



Harvard Law Record

America's Oldest Law School Newspaper

VOL. 39

CAMBRIDGE, MASS., SEPTEMBER 18, 1964

SPECIAL

544 to Register Today

Youth is the distinguishing feature of this year's entering students who, collectively, have been rated "a very high-powered class" by Admissions Director Louis A. Toepfer.

With an average age which rounds off to 21 years, some 544 persons are expected to line up at Langdell Library's south end today to register. Although the number expected is approximately the same as last year's, and the number accepted, 826, is exactly the same, this crop for the Class of '67 has been gleaned from an ever-expanding field of applicants. To be precise, there were 2682 applications for the class as compared to 2332 in 1963 and 2003 in 1962.

First year students with surnames beginning with the letters A through K register between 9 a.m. and noon today, and those with surnames L to Z register between 2 and 5 p.m.

Dean Erwin N. Griswold and other members of the administration will formally welcome the Class of '67 to the school at 4 p.m. Sunday in Austin Hall's Ames Court Room.

Following the Dean's address, a reception will be held for the class at Harkness Commons.

Third-year students will register in Langdell's reading room Monday between 10 a.m. and noon and between 2 and 4 p.m.; second-year students will register during the same hours Tuesday.

RECORD SMOKER SCHEDULED

First year students desiring writing experience before their inevitable elevation to *Law Review* next fall might enjoy a brief journalistic career on the RECORD theretofore. If interested, come to the smoker Friday, Oct. 2, 4-6, in Holmes Hall. Second-year students are also welcome.



Dean Griswold

Austin Refurbished

Carpenters and painters have been working hard this week preparing Austin Hall for the opening day of classes Monday.

Vice Dean Louis A. Toepfer predicted late last week that the interior would be "substantially ready" by today. He proudly called Austin a "much-improved building."

Austin East and its twin Austin West will each seat 175 students. Brightness and airiness have replaced darkness as the keynote to the two rooms. Both rooms, and the corridor which connects them, benefit from better and more judiciously placed lights. In Austin North, new long desks have replaced the cramped individual ones.

Further additions to Austin's corridor include a long bulletin board and a plush study nook which features black leather seats and red carpeting.

One of Austin's most striking improvements is the refinishing of the beams in the
(Continued on following page)

Law Review Adds 34

Graduates of Harvard College, 12 in all, dominate the select group of 34 second- and third-year students who accepted invitations to join the *Harvard Law Review*.

Chosen were:

Second year — William S. Abbott, Lexington, Mass., Harvard; David R. Barrett, New York, N. Y., Columbia; David Bonderman, Los Angeles, Calif., Washington; William J. T. Brown, South Haven, Mich., Wisconsin; David P. Bryden, Mendham, N. J., Harvard; Louis R. Cohen, Glencoe, Ill., Harvard; Richard D. Copaken, Kansas City, Mo., Harvard; John M. Cramer, Mifflintown, Pa., Juniata; Peter B. Ellis, Chappaqua, N. Y., Harvard; John C. Fleming Jr., Jackson Heights, N. Y., St. John's; David L. Gersh, Los Angeles, Calif., UCLA; Daniel N. Hoffman, Chicago, Ill., Chicago; Milton B. Hyman, North Hollywood, Calif., UCLA; Peter D. Leask, Vancouver, B. C., British Columbia; Peter V. Lockwood, Glendale, Mo., Harvard; Carl D. Lohmann, Wautoma, Wisc., Wisconsin; James F. Monahan, Brooklyn, N. Y., Brooklyn; Peter D. Nussbaum, Brooklyn, N. Y., Cornell; Harry D. Rosenbloom, Teaneck, N. J., Princeton; Leslie B. Samuels, Denver, Colo., Pennsylvania; Steven A. Schatten, Whitestone, N. Y., Pennsylvania; Guy M. Struve, Chatham, N. J., Yale; David W. Walker, Canaan, N. Y., Harvard; Douglas H. Walter, Glen Ellyn, Ill., Harvard; Robert A. Warden, Washington, D. C., Michigan; and Stephen A. Weiswasser, Detroit, Mich., Wayne State.

Third year — Meredith M. Brown, New York, N. Y., Harvard; Charles L. Egan, Shreveport, La., Harvard; Stephen A. Greene, Newburgh, N. Y., Harvard; Bruce D. Haims, Stamford, Conn., Pennsylvania; John P. McGrath, Rochester, N. Y., Holy Cross; Kenneth M. Poovey, Beverly Hills, Calif., UCLA; Eddy J. Rogers Jr., Belleville, Ill., Harvard; Jerrold E. Salzman, Chicago, Ill., Michigan.

Austin Hall

(Continued from preceding page)

Ames Court Room. The old stain and varnish were removed from the pine beams in order to bring them into harmony with the oak in the room. The metalwork, previously black, has been painted red.

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Required and recommended law texts and case-books available in College Book Annex — rear of store.



Vorenberg Given Justice Post

By Myer J. Sankary

Professor James Vorenberg has been given a rare opportunity to initiate substantial improvements in the area of Federal criminal process.

On Aug. 10, former Attorney General Robert F. Kennedy announced to the Criminal Law Section of the American Bar Association, meeting in New York, the appointment of Professor Vorenberg as director of the Office of Criminal Justice, a newly created office within the Department of Justice.

The purpose of this new office, Mr. Kennedy explained, is to "deal with the whole spectrum of criminal process, from arrest to rehabilitation," and more specifically to "deal with social problems that affect criminal process such as narcotics, or juvenile delinquency, or the right of privacy."

Perhaps the toughest job for Professor Vorenberg will be to explore ways to ease the sharp conflict between law enforcement officials and those who are concerned with protecting the rights of the individual, it was indicated.

Prof. Vorenberg, who is both enthusiastic and optimistic about its future prospects, strongly approves of the idea of the Office. "There ought to be people in the Department of Justice who are free of operational responsibilities such as prosecuting particular

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America's Oldest Law School Newspaper

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CAMBRIDGE, MASS.

FIFTEEN CENTS
OCT. 1, 1964

Suggests Law Schools Expand

Dean Chides Politicians

By Stewart D. Davis

The failure of the political leadership in the country, both in the selection of judges and in providing adequate representation for indigent defendants, was emphasized by Dean Erwin N. Griswold in his annual report to Harvard University President Nathan M. Pusey.

The Dean also called for an increase in enrollment by 10,000 students in the country's law schools. He suggested that this be done

(Continued on page 4)

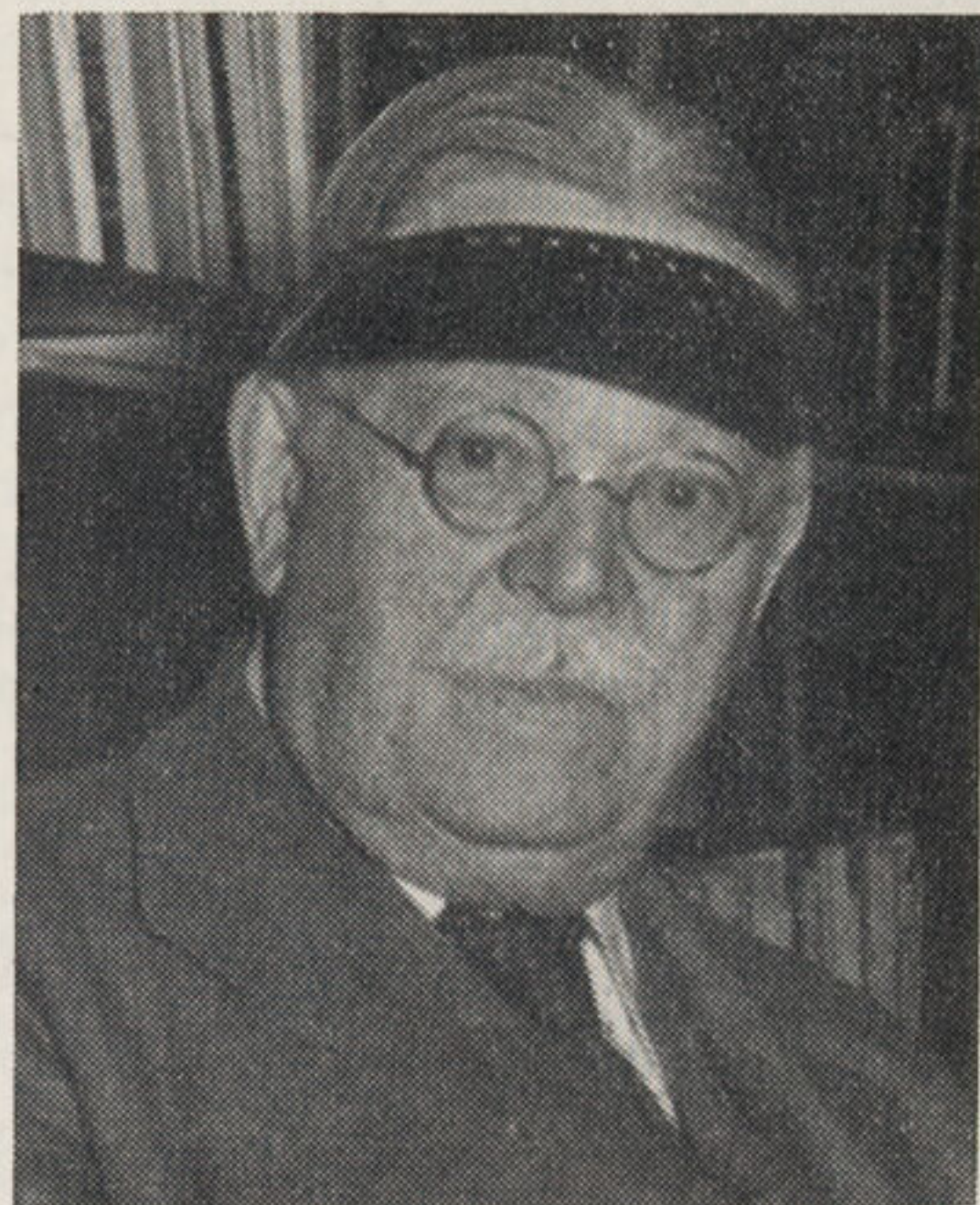
Roscoe Pound Dies at 93

By Robert A. Grayson

Dean Emeritus Roscoe Pound quit the Law School in 1890 after one year of study. He returned in 1910 as a member of the faculty and spent more than fifty years here as professor, Dean, and scholar. On July 1, 1964, Dean Pound died in Stillman Infirmary.

His only survivors are the thousands of lawyers and legal scholars he helped train and the many books and articles of lasting influence he wrote. The Dean had no children; so he adopted the Harvard Law School. Reginald Heber Smith, LL.B. 1914, Pound's family lawyer and trustee under his will, states that the Dean was determined to leave \$200,000 to the School. Dean Griswold estimates Pound's bequest will be \$375,000.

(Continued on page 6)



Dean Pound

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Supplementing The Defenders

In his annual Report Dean Griswold tells of the increasing number of letters which reach the Law School, written by convicts residing in prisons throughout the country, seeking aid in answering legal questions which might be the grounds of appeal. The Dean suggests, and rightly so, that those cases containing substantial legal questions "should be regularly handled by counsel."

But until the time arrives when the public demands and makes provision for post-conviction representation, the influx of these appeals for help (somewhat over 200 last year alone) will doubtless continue. Until now, such appeals have been turned over to the Voluntary Defenders, but the Dean reports that that group "has fallen far behind." Perhaps one solution, at least for the time being, would be to put more students to work on these cases.

The source of potential workers must be great. Many students would like, at least once while at law school, to sink their teeth into a real case. Some make Legal Aid, survive the Defenders' final cut, or join the Civil Liberties Research Bureau. But others, involved in none of these activities, might embrace the opportunity to get involved in a supervised program such as this. Members of the Defenders could "farm out" cases to interested non-members, confer on the issues involved, and receive back well-researched memoranda. This could be done along the lines of the newly-instituted legal writing program which made its successful debut last year.

At the very least many second- and third-year students, disappointed at not making the Defenders, could be given a chance to research and answer stipulated questions and thus handle "real cases" while gaining valuable writing experience. Admittedly this suggestion may involve administrative difficulties, and will not solve the basic problem, but it could help to alleviate it while serving as a useful and profitable activity for some presently inactive students.

Harvard Law Record

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TONGUE 'N CHEEK

By Fenno

I was quietly hawking my student edition of "Civil Procedure Through Song and Story" at the mixer at Harkness when I spotted a friend being approached by a rather intense looking female.

"Are you in the law school?" she queried.

"Yes," he said, "first year, section three, seat 165 in Contracts and Torts. Where are you at school?"

"The law is good, if a man uses it lawfully," she stated.

"That's about the size of it," he said. "Did you have a nice summer?"

"The law is not concerned with trifles," she said.

"Certainly not," he commented chewing his pipe. "What do you think of Y. A. Tittle?"

"The common law is not a brooding omnipresence in the sky but the articulate voice of some sovereign or quasi-sovereign that can be identified," she said, peeking at a 3" by 5" card in her purse.

"Brooding omnipresence," he said looking skyward, "that's a good one. Makes me feel right at Holmes."

"The law is a jealous mistress," she said.

"Ain't it the truth."

"In no country perhaps in the world is law so general a study."

"Are you interested in politics?" he asked swaying slightly.

"You know what Johnson said? 'The law is the last result of human wisdom acting upon human experience for the benefit of the public.'"

"That sure doesn't sound like Lyndon to me."

"Samuel Johnson, 1709-1784," she said peevishly. She inhaled. "Reason is the life of the law; nay, the common law itself is nothing else but reason."

"How about a coke?" he asked.

"I just finished quoting him," she said with disdain.

"You know what they say," he said. "Too many Cokes spoil the broth."

Civil Rights Workers Report

By Walter V. McLaughlin, Jr.

Instead of seeking jobs with firms or the government, a number of the Law School's students spent the summer working for Negro civil rights, both in the North and in the South.

Some of them, such as Conrad Harper, 3L, who worked with the NAACP's Legal Defense Fund in New York, sought out the jobs independently. Harper said the job entailed research and preparing papers on a wide variety of subjects, including desegregation of hospitals, sit-in cases, and even a search and seizure case from Arkansas. He explained that the Fund limited itself to cases coming from the South; that is, the 4th, 5th and 8th circuits, and the Supreme Court of the United States.

Many, however, were recruited by the Law Students Civil Rights Research Council for jobs in the North and South. According to Elizabeth Holtzman, 3L, one of the Council's representatives here at the Law School, the group was originally the brainchild of William Higgs, LLB. '58, and was intended to interest law students in applying their special skills in the field of Negro civil rights. It received funds from several foundations and sent some 40 students into the North and 62 into the South to work for "the cause" this summer. Miss Holtzman herself was assigned to New York City with the NAACP Legal Defense Fund, but many Harvard students went South, especially to Mississippi.

Although Cornelia E. McDougald, 2L, and Dorothy B. Datz, 2L, who were in Jackson, Mississippi, said that they had not seen any actual violence, they both related that they had been subject to continual harassment and threats. Miss Datz cited an instance where her party was charged twenty cents for a glass of water and forty cents for coke. She also said that she had found one of the workers shortly after he had been attacked. Miss McDougald explained that their work for a variety of organizations, including COFO, The Lawyers' Constitutional Defense Committee, and the National Lawyers' Guild, was mostly work in the office, doing legal research or interviewing.

Often the experiences of the workers would vary with the area of the South in which they moved. Joseph O. Meissner, 2L, who worked in Mobile, did most of his work organizing groups of young Negroes to talk about civil rights and help in voter registration drives. The group's work in cleaning up the Negro areas of the city was actually praised by Mobile's white mayor, Joseph N. Langon. Meissner found that despite a few incidents the fight for Negro civil rights met with some white cooperation in his area, where many of the residential areas are actually more integrated than in many northern cities.

Paul M. Branzburg, 2L, and Peter R. Teachout, 3L, on the other hand, worked in northern Louisiana. Teachout said that he was "picked up twice a week by the police for minor infractions, or for riding in a car with a Negro girl, or anything like that." He also said that he had been threatened by the Ku Klux Klan, and photographed by various other organizations. Branzburg also related that his picture had been taken. His closest experience with actual violence, he continued, was when he and two lawyers were pursued down the street "at a fast walk" by two garage attendants in a Louisiana town. He confirmed Meissner's experience, however, by saying that some responsible white citizens cooperated with the "movement" in Tampa, Florida, where he also worked. Craig A. Peterson, 2L, also in Louisiana, made reference to the tension and fear in the air of a Negro section where he worked, whenever a car driven by whites came down the street.

The students' reactions to the summer were varied, but generally enthusiastic. Miss Datz found it "rewarding to learn the ways in which the legal process can be abused and how to fight them." Miss McDougald felt that it was "interesting to see ordinary lawyers and people reshaping the law." Several spoke of the high degree of responsibility which they had been given, and thought this was easily worth a summer's work in any firm.

Dean's Report

(Continued from page 1)

by doubling the size of the student bodies of the smaller law schools, which now enroll approximately 250 each.

Reactions to his suggestion in last year's Dean's Report that methods for the selection of judges should be improved have made apparent to him that "the feeling is widespread and strong, particularly in our large cities, that many of our judges cannot be relied upon to be judicious and wise," and that "this is a feeling which is deeply held by many lawyers regardless of the nature of their practice."

He laid the blame for this ill squarely at the door of the politicians, pointing to "the fact that the generally controlling basis for the selection of judges in this country is political, whether they are chosen by appointment or by election. The result is that many persons become judges who, no matter what their other qualifications may be, are not well qualified for judicial office."

In conclusion the Dean stated, "The time has come when our high political officers—and many of them are lawyers—should see that we must take far greater steps, in every state, to remove the judiciary from politics, and to put the selection of judges on a basis which will make the bench a natural reward for high professional ability rather than for political activity."

On the topic of providing representation for indigent persons accused of crime, the Dean noted that Congress has passed a bill to cover the costs of such representation in the Federal courts, but called the situation in the states "generally most unsatisfactory." Citing Massachusetts as a state where the legislature has made inadequate appropriations for its public defender system, he said, "The difficulty has not come from lack of professional leadership but from the failure of the political leadership in our legislatures, state and federal, to take appropriate action."

Stressing that this is an area of "public responsibility," he urged that assigned counsel receive adequate compensation and allowance for reasonable expenses. Further, noting that the assigned counsel system "does not work satisfactorily in metropolitan centers," he is of the opinion that, "If we had adequate

public defenders' offices established in our big cities, these would be a natural training ground for young lawyers interested in the field of criminal law."

The Dean's theory is that, with a greater measure of public support behind them, law students and young lawyers, who are possessed of "a large measure of idealism" and a "desire for public service," would more readily entertain the idea of practicing criminal law.

Turning to a related area of "public responsibility," providing counsel in post-conviction proceedings, the Dean noted that much of the burden is being borne by the law schools, which receive numerous requests for aid from prisoners. At Harvard the workload is being carried by the Voluntary Defenders and, occasionally, faculty members.

The Dean thinks this method of handling such cases inappropriate, suggesting, "The law schools can serve as forwarding agencies, and students can act as juniors in preparing

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At the cost of somewhat over \$150,000, the interior of Austin Hall was drastically remodelled and vastly beautified over the summer. Good lighting and comfortable chairs and desks are among the improvements in the building's three classrooms. One of the nicest touches is the plush study nook pictured above, complete with black leather cushions and a red carpet on the floor.

In Langdell Hall new floors and acoustically superior walls were placed in South Middle and North Middle.

Some \$122,000 of the money for the work came from the Harvard Law School Fund; the remainder was derived from the School's reserve for maintenance.

Changes Expected in Criminal Law

(Continued from page 1)

cases, and who make it their concern to consider and to propose changes in the system of criminal justice — both procedural and substantive,” he said.

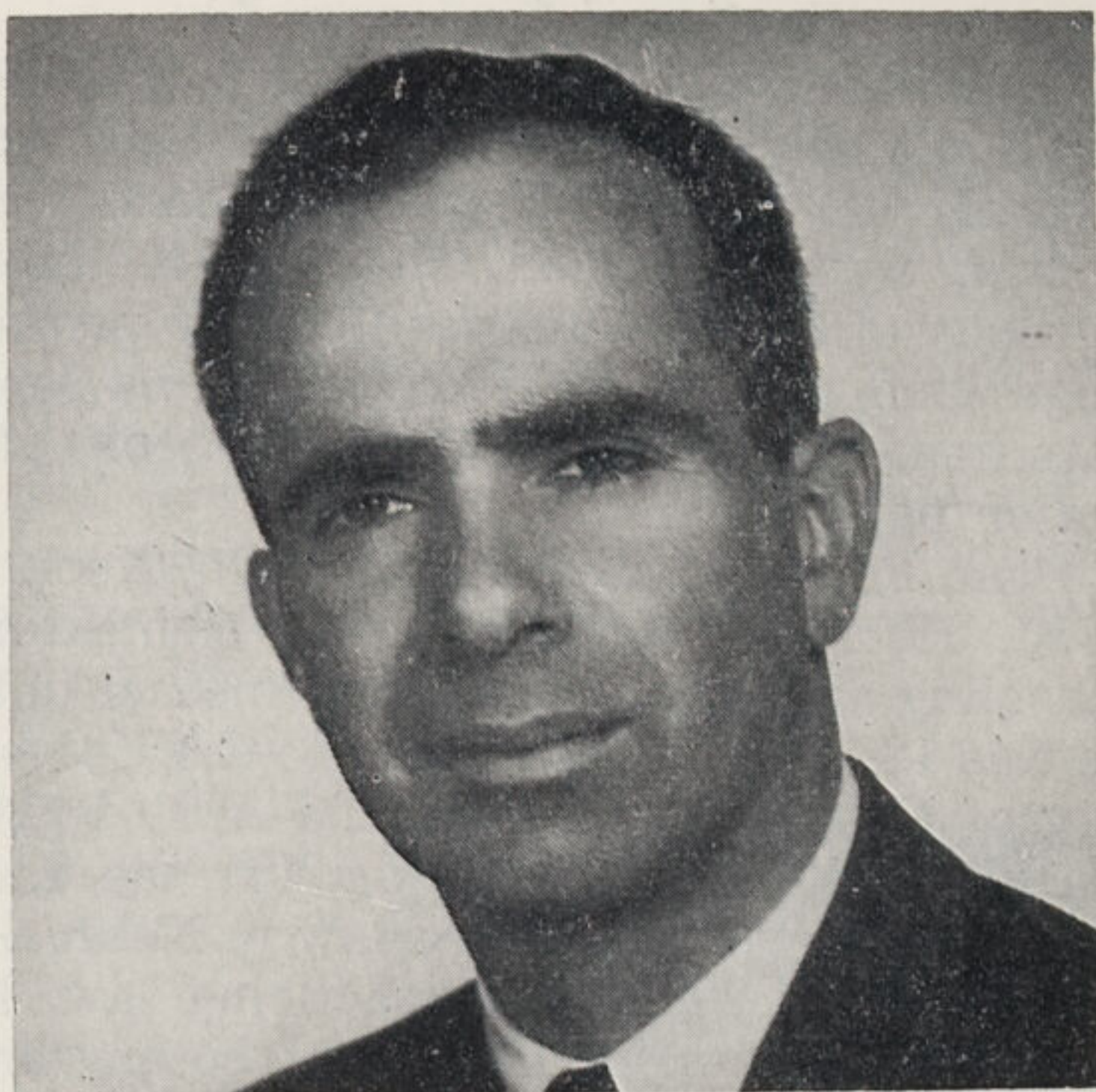
The selection of Vorenberg as director suggests the uniqueness of the Office itself; he has had substantial experience as a practicing attorney as well as academic achievement as a professor of law. The position requires the talents of one who is able to combine both practice and theory in solving some of the most difficult and emotion-packed problems facing the American society.

“Perhaps the most important contribution of the Office,” according to its new director, “will be its work on projects in areas where there is now apparently irreconcilable controversy and where its efforts to bring together various sides may possibly result in accomodation. A lot of the difficulty is caused by a breakdown of communications,” he said.

Vorenberg cautioned that the new office will not be a complaint bureau; nor will it be limited to theoretical research. “Our job is to suggest major changes in substantive and procedural law in areas where the Justice Department can make a difference,” he said. “We are concerned with the operation of the entire system, not individual cases.”

Several projects are already underway, the professor revealed. “The whole problem of bail is now under study. Many of the proposals generated last May by the National Bail Conference sponsored by the Justice Department and the Vera Foundation will be carried out in the Federal system.” He added that a whole series of reforms will be urged by the Office, such as the encouragement of greater use of release of prisoners on “personal recognizance” rather than bail, and, where appropriate, the greater use of summonses rather than arrests to start proceedings. He explained that these reforms are designed to detain fewer people in jail, both because unnecessary jail-time is an evil in itself and because a defendant who is not locked up can participate more effectively in his own defense.

The Office of Criminal Justice will also offer help in implementing the new Criminal



Professor Vorenberg

Justice Act of 1964, which provides for the payment of counsel who defend indigents in the Federal courts. “We have already started work with a committee of the Judicial Conference on development of plans for legal representation in each of the Federal Districts,” Vorenberg added.

Although the new position will demand much time and effort, Prof. Vorenberg will nevertheless continue to teach his usual classes at the Law School. “It is my hope,” he said, “that I can spend less time in Washington during the next few months than I did before school opened.” He indicated that some of his work can be done in Cambridge and that the office will be manned by a staff in Washington of six full-time lawyers, three of whom are already at work.

From all indications, the announcement of the new office has met with enthusiastic approval by those concerned with the improvement of criminal process.

RECORD Smoker Tomorrow

For one last gasp of freedom, for one last backward glance to the land of sun and surf, for one last reassuring thought that spring will be reborn from the ashes, come to the Harvard Law School RECORD Smoker, at the Associated Harvard Clubs Room, Holmes Hall, 4 to 6 p.m., tomorrow Oct. 2. Beer, pretzels, etc.

Dean Pound's Death

(Continued from page 1)

Even last year Roscoe Pound maintained his 8 to 5 schedule in his Langdell office, answering his worldwide correspondence and writing further articles. The complete bibliography of his writings requires 245 printed pages and includes over one thousand separate items, about 300 of which are books and major papers.

Dean Pound was born in Lincoln, Neb., in 1870. He never received formal elementary schooling and was taught by his mother until he was 12. He then proceeded to the University of Nebraska, receiving the A.B. degree in 1888. Then, after one year at the Law School, he began to practice law in Nebraska at the age of 20. While practicing law, he continued studies in the field of botany and received his Ph.D in 1897.

After distinguishing himself in that field, he became Commissioner of Appeals of the State of Nebraska in 1901 and wrote many opinions for the Supreme Court of that state. In the meantime, he had begun his law teaching at the University of Nebraska. He came to national attention in 1906 when he delivered an address before the American Bar Association entitled "The Causes of Popular Dissatisfaction with the Administration of Justice." This address has been frequently mentioned as the beginning point for modern court reform.

In 1907, Pound became a full-time law teacher at Northwestern University, and in 1909 he went to the University of Chicago Law School. He was appointed Story Professor of Law at Harvard in 1910. He became Dean in 1916 after serving as Carter Professor of General Jurisprudence and continued to run the Law School until 1936 when he became one of Harvard's first University Professors, entitling him to teach any course anywhere in the University.

Official retirement came in 1947 at the age of 76, but except for some time spent as an adviser to the government of China and as a professor at UCLA Law School, he occupied his Langdell office daily.

Harvard Law School prospered during the 20-year tenure of Roscoe Pound as Dean. Enrollment doubled, endowment funds allocated to the School increased six-fold, the library was greatly strengthened, the large addition

to Langdell Hall was planned and built, and the faculty was enriched by the country's leading legal scholars.

The name of the Harvard Law School was known throughout the world through Dean Pound's writings and lectures. Pound, the holder of at least 17 honorary degrees, spoke French, German, Italian, Spanish, Greek, Latin, Hebrew, Sanskrit, and Chinese. His memory was a subject of conversation to his students. He knew countless citations, and someone once remarked that if you forgot your locker number, all you had to do was to ask Dean Pound.

The Pound legend will continue to grow. Fellow professors, former students, and those who knew him all have a favorite anecdote to contribute to this legend. Just one example is the morning Dean Pound staged an early morning stake-out to catch the person who had been rifling lockers. When the culprit arrived, the Dean threw him to the ground and sat on him for two hours until the janitor arrived at 7 a.m.

A former student, Samuel B. Horovitz, LL.B. 1922, sums up the Pound legend: "From many years of contact with his former students and fellow professors, and from my own experiences, I can testify to this fact: that his greatness of mind had its counterpart in his greatness of heart."

Afterthoughts

What Better Requiem . . .

By Michael Hampden

When President Kennedy was shot last year most of us suffered great personal grief. He was of our generation. But when Roscoe Pound died this past summer at 93, it seemed hardly of personal consequence to most law students, even at Harvard. Yet Pound's life was immensely responsible for the whole intellectual mood with which law students are trained to view their discipline and their prospective life work. The strength of his influence can be appreciated by recognizing that we take this mood so much for granted. We are a generation of law students who did not know Dean Pound. Our silent, or glib, reactions to his last years of infirmity, and

(Continued on page 12)

Ex-Dean Landis Passes On During Summer

James M. Landis, Dean of the Harvard Law School from 1937 to 1946, was found dead in the swimming pool at his home on Griswold Road in Harrison, N.Y., on July 30.

Dean Landis was born of American parents in Tokyo, Japan, in 1899. A Princeton graduate, he received his LL.B. from the Law School in 1924, and his S.J.D. in the following year. After a year as law clerk for Justice Louis D. Brandeis, Mr. Landis returned to the Law School in 1926 as a member of the faculty. He succeeded Roscoe Pound as Dean in 1937.

During the administration of Franklin D. Roosevelt, Landis served as a member of the

Federal Trade Commission and was later chairman of the Securities and Exchange Commission. President Truman named him chairman of the Civil Aeronautics Board in 1946, and he was a special assistant in charge of an extensive report on Federal regulatory agencies under President Kennedy.

The war years and the Law School's service-depleted enrollment presented unique and perplexing problems during Landis' tenure as Dean.

For several years during the War, Landis was on a leave of absence from the Law School, serving as chairman of the Office of Civil Defense.

He returned in 1945 to handle the deluge of returning students after the War and resigned as Dean in 1946 to return to government service.

He was the author of several notable works: "Statutes as Sources of Law," published in Harvard Legal Essays in 1934, and *The Business of the Supreme Court* (with Felix Frankfurter), *The Surrender of King Leopold* (with Joseph P. Kennedy), and *Cases on Labor Law*.

After his years at Harvard, Mr. Landis engaged in the practice of law in New York and Washington.

In 1963 Landis was the subject of controversy when he pleaded guilty to a charge that he had failed to file income tax returns for five years. Before pleading guilty, he had paid the taxes and penalties due. Landis was suspended from practice in New York for one year and underwent treatment for a "neurological problem" at a New York hospital.



Former Dean Landis

Professor Tappan Dies



Visiting Professor Tappan

Paul W. Tappan, Walter E. Meyer Visiting Research Professor during the school year 1963-64, died of cancer shortly after his return to California in July. Mr. Tappan was a professor in both the School of Law and the School of Criminology at the University of California at Berkeley.

While at Harvard, Tappan had no teaching duties, but was engaged in research on "the young adult offender."

He was the author of several books, a former Chairman of the U.S. Board of Parole, an Associate Reporter for the Model Penal Code, a consultant to the United Nations on juvenile delinquency, and Fulbright Lecturer at the University of Melbourne.

Harvard Law Review Prefers Cantabs

Graduates of Harvard College, 12 in all, dominate the select group of 34 second- and third-year students who accepted invitations to join the *Harvard Law Review*.

Other institutions contributing more than one man to the organization are Michigan and UCLA with three apiece and Pennsylvania and Wisconsin with two apiece.

Tales Told of Africa

Two graduates of the class of '61 have recently returned from a year in Africa under the auspices of the Alfred P. Sloan School of Management of M.I.T.

One, Tom J. Farer, was given a post as legal advisor to the Ministry of Foreign Affairs in Somalia, but when he arrived in Mogadiscio last September, he found that nothing had been arranged in the Ministry, that the Minister was out of the country for several months, and that no one else was empowered to act.

On his own he found a place to live, settled down and set out to find a job.

Becoming friends with the Commandant of the Somalia police, Farer was asked to teach some of the police officers the procedures under the new Penal Code and to advise in other ways. Among other things, he

(Continued on page 13)

Chosen were:

Second year — William S. Abbott, Lexington, Mass., Harvard; David R. Barrett, New York, N. Y., Columbia; David Bonderman, Los Angeles, Calif., Washington; William J. T. Brown, South Haven, Mich., Wisconsin; David P. Bryden, Mendham, N. J., Harvard; Louis R. Cohen, Glencoe, Ill., Harvard; Richard D. Copaken, Kansas City, Mo., Harvard; John M. Cramer, Mifflintown, Pa., Juniata; Peter B. Ellis, Chappaqua, N. Y., Harvard; John C. Fleming Jr., Jackson Heights, N. Y., St. John's; David L. Gersh, Los Angeles, Calif., UCLA; Daniel N. Hoffman, Chicago, Ill., Chicago; Milton B. Hyman, North Hollywood, Calif., UCLA; Peter D. Leask, Vancouver, B. C., British Columbia; Peter V. Lockwood, Glendale, Mo., Harvard; Carl D. Lohmann, Wautoma, Wisc., Wisconsin; James F. Monahan, Brooklyn, N. Y., Brooklyn; Peter D. Nussbaum, Brooklyn, N. Y., Cornell; Harry D. Rosenbloom, Teaneck, N. J., Princeton; Leslie B. Samuels, Denver, Colo., Pennsylvania; Steven A. Schatten, Whitestone, N. Y., Pennsylvania; Guy M. Struve, Chatham, N. J., Yale; David W. Walker, Canaan, N. Y., Harvard; Douglas H. Walter, Glen Ellyn, Ill., Harvard; Robert A. Warden, Washington, D. C., Michigan; and Stephen A. Weiswasser, Detroit, Mich., Wayne State.

Third year — Meredith M. Brown, New York, N. Y., Harvard; Charles L. Egan, Shreveport, La., Harvard; Stephen A. Greene, Newburgh, N. Y., Harvard; Bruce D. Haims, Stamford, Conn., Pennsylvania; John P. McGrath, Rochester, N. Y., Holy Cross; Kenneth M. Poovey, Beverly Hills, Calif., UCLA; Eddy J. Rogers Jr., Belleville, Ill., Harvard; Jerrold E. Salzman, Chicago, Ill., Michigan.

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Board Plans Ames Activity

Over 280 second-year students are expected to argue in the Qualifying Round of the Ames Competition this fall, it was announced this week by the Board of Student Advisers. This represents a continuation in the trend of increased participation in recent years, an advance of 25 per cent since 1961.

Chairman J. Eugene Marans attributed the increase in part to the success of the "no-raiding" rule adopted by the Board in 1962. The rule is that no member of a club's court will be allowed to argue with any other club without the written permission of the Board if four or more members of the existing court choose to argue in the Qualifying Round. The result has been to prevent the creation of "super-clubs" and encourage second-year students to compete by preserving a balance of fair competition among the clubs.

Williston Improvements Planned

In other pre-competition activities, the Board has helped club presidents and student hosts place over 50 interested foreign students in 24 existing clubs in the continuation of a program initiated two years ago.

The Board is preparing several improvements for the Qualifying Round of the Williston drafting competition next spring. In connection with the Law School's program to give second-year students additional experience and criticism in high-quality legal drafting, the Board is giving special attention to the improvement of the Williston judging process, Marans said. Efforts will be made to arrange personal contact between the participants and the judges of the problems, he added.

Marans also announced that the Board has begun the preparation of a new, 8th edition of *Introduction to Advocacy* for use beginning fall, 1965. Major changes can be expected in the chapters on oral advocacy and citation of cases.

Other officers of the Board this year are Edwin S. Kahn, Second-Year Chairman; Arthur L. Rebell, First-Year Chairman; Lawrence C. Browne, Williston Chairman; and Richard Landfield, Special Projects Chairman.

The Qualifying Round for upperclass Ames

arguments will begin Oct. 5, when the dockets for the first of eight rounds will be posted. First-round arguments will be on Nov. 13, and arguments will run through Dec. 8. First-year Ames competition begins Oct. 7, and the argument for the first round will take place on Nov. 2, with arguments running until Dec. 4.

Nine second-year men and two third-year men, ranking scholastically just below Law Review, were invited to join the Board this year. The new third-year members are Chesley P. W. Booth, Harvard, Huntington, N.Y., and Jeffrey M. Epstein, Amherst, Brooklyn, N.Y.

The new second-year members are: Mark K. Adams, Harvard, Chappaqua, N.Y.; Richard B. Collins, Yale, Cincinnati, Ohio; David C. Daneker, Haverford, Baltimore, Md.; Lawrence G. Golde, Princeton, Port Washington, N.Y.; Frederic L. Hahn, Cornell, Highland Park, Ill.; James H. Hardisty, Harvard, Cambridge, Mass.; Andrew C. Quale, Jr., Harvard, Kenilworth, Ill.; S. Stephen Rosenfeld, Brown, Milford, Mass.; William P. Thornton Jr., Providence, Pawtucket, R. I.

22 Join Legal Aid

Twenty-two students have been added this year to the staff of the Harvard Legal Aid Bureau, which handles civil cases for indigent parties.

They are as follows: Jeffrey A. Barist, Rutgers, Jersey City, N.J.; Michael D. Blechman, Harvard, New York, N.Y.; Harry U. Carlson, U. of Wisconsin, Kewosha, Wis.; Russell M. Coombs, Stanford, Wichita, Kansas; Lester G. Fant, III, Vanderbilt, Holly Springs, Miss.; William J. Feis, Harvard, Lexington, Mass.; Matthew Gluck, Cornell, Brooklyn, N.Y.; Edward F. Greene, Amherst, West Hartford, Conn.; Carlyle W. Hall, Jr., Yale, Bayside, N.J.; Joel B. Harris, Columbia, Great Neck, N.Y.; Robert A. Hurwich, Harvard, South Bend, Ind.; Robert J. Kafin, Franklin & Marshall, Philadelphia, Pa.; Anthony C. Kahn, Cornell, Middle Village, N.Y.; Stanley W. Legro, Naval Academy, Houston, Tex.; Bruce L. McDonald, Harvard, Bethesda, Md.; Alan B. Morrison, Yale, Larchmont, N.Y.; Thomas W. Morriss, Yale, St. Louis, Mo.; Stephen M. Sacks, Cornell, Hempstead, N.Y.; Richard B. Stewart, Yale, Shaker Heights, Ohio; Arthur M. Sussman, Cornell, Brooklyn, N.Y.; Thomas E. Vollmer, Notre Dame, Syracuse, N.Y.; Donis G. Walker, U. of Okla., Wichita, Kan.

Uniform Sales Hoped for Guide

The Harkness Commons newsstand, always a pleasant diversion for harried law students, is featuring the Commercial Transactions Guide, by Michael Steinberg, 3L. The green, paperbound Guide seems quite at home with its neighbors, *Playboy*, *The Saturday Review*, et al., and may become a permanent fixture there. Reliable sources indicate that the author's notable success in Commercial Transactions I explains why the Guide is selling well at \$4.00.

In an interview with the RECORD, Steinberg said that he considered capitalizing on his prowess in the law of commercial transactions last July and proceeded to write the study guide over the summer with the approval of Professors Braucher and Sutherland, authors of *Commercial Transactions, Cases and Problems*. He worked on the booklet evenings and weekends while clerking with Bingham, Dana & Gould in Boston.

The seventy-five page booklet follows the lecture sequence of the Braucher and Sutherland casebook. Each lecture is explained in terms of the relevant sections of the Uniform Commercial Code and the Bankruptcy Act. Problem cases are analyzed, but the author emphasizes that his solutions are by no means definitive. Focusing on the problems raised in Commercial Transactions I and relying exclusively on course materials, the booklet does not pretend to be a treatise on commercial law.

Steinberg feels that the Guide will be a useful supplement to the Braucher and Sutherland casebook and might also serve as a review book for third-year students who

will soon be taking bar examinations. Having sold one hundred-fifty copies of the Guide, he hopes to recover his publishing costs this year and to continue selling the Guide at Harvard and other law schools where the Braucher and Sutherland text is used.

Dean to Lecture in Britain

Dean Erwin N. Griswold will be the first American to deliver the Hamlyn Lectures at Grey's Inn in London. The lectures, to be given on Oct. 21, 22, 28, and 29, are entitled "Law and Lawyers in the United States: The Common Law Under Stress."

The Hamlyn Lectures were established in 1948 by the trust of Miss Emma Warburton Hamlyn, whose father was a distinguished solicitor. The purpose of the trust is "... the furtherance by lectures or otherwise among the Common People of the United Kingdom of Great Britain and Northern Ireland of the knowledge of the comparative jurisprudence and ethnology of the chief European countries" Prior to the selection of Dean Griswold, the only non-Englishman among the Hamlyn Lecturers was T.B. Smith, a Scotsman, who was at Harvard Law School in 1961 as a Visiting Professor.

The Dean and Mrs. Griswold will leave for Edinburgh, Scotland, on Oct. 8 and will proceed to Oxford where the Dean will receive a Doctor of Civil Law degree from Chancellor Rt. Honorable Harold MacMillan on Oct. 18. The Dean will also visit the law faculties of Cambridge, Oxford, and London Universities before returning to Harvard on Oct. 31.

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Recent Book

Organized Charity Under Fire

AS SOUNDING BRASS. By Alan T. Nolan. 243 pages. Houghton Mifflin. \$3.95.

By Michael Hampden

"Though I speak with the tongues of men and of angels, and have not charity, I am become as sounding brass, or a clanging cymbal." 1 Cor. 13.1. Mr. Nolan's book is the case history of a young man without money or family, newly arrived in a large midwestern city to earn his living on an assembly line. One night on the way to his room, two policemen, searching the neighborhood for a purse-snatcher, saw him in the shadows of the sidewalk. A chase through the dark alleys ended with the man lying on

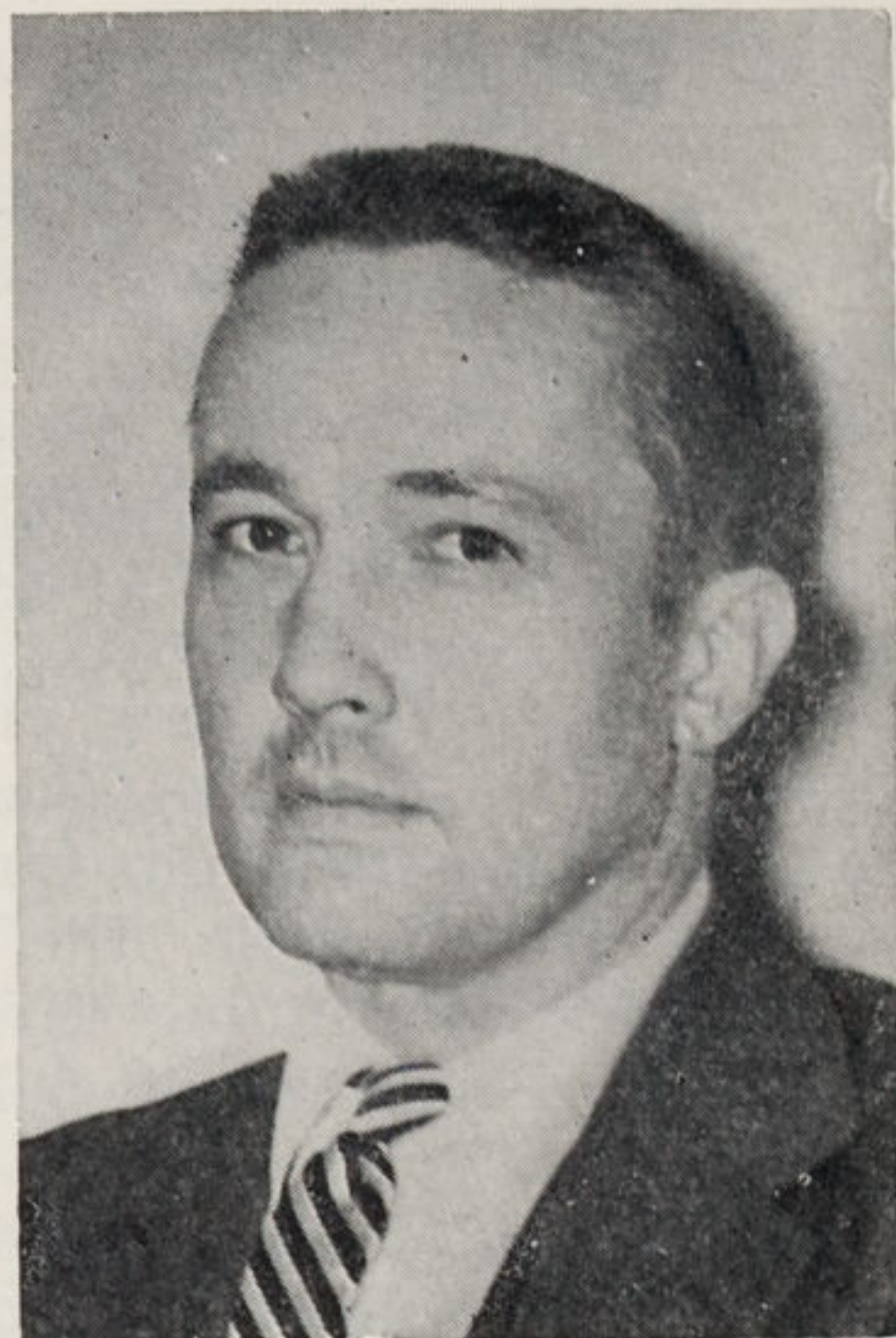
the ground, a policeman's bullet in his back. His spinal cord was severed, paralyzing him from the waist down. Then follows his hopeless appeals for legal and medical help from society's institutions of charity: his union, the Legal Aid Society, the American Civil Liberties Union, the state welfare and correctional departments, and private charities.

Mr. Nolan's point is that real charity is a disposition of the human heart; that it is not to be found in the complex and impersonal machinery of our charitable bureaucracies. There is a serious social question here whether the offices we have created to dispense charity are *inherently* incapable of their tasks on the scale we expect of them. But Mr. Nolan's criticism is too scattered, too inarticulate, for the reader to judge if this is his point, or if he is only making a sentimental appeal for greater individual efforts toward the Christian ideal. Is Mr. Nolan calling for an entirely new order in dealing with society's wards? Does he propose we dispense with jurisdictional limits among charitable associations, or is he asking only that we relax in particularly pathetic cases? Does he believe we can improve our *impersonal* institutions by *personal* effort, or is his message that the task is hopeless? The author allows himself no commentary on this; and his characters never even raise the issue by implication. Mr. Nolan has suggested deep-seated difficulties with the organization of public and private welfare, but has left us little more than a suggestion.

As *Sounding Brass* is structurally weak. It is recurrently flawed by awkward sentence structure, and little attempt is made at characterization. The narrative is trivial and lacks significant detail. The plot is transparent, and Mr. Nolan's

Alan T. Nolan is a graduate of the Law School, class of '47, and is with the Indianapolis firm of Ice Miller Donadio & Ryan, where he specializes in labor law. He clerked during 1947-48 for Mr. Justice Sherman Minton on the Seventh Circuit Court of Appeals. Mr. Nolan is the author of the successful Civil War military history, *The Iron Brigade*, and editor of a recently reprinted edition of *Rufus R. Dawes' Service With The Sixth Wisconsin Volunteers*.

In a letter to the RECORD, Mr. Nolan remarked, "... I am really not sure why I pursue the writing sideline. I suppose the reason is simply that I enjoy the research and writing tasks of nonfiction and the writing — perhaps I should say "composing" — aspects of fiction. I suspect that I do enjoy these things because they are voluntary, that is, I do them simply because I want to do them and when I have the time and the inclination. In these circumstances, they afford an escape for me from the practice of law, which is my full-time activity."



Alan T. Nolan

treatment of various minor issues along the way is pasty and traditional. The story is marked by a few totally unbelievable scenes, as where a senior partner in a large law firm explains what Legal Aid is to another colleague of long experience in the firm, and where one doctor instructs another not to leave the patient lying in one position too long.

Despite its general faults, the novel has two excellent scenes which alone commend it to the legal community, and particularly to law students. One is the trial, in which the embarrassingly green defense counsel himself virtually commits the paralyzed boy to prison by failing to see a great weakness in the prosecutor's case. The other is the board meeting of a large city charity at which hypocrisy and misunderstanding of duty are the keynotes. These two episodes are thoughtful and subtly expressive, unlike, unfortunately, the greater part of the book.

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Afterthoughts

(Continued from page 6)

now, to his death, are less disrespectful than ignorant.

Now is a good time for students of the law to read Pound, while he is still our contemporary in our subconscious. No elegy would have suited him more than for one or two of us, perhaps only out of curiosity, taking up *The Spirit of the Common Law*, and discovering its genius for ourselves; discovering, for example, the common philosophical thread running through the great emergence of conservative political sentiment in our country today, and that important feudal component of the common law, named by Pound "the strict law," or insistence on literal adherence to duties legally incurred; rejection of "legal paternalism and legal maternalism." Pound himself was a Republican, yet the strongest promoter of recognizing social interests in the law, and, as such, a force in the New Deal growth of administrative bodies functioning in the governmental and legal spheres. Later, he was among the most outspoken critics of administrative abuses of power. He recognized that the stark administrative tendency to interpret

the law in terms of a preformulated policy was contrary to the ideal of a strong, independent judiciary, and disruptive of the careful functional balance of power created by the Constitution. To him that balance was not just the definitional whim of the Framers, but a concept embodying an ideal of free government very nearly a principle of natural law.

What better requiem than to consult Roscoe Pound on the current problems, of, say, court reform, which we smugly forget were ever faced and debated decades and centuries ago. In *The Spirit of the Common Law* he tells us in passing that he deplors the movement toward "socializing" the judicial process, toward referring more and more classes of controversies to extrajudicial boards administering "executive justice." Yet he recognized that these tendencies are expressions of a worldwide impatience for a new ideal of fairness and convenience in the law.

Now is a good time for us to read Pound, before legal history and our dull memories extinguish his humanity. We can choose from a library of his works which would fill that huge round desk of his to the brim; hardly even room for his treatises and articles on the botany of Nebraska.

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Dean's Report

(Continued from page 4)

memoranda on legal questions. But these cases should be carefully examined and reviewed, and the cases which have substantial questions in them should be regularly handled by counsel."

Increased Enrollments

Pointing to the sharp rise in applications to the Law School, from 1,735 in 1960 to 2,678 in 1964, the Dean said that the School's methods of selection, which emphasize "academic achievement and admission test proficiency," are under present conditions "inadequate and unrealistic." He added, "It may well be that in the zone in which we are operating, reliance on marks and scores, though having the appearance of objectivity, is in fact quite arbitrary."

It is his hope that, at Harvard, ways will be found to introduce into the process "methods of selection which will include more than purely academic measures."

Rejecting as a solution to the application explosion the expansion of Harvard Law School on the grounds, among others, that the School did increase its size 30 years ago and that further expansion would heighten

"the impersonality which is said by some to characterize the School now," the Dean proposed the solution that many small law schools expand their enrollments.

He suggested that if 40 of the smaller schools increased by 250 each they "might be actually benefited in the process," and, also, there might be "some reduction in the pressure to get into some law schools."

Graduates Return

(Continued from page 8)

found himself teaching judo at 6:30 in the morning to a selected group of police officers.

This was not Farer's first taste of job evaporation. Upon graduation, he was to have clerked for Learned Hand, but Hand died in July of 1961.

Returning today from a year in Entebbe, Uganda, is Jonathan Mallamud, who worked there in the Attorney General's Office and as an advisor to the Ministry of Foreign Affairs.

Harvard participants in the Sloan program were obtained through the Department of International Studies, directed by Professor Milton Katz.

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Student Bar Woos Student Body

The Harvard Student Bar Association this year is conducting a bootstraps operation to raise its sagging image among the student body.

William S. Rubinstein, President of the SBA, reported last Friday that over two hundred students have already joined the organization. "Unlike many law schools, Harvard does not require its students to belong to SBA," Rubinstein said, "but we do have the backing of the administration for our efforts to make the SBA an integral part of the Law School program."

Declaring that the primary purpose of his organization is to act as a liaison between law students and practicing attorneys, Rubinstein referred to the need to fill the void which exists for those students "whose only real contact with the law comes in the classroom. The SBA is the only Law School organization which introduces students to leaders of the legal profession on an informal and personal basis," he said.

Rubinstein cited the SBA's plans to bring to the School practicing attorneys from various specialized areas in the law, such as corporations and tax, to speak informally on their practice of law.

Other activities for the year will include a court visitation program for members. A visit is also planned to the maximum security prison at Walpole.

Other highlights of the year's program will be the showing of two films, "Birth Control and the Law" and "Storm over the Supreme Court: The School Prayer Case," both of which have been televised by the Columbia Broadcasting System. Dean Erwin N. Griswold and Professor Paul A. Freund were among those featured in the Supreme Court film.

Other officers for the year are: Philip R. Moots, Executive Vice-President; Richard C. Field, Administrative Vice-President; Jerald L. Chaleff, Secretary; Michael Greene, Treasurer; and David S. Herschberg, Harvard's representative to the American Law Student Association.

President Rubinstein was elected to be a National Vice-President of the American Law Student Association at its summer convention in New York.



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Administration Reveals 1L Data

The members of the first-year class come from more colleges and universities than have ever before been represented in a single entering class, according to Admissions Director Louis A. Toepfer. The class of 540 students holds bachelor's degrees from 140 schools.

About 43 per cent of the class are Ivy Leaguers. The "Big Three" lead the list, Harvard supplying 66, Yale 47, and Princeton 30. After outsider Stanford's 20, the Ivies again dominate: Cornell 18, Dartmouth 17, Columbia 17, Pennsylvania 17, and Brown 14.

Geographically the class comes from 45 states, the District of Columbia, and Liberia. First on the list by a wide margin is New York State, whose contribution of 119 represents 22 per cent of the class. Other big contributors are Massachusetts with 40, California and Illinois with 36 each, New Jersey with 34, and Pennsylvania with 28.

History was the most popular undergraduate major for the class with 135. Gov-

ernment and political science drew 126, economics 59, and English 50.

The number who have completed their military service dropped from the preceding year by over a third, from 67 to a mere 41.

There were known to be at least 51 married students as compared to 77 the preceding year.

There are 25 women in the group.

Grads to Gather

Saturday Harvard plays Bucknell: an alumni reunion cannot be far behind. Over 100 members of the class of '29 will hold their 35th reunion, beginning Friday evening with a 300-minute cocktail hour in Harkness.

On Saturday morning, one of the class's most anecdotal members, Professor Richard H. Field, will conduct a symposium.

Other class reunions scheduled for the fall are the 15th reunion of the Class of '49 on Oct. 23 and 24, and the tenth reunion of the Class of '54 on Nov. 13 and 14.

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Interviewing Season Approaches

Placement Office To Coordinate

As in the past, the Placement Office at 23 Everett St. will serve as the clearinghouse for job-seekers, both alumni and undergraduate, particularly during the fall but generally throughout the school year.

A calendar listing the visiting dates of prospective employers who will be interviewing at the School starting next Monday is available at both the distribution center and the Placement Office. Graduates seeking a change of employment scenery may obtain one such calendar by writing to the Placement Office.

Supplementing the calendars are more detailed notices describing the sizes and specialties of the interviewing firms. These notices are posted on bulletin boards in Langdell South and at the Placement Office, and copies of them are to be found in a loose-leaf volume available at the library's reading room desk.

Miss Eleanor R. Appel, Placement Director, stressed that interviewees-to-be must fill out the cards at the Placement Office, usually a week in advance, requesting the desired interviews. Those for whom interviews can be scheduled will receive notification of that by postcard, she noted.

Miss Appel said that those students who have not as yet discussed their plans with her office are welcome to arrange for interviews.

She urged that all third-year students check with her office concerning location preferences.

A helpful booklet on placement, "Finging Your Job," was distributed to all third-year students at registration and may be obtained by others upon request, Miss Appel said.

Because of space limitations, the RECORD will not print an interview schedule as has been done in other years.

Information about job opportunities with firms and corporations which will not do any interviewing here in Cambridge but which are seeking employees with a legal background is available on the notice bulletin boards also.

Tea To Be

Mrs. Erwin Griswold will give a tea next Wednesday afternoon, from 4:30 to 6:30 p.m. in Harkness Commons, for all wives of law students, women law students, and faculty members.

This is the first event in the Law Wives' full fall calendar. The organization's first meeting will be on Oct. 14 at 7:30 p.m. in Harkness, and will include an explanation of and introduction to the mysteries of Boston's institutions, geography, and traffic.

Other October meetings are a bridge session on the 21st, and a seminar on the 28th where Professor Charles Fried will discuss criminal insanity.

Honoraries Lose Audience Jump

The Law School has ended the practice of special job interviewing at Gannett House for members of Law Review, Board of Student Advisers and Legal Aid.

Second- and third-year members of honoraries will arrange for on-campus job interviews through the Placement Office.

In recent years several large New York, Washington and Los Angeles law firms have conducted interviews at both Gannett House and the Placement Office.

Vice Dean Louis A. Toepfer stated several reasons for eliminating the interviewing at Gannett House. These include the desire to coordinate placement activities and to deemphasize marks in the selection of clerks and associates.

Other reasons given by Dean Toepfer for the restriction are student resentment and adverse feelings of some faculty members to the special consideration given honorary group members.

The fact that some small firms never saw the high-average students by interviewing only at 23 Everett was another factor in the decision.

According to Dean Toepfer, firms which desire to restrict their interviewing to Law Review, Board and Legal Aid members will be able to do so. However, the placement office will discourage such restrictions.

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