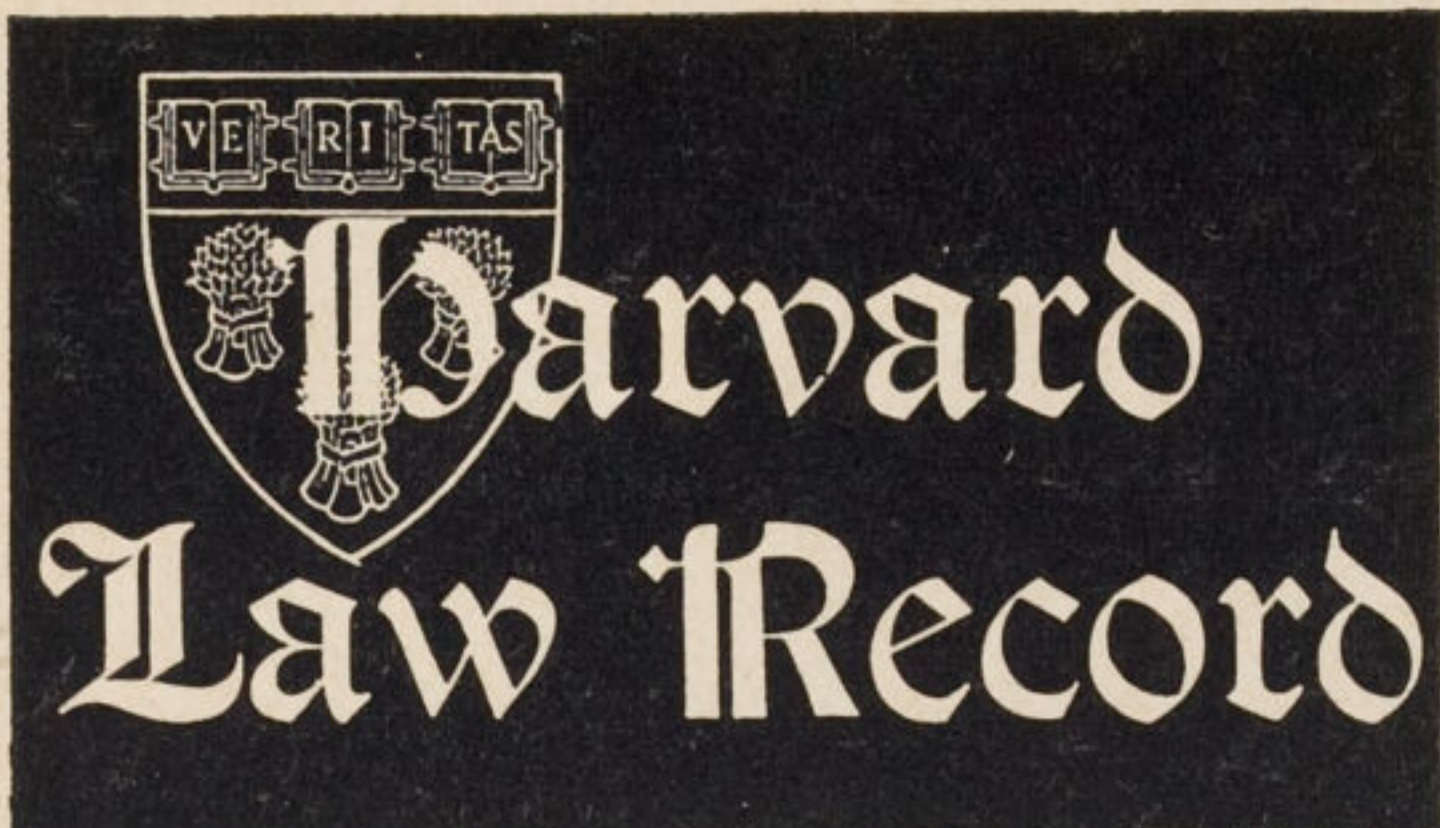




Harvard Law Record

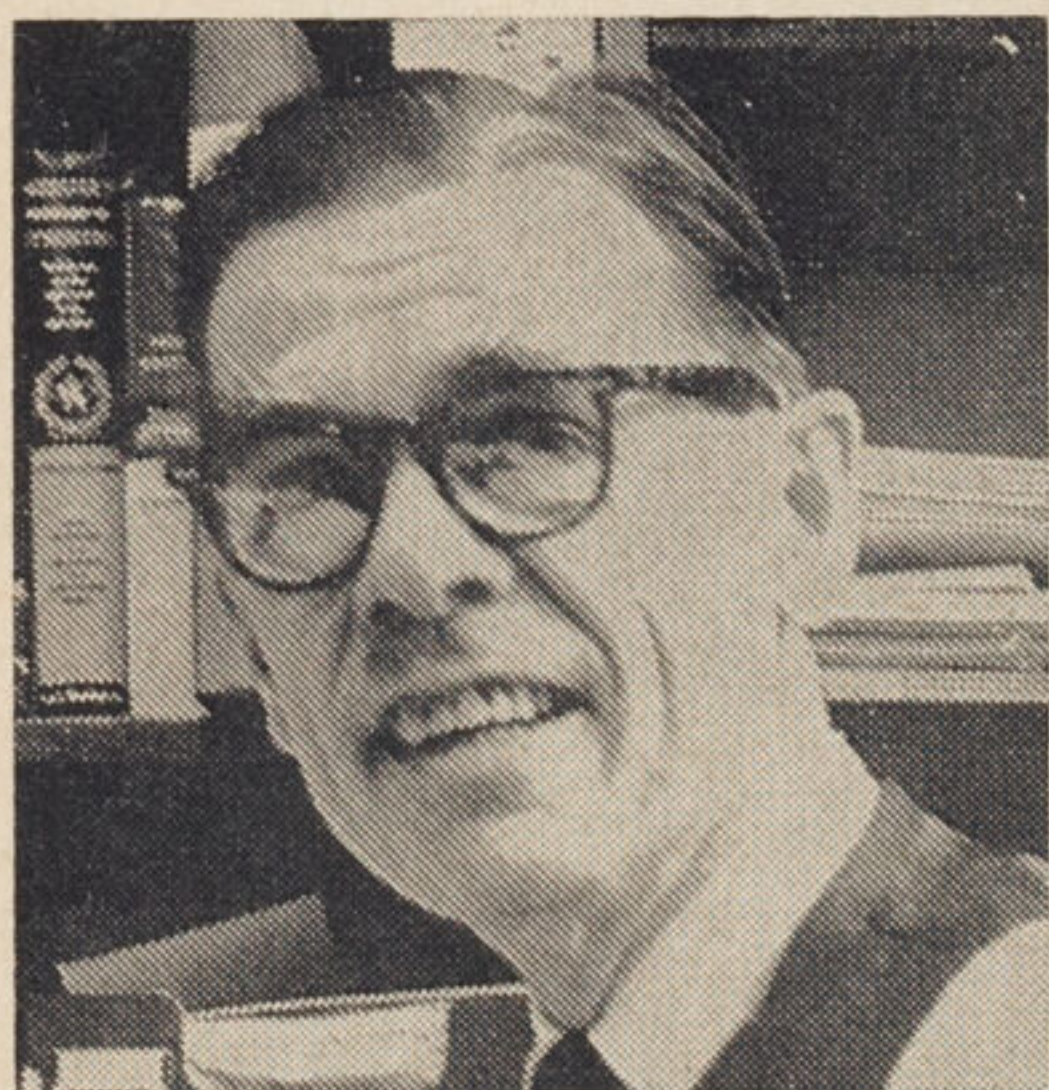
America's Oldest Law School Newspaper

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CAMBRIDGE, MASS.

FIFTEEN CENTS
APRIL 21, 1967

Committee to be Chosen by Lot

The student members of next year's Faculty-Student Committee will be chosen by lot, after a preliminary proc-



Prof. Clark Byse

ess of nomination, the present Committee decided last Friday.

Students may be nominated either by the presidents

of various groups on campus who will be asked to submit names or by circulating a nominating petition and gathering at least 20 signatures.

Two members will be chosen from each of the three law school classes. The terms of the second and third year students will run from October, while those of the first year representatives will go from January to January.

The only other rules set out are that no more than two members may come from the same undergraduate institution or from the honoraries at the Law School.

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Commencement Day Features Pageantry

By Tom Johnson

Thursday, June 15 up to 500 students will mark the end of their formal law school training before 15,000 spectators and against a regal backdrop that draws on the customs and traditions of three centuries, as President Nathan Marsh Pusey, in one of those felicitous Harvard phrases that characterizes the proceedings, declares them "ready to aid in the shaping and application of those wise restraints which make men free."

The 1967 Harvard Commencement, like its 315 predecessors, will combine the academic heraldry, pomp and pageantry that only America's oldest educational institution can provide, with the homey qualities of a New England town meeting. For tradition-minded Harvard, it is the year's finest hour.

Law degree candidates will assemble early that morning in the Harvard Yard under the direction of Class Mar-

(Continued on Page 7)

Justice William Brennan of the U.S. Supreme Court will meet informally with students Saturday, Apr. 29, at 4:15 p.m., in the Ames Courtroom. The question and answer session will last more than an hour. At that evening's Council Meeting of the Harvard Law School Association, a portrait of Mr. Justice Brennan will be presented to the Law School.



By Tom Johnson

On the death of Sir Edward Coke, his widow wrote, "We shall never see his like again, praises be to God." The remark might well be made by Mrs. A. James Casner who can rarely overcome the temptation to characterize every event in her life as a tragedy, and whose droll sense of humor is the keenest and most charming on the subject of her husband, Harvard's Weld Professor and Associate Dean of the Faculty of Law.

For forty years Margaret Casner's life has centered solely about her family, and to her friends' periodic attempts to get her involved with the plethora of social and civic activities that seem to be the occupational hazard of faculty wives, she responds, "I've got to take care of Casner, and if you don't think that's a full time job, you ought to try it."

"I was going to write a book once," she is fond of disclosing to friends. "I thought I'd call it 25 Years With Casner, but I never did. And then I thought it would be 30 Years With Casner. But he keeps me so busy that I guess I'll never get the chance."

The epic would have begun at the University of Illinois where they first met and married while students. Prof. Casner had intended to become a doctor as was his father, but was induced by Mrs. Casner's father, a lawyer, to switch fields. "My father didn't mind my getting married while still in school," he recalls. "It was the change from medicine that concerned him most."

In his early years, Prof. Casner attained academic distinction with a celerity that reminds one of a Horatio Alger story. He graduated from the University of Illinois Law School with high honors and was chairman of the law review board, becoming an assistant professor of law there at 22 and an adviser to the Restatement of Property at 28, while a doctoral fellow at Columbia.

At Harvard he became Associate Dean in 1961 primarily as a result of his chairmanship of the influential Committee on Legal Education (it had then just concluded an extensive, two-year examination of the law school curriculum) and is principally concerned with educational policy, teaching

A. JAMES



CASNER

leaves

victims

overwhelmed

but

inspired

assignments and the development of new courses. He also directs the Law School's summer program for practicing lawyers.

To his students Dean Casner's claim to fame is his first year course in property which has given birth to as many stories as those told of the redoubtable E. H. "Bull" Warren, a portrait of whom hangs in his Langdell Hall office.

His lectures, which rely on the Socratic method to the extent that some students have found them amorphous, are delivered in a voice calculated loud enough to be heard by the half dozen students who have come late and take notes crouching in the dimly lit stairwell off the lecture platform rather than attempt to enter class after it has begun (some have tried, on hands and knees on occasion) and thereby violate one of his major rules.

Should a student give an incorrect answer, the professorial reaction is apt to be somewhat less than charitable, and should he be so foolhardy as to labor the point, Casner who is a self-confessed ham actor ("any good teacher has to be") fixes the hapless student with an unrelenting eye and as his fist strikes the top of the platform rail, directs a barrage of reasoning delivered in a staccato style that seems to grow steadily in intensity until the crescendo effect leaves most victims overwhelmed and a few, near tears. "It's part of the job to show them that they're not as smart as they think they are," he explains.

But occasionally a student — Prof. Abram Chayes was once one — foils the scheme. "You only call on that person once," Casner admitted. "He gives the right answer too soon."

A prime source of annoyance is an unprepared class. In extreme cases, Casner, whose own class preparation is staggering, has been known to stop class and stalk out in disgust or call on visitors to recite, dismissing their startled pleas with the command, "Go ahead and answer; you're probably as well prepared as anyone else here." In one such situation he came as close to actual violence

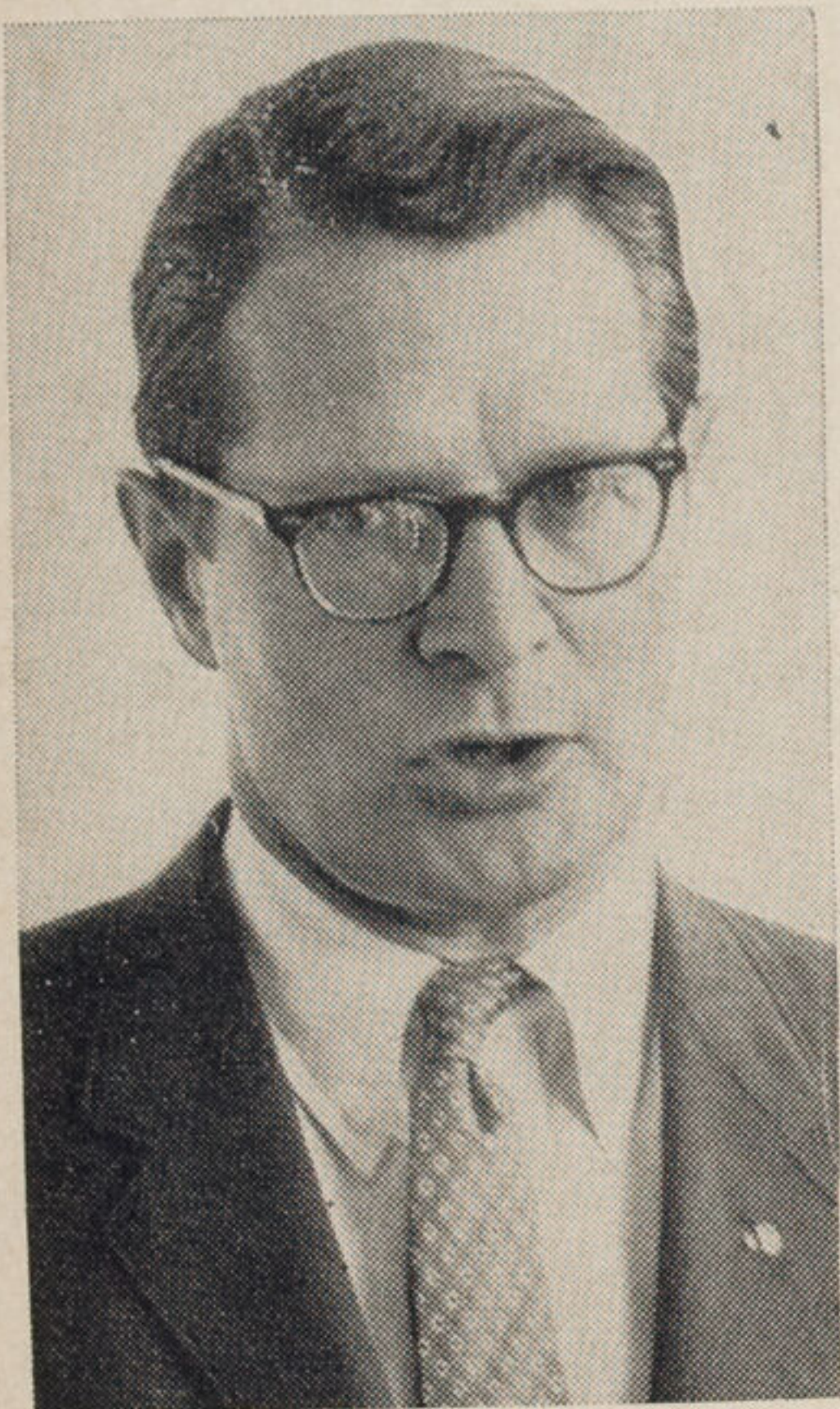
(Continued on Page 8)

Richardson Aims for 'Balance of Interests'

By Edward Vogt

"As lawyers, I know you're familiar with 'balance of interest' problems," said Elliot Richardson to the Young Republican Club, Apr. 12.

The Massachusetts Attorney General then went on to show how his office is not solely concerned with law enforcement, but rather with



Elliot Richardson

balancing the interests of law enforcement with those of the civil rights of the accused.

"By necessity, I must be concerned with the ability of law enforcement agencies to do the job they have to do," he said, "but there is an area of appropriate accommodation between civil rights and law enforcement agencies."

Mr. Richardson pointed to three proposals he has recently placed before his Civil Rights Committee. "First, I want to outline for them the importance of general immunity legislation," he said. At present, Massachusetts law provides immunity for witnesses only under scattered sections, in 'bits and pieces.'

"Second," Mr. Richardson continued, "I want to allow appeals by the Commonwealth from preliminary decisions of trial courts to exclude evidence. And finally, I favor a bill with 'balance' that would allow courts to issue orders for wiretaps under a showing similar to that required for search warrants."

Wiretapping Legal?

Mr. Richardson explained that under existing law wiretapping isn't clearly prohibited, although some contend that certain provisions of Federal law may be read as banning it. "There is now a case before the Supreme Court that attacks wiretapping as unconstitutional," he noted, "but it is still pending."

The Attorney General emphasized the variety and scope of his office's activities, which range from handling individual complaints to advising agencies such as the Consumer's Council. His office is active in investigating complaints of fraud in home repair and door-to-door sales and, under Richardson's di-

rection, "will seek more investigation of anti-trust cases and price-fixing." He observed that price-fixing on a state level is often not big enough to get immediate Federal attention.

"I take a more assertive attitude," he said, "where state agencies are being investigated and where organized crime cuts across county lines."

Come All Ye . . .

Further initiatives are recommended by his Advisory Committee on Civil Rights and Civil Liberties. The Committee presents suggestions to Mr. Richardson on such matters as procedural reforms in criminal justice and the rights of the committed in state mental hospitals.

Mr. Richardson encouraged law students to give the Attorney General's office serious consideration in their career plans. "The level of responsibility you can gain there is substantially higher than you can get by starting with a private law firm," he said.

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Student-Inmate Program 'a Success'

By John TePaske

The blackboard announcement was brief and inconspicuous — "For those students interested in working with inmates at the Concord Prison there will be a short organizational meeting at. . . ."

About 20 students wandered over to that meeting last October, and their subsequent involvement and commitments have led to the establishment and development of a new, unprecedented law school activity, the Concord Prison Program.

Each weekday afternoon, groups of three to five of these students drive the 25 miles on Rte. 2 to the Massachusetts Correctional Institution at Concord. There, after signing the required form and promising they have never been convicted of a felony, they work slowly through a series of escape-proof doors, shake hands with their assigned inmates, and settle down in separate, two-man conference rooms.

According to an official report on the program submitted last week by two student participants, Thomas Graham and Roger Lowenstein, both 2L, the purpose of the program "is to permit each student to develop a continuing friendly relationship with an inmate who is nearing either his parole or "wrap-up" date, so that after his release the inmate will have someone to look to for advice and companionship outside his old environment."

Professor Lloyd L. Weinreb, who has been making similar contacts with inmates himself for some time, provided the initial impetus for the program. He selected the students, on a "first - come, first - serve" basis, he says, and he made the necessary contacts and arrangements with a skeptical prison administration to get the program rolling.

In addition, Prof. Weinreb called three or four informal group meetings for members of the program to discuss



Prof. Lloyd Weinreb

problems of general importance, and he has been available to help solve individual difficulties and situations which appeared in the novel program from time to time.

But little formal structure was necessary, since students made their own arrangements with the prison

authorities once initial contact and some degree of confidence was established, and Prof. Weinreb reports, "My own involvement in the program was minimal. This is in every sense a student program."

In the operation of the program, each student has weekly 45 minute sessions with an inmate selected by prison social workers on the bases of volunteer interest in the program, relatively short sentence remaining, and residence in the Boston area so contact could be continued after release from prison.

Most students found the inmates both talkative and receptive to the program once initial skepticism was overcome and confidence and friendship began to grow.

Although prisoner cynicism and hostility have limited the program's effectiveness in a few cases, in general, the report states, "it would seem that the prison administration, the inmates, and the students can be justifiably enthusiastic about the results."

As feelings of confidence developed, many inmates began talking freely about life in the prison, about their past criminal activities — both on and off their official "record" — and about ethics and goals in general.

Once the students recovered from varying degrees of shock about the facts of life outside their world of middle class family life and

(Continued on Page 17)

Mason Elected Class Marshal in Balloting by '67 Graduates

Henry Mason III won the coveted post of Class Marshal of the Class of 1967 in balloting two weeks ago.

Susan First was chosen secretary of the class and R. Lawrence Ashe, Jr., Susan Grossman and Wesley Wil-

Elect Officers

Siemer Named Legal Aid President

Deanne Siemer has been elected president of the Legal Aid Bureau for the coming year. She is the first woman ever elected head of one of the honoraries at the Law School.

Jay Lapin was chosen vice-president, while Herman Howerton was named secretary and Norton Tennille, treasurer. Dan Silver will assume the position of Senior Director.

The Bureau's junior directors will be Sheldon Fink and Marc Hayutin.

Gleason, Cooper Chosen I.L.C. Heads

Gerald Gleason is the newly-elected president of the International Law Club. R. John Cooper was selected vice-president and Raymond E. Vickery and Patricia Flynn were named Treasurer and Secretary, respectively.

The positions of Program Chairman, social chairman and law exchange chairman, will be occupied by Daniel A. Taylor, Margaret Blettner and David Mead.

liams, Jr. were named class committeemen.

Unlike last year, no one was elected Class Jester.

As the ceremonial head of the class, the Class Marshal serves as master of ceremonies at class functions and as chairman of the Class Committee. The Class Secretary maintains liaison with the Alumni Office and is responsible for initiating reunions at five-year intervals. She will also prepare an annual newsletter concerning the activities of classmembers.

The committeemen serve as the regional representatives of the class. Officers and committeemen serve for five year terms.

Additional class committee positions remain to be filled by appointment. Interested students should leave their names and addresses with the Receptionist in Langdell Hall.

The Class Committee assists and makes recommendations to the Harvard Law School Fund Office and Fund Chairmen, in addition to planning class reunions and other class activities.

Events of Note

James Lowe, 3L, and Thomas Taylor, 2L, will argue in the semi-final round of the Philip C. Jessup Competition in Washington, D. C. next week.

The Jessup Competition is a moot court involving questions of international law. Six schools from New York and the New England area competed in the regional round of the contest, held at the University of Syracuse.

The team was sponsored by the Harvard's International Law Club.

* * *

"The Future of the American Theatre" will be examined at a Law School Forum, tonight, at 8:30 p.m., in Lowell Lecture Hall.

Walter Kerr, drama critic of the **New York Times**, Lee Strasberg, director of New York's Actors' Studio will be on the panel, with Elliot Norton, drama critic of the **Record American**, acting as moderator. Tickets, priced at \$1, are available at the Coop and the Forum Office, 23 Everett St., as well as at the door.

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Academic Pomp Marks Graduation

(Continued from Page 1)

shal Henry Mason, III, and the academic procession led by the High Sheriff of Middlesex County and containing the same potpourri of government, academic and church officials that participated in the days of the Massachusetts Bay Colony, will march into the Tercentenary Theatre, the great quadrangle between Widener Library and Memorial Church, as the Harvard band plays *Domine Salven Fac* and the *Harvard Hymn*.

In addition to the more than 3500 degree candidates, the procession will include senior members of the Harvard faculty arrayed in a panoply of colorful robes and numerous visiting dignitaries in silk hats and morning coats. Dean Erwin Griswold wears a bright red Oxford gown and the colorful, soft Peer's cap sometimes termed an Oxford tam, and President Nathan Pusey wears the less-flowing, plain black gown worn by Harvard presidents since Puritan days.

Shortly before the start of the ceremonies Massachusetts Governor John Volpe will be escorted to the Johnston Gate by a troop of scarlet coated National Lancers of Massachusetts mounted on horseback, where he will join the mayors of Cambridge and Boston.

During the ceremonies the law candidates will be summoned as a group to the granite terrace-stage under the south portico of Memo-

rial Church and the degrees conferred *en masse* by Pres. Pusey seated in an ancient tudor chair that has been used since Pres. Holyoke's time in the 18th century.

The proceedings are directed by William Grenville Anderson, the University Marshal, and the president's role is to address each group, admitting the college seniors to the "fellowship of educated men" and the doctoral

candidates to the "ancient and universal company of scholars."

The diplomas themselves, all but the student's name printed in Latin, will be presented individually by Dean Griswold during an informal luncheon for law students and their families in Holmes Field, the area in front of Langdell Hall. Students cus-

(Continued on Page 16)

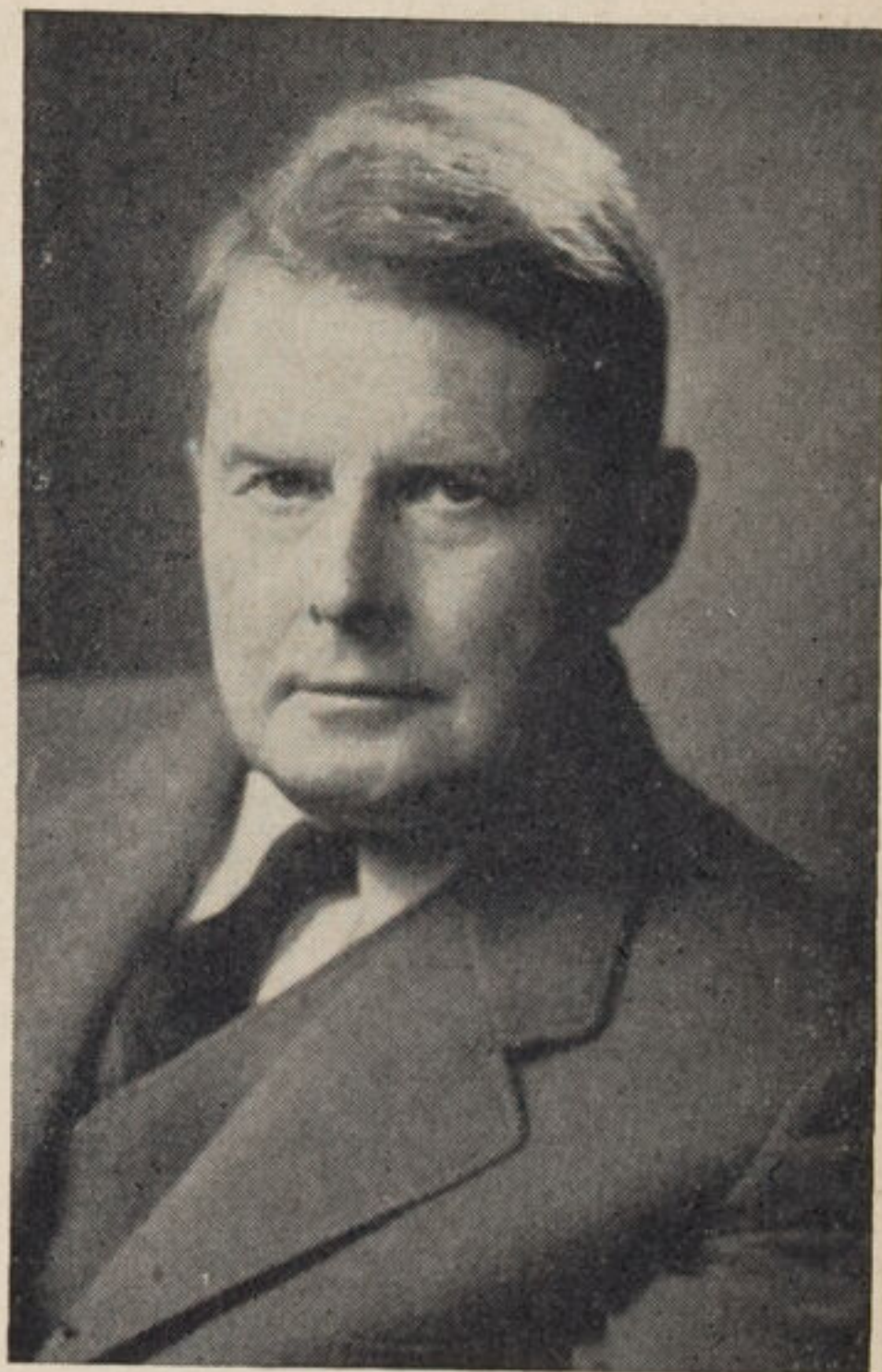
Prof. James MacLachlan

James Angell MacLachlan, Professor of Law Emeritus and a foremost expert on the law of bankruptcy, died suddenly Monday as the result of an automobile accident. He was 75.

Prof. MacLachlan retired in 1960 from the faculty after 33 years.

Prof. MacLachlan was among the most colorful members of the Law School faculty. Dubbed "Red Mac" by his students because of his ruddy features, he was stocky and powerfully built, outspoken to the point of being blunt, forceful and energetic — a natural object of good-natured anecdotes by students and colleagues and a vigorous partisan be the field baseball (he was a high school athletic coach for a year) or creditor's rights (he wrote the definitive treatise on bankruptcy).

For MacLachlan scholarship was a family tradition. His great-grandfather was president of Brown, his grandfather, president of Michigan, his father, a Pulitzer Prize winning historian, and his uncle, president of Yale.



Prof.
James MacLachlan

'All You Need Is Another Major'—

(Continued from Page 3)

as he ever has and threw a large piece of chalk high in the air—so high that it hit the ceiling. But then regaining his composure and while still fixing the guilty party in an icy stare, he casually put one hand behind his back and caught it.

But Dean Casner's finest hours are birthdays. On such occasions it is his task to distribute pieces of cake (he never eats any himself) to the class, a delicate operation to which he brings a consummate skill that he has perfected at many such events (his classes have celebrated everything from his birthday to the Statute of Uses'). Once when no one thought to provide a knife, Casner, who now brings one with him on such days, undertook the task using his hands. Afterwards he asked someone to volunteer a clean handkerchief, wiped his hands on it, returned it covered with frosting, took out his own, still immaculate, and mopped his fevered brow. "It's amazing what you can get away with," he observes.

Although not overly active in politics (he is a loyal Republican but switched to Johnson in '64), prior to World War II Prof. Cas-

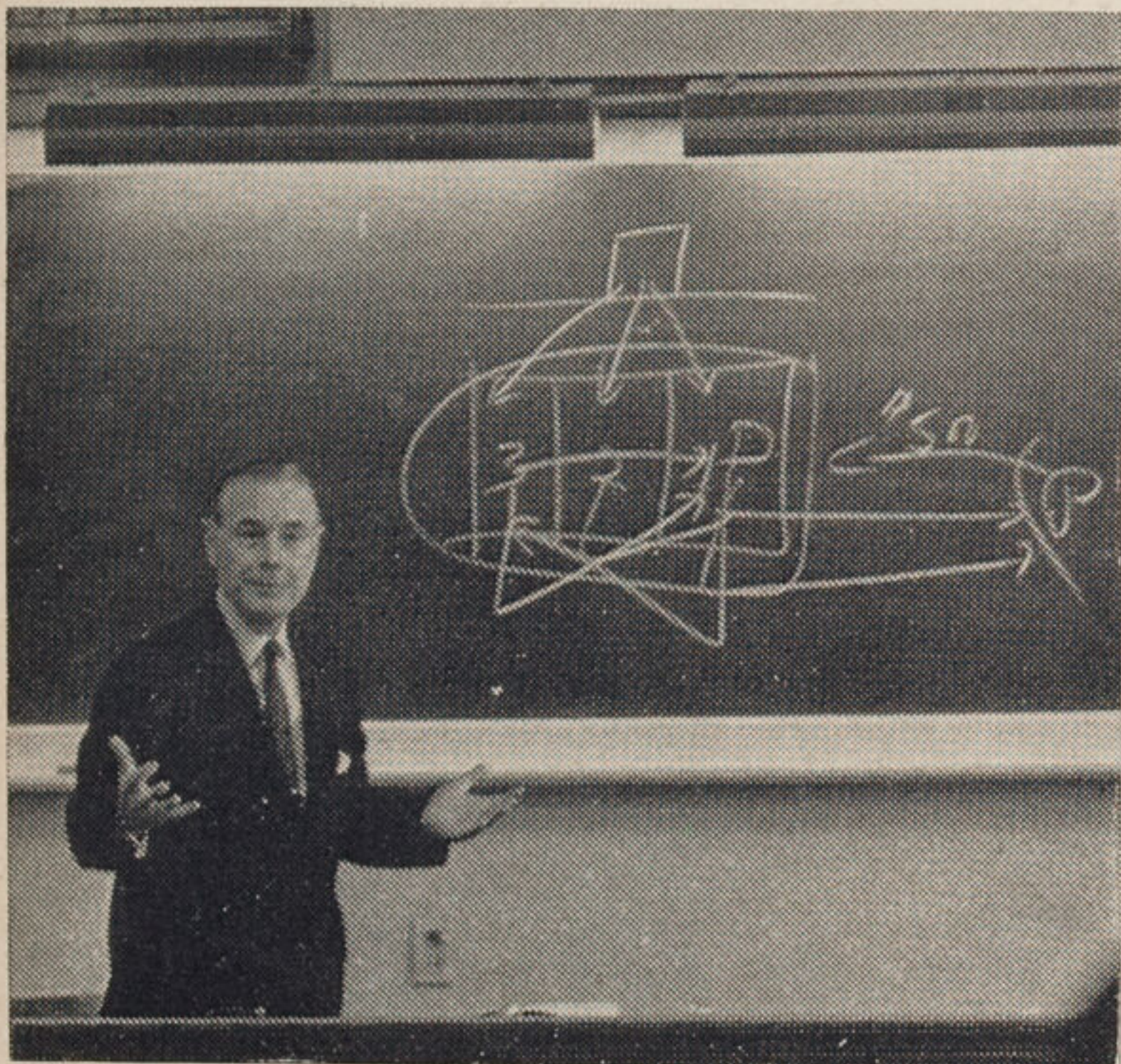


Photo by Bob O'Shaughnesy

ner was something of a hawk (he served as chairman of the Belmont Committee To Defend America by Aiding the Allies) and by

the spring of 1942 had determined to enlist. "I was humble," he recalls, "and thus willing to start any place in the military scale from major on up." Although ultimately rejected by the Navy (he was too short, a matter about which he is still sensitive), by that time he had found his chance when a high ranking officer came to Harvard with a problem; he needed 2 majors and 2 captains to evaluate German intelligence information.

"You don't have a problem," Casner, then head of Harvard's War Service Information Bureau, responded. "All you need is another major and two captains."

"You mean you'll become one of the majors?" the startled officer inquired.

"Certainly," came the quick reply. "And I'll even tell you where to find the other major if you promise me that his commission will be dated later so that I'll out-rank him." The agreement was made and the other major provided, one W. Barton Leach.

For three years Casner served as a staff officer in the higher command echelons of the Army Air Forces, working primarily in intelligence and supply, and emerged a colonel (but, alas, Leach stayed in the reserves until he became a general) with a distinguished record (he was awarded the Legion of Merit and Bronze Star) and the memory of two near air disasters—an explosion in the mid-Atlantic and a crash on take-off near Paris—which together with a similar experience in Libya in 1951 while involved in air base negotiations for the Air Force (two young assistants prepared him for the mission—James Vorenberg and Nicholas Katzenbach) cured him of all desire to fly (he refused to board a plane for 15 years) until recently the demands of his extensive public speaking schedule forced him to relent.

Although he rarely does trial work ("You cannot control your time"), Dean Casner does do consulting work in the estate planning field and for 13 years was associated with the Boston firm of Ropes and Gray (a portrait of John Chipman Gray stills hangs in his office) while still maintaining a full time teaching schedule at the Law School.

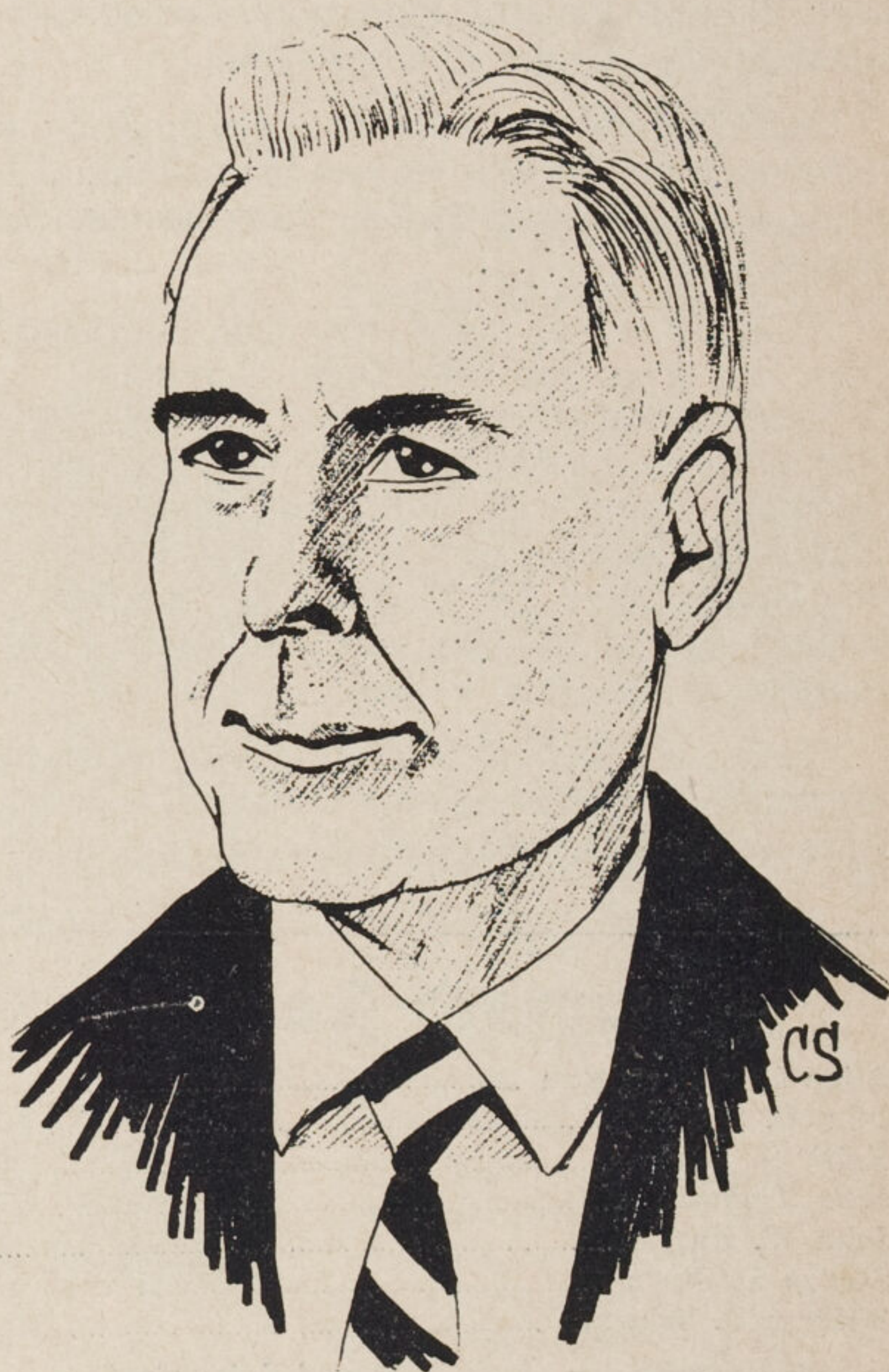
How Casner Got Leach Into Army

He views such activities as an essential part of his class preparation and the only effective method of research in estate planning. His long-time practice of constant, structured study (he spends 1 1/2 days each week reading tax services alone) makes it possible for him to give advice in the estate planning area with little or no independent research.

His consulting activities and rumored style of life have given rise to a host of legends—tales of \$400 suits, \$1,000 an hour consulting fees, and private railroad cars—most of which are apocryphal, but all of which are understandable in light of the flair with which he approaches any task and a penchant for self-perfection which would not disappoint even his more imaginative students:

He plays tournament calibre bridge (“bridge proficiency might well be a prerequisite for law school, a required pre-law course”); has the unassailable confidence of a master golfer (he shoots in the low 70’s

and once offered to play any student for his grade—on a pass or fail basis, but received no takers); is addicted to “creature comforts” (he buys every new gadget on the market); helps Mrs. Casner—probably the best dressed faculty wife—choose her clothes (she buys them at New York’s Bonwit Teller and his “take it off” is the final word) and is an amateur magician of great,



"A GREAT law school strives to make its students, if I may borrow Justice Frankfurter's phrase, masters of the art of relevancy and, through its faculty and as an institution, plays a significant part in the continuing development of the law.

"A master of the art of relevancy must necessarily be a person with a free and inquiring mind who has the capacity for continuing growth. He must have a high code of personal performance and a distaste for shallowness of thinking. If a law school's goal is to make such masters out of its students, it will not succeed in every case, but the diligent and the continuous pursuit of such a goal is essential to a law school if it is to become or remain great."

—A.J.C.

albeit erratic, competence (he once borrowed a student's tie, cut it into four pieces, put it into a hat, muttered a favorite incantation, and handed it back to the amazed student—still in four pieces. "That's funny!" he protested. "It's always worked before.")

In Cambridge, Dean and Mrs. Casner live near the school in a five room apartment in

(Continued on Page 14)

Let Us Continue . . .

On the whole, it's been a pretty good year for the Law School.

The Faculty should be especially commended for the manner in which it has reacted to complaints about various aspects of the Law School.

Some good starts have been made. The Faculty is still considering the matter of the second-year curriculum, and, with luck, should soon adopt a more elective, more flexible program; proposals concerning the grading system are under study by the Joint Student-Faculty Committee; and the newly-formed Faculty Placement Committee is considering rules for the release of transcripts.

Reform, however, must be a continuing matter. However thoroughly the Faculty revises the policies at the Law School, within a short period of time they become obsolete and new problems arise.

Bearing this in mind, the most significant step forward taken this year has been Dean Griswold's establishment of the Student-Faculty Committee, a permanent body to consider reforms, as the need for them arises. The main fault that many found with the Committee, the method by which its student members were chosen, has happily been corrected. (See Story, Page 1) This year's Committee has done an excellent job of defining and articulating the scope of the problems at the Law School.

This year, a good beginning has been made. It is up to everyone — the Faculty, the Committee, and the students — to assure that the momentum continues next year.

Harvard Law Record

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TONGUE 'N CHEEK

By Fenno

I was hanging out some wash to dry on the World Tree early in the morning when a figure with a wooden stride and a sad countenance happened by.

"Who are you?" I asked, after flagging him down with a wet towel.

"Clark Closecase," he desponded. "Have you seen any troubling situations around here recently?"

"Well, no. It's a glorious day, though."

"I must get along, then. Here it is the middle of April and I've only turned in five hopelessly ambiguous situations for the professors to use on the final exams, and they're screaming for more. A few have even suggested that they're going to make up flat, hollow hypotheticals if I don't come through soon."

"You don't mean that those absurd situations thrown at us in exams really happened, do you?"

"Why I've risked my life just so you guys can exercise your minds on realistic problems in June. Only last week I was hit by an Ames State Patrol car at precisely the middle of the bridge crossing over from Ames to Langdell when I was racing to the county recorder's office trying to get there before Shady Deals."

"Gee. I don't know how that one would come out."

"Nobody does. That's the awful thing about leading a life like mine. The professors always hand in the student papers to the courts as briefs but the courts become so enmeshed in the innumerable procedural problems, various measures of damages, conflicting laws and knife-edge substantive dilemmas that my cases are constantly being appealed up and remanded down until nobody can figure out what's going on at all so they usually tear up everything previously litigated and start all over again."

"I hope they pay well."

"Nothing but stolen checks and bad debts," he whimpered as he limped off into the distance.

Letters to the Editor of the RECORD

Supreme Court — New Greek Tyrants?

To the Editor:

I am concerned with the cavalier way in which Mr. Philip H. Bunker in his letter in your February 9 issue wishes to dispose of capital punishment by resort to the courts. My concern is not lessened by the fact that the American Civil Liberties Union (genuflection) concurs in his view. It is interesting as a matter of history that the very people that adopted the Bill of Rights were almost simultaneously imposing the death penalty. I am aware of, but not exalted by the arguments against the relevance of this fact.

Conceding those arguments, however, it is nonetheless fitting to warn Mr. Bunker and his ilk against the kind of blind self-righteousness that leads into a cul-de-sac—the kind, for instance, that led to the Eighteenth Amendment. Judicial legislation may be of as fair aspect as the Brea pits were to the primitives of another age and just as disastrously inescapable. I for one would like to abolish most death penalties, but I should not like to cut off all practical possibility of retreat.

We are taught that the ancient Greek often flew into the arms of a tyrant to escape the fickleness of the many. I wonder whether he did not also sometimes promote the tyrant in order to avoid the reluc-

tance of the many to adopt the legislation he desired. This is meant to compare Mr. Bunker with the ancient Greek not the Supreme Court with the tyrant. On second thought, considering that the Greek concept of tyrant had reference primarily to the irregular manner in which power was gained and did not exclude the quality of benevolence, the other analogy would not be entirely unapt. No, it wouldn't be at all bad.

George D. Jagels, '32
San Marino, Calif.

Howe Memorial Fund-Raising Begins

To the Editor:

In the next couple of weeks, there will be a solicitation of contributions at the Law School to amass a fund in honor of the late Professor Mark DeWolfe Howe.

The money received will be to help pay for the commissioning of a portrait of him for presentation to the Law School.

Though of necessity the present effort is directed mostly to students here at the Law School with normal student resources, we invite any former student (or any present student with more-than-normal resources) to contribute by check to the "Mark DeWolfe Howe Portrait Fund," Langdell Hall.

And while the purpose of this particular fund effort is for the portrait, anyone wishing to use it for a contribution to the Lawyers' Constitutional Defense Committee may do so by expressing his wish to the fund-raiser.

All those interested in helping to collect the contributions, should notify the undersigned.

J. David Gernant, 2L
Tom Johnson, 3L
John Stassen, 2L
Kelvin H. Dickinson, 2L
Neil Jokelson, 2L
David Spencer, 2L
Richard T. Seymour, 2L

Photo Gallery

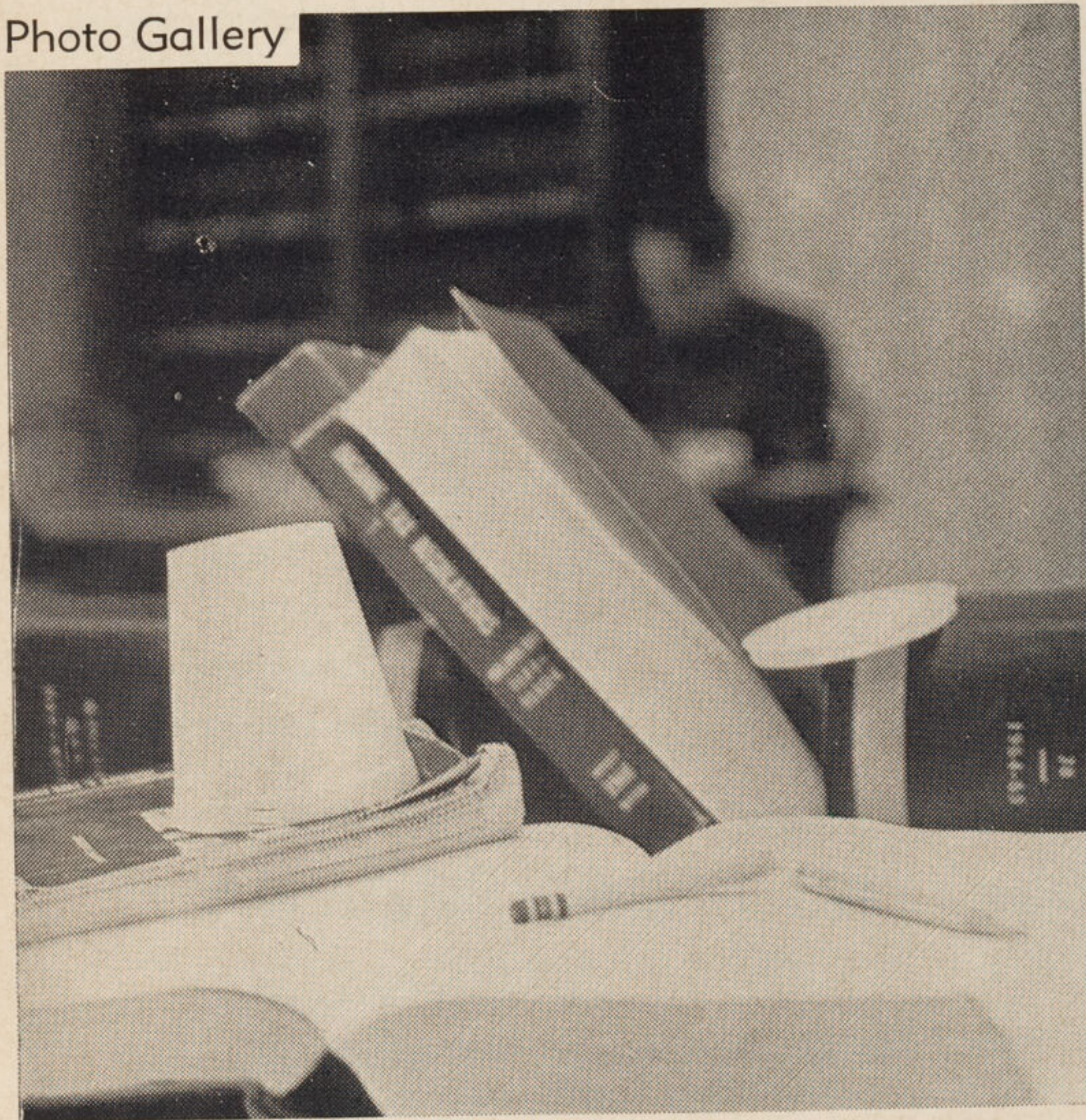


Photo by R. John Cooper

**April is the cruelest month . . .
And I will show you something different from either
Your shadow at morning striding behind you
Or your shadow at evening rising to meet you;
I will show you fear in a handful of dust.**

Merits of Conglomerate Business Explained

By William Schwarz

Conglomerate companies, those that have acquired unrelated businesses, were spoken of in glowing terms by Rupert Thompson, Jr., chairman of the board of "the conglomerate king."

Speaking about "Textron — A New Kind of Company," before the Bull and Bear Club, Mr. Thompson explained that Textron was one of the innovators in acquiring unrelated businesses, having begun in 1953, and that it now has 28 distinct divisions.

He explained that the motivating factor behind the formation of conglomerates today is to "make a greater

return on the stockholder's money."

Why did Textron take the plunge into the conglomerate field in 1953? Mr. Thompson explained that it was in the textile business then, which was subject to cycles and produced a poor return on equity. The cycles were caused by overproduction, as people expanded their businesses rather than taking the profits out during the good years. Mr. Little, who was then in charge of Textron, decided to diversify.

'Lousy' \$5 Million Return

Once diversification had begun, more attention began to be focused on the return on the equity invested. In 1963 this led Textron to get rid of its textile business,

as, according to Mr. Thompson, the return of \$5 million profits before taxes in the best of years on a \$42 million investment was "lousy." Mr. Thompson explained that the normal thing would be to stay in one business and be "forever welded to that business." Mr. Thompson aims for a return of 25 per cent on capital before taxes.

Besides the better return on investment, Mr. Thompson pointed out many other advantages to the conglomerate form. With 28 units and many subunits, Textron has a minimum degree of investment exposure and cannot be hurt much if any one is doing poorly.

(Continued on Page 19)

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History, New Photos Spark '67 Yearbook

By John Spitzer

Reviewing the 1967 sesquicentennial edition of the **Harvard Law School Yearbook** is like trying to review a hybrid somewhere between the *Iliad* and the Boston telephone directory.

Like Homer's ships, the dignified procession of faculty photographs have a certain grace and simplicity that needs no further comment. Many of the best are reprinted from last year's shots by Beardsley Ruml, '66, while a number of others are new. It is refreshing to see my professors in the **Yearbook** fairly exuding truth, wisdom and wit after a long winter of classes (some better than others) seen through the eyes of a half-prepared, still sleepy student.

Like the Boston telephone directory, most of the rest of the **Yearbook** is important for the pictures, names and activities of our friends. It

is the informational side of the **Yearbook** which is difficult to endow with poetry and whose most important asset is a good job of proof-reading. A new photographer has provided a good set of student photographs (any forehead wrinkles have been whited out) which are a considerable improvement over last year.

But the layout of the photographs presents the 1st and 2nd year classes more as mug shots than formal portraits. Twenty faces to a page is just too many. It involves an eye-straining effort to associate a name out of the typographical jungle in the middle and associate it with the proper picture.

The clubs in the back are again well-done although the nature of the project involves showing page after page of seemingly interchangeable groups assembled on the front steps of Langdell. It would be nice to see more informal shots like the one of the **Yearbook** staff on the front porch of the Placement Office or the Dramatic Society hamming it up.

The most notable addition to the volume is Arthur E.

Sutherland's history of the Law School written especially for the Sesquicentennial Edition. He traces the early development of legal education in the United States, the erratic beginning of the Law School, its growing prestige under Justice Joseph Story, Dean Christopher C. Langdell's attempt to model legal education after the physical sciences and the sweeping changes which have characterized the Griswold era.

The history is necessarily glamorous, but it does an excellent job of filling out little-known periods of the Law School's history. A page of colored portraits of former deans enhances the history, as well as the quaint etchings of early buildings. If any student feels overworked, he should compare the photograph on page 14 of overworked, intense students working in the poorly-lighted Ames Courtroom about 50 years ago with the photograph on page 15 showing the relaxed, overworked modern students in Langdell.

(Continued on Page 20)

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Casner: Dean

(Continued from Page 9)

the Continental Gardens, having sold their long-time home in Belmont. But their principal residence is a handsome, ocean-front town house an hour from Cambridge. Located on an acre of partially wooded land, the 75 year-old house commands an impressive view of the shore and is part of a larger, private compound.

Prof. Casner has made extensive changes to the inside of the house ("His exuberance is unbounded," Mrs. Casner complains. "I never saw so much saw dust in my life.") which now features a plush, white-carpeted, panelled library on the second floor (he does most of his writing there, seated in the center of a mammoth, custom-built, mahogany desk) and his palatial, red and white, bath-



My granddaughter could have come up with
a better answer!

dressing room, complete with inch-thick red carpeting ("You sort of fall into it," Mrs. Casner explains) which has been known to inspire involuntary exclamations of delight from the normally reticent New England neighbors and tradesmen for whom the house has become something of a tourist attraction.

In addition to his law school duties, Prof. Casner served as editor of the monumental **American Law of Property**, is chairman of the legal editorial board of Little, Brown

And Film Star Extraordinaire

and Co., serves as Reporter for the A.L.I. Estate and Gift Tax project, is on the Board of Boston's Old Colony Trust Company and Harvard's Coop, and is active in the American Bar Association — a member of its special committee to evaluate the Canons of Ethics and its grievance committee, captain of its golf team in 1957 and 1960, and star of its epic color film, **The Revocable Trust**.

The film has been seen by an estimated 25,000 practicing lawyers since its premiere at the 1965 A.B.A. Convention, bringing the hero a measure of notoriety which he accepts with great reluctance and characteristic modesty ("Most of you have probably never been this close to a movie star before"), prompting one irreverent colleague to suggest that he change his name from A. James Casner to The James Casner. His second film is already in the planning stages.

The Casners have two sons, Andrew J., III and Truman, both Boston lawyers and graduates of the Law School (they came home with the normal student complaints and impressions, once asking whether the legendary feud between Casner and Leach is genuine — it's not) and six grandchildren, the next to youngest one of whom ("My five year old

granddaughter could have come up with a better answer than that!") is the only member of the family who can usually win out over her grandfather and has even been known to cajole him into watching Batman on television, an experience from which he has yet to recover.

Third year students have at times suspected that there are two James Casners, one in the third and the other in the first year: "It's amazing," one third year man observed. "He treats us almost like human beings, and yesterday he even let someone come into class late."

The one, is an erect lecturer who faces a property class on the first day of the term — for all of them their first law school class, for many their first exposure to the magisterial presence of a truly great teacher, their first occasion to physically tremble at the thought of being grilled while unprepared;

And the other, the friendlier teacher — more an Aristotle than a Socrates, — whose reasoned arguments tend more to answer questions than pose them, yet still reflecting a vast self-confidence that stems from an overwhelming range of knowledge in his chosen field.

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Wechsler to Deliver Law Luncheon Lecture

(Continued from Page 7)

tomarily introduce their parents to the Dean at that time and pictures may be taken of the presentation. Diplomas will be mailed to those not attending the luncheon.

Following the luncheon, the Annual Meeting of the University Alumni Association will take place in the Tercentenary Theatre at which time some of the honorary degree recipients, whose identities are a closely guarded secret until the morning ceremony, will speak.

No Orations

Harvard has no Commencement address as such, and the only speeches at the morning ceremony are two very brief student presentations, one in Latin or Greek and one delivered by either

a law or graduate student. The students are chosen by competition, and as of RECORD press-time only one law student, Joseph Sorrentino, had entered.

No Gold Tassel

On the day before Commencement law students may attend the annual Alumni Luncheon held under tents at the Harkness Quadrangle after which a short program will be held.

The Law School's speaker at that event will be Prof. Herbert Wechsler, the Stone Professor of Constitutional Law at Columbia, and director of the American Law Institute. Prof. Wechsler gave the 1959 Holmes Lectures at the Law School.

Throughout Commencement Day the law candidates

will wear the hood of the highest degree already attained and doctoral gowns. Harvard doctoral gowns are of two types: the conventional black type which may be rented from the Coop or the more colorful, crimson-colored gown, trimmed in black, which must be purchased outright. Unlike those in most universities, Harvard doctoral recipients do not wear the gold tassel on the mortarboard.

Families of degree candidates will need tickets for all of the events, but Mrs. Marjorie Traverse, the pert alumni reunion secretary who handles Commencement arrangements for the Law School, has refused to release any information about the ticket procedures to the RECORD.

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*B.A.R. has neither requested nor received endorsement from the Law Schools mentioned herein

Prison . . .

(Continued from Page 5)

college diplomas, they began to understand a few of the major problems involved in crime, punishment, recidivism, and rehabilitation.

After the inmates have been released, the second phase of the program begins — trying to retain contact and the confidence of the ex-

inmate on the outside with the hope of reducing recidivism known in the trade as "life in prison on an installment basis."

The report emphasizes that "The relationship is not lawyer-client, but rather man to man." And the measure of success is not legal advice and an attack on questionable prosecutions or prison red tape, but rather helping the parolee adjust to the responsibilities of freedom.

For the student, who invests three hours a week visiting the prison and a highly variable amount of time working with his ex-inmate, the report points out the educational and social action rewards of the program and deems it "clearly a success from the student point of view."

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Committee . . .

(Continued from Page 1)

At the meeting last week, the Committee also voted to postpone submitting its proposals on the grading system to the faculty, until it has studied the problem further. The Committee's report on grades will probably not be completed or released until the next academic year.

The Committee also voted to recommend to the honoraries that at least some places be filled on a basis other than grades. It suggested the formation of a committee consisting of the heads of campus organizations, including the honoraries, to aid in implementing the recommendation.

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4	3.92	1.65	2.27
5	3.92	1.66	2.26
6	4.35	1.47	2.88
7	4.35	1.78	2.57
8	4.35	1.85	2.50
9	4.35	1.95	2.40
10	4.35	2.08	2.27

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Conglomerates

(Continued from Page 12)

Moreover, these plants keep coming up with new

products and ideas, thus keeping up with the rapid technological changes. In fact, thirty per cent of Textron's sales in 1966 (\$1.1 billion) were from products

not sold 5 years before.

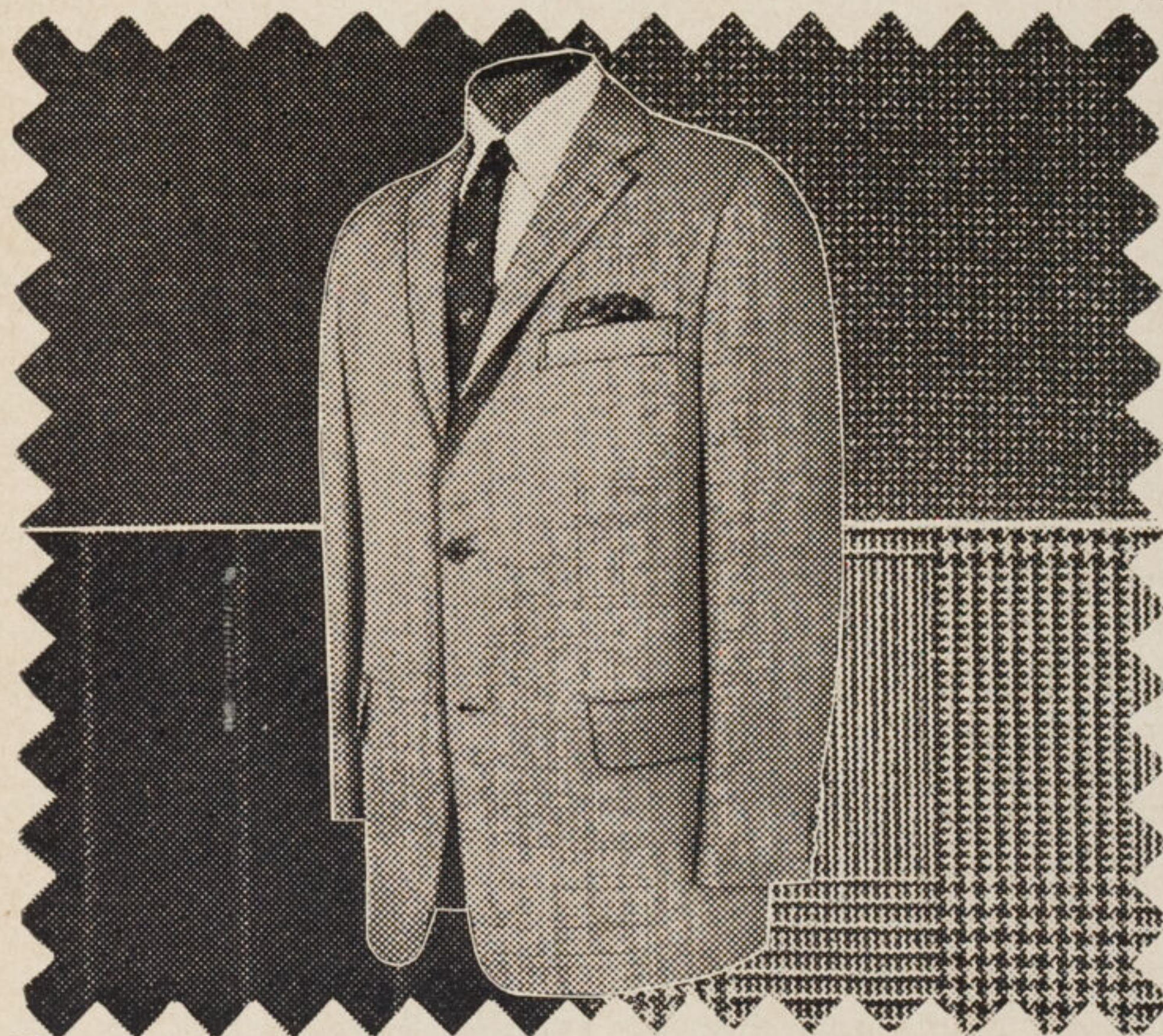
As to the policy of acquiring companies, Mr. Thompson stated that Textron only acquires companies with good management and then only if the company wants to be acquired. "We don't fight them." Mr. Thompson then went to tell what Textron can do for the acquired company, mainly help with management and additional capital to expand.

Another advantage to having 28 different companies is the decentralization. Each management team knows its own customers personally.

Commenting on the trend toward conglomerates, Mr. Thompson prophesied that it will continue, though at a lesser pace. Other companies "are spoiling things. We used to buy at much better prices."



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Placement Parody 'Welcome'

(Continued from Page 13)

It was also good to see several new student groups gracing the pages of the **Yearbook**. Among these are the Landis Society, the Blanks (no explanation given, but reputed to be a group of fun-loving anti-intellectuals) and especially the fledgling Harvard Law School Golf Team on page 221. Although the swingers were soundly trounced by Harvard last fall, the fiery expression of Slamming Dave Shapiro and the Walter Hagen look of Jim Jenz, 2L, indicates that they are not to be lightly taken this Spring. Perhaps we are soon to see a full range of athletic teams at the Law School.

Jack Auspitz's parody of the Placement Office does much to get the **Yearbook** away from its former telephone book style into something which actually fun to read beside looking up your own photograph and seeing if they got all your activities properly listed. More of this sort of thing would be welcome, especially some shots of weekend parties which would contain more of the "spirit" of the Law School than 10 or so varied poses of solid old Langdell.

One last comment. I'd like to know which professor is holding his class outdoors on pages 6-7. Certainly nobody that I ever had.

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