

Mr. Pulling

The Harvard Law School Record

VOL. 16, No. 9

CAMBRIDGE, MASS., THURSDAY, APRIL 2, 1953

PRICE TEN CENTS

New Board Selections Made Lewis Chosen As President By Retiring Editors; Talbot And Cohen Receive Posts As Top Officers

Herbert D. Lewis, 2L of Cambridge, was elected President of the Harvard Law School Record Wednesday evening. He succeeds Donald W. Conley, 3L of Chicago, and Mathew Foner, 3L from Brooklyn, who have held the post jointly for the last 13 issues.

The other two top officers for the next RECORD volume will be Chas. H. W. Talbot, 1L of Walla Walla, Wash., editorial manager, and Melvin Cohen, 2L

of Sarnia, Ontario, business manager. Burton T. Gans, 2L of Roxbury, will become the associate editor, head of the editorial board, replacing David Lubell, 2L of New York City.

The incoming news editor will be William Westling, 2L of Lincoln Park, N. J.; and Edward K. Pincus, 2L of Brooklyn, will become the new advertising manager. The remaining position on the Editorial Board, copy editor, is being left open. Westling replaces Herbert C. Klein, 3L, Hillside, N. J.; Johanan Vigoda, 3L of New York City, is the outgoing advertising manager.

Department Heads

Department editorial positions will be assumed by: Herbert Wasserman, 1L of New York City, gallery; Arnold F. Ciacio, 2L of Rochester, N. Y., current case; and Joel S. Greenberg, 2L of New York City, treasurer. The position of articles editor has been combined with features editor and will be filled next term. The post of alumni notes editor has been abolished.

Lewis was formerly articles editor, Cohen had served as treasurer, Talbot was copy editor.

Other outgoing editors include John J. Sexton, 3L of Arlington, features; Arthur Sherman, 3L of Mattapan, current case; Jonathan Lubell, 2L of New York City, gallery; David Sanderson, 3L of Littleton, alumni notes.



Herbert Lewis

Colleges Take Stand On Academic Rights

The Association of American Universities, in a statement issued last Monday, has taken the position that Communists should not be allowed to teach in universities.

The Association declared that full academic freedom must be guaranteed to professors and scholars but that membership in the Communist party is incompatible with the loyalty, integrity, and independence required of faculty members.

Thirty-seven colleges in the United States and Canada approved the report, including Harvard. Paul H. Buck, chairman of the administrative committee, approved for Harvard University.

The qualifications of teachers who invoke the Fifth Amendment privilege against self-incrimination by refusing to answer questions asked by competent authorities should be re-examined, and the teachers should bear a heavy burden in proving their fitness to teach.

Academic freedom and freedom of expression are not merely faculty rights, (See OATHS on page four)

Legislative Research Elects New Officers

George Roumell, 2L of Grosse Point, Mich., was chosen President of the Student Legislative Research Bureau for the 1953 fall term at an election on March 31.

Robert Matsuoff, 2L of Dayton, Ohio, was elected Research Director and Greta Worstell, 2L, Columbus, Ohio, was re-elected Secretary of the organization.

Mr. Roumell has completed a draft statute on motel regulation for the Citizens Crime Commission. He was assisted by Jon A. Lund of Augusta, Me.

'Baby Hoover Commission'

Together with David Landau of Union City, N. J. and Dennis H. Greenwald of Passaic, N. J., Mr. Matsuoff has finished a project for the Massachusetts "Baby Hoover Commission" for reorganization of the Health Department of the Commonwealth of Massachusetts.

At present the Bureau is working on projects dealing with the Massachusetts District Commission, and urban redevelopment law.

The Bureau is an independent activity, although it was originally a committee of Phillips Brooks House. It is financed by funds from PBH, which are given to the Bureau without any strings attached.

Oralists For Casner Equity Win Finals; Frankfurter Reminisces With Students

"I'm a great believer in prepared improvisation," Mr. Justice Felix Frankfurter told an audience of faculty members and some 650 students in Langdell Courtroom yesterday afternoon, as he detailed how his law clerks after three weeks of thought, had advised the jurist "just to chat with the students."

Elaborating his basic theme, that "a lawyer shouldn't sell his views to his clients, but his wisdom," Justice Frankfurter pointed out as the important benefit performed by the Harvard Law School sending out a group of men who have the "great quality of disinterestedness, . . . men who start with a problem instead of an answer."

In the introductory remarks by Dean Erwin N. Griswold, he mentioned that the Cambridge faculty has never relinquished the ties which bind the Justice to this Law School. Elaborating on those words, Mr. Frankfurter gave as the reason for this attachment that "there is nothing parochial in the thoughts and traditions which characterize this place." He also cherished the humility of outlook as a tradition which (See FRANKFURTER on page three)



Felix Frankfurter

Casner Equity won the final round of the Ames competition Wednesday night in an argument heard by the "United States Court of Appeals for the Ames Circuit," in the Langdell Courtroom. As is customary in final Ames argument, no decision on the law was handed down.

The case, involving the statutory and constitutional validity of the loyalty review program, was heard by Associate Justice Felix Frankfurter of the Supreme Court of the United States, the presiding justice, Associate Justice Raymond S. Wilkins of the Supreme Judicial Court of Massachusetts, and Albert B. Maris, Judge of the United States Court of Appeals for the Third Circuit.

The oralists for the winning party, representing an employee discharged under the loyalty program, were Oliver S. Oldman of Buffalo and Julian Singman of Washington, D. C. The Government was represented by Robert I. Hammerman of Baltimore and Murray Drabkin of Portchester, N. Y., of Casner Law.

Origin Of The Case

The case began when Dr. Mildred Rothrock, a psychiatrist employed at the Veterans' Administration hospital in Langdell, Ames, was charged with disloyalty. She appealed from the regional loyalty board's decision to the Loyalty Review Board in Washington.

Throughout the administrative proceedings Dr. Rothrock was not told of the charges against her, except that she was supposed to be a member of the Communist Party. Her witnesses uniformly testified to her loyalty to the United States and to the incompatibility of her conduct with the charge that she was a Communist.

When the Loyalty Review Board decided (See FINALS on page three)

Three-Dimensional Movies Featured At Forum Treating Future Of Media

On Friday, April 3 at 8 p. m. the New Lecture Hall will be the scene of a Forum program entitled "Invitation to 3-D." The program will feature about an hour of three-dimensional films, viewed by the audience through special glasses. Included in these films is a 20-minute short showing an abdominal operation.

Speaking on the subject will be Mr. Arthur De Bra, Director of Exhibitor and Community Relations of the Motion Picture Association of America, who will discuss the current state of 3-D films and their production by major Hollywood studios.

On hand also will be Mr. Floyd Ramsdell, President of the Stereo Corporation and inventor of the three-dimensional camera. He will explain briefly just how the process works and preface the demonstration.

After the film showing, Miss Elinor Hughes, film editor of the Boston Herald will present her views, as a critic, on the entertainment prospects of 3-D movies, and Dr. John Brooks of the Harvard Medical School will add his comment on the surgical aspects of the film, and the value of 3-D films in the educational field.

The Forum expects this to be one of the most interesting programs presented by the organization in the current school year.

Wilkins Appointed To Chair BSA; Melamed Takes Post As Assistant

Next year's chairman and assistant chairman of the Board of Student Advisers were chosen at a meeting of the Board last March 26.

Elected were Herbert P. Wilkins, 2L of Cambridge, as chairman, and David J. Melamed, 2L of Elizabeth, N. J., as assistant chairman.

Mr. Wilkins, who is the son of Raymond S. Wilkins, LL.B. '15, Associate Justice of the Supreme Judicial Court of Massachusetts, is a treasurer of the Marshall Club, a Harvard graduate of the Class of 1951. He attended Phillips Exeter Academy. He is married.

Research Director Named

Assistant Chairman David J. Melamed is also a Harvard graduate, with a magna cum laude in government. He attended Thomas Jefferson High School in Elizabeth.

Mr. Melamed will also serve as facts chairman for the second-year Competition.

Other officers of the Board for 1953-54 were chosen a few days ago by Mr. Wilkins. The men are: Moses G. Ehrlich, of Springfield, who will be the first-year administrative chairman; David B. Kel-

ler, of LaCrosse, Wis., first-year facts chairman; Frederick R. Scher, of Miami, second-year administrative chairman; and Edward M. Cowett, of Springfield, who will supervise the Drafting Competition.

Annual Banquet

The Board held its annual banquet Wednesday night in the large meeting room of Harkness Commons before the final Ames argument. The presiding judges were the guests of honor.

Caucus Of 1953 Class Representatives Selects Davis, Loy, Warner For Council

The three Class of 1953 officers and the four elected members of the Executive Council chose the three appointive members of the Executive Council at a meeting held March 26.

Selected were Sydnor I. Davis, of Louisville, Ky.; Frank E. Loy, of Los Angeles; and C. Randolph Warner, Jr., of Fort Smith, Ark.

Sydnor I. Davis, the chairman of the Board of Student Advisers, is a member of the Chancery Club and the Pollock Ames Club. He is a 1949 graduate of Centre College. Mr. Davis is married.

Frank E. Loy, the only class officer from the Far West, is a member of Lincoln's Inn and the E. Warren Club. He was graduated from U.C.L.A. in 1950.

C. Randolph Warner, Jr., with Mr. Davis, the two representatives from the South, is an editor of Law Review, and a member of Lincoln's Inn, the Cox Club, and the Southern Club. He is a 1950 graduate of the University of Arkansas.

Staggered Terms

According to the rules under which the election was held, members of the Executive Council were to divide themselves into three groups of two, two, and three. The first group will resign at the end of three years, the second after five

years, the third group of three will serve a term of nine years. Elections will be held at each of these times.

New Appointments

W. Louise Florencourt, of Arlington, Mass., and Austin B. Noble, of Bethel, Vt., will serve in the first group; Frank E. Loy and Sydnor I. Davis will make up the second group; and William E. Glynn, of Hartford, Conn.; Alan B. Ives, of New Haven, Conn., and C. Randolph Warner, Jr., compose the third group.

(See PICTURE on page four)

LATE APPEARANCE

The RECORD appears on Friday this week instead of its usual publication day, Thursday, so that we could bring you complete coverage of the final Ames argument Wednesday night and of Associate Justice Felix Frankfurter's informal address to the students on Thursday afternoon.

Both stories are found on this page. By delaying publication, the RECORD is able to bring not only the results of the argument but a recapitulation of the mock case, the major points of each side, and short synopses of the arguments presented by counsels for both sides.

Ames Quarterfinals Will Open Tuesday

Next Tuesday, April 7, the Ames Competition again begins the contest between clubs to see which two will face a United States Supreme Court Justice and his Ames bench sometime in the spring of 1954, in the finals argument.

The first two clubs in the race are Frankfurter Law and Gardner; Donald W. Dowd, of Lowell, and Lester S. Cramer, of Cambridge, will appear as oralists for Frankfurter Law. Archibald C. Spencer, of Minneapolis, and John A.



LEFT TO RIGHT: Lester Cramer and Donald Dowd of Frankfurter Law, and John Mitchell of Gardner. Archibald Spencer, the other Gardner oralist is unpictured.

Mitchell, of Haynesville, Me., will argue for the Gardner Club.

The oralists will face J. Cullen Ganey, LL.B. '23(26), U. S. District Court Judge for the District of Philadelphia, sitting as Chief Judge of the Ames Court. Associate Judges are Frank Kopelman, a graduate of Boston University Law School and a member of the Boston bar, and Leonard A. Pierce, LL.B. '08, of the Portland, Me., bar. Mr. Pierce's daughter, Lucia P. Pierce, is a first-year student here.

(See AMES on page four)

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Time for Decision

A newspaper has many burdens: its reporters make mistakes, letters to the editor criticize its policies, stories do not "break" when they should, it must worry about circulation, it must keep within its budget, and sometimes it must carry advertising at the expense of more complete news coverage. Ultimately it must find acceptance with its readers. For this reason it must be worthy of respect.

In our opinion, we would not deserve to continue publication if our readers had even a lurking suspicion that our news is colored or our editorials not the expression of attitudes we believe proper for a democracy. In these circumstances, we feel that one has a duty to testify fully and truthfully when subpoenaed to do so, and that one's feeling toward the men who conduct the hearings thereby becomes irrelevant.

At a meeting of the old and new boards of the RECORD earlier this week we received and accepted the resignations of David and Jonathan Lubell. This action was not approval of all the investigative techniques used by the Jenner, McCarthy, and Velde Committees; we did mean to express our disagreement with the stand taken by the Lubells as witnesses last Friday.

We believe the Congress, the courts, and current sentiment favor the announced purpose behind the investigations. While there may be moral grounds for refusing to testify, the Constitution does not supply a haven. The duty to testify to all save what would incriminate is not mitigated by opposition to the interrogators or their methods, unless, as has not yet been done, the Congress or the courts determine otherwise.

We are wholly against attempts to dictate a set pattern which all must follow or be exposed to contempt and ridicule. We believe everyone is entitled to the full expression of his views, consonant with the necessity for maintaining a well-ordered society. But we believe that opposition to these committees' methods must suspend at the doors to the hearing-room, though one should not face contempt, ridicule, or suspicion for voicing objections before or after answering as the law requires. We cannot be consistent with this position and retain the Lubells.

The RECORD stands upon its performance. In the past, when the RECORD did not halt in condemning men and practices it felt deserved its scorn, the editors looked neither to future vindication nor immediate acclaim. The views were presented, with the reasons which formed them, for what they would command in the marketplace of thought. The business of a newspaper is to state the news accurately and its views forthrightly.

Sign-Off

We have stated our policy above, and are willing to be judged upon it. Our term of office ends with this issue, but we will always read the RECORD with an editor's eye. We wish well to our School, the faculty, and our classmates; we hope our work has met their approval.

MAT FONER
DON CONLEY

Letters to the Editor

TO THE EDITOR:

The RECORD's reviewer of Dean Harno's "Legal Education in the United States" asks: "Why doesn't anybody ever ask the students what they think about the curriculum?" He and other readers may be interested to learn that the present curriculum was designed after an extensive inquiry into student views. Professor Fuller worked out a long questionnaire with plenty of open space for the airing of dislikes and the naming of names. The first year of the group work program was followed by a similar questionnaire, and individual teachers occasionally use the same device.

There are, of course, less formal ways of obtaining student views, and I believe the reviewer would be surprised by the volume of student comment that we in our ivory towers pick up. However, more is always welcome. A teacher may not want to take part in an analysis of his colleague's merits and demerits, but, for the curriculum, there is always open season.

DAVID F. CAVERS, Associate Dean

* * * * *

TO THE EDITOR:

In your issue of March 12th, Mr. Louis Lyons, curator of the Nieman Fellows at Harvard, is reported as saying: "And in Massachusetts for the past twenty years no major daily has supported a Democratic candidate."

Of course, what constitutes a "major daily" is a matter of opinion. But the Springfield Daily Republican which many of us in Western Massachusetts considered "the major daily" supported Mr. Roosevelt in 1932, 1936, 1940 and 1944. (It went out of existence in 1946.) The Berkshire Evening Eagle published in Pittsfield, an excellent newspaper, supported Mr. Roosevelt in 1944, and Mr. Stevenson in 1952.

JAMES M. ROSENTHAL, LL.B. 1911

* * * * *

TO THE EDITOR:

The basic theme of the campus scene today is the effort to maintain the freedom of the academic community. Within this framework we feel no effort must be lost to thwart those who would nullify the essential sources of higher education—free inquiry, free discussion, and a free student press.

Within the past year both the attack against and the defense of academic freedom has centered around the activities of Congressional committees. Many renowned scholars, such as Dr. Gene Weltfish of Columbia University, whose competency had hitherto never been challenged found themselves not only having to defend their life-long scholarship and teaching but also their very right to maintain positions which they had so successfully been holding.

Just one week ago we were faced by the Jenner Committee in a public hearing in Boston. We feel that our continued presence on the Board might impose unfortunate extraneous considerations on the reader. We herewith submit our resignations from the RECORD.

We take this step hoping that the Law School may continue to foster the belief in free inquiry and free expression of ideas notwithstanding the various real pressures which today are being applied on the American University to force conformity where individual freedom is so necessary.

In the variety of articles which we have written and edited for the RECORD we feel that we have served the interests of the Law School.

It is with sadness, therefore, that we part from the RECORD, which, over the past year and one-half, we came to respect and love.

DAVID LUBELL
JONATHAN LUBELL

* * * * *

TO THE EDITOR:

We wish to express agreement with the editorial appearing in the March 19 edition of the RECORD. We feel that inquiries into the beliefs and associations of persons called by this Congressional Committee violate the traditional American democratic concepts of freedom of speech and freedom of thought. This violation is particularly flagrant in the field of education where the underlying philosophy has always been freedom of inquiry and honest reflection.

Last week the Committee called before it two executives of the RECORD, Jonathan and David Lubell. Both of these students were subjected to the inquisitorial procedure of the Jenner Subcommittee. Neither was given the opportunity to defend himself against the insidious inferences of guilt by association and they chose to assert their constitutional privilege against self-incrimination. The RECORD, as an independent student newspaper, has the opportunity to take a positive stand for academic freedom and freedom of thought and against the Committee's attempt to indict these individuals in the eyes of the public without the judicial safeguards guaranteed in our system.

We hope the editors of the RECORD will remain consistent in their opposition to investigating committees by retaining the Lubell brothers in the executive positions to which they were elected. Action to the contrary would be a retreat by the RECORD from its previous forthright stand against the Committee.

WALTER CARRINGTON, 1L
LAWRENCE ERB, 1L
JAMES HARKLESS, 1L
BURTON REIF, 1L
LESTER WARD, 1L

Off the Record

SPEEDY READER

Posing a hypothetical contracts problem in his Agency class, Prof. Seavey said, "Suppose a friend of mine enters a subscription to the Chicago Tribune in my name and I get it every day for a year . . ."

Student: Do you read it?

Seavey: No, it's a good newspaper, but I know what it's going to say before I read it.

MOLDY CRACKERS

In Unfair Competition, the class was discussing trading on the good will of others. Somehow the discussion veered to moldy crackers and cigars. Prof. Seavey's eyes sparkled.

"Have you ever smoked a wormy cigar?" he snapped. "You know there are worms that will bore through cigars . . . you know, there is nothing wrong with smoking worms, but the darn cigars won't draw!"



"THIS IS MY WIFE, W; AND THESE ARE MY CHILDREN, X, Y, AND Z."

(Reprinted from the Record of March 8, 1950; drawn by Fernando Zobel-Montojo, LL.B. '52)

Sub Judice

AVALON, U. S. A.

All of us at one time or another have run into a city ordinance which we have deemed harsh because of the strict construction which the city fathers have seen fit to insist upon. This case is dedicated to all those who have parked five and a half feet from a hydrant where the ordinance requires the distance to be six feet.—Ed.

"No person . . . shall dump, place, keep or store garbage . . . within the territorial limits of the Borough of Avalon."

For the violation of this ordinance the defendant Neithammer was convicted. He brought this appeal *de novo*.

At the hearing upon appeal he admitted that he had dumped garbage in a hole in the ground in his backyard. He claimed that he intended only to enrich the soil by this operation which he had in fact performed many times before. Neithammer claimed that his conduct did not come within the intent of the statute.

After reviewing the evidence and the views of many scientists regarding the potential of garbage, the court said:

"Garbage, the mere mention of which offended the olfactory sense, has now reached majestic stature in agricultural importance. Sterile fields are made prolific, yielding the 'bumper crop'."

"The old adage of one man's meat may be another's poison has some logical application to the line of demarcation between what may be of great advantage in the rural areas [and what] may be extremely harmful and dangerous in the urban areas."

"True, the defendant's high motives and love of Nature's good earth instilled in him a desire to observe the recognized method to produce odorless garbage, and thereby transform his barren yard into a veritable paradise. . . ."

"Yet, without speculating into the realm of uncertainty, there are those less learned than the defendant in the subject matter of organic fertilizer, but jealous of his success [who] would attempt to emulate Mr. Neithammer with disastrous results to the pure air of Avalon; stimulated, rarified and purified as it is by the gentle salt-Zephyrs emanating from the broad expanse of the Atlantic Ocean—a boon to mankind during the sultry summer days and ravager of the wintry snows. . . ."

Concluding that Neithammer's efforts would stunt "the community's growth rather than cause it to flourish like the green bay tree" the court found his guilty and fined him \$10. *Borough of Avalon v. Neithammer*, 93 A.2d 65 (New Jersey, November 1952.)

* * * * *

TWO POINTS FOR PAPA

Basketball is not a sport that is played only by those who gain great national acclaim. There are many unsung heroes and heroines of the sport who give their all and are never heard of by many. Barbara, 17, played basketball at the high school. In one of the games she injured her foot and ankle but since her parents believed the painful injury to be no more than a sprain they declined to furnish medical aid.

A limping Barbara accompanied her boy friend to the house where the latter's mother worked as a housekeeper. Enter upon the scene Sylvester, the "Good Samaritan." Sylvester, the owner of the house, noticed Barbara's sorry plight and in the exercise of good judgment sent her to the nearby office of Dr. Greenspan.

Dr. Greenspan, by means of X-rays, discovered a fracture of a bone of her foot and applied a cast. "Barbara resided with her parents and the presence of the cast and the use of crutches must have been apparent to them."

The doctor, having sent a bill to the parents for \$45, which they refused to pay, brought suit to recover the reasonable value of his services. At the trial he verified the reasonableness of a charge of at least \$35. The court granted the parent's motion for judgment on the grounds that they did not authorize such medical care. *Held*: Judgment reluctantly affirmed. No costs.

A rather astonished court asked: "Do our own courts, with some illogical inconsistencies continue theoretically to regard the child of the marriage in the conception of the law as a mere domestic animal whose necessities, even in an emergency, are at the father's will, dependant upon private or public charity?" The answer—"It seems so."

In sympathizing with the trial judge the court conjectured that "He found himself in that brigade to whom it was said:

"Yours not to reason why,

Yours but to just comply."

The court uphappily concluded "that inversions and modifications of the existing decisional law more appropriately abide within the domain of the Court of Last Resort." *Greenspan v. Slate et ux.*, 92 A.2d 47 (N. J., Oct. 1952.)

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FRANKFURTER — (Continued)

the School passes on to its students.

Justice Frankfurter urged that students broaden their outlook, suggesting they build acquaintanceship with the arts. Such development he considered necessary "to be in your mind what you have never met in actual experience." Reading many sorts of writing, especially, he thought, would make for better lawyers, by helping them "to slip into the skin of people whose skin we haven't got."

As to curriculum, he said: "I would not add more law and more practical contents. I would try to do things outside law, though very closely related to it. The important thing is to discipline, to enlarge, to feed—that's the simple word—the imagination."

The Justice entertained questions from the audience. In answering one student's doubts about judicial restraint, he said: "The business of course is to avoid to create or instigate . . . conflict . . . and not to foreclose the future when all the necessary data cannot be before them."

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FINALS — (Continued)

cided Dr. Rothrock was disloyal, she sought to enjoin her superior, Alfred E. Miller, from discharging her. She also sought reinstatement to active duty and back pay.

Dr. Rothrock contended that the hearings violated not only the Constitutional guarantee of due process, but also the statutes applying to discharge of civil servants.

The Government contended that the Ames Court had no jurisdiction of the subject matter, and that the Veterans Administrator was a necessary party.

The District Court gave summary judgment for the defendants on the grounds that the plaintiff's statutory and constitutional claims were without merit.

Argument On Appeal
Irving S. Oldman, appearing for the plaintiff, noted that Dr. Rothrock had exhausted the administrative remedies. He argued that the Administrator was not a necessary party because an injunction against Miller would keep Dr. Rothrock on the federal payroll and thus remove "the badge of disloyalty."

Julian Singman maintained that the loyalty program violated the procedure for discharging employees that was set up by Congress.

He also said that the failure to confront the appellant with particular charges and with more details on the

evidence against her was a violation of due process. Singman claimed that security could be guarded while detailed charges were given the plaintiff.

The first oralist for the defendants, Robert I. Hammerman, contended that the court had no jurisdiction over the subject matter, because the relief sought was in fact a mandamus.

He argued that the Veterans' Administrator and the Loyalty Review Board were indispensable parties. He said that under the law only the Administrator could remove Dr. Rothrock, and hence he, not Miller, should be enjoined. should be sought, not Miller.

Murray Drabkin maintained that the statutory procedures for discharging employees did not apply to plaintiff, because she was outside the civil service. He based the major part of his argument on the contention that Dr. Rothrock got "the elements of due process," including notice of the charges against her, notice of her rights, the privilege to introduce testimony and to produce witnesses in her behalf, the right to appear personally before the various boards, and the advice of counsel throughout the proceedings.

On brief for Casner Law are D. Borward Craig of New York City; William Samore of Sioux City, Iowa; Donald Malin of Brighton; Walter Rothschild of New York City; Edward Genn of Pittsfield; and Melvin L. Zurier of Providence. Brief writers for Casner Equity are David T. Bryant of Sherman, Tex.; John A. Curtis of Garret Park, Md.; Robert H. Huntington of Fayetteville, Ark.; Robert E. Mansfield of New London, Conn.; Robert C. Prem of Baltimore; and James E. Ryder of Charleston, W. Va.

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Alumni Notes

LL.B. '41—John J. Rhodes, was elected to Congress from the First District of Arizona in the 1952 general elections.

LL.B. '48—Arnold Rickin was appointed Counsel and Assistant to the Chief of the Mutual Security Agency's Special Mission to the United Kingdom, with offices in the American Embassy in London. Prior to coming to London he spent three and one-half years in Paris, first as Assistant to the General Counsel of the European Headquarters of the Economic Cooperation Administration and then as Assistant General Counsel to the U. S. Special Representative in Europe and Permanent Representative to the North Atlantic Council. He served one year between graduation and going abroad as Special Legal Assistant to the General Counsel of the Economic Cooperation Administration in Washington, D. C.

Roy L. Merrill has resigned from the legal department of the Brazos Oil & Gas Co. to join the legal staff of the Magnolia Petroleum Company in Dallas, Texas.

Jack Z. Krigel, has moved to Suite 1410 Commerce Building, Kansas City, Miss. Mr. Krigel is engaged in general practice.

George W. McManus, Jr., has participated in the formation of a partnership to be known as O'Connor & McManus, for the general practice of law in Baltimore.

LL.B. '49—Leon M. Cooper has formed a partnership with Edward R. Brand. The partnership is known as Brand & Cooper, and is located at 244 No. Canon Drive, Beverly Hills, Calif.

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FRONT ROW: Left to Right: Richard Harrington, M. Bernard Aidinoff, William Swanson, and W. Louise Florencourt. BACK ROW: Frank Loy, William Glynn, Alan Ives, C. Randolph Warner, Sydnor Davis, and Austin Noble.

Security Analyst Tells Bull & Bear Club How Value Of Corporations Is Estimated

Mr. George M. Hansen, of Keystone Custodian Fund, spoke to the Bull & Bear Club last Friday in the Mallory Smith Room on "The Technique of the Security Analyst."

Mr. Hansen, who is past president of the National Federation of Financial Analysts and of the Boston Society of Security Analysts, is in charge of the purchase of all industrial common stocks, preferred stocks, and bonds for Keystone's 10 funds, whose assets now total \$225 millions.

Factors Defined

Mr. Hansen outlined the various factors which an analyst examines when he is investigating a company. He placed particular emphasis on the quality of the management of a company, which he stated was the most important feature to consider, though the most difficult to evaluate. It is because of the

great importance of the caliber of company management that all analysts who are with large firms do considerable "field work", i.e., make trips to the plants of the companies in which they are interested and meet not only the top executives, but the "second echelon" of younger executives who are even more important than the present management to a security analyst who is interested in the long-term future of the company.

Stock Pricing

Mr. Hansen closed his remarks by describing how the security analyst constructs a simple graph which indicates whether a stock is priced too high or too low, after one has gone through the process described above of comparing the company with other companies in the industry. The annual earnings per share for the last 15 years or so, are placed on the x-axis and the mean price per share (annual) on the y-axis. By bisecting the group of dots formed by this plot one obtains an estimate of what price the stock should be selling at historically with earnings at any given point. One then estimates the earnings for the current year for the company and sees if the present market price is above or below its projected position on the graph.

President Leonard Weinberger announced that the Club would hold its annual election of officers on April 9.

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OATHS—(Continued)

but are vital to the American system and the general welfare.

The report, which took six months to prepare, was drafted by a committee of five headed by Dr. A. Whitney Griswold, president of Yale University.

International Conspiracy

The Association shares the "profound concern" of the American and Canadian people over an international conspiracy that would destroy all free institutions, including the universities.

The committee also stressed its desire for the public to understand the nature and function of the university and why freedom of expression should be guaranteed to faculties in the public interest.

Professors owe to their universities and to the public "complete candor and perfect integrity, precluding any kind of clandestine or conspiratorial activity."

Faculty members must continue to examine all ideas, even "unpopular abhorrent and dangerous" ones, on the same theory that deadly diseases and enemy military potentials are studied to perfect defenses against them.

Even in the face of popular disapproval, timidity should not lead a scholar or teacher to stand silent when he must speak in matters of truth and conscience particularly in his own field of study.

Unless a faculty member violates a law his discipline or discharge is a university responsibility and should not be assumed by political authority, the report said.

Professors, while not entitled to special privileges in law, should not be subject to special discriminations, such as loyalty oaths that others are not required to take.

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AMES—(Continued)

The cause in litigation is a shareholders' suit against directors, predicated upon Rule X-10-B-5 of the Securities and Exchange Act. Among the questions raised on appeal are whether there can be a statutory action under the administrative rule when there is not a specific grant of a cause under the general statute of the Rule itself, whether the shareholders must establish a privity of contract between themselves and the corporation, and questions as to class suit procedure.

On the brief for Frankfurter Law are: Robert A. J. Barry, of Hyattsville, Md.; C. Kenneth Clark, Jr., of Youngstown, Ohio; James J. Seveck, of Chicago; Courtney Shands, Jr., of Cambridge; Judith Swatland, of Newark, N. J.; and Nancy J. Young, of St. Louis.

Cooperating in the preparation of the brief for the Gardner Club were: William S. Ellis, of Roxbury; Frederic D. Houghteling, of Washington, D. C.; James M. Rose, Jr., of New York City; Fred Wyle, of Brooklyn; George Chimples, of Hamilton, Ohio; and James C. Ingwersen, of Portland, Ore.

Thursday, April 9, the second quarter-final argument will pair off the Gladstone-Webster and Jaffe Clubs. On April 14 the Casner Equity and Griswold Clubs will present the third argument, and the quarter-finals series will conclude April 16 in an appeal argued by the Story and Marshall Law Clubs.

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Wednesday, April 15

Harkness Common, 8:00 P. M.