



America's Oldest Law School Newspaper

VOL. 39 NO. 6 CAMBRIDGE, MASS., NOVEMBER 12, 1964 FIFTEEN CENTS

Ripon Disowns Goldwater Bid

By Myer J. Sankary

Joining the nationwide attack against Senator Goldwater's disastrous Presidential campaign were a group of Harvard Law students who helped prepare a statement issued

by the Ripon Society last week in Washington, D.C.

The Society's statement, part of which was read by M.I.T. Professor John Saloma on the Huntley-Brinkley news program, cites facts and figures laying the blame of Republican losses directly to Senator Goldwater's ideological and political ineptitude.

"We cannot avoid the conclusion that Sen. Goldwater himself was the major issue in

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Student Groups Work

For Rights, Liberties

By Michael Hampden

The uncritical observer of recent developments in the area of human rights is apt to be confused by, and impatient with, the number and variety of rights groups that have emerged on every level. Abridgments such as CORE, SNCC, ACLU and COFO provide easy reference, but for many, only at the expense of meaning and distinction.

At the Law School, legal work in the field has taken two distinct directions. The purposes and programs of the Civil Liberties Research Service and the Harvard Civil Rights Committee turn respectively on the differences between, as their names denote, civil liberties and civil rights. The former are commonly thought of as the individual's immunity from certain abusive government practices; the latter, as the individual's claim to affirmative assistance from the state.

In *One Man's Freedom*, by Edward Bennett Williams, the late President John F. Kennedy

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Machines Aid Research

By Robert A. Grayson

Computers presently do the work of secretaries, bookkeepers, bank tellers, librarians, and even factory workers. Soon they will be doing much of the time-consuming research now done by lawyers.

"By the time the present first-year class is practicing law, a commercial legal research system will be in use," predicted Allen W. Puckett, 2L. Puckett, an aeronautical engineer who, before entering law school was employed by Jet Propulsion Laboratories in Pasadena, Calif., spent last summer as an assistant at the Health Law Center at the University of Pittsburgh, a pioneer in the development of a system of legal research by computer.

Computer Information Storage and Re-

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The Proper Use of Computers

Computers may be taking some of the drudgery out of the exacting task of legal research, but these machines do not protect, and in fact may become a threat to, man's freedom. He must learn to master these valuable tools, or become their servants by default.

Law students could get a jump on their elders by learning to live with the machines while in school. Perhaps, since computers are apparently well versed in statutory law, they could be put to use by the students in the Legislative Research Bureau to gather together statutes in a particular field. But it must be stressed that the drafting of a new or updated statute, on the basis of the machine's findings, must be done by men, taking into account present-day human needs the machines know not of.

Eventually the machines will be programmed to do detailed research in the area of case law, and if a machine were available for student use even first-year men could make use of the mechanical brains to prepare for drafting Ames briefs. Assuming competent programming, no landmark cases in the assigned area would be missed. But, again, the machines only answer questions properly asked, and it would be the student's task, as it is the lawyer's, to phrase his queries fully and exactly. Nor may he allow the well-honed tools of research to become rusted; for he may find in a machine-cited case a nuance which leads to other uncited cases and eventually to a winning argument, or he may find the machine has mistakenly cited dictum as holding and toss the cited case out altogether.

Particularly in developing areas of the law, where the good lawyer places only a certain amount of reliance on precedent, the student must go beyond the machine's findings to develop thoughts which stress the present-day views in the field and then strike out on his own to draw man-oriented conclusions.

Harvard Law Record

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Published on Thursdays ten times each semester 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

I was standing in a particularly long and unruly line at the Distribution Center when a friend sidled over, hoping to ooze into line unnoticed.

"Hi, Fenno," he said, melting into the line, "how did you enjoy the career conference?"

"It was interesting. I always feel a little guilty about taking a vacation on Veteran's Day anyway, since I'm avoiding the draft," I said quietly.

"You must admit it was pretty sneaky holding a career conference on a holiday," he said. "It's all part of a new concept known as 'collapsible vacations'."

"I don't think I follow you," I said, kicking the fellow whom the guy in front of me had just let into the line.

"A holiday is for the purpose of relaxation and celebration. Right?"

"Right."

"There are no classes and there are parades. Right?"

"Right."

"Hence," he said, "when the Law School plans an event that is ordinary and necessary and incident to our education during a holiday it results in a mere quasi-respite and the vacation collapses."

"You mean all those little erosions of the vacation base like moot-court arguments the night before Thanksgiving, exams right after Christmas, and Williston Competition on Washington's Birthday?" I asked.

"Yes," he said strongly. "It includes all those times when you think you are going to be a gent on a frolic of your own and you wind up back here doing something that's necessary and proper."

"I wouldn't get too upset about it," I said. "After all, a collapsing vacation is better than none at all. If I were you I'd just calm down and sign my petition for immediate Law School recognition of Patriot's Day."

Taped Confession of Suspect to Be Played

By Stewart D. Davis

A recording of the interrogation and confession of a suspect in a felony-murder case will be played by Professor Yale Kamisar at 4 p.m. today in the Ames Courtroom.

The tape was made by the police department of a large midwestern city in the hope that this particular suspect could be "broken quickly" and the tape then used to elicit confessions from the other suspects in the case, Prof. Kamisar said. It took a number of policemen some five hours of interrogating to induce the suspect to make and sign his confession.

A police department official "leaked" the information about the tape's making to the city's public defender office, Prof. Kamisar explained, and the tape was subpoenaed for trial and played in full to show that the confession was involuntary. The jury found the conviction voluntary and convicted; upon appeal to the state's highest court a reversal was obtained on this issue. The defendant was then convicted without the tape being introduced; that case is still on appeal.

Police Copy Edited

The police copy of the tape was given by the public defenders to Prof. Kamisar who, with the assistance of the audio-visual staffs of Minnesota and Michigan Universities, edited it down to the "manageable" length of two hours. The editing, accomplished after listening to the tape several times and reading the printed transcript of it, leaves long portions of the original intact and, according to Prof. Kamisar, "fairly represents the flavor" of the interrogation.

Terming the tape "illuminating and instructive," Prof. Kamisar noted that student listeners will find insights into police interrogation "not to be found in any reported opinion." The tape underscores some of the problems which have given rise to many of the rules in this area of the law, he added.

In particular, Prof. Kamisar said, the recording shows how hard it is to reconstruct at trial what occurred during the interrogation. For example, the policemen are at one point making promises to the suspect, and

at another stressing that they are not making any promises. Moreover, because different interrogators, employing different styles, are involved, there is likely to be genuine confusion as to who said or promised what.

Five policemen are involved in the role of interrogators, some of them unaware that the proceedings were being taped. Both the tough and the gentle styles of questioning are displayed, Prof. Kamisar said.

Although the tape will be played primarily for the benefit of the Civil Liberties Research Service and Prof. Kamisar's seminar on constitutional-criminal procedure, all interested students may attend.

Catholic Philosopher Discusses Contraception

Speaking to the St. Thomas More Society recently, a Catholic professor of Philosophy rejected two of the chief arguments against the practice of birth control.

Dr. Louis Dupree of Georgetown University stressed that, being the law of a free creature, the natural law must be dynamic, allowing for further development and refinement. Man's morality develops as he becomes aware of higher values, he said.

Prof. Dupree, author of *Contraception and Catholics*, spoke to the Society Oct. 26 on "The Natural Law and Birth Control."

Reductionism Deplored

Dismissing the line of reasoning that birth control is evil, in that it prevents man's physical activity from attaining its natural effect, Prof. Dupree argued that man's nature must not be reduced to its lowest level, his physical existence. He pointed out that if intervention in the physiological processes is wrong *per se*, many operations, such as kidney transplants, would have to be regarded as evil.

He rebutted the idea that birth control

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Ripon Society

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the 1964 campaign. The clear rejection of his candidacy is the central lesson of that campaign," the Society claimed.

In what was perhaps the most unique coverage of an election by a volunteer political group, the Ripon Society, a moderate and progressive organization composed of young professional and intellectual Republicans, took over the basement of Lincoln's Inn to establish a nationwide election center. Together with radio and TV monitors, there



Holmes Hall campaigned for Goldwater . . .

were long-distance telephone connections with Ripon field contacts in 31 key states. The Cambridge election center received information immediately about local voting trends and the success or failure of local candidates.

Key figures in the organization are J. Eugene Marans, 3L; Emil Frankel, 3L; Thomas E. Petri, 3L; John Price, 3L; and Christopher Bayley, 2L. About 20 law students and their wives participated in the election night activities at Lincoln's Inn, together with a number of graduate students.

Prior to election night and throughout the campaign, the field contacts sent in newspaper clippings about events of the campaign, and massive files were collected at the Ripon headquarters in Cambridge.

Twelve hours after the polls were closed, the mass of information was analyzed and a statement was drafted by members of the Society which traced the major cause of the defeat to the Goldwater-Miller campaign.

The statement denounced the Republican National Committee's Southern strategy with its racist overtones which "attracted

significant support only in the redneck rural areas of the South."

The report claimed that "a whole new generation of Negro voters has been alienated from the Republican side at a time when Negro registration is at an all time high — close to six million persons.

"In suburbia, the Goldwater-Miller campaign was a disaster," the report maintained. It pointed out that the radical appeal was overwhelmingly rejected in the North, while "the Southern strategy wiped out the substantial gains by Eisenhower and Nixon in the Southern suburbs."

The statement continued to spell out the extent of Republican losses. "The reverse coat-tail effect, the Goldwater undertow," it said, "has virtually obliterated the Republican parties of such states as Iowa and Maine." The report confirmed that "the inescapable conclusion is that Goldwater-Miller hurt and did not help Republican candidates!

"If the Republican Party had any chance for victory when it left San Francisco in July, that chance was thoroughly shattered by one of the most inept and unprofessional campaigns in American political history," the Ripon statement asserted.

The Society also charged that "the Goldwater leadership has exercised an oppressive exclusiveness which put loyalty to a small cabal ahead of loyalty to the Republican Par-



. . . but Shaw chose the winner.

ty." It cited the instance of how "the brash young John Grenier stormed into the Republican National headquarters and ordered his staff to remove all pictures of President Lincoln and President Eisenhower.

"The failure in strategy has been matched

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Third-year Williston Team Is Disqualified

By Myer J. Sankary

An honest mistake has caused a third-year Williston Team to be disqualified from the semifinal round of the Williston Competition, according to a decision by the Williston Committee of the Board of Student Advisers.

The five-man Committee issued a unanimous opinion charging the team of Bruce A. McMillen, Thomas S. Mansell, Sheldon H. Nahmod and Marvin H. Pilchen with a violation of Rule 8(d) of the Williston Competition.

The rule forbids a team "to accept suggestions or assistance from any person not a member of the same team, in the preparation of the solution."

The problem in the semifinals involved drafting a statute to protect consumers from fraudulent door-to-door salesmen who fast-talk householders into signing negotiable notes for worthless merchandise.

On Wednesday, Oct. 14, the disqualified team consulted a loan officer at the Harvard Trust Company to discover whether, according to banking practice, the bank looks to the maker or payee to make good for discounted notes. The data was said by both teams to be unavailable in the Langdell library.

Prior to their visit, the team had understood that Rule 8(d) prohibited inquiries for a "solution" to the problem, but it did not occur to them that the Rule forbade inquiries as to "facts" as well, said a spokesman for the group.

That evening, upon noting for the first time the possible conflict with the rules, the disqualified team called the opposition to inform them of what they had done to make certain that no one would question their conduct, and offered them an opportunity to elicit the same information from the banker. The opposing team, composed of Ronald H. Alenstein, Clarence A. Jacobson, Richard M. Sharfman, and Caroline M. Simon, decided

that if there had been a violation of the rules, they had no standing to waive them, and suggested that the matter be turned over to the Williston Committee of the Board. Later the same night, the team called Laurence C. Browne, chairman of the competition, and informed him of the events.

On Sunday, Oct. 18, the Williston Committee, which included Browne, Edwin S. Kahn, Richard Landfield, J. Eugene Marans, and Arthur L. Rebell, held a hearing at which all the details of the episode were presented by both sides.

The opposing team then called for disqualification, because in their view the information gained by the interview had caused irreparable harm.

The Committee decided that there had been a violation of Rule 8(d) and that Rule 9 compelled disqualification as the "ordinary" penalty. Construing Rule 8(d), the Committee held that it clearly forbids any assistance and specifically prohibits conduct such as this.

The Element of Unreality

The Committee stated: "It is no defense to say that consultation with a banker is essential to drafting a statute involving bankers. The nature of the Williston Competition requires the problems to be solved in a vacuum. To the extent the contestants are circumscribed by the rules of the competition, the drafting of the solution must bear the element of unreality."

The opinion emphasized: "The proper procedure would be, if the rule were ambiguous, for the team to consult with the Board before taking any steps which might give an undue advantage to itself, or prejudice its opponents."

The Committee was careful to point out that it did not imply that "the offending team made a deliberate effort to gain an undue advantage by conscious violation of Rule 8(d). There is no evidence of dishonesty in this case."

The Committee termed the team's "failure to inform themselves of the applicable rule, and to

clear up any ambiguity which may have existed, as gross carelessness."

As a result of this finding, the Committee stated that it was unable to apply the exceptions to Rule 9, which allows it to impose a penalty less severe than disqualification if the violation was in "good faith, inadvertent, or not serious."

"Good faith is not a defense in this case," the opinion concluded. "We hold that Rule 8(d) is so plain in meaning that no team having read the rules, could in good faith interpret them to allow the action in this case."

The disqualified team replied in a memorandum supporting its request for reconsideration of the Committee's decision that "all the members of our team did read the rules of the competition at least once during the past year, and we read them carefully."

The memorandum set forth the team's view that Rule 8(d) was ambiguous and cited the fact that all of the members of the disqualified team had originally thought that their action in no way conflicted with the rules.

"Since we were found not to have deliberately violated the rules, it does not seem consistent to argue that we found an ambiguity in Rule 8(d), yet decided to disregard it."

Continuing further, the memo noted that "it was subsequent to our consultation with the banker that we first noted the possible ambiguity in the Rule, and we informed the opposing team of our action immediately."

Upon reconsideration, however, the Committee rejected the team's argument, and affirmed its prior decision.

In its original opinion, the Committee had also found that "the information elicited by the improper interview was highly advantageous to the team which secured it, because it enabled that team to rest its solution on firm factual data about banking and trade practice in the area of the

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Ripon Society

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only by the arrogance with which it has been executed," the Society pointed out. "The Goldwater-Miller campaign must rate as the most politically insensitive of our era." The society urged that the failure of the campaign itself is sufficient cause for the resignation of the Goldwater lieutenants.

Explaining that the main purpose of the statement was to make certain that the "sin of silence" of the moderates is not repeated, Frankel pointed out that "unity has been used too often in the past as a weapon to silence the moderates." He explained that the Society was pleased that so many Republican leaders, such as Governor Robert E. Smylie of Idaho, spoke out immediately condemning Sen. Goldwater. He noted that Sen. Goldwater asked that Republicans wait to analyze the returns before criticizing the campaign. "The fact is," Frankel said, "this analysis has been made and the results should be made public before the Goldwater forces have a chance to solidify control."

Election Analysis

According to Marans, the assistant director of the Society, the election coverage by the Society has proved very successful. He revealed that a comprehensive election report will be out within the next few weeks and that it will include further information from the field contacts about the after-effects of the election, patterns of voting and activities by the Goldwater forces. The field contacts will also provide a political base for rebuilding the moderate wing of the Party, he continued.

Future activities of the Society, Marans said, will include a report on the Republican Governors' Association, the formation of which Ripon aided in 1963. Also a substantive research project is under way to provide Republican Congressmen with well-reasoned and politically feasible positions of the Republican Party.

In spite of the bleak outcome of the 1964 election, Marans voiced a note of optimism for the future: "The chance that the Republican Party will emerge with a strong, constructive, moderate leadership in the years ahead are excellent."

Law School Show Planned

A one-night stand is planned for the 1965 edition of the Annual Law School Show. Featuring a cast of thousands, the show will make its sole Cambridge appearance Saturday, Mar. 13, 1965, at the Sanders Theater Hippodrome.

Sponsored by the Dormitory Council, the show is being planned by the Council's Theater Committee, headed by Ronald L. Gilman, 1L. Drawing upon his undergraduate experience at MIT, where he coordinated two similar ventures, Gilman is confident that this year's extravaganza will surpass all previous efforts.

Director of the 1965 show will be Gregory E. Good, 2L. A veteran of last year's show, Good has had theatrical experience both in summer stock and in undergraduate productions at Yale.

Producer Gilman expressed hopes that this year's effort would be a thematically connected revue, rather than one of the disjointed variety of years past. The original script is being concocted by a busy staff of four writers, who have already started work on this monster epic.

Not to be confused with serious drama, the show will feature musical numbers composed specially for the occasion.

A strenuous effort is being made to obtain the participation of members of the Law School faculty. Although there were no faculty performers in the 1964 show, the faculty skit in the 1963 edition was a howling success, and it is hoped that a similar vignette can be included this year.

In contrast to prior years, when the chorus line invariably included a large number of ringers, the cast will feature several women law students and M.A.T. girls from Wyeth.

Since the spectacular is still on the drawing board, Gilman emphasized that additional talent could still be utilized in all phases of the production. He solemnly promised that the time-demands on volunteers would be minimal, with rehearsals conveniently postponed until after the practice exam in late January.

After that, bi-weekly rehearsals will probably suffice to get the show in shape for the Mar. 13 performance. People interested in participating in this gala theatrical may contact Gilman at Dane 204, or Good at 124A Oxford St.

Law Students Rove Across Mid-East

By Theodore S. Curtis, Jr.

Four law students of the class of '66 this past summer made an Arabian Nights journey over 21,000 miles through 22 countries, meandering from London to India and returning via Beirut, Cairo and North Africa in their Land Rover.

Adopted as the "Rover Boys" by Boston, Worcester and Dallas newspapers for which they related their experiences, were David A. Copus, Gregory E. Good, Burr C. Hollister, Robert D. Paul and William B. Bacon, Harvard '63. Now available for lecture-giving, complete with slides and Lawrence-of-Arabia outfits, the students plan to present a performance for the Law School in the next month.

The trip was conceived last winter, and during spring vacation letters seeking interviews were written to major dignitaries. Because of their foresight, which one of the voyageurs describes as "rash, but it paid off," the travelers met all the American ambassadors on the route and several chiefs of state.

They conferred with President Aref of Iraq in Baghdad and were his guests for three days; they met with President Radhakrishnan of India in his New Delhi presidential palace; they talked for several hours with India's Vice President Hussain who

became so interested in his visitors that he invited them to his home. In New Delhi they met the Maharaja of Vizianagram who suggested, "When you're in Benares, stay at my place." The travelers made a point of accepting the invitation. Discovering that the Maharaja's "place" was a palace, they viewed evidence of their host's claim that his kill of 325 tigers is a record.

The self-appointed American ambassadors of good will discussed the current food strikes in Bombay with Madam Pandit, sister of the late Prime Minister Nehru, onetime President of the U.N. General Assembly and presently Governess of Maharashtra. C. C. Ganapathy, who is the tax commissioner in Madhya Pradesh in India and last year was a student in the Harvard international tax program, greeted his guests lavishly.

Highlight of the trip was an audience with King Hussein of Jordan. Paul, who is the first person to appear in Bermuda shorts for a royal audience (because of a knee injury), commented that "Hussein admires the United States, but he is in a tough spot because of the Israeli problem. He is a quiet, serious, intelligent leader and struck me as basically a man of peace."

The trip had its lighter times; the men

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In audience with King Hussein of Jordan, from left to right, are: Burr C. Hollister, 2L; Gregory E. Good, 2L; Robert D. Paul, 2L; William B. Bacon, Harvard '63; and David A. Copus, 2L.

Rights and Liberties

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is quoted: "When civil rights are seen as claims and civil liberties as immunities, the government's differing responsibilities become clear. For the security of rights the energy of government is essential. For the security of liberty restraint is indispensable."

The projects of the Civil Liberties Research Service thus involve the whole range of guarantees (immunities) in the Bill of Rights. These include freedom of speech, of the press, of assembly; the immunity of citizens from unreasonable searches and seizures, from double jeopardy, and from prosecution without benefit of counsel. The judicial process being recognized as the primary tool for the security of civil liberties, the group's emphasis is on legal research and drafting of briefs and memoranda for actions at the appellate level.

Community Action

The activities of the Harvard Civil Rights Committee in turn reflect the means best suited to the security of civil rights, which include not only lawsuits, but also direct action in the community, from where the need for legislative and legal assistance arises.

The respective emphases of the two groups — "academic" versus "direct action" — are thus not simply reflections of different approaches to the same problems, but inhere in

the organizations' respective, distinct, purposes.

Both groups conduct similar research projects however, and for several weeks this past fall, their leaders discussed the possibility of a merger to take advantage of the resulting economies and to prevent duplication of effort. Elizabeth Holtzman, 3L, Chairman of the Civil Rights Committee, explained the decision not to merge the organizations: "After considerable discussion, neither of us felt that the proper emphasis could be given either to straight research or to work in the community under one organization structure. We decided that any benefits to be had by becoming one group already exist in our present status as separate groups."

The constitution of the Civil Rights Committee provides that their Executive Committee may include a non-voting representative of the Civil Liberties Research Service, to maintain inter-group communication. In addition, Miss Holtzman contemplates an informal liaison by means of exchanges of ideas, research assignments and personnel.

Howard M. Kirshbaum, 3L, Chairman of the Civil Liberties Research Service, expressed confidence in the contributions both groups can make to law school life. "Considering both the formation of the Civil Rights Committee and the expanded research program of the Voluntary Defenders, it is encouraging to note that participation in our activities approaches last year's record membership."

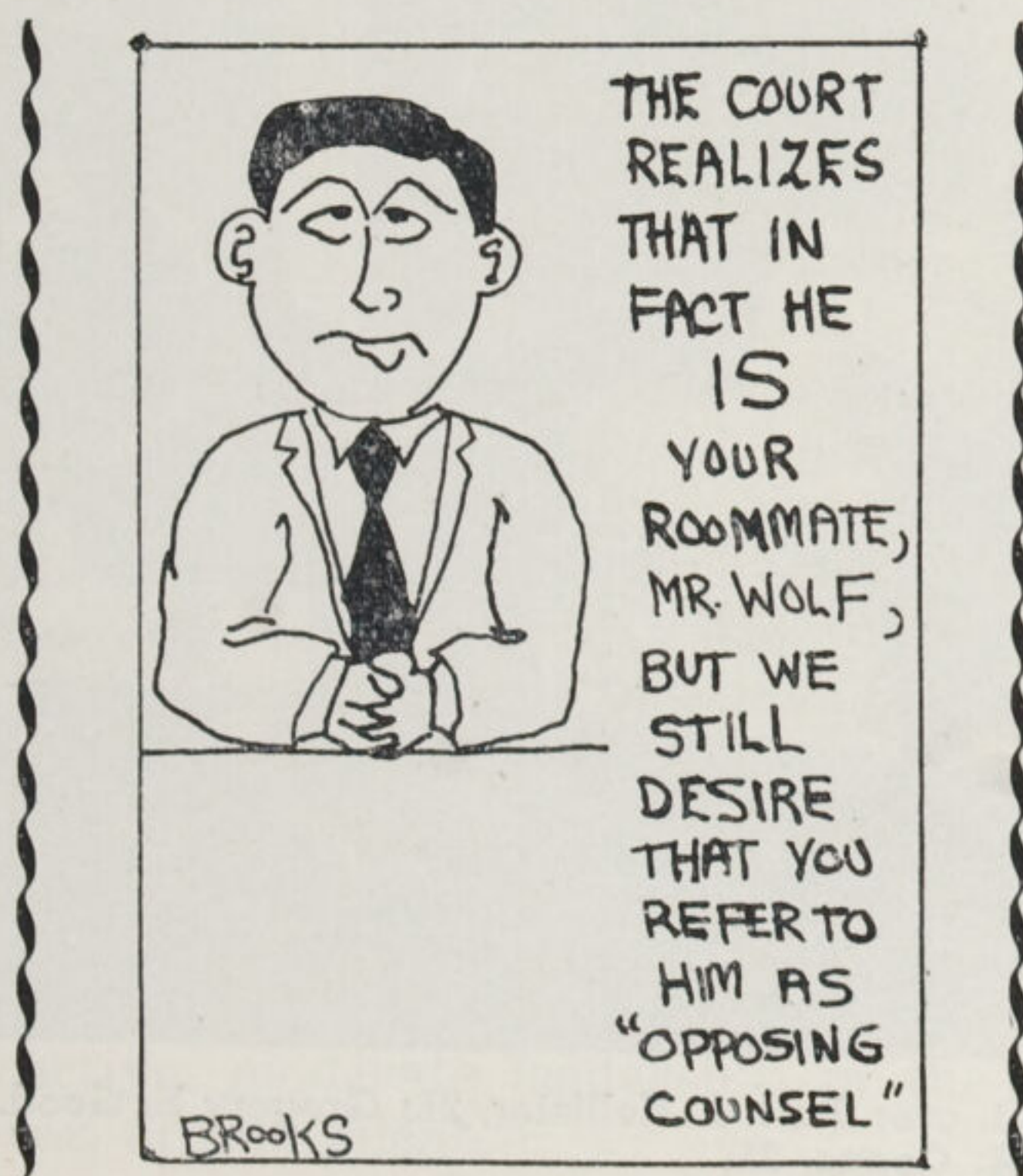
Professors Advise

Both the Civil Liberties Research Service and the Harvard Civil Rights Committee are official associations of the Law School. Professor Clark Byse is the faculty advisor for the Service, which was begun in 1960, and Professor Mark DeWolfe Howe, for the Committee, founded last year.

Projects of the Civil Liberties group fall into three categories: civil, criminal and race relations. The issues of free speech and right to travel have been of most concern in the civil field. Last year assistance was provided in the passport case of *Mayer v. Rusk*.

In *Gideon's Trumpet*, Anthony Lewis noted a singularly successful project of the Service.

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Rights and Liberties

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It prepared a memorandum for the Massachusetts Attorney General's office which formed a substantial part of the state's *amicus curiae* brief in the case of *Gideon v. Wainwright*. That case held that the states must provide counsel to indigents accused of serious crimes.

In the area of race relations, a memo for the California Attorney General considered remedies for alleged discriminatory practices by state-licensed private realty boards. Members of the Service have also written a review of the law of miscegenation in several states. Material from the study appears in the appellant's brief in *McLaughlin v. Florida*, to be argued before the Supreme Court this term.

Passports and Curfews

This year, research will continue to be the basic focus of the Service's activities. One research team is presently working on issues raised in the passport case of *Zemel v. Rusk*, which the Court will hear this term. A project concerning the allegedly discriminatory use of a city curfew law has been completed.

Several students in the Service are working on the question of the authority of the Massachusetts Commissioner of Education to request from public schools attendance records for whites and Negroes, in order to discover the extent of *de facto* segregation. Other projects in the field of race relations entail the use of federal funds under the Hill-Burton Act to aid a segregated hospital, and the breaking of a Georgia will providing for the maintenance of segregated recreational facilities.

Work involving tenant and landlord rights, loyalty oaths and criminal procedure is also anticipated. For the first time, first-year students will be able to participate fully in a project, chosen specially by the officers for this purpose.

The Harvard Civil Rights Committee this year is centering its field work in the underprivileged Roxbury section of Boston. Although final arrangements have not been completed, it is planned that clinics will be

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Computers

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trieval, the scientific name for the system, can, in its present state of development, conduct a full text-search of all statutes of a state.

Several states now have all their statutes recorded on magnetic tape and available for a thorough search by computer. The State of New York has bought the system and it is reportedly available to the lawyers employed by the state. Pennsylvania's statutes have also been reduced to magnetic tape, and the system has been used for legislative updating. This involved the location of all statutes that had a certain date and others that specified outmoded penalties and fines.

Statute searches in material that is not already indexed, or searches to prove that no statute is applicable, especially lend themselves to computer research.

The American Bar Association developed a system called KWIC (Key Word in Contest) which recently was sold to the Health Law Center. Yale University also has a system used in new legislation. Yale's "symbolic logic analysis" looks for inherent ambiguities in statutory language. Legislators can tighten up language in proposed legislation and judges can use the system for statutory interpretation.

A system which would avoid all possible mistakes would involve putting statutes into the computer when passed, and letting the computer set the type for the statute books to be printed.

The Health Law Center's system works by the lawyer submitting the word or words that would identify the issue in his case. For each question, all the words and combinations that might be found in the statutes and cases must be included. In Pennsylvania, for example, for every question submitted for statutory search, the computer actually reads 29,000 documents, arriving at a solution in about two hours.

Lawyers will, in the near future, also be able to conduct a case search as well as a statutory search. Only a squib of a case will be placed in the computer's memory, however. A summary much like those presently found

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Computers

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in the Reporter System is likely. This avoids any interpretation being injected into the computer's memory by the person abstracting the case. The computer would also list all citations given in each case.

At the present time, a lawyer can submit his question to one of the organizations that has an operating system. But it is expected that in the future a lawyer will have a console in his office on which he can type in his question and receive his answer later on the same console. The computer would not, of course, reveal to any other source, information pertaining to a lawyer's request.

The computer does not replace the lawyer, however, according to Puckett. The analysis and skill of the lawyer is still needed, but the computer frees the lawyer from inefficient work and allows him to spend his time more usefully.

The computer could also take care of all the accounting for the law firm. It could bill for its own time, bill for the lawyer's time when the hours are submitted, print statements, and keep complete the books of the firm.

The average lawyer will not need an extensive education to be able to use a computer to his advantage. At the present, the reading of a 35-page booklet gives a lawyer enough information to understand the basic theory of the system and to frame questions for the computer.

The Health Law Center is directed by a graduate of the Law School, John F. Horthy, LL.B. '53. He is assisted by Nathan Hershey, LL.B. '53.

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established. The Committee will concentrate its assistance program in the areas of housing, aid to dependent children, and financial transactions such as those involving contracts, conditional sales and mortgages. In each of these areas, research will be conducted and summaries written to familiarize Roxbury residents with their rights under state and federal laws and assistance programs.

The Committee may also share in the research work of the Civil Liberties Research Service on such projects as the Massachusetts "color-count" suit and federal grants to private segregated institutions.

The personnel of the Civil Rights Committee is largely made up of students who have done summer work in the South. It is not surprising, therefore, to find that the Committee's purposes go beyond legal research and local direct action. "The philosophy of the group is that it is important for lawyers to become acquainted with civil rights problems as they affect human beings," Miss Holtzman said. "But we're feeling our way — it is difficult to say how much we can meet and ameliorate the underlying problems."

Both the Committee and the Service draw on private lawyers and national organizations such as NAACP, for their research projects.

The Committee will seek to recruit students for summer work both in the South and the North. Both groups will sponsor a speakers' program throughout the year.

SAVENOR'S

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The Free Alienation of an Urban Faculty

The RECORD's feature editor recently received the following letter, referring to a story in the Nov. 5 issue by Brian Christaldi entitled "Haar Studying Latin American Cities" and suggesting as a title for the enclosed story "Provincial Studying Cambridge Housing Problems":

Dear Sir:

On the assumption that fiction is no stranger than truth, I respectfully direct your attention to the enclosed, which was inspired by the most recent issue of your newspaper. Should you require any "filler" in your next issue, you might consider its publication.

Sincerely, Anon.

As teacher, scholar and tenant, Visiting Professor Learned Earnest Provincial has become emotionally involved in the problems of non-development in Cambridge. He feels that urban problems such as his have been unduly neglected in Cambridge because of the local emphasis upon Latin American land reform and a prevailing theory of the allocation of faculty resources which underestimates the importance of aiding urban renewal at home.

Currently on leave from Way Below Normal, Professor Provincial is conducting an informal seminar in "Landlord and Tenant," together with visiting faculty members from the Medical School and the Department of Economics. It emphasizes the psychic and financial problems of urban academics in North America. Provincial is a consultant to a special committee on problems of visiting professors of the Association of American Law Schools and has been especially concerned with the relationship between Cambridge land-use planning and the objectives of the alliance for progress that he formed with his wife many years ago. In collaboration with others who are visiting the Law School this year, he is conducting a study of high rents, low salaries, no savings and the practices of loan companies.

In a forthcoming article, "Legal Education's Troubled City," 102 J. Legal Ed. 91, Prof. Provincial persuasively argues that

Cambridge, unlike other overdeveloped academic centers, is primarily a rich man's city. "Thirty-nine per cent of Harvard's faculty lives in Cambridge—21 per cent concentrated in the Gold Coast on either side of Brattle Street, where one pays \$75,000 for little more than a one-room bungalow." The inconvenience to the faculty of commuting and the lure of the city to their isolated and helpless wives have occasioned rapid urbanization in Cambridge.

The most critical consequence of this rapid urbanization, according to Prof. Provincial, is the lack of reasonably priced housing to shelter thousands of ex-ex-urbanites. Perhaps one half the Cambridge population is living in inadequate or grossly overexpensive housing. Many Harvard families do not even have the security of their shelter, being tenants at the mercy of unscrupulous landlords, who exact an abortionist's fee each month. Their numbers and concentration make them a threat to intellectual and social stability.

Prof. Provincial feels that insufficient attention has been given to the improvement of Harvard's housing problems. He points out that thus far the University administration has been shielded from the true impact of this situation, because many Cambridge dwellers have independent means, many acquired their homes prior to the recent price spiral, some supplement their incomes by serving as consultants to firms, foundations and governments that seek to solve housing problems in Latin America, and others remain bachelors. The University should undertake its own urban renewal program. Credit facilities and tax incentives might well be offered to impoverished faculty members. Antiquated salary scales should be revised, and steps should be taken to weed out all those archaic concepts which inhibit the inexpensive alienation of land and result in the free alienation of faculty.

"Well," said Provincial, concluding the interview with a shrug, "in any event it's proving to be an interesting year, since it's given me some personal field work for my forthcoming treatise on 'Legal Implications of Deficit Financing'."

Contraception

(Continued from page 3)

itself is permissible, but that it becomes evil because of its use within the marital state. Prof. Dupree contended that such an argument considers only one aspect of marriage — procreation — and ignores others, such as the rearing of children and the social and emotional fulfillment of the partners. A blind insistence on procreation, he said, can destroy the marital relationship.

13th Century Remnant

Prof. Dupree advanced the theory that this second argument is a remnant of the 13th century's emphasis on procreation to combat the threat of depopulization. Although rejecting overpopulation as a sufficient reason for the practice of birth control, he recognized that this danger presents a new factor for man to consider in determining his course of action.

Beginning his talk by affirming his belief in natural law, Prof. Dupree urged that without it one must accept ethical relativism. The history of the natural law principle was traced from Plato through Aristotle, the Stoics and St. Augustine to St. Thomas Aquinas.

Aquinas defined the natural law in terms of man's nature and saw it as a rational creature's participation in divine law; a rational inclination to a proper end.

Where several general principles of conduct are in conflict, Prof. Dupree said, man must decide which will be given the most consideration. He insisted that decisive action requires recognition of a moral line of conduct. He discarded the "lesser of two evils" theory of ethics, on the ground that if an act is intrinsically evil, it cannot be done. In the question period, he admitted the difficulty of distinguishing acts which are "intrinsically evil."

Marshall to Discuss Rights Act

Mr. Burke Marshall, Assistant U.S. Attorney General, Civil Rights Division, will speak to the Labor Relations Seminar of the School of Public Administration on Nov. 18 at 4 p. m. in the main auditorium of the Littauer Center.

Mr. Marshall's talk, which is open to the public, will be primarily concerned with Title 7 of the Civil Rights Act which prohibits discrimination by unions and employers.

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Ames Semifinal Arguments Scheduled

By Frank W. Lloyd

The constitutionality of a "stop-and-frisk" statute and the right of a community television antenna system drawing signals from distant cities to compete with local stations, are two of the controversial issues presented in the semifinal arguments of the Ames Competition, to be held during the next two weeks.

Jaffe and Keeton Equity clubs will argue next Wednesday, Nov. 18, at 8 p.m. in the Ames Courtroom, Austin Hall. The argument, dealing with the admissibility of evidence under a "stop-and-frisk" statute of the type introduced in New York after the *Mapp v. Ohio* decision, and other complexities of search and seizure, will be heard by a three-judge court.

Chief Judge Joseph Weintraub, of the Supreme Court of New Jersey, and Judge Gerald F. Flood, Superior Court of Pennsylvania, are both from states with no such statute, but with a high incidence of big-city crime. David C. Acheson, U. S. Attorney, District of Columbia, will bring the prosecutor's viewpoint to the bench.

Kaplan and Root clubs will argue the following Tuesday, Nov. 24, at the same time and place. The issue of the television antenna systems is a legal "hot potato" that has so far been passed about among Congress, the

FCC, and the courts, with no decision to this date. Besides the competition aspect, the issues of use of copyrighted material and federal-state jurisdiction over copyrights are crucial.

The antenna systems, drawing from all the networks, are able to drive local stations with strict commitments out of business, and have burgeoned into a \$100 million enterprise. A decision that this constitutes unfair competition would enjoin an entire industry, yet there are strong policy arguments on both sides.

Again the judges have been selected to meet the issue. Justice Wilfred Feinberg, U.S. District Court, Southern District of New York, is a copyright expert, while Ralph S. Spritzer, First Assistant to the U.S. Solicitor General, was formerly general counsel to the FCC. Justice George T. Washington, U.S. Court of Appeals for the D.C. Circuit, completes the bench.

Martin B. Louis, Faculty Assistant in charge of the Ames Competition, stressed that first-year students would benefit from these appellate arguments, particularly since a Model Appeal of the Model Trial will not be held this year. He noted that copies of the briefs will be available a few days before each argument in the first-year Ames office and that interested alumni can obtain copies by writing to his office.

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Mid-East

(Continued from page 7)

seemed to have become connoisseurs of belly-dancing and placed their stamp of approval on the night life of Istanbul, Beirut, Bombay and Cairo. They concur, however, that the much-touted Baghdad is somewhat "strait-laced."

There were several confrontations with local authorities, including an incident in which Hollister was expelled from the Haj Sophia Istanbul for taking photographs, a summary trial in Multan for demolishing a bicycle, and a near-international crisis when the Rover, driven by Bacon, mistakenly crashed a Libyan desert border barricade at 4:30 a.m.

The adventurers avoided the bandits which infest much of the route, but lost three

wallets, three cameras and five pairs of boots to local thieves. They returned less tanned than expected, but with such enthusiasm that one of the crew is considering establishing a business of Land Rover tours through the Middle East.

Copus, who served as the "medic" on the trip, became the sickest of the five, and on return to Cambridge was the hesitant subject of study by a team of Harvard Medical School doctors with an intense interest in his peculiar parasite.

Good, who had survived the hazardous trip unscathed, was escorting a young lady home near Mt. Auburn Street this fall when he was accosted and severely beaten by some local hoods. This might lead a cynic to deduce that the bandits and robbers of the wilds of Afghanistan are outclassed by those of the civilization on the Charles.

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Recent Book

The Internal Morality of the Law

The Morality of Law. By Lon L. Fuller. New Haven: Yale Univ. Press, 1964. \$5.00.

By Frank R. Parker

Another chapter is added to the trans-Atlantic exchange on the relation between law and morality by the appearance of Professor Lon L. Fuller's new book. The English and Continental philosophers, Prof. Fuller charges, are preoccupied with the law as a manifestation of authority — "what it is and does" — and are not sufficiently concerned with the purpose of the law — "what the law is trying to do or become." This has caused them to overlook the "internal morality of the law," an important area of what Prof. Fuller terms "legal morality."

He begins by distinguishing what he calls the "morality of duty" and the "morality of aspiration." The first is concerned with specific moral duties, usually requiring forbearances, violations of which incur social penalties or censure. The latter relates to doing more than duty requires in fulfilling moral ideals, which brings honors or rewards.

Principles Listed

The "internal morality of the law," relates generally to this "morality of aspiration." It is composed of the principles of legality by which legislators and officials may achieve excellence in a legal system, regardless of substantive aims. The eight principles which Prof. Fuller includes in this "internal morality" are: (1) that there must be general legal rules, (2) which must be promulgated, (3) must not operate retroactively, (4) should be clear and understandable, (5) must not be contradictory, (6) must not require the impossible, (7) should be reasonably constant through time,



Prof. Fuller

and (8) must be enforced by congruent official action.

Initially, it is not clear how these principles can be strictly related to the "morality of aspiration." Indeed, the distinction between a morality of duty and of aspiration may be a misleading one since duties may be formulated with regard to many ideals, e.g., a duty of charity. J.S. Mill distinguished between what he called, for want of better terms, a duty of "perfect obligation," conferring a specific duty on one and a correlative right on another, from a duty of "imperfect obligation," that is, an obligation toward no specific person at no specific time. This latter might require forbearances, e.g., a duty not to kill; or affirmative acts, e.g., a duty of beneficence.

Following this analysis, it sounds reasonable to say, for example, that a legislator has a duty to enact clear and understandable laws, which is owed to the citizens at large. Prof. Fuller rejects this primarily on the grounds that it requires an affirmative effort for which there is no clear standard of fulfillment and conversely no measure of violation. This consideration seems to be the crux of

the "internal morality"-aspiration morality resemblance, for Prof. Fuller admits of a moral duty to publish laws because of its "unusual readiness to formalization."

But it is not clear how a lack of easily definable standards is determinative of whether there exists a moral (or legal) duty. Does, for example, the fiduciary's duty of loyalty disappear in hard cases? Indeed, this purported lack of standards does not prevent Prof. Fuller from condemning the legislative "failures" of Rex, the bungling sovereign who transgresses all the "internal morality" principles.

This is not to suggest that the distinction between the moralities of duty and of aspiration may not be a valid one in some cases. Rather, the objection is that there are difficulties in applying it to the acts of legislators.

The Virtue of Clarity

There is some confusion regarding the consequences of the failure of a law to measure up to the eight standards. Although they are used to test "excellence in legality," a total failure to meet one standard does not result in a bad law or bad legal system, as one might expect, but "it results in something that is not properly called a legal system at all . . ." (p. 38). Thus, "the unclear statute is, in a real sense, less a law than the clear one" (p. 63, n. 21). Does this mean that a clear statute, being more of a law, is to be obeyed, while a vague statute, being less of a law, may be safely ignored? But this requirement of clarity, says Prof. Fuller, should not prevent the use of general, undefined standards like "good faith" and "due care." "A specious clarity can be more damaging than an honest open-ended vagueness" (p. 64).

Few would disagree that as Prof.

(Continued on page 16)

Morality of Law

(Continued from page 15)

Fuller sets out these eight principles, they are important to the efficacy of any legal system. The function of law is social control, and if law is to regulate behavior the subject must be given an opportunity to conform. Therefore, *a fortiori*, unpromulgated, *ex post facto*, contradictory, etc., rules are inefficacious.

Efficacy Insufficient

But Prof. Fuller goes on to say that these principles represent a variety of "procedural natural law." Yet they do not seem self-sustaining as natural law principles because there are times when efficacy dictates that they be violated to achieve a just result. Prof. Fuller himself recognizes these cases which justify retroactive laws (pp. 53, 54), absence of clarity (p. 64), and strict liability requiring the impossible (p. 75). If efficacy itself is a logically sufficient and generally acceptable reason to support the "internal morality" and its exceptions, it is difficult to see how anything is gained by venturing into the philosophically disreputable field of natural law.

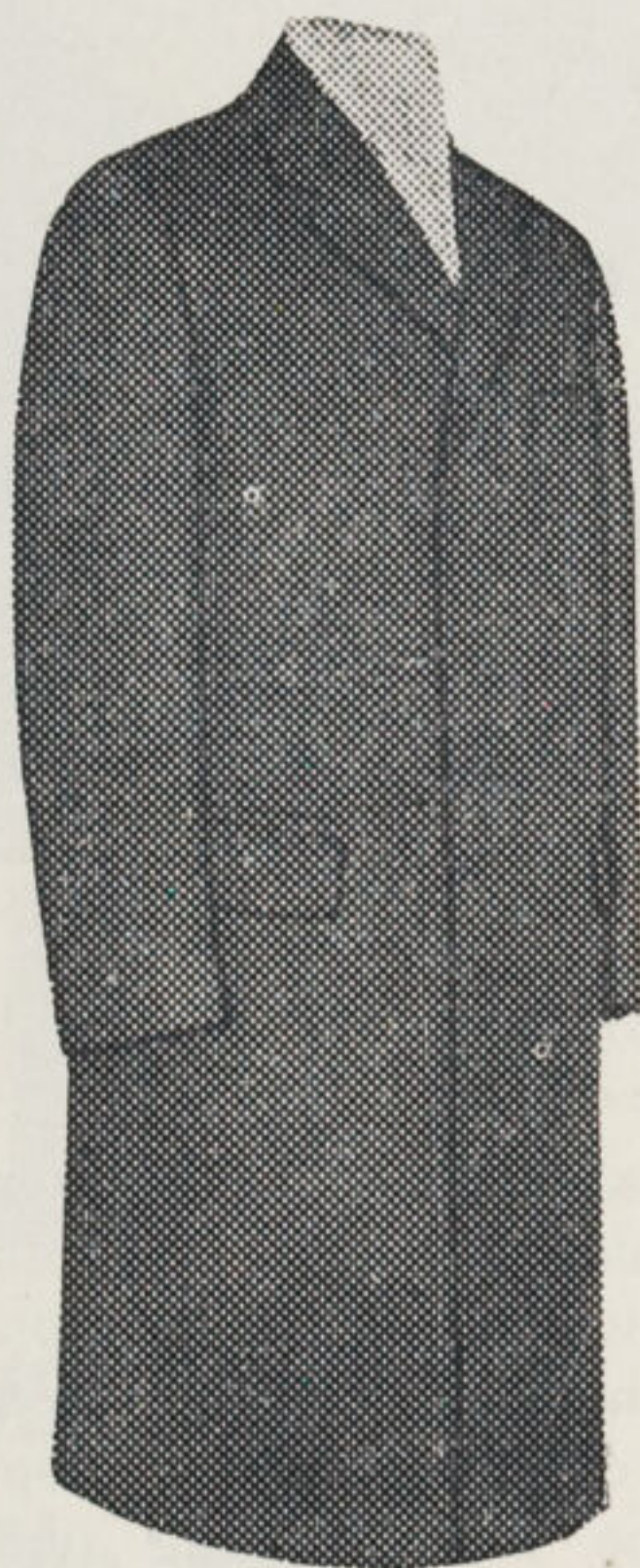
Because Prof. Fuller thinks this emphasis upon efficacy and function is important and has been neglected, he hopes to make up for omissions of previous writers by defining "law" as "the enterprise of subjecting human conduct to the governance of rules" (p. 96). Although this definition well avoids the problems of making coercion

the distinguishing mark of law, it has shortcomings in failing to distinguish laws from other kinds of rules which are a product of "enterprise." The book often employs the term "legal rules," im-

plying that there are these nonlegal rules. Thus, the promulgation of the Official Baseball Rules might be adverted to as "the enterprise of subjecting human conduct" (Continued on page 17)



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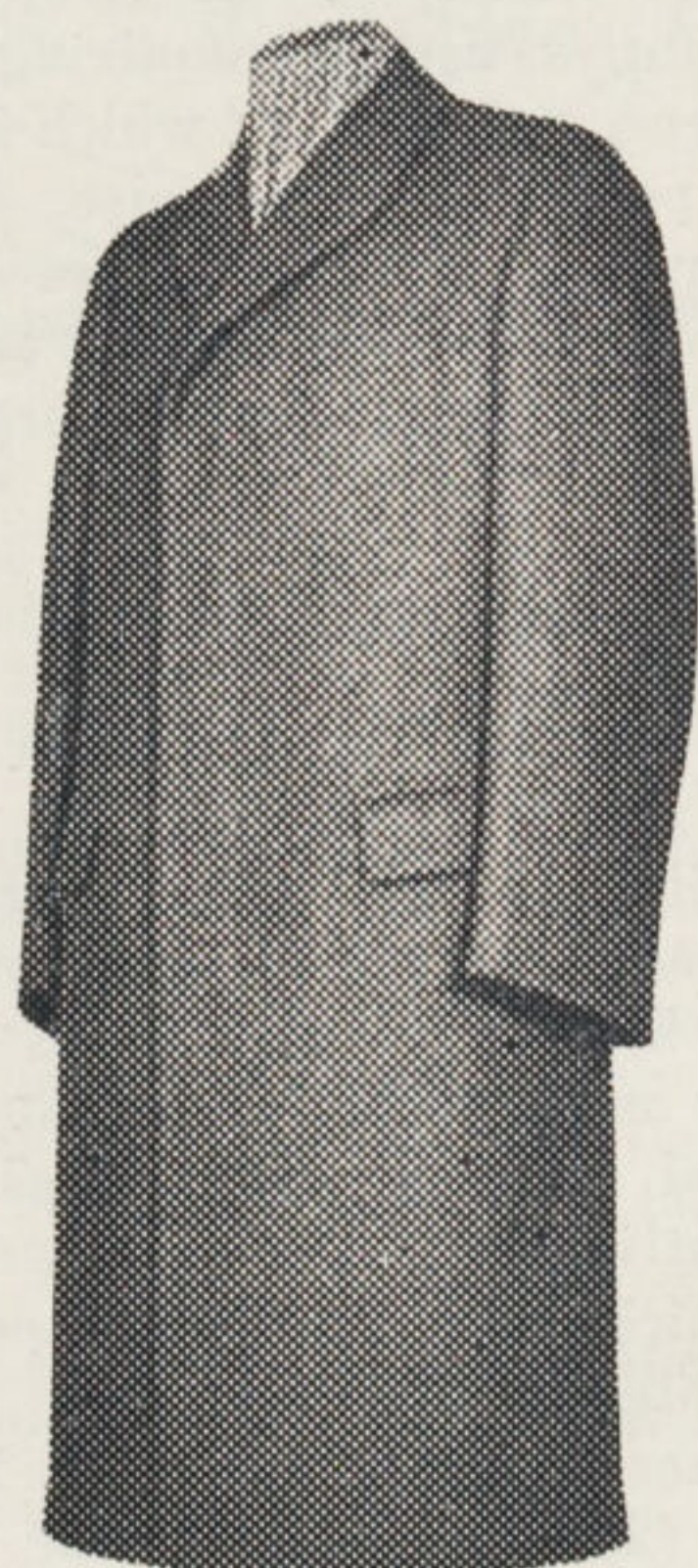
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Morality of Law

(Continued from page 16)

to the governance of rules" as well as the enacting of the Uniform Commercial Code.

In the closing pages of the book Prof. Fuller attempts to deal with a question readers will have had from the beginning—why does this "internal morality" deserve to be called a "morality"? Most students of law would probably agree that an *ex post facto* criminal statute, for example, may be termed "unjust" for failing to present an opportunity for obedience. But Prof. Fuller prefers to rest his case on other grounds contending, *inter alia*, that there is a necessary connection between violation of the internal morality and repugnance to substantive morality. Thus, the lack of clarity on the matter of "race" in the apartheid laws of South Africa may be traced to the "blind hatred" which motivated them. But need this follow? The notion that racial categories may be

inherently undefinable can cut both ways, affecting benign legislation as well. Indeed, what apartheid enactment can surpass the obscurity and diversity of interpretation of the Equal Protection Clause, our constitutional bulwark against racial injustice?

Further, in a closed society such as South Africa threatened with upheaval, legislative standards such as "suspicion of Communist affiliation" may take on "common sense standards of judgment" that we attribute to "good faith" and "due care" (which Prof. Fuller allows, p. 64). See Suppression of Communism Act, 1950, and General Laws Amendment Act, 1963.

Although Prof. Fuller has not entirely succeeded, in the opinion of this reviewer, in his object of clarifying the relation of law and morality, the book is a provocative one which is certain to excite much academic comment here and abroad. This confirms the suspicion that Prof. Fuller is at his jurisprudential best when he is *posing* problems.

Williston

(Continued from page 5)

problem." The Committee had rejected the team's defense that it had already made all of these assumptions before it talked to the banker, saying that "corroboration of these assumptions could obviously make a considerable difference in the clarity, directness, and confidence with which a solution was formulated."

The Committee had further stated that because they were unable to eliminate the competitive advantage gained by the infraction, no solution other than disqualification was available.

The disqualified team challenged the Committee's conclusion that no alternative remedy was available. They pointed out that all of the facts were known to a Board officer on Wednesday night, five days before the final drafts were due. The team explained in their memo: "If the Board had acted quickly, this unintentional violation could have been remedied fairly and adequately by allowing the opposing team to speak with the same banker or another banker . . . and to give them extended time if needed."

The Committee decided that, since the work had already been done by both teams, the solution should be sent to the judge who would be asked to give critical comments but not to make a relative judgment.

Professor Roger Fisher, Faculty Adviser to the Board, commented on the Committee's decision: "It is too bad," he said, "that a team has been disqualified for an unwitting mistake. There is no question of moral turpitude on their part. In fact, members of the disqualified team demonstrated their high integrity in bringing the matter up themselves."

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Fund Workers Gather

The largest meeting of Harvard Law School Fund workers since its inception was held here on Saturday, Oct. 31, with 130 Law School alumni in attendance.

They gathered to review the highly successful Fourteenth Annual Giving Year just completed and to lay plans for the Fifteenth and — it is hoped — most successful Annual Giving Year.

In the keynote address, Mr. Squire R. Ogden, '23, National Chairman, outlined the objectives of the Fifteenth Annual Giving Year. He said that, due in large part to the support of the Fund, the Law School was preparing to take the last step toward a complete financial-aid program for all students. This step will cost \$200,000 a year more, he said.

The Fifteenth Annual Year is aiming at a gift of \$650,000 for this purpose. Another \$200,000 is earmarked for physical improvements in seminar rooms, faculty offices and study areas. \$50,000 will go for library modernization.

In the Fourteenth Annual Giving Year just passed, the goal of \$900,000 was narrowly missed. The same goal has been set for the Fifteenth Year.

Dean Wesley E. Bevins, Director of the Fund, expressed the conviction that this year the goal would be substantially exceeded. "After the fine showing last year, it was a great temptation to finally set a million-dollar mark," he said, "but it was reluctantly decided that that was just too large a jump to expect from the participants."

Dean Bevins pointed out as highly significant the sharp increase among recently-graduated classes both in the amount given and in the number giving.

He attributed this largely to the fact that the members of these classes have experienced direct benefits from the Fund and feel a sense of obligation to support it.

"Over the years," Dean Bevins said, "the Fund has experienced a 10% growth increment, both in the number of givers and the amount of the gift. This is very good, and I can't see any reason why we shouldn't look forward to continued growth along the same pattern."

Gilmore Going to Chicago

Professor Grant Gilmore, who was Visiting Professor at Harvard Law School in 1962-63 and is presently on the faculty of Yale Law School, has been appointed Professor of Law at The University of Chicago.

His appointment, effective July 1, 1965, was announced by Edward H. Levi, Provost of The University of Chicago. Prof. Gilmore currently is William K. Townsend Professor of Law at Yale.

His areas of academic specialization are contracts, admiralty, commercial transactions, and negotiable instruments. He is the author of numerous articles, and co-author, with Charles L. Black, Jr., of a treatise, *The Law of Admiralty*, which has become the standard work in the field.

Prof. Gilmore was Associate Reporter for Article 9 of the Uniform Commercial Code, and is currently writing a book on secured transactions and personal property, under that article.

Prof. Gilmore received a Ph.D. in Romance Languages from Yale in 1936. He then taught French at Yale College until 1940 when he entered Yale Law School. He received his LL.B. from Yale in 1942.

Graduate's Bequest

Funds Education Chair

A bequest of the late Victor S. Thomas, LL.B.'00, has provided for the establishment of a new professorship in the Harvard Graduate School of Education.

Israel Scheffler, a philosopher of education and science, has been named the first Victor S. Thomas Professor of Education and Philosophy, the University announced recently.

Prof. Scheffler has been a member of the Harvard Faculty of Education and the Faculty of Arts and Sciences since 1952, and a professor since 1961. He is the author of *The Language of Education* (1960), and *The Anatomy of Inquiry: Philosophical Studies in the Theory of Science* (1963).

Mr. Thomas, formerly of West Chester, Pa., was an 1895 graduate of Harvard College.

Student Describes Work With U.S. Attorney

The "fairness" of the proceedings in which he participated particularly impressed Joseph A. Bosco, 3L, who spent eleven weeks of last summer working for the Hon. W. Arthur Garrity Jr., United States Attorney in Boston.

Bosco's previous legal experience consisted of a summer clerkship in the Legal Department of the Wales Gas Board in Great Britain and some court-martial experience in the navy.

Criminal Law, Primarily

Bosco was assigned to three Assistant U.S. Attorneys, Messrs. Suchecki, Martin, and Moulton. His tasks included legal research and writing, some "fascinating" client-contact and a little "old fashioned errand-running." Although he dealt with both civil and criminal cases involving federal and state law, his primary field was the enforcement of criminal law at the federal level. In this area he worked on cases that covered a wide range. His projects included the areas of tax fraud, embezzlement in labor unions, civil rights, check forgeries, parole violations, highway construction fraud, police brutality, unfair employment practices, and mail robbery. He also dealt with evidentiary and procedural problems such as the doctrine of similar acts, rules of best documentary evidence, hearsay evidence and self-incrimination.

Bosco stated that an "equally valuable aspect of the summer experience consisted not only of what I did, but of what I saw." He witnessed trials and was present at naturalization and arraignment proceedings. Impressed with the great care taken to pro-

tect the rights of the accused criminal and with the spirit of hope that pervaded the proceedings, he concluded, "I am convinced that as much reform and rehabilitation went on in the office as did 'prosecuting'."

Bosco expressed doubt "that few if any of the persons I saw convicted of federal crimes will reappear in that role. If some of the offenders should prove to be repeaters, I feel certain that it will not be because their faith in society; their respect for its system of law-enforcement, or their hope for a better future, were in any way damaged by the proceedings I observed. They were carefully designed to ensure both fairness and the appearance of fairness, so that all participants in the process — especially the accused — felt they had been treated justly."

Rubinstein Attends ALSA Congress

William S. Rubinstein, 3L, represented law schools throughout Maine, Massachusetts, New Hampshire, Rhode Island and Puerto Rico at the annual meeting of the Board of Governors of the American Law Student Association, held in Chicago November 7-9.

Rubinstein is National Vice President of the First Circuit of the Association, which is composed of 44,000 law students representing 135 law schools throughout the United States and Puerto Rico.

As a member of the Board of Governors of ALSA, he will be responsible for formulating policies and procedures to be followed by the Association during the present academic year.

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Letter to the Editor

Tradenames Misused

To the Editor:

I draw your attention to the fact that, in two successive issues of The Harvard Law RECORD, trademarks have been seriously misused. In the second column of page 6 of the issue dated October 8, 1964, the headline "Review, Board Try Dictaphones" and the story thereunder misused the trademark DICTAPHONE as a generic term. DICTA-

PHONE is a trademark belonging to Dictaphone Corporation and should be used only as a trademark to identify the equipment manufactured and sold by Dictaphone Corporation. The use of DICTAPHONE as a generic term for dictating (or recording) and transcribing (or playback) equipment is a disservice to both Dictaphone Corporation and to International Business Machines Corporation, who have their own trademarks for such equipment.

Trademarks are valuable properties which are protected by law in almost every country in the world, and I believe you will agree that the student newspaper of an eminent law school should take care always to use trademarks correctly, that is, solely as indicia of the origin of the goods which such trademarks distinguish.

Very truly yours,

David J. Kera, LL.B. '55

Peace Corps Exam Is Scheduled

This month's entrance examination for the Peace Corps will be held Saturday, Nov. 14, at 8:30 a.m.

The local test center is Brighton High School, 25 Warren St., Brighton, Mass.

In the first column of page 7 of the issue dated October 15, 1964, the second paragraph begins with "Magic-markered." This is a misuse of the trademark MAGIC MARKER, which should be used only as a trademark, and never as any part of speech other than as an adjectival designation of the source or origin of the goods manufactured by the owners of the trademark MAGIC MARKER.

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HARVARD SQUARE THEATRE

Sophia Loren Marcello Mastroianni

"YESTERDAY, TODAY AND
TOMORROW" 1:45, 5:35, 9:25
plus "No Trees in the Street"
at 3:50 and 7:45

UN 4-4580

BRATTLE THEATRE

HAROLD PINTER'S film of his
play "THE CARETAKER"
Starting Sunday:
"Knife in the Water"

Shows daily 5:30, 7:30, 9:30
Matinees Sat. and Sun. at 3:30

TR 6-4226

Exeter Street Theatre

Margaret Rutherford
plays Agatha Christie's
"Miss Marple" in

MURDER AHOY!

at 2:15, 4:00, 5:50, 7:35, 9:25

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