

The Harvard Law School Record

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NEWS IN BRIEF

LEGAL AID BUREAU

At a special election held on Sept. 27, 1949, Donald E. Paradis, Newton, Mass., (Wesleyan University '43), was elected President of the Harvard Legal Aid Bureau. He replaces Victor J. Baum, Detroit (Michigan '46), who resigned to accept an invitation to the Law Review. The position of Vice-President, formerly held by Mr. Paradis, was filled by I. Frederick Shotkin, Brooklyn, N. Y. (Penn. '47).

LECTURE TO GRAD STUDENTS

On Monday evening, October 10, at 8 o'clock, Professor Chafee will speak to the graduate students at Kendall House on the subject *Freedom of Information in the United Nations*. This will be the first of a series of similar meetings planned for the graduate group. All graduate (including special graduate) students are invited to attend.

RECORD OUT ON TUESDAY

Next week the RECORD will be published on Tuesday, October 11, 1949, instead of on Wednesday, as Wednesday is a legal holiday. Later issues will appear regularly on Wednesday.

YEARBOOK PICTURES

FIRST YEAR MEN. Any first year man who has not had his picture taken yet, and who desires his picture to be in the Yearbook, should make an appointment in the Yearbook office this week.

SECOND YEAR MEN. Arrangements have been made so that no man now entering his second year will have to have his picture retaken for this year's edition of the Yearbook. Those students who wish a new picture in the Yearbook may make an appointment in Gannett House this week. Those students who did not have their pictures in the Yearbook last year may also make their appointments at Gannett House.

(Continued on Page three)

Grad Center Foundation Is Now Complete

Law School Fund Drive Reaches Halfway Mark As Subscriptions Mount

With the foundation laid and work begun on the first floor, the new law dorms seem to be headed for completion in June, 1950, according to Harrison S. Dimmitt, Secretary of the Law School.

The law dorms will comprise most of the graduate center to be located on the southern side of Everett St. The center is to consist of seven separate living units—five for law students and two for graduate students. There will be housed in the seven units a total of 600 people, over 400 of whom will be law students. Unlike other Harvard dorms, these will be furnished. As yet the cost per room and method of assigning students to the dorms hasn't been determined.

Also in the center will be a Commons Hall. It will contain recreational facilities and a dining room which will accommodate a thousand students. The University is paying the million dollar cost of the Hall whereas the Law School is footing \$1,650,000 and the Graduate School \$400,000 of the cost of the dormitory units.

The Law School fund out of which the Law School's share in the cost of the \$3,000,000 graduate center project will come has just about reached the halfway mark. Secretary of the Law School Harrison Dimmitt announced that, as of September 19, \$969,000 has been pledged or paid in cash by friends and alumni of the school. Sixty-four percent of this figure is in cash. The goal of the fund is \$2,500,000.

Those who were here last year know of the successful student drive for the Fund conducted in the spring term. A total of \$27,722.20 was pledged and paid in by 985 of the 1443 students enrolled at that time in the school.

Out of the Law School Fund will come \$1,650,000 for the new dorms. In

(Continued on Page three)

Teaching Fellows Sponsor Jury Trial; Limit Admittance To First Year Men

Work in Progress at New Dorm Site



Photographed by James K. Ufford

Tax Judge Discusses Opportunities For Specialization In Federal Work

Judge Murdock was graduated from the University of Pittsburgh School of Law in 1921 and since 1926 he has been a member of the United States Board of Tax Appeals and a judge on the Tax Court of the United States. This article was written especially for the RECORD.

A new lawyer just out of law school and safely past the bar exams must then decide how he is to make use of his recently acquired profession. Perhaps his father's firm or some other has been waiting for him with open arms, but if not, then what to do? Should he hang out his own shingle and wait hopefully, at the same time trying within ethical limits to make the community aware of its new asset? Should he seek a berth with an established law firm and work diligently, but patiently, to make a place for himself at or near the top of that long ladder to success? Should he join the legal staff of a large corporation? Or should he spend a few years acquiring familiarity with some special field of the law so that he may appear more attractive to employers shopping for talent? The choice of the latter is not easy, for he can see, or foresee, his friends making hay under the other choices, securing a few clients of their own, or making themselves indispensable to the senior partners while to his employers he still remains incognito. He may, of course, be lucky enough to find a firm which wants him to acquire the specialty and will hold a place until his apprenticeship in the special field has been served. If that is so or if no permanent place is readily available to him or if he is particularly interested in some one branch of the law, he may decide to seek the specialty as an added string to his bow.

A number of young men have discussed these problems with me from time to time. Their decisions have varied. Some, having existing attractive opportunities have felt that they may not see the like soon again and have signed on with the firm. Some have done likewise thinking that at the end of, say, three years, they will be deemed more valuable by their employers because of their late close association with them than they would be had they come in at the end of that period as strangers but with the specialty as bait and baggage. Others have decided to gain experience in the special field, hoping that it will be most helpful to them in the

long run. Those who have consulted me are usually interested, of course, in federal taxation and I have suggested to them some ways in which they might pursue that undying and, to those who know about it, most engrossing, even exciting, subject. However, those interested in some other subject may well read on, particularly if their subjects relate in any way to a government activity, as, for example, communications, interstate commerce, labor law, or federal reserve financing. That's gold in all them hills, if your prospects are in that direction.

What could a young man do to acquire some worthwhile knowledge of federal taxation to be used by him later in private practice? He might go with some non-government organization specializing in taxation as, for example, one publishing a tax service, or a law firm devoted exclusively to taxation, of which there are a few. He might even like one of those well enough to stay with it permanently. Or he might seek employment in some agency of the government dealing with taxes. Those organizations would include the Bureau of Internal Revenue, particularly the staff of its Chief Counsel, the Tax Division of the Department of Justice, and the staff of law clerks or legal assistants of the Judges of the Tax Court of the United States.

(Continued on page four)

New Class Shows Drop In Vets, Married Men

Figures released by the Office of Admissions reveal that the Harvard Law School Class of '52 is made up of 533 men from 125 colleges in the United States and two European schools, 13 students less than the class which entered in September, 1948.

Veterans still compose a majority of the new class, but the percentage has dropped from last year's 76 to the present 68. Ten percent of this year's class are married, a drop of three percent, and the average age is 22.5. The oldest man in the class is 35, while seven new men share the distinction of being the youngest, 19.

All but five states are represented, with New York having 142 and Massachusetts, 71; and in addition there are students from Canada, England, Japan, Mexico, Panama, The Philippines, and Hawaii.

Of the 127 colleges, four account for 42 percent of the class. Harvard has sent 121, Yale, 56; Princeton, 34, and New York University, 22. The two European colleges represented are University College, London University, and the University of Oslo, Norway.

Field And Morgan Serve As Counsel; Wyzanski Presides

As part of the new first year program of group work, the teaching fellows have planned and arranged a jury trial to be held tomorrow evening at 7:30 o'clock in the Courtroom of Langdell Hall. Because of the limited seating capacity of the Courtroom, admission tickets have been distributed to first year students only.

The case to be tried, sounds in tort, and is a suit for false imprisonment. Plaintiff, a nuclear physicist, claims damages for having been unjustly imprisoned by the director of the laboratory and a guard. They were under the impression that he had been stealing uranium for transmission to scientists abroad. The record of the trial will be used as the basis of a model appellate argument to be held some time during the week of October 24th.

Presiding over the crowded session of the Superior Court of Ames will be Judge Charles E. Wyzanski, A.B. 1927, LL.B. 1930 *magna cum laude*, Judge of the Federal District Court in Boston. He will hear the arguments of two experienced trial lawyers, Richard H. Field, Esq., of the Massachusetts Bar, for plaintiff, and Edmund M. Morgan, Esq., of the Minnesota Bar, for defendant. Professor Field is a well known authority in the field of administrative law and former general counsel for O.P.A. Professor Morgan is noted for his work in the fields of evidence and procedure.

The case has been discussed in study groups by the first year men with the teaching fellows from the standpoint of the opposing parties. After the trial the possibilities of appeal will be explored in the group sessions.

Reached at his Langdell Hall office, Professor Field issued the following statement: "I choose to say with great dignity and restraint that I do not try my cases in the newspapers. I hope my opponent will be as tactful." Professor Morgan was as tactful.

(Continued on page four)

All Classes Show Continuing Trend To Higher Grades

An analysis of first year grades of the present second year class reveals that eight percent of the class attained A averages, 43 men out of a total of 533. This percentage is higher than that achieved by the present third year class in their first year examinations, in which seven and one-half percent attained an A average. The class preceding them had only one percent in the A bracket.

The number of failing grades in last year's first year class was only eight percent as compared to 11.9 percent failures in the class preceding them. These are considerably lower than the pre-war rate, a typical year being 1938, in which 22.1 percent failed. Nine members of last year's second year class were dropped and four members of the June '49 class failed.

The following is a compilation of grades received by the various classes in the May and June examinations:

	A	B	C	D	Fail
Class of '51	8%	23%	50%	11%	8%
Class of '50	6%	27%	59%	6%	2%
Class of '49	3%	20%	71%	5%	1%

Three hundred and ninety-one men received LL.B. degrees at Commencement exercises last June. Of this number, eleven men received degrees *magna*

(Continued on page four)

Porcelain and Red Trim Substituted For Former Austin Under Drabness

(The following is an edited version of a letter from a student who prefers to remain anonymous. Although the RECORD, as a rule, ignores anonymous letters, the editors feel that since this letter throws new light on a question that has been more or less controversial and since this letter involves "news," it is worthy of publication in our regular news columns.)

It is with feelings of disgust and dismay that I have watched my colleagues of the third year oh and ah at the Radio City like room which blossomed forth with new facilities for Austin Under. They laugh when I try to tell them that this "symphony in gray and red" represents the work of a subtle tyranny. Just as the ancient Romans surrendered their rights, duties, privileges and immunities as free citizens of a republic for bread and circuses, so do my contemporaries surrender theirs for gleaming porcelain and red trim.

For, as our professors so often say, "just think about it!" Last year one could walk through the tunnel from Langdell to Austin and, as one approached the Austin end, one would look through the open door of Austin-Under, see one's friends and acquaintances. One could exchange pleasantries with them if one wished, or one could remain silent and speculate philosophically on the correlation of physical and mental endowments as Law Review man and "D" student stood side by side.

That open door was a protection. As long as it was there no female could

enter the tunnel. Guests and stenographers were kept away by a means more effective than a "no trespassing" sign. Even more important, we students who opposed the co-educationalization of the Law School knew that we were safe. So long as the door to Austin-Under stayed open, this idea of having female law-students at Harvard was an empty theory. We knew that the problem would have to receive full consideration, that nothing hasty would be done, indeed that—in view of the current mores—nothing hasty could be done.

The recent alterations in the Austin-Under facilities have changed all that. Yes, the door is still open, both doors are still open, but now both doors are screened by the new gray panels. And worst of all the student body, seduced by these gray panels, new fixtures and red trim, does not seem to mind. The faculty can now act hastily if it wishes without caring about the opinion of the student body, as though this were merely a matter of raising tuition.

I appeal to all those members of the student body who agree with me in opposing co-education in the Law School to serve notice on the powers-that-be that we know what they are trying to do; that we are still as opposed to co-eds as we always were; and that our opposition is going to be heard from. Only when we have given an unequivocal demonstration of our stand will we be able to use the new facilities in Austin-Under with a clear conscience.

A. B.

PARENT SUBSCRIPTIONS

Students may have the RECORD mailed to their parents at a special rate of \$3.00 per year. Subscriptions should be left at the RECORD office, top floor, Austin Hall.

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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

In this first issue of the current volume, the RECORD extends its best wishes for a worthwhile and enjoyable stay to the new and returning members of the Harvard Law School.

We shall not attempt to impart to you first year students the secret of how to succeed here since there is no single method. However, by following the wise advice of Professor Seavey, i.e. work hard and maintain a sufficient degree of relaxation, you will make out well. The odds are in your favor.

This is an opportune time to restate our aims and policies. The RECORD will continue to provide accurate and timely news of school activities and to offer an outlet for student and faculty opinion and writings. We shall maintain our concern with school affairs, legal education, timely legal topics and matters related thereto.

Another function of the RECORD is to serve as an effective link between the student body and alumni. We shall continue to provide our 7400 alumni readers with news of the law school and with news of alumni activities.

Contributions of articles, poems and humorous anecdotes are always welcome as well as any suggestions for improving the RECORD. Though we may not agree with you, our columns will be open.

I. M. M.

Letters to the Editor

To the Editor of the RECORD:

The parking problem for law students in the immediate vicinity of Langdell Hall is serious. But you may want to call the attention of your readers to the fact that there is a large parking place just behind Conant Hall between Oxford Street and Divinity Avenue, within 1,000 feet of the main entrance to Langdell Hall. Its entrance is on Oxford Street opposite Everett Street.

This parking place (except for a small part of it which is reserved) is open to all Departments of the University. While it does fill up on occasion later in the day, certainly any law student wishing to get to the Law School by nine o'clock (or probably even by ten o'clock) will be able to find a place there.

Very truly yours,
LIVINGSTON HALL, Vice Dean

To the Editor of the RECORD:

In the RECORD of April 13 I noted what a fine spread you gave those favorable to Mr. Laski's socialism. I have just approached the question of the lawyer, socialized medicine and socialism from a little different angle than previously.

In my 43rd year of practice these ideas of socialism and socialized medicine seem correct:

My first 20 years of practice could be approximately divided thus:

Thirty percent enforcing risk loans, 30 percent enforcing claims of doctors and hospitals, 30 percent enforcing claims of manufacturers, wholesale and retail stores; approximately 10 percent miscellaneous.

Socialism in 93 Federal lending agencies reported by the Hoover Research killed the 30 percent on risk loans. None of the 93 Federal lending agencies have paid me a dime. Most of them use no local attorney.

The present drive for free nurses, doctors and

hospitals, for the human culls and scrubs, will kill the second 30 percent of my practice. Full government ownership will eliminate the last 40 percent. Policemen and criminal lawyers will then have a law business, but who else?

Professor W. G. Sumner of Yale wrote: "Property and the family stand or fall together. We must either maintain both or overthrow both with the socialists. Nature has processes to remove what is a failure."

At a cost of tens of billions socialism sloganized our country with certain political names and that the human culls and scrubs must be supplied with everything they want. Like nature stockman "remove what is a failure." Socialism has the failures breed the future citizens.

The supermen of the human race under spendthrift government socialism are robbed of most of the fruits of their fine work and millions of them are robbed of their lives in the first socialist depression. Socialism is theft. Since 1840 socialists have made the claim in writing that "property is theft."

Socialism provides common property in the girls and ladies just as it does in the homes, stores and factories.

Socialism is a government that forces the liars, the thieves and the killers to the top. Socialism strangles, robs and kills many in the high school and college groups, the smart, the able, the producers of goods and wealth. Greater slaughter in the U.S.A. is certain. Our murder percentage is higher than in Germany under the Kaiser or in Russia under the Czar. What do smart lawyers and law students see in socialism but the destruction of the smart and able with a great drop in the general welfare?

E. F. MYERS, LL.B. 1907

Broken Bow, Nebraska

To the Editor of the RECORD:

The paper satisfying the written requirements for all third-year students is confined to a small number of courses. There is a need for expanding the limited selection of subjects.

The custom in the past has been to accept a paper in lieu of a final examination in the course. This enabled the student to devote his full energies to the work, including time that would normally be spent in review.

However this same opportunity is not afforded those whose selection does not include courses in which a paper is permitted. These students should be placed on equal footing with those whose paper will serve as a substitute for an examination.

ALBERT J. MILLUS, 3L

To the Editor of the RECORD:

I read with a good deal of amusement the article which appeared in the March 16 issue of the RECORD entitled "Practitioners at Hollywood Bar Spurn Federal Rules for Trial by Glamour" in which the writer pokes fun at motion picture characterization of lawyers and portrayal of trials.

What made the article particularly amusing to me was the fact that two of my clients who are writers had recently consulted with me regarding a screen treatment they were preparing of a murder story they had written. The story concerned hypnotism and involved a murder trial. It seems a girl had killed herself by jumping out of a window. The defendant freely admitted that he had hypnotized the girl and, intending to do away with her, had given her the post-hypnotic instruction to jump, although he was far from the scene when she did it. His court-appointed counsel contended that no person could be hypnotized to the point of destroying himself, that murder could not be committed by hypnotism and that the girl must have committed suicide. The D.A. thought otherwise.

My clients determined that their trial scene was to be authentic in all respects from a legal standpoint and hence I was called in. After I had ruled out all testimony and evidence I considered legally inadmissible but which my clients considered absolutely vital from a dramatic standpoint, they were left with but a hollow shell of their trial scene.

Many's the time I've curled my lip at motion picture trials (most of which are ridiculous), but I've learned that on the screen it is practically impossible to portray one which is legally authentic and still has dramatic value to a lay audience.

Incidentally, murder by hypnotism is a nice question for consideration by your criminal lawyers and district attorneys-to-be, particularly from an evidence standpoint.

EDGAR W. HATFIELD, LL.B. '34

RECORD OPENINGS

There are a few positions still open on most staffs of the RECORD. All interested men, leave their names in the RECORD office on the top floor of Austin Hall. Cartoonists and photographers are also desired.

Gallery

DAVID EIDE WATTS
Assistant Professor of Law



First-year men at the Law School found company in the faculty this year. David Eide Watts, who is teaching two sections of Property I, is another newcomer to Harvard, but not a newcomer to teaching law students. He brings with him a background of similar work at the University of Iowa Law School and the University of Pennsylvania Law School.

With his teaching experience, Professor Watts has concluded that he likes to have the attention of the class focused on the students' solutions of problems, rather than relying on his lectures. However, he feels some phases of as broad a field as that covered by Property I can be handled only by lecturing, because of time limitations. He thinks that some problems could be adequately resolved by furnishing the student written materials to work up outside of class. But Professor Watts doubts whether he will rely on a great deal of outside materials this year, for, unfortunately, he believes students tend to take such materials too lightly.

In his short time in Cambridge, he has found student response quite satisfying. He enjoys a first-year class because of the interest shown by the students. Moreover, he thinks they have a freshness not possessed by upperclassmen.

Professor Watts was born in Iowa in 1921. After a year at Osceola Junior College, he went to the University of Iowa, from which he received a B.A. degree in 1941. At Iowa Law School he was Comment Editor of the Iowa Law Review and also served as president of his fraternity. In 1942 he received a J.D. degree with highest distinction from Iowa. Surprisingly, at that time he still had no intention of teaching law.

Soon after being admitted to the Iowa bar in October, 1942, Professor Watts went into the Army. He was discharged as a captain in 1946, after spending over two years in Washington with Military Intelligence.

He then enrolled in Columbia Law School to commence the work toward an S.J.D. degree, which he hopes to receive within the next three years, after finishing his dissertation. Although his principal work at Columbia was directed toward city planning and urban redevelopment, Professor Watts also did some work in taxation.

Prior to his assignment at Harvard, Professor Watts taught property and taxation at the University of Iowa Law School, and later at the University of Pennsylvania Law School.

J. H.

Off the Record

THE MOUTHPIECE

As I prepare to take dictation

in rapt anticipation—

My pencil poised for motion

to concoct a legal potion,

All set for concentration

and mental elevation, when

The telephone rings!

He pounces on the receiver

like a canine retriever—

His voice silken caressing,

an auditory blessing,

His clients all devour

his phrases tinged with flower.

He has them all a-twitter

via the transmitter.

An hour passes, he's finished,

but my interest has diminished—

Still I mould into position

for incomparable composition,

To record the thoughts terrific

in my Pitman hieroglyphic, when

The telephone rings!

Sub Judice

FINDERS WEEPERS

Plaintiffs, while swimming in the Chariton River, discovered that what they thought was a log protruding from the bank and partly inundated by the water, was a boat. Believing it to be an ancient Indian canoe, and of value as a museum piece, the plaintiffs told one, Biegel, of their find, and Biegel excavated the canoe with the aid of a tractor and a block and tackle. The land was possessed by Nina, a life tenant, the remainder in fee being owned by Nina's daughter, Mrs. Evans. The plaintiffs sued Biegel in replevin for possession of the Indian canoe. Mrs. Evans intervened claiming the boat as part of her remainder interest in the land. Held: Judgment for Mrs. Evans. The court held that the canoe was "property imbedded in the soil" which is considered a part of the real estate, and not lost or abandoned property making the finder keeper. Nina, the life tenant, also could not claim the canoe, because it was part of the real estate belonging to the remainderman. Believing it inconceivable that the title of the true owners of the canoe could ever be established; Sperry, Commissioner, said, "Whose hand fashioned this antiquity, and in what manner it came to rest at this spot, in the fertile valley of the Chariton River, the ancient hunting ground of the mighty Osages, could only have been known by members of a long vanished race, and by the ageless God." *Alfred v. Biegel*, 219 S.W. 2d 665 (1949).

TROUBLE BY SELF-SERVICE

Mr. Loch, while shopping in the self-service A & P store with his wife, took two bottles of "Yukon Club Sparkling Pale Dry Ginger Ale" from one of the shelves. One of the bottles exploded in his hand and glass therefrom entered Mrs. Loch's right leg, causing serious injury. Mr. and Mrs. Loch brought an action against Mr. and Mrs. Confair, owners of the bottling company which supplied the ginger ale to the A & P store, on the basis of breach of an implied warranty of fitness for use, under section 15 of the Sales Act of 1915. The court below entered judgment for the defendant. Held: Judgment affirmed. In true sixteenth century tradition the court said that although the complaint showed a cause of action in trespass for negligence, it would not support an action in assumption of breach of warranty, since there was no consummated contract between the Lochs and the Confairs, or the Lochs and A & P. Concluding that there had been no sale or agreement to sell, the court said, "The modern form of sale in a self-service store is of comparatively recent origin. There is required of the customer certain acts before he can complete the purchase of any goods. The customer selects and collects the goods he desires to purchase and conveys them in a merchandize cart supplied by the retailer to the checker or cashier. Customers are invited to take possession of the goods that they intend to purchase. This possession is not the equivalent of delivery of the article to the buyer. . . . It is sufficient in the instant case to hold that the selection of the customer is insufficient to pass title to the article." The Lochs argued that the transaction was "on sale or return" under section 19 of the Sales Act, which would place title in the buyer and reversion in the seller if the buyer returned the goods. But the court said, "To sustain appellants' contention would require that the law remain blind to reality and completely ignore established basic legal concepts." *Loch et ux v. Confair et ux*, 63 A. 2d 24 (Penna. 1949).

And so the day progresses,
whilst fewer are my tresses,
Being pulled in sheer frustration
of my chosen occupation.
My efforts unrewarded—
my ambitions surely thwarted.

As Bell's fine creation and Ameche's interpretation
the instrument flourished on its own,
But what Mae West did for rumps, and burlesque
for bumps,
My boss did for the phone.

ZELDA GOLDEN, Law Secretary
Submitted by Saul Touster, LL.B. '48,
former member of RECORD staff.

100 Percent American

Associated Press reports that Sam Wood, a prominent movie producer who was noted for his anti-Communist sympathies, conditioned several substantial gifts in his will on the taking of loyalty oaths by the beneficiaries. To benefit under the will, they must file affidavits swearing that they are not members of any organization declared by the government to be subversive.

We leave it to the experts on Wills to hash over the variations on this and to consider the legality of such conditions.

Alumni Notes

LL.B. '30—*Theodore R. Black* was recently elected a member of the Board of Directors of the Motion Picture Association of America Inc., and has been appointed to the Copyright, Foreign Law, and Television Committee of the Association.

LL.B. '32—*Ben Bruce Blakeney*, who has been for three years a defense counsel in war-crimes trials conducted under authority of the Supreme Commander for the Allied Powers, Tokyo, including two and a half years as defense counsel and chairman of the Defense Counsel at the International Military Tribunal for the Far East, has now been appointed Lecturer on American Law at the University of Tokyo.

Martin H. Webster, LL.B. '40; *Patrick D. Horgan*, LL.B. '39, and *Preston J. Kline*, LL.B. '35, have formed an association for the practice of law and matters including taxation, at 215 West Seventh St., Los Angeles 14, California, under the name Webster, Horgan & Kline.

LL.B. '48—*Hyman Mendel Kaufman*, who has been a Lecturer at Suffolk University on Business Law and Business Administration for the past year, has opened offices at 68 Devonshire St., Boston.

American Literature Is Subject of Forum To Be Held This Friday

Addressing the second meeting of the Harvard Law School Forum, four noted authors will discuss the question, "What's new in American literature?" The meeting will be held Friday evening, Oct. 7, at 8 p.m. at the Rindge Technical High School Auditorium in Cambridge. The speakers are Bernard DeVoto, Ludwig Lewisohn, Elizabeth Janeway, and Roger Burlingame. Harry Levin, Professor of English at Harvard University, will be moderator.

DeVoto is known for his work as an author and critic. His editorial positions have included two years as editor of the *Saturday Review of Literature*, and he is present author of the "Easy Chair" for *Harper's Magazine*. Among his novels is *We Accept with Pleasure*. *Forays and Rebuttals* is a collection of his essays, and one of his best works is *Mark Twain's America*. The latter is authority on those phases of life and literature of the West that relate to Twain. His historical works include *The Year of Decision: 1846*, published in 1943.

Lewisohn is now professor of comparative literature at Brandeis Univer-

sity. Along with such novels as *The Island Within* and *Breathe Upon These*, he has written such critical volumes as *The Drama and the Stage*. His latest work, *Goethe: The Story of a Man*, appeared last spring.

Elizabeth Janeway published her first novel in 1943, *The Walsh Girls*. Perhaps best known for her work *Daisy Kenyon*, she has recently completed *Question of Gregory*. The theme of this work closely parallels the life of James Forrestal. Mr. Burlingame is a free-lance writer and critic. He is author of several books, including *Engines of Democracy*.

Tickets to this meeting will be sold at the door, and season tickets will be honored.

"Should Communists be allowed to teach in American schools?" was the question discussed Friday evening, Sept. 30. Ralph W. Sullivan, author of the controversial "Sullivan Bill," and Isadore H. Y. Munchnik, member of the Boston School Board, spoke in the negative.

John Ciardi and Theodore Brameld, prominent educators, argued that the protection of the Bill of Rights must extend to Communists as well as to other legal parties. Professor Ciardi admitted that certain university positions should not be open to Communists.

Buchanan Addressing HLSA



Seated at the speakers' table at the Harvard Law School Association which met September 7, 1949 in St. Louis, Missouri are: William L. Marbury, representing the Harvard Corporation; Robert N. Miller, '06, of Washington, D. C.; Ind.; John Raeburn Green, '17, of St. Kurt F. Pantzer, '17, of Indianapolis, Louis, Mo.; John G. Buchanan, '12, of Pittsburgh, Pa., Association President;

Reginald Heber Smith, '14, of Boston, Mass., Toastmaster, and Dean Erwin N. Griswold, '28, Principal Speaker. More than 225 alumni of the Harvard Law School attended the meeting. Dean Griswold discussed the status of the Harvard Law School Fund Drive, the new teaching fellow program of instruction, and the curricular changes which were effected during the current year.



OWN MAKE READY TO WEAR SUITS

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DORMS—(Continued)

addition \$250,000 has been allocated for scholarships, \$125,000 for teaching fellows, \$250,000 for research, and \$225,000 for operational costs for the library.

Five hundred law students, 40 percent of the expected enrollment, will be living in Hastings Hall, which is to be rehabilitated, and in the new graduate center.

NEWS BRIEFS—(Continued)

THIRD YEAR MEN. In order to have their pictures in the 1950 Yearbook, third year men must sign up on the appointment sheets posted on the bulletin near the South Entrance of Langdell Library immediately.

AMES PRIZES

The Board of Advisers has announced that prizes will be awarded for the best oral argument, three best briefs, and best judge's opinion, of all Fall series of the first year Ames Competition.

The Board expects to follow a policy of procuring books of the winners' choosing as prizes. The new arrangement represents an increase in the number of prizes thus allowing the Board greater leeway in the case of several briefs of equal merit.

Judges' opinions must be typewritten, single-spaced, and from two to five pages in length.

TALK ON BRANDEIS

Professor Paul A. Freund will speak this evening in Langdell Courtroom on *Mr. Justice Brandeis*. Professor Freund was at one time secretary to the late Justice. The program, which will start at 8 p.m., is being sponsored by the Harvard Law School Forum. No tickets will be required for this event.

Last week Professor Mark De Wolfe Howe spoke on Mr. Justice Holmes in Langdell Courtroom. He told of the development of Justice Holmes' philosophy of law as affected by his home life, his education at Harvard College and Law School, and his participation in the Civil War.

LAW SCHOOL REPUBLICANS

The Harvard Law School Republican Committee held its first meeting of the year at its headquarters in 30 Perkins Hall, last Wednesday. Fred L. True, Jr., 3L, Chairman, announced the plans for the year which will include emphasis on the Speakers Bureau and the Research Bulletin. True reported on the regional meeting of the New England Council of Young Republicans held in Newport, R. I. last Saturday where an appropriation was voted to support the Research Bulletin.

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Calendar

LEGAL WORLD Ames Competition

First Year—Round 1, Docket Posted, Thursday, Oct. 13. Round 2, Docket Posted, Thursday, Oct. 13.

Second Year—Round 1, Date of Issue, Tuesday, Oct. 11, 10 a.m. to 1 p.m. Round 2, Date of Issue, Tuesday, Oct. 11, 10 a.m. to 1 p.m.

Get-Acquainted Dance

The Law School Committee of Phillips Brooks House is sponsoring a dance for unmarried first year students to be held in Potter Hall from 4 to 6:30 p.m., today, and featuring importations from Wellesley, Radcliffe, and Simmons.

UNIVERSITY WORLD Liberal Union Movie

The Harvard Liberal Union will present Alexander Nevsky on Tuesday, Oct. 11, at the New Lecture Hall at 7:30 and 9:30 p.m. Admission is 60c.

OUTSIDE WORLD Brandeis University

The Institute of Adult Education of Brandeis University is presenting a fall program of lectures on the American theater, modern poetry, American foreign policy, and the Jewish contribution to world literature. Among the speakers are Elia Kazan, Arthur Miller, Frank E. Manuel, Archibald Macleish, and e. e. cummings. The fee for each series of six lectures will be \$6.00; there will also be a program of film classics for which the fee is \$5.00.

TAX JUDGE—(Continued)

The Bureau of Internal Revenue has a corps of attorneys who are employed in several of its departments or divisions, such as Legislative, Interpretative, Reviewing, and the staff of the Chief Counsel, which tries the cases before the Tax Court. This latter group is decentralized and operates in about ten divisions scattered over the United States, the larger ones being in New York, Chicago, and on the Pacific Coast, with smaller ones in most of the important cities of the nation. Employment in this group would provide trial experience and knowledge of the workings of the internal organs of the Bureau, along with a practical knowledge of tax law.

The Tax Division of the Department of Justice employ a number of lawyers, some of whom are engaged in the trial of tax cases in the District Courts and the Court of Claims, and others of whom devote their time to the briefing and arguing of tax cases on appeals to the Courts of Appeals and the Supreme Court. Employment there or in the Bureau of Internal Revenue would give the young lawyer a chance to become acquainted with the tax bar of the nation and a chance to gain some personal prominence which might lead later to more lucrative employment.

The Tax Court of the United States maintains a legal staff of about 25 lawyers in which there is a considerable turnover because the Court, like the Bureau and the Department of Justice, is

constantly losing some of its promising young men to private firms and corporations able to pay them more money. This is not entirely disadvantageous because the Court under this system attracts well educated, intelligent, and ambitious young men eager to obtain training with the Court and willing and able to give the Court good service dur-



JUDGE J. EDGAR MURDOCK

ing the period of their apprenticeship. It is always on the lookout for recruits of this type. They are reasonably well paid in money, but the experience which they gain is perhaps of even greater value. About 35 men have graduated from this school of experience and are doing excellent work in tax practice.

Each lawyer employed by the Tax Court is assigned as a law clerk or legal assistant to one of the 16 Judges. Each Judge makes his own selections, but a roster of applicants is maintained by the Clerk of the Court. Men thus employed remain almost completely anonymous but they are subjected to a concentrated course in tax law, substantive law is not neglected, and they eventually find good jobs on the outside. They, of course, gain no actual trial experience, but they have an excellent opportunity to observe the mistakes and the good work of others.

What do these men do? The Tax Court hears cases in the same way as does a District Court sitting without a jury. It has no information about a case except that which is shown by the pleadings and the evidence introduced in the record before it. Hearings are stenographically reported, and, after briefs are filed, the Judge who heard the case prepares findings of fact and an opinion deciding it. The law clerk assists him in this task and has full opportunity to discuss the various problems with the Judge. He is also required to keep current on all new decisions in the tax field. The questions involved cover practically the entire subject matter of the law. In fact, it is difficult to conceive of a question which may not be involved in the cases, usually the difficult ones, which come before the Tax Court. Questions are constantly arising involving the law of corporations, partnership, agency, community property, real and personal property, trust, insurance, contracts, domestic relations, wills, descent and distribution, res judicata, procedure, and practice, and the law relating to all kinds of minerals. As Dean Griswold of the Harvard Law School has said: "It seems difficult to find a field which leads practitioners more widely through the whole fabric of the law." The law clerk may also learn a little about the Bureau of Internal Revenue.

The Bureau of Internal Revenue and the Department of Justice are dealing

with the same questions as are involved in the Tax Court cases. The young lawyer might work for awhile with the Court and then transfer to one of the others in order to gain the different experiences available in each. That would give him a pretty full course in this special field, except in the important matter of acquiring and dealing with clients. It might be pointed out, however, that tax cases are not tried until a few years after the returns are filed. Thus, if there is a change in the law, the Courts are usually the last ones to meet and deal with it. For example, the Tax Court has heard very few cases under the special relief provisions of section 722 of the Internal Revenue Code dealing with excess profits taxes, but a special counsel set up in the Bureau of Internal Revenue and a large section of the tax bar have been studying this extremely difficult subject matter for several years. The young lawyer must also remember that the solution of tax cases in the Courts, with which he would be dealing under any of the government employments mentioned above, has been accomplished by the exercise of hindsight, after all of the events have occurred, whereas when he gets into private practice he will have to develop, in addition, foresight, so that he can advise his clients in advance what the probable tax consequences will be in case a certain course of action is adopted. Thus, even after 3 years of experience of the kind described in this article, he would still have a great deal to learn. And haven't we all!

GRADES—(Continued)

cum laude; they compiled an average of at least 75 during their three years at the law school.

Thirty-five men received the LL.B. degree *cum laude* and had averages between 72 and 74. Nineteen LL.M. and one S.J.D. degrees were also conferred.

The following men were graduated *magna cum laude*: Abram J. Chayes (Harvard '43) of Chicago, Ill.; Howard M. Cohen, (Columbia '47) of New York, N. Y.; Guy B. Colburn, Jr., (Pomona '42) of Fresno, Calif.; Maxwell E. Greenberg, (U.C.L.A. '41) of Beverly Hills, Calif.; Emil L. Gulyassy, (Yale '47) of Bridgeport, Conn.; David R. Herwitz, (M.I.T. '46) of Swampscott, Mass.; Harold W. Horowitz, (U.C.L.A. '43) of Los Angeles, Calif.; Donald C. Lubick, (Buffalo '46) of Buffalo, N. Y.; Louis E. Smart, Jr., (Harvard '47) of Columbus, Ohio; George J. Solomon, (C.C.N.Y. '47) of Forest Hills, N. Y.; and Henry S. Streeter, (Harvard '42) of Morristown, N. J.

TRIAL—(Continued)

It is hoped by those sponsoring the trial that it will help the first year men in their understanding of the procedural base of the appellate decisions they are now studying, and also that it will illustrate to them the difference between a case as it first comes to the lawyer's attention and the case as it reaches the appellate court.

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