

HARVARD LAW RECORD

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FIFTEEN CENTS

Pass-Fail Rejected For Now

By Richard Hoffman

There won't be a pass-fail grading system at the Law School this term unless the faculty's special committee on examinations, grading and related matters (better known as the Keeton Committee after its chairman, Professor Robert Keeton) changes its mind.

"With respect to the current year we would state that although the question of restrictions on use of grades before the start of the third year remains open, there is every likelihood that a pass-fail system will not be instituted — in other words, that examinations will be graded and the grades recorded," the committee said in an interim statement released March 27.

A number of students returned copies of the statement to the committee, after writing "fail" at the top of the first page.

Others considered organizing a scheme for students to number their exams and for a list to be kept. When told which numbered papers were graded failures, the students would release these names to the school but all others would be graded "pass" since they could only be identified by numbers.

A mass student meeting was planned for some

time this week by first-year grade reform leaders. It's possible that some sort of demonstration will occur at next Tuesday's faculty meeting.

While grade reform leaders found the Keeton panel's statement wanting (a reply, "The Trouble With the Interim Report," was distributed), the RECORD has learned that other students are making plans to quietly oppose, by force if necessary, any exam strike which would attempt to bar students seeking to take exams.

The Keeton Committee's statement also noted that:

- The committee has formed a clear consensus upon both "the need and practicability of moving promptly to increase and diversify the opportunities for law students to demonstrate their legal accomplishment and capability, beginning in the first year."

- "There is also agreement that students can and should be given more guidance about their achievements and shortcomings in legal education."

- "Our discussions concerning the grading of examinations have covered the entire range of possibilities . . . We have reached no final consensus on the merits."

Further communications to the committee are welcomed.

Prof. Henry M. Hart Dies After Brief Illness



Prof. Henry M. Hart, Jr.

Professor Henry M. Hart, Jr., an authority on American legal institutions who joined the Law School faculty in 1932, died March 24 after a brief illness. He was 64.

Professor Hart was best known for his work in the fields of Federal courts and the legal process. He succeeded to the course in Federal courts taught by the late Felix Frankfurter, under whom Professor Hart studied for his S.J.D. degree. With Professor Herbert Wechsler of Columbia Law School, Professor Hart wrote the widely-used casebook, "The Federal Courts and the Federal System."

For that book, Professor Hart received the Presidential Certificate of Merit.

The course on the Legal Process at Harvard was developed by Professor Hart. His pioneering enterprise, designed to relate the resources of the legal system to the demands made upon it, became a model for similar teaching experiments in other major law schools.

Colleagues noted that, as a legal scholar and critic, Professor Hart insisted on reasoned articulation of legal decisions, sharply disagreeing with those who meas-

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Dershowitz Discusses Preventive Jailing

What started as a rehash of his recent article in the "not so Republican" New York Review of Books ended as a not-so-conventional discussion of crime prevention when Professor Alan M. Dershowitz addressed an over-capacity crowd in the Mallory-Smith Room on "preventive detention" prior to vacation. The talk was sponsored by the Republican Club.

Prof. Dershowitz, who combines expertise in criminal law and psychology with a pragmatic sense, flatly stated that the single most efficient way to reduce the amount of urban crime, which he definitely feels has been on the rise, would be to legalize heroin use and authorize the supply of "maintenance doses" to certified addicts by qualified physicians.

\$100 a Day

Currently, he explained, an addict requires about \$100 a day in order to supply his habit. In turn, with a fence rate of 5 to 1, this requires an addict to steal approximately \$500 worth of goods. The amount of crime required to feed this habit becomes staggering when estimates of up to 250,000 addicts in New York City alone are considered.

Things have gotten so bad, Prof. Dershowitz related, that addicts have begun to organize. With the advent of extensive branch banking, it has become relatively easy for addicts to share the proceeds of one large haul which a member of the group has made.

Added Advantage

An added advantage of the legalization of heroin would be that it would take profits away from the kingpins of organized crime. "As long as society still believes it can legislate individual morality, the Mafia will be around," observed Prof. Dershowitz. "But, at least, they would be out of this area."

Earlier, after disagreeing with those who would urge a total system of confinement during the

period between arrest and trial, and "just as strongly" disagreeing with the American Civil Liberties Union stand favoring abolition of all detention during this period except in cases where there is cause to believe the defendant will flee the jurisdiction, Dershowitz outlined a limited experiment in "pretrial detention."

Dershowitz Plan

The Dershowitz plan, which was recently presented to Congressional investigators, would involve judges making a prediction of a particular defendant's likelihood of committing certain types of crimes while on pre-trial release. Then, one-half of those thought dangerous would be allowed to go free.

Such a system, as opposed to one in which everyone would be released, would provide judges with needed incentives to be accurate and discriminating in the analysis and also provide the system with a group whose later conduct could be compared with that predicted for it.

In the end, the result of such an



Prof. Alan Dershowitz

experiment would hopefully be a fair and impartial pre-trial evaluation and detention system which would strike some sort of happy medium between a system which would score highly on crime prevention but would involve the needless detention of those not actually dangerous and a system which would detain few harmless individuals but would also do little in the way of preventing crime.

Tuition Increase Probable

The Law School administration has tentatively decided not to increase tuition for next year, but predicts a "substantial increase for 1970-71."

More substantial student withdrawals, however, could result in a tuition raise next year, an administration spokesman noted. A substantial increase was made for the 1967-68 school year and the school has generally sought to raise tuition only once every three years.

Tuitions of \$2000

Several other leading private law schools have tuitions well in excess of \$2,000 and the tuition for most other schools in the Uni-

versity will be increased from \$2,000 to \$2,400 next year.

The spokesman indicated that "a large part of a projected deficit will arise from losses in the student body attributed to current draft policies..." This "projected deficit" will result "in an operating deficit that could exceed two hundred thousand dollars."

Steady Increase

Because of the steady increase in costs, it is predicted that "the deficit in 1969-70 will grow still larger in 1970-71 unless tuition is raised. As a result, students may expect a substantial tuition increase in 1970-71, and applicants seeking admission next year will be advised to this effect."

Bruce Club Wins Ames Final

By Jack Tate

The Bruce Club won the final round of Ames Competition March 18, defeating the Sung-Kun Club in a split decision, before former U.S. Supreme Court Justice Arthur J. Goldberg, Justice Ammi Cutter of the Supreme Judicial Court of Massachusetts, and Judge Edward T. Gignoux of the U.S. District Court, Maine.

The two clubs confronted each other in a case modeled after *SEC V. Texas Gulf Sulphur*, 401 F.2d 833, with the primary difference being the substitution of private plaintiffs for the SEC. The litigation currently pending against Texas Gulf Sulphur includes total claims of about \$450,000,000.

No Decision

The Judges didn't offer any decision on the merits of the Ames case. The Bruce Club was selected as winner because two of three judges felt that it did a better overall job on the briefs and in the oral argument.

Goldberg, in an unusual departure from platitudinous praise offered by most judges at the conclusion of upper round Ames arguments, criticized the briefs of both teams for various faults, including citation of too many cases, failure to include sufficient factual components in the legal arguments and insufficient thought to simplified organization. Judge Cutter, seemingly emboldened by Goldberg's remarks, criticized the briefs of both clubs, but particularly that of the Sung-Kun team for too little concern for detail in some citations.

Winning Oralists

The winning oralists were Larry Estridge and Tom Tinkham of the Bruce Club. The Sung-Kun oralists were Timothy Dacey and Dennis Lynch. Aiding on the Bruce Club brief were Michael Berner, Brief Captain, Scott



Mike Lurey

Former Supreme Court Justice Arthur J. Goldberg, Justice Ammi Cutter of the Massachusetts Supreme Judicial Court, and U. S. District Court Judge Edward T. Gignoux of Maine preside at last month's Ames final.

Aiman, Jonathan Lane, Cliff Russell, Lawrence Ruzow and Jack Tate. Philip Burling served as Sung-Kun Brief Captain. He was assisted by Andrew Levy, Daniel McAuliffe, Paul Meyer and Stephen Suffern.

Goldberg's criticism of the Ames teams was not his only unusual departure from normal practice. In the midst of Larry Estridge's argument, Goldberg started waving his arms trying to signal Tim Vanderver, a member of the Board of Student Advisors who was serving as clerk. Unfortunately Vanderver was looking the other way so Goldberg tried to signal Ted Frank, faculty advisor to Ames Competition.

Motioned to Bench

At last Vanderver happened to turn around. Goldberg motioned him to the bench and whispered something to him. Vanderver seemed not to understand and he appeared to ask Goldberg to repeat what he had said. Finally Vanderver walked down to the oralist desk and began to whisper a message to each of the oralists

except Estridge who, undaunted, was proceeding with his argument.

What was the cause of all of this turmoil?

Goldberg had noticed that all of the oralists except Estridge had failed to button their coats — a Supreme Court requirement. Estridge not only had buttoned his coat but also was wearing a vest — which under the Supreme Court Rules is a substitute for buttoning one's coat.

A Rare Night

In what truly was a rare night for Goldberg, the former justice repeatedly referred to Professor Loss as "Professor Lose." Until those unflattering references, Professor Loss had been basking in the limelight of having his name frequently mentioned (and correctly pronounced) as pre-eminent authority in the field.

Professor Loss' facial expression turned noticeably sour after Goldberg's second mispronunciation of his name proved that it was error based not on a slip of the tongue but on unfamiliarity with Professor Loss' name.

Harkness Food Contract Under Review

By John York

Harkness Commons may display the "under new management" sign in the near future. The Law School, the Graduate School of Arts and Sciences, and the Harvard Food Services are now reviewing the present food service contract for the dining facility.

Currently, Harkness operates under contract with Stouffer's Management Food Systems. This Cleveland-based firm — a division of Litton Industries — also provides food service for M.I.T. and the Top of the Hub Restaurant in the Prudential Center. They want to stay at Harkness.

An Excellent Job

"The manager of Harkness, Mr. Green, has done an excellent job," according to Secretary of the Law School William L. Bruce. "He is courteous and listens to complaints. But he is about to retire."

All personnel, except for the manager and two dietitians, are employees of Harvard University and union members. The account-

ing and much of the purchasing is done through the University (which directly manages all other dining halls at Harvard). Stouffer's is paid a management fee.

Recent hikes in food prices reflect the rising food and labor costs that were forcing Harkness to operate at a loss (which had to be made up from the general budgets of the two schools concerned).

Besides Stouffer's, contractors under consideration include: Marriott Corporation; Restaurant and Waldorf Associates (both suggested by the Law School Visiting Committee); Wilbur's (suggested by Harvard Food Services); and Saga Food Services

(suggested by the Law School Dormitory Council). The last two firms are locally based. The Dorm Council and Mr. Bruce are now meeting with the different contractors.

Too Dainty

Mr. Bruce indicated that a recurrent complaint seems to be that portions at Harkness are too dainty. "Yet," he adds, "students trying to eat elsewhere around the Square find that they can't get the same quantity and quality for as low a price." Further comments and suggestions for improvement (preferably in writing) are welcomed by Mr. Bruce. They may be given to him or to officers of the Dorm Council.

Business Policy Course Scheduled

In the spring semester next year, the Law School will offer a three unit course on Business Policy for third year students taught by Professor C. Roland Christensen of the Harvard Business School. Consultation with representatives of the Business School suggested that Business Policy was the Business School course with the widest relevance and interest to Law Students.

In view of the distance to the

Business School and the problem of schedule conflicts, it was considered advisable to offer the course at the Law School. The course is primarily designed for those students who would like some exposure to the Business School curriculum without desiring to do intensive work there. In this sense, the course will complement any joint MBA-JD program that may be provided by the two schools.

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Prof. Henry Hart Dies After Illness

(Continued from Page 1)

ured quality of judicial performance by results alone.

Practitioner as well as scholar of the Federal courts and system, Professor Hart served in Wash-

Law and Ed Schools Open Joint Center

Harvard Law School and the Harvard Graduate School of Education have jointly established a Law and Education Center at Harvard. The Center will undertake research on equality of educational opportunity, considering the broad legal and educational issues that give scope and dimension to that concept.

The Center plans to make the research widely available to professionals, politicians, and community leaders dealing with these issues. To that end, it will sponsor colloquia and seminars. It will also also publish a journal which discusses the center's research, and reports on and analyzes litigation, legislation, and schooling proposals which are related to the basic policy questions in which the Center is interested.

The Center invites applications for two positions. It will begin functioning formally this summer and its staff should be prepared to begin work by July 1. The Center's publication will require an editor, who will have primary responsibility for shaping its form and content. The editor should have had previous writing and editing experience, and should also have had some training in either law or education. A staff associate will work both with the director, planning the Center's activities, and will assist the editor. The associate should be a capable writer, interested in undertaking a variety of administrative tasks. Those interested in either of these positions may send resumes to 715 Larsen Hall, Harvard Graduate School of Education, Cambridge, Massachusetts.

ington in 1937-38 as head attorney in the Office of the Solicitor General and in 1940-41 as special assistant to the Attorney General assigned to the Immigration and Naturalization Service.

He also served as associate general counsel in the Office of Price Administration from 1942 to 1945 and as general counsel of the Office of Economic Stabilization in 1945-46.

Born in Butte, Mont., in 1904, Professor Hart served as editorial chairman of the Harvard Crimson while an undergraduate. He was a past president of the Harvard Law Review. He was awarded the A.B. degree summa cum laude in 1926, the LL.B. magna cum laude in 1930 and the S.J.D. degree in 1931, all from Harvard.

On then-Professor Frankfurter's nomination, Professor Hart became law clerk to Justice Louis D. Brandeis of the United States Supreme Court in 1931-32. He was awarded an LL.D. honorary degree by Columbia University in 1954 and had been scheduled to

receive an honorary degree from Yale this June.

Appointed Assistant Professor of Legal History in 1932, Professor Hart served as Professor of Law from 1937 to 1957, when he became Charles Stebbins Fairchild Professor of Law. From 1961 until his death, he was Dane Professor of Law, the chair first held by Joseph Story and later by Samuel Williston.

Professor Hart was a member of the board of syndics of the Harvard University Press and was accorded the unusual honor of delivering the Oliver Wendell Holmes Jr. lectures in 1963 at the Law School.

At a memorial service for Professor Hart held in Appleton Chapel in Harvard Yard March 27, Dean Bok and Professors Freund and Sacks spoke. Professor Hart is survived by his wife, the former Mary Jane White whom he married in 1932; a sister, Mrs. Elliott DeForest of Seattle, Wash.; and by one daughter, Miss Elizabeth Hart of Seattle.

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Law School Show Wows 'Em

New Yorkers will be treated tomorrow night to a special performance of the 1969 Law School show, "The Spider People," which crept into Cambridge March 14 and played to packed houses on five evenings. Students at New York University Law School, where the show will be presented, should find the musical comedy a fine evening's entertainment.

It should be evident by now that the Drama Society has set ever higher standards for itself with each year's production. Last year's "The Jealous Mistress" was the occasion when everything meshed so perfectly and moved so smoothly that one wondered whether George Abbott hadn't really brought a Broadway tryout to Cambridge.

When every aspect of a show hits the target, it's hard to single out individuals. And the makers of this year's tuner rode into rehearsals with laurel wreathes aplenty, especially composer-pianist George Selden, 3L, and director Curt von Kann, also 3L. "The Spider People," however, was the kind of show where you begin to notice who's clicking.

If you haven't heard the basic plot outline by now, it concerns a 1L who sells his soul to the devil's emissary in return for finishing first in the class, a prerequisite for capturing the affections of the toothsome heroine. Given this thread, authors Mark Brown, Don Passman and Dan Shulman, all 2L, spun their "adventure in the seamless web" that is the Harvard Law School: deans and drill sergeants bustle about while law wives and less typical worthies scurry across the stage.

Most worthy of unrestrained applause was Ed Overtree, 3L, who as "The Spirit of Law" did no less than hold the whole show together. Overtree can deliver a line, terp, hoof and be heard in the last row (the last trait being one which others in the cast might imitate). Overtree's stage presence brought down the house last year. This time, he wisely sidestepped the director's chair to hold down the crucial role. As long as he appears on a



Howard Sweet

stage, nobody need ask whether Princeton's Triangle (from whence he came) is still doing business. A superb performer.

As usual, director von Kann has snared two solid leads in David Sonenberg, 1L, who plays the soul-seller to Overtree's Mephisto, and Gretchen Hackbarth, a B.U. drama major who is attractive enough to be anyone's goal in life. And in the second-act number, "Sales Talk," she proves she can hold her own as a songstress.

Alas, some other capable performers weren't blessed with good enough material. Noah Griffin, 2L, last year's Wunderkind, probably has the finest voice of the company but except for a snappy opening number with Overtree and Sonenberg, he's mute until the finale. Joe Alviani, 2L, perfectly cast as Sgt. Kilgook, did a great job with the few decent lines he was accorded.

The show's personnel continuity over the past three years has resulted in solid performing well down the line. Barbara Lanckton, as Rosy, a spurned-until-the-end husband-hunter, has been in so many local productions that she's finally getting

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As Cast Heads for New York

around to finishing her honors thesis at the 'Cliffe. It was her third straight show for Lesley junior Bryna Rifkind, a lass whose "Comic Strip" roused a crowd that hasn't been at Harvard long enough to remember the Old Howard.

Barry Chase, 2L, did very well as dean of the Law School, especially in the always-difficult chore of opening the show. If anybody was to blame for the weak army scene it was the authors, one of whom, Mark Brown, was able to perk up the proceedings with great gusto time and again as U.C.C. Man, a latter-day, legal-eyed Clark Kent.

One left Peabody Auditorium with fewer of composer Selden's tunes lingering in the mind than last year, but for the most part, the music was a high point of the show. "D.C. Bach" was this year's showstopper. Since this reviewer was sitting further back this year, due to preemption of the front pews by a Marshall Club theater party, he experienced a few instances of singers being drowned out by the piano and occasional lapses in voice projection onstage.

Having been informed of the strain that this year's choreographic improvements put on the cast principals, one is loath to echo complaints made by another reviewer concerning the alleged simplicity of the dance numbers. Suffice it to say that they fit well the spirit of the show and certainly the talents of everyone but Overtree and Griffin, whose deft stepping gave the cast something to emulate.

The show's lyrics by Jed Rakoff, 3L, were clever, and occasionally cried out for a Martyn Green to do them justice. By the second performance, most of the technical crew was in the groove, although a spotlight now and then went astray. Scenery was stark but appropriate, and there was enough set-shifting needed to allow for many front-of-the-curtain sketches, which as with last year's show, were a strength of the show.

Whoever thought up the idea of putting a Hitler mustache on Robert Englehart, an LL.M. candidate from London cast as an imitation Alec Guin-

ness in "The Bridge Over the River Kwai," blew it. Englehart did as best he could in the unfortunately-written Army scene. Indeed, about the only fault in director von Kann's work was his allowing this scene to end the opening act. It seemed like a century between laughs.

Anne Jenness and Ken Hamm were excellent in supporting roles, while Vance Koven was acceptable in a lavender slot. Nice work in blackouts was done by Jim Meade, 3L, as what the more odious sort of Harvard lawyer becomes in the years after graduation, and Richard Brodsky, 1L, who teamed



Howard Sweet

with Chase in a snappy closing turn.

It's too late this year to do anything about the cast clique which burst into applause from the balcony at some inappropriate moments. And it probably wouldn't have mattered what the visiting faculty players did onstage—they've become a special extra feature which gives the show a needed boost. On the evening this reviewer was present, Prof. Andrews was a standout and Dean Bruce

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Henry M. Hart, Jr.

Someone different, tough-looking, a craggy-faced man, an original: those were a few of the first impressions students had of Professor Hart. And if later they were to learn that the toughness was the sign of a mind accustomed to hard thinking, or that being an original meant the professor put his own concepts and principles on the line (after an excruciating amount of self-debate), the students still found they had met an extraordinary man.

We need not remind ourselves at length that Professor Hart's name will survive in his work. Aside from the memorable volume on the Federal courts and the Federal system co-authored with Professor Wechsler of Columbia, for which Professor Hart was awarded the Presidential Certificate of Merit, students will continue to rely on the massive materials of the Legal Process course. And these tell as much about what kind of man Professor Hart was as anything else could. Here was a man who refused to allow his superlative book to be published although he had put it together many years ago; Professor Hart would be satisfied with no less than perfection.

Thus he could tell a mass meeting of students last December, most of them earnestly striving for student participation and other reforms, that they might well remember that the Law School's faculty consisted of men who had devoted their lives to teaching law. It was his only way of drawing a line between teacher and student and it was done in the grand manner.

Most indicative of Professor Hart's special place at the Law School was the reaction of other members of the faculty present at the meeting to his testament. He had summed it all up so succinctly yet with so much spiritual fire that they could add little. And students who never would have the chance to match their powers with Professor Hart in class could say they had seen the man at his best.

In certain respects, it seemed at the memorial service for Professor Hart that his eulogists feared he was the last of a dying breed: men whose life was teaching the law and who devoted every waking hour to that end. To be sure, when we recall Professor Hart driving himself to meet his classes for as long as he physically could, and then a little longer, we are reminded of Alphonse Daudet's schoolmaster in *La Derniere Lecon*, who taught his Alsatian pupils their last French lesson as if nothing had happened, when in fact, the next day's classes would be conducted by conquering Germans.

There will be successors to Professor Hart's tradition, but none will combine brilliance and integrity in the same way. Truly, "There were giants in the earth in those days."

HARVARD LAW RECORD

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Fenno

"What did that interim report of the Keeton Committee mean, Fenno?" asked Bunky. "I mean, everybody seems ticked off but I don't understand why from reading it."

"It means we're going to have some confrontation politics, Bunky. It means that heads will roll, bricks will fly and J.D. diplomas will be torn up in the wild fray of student against professor," I summed up.

"Feno, I think you're dreaming. The decision to give the J.D. settled everything, or so I thought."

"You're wrong," I barked at Bunky. "Wait until the students hear about how they won't get any space in the new garage at Mass. Ave. and Everett St. Harvard'll have a Charge of the Motorcycle Brigade."

"It's spring, Fenno, and everybody's heading down to the Charles to sit and gawk at each other and smooch."

"How can they?" I shrieked. "Have you ever opened your nose when you walked along the Charles?"

"No, but I've been trying to shut my ears to that blasting for the new classroom building. Will we get any info on these two new guys who'll teach Corps, before the 1Ls have to pre-register?"

"Probably not," I warned him, "because they probably don't know who these guys are. I think they just got them out of the phone book. For all we know, the Smothers Brothers may be given a tryout."

"It's going to be rough anyway. They should've held on to Joe Garagiola," Bunky opined.

"Well, there's been a lot of bad moves lately," I asserted. "Last year Mr. Bruce pulled all sorts of strings to keep Bob Risser as janitor of Hastings when Buildings & Grounds wanted to shift him, and now the Law School shunted him into a widened hallway in the Hastings cellar tunnel."

"That's really the shaft," Bunky admitted. "Just when I thought they wised up over in Bruce's office, when they changed the Hastings side door key."

"This place is funnier than you think, Bunky," I replied. "Just look how many people believed the April Fool issue."

Letters to the Editor of the RECORD

Disinterested Cynic Views Pass-Fail

To the Editor:

I submit this comment on the Pass-Fail Controversy as a completely disinterested student. I am disinterested because as a black student I view the entire discussion of feedback and evaluation, and the need to preserve this meritocracy, with a great deal of cynicism. I view as naive those students who feel that major law firms evaluate students solely, or primarily on the basis of a grade.

Back in the "olde days" it was clear that law firms were not rewarding those with high grades. Minority groups were discriminated against despite the fact that they excelled at the Harvard Law School. Many entered governmental work for precisely this reason, since there was less overt bigotry there than in the private sector.

For example, black alumnus, circa 1918, Charles Houston, was an editor of the Harvard Law Review. After completing his graduate studies, Mr. Houston returned to his native Washington, without offers from Wall St., to practise.

Prominent Atlanta attorney Howard Moore told the Harvard Black Law Students that when he graduated from B.U. Law 15 years ago he was un-

employed for 7 months, until a Boston Judge *allowed* him to clerk.

There is the case of Ulric Haynes, currently a professor at the Harvard Business School, Yale Law '54, who endured 78 personal job interviews at white firms in six months. Result: one offer from Averell Harriman. (*Look*, 1/7/69, p. 80)

Nevertheless, law firms are today begging for black law students. A black law student at Harvard is deemed acceptable regardless of his grades, because it's fashionable. This is the same meritocracy at work today that existed "in the olde days." However, today it is working to my advantage.

I would think that the efforts of the student body and faculty would be more productive if they turned to an examination of the grading process.

In June I will write some finals which I will never see again. I am still not assured by any standard, that I will receive what I reasonably deserve. It is *an act of faith* that Professor X even reads my exam. I will receive a grade but I will have no way of knowing how Professor X arrived at that grade.

Requiring professors to return finals with comments, and an itemized statement of point allocation (after all, he

(Continued on Page 13)

Law Notes

If you plan to apply for financial aid, pick up your application at the receptionist's desk in Langdell Hall. Completed applications are due April 15, as are income tax returns, in case you forgot.

* * *

The election season has been with us, and the following organizations at the Law School have elected the following 2L leadership cadres for the coming year:

Voluntary Defenders: Michael E. Smith, president; David Levitt, vice president for operations; Patrick O'Neal, vice president for training; Newby Toms, vice president for research and appeals; Bob Blasier, vice president for the Bridgewater program; and assistant vice presidents for research and appeals Thomas O'Brien and Dennis Nolan.

Legal Aid Bureau: John M. Payne, president; Thomas H. Stanton, vice president; Stephen R. Watson, secretary; Harris Saxon, treasurer; Robert N. Hornick, research director; Edmund C. Barton, executive director; and associate directors William L. Reynolds, Daniel Shulman and M. Glenn Vinson, Jr.

Board of Student Advisers: Bruce E. Clark, chairman; Donald Harrison, second-year chairman; Jerald D. Stubbs, first-year chairman; and William F. McCarthy, editorial chairman.

* * *

Prof. A. James Casner will participate in an ABA National Institute on the Irrevocable Trust, to be held April 17 through April 19 in Boston. Prof. Casner, who wrote and narrated a two-hour film on the subject, will be a luncheon speaker on the topic of "Effect on Irrevocable Trusts of Possible Changes in the Federal Tax Laws."

* * *

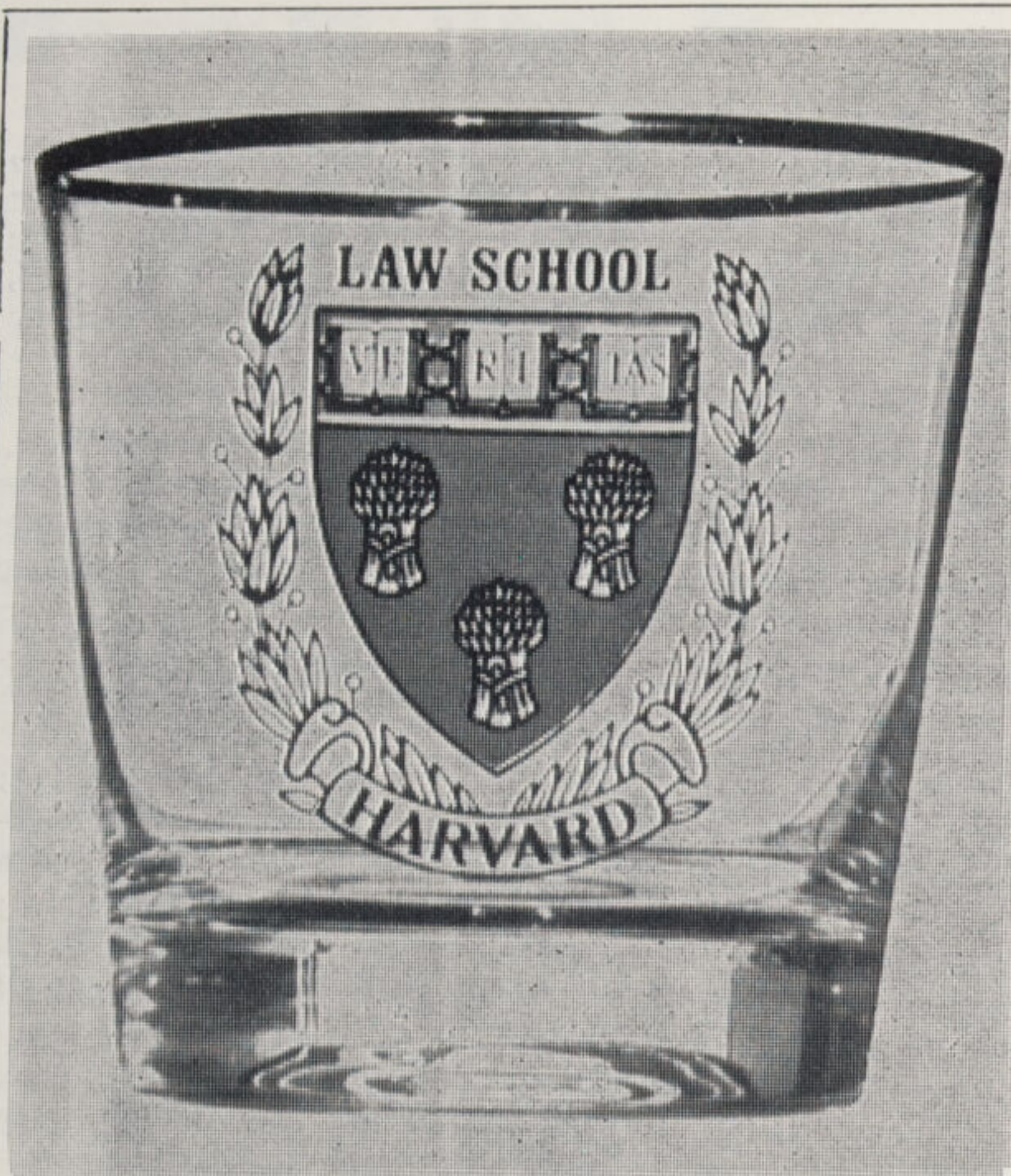
Richard J. Childress, a candidate for the S.J.D. degree, has been appointed dean of the St. Louis University school of law. Mr. Childress was previously associate dean of the school. In announcing the appointment, Rev. Paul C. Reinert, S.J., president of St. Louis University, said, "Mr. Childress brings to the position a distinguished record of experience and education in the legal profession." The new dean received a B.S. degree from St. Louis in 1947 and a J.D. from the University of Cincinnati in 1949. He joined the St. Louis law faculty in 1949 and became a full professor there in 1959. He has served as chairman of the committee on pre-legal education of the Association of American Law Schools.

Winning Oralists in Ames Final



Mike Lurey

Bruce club oralists Tom Tinkham and Larry Estridge (pictured above) were winners over Sung-Kun club in Ames final argument prior to vacation. Complete account of final round in story on page three.



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Legal History

By Russell George

American legal history is rapidly expanding as an academic course of study at Harvard. Through a joint J.D.-Ph.D. program, the Charles Warren Fellowship program, new DLI sections, visiting professorships, and informal discussion groups, more students and professors are engaging in an exploration and expansion of the field of American legal history.

The Law School faculty and the Harvard history department are currently completing the details of a joint degree in American legal history. History Professors Oscar Handlin and Bernard Bailyn have worked closely with Law Professors Abram Chayes, Jerome Cohen, Andrew Kaufman, John Dawson and Detlev Vagts in laying the groundwork for the program. According to Prof. Cohen, this program is being created for students who as undergraduates showed great promise in history and who are also interested in law. Professor Cohen believes this new program will eliminate the often difficult choice between law school and graduate school.

The program will require five years of study leading to the award of the J.D. and the completion of all work toward the Ph.D. except the dissertation. The program consists of two full years of law school courses, two years of training that leads to the general examinations in American history, and a final year in which students would combine research and writing with a reduced course load.

Professor Cohen emphasized that the precise sequence in which these five years of requirements would be fulfilled would remain flexible to accommodate the needs of individual students. Flexibility of the entire program will be assured by its small size: it is anticipated that no more than five students will be admitted each year. Graduate students in history and second and third year law students, as well as incoming law students, may enter the program.

In a close working relationship with the joint degree program will be the Charles Warren Fellowship program. This was developed with the support of funds currently accruing to the Charles Warren Chair in American Legal History, which was vacated by the death in 1967 of Professor Mark DeWolfe Howe.

Like the joint degree program, the program is designed to attract and to support persons who wish to prepare themselves for careers in the much-neglected field of teaching and research in legal history. This program selects highly qualified attorneys to obtain training in American legal history and to research in this field at the Law School.

There are currently three Charles Warren Fellows in residence: William Nelson, Morton Hor-

Studies Widen

witz, and Kenneth Laurence. Nelson, a graduate of N.Y.U. Law School who clerked for Federal District Judge Edward Weinfeld in New York, is also currently a teaching fellow and is completing research for his Ph.D. dissertation. Horwitz holds a Ph.D. in American government and an LL.B., both from Harvard. A former member of the Law Review, Horwitz also clerked for Judge Robinson of the Court of Appeals for the District of Columbia. He is currently writing a book on law and economic development in the United States from 1800 to 1850.

Laurence won a Knox Fellowship to study legal history in England after his graduation from law school. He subsequently was associated with Dewey, Ballantine, Bushby, Palmer & Wood in New York for five years before being lured back to the Law School. Laurence was recently appointed editor of the Daniel Webster papers and is now working toward his Ph.D.

For the Harvard law student who relishes history but isn't disposed to become a professional historian, much is available in the form of curricular and non-curricular activities. The Development of Legal Institutions (DLI) program offers a variety of history-oriented courses for first year students.

Some first year students have been writing papers in lieu of spring Ames work under the direction and assistance of professors and history fellows. Next year Professor Cohen and Warren Fellow Nelson will teach a DLI course dealing with the changes in Anglo-American law during three epochs of revolutionary struggle between Henry VIII and the papacy in the 16th century, between Parliament and the Stuart Kings in the 17th century and between England and her American colonies in the 18th.

Law School Show . . .

(Continued from Page 7)

had the harder role, as had Prof. Yarmolinsky the night before, I'm told.

The true test of the Drama Society's strength wasn't present at Peabody. This June, several of the group's key members will graduate and if next year's show can equal last year's or this year's, the society will be able to stride the stage with pride. Finding a man as willing to invest time and energy as director Curt von Kann will prove difficult, as will the task of securing a music man as capable as George Selden, or a lyricist of Jed Rakoff's calibre. Presence onstage slants one's judgment, of course, but for me, the hardest principal to replace will be Ed Overtree, who brightened the show whenever he appeared from the wings. If that was charisma, he made the most of it.

R. B. Hoffman

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Kamisar, Lewis Discuss 'Gideon's Trumpet'

Kamisar

To the Editor:

In a long re-review of Anthony Lewis's *Gideon's Trumpet*, in the February 28 issue of the *HARVARD LAW RECORD* (which was called to my attention only yesterday [Mar. 17]), Mr. Krishna Mohan Sharma states in part:

Conforming to this theme, Lewis lavishly praised Abe Fortas and his law firm, along with everyone connected with Gideon's side, while being ungracious toward Florida. In driving home this theme he portrays Jacob as an extremely young and inexperienced lawyer. Professor Yale Kamisar picked up the cue from Lewis and Wright but slanted the meaning of the word "class" in making an ad hominem attack against Jacob: Lewis said that in oral argument Jacob's lack of "class" . . . told heavily" [78 Harv. L. Rev. 478, 480 (1964), citing the above passage].

If Mr. Sharma would take another look at my book review, he would see that I do not cite the "above passage" (or any other passage) at this point. Rather, I refer to a ten-page section in *Gideon's Trumpet* (pp. 169-78), which contains lengthy extracts from the oral arguments in *Gideon*. Mr. Lewis does not say that Jacob's lack of class told heavily in the oral arguments; I say so. I reach that conclusion on the basis of such portions of the oral argument as the following:

Jacob: "History argues against the drawing of inflexible lines, and this Court has never laid down any fixed rules on the right to counsel."

Justice Brennan: "What about Powell against Alabama? Doesn't that lay down a rule for capital cases?"

Jacob: "That was decided on the circumstances. . . ."

Justice Harlan: "Perhaps so, but subsequent cases have made clear that there is a fixed rule for capital cases. There is no point in your arguing that."

Justice Black: "What historical support have you found for the distinction between capital and non-capital cases?"

Jacob: "Your honor, I can't think of any."

Justice Black: "I can't either. That's why I asked."

* * *

Jacob: "By imposing an inflexible rule, we feel this Court would be intruding into an area historically reserved to the states. It would stifle state experimentation. For example, a state might eliminate prosecutors as well as defense counsel and leave the whole trial to the judge."

Justice Harlan: "Don't go too far now."

Justice Stewart (repeating a point he had made to Rankin): "Gideon would not be allowed to represent others in court."

Jacob: "If a defendant asked him, I'm sure the Judge wouldn't object."

Justice Black: "The local bar association might!"

Jacob: "I'm sorry, your honor, that was a stupid answer." [pp. 176-77 of *Gideon's Trumpet*]

What I said was: "Jacob wrote a good, solid brief, but in the Supreme Court oral argument, in a courtroom Jacob had never even seen before, Fortas's poise, resourcefulness, and charm, his 'class'—and Jacob's lack of it—told heavily (pp. 169-78)." The word "class" is in quotes, not because I am quoting from Lewis's book or Professor Wright's review (I wasn't even aware that Wright had used that word), but simply because "class" is a slang expression meaning elegance, style, gracefulness, etc. I fail to see why Mr. Sharma says I "slanted" the meaning of the word "class"—the meaning I gave it is hardly a peculiar one in America. The following passage from *Gideon's Trumpet* should suffice to illustrate what I mean by advocate Fortas's "poise, resourcefulness and charm, his 'class'":

Justice Stewart asked whether he was right in his impression that Fortas was not arguing the old proposition that the Fourteenth Amendment had incorporated the Sixth Amendment as such. Fortas agreed—he was not. But the answer that pleases one justice may arouse another, and this one aroused the member of the Court who had been arguing for a generation that the Fourteenth Amendment incorporated the entire original Bill of Rights—Justice Black. He asked in

(Continued on Page 14)

Lewis

To the Editor:

I was interested to see in *The LAW RECORD* of Feb. 28 an article described as a review of my book, *Gideon's Trumpet*. One should doubtless be grateful for any notice given a book five years after publication; the name was spelled right, as the saying goes. But I am puzzled about the reason for your sudden interest, and about the basis of some statements made.

The article attacks the book's treatment of Bruce R. Jacob, who argued *Gideon v. Wainwright* for the state of Florida. It says that I sought a less than "forthright" or "objective" theme for the book, and told Mr. Jacob that I was doing so. This "theme," the article says—"the main thread" of the book—turned out to be an unfair charge of incompetence on Mr. Jacob's part.

The theme of *Gideon's Trumpet* was the moral power of the American legal system in its shaping of rights and its vindication of them for the least of men. I doubt that many readers would have missed that; no claim of subtlety is made. If I said anything to Bruce Jacob about seeking the larger meaning of the case, that is what I thought it was, and I have no apologies for so thinking. The suggestion that I confided to him some other unworthy aim is too silly to require comment.

Mr. Jacob's relative inexperience was no more than a nice irony in the history of the case, but surely no one would deny that it was a fact. He was 26 years old at the start of the case, he had never set foot in the Supreme Court of the United States, and he was forced for personal reasons to work on the brief and oral argument at nights and on weekends. On the other side, working for Gideon, was the Washington firm of Arnold, Fortas and Porter. Mr. Jacob did his best against very long odds—odds made not only by the resources available to opposing counsel but by the trend of legal history that he recognized as acutely as anyone. Mr. Jacob's personal history was not even mentioned until well past the middle of the book, and then sympathetically, not in criticism; it would have been a strange

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Letters to the Editor of the RECORD

(Continued from Page 9)

must have some sort of system for giving out points) would be helpful, both as an aid to students, and as a check of professors. Surely we do not admire the court that renders a decision without giving any reasons concerning how they reached that decision. It is not unreasonable to expect the same thing of law school professors.

Furthermore, it would seem worthwhile to expand criteria on which profs grade. For example, instead of wasting time with Legal Methods, DLI, and 2 (TWO) semesters of Ames Competition, we might make better use of the time by requiring written works, to be evaluated by Board of Student Advisors and teaching fellows. One final exam means that a student may slack in work until Spring Recess, then return and still do reasonably well. Several exams, papers, etc., would require a consistent level of excellence, and at the same time alleviate the burden and pressures of the final exam.

As far as I am concerned, though, the grade in June will be subordinate to other considerations, in the after-life following law school. Personal pride in my work, and a desire to hold my own with my section, have motivated me. Fear of embarrassment is a

great motivation in itself. The grade will have the value of reflecting, somewhat, my ability, as compared with my associates' ability, to give the law professor what he wants.

Harold Wade Jr. 1L

Huge Workload Not Stimulating

To the Editor:

As a first year student who is extremely concerned about the subject of grade reform and the related evaluation of pedagogical methods at Harvard Law School, I wish to express some thoughts on a matter mentioned only parenthetically in the Keeton Committee's comprehensive anthology of Views on Grading and Related Matters at Harvard Law School. Although consideration of grade reform is crucial to an evaluation of legal education, it is not necessarily exclusive in importance.

I am well aware that my position as a first year student neither qualifies me as a representative spokesman of 540 first year students nor as an impartial judge of this institution's educational objectives and methods, and I therefore disclaim any presumption

of disinterestedness. My interest however does not preclude my concern.

A fundamental assumption of most discussions of legal education is that there is truly a unique, if unexplicable, "first year experience,"—a period of vital transition when the undisciplined liberal arts graduate learns to "think like a lawyer." I am not quite certain what thinking like a lawyer actually means, nor am I certain precisely how one learns to think like a lawyer, but I am certain that a consideration of what such thinking is, and how one develops such methods of thought and analysis, is crucial to an evaluation of legal education in general, and the first year at Harvard Law School in particular.

Although on the whole my educational experience at Harvard has not been unpleasant, I have occasionally found the incessant rigor of the 6-course-6-day-a-week routine to be somewhat less than intellectually stimulating. I have attempted to reconcile myself to the notion that the study and the practice of law requires great discipline of mind and person, and yet increasingly these attempts at rationalization have been little more than attempts.

One wonders if it is essential to immerse oneself totally in a comprehensive study of six courses in order to acquire this uniquely legal habit of mind. Is what I conceive as an awe-

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Kamisar Comments on 'Gideon's Trumpet' Review

(Continued from Page 12)

a puzzled way why Fortas was laying aside that argument.

"Mr. Justice Black," Fortas replied, "I like that argument that you have made so eloquently. But I cannot as an advocate make that argument because this Court has rejected it so many times. I hope you never cease making it."

Justice Black joined in the general laughter.

"You are saying," Justice Brennan said helpfully of Fortas, "that the right to counsel is assured by the Fourteenth Amendment whether by absorption, incorporation or whatever."

"Mr. Justice," said Fortas, "you seem to know me well." [p. 174]

At the time Mr. Jacob argued *Gideon* he was 27 years old and out of law school but three and a half years. This was the first time he had ever appeared in the Supreme Court of the United States. Abe Fortas, his opponent, was twice his age, a renowned lawyer, and one of the most polished and effective advocates in the land. As those in the Florida Attorney General's office should have realized, this enormous disparity in age and experience was bound to show. I am sorry if Mr. Jacob or Mr. Sharma views this as an *ad hominem* attack against Jacob. It was not meant to be (of course, it was not meant to be an attack on Jacob at all, but on the Florida Attorney General's office).

If anything, Mr. Sharma is the one who launches an *ad hominem* attack — against Mr. Lewis. *Gideon's Trumpet* does read like a novel, but it by no means follows, as Mr. Sharma seems to think, that *therefore* it shouldn't be taken seriously as a work of scholarship; that *therefore* the reviews extolling Lewis's research and understanding of the Court are undeserved. Unfortunately, as lawyers and law students know only too well, a book which "has the flavor of a fascinating novel" is rarely a useful, incisive work of legal scholarship and conversely, important legal scholarship rarely "reads like a novel." But once in a great while a book comes along that is *both*. I think *Gideon's Trumpet* is such a book. In any event, surely we have not yet reached the point where the fact that a book is written lucidly, colorfully and interestingly demonstrates that it lacks scholarly quality.

Nor, despite Mr. Sharma's dark hints to the contrary, do I find anything un-

seemly or improper or undesirable in writers of non-fiction thinking about, and worrying over, what theme or themes their works should contain. I wish more of them would take the trouble to do just that. I fail to see why concern about the theme(s) of one's writings is inconsistent with forthright and objective reporting. And I am astonished by Mr. Sharma's revelation that Mr. Jacob thinks the "*main thread* of Lewis' story * * * is that, although *Gideon* was without counsel at his trial he had an excellent lawyer at the Supreme Court level, while Florida was poorly represented." (Emphasis added.) Mr. Jacob (who evidently is quite bitter about the way he thinks Mr. Lewis and I have treated him) and Mr. Sharma may believe so, but if this is the "*main thread*" of *Gideon's Trumpet*, I venture to say it has escaped almost all other readers of the book.

At one point in his article, Mr. Sharma accuses me (when I note that as another reviewer has said, Jacob was "a boy * * * sent to do a man's work") of "quoting Professor Wright out of context, obfuscating the meaning the latter had conveyed." I must retort with the countercharge that it is Mr. Sharma who does so, not me. Mr. Sharma seems to overlook that whether or not the State of Florida was in fact poorly represented in this

case (although understandably not more important to Mr. Jacob) is less important than whether or not the State *cared* whether it might be poorly represented; whether or not it made a sufficient effort to fulfill its obligation to the Court to provide it with all the assistance possible. Professor Wright makes plain that he thinks Florida failed in this regard. So do I.

However earnest and conscientious he may have turned out to be, so young, inexperienced and undistinguished a lawyer should not have been sent by Florida to face so formidable an opponent as Fortas in so important a case as *Gideon*. Even though the case could not have been "won" by Florida, it was still important *how* it would be lost. The State Attorney General's office could not have been unaware that the nature and breadth of the rationale of the decision overruling *Betts*, if *Betts* were to be overruled, might well have great significance for decades to come.

Professor Wright does say that "probably it made no difference" in this particular case whether "a boy was sent to do a man's work" because it is "doubtful whether Daniel Webster himself could not have stemmed the tide" on this occasion* — but Wright's main point, one that Mr. Sharma misses, or

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Prof. Kamisar and Gideon

(Continued from Page 14)

at least fails to note, immediately follows:

But what Florida did in the *Gideon* case is not untypical of the behavior of states in criminal cases before the Supreme Court. The Attorney General himself may go to Washington to argue about school segregation or ownership of the tidelands, but criminal cases, even when they involve important constitutional issues, are delegated to inexperienced assistants. The adversary system is worthless when the adversaries are grossly unequal in ability. This is the whole point of *Gideon*. Yet, while private lawyers accept appointment to represent an indigent before the Supreme Court as a high honor and a great privilege, fully justifying the personal sacrifice it requires, the states shirk their duty to the Court. They do not provide it with the assistance, by way of able advocacy, it should have in order to be certain that every idea has been fully explored, and that it has reached a sound decision. (42 Texas L. Rev. at 938)

Mr. Sharma complains that although Lewis lavishly praised Fortas and his law firm, he was "ungracious toward Florida." Why *shouldn't* Lewis have been ungracious toward Florida? Although *Betts v. Brady* was battered and bloodied for all to see, Florida looked away while its courts applied the old rule in all its rigor until the very end. Mr. Lewis was no more ungracious toward Florida, surely, than its own governor who, Professor Wright reports, 42 Texas L. Rev. at 937, found it "unthinkable" that an innocent man might be convicted because he had no counsel. (Not too surprisingly, however, the Governor did not reach this conclusion until a short time *after* the *Gideon* case was handed down.)

*I happen to share Professor Wright's view. Indeed, although Mr. Sharma seems to be unaware of it, I criticize Lewis for failing to make this point, 78 Harv. L. Rev. at 482: "Gideon was not asking the Court, as Lewis describes it, 'to change its mind' (p. 10), let alone to change it 'drastically' (p. 28). At most, he was asking the Court to announce formally that it had already done so. Even if the Court were to have declined the invitation, it could still have reversed by falling back on the *Chewning* language [the language in *Chewning v. Cunningham*, 368 U.S. 443, 447 (1962) indicating that the requisite "prejudice" resulting from the absence of counsel is established whenever issues existed that "may well be considered by an imaginative lawyer" without regard to "whether any would have merit"], for it was confronted with a case in which the trial judge had committed or permitted several errors (pp. 58-59) and the defendant 'had not made a single objection or pressed any of the favorable lines of defense.' (p. 62). In short, once the Supreme Court took the case, the question was not whether Gideon would win, but only *how*?"

I am happy to learn that in the years since Mr. Jacob argued the *Gideon* case he has successfully represented many indigents, and established a law student defender program at Emory. But I still think he was rather young to be taking on, all by himself, Abe Fortas (and Abe Krash and others in the Arnold, Fortas and Porter firm who put in many hours on the *Gideon* case) back in 1962-63.

Yale Kamisar
Professor of Law
U. of Michigan

Lewis . . .

(Continued from Page 12)

account of the case that failed to describe him at all.

I was grateful to Bruce Jacob for the assistance he gave me in the research for *Gideon's Trumpet*. Before publication I showed him the passages reflecting our conversations and, at his request, deleted some that he thought might cause him embarrassment. It would be sad to think that, at this late date, he believes the book to have been less than fair or faithful in its treatment of him.

As for THE RECORD article, I remain puzzled. The headline speaks of it as a review of *Gideon's Trumpet*, and the piece ends by saying that the book took "colorful license" in its report of the case. But the body of the article is made up of quotations from, and discussions of, other reviews of the book. From the book itself your critic quotes not one word. Perhaps next time he should read the book as well as the reviews.

Anthony Lewis

Letters . . .

(Continued from Page 13)

some, often overbearing workload of course work essential to acquiring the proper analytical approach to legal problems, or is it somehow more directly related to acquiring a disposition toward rigid self-discipline? Are the notions of self-discipline and "thinking like a lawyer" necessarily inextricably bound?

Although I share much of the sentiment expressed in *The Trouble With Grades* report, I feel that much of the disquieting antagonism that many first year students feel is directed neither toward fellow students, nor toward members of the faculty, but rather toward a first year curriculum, the demands of which may not be commensurate with its rewards.

I am displeased when I feel that I cannot devote more time to researching my Ames brief for fear that the opportunity cost of such additional research may prove too great. I am displeased when I fear that I cannot devote sufficient time to a Development of Law and Legal Institutions paper because my institutionally "more important" courses may suffer.

I am displeased when my unfortunate reaction to one of my professor's proposals of a voluntary paper on a provoking case pending before the Supreme Court is that the time spent in writing such a paper might work to the detriment of my "over-all achievement." I question whether the efficiency analysis that has led me to make such discomforting decisions of resource allocation has in any way en-

Continued on Page 16)

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(Continued from Page 15)

hanced my development of that elusive legal habit of mind.

I realize that while still digesting it may be premature to evaluate the staple diet of Civil Procedure, Contracts, Torts, Property, Criminal Law, Legal Process and Methods, and Development of Law and Legal Institutions that Harvard Law School has provided for its young. However, I think it significant to note that first year students at Yale Law School are required to take four and not six courses per semester.

The distinguishing factors of size and faculty-student-ratio do not bear on such a determination. Regardless of the results of the Keeton Committee's deliberations on grade reform, I feel it essential that a consideration of the purposes of the first year at Harvard Law School and an evaluation of how those objectives can best be realized, should be the subject of serious scrutiny.

William A. Falik, 1L

Pressure Desirable At Law School

To the Editor:

I have been reading the discussion in the Harvard Law Record concern-

ing the Law School grading system which "has been weighed by students and found wanting". It is quite obvious to me that among these young men there exists an effort to provide a cover for lack of study and achievement by attempting to have the grading system changed to a pass and fail basis.

In addition to this obvious state of mind which is common to many people in this age group, there is one particular specious argument that seems to be highlighted. This argument correctly propounds that such a change in the grading system will result in "a decrease of a high level of tension".

It is my opinion that one of the more useful and necessary objectives that the method of teaching at Harvard Law School is designed to accomplish is to instill in its students the ability to work capably under extreme pressure. If the present grading system results in an increase of pressure, this is all to the good.

Up to a certain point the greater the pressure and difficulty in securing a proper education, the more the all-around ability of the student will be

enhanced. It would seem to me that those who resent pressure and difficulty and are interested only in a passing grade should look to another school for education easier to come by.

Some of the other results that are apparently foreseen by the proposed changes: the importance of student development over three years rather than one, cooperative work among first year students, and feed-back from the faculty to provide substantially more information on individual progress, can be secured without disturbing the present grading system.

I hope that the Law School does not succumb to these protestations of students who apparently are not willing to submit to the pressure inherent in a superior school. If this type of mentality becomes wide-spread, I wonder who will be left to accomplish anything against adversity, not only at the Law School but after graduation as well. Once the workers go, who will support the drones.

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ALEXANDER

starring Philippe Noiret
shows at:
2:00, 3:45, 5:35, 7:25, 9:15

Savenor's Liquor Mart

100 Kirkland St.
Cambridge

Bonnie Prince Charlie
80 proof Gin half gallons
\$7.50

Arnold's Vodka
80 proof half gallons
\$7.50

Schmidt's Beer
\$3.19 a case
12 oz. NR

HARVARD SQ.

UN 4-4580

Mia Farrow in
"SECRET CEREMONY"
2:15, 5:55, 9:45

plus Francois Truffaut's
"FAHRENHEIT 451"
4:00 and 7:45

BRATTLE SQ.

TR 6-4226

Eisenstein's
"TIME IN THE SUN"
and Joris Ivens'
"THE SPANISH EARTH"
5:30, 7:30, 9:30,
Saturday Matinee at 3:30

Starting Sunday:

Eisenstein's
"TEN DAYS THAT
SHOOK THE WORLD"
and
"BEHZIN MEADOW"
5:10, 7:30, 9:45,
Sunday Matinee at 2:50

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