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Cong. Tunney Sees War Frustrations to Continue

By John Spitzer

Dismissing the possibility of a knockout in Vietnam, Congressman John Tunney (D.-Cal.) told a group of Young Democrats in Harkness Monday night that it's going to a scrappy, frustrating fight.

"Let's not talk about what could have been—let's talk about what exists," spoke out the buoyant, incisive son of prizefighter Gene Tunney. "In one of the villages I visited three months ago, I met its fifth chief of the year. All the others were assassinated. He had real courage.

"The guerillas kill the doctors and teachers. They totally disrupt the local administration and infiltrate with confederates who look alike and speak alike."

(Continued on following page)



Rep. John Tunney

Contempt Citations Hit

**Profs' Petition to House
Asks HUAC 'Abuse' Halt**

By Frank R. Parker

Professor Mark DeWolfe Howe recently made public a letter signed by more than 100 law professors challenging the constitutionality and practices of the House Committee on Un-American Activities (HUAC).

The letter, which has been sent to members of the House of Representatives, requests that pending HUAC contempt proceedings against three uncooperative witnesses at last year's Chicago hearings and seven Ku Klux Klan leaders be dropped.

Last week, before the letter was made public, the House voted 344 to 28 to ask the Justice Department to commence criminal prosecutions against Imperial Wizard Robert M. Shelton, Jr., of the United Klans of America and six other Klan leaders.

"Because of the committee's disregard of its own rules," the law professors' letter argues, "because the entire matter may be rendered moot by pending litigation, and because this is one more instance of this committee's continuing abuse of its powers to no apparent legitimate legislative purpose, we urge you to vote against all the contempt citations."

In an interview with the RECORD, Prof. Howe related that "one of the main purposes of the letter was to separate the issues of the Klan case from these of the Stamler case, which involves distinct legal problems."

Dr. Jeremiah R. Stamler, director of the

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Graft, Inflation, Dislocation Hurt War Effort

(Continued from preceding page)

The young congressman is firmly set against withdrawal. Fully realizing that it may mean defeat at the polls next fall, he is willing to risk his career in maintaining the politically unpopular position of slugging it out against the Vietcong without real hope of victory.

He stressed the disaster that would ensue from a pull out of American troops. "It would destroy our credibility throughout Southeast Asia. Laos and Thailand would soon fall. Then Indonesia, Malaysia. And if Southeast Asia goes, what about India? The Chinese are committed to a policy of 'liberating' underdeveloped nations of the world."

He added that the loss of this area would be a key strategic victory for the Chinese. The area is rich in oil and iron ore. There is a large rice surplus. If the Vietcong won, the Chinese would likely come in and exploit the area for military purposes.

"And the Chinese are convinced that war with America is inevitable."

The Yale graduate and roommate of Sen. Edward Kennedy at University of Virginia Law School went on to outline the political and administrative difficulties we face in Vietnam in addition to the military deadlock that could "only be won by a full scale mobilization of more than two million American troops."

Corruption is one of the main difficulties. He related an incident that happened to one of the administrative offices in an outlying district. There was an explosion in the middle of the night. The American official rushed over to see what had happened. Some of the local leaders were taking all the records out of the building in wheelbarrows.

The American official asked them what they were doing, telling them they were taking all the records of American aid in the area.

The leaders evasively replied that they were taking the records out to burn them since they were damaged (even though only a few were singed.) Large deficits appeared shortly.

"Nobody really knows the extent of this kind of corruption. It hasn't appeared very widely in the press."

Inflation is another serious problem. Prices have risen 300 per cent in the last two years. The spiral is probably tied in with the large amount of spending by American troops.

The war has given impetus to a mushrooming sub-culture of nearly 75,000 prostitutes who ply their trade in soldiers' bars. "Many make more than leading government officials," Tunney added.

American bombing and Vietcong drives have together created a refugee population of 800,000 persons in South Vietnam, and their government can do nothing for them. The United States began to trickle in aid only last August.

"Many of these men have made a positive commitment to South Vietnam," stressed the informed and articulate Congressman. "If we

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Showtime Nearing

Opening night for the season's outstanding theatrical event, the Harvard Law School Show, is set for March 12, at Rindge Tech Auditorium.

One of the great traditions of both the theatre and the law, the show is produced annually by the Harvard Law Dramatic Society. The society, which was formed last semester by veterans of past shows, is currently petitioning the Dormitory Council for partition.

This year's show will be directed by Stephen Rosenberg, 2L, and managed by Mark Gasarch, 3L. The show has been written by Alan Goldhammer, 3L, and the music composed by James S. Friedlander, 3L.

Messrs. Goldhammer and Friedlander, who were responsible for last year's "Trover in the Clover," have stated that this year's show will be not only bigger and better than before, but will have a plot as well.

Highly placed and usually reliable sources have indicated that the "plot" centers around a 10-year-old child genius who is admitted to Harvard Law School as a publicity stunt. The show will also feature "20 beautiful girls in 19 beautiful costumes," according to Mr. Goldhammer.

Tickets will go on sale at the beginning of March.

Visiting Prof. Views Diverse Legal Systems

By John Spitzer

An expert on both law schools and the law, visiting Professor Helmut Coing is here this spring from Germany to teach several detailed courses on the civil law system.

"The early development of law schools on the continent had a strong influence on the civil law system," he explained in a friendly voice tempered by many years of disciplined study in Greek and Latin at the Hanover *Gymnasium*.

"The British kings starting with Edward I ordered lawyers to be trained in courts and not in law schools. The courts were allowed to develop on their own lines and the only law schools were an apprenticeship system in the Inns of Court.

"In Germany and other countries on the continent it was much different. The professors in the law schools took over the Roman legal system and developed it for the students. The professors were probably more influential on the development of civil law than the courts."

The scholarly professor, who has had visiting professorships at the University of Chicago and Georgetown University, hinted that the professors in American law schools will increasingly compete with judges for the power to guide the course of the law. He pointed to the tremendous impact of the Restatements and the Uniform Codes which have been largely drafted by scholars.

Prof. Coing has also had a good deal of experience "wandering around" to various law schools on the continent where it is a "tradition to move about during your legal education." He went successively from Kiel to Munich to the University of Lille in France, finally finishing up at Gottingen.

"You see more of the country this way," he commented. "The Roman legal system is taught everywhere, so it is not too difficult to attend law school in a different country."

He added that the German law schools are a lot like the colleges in this country. There are no curriculum requirements, few discussions and most of the classes are conducted by lecture. "There's not so much guidance and it's easy to waste a lot of time."

After graduating, he went through the mandatory three year apprenticeship period

with judges and lawyers and passed his bar exam in 1939. A member of the German army from 1939 to 1945, he joined the faculty of the University of Frankfurt in 1946 where he has tenure.

His most recent project is the chairmanship of the Research Institute in Modern Legal History at Frankfurt. The privately endowed Institute is attempting to "harmonize" the legal systems of the different European countries.

"Two hundred years ago the civil law system was much more unified. It had a common base in Roman law. More recently



Prof. Helmut Coing

there have been divergences. We are studying why and at which points these divergences came about."

He complimented the Law School for its comprehensive library, as well as the contact between the students and professors, and turned to Dean Casner's *Estate Planning* for some light reading after the interview.

LEGAL AID ADDS FIVE

The Legal Aid Society has accepted five new members from the second-year class to fill out its ranks. They are Stephen E. Kalish, Sondra G. Goldfarb, Peter L. Murray, Kenneth E. Reynolds and Jon M. Van Dyke.

These five, chosen from their rank in class after the first year, fill the positions of several third-year men who left after the first semester.

HLS First Year Has Not Crimped...

By Martin E. Robins

Some people find the first year at Harvard Law a year of wearying demands, that tend to tie them to an enervating regimen of study, but John Hartnett definitely is not one of them.

The powerfully-built 1L, a former collegiate high-jump champion at Princeton, relieves his concentrated study of torts and contracts with a full-fledged jumping program designed to ready him for a hoped-for historic leap over the elusive 7-foot mark, which he has barely missed in the past.

But big-time competitive high-jumping is only one facet of John's extraordinarily active life. He's following up another college avocation by regularly playing lead guitar in a rock 'n roll band, the Bogus Chimes, which performs at local colleges. He's even considering applying his athletic grace to ballet.

John works out at Harvard's Briggs Cage across the Charles, running, jumping and exercising on a leg-flexing contraption he has built, about 1½ hours per day, four or five days a week. This "low pressure" schedule, the Dover, N.H. student-athlete says, keeps him in good shape, both physically and mentally.

"I really look forward each day to training," he says, and adds sheepishly, "I've learned to stream-line my training so that I never waste a couple of hours a day shooting the bull as I did in college."

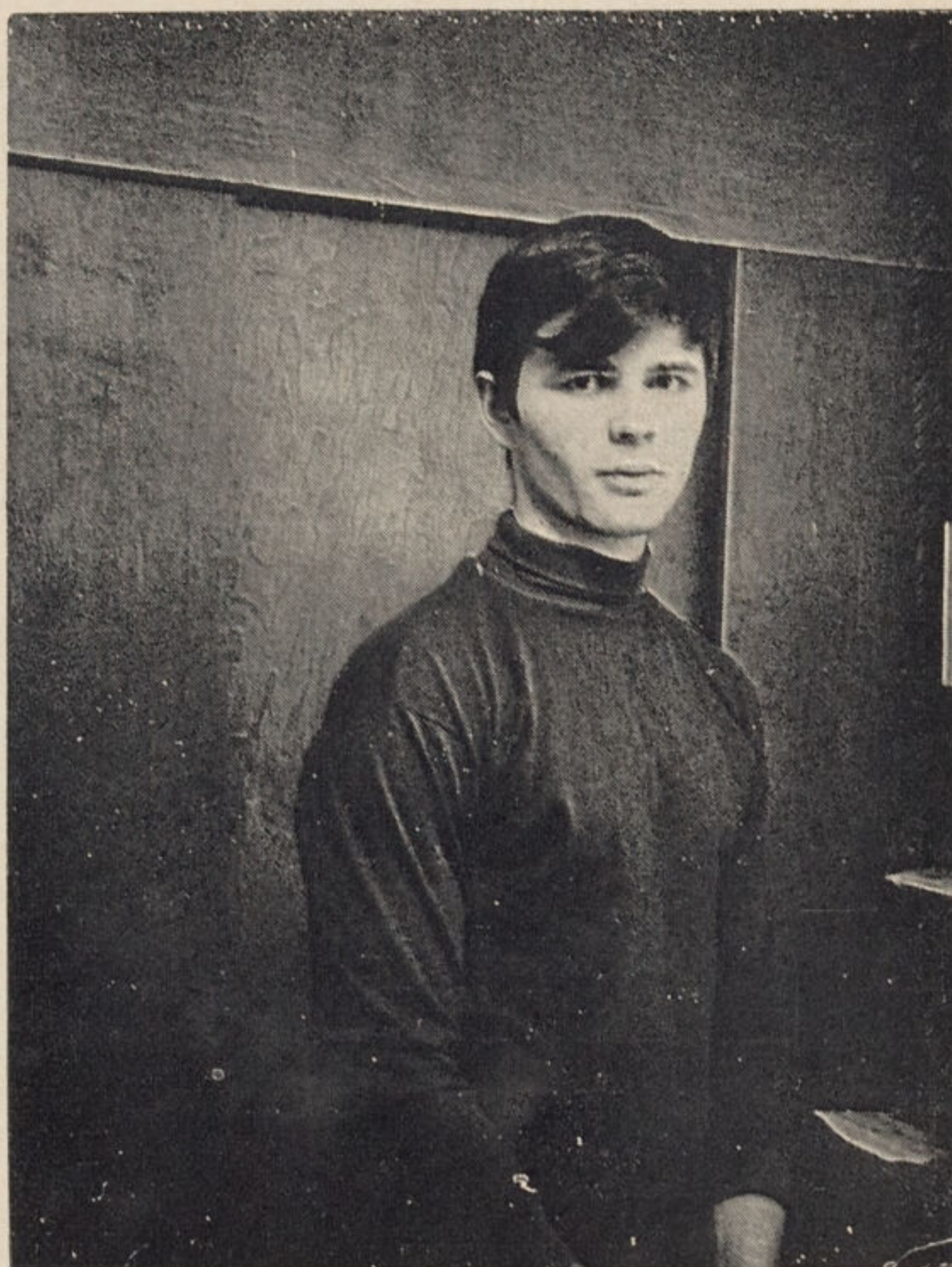
Couldn't Drop Jumping

John doesn't believe a competitive long distance runner would be able to hold up under the time pressures of Harvard's first year as well as a high jumper might, because the high jump event requires fewer hours of practice and of mental preparation.

As for the hours spent at Briggs Cage, John feels he would be very frustrated if he had to drop jumping after all the years he has worked on it. "I just can't give it up," he admits, "because it has become a basic part of my values. I jump because I like it, not because I simply want to stay in shape."

"It is never a sacrifice to do something that you want to do," he says seriously, "as long as you enjoy it."

For John, Law School has not served as a



John Hartnett

personal settling-down point as it does for most students but rather as a taking-off point. Studies, for the first time to him, have become more central in his plans than his quest to become one of the world's very best high jumpers, although the latter goal is far from forsaken.

The law, he maintains, has provided him with the first type of academic discipline that he enjoys and can associate with himself in a career light. "For the first time I can think ahead 20 years instead of just a week or two." At college, he says, "studies were an avocation," compared to the serious business of high-jumping. His concentration on jumping provided adequate rewards — four Heptagonal championships, an IC-4A title and captaincy of the Princeton track team. His highest jump to date is 6'10¼", just a bit below the standards of the world's best jumpers.

"You can live in a dream world as a high-jumper," John says in explaining how he allowed career decisions to drift while he

... Only Recast High-Jumper's Aims

sought to match efforts with the likes of John Thomas. Hartnett's college major was a bridge of aeronautical engineering and physics, mainly because he liked math and the latitude of the departmental schedule allowed him to fit it into his high-jumping program.

The warm weather and stiff jumping competition brought John to Cal Tech after his 1964 college graduation. There he earned a Master's degree in applied math, incurring the wrath of his department which rarely confers anything but doctorates and was forced to devise an oral exam for John.

It was mid-way through last year, *despite* the urgings of his lawyer-father that he become a lawyer, that John finally applied here and decided to try an entirely new field. The results so far have been much to his liking. He finds he can "attack" his law work in much the same aggressive way a good jumper attacks the high jump bar. In his jumping, John believes he learned a good deal last year in California from a seven-foot jumper and friend, John Dobroth. Outdoors last summer John cleared

after world champ Valery Brumel's style, John twisted a hip muscle due to the unaccustomed maneuvers.

He has had to pass up the one-competition-a-week schedule he had laid out, and is now not sure if he'll be back in action competitively before the end of the month. Tentatively, he hopes to enter the N.Y.A.C. Games and a Louisville, Ky. meet after that.

Although Massachusetts doesn't offer much outdoor competition in the spring, John hopes to line up some "all-comers" meets along with New England's premier jumper John Thomas in which the primary purpose would be the achievement of outstanding heights.

Style May Set Ceiling

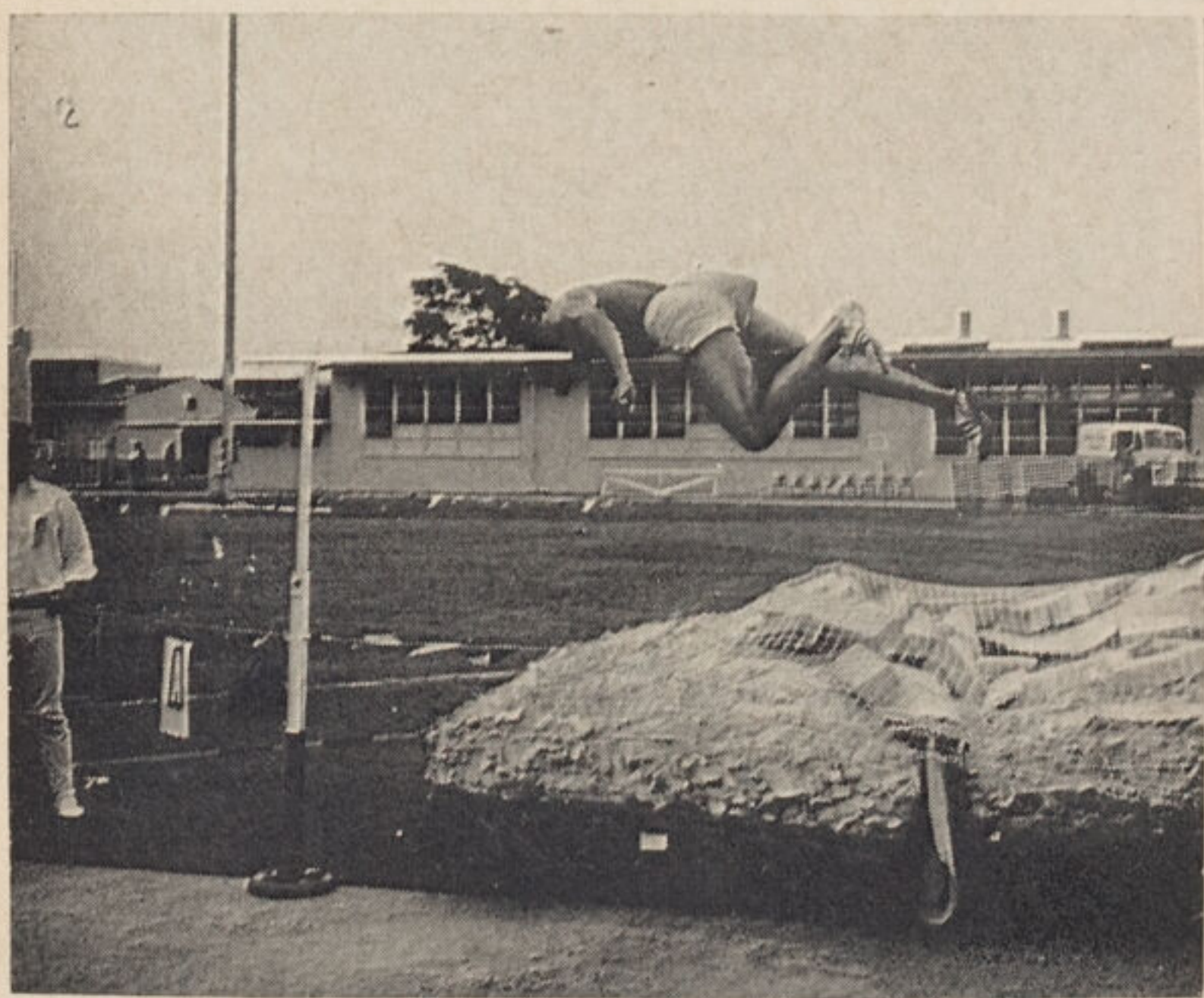
"You should never set a mental limit to your accomplishments or admit you'll never top the world record," John says earnestly, "but I feel that my style of approaching the bar at a 45 degree angle might keep me from ever jumping higher than 7-2 or 7-3." Brumel for example, approaches at a more acute angle which advantageously allows him to cut down the energy-sapping brake at the end of his run and gives him more time in mid-air actually hurtling the bar.

If John's hip is sound soon again, he optimistically predicts he'll jump seven feet in the near future. Probably, his followers will have to wait until the outdoor season, however.

John finds his indoor jumping performances below the standards of those outdoors, and he ascribes this differential to a serious fall he took some time back while making an approach on the boards. Hartnett twisted his leg and suffered severe pain from the fall and he maintains the memory of that slip has inhibited his indoor jumping ever since.

But even scary memories don't seem sufficient to bar this fellow from reaching his potential in jumping and from living life to the fullest. "Each day you find another talent you never knew you had," John muses like a man just finding himself. "I wish I had 15 lives to try everything I'd like."

With his endurance, discipline and vitality, any acquaintance can be sure John Hartnett will wrap at least seven or eight up in one.



'Aggressing' over the bar

his best height and he came to Cambridge this fall in what he calls "good jumping shape."

Several weeks ago John opened his indoor season with a third-place 6-7 jump in the Boston K. of C. games. A few days later, while experimenting with a more acute ("narrowed") angled approach, patterned

Cites 'Remarkable' Landmark Case

Countryman Outlines Local Anti-HUAC Drive

By Mandy Hawes

Recent witch-hunts of the House Un-American Activities Committee are endangering First Amendment rights, Professor Vern L. Countryman told the Civil Rights Committee last Thursday.

Prof. Countryman, who is chairman of the Massachusetts chapter of the State Committees to Abolish the Un-American Activities Committee, whose board members include Professors Clark Byse and Mark DeWolfe Howe, announced that the group has approached New England Congressmen to enlist their aid.

It has also circulated a petition in academic circles which urges congressmen to vote against contempt citations issued by HUAC, and its members have personally visited congressmen.

Countryman also asserted that the Committee's "remarkably incompetent" investigation of the Ku Klux Klan may stimulate some hostility to it among Southern congressmen.

During his talk, he sketched a brief history of the opposition to the Committee which has been spearheaded by a California social worker, Frank Wilkinson, who came to Countryman in 1956, greatly disturbed that his fellow social workers were being mistreated by HUAC.

Prof. Countryman said that up to this time the committee hadn't troubled Wilkinson because he was too "apolitical" to take any interest in at all. But soon after he founded the National Committee to Abolish the House Un-American Activities Committee, the House group became exceedingly interested in what used to seem like "apolitical" activities, Countryman related.

Wilkinson was called before the House Committee and accused of being a Communist. Before he left for Washington, he told Prof. Countryman that he did not intend to answer any questions put to him. The professor promptly told him that this would mean a jail term.

Wilkinson was convicted of contempt for refusing to answer questions before the House Committee, and in what Prof.

Countryman termed a "remarkable case," a six-man majority in the Supreme Court held that the House Committee was not "after" Wilkinson but that the Committee had "reasonable cause" to think him a Communist.

In a strong dissent in *Wilkinson v. United States* (1961), Justice Black pointed to the tenuous evidence that the House Committee had procured to accuse Wilkinson of being a Communist.

The evidence against him was based solely on the testimony of a Mrs. Snider which was elicited by an attorney of the House Committee. She testified that the Citizens Committee to Preserve United States Freedom was Communist-controlled, that she didn't know who the ringleader was, but that she obtained all her information about the group from Wilkinson. She then answered "yes" to a leading question which suggested she knew Wilkinson to be a Communist.

The testimony was not impeached because the House Un-American Activities Committee, as a practice, does not allow the accused to cross-examine adverse witnesses.

After serving a one-year jail term, Wilkin-

(Continued on page 10)



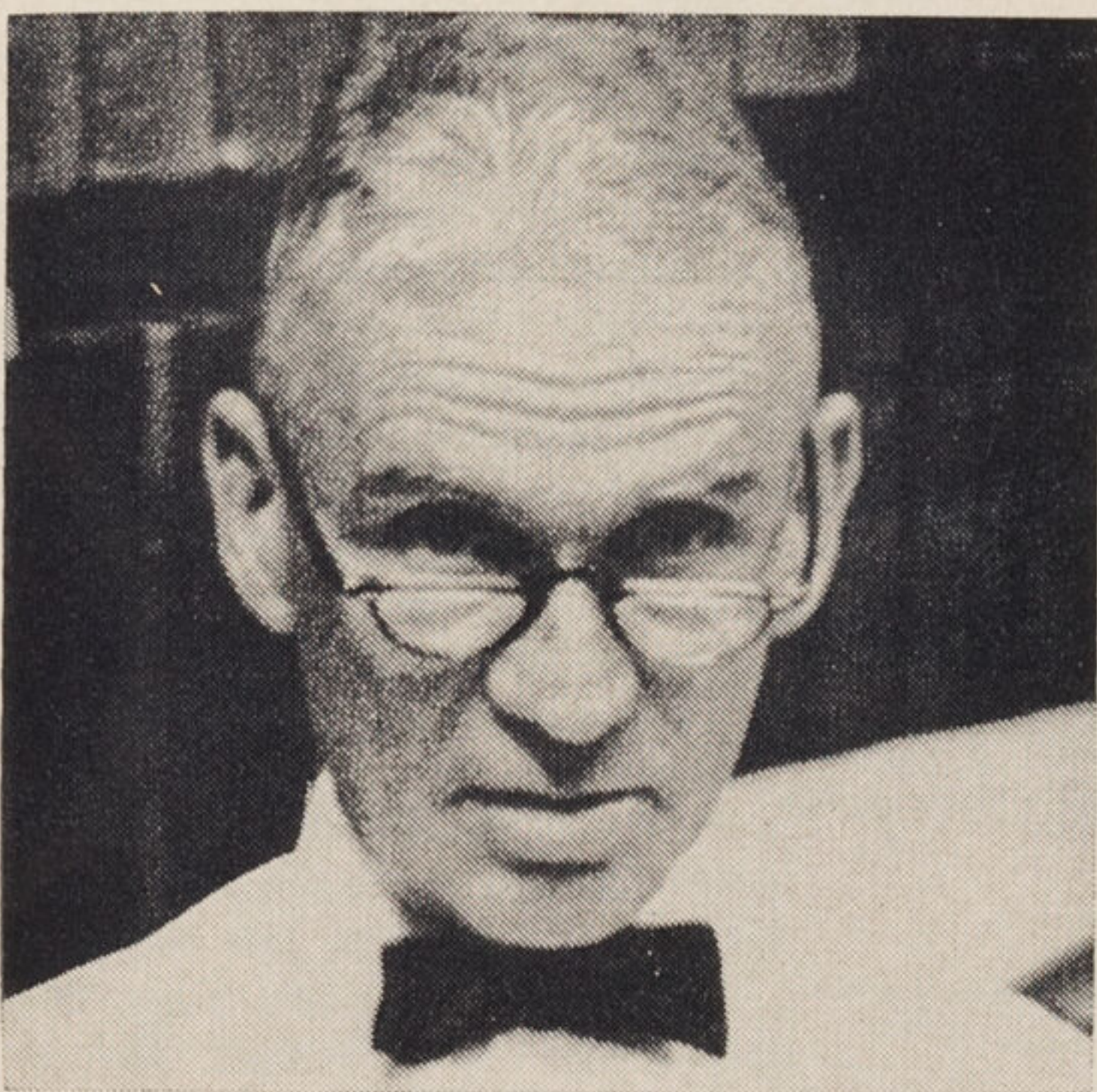
... And forgive us our trespasses —*quare clausum fregit and de bonis asportatis* ...

Prof. Howe

(Continued from page one)

Heart Disease Control Program of the Chicago Board of Health and two others were subpoenaed to appear before HUAC in Chicago last May 25. Prior to the scheduled hearing, Dr. Stamler and an associate brought an action in the federal District Court to enjoin enforcement of the subpoena on the basis of *Dombrowski v. Pfister*.

In that recent case, the U.S. Supreme Court held that plaintiffs were entitled to an injunction against state proceedings under



Prof. Howe

an unconstitutional state anti-subversion statute where such proceedings have a "chilling effect" upon First Amendment rights.

Because Dr. Stamler and the two other witnesses wanted a prior judicial decision on the legality of the committee's hearings, they refused to testify at all. Their request for an injunction is now pending before the United States Court of Appeals for the Seventh Circuit.

As Prof. Howe explained it, if they had testified before the committee their case would have been mooted.

The House was scheduled to vote Wednesday, Feb. 9, on whether to cite the Chicago witnesses for contempt of the committee.

ILC Starts Journal

By Lowell R. Wedemyer

The Law School's *International Law Club Journal* has recently launched a new writing program for law students. The purposes of the program are to give participants an opportunity to do legal writing under student and faculty supervision, to produce comments and case-notes of publishable quality for the *Journal*, and to train student editors to assist in future publications of the *Journal*.

William Levit, Jr., 2L, the editor-in-chief for 1966, said that an immediate goal of the editing staff is the production of a pool of experienced student writers and editors to provide an uninterrupted supply of materials for publication in the *Journal*.

"We must provide for continuity in publication and for the maintenance of quality in the articles published before we can expect to gain and hold new subscribers and to be able to finance regular printing of the *Journal*," he said.

The editors of the *Journal*, in conjunction with the faculty, have listed topics upon which they are interested in having papers written. Students interested in the writing program may choose a topic from the list or present suitable topics of their own.

"We have gotten a good response to the program," reported Levit, "but we want to hear from any other students who are interested in writing or editing for the *Journal*."

The *Journal* publishing procedures are modeled on those of law reviews. William Butler, the editor-in-chief for 1965, said, "We are entirely a student journal. We feel that student research pieces are of much more lasting value than reports of current events, such as speeches by prominent figures. We have received manuscripts from people outside the University, but, because of our policy of using only student work, we returned the manuscripts."

The *Journal* is a new publication and is experiencing some growing pains, though it has had notable success in expanding and refining its operations since it was founded in 1958. "We have grown up from the 16-page multilithed issue of six years ago to the 178-page offset-printed issue for the Winter of 1965," Mr. Butler stated.

A Reading Period for HLS?

Among the many interesting discoveries unearthed by the RECORD's survey of the student body last semester (See Dec. 16, 1965, issue) was the existence of a strong sentiment in favor of instituting a reading period, preceding examinations at the Law School.

Of a total of 307 students responding to this question in the survey, 261 answered that they favored the idea of a reading period. Of course, whether or not any students were really thinking about the need for a reading period until the RECORD questionnaire was received, or whether the responses were just a special application of the Heisenberg uncertainty principle, is another question.

But regardless, the idea of a reading period does seem worthy of some serious consideration by the appropriate authorities. The weeks following Spring vacation produce few pleasant memories for most students, and the month of May is not complete without its quota of rumors about nervous breakdowns suffered by a friend of somebody's friend.

The recent change in the system of grading for the first-year practice examination, eliminating number grades for the full exam, was perhaps an official recognition of the need to alleviate some of the unhealthy exam-time pressures so prevalent at the Law School.

A reading period would not only go a good deal further towards creating some semblance of normality as the academic year draws to a close, but it could also very well result in a more meaningful and even enjoyable experience during those few weeks before exams.

Scheduling problems, and possible conflicts with other goals of Harvard-style legal education, may make this reading period proposal impossible, unwise, and undesirable. But in view of the strong support shown by the RECORD survey responses, the school administration ought to give this some serious study and consideration.

Harvard Law Record

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TONGUE 'N CHEEK

By Fenno

I recently took a survey to determine what students held as their greatest criticisms of the Harvard Law School system. Surprisingly, the obvious objections to term bills, parietal hours, and reactionary professors were passed over.

In fact, by far the greatest criticism of the Law School was that it does not shovel its sidewalks. After every heavy snowfall, hordes of janitors converge on campus sidewalks. Do they shovel snow? No, they sprinkle mounds of sand on top of the snow. Six inches of snow on a sidewalk is dangerous. The school solves the problem by adding three inches of sand. The result is quagmire.

Strange stories are whispered about students who drowned trying to ford the walkway between Holmes and Harkness, or who disappeared into some sandy hole in front of Langdell. Future archaeologists may someday dig there in search of skeletal remains of the famous Harvard Man.

In most cities there is an ordinance requiring property owners to shovel their sidewalks. There is undoubtedly such an ordinance in Cambridge, but no one expects the impossible. Harvard Law School laid low by a simple city ordinance?

Clearly, relief on a higher level is necessary. Congress might be petitioned, but since the problem does not involve interstate commerce, it would appear the Federal government is powerless to act.

Our only hope for a progressive shoveling policy seems to lie with the United Nations. The danger to life and limb of foreign students makes this a definite problem of international security. Of course, a failure by the UN in this case could demonstrate its impotence in situations of grave crisis, but nevertheless we feel that the UN is worth a try.

Until that worthy body does take action, students will have to rely on snowshoe and desert boot to make that nine o'clock class.

LEFT 'N RIGHT

by Cornwallis

Editor's note — The following piece was submitted by an avid reader of the RECORD who claims to have become aroused by what he calls "Fenno's deviant ideological tendencies."

A recently published volume of heretofore unavailable speeches and writings of Lord Deany Ruskin, British Secretary of State for Colonial Affairs during the American Revolution, now demonstrates conclusively that the 1776 Revolution was in fact the direct result of French aggression in the New World.

As Lord Ruskin puts it, "But for the French aggression in America, the colonial rebellion would not have occurred."

In his speeches, the Colonial Secretary showed that the rebellion was deeply indebted for its spirit to the incendiary writings of Montesquieu and Rousseau and was virtually dependent for military supplies upon infiltration of French-supplied gunpowder and shot. The later appearance of French troops and navy in America confirmed his view.

American historians admit that 9/10ths of the gunpowder used by the rebels at the critical Battle of Saratoga was from France or French-supported merchants and that 36% of the troops facing the British at Yorktown were French.

As further proof that the revolt was the work of the French and a few American lackeys, Lord Ruskin points out that no more than a third of the Americans supported the American Revolution and much of that support was gained by terror.

"Great Britain is committed," he assured his audiences, "to resist this attempt forcibly to impose a republican form of government upon the freedom-loving peoples of America."

In a series of speeches, Lord Ruskin was at pains to justify the early refusal of the British government to carry on peace negotiations directly with the Continental

Events of Note at the Law School

On Mon., Feb. 14, the International Law Club will sponsor a coffee hour at 4 p.m. in the Harkness Meeting Room.

The speaker will be Sir Howard Beale, former Ambassador from Australia to the United States, who will discuss "Southeast Asia: The View from Down Under." All students are invited to attend.

* * * * *

Bishop Fulton J. Sheen will speak on "God and the Intellectual" at the season's fifth Harvard Law

Congress.

"We have offered unconditional discussions only with 'any interested government,'" he explained. "Nevertheless, the Continental Congress would have no trouble having its views heard if France ended her aggression."

Historians will no longer be able to ignore the valuable contributions to historical interpretation of Lord Deany Ruskin.

School Forum on Fri., Feb. 11, at 8:30 p.m. in Lowell Lecture Hall. The moderator will be the Rev. Dr. Charles P. Price, Preacher to the University.

Tickets are on sale at the Forum office in 23 Everett, the Coop, and at the door.

* * * * *

The Law Wives will hold their annual Faculty-Student Cocktail party on Sat., Feb. 12, from 5 to 7 p.m. in Harkness Commons. All married law couples are invited to attend. Admission is \$1.

Unmarried faculty members may bring a guest.

* * * * *

Dr. Mary Bunting, president of Radcliffe, Betty Friedan, author of "The Feminine Mystique", and woman lawyer and author Pauli Murray will discuss "Women — Dare We Not Discriminate" in a Law School Forum panel slated for Friday, Feb. 18 at 8:30 p.m. in the Ames Courtroom.

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Presidential Government The Crucible of Leadership

By: James MacGregor Burns — \$5.95

JAMES MacGREGOR BURNS is James P. Baxter, 3rd, Professor of History and Public Affairs and chairman of his department at Williams College and has for many years been recognized as a brilliant and original writer about the demands of government in the twentieth century. He has himself been active in politics and was an occasional adviser to President Kennedy. Among his earlier books are *Roosevelt: The Lion and the Fox*; *John Kennedy: A Political Profile*; and *The Deadlock of Democracy: Four-Party Politics in America*.

Bold in his vision, Mr. Burns goes far beyond the usual liberal hosannas to the office and the usual conservative scare cries. He contends that the Presidency is not a threat to individual liberty but the key defense of it. Yet he agrees with conservatives that we are so concentrating power in the White House as to establish a new system — Presidential government. The Presidency has drawn the Cabinet, the courts, the cities, the Congress, and even the press and the intellectuals into its orbit. The author asks, in effect: Will success spoil the Presidency at the height of its prestige and efficiency, at a time when the Presidency has come to express a convergence of American ideals and a focusing of national purpose? Will the office begin to suffer the fate of those institutions that reach the top of their cycle, turn in on themselves, and begin to decline? Or can it be converted to the service of new human purposes?



Casner Film Debut Set

"The Revocable Trust", a color film starring Associate Dean A. James Casner in his first featured role, will be shown Feb. 26 by the Massachusetts Bar Association's Committee on Continuing Education.

The screening, slated for the New England Mutual Life Insurance Company Auditorium in Boston, is preceded by rave notices and reports of turn-away audiences at previous showings elsewhere. It bowed at the A.B.A.'s 1965 meeting.

For Dean Casner this film marks his first on-screen appearance.

Some students may remember Dean Casner as the narrator to Secretary William. L. Bruce's star lead in the first year classic, "Sixty Years to a Warranty Deed."

In "The Revocable Trust", Dean discusses the use of the inter vivos trust during the lifetime of the settlor as a means of avoiding probate. He explains the effect of its use during the post-probate period.

The film also covers the advantages and disadvantages of revocable inter vivos trusts, including tax consequences, stability, privacy, flexibility, probate costs, and control of the corpus.

Prof. Countryman

(Continued from page 6)

son intensified his work in the National Committee to Abolish the House Committee on Un-American Activities. While at one time Rep. James Roosevelt was the sole opponent of the Committee, there are now 82 members ready to vote the Un-American Activities Committee "out of existence," Prof. Countryman asserted.

"They even have a small dossier on me. That dossier contains three articles clipped from the *Daily Worker* about activities in which I took part. These activities were reported in other newspapers also, but this didn't seem to make any difference to the Committee," the professor added.

He urged that any volunteers come to the anti-HUAC group's office at 14 Mt. Auburn St. and stressed the need for financial contributions.

Recent Book

Lingering Doubts of a November Afternoon

The Unanswered Questions About President Kennedy's Assassination. By Sylvan Fox. New York: Award Books, 1965. Paperback. 221 Pp.

By Paul M. Branzburg

Does the story presented to the American people by the Warren Commission survive close scrutiny? Does it prove that Oswald and Ruby each acted independently of any accomplices?

In writing a book of the who-killed-Kennedy genre, the author must, of course, answer these questions negatively, and Sylvan Fox is no exception. But so forceful and disturbing is this analysis of the events surrounding the death of President Kennedy that no reader can dismiss it as the work of a mere sensationalist or propagandist.

Challenge to Complacency

Moreover, Sylvan Fox's credentials as a responsible journalist are of a rather high order. He won a Pulitzer Prize for reporting in 1963 and he is city editor of the *New York World-Telegram & Sun*. And, in an introduction to the book, Edwyn Silberling, chief of the organized crime and racketeering section of the Department of Justice under Robert F. Kennedy, says that Fox's "hard-nosed quest for information" is a challenge to the current "complacency about the single-handed mentally unbalanced killer theory."

"In the highest tradition of journalism," says Silberling,

Sylvan Fox has thrown down "a challenge to our officialdom . . . If you prefer to believe that you have been given the final answers about the assassination, don't read this book. Otherwise, you are in for an unsettling experience."

Fox proceeds by close analysis of the report and proceedings of the Warren Commission, and by contacts with witnesses to the events of November 22nd and 24th, 1963. Many of the witnesses he quotes are people who were not heard by the Warren Commission, and who, significantly, have things to say which do not agree with the Commission's version of the assassination story.

A Collective Impact

Taken singly and considered apart from each other, the points which Fox makes are not terribly convincing. Viewed collectively, they tend to raise serious doubts as to whether the American people have learned the entire truth.

• After the assassination, Oswald, returning to his rooming house, got his pistol, put on a jacket and left. According to the housekeeper of the rooming house, Mrs. Earlene Roberts, at about 1 p.m., while Oswald was still in his room, where he remained only three or four minutes before leaving, two uniformed policemen in a Dallas patrol car stopped in front

of the house and honked the horn. Then they immediately drove away.

In her testimony to the Commission, Mrs. Roberts was uncertain about the number on the police car. She was only certain that it was not the number of the car driven by two policemen who occasionally drove by to tell her that one of their wives wanted her to do some work for them.

Number Discrepancies

The report of the Commission says that Mrs. Roberts first said that she thought that the number was 106 and then said it was 107. She told the FBI that the car number was 207.

The Commission says that cars 106 and 207 were at the Texas Book Depository at 1 p.m. and that

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Oswald

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cars 170 and 107 were sold in April 1963, their numbers not being re-assigned until February 1964. The Commission had nothing further to say about this testimony.

- Oswald was questioned for a total of twelve hours by Capt. J. W. Fritz, the head of the Dallas Police Department's homicide and robbery bureau. He made notes of his interrogation, but the Commission reports that he "kept no notes," suggesting that Fritz disposed of his notes. Why? asks Fox. And why do no records exist of interrogation by the FBI and the Secret Service?

- The Secret Service never gave the Warren Commission the X-rays and photographs taken of Kennedy during his autopsy at Bethesda Naval Hospital. And, Dr. James J. Humes, who performed the autopsy, burned the preliminary draft notes. Why?

- For the first twenty-four hours after the assassination, District Attorney Henry Wade — a former FBI agent — described the rifle that killed Kennedy as a 7.65 mm German Mauser. Later, the police described the rifle as a 6.5 mm Mannlicher-Carcano — an Italian rifle. Clearly inscribed on the gun are the words "Made Italy" and "Cal. 6.5." How could they have made such a mistake? Asks Fox: "Were there two guns?"

- According to the Commission, the first bullet fired by Oswald hit the President in the back, emerged just below his Adam's apple, hit Governor Connally in the back, came out just below his right nipple, went through his wrist, and then lodged in his left thigh. Of the next two shots, says the Commission, one missed completely and one hit Kennedy in the back of his head.

Both Governor Connally and his wife insist that this is not true. Gov. Connally said that he heard the first shot and had time to move both to his left and to his right

before the second shot hit him. Since a bullet travels faster than the speed of sound, if Gov. Connally heard the first shot and was able to move about afterwards, it could not have been the first shot which struck him. The third shot, which passed through the President's head, could not have been the one that hit Connally, because Connally was lying on the floor of the car when it was fired and saw the effects of it all over the rear section of the Presidential limousine.

Therefore, if two bullets hit Kennedy, one hit Connally and one missed, then there were four bullets fired — one more than the number of bullets fired by Oswald.

Both Mrs. Connally and the other witnesses to the shooting agree that Gov. Connally was not hit by the first shot that went through Kennedy's back. Dr. Charles F. Gregory and Dr. George T. Shires of the Parkland Hospital both testified that the first shot which hit Kennedy was not, in

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Student Groups Elect Officers

ILC Journal

William H. Levit Jr., 2L, has been elected editor-in-chief of the Harvard International Law Club Journal.

Others elected were James R. Lowe, 2L, articles editor, James A. R. Nafziger, 2L, comments and notes editor, Larry E. Kinsolving, 1L, treasurer, and David A. Drachsler, 1L, book review editor and advertising director.

ILC members interested in obtaining a summer job involving research on international procedures to protect human rights should contact William S. Robertson or Peter D. Trooboff.

The program will be arranged through the Association of Student International Law Societies.

Lincoln's Inn

Christopher H. Buckley, 2L, was elected last week as the new president of Lincoln's Inn Society for the coming year. Mr. Buckley is a graduate of Notre Dame University.

Selected for the post of vice-president was John Millard, 2L, Wesley S. Williams Jr., 2L, was chosen secretary, and S. Andrew Schaffer, 2L, is the new treasurer.

R. Lawrence Asche Jr., 2L, H. Whitney Durand, 2L, Herbert F. Goodrich Jr., 2L, Frank E. Richardson, 2L, James W. Beasley Jr., 1L, and John Thorndike, 1L, were picked to serve on the Society's Board of Governors.

Holmes Lecture Speaker Set

Professor Walter Gellhorn, Betts Professor of Law at Columbia Law School, will deliver the Oliver Wendell Holmes Lectures at the Law School this year.

The lectures will be held in the Ames Courtroom in Austin Hall at 8:00 p.m. on Monday, March 28, Tuesday, March 29, and Wednesday, March 30.

Prof. Gellhorn's subject will be "Ombudsmen and All That." The individual lectures are entitled "Confining Public Administration Without Crippling It," "Watchmen in Washington," and "Where a Feller Needs a Friend: State and Local Affairs."

HLS Tax Program Adds New Volume

Harvard Law School's International Tax Program has completed an enquiry into the relationship between economic development and the size and composition of government revenues.

In "A General Theory of Tax Structure Change During Economic Development," Harley H. Hinrichs constructs a theoretical model of the changes in tax structure that accompany the transition from traditional to modern society.

The general theory formulated in this study can be used to teach, explain, and predict tax structure changes and should be valuable to developing countries in planning tax policy and reform.

The International Tax Program also publishes the multi-volume World Tax Series and sponsors research programs.

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Oswald

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their opinion, the one that hit Connally.

• Equally interesting is the fact that the doctors in the Parkland Hospital thought that the wound in the President's neck was an entry wound because it was small, round, and free of jagged edges. If they were correct, then the bullet must have come from ahead, not from the Book Depository to the rear. This would account for the fourth shot.

• The doctors who performed the autopsy in the Bethesda Hospital, says the Warren Commission, found that the bullet wound in the President's neck was an exit wound, but this may have been because the Parkland doctors had enlarged and mutilated the wound in order to insert a tracheotomy tube in it. Furthermore, the report of the Warren Commission says that not until the Bethesda doctors phoned the Parkland doctors did

they "know that there had been a bullet in the front of the President's neck when he arrived at the Parkland Hospital because the tracheotomy incision had completely eliminated that evidence."

Secret Service agent Roy Kellerman, who was present during the Bethesda autopsy, testified that Dr. Finck probed into the shoulder wound and announced, "There are no lanes for an outlet of this entry in this man's shoulder."

"In other words," concludes Fox, "Dr. Finck, unaware of the wound in Mr. Kennedy's neck, could find no track by which the bullet that entered the President's back could have exited from his body. This is mystifying."

Fox speculates that Kennedy was hit by three bullets, one in the neck and two from the rear. This is supported by the testimony of Secret Service agent Glen A. Bennett who was in the President's followup car.

Bennett testified that he heard a shot and "looked at the President . . . I heard another fire-

cracker noise and saw that shot hit the President about four inches down from the right shoulder . . . A second shot followed immediately and hit the right rear of the President's head." Many of the questions raised by these bits of testimony could have been resolved by the X-rays and photographs taken of Kennedy at Bethesda, but the Warren Commission was never given them.

• Even the Commission theory that the bullet which passed through Gov. Connally's chest was the same which hit his thigh is disputed by Dr. James J. Humes of Bethesda and Dr. Robert R. Shaw of Parkland who say that the bullet found on Connally's stretcher in Parkland is intact, whereas there are fragments of a bullet lodged in Connally's thigh.

• The Warren Commission maintains that Ruby's only connection with the events surrounding the murder of President Kennedy preceding his shooting of Oswald was his occasional presence at police

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Rep. Tunney

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don't do something to establish new lives for them, they will become frustrated and disgusted with the government. The Vietcong recruited 100,000 guerillas from South Vietnam last year. Large numbers of refugees may be expected to defect if they are not given food and encouragement."

The Congressman criticized the South Vietnamese leaders for their chronic inability to "sell a philosophy to the people." There is not enough food and not enough technology in these countries, "but all these people have hope that life does not have to be miserable. The leaders have not been able to inspire the people with confidence.

"Providing hope has been the big selling feature for Communism so far. The South Vietnamese have got to have the feeling that their government stands to help the common man."

Surprisingly enough, Vietnam has been a democratic country for the last 500 years. All the village chiefs were elected officials. Yet the South Vietnamese government abolished elections in 1956 and appointed their own favorites. Fortunately, elections were again established in 1965.

The government's poor administrative ability is most glaring in the collection of taxes. In 1964, only 29 per cent of the tax districts bothered to reply at all, and of these, 75 per cent turned in no taxes at all. American aid at the present is the backbone of the economy.

Despite these gloomy facts which were revealed to Congressman Tunney during his seven-day visit to Vietnam with Sen. Edward Kennedy, he maintained a hopeful and optimistic tone in his speech.

"The educated classes in Vietnam are strongly behind us. They showed me a remarkable degree of good will and are very grateful for our presence.

"Only 30 per cent of the people would vote Communist if a fair election could be held. This is a well-organized minority. We must not let them prevail. During negotiations we have to push for a fair elective system."

Congressman Tunney hoped that the American people will continue to back President Johnson in his "remarkably restrained" policy in Vietnam. While pointing out that the same fate might fall to the Democrats over Vietnam as happened to them over the unpopular Korean conflict in 1952, he stressed that he will continue to assert the present policy he believes right.



... But it was a great week for skiing ...

Warren Commission

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headquarters. Yet Seth Kantor, a Scripps-Howard reporter who had known Jack Ruby casually for five years testified that he saw Ruby at the Parkland Hospital at 1:30 p.m. when it was announced that Kennedy was dead. The Commission report only says that Kantor "probably did not see Ruby at the Parkland Hospital."

• Dallas FBI agent James Hosty, who had investigated Oswald's activities several weeks before the assassination, said after the assassination that he was shocked because he did not believe Oswald capable of this sort of violence. Yet Jack Revill, chief of the Dallas Police Department's criminal intelligence section, told the Warren Commission that Hosty had told him right after the killing, "We had information that this man was capable . . . of committing

the assassination."

Revill added, "I asked him why he had not told us this and the best of my recollection is that he said he couldn't." Sylvan Fox notes acidly: "Somebody is lying."

• Three expert marksmen tried to duplicate Oswald's shooting feat. They missed 28 per cent of their shots. The test coordinator told the Commission that the "probability of Oswald's hitting the target two out of three was . . . rather low."

Fox produces dozens of other tidbits of this sort. Occasionally he makes a logical leap which the objective reader will refuse to accept. Perhaps some of the points summarized above are of this order. A few that have not been mentioned are thoroughly unconvincing.

However, this is certainly a book worth reading.

Democrats Elect

The Harvard Law-Graduate School Democratic Club elected a new slate of officers at a special meeting on Tuesday, February 8.

Robert I. Ronka, 2L will serve as president of the group, and James Conahan, 1L, is the new vice-president.

Elected to the positions of corresponding secretary and recording secretary respectively were Robert Griffin, 1L, and Manny Rouvelas, 1L. James Klebba, 2L, was elected treasurer.

Three members at large were also chosen. They are Robert Lieber and William Kerr, both graduate students, and William Resnick 2L.

The Club has invited Rep. Don Edwards (D.-Cal.), National Chairman of the Americans for Democratic Action, to speak at the Law School on February 21. Senator Ralph Yarborough's talk has been rescheduled for March 7.

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