



America's Oldest Law School Newspaper

VOL. 36

CAMBRIDGE, MASS., MARCH 28, 1963

NO. 7



Brooke . . . Orders Probe

Dean Stirs Jail Probe

By Donald W. Kramer

Massachusetts Attorney General Edward W. Brooke has ordered an investigation into conditions at the state's jails and detention centers following a letter from Dean Erwin N. Griswold suggesting that cells and conference rooms may be bugged by "electronic listening devices."

Lee H. Kozel, head of the Attorney General's civil rights division, told the RECORD this week that the probe would be "as thorough as we deem appropriate or feasible." He said if any evidence is produced, the Attorney General would take "appropriate" action.

The investigation came to light in the Boston papers last week when news of the Dean's letter leaked out. The

Dean himself refused to say anything about the letter. "If I had written such a letter, it would be a private matter," he told reporters.

According to a story in the Boston *Traveler*, the Dean wrote March 7 to report he had been told of the devices by a Boston attorney who claimed to have specific evidence. He is said to have warned that use of such equipment is a violation of the Fifth Amendment of the U. S. Constitution and the Twelfth Article of the Massachusetts Constitution.

Kozel said his office had had no indication of such suspicions until receipt of the Dean's letter.

Soft Walls for Class

By Charles M. Hamann

Langdell South will get woolen walls over spring vacation, Vice-Dean Louis A. Toepfer announced this week. And an acoustical baffle will extend over the lecturer's platform in the same room. Both devices are part of an experimentation program designed to shorten reverberation time in the room and thereby make the dialogue between students and professor more "clear and distinct."

Current reverberation time of one second is too long, Dean Toepfer assured the RECORD. The result is to fuzz up the clarity of speech. The new, softer walls will cut down feedback and thus remove the blur from students' speech.

The temporary woolen walls will consist of gray drapes once used in the dormitory rooms of the Graduate Students Center. The
(Continued on Page 14)

Time Study Poll

Students who have received RECORD time study questionnaires are requested to return the completed forms to the RECORD office at 23 Everett St., or to the Receptionist in Langdell Hall. Results will be published after vacation.

Enlightened Electivism

In spite of rumblings which have begun to sound from New Haven, we persist in our opposition to electivism — whether it be at Yale or at Harvard.

The demise of Commercial Transactions as a required subject provides an adequate case in point. We must keep in mind that the Uniform Commercial Code is quite new on the American scene; it is our generation of attorneys who must be able to understand, interpret and apply the Code.

And, yet, through ignorance of what will be expected of them in practice, many students may not elect to study Commercial Transactions. Their loss is magnified by the fact that here at Harvard we are privileged to have professors who have played an integral part in bringing the Code to life.

Moreover, many will miss out on this opportunity, not because of a well-reasoned choice, but because they have heard about the course from a person they should not have asked, or the value of the course was never made wholly clear to them.

If electivism is to envelop the Law School, there should be two accompaniments. First, we suggest that a voluntary advisory system be instituted. By this we mean that there be made available to the students a formal mechanism whereby a professor in a given field will assume the responsibility or at least be available to discuss with students the advisability of taking a certain course or entering a certain field of study. This should take place during a concentrated period of time during the school year and the availability of such machinery should be well publicized.

Second, a truly comprehensive and informative publication should be prepared which will adequately state the ingredients of the courses at the Law School. The abbreviated course descriptions in the *Official Register* are often a mockery, usually bear little relation to the course described, and most certainly offer no insight into the problem of whether the course is necessary for a particular field of practice. In addition, the publication should be distributed before Spring vacation.

If we are to elect our courses, we must know for what they stand. *Register* promises are not enough.

Harvard Law Record

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

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TONGUE 'N CHEEK

By Fenno

Memo from the Administration to all Professors: As you all know, there will be significant changes made in Langdell and Austin Halls this summer. New exits will be created in all rooms, and the hourly crush to get into classrooms should be greatly reduced. The improvements mean also that it will once again be feasible to have periodic fire drills next year.

When the changes are made we shall issue new copies of the booklet "Emergency Procedures for Professors Teaching Courses in Langdell South." At this time, however, it looks as if the following paragraphs will be rendered useless: #5. The Buddy System: After explaining to the class the order of exit from the room (see paragraph #6), instruct each student to form part of a human chain by holding hands with the students next to him.

#6. Order of Exit: Air Force reservists, girls, animals, visitors (children first), backbenchers, non-law-review men who are married, non-married non-law review men, the professor, and law review men.

#7. Use of Windows: It is to be expected that most will choose to jump out the windows. Please caution those who do make this choice that it is best if one is completely relaxed when he jumps. Not only does relaxation provide a safer landing, but also the damage to the shrubberies outside of Langdell will be lessened.

The suggestion that we have a realistic fire drill soon, with all professors yelling "fire" at a given signal, has been rejected on the authority of Justice Holmes in *Schenck v. United States*, 249 U.S. 47 (1919). A few years ago this was tried. Fifteen minutes after the designated time three dogs and the professor had escaped from Langdell North. In Austin North no one heard the professor. In Langdell South the class linked arms and recited the school prayer.

Dean Announces Appointments

William Dorey Andrews, who has been teaching a section of Corporations for the past two years, has been appointed Assistant Professor of Law for the next two years, Dean Griswold announced this week. Professor Andrews will teach a section of Corporations and two sections of Taxation.

Other appointments made for next year include Professor Paul W. Tappan who will be Walter E. Meyer Visiting Research Professor of Law. Professor Tappan is now on the faculty of the School of Criminology, at the University of California, at Berkeley.

He has been an Associate Reporter of the Model Penal Code of the American Law Institute, and Chairman of the Board of Parole in the United States Department of Justice.

Professor Tappan will not do any formal teaching, but will spend the year in research in the fields of Criminal Law and Criminology.

Dean Vern Countryman, of the Law School of the University of New Mexico, will be here next year as a Visiting Professor of Law. He will teach in the field of Creditor's Rights. Dean Zelman Cowan of the Faculty of Law of the University of Melbourne, in Australia, will be a Visiting Professor of Law next year. Robert Allan Girard, who received his LL.B. degree here in 1956, will also be here for the year. Visiting Professor Girard is currently Associate Professor

New Assistant Dean Named

A new assistant dean will join the administration on April 1. He is John P. Wilson, LL.B. '62. Married and father of two children, the 30-year old Wilson has worked in Newark, New Jersey since graduation for the firm of Riker, Danzig, Marsh and Scherer. Prior to his years at Law School and after graduating with honors from Princeton in 1955, Mr. Wilson served in the Navy and worked for the Bureau of the Budget.

The new dean's functions at the Law School will include assistance in the area of Admissions and supervision of the Placement Office.

of Law at Stanford University Law School.

Colin Howard, of the Faculty of Law of the University of Adelaide, in Australia, will be Ezra Ripley Thayer Teaching Fellow. Two recent graduates of the Law School will return as Assistant Professors of Law. They are David L. Shapiro, who received his LL.B. degree in 1957, and Frank Isaac Michelman, who received his LL.B. degree in 1960.

Dr. Arthur L. Goodhart will be Visiting Professor of Law during the second semester of next year. Dr. Goodhart is now Master of University College, Oxford, England, where he retires next summer. Another Visiting Professor will be Professor Robert E. Mathews, of the College of Law of Ohio State University. He will teach Labor Law and the Legal Profession.

Ames Quarterfinals End

This Spring's Ames Quarter-finals produced wins for Bevins Law, Griswold Equity, Marshall Equity, and Scott Club.

Counsel for Bevins in its first round win were Curtis M. Caton and John F. Olson. They won standing for a federal prisoner to sue under the Federal Tort Claims Act. Griswold Equity won reapportionment for Michigan in the second round, with James Douglas Lorenz and Joseph A. Wheelock, Jr. as Counsel. The Internal Revenue Service, represented by Arthur J. Lombard and J. Laurent Scharff of Marshall Equity, triumphed in the Quarter-final's third round. Scott Club won its fourth round maritime case with Henry C. Miner, III, and Lewis E. Striebeck, Jr. as Counsel for the Appellant. All counsel are second year students.

Counsel on the brief were:

BEVINS LAW — Neil D. Anderson, James F. Childs, Jr., Martin R. Ganzglass, Thomas R. Lamia, George H. Link, and Harry W. Turner.

GRISWOLD EQUITY — John H. Betz, Ann Dudley Cronkhite, Harrison C. Dunning, Robert C. Embry, Jr., Paul B. Galvani, and Barton J. Winokur.

MARSHALL EQUITY — Thomas B. Arnold, John R. Bailey, James R. Hopkins, Jack L. Lawing, Alan H. MacPherson, and Jerrold I. Mitchell.

SCOTT CLUB — Ronald F. Daitz, Phillip H. Ginsberg, Myles Hannan, Joshua H. Lane, Brinton P. Roberts, Scott R. Schoenfeld.

Foreign Business Links to Grow

By Edwin S. Kahn

The growth of the number of joint international business ventures is as inevitable as the coming of political independence to the underdeveloped areas of the world, Professor Wolfgang Friedmann, Director of International Legal Research at Columbia University, declared in an ILC panel last week.

Describing joint ventures as prolonged efforts in collaboration between U. S. enterprises or those of other developed nations with businesses or governments of lesser developed countries, Friedmann listed four major factors influencing corporate decision-making.

These factors include the questions of majority or minority equity participation, cooperation with a public enterprise, suitability of the product for a joint venture and the extent of the use of local labor.

Robert M. Campbell, General Counsel of Ford International, explained that Ford prefers full ownership of its enterprises abroad rather than a joint venture with local capital. He attributed the company's emphasis on full ownership to the need for flexibility in supplying parts, designing vehicles and meeting foreign competition. Less than full ownership would impede the ability to move quickly in those areas, he said.

Campbell pointed out that despite majority or full control in every case, the great bulk of the parts for cars made overseas are produced by local foreign suppliers. He said that participation by local nationals in auto companies overseas has had no favorable effect on government relations or sales.

James M. Fulton, General Counsel of Merck & Co. praised joint ventures as suitable in areas of the world where the mores of society and conduct of business are very different from that in the U. S. While Merck has wholly-owned subsidiaries in Europe and Latin America, it has established joint ventures in the Far East: Japan, India, Thailand, Pakistan and Korea.

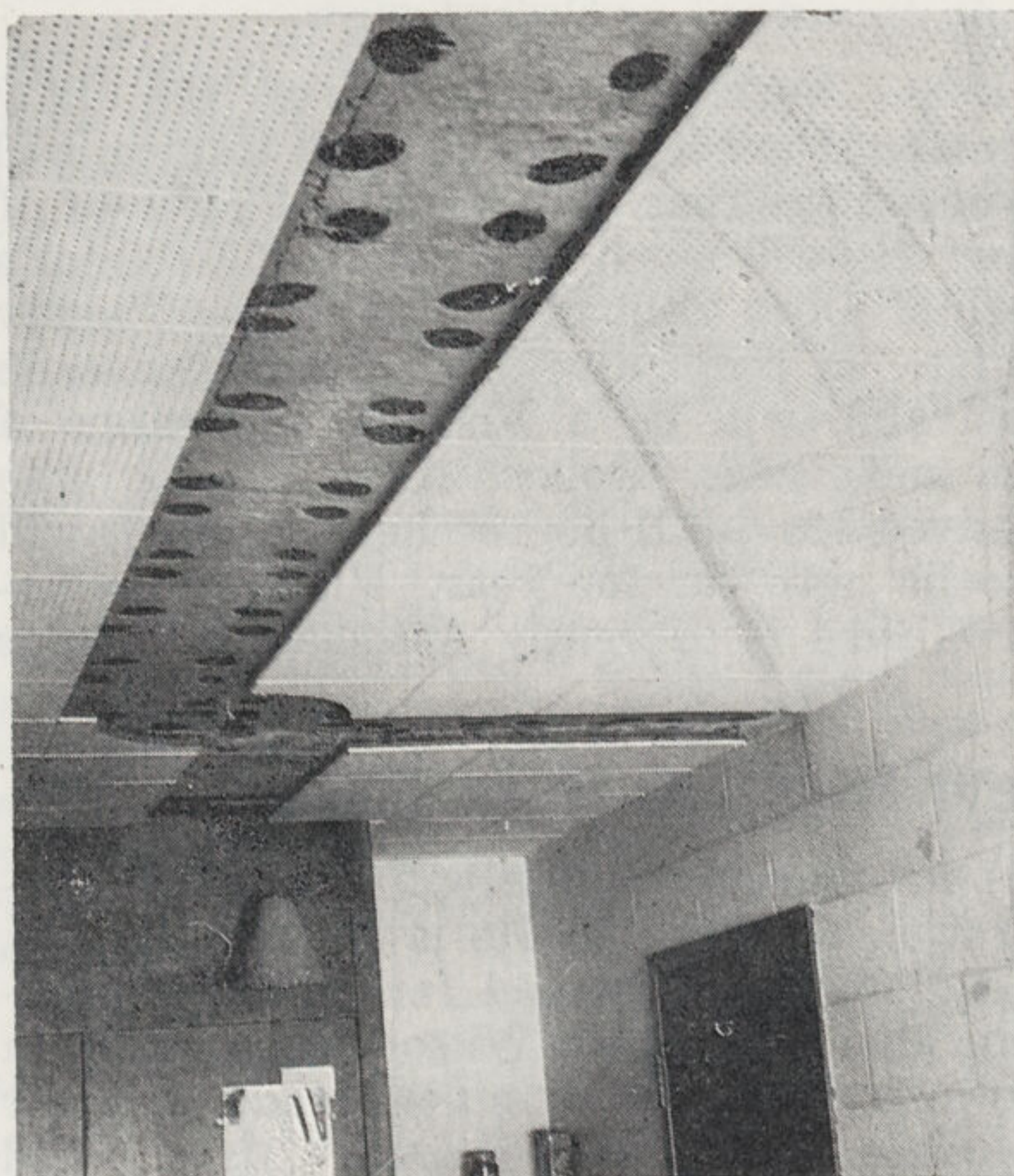
Fulton explained that even when the parent company has only a minority interest in the venture, licensing arrangements and contract provisions for special management committees could assure control by the parents. He also mentioned as a favorable fac-

tor local policies in the foreign countries restricting competition.

Friedmann charged that it is "nonsensical" for the Justice Department's anti-trust division to try to apply American competitive standards to underdeveloped countries. Following a policy unduly emphasizing competition leads to economic waste and a dispersal of resources, he said.

The three speakers agreed that anti-trust policing and the 1962 revisions in the tax law concerning businesses abroad are the prime deterrents to further expansion. They minimized possible expropriation by foreign governments as a threat to American investment, explaining that such action is comparatively rare.

Footprints on the Ceiling



Spring is a zany time, but not so odd as it may seem. From appearances the latest craze in the Law School dorms is to stroll across the ceiling with dirty feet.

Actually work is in progress. Workmen removed the acoustical tiling from Ames Hall ceilings in order to install wiring for new moon-shaped fixtures which purportedly glow in the dark.

We can hardly wait for next fall. What's better than romance (only on weekends) and a harvest moon.

New Third Year Courses Planned

Four new half-year courses will freshen the third year curriculum next year. Professor James Vorenberg will teach a course in Corporate Planning in the fall; Professor David Westfall will teach one in Real Estate Planning in the Spring.

In addition to these courses, courses in Advanced Constitutional Law (Professor Howe) and Equitable Remedies (Professor Kaplan), not offered this year, will be available to third year students next year. Third year courses in Legal Method in International Disputes and Government Regulation of Business have been dropped from the curriculum.

The new third year curriculum contains a large number of seminars not available this year. Visiting Professor Girard will conduct a full year seminar in Civil Liberties and another on Government Restraint of Private Racial and Religious "Discrimination." Professor Paul A. Freund will have a year seminar on Constitutional Litigation; Professor Donald F. Turner, a year seminar on Economic Regulation; Professor Richard H. Field, a year seminar on Problems in Revision of the Federal Judicial Code; and Assistant Professor Henry J. Steiner, one on Legal Aspects of the Common Market.

Fall seminars, offered next year but not offered this year, are Comparative Contracts (Professor von Mehren), Conflict of Laws: Problems of Jurisdiction and Recognition of Foreign Judgments (Professor von Mehren), Criminal Responsibility & the Model Penal Code (Visiting Professor Colin Howard), and State Constitutional Law (Professor Sacks).

Spring seminars include seminars on Creditors' Rights (Visiting Professor Vern Countryman), Criminal Responsibility (Professors Fried and Vohrenberg), Evidence (Professor Mansfield), International Conflict of Laws (Visiting Professor Zelman Cowen) and Land Reform (Professor Haar), none of which were available this year.

Not given next year will be seminars on Juvenile Delinquency, Legal Education, Administration of Criminal Justice, International Judicial Assistance, International Problems of Financial Protection against

Nuclear Risks, Remedies Against the Government, Compensation for Personal Injuries, Corporation Finance, Problems in Choice of Law, and Problems of "Mixed" Civil Law and Common Law Jurisdictions. All were given this year.

Those teachers who have volunteered to offer individual supervision of third year written work are: Professors Areeda, Byse, Braucher, Haar, Hart, Keeton, Mansfield, Trautman, Vagts, Westfall, Baxter, and Sutherland; Vice-Dean Toepfer; and Assistant Professor Fried.

Four to be Absent

Four Law School professors will be absent from Cambridge during all or part of the 1963-64 academic year. Professor Derek C. Bok will spend the first part of next year at U.C.L.A. doing research and writing on Labor law. Then he will go to the Institute of Industrial Relations in Stockholm, Sweden to study Scandinavian labor systems. Professor David F. Cavers will deliver the Cooley Lectures at the University of Michigan. His subject will be choice of laws and conflicts of laws.

Professor John P. Dawson will spend the first semester teaching a course in Contracts and a course in the Development of Law and Legal Institutions at the University of Michigan Law School. Professor W. Barton Leach has accepted offers to lecture next year in Australia and New Zealand on the rule against perpetuities. He may spend part of the year traveling in the Orient.

Five other professors will be in residence here on research status. Professor Roger D. Fisher will do research on the methods of enforcement of international rules. Professor Livingston Hall will be in charge of first year group-work. Professor Albert M. Sacks will do research on problems of statutory interpretation. Professor Louis B. Sohn will be writing a treatise on the UN and its agencies. Professor Arthur T. von Mehren will also be on research status. Professor von Mehren is on leave in India this year.

Vellucci, DeSapio Address Dems

Councillor Prods Harvard

In a highly entertaining noontime address to the Law-Graduate Democratic Club Monday, Cambridge City Councilman Alfred Vellucci revealed himself both as a politician with the welfare of his East Cambridge constituency ever in mind, and as a jokester with a compassionate, if peculiar, feeling for Harvard University.

Speaking on the subject, "What's Wrong With Harvard," Mr. Vellucci came closer to encomium than to damnation.

Mr. Vellucci's reputation as a Harvard-hater has been well earned. In his nine years as a City Councilman, he has proposed bills to make the University an independent Vatican-like city within Cambridge, financing its own police force with its own funds; to make the Yard a parking lot; to take Lehman Hall by eminent domain in order to enlarge Harvard Square; and most recently, to name the square in front of the Lampoon building Elihu Yale Square. He also suggested that the Lampoon Building be converted to a public restroom.

Those proposals which have not been made for the sake of the Crimson reporter who attends all Council meetings, Mr. Vellucci explained, have all been directed toward attracting the attention of the University to the obligations it owes the city of Cambridge. A particularly sore point, he remarked, is the influx of automobiles owned by members of the University community.

East Cambridge, he submitted, does not benefit from Harvard in any way, except when Harvard builds community recreational facilities, yet East Cambridge residents have to contribute to the University's support because of its tax-free status.

Berle Elected Dem President

The following new officers were elected at Monday's meeting of the Law-Graduate Democratic Club: Peter A. Berle, 2L, President; Vincent P. McCarthy, 1L, Vice-President-Treasurer; James Ehrman, GS, Corresponding Secretary; John H. Betz, 2L, Recording Secretary; Michael A. Glass, 2L, Member-at-Large.

Ex-Boss Defends Bosses

By Thomas E. Woodhouse

Advocating free discussion of political questions, former Tammany boss and still New York National Committeeman Carmine DeSapio told the Law-Graduate Democratic Club on March 14 that an "unaccustomed stillness" brought to New York political life by the newspaper strike contrasts tellingly with the usual atmosphere of political fervor.

In a talk replete with picturesque metaphor, Mr. DeSapio defended valid political organization. He suggested that he has been condemned for serving a political organization as a professional by those who would deal with organization members in the same way as would Alice's queen. "Off with their heads."

The professional politician, he insisted, does not symbolize a stagnant status quo, but brings experience and judgment rather than "apocalyptic visions of success" to the political task.

Decrying the blurring of the gap between symbol and reality, Mr. DeSapio observed that what is an "organization" when it wins is a "machine" when it loses; a politician who wins is a "peerless leader," though a "boss" when he loses; a "statesman" to those who support him, he is a "hack" to those who oppose him. Nowhere is the blurring more obvious, he charged, than in the treatment of the word "liberal."

Mr. DeSapio portrayed himself as a Democrat who believes in change. Power politics, he warned, is a luxury mankind no longer can afford; there is a need for greater dialogue and exchange in politics.

Legislative Research Names Three

The Student Legislative Research Bureau has elected three second year students to membership, Bureau President David L. Peterson announced recently.

The new members are Sidney R. Bixler, Winchester, Mass.; William A. Stricklin, Berkeley, Calif.; and William D. Mulliken, Champaign, Ill.

Higgs Hits Kennedy on Civil Rights

By Michael J. Henry

Crusading Mississippi civil rights lawyer William L. Higgs, LL.B. '58, spoke to the Law-Graduate Republican Club last week on "The Kennedy Failure in Civil Rights." The avowed Democrat advised the assembled Republicans as to how they might serve a useful function in criticizing Administration efforts in civil rights, and at the same time make some political capital out of it.

Higgs began by noting that there have been a number of Kennedy successes in the civil rights area which have become widely known through extensive publicity, but that numerous failures do not get such good coverage. He pointed particularly to the appointment of a sizable number of judges of known racist views in the most crucial areas of the South. "Although the Justice Department may bring suits, the Administration has almost scuttled anything it might have accomplished in the South through these appointments since the possibility of getting good decisions is virtually foreclosed," he said.

Higgs also charged that President Kennedy had made an unconstitutional agreement with Governor Patterson not to use troops in the South before the Meredith episode, and that the Civil Rights Commission has been emasculated to the extent that it is no longer performing its function of educating the public.

A recent major advisory report which concluded that the Executive presently has the power to do almost anything it wants to do in civil rights scared the President, Higgs asserted, because he is not really strongly committed to civil rights.

Higgs suggested that the enfranchisement

of Southern Negroes provided great opportunities for the Republican party, particularly in states such as Texas and Florida where the race issue is declining in importance among whites while economic conservatism is becoming more important. A party which combines economic conservatism and a liberal civil rights program would have great potential in such areas, he said.

Congressional Republicans have been hurting the chances of capturing these new voters through the Republican image developed by their obstructionist tactics and alliance with Southern Democrats, Higgs asserted. The present situation is in flux, he concluded, and whichever party fights hardest for Negroes will earn their long-term loyalty. Although he admitted that present evidence shows that Negroes vote heavily Democratic because of economic issues, he argued that a strong civil rights program would win them over to the Republican ranks in spite of this.

Republicans Start Aide Program

The Law-Graduate Republican Club has established a program of legislative assistantships with Republican members of the state legislature. Meeting with members of the Club two weeks ago, Representative David Locke pointed out that since most legislators must hold outside jobs to support their families, a considerable amount of staff work is needed just for adequate analysis to support constructive criticism.

The primary duties of the legislative assistants will be to do research on problems and to attend committee meetings. Assistants will probably be assigned to specific members, at least for the duration of major projects. Examples of the type of projects include a bill to reorganize the department of public works, and a bill to cause public officials who defraud the Commonwealth to forfeit their offices.

Locke said that opponents are going to try to "waltz" the latter bill to death by raising sophisticated constitutional arguments, but that if the Republicans were able to get some homework done on it, they might be able to meet these arguments.

VACATION LIBRARY HOURS

	Langdell	ILS
	Reading Room	Reading Room
March 30	8:30 - 5:00	8:30 - 5:00
March 31	Closed*	2:00 - 10:00 P. M.
April 1-5	9:00 - 5:00*	9 A. M. - 11:00 P. M.
April 6	Closed*	9:00 - 5:00
April 7	Closed*	2:00 - 10:00 P. M.

* Enter through front door of ILS wing when Langdell Reading Room is closed.

Songs, Satire Swing Show



The 'Smartest' Class

By Charles M. Hamann

Saturday night was a bad night for usual Law School decorum, but it was a great one for satire. Equity was had by students and faculty alike at the Third Annual Law School Variety Show, "The Equity Revue," held in Rindge Tech auditorium.

Show director and master of ceremonies Robert I. Postel, 3L, led off the sacrilegion with quips about the Dean and several members of the faculty. Dean Griswold, not in attendance at the show, apparently stayed away because he couldn't bear the prospect of starting a show in a public school auditorium without a prayer.

Postel's introductory remarks did not prevent the faculty from having its innings. The faculty staged, "Run to the Roundhouse, Professor—They can't corner you there," a farce billed as a "tragedy in three acts." The play commenced with the Dean, played by Professor Baxter, dictating a letter addressed to a prospective member of the faculty. In his letter the punctilious Dean (he put more heart into the periods than into the content) told how things at the Law School might be. In three succeeding skits Professors Areeda, Baxter, Fried, Halbach, Herwitz, Sander, Vagts and Vorenberg told with some degree of jaundice how things really were.

The give-and-take of a classroom discussion at nine o'clock in the morning stressed the donative as professor and students passed the buck. If there was any meeting of the minds, it was in the vacuous middle of the classroom (where none of the generally unprepared students sat.) A Law Review cocktail party featured Review men in posh continental garb and faculty in weedy tweeds. Bullied and beleaguered, the faculty contingent (Professors Fried or *Fryed* and Vagts or *Vigts* or *Vagits*) took heartily to drink. One Professor (Vorenberg) remained standing for the final act, the aftermath of an accounting exam: predictably he was victimized by protesting victims of his grading system.

After a brief song from the "Langdell trio," composed of three hairy-legged Law School Secretaries with tennis ball falsies, the "Seven Sons of Harvard," a five-man dixieland band, closed the first half of the show. They were as accomplished as the faculty was witty, and were witty as well. If any criticism could be voiced, it was in the limitation of their repertoire. Listening to the ease with which they improvised, one felt that they could go beyond their fast-paced dixieland style.

An abbreviated second act featured "The Kessler Family Sings"



Photos by Robert A. Grayson

Three 'Gorgeous' Secretaries

and "Sing Along with Rich." Judd Kessler, 3L, and his brother Warren, a junior at Rutgers, proved better than competent folksingers as they sang "Had a Little Girl and She Left Me," "John Riley," "Poor Boy," and "Delia's Gone." Style is almost as important to a folksinger as voice. Singing with relaxed sincerity, the guitar-playing Kessler brothers had both style and voice.

A really great talent, Rich Rubenstein, 3L, provided the finale with songs of his own composition, ranging from "She Was Only An Innocent Purchaser, But He Was a Vile Vendee" to the "Harvard Law School Fight Song." The lyrics of the songs of this legal Tom Lehrer were delightfully profane, but his use of the piano to provide background effects was dazzling with wit. Like all fight songs, Rubenstein's Law School fight song began with a mounting of the scales, but then, instead of launching into the song itself, he came tumbling down again like the British soldiers rushing off Breed's Hill. His Russian folk song, dedicated to a young Komsomol heroine who lost her lover in Professor Harold Berman's class at Moscow University, whipped into a frenzied finale in true Slavic fashion. More plaudits could be given, but Rubenstein deserves hearing more than praise.

How to Pass Law School Exams

By Louis B. Schwartz

Visiting Professor of Law

(Reprinted from the Journal of Legal Education, Vol. 11, No. 2 (Winter 1958), by special permission from the Association of American Law Schools. © American Association of Law Schools 1958.)

It is well known that law students almost unanimously desire to pass examinations. Indeed, it may safely be assumed that many would rather pass the examination than learn anything about the subject. Some students have, in fact, passed without knowing anything about the subject. No objective analysis of the examination process can overlook this fact. Yet, it would be a mistake to assume that ignorance is helpful. To be sure, one ought not, in taking an examination, reveal deeper insight or wider knowledge than the instructor, since natural human jealousy is likely to warp his response. Barring such neurotic reactions, however, one should assume that a little learning is a useful thing. The following principles are offered for the guidance of those who would like to pass, and who do not object seriously to a little learning.

1. Beware of study advice offered officially early in the term. This kind of counsel, given in writing and by repeated adjuration orally, is designed to sap the student's initiative and tire him physically. Study your own way. Never mind suggestions that you read assignments in advance of class, discuss problems with your fellows, avoid hornbooks, etc. All this reflects the professorial point of view—he has not been a student for years, and was probably atypical even in his undergraduate days. Develop your own individuality.

2. Pace yourself. If you crowd all your studying in early in the term, time will hang heavy later in the year just before the examination, dulling your perceptions. On the other hand, if you save your strength at the beginning, and finish up with a burst of power, cramming twenty hours a day during the final weeks, your head will be full of fresh, disorganized recollections as you enter the examination room, giving you a maximum of material to draw from.

3. Although previous examinations by the same professor are made available, together with selected top student papers, it is ad-

visable to avoid consulting these, since they are likely to influence your own style of handling problems.

4. Plan to avoid all diversion or exercise during the last week before exams. These are likely to promote relaxation and sound sleep. Nobody ever passed an examination sleeping.

5. In preparing for the examination, it is worthwhile to spend a good deal of time thinking through the strategy of the affair. For example, if you can guess what parts of a course the professor thinks are important, you can restrict your study to those parts, saving much time and effort and leaving the mind uncluttered by useless information.

6. Upon receiving the examination, be sure to read all the questions at once, before starting to answer the first. This keys you up, makes the nerves vibrate with anticipated difficulties, and lets your subconscious start answering the later problems while you are consciously struggling with the early ones.

7. An elegant, inscrutable handwriting enlivens the professor's day. Many a gay hour is spent in consultation with wife, child, or colleagues, or with cryptographic aides; and you may be sure that gratitude for this variation from the humdrum will be reflected in his grading. Fanciful and personal abbreviations can be combined with unusual chirography to achieve sensational effects.

8. So much of a lawyer's professional life is devoted to formal communication that the present opportunity to sport with English should not be overlooked. Pleasing, impressionistic effects may be achieved with unusual grammatical structure, or by abandoning the use of sentences entirely, substituting series of nouns connected with dashes.

9. Avoid preoccupation with the precise words of the problem. Start writing as soon as you get the general idea. This will allow you time to exceed the page limit selfishly suggested by the professor. It will also enable you to avoid any conscious guilt as you

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Exam Advice

(Continued from Page 9)

transcribe information you have memorized, having little bearing on the question asked.

10. The first of a series of problems is always the most important. It should, therefore, be given at least twice as much time as the problems that follow, regardless of suggested time allocations. If observance of this rule results in inadequate time for the final problem, this can always be remedied by writing "TIME!" at the end of the paper.

11. In referring to well-settled rules of law, avoid stereotyped phrases hallowed by precedent. Be creative. Remember how boring it must be to the man who marks the papers to have the same old words thrown back at him.

12. If the problem calls for discussion from a particular point of view, e. g., defense counsel, legislator, junior legal assistant, disregard such limitations. The professor has probably forgotten about it, or changed his mind. Besides, you will probably never be defense counsel or legislator anyway.

13. The ability to supply missing facts necessary to your conclusion is highly regarded, and the more inventive you are, the higher the regard. Some students manage to change the entire complexion of the problem this way, and even to answer their own problem wrong.

14. For the benefit of readers in Khartoum

and Tierra del Fuego, where peculiar examination customs prevail, it is noted that special grace is accorded those who deal with the central and most controversial issues of law and fact by "assuming" one way or another, using the remainder of the allotted pages to recite any remotely relevant set of rules of law.

15. Never forget that law is the expression of policy. So why not go right to the heart of the matter at once. Give him policy. Show him that your heart is in the right place. Intellect is not everything.

16. Overconcentration on the exact problem posed, in all its uniqueness of fact, may lead to answers undesirably tainted with practicality and common sense. Law is an arbitrary and mechanical system of rules for disposing of controversies. Therefore, the more whimsical the result you reach, the more lawyerly.

17. Always reserve room for maneuver. Do not let him crowd you into a forthright answer to a direct question. A good formula is ". . . may be the answer. But this is weak . . .".

18. The hours between successive examinations can be profitably spent rehashing the last examination with a bright fellow student. The tension and despair induced by this process have been known to result in a grateful numbness in respect of the examination coming up.

In conclusion, all should bear in mind that time spent in law school, however brief, will never have been wasted.

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Lawyers Give Advice on Practice

By Daniel J. Kucera

LISTEN TO LEADERS IN LAW. Edited by Albert Love and James Saxon Childers. Atlanta: Tupper and Love; New York: Holt, Rinehart and Winston. 1963. Pp. 332. \$4.75.

This book is a "must" for anyone considering the study or practice of law. College students thinking about law school, law students thinking in law school, and young lawyers thinking should all lend their ears to these leaders in law.

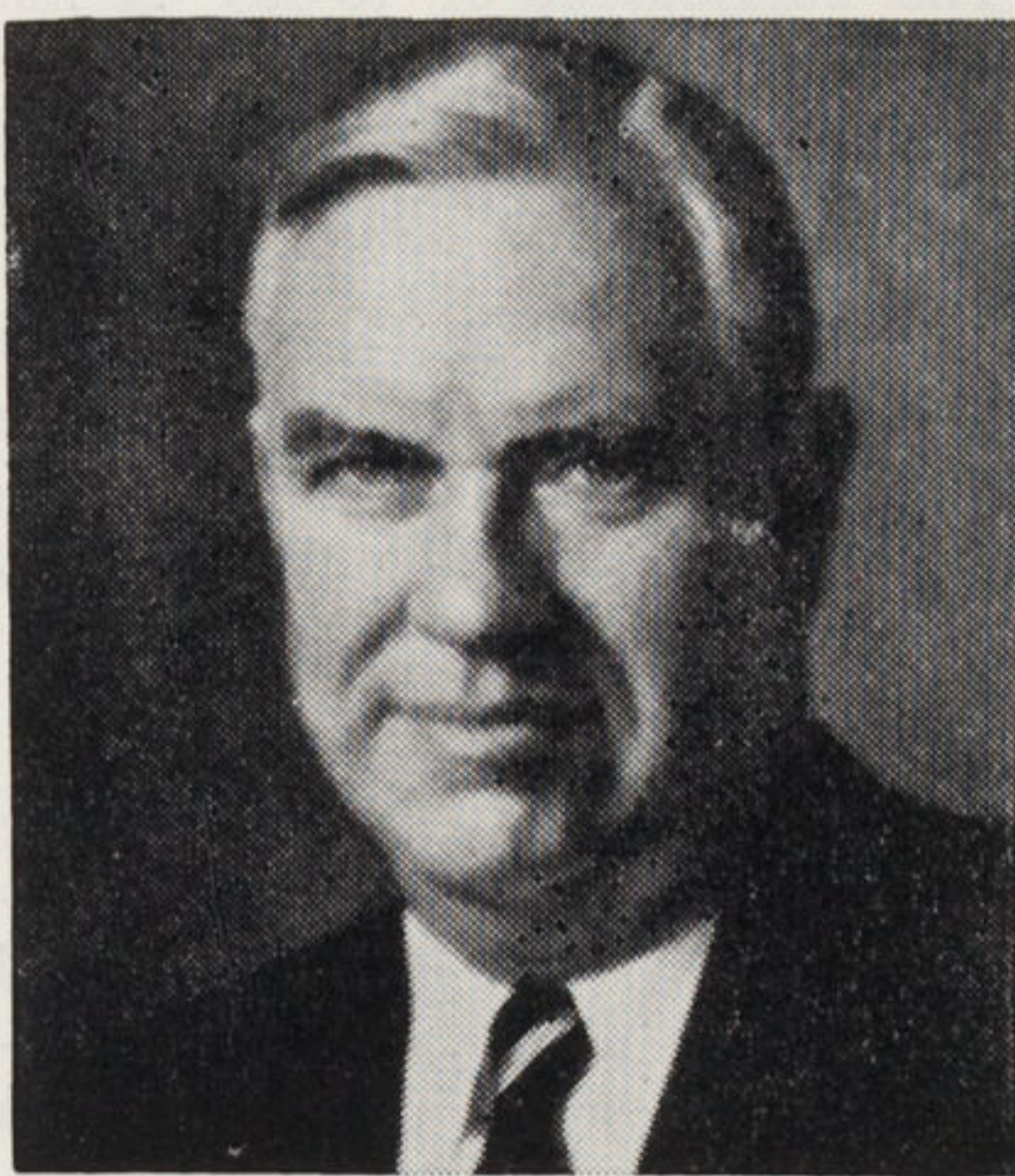
Sixteen of the nation's most distinguished jurists take the reader on a guided tour of the seamless web. In a personal, informal manner each contributor has written a chapterful of advice on some aspect of the practice of law—from how to get into law school to how to enjoy 50 years of practice. Each chapter bubbles with practical insight into the meaning of the word *lawyer*—the opportunities, responsibilities, expectations, and every day work.

In a friendly, folksy first chapter, Justice Felix Frankfurter gives a general introduction to law. Spicing his observations with anecdotes, he discusses why men go into law and reflects upon the life of a law student.

Grades Misleading

He comments upon the frustration and meaning of law school grades. Emphasis on grades and worship at the shrine of academic honors advocated by many has led him, he says, to repeatedly call attention to the B and C men who have attained eminence at the bar and in public life. These examples show the foolishness, he says, in thinking that one must be brilliant in order to be a successful lawyer.

Of course, the student that gets an A proves that, at that point in time, he is making himself a master of his craft. However, being



Dean Griswold

a master is not enough, says Justice Frankfurter. A young man in law must broaden his interests beyond the immediate demands of the law; he must develop and enrich himself as a human being. Only thus can he realize the needs, desires, and best interests of his clients.

Moreover, the Justice confesses, listening to a man of learning and culture argue a case is much different from hearing a lesser man dully recite facts and dully expound law. Art in exposition, law woven into the cloth of culture may not determine a case, but it will have an impact.

In the second chapter, Dean Erwin N. Griswold introduces the college student who contemplates studying law to the world of a law school.

First, he discusses *who* should become a lawyer. If one wants a quiet, easy life and a placid career, stay away from the law, he warns. One must enjoy working with people and their problems and he should also have a little iron in his soul. However, Dean Griswold points out, one need not be certain that law is for him before he decides to try it. Although one should like the law to

be a good lawyer, the only real test of love for the law is to try it out in law school.

How should one prepare for law school? The Dean comments upon types of colleges and what a student should have learned before he comes to law school. Colleges should broaden and stretch the student's mind. He should have a truly liberal education—for, while there are no prerequisites for law study, applicants should be educated men in the full sense of the word.

Dean Griswold reviews types of law schools, legal education in general, and a brief history of the Harvard Law School. He describes the case method (there are as many case methods as there are teachers, he says) and the Socratic method. He discusses various aspects of law student activity, such as law review, moot court, working on a student newspaper, and the day to day work which every student should go about with zest and enthusiasm. The student should work hard, the Dean explains, and he should like it—if he does not enjoy it, then he has chosen the wrong field.

Quality, Not Quantity

He also reviews the many opportunities in law and just how a young lawyer gets going. True, there may be too many lawyers today, he says, but there are not nearly enough good ones. Thus, the future of a young lawyer depends upon what he has to offer: his qualifications and abilities.

Finally, Dean Griswold cautions the law student. He must enter the profession with a high purpose—not as a mere money grubber. As a lawyer is a man who serves others, his opportunities are limitless. The law student should fix his eyes on the stars and enter his profession with enthusiasm.

(Continued on page 13)

Letters to the Editor

To The Editor:

Correction.

In my letter last week, relative to the courses given at the Law School in my day, I forgot to include Evidence and Constitutional Law.

Alfred A. Benesch, Class of 1903

To The Editor:

As a member of the Law School Class of 1904, my memory is, of course, much better than that of an old timer like Bro. Benesch of the Class of '03.

In addition to the courses that he mentions in your number of March 14, I can distinctly recall the following courses: Sales (Williston), Evidence (Gray)*, Equity II (Ames), Equity III (Donahm), Insurance (Wambaugh), Partnership (Brannan), Constitutional Law (Gray)*, Bills & Notes (Brannan?), Conflict of Laws (Beale).

Some of the class got along pretty well: Qua, C.J., Mass.; Capotosto, C.J., R.I.; Marble, C.J., N.H.; Branch, C.J., N.H.; McCarthy, C.J., Idaho; Hickenlooper, Circuit Judge.

Bro. Benesch is right, however. The curriculum of to-day is not only more comprehensive, but much closer to actual practice than the one offered to us sixty years ago.

Thomas S. Bubier, LL.B. 1904
* In these courses, but not in Property, Gray was pinch hitter, filling for Thayer who died in 1903.

To The Editor:

Perhaps when [the author of the editorial March 7] becomes a practicing lawyer he will understand Mr. Nizer's philosophy. No salesman can properly sell an item in which he does not have confidence, and a lawyer who doubts his client's innocence cannot all in due conviction plead it.

We have lawyers who will plead

causes in which they do not believe — and they are termed "shysters." Should the idealists who declaim about the absolute right of all to be represented give some thought to another ideal — the right of an individual to be free of hypocrisy? Not every lawyer can ease the loss of one ideal by championing another.

Leon S. Rosenthal
Philadelphia

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ALIENS AND DISSENTERS

by William Preston, Jr.

Foreword by Oscar Handlin

The story of Federal suppression of radicals from the first screening of immigrants early in the century to the beginning of the New Deal, with direct reference to present practice.

6.75

**THE
COOP**

Leaders in Law

(Continued from page 11)

In other chapters the writers detail, through their own experiences, the various aspects and fields of law practice. Dillon Anderson tells what a law firm expects from a lawyer and John V. Hunter III describes the young lawyer beginning his practice. Edward Bennett Williams comments on trial practice; Paul Carrington on corporate law; Judge Phillip C. Jessup on International law; Justice Arthur J. Goldberg on labor law; Edward S. Silver on being a district attorney. Whitney North Seymour describes practice in a large city; Chief Judge Peter Woodbury, practice in a small community; John K. Carlock, government practice. Judge Florence M. Kelly tells about women in law and Justice Walter V. Schaefer speaks of the lawyer as a judge. Finally, Harrison Tweed reviews his 50 years of practice and Herman Phleger advises the beginning lawyer.

Justice Holmes once said that "general propositions do not decide concrete cases." However, *Listen to Leaders in Law* offers 16 concrete cases whose general propositions could help decide or enrich one's career.

Retreat!

The RECORD staff will hold its annual retreat in Secaucus, N. J. next week and the paper will not be published. Next issue: April 11.



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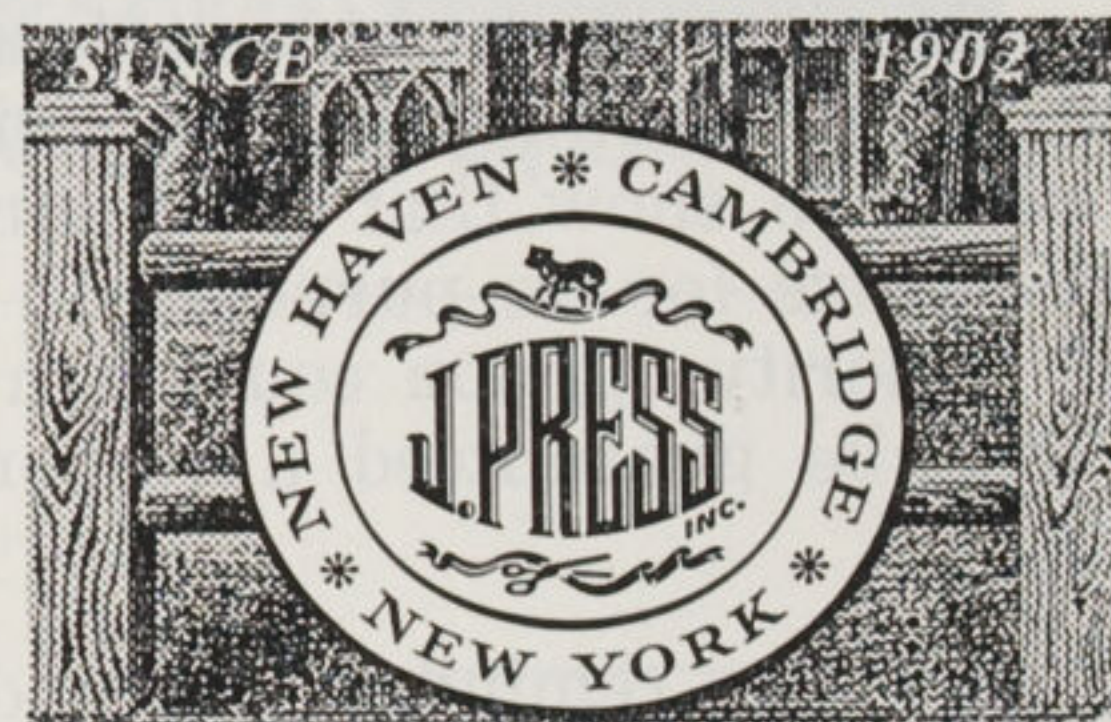
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Increased Regulations Seen by HEW Counsel

By Walter V. McLaughlin

The rising flood of toxic by-products of America's industrial society will eventually force the federal government to seek tighter controls to prevent a disastrous poisoning of our environment, the General Counsel of the Department of Health, Education and Welfare said here March 15.

Alanson W. Willcox, delivering the Charles Wesley Dunn food and drug lecture said such an extension of regulation was inevitable, but would produce its own peculiar problems. The scientists who would primarily staff the new organization would find themselves torn between keeping up their technical competency and their duties as administrators.

Perhaps the most troublesome aspect, however, is the threat of a medical orthodoxy in the testing of many products, such as pesticides, he said. He saw at least a partial solution in a recent congressional provision that would allow new products to go on the market where there is responsible testimony and testing to show that it is non-harmful and efficacious for its purpose. In this way a new, minority opinion could win out, and the public be guaranteed a responsible accounting.

The task, he reminded the audience, is not only one for scientists. One product may mix benefits with evils. High level policy makers will have to decide if a pesticide's possible harm outweighs its use to agriculture.

The Department faces smaller but like problems today. It tries to realize the common law standard of the informed buyer, but at times this is not felt to be enough. Even with supervision of advertising and the required furnishing of information, dangers may remain essentially hidden from the consumer, or if known, will be ignored by him. He stated that these consumers must be protected from their own ignorance or lack of judgment by banning the product, "when we are satisfied that, for some good reason, to inform is not enough."

Langdell Vacation Work

(Continued from Page 1)

drapes, which formerly divided double rooms in the dormitories, soon proved glaringly inadequate to the task for which they were designed, to permit one student to sleep while his roommate studied or partied. The drapes were soon replaced with walls and have been in disuse since then.

The drapes will hang about six inches from the present walls, covering the likenesses of Chief Justice Taney and other notables. If the drapes make a difference, acoustically, the structural walls will be treated so that they become softer. The challenge, Dean Toepfer said, is to make the present walls softer and still maintain the Edwardian character of Langdell Hall.

The acoustical experiment is a part of more elaborate plans for the future, extending to all the classrooms in Langdell. The purpose of the project is to increase and encourage participation in classroom discussion. In addition to the acoustical improvements, the seating plans, particularly in Langdell North and South, will undergo radical revision.

Armless swivel chairs will ease the task of following the discussion. Present plans also call for U-shaped horseshoe terracing of the floor in the end rooms. The floors in these rooms, Langdell North and South, at present rise from front to back. The net effect of the changes will permit students to see a substantially greater number of their classmates at one time.

Financial problems may delay completion of the project. "Our plans are still in the design stage, not yet in the money stage," Dean Toepfer said.

Mr. Robert B. Newman of Bolt, Beranek and Newman is acoustical engineer for the project. He is currently serving as Visiting Lecturer on Acoustics at the School of Design. Mr. James Clapp of Shepley, Bulfinch, Richardson and Abbott is architect.

Dorm Applications Due

Applications for rooms in the dormitories next year are due in the Dorm office by 5 p.m. today. Applications for proctorships are due at the same time.

Cohen Discusses Stern SEC Report

By L. F. Kaplan

Manuel F. Cohen, a member of Securities and Exchange Commission, discussed in general terms the somewhat stern attitude of the forthcoming report of the S.E.C.'s Study Group on the securities industry at a meeting of the Bull and Bear Club Tuesday, March 19.

A report of Cohen's talk, released the following afternoon by the Dow Jones News Service, triggered a late rally on the stock market. The market jumped on word that the report would "reflect no hostility toward the industry." Mr. Cohen told the RECORD from Washington that the reaction showed unwarranted optimism.

Commissioner Cohen stated that although the report will neither recommend a total reconstruction of the current regulatory act nor paint a picture of pervasive abuses, it will recommend additional controls and improvements in the industry's and the Commission's administration to eliminate the abuses prevalent in the industry. The report says the tightening is necessary because of the growth in the securities market, the greater participation by the public, and the possibility that unchecked abuses will destroy investor confidence.

The report (30% of which will be presented to Congress April 3, the balance following no later than June 1) will discuss the entrance of firms into the industry and accompanying problems: the "hot issue" problem; disclosure "inside" sales; securities credit; and the over-the-counter market (on which fundamental recommendations are expected to be made).

Commissioner Cohen emphasized that the Report will also suggest changes in the enforcement and administrative policies of the Commission. He also reminded the audience that the opinions and judgments contained in the Report are those of the Study Group and not necessarily those of the S.E.C.

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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 OPPORTUNITIES

Boston: Personal Trust Administration. The National Shawmut Bank of Boston, 40 Water Street. Write to Henry Mountford, Assistant Vice President or phone LA 3-6800, Ext. 664 for interview.

Cleveland: Daus, Schwenger and Kottler, 1290 Union Commerce Building, Cleveland 14, Ohio. Contact Harry Kottler, Esq.

New York: Humes, Andrews & Botzow, 50 Broadway, New York City 4, N. Y. Contact Colon P. Wagner, Esq.

New York: Walter Feldesman, Esq., 122 East 42nd Street, New York 17, New York. Contact Mr. Feldesman.

Seattle: Short and Cressman, Suite 1107, Olympic National Life Building, Second Avenue at Madison Street, Seattle 4, Washington. Contact Donald A. Cable, Esq.

FIRST AND SECOND YEAR OPPORTUNITIES

Cambridge: Part-time patent opportunity and also full-time summer opportunity. Division of Sponsored Research, 224 Albany Street, M.I.T. Interested students, preferably with a back-

ground in physics, call Jack Larson, outside line is UN 4-9266, dialing direct from Harvard 83-5438.

Washington, D. C.: Summer Administrative Intern Program, Department of the Navy. Contact Placement Office, Dunster street before April 8.

ACADEMIC OPPORTUNITIES

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