

The Harvard Law School Record

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NEWS IN BRIEF

RHODES SCHOLARSHIPS

Rhodes Scholarships, effective September, 1949, for a three-year period, have been awarded to three men at the Harvard Law School, George Munroe, 3L (Dartmouth '43), Richard Wiley, 1L (Bowdoin '48), and Nelson F. Taylor, 3L (U. of N. C. '42).

KING'S BENCH ELECTION

The following men have been elected officers and council of King's Bench:

Herbert S. Ascherman (Harvard '46), chief justice; Sidney G. Fisher (West Point '40), associate justice; William S. Connolly (Emory '47), exchequer; Francis W. Smith (Bowdoin '47), scrivener. Council: Boce W. Barlow (Howard '39), William L. Blum (Georgetown '42), Norman S. Fink (Dartmouth '47), Bruce Leeger (Dartmouth), Fred L. Putnam (Harvard '49).

AVC SANTA SCHEDULE

This Friday, December 17, AVC will again be Santa Claus to all children of students and faculty of the University, in Phillips Brooks House parlor from 10 a. m. until 12 noon. At 10:30 another Santa will be at the Nursery School on Kirkland St. From 12 to 1 p. m. he will take a break, and again at 1:15 to 3 p. m. Santa will be listening to orders in the PBH parlor.

During the afternoon four more Santas will distribute themselves about the University as follows: Playground of the Harvardway Extension, Bulletin Board of Jarvis Court, and at Shaler Lane. Santas will arrive at 1:30 p. m.

Another will attempt to visit sick children, on request of their mothers, who may call KI 7-2486 on Thursday and Friday to arrange the visits.

Education For Masses Theme Of Soviet Law

Berman Lectures On Historical Basis For Russian Legal System

Examining the claim put forward by Soviet jurists that their law is "law of a new type, different from all types of law known to history," Harold J. Berman, Visiting Professor of Law and Research Associate at the Russian Research Center, last week delivered three public lectures on "The Spirit of Soviet Law," under the auspices of the Harvard Law School Forum.

The first lecture, on "The Basis of Soviet Law in Russian History," described the diverging paths of Eastern and Western Law from the 11th century on, and attributed many of the features of current Soviet law to the poverty of the Russian legal tradition. At the same time, Soviet law, Professor Berman stated, is now attempting to give legal expression to positive elements of the Russian tradition which prior to the Revolution were extra-legal in character. He named four such elements: the spirit of community, which derives from Russian Orthodox Christianity; the principle of universal compulsory service inherited from the Mongols; the sense of mission, with Moscow as bearer of a new conception of life, which appeared first under the 16th century Muscovy Tsardom; and the *furor technicus* and capacity for large-scale state-organized economic development, which stems from the Petersburg Empire of the 18th and 19th centuries.

Soviet law, according to Professor Berman, represents a struggle to amalgamate these Eastern elements with Western conceptions of legality and "due process."

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Treasure Room Collection of Unusual Papers Provides Prime Research Store



Dedicated to the memory of students and graduates of Harvard Law School who lost their lives in World Wars I and II, the Treasure Room of the Harvard Law School Library houses and preserves the world's greatest collection of rare legal documents. The room, opened for exhibition in July of this year, is located at the north end of the Langdell Hall reading room. Its completion represents the culmination of the desires, efforts, and plans of the many outstanding legal scholars who contributed to its development.

The Treasure Room itself is an intelligent combination of beauty and utility, enabling it to fulfill its dual function of an exhibition and reading room. On the pale amber walls are portraits of the three men who may be considered the real founders of this collection: Dean Roscoe Pound, Professor Joseph Henry Beale and John Himes Arnold.

Three large exhibition bookcases are arranged to show the development of the printing of legal works in Europe, England and America. One is filled with early Continental books of law, printed before 1501; another holds statutes, yearbooks, and textbooks printed in England before 1601, while the third contains the session laws of the 13 original colonies and other rare legal documents of America.

The heart of the Treasure Room, however, lies in the six flat display cases which are distributed along the walls. It is planned that a special exhibition will be presented about every month through the medium of these cases. To celebrate the 300th anniversary

Autopsy Stressed to Learn Death Causes

"Both the district attorney and the defense counsel in a homicide case should take the cautious attitude that cause of death has not been conclusively established until a medical autopsy has been completed," said Dr. Moritz in his third lecture, "The Strength and Weakness of Scientific Evidence with Particular Reference to Homicide," last Wednesday.

Even when an injury such as a skull fracture or head wound *prima facie* indicates the cause of death, the lawyer should not dispense with a complete medical examination. Since the obvious wounds may be misleading, the real cause of death may be disclosed only by an examination.

Medical opinions as to cause of death may be placed into three classifications. First, medical testimony may be equivalent to categorical proof as to the precise cause of death. This is true when the injury received is one which is incompatible with life, such as the destruction of the heart or of the brain cells. If such an injury is encountered, the only problem is to establish that it occurred before the person died.

The second category includes evidence that the injury constitutes a plau-

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The RECORD extends to all its readers best wishes for the holiday season.

The next issue of the paper will be published after vacation, on Wednesday, January 5, 1949.

sary of the Peace of Westphalia, the Treasure Room is currently exhibiting its holdings of related material. Nine volumes of manuscripts containing all the French negotiations leading up to the final treaty form the nucleus of the exhibit. These hold much more material than the printed editions and contain many documents and letters that have never been published. Included also in the display are some of the contemporary accounts of the war and its peace, a large number of "secret negotiations," and a copy of the final Peace of Westphalia printed in 1648.

Since its opening, interest in the Treasure Room has drawn many distinguished visitors. Among these have been: Prime Minister John Costello of Ireland; Hon. Gregor Barklay of the King's Bench, Montreal, Canada; Leroy S. Merrifield, acting dean of George Washington University; and Sir David Stanley Smith, judge of the Supreme Court of New Zealand.

Adjacent to the Treasure Room is a three-floor steel stack which will accommodate approximately 27,000 volumes. Like the Treasure Room the stacks are air-conditioned, dustproof, and fireproof for the better protection of the books and manuscripts. These stacks will house the remainder of the collection, which includes everything from the Decretals of Boniface VIII, printed in 1473, to the official mimeographed proceedings of the Nuremberg Trial. At present the stacks contain about 20 per cent of the collection, the remainder be-

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Dean Griswold, Cavers, Discuss Teaching Plan

Dean Griswold and Professor Cavers explained some of the details of the Law School Teaching Fellow Program that will be instituted next fall to a group of some forty prospective applicants at a meeting last Monday.

Dean Griswold told the group that the Fellows would have status as faculty members and would have the opportunity to discover whether they were genuinely interested in teaching law. The salaries paid would approximate those paid in New York law offices. He contemplated that the Fellows would also be able to do some academic study at the Law School or other graduate schools.

Professor Cavers, Faculty Adviser for the program, outlined some of the benefits that the program was designed to bring to first year students in their law study and some of the techniques that would be used. He pointed out that the program was still in a very fluid stage and that the first group of Fellows would

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Chayes Elected To Presidency Of Law Review

Halley Heads Board, Lubick Leads Bureau, Brown Is Forum Chief

This week the *Harvard Law Review*, Board of Student Advisers, Legal Aid Bureau and the Law School Forum elected new officers for the spring term. Abram J. Chayes (Harvard '43) of Chicago, Ill., was elected president of the *Review* to replace Hugh Calkins (Harvard '45) of Newton, Mass. Chayes won the Sears Prize for having the highest average of all second-year men last June.

The new chairman of the Board of Student Advisers is John R. Halley, (Tufts '45), of Groton, Mass., formerly first-year facts chairman, filling the vacancy left by Stanley A. Freedman (Harvard '43) of Great Neck, N. Y.

Last year's vice-president, Donald C. Lubick (U. of Buffalo '45) of Buffalo, N. Y. is the new president of the Legal Aid Bureau, taking the position of Harry H. Riddick (U. of Ala. '43) of Demopolis, Ala.

Rowland C. W. Brown (Harvard '45) of Nyack, N. Y., a third-terminer, is replacing Richard A. Holman (Cornell '43) of New York City as president of the Harvard Law School Forum.

Law Review officers appointed by the president are G. Blandon Colburn, Jr. (Pomona '42) of Fresno, Calif., and Weaver W. Dunnan (Harvard '47) of Paxton, Ill., note editors; Alexander M. Bickel (C.C.N.Y. '47) of New York City, case editor; Louis E. Smart, Jr. (Harvard '45) of Columbus, Ohio, articles editor; and Donald W. Ingle (Bradley U.) of Washington, Ill., book review editor.

Officers of the Board of Student Advisers, all sixth-term men, include Bernard W. Nimkin (Harvard '43) of New

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Report Shows Gain Financially in HLS Operation for '47-8

Operating income of the Law School for the fiscal year ending June 30, 1948 exceeded expenses by some \$16,800, total income reaching the amount of \$1,291,200, while expenses were \$1,274,400.

Student tuition of \$950,800 at the rates prior to the recent 50 per cent increase constituted almost 74 per cent of the total income available for operations. Endowment fund income of \$260,100 accounted for an additional 20 per cent of the total.

Salaries constituted the largest single item of expense, amounting to \$469,800 or approximately 37 per cent of the total operating expenses. Comparable percentages of salaries to total expenses in other departments of the University were 52 per cent for the Faculty of Arts and Sciences, 34 per cent in the Medical School, and 29 per cent in the School of Business Administration. For the University as a whole, salaries represented almost 28 per cent of total expenses.

Scholarships and other student awards amounted to \$63,200 or five per cent of the Law School operating expenses. The Faculty of Arts and Sciences allocated 10 per cent of their total expenses for such awards; the School of Business Administration one per cent, and the Medical School four per cent.

Endowments received by the Law School during the year totaled \$25,200. This together with a net principal change of \$5100, increased the Endowment Funds of the Law School to \$5,522,100. Gifts for immediate use during the fiscal year came to \$86,700.

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Early Alumni Survey Returns Reveal Small Town Practice Prospects Good

(This is the second in a series of two articles on current placement opportunities throughout the nation. It is based upon reports in the files of the Law School Placement Bureau. More specific information may be obtained by consulting that office.)

Over the period of the last four months Louis A. Toepfer, assistant dean and director of the Placement Bureau, has been receiving answers to a questionnaire sent to Law School alumni now practicing in the smaller communities throughout the nation. Brief and to the point, the mimeographed form asked key questions: specific and general opportunities available; specific and general sources of advice and aid to graduates; starting salary range, possibilities of an individual's opening his own office; and, generally, whether the local picture is encouraging.

While the survey is by no means yet completed, several hundred answers from a number of presumably typical communities have been received. These indicate that certain generalized conclusions may be drawn, each subject to individual local variations and qualifications.

Foremost among these is that there appear to be substantially greater opportunities currently available in the smaller communities than the large metropolitan areas. Most such opportunities, however, run not to employment as in the metropolitan areas, but to individual practice either alone or in shared offices.

Secondly, it appears that, at least on the basis of the questionnaire, graduates will find alumni and local members of the bar generally willing and glad to assist younger men in finding a place and getting started. In some cases this will extend even to referrals after entering practice. To some extent this help will

be affected by the local son situation and the extent and value of such aid will depend upon the obvious determination of the graduate to settle permanently in the community.

Thirdly, there is no standard salary range; starting salaries are a product of purely local economic forces and custom. The same local variations also apply to setting up an individual practice, and adequate financial reserves are always essential.

And last, with certain emphatic exceptions, the general prospects of small community practice are encouraging. But experience has shown that the best method of so locating is to pick a town in the area where the graduate wishes to live, to settle down and stay, letting the local bar know that you are there for life and for the practice of law.

In selected states the specific reported picture shapes up as follows:

ARKANSAS: Some specific opportunities known, generally felt to be good. No estimate made as to individual salaries. Individual practice available, subject to early lean years. Encouraging.

CALIFORNIA: Specific openings available, good opportunities. Starting salaries between \$200 to \$250 per month. Good opportunity for private practices, contacts helpful. Encouraging.

CONNECTICUT: No specific openings, little opportunity seen. Few estimating set starting salaries at \$150 to \$200 per month. Contacts absolutely essential to individual shingle-hanging. Discouraging.

FLORIDA: General opportunities available. Starting salaries range from \$150 to \$250 monthly. Certain towns open to individual practice. Need resources to tide over. Reasonably encouraging.

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CHANGES OF ADDRESS should be sent to the RECORD office, Austin Hall, Cambridge 38, Massachusetts, at least three weeks in advance to insure prompt delivery.

Editorials

Participants in the Ames Competition will be glad to hear that Assistant Deans Toepfer and Minkin have mailed copies of the briefs in the recent Ames final and semi-finals to the hiring partners of a great number of law firms. The purpose of this is to acquaint some of the alumni with the high calibre of work produced in the Ames arguments.

We think this an excellent idea. But it is only a first step in rectifying an unsatisfactory situation. Recently an Ames finalist informed us that in seeking employment in New York the fact that he was an Ames finalist had seldom invoked more than polite interest among the interviewers. The reason for this seems to be that older alumni are generally unacquainted with the scope of the Ames competition as it is organized today. During the weeks of competition in the higher rounds of the Ames arguments most contestants spend as much time on their arguments as the *Review* man spends on his work, and a great deal more than is spent by the other honor organizations. The briefs and arguments invariably represent fine work. Hardly a judge from the bench of the United States Supreme Court down has failed to remark that the briefs and orals compared favorably with the best of those presented in his own court.

Certainly this type of work deserves more recognition than it has been getting. Supposedly those who proceed through the rounds of the Ames competition receive valuable legal training in matters whose importance in law is obvious. There is no reason why this training should not carry with it the recognition of alumni and faculty.

That training is its own reward may be a lofty sentiment but no one has ever supposed it to be true in the cases of the honor societies who also receive valuable training in their work. If it be argued that the recognition accorded to the honor groups is really accorded not to the training received but to their ability to make such groups, then it seems obvious to us that those who emerge into higher rounds of the Ames competition show an ability singularly important to success in the legal profession.

The sending of the briefs to the hiring partners is a desirable move. But we hope the faculty will not stop there in acquainting alumni with the Ames competition. The percentage of participants in the qualifying rounds this year is much less than in the first two rounds. If more students are to participate, if more are to receive the training of Ames arguments then the profits to be had therefrom must be made clearer. Unfortunately, perhaps this represents a mundane outlook. But we believe it to be a realistic one.

J. S.

Letters to the Editor

This letter was received from Vice-Dean Hall in answer to a request for information concerning the crowded condition prevalent on the squash courts in Hemenway gymnasium. Ed. To the Editor of the RECORD:

There is admittedly a good deal of crowding at the Squash Courts at Hemenway. Of the 12 squash courts, six are reserved from November

through March for use of the varsity and freshman squash teams; the rest of the year only two courts are reserved for this purpose. The remaining courts there are open for the use of all students of the University without priority.

While the squash courts in the Houses are reserved for their residents, Law School students are permitted to use the Linden Street courts on the same basis as other students of the University.

This means that although the Hemenway courts are most convenient for Law students, there are not nearly enough actually available to take care of all the Law students wanting to use them. They are generally reserved completely for the following day within 30 to 60 minutes after the reservation book has been opened at 1 p. m.

Hemenway Gym was built for the use of students in the University generally. It is not a Law School building and the Law School has no priority. The Gym is under the administration of the H.A.A., and the question whether Law students should be given any priority is one for the H.A.A. to determine on the basis of the needs of the entire University. The squash courts at Linden Street do not have enough full-sized courts in good condition to handle the needs of the Varsity and Freshman Squash teams, and the H.A.A. feels it would be impractical to have some of the teams working out at the Linden Street courts, and the others at Hemenway.

LIVINGSTON HALL,
Vice Dean.

Off the Record

Is This Constitutional?

From Charlottesville, Va., comes the report that a group of law students have filed a suit seeking to force the University of Virginia Law School to release final grades on a course completed last May. The petition contends that under the contract by which the tuition to take the course was paid, an "implied condition is that said complainants are entitled to be advised of their progress." We understand that one of the Harvard Law School professors is filing a brief as amicus curiae (friend of the court).

.....

Trepass Per Quod Servitium Amisit?

Mr. David E. Snodgrass, LL.B. '21, calls our attention to a recent action in Redwood City, Cal. that seems to us to have as great implications in tort law as *I. de S. and Wife*. It seems that a California veterinarian was called upon last week to pungle up \$1,600 on the grounds that a spinster poodle got pregnant while under his care.

The damages were demanded by Miss Dorr Bothwell, noted San Francisco textile designer and abstractionist.

The poodle is Sophie sans Malheur, which translated roughly means, "Sophie never had a bad hour;" that is of course, until the present difficulty.

Up until the time of her betrayal, she was a spinster of 9. She is still a blueblood of the miniature or toy French class.

Suing in Superior Court at Redwood City, Miss Bothwell said that Sophie was imposed upon through the negligence of Dr. P. H. Hand, proprietor of Hand's Pet Shop in Milbrae Park.

Miss Bothwell, discussing the case later, said she left Sophie in Doctor Hand's shop last March 25 when she went to Europe.

She said that she returned July 23 and that when she went to get Sophie, the dog seemed self-conscious. She said she had Sophie X-rayed by a San Francisco veterinarian and that he revealed the animal was in an interesting condition.

Some time later, Sophie gave birth to a litter of seven puppies three of which died at birth.

Sophie's ordeal lasted thirty-one hours. Her health, claims her mistress, was ruined by such goings on at her advanced age. And her show value was thus impaired in the amount of \$500, continued Miss Bothwell.

The villain in the piece has been identified as a black cocker.

"It seems too bad," said Miss Bothwell, "that since Sophie had to go through with this thing, it couldn't have been a poodle."

Yesterday Miss Bothwell gave an indication of the dog's happy, trusting nature when she recalled:

"In the park, they call her the 'ballet dancer.' When she makes friends with another dog, she dances around on her hind legs."

So much for Sophie. But Miss Bothwell said that she too suffered some distress and should be compensated. She said that she had to take approximately forty hours away from her textile designing to care for Sophie during the ordeal. Valuing her time at \$25 an hour, Miss Bothwell demanded that Doctor Hand reimburse her for \$1,000. She also asked \$100 court costs.

Gallery

KENNETH CULP DAVIS
Visiting Professor of Law



When Professor Katz was called away suddenly this summer to serve as aide to roving E.C.A. Ambassador W. Averell Harriman, the call went out for someone to pinch-hit in the administrative law courses during Katz's absence. Professor Kenneth Culp Davis of the University of Texas Law School heard the call and responded. He was thereupon appointed Visiting Professor of Law and, as he put it, "stepped into Professor Katz's job, house and office."

Judging from his background in teaching and in governmental service, and from the warm reception given him by the students, Harvard came up with the right man in the pinch.

In addition to serving as assistant and associate professor at West Virginia College of Law from 1935 to 1939, and as full professor at Texas Law School from 1940 to 1948, Professor Davis has also done extensive work in the government. In 1939 and 1940 he served as a member of the Attorney-General's Committee on Administrative Procedure. In this connection he helped write monographs on 28 government agencies, and contributed to the drafting of the committee's report. This work together with similar projects conducted by the American Bar Association formed the background of the Administrative Procedure Act of 1946.

This combination of the professorial life with that of the government servant is typical of his approach to Administrative Law. "So much of administrative law does not get into the cases and reports," he said, "that you have to go out and observe directly, in addition to reading the printed page." He added, "As a matter of fact, I'm feeling the need of getting back to Washington to catch up on the kind of thing that doesn't reach even the best of libraries."

Because of the nature of administrative law, Professor Davis feels that a study of the case law is not enough to apprise the student of all the developments in "this fascinating and constantly changing field." In his "Supplement to Katz, Cases on Administrative Law" which appeared in July of this year, he has drawn on wide and variegated sources: governmental reports as well as cases, and his own conclusions and observations based on his personal contact with the administrative process.

In addition to this work, he has been a generous contributor to the leading law reviews, having had seven articles published in the last two years and some 14 in all. These articles form the basis of a book on which he is now working.

Professor Davis' roots are in the West. Born in Missouri in 1908, he moved shortly thereafter to Spokane, Washington where he received his pre-college education. He helped to pay his way through Whitman College by working as a clerk in a law office. While in college he was elected a member of Phi Beta Kappa, served as member of the debate team for three years and played varsity tennis.

On graduating magna cum laude in 1931, he packed his bags and made the long trek Eastward to the ominous halls of Harvard Law School. He joined the *Law Review* in his second year and was elected Case Editor in his third year. In discussing his experience on "The Bugle," Professor Davis issued a caveat to present members. "I worked so hard on the *Review* that I almost lost my place because I was forced to sacrifice my course work. I still wonder whether it was wise."

Shortly after obtaining his LL.B. cum laude in 1934 ("Before I had received my diploma in the mail"), he married Miss Carol Seeds whom he had met in college. They now have two children: Malcolm, 13, and Margaret, 11.

Before embarking on his teaching career, he practiced for one year with the Cleveland firm of Tolles, Hogsett and Ginn.

When he has a few spare moments, Professor Davis likes to go over to the tennis courts or to the Hemenway squash courts to play a few fast

Sub Judice

SILENCE IS GOLDEN

Lydia Warner lay on her death bed after having been atrociously attacked by an assailant. For four days she had remained alive in a condition of shock. A few hours before her death, the police brought a section hand, Leo Mleczo, to her bedside. He had already been charged with the attack and had been brought to the hospital room so that Mrs. Warner might have an opportunity of identifying her assailant. The police produced a paper that they had prepared beforehand, setting forth in narrative form a full account of the assault and accusing Leo of perpetrating it. After the police were satisfied that Mrs. Warner understood the document, they had her sign it. When asked whether she saw her assailant in the room, the dying woman looked slowly about the room until her eyes rested on the defendant, and then she replied, "Yes, Leo." Leo said nothing. Later at the trial, the prosecuting attorney reminded the jury: "And Mleczo stood there at the side of the bed, ladies and gentlemen, as cold, as brutal and as stoic as he is sitting there now. And he did not say one single, solitary word when Lydia Warner identified him. Now you know, ladies and gentlemen, that if any one of you, or anybody, was identified as the attacker if they did not do it, what would they do? Would they sit there cold and stoic as that man is sitting there now and say nothing? You should know very well they would say, 'Why, I didn't do this.' You know they would reiterate their innocence. But he didn't say a word." The jury returned a verdict of guilty of murder in the first degree. Held: Reversible error. New trial granted. The court said that the trial court erred in refusing to advise the jury that the defendant was under no duty while in police custody to deny the victim's accusation and erred in refusing to instruct the jury that no inference could be drawn against the defendant because of his silence. An inference of admission of guilt would be disastrous in its effect on the jury in leading them to disbelieve all the defendant's claims of innocence. Uncontradicted on the record was Leo's explanation that he "didn't say a word" because the police chief had warned him that when "we get to the hospital, you better keep your mouth shut . . . you better not say anything." *People v. Mleczo*, 81 N. E. 2d 65 (N. Y. 1948).

NO JOY AT CAMP JOY

Willie T. Woods lived with his wife at Camp Joy, an entertainment center at Lake Tarrant consisting of cabins, cafe, dance hall and beer tavern. Paul McCullough, his party and wife came to the tavern about 8:00 on the night of November 16, 1946. About two hours later Woods and his party entered. Sometime later, someone in McCullough's party emitted a sound or noise which might be termed a "raspberry." An altercation ensued, but fisticuffs were averted by the owner. Shortly thereafter, Woods and his party left via the front door, McCullough following suit, via the back door. From this point on the evidence was in dispute. Something like this happened. Woods and party were getting into their car when McCullough came up and assaulted Mrs. Woods, while another member of McCullough's party took care of her husband for the moment. Woods saw McCullough kick his wife and strike her, knocking her down. When he got up he pursued McCullough down to a dock going out to the lake. There they fought, Woods stabbed McCullough several times and both fell into the water. Woods pulled McCullough out, but he died on the dock. Woods claimed that he had pursued deceased in order to hold him under arrest until the law arrived. The court refused to charge the jury that he had such a right. He was convicted of murder with malice and sentenced to five years. Held, that there was no error. It was true that there was a disturbance of the public peace in his presence, and a private citizen may arrest for a disturbance of the public peace in his presence, but that right does not include the right to pursue. There was no danger of a recurrence or continuance of the assault when Woods went after McCullough. To pursue a person for a misdemeanor, which this was, a warrant is necessary. *Woods v. State*, 213 S. W. 2d 685 (Tex. 1948).

games with Professor Braucher. He confessed, "I can't beat Bob Braucher yet," but he's trying hard.

The striking features of Kenneth Culp Davis are his friendliness, his quiet sincerity and an intense interest in his work. He views his subject as part of a fascinating scheme: "The challenge of our generation is that of finding the means of reconciling the full utilization of our resources for the people with the problem of maintaining a free society. It seems to me that administrative law is in the center of that rather exciting project."

F. R. R.

Alumni Notes

This concludes the list of June '48 graduates.

Saul J. Hahn, Titiev & Greeman, 185 Devonshire St., Boston, Mass.; Richard J. Hallinan, Shearman & Sterling & Wright, N. Y. C.; Bruce C. Hammerschmidt, Hammerschmidt & Johnson, South Bend, Ind.; James B. Hannah, Snyder, Gale, Hoke, Richards & James, 1430 Rand Tower, Minneapolis, Minn.; Martin J. Hansberry, Own practice, 751 Main St., Waltham, Mass.; Alexander D. Hargrave, Nixon, Hargrave, Middleton & Devans, Rochester, N. Y.; Richard L. Harrington, Miller, Mack & Fairchild, Milwaukee, Wisc.; Donald G. Harrison, Cook, Smith, Jacobs & Beake, Penobscot Bldg., Detroit, Mich.

Oscar W. Haussermann, Jr., Ropes, Gray, Best, Coolidge & Rugg, Boston, Mass.; Robert A. Hendrickson, Jr., Lord Day & Lord, 25 Broadway, N. Y. C.; John B. Henry, Jr., Cahill, Gordon, Zachry & Reindel, N. Y. C.; Christian A. Herter, Jr., Bingham, Dana & Gould, 1 Federal St., Boston, Mass.; John E. Hess, Bangor & Aroostook Railroad Co., Bangor, Maine; George W. Hickman, Jr., Regular U. S. Army Officer; William M. Holman, Clerk to Judge H. M. Stephens, U. S. Court of Appeals, District of Columbia; Robert C. Hooper, Bingham, Dana & Gould, Boston, Mass.

James W. Horton, Stephen A. Nettles, Woodside Bldg., Greenville, S. C.; James L. Houghteling, Jr., Economic Cooperation Administration, Washington, D. C.; James D. Hughes, Stoneman & Chandler, 44 School St., Boston, Mass.; Treat C. Hull, George, Hull & Pinney, 215 Main St., Danbury, Conn.; William L. Hungate, Jack McDonald, Carrollton Bank Bldg., Carrollton, Ill.; Larrabee M. Johnson, Hinman, Howard & Kattell, Security Mutual Life Bldg., Binghampton, N. Y.; William B. Johnson, Jr., Butler, Binion, Rice & Cook, Gulf Bldg., Houston, Texas; Loren E. Juhl, Sidley, Austin, Burgess & Harper, Chicago, Ill.

Newton Kalman, Knight, Gitelson & Ashton, Los Angeles, Calif.; Sumner Z. Kaplan, Singer, Stoneman & Kurland, 31 Milk St., Boston, Mass.; Jarvis P. Kellogg, Gaston, Snow, Rice & Boyd, 82 Devonshire St., Boston, Mass.; Edward R. Kimmell, E. I. Dupont de Nemours

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MORITZ—(Continued)

sible explanation of the death, in that it is of a type and degree which could cause death. Since it cannot be stated that a person so injured must have died from this injury an adequate search must be made for other elements which might have caused the death.

Part of the questioning of the doctor who presents this evidence should be designed to elicit a definition of whether the injury must have caused death or whether it was only a possibility and no other cause was apparent. If the latter, the lawyer might be justified in having a second autopsy performed, since the routine examination following the conventional patterns may not have revealed all possible causes.

Sometimes an autopsy will not in itself provide an adequate explanation of the cause of death. In such cases, inferences may be drawn from surrounding circumstances. This third category particularly applies where the body has putrefied prior to being discovered so that the cause of death cannot be accurately determined by autopsy.

In handling cross-examination, the lawyer should realize that the strength of the medical conclusions offered depends on the validity of the reasons given. If the doctor gives conclusions without reasons, Dr. Moritz advises, "Be skeptical." Cross-examination based on expert advice should succeed in shaking such testimony.

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Calendar

LEGAL WORLD Law Wives

A farewell party in honor of the wives of seventh-term law students will be held tonight at 8 o'clock at Kendall House. Christmas carols will be sung and pictures will be taken for the Year-book. All wives are invited.

Law and Medicine

The last lecture entitled *Medico-Legal Aspects of Lunacy of the Law and Medicine* series will be given by Dr. Alan R. Moritz, Frances Glessner Lee Professor of Legal Medicine at Harvard Medical School, in LNM at 5 p. m. today.

Lincoln's Inn

The Lincoln's Inn Society will hold its Annual Christmas Dinner tonight at 6:15 at the Hotel Commander. Dress is informal.

UNIVERSITY WORLD Liberal Union Movie

The Harvard Liberal Union will present a reshewing of *Citizen Kane* on Tuesday, January 4, at the Fogg Art Museum. There will be showings at 7 and 9:30 p. m. The price is 60c.

Christmas Service

Members of the Harvard Choir and the Radcliffe Choral Society, under the direction of Professor G. Wallace Woodworth, will present a program of Christmas carols at Memorial Church, today. Services will be held at 4:30 and 8:15.

OUTSIDE WORLD Ford Hall Forum

The Ford Hall Forum presents *The Enduring Crisis*, a lecture and discussion, by Henry C. Wolfe, author of *The German Octopus*, predictor of the Nazi-Soviet deal of 1939 and the Japanese blitz against us, in Jordan Hall, N. E. Conservatory of Music, Sunday at 8 p. m.

Gardner Museum

The Isabella Stewart Gardner Museum will present Olga Paul, contralto, Sunday, December 19 at 2 p. m.

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PLACEMENT —(Continued)

GEORGIA: Some opportunities available. Starting salaries from \$150 to \$250 per month. Local contacts essential to firm or individual practice. Moderately encouraging.

ILLINOIS: Few openings available. Salaries from \$100 to \$200 monthly, some not estimating. Tough on individual practice. Discouraging. Illinois Bar Association makes annual survey of opportunities which should be helpful to job seekers.

INDIANA: Little opportunity. Few estimates of salary range, \$150 per month top. Individual office very dubious venture. Politics a factor. Discouraging.

IOWA: General opportunities good. Starting salary from \$150 to \$200 monthly. Good chance for individual practice. Encouraging.

KANSAS: See Iowa.

KENTUCKY: Specific and general opportunities good. Starting salaries from \$100 to \$250 monthly. Little chance for individual practice. Encouraging.

MAINE: Only fair opportunities available. Salaries from \$100 to \$250 monthly. Contacts essential for private practice. Only moderately encouraging.

MASSACHUSETTS: Generally some good opportunities available. Salaries range all over lot, extreme local variations. Good opportunities for hanging out own shingle. A bare majority says encouraging.

MICHIGAN: Good general opportunities. Salary range \$140 to \$200 monthly. Individual practice open, contacts helpful. Junior Bar Section of State Bar of Michigan has prepared county by county survey of local conditions. Encouraging.

NEBRASKA: General opportunities good. Starting salary estimates from \$100 or less to \$300 monthly. Fair chance for individual practice. Mildly encouraging.

NEW HAMPSHIRE: Fair opportunities available. Starting salaries from \$150 to \$200 monthly. Contacts essential for individual practice. Mildly discouraging.

NEW JERSEY: Generally good, with Trenton an exception. Salaries vary widely. Contacts essential to private practice. Encouraging with above noted exception.

NEW YORK: Limited opportunities available. Starting salary generally between \$100 to \$200 monthly. Some communities open to individual practice. Generally discouraging.

PENNSYLVANIA: Very few openings. Local system generally bars any starting salary for first six months. Only chance is individual practice, but very discouraging.

TENNESSEE: Opportunities pretty good. Salary range from \$150 to \$250

per month. Contacts essential to private practice, and adequate financial backing important. Mildly encouraging.

TEXAS: Good opportunities available. Starting salaries from \$150 to \$250 monthly. Contacts essential to private practice. Encouraging. Bar requirements include one year's residence before examination.

VERMONT: Specific and general opportunities available. Salaries from \$100 to \$200 monthly. Ample chance for those wishing private practice. Encouraging.

VIRGINIA: Some opportunities available. Top starting salaries around \$200 per month. Contacts essential to private practice. Encouraging.

WASHINGTON: Good opportunities available. Starting salaries range from \$100 to \$250 per month. Individual practices open. Encouraging.

TREASURE ROOM —(Con't)

ing retained in the vaults. It is hoped that the entire collection will be in the Treasure Room stacks by early spring.

Until then the volumes remaining in the vaults may be obtained through the Langdell Hall library and may be used in the Treasure Room. Eventually the books will be catalogued in the Treasure Room, as well as in the Langdell Hall library, and may be obtained for use there. The hours of the Treasure Room are from 9 a. m. to 5 p. m. on weekdays and from 9 a. m. to 1 p. m. on Saturdays. Miss Eleanor Little who is in charge of the Treasure Room will be there at all times to describe the manner of the exhibition of books and to assist in obtaining the volumes desired.

Since the collection contains so much primary source material a great deal of activity in the fields of comparative law and legal history is anticipated. Third-year law students have been taking advantage of its facilities; graduate students have traveled great distances to study some of the rare volumes, and many prominent legal scholars have indicated plans to use the Treasure Room collection in their studies.

BERMAN —(Continued)

In the second lecture, "The Basis of Soviet Law in Marxist Theory," the position was taken that in spite of drastic changes both in theory and practice during the past 12 years, Soviet law has nevertheless retained distinctive socialist elements, i. e. state ownership of land and the means of production.

Professor Berman considers that the most distinctive characteristic of Soviet law is its conception of law as a means of educating the law-consciousness of the people, and, impliedly, its conception of the litigant, the person who is the subject of law, as a youth to be guided and trained.

In the third lecture, illustrations were given from Soviet criminal and civil procedure, as well as from "new substantive law which is being secreted in the interstices of the new procedure," of the concern of Soviet law for what traditionally has been considered "pre-legal" in nature. The Soviet reconciliation procedure in divorce, like the judicial settlement of pre-contract disputes between state business enterprises, were given as illustrations of the fact that the Soviet litigant "goes to school" to the law, the judge playing the role of parent and teacher.

FELLOWS —(Continued)

be laying the groundwork for many new developments in the field of legal education.

The students attending were requested to write letters to Mr. Cavers setting out the reasons why they wished to become a Teaching Fellow. Those not at the meeting are also welcome to write such a letter and may obtain the necessary information from one of the men who attended the meeting.

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ELECTIONS —(Continued)

York City who was re-elected second-year chairman; Robert Breckheimer (Princeton '47) of Syracuse, N. Y., second-year facts chairman; Bernard A. Feuerstein (N.Y.U. '47) of New York City, first-year chairman; and Charles Dana Waterman (Dartmouth '47) of Bettendorf, Iowa, first-year facts chairman.

Thornton G. Edwards (Harvard '45) of Manchester, N. H., last year's junior director, is the incoming vice-president of the Legal Aid Bureau. Other men who will fill vacancies are Edwin Gasperini (Williams '46) of Great Neck, N. Y., secretary; Jay W. Glasmann (U. of Idaho '47) of Ogden, Utah, treasurer; Eugene L. Wyman (Northwestern '47) of Du Quoin, Ill., senior director; Clinton R. Stevenson (Ohio Wesleyan '47) of Norwalk, Ohio, and Richard C. Van Dusen (U. of Minn. '45) of Birmingham, Mich.

Forum officers, all second-year men, are Richard K. Fink (U.C.L.A. '45) of Miami, Beach, Fla., first vice-president, in charge of planning; William D. Patton (Princeton '45) of Johnstown, Pa.; second vice-president, in charge of public relations; Thomas C. Shepard (Georgia Tech. '46) of Colquith, Ga., who was re-elected treasurer, and Fred M. Kecker (Penn. State '47) of Elmhurst, Ill., secretary.

This year the Forum is divided into two parts: the staff and a group that will include the other candidates for positions on the staff and on the board. The board is composed of 23 men and the staff of 14 men. New board members are Paul S. Edelman (Harvard '46) of Brooklyn, N. Y.; Thomas L. Farmer (Harvard '44) of Great Neck, N. Y.; Robert Green (Columbia '47) of Brooklyn, N. Y.; Anthony P. Nugent, Jr. (Harvard '47) of Kansas City, Mo.; and Sheldon Tabb (Penn. '45) of Philadelphia, Pa.

FINANCES —(Con't)

Funds available for loans to law students amounted to \$306,600. Of this sum, some \$58,700 was in use at the end of the fiscal year.

Among the non-scholastic departments of the University, the dining halls showed a profit of \$49,500 and the Hygiene Department a net income of \$15,600, while the Committee on the Regulation of Athletic Sports reported a loss of \$101,000.

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