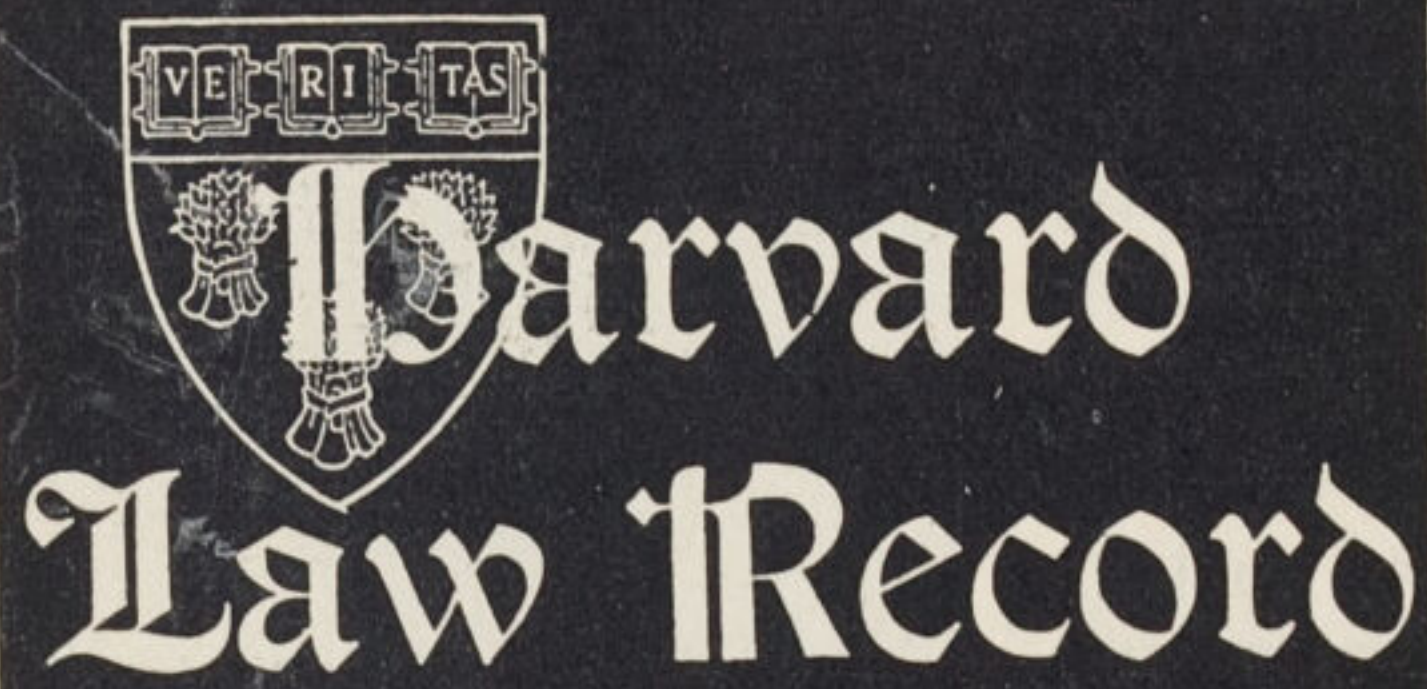




Harvard Law Record

America's Oldest Law School Newspaper

VOL. 46 NO. 3
CAMBRIDGE, MASS.

FIFTEEN CENTS
FEB. 15, 1968

Ames Interest Fades, Board Seeks Remedy

By Richard Hoffman

The Board of Student Advisers, administrator of the Ames Competition for almost 50 years and the Williston Competition for over 16 years, currently faces growing evidence that law students are losing interest in its programs.

For the first time since its founding the Williston Competition was halted this year by poor student response. For the first time within recent memory one Ames club, which won one of the eight positions in the quarterfinals, refused to participate and another club attempted to withdraw from the upper level Ames competition.

Only 144 second-year students entered the Ames qualifying round in fall 1967, compared to 208 in 1966 and 216 in 1965. School policy has always been that spring Ames is compulsory, but this year some students argued that they should be allowed to substitute an outside writing and research project for Ames. Both the Board and Professor Trautman were convinced, and 38 first year students received permission

Law Firm Offers \$15,000

By Jack Tate

Last week's announcement that Cravath Swaine & Moore in New York had raised the starting salary for associates to \$15,000 a year has placed great pressure on major law firms throughout the country to re-evaluate their salary structure.

Most immediately affected are some 60 firms in New York which compete directly with Cravath for talented graduates of Harvard, Yale and Columbia law schools, the sources of over 50 per cent of their beginning associates.

At first glance the increase

appears startlingly large, even to Harvard Law students who cheerfully admit that they are worth \$15,000 a year to start. The "going rate" in New York for top graduates of Harvard, class of '68, is about \$10,500. Cravath's decision adds \$4,500 to that figure, which on the surface appears to be almost a 45 per cent raise.

In fact, Cravath offers the increased starting salary level on three conditions that will probably reduce the net value of the increase to about 50 per cent of apparent value.

(Continued on Page 4)

(Continued on Page 6)



Closer ties with the Business School? See Letter on Page 9.

Sohn Outlines Non-Proliferation Treaty

Many problems must be solved before the draft treaty on non-proliferation of nuclear weapons gains acceptance, Professor Louis B. Sohn told the International Law Club last Thursday.

Tracing the development of the treaty from the examination of testing methods to the 1963 ban on tests yielding fallout to the draft treaty submitted to the 18-nation Committee on Disarmament by the United States and the Soviet Union on January 18, Prof. Sohn began by noting that smaller powers have led the fight for a total ban.

Non-proliferation as a movement dates from 1948, he said, and has been headed by Ireland. The Irish were able to push through conditions for the body of the treaty by 1965 but that draft, which generally had no loopholes, lacked a verification clause. However, the January proposal contains verification provisions, Prof. Sohn said.

One problem concerned the desire of the United States to reserve the right to give nuclear weapons to a "multilateral force" (MLF). The Soviet Union objected to this proviso because it would enable Germany to gain possession of nuclear weapons.

The U. S. and Germany responded by suggesting a plan requiring two separate signals to release nuclear weapons, a plan that rests its claim to legitimacy on Article I of the draft treaty,

which the U. S. contends allows such a scheme as long as complete control is withheld from Germany.

The next hurdle was to make certain that nuclear explosives generally as well as bombs were included, and Article V makes it clear that peaceful uses of nuclear energy are allowed.

The Preamble and Article VI of the treaty emphasize the obligations of the nuclear powers to negotiate in good faith for elimination of nuclear weapons, Prof. Sohn explained.

The verification provision, Article III, is a compromise, he said. Safeguards are included but they are to be reached by negotiation between each state and the International Atomic Energy Agency, with Euratom as a clearing house for its members.

The nuclear powers agree, in Article IV, to release information on peaceful uses of nuclear energy. A strong objection was raised by Brazil, which argued for an absolute right of nations to engage in peaceful nuclear explosions.

A major problem which still remains, concluded Prof. Sohn, is whether the treaty will in fact be ratified as it now stands. The problem of feasible guarantees remains, and the exact nature of such guarantees is uncertain; for example, would the United States really help Indonesia if it were attacked with nuclear weapons by China?



Photo by John Cooper

Prof. Louis B. Sohn

Major Problems Remain

Article X of the draft is a termination clause, providing that each signatory is empowered to withdraw from the treaty if "it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country." Each withdrawing party must give all other parties and the United Nations three-months' notice of withdrawal, including a statement of the "extraordinary events" which led it to this action.

One problem with such a clause, particularly as it touches a question of national defense, is that withdrawals may tend to snowball. Thus, if India, for example, broke the treaty and made nuclear weapons, Pakistan might be expected to follow suit.

Lewis Gilbert Speaks Up for Stockholders

By Robert Bares

"Here are the directions for the stockholders' meeting: take the main highway into Everglades National Park . . ." So began the nation's most famous, and with the exception of his brother, possibly the only "professional stockholder" in America. Lewis D. Gilbert, called by Professor Louis Loss "the great democratizer of the American corporations", spoke to the Bull and Bear Club of the Law School on February 6.

Clad in dark suit with pink shirt, red tie and red socks, Lewis Gilbert was as forceful and dynamic as the colors he wore. On the assumption that most of his audience would some day be dealing with the nation's corporation officers "in some way or other," Gilbert spoke primarily about some of the powers of stockholders arising from the investor's right to be informed.

"Sometimes the officers will go to incredible lengths to avoid having the stockholders review them . . . as in the case where General Baking Co. meeting was held in Flamingo, Fla., through the Everglades." The next year the meeting was in Evanston, Wyo.

"By the way, if you are ever an adviser to a corporation, don't have it call a special meeting unless there is a good reason or you will hear from me. Once, after 49 years in business, a corporation called a special meeting to change its name

from Irvin to Irving. The press reported it as Irvine. Naturally, I had something to say about the useless expense of that meeting," Mr. Gilbert declared.

Lewis Gilbert attends about 150 meetings a year and always has a comment about the business of last year. His weapon is largely publicity, and his information is often supplied by the



Lewis D. Gilbert

corporation itself. Mr. Gilbert pointed out the wealth of information that is visible to the trained eye from proxies, annual reports, and post-meeting reports. For example, one thing worth study is whether the officers are buying stock in the corporation. "If they aren't, ask yourself, why should you?"

Mr. Gilbert has no kind

words for many of the annual reports now published, and he lets officers know about it at stockholders' meetings. One that he recently criticized was the Massey-Ferguson report that began "We are pleased to present this report" and then later admitted a decrease in profit from the year before. He also had nothing good to say about the Litton annual reports that are allegedly short on information and long on "abstract art".

Apparently speaking extemporaneously, except when citing facts, figures, and anecdotes from newspaper clippings piled high on the front desk of Austin North, the professional minority stockholder explained that he takes no salary or commission for representing fellow stockholders, but lives entirely by means of the dividends he receives from his own stock, and from contributions for his own "annual report," which will appear soon, detailing the information he has unearthed in the last year.

Mr. Gilbert also commented on numerous other matters relating to corporations of today — including his opinion of stock "splits"; of officers who promise to take no salary until dividends rise and, in the next two years, without a dividend increase, are earning \$100,000; about how to read the accountant's report, and about how to make money on the exchange.

Law Firms Across Country Face

(Continued from Page 1)

As one amused member of the Harvard Law Faculty phrased it, "What they gave you with one hand, they took away with the other."

In letters mailed to prospective Cravath employees Monday night, Feb. 5, the firm pointed out that persons accepting the \$15,000 jobs with the firm will face a wage freeze for two and one half years, that bonuses are abolished, and that henceforth increases in salary, even after the two and one half year period will be based on merit alone.

In past years, major New York law firms have awarded bonuses to starting associates averaging about 10 per cent of their salary per year for the first two years and have given them practically automatic wage increases of roughly 10 per cent for the first two years. Not only will these increases be abolished under the Cravath plan, but also the one bonus system will be abolished altogether (except possibly

Salary increase replaces bonuses and wage raises

for exceptional senior partners) and the merit system will be more strictly enforced as the basis for all wage increases.

Nonetheless the salary increase does have significant ramifications. Young law-

yers starting off with Cravath can count on a starting salary high enough to maintain a comfortable standard of living instead of having to wait two and a half years or more to reach the \$15,000 level.

But effects on the individual student are far less important than the effect on Cravath itself and firms competing with it.

For instance, Cravath, a firm of 36 partners, 105 associates and a large non-professional staff, faces a readjustment upward of its salary scale at all levels.

Several weeks ago, perhaps in preparation for its decision of last week, the firm increased salaries for non-professional employees.

Last week it announced large boosts for beginning associates and a \$100 per week increase in summer job salaries, bringing their pay level for summer positions to \$250 per week.

And on Tuesday morning, Feb. 6, the firm circulated an interoffice memorandum to its associates. The memorandum stated that as of April 1 salary increases for the 105 associates would be announced.

Law students, faculty members, partners in competing law firms and a representative of Cravath, attempting to analyze the reasons behind the Cravath decision, offer slightly differing interpretations of the motives for and the advisability of Cravath's action.

But one theme dominates most explanations: Cravath and similarly prestigious New York law firms were losing their ability to attract sufficient numbers of highly qualified law graduates.

Thus what at first appears to be only a show of financial strength is considered by some to be a display of recruiting weakness. Partners in two of the best law firms

Cravath calls increases a subsidy for New York costs

in San Francisco and Boston agreed that "there is no other explanation for such an increase other than Cravath was not able to attract the law graduates it wanted at the salaries it was offering."

A member of the *Harvard Law Review*, with academic qualifications that would entitle him to participate in the salary increases if he so chose, views the Cravath decision as "a show of force — a show of financial strength. But more fundamentally," he pointed out, "New York law firms are suffering in their ability to attract the talent they want. The living conditions in New York are worse than those in Washington and San Francisco."

A prominent member of the law school faculty noted that in the early fifties, when

Basic Salary Structure Analysis

he was at the law school, about three-quarters of the *Law Review* members went to Washington or New York and New York was leading choice for the top graduates.

"This is no longer the case today," he pointed out. "Top New York firms might not get any from the top 5 per cent of the class."

Examining the reasons behind this failure to attract talent, he emphasized that New York as a city is not attractive to many graduates and that the city's former advantage of being able to offer a unique type of top level corporate practice has now been matched by firms in Los Angeles, San Francisco, Washington and other major cities.

"A much more fundamental change," the professor noted, "is that students to-

day want a more diversified and exciting life." Noting that New York remains the place where you have to work the longest and the hardest, he pointed out that most students of today do not want to spend their lives that way and you may not be able to buy them with an extra \$5,000.

Strongly supporting this professor's analysis is an incident that happened at the *Law Review* last fall. An upper New York state judge sent a letter to the *Law Review* offering a clerkship at a salary of \$17,400 per year, about twice the "going rate" offered by better-known judges. According to the President of the *Law Review*, George Crawford, "no member of *Law Review* to my knowledge responded to the offer."

George Gillispie, a partner

at Cravath, indicated that "our primary reason for increasing the starting salary is to encourage some of the men who were not able to come to New York because of the high cost of living here. We're looking at this as a kind of subsidy for lawyers coming to New York."

Mr. Gillispie said frankly "we are not really sure they are worth \$15,000 per year," but the firm's need to attract new, highly qualified talent obviously outweighs considerations of the young associates' ability to make financial contributions to the firm.

One major consideration facing the Cravath firm in reaching its decision was how other firms would react to its increase. Mr. Gillispie said, "We are very hopeful that similar New York law

(Continued on Page 11)

Squash Tournament

The Boston entry to the National Squash Team Championships, which were held last weekend at Hemenway Gym along with the National Singles Championships, reached the semi-final round. The five-man Boston team included three Harvard law men: John Thorndike, 3L, at number two, Terry Robinson, 3L, at number three, and Dick Hoehn, '66, at number five. The team defeated Amherst, 5-0; Philadelphia, 4-1; and Washington, 4-1; before losing to the top-seeded team from Quebec, 4-1.

Allen Terrell, 3L, played in the singles championship and advanced one round before losing to Charlie Ufford, '59, the fourth-seeded player. Jay Westcott, 2L, played in the team championships for the U. S. Navy Officers, who bowed to Washington in the second round.

At right: Allen Terrell in action.

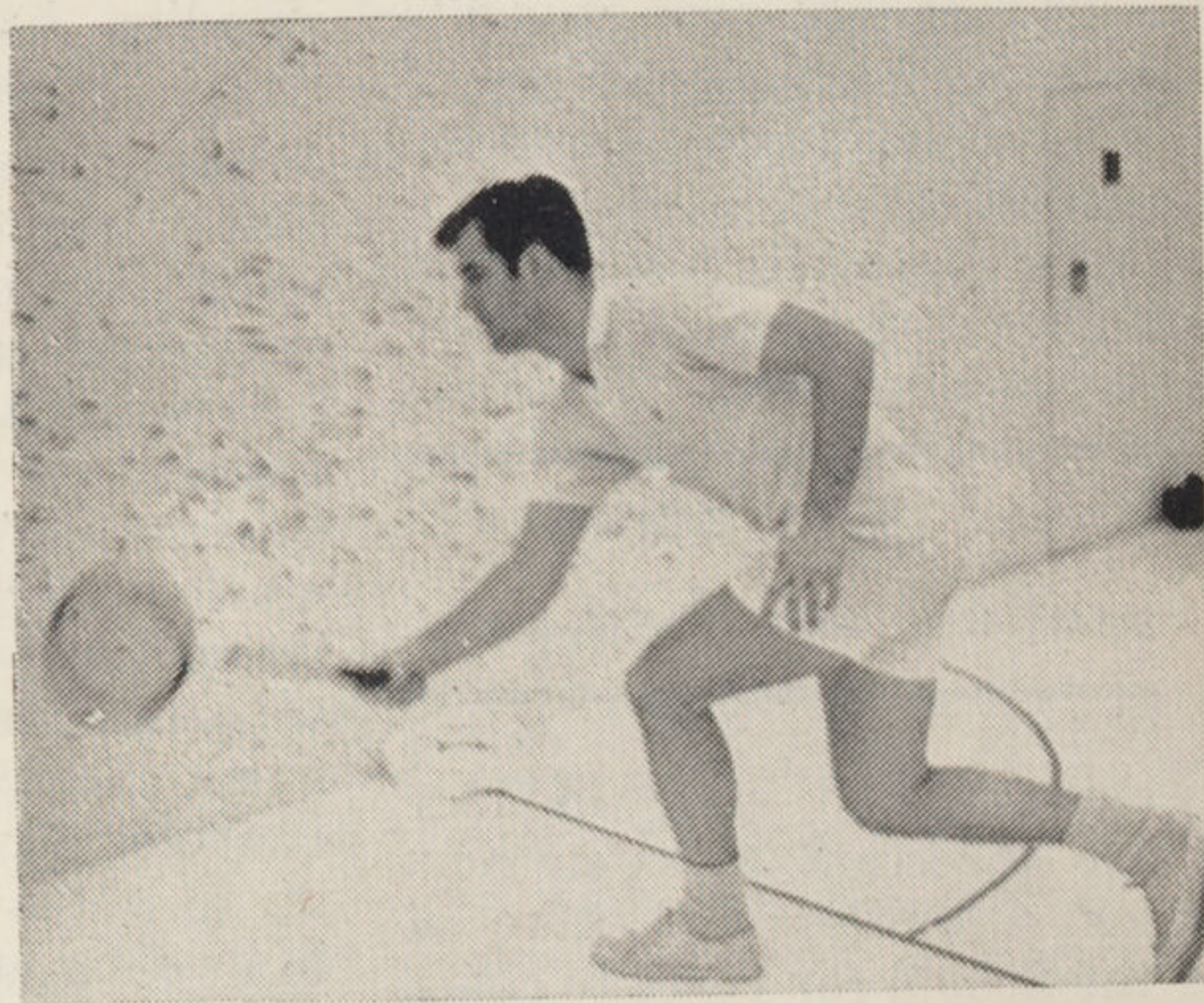


Photo by Alex Humphrey

'Other Commitments' Cause Ames Commotion

(Continued from Page 1)
to withdraw from the spring round.

To ask why such a venerable institution as the Board of Student Advisers is now faced with critical problems is to call into question the entire spirit of the Law School, since almost all students come into contact with the Board.

Participation in the upper rounds of the moot court program has long been considered one of the higher honors obtainable at the School, as is membership on the Board of Student Advisers, which in scholastic status and prestige ranks second only to the *Law Review*.

If you walk past the Board's offices in Austin Hall, you hear board members hustling about as they finish rewriting cases and preparing Ames judges' crib sheets. Secretaries type busily, interrupted only by a flow of first year students pleading for postponement of a brief exchange or oral argument or both.

Yet behind this surface of business as usual, the Board is making some hard de-

Board faces bored, proffers new bait

cisions, and the courses charted now may indicate the direction extra-curricular activities will take at the School for years to come.

"There'll always be an upper round Ames Competition," says William F. Pedersen, 3L, chairman of

the Board of Student Advisers, who adds that preparing and administering first-year Ames takes up most of the Board's time.

But, despite Pedersen's confidence, there were moments last month when some wondered whether the upper rounds of Ames wouldn't be drastically revamped, and Ted Frank, who as Faculty Assistant in Charge of the Ames Competition, prepares and runs the three highest rounds, couldn't be sure he would find enough teams to have a quarterfinal.

It started when only 18 teams signed up for the qualifying round. Chairman Pedersen was given early notice of trouble when a few entrants sought to drop out before the end of the qualifying round. Normally there have been at least 25 competing teams in the qualifying round. Hence for a team to advance to the quarterfinal, at least a 3-1 won-lost standing has been mandatory.

But fewer teams meant that entries with 2-2 records would be included in the quarterfinals and teams with 2-2 records usually feature a breed of competitor the Board hadn't needed to pay much attention to previously: students who enter Ames without thinking they have much chance to make the quarterfinal and only sign up to get a term's practice in briefing and argument.

Heading the "argue-and-run" contingent were Keeton and Story Clubs. Neither club expected at the start to

make the quarterfinals; after finishing the qualifying round with 2-2 records, members of both teams went home for Christmas with scant expectation of continuing in Ames.

But the big surprise, the quarterfinal list, was posted the night before Christmas vacation, so the rude awakening didn't come till the new year for Keeton and Story.

"We got into second-year Ames in the fall because it's

'Argue-and-run' teams qualify

the expected thing to do," explains Harold Green, 2L, who's on the Story Club team. "Having done it first year, we were more interested in it for experience than to go all the way and win."

Keeton Club had other ticklish problems. "Of our eight men," says one team member, "five had other commitments: two on CLAO (Community Legal Assistance Office), one on Legal Aid, another was working and one had just gotten married. The other three weren't interested." Last fall, he observes, "with CLAO and interviewing for the summer and Ames, I felt like a chicken running around with its head cut off."

Both Keeton and Story blame other time commitments for their decisions to withdraw. But there were further reasons, they say.

(Continued on Page 12)

Legal Aid's 'Young Turks' Take Tax Cases

By J. David Gernant

YOU CAN'T PLAN your work, because you have to do it when your clients call you," said Miss Deanne Siemer, 3L, the outgoing president of the Harvard Legal Aid Bureau. For example, if someone wants to go into bankruptcy, the law requires the preparation of many forms within forty-eight hours.

For over fifty years, the Bureau has been content to sit in Gannett House and let its clients come to it. And for fifty years, the bright students who staff the Bureau have handled almost entirely debt problems and family problems. In a way, Miss Siemer points out, this has been good, because frequently these types of cases will lead to court appearances, enabling the members to gain valuable experience. But the cases soon fall into a pattern and the students into a rut.

In the past year, the Bureau has been run by a

Time to tackle tenacious taxman

group described by Miss Siemer as "young turks." They no longer just sit in Gannett House, waiting for clients to drop in off the street—though they do that, too, and the clients do drop in, at the rate of over 1500 a year. The Bureau is now getting involved in administrative law.

IN A MAJOR RECENT shift, the Internal Revenue Service has agreed to allow Bureau members to represent indigent clients during the initial stages of IRS proceedings, and to assist attorneys at the later stages. Norton Tennille, 3L, Bureau treasurer, was in charge of the negotiations with the IRS. He received a major assist from former Dean Erwin Griswold and Professors Livingston Hall and Oliver Oldman, who were able to persuade the IRS (in the person of Commissioner Sheldon Cohen) to allow the experimental project.

The first reaction of the IRS was incredulity. As Miss Siemer put it, "The IRS has always felt that its agents look after everybody's interests." The big stumbling block was the IRS rule which required attorneys or certified public accountants to appear in IRS proceedings.

The Bureau, in a four-page memorandum written by Mr. Tennille in the day and a half before an examination last May, argued that the IRS had the discretion to change the rule. The students have won their argument and now expect to prove their point that some people have not been adequately represented by IRS agents.

At this point, no one is quite sure how it will work, but the Bureau expects to begin handling indigent tax cases in the next month or

so. No one is quite sure, either, just what kind of tax problems indigents have.

AN IMPORTANT project of the last year has been the training of fifteen students from Boston College Law School, who will next year operate a legal aid office in Waltham, under the sponsorship of their law school. The Bureau is considering a similar project for Boston University law students for next year. These will be the first university-financed legal aid offices in Massachusetts since Harvard's opened in 1913.

Under the leadership of Robert Olsen, 2L, the Bureau is drafting a set of treatises on certain areas of Massachusetts law. Already completed is a 104-page volume on the divorce law of the commonwealth. Also completed, by a committee headed by Herman Hower-ton, 3L, and Michael Eschelbacher (Boston College), is a complete reform of Massachusetts divorce statutes. After approval by the Bureau, it will be sponsored as a citizen's bill at the General Court.

THE BUREAU IS ALSO becoming involved in the field of mental health. Under a law recently passed in Massachusetts, lawyers may apparently be more useful to patients being kept against their will in mental hospitals.

(Continued on Page 11)

Ames

OVER THE LAST HALF-CENTURY the Ames Competition has proven an extremely valuable experience to thousands of students. Ames provides an opportunity to explore a case on an appellate level in a manner which most students would otherwise miss.

Perennially there has been criticism of certain features of the competition. In the spring of 1952, for example, there was a prolonged debate over judging procedures in Ames. Then as now the too-common lack of preparation among judges was strongly scored. And with reason. There is considerable bitterness in the discovery that, after you have sweated hard for a month on a case, your judges have barely glanced at your brief. But such complaints regularly recur, and it is unlikely that they are responsible for the current Ames slump, though of course they are important problems which must always be faced.

The declining interest in Ames, as well as in certain other activities, is most probably related to a growing desire on the part of students to make their out-of-class activity "count for something." In Voluntary Defenders and CLAO, for example, one bears the responsibility for a flesh-and-blood client.

The Board of Student Advisers and Mr. Frank are trying hard to increase the attractiveness of Ames by means such as the new round-robin plan, appellant-appellee parity in the qualifying round, and like improvements. But one further suggestion might be offered: make the issues in the cases more interesting, choose issues that "count." Current landlord-tenant problems, for example, are much more likely to make Ames meaningful than chasing after wild foxes.

Harvard Law Record

Thomas Geisler	President
Jack P. Tate	Managing Editor
Allan Roy Freedman	Executive Editor
John D. TePaske	Senior Editor
Richard Hoffman	News Editor
John W. Harris	Photo Editor
John B. Spitzer	Corporation Secretary
Richard Goldman	Business Manager

Photographers: Steven L. Stern, John Cooper, Ira Finkelstein, Alex Humphrey and Andrew Levin.

Cartoons by Charles Sherwood.

Staff: J. D. Gernant, Raymond Sawyer, Edward Hines, James McPherson, Stephen Goddard, Robert Bares, Lawrence Gartner, Chris Walker, Roger Lowenstein, Jack Chenoweth, Jeffrey Meldman and Frank Burgess.

Published on Thursdays ten times each semester by THE HARVARD LAW SCHOOL RECORD CORPORATION, 23 Everett Street, Cambridge, Massachusetts 02138. Subscription price: \$2.50 per semester \$4.75 per year mailed; student subscription, \$2.25 per year distributed at the Law School. Individual copies 15c each at the Law School, 25c each mailed. Business and editorial offices, 23 Everett Street, Cambridge, Massachusetts 02138. Telephone 868-7600, extension 4418.

Permission is given for reproduction of any part of an article appearing herein provided that credit is given to both the RECORD and the author of the article. Second class postage paid at Boston, Massachusetts.

PRINTED BY THE LEXINGTON PRESS, INC., LEXINGTON, MASS.

TONGUE 'N CHEEK

By Fenno

I sauntered in to the Board of Student Advisors office late one morning and told a Board member that I wouldn't be able to make the Spring round.

"All right, what's your excuse?" he mumbled wearily, obviously exhausted from passing on cop-out petitions with reasons ranging from taking a shellacking in the fall round to a general distaste for legal research.

"I plan on playing a lot of poker this Spring."

I could see his imagination scrambling for a few moments before his eyes lit up and he blurted, "Why don't you cut all your classes during the day to do Ames, play poker all night and catch an occasional cat nap after meals?"

"It's no good," I fired back, a little mad that this was going to take longer than expected. "I tried it in the Fall but my eyesight was so shot by evening that I blew a \$20 pot when I mistook a king for a jack and tried to claim my hand as a seven-to-jack straight."

"They almost threw me out of the third story balcony for cheating but backed down and only poured beer on my head so they could take some more of my money."

"I'm sure the Dean would be more than happy to buy you a pair of eyeglasses if you'll only stay on," he pleaded.

"That's the least of my problems. Another time my hands became so jittery after a day of research that I flipped over my winning hole card by mistake in a 7-card stud game. A few moments later I convulsed in coughing spasms from inhaling the dust on old reports."

But it wasn't until I told him that I had threatened a tort suit for intentional misrepresentation after I had been successfully bluffed that he scrawled his signature across my petition and told me to get out.

Letters to the Editor of the RECORD

Urge Ties With Business School

To the Editor:

Dean Bok's recent comments to the effect that he would like to see the Law School participate more fully in University life, and especially in interdisciplinary studies, find a strong echo at the Business School. Students at the B-School have hitherto tended to remain largely isolated from the rest of Harvard University; however, while links are now being strengthened with certain other graduate schools (notably Government), contacts with the Law School remain very limited.

In retrospect, it seems strange that there should have been so little contact between the Business and Law Schools, since the two have so much in common. Both schools are pre-eminent in their own fields; both have large and

fairly well-matched enrolments in their respective degree programs; and both concentrate on the case method of instruction. Above all, there is a significant area of overlap in the subject matter studied.

As individuals, we feel that both Law and Business students, who may often be working together after graduation, might also profitably work together during their academic careers and thus strengthen the understanding between the two professions.

We should like to suggest three ways in which the two Schools might act together more closely:

- (1) Joint courses in fields which are of common interest to both disciplines (such as the relationship between Business, Government and Society). These would be designed specifically for both law and business students and would draw upon

the resources of both Schools. Ultimately, this might lead to consideration of a combined MBA-LL.B program such as that offered by Stanford and other universities;

- (2) Joint seminars, sponsored by the two Schools, with faculty participation, on topics of mutual interest (e.g. urban renewal);
- (3) Joint sponsorship of projects such as the B-School's Business Assistance Program — a student-initiated, student-run program to assist Negro firms in Roxbury.

We feel that the Law and Business Schools would stand to benefit greatly from pooling their individual expertise in areas where there is a community of interest, and that the resulting interaction would prove highly stimulating to both sides.

Christopher H. Lovelock MBA '69
John W. Russell MBA '69

'Trial By Jury' For Law Students

To the Editor:

I have just received your Nov. 30 Issue where I read that the Law School Drama Society was presenting *Trial By Jury* in the Ames Courtroom.

As one of the founding members of the Drama Society, it was indeed a pleasure to see that one of the visions of 1965-66 had now come to fruition, that is, the invitation of theater groups in the Boston area to perform at the Law School. I also hope that in the future, theater personalities will be invited to informal gatherings at the Law School to meet with the students and faculty.

Wishing the 1968 "Law School Show" cast the same successes as the last three "Shows" have experienced,

James S. Friedlander, '66
Blantyre, Malawi



'Oh, come now . . . freedom of speech means freedom of speech!'

Law Text and Reference Books: First Resort to the Coop.

Look no further than the new Coop Bookstore on Palmer Street for Law text and reference books. A special section on the Third Floor is devoted to Law text and reference material. All books are prominently displayed along wide carpeted aisles and arranged so that you can find what you're after as quickly and easily as possible.

Looking for leisure-time material? Drop down to the Second Floor of the Bookstore. You'll find more than 20,000 paperbacks plus a varied selection of records unequalled anywhere.

For study-time or leisure-time material, use the Coop Bookstore as your convenient, one-stop Book Shop.



1400 Massachusetts Avenue
Cambridge, Mass. 02138

Thurs: Open 'til 9 P.M.

Reg. Hours: 8:50-5:30 Mon.-Fri.
Sat: 9:00-6:00

Park free at the Church Street Garage for 1 hour
with a purchase of \$3.00 or more at the Coop.

Happy Birthday, Dean Casner!



*C'mon baby don't you moan
I won't evict you from your mother's home
But if you die and you go to heaven
I'll bring an action of replevin*

It was 9:10 a.m. on February 7, which was just another normal day in Property except that February 7 is A. James Casner's birthday, which means trumpets and banjos blaring strains of "Call Me a *Ferae Naturae*" while birthday cakes named Blackacre and Whiteacre are sliced and champagne corks pop.

"I'm seldom at a loss for words and I'm not now," beamed the man on the podium, as he told anecdotes, blew out the candles on his cake, received a warm toast from his class, and listened to the haunting lyrics of the day's ad hoc musical ensemble.

*My girl waits by the minute and hour
For me to die so she can get her dower
But I'm afraid she's three months late
I guess it's time to subinfeudate*



Photos by Ira Finkelstein

Birthday Toast: Mrs. Casner and Class

N. Y. Firms May Stand Alone

(Continued from Page 5)

firms will adopt a similar salary policy."

Danger that major law firms across the country might match the Cravath increase and thus negative much of its effect did not concern Mr. Gillispie. He noted that increases in the wages offered by other firms are "irrelevant," because salary is not the most important consideration in whether a man joins a particular firm. What Cravath is trying to do, he pointed out, is to enable graduating law students who want to go to New York from having to go to another city because living costs are so high in the nation's largest city.

Major law firms in Boston, San Francisco, and Washington do not appear ready as yet to jump on the Cravath bandwagon.

But as one partner pointed out with slight hyperbole, "Nobody is talking about anything else."

Over a hundred firms interviewing at Harvard, not perhaps anticipating a salary increase of the magnitude now being offered, included in their letters to the Placement Office this fall statements to the effect that their salary levels will remain competitive with those in New York.

A typical example read: "Starting salaries will, of course, be competitive with those paid by major New York law firms."

Of the 98 New York firms interviewing at Harvard, about two-thirds try to keep their salary level competitive with the largest New York firms, according to Miss Eleanor Appel, Director of the Placement Office.

The managing partner in a large Boston firm stated: "My own feeling is that there will be very few firms outside New York that will want to follow Cravath's lead. This increase is not as world-shaking as it first seems. I think there will be a lot of students who will not like the prospect of two and one half years without an increase or a bonus. Initially associates may like the high starting salary, but I believe there will be a delayed negative reaction."

Charles Renfrew of Pillsbury Madison & Sutro in

(Continued on Page 14)

Legal Aid Overcommitted

(Continued from Page 7)

their will in mental hospitals. Kenneth Bachman, 3L, is now handling the case of a young woman who has been committed and who is in fact mentally ill, but poses no danger to herself or to society, and who wishes to be released. He will argue that the only legal basis for commitment against the will of the patient can be the patient's tendency to harm herself or others.

With the supervision of all this increased activity consuming between thirty and sixty hours of her week,

Events of Note

The Business School is hosting a Harvard Graduate Schools "Dixieland Evening" in Kresge Hall on Saturday, Feb. 17, from 8:45 p.m., with the band of Your Father's Moustache. Tickets (at \$3.50 a couple, or \$2.00 single) may be purchased in Harkness Commons on Thursday from 5:30 to 7:00 and Friday from 12:15 to 1:45. Kresge Hall can be reached from Soldiers' Field or North Harvard Street.

An all day conference on Selective Service and Military Law will be held on Saturday, February 24, in the Ames Courtroom from 10 a.m. to 6 p.m. There will be presentations in six major areas, including "Registration, Classification, and Physicals" and "Resistance and Dissent."

Dr. Carl Kaysen will deliver the Oliver Wendell Holmes Lectures on "Is Enough Competition Enough?" Tuesday and Wednesday, March 5 and 6, at 8:00 p.m. in the Ames Courtroom. Dr. Kaysen is the Director of the Institute for Advanced Study, Princeton.

Miss Siemer understandably looks forward to the March 11 elections.

She is concerned that the Bureau is committed 40% beyond its personnel (the Boston College contingent has been most helpful in enabling the Bureau to expand its activities), and that the Bureau's budget is so small (\$10,910.32, according to the report on fiscal 1966, not increased in the last two years). She expects that the Bureau will have to admit more students to membership next year in order to maintain the gains it has made in the last year.

Petitioners Haven't Won Final

(Continued from Page 6)

Referring to all of Story's fall arguments, club president John Shelley notes, "They had pretty bad experiences with the quality of judging in the fall." Mr. Green complains about a certain lack of feedback: "After the argument, a lot of the judges just took off."

Case in Point

"I got the impression they could've spent more time preparing," concludes the man from Keeton Club. "After we filed our brief, the Supreme Court handed down a decision which didn't decide our case but came awfully close. We made a big deal about it but the judges didn't even ask us about the case. I couldn't understand how a decent judge couldn't know about this."

"Their decision was mainly a matter of point scores,"

he adds, "and when we asked if we had established new constitutional rights (it was a criminal case), one of the judges, a *Law Review* guy, said, 'Oh yeah, there must've been some constitutional rights involved.'"

The Keeton team made no bones about its intention to get out. As a result, it was able to withdraw from the quarterfinal. Story Club wasn't so successful.

According to team member Green, Story's request was phrased a good deal more moderately than Keeton's. "We sort of said, 'If there's a way of letting us out, OK,'" he says. For a

while there was a way, but the two clubs slated to replace Keeton and Story in the quarterfinals — Kent and Sacks — each found themselves with only half a team, so only one substitute was found and it was christened Kent-Sacks.

Both clubs apparently were subject to the possibility of sanctions if they failed to cooperate with the Board and remain in the program. "We were threatened with being barred from extracurricular activities for the rest of law school and with unfavorable notations on our permanent records," reports Mr. Green of Story Club, and a Keeton team member con-

SQUASH RACKETS

Tennis & Squash Shop

67A Mt. Auburn St., Cambridge
#1 Tennis Retailer 1967

Professional Dry Cleaning and Shirt Laundry

at

Rite-Way
CLEANERS

KI 7-8008

4 Hudson St., Cambridge
(off 1672 Mass. Ave.)

WE HONOR YOUR DISGUISE

Gino & Mike Barber Shop

Opposite Holiday Inn
ONE BLOCK FROM
LAW SCHOOL

Five barbers for better service
1638 Mass. Ave., Cambridge
EL 4-9790

CHICKEN DELIGHT

UN 4 - 0520



Free
Delivery
Complete
Chicken,
Shrimp, Fish
Rib and Clam
Dinners
Also Pizza
Hrs. Mon. 4-8
Tues. - Sat. 4-11
Sundays &
Holidays 11-11

AMES BRIEFS—III YEAR PAPERS XEROXED

5¢ 1st copy of original
3¢ 2-10 copies of original
2¢ every copy over 10

GNOMON COPY SERVICE

492-7767

99 MT. AUBURN STREET

OPEN 9 - 9 MON. — THURS.

9 - 6 FRI. & SAT.

of Ames Argument Since 1961

tends his club was also threatened similarly.

"I don't think they'd have carried out the threats," Mr. Green speculates, "because they didn't with Keeton, but just the fact that they were threatened was disturbing." Says a Keeton member, "If Story'd yelled a little sooner, they might've gotten out."

Participation decline has accelerated the Board's efforts to improve the upper rounds of Ames. "CLAO didn't take enough people to account for the drop in second-year Ames participation," says Board chairman Pedersen, "but the fact that

tivities which are both closely related to reality outside law school. Emphasis on writing has proven difficult, since response to such efforts was small, so small that there weren't enough competitors to hold the Wiliston drafting contest.

Consequently, more attention has been given to tightening Ames' weaknesses. Mr. Frank, the faculty assistant, has concerned himself with trying to even the chances of appellant and appellee, which as the accompanying chart shows, have appeared widely uneven in past years.

"We postponed the record

Frank has aimed for simpler facts to reduce the burden placed on the appellant, who must state them. Finally, the appellant now possesses more discretion in how many

RECENT AMES RESULTS

Finals (last 7 years)

Petitioner	1
Respondent	6

Semifinals (last 5 years)

Appellant	3
Appellee	7

Quarterfinals (last 4 years)

Appellant	6
Appellee	10

AMES COMPETITION WINS

(First final — 1923)

	Quarter-finals	Semi-finals	Finals
Appellant	62	42	13
Appellee	80	42	29

everyone says CLAO did it means that the CLAO spirit did it."

The Board realizes that many students now seek ac-

conference," he explains, "because one of the losing teams said it would've done better if it had more time to read the record." Mr.

pages to allocate between initial and reply briefs in the final round.

In addition, each team which participated in this year's qualifying round was twice in the stance of appellant and twice, in that of appellee.

With regard to the team drop-outs, Mr. Frank observes, "I don't think there was full realization that success in the qualifying round
(Continued on Page 15)

MOVING?

Reserve Your Date Now

Boston's Oldest Moving Company

United Van Lines Agent

Free Estimate and Advice on Packing, etc.

William McDonald Co.

34 E. Concord Street

Boston, Mass.

CO 6-3388

INSURANCE

W. T. Phelan & Co.

INSURANCE AGENCY, INC.

Harvard Square
at 11 Dunster Street
Telephone 876-0876

BRODIE AUTO RENTALS

Lowest Rates
in Harvard Square
491-7600
90 Winthrop St.

Students Warned to Watch \$8500 v. \$85

(Continued from Page 11)

San Francisco said, "This move will require all major firms to undertake a very thorough and exhaustive analysis of their salary structure, internal partner associate relations and employment practices."

Fun City

"I don't think," he continued, "that the responses of other firms will parallel those of the New York law firms since the Cravath increase was a response to problems faced by New York firms."

Miss Eleanor Appel, placement director, cautions students to be very careful in discussing salary with law

firms despite the general tendency of law salaries to be much higher in the past few years.

'Eighty-five What?'

"In an interview last fall," she said, "a representative of a law firm offered a law student 'eighty-five.' The student accepted the offer, thinking he was being offered \$8500 per year. It later turned out that the law firm representative meant \$85 per week."

Even though the Cravath increase, despite the elimination of bonuses and automatic wage raises, remains substantial, the salaries of senior partners in firms such as Cravath are said some-

times to reach the \$200,000 a year level.

No Fee Raise Seen

In fact, a recent income profile of the class of 1932 indicates that those graduates who are now in a firm of 51 attorneys or more average \$97,800 a year from legal fees alone with a total average income of \$147,000 as of 1966.

Thus, the major salary increases are unlikely to leave the partners in financial straits—in fact, Mr. Gillespie of Cravath indicated that the increases would not even result in upping the fees to clients.

SAKS FIFTH AVENUE UNIVERSITY SHOP

*Complete selection of
MEN'S CLOTHING
in traditional styling.*

SAKS FIFTH AVENUE

73 Mount Auburn Street
Cambridge EL 4-7120

THE MISSES LITTLEFIELD

HARVARD SQUARE

Professional Typist

Room 306

4 Brattle Street TR 6-7495

THE NEW DRAFT LAW:
A Manual for Lawyers and Counselors. Deferments, classifications, filling out official forms, defending criminal cases, habeas corpus petitions; text, discussion of new act, new Regulations. 140 large pp. Box 673, Berkeley, California 94701. \$10 soft cover; \$5 looseleaf for law students.

Harkness doldrums? Try

The Tasty

*"A little restaurant
with lots of esprit."*

Right in the Square

LENNY'S GULF

Complete Car Service

1725 Mass. Avenue, Cambridge, Mass.

Repair and tune-up facilities open evenings.
Repairs done while you study.

Snow Plowing

Road Service

354-9203

Some First-Year Ames Teams Argue Twice

(Continued from Page 13)

obligated them to go on." Adds Professor Donald Trautman, who advises the Advisers: "It does come as a surprise to me that some thought the qualifying round wasn't a qualifying round."

Improvement of judging should be easier since there are fewer teams in the qualifying round, but whether the Board and Mr. Frank intend to go so far as asking judges to look a bit more kindly on appellants remains an open question.

Round-Robin Plan

Meanwhile, there's a new look in the first-year spring Ames program. A round-robin system, in which two-man teams argue both sides of a case on consecutive nights, involves 32 first-year

participants. The experiment, which was suggested by Professor Charles Nesson, "takes away something of the adversary system and puts them in almost a judicial role," comments Gary Moore, 2L, a board member who helped to set up the program.

No Vacuum

Speculation about the future of Ames and Board is made more difficult by the fact that "next year's Board" will be making many of the decisions which could shape student reactions to the competitions. Most of those in charge of the programs, including Messrs. Trautman, Frank and Peder-

sen, are inclined to view the decline in Ames participants and the demise of Williston with equanimity as long as the void is filled with equally promising activities.

"If people don't want to put work into Ames, then it's not going to be very worthwhile," comments Prof. Trautman, and Mr. Frank adds, "For a number of students, Ames doesn't need to occupy the role it has in the past."

Formalize Process

Mr. Pedersen expects to formalize the process of excusing first-year students from spring Ames.

"I've regretted excusing some people," the chairman admits, but he doesn't think those excused were motivated solely to get out of Ames. In the future, specific organizations may be allotted a set number of students. These include such activities as the California tenant farmer and draft resistance research projects.

Yet once the excusing
(Continued on Page 16)

CRONIN'S

114 MT. AUBURN ST.

Famous for Steaks
Chops & Sea Food

\$.99 SPECIALS

Good Food on a
Student's Budget

Choice Liquors, Wines and
Imported Beers

—SAMPLE DAILY SPECIALS—

Soup or Juice

Roast Rump of Beef

French Fries — Tossed Salad

Rolls & Butter — Beverage

Dessert

\$1.50

Tel. EL 4-1366

Used & New Law Books

LAW SCHOOL AIDS

Bought — Sold

HARVARD BOOK STORE

1248 MASS. OPP. LAMONT
TR 6-9069

SKI EQUIPMENT

Large Variety — Famous Brands

Tennis & Squash Shop

67A Mt. Auburn St., Cambridge
Opp. Lowell House — TR 6-5417

Cambridge Tower of Pizza

EAT IN TAKE OUT
DELIVERY SERVICE

Pizza Subs Spaghetti

1728 Mass Ave.

Ph. 868-7000

COIN — OPERATED

**Dry Cleaning
POLY CLEAN**

Open 7 a.m. to 11 p.m.

1685 MASS. AVE.

(between Harvard
& Porter Squares)

Ames Competition . . .

(Continued from Page 15)

process starts, as it has now, continuation is inevitable. And according to Pedersen, although the school stands solidly behind Ames in the first year, the prevailing faculty attitude toward the higher rounds could be stated: "If Ames is going down, well, people should do what they want to."

Heavy Schedule

The Board itself expects to be in business indefinitely. Its members report

back to Cambridge two weeks early in order to revamp first-year cases. Work on the first-year program occupies most of the members' time. "The Board still works harder than Legal Aid," asserts Mr. Pedersen.

New Flick?

Next year's Board will be faced with the need to revise "Introduction to Advocacy," a project embarked upon every third year. And some day, the Board may recruit thousands more extras to

star in a remade "Case in Point." "It'd be nice to seek some exciting new problem," Pedersen says, "but most of the demand is for work done outside the school or current library research."

Better Cases

And one silver lining to the smaller number of persons participating in the Ames Competition is that individuals will receive better and more interesting cases. Pedersen explained that the cases would be better because they would be taken from the top of the pile.

EXETER STREET THEATRE

Exeter and Newbury Streets
Boston

ELVIRA MADIGAN

(In Eastman Color)

1:35, 3:10, 4:45, 6:20, 8:00, 9:40

"A movie of Exceptional Beauty!"
—New Yorker

KE 6-7067

Exotic

VISIT THE

TAJ MAHAL

INDIAN RESTAURANT and
GIFT SHOP

meat, vegetable, and fish curries
mint chutney, rice pilau, pakoras

14A Eliot Street, Cambridge
354-4764

HARVARD SQ.

UN 4-4580

"THE BATTLE OF ALGIERS"

2:00, 5:45, 9:35

"THE SLEEPING CAR MURDERS"

4:10 and 8:00

Next attraction:

"ULYSSES"

BRATTLE SQ.

TR 6-4226

Through February 17

Jean-Paul Belmondo

Jeanne Moreau in

"BANANA PEEL"

February 18-19-20

Jean-Paul Belmondo

Catherine Deneuve in

"MALE HUNT"

Shows daily 5:30, 7:30, 9:30

Matinees Sat. and Sun. at 3:30

February 21-24

"WOMAN IN THE DUNES"

Daily 5:15, 7:30, 9:45

ENTERED AS SECOND CLASS POSTAGE. BOSTON, MASSACHUSETTS.

RETURN ADDRESS:

HARVARD LAW RECORD
MAIL DEPARTMENT, LANGDELL HALL
HARVARD LAW SCHOOL
CAMBRIDGE, MASSACHUSETTS 02138