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TWENTY CENTS

Katz Revisited: New Teaching Fellows Arrive

By Randy Phillips

A former public defender, an ex-prosecutor, a one-time legal aid attorney and the admissions officer of a prominent New England law school. What they all have in common is participation in Harvard's Legal Methods program — the first year student's introduction to the terra incognita of the process of lawyering.

Launched in the 1950's, Legal Methods is now undergoing an intensive faculty review that could lead to wholesale change. But all three new LM instructors and the program's new administrative director, HLS Admissions Director Patricia A. Lydon, agree the program is — or can be — a vital part of the law school experience.

"I feel very strongly that Harvard should keep Legal Methods," said teaching fellow Fred Moss, who worked last year in HLS's clinical program for 2L's and 3L's.

"All I can do is look back to when I was a first-year student and say, 'gee, I wish I had had a methods course or something like it,'" said Moss, a former Asst. U. S. Attorney in Washington D. C.

Perceived benefits of the program include its small-group set-

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Spring Issues Delayed: Law Review in Disarray?

By Michael Collins and Charles Jordan

Ask for it at the library. You won't get it. For the first time in recent memory, the *Harvard Law Review* has fallen significantly behind its schedule of publication.

The last issue to appear in print was dated April, 1976 and that issue appeared two months late. At the time the *Record* went to print, the May issue was not yet published.

Contacted by the *Record*, Susan Estrich, newly elected *Review* president, admitted that "it's unusual for us to have ended up this far behind." Dean Albert M. Sacks stated that he could not really say when an issue had been this late before. Sacks, too, thought it was "quite unusual."

The dean has made a number of inquiries to the *Review* and maintains that he has had explanations from them. Asked if these explanations were satisfactory, he responded, "I understand what has occurred and I really don't think anyone is happy about it."

The *Review* normally publishes eight issues per year. The editorial board is responsible for getting out the last two numbers of the previous board's volume and the first six numbers of its "own" volume.

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Home of the late great Harvard Law Review.

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Erie Memoirs Reveal Drama, Tragedy

By Bob Rizzi

(Ed. Note: This is the first of what is hoped will be a series of occasional articles exploring the facts behind cases that made legal history. The case of *Erie Railroad Co. v. Tompkins*, decided in 1938 by the United States Supreme Court, established the principle that in federal courts acting under diversity jurisdiction, state substantive law must be applied. It reversed the doctrine of "federal common law" that had been applied since the decision of *Swift v. Tyson*. The appellant in the Supreme Court was represented by Erie's corporate firm: Davis, Wardwell, Polk, Gardner and Reid (now Davis, Polk and Wardwell). The appellee, Harry Tompkins, was represented by several lawyers, including Bernard Nemeroff and Aaron Danzig. Danzig is in the midst of writing his recollections of the case, and the material excerpted from his manuscript is used here with his permission.)

Every law student knows that the decision in *Erie v. Tompkins* fundamentally changed the relationship between state and federal courts. The opinion by Justice Brandeis put this result squarely: "... notwithstanding the great names which may be cited in favor of the doctrine [of *Swift v. Tyson*], ... there stands a perpetual protest against its repetition, the Constitution of the United States, which recognizes and preserves the autonomy and independence of the states — independence of their legislative and independence of their judicial departments."

But for all the importance of *Erie*, few law students, or for that matter law teachers or practition-

ers, know what actually happened in the contest between the railroad and Harry Tompkins; unfortunately, this Brandeis opinion, unlike the famous "Brandeis briefs," left out the background of sociology and economics, and the very facts themselves, that lay behind this landmark decision.

According to Justice Brandeis, "Tompkins, a citizen of Pennsylvania, was injured on a

miles away, and because it was a moonless night he decided to walk home along the Erie tracks, instead of taking his usual shortcut across a field back to Pittston. He walked *parallel* to the tracks (on which fact turned the ultimate legal outcome), but at a distance of four or five feet from the tracks so as to give the passing trains a wide berth. A long freight train rolled by, and — as found by the jury — a



Tompkin's path paralleled these tracks.

dark night by a passing freight train of the Erie Railroad Company . . . Who was Tompkins, how was he injured, and what the hell was he doing near a freight train on that dark night?

Harry Tompkins was, recalls his lawyer, Aaron Danzig, "a plain man, not at all aggressive," and a coal miner. He lived in Pittston, a Depression-era coal town noteworthy for enormous glasses of nickel beer, and not much else. He was uneducated, in his early thirties, with a wife and family. On the night of the accident Tompkins had been visiting a friend a couple of

door negligently left open on a refrigerator car smashed into Harry. The blow from the door of the "reefer," as it was then called, threw Tompkins under the train. His right arm, flung out across the track, was completely severed at the shoulder. Friends found him an hour or so later, and saved him from bleeding to death. He lived on relief through the trial and its appeal, and so far as is known, for the rest of his life.

The trial was important in itself, for Tompkins was asking for a bundle and had a strong case: Tompkins was young, his injury was obviously crippling, and the railroad was rich. The only possible obstacle was a legal one: under Pennsylvania state law, the railroad owed no duty, and therefore could not be found liable, to anyone walking parallel to its tracks along

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HARVARD LAW RECORD

Law Review Spring Issues Delayed

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The problem this year has centered on the "Developments" issue, the subject of which is "Class Actions." This issue had been originally scheduled for publication in April. It has yet to appear in print.

It would normally have remained the responsibility of the previous (1975-76) board and its editor Whitten Peters. However, this particular issue got out of hand. It has reportedly turned into one of the most ambitious issues in the history of the journal. The issue is to be over 375 pages in length, 340 of which are student written.

A decision was made to switch the April and May issues. Thus, what had originally been intended as the May issue actually came out as the issue for April, the last issue to be published. In addition to the long-delayed and still awaited May "Developments" issue, the issue for June has not yet appeared.

In a telephone interview, Peters remarked that he thought the year generally was a very difficult one and that a student work crunch was aggravated by the fact that he had very few Harvard professors writing articles.

The current board and its president have inherited an unusually difficult situation. These last two numbers (May and June) of volume 89 are overdue and must be published before the fall issues can appear.

The problem seems to have begun well before Estrich's tenure in office. Both the February and March 1976 issues were slightly behind schedule, but never by more than a couple of weeks.

Whit Peters, contacted in Washington D.C., stated, "There used to be a standing tradition to get the issue of the *Review* on the tenth of the month to Dean Griswold's desk. There are stories of people staying up all night gluing an issue together for him."

"There's a real tradeoff between getting an issue out on the agreed-upon date and hav-

ing articles that are good," Peters explained. "There are enough law reviews around that it is just not worth putting it out on the tenth of the month unless there is something worth saying. Sometimes you have to bite the bullet and be late. Sure there's been pressure from Dean Sacks, but there's just a limit to what you can do."

Other major law reviews have fallen further behind in publication than the *Harvard Law Review* now is.

Exactly what happened under the previous board to cause these steadily increasing delays is not entirely clear. Pat Gudridge, one of last year's developments editors, suggested that logistics were the chief cause of delay. Once the initial deadline is missed the pressure surrounding the production of the issue "goes away." This may partially explain why the *Review* is as late as it is.

Furthermore, the staff agreed to produce a new edition of the *Uniform System of Citation*. Although Peters stated that he tried to get it out in June, it is only now being completed. "The new edition is about half again as long as the old one. If that's mismanagement," said Peters, "I guess it is."

"We had a slow-down over vacation. I had been working on the thing consistently since — I don't know when — since early March of last year. The developments editors and myself took off ten days for exams. I also took off some time to work in a New York law firm to honor a commitment I had previously made. The developments editors and myself worked to the very day we had to start our jobs. I was working about 100 hours per week — there's a limit to how much work you can do."

There are also indications of serious problems of morale in last year's board. "Previously there was a different perception of things around here," remarked Estrich, referring to the climate that

existed in Gannet House prior to her own term of office.

Her determination to make the *Review* "a more humane place" by having greater respect for the needs of the people on the staff suggests that things may not have been altogether comfortable during the previous year. Even Peters admitted that there were a lot of "grated feelings" last year.

When asked if she felt any resentment over the situation with which Peters and the prior board had presented her, Estrich replied, "No, but it would have been nice to have had my full staff available and not to have had three 'fall' issues to get to press; I wouldn't have chosen to have worked in Gannet House all summer."

There may be other difficulties besides missed deadlines. This year there has been some unrest among the new 2L *Review* members because of the temporary increase in the workload.

"We had some questions from some of the 2Ls as to why it was necessary to put in so much time," reported Estrich. However, she was "completely sure" that the second year members would "go along" with her explanation of this work load. Estrich maintained that the work was necessary to assure the *Review's* place as a "top quality legal journal."

Other sources have indicated that the discontent has amounted to something more than simply "questions."

Whatever the cause of the *Review's* problems, significant efforts have been made to make up for lost time. Estrich's own volume (no. 90) is proceeding on schedule, even with the difficulties of catching up.

The May and June issues are both completed and should begin publication in two to three weeks. Estrich expressed to the *Record* her own commitment "to stay very close to being on time" while making the *Review* as "humane" an operation as possible given the "incapable restraints."

Landsmark Reports Plaza Attack; Speaks on Jobs in the Community

By Charles Jordan

On April 5, 1976, a group of white high school students attacked Theodore Landsmark on City Hall Plaza. The weapons used by the mob included a hand-held flag staff, from which hung the American flag.

The HERALD-AMERICAN picture of this Bicentennial event has since been circulated internationally. As a result, Landsmark, the victim, has found himself at the center of a storm of publicity. On September 16, Landsmark discussed "the City Hall incident" and other matters with the Black Law Students Association (BLSA).

Landsmark started by giving the predominantly Black crowd his background. Landsmark was born in Harlem and attended Yale College and Law School. His law degree was combined with a Master's degree in Environmental Design. With these unusual credits, Landsmark came to work for Hill and Barlow, a private firm in Boston with clients in architecture and related fields.

Landsmark soon became dissatisfied with his work in the private sector. "1969 was a good time to enter law school. Everybody was crazy. But we all had concerns."

Despite all the idealism that his classmates expressed, most ended up in spheres that Landsmark characterized as established — private firms, public prosecutor's offices or legal services offices.

Landsmark's message was that there are alternative careers — good careers — for Black lawyers outside those spheres. "Leave the hallowed halls of this institution and come out into the community. You don't have to be out of law school long to get involved in community work."

Landsmark himself works for several public land development committees which function as liaisons between funding sources

and people in Boston's underdeveloped areas. He was on his way to chair just such a committee meeting last April 5, the date of the infamous "City Hall incident."

"I saw a group of young kids across the Plaza with signs that said 'Resist.' I hadn't seen any publicity on demonstrations slated for that day, so the signs didn't make any impression on me." The "group" surrounded Landsmark rapidly, and the realization struck that it was a mob.

"I said to myself, 'Be cool.' This looks like an anti-busing demonstration. I'm in the middle of 200 white kids! It was like t.v. . . . almost.

"I realized that there were a lot of police standing around. They continued to stand there.

"The news pictures later confirmed that the first person to hit me hit me from behind. Somewhere between five and eight kids attacked me and beat me. The flag thing happened in a surreal sense. When it's happening, it's not the kind of thing you believe is really happening.

Landsmark escaped the best he could. Only after he was out of the crowd did the police approach with assistance. Landsmark said, ironically, that they apologized.

Landsmark classified the repercussions of the incident as both legal and political. Of the attackers shown on films taken of the incident, four have been arrested, two on juvenile offenses, two on adult.

After some weeks of confused pleading, all four pleaded guilty to the charges and received suspended sentences, in view of their lack of records.

Landsmark insisted that he was neither pleased nor disappointed with the outcome of the criminal prosecutions. His only comment was that "the quality of criminal justice in Massachusetts stinks."

Any further legal action Landsmark will take depends to
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Jessup Offers Alternative to Ames in Spring

The Jessup Moot Court Competition, an Ames alternative for 1Ls interested in international law, will kick off with an organizational meeting on Friday, October 1, at 2:00 p.m. The organizational meeting, an important introduction to the program, will be held in Pound 200.

The Jessup competition is unique among the Ames alternatives. After several rounds of arguments at Harvard, winners of the HLS competition then advance to regional competition, with the possibility of further advancement to national and international levels of competition, involving law students from other schools and other countries.

Last year's Harvard team won the regional round in Portland, Maine and competed in the national round in Washington, D.C. This year the national and international rounds will take place in San Francisco.

This year's topic involves an international dispute between the United Republic of Pandora and Shangri-La. The issues in the case revolve around the interpretation of a Treaty on Non-Proliferation of Nuclear Weapons.

There were some complaints among last year's participants that the issues involved in the hypothetical case were too complex for novices. Jess Hungate, one of the administrators of this year's program, indicated that the issues in the Shangri-La problem are very clearly delineated. The problem was drafted by the American Society of International Law.

A Memorial (brief) will be prepared on the relevant legal issues before the Christmas vacation. Shortly after the semester break oral arguments will be held.

Students who are interested but unable to attend the Friday meeting should contact either Jess Hungate (547-8817) or Rick Robol (498-4719).

Clark Urges HLS Students to Advocacy

By Tim Cooper

A crowd of about 200 gathered in Ames Courtroom last Tuesday night to hear this year's first lecture sponsored by the Harvard Law School Forum. The speaker was former Supreme Court Justice Tom Campbell Clark, who served on the Court during the tenure of Chief Justice Warren, retiring in 1967. Stating that it was always good to be at Harvard, but that in his student days he "never did get up enough muscle or brains to come here," Clark spoke on the state of advocacy and what should be done about it.

Speaking in a rambling, informal style, Clark stressed two themes. The first concerned the ability of those who litigate in the courts today. Clark said that he did not agree with Warren Burger's assertion that trial lawyers in this country are not properly "equipped" to litigate; rather, in the cases he has seen, the basic problem is that about one-third of the lawyers are simply not prepared when they come into court.

After citing many of the programs that have been developed for indigent clients and stating that in general women lawyers seem to him to be better prepared than men, Mr. Clark said flatly that "when you go into trial court, you're going into the most important court in

the United States. Justice is cut in the trial court."

Clark stated that the problem with lawyers is that they do not regard the trial court as being very important. Consequently, they often make the mistake of not carefully studying the record in the trial court before coming into the appellate court.

The second point Clark stressed was his contention that one cannot be a complete lawyer without having been an advocate. He urged students to undertake this route in their professional careers. "We need you. You come from a prestigious school," Clark said that the students in school now could help clean out the system so that justice can be speeded up.

As a stimulus to improving the quality of advocacy, Clark is in favor of "putting weight" on the law schools to take a greater interest in clinical programs. Too few students have access to such programs at the present time. He feels that two years is enough to learn the basic subjects. "They don't learn a thing in the third year," so they should accomplish some good through clinical programs, says Clark. Harvard's program is good, but Mr. Clark feels that it is neither broad enough for all students nor long enough.

In concluding his formal talk, Clark told the students to go forth

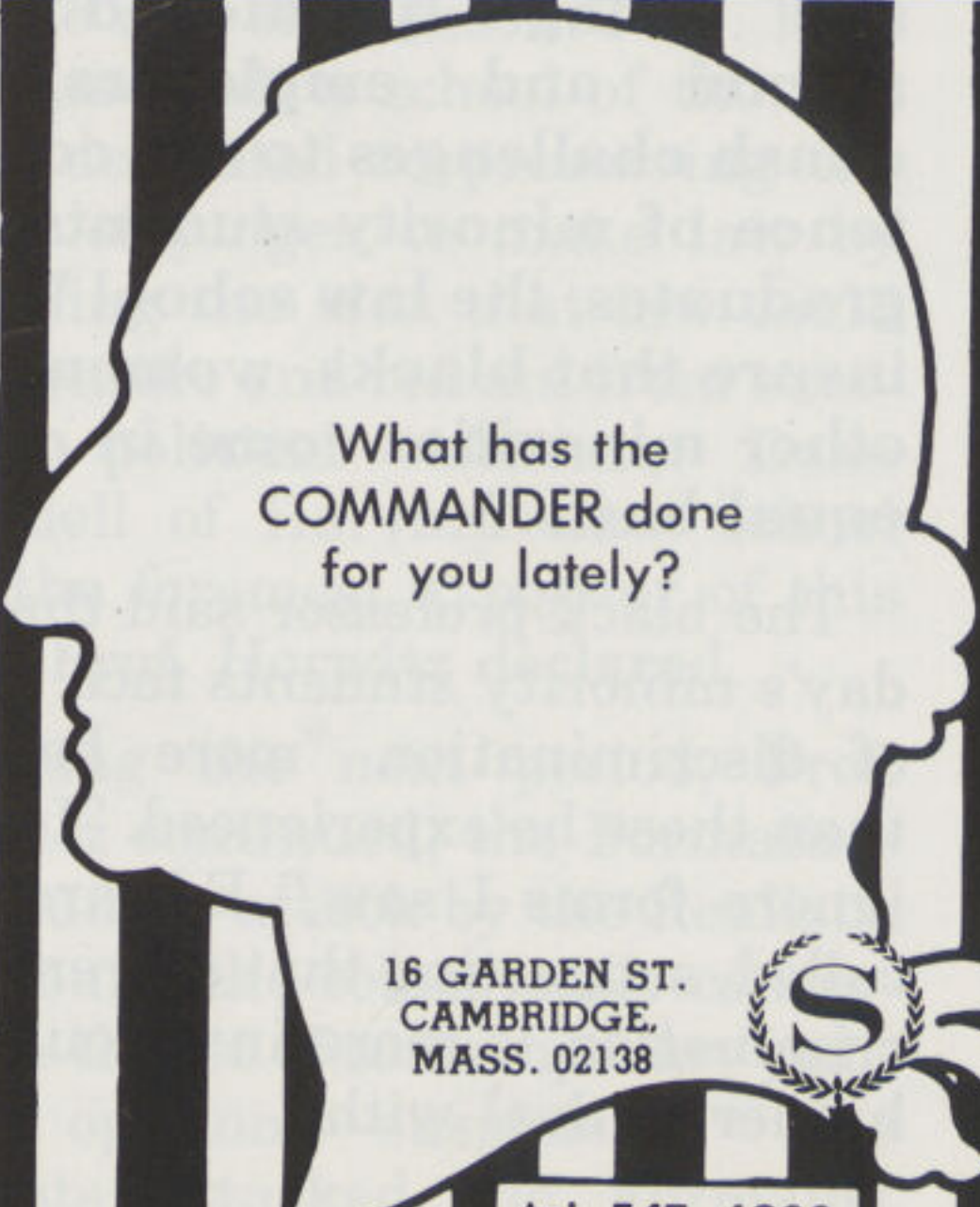
to further justice through the practice of law. "You will be blessed . . . because you will be strengthening justice." He then entertained questions from the audience. Continuing the witty and relaxed manner of his speech, Clark said: "You ask the questions and I'll dodge them."

In response to questions, Mr. Clark said that he favored the increased use of paralegals, the use of insurance to expand the availability of legal services, the end of diversity jurisdiction, and the use of specialized courts to help ease the case load of the Federal District Courts. He also said that he opposes the formation of a national appellate court and feels that newspaper reporters do not have the broad First Amendment rights (i.e., not to disclose certain sources) that they claim they do.

The audience clearly enjoyed Justice Clark's presentation. His informal style, sense of humor, anecdotes, and interesting message all served to make the hour and a half both enjoyable and meaningful. After the lecture, the Forum held a reception for Mr. Clark at Lincoln's Inn.

Q and A

"Rule 26," a question-and-answer column designed to answer law students' questions on virtually any subject, will return to the RECORD in the near future. In the past, "Rule 26" has answered queries concerning where the nickels that are put into the library photocopying machines go, why HLS graduation takes place so long after exams end, how many professors decode student examination numbers before recording final course grades, and what the latest word on Goldie Hawn's love life was. Mail or bring your questions to the RECORD office, 23 Everett Street, and a tireless team of crack investigative reporters will do their best to see that they are answered.



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Edwards: Teacher, Practitioner, Arbitrator

By Susan Gillette

Harry T. Edwards is back. That's no surprise to scores of disappointed students excluded from his oversubscribed courses in labor law and negotiation. The courses were popularized by rave reviews of students in Edwards' courses last year, taught while he was a visiting professor.

Fortunately for those scores of students, Edwards has decided to continue at Harvard.

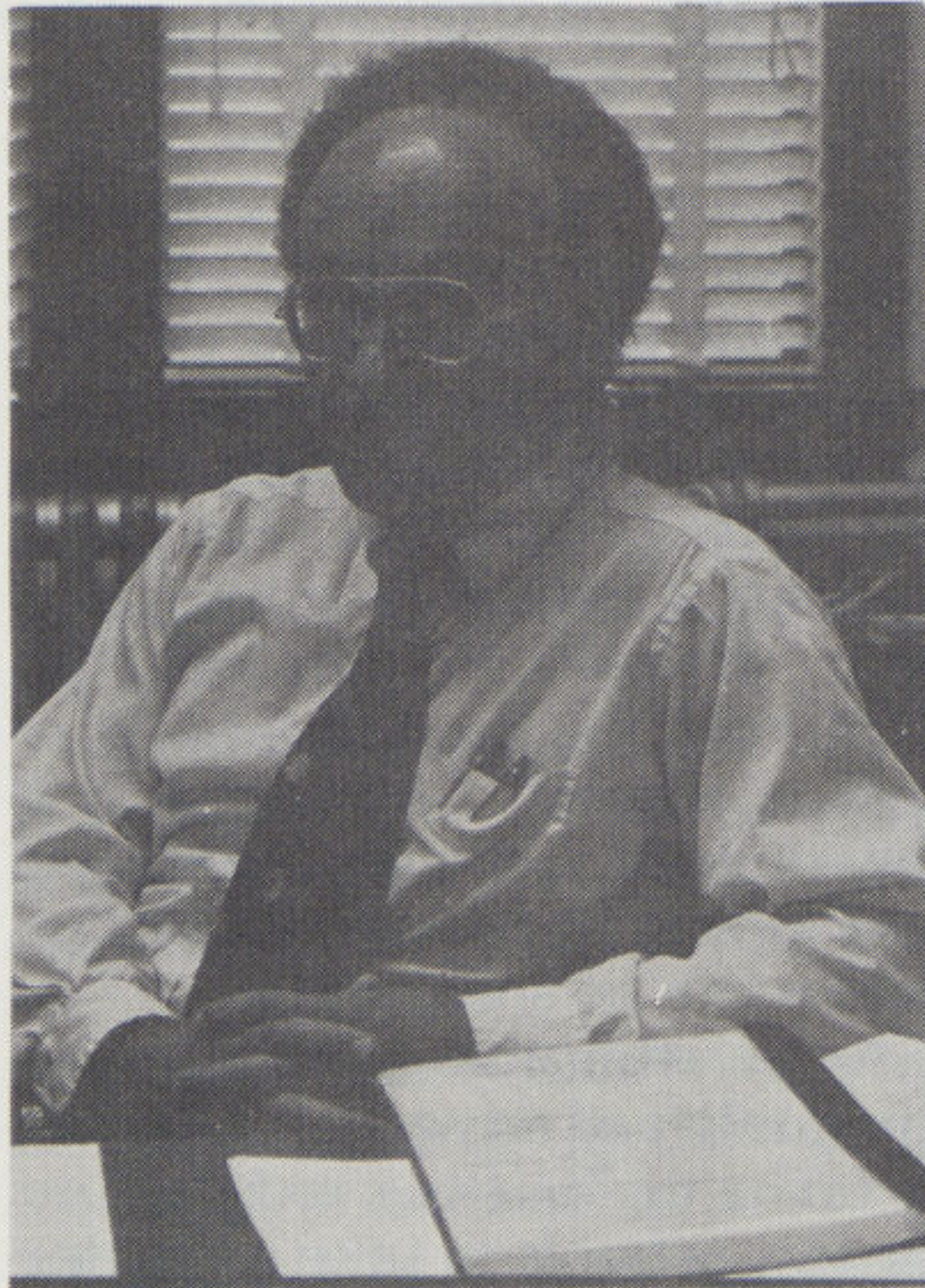
In Edwards, Harvard has gained a labor relations scholar, a dedicated and effective teacher, a ready adviser to black students and a companionable man ready to befriend his students.

He nearly got away. Edwards wasn't happy with the prospect of moving his family from Detroit, where he has lived since 1960 (while teaching at the University of Michigan). Edwards has found the black community in Cambridge more dispersed than that in Detroit, where blacks feel a sense of security "hard to duplicate at any other place in the country," and "feel good about themselves."

Edwards' biggest worry concerns his children, ages five and eight. "This is a hard place to bring up children. The region is exciting, and geographically beautiful, but is not a place to sit your family down." Edwards' bad impressions were reinforced last spring when burglars hit his home.

So why has Edwards returned? For growth, his own growth.

Professionally, Edwards finds himself at a transition stage. In Michigan, he's written books and articles, arbitrated disputes and taught. Now he's come to Harvard, a "new base from which to work" on the east coast.



Professor Harry T. Edwards

Edwards' future professional involvements were open to question when he was interviewed last May. So he confined the description of his activities here to his teaching role.

In relation to other law schools, "Harvard places a high premium on classroom teaching," Edwards said. "One of the first things you understand here is that the faculty values teaching as being very, very important. From what I see, it's hard to believe that the faculty would reject the suggestion that faculty members should be accountable for their classroom teaching."

One reason is that "students here are good enough . . . to understand when they're getting a good delivery . . . Classes are not fooled by performance . . . packaging; something exciting and stimulating is what we have to worry about."

In Edwards' case, the response to good teaching has been tremendous. Adoration dripped from the voice of a 2L who described Edwards' January labor law exam as an "endurance test."

Work is not painful for Edwards' students because he generates a high level of interest in the subject. "I'm going to work the hell out of you because we have the same interests," Edwards says to those enrolled in his collective bargaining and arbitration seminar.

The seminar is a small class, to Edwards' pleasure. "I can get to know individual students and give a little more of myself. Students are comfortable about complaining and aren't intimidated when I say, 'I'm busy now, come back later.'"

Edwards finds students receptive to his friendliness, "once you find them." Finding them is more difficult here than at Michigan, a smaller school.

Edwards has special consideration for black students. "I don't ignore the times in which we live. I let black students learn I'm available to them — as a teacher and as a black person . . . But the fact that I'm a teacher doesn't mean that I have answers for black students."

In one year here, Edwards has observed that blacks at the law school feel "alienated" because "their qualifications are still being questioned" by alumni and employers. To quash challenges to the competence of minority students and graduates, the law school "must insure that blacks, women, and other minorities come in on an equal basis."

The black professor said that today's minority students face forms of discrimination "more hostile" than those he experienced. "I could ignore forms I saw," Edwards recalled, suggesting that current discrimination is more invidious and harder to deal with.

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Horwitz on Judges: Law Versus Policy

By David Remes

Declaring that legal thought as it has been conventionally conceived lies in ruins, Prof. Morton Horwitz addressed several hundred 1Ls on "Current Legal Thought in Perspective" in Ames Courtroom on Tuesday night.

Prof. Horwitz presented his lecture as an effort to help 1Ls cope intellectually with the "contradictory experience" of hearing arguments from precedent at one moment and arguments from policy the next during their years at the Law School.

To provide the historical background of this experience, Prof. Horwitz traced the development of American legal thought as an ongoing struggle between Formalists, who contend that law can be objective and neutral, and Realists, who reject this contention as a rationale for conservatism and favor instead an active role for the judiciary in the pursuit of substantive justice. Portraying the current period as one of "disintegration" in legal thought, Prof. Horwitz described the opposing arguments as the residue of this struggle.

In reaction to the movement for codification of the common law during the age of Jackson, Prof. Horwitz asserted, a school of thought arose dedicated to preserving the power of judges to make law by spreading the idea that law could be scientific and refrain from exercising political influence. Dean Langdell of Harvard Law School was the foremost expositor of this view, Prof. Horwitz declared.

During the next period, Prof. Horwitz continued, the Formalists came under attack by the Realists, who found the consistently conservative thrust of contemporary judicial opinion suspicious. The Realists attacked the Formalist methods of deduction, by which

certain particulars rather than others continually seemed to flow from the general; of analogy, by which judges went from a to b when they might instead have gone to c; and of precedent, by which the dead governed the living.

After World War II a conservative consensus again developed, Prof. Horwitz went on, despite the innovative spirit of the Warren Court. Having argued while judges were conservative that the bench should not be restrained, the Formalists now argued that the courts should not play a positive role in shaping social policy.

As a result of the struggle during this last period, Prof. Horwitz concluded, there is no longer as clear a boundary as before between law, "pure and simple," and policy. Although it is clear that judges effect policy, he told his audience, "strong internal pressures influence every generation to conclude that 'thinking like a lawyer' has nothing to do with justice."

Following the address, a 1L approached Prof. Horwitz and asked how likely it seemed that Harvard Law School graduates would ever think law had to do with justice as long as money and other social rewards were proffered by those with different interests. "Not very likely," he replied.

BLSA Speaker Considers Suing Hicks and Police

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some extent on what happens in the schools this year. One possibility is to proceed against Boston City Councilwoman Louise Day Hicks, who invited the high school students to City Hall in the first place. The attack occurred after Hicks delivered a speech to the students.

The attack served to highlight a persistent problem in Boston, which received little publicity (except in the context of desegregation) before Landsmark was beaten.

"There has been a pattern of white attacks on Blacks — there are clearly areas of the city where Blacks are not safe," Landsmark said.

Landsmark also contended that the recent U. S. Supreme Court decision not to grant certiorari to the appeal dealing with Judge Arthur Garrity's desegregation order was primarily motivated by the publicity generated by the City Hall incident.

Landsmark will probably not take legal action against either his attackers or their parents. "I just don't get that much satisfaction from chasing around thugs." Other options include filing suit against the police officers present on the Plaza the day of the incident, their superiors, or other public officials.

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Erie Spurs Reflections; Federal Common Law Never the Same

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its right-of-way. But diversity of citizenship existed and *Tompkins* went to federal court, where Judge Mandelbaum ruled that Pennsylvania law did not apply. Judge Mandelbaum had no choice but to find that federal common law must be applied, which is obviously why the plaintiff's lawyers went to the federal courthouse in the first place.

The railroad's firm, Davis, Wardwell, Park, Gardner and Reid, sent one of its litigation partners — Teddy Kiendl — to try the case. However, the plaintiff's special counsel hired for the trial, "Stub" Hunt, knew as much as anyone in the business about winning a jury's heart, and had tried hundreds of such personal injury cases. His masterful cross-examination of the railroad's principle defense witness, the yard inspector who was in charge of checking the door on the "reefer" that had knocked Harry *Tompkins* down, clinched the case. The inspector said that he had personally closed and sealed all refrigerator car doors on the train. But, recalls Danzig, Hunt elicited seemingly innocuous testimony that in the end obliterated the defendant's case: that the inspector had inspected at least 10,000 freight trains in his twenty-two years on the job; that in the year of the accident (three years before the trial) he had inspected over a thousand such trains; that he could not remember this particular train; that no records were kept of any inspections. Hunt then asked, "Can you swear that you personally examined this reefer?" "No," was the response. Then, for the coup de grace, Hunt asked whether the inspector actually sealed empty reefers. "No sir," said the inspector.

It was, said Danzig, a "magnificent job." The jury took only an hour and a half to reach a finding of

negligence and award a judgment of \$30,000. In those pre-inflation days \$30,000 was an enormous sum, the equivalent of hundreds of thousands of 1976 dollars. The Second Circuit Court of Appeals, with the brief of twenty-four-year-old Aaron Danzig in front of it, affirmed.

On appeal, very little was said by either side on the issues that have made *Erie v. Tompkins* worthy of an article in the *RECORD*. The arguments by the lawyers for Davis, Wardwell, as we know from the dissent of Supreme Court Justice Butler, contained no constitutional attack on the federal common law doctrines of *Swift v. Tyson*. Instead, the railroad's lawyers made the esoteric claim that *Swift* should govern only when federal commercial law was at issue, not when the case involved a tort. This technical distinction was rejected by the Second Circuit and ignored by the Supreme Court.

Meanwhile, several important events unfolded. For attorneys Danzig and Nemeroff, the railroad's appeal to the Second Circuit meant that the judgment of \$30,000 remained out of their client's grasp. Once the Second Circuit affirmed the jury's verdict, however, the money belonged to Harry *Tompkins*. The railroad then decided to petition for certiorari, and under the court's procedure, the payment of the judgment could be delayed if one Justice was convinced that the full court would eventually grant a writ of certiorari. The Court was recessed for the summer, so the arguments for a stay of judgment had to be made before the Justice closest geographically.

As it happened, the Justice who made the ruling was Benjamin Cardozo. Both sides went to his home in White Plains, New York, and presented their case on the stay. The lawyers all said what they had before, young Danzig making what he later recalled was

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Rather, Rubin, Hiss On New Forum Slate

By Bill Ross

Whatever their differences, Alger Hiss, Dan Rather, William Colby, Ann Landers, F. Lee Bailey and Jerry Rubin have one thing in common. They are among this year's scheduled Harvard Law Forum speakers.

"We think we have a batch of speakers people will want to hear," said Linda Fee, 2L, Forum president. "We've tried to diversify our list of speakers after being saturated for a couple of years with politicians, many of them obscure."

Fee said that student apathy toward many of last year's speakers led to poor turnouts, causing the Forum to remain in debt.

"You've got to have someone who really grabs you for you to be willing to go out in the snow in March to listen to a speech," she said.

The Forum, currently \$2000 in debt, is trying to gradually pull itself into the black, according to Richard Hervey, 2L, Forum treasurer. He explained that the Forum, which pays speakers' transportation expenses, prefers to invite people who live in the Northeast or are visiting the Boston area.

Not many speakers are as sparing with Forum money as was libertarian economist Murray Rothbard, who arrived in Cambridge last year by bus, Fee noted.

The Forum is also trying to trim the cost of the cocktail parties and dinners that traditionally precede Forum talks, she said. She noted that the Forum still owes the Faculty Club \$900 for a lavish round of receptions it sponsored several years ago in Dick Cavett's honor.

"The Faculty Club doesn't hassle us about our debts, but the Law School administration isn't pleased about them," she said.

According to Fee, the Forum has smoothed over troubles it had with the administration in recent years.

(Continued on Page 16)

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The Boston Consulting Group is a management consulting firm that specializes in corporate strategy. Our clients are characteristically large, successful companies that are concerned about maintaining their growth and becoming more effective competitors.

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An informal discussion will be held at 2:30 p.m. on Wednesday, October 13 in Pound 335 for those interested in learning more about strategic consulting and BCG.

Sharpening The Blade

It has been so often repeated it sounds almost true. Law students must wait until after graduation "to really learn how to practice law." In short, the three years endured at HLS are but boot camp. The reality of legal battle can only be experienced in the trenches.

Justice Clark, in a recent Law School Forum appearance, did his best to dispel this notion. Justice Clark's words lend credence to our belief that there is a void left in the Law School's educational process. His recommendation that legal educators devote more time to clinical offerings, and less to the traditional law school lock-step curriculum, should be accorded greater respect by the powers that be at Harvard.

The Law School lacks a sufficient breadth of lawyering courses. The popularity of the perennially oversubscribed workshops in the Federal Litigation and Constitutional Litigation, as well as Introduction to Advocacy, evidences the need for offerings that call on the student to take an active role in his education by thinking on his feet, not while sitting at a classroom desk. Likewise, the recently organized student writing workshop, although not "clinical" in the usual sense of the word, at least encourage participants to hone their legal writing skills, an essential component of any practice arsenal. We commend the organizers of the workshop for their efforts in this direction.

Mr. Justice Clark suggests that the ennui of the third year might handily be avoided by channelling the efforts of students into clinical programs. We think his suggestion deserves consideration. If nothing else, it is a convenient way to kill two birds with the proverbial single stone. The opportunity is there to be seized. If third year students "don't learn a thing," as Mr. Justice Clark avows, why not fill the need for practical lawyering experience which Clark highlights by firing 3Ls with the enthusiasm which these courses inevitably kindle?

We realize that the wheels of administration, as well as those of justice, turn painfully slowly. Perhaps the remarks of Mr. Justice Clark will help free the mechanisms of reform. We concur in Clark's opinion.

HARVARD LAW RECORD

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Fenno

They were at it again. Fenno scanned the length of the Langdell reading room with his usual Chaucerian detachment. He caught sight of a familiar face and approached. The 3L was barely visible behind several stacks of *Federal Reporters* which he had arranged in an arc on the table in front of him.

"Third year paper?"

"No, just some independent research." The 3L shuffled some papers, shifted his chair, and hoped that Fenno would leave.

"Hey! All these opinions are by the same guy. What are you doing — applying for a clerkship with him or something?" Fenno had been glancing at the pages to which the volumes were open.

The 3L muttered something under his breath. "Well, if you have to know, I'm seeing Judge Hostile tomorrow and I want to be prepared."

"By reading his admiralty opinions from 1946?" Fenno chuckled. There was no end to some people's compulsion. Anything to clerk on the Second Circuit. "Did he ask you for a writing sample?"

"Writing sample? This guy wants a urine sample and certificates from two doctors stating that a ninety-hour work week won't produce any adverse effects. He's tough, but he's good."

"And after that I suppose you'll shoot for the Supreme Court?"

"Yeah, that's right. I figure by that time I may need a vacation." The 3L glanced at his watch. "And without any more rude interruptions I may be done reading in time to catch the 9:00 shuttle tomorrow morning."

Fenno took the hint, imitated Nelson Rockefeller briefly, and backed away from the object of his gesture. In the process he almost knocked down a female 1L who had been standing behind him.

"Pardon . . . Oh." He cut short his apology when he saw the tape recorder around her neck and the earplugs in her ears. The taped narrative was barely audible.

". . . and to your left you will note the American Law Reports, commonly known as ALR, which . . ." Fenno Courteously removed the *Shepard's New York Miscellaneous Citations* from her hand and replaced it with 57 ALR 3d.

"There you go. Enjoy." She nodded appreciatively. Fenno grabbed his jacket and headed for the door, smiling. Thank God some things never change.

HARVARD LAW RECORD

Letters to the Editor of the RECORD

Spartan Education: Rx for Bellyaching

To the Editor:

Three lead articles in the May 7 Record ("Board of Overseers Hears Student Groups Sear HLS", "HLS Boycott Planned By 3Ls" and "Faculty Panel Reveals Views On Education") leave me with the strong conviction that what is needed at the Law School is less introspective agonizing over what's wrong with legal education at Harvard and more old-fashioned Spartan Education, a la Bull Warren. This would have salutary consequences in at least two respects. First, it would tax and therefore sharpen the intellects of those subjected to it; and second, it would afford them little time for en masse confrontations of the Board of Overseers, or for writing newsletters to alumni encouraging a boycott of contributions to the School, or for general bellyaching to faculty panels.

If the faculty and administration are to be faulted, it is for giving not only ear but encouragement to the carpings of the malcontents who, after a year or two at the School, become instant experts on legal education. Thus it is disheartening to read that Professor Horwitz doesn't have "the slightest idea what we're doing in the second and third years" (puzzling too, since they should include such basic necessities as Wills, Trusts, Sales, Equity, Constitutional Law, Conflicts, Property I and II, Business Organizations I and II, or their modern counterparts). But what is more important and more disturbing than the fact that he has this strange opinion is his apparent eagerness to broadcast it to a large group of already disgruntled students. One wonders what possible purpose he thought might be served by this, or by his boorish characterization of some of his law school teachers as "dirty bastards", other than further to demoralize and heighten the disenchantment of his listeners. From the Record story it would appear that Professors Kennedy and Miller were somewhat more temperate in their remarks, but that each of them also felt called upon to chip in a little denigration of his own. Professor Areeda is to be commended both for recognizing that the purpose of the Law School is to teach the skill of legal reasoning and for having the courage to say so.

The explanation given for the campaign to boycott contributions is at best baffling, if indeed it is believable. How can its proponents really be motivated by concern for the morale of future students who may well be dependent for financial aid on the very contributions they seek to discourage? It seems more likely, in view of their obvious pique, that it is a spiteful and clumsy lashing out

over imagined grievances, calculated to embarrass and injure the School, rather than to help incoming students. Moreover, the instigators of the plan are guilty of the un-lawyerlike sin of reaching a conclusion without investigating the facts. None of the many alumni with whom I'm acquainted enjoys nostalgic recollections of his years at HLS. Rather what comes vividly to mind is memories of having to work harder and sweat more than we would have chosen but for the necessity of making respectable grades. The growing realization that the experience was the foundation for whatever legal skills I have acquired has left me conscious of an indebtedness to the School and grateful for having had the experience, but with no coagulation of warm nostalgia, Mr. Reiman and his cohorts to the contrary notwithstanding. I suspect that this is pretty much true of the alumni generally. Aside from this, the boycott campaign hopefully will fizzle or, better still, backfire.

Come on, let's cut out the grouching and get on with the teaching and study of law.

Alfred J. McDowell, '37
Alton, New Hampshire

Minority Opines 'I Enjoyed HLS'

To the Editor:

I must respond to the article by Andrea Brown entitled "HLS Boycott Planned By 3Ls" which appeared in your May 7 edition. I was terribly disheartened to read the statements attributed to Jeffrey Reiman, Marshall of the Class of '76, indicating an intention to encourage a boycott of financial support to Harvard Law School by members of that class because of a "concern with the morale of students who come after him. . . ." Mr. Reiman is certainly correct that "the boycott's primary impact is expected to be on the students. . . ."

It is always easier to be destructive than to be constructive. No individual, no matter what his motivation, has the right to jeopardize either the training or career of those who will follow him or an institution of the truly great national importance of Harvard Law School.

Perhaps I am in the minority in having both appreciated and enjoyed Harvard Law School as a student as well as in retrospect. However, I am convinced that Harvard Law School is one of the greatest resources of our nation, and perhaps the world, and that the training offered by Harvard Law School to highly qualified and motivated young women and men is essential to the solution of the many problems of concern to all of us.

The alumni of Harvard Law School are now attempting to raise \$2 million through

the current annual giving year of the Harvard Law School Fund. \$1 million of this amount will be applied as financial aid for students next year. Without the constructive support of both alumni and current students, it will not be possible for Harvard Law School to continue to offer unique training and opportunity for gifted individuals who in turn would provide service to many others.

If change is required, Harvard Law School training should give Mr. Reiman the tools with which to construct the improvements that may be required. He should not deprive others of that opportunity.

Peter L. Malin, '58
New York, New York

Law Notes

The East Asian Law Speakers Program will present the following guest speakers in the next two weeks: Monday, September 27, **Sein Lin**, Lincoln Institute of Land Policy (Cambridge), "Land Reform in Asia"; Wednesday, September 29, **Albert Craig**, Harvard, "Economic Development, Pollution and Law in Meiji, Japan — A Discussion"; Wednesday, October 6, **Charles R. Stevens**, Coudert Brothers, "representing Japanese Companies in the United States." All talks begin at 1:10 (bag lunch at 12:45) in Pound 419.

* * * * *

The Harvard-Radcliffe Hillel Society has scheduled Rosh Hashanah and Yom Kippur services for September 24-26 and October 3-4. A complete schedule of the planned services and other Hillel activities, including non-credit courses offered in the fall term by the Hillel Institute of Jewish Studies, is available at the Hillel office at 1 Bryant Street (call 876-6138 or 495-4696).

Solution to "Cryptic Law"

"This Opinion has now reached its final border, and the time has come to enter an Order, which, in a sense, is its ultimate crux, but alas, plaintiff claims under a thousand bucks. So, while trial counsel are doubtless in fine fettle, with many fine fish in their trial kettle, we urge them not to test their mettle, because, for the small sum involved, it makes more sense to settle." *Mackensworth v. American Trading Transportation Co.*, 367 F. Supp. 373 (E.D. Pa. 1973). In a suit by a seaman to recover lost wages, the parties entertained themselves and the court by exchanging briefs written in verse. District Judge Edward R. Becker, [overwhelmed by this outburst of pure creativity, [was] determined to show an equal proclivity." Even the West Publishing Company joined in the fun, penning the headlines in verse. Your author's comment: This being his first, Becker could have fared worse; At least his sage verse has not been reversed.

Tactical Coup Engineered By Erie RR's Lawyers

(Continued from Page 8)

"beautiful statement of our argument and the few points that defendant's counsel made were easily overcome. It was a cinch." But defendant's counsel added one more point: if Justice Cardozo were to refuse the stay of the judgment, the railroad would immediately drop its appeal for a writ of certiorari. They claimed that the coal miner would dissipate the \$30,000, and the arguments of the railroad would be moot.

Danzig now regards this argument as a tactical coup: Although Tompkins might have been expected to stretch out his damages to help him and his family survive for years to come, Cardozo evidently thought that a denial of the order would decide the entire case. Cardozo stated that while the law might be as Danzig had said, he would rather have his brothers rule on the petition. So the stay

was granted, the funds remained uncollected, and Harry Tompkins remained on the dole.

As the date for argument before the Supreme Court grew near, the railroad apparently made on last effort to end the case through the back door. While Tompkins' lawyers were sitting in their offices at 32 Broadway, the railroad had apparently sent an emissary to the plaintiff. A man in Tompkins' hometown who owned a local gas station went to Tompkins' house with the message that the railroad would drop its petition for certiorari if he would accept a settlement of \$22,000. Danzig and Nemeroff reacted with a fitting countermove. They sent for Tompkins, and secreted him in a hotel near Masapequa, Long Island, where he could be protected from the enticements of the railroad. There he stayed for several weeks, until the "danger" of early settlement passed. Both Nemeroff and Danzig were sure that the judgment of \$30,000 was as good as won, with interest and costs.

The decision of the Supreme Court is well known. It turned on a point that neither side had raised in its brief. The defendant had sought to distinguish *Swift v. Ty-*

(Continued on Page 16)

Cryptic Law

(The following excerpt from a recent opinion is in "judicial code." Our new readers should be forewarned that the solutions to this feature are often more "cryptic" than the codes themselves. As you decode this week's selection, bear in mind that even a judge has a sense of humor. (Hint: Each letter stands for a different letter of the alphabet.)

Okpw Lvpuplu kdw ulq fsdrkst pow ipudn
zlftsf, dut oks opys kdw rlys ol suosf du Lftsf,
qkprk, pu d wsuws, pw pow bnopydos rfbh,
zbo dndw, vndpuopii rndpyw butsf d
oklbwdut zbraw.

We, qkpns ofpdn rlbwusn dfs tlbzonsww pu
ipus isoons, qpok yduc ipus ipwk pu okspf of
pdn asoons, qs bfxs oksy ulo ol oswokspf
ysoons, zsrdbws, ilf oks wydnw why
pumlnst, po ydasw ylfs wsuws ol wsoons.

(Solution on Page 11)

SPORTS QUIZ

(Ed. note: This quiz inaugurates a new year of the very best in Sports Trivia Questions. There have been changes in the STQ editorial staff for this year and with these have come the inevitable changes in editorial policy. Specifically:

1. Sports Trivia Questions are solicited from alumni and friends of Harvard Law School as well as from the HLS Community. Credit will be given for all questions used and not previously generated by the STQ editorial staff. Winners will be entitled to a slice of pizza to be provided by the HLS RECORD at one of its Tuesday evening editorial meetings.
2. Some emphasis will be placed on what will be referred to as "progressive trivia," evidenced by questions 6 and 7 below, which does not just explore sports themselves but which recognizes the proper role of sports in contemporary American society.

Comments and suggestions are welcomed. Good Luck.)

1. What was the original name of the National League Houston Astros?
2. Bob Goalby won the 1968 Masters by one stroke over what golfer who signed an incorrectly totalled scorecard charging him with one extra stroke? The golfer later commented, "What a stupid I am!" concerning his mistake.
3. What was Cy Young's real name?
4. Who had the longest continuous reign as heavyweight boxing champion of the world?
5. What NBA Player holds the record for most career personal fouls?
6. Joe Namath shaved his Fu Manchu moustache for what shaving cream company?
7. The reserve clause was first used in a professional baseball player's contract in what year? (within 10 years will do)

(Answers on Page 13)

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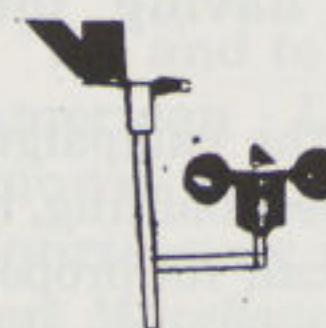
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NERD COMIX

starring
Herb
Garnish



AUG. 1976: Herb reports to the managing partner of "his" firm



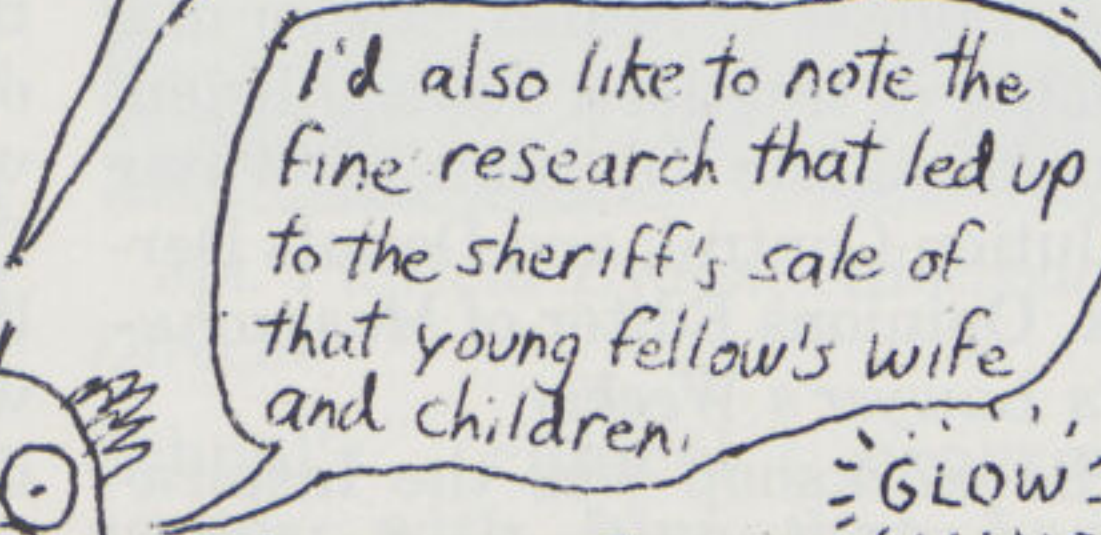
Good morning, Your Legalness, er, is there anything that needs shining or licking this morning?
Boots? Feet?...



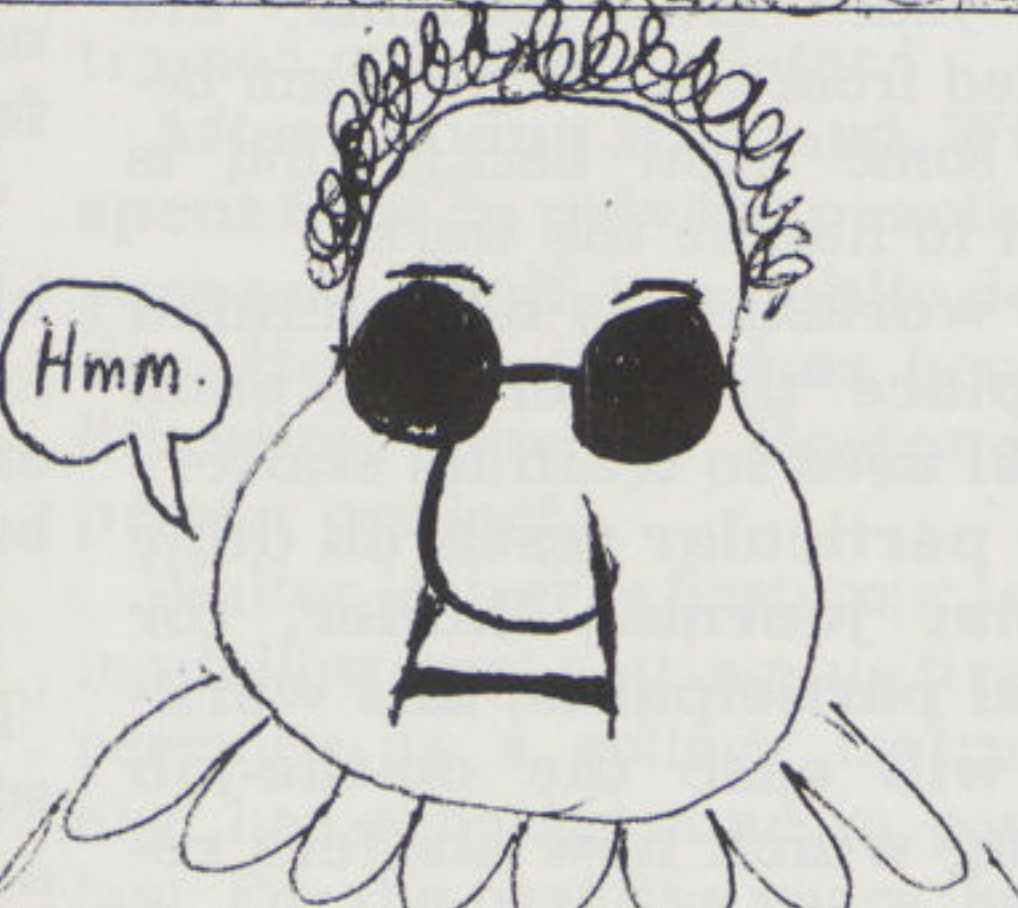
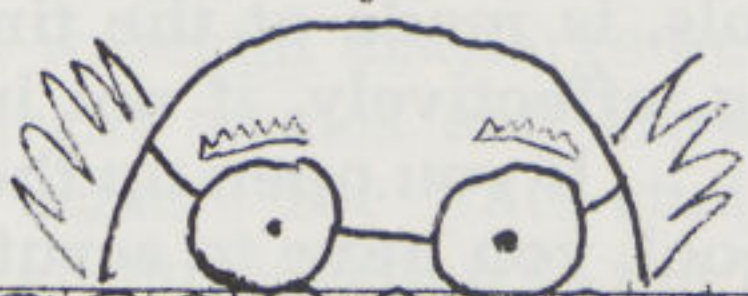
Actually, Garnish, I just called you in to say we've been quite pleased with your work this summer



Your "Memo in Support of Beastco's Motion to Delay Hearing Until Plaintiff Runs Out of Money" was particularly incisive



Let me get to the point. We've decided to make you an **OFFER**



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CON AVISO DE Bob Burakoff

Sports Answers

1. Houston Colt '45s.
2. Roberto de Vicenzo.
3. Denton True Young.
4. Joe Louis (11 years, 8 months, 7 days).
5. Hal Greer (3,855).
6. Noxema.
7. 1879.

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HLS Journals Hope New Program Will Improve Writing, Editing Skills

By Andrea Brown

The *Journal on Legislation*, *International Law Journal*, and *Civil Rights — Civil Liberties Law Review* have planned a program to enable second and third year students to develop legal writing and editing skills. Sponsored by the Law School, the workshop will consist of three weekly meetings of small sections of approximately seven or eight students and a section leader.

Each week, 80 participants will prepare an exercise which emphasizes either writing or editing. The first exercise is in editing, with a modified sub-cite check and a chance to redesign a badly organized article. The second week should be more lively: students will research massage-parlor law and draft either a constitutional ordinance on the subject or an article, similar to a *CR-CL* case comment, on a proposed ordinance. The final week's exercise will be a choice between researching and writing about the law of sunken treasure and editing a poor quality draft on the subject.

The section leaders, all of whom have substantial experience in legal writing, were selected from several different populations. Editors of the participating journals — Robert B. Leflar and James K. Cameron of the *Journal on Legislation*, Laurie D. Zelon of *CR-CL*, and Roger B. Howard and Leslie E. Davis from *ILJ* — will each be heading a section. Len Kopelman, an HLS graduate, director of the writing program at Harvard Col-

lege, and editor of *Law Notes*, substantially developed the workshop materials and chose the instructors; he will be a section leader.

Five other Massachusetts lawyers will be participating as well: Fritz Casselman, hearing officer at the State Labor Relations Commission; William Aikman, Executive Director of the Massachusetts Center for Public Interest Law; Donald O. Smith, author of a number of treatises; John O'Brien, counsel to the Division of Water Pollution Control; and Dennis Derrick, Opinions Editor of *Massachusetts Lawyer's Weekly*.

The workshop was the inspiration of Rob Leflar, who feels that there is a lack of instruction in legal writing at the Law School. While one goal of the workshop is to improve the quality of writing on the journals, Leflar sees the journals as a vehicle to help interested law students with their writing skills. If this workshop is well-received, Dean Sacks has also agreed to fund a similar session in the spring for first-year students. First year law students are excluded from the fall program because some legal background is needed to handle the work.

The workshop is not planned to replace the exercises each journal uses to train its staffers in the particular research done for that journal. Rather, for journal participants, this workshop will ease the on-the-job training which new staffers receive.

Ex-Michiganer Popular Labor Law Professor

(Continued from Page 6)

Denying that his hiring represents a new approach in faculty hiring at Harvard Law School, Edwards explained that his own background is in the "traditional pattern" for law school professors. He studied at Cornell Industrial and Labor Relations School, was on the Law Review at the University of Michigan Law School, practiced with a firm, and returned to the University of Michigan to teach law. Edwards' past insured that he would meet Harvard Law School's definition of "qualified."

But Edwards doesn't regard that definition as an absolute. He believes the hiring pool could be opened up to bring more minority teachers here. This is not done, Edwards said, because "the tenure decision here, as at other major law schools, is made at the time of hiring, effectively, if not in the rule. . . . If you open up the hiring pool, you have to scrutinize new professors' work — all professors, not just blacks."

Edwards' own attitudes about his obligations as a teacher are not keyed to his race. "I have to be an excellent teacher because that's my business, not because I'm black."

Edwards doesn't disdain practice: "I don't subscribe to the view of some academicians that practice is an inferior stage of life." He prefers teaching because it allows him to speak to issues more easily, to be accountable only to himself. "I'm hard on myself, though," he added.

After teaching, Edwards' second love is arbitration, which lets him stay close to practitioners. "Labor law is fun because of human dynamics," he said.

These contacts sometimes benefit his students, since they can be called upon to help those looking for labor law work after school.



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Ex-Prosecutor, Public Defender Evaluate 1Ls

(Continued from Page 1)

ting and its stress on an advocate's, rather than an academician's, approach to case law.

"It's an experience in which students are able to ask some of the questions they wouldn't feel comfortable asking in the larger class," pointed out Ms. Lydon. Formerly Asst. Dean of Admissions and Placement at the University of Minnesota Law School, Ms. Lydon sees her added duties in Legal Methods as a way to get more closely involved with students who until now have only been names and documents in an admissions file.

Like last year, the bulk of this year's course centers around the seemingly insurmountable legal difficulties of the hypothetical Jack Katz, an aging executive who may or may not have been wrongfully discharged.

Three-fourths of this year's 1L's are learning to analyze the body of law on wrongful discharge and to write legal memos and briefs in Katz's behalf. The Katz study is tied to an introduction to the HLS library and legal research.

The remaining one-fourth of this year's class is the object of an experiment aimed at overcoming the frequently cited gap between Legal Methods and the rest of the first-year curriculum.

First-year students in Professor Charles Fried's contracts course have been divided into small groups headed by 2L's or 3L's. Their study will be more closely concerned with finer points of contract law.

Moss agrees that the lack — until now — of faculty contact is one of the program's chief weaknesses. "I hope what comes out of the current evaluation is a lot more faculty participation . . . For a long time Legal Methods has been sitting down here in a little cosmos of its own," Moss said.

Teaching fellow Tim Wilton, like Moss a veteran of the Law



Ms. Patricia Lydon, Admissions Director

School's clinical program, agrees with him that Legal Methods is "more fun" for the instructor.

Wilton, a 1971 HLS graduate, sees his experience last year as a clinical supervisor as "much more practice oriented . . . I find teaching theory (this year) more challenging, more stimulating."

"I like first-year students. They come to the law school with a high sense of idealism and a strong sensitivity to injustice. That is sort of trained out of them later."

After leaving Harvard, Wilton spent time in private practice, a year and a half as a public defender. He then served as head of litigation for a Boston-area prison project.

Walter Heiser, a first-year teaching fellow now getting his first experience as a college instructor, also has a background in poverty law. For the past five years, he has been an associate director of the Legal Aid Society of St. Louis, Mo. Heiser said he will "reserve judgment on just how useful (Legal Methods) is until I see how the whole semester goes."

But for him, it's been "fun."

"And," he added, "I've been impressed with how quickly the students have come along in just three weeks in terms of case analysis and the whole process of thinking like a lawyer."

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Diverse Speakers Should Attract Forum Audiences

(Continued from Page 8)

"The administration considered the old officers to be financially irresponsible but it can see that we're trying to work our way out of these money troubles," Fee said.

Beyond cutting costs, the Forum's major fund raising strategy is simply to encourage bigger turnouts by providing more popular speakers, Fee said. Hervey noted that the Forum so far this year has sold 170 subscriptions at \$8 apiece.

Admission at the door usually varies between \$1 and \$2, depending on what Forum officers consider the speaker worth.

Although the Forum pays speakers no honorarium, Fee said this rarely discourages anyone from accepting an invitation unless he or she has a policy against speaking without pay. Most persons invited

to speak consider the opportunity an honor and don't care about being paid, Fee said.

The Forum this year invited 275 individuals to speak, based on a survey sent in the spring to students and faculty of the Law School. The survey, conducted for the first time, was a success and will be conducted again next year, Fee said.

She added that the survey revealed that students wanted a more varied list of speakers than the Forum had been providing. Students seemed to think that too many of the speakers were politicians or lawyers.

"Just because you're a law student doesn't mean law is all you're interested in," Fee said. "Students can hear about law all day and Forum speakers ought to provide something different."

In addition to Hiss, Rather, Colby, Landers, Bailey and Rubin, speakers for the coming year include: writer Jerzy Kosinski; Nobel Prize winning economist Wassily Leontin of New York University; Harvard political theorist James Q. Wilson; syndicated columnist Joseph Kraft; comic George Burns; and explorer Jacques Cousteau.

An informal random survey of students by the RECORD indicated that most of the speakers mentioned interested at least some students.

Erie Anecdotes Prove Amusing And Surprising

(Continued from Page 12)

son. Instead, the court said that the issue was whether *Swift* should be overruled. The court decided that a consistent approach to federalism could not tolerate the rule of *Swift v. Tyson*, and the case was remanded to the Second Circuit for a determination on the merits in accordance with state law. The Second Circuit found that under Pennsylvania's understanding of a railroad's responsibility, it could not be liable for its failure to watch out for Harry Tompkins walking along the tracks. His case was lost. Ironically, Justice Cardozo took no part in the decision.

Harry Tompkins returned to obscurity. His lawyers made a detour through that same gray territory. Nemeroff maintained a routine practice. With the war his practice improved, and he began work related to the Office of Price Administration.

For Aaron Danzig the detour was slightly longer. He had worked his way through Columbia College and Columbia Law School, graduating into a depression. In those days before Placement Offices, he got his first job at five dollars a week, after he "walked from office to office, starting at one end of Wall Street." Now he had backed the wrong historical horse for two years. He packed his books and abandoned his practice. He began a business selling coffee to retail grocers for what is now the Savarin Coffee Company. He also moonlighted as an advertising manager for a weekly newspaper in Forest Hills, New York, and operated a string of peanut machines ("filthy, backbreaking work") in subways in the city. After four years, Danzig rejoined Nemeroff, who was flourishing. They now practice with a well-known law firm with offices in the Empire State Building.

Dorm Council Activities

This Weekend

TGIF — Today, 4-6 p.m.

Harkness Downstairs Lounge

All Invited!

Mixer 8-12 Hark

\$1.00 or Free with HLSDC

Activity Card

THE GRADUATE

Starring Dustin Hoffman

8 and 10 p.m.

Harkness \$1, or 50c with

Dorm Council Card

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