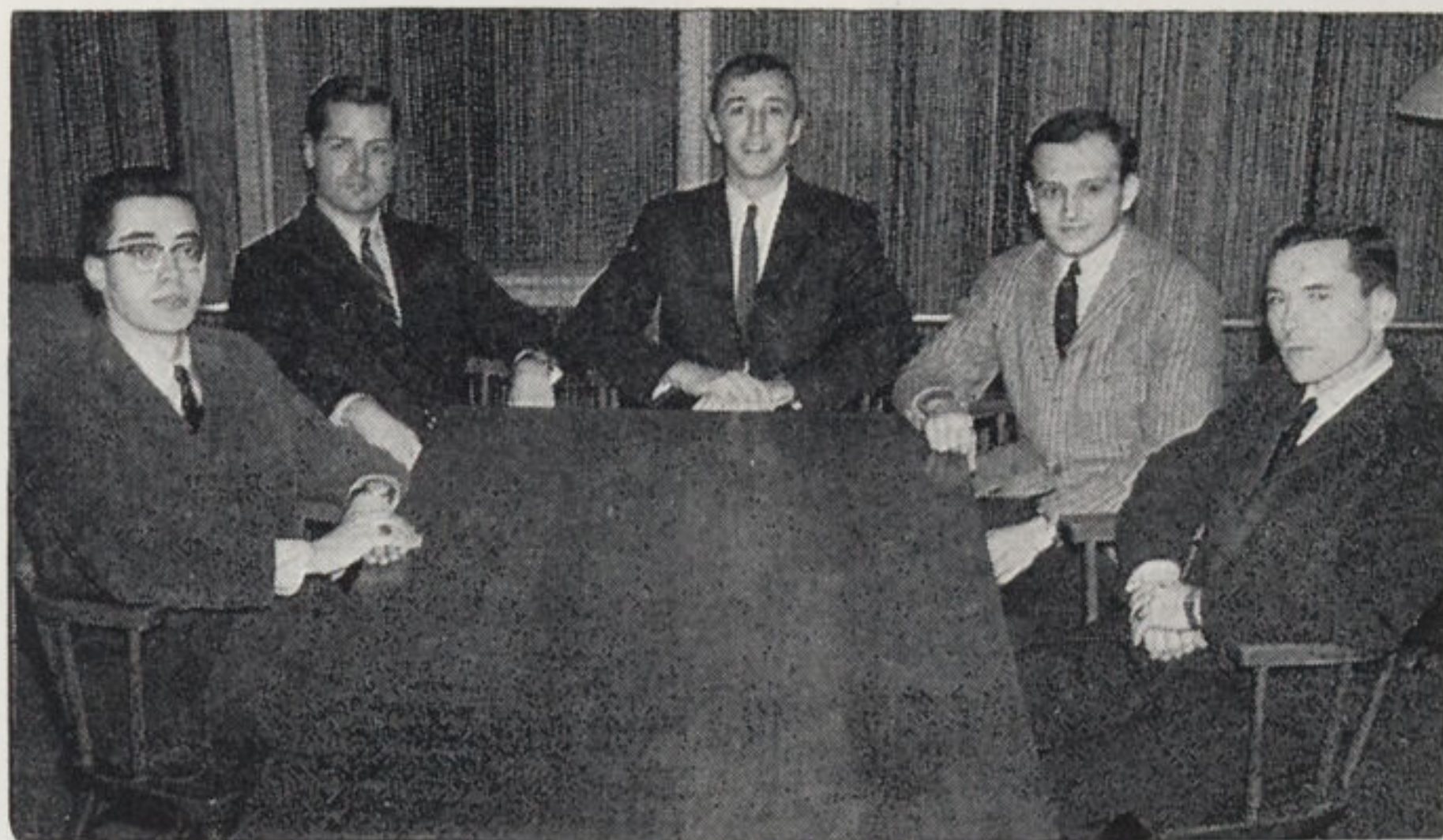
ety Show, held last Saturday night; on its Dixieland Jazz Concert, held last Sunday afternoon; and on Judiciary Committee adjudication of parietal violations. It was also reported that a new electric iron has been purchased by the Buildings and Grounds Committee for the basement laundry room in Richards Hall.

Drink Machine Rebates

Sanford Ehrenkranz, 2L, South Orange, New Jersey, chairman of the Council's Buildings and Grounds Committee, reported that four persons submitted claims for dimes lost in the soft drink machines during a recent strike and that forty cents had been "gladly refunded."

Dixieland Concert Held

The "original" Seven Sons of Harvard were the featured attraction at the Law School Sunday afternoon as the Dormitory Council presented its first annual Dixieland Concert in the Harkness Commons Meeting Room. Admission was free. The septet is scheduled to go on tour abroad in the near future under the auspices of the United States State Department as "cultural ambassadors of good will."



— RECORD Photo

KNIGHTS OF THE SQUARE TABLE — Four of the above quintet of smiling faces will provide for dorm residents' "comfort and enjoyment" for the next twelve months; the fifth has done so for the past year. Outgoing Dormitory Council president Kelley, second from left, meets with newly-elected Council officers, from left, Worden, Rockefeller, Ciriello and Burdick.

Alumnus Publishes Copyright Text

Alan Latman, LL.B. '53, a member of the New York law firm of Cowan, Liebowitz and Latman, has published a revised edition of *Howell's Copyright Law*, a standard reference work in that field. The revised edition includes legislative, judicial and administrative developments in the copyright law which have occurred since 1952, the date of the previous revision. Perhaps the most notable development since that year has been the entry of the United States into a worldwide copyright treaty arrangement.

Credits Listed

Mr. Latman is a former editor of the *Harvard Law Review*. He has served as a special consultant to the Register of Copyrights on the General Revision of the Copyright Law and is currently serving as chairman of the Subcommittee on Copyright Law Revision of the New York Patent Law Association.

Ames Final

(Continued from Page 1)

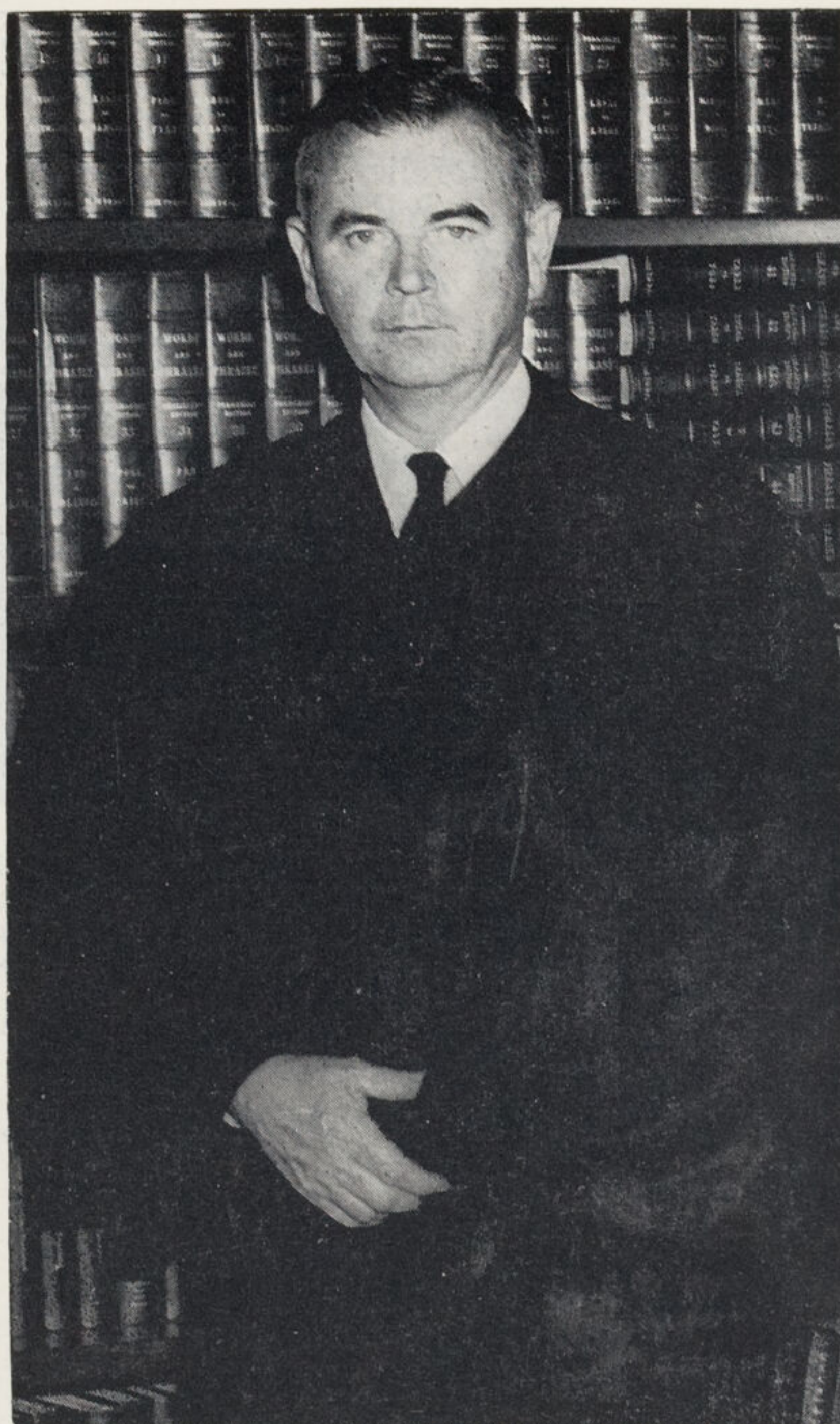
Supreme Court of Florida. The plaintiffs, parents of children in the Dade County (Ames) public schools, seek declarative, injunctive and other equitable relief from various religious practices being carried on at the schools. They claim that the practices violate the First and Fourteenth Amendments of the United States Constitution as well as the parents' rights section of the Declaration of Rights of the Ames Constitution.

The Circuit Court for Dade County, where the action was initiated, enjoined the schools from holding Easter and Christmas assemblies depicting the crucifixion of Christ and scenes of the Nativity and Hanukkah celebrations. The court also enjoined the schools from allowing school buildings to be used after school hours by Bible instruction groups. The court approved for various reasons the recital of the Lord's Prayer as part of morning exercises, the creation by students of artistic works which are associated with religious holidays, the singing of religious songs at Christmas and Easter and baccalaureate programs in which clergymen take part. Both parties entered cross-appeals to the Supreme Court of Ames.

Oralists Named

Oralists for the Casner Equity Club will be Louis L. Hoynes, Jr., Indianapolis, Indiana, and John G. Wofford, New York, New York. Oralists for the Casner Law Club will be Edward C. Pinkus, Hempstead, New York, and M. Laurence Popofsky, Oskaloosa, Iowa. Casner Equity has reached the final round by way of victories over the Marshall and Story Law Clubs in the quarterfinals and semifinals, respectively. The Casner Law Club defeated the Scott and Cardozo Clubs in reaching the final round.

Counsel on the briefs are, for Casner Equity, James G. Greilsheimer, New York, New York; George E. Pike, Jr., DeWitt, Arkansas; Samuel H. Seymour, Washington, D. C.; Mrs. Ellen Donovan Smith, Emporium, Pennsylvania; and Michael Whiteman, Great Neck, New York; and for Casner Law, John H. Doyle, New York, New York; Miss Marjorie L. Girth, Cranbury, New Jersey;



Mr. Justice Brennan

Gregory M. Harvey, Morristown, New Jersey; Melvin S. Schwarzwald, Canton, Ohio; Sidney Shushan, New Orleans, Louisiana; and George J. Wade, Tenafly, New Jersey.

WARRANTY OF FITNESS?

Among the products of research done in the name of justice and the ensuring of domestic tranquility for Harvard Legal Aid Bureau clients is the following headnote of a recent Canadian case unearthed by Bureau members:

No action lies by a wife against her husband for fraudulent misrepresentations and deceptions concerning his qualities . . . whereby she was induced to marry him. The maxim *caveat emptor* applies just as much to marriage as it does to the purchase of a horse.

The wisdom of the law knows no bounds.

Lodge Looms Large

By Charles M. Hamann

Towering George C. Lodge, carrying his family's banner in the battle for the post of junior senator from Massachusetts, addressed a meeting of Harvard Law and Graduate School Republicans on Tuesday, March 20, outlining for their benefit the issues as he saw them in the forthcoming campaign. Ignoring the resemblance of the current senatorial battle to a Renaissance power struggle, Mr. Lodge looked ahead to the problems of the sixties.

The major issue of the campaign in his estimation was "the whole question of war and peace." Referring to past experience in dealing with Communists, he remarked that he had dealt with them for four years as a delegate to the European conferences and had become thoroughly familiar with their objectives in the Cold War. To meet the Communist challenge to dominate the world, he said that "a cold, objective, calculated appraisal of what is going on around the world" is necessary.

Berlin Handling Criticized

He directed mild criticism to the Administration's handling of the Berlin crisis. In June or July an immediate build-up of tactical weapons would have been in order. Upon the building of the Berlin wall we should have moved immediately to condemn the action in the U.N., to educate world opinion and to send a supplementary U.N. force into Berlin, he maintained. Most of the world lies in ignorance as to the relative rights of the parties, he said—to most peoples the situation appears to be no more than part of the power struggle between the United States and the Soviet Union. He also thought that the Administration had erred in yielding on the German reunification issue—"the one thing we had to bargain"—and that its reliance on an "atomic club" to keep the Berlin situation in check was unrealistic. U. S. divisions in Germany are outnumbered 150 to twenty by those of the Soviet Union, he noted.

Mr. Lodge approved the Administration's handling of the crises in the Congo and



—RECORD Photo

Candidate Lodge . . .

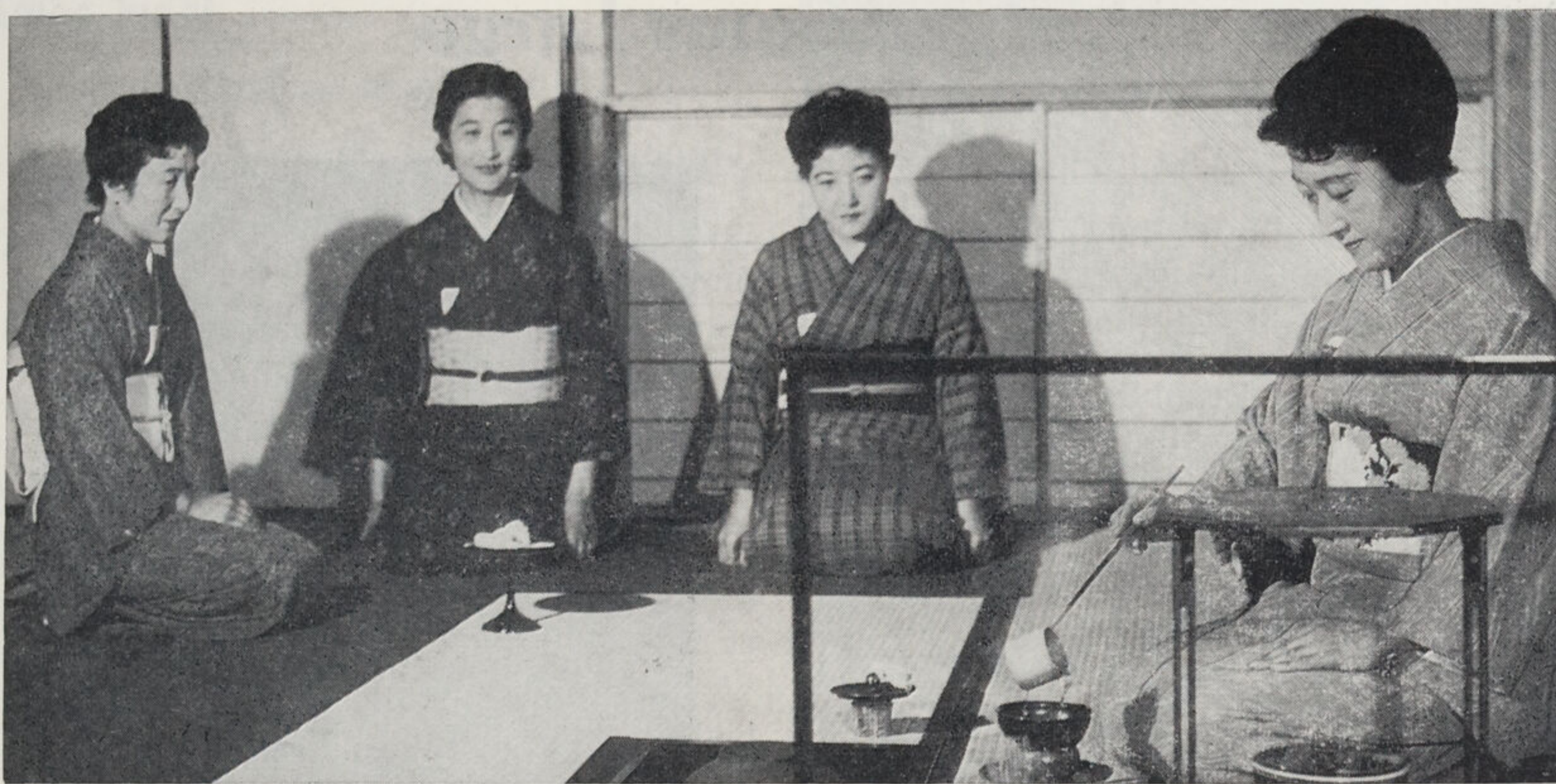
. . . A Question of War and Peace

Vietnam. Of the latter he said, "The only way to fight a local indigenous group is with another local indigenous group," making modest reference to his own experience in Malaya, where these tactics were successful in combatting Communist guerrillas.

Economic Threat Noted

Economic aggression by the Sino-Soviet bloc, as opposed to military force, forms the second greatest danger currently threatening our freedom, Lodge said. "They stole the Italian oil market," he pointed out, referring to a cornering of that market by the Soviet Union. Their strategy is to disrupt free world markets, he said, citing as an example Soviet financing of a dam in an underdeveloped country, built to provide power for the production of aluminum which nobody needs. Private industry does not have the strength or the will to fight this economic war. The response of the Administration to this type of warfare he termed "zero."

Candidate Lodge saw "great sense" in the President's proposal to lower our tariff barriers. He noted, however, that "those few who stand to be hurt are located in Massachusetts in substantial numbers." The



Harkness Server-Trainees Are Shown Proper Soup-Ladling Technique

—Okura Photo

President's plan inadequately provides for a distribution of the burden of displacement of workers which the plan will necessarily entail. To cope with this problem, he suggested more technological training at a post-high school level so that new members of the working force will have the skills necessary in an age of automation.

He opposed discrimination — in federal housing and in immigration laws. As for aid to parochial schools, he said, "The constitutional question is not really the fundamental

one"; rather, the fundamental issue is one of public policy. "In Massachusetts it is important that these schools provide a good education if for no other reason than as a national defense measure." A pragmatic reason for such aid is the large number of students in parochial schools in Massachusetts. Should a weakening of standards — relative to the public schools — cause a large number of these students to transfer, an intolerable burden on the public school system would result.

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**THE
COOP**

Letters to the Editor

To The Editor:

Your issue of March 8 [naming Visiting Professors for the 1962-63 Harvard Law School year] has been called to my attention. I enclose a copy of the *Handbook for New Students* published by this Law School [University of Pennsylvania]. Among the faculty biographies you will find mine at page 46. You will observe that my present association with the American Law Institute is not that of Assistant Reporter for the Commercial Code (a post I held briefly 15 years ago); instead, I am Reporter for the Model Penal Code which is nearing completion after nearly 10 years of work by the Institute.

Louis B. Schwartz

The following letter, written to RECORD columnist Fenno, has been made available by him for publication. — Ed.

To Fenno:

I don't know who you are, but you obviously cannot be a lawyer. Certainly your article [in the March 1 RECORD] regarding Canon 35 [which prohibits the broadcasting or photographing of court proceedings] bears none of the attributes which one would consider a basic qualification of a lawyer. Lawyers are not careless with their words.

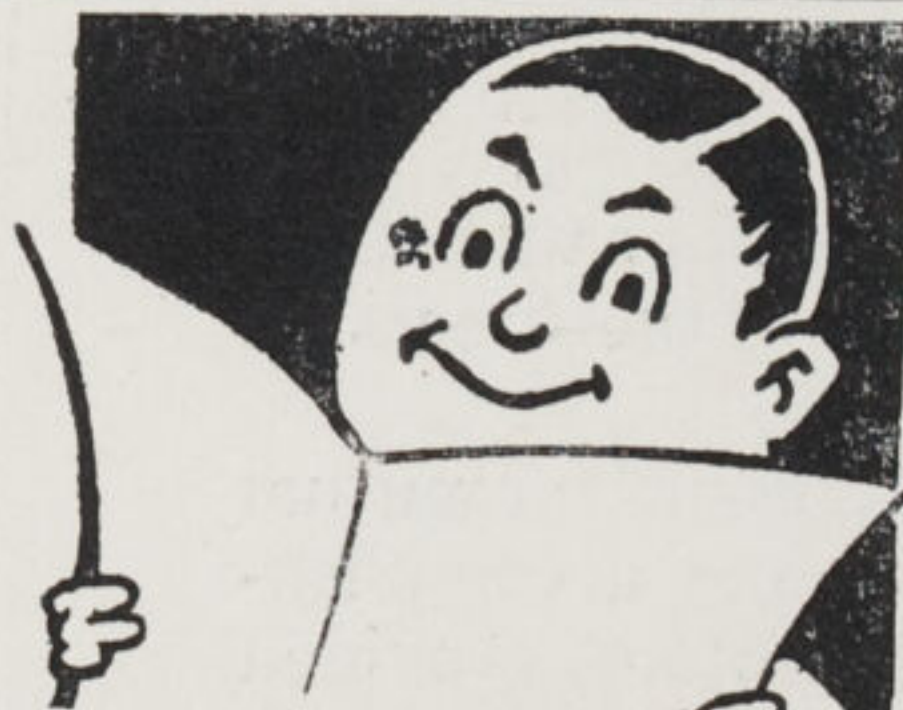
The "unbridled press" of which you speak is the same unbridled press that permits you to make the completely unobjective comment printed in the . . . RECORD. It is most surprising to read such editorial opinion, in light of the fact that there is now so much evidence of actual courtroom experience —

not the hearsay quoted by you in your article — which refutes every premise on which your editorial is based.

For the record, I am submitting to you — although I doubt that its content will be appreciated — a copy of the statement filed by . . . [the National Association of Broadcasters] before the American Bar Association's Committee on Canon 35 last month. I doubt whether the authorities quoted there [Robert D. Swezey, the Freedom of Information Committee of the National Association of Broadcasters, the Board of Directors of the National Association of Broadcasters, Felix Frankfurter, Otto Moore, Frank H. Hall, Richard P. Tinkham, Harry S. Truman and Leroy Collins] will be as compelling, in your specious reasoning, as your completely unsubstantiated and, might I say, almost libelous charges.

Douglas A. Anello, LL.B. '38
National Association
of Broadcasters

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