

The Harvard Law School Record

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CAMBRIDGE, MASS., THURSDAY, APRIL 9, 1953

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Course Catalogue Out Soon; Seven New Seminars Offered

Seven new seminars and a new course will be listed in the Law School catalogue to be published in the next few days, according to Assistant Dean Peck. All the courses and seminars given in 1952-53 will be repeated.

The new course, International Trade and Investment, will be given in the fall term and will be followed in the spring by four related seminars. Professors Brewster, Berman, Sohn, and Surrey will teach the course together and each will head one of the seminars.

Other changes in the curriculum have also been made. Labor Law B has been somewhat altered and will be called Collective Bargaining Law. The course is still designed for those who do not wish to explore the subject thoroughly. Prof. Brewster will teach a course called Government Control of Business, which is to be distinguished from Prof. Bowie's course, Government Regulation of Business. The latter deals with anti-trust legislation, while the former will consider direct control over corporate policy by administrative agencies.

The new seminars will include:

1. Estate Transaction, to be taught by Prof. Francis Alfred Allen. Transfers of interests in land and commercial leases will be considered.
2. State and Local Law Administration: Public Health, Prof. Sacks will teach this seminar, which will include students from the School of Public Health.
3. Legal Problems of International Regional Organizations, which will be conducted by Prof. Sohn. This seminar will consider NATO, the Organization of American States, the Council of Europe, and the regional councils of the UN and its specialized agencies. It will also deal with proposals for an Atlantic Union.
4. Evidence Problems, in which Prof. (See SEMINARS on page three)

Coffee Hour Today

Prof. W. Barton Leach will be the coffee hour speaker at 1:30 this afternoon in the Harkness Common meeting room. Prof. Leach, who is also a Brigadier General in the Air Force Reserve, will discuss the role aircraft carriers will play in the defense of Europe.

Faculty Decides Not To Expel Lubells For Actions At Probe

The following statement was issued last night by Dean Erwin N. Griswold of the Harvard Law School:

The Faculty of the Harvard Law School has given careful consideration to the question presented by two members of the second year class, Jonathan and David Lubell. The testimony given by the Lubells and others before Senator Jenner, acting as a sub-committee of the Senate Judiciary Committee, has been printed and distributed to each Faculty member. The question has been the subject of full discussion at two meetings of the Faculty. Dean Griswold and Vice Dean Hall have talked with the Lubells, and have reported to the Faculty.

Dismissal Discretionary

The statutes of Harvard University place all student disciplinary matters in the charge of the respective faculties, and provide that a student may be dismissed or expelled by a two-thirds vote of the Faculty involved. The grounds or occasions for dismissal are not stated; this is left to the judgment of the Faculty in each case.

Grounds Not Sufficient

After the consideration indicated, the Faculty of the Law School has concluded not to dismiss or expel the Lubells on the facts now before it. It does not believe that the Lubells' refusal to answer questions is sufficient to constitute grounds for expulsion. Considerations which may be applicable in the case of Faculty members who refuse to answer questions do not appear controlling in the case of students. Similarly, grounds for denying an applicant

admission to the bar are not necessarily the same as grounds for expelling a student from a law school.

In reaching this conclusion, the Faculty does not regard the refusal to answer questions as either colorless or unimportant. It greatly regrets the course of conduct followed by these students. If they have in fact committed an offense, this should be handled by public authority.

Congressional Purpose Achieved

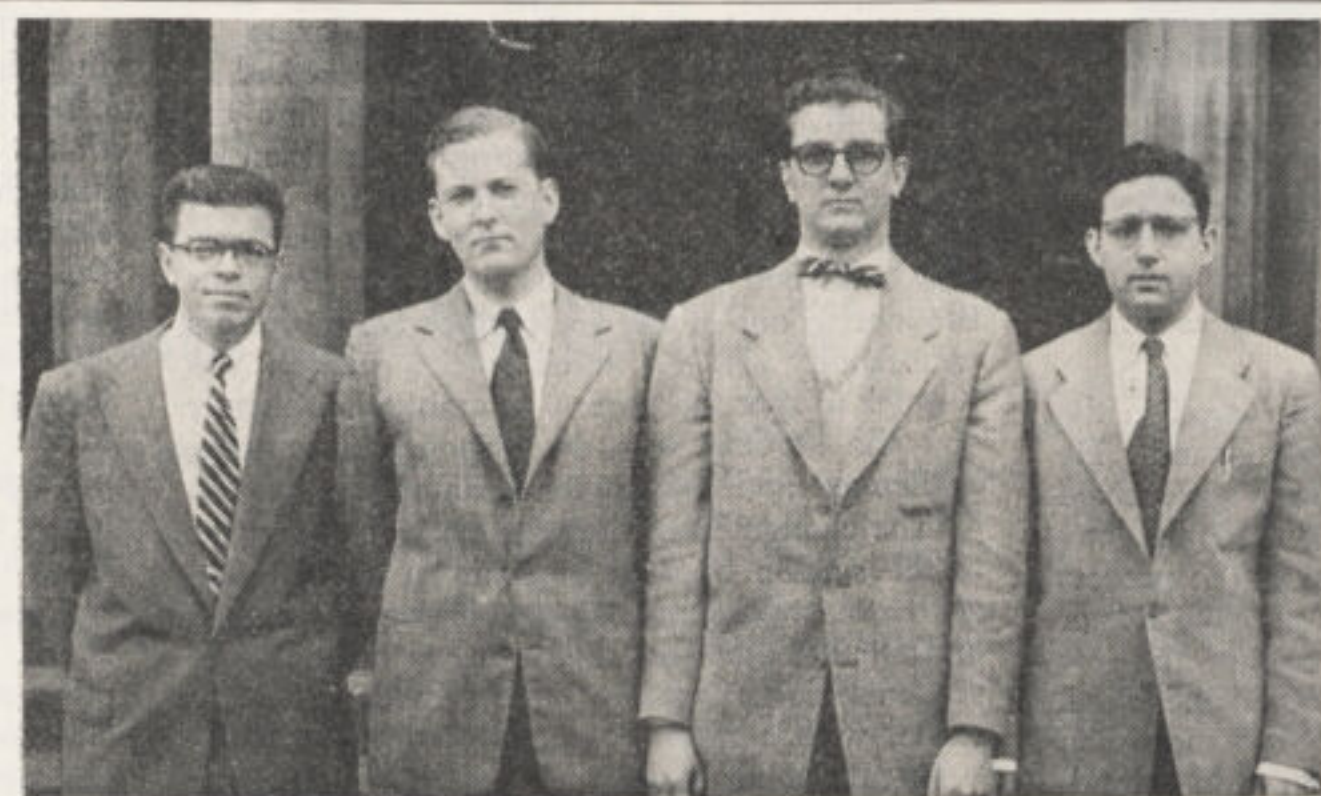
One of the purposes of Congressional committees investigating communism is to disclose persons who they believe are or once have been Communists so that other persons can take this possibility into account. Since this result has been achieved in the case of the Lubells, any risk that might otherwise have arisen from their continued presence here is minimized. For example, they have already resigned from the staff of the Law School's student weekly.

Hope For Change

If these two young men are expelled from the Law School, the experience is likely to confirm them in the attitudes which were manifest in their testimony. If they continue their studies here, we shall have grounds for hope that their viewpoint may change for the better.

At the same time, University authorities issued the following statement:

The University desires to call attention to the fact that the refusal of students to answer questions presents a different problem from such action on the part of Faculty members. Cases of Faculty members are now under consideration by the Corporation.



Left to Right: Richard J. Feinberg and Edward Eyre of Gladstone-Webster, and Monroe H. Freedman and Richard J. Barnett of Jaffe Club.

Gladstone-Webster Opposes Jaffe At 8 In Second Quarterfinal Ames Contest

Gladstone-Webster and Jaffe Clubs will meet tonight at 8 p.m. in the second of the Ames quarterfinal arguments.

Judge Eugene A. Hudson of the Massachusetts Superior Court will be chief judge on the appeal of the case which presents problems in the conflict of laws. Edward Eyre of Newport, R. I., and Richard J. Feinberg of Bayonne, N. J., oralists for Gladstone-Webster, will represent the plaintiff-appellant in the proceedings.

Oralists for the Jaffe Club, which will represent the defendant, are Richard J. Barnett of Brookline, and Monroe H. Freedman of Cambridge.

Statement of Facts

Plaintiff Daniel R. Stetter, brother of the decedent, was concerned about losing control of a family corporation of which he and the decedent were both major stockholders. When two other members of the family attempted to sell their interests in the corporation, plaintiff urged decedent to join with him in the purchase of these shares.

Although decedent was financially unable to make the purchase, he told plaintiff to make the purchase alone, because plaintiff would not have to purchase decedent's stock on decedent's death. While both were in Florida, plaintiff agreed to make the purchase alone in consideration for decedent's not changing his will without plaintiff's consent.

(See AMES on page four)

Forum Tomorrow Will Consider Effect Of Investigations On Freedom To Speak

"Limits on Free Expression?" will be the subject under discussion at the New Lecture Hall on Friday, April 10 at 8 p.m. John Ciardi, Oscar Handlin, and Victor Lasky will debate the effects of Congressional investigations on free expression in various fields.

John Ciardi is the Briggs Copeland Professor of Rhetoric and Composition at Harvard College. He is the author of several collections of poetry, the last of which is "From Time to Time" published by Twayne Publishers.

Harvard Prof.

Oscar Handlin teaches history at Harvard where he received his Ph.D. in 1940. His novel "The Uprooted" won a Pulitzer Prize, and he is now at work on "The American in the 20th Century."

Victor Lasky is the co-author of an account of the Hiss case, "Seeds of Treason," which was a best seller in 1950. He also wrote the screen play for the original documentary film made by MGM, "The Hoaxers," an expose of Communist Front techniques.

Moderating the program will be Al Capp, whose comic strip, "Li'l Abner," is well known as a commentary on modern life as well as pure entertainment.

3-D Movies Shown

The handful who remained after the movies at last Friday's Harvard Law School Forum heard an enthusiastic but confused panel hold out high hopes for the future of three-dimensional movies.

Arthur DeBra, of the Motion Picture Association of America, said that the new process will give directors much greater flexibility and will add to their ability to tell a story. Mr. DeBra, who has been associated with 3-D for some time, also said that three-dimensional sound would be introduced soon.

Elinor Hughes, film editor of the Boston Herald, also hoped that 3-D movies would improve the quality of the cinema.

Disclaiming any technical knowledge of the subject, she said she spoke as a representative of the public.

Dr. F. G. Fleischner, of the Harvard Medical School and the Beth Israel Hospital, said that the new process would be good for classroom illustration, and would have supporting value, but it would not change medical education

Proposals For A New Approach To The Law

In a recent interview with a member of this staff, Mr. Arthur A. Ballantine, a prominent practitioner, scholar, and one-time teacher, former Under Secretary of the U. S. Treasury, expressed some provocative ideas on the subject of legal education. For the benefit of our readers we are printing Mr. Ballantine's interesting proposals. The substance of Mr. Ballantine's views printed here can be found in a comment by him entitled, "Presenting the Law: A Different Approach" in 5 Journal of Legal Education 345.

Mr. Ballantine attended Harvard Law School from 1904 to 1907. This was the era when Harvard's great teaching innovation, the case system, was revolutionizing legal education. Harvard's faculty at this time included such notables as John C. Gray, Samuel Williston, Dean James Barr Ames, and Joseph Beale. Upon graduation in 1907, Mr. Ballantine was appointed an instructor in criminal law and he assisted Professor Beale in teaching that subject for two years. He also taught at Northeastern Law School during the evenings for seven years.

Mr. Ballantine has maintained a continuing interest in the teaching of law. In addition to keeping in close touch with the Law School and its work, he helped to organize the Practising Law Institute and was president of this organization for a number of years. The purpose of this educational organization is to facilitate the continuing education of attorneys. With emphasis upon furnishing young lawyers instruction in legal techniques, the Practising Law Institute conducts bar review courses for law graduates interested in preparing for the New York bar examination, holds "refresher" courses for returning veterans, conducts seminars for practicing at-

torneys and publishes pamphlets on different legal subjects.

In the light of his subsequent experience, Mr. Ballantine expressed the belief that there were many shortcomings in the law school curriculum during the days that he attended and taught at the law school. "As I look back I think that the law course itself there offered was thin. The course in criminal law was itself almost criminal. The course included nothing whatever of criminology—a defect which Professor Glueck has undoubtedly remedied—and was used by Professor Beale as a vehicle almost wholly for legal dialectics illustrated by early legal subtleties.

However, because of the method of instruction, the stimulating faculty, and the ability of the participating student body itself, the thinness of the course did not matter very much. In general the graduates of that time have given a good account of themselves in the profession.

"The deficiency that I find with the big law school is less its lack of the teaching of legal techniques (a lack which the school would probably scorn to make good) than its failing to give students a larger grasp of the law. I think that in my day the big school was so pleased with its distinctive method of instruction that it rather lost sight of what it was

instructing in. The present curriculum has been decidedly enriched but I still feel that there is a tendency to present restricted vistas of branches of the subject (as in my day) rather than the larger view with incidental techniques. Enrichments seem to me to be optional rather than structural. I believe that the full-time law school might well bring the student to the profession by a different approach which

(See BALLANTINE on page four)



Arthur A. Ballantine

Bombay Law School Dean Will Discuss 'Criminal Justice In India' Next Monday

S. G. Chitale, Dean of the Government Law College, Bombay University, Bombay, India, will speak at 7:30 p.m. on Monday in the Harkness Meeting Room on the subject "Criminal Justice in India."

Mr. Chitale, the last speaker in this year's visiting-scholar series, will speak with special reference to protection of

the accused under the new Constitution, as well as under the procedural law.

The Indian scholar has been in the United States since early last October, and spent the first three months of that time at Harvard. After that visit he visited the law schools at Chicago, the University of Florida, Washington, D. C., and New York City. During spring holidays here he will visit Yale. Mr. Chitale was to speak here early this winter, but was forced to cancel the talk.

1200 Students

The Government Law College, the law school of Bombay University, has about 1200 students from India, Africa, the Middle East, and Southeastern Asia. The bulk of the student body comes from India and most of the students are men, with about 60 women students.

Requirements for admission to the Law College have recently been altered, Mr. Chitale says. Students are now taken after two years of college work. They are then given a year of special pre-legal training by a special group of the law faculty, after which they are ready for the regular three-year legal course.

This program is designed to equip the future lawyers with a better background in the social sciences, and ultimately to make them more useful members of Indian society. With only one out of every three or four graduates becoming practicing members of the bar, Indian law schools must provide their nation with men who have training to qualify them for high government administrative posts, as well as the more usual judicial jobs.

New Ideas

After being in this country for more than half a year, Dean Chitale has picked up several ideas he wishes to introduce in his school, to offset what he considers an excessively theoretical approach to law in India. In particular he wants to try law review work, the moot court

(See LECTURE on page four)

The Harvard Law School Record

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Fools Rush In

The Law Dormitory Council in handling the question of television for law school students, has been unwilling to face two facts: that there is no place suitable for a video set and that the administration has done everything it could to get TV for the students.

When the TV question was first broached the Law School administration was in sympathy, and tried to co-operate. Unfortunately, wherever one might put a TV set it would interfere with some other useful activity—a meeting room, radio listening, ping-pong, and so on. The Council knew all this, and knew the School favored putting the set in the only available spot, the corner of the first floor of Holmes where it now stands. Then the Council decided "to bring this situation to a head."

We are unhappy about the situation and we believe that our complaints should go to the Dorm Council. Unfortunately, that group has been unwilling from the first to recognize the physical limitations of the Graduate Center. Television is a wonderful thing. The \$225 set now in Holmes Hall undoubtedly will draw viewers, far more than the 20 or so who can now crowd around it. Then what? What will become of Holmes Hall when 200 World Series fans crowd around the set trying to catch a glimpse of the game?

Obviously the Council did not take the future into account when it bought the set and installed it in Holmes. With little chance that a better place will be found soon, what does the Council think will be the end result?

We can predict what will happen here: the room will be overrun with TV fans; the clamor will overwhelm students on the floors above; they will join forces with the ping-pong players, and the Administration will be besieged by demands to get the TV set out of Holmes. After another frantic search for a suitable spot, the School will give up and put the set in the janitor's closet in Austin Hall, or some other good place.

Perhaps the result will be special rules governing hours for viewing, but more rules are something we do not want. And then there would be the petitions for exceptions. "But it's the heavyweight title fight tonight" "But it's the President's speech," etc.

The net result? The Dormitory Council may find that for one reason or another, there is no way in which the TV set can be used to best advantage. We cannot be satisfied when they inform us that they have some vague sort of a commitment from the Law School administration to reimburse the Council for the TV set if the present solution fails, and no other plan can be worked out. In our opinion the Dormitory Council should have considered the realities of the situation with more care before charging ahead into the present situation.

Orchids

Prof. Robert Braucher (see the Gallery in the opposite column) and the Administration are to be commended for the decision to separate the novice accountants from the C.P.A.'s next year. Since Accounting was instituted here, there have been chronic complaints from non-accounting majors about having to take the course with those who took it in college. For those who cannot tell the difference between a debit and a credit before entering law school, the work involved in mastering the fundamental concepts in a short span of time has proved to be unduly burdensome. The complaints are well-founded, and the change is to be highly praised.

Gallery

ROBERT BRAUCHER
Professor of Law



To state it tersely, he is a very busy man. A biographical sketch is as good a way as any to begin.

Robert Braucher was born and reared in the "conservative" atmosphere of Long Island. He went on to Haverford College, where he received his B.A. in Economics in 1936 and made the long trek to sunny Cambridge where, in the process of acquiring his LL.B. he served as Note Editor on the *Law Review*. He was one of the few *Law Review* editors to argue in the Ames final. Very undramatically his club was vanquished when their opponents were successful in defending the constitutionality of the Fair Labor Standards Act. Temporary neo-academic defeat proved no bar to employment opportunities however, and after graduation Mr. Braucher went to work for the firm that is now Hughes, Hubbard, Blair, and Reed on the "street" in New York.

In April, 1941, the lawyer turned birdman, and Mr. Braucher donned his wings in the service of the U. S. Air Force. Before it was all over, he was to fly 87 missions as a P-40 pilot and then return to Washington to become a specialist in Japanese aircraft. Then he joined the U. S. Strategic Bombing Survey in Japan.

Professor at 33

After his discharge the now Major Braucher returned to Harvard as a visiting lecturer and in 1949 was appointed professor at the Harvard Law School. He was then 33 years old and considering that five years of this time was spent in the service, Prof. Braucher's rise was what one might hesitatingly term meteoric. In addition to teaching at Harvard, Prof. Braucher has spent several summers sharpening the legal wits of assorted students at Columbia and Northwestern.

Diverting from the academic sphere for a moment, Prof. Braucher is active in many civic organizations in metropolitan Boston. For one thing, he is the president of the Young Republican Club of Belmont. In addition, he is the chairman of the First Massachusetts Chapter of the Atlantic Union Committee and he also serves as the Belmont Delegate to the Greater Boston Area Council.

At Harvard, Professor Braucher has wandered a bit and has been somewhat of an innovator. For three years he taught the course in Legal Aspects at the Harvard Business School. From that financially green side of the river he brought back with him an idea for a course on the Legal Problems of Mobilization which he and several of his associates taught in 1951. Professor Braucher instituted the Commercial Law Seminar which is "a study of the regulation of the quality of merchandise, and public inspection

in such fields as food, drugs, cosmetics, perishable commodities, and textiles."

At any rate, such is the description of the course in the Law School Catalogue of 1952-1953. During Professor Amory's absence, he has also undertaken the course in Accounting and it is at his suggestion that the novice and the budding C.P.A. will be put into different accounting sections next year.

In addition to being the Second Year Chairman, he is also the Director of the Summer Program to be given by the school in August. The Program which will include a number of courses presented by various members of the faculty, is to be given from August 10-21 in conjunction with the annual meeting of the American Bar Association in Boston.

Prof. Braucher sees little change in the caliber of the present day student as compared with his contemporaries. The major change in the law school atmosphere has been the relaxing of pressures. He says, "The student interested in the aging of Chinese teakwood would find the law school more accommodating today than in my day." This may be quite true for all we know, but in any event it is safe to say that very little teakwood is aged in his classes for Professor Braucher is one of the more aggressive professors on a faculty which is noted for this quality. He is quick to spot the evasive or ambiguous answer and the student who so responds is quickly challenged and brought to account.

"The change from the large class of yesteryear to the smaller seminar program in effect today serves to strengthen the ties between students and faculty, and the new dorms in bringing the students closer together have provided the law school with a more convivial environment."

Mr. Braucher is ever an amiable gentleman interesting and enjoyable to listen to. In fact you wonder how he finds time to undertake all of this. Let me end the way I commenced! He is a very busy man.

H. W.

Letters to the Editor

TO THE EDITOR:

I enclosed my subscription card to your newspaper as I no longer wish to have anything to do with your newspaper. I find the views expressed by the *RECORD* in its editorial of April 2 repugnant to what is demanded of a courageous newspaper in these fear laden times.

Before the Jenner Committee descended upon Harvard, the *RECORD* stated in its editorial column that the present technique of the investigating committees constituted a danger to academic freedom. Are your readers to believe what you say or believe what you do? From the tone of your editorial on April 2, I cannot believe the staff desired David and Jonathon [sic] Lubell to remain among them. Your newspaper had exhibited extraordinary vascillation [sic] and the characteristic retreat from high sounding principles expounded by schoolboy liberals who never have a chance to apply them. You have succumbed to guilt by accusation which you previously attacked and have indicated that you stamp an unpopular view inconsistent with the "necessity for maintaining a well-ordered society."

While the *RECORD* states in its April 2 editorial that the "business of a newspaper is to state the news accurately and its views forthrightly," you omitted to say a characteristic of a newspaper worth reading is integrity. Since this quality is, unfortunately for itself, its readers, and its school, so plainly lacking, I for one can no longer remain a subscriber.

DONALD E. SCHWARTZ, 1L

If ex-reader Schwartz would care to state his objection to the editorial as written and not to straw men he sets up only to knock down, we would also be glad to print that letter.—Editors



"Counsel, you've presented the defendant's case brilliantly and convincingly, but how can you get away from the fact that counsel for the plaintiff is my sister-in-law's cousin?"

Sub Judice

A WELL-GROOMED GROOM

"Mitch" was to be married on April 25, 1946 at 5:00 p.m. Following the usual pre-marital procedure the prospective spouse sought to secure a new suit—or at least—a clean one. Deciding on the latter, Mitch selected from his wardrobe his most flattering, fashionable suit—one which had cost him as much as \$27.50 a few years ago. Now Mitch was no procrastinator and indeed was farsighted enough to bring the suit to the cleaners on April 17—enough time, certainly, to have it returned cleaned and pressed by the 25th. In fact, Harry, the cleaner, assured Mitch that the suit would be ready in plenty of time for the wedding. Mitch relied on Harry's word and accordingly delivered the suit.

On the 23rd, Mitch called Harry and was told that the suit would be ready the next day. He called on the 24th, and Harry again told him that it was not ready but that it would be available the next morning sure. On the bright and shining 25th, Mitch fearlessly called Harry for the last time and—you guessed it—the suit was not ready. Moreover, it was not to be found anywhere, Harry and his boss having searched throughout the entire chain. It was never found. Mitch was a portly man of unusual size and physique and difficult to fit. He had spent a lot of time shopping before he could find a suit to fit him—"that was within his means."

A look through his wardrobe disclosed the simple startling fact that Mitch had but one other suit, that of a light color, noticeably soiled, and unkempt. He had been wearing it for several weeks. With such short notice he was forced to wear it for his wedding in church in the presence of the friends and fellow employees of the bride. She was an employee of a large corporation and had invited eighty or so of her friends most of them being strangers to Mitch. Of his friends the record is silent. He was caused much embarrassment, humiliation, and mental distress all due allegedly, to the "want of care and disregard of his rights by defendants in failing to return the suit."

Furthermore, Mitch had reserved hotel accommodations in Dallas, Texas for their honeymoon and he was forced to wear the same soiled suit. He was there subject to further humiliation and embarrassment by the guests of the hotel and by the general public. He tried to purchase a suit in Dallas but was unable to find one within his means.

It was for all this embarrassment, humiliation, and mental distress that Mitch brought this action demanding \$27.50, the price of the suit and \$2500 damages. At trial the jury awarded \$27.50 and \$350. A suspensive appeal was taken by the defendant and this court considered the plaintiff's demand inflated.

Held: McInnis, J., that the award of \$350 damages was sustained by the record.

The court refused to upset the jury verdict in that amount. The defendant's denial of liability beyond the price of the suit was based on foreseeability—that plaintiff having failed to disclose that he owned but one good suit is precluded from maintaining an action for subsequent humiliation not foreseen by the defendant.

The court extracted a portion of the LSA Civil Code Article 1934 which in part says, "Although the general rule is, that damages are the amount of the loss the creditor has sustained or of the gain of which he has been deprived yet there are cases in which damages may be assessed without calculating altogether on a pecuniary loss or privation of pecuniary gain. . . ."

"Where the contract has for its object the gratification of some intellectual enjoyment whether in religion, morality or taste—although these are not appreciated by the parties, yet damages are due for their breach; a contract for a religious or charitable foundation, a promise of marriage, or an engagement for a work of the fine arts are examples of this rule—much discretion must be left to the judge or jury. . . ."

The application of this rule and an established case precedent in this field convinced the court that the defendant was liable, and so it accordingly affirmed the trial court's finding for the plaintiff albeit for only \$350. *Mitchell v. Shreveport Laundry, Inc. et al* (Ct. of Appeal of Louisiana, Oct. 3, 1952) 61 S2d 539.

Off the Record

LIQUID ASSETS

Prof. Baker posing a hypothetical in the Trusts class: A testator leaves \$25,000 in trust with instructions to the trustee to throw the money into the ocean.

Student: Is this against public policy?

Prof. Baker: It may not be if the money is greenbacks because the government may not have to redeem the bills—unless, of course, a mermaid shows up to press the claim.

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SEMINARS—(Continued)

Maguire and the group will discuss selected problems of evidence.

5. Judicial Administration, with Prof. Field, will emphasize congestion in the courts, costs to litigants and taxpayers, and similar matters.

6. Administration of Justice in Occupied Territory, taught by Prof. McCurdy, will be based on the experiences of the United States in Germany and Japan.

7. Legal Education, with Associate Dean Cavers, is planned for those interested in law teaching as a career. The seminar will consider the case method and its variations, and also the use of problems as a teaching device.

The seminar in Administrative Law will center around transportation next year. Some changes are planned for the seminar in American Legal History, and the seminar which discussed the Schumann Plan this year will consider the European Coal and Steel Community next year, since the Plan has been put into action.

There will be an additional course in Legislation for the next academic year. Frank C. Newman, Visiting Professor who is a member of the faculty at the University of California Law School, will teach the course. He will emphasize statute drafting and recent developments in the legislative field. Among the latter will be the "watch-dog" committee and its relation to administration.

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Prof. Robert E. Keeton Of S.M.U. Is Appointed To Thayer Fellowship

Dean Erwin N. Griswold has announced the appointment of Robert Ernest Keeton as Ezra Ripley Thayer Teaching Fellow for the academic year 1953-54. Mr. Keeton will teach one of the sections in torts next year.

Mr. Keeton, who is 33 years old, received the B.B.A. degree in 1940 and the LL.B. degree in 1941, both at the University of Texas. Following his graduation he practiced in Houston with Baker, Botts, Andrews, and Parish. From 1942 to 1945, he was in the navy, ending his services as a Lieutenant Commander.

After his discharge from the service Mr. Keeton went back to work in Houston where he continued the practice of law until 1951 when he was appointed Associate Professor of Law at Southern Methodist University in Dallas. He has held this position until now.

Mr. Keeton is a younger brother of Page Keeton, Dean of the University of Texas School of Law and co-author of the first-year torts book.

NEWS IN BRIEF

BULL & BEAR

All members of the Bull & Bear Club are requested to be present at an important business meeting in the Mallory Smith Room at 1 p.m. today. The Constitution of the Club will be ratified at the meeting. The By-Laws will be adopted, and officers will be elected to serve for the academic year 1953-54.

SATURDAY DANCE

The Beth Israel Hospital Junior Auxiliary will present its all-girl musical revue, "Hot Off the Press!" Saturday, April 11, 8:15 p. m. at John Hancock Hall in Boston. Tickets are \$1.80 (tax exempt); proceeds will go to the Tumor & Cancer Clinic of the Beth Israel Hospital. For tickets or further information contact Sarah Fine at the B. S. A.

YEARBOOKS

Yearbooks will be here after vacation. Fifty unreserved copies are still available. Call at 23 Everett St., 10-12, 1-3.

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BALLANTINE—(Continued)

would show him better what he has to deal with and how to proceed in the profession and that the change would not involve having the law school become either a school of philosophy or a trade school.

I. The Law:

This course would deal with what the law is and how it has developed in different nations and at different times. In my day in the law school we got nothing of that except perhaps a casual remark of one of our truly learned faculty. This course would present the difference between public law and private law and would deal with legal material including reports and treatises. It might tend to devalue somewhat the old-fashioned, ponderous case book.

II. The Facts:

As the whole common law system is based upon ascertaining the facts relating to any situation and then reasoning out of them, would it not seem appropriate to instruct the young mind as to how facts are to be ascertained and developed? There was not a word about that in my day. Evidence was presented as a set of more or less arbitrary limitations on testimony, not having a positive function. This fact branch of the law might also include discussion of figures (a very important part of legal facts) and perhaps taxation, as that turns so largely upon facts.

III. Documents:

Documents play a great part in solving legal problems. Why not talk a good deal about them? Here I would include wills, deeds, contracts, and other voluntary instruments. A wholly appropriate way to instruct the student might be found to be to have him do a bit of drafting.

IV. Statutes:

In actual life statutes are all important. In my day almost nothing was said about statutes except in the property

courses about a few of the very early English statutes. I would have this course cover the structure and early interpretation of statutes and also deal with special statutes, i.e., constitutions. I know that one or two schools now require such a course.

V. Persons Who Can Invoke the Law:

Here I would treat individuals, the family, partnerships, associations, and corporations.

VI. Invoking the Law:

Here I would deal with courts, their organization and function, and with jurisdiction. Also with administrative tribunals. I would have discussion of actual trials and trial methods and appeals and their presentations.

VII. Public Law:

Here I would treat criminal law and criminology and regulatory measures, including the procedure of administrative bodies.

VIII. Special Legal Doctrines:

Under some such package heading I would deal with such subjects as public utilities and doctrines relating to commercial transactions.

IX. Legal Impacts:

Under this I would offer something of the relation of law to daily life and of the growth of law. The purpose would be to make the lawyer thoroughly aware of the big responsibility (1) for the understanding of law by the public and (2) in the continuing development of the law.

LECTURE—(Continued)

competition, and a greater emphasis on legal research and method. Significantly, he will not introduce the case method.

Mr. Chitale feels that legal training in the United States is too practical, that it places too much emphasis on matters of mere technical skill, without going into the relation of law to the rest of life. He made the opposite criticism of Indian legal training. His prophecy is that the methods and curricula in the two countries will gradually become more alike.

Dual System Out

One of the reforms in Indian law that has forced a change in the training offered by law schools, Mr. Chitale says, is the abolition of the dual system of barrister and solicitor that was inherited from Great Britain. The law schools now must train men to do both jobs, which means a greater emphasis on such matters as legal research.

The Law College in Bombay is the oldest law school in India, having been founded in 1853. However it was not put on a full-time basis until 1938. Mr. Chitale, who has an M.A. and an LL.B. from Bombay, practiced for 20 years, and then joined the faculty as a professor. Four years later he became dean.

Last SBA Address Today To Present Kurt Pantzer

The last of six lectures to be presented by the Student Bar Association on legal practice in different areas will be given by Kurt Pantzer, LL.B. '17, S.J.D. '20 today in Langdell North at 5:00 p. m. His subject will be "The Lawyer in a Middle Size City."

Mr. Pantzer has been continuously associated with Barnes, Hickam, Pantzer & Boyd since 1922. Long one of the School's closest friends, Mr. Pantzer is a member of the Council of the Harvard Law School Association, the Law School Association of Indiana and he is chairman of the Annual Giving Program for Region IX—Illinois and Indiana. He also was instrumental in organizing six local Harvard Law School Associations throughout the United States.

Mr. Pantzer's last appearance at the Law School was in December, 1952, when he addressed the students on the subject of draftsmanship.

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AMES—(Continued)

In the first argument last Tuesday evening, Gardner beat Frankfurter Law. J. Cullen Ganey, LL.B. 23 (26), U. S. District Court Judge for the Eastern District of Pennsylvania, was Chief Justice. Messrs. Frank Kopelman, a member of the Boston bar, and Leonard A. Pierce, LL.B. '08, of the Portland, Me., bar, were Associate Justices.

The case was argued for Gardner by John A. Mitchell, of Haynesville, Me., and Archibald C. Spencer, of Minneapolis, Minn. Appearing for Frankfurter Law were Lester Cramer, of Cambridge, Mass., and Donald W. Dowd, of Lowell.

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