

The Harvard Law School Record

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PRICE TEN CENTS

NEWS IN BRIEF

PBH COMMITTEE

The Law School Committee of Phillips Brooks House invites interested second year men to a meeting on Tuesday, October 26 at 2 p.m. New members will be chosen to aid in the committee's activities, including running of the lending library, athletic leagues, publishing the Student Directory, and conducting the Law School dances.

YALE GAME

Tickets for the Yale Game on November 20 should be ordered at the HAA office before Wednesday, October 27. The cost of individual tickets will be \$4.80, and orders will be accepted for any number of tickets. The outlook, however, is not very bright as the number of tickets actually issued will be determined by the athletic association and experience has shown that the seats are not favorably situated. Law school seats for the 1946 game were in the end zone, the result of a seventh priority given Law students by Mr. Bingham and his associates.

TEXAS LAW SCHOOL ASSOCIATION

The Harvard Law School Association of Texas held its first meeting in Houston on July 3, and elected Leo Brewer of Houston, as its first president. Twenty-eight members of the Association attended the meeting, and a Constitution was adopted.

The following officers were also elected: Paul Carrington, Dallas, Vice-President; George E. Ray, Dallas, Secretary; and H. Malcolm Lovett, Houston, Treasurer. A nine-man Board of Governors was elected, with tenure of office decided by lot.

COMMUNITY FUND

A drive for volunteers to aid in collecting contributions for the Greater Boston Community Fund at Harvard Law School started at the beginning of this week and will continue till Friday, it was announced by Albert J. Millus, (Continued on page three)

Goodrich Describes Efforts of A.L.I.; Cites Use of Revised Codes at Harvard

By Judge Herbert F. Goodrich

Lawyers and law students know what the American Law Institute does chiefly through its Restatement of the Law. Practicing lawyers cannot escape knowing it because the Restatement has been cited by the courts upwards of 15,000 times. Law students know the Restatement because it is not only cited to them in class but many hundreds of them have worked through its various volumes following their case reading and class discussion. The Restatement was begun in 1923; the last volume was distributed in 1944. It was not "finished" because nothing in the law will ever be finished so long as we have a society which is governed by rules of law.

In order to keep the Restatement a useful working tool the Institute re-examined its material in 1946 and 1947. This was fourteen years after the appearance of the first volume of Contracts. The purpose of this examination was to make changes or corrections



required by the development of the law in the period since publication. The examination threw interesting light on the speed with which the common law changes. Contracts required but two additions; Agency, Restitution and Security none. Trusts had amendments in two of the blackletter statements and Property had five. Added to these changes was some comment on points which had developed since the original text was written. Torts brought more changes, especially in the field of negligence law where the bulk of litigation in the Torts field is now going on. In Conflict of Laws and Judgments a fair sized number of changes were required. These were, of course, the result of Supreme Court decisions, several of which changed previous rules and others of which carried previous rules to a point where they were substantially altered. These amendments will be available to the profession this coming winter in a supplement to the volume known as "The Restatement in the Courts." Those responsible for the Institute work are confident that the Restatement will continue to merit the description of it given by Mr. Justice Frankfurter last May when he said: "... in the Restatements in the various branches of the law ... the American Law Institute has undertaken to do and has done well what it was indispensable to do. ..."

New and current projects of the Institute are three: (1) The Uniform Commercial Code; (2) the work in Continuing Legal Education; (3) the drafting of a Model Income Tax Law.

The Commercial Code is familiar to a large number of Harvard law students. Professors Llewellyn and Mentschikoff are making its current drafts the basis of this year's new course in Commercial Law, as did the latter and Professor Prosser in last year's courses. The drafting venture is a joint one with the Conference of Commissioners on Uniform State Laws. It contemplates a modern, (Continued on page four)

LAWYERS GUILD PLANS SEMINAR Professors To Lecture On Civil Liberties

The Harvard chapter of Lawyers Guild today announced completion of plans for the second offering of its seminar course on the *Law Protecting Civil Liberties and Rights*. The full course will be spread over the coming fall and spring terms and consist of fourteen two-hour seminars on Thursday or Tuesday afternoons. Each seminar will be devoted to the leading cases in a single area of civil liberty problems. Reading assignments will average six cases for each seminar.

Fall seminars will be devoted to problems of the First and Fourteenth Amendments and consist of the following: (Continued on page three)

FORUM NAMES NEW PROGRAMS Series On Soviet Law, Practice Seminar Listed

Several programs of special interest to law students have been planned by the Harvard Law School Forum in addition to the major discussions held at Rindge Auditorium.

Chief among these is a two-day "School for Young Lawyers" which will be held November 10th in the afternoon and all day November 11th, Armistice Day. Purpose of the school is to acquaint law students with the problems and considerations involved in the key types of law practice. Also, a series of three lectures on Soviet Law will be delivered by Professor Berman during the latter part of November and early December.

The school program will consist of two or three plenary sessions at which topics of interest to all lawyers, no matter where they practice, will be discussed. Detailed consideration of the various types of practice will be covered in individual workshop discussions for each of several representative types.

Practicing attorneys will discuss large and small firm practice in New York City and a city like Boston. In addition, individual practitioners from Boston and smaller communities will discuss the ins and outs of their type of their practice. There will also be discussions by representatives from government agencies and specialized aspects of practice such as banking, insurance and corporation work. (Continued on page three)

AMES BENCH--BURTON, CHASE AND WYZANSKI

Harold H. Burton, Associate Justice of the U. S. Supreme Court, will be the Chief Justice of the United States Circuit Court of Appeals for the Ames Circuit when the final round of the Ames competition is held on Tuesday, November 23rd, in Langdell Courtroom. Serving as Associate Justices will be Judge Harry B. Chase, of the United States Circuit Court of Appeals for the Second Circuit, and Charles E. Wyzanski, Jr., of the United States District Court in Boston.

FORUM TICKETS

Starting today law students may purchase tickets for the next Forum, "The Faculty Votes" featuring the views of Professors Chafee, Ciardi, Leach, Morgan and Seavey. Tickets are available at Gannett House Forum office from 9 to 5 p.m. daily.

BOARD SEEKS AMES JUDGES 840 Judges Required For First Year Cases

With two series of first year Ames arguments to be held before the Christmas recess, the need for student judges has become acute. Eight hundred forty judges are necessary for the singles arguments in November, with 420 required for the doubles arguments in December.

Three student judges will preside at each of the 420 arguments, as in the past, with third year men as chief justices. Since there are 639 third year men and 452 second year men in attendance now at the Law School, cooperation by all of these men is desired and vitally necessary, Leland J. Markley, First Year Chairman of the Board of Student Advisers, said yesterday.

However, to ease this need for judges, each case has been issued to two clubs for which arguments are scheduled on succeeding nights. "We hope that judges sitting for the first of these arguments will also be willing to serve on the following night, since the facts of the case will be identical and the citations similar in each brief," said Markley. "Thus, with a minimum of effort, maximum assistance can be given the Ames Competitions."

"Obtaining judges for the arguments is the responsibility of club supervisors and men willing to serve as judges should contact the supervisors of one of the clubs. Also, men may offer to be judges by applying at the Board Office in Austin Hall.

WORLD LAW GROUP TO MEET THURSDAY

The World Law Group of Harvard Law School is calling a meeting of all interested students in Austin East at two p. m., Thursday, Oct. 21.

This organization was founded with a desire to use law as a means of promoting peace in the world, thinking that unification of the private law of the world might help remove conflicts and increase cooperation. It now seeks to broaden its base along one of two lines—meeting once or twice a month to hear a guest speaker, or devoting the group to detailed discussions of one or more world government schemes, such as the Chicago draft world constitution.

About 20 students responded to a call in the *RECORD* by William S. Barnes, LL.B. '47, which led to organization. The base soon changed to a general informal investigation into the role of law and lawyers in international affairs. Last year under Howard F. Shattuck and then Ray Garrett, Jr., as chairman, the Group experimented with the idea of discussing the Civil Law and particular fields of international law and business, but the end of the term brought about a considerable desire for reexamination of the Group's composition and activity. With courses available at the Law (Continued on page three)

The Gardner and Pitney Clubs will argue in the final round.

Justice Burton is a graduate of Bowdoin College and the Harvard Law School ('12). He began his practice of law in Cleveland, and in 1929 was elected to the House of Representatives. From 1935 to 1940 he served as Mayor of Cleveland, and in 1941 entered the Senate as a Republican, where he remained until his appointment to the Supreme Court by President Truman to fill the vacancy created by the retirement of Justice Roberts. He is reputed to give great weight to oral arguments in the cases that appear before the Court.

Judge Chase is a native Vermonter who studied at Dartmouth and the Boston University School of Law, being admitted to the bar in 1912. In 1919 he became a judge in the Vermont Superior Court, becoming Chief Judge in 1926. One year later he went to the Supreme Court of Vermont as Associate Justice, and in 1929 he was appointed to the United States Circuit Court of Appeals for the Second Circuit.

Judge Wyzanski is a native of Boston, graduating from Harvard College in 1927 and three years later from the Law School, both magna cum laude. After clerking with both Augustus and Learned Hand, he entered government service, principally with the Department of Agriculture. He has been a District Judge for six years. Of the three judges, only Judge Wyzanski has previously been on the bench at an Ames Competition finals argument.

ANNOUNCE FALL SPORTS PLANS

HAA Offers Members Gyms, Courts, Boats

With facilities available for all popular sports, the student at the Law School need not want for exercise, time and funds permitting.

Participation tickets entitling the holder to use of all athletic facilities of the University may be obtained from the Harvard Athletic Association, located in the basement of the Student Union, at the corner of Quincy Street and Massachusetts Avenue. The cost is ten dollars per term, with an additional charge of two dollars per term for the use of a permanent locker.

Most convenient to the law student is Hemenway Gymnasium, near Austin Hall on Massachusetts Avenue. There are 12 squash courts, six of which will be permanently reserved for the University's squash teams by the end of this week, two basketball courts, and an exercise room. The cost for those not holding participation tickets is 35 cents per day.

Hemenway is open from 11 a. m. to 6:30 p. m., Monday through Friday, and from 11 a. m. to 1 p. m. on Saturdays (until November 27, from which time it will remain open on Saturdays until 5 p. m.). About the middle of November the basketball courts will be reserved, at least in part, for the use of freshmen classes from 2 to 4 p. m.

Squash courts may be reserved a day in advance at 1 p. m. For those who wish to do calisthenics and/or reduce, there is an exercise class daily at Hemenway at 5 p. m. for one half-hour.

Among the other facilities are Soldier's Field with football fields, baseball fields, tracks, indoor cages, and tennis courts, (Continued on page three)

Old Hand Offers First Hand Advice To Clinch Clients And Please Partners

The following articles were submitted to the *RECORD* by Horace E. Allen, LL.B. '15, and give first hand advice on some aspects of successful law practice.

THE LAWYER ACQUIRES A CLIENT

Social contacts are undependable business builders for the lawyer. The prospective client wants assurance of the lawyer's energy and judgment. He can make up his mind on the subject best by seeing the lawyer in action of a kind requiring brain energy and decisions. Committee work in a club, heading a community chest team, political activity offer opportunities.

An excellent organization for a young lawyer to sponsor is an investment group made up of from a dozen to twenty-five members in different callings. The investment part of it is chiefly valuable from the fact that a man's interest is sure to be where his money is. With such a center of interest no set program for luncheons is needed. Even \$10.00 a month each soon amounts to enough to talk about.

The great advantage to the lawyer comes from his part in drawing up the trust or forming the corporation to manage the investments. The club mem-

bers become accustomed to look to the lawyer for legal advice for the club and they soon think of him to help with their personal problems of a legal nature. It is not a one-sided appeal that such a club makes. The broker, the banker, the accountant, profit directly. It is easy to sign them up. There is no trouble about getting an insurance man, any club is good business for him. The doctor and the rest would like more knowledge of investments and are glad to adopt so painless a way to acquire it.

THE LAWYER AND THE PARTNERSHIP

The rock which wrecks most partnerships is dissatisfaction with the division of profits. Sooner or later somebody becomes convinced that somebody else is getting more than his fair share of the ship's catch. Well kept books and a simple formula will keep the channel clear.

The books must be kept in double entry. Each money charge for services should carry two symbols, one to indicate who did the work and one to show whose client was served. If the source of the item is unknown it should be marked F for "Firm." Each month the (Continued on page three)

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Editor for this issue . . . Richard A. Holman

Editorials

Law schools have long recognized a responsibility not only to the legal profession but to the society for whose orderly development our system of law and jurisprudence is dedicated. It seems accepted doctrine that this orderly development is best achieved by an integration of legal thought with the problems and processes of society.

Exactly how our legal institutions are attempting to achieve this integration must be subjected to critical reappraisal. For too long the relative measure of contribution by our schools has been covered with vague illusory notions which, in the public mind, causes confusion of aspiration with realization, and past with present.

Certainly the major faculty projects of research development and world law institute indicate an appreciation of the law schools proper role. Often overlooked, however, is the vast scope of student activities here at the school, unmatched at any similar institution, which contribute to a realization of that integration.

The success of recently established organizations as the RECORD, Harvard Law Forum, Young Republican, Democrat and Lawyers Guild groups and the large political action school sponsored by American Veteran's Committee in addition to *Law Review*, Student Board and Legal Aid indicate a degree of student participation in the processes of our society and interest in its problems which is certainly one of the most encouraging signs that integration is assured.

R. A. H.

Letters to the Editor

To the Editor of the RECORD:

A while ago, I posted a notice calling the attention of students in the School to the special rate at which law students may subscribe to the American Bar Association Journal. This is \$1.50 per year.

I have been advised by the Journal that some twenty students have taken advantage of this opportunity, and have sent in subscriptions. I am glad of this, but my only thought would be that there ought to be several hundred such subscriptions—particularly at this bargain rate.

Subscriptions may be sent to the American Bar Association Journal, 1140 North Dearborn Street, Chicago 10, Illinois.

ERWIN N. GRISWOLD, Dean

To the Editor of the RECORD:

During the past two years it has been the practice of the Kendall House lunchroom to begin serving each day at 11:45. This system worked well. It enabled those students with 12 o'clock classes and a free hour at 11:00 to eat before class with some degree of comfort. It relieved the extreme crowding that otherwise takes place at 12:00 and at 1:00, for many students always ate early.

In recent weeks, however, although no

change was announced, the kitchen has not been opening before 12:00. The reason given, as nearly as I can make it out, is that the lunchroom cannot afford the labor cost of that 15-minute period.

Employing six people for 15 minutes is one and one-half man-hours. I believe that the convenience of an early opening is great enough to justify that expenditure.

I respectfully suggest that the Law Wives' Club, which has been doing a wonderful job in running Kendall House, give this matter its attention.

EDWARD A. FRIEND, 3L.

To the Editor of the RECORD:

Why must the student bulletin boards in Langdell and Austin halls continue to look like the aftermath of a "pin-the-tail-on-the-donkey" game. Signs of all sizes, shapes, types of writing, etc., climb all over the boards, each other, adjoining wall space and official notice boards.

It would seem that a simple set of regulations, requiring perhaps that all notices be typed on a standard sized card, carry the date of posting and the date for removal might eliminate this confusing eyesore.

I note also that there are several bulletin boards set aside for the student activities in the law school—specifically: the Yearbook, Forum, RECORD, and the Social Committee.

Of about twelve posters on this special board in Langdell North recently, only two were within the designated category, and one of these was almost completely obscured by the poster of an outside organization.

It hardly seems that this should be a matter for the official administration to discipline. But in the continued absence of student discretion and an appropriate student group, this may be necessary.

THIRD YEAR STUDENT.

To the Editor of RECORD:

The article in your issue of October 6th about the underlining of books in the Law School Library, although obviously facetious in part, also has its very serious side.

An alumnus of the class of 1893, after seeing the article in the RECORD, has written me as follows:

"I remember Professor Gray asking the students not to mark the Law School's books, saying that it was beneath contempt. I think it is the height of impudence and arrogant super-erogation towards both the owner and other readers of the book. This is quite aside from the fact that no person should presume to choose for another what passages should be emphasized. Marking of books was so rare when I was in the School that I do not recall any instance of it, though of course there was no doubt some of it."

This is obviously a difficult matter for the School to control. It feeds on itself, as the more it is done, the less likely later readers are to feel under any restraint. But there should be such restraint. There is really no need nor justification for marking up library books, and there are obvious reasons against the practice. It would be very helpful indeed if the students in the School would cooperate to establish a general custom against underlining in library books.

Very truly yours,

ERWIN N. GRISWOLD, Dean.

Off the Record

For those who read Off the Record before reading our Editorials we recently heard an interesting story concerning Demosthenes, the first of Greek orators. It seems that Demosthenes was hissed by a public meeting of Athenians, and they would not hear him, whereupon he said he had only a short story to tell them. All then became silent, and he began thus: "A certain youth hired an ass in summertime to go from hence to Megaera. About noon, when the sun was very hot, and both he that hired the ass, and the owner, were desirous of sitting in the shade of the ass, they each thrust the other away. The owner argued that he lent out only the ass, but not the shadow. The hirer replied that since he had hired the ass, all that belonged to the ass was also his." At this point Demosthenes appeared as if he was going away, but the mob being now inclined to hear the story out, called him back and desired him to proceed. He then began with this retort. "How comes it to pass that you are desirous of hearing a story of the shadow of an ass and refuse to give ear to matters of greater moment?" The orator then made his speech, and they all forgot about the story. And to this day this moot point has not been decided in any country.

Gallery

ARCHIBALD COX
Professor of Law

First term men, though aware of the springing of younger professors among the venerable Olympians of the Law School Faculty, may yet have been surprised to see striding toward the head of their Torts class one who might easily have taken his place among them as a fellow-student. Tall, spare of frame, and with a crew-cut that adds to his youthful appearance, Professor Archibald Cox is currently rounding out his third year on the Faculty, teaching Labor Law as well as first and second term Torts.

Professor Cox's classes are a good example of what has become known as the "Seavey-technique."

"Every student should volunteer in class," Mr. Cox believes. "While there is no definite correlation between A-men and those who volunteer opinions most often in class, participation is indicative of the genuine interest in the law which should be part of the student whose life at the Law School is the Law."

Cox's approach to the study of law is implicit in his own enthusiasm for teaching. "The student who will get the most out of Law School," in his opinion, "is the one who gets pleasure from the law for its own sake, who likes to argue hypothetical cases aside from the practical consideration of preparation for classes, and who goes as far as he can in the Ames Competition for the sheer enjoyment of it."

Professor Cox graduated from Harvard College in 1934, and from the Law School in 1937. He was forced to resign from the *Law Review* after his second year, because of eye-strain. Upon graduation he became clerk to Judge Learned Hand of the Second Circuit Court of Appeals.

Three years of private practice followed with the well-known Boston firm of Ropes, Gray, Best, Coolidge, and Rugg, during which Cox had an opportunity to try his hand at a number of labor cases, on which he worked with the now District Judge Charles Wyzanski.

In 1941 after serving on the small staff of the short-lived National Defense Mediation Board, Cox joined the office of the Solicitor General in the Department of Justice (then Charles Fahy). It is the function of this office to review briefs prepared by the counsel of the other departments and agencies. After review, the cases are assigned for argument to either a member of the Solicitor General's staff, or the initiating department.

It was several months before Professor Cox was assigned his first case to argue before the Supreme Court. For this all-important occasion, he was placed in the enviable position of arguing a case which couldn't be lost.

A District Court in California had denied citizenship on the grounds that the applicant was a pauper. It was a clear case of a statute having been misread, but despite the fact that the government itself urged reversal, the Circuit Court of Appeals for the Ninth Circuit had affirmed the lower court's decision. The case was coming before the Supreme Court on a writ of certiorari. The government was going to confess error, and there wasn't a chance of losing. Nevertheless, Professor Cox prepared his arguments carefully and diligently, a most necessary precaution as it turned out.

Chief Justice Stone plied Cox with questions mercilessly, which became increasingly unconnected with the main issue of the case. Justice Frankfurter, rallying to the support of a former student, asked questions which enabled Cox to return to the issue, once in a while—an experience which veteran Ames Competitors can easily appreciate. When the argument was over, it was felt that Professor Cox could breathe as easily as a producer who has read the reviews of his new hit show. But imagine the stir when the Supreme Court affirmed the Circuit Court of Appeals! There was consolation in the fact that the main issue had not been dealt with—the case had been decided by a split vote, 4-4, on a procedural question. Official Washington wondered, "What will happen when Cox really tries to win a case?" Official Washington knew the answer when he left—a perfect batting average.

In 1943, Cox was appointed Associate Solicitor of the Department of Labor, which position he held until July, 1945. His primary job, aside from acting in the Solicitor's absence, was responsibility for all of the Department's litigation, which in a practical sense amounted to the enforcement of the Fair Labor Standards Act.

Since his return to the Law School, Cox has spent much of his time "learning how to be a law professor." He published a notable article on labor problems in the summer edition of the *Law Review*.

Sub Judice

DISCORD FROM BEHIND THE IRON CURTAIN . . .

Messrs. Shostakovich, Khachaturian and Prokofiev, whose compositions have recently been denounced as tainted by bourgeois musical ideas, were embarrassed to find that their works had been chosen as background music for the anti-Soviet film, "The Iron Curtain." They sought an injunction to restrain Twentieth Century-Fox from using their music and from including their names in the credit lines at the beginning of the film. Twentieth Century's action was libelous, they claimed, because it implied their approval of the film and hence their disloyalty to the Soviet Union. *Held*: The injunction was not granted. Since the music is not copyrighted, it is in the public domain and can be freely used by others. As the artists had no control over general use of their productions, there could be no implication of approval of the film and consequently no implication of disloyalty to the Soviet.

It has recently been held that it can be libelous in certain circumstances to call a person a Communist. The present case seems to imply that in other circumstances it is libelous to call him anything else. — *Shostakovich et al v. Twentieth Century-Fox Film Corp.* 80 N.Y.S. 2d 575 (1948).

Notes on Recent Cases

ANNULMENT — UNCONSCIOUS IMPO-
TENCE . . .

Harthan v. Harthan, (1948), The Weekly Notes, August 21, 1948, p. 364, Court of Appeal. (Eng.) Mr. Harthan sought an annulment alleging, first, his own impotence, and secondly, his wife's refusal to consummate the marriage. Only the first allegation was proved. *Held*: The court, while noting "that the mutually inconsistent character of the allegations made by the appellant have increased the difficulty of the court in arriving at a right decision, and such an embarrassing form of pleading is not to be encouraged," nevertheless granted the decree. Impotence in the petitioner is ground for annulment provided he was not aware of his incapacity at the time of the marriage.

In so holding the court seems to re-assert the pre-Reformation canon law of England which permitted annulment on the grounds of the petitioner's impotence unless petitioner or spouse knew of it before the marriage. The court rejected the rule established in Ireland which would permit annulment on the grounds of impotence in the petitioning party only if it is accompanied by proof of the respondent's repudiation of the marriage.

CONFLICTS OF LAWS—HALF FAITH AND
CREDIT . . .

Estin v. Estin, 68 S.Ct. 1213 (1948). Both Mr. and Mrs. Estin lived in New York in 1943 when Mrs. Estin got a separation decree there which included alimony. Mr. Estin later moved to Nevada where he obtained an uncontested divorce which provided for no alimony at all. When he stopped payments, Mrs. Estin went to the New York courts and obtained a judgment for arrears of alimony. Her husband appealed. *Held*: for Mrs. Estin; although the Nevada court had jurisdiction to dissolve her marriage, it had no jurisdiction to nullify the debt the husband owed her. The New York courts hold that a domestic divorce decree terminates any previous support order, but do not give the same effect to an out-of-state decree. This is a determination that the support order creates a personal debt and is binding on the Supreme Court. Nevada did not have jurisdiction over Mrs. Estin and could not dissolve that debt. They did, however, have jurisdiction over the marriage status.

Mr. Justice Jackson, dissenting, felt that the husband's duty to support his wife terminated with the marriage, and that the previous New York decree should be held to lose its effect when the marriage was dissolved. "The Court reaches the Solomon-like conclusion that the Nevada decree is half good and half bad under the full faith and credit clause. . . . Assuming the judgment to be one which the Constitution requires to be recognized at all, I do not see how we can square this decision with the command that it be given full faith and credit."

NUGGETS FROM BLACKSTONE

"As for gentlemen, they be made good cheap in this kingdom; for whosoever studieth the laws, who studieth in the Universities, who professeth the liberal sciences, and, to be short, who can live idly, and without manual labor, and will bear the port, charge, and countenance of a gentleman, he shall be called master, and taken for a gentleman." *Commentaries on the Laws of England*, Book I, Chap. 13.

Alumni Notes

LL.B. '16—*Frederick F. Greenman* has been appointed by Governor Dewey of New York as a trustee of the newly-created State University of New York.

LL.B. '25—*Charles C. Cabot*, former Massachusetts Superior Court Judge, heads a five-man regional loyalty board appointed on July 1 to administer certain phases of President Truman's loyalty program, with special reference to government employees in the New England States. Serving with Cabot are *LaRue Brown*, LL.B. '06, former chairman of the Massachusetts Minimum Wage Commission; and *Cornelius J. Moynihan*, LL.B. '29, special justice of the Haverhill District Court and Professor of Law at Boston College. The board, which has offices in the Federal Building in Boston, has jurisdiction in civil service cases involving persons appointed to or applying for positions since last October 1.

LL.B. '37—*John E. Rogerson* is one of four men who will represent the public on the special recess commission of the

General Court to investigate problems of taxation in Massachusetts.

LL.B. '40—*Thomas H. Dowd, Jr.*, who was formerly with the Connecticut General Life Insurance Co., has opened an office for the general practice of law at 110 State Street, Boston.

LL.B. '44—*Charles O. Porter* has returned to Boston to serve as assistant to the director of the survey of the legal profession being conducted under the auspices of the American Bar Association. *Reginald Heber Smith*, LL.B. '14, is director of the project. Porter previously was law clerk for Judge Healy of the U. S. Ninth Circuit Court of Appeals. He was the first president and one of the founders of the Record. His new address is 60 State Street, Boston.

LL.B. '47—*Marvin Landau* has become associated with the law firm of Furst, Schwartz, Schwager and Landau at 425 Fourth Avenue, New York City.

LL.B. '48—*Malcolm Maclean* is now associated with the law firm of Anderson, Connerot, Dunn and Hunter in Savannah, Ga.

SPORTS—(Continued)

the use of which costs 35 cents. One touch-football field is reserved for the exclusive use of law students.

The University Squash Courts on Plympton Street contain 14 courts, costing 35 cents each time used, and are open from 11 a. m. to 6:30 p. m., except Saturday, when like the other facilities it closes at 1 p. m. until November 27.

The Indoor Athletic Building has accommodations for basketball, wrestling, boxing, fencing and exercise rooms. There is also a swimming pool in the building which can be used daily from 10 a. m. to 4:30 p. m. The cost is 50 cents. Particularly enforced here is the rule requiring all those using any athletic facilities of the University to wear white non-marking soled tennis shoes.

The Weld Boat House will be open until approximately November 11, at which time it will close until Spring. To obtain a boat the user must have first passed a swimming test at the Indoor Athletic Building swimming test; he may then take out either a wherry, compromise, or scull. The boathouse is open from 10 a. m. till dusk and the cost is 60 cents unless the user has a participation card. The Boat House is next to the Larz

Anderson Bridge at Soldier's Field Drive and Boylston Street. Lessons in the use of the boats will be given free.

NEWS BRIEFS—(Continued)

2L, Chairman of the Community Fund Committee at the Law School.

FACULTY

Professor Sohn, Lecturer on Law at the Law School, completed during this summer a survey of treaties for the Pacific Settlement of International Disputes concluded between 1928 and 1948. It contains the texts and a comprehensive analysis of 233 treaties on the subject, and will constitute the basis for the United Nations' work in this field.

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Talent And Time Supplement Incomes With Student Employment Bureau Aid

While many students are looking for ways to supplement their meager incomes, the Student Employment Bureau in Weld Hall is looking for men with the maturity of legal scholars to fill a variety of part-time jobs.

The most rewarding of these positions, according to John W. Holt, Director of the Bureau, are those in the entertainment field. These are particularly suited to Law School men who require substantial pay for little time. A good act can earn about 20 dollars for a half-hour to an hour performance. In demand are magicians, singers for weddings and other church functions, quartets, accordion players and other musicians.

The bureau also supplies comic butlers to hosts who wish to give their party guests the opportunity of maintaining suit for some petty defamation or assault with a deadly soup bowl. College professors particularly enjoy paying for this service. Once an act is set, a booking can be had about every other week, depending on the type of act and whether it appeals to the scotch-and-soda or milk-and-cookies set.

Parent-teachers associations and other such groups engage lecturers and, according to Holt, they would be interested in hearing the legal aspects of current problems as students could explain them.

For students with less talent and more time, the Student Employment Bureau has many opportunities as tutors to students of local high schools and colleges other than Harvard. University rules call for any tutoring of Harvard students to be done through its more rigidly regulated service, which is located in Holyoke House and which also takes applications from prospective tutors. The tutors generally receive two dollars an hour for the student who is merely behind in his work. If excess energy is required to pound lessons into

a head the price rises. The pay is also higher if the tutor must spend extra time going to the pupil's home.

The Bureau has some jobs such as baby-sitting and attendance-taking at College athletic classes which do not give a very high monetary return, but which have so little work attached to them that they are in reality ways of getting paid while studying. With Holt's help some men pay their rent by doing household chores, such as cleaning out ashes, while others make spare money shoveling snow in the winter, or selling blood at 25 dollars a pint.

At the present time men are applying for work during the Christmas rush at the post office at a dollar and a quarter an hour plus overtime. Disabled get first preference. These jobs start November 21.

Holt keeps lining up temporary jobs at all times. In November he will have crews of about three students, one with a car distributing telephone books.

A large part of the Bureau's work is finding summer jobs for students. This service starts about February.

ADVICE—(Continued)

books should be balanced and at the end of the year the net profits should be divided by taking an agreed fraction of the services of each man plus an agreed fraction of his total business. The total for partner A over the total for all partners determines partner A's percentage of the net. If the firm considers getting the business, half the battle, business may count 50% and services 50%. This would be the formula:

$\frac{1}{2} A's \text{ services} + \frac{1}{2} A's \text{ business} \div (\frac{1}{2} \text{ total services of } A, B \text{ \& } C + \frac{1}{2} \text{ of } A, B \text{ \& } C \text{ business})$

= A's percentage of profits

F business does not enter the formula but the services performed on F business do.

When A and C work on the same item, the charge is divided by agreement between them on the basis of time and time value, thus:

Dr. C's client	\$100.00
Cr. A ser. A	\$60.00
C ser. A	40.00

A roughly computed division of profits is made from time to time during the year as cash is available. The year end computation sets errors right.

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WORLD LAW—(Continued)

School in several fields touching on international problems, it was suggested to change the theme to one of the above alternatives of discussion of international legal affairs or of world government schemes. To decide the theme to be used and to carry on the activities of this group, it is hoped that all interested students from all terms will attend this meeting.

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Calendar

LEGAL WORLD
Law Wives

What I Can Do for You will be the subject of a speech by Mrs. M. B. Baker, Advisor for Veterans Wives, tonight at 8 p. m. in Kendall House.

Ames Competition

First Year

Round IA, Brief Conference, today; Brief exchange, Wednesday, October 27.

Round IB, Brief Conference, tomorrow.

Round IIA, Brief Conference, Friday, October 22.

Round IIB, Brief Conference, Monday, October 25.

Round IIIA, Brief Conference, Tuesday, October 26.

Round IIIB, Brief Conference, Wednesday, October 27.

Second Year

Round I, Brief Exchange, Monday, October 25.

Round II, Brief Exchange, Tuesday, October 26.

Round III, Issue of Facts, Thursday, October 21.

Round IV, Issue of Facts, Thursday, October 21.

Round V, Issue of Facts, Monday, October 25.

UNIVERSITY WORLD
Sunday Services

On October 24, at 11 a. m., in Memorial Church—President Frederick M. Eliot, American Unitarian Association, will deliver the sermon.

Series of Motion Pictures

Under the auspices of the Harvard Liberal Union, a series of motion pictures will be shown in the Large Lecture

Hall of the Fogg Art Museum on Tuesday evenings as follows:

October 19—*Cage of Nightingales*, with Noel-Noel and "Little Singers of the Wooden Cross." 7:30 and 9 p. m.

October 26—*Great Expectations*, with John Mills, Valerie Hobson, and Jean Simmons. 7:30 and 9 p. m.

November 9—*La Boheme*, with Jan Kiepura and Marta Eggerth. 7:30 and 9 p. m.

November 16—*Citizen Kane*, with Orson Welles and Joseph Cotton. 7 and 9:30 p. m.

November 30—*Man's Hope*, with Andre Malraux. 7:30 and 9 p. m.

December 14—*The Rink, The Vagabond, The Adventurer, and Easy Street*, with Charlie Chaplin. 7:30 and 9 p. m.

Series "A" tickets, at \$2.40, entitling the bearer to admission to any five of the six performances, and Series "B" tickets, at \$2.00, entitling the bearer to admission to any four of the six performances, may be obtained at the Harvard Co-operative Society, Phillips Brooks House, by writing to the office of the Harvard Liberal Union, 32 Little Hall, or at the door before the first performance of the series. Individual tickets, at sixty cents, may be purchased at the door before each performance.

Concerts

On Tuesday evenings, October 26, December 14, January 18, February 8, March 8, and April 5, the Boston Symphony Orchestra will give six concerts in Sanders Theatre.

After 1:30 on the Monday preceeding a concert until 3 o'clock on Tuesday afternoon (unless the supply is exhausted before), students in any department of Harvard and students in Radcliffe College may buy tickets for rush seats at the cashier's cage in the Comptroller's Office, Lehman Hall. Each purchaser will be required to show a student Bursar's Card.

DALTON-ELCOCK BAR REVIEW

The Fall Review, preparing candidates for the Massachusetts Bar Examination to be held late in December, began Tuesday, October 12, 1948 and will end late in December.

For information write:

Dalton-Elcock Bar Review
Ten Post Office Square, Room 715
Boston, Massachusetts
Telephone HA 6-2850

GOODRICH—(Continued)

uniform statute in the commercial law field and will cover Sales, Negotiable Instruments, Investment Securities, Letters of Credit, Secured Commercial Transactions. Some of this material is already covered by uniform laws. But the uniform laws were drawn quite a number of years ago and changed business practices have introduced changed problems. Every effort is being made to have this Code respond to the questions which arise in the business field today. To that end its draftsmen have informed themselves from banks, warehousemen and merchants and other people who meet the facts in their daily experience out of which the legal problems come. No one can hope that everyone can like all the rules expressed in the Code for in the law, as elsewhere, what is one man's meat may be another man's poison, or something close to it. What the Institute and the Commissioners both hope is that the Code will answer the problems which business people have and will answer them in a way which a disinterested and uninformed third party will regard as fair.

Continuing Legal Education is a co-operative project with the American Bar Association. In it no attempt is being made to set up anything as a substitute for a law school nor the kind of post graduate work which a man gets when he comes to the Harvard Law School and becomes a candidate for an advanced degree. It is rather to help lawyers to do what our medical friends have already done, that is to keep the process of education going continuously so that the practitioner's outlook and understanding broadens with the years instead of narrowing. This is the first year of the work. A full time Director has been secured for it in the person of John E. Mulder, one time Professor of Law at the University of Pennsylvania and at one time a partner in a busy Philadelphia law firm. The Director for the Western area is Professor James E. Brenner, Stanford University Law School. The experience during the first year of the new venture leads those responsible for it to think that it has been very well timed. We seem to have started the project on a country-wide basis at about the time to get the benefit from the good work done by our predecessor. If he succeeds as well as it now promises to succeed the continuing value to the legal profession is too clear to require elaboration or argument.

The last of the new undertakings is the attempt to write an Income Tax Statute. There have been a good many such statutes since the first income tax law. But this is the first one which will have been submitted by a learned outside body which has no case to prove. The project is financed, as is the Commercial Code, by the generosity of the Maurice and Laura Falk Foundation of Pittsburgh and is to run three years. The Reporters are Professor Stanley S. Surrey, University of California School of Jurisprudence, and Professor William C. Warren, Columbia University Law School. They have to advise them an excellent Committee composed of distinguished tax lawyers with varying points of view, one of whom is the Dean of the Harvard Law School. The work is started and already the Reporters have shown that they can come to grips with hard questions. The Institute cannot, of course, promise that any statute which it will draw, however close to perfection it attains in an imperfect world, will find its way into the statute books. This undertaking has had the encouragement of persons high in legislative and executive branches of the

Government. Help in needed and these people think that the Institute can give it. At any rate, all of that body's wisdom and experience will be brought to bear on this exceedingly important piece of legislation.

These are the tangible things which the Institute is doing or has just done. In addition, there is a fine piece of work in the Code of Evidence and an equally distinguished product in the Code of Criminal Procedure. These two Codes are about to be examined by the National Conference of Commissioners with a possible view to making them, with such changes as the Conference chooses to make, into proposed uniform acts. The intangible products of the Institute are less easy to describe. Nevertheless, they are in some ways more important than the particular piece of legal work done. The Institute has brought together people of high reputation from the judicial, teaching and practicing branches of the legal profession. They have, while engaged in common projects,

learned to understand and appreciate each other as they never have before. The Institute meeting has served as a forum for the legal scholars of America and by doing so has served continuing education for all those who have participated. Its present projects are limited in duration. But no one, of course, can estimate a limit in duration of the possible years of usefulness in the public interest of an organization of legal scholars formed for the improvement of the law.

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