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Barnett Defends States' Rights

By Stewart D. Davis

Mississippi Governor Ross Barnett strongly defended states' rights against the encroachment of Federal power before a Law School Forum audience packed into Sanders Theater Monday night. But he led into his message with an approach that sounded like a good-humored pitch from the state Chamber of Commerce.

Arriving more than 45 minutes late, and avoiding about 30 pickets who protested his appearance, the governor nearly won over the audience with his invitation to come see the governor's mansion, the oldest in the land and the only one with a \$10,000 gold bathroom. He also described state recreational facilities, including the country's longest man-made beach, "29 miles of beautiful *white sand*."

Barnett's message became less veiled as he began to read statements by conservative business men as to why they brought their industry to Mississippi — "a healthy political and industrial climate" featuring right to work laws and based on the inviolability of property.

(Continued on page 14)



Governor Barnett

Deans Extend Parietals

By Charles M. Hamann

In response to student demands for liberalization of parietal hours, the Administration has granted a one-half hour extension in the hours for entertainment of women guests on Friday and Saturday evenings and on evenings before holidays. The change in hours from 12:30 to 1 p.m., is the first in more than a decade. Extensions in curfew hours at women's colleges prompted the relaxation.

(Continued on page 4)

Braucher Says:

Conflicts Law O.K.

By Neil L. Chayet

"The Massachusetts conflicts of interest law will go into effect on May 1 as scheduled, in spite of the opposition that has recently been lodged against it," Professor Robert Braucher told the RECORD this week.

He said his optimism is based largely on the fact that Governor Peabody, Atty. Gen. Edward Brooke, House Speaker John F. Thompson and Senate President John E. Powers have united to oppose any delay in putting the law into effect.

(Continued on page 5)

Should We Stand For It?

Governor Ross Barnett spoke at Sanders Theater last Monday night. Many sentences could be written on why it was a waste of time to stand out in the freezing cold, fighting for a change to gain entrance to hear the smiling governor give his chamber-of-commerce spectacular. Or maybe you think that Barnett has the right idea as far as states rights and segregation—it's not our concern, for we couldn't change your mind no matter what we said.

What does concern us is that scores of freezing people didn't even get a chance to make a decision on the merits of the Governor's speech, because Sanders theater just wasn't big enough to hold them; and half of those who got inside could only listen. No matter how you feel about Barnett, if people want to spend their dollar to see and hear him, they should be given the chance.

It is no answer to the problem to say, "well, there's always Rindge Tech Auditorium", because the Cambridge School Committee has made it quite plain that there is not always going to be Rindge Tech Auditorium. It makes little difference whether the real reason for this is "the late submission of an application", or that "a meeting of this kind might stir us such excitement that the property of the city would be in danger."

We hope that some members of the Cambridge School Committee attended the meeting so that they will realize that next time they will have to think of a better reason for denial than the sop of "protection of city property."

Harvard University needs an auditorium large enough so that when people such as Willy Brandt, Nelson A. Rockefeller, or even Ross Barnett wish to make themselves heard, they will have the opportunity to do so fully—to all those who want to listen.

It's incredible that a University as large and as rich as Harvard does not have an auditorium able to hold more than 1200 people. The University planners should give immediate consideration to the construction of such a facility.

Harvard Law Record

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TONGUE 'N CHEEK

By Fenno

We were down in the text book department of the Coop the other day, buying a copy of the Ad Law book a week or so after the course had started, when we noticed a couple of trench-coated gentlemen with foreign accents talking to one of the salesmen.

"We'd like something about the law in general," they explained.

"Well, let's see," said the salesman. "There's something called *Legal Essays*, by Pound. That costs \$1.45. But we're out of that. It's on order. Other than that," he added thoughtfully, "I don't think we have anything 'general'."

"How about something the students read in their first year?" the gentlemen asked; "Something that gives an overall view of the law."

"Hmm," thought the salesman. "Casner and Leach have a six page chapter on 'The Legal Profession, Lawyers and the Study of Property. Law' before they go into animals *ferae naturae*. . . . Seavey, Keeton and Keeton have four general pages in their Torts book, and they quote Pound for two of them."

"What about second year?" the gentlemen interrupted.

"Oh, there they have a thing called Legal Process," the salesman brightened. "That's 1400 pages. It's got some of everything."

"We were thinking of something a little shorter," the men said. "What about third year?"

"Third year, they have all electives," the salesman replied. "But from what I hear," he whispered, "by then nobody reads much of anything."

The men talked among themselves for a moment. Their spokesman thanked the salesman for his help. "We'll try elsewhere," he said.

"Boy, those guys have strange ideas," the salesman thought to himself as they walked out the door. "Most students buy these books and never question anything."

Third Year to Elect Officials

Election of the third year Class Marshal, Secretary and three committeemen will be held Wednesday, February 20, according to Robert S. Kenison, chairman of the Ad Hoc Election Committee.

Final preparations are now being made for the election. A memorandum concerning the procedure will be available at the Receptionist's desk in Langdell Hall this week.

At the same time, the class will be asked to ratify the Class Charter, prepared by a special subcommittee under the direction of David Berman. The document, which provides rules and procedure by which class affairs are to be managed, follows closely the pattern of previous class charters, with a few changes. Berman said suggested changes or additions will be gladly considered.

The five winners of the class election will appoint four other committeemen and the nine officials will then be in charge of maintaining class unity and directing alumni proceedings.

Nominating petitions for the five elected positions must be filed by Friday, February 15.

In addition to Kenison, representing Phillips Brooks House, and Berman, representing the Forum, the Ad Hoc Committee is composed of David R. Anderson (Legal Aid), David L. Peterson (Legislative Research Bureau), William W. Alexander, Jr. (Chancery), W. Phillips Rockefeller (Dormitory Council), Emmanuel H. Smith (RECORD), Richard S. Fischer (Voluntary Defenders) and Mary Rhamstine (representing the women students).

Gorman, Morris, '62 Win Burkan Competition

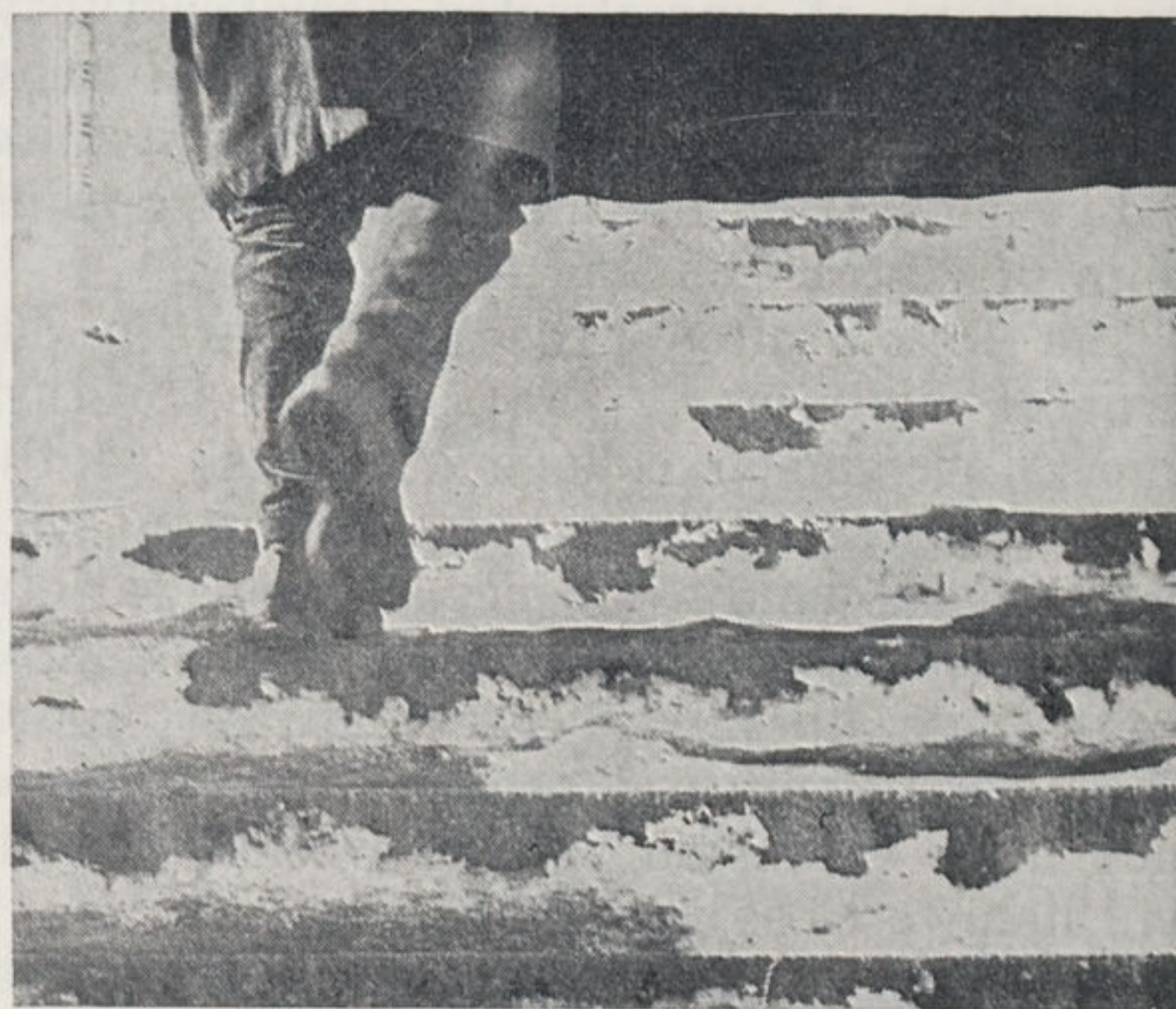
Robert A. Gorman, Jamaica, N.Y., and Thomas B. Morris, Jr., Villanova, Pa., 1962 graduates of the Law School, have placed first and second, respectively, in the annual Nathan Burkan Memorial Competition at the Harvard Law School. The competition, sponsored by the American Society of Composers, Authors and Publishers, provides \$250 and \$100 for the two best papers submitted on any phase of copyright law.

Gorman's paper was entitled "Copyright Protection for the Collection and Representation of Facts." Morris' paper was titled "The Origins of the Statute of Anne." They submitted the papers last spring. The deadline for this year's competition is May 1.

Williston Deadline Tomorrow

Second year students wishing to enter the spring round of the Williston Competition must submit their applications to the Board of Student Advisers by 5 P.M. tomorrow. Teams of three or four students may express a preference both for the jurisdiction and the subject matter of the problem.

Steppes or Steps?



Burdened by books, bent against the cold, Law School students trudged this week over, across, up and down the Harvard wasteland.

Who said that April is the cruelest month? By any standard, February is the Cambridge winter winner. And the Harvard Building and Grounds Committee has not done much to assuage its ill effects.

A Mix-It-Up

The Dormitory Council will sponsor a mixer in Harkness at 8 p.m. tomorrow. Council members were specially assigned to publicize the affair at Wellesley, Brandeis, Smith and Mt. Holyoke.

Parietal Hours

(Continued from page 1)

In a letter to the Dormitory Council, dated January 31, Deans Wesley E. Bevins and Louis A. Toepfer, appointed by Dean Erwin N. Griswold to study the problem, took cognizance of student discontent with the old rules. "It is not hard to understand why some students feel the present parietal rules should be abolished or drastically changed. Restrictions which limit individual behavior inevitably produce a degree of reaction among those affected." They concluded, however, that "the hours, even before the new extension, allow a liberal amount of entertaining. We are not able to find reasons which persuade us that further changes should be made."

The Deans wrote that "most of the Law School dormitories are ill-suited for entertaining women guests. Open hours and unlimited privileges are an unwelcome hardship on students who prefer not to live in an atmosphere of unrestricted social activity. A balance must be struck which will allow a high degree of freedom but also protection and consideration for those who wish a minimum of distraction and disturbance."

The Deans cited "the gap between our parietal limit and [the] extended return times [of women college students] as the source of some of the present discontent with the parietal hours." Since the old parietal hours went into effect, many women's colleges have liberalized their curfew hours. The Deans expressed a hope "that the one-half hour extension on the weekend limits will help to close the gap."

In their letter the Deans said further that "during the past decade many important liberalizing changes have been made in the parietal rules in response to student wishes for greater privileges. These changes have brought the rules well past any restriction which we would regard as too limiting. That there is still pressure for change does not surprise us, nor do we think such demands are inconsistent with our belief that the present hours allow sufficient entertaining."

The one-half hour extension marks the first change in the parietal rules since the spring of 1959 and the first change in hours since the fall of 1951. In 1959 the Deans

abolished a requirement that dormitory residents sign in their women guests. This requirement represented the last vestige of stringent chaperonage rules which only ten years before had severely limited entertainment of women guests in dormitory rooms.

Under 1949 rules students who wished to have women in their rooms had to have the written permission of a proctor, countersigned by the Vice-Dean. Permission was granted only when at least two women were to be present or under proper conditions of chaperonage "when necessary." Normal visiting hours were from 1 p.m. to 10 p.m.; "in proper cases" the rules allowed an extension until midnight. Both the counter-signature requirement and the two-women rule were eliminated in the fall of 1950.

Commenting upon the hours change, Deans Bevins and Toepfer both said that they consider the present rules "liberal."

Student reaction to the liberalization ranged from mild satisfaction to serious discontent. Speaking *ex officio*, Dormitory Council President W. Phillips Rockefeller said that "the only effective controls over noise and morality in the dormitories are self-imposed by the students. If the Administration realizes this, it should abolish its ineffectual and curiously paternal parietal rules. Were it bold enough to do this, I feel it would discover no significant change in student behavior."

One Dormitory Council member termed the Deans' letter "a masterpiece of hypocrisy." But others were pleased by the continued willingness of the Deans to review the problem. One said that "the residents of the dormitories should realize that the dorms are not apartment houses and should not reasonably expect that the same rules would apply."

The Deans' failure to consider noise reduction, caused by soundproofing of the newer dormitories, and the absence of mention of the short week-day hours (5 p.m.-7 p.m.) were primary sources of dissatisfaction with their letter. One student speculated that the most flagrant violations of the present rules occur on week-day evenings.

Despite the reservations of dormitory dwellers, female reaction was positive. One Law School secretary said, "The weekends are just going to be wild."

Conflicts Law to Take Effect

(Continued from page 1)

Professor Braucher, a member of the Special Commission which prepared the bill, said that the Commission anticipated nearly all of the arguments which are now being posed by opponents of the bill and that nearly all questions were resolved in a manner which will prove beneficial to the entire Commonwealth.

The opponents of the bill consist largely of municipal officials who are presently involved in rendering private services, contractual or otherwise, to the municipality, for compensation.

According to the *Boston Herald*, Sherborn Selectman Arthur McGrath for example, has complained that if the law goes into effect as scheduled his town would have to discontinue plowing sidewalks because the town clerk owns the only plow small enough to fit the sidewalks. In another town, a selectman selling milk to schools in a town would have to resign from office or "suffer the financial loss of giving up the lucrative school milk business."

Professor Braucher said, however, there may be a way to ease the apparent harshness of the provisions.

The history of the present law goes back to early 1961 when both then Governor John A. Volpe and Senate President John E. Powers offered bills to deal with the general problem of conflicts of interest. The law which went into effect in November of that year consisted of three basic parts. One was a code of ethics section providing general standards of conduct for state officials but without criminal penalties for violation.

The second was a section which provided that any state employee who has an interest exceeding \$10,000 in any company which is subject to state regulation or which does business with the state must make full disclosure of this interest.

This section of the law created a furor for a while, until an opinion



Professor Braucher

of Attorney General McCormack rendered it almost completely ineffective. A state employee filed a statement to the effect of: "I have such an interest in such a company." The statement did not list the extent of the interest or the name of the company, yet the Attorney General held that the statement complied with the law.

The third section of the 1961 law set up a special commission to study the 1961 act and "all other existing laws related to conflict of interest and ethics in government" and determine the need, if any, of further legislation "to insure the efficient operation of the act and the protection of the public interest."

Professor Braucher was one of the Governor's appointees to the Commission, along with Professor Paul M. Siskind of Boston University Law School, Rev. Robert F. Drinan of Boston College Law School and Dean Frederick A. McDermott of Suffolk Law School. Other members of the Commission represented the clergy, the General Court, and the Boston and Massachusetts Bar Associations.

A subcommittee on drafting was set up, consisting of Professor Braucher, Professor Siskind, and

Mrs. Marion Miller Fremont-Smith, Secretary for the Commission.

The legislation submitted by the Commission included broad coverage of bribery, providing strict criminal penalties for both the offeror and the acceptor of bribes.

Section four of the law provides that no state employee shall "... otherwise than as provided by law ... directly or indirectly receive or request compensation from anyone other than the Commonwealth or a state agency, in relation to any particular matter in which the Commonwealth or a state agency is a party or has a direct and substantial interest."

A later section of the law makes it illegal for a state employee to knowingly have a financial interest in a contract with the state.

The same language is used in limiting the actions of county and municipal employees and it is this broadly prohibitive language which has given rise to most of the opposition.

Most of the opposition is being lodged, however, after the bill was enacted into law. The *Herald* quotes Atty. Charles W. Davis of the Massachusetts Selectmen's Association as admitting that the association misjudged the Legislature by remaining silent during public hearings on the measure, saying, "I never thought it would get off the ground."

Professor Braucher stated that a close reading of the law would provide the answers to a great many of the questions which are now being raised.

For example, he points out that the law makes a key distinction between a regular municipal employee and a "special municipal employee." The "special municipal employee" is defined as one whose position has been expressly classified as such by the governing body of a municipality, such as the Board of Selectmen of a town. Once a person is classified as a "special municipal employee", and

(Continued on page 6)

Admissions Applications Jump

Admissions applications are running about 4 to 3 ahead of the total at this time last year. Early this week the Admissions Office announced that 1062 applications had been received as compared with 790 last year.

Vice-Dean Louis A. Toepfer speculated that while the unusually large influx of applications may simply indicate earlier applications, it probably means a greater number of students wish to apply, and "harder and more difficult problems to solve" in choosing between candidates. The basis for this belief is the record number of persons who took the Law School Admissions Test last fall.

Dean Toepfer said that acceptances and rejections had already begun to go out to applicants and that the Admissions Committee was meeting every week. The deadline for applications is May 1.

Berman Lectures Scheduled

Professor Harold Berman of the Law School and Professor Krister Stendahl of the Divinity School will begin the first of a series of discussions on law and Christian thought Thursday, February 14, at 1 p.m. in Canterbury House, 2 Garden Street, Cambridge. The discussions will be held at Canterbury House every other Thursday throughout the spring.

The first discussion will be on the right of the Christian to live outside the legal order. As a focus for this discussion, the group will consider Professor Stendahl's essay "Messianic License." Copies may be obtained at the Distribution Center.

Braucher

(Continued from page 5)

after a full disclosure of his connection with the city or town, the employee can aid or assist another person for compensation in the performance of work under a contract with or for the benefit of the city or town.

In simple terms, if the Sherborn town clerk is simply given the status of a "special municipal employee" by the Board of Selectmen of the town, he can use his snow plow and plow the sidewalks for compensation.

The act states that "such classi-

fication shall be made by employing standards reasonably related to the stated purpose and terms and provisions of this chapter." But even with this language, Professor Braucher feels that the use of the "special municipal employee" status would clear up many of the problems.

An interesting question is presented as to whether or not the selectmen could assign to each other the status of "special municipal employee," thus allowing the selectman who was selling milk to the schools to continue in his lucrative business. Professor Braucher feels that it might not be too far

Council Answers Deans

In quick response to the Deans' extension of parietal hours the Dormitory Council voted to send a letter of appreciation at a meeting last Thursday.

The letter said, "The Dormitory Council hereby expresses its appreciation to Vice-Dean Toepfer and Assistant Dean Bevins for taking this initial step in the liberalization of parietal hours. We welcome the Deans' offer of continued discussions on this subject and hope that this action will serve as a basis for continued productive results."

The Building and Grounds Committee reported that the Wheeler Room phonograph had been removed from the premises, apparently stolen. The final disappearance, which occurred during Christmas vacation, was the culmination of a gradual dismantling process, first noticed about Thanksgiving.

The Administration has also agreed to refurbish the Harkness high fidelity system.

On Saturday afternoon a Building and Grounds Committee delegation, led by Stuart C. Hall, 2L, placed pencil sharpeners in telephone booths on each dormitory floor.

Freund Elected Director

Paul A. Freund, Carl M. Loeb University Professor of Law, has been elected to the board of directors of Washington University in St. Louis, his alma mater. Professor Freund, who graduated from the school in 1928 before entering Harvard Law School, is a native of St. Louis.

out of line to allow this practice, since most selectmen of small towns, while elected and compensated, serve largely on a part time basis and are usually meagerly compensated. He stated that a conclusive answer to this question could be obtained by a request for and issuance of an opinion by the Attorney General.

Professor Braucher said that many of the provisions in the act were embodied in law before the passage of the act under discussion; it is true, however, that the application of the stringent requirements to towns and town employees is an innovation.

Legal Aid Bureau Celebrates 50th

By Richard A. Hannaway

Fifty years of free professional service to the less fortunate residents of the Cambridge community, through two World Wars and a depression. That's quite a record, one of which the members of the Harvard Legal Aid Bureau are rightly proud.

Around this time, 50 years ago, 25 second and third year students banded together under the sponsorship of the Law School Society of the Phillips Brooks House and drafted the constitution for a student organization to furnish competent legal advice to those who needed help but were unable to pay for the services of a lawyer.

The beginning was inauspicious. After a month of operation they suspended activities to prepare for their final exams. But in the academic year 1913-14 the Legal Aid Bureau began to move. One hundred ninety one cases were handled. Fifteen of the sixteen court cases were won. The Bureau was incorporated as a charitable organization in March, 1914.

Period of Growth

The first World War curtailed activities; but in the years following, from 1920 through 1931, the Bureau grew and improved. The average number of cases handled went from 100 to 250. Dean Pound intervened in 1925 on behalf of the Bureau to obtain independent financial assistance from the University. As a result Legal Aid severed its connection with Phillips Brooks House and ceased to exist as merely a subsidiary of the larger parent organization.

Two important changes took place in the years 1931-32. A member of the Boston Legal Aid Society, Mr. Edward J. LeCam, a graduate of Harvard Law School, was hired as legal adviser for the Bureau. Mr. LeCam still holds that position. Second, business in these depression years increased so sharply that Legal Aid inaugurated a summer program with student volunteers. Thus the Bureau was open year-round.

The record of 294 cases in 1931, which was itself an all-time high, was dwarfed by 832 cases in 1932, the first year of summer operations. This was an increase of almost 200% in just one year. A sign of those times was

the large number of landlord and tenant cases which were handled. Thanks to greater efficiency and experience only a fraction of the 800-odd cases had to be tried; and the majority were won by the Bureau.

The year 1935 was a black one in the history of the Harvard Legal Aid Bureau. After such magnificent successes the members of the Bureau looked forward to a year of even greater expansion. But in that year the legislature revised the Massachusetts code; and one of the sections revised was the law dealing with legal aid societies.

(Continued on next page)

Brennan at Banquet

The Legal Aid Bureau will celebrate its first half century of service at its 50th Anniversary Banquet on Wednesday, February 13, at the Harvard Club of Boston. The banquet program includes cocktails at 6:30 and dinner at 7:30. Invitations to the black tie affair have been sent out to all living alumni of the Bureau as well as to all the present law school faculty.

On the afternoon of the banquet there will be an open house at the Bureau offices for the alumni. Speakers at the banquet will be three of the Bureau's most distinguished alumni: the Honorable William J. Brennan, Jr., Associate Justice of the United States Supreme Court (Legal Aid 1930, 31); Hon. Raymond S. Wilkins, Chief Justice of the Supreme Judicial Court of Massachusetts (Legal Aid 1913); and Hon. R. Ammi Cutter, Associate Justice of the Supreme Judicial Court of Massachusetts (Legal Aid 1923, 24). Chief Justice Wilkins was one of the founders of the Legal Aid Bureau in 1913. Dean Erwin N. Griswold will speak as a representative of the Law School. The hostess of the banquet will be Mrs. Robert A. Cushman, Bureau Secretary since 1946.

As a special feature of the fiftieth anniversary banquet, the present members of the Bureau have prepared a 32 page program-directory which will contain the names of all Bureau members, past and present, and the addresses of all living members.

Legal Aid

(Continued from page 7)

As a result of the revision, there was a serious doubt about whether the Bureau could legally continue its method of operation. After much discussion the Faculty approved a test case which it was hoped would result in a favorable judicial ruling on the question; but the Harvard Corporation turned down the idea. On October 7, 1935 the Bureau suspended activities and remained closed for almost two years. It was saved from destruction by a modification in its procedure by which a duly qualified member of the Massachusetts Bar was hired to act as the attorney of record, approve all advice, and sign all pleadings. On this basis, the Bureau reopened its doors on March 3, 1937.

In the years just prior to U.S. entry into the second World War, the Bureau's operations expanded to a new high; 1941 saw 1,003 cases handled. Only five percent of the cases in that year had to be brought to court; and over 80 percent of those brought were won. The U.S. involvement in the second World War with the consequent drain on Bureau membership as students joined the armed forces hurt Legal Aid so much that it was forced to close in 1942 "until this war shall terminate victoriously."

Summer Opening

After the War a handful of former members under the leadership of Professor John M. Maguire, faculty representative and Charles E. Finn, president, proceeded to reactivate the Bureau. Twenty other qualified students were elected to fill out the membership. The Navy Sonar Laboratories were ejected from the first floor of Gannet House and the Bureau moved back in and set up headquarters. These were the years when the Law School was in session all year round to handle the flood of returning veterans. In their first year back in operation the Bureau handled 680 cases. This number increased until in 1949-50, the all time high of 1,619 applications were processed.

In that same year one of the members of the Bureau, Samuel Dash founded the Voluntary Defenders, to provide legal counsel for the defense of indigent criminal defendants. After a year of operation as a subsidiary of the Legal Aid Bureau, the Voluntary De-

fenders became an independent organization and has since experienced a flourishing growth.

After the war, with the school no longer functioning on a year round basis, a regular plan for continued service during the vacation period was set up in 1950. A volunteer staff of student counsel under the direction of one regular Bureau member, who receives a small salary for his work, makes the services of Legal Aid available to the Cambridge community, even when the school is not in session. In the summer of 1962, this staff of volunteers handled 194 applications for assistance.

The Bureau has not hesitated to branch out into areas beyond landlord and tenant, and domestic relations; and its endeavors in other areas have been equally successful. The Bureau presented the first petition under the Uniform Reciprocal Enforcement of Support Act, Mass. Laws 1951, c. 657. The procedures first adopted under that act were suggested by the Legal Aid Bureau. The Bureau has also dealt with matters involving immigration and naturalization, and social security. Its members have been admitted to practice before the Board of Immigration Appeals and the Immigration and Naturalization Service; and also before administrative tribunals handling social security matters.

A bright future of continued public service for at least another fifty years lies ahead for the Harvard Legal Aid Bureau as shown by its performance in the last academic year in which 1,102 cases were handled. Ninety cases had to be taken to court. Of these 70 were won outright, twelve were lost and eight were technically lost but the clients obtained what they were seeking. The Bureau is realizing the object of its founders that competent legal aid should be available to all those who need it regardless of their ability to pay.

Ames Final in April

The date for the Ames finals this spring has been set for April 10, it was announced this week. Chief Justice for the finals will be Byron R. White, newly appointed Associate Justice of the U. S. Supreme Court. The other two judges have not been announced. The two finalists will be the Holmes and Story Equity clubs.

FEATURES SECTION

Patent Office Invents Solutions

By Daniel J. Kucera

Problems, problems! Everyone talks about the Patent Office, but nobody ever does anything about it!

A noble brain-truster has suggested burning down the whole place as an urban renewal project. However, this action is vigorously opposed by a small pocket of resistance, viz., the approximately 7,000 patent attorneys and agents in the United States.

To a certain extent, the problems which perplex the Patent Office are common to most federal agencies — old fashioned, inefficient methods and procedures; a rising workload approaching the “impossible”; inadequate facilities; and difficulty in attracting and keeping top-flight personnel.

However, the Office is unique in two impressive ways. First, it is not a product of a national emergency as are many of the recent “alphabet” agencies. Rather, it is 173 years old; and it was formed because the framers of our Constitution thought we should have a patent system “to promote the progress of science and useful arts.”

Doing Something About It

Second, unlike most agencies, the Patent Office is eagerly trying to solve its problems.

For example, it is fighting to eliminate the delays in issuing patents which are caused by an increasing number and complexity of applications. The Office has launched a long-range research project in “data retrieval” to develop a method by which computers could do the work of examiners. That is, electronic brains would “search” patents and scientific literature to determine if an invention had been anticipated. Some day, these punched-card and magnetic-tape monsters might even be deciding whether they are themselves “patentable.”

Commissioner of Patents David L. Ladd has emphasized that more money and men alone are not sufficient to solve the work backlog problem. “As a matter of fact,” he told the House Appropriations Subcommittee on Commerce in 1962, “one of the premises

under which we are operating in the Patent Office is that we have reached the point where the wholesale adding on of several hundred examiners, as we did during the buildup from 1955 to the present time, is not the answer. It is in these long-range programs, such as research and information retrieval, that we hope to reverse the trend.”

Computers Think Big

The Patent Office hopes to capitalize on the long-term abilities of computers to reach a degree of mechanization which today sounds like science fiction. Currently, it is supporting some far-reaching work on structural linguistics. “The objective of these efforts,” the Office says, “is to develop the ability of machines to not only read words, chemical formulas, mathematical formulas, circuit diagrams, mechanical drawings, and other schematics, but also to extract their meaning and to abstract technical contents.

“At a further stage, the computer (or automation) would be expected to organize the information, revising this organization on the basis of new informational entries and the file’s experience in attempting to meet the demands made upon it. Much of the advanced part of this work and ‘self-organizing automata’ might not yield useful results for 10 years, if ever. Yet there is an active research community working on the theoretical foundations for such systems with no evidence that success will not be possible; indeed, all of the committee of experts reporting on the Patent Office’s future needs stressed this aspect of computer technology.”

Modernization of procedure has been focused by the Kintner Management Survey Report. A unique study of causes and remedies, the Report recommends that supervisory and administrative duties be separated more clearly from examining duties. It calls for a more rational and effective grouping of the various fields of invention, i.e. chemical, electrical, etc. It even suggests a quality

(Continued on next page)

Patent Office

(Continued from page 9)

control unit for checking on the work product of examiners.

According to Commissioner Ladd, the Report also shows that a major solution is proper placement of personnel. "To be specific, we shall have to ask about every person in the examining corps, is he more talented as a technical man or as an administrative person. His assignments should be made accordingly.

"The elite of the Office should be, and will be, those who produce more than their fair share of good work — whether they be in the technical area or in the administrative area; and positions in one area should not be valued over positions in the other. . . . The idea that a man acquires superior status according to the number of men working under him is hereby expressly repudiated."

The Patent Office is trying to make it more comfortable to work, too. Commissioner Ladd told the RECORD that "physical conditions in which examiners work have been improved and continue to receive attention." Air conditioning has been installed in most areas and examiners are finally getting telephones. More important, the Office gathered in some 14,000 square feet of additional breathing space. However, it is pushing hard for a new building, in which every examiner in Grade 13 or above would have a private office.

What about the persistent 20 per cent yearly turnover of patent examiners? Mr. Ladd told the RECORD that several innovations have been made to counteract the turnover problem. "New classification standards, which will control the grade levels to which examiners can be promoted have been established and implemented. Accordingly, new examiners can look ahead to rapid promotions based on individual work performance. New selection standards have been adopted which will give greater objectivity in selections for supervisory positions. A feeling of greater professional status for examiners has been achieved by granting signatory authority to those who demonstrated ability."

The Patent Office realizes that it must compete with law firms and corporations to obtain and hold onto competent men. Accord-

ing to Mr. Ladd, it "provides excellent opportunities for employment to graduates of colleges and universities who have received a degree in one of the engineering fields, chemistry, or physics." Civil Service Commission Examination Announcement 181B outlines the requirements for various examiner positions. A college degree can get you into a GS-5 post, but with a law degree you can qualify for a GS-7. The highest rating is GS-15. The Commissioner and other "men-on-the-top" are Presidential appointees.

Regardless of initial level, however, an examiner will be able to receive rapid promotions. Commissioner Ladd says that "An examiner appointed at grade GS-5 can expect promotion to GS-7 at the end of six months of satisfactory service. The examiner appointed at GS-7, can expect promotion to GS-9 at the end of nine months of satisfactory service, except those who qualified for GS-7 on the basis of scholastic achievement. Further promotions to successively higher grades are available after a minimum of one year in each grade. The first line supervisory grade in the examining divisions is grade GS-14. However, a number of examiners receive promotions to this grade, and higher, based on individual work performance. . . . Patent examiner positions are in the Federal career service and as such provide very liberal benefits in connection with annual and sick leave, insurance, retirement, and hospitalization-medical coverage."

Want Career Men

The Commissioner explained to the RECORD that while a law degree is a means to qualify for a grade GS-7, it is not required for employment with the Office or for promotion to supervisory positions. "With respect to those who may already have obtained a law degree, we are not, of course, interested in recruiting attorneys who clearly intend to spend a short period of time in the Office to obtain experience which will make them more valuable in private practice. On the other hand, we are fully aware of the value of legal training in patent examining and are pleased to employ those law school graduates who have the necessary technical background if there is a reasonable chance that they may decide to remain for a career in the Patent Office."

(Continued on page 12)

Sees World, Settles Down Here

By Edwin S. Kahn

The greatest need for practicing lawyers trained in international law is in the United States. However, "I get my biggest satisfaction in seeing a good young American soundly placed overseas in a situation that involves international legal studies."

"But there are many other stimulating and rewarding aspects of my job," Joseph E. Leininger, Secretary of International Legal Studies, recently explained. For example, he serves as adviser to foreign students, entertains foreign visitors to the Law School, and assists Professor Katz, Director of International Legal Studies, in the long-range planning of the International Legal Studies program.

While Mr. Leininger's position involves a variety of duties, his earlier experiences present an unusually rich and diverse potpourri of work, study and practice.

Moves Through China

Growing up near Cleveland, he attended the University of Rochester for two years. Then, he joined the Army in 1943. Trained in Chinese, he served in China for two years with the OSS — moving from Chunking, the war-time capital, to Peking, and finally to Manchuria, where the Nationalists and Communists were both attempting to fill the gap left by the evacuating Russians.

After the Marshall mission to China, Mr. Leininger returned to the United States in 1946. He joined the Foreign Service, where he concentrated on Korean studies. After two years in Washington, he was sent to Korea in 1948. There, he served as Vice Consul until just before the Korean War broke out.

Mr. Leininger remained in government service in Washington until 1953. Subsequently, he went to Austria to serve as liaison officer between the American military and several Austrian ministries. In 1955 he returned to the United States and spent a year in Cleveland for family reasons.

At the age of 33, the classroom beckoned again; so he entered the Law School in 1956 — the oldest man in his class. He concentrated on International Legal Studies, assisted Professor Katz in the preparation of a



— RECORD Photo by Robert A. Grayson

Mr. Leininger

casebook in International Transactions, and was a founder of the International Law Club.

After graduation, he practiced in Denver, sharing offices with Dayton Denious, LL.B. 1930. "The international practice was very active, demanding, and educational. There are an increasing number of clients in interior cities, and there is a need and an opportunity for local lawyers who are skilled in this area," he explained.

A lawyer can show a firm that "establishing markets overseas does not require a magical formula." However, only large firms can make the investment in an international law library that is required for a successful international law practice, he said.

Mr. Leininger became Secretary last July, replacing John A. King, Jr., who had served in that post for eight years.

An Open Door

His hobbies include movie photography and playing the piano, while his wife Genevieve enjoys cooking and stamp collecting.

The Secretary remarked that he follows an "Open Door" policy for foreign or American students. He is happy to talk to them about any problems they may encounter here or any inquiries they might have about opportunities in the field of international legal studies.

Patent Office

(Continued from page 10)

The Patent Office has problems, but it is the first to admit it. And, it has no intention to get caught in anyone's bigger and better mousetrap. Says Mr. Ladd, "It is an unbending law that anything which does not change, which does not adapt itself to new conditions disappears."

Face it, though — no matter how tough the problem is, it is probably worse in Russia. An article in *Ekonomicheskaya Gazeta* quoted Constantin Matsegora, acting director of the Moscow patent library, who told of his visit to a patent office in Volgograd (some knew it as Stalingrad): "My hair stood on end . . . I arrived, I walked through the corridors of the library, I looked: there were nailed boxes, sealed packages lay around. My thought was: have they really obtained a new building and are preparing for moving? I examined: this was our patent and scientific technical literature! As they received it so they threw it into the corridors. In five years mountains were formed . . . In other libraries, they say, the literature was thrown on the pile and then simply burned — there was no room for storage!" The article then asks, "This is the way in which, with rare exceptions, the supply of patent literature is here organized . . . Who will develop a scientific method of patent usage?"

Not So Bad?

Perhaps the situation was best explained by Dr. Vannevar Bush, when he received the Kettering Award last year. Speaking before the Annual Public Conference of the Patent, Trademark, and Copyright Foundation, he said: "We, who are associated with the patent system in one way or another, often wonder why it is now vigorously attacked, or, more dangerously, whittled away in its effectiveness. It is a central feature of our free enterprise system, under which we have attained the highest standard of living in all the world and in all history. Why then should we see all about us that system harassed in subtle ways?"

If you *really* want a bigger and better Patent Office, you had better hurry up and invent one — before the Patent Office beats you to it!

Pusey's Report Focuses on Humanities

Harvard University President Nathan M. Pusey declared that the University has not "lost sight of its ancient concern for humane learning" in his annual report released last week.

Addressing the members of the Board of Overseers, he said that "it does not seem to me justified — certainly not in regard to Harvard — hastily to conclude that the present dramatic advances in the natural sciences are being effected at the expense of the humanities and social sciences, or that these disciplines are now suffering indifference and neglect."

He added that "the humanities have a very special place in a university, especially perhaps because of the pleasure they give, but also because of the heightened effects which experience of them can produce in individuals in terms of enlivened imagination, increased responsiveness, broadened interest, clarified purpose and in the end also, quickened ethical sense."

Last fall in his annual report on the Law School, Dean Erwin N. Griswold noted an "imbalance" between scientific research, supported by lavish government grants, and research in the humanities. The humanities, he said, should "not simply be left to their own devices and their frugal fate."

Visiting Professor Named

Robert E. Mathews, Professor of Law at Ohio State University, will be a Visiting Professor at the law school next year. Professor Mathews, an authority on Labor Law, received a B.A. degree from Yale University in 1915 and a J.D. degree from the University of Chicago in 1920. He has taught at Ohio State University Law School since 1924.

Cocktail Party Set

The annual Student-Faculty Cocktail Party, sponsored by the Harvard Law Wives for married students in the Law School, will be held in the Harkness Meeting Room on Saturday, February 9 from 5 to 7 p.m.

Law and Psychiatry Linked

By Michael J. Henry

Although the fields of law and psychiatry are sometimes thought to have little in common, at least one psychiatrist feels differently about the matter. He is Dr. Preston K. Munter, who gains some familiarity with the law through meeting many future lawyers in the course of his duties as the Law School Health Service psychiatrist.

Dr. Munter has proposed to the Law School Administration that a course be established on an experimental basis devoted to increasing the insight of future lawyers into the underlying causes of human motivation and behavior. He feels that the general approach of legal education which emphasizes heavily the specific content of substantive law, may have the unfortunate side effect of obscuring the relation of law to the whole of society.

Dr. Munter believes that the law should be understood in the light of human experience, from which it arose, and in connection with human behavior. When a client comes to a lawyer with a problem, it is more often than not a total human problem involving more than a simple legal problem, in the narrow technical sense. To deal with such a problem adequately requires a "feeling" as well as a thinking human being of wide-ranging competence, he said.

He is continually amazed that so many law students seem to know so little about social or personal values—where they come from, what they are, and what they do—since lawyers, along with groups such as teachers and ministers, are professional value-keepers in an advanced society.

Dr. Munter does not think that lawyers are any more confused

about values than other people, but thinks that they ought to be *less* confused. "Having his values under control is just as much a tool of the trade for a lawyer as for a psychiatrist," he believes. The lawyer must understand not only what he and other people do and how they do it, but also why they do it.

Dr. Munter noted that one of the conclusions from his proposition that lawyers are part of society's professional value-keepers was that it is often appropriate for judges to give moral pronouncements when making decisions, although to do so may conflict with some of the canons of the bench. Even if he does not feel he ought to give such public moral instruction, the judge ought to clarify his own value position so as not to allow it to influence him unconsciously, Dr. Munter thinks.

He summarized the case for greater intellectual exchange between law and psychiatry by saying, "Lawyers have a special responsibility for the moral climate of the community; they require insight into themselves as well as others in order to meet this responsibility."

Turning from the professional relations of law and psychiatry to law students as people, Dr. Munter commented that the general tension level at the Harvard Law School may be decreasing. He bases this conclusion on his impression that less first year men have come to see him this year, and that for the first time the Ames competition this year caused no first year men to come to visit him. He relates this decrease in tension to such factors as the extremely low failure rate resulting from a selective admission policy.

Warren Faults Nation's Law Schools

Chief Justice Earl Warren called upon the nation's law schools to teach more of "the great principles of justice and ethics" in dedication ceremonies at the University of Pennsylvania Law School recently.

"Too few of our law schools can find a place in their curriculum for such indoctrination," he said. According to the Philadelphia *Bulletin*, he added that there is a danger "of destroying ourselves" if the law becomes cold and indifferent and materialistic without the humanitarian influences which have made it the "sheet anchor of civilization."

Too often, the Chief Justice said, people demand protection of the law for themselves but deny it to others. "Many a person who believes implicitly in the fact that the Constitution is designed to protect him in the enjoyment and use of his property, has little patience with those who insist on freedom of expression, freedom to teach, and freedom of association," he said.

The Chief Justice urged law students to "devote your full energies to the hard core of the curriculum," and to avoid the temptation of becoming law reformers or political scientists—or of worrying about whether the Supreme Court with any change of membership is likely to become more liberal or conservative.

Mr. Chief Justice Warren, along with Associate Justice William J. Brennan, and Associate Justice John M. Harlan, dedicated the new \$1.6 million classroom building at the Pennsylvania Law School.

Harvard Ranks Second

The Harvard Law School, with 1,660 students, ranks second in size among the nation's law schools, according to figures published by the American Bar Association.

New York University is first with 1,935 students. Georgetown, Brooklyn, University of Texas and University of Michigan are the only other schools with more than 1,000.

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Barnett

(Continued from page 1)

These statements, and figures showing the state's industrial progress and growing population, were to Barnett "conclusive proof" of the "peace, harmony and opportunities in Mississippi."

Finally Barnett hit the nail on which he'd set his sights, saying that Mississippi is the "greatest states' rights state in the nation."

The governor began to get hoarser as he lashed out at the federal government for encroaching upon states rights and overstepping its constitutional powers under the 10th Amendment.

Barnett called for a "return to fundamental principles," asking that the states be allowed exclusive jurisdiction over their local problems.

"We must no longer remain idle; we must no longer remain complacent," he stated, saying that states must come to their own defenses. Again referring to the 10th Amendment, he said those 28 words can be understood by any high school student, but not by the nation's Supreme Court. He charged the Court with whittling away the 10th Amendment's power for the good of left-wing and Communist-front organizations, and, waving his arms like a demagogue, said, "We must not fall into the trap of world-wide Communism."

Barnett's point was that America has always been based on the limiting of centralized power, and restrictions on such power further human rights. He advocated that local people be allowed to deal with local affairs, and warned that when government becomes remote danger arises. America, he said, lives at the small town crossroads, and not in Washington.

The desegregation issue which Barnett avoided was hit by the panel of Professors Louis L. Jaffe, Charles Fried, and Robert E. Keeton. Professor Jaffe stressed that the problem can only be solved "in the long pull." He praised the governor's nerve in coming to Cambridge, and hoped the visit would help open lines of communication between Mississippi and the north.

Professor Fried pointed out to the Governor that Mississippi cannot get along well by itself, that it is part of a greater commu-



— RECORD Photo by Donald W. Kramer

Pickets Protest Appearance

nity. Fried noted that if the community is to persist no group in it can set itself up as final arbiters.

Professor Keeton came down hard on a key issue skipped over for much of the evening — whether all the people of Mississippi have the power to govern themselves. Keeton considers Mississippians as members of a family in deep trouble who, even if themselves primarily responsible, need help. He called for the state to listen to the calm voices asking for change which have been drowned by the recent clamor.

School Committee Denies Use of Auditorium

The Cambridge School Committee denied last week a request by the Law School Forum for the use of Rindge Technical High School Auditorium for its Monday night program, featuring Governor Ross Barnett of Mississippi.

Gustave M. Solomons, a Negro member of the school committee, said that the Governor should not be allowed to speak at the high school because he had failed to use his powers for good, but instead had chosen to stir up racial strife. He also said that "a meeting of this kind might stir up such excitement that the property of the city would be in danger."

The official reason for the refusal, given to Forum President Robert C. McDiarmid, 3L, was that the application for use of the auditorium, made less than a week before the Governor's appearance, was submitted too late to receive adequate consideration.

Letter to the Editor

To the Editor:

Since December a number of my magazines have turned up missing. A package sent me last September never arrived. I know of at least one other student who complains of missing mail.

Today in the communal mail trough supplied my dormitory I found the empty wrapper of one of my magazines arrogantly left behind. The post office assures me that the wrapper was not empty when it was delivered.

As a result, I am cancelling all my subscriptions. Had the person who desires my mail only asked me, I would have been happy to let him borrow or keep it. But I do expect the courtesy of having an opportunity to at least see my mail before it is taken from me.

I have discussed this with Dean Toepfer and he said this was the first instance of such missing mail to come to his attention. The local post office superintendent, however, says he has had numerous other complaints. Both agree that there is little than can be done about it. The post office superintendent suggested that a few large locked boxes be installed, each box to be for the use of a few of the smaller box boxholders. Cost of such an installation, however, is a consideration.

So I have decided I can do without the recreational and informative reading these magazines provide and can also hope most of the mail from my correspondents will get through.

The main reason I write this, though, is not to complain of the lost magazines. Their cost was not very great and having them stolen is no great loss to me. The real problem is the sad fact that a common, petty thief will no doubt someday become a member of the legal profession.

I wish his clients well.

Sincerely,
Billy L. Williamson, 1L

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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.

THIRD YEAR INTERVIEWS

New York: College of Business Administration, Syracuse University, Syracuse 10, New York. William Zelerayer, Esq. will interview on Saturday, Feb. 16 for an opening on the business law staff. Sign up at Placement Office by one o'clock, Friday, February 8.

THIRD YEAR OPPORTUNITIES

California: Legal Dept. Revue Studios, Universal City, California. Contact Clifford J. Phillips, Esq.

Maryland: Wright, Robertson, and Dowell, 300 St. Paul Place, Baltimore 2. Leave resumes with Placement Director.

Massachusetts: Patent Law Dept., United-Carr Fastener Corp., Suite 314 Kendall Square Building, 238 Main St., Cambridge. Contact Philip E. Parker, Esq. (864-8143). Engineering background preferred, but not necessary.

North Carolina: Kennedy, Covington, Lobdell & Hickman, 1210 North Carolina National Bank Building, Charlotte 2. Contact Clarence W. Walker, Esq.

Rhode Island: Gunning & LaFazia, 533 Industrial Bank Building, Providence 3. Contact Bruce M.

Selya, Esq.

Washington: Culp, Dwyer, Guter-son & Edwards, 812 Hoge Building, Seattle 4. Contact Malcolm L. Edwards, Esq.

SECOND YEAR OPPORTUNITIES

Washington, D. C.: Legal Division, Treasury Dept., Washington 25. Leave resumes at Placement Office by one o'clock, Thursday, Feb. 7. (Three month internship, recommendation by the Dean and personal interview in Wash. required.)

Rhode Island: Gunning & LaFazia, 533 Industrial Bank Building, Providence 3. Contact Bruce M. Selya, Esq. (Clerkship. Third year also eligible).

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