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The Harvard Law School Record

VOL. 9 NO. 3

CAMBRIDGE, MASS., WEDNESDAY, OCTOBER 19, 1949

PRICE TEN CENTS

NEWS IN BRIEF

PROFESSOR KATZ

Professor Milton Katz who was granted leave to serve as Special Representative in Europe for the Economic Cooperation Administration, has been nominated and confirmed as Deputy United States Representative in Europe, with the rank of Ambassador.

WORLD LAW GROUP

The World Law Group held its first luncheon meeting at the Hotel Commander on Oct. 14th. Dr. Fabinyi, Professor of Economics at Boston College and Ex-Finance Minister of Hungary, spoke on the "Effects of Devaluation."

Present plans for the coming year for the organization include speakers and student participation programs on the legal aspects of atomic control, development of undeveloped areas of the world and disarmament.

All members of the Harvard Law School are welcome to attend the meetings.

WOMEN APPLICANTS

According to Mrs. Edith D. Oliver, admissions secretary, several letters per day have been arriving from women regarding entry to Harvard Law School since last week's announcement opening the doors to feminine students. To date more interest has been evinced for graduate law work than for undergraduate training. In addition, several students now in attendance have asked for applications for their female relatives and friends.

HONOR SOCIETIES

The Harvard Law Review has announced that Lee Hydeman, 2L (Williams '48) of York, Pa., and Marvin Sirinsky, 2L (N.Y.U. '48) of Philadelphia, Pa., have accepted positions as editors. They replace two second-year men who turned down invitations to serve on the Review.

New members of the Board of Student Advisers are Bernard Nemtsov, 2L (Brown '48) of Newport, R. I., and William F. O'Connor, 2L (Harvard '48) of Medford, Mass.

The Harvard Legal Aid Society added

(Continued on Page three)

Love Of Teaching, Top Faculty, Draw Graduate Students

The forty-three students currently enrolled in graduate studies hail from all parts of the world and varying backgrounds. Western Europe has the largest representation. In addition there are men from the Middle and Far Eastern countries and from Canada. There are no students from the Eastern European countries.

Admittance to the graduate program of law is even more difficult than admittance to the undergraduate law school. Not only are the A.B. and LL.B. required, but the LL.M. must have been obtained with distinction.

Although some special students are not working for a graduate degree, most of the men are preparing for either a Master of Laws (LL.M.) or a Doctor of Juridical Science (S.J.D.) degree. The difference between these degrees involves stiffer admission and work requirements. The LL.M. candidate need only submit a legal essay, whereas the S.J.D. candidate must submit a dissertation within five years after completion of the required residence period.

What draws these students to Harvard Law for graduate work? The general belief is that the love for teaching is their main reason for coming. But Professor Paul Freund, who is Chairman of the Committee on Graduate Studies, reveals that although a number are interested in teaching, there are equal numbers who intend to enter government service and private practice after their normal one-year stay here.

Moreover, our faculty is a great drawing power, and many courses such as Labor Law, Taxation, and Jurisprudence, to name a few, have special appeal, for many law schools do not offer courses comparable to these.

The graduate students attend the same classes as the undergraduate law students, but they have a greater opportunity to take third-year and graduate seminars, where small numbers are the rule. A great deal of their work consists of individual research projects and for this purpose they have been provided with private study rooms in the basement of Langdell Hall.

The administration discourages any great concentration in any particular field by the post-LL.B.'s. If we are studying law in the grand manner, as

(Continued on Page three)

Harvard Radio Network To Serve Hastings Hall

The plan of the Harvard Radio Network to extend its service to Hastings Hall early this fall is at the present time only being held up by a lack of co-axial cable. It is over such lines that the network transmits its programs to other dormitories in the University from its wired-wireless station, WHRB, in Dudley Hall. Once the cable is acquired installation can be completed in about a week, according to George Mealey, network technical director.

Law students at Perkins Hall and the Business School are familiar with the short morning and long nightly WHRB presentations. The station's main features are long, classical music programs, and also include some popular music, folk songs, and news and talks of interest to the University as a whole.

WHRB is extending its service to Hastings at the suggestion of the RECORD.

Dean Sturges Speaks Tonight On Legal Education At Yale



WESLEY A. STURGES

Griswold Sees A World Law School Here Soon, Lauds Rivalry In Study

Dean Wesley A. Sturges of Yale Law School will speak tonight at 8 p.m. in the Langdell Courtroom on the subject of *Legal Education at Yale*. Tonight's talk by the Yale Law School Dean is the second in a series of two talks on legal education presented under the sponsorship of the Harvard Law School Forum. The first in the series was presented on Thursday, October 13, 1949 when Dean Erwin N. Griswold spoke to a full courtroom on *Legal Education at Harvard*.

Tonight's speaker, Dean Sturges, has been teaching law since 1920, and has been associated with Yale since 1924, becoming Dean of the Yale Law School in 1946. Dean Sturges has received degrees from the University of Vermont, Columbia, Yale, and Tulane.

"I expect to feel out the audience and speak about what interests them," Dean Sturges told the RECORD yesterday morning. At that time he indicated that his speech would be quite informal: "I may or may not have some notes." The Yale Dean also said that it was possible that in the course of his speech he might contrast education at Yale Law School with that at Harvard.

Speaking to a full courtroom in Langdell Hall, Dean Erwin N. Griswold of the Law School discussed the subject of *Legal Education at Harvard*.

(Continued on Page three)

"Griswold Looks Like Irvin Cobb, But Works Like Lord Eldon," Says Porter

This article was written by Charles O. Porter, LL.B. '44 (47), first president of the RECORD, member of the council of the Harvard Law School Association, and former clerk to Judge William Healey of the Court of Appeals for the Ninth Circuit.

This is the first of two installments. This article will be concluded next week.

A plain-speaking man from Cleveland sits at the six-and-one-half by four foot desk, originally made for Justice Story in 1829, in the Dean's office at the Harvard Law School in Cambridge, Massachusetts. Forty-five-year-old Erwin Nathaniel Griswold became Dean in June, 1946, when James M. Landis resigned.

Harvard graduate schools are practically autonomous, which means that the deans exercise as much authority in their schools as do presidents in most educational institutions. President Conant has referred to this as President Eliot's "every tub stands on its own bottom" theory.

"The Harvard Law School has never been a passive institution, content merely to give instruction to the men who passed through its doors. It has always had a mission and a responsibility," Dean Griswold wrote in a recent report to the President of Harvard University.

On his desk these days are many letters and documents having to do with the two-and-a-half million dollar drive Law School alumni are undertaking to underwrite the ambitious program he has laid out. Part of this money will pay for five dormitories and a dining hall now under construction.

"We need rooms and dining rooms for a substantial portion of our student body," he explained in the same report. "We need this not for luxury, not even for comfort, but as a means of improving our legal education by bringing our students together and providing them convenient facilities for 'talking law,' which long experience has shown to be one of the most effective and valuable means of legal education."

In September a new curriculum went into effect for the School, the first change in ten years. A faculty committee, with the Dean playing an active role, was hard at work on this project for nearly three years.

In appearance Griswold is a younger edition of Irvin S. Cobb. The comparison goes no further than his face and physique. He parts his straight black hair carefully to the right. His paunch, at the rate it is increasing, will soon match Pound's majestic girth. He wears dark, plain suits and inhibited ties. He smiles rarely, even when he is being humorous, though his eyes may twinkle engagingly.

"Erwin's manners and looks aren't pretty," says his closest friend on the faculty, a man who has known him since his first days in Washington twenty years ago, "any more than a Jo Davidson statue

is pretty. You have to get used to him. It's like going from Rodin to Jo Davidson. He is a Grant Wood sort of man, definitely not an effete easterner. He has a tremendous idealism, depth of thought and sense of fairness."

In his office he is readily available to callers, though once inside the visitor may find his forthrightness disconcertingly abrupt. The Dean often keeps papers in his hands while the visitor states his business. Or he may even dispose of him in the anteroom without ever allowing him to sit down.

His aggressive directness, so admired in the Supreme Court of the United States, occasionally rubs people the wrong way. For example, at a luncheon where he was the guest of a newly established student social organization, he glumly listened to their schedule of dances. Then he asked, humorlessly, when they found time for their studies. The dances, he it noted, averaged less than one a month!

He dislikes small talk and has no

(Continued on Page three)

Legal Aid Association Plans Broader Services

The National Legal Aid Association held its 27th annual convention at the Somerset Hotel in Boston last Thursday, Friday and Saturday.

Keynote of the convention was the urgent need for expansion of legal aid facilities. Although legal aid services were extended to 344,000 people who could not afford to pay for legal advice last year, there are still 50 cities of over 100,000 population which have no legal aid facilities at all. The association plans to reorganize so that skilled services will be available on a nation-wide scale.

The association elected the following officers: president, Harrison Tweed, LL.B. '10, former president of the Harvard Alumni Association for the 1948-49 school year, and president of the American Law Institute; vice presidents, Reginald Heber Smith, LL.B. '14, former treasurer of the Harvard Law School Association, senior partner of the law firm of Hale and Dorr and a director of the Boston Legal Aid Society; and Raynor M. Gardiner, ex '13, general counsel for the Boston Legal Aid Society; treasurer, Winthrop Aldrich, LL.B. '10, chairman of the board of the Chase National Bank.

Among the speakers at the association's banquet were: Judge Charles E. Wyzanski, Jr., LL.B. 1930 of the Federal District Court of the District of Massachusetts; Mr. Justice Raymond S. Wilkins, LL.B. 1915 of the Supreme Judicial Court of Massachusetts; Sir Hartley Shawcross, attorney general of Great Britain; and Reginald Heber Smith.

World Court Head Honors Law School With Visit, Speech

His Excellency, Jules Basdevant, President of the International Court of Justice at the Hague was an honored guest of the faculty of the Law School on Friday, October 14, 1949. During his stay at the Law School, the President delivered a short talk on International Justice in Langdell South.

Emphasizing the role of the International Court of Justice in solving problems of International Law, President Basdevant traced the history of past attempts to establish tribunals for the settlement of international law disputes.

World attempts to establish a court that would settle international controversies fall roughly into three periods, as President Basdevant pointed out. The first period includes the establishment of the Permanent Court of Arbitration at the 1899 Hague Conference, and the attempt at the 1907 Conference to create a Court of Arbitral Justice.

These early developments led in 1922 to the second phase in the development of International Law Tribunals. Under the guidance of the League of Nations, the Permanent Court of International Justice was established. This, in turn, was succeeded by the present International Court of Justice.

The prime function of the International Court of Justice, as stated by President Basdevant is, "To settle international disputes by applying rules of law and rendering judgments which are binding for the parties. Besides this, there is an accessory task, also of importance: to give advisory opinions to the international organs qualified to request them, these organs being today more numerous than before."

President Basdevant's address was delivered in French, and translated into English by M. Jean Garnier-Coignet, Deputy-Registrar of the Court. Dean Erwin N. Griswold of the Law School introduced President Basdevant, and Manley O. Hudson, Bemis Professor of International Law, also spoke in honor of the distinguished world jurist's visit to Harvard Law School.

Walketh Not In The Ways Of Error Or Thou Shalt Perish At Exam Time

1 Hail, all ye eager students entering the land of Ames, let me be thy guide for I have dwelt in this land many semesters and mine eyes have witnessed all manner of folly and woe.

2 Yea, I have tasted the thorny fruit of Contributory Negligence and drained the bitter cup of Adverse Possession.

3 Harken, my sons, to the counsel of a wiser and sadder person than thou:

4 Beware thou thy fellow classmate who goeth often to the place called Wellesley. He telleth tales of many big operations. Ignore him! The wise man doth his work regularly; the fool shall move his bed into the library cometh spring.

5 Disregardeth the second-year student who walketh thru the halls with great clatter. He considereth himself a lawyer but he perspireth freely when one inquireth concerning last year's average.

6 Knoweth the value of discretion. When a third-year man hath upon his face a serene and omniscient look, sit at his feet, ask of him many questions and he will reward thee with scraps of learning. But when he hurrieth by with many books and there is desperation in his eye, keep thy distance and disturb him not

else one day he be thy Ames judge and ask thee to define Proximate Cause.

7 Know thou the professor called Seavey. He hath a smile on his lips and a jest on his tongue but he concealeth a barbed hypothetical in his heart. Be not rash in his classroom or thou wilt be the object of much laughter, even among thy friends.

8 Know ye Austin Hall, Langdell Hall and Livingston Hall. The first two giveth thee shelter, the latter giveth thee marks. And though he draweth many pictures the wise man followeth him with a bold hand for he that hath an illustrated notebook is thrice blessed at exam time.

9 The professor called Scott liketh precise statement greatly. Stateth the case trippingly on the tongue, in logical sequence and in complete sentences. His wrath at the backward-stater and speaker-in-fragments is wondrous to behold.

10 Harken to the teachings of Professor Cox. He seeks to distract thee with much teetering, but I say unto you that he will not fall from the platform.

11 Know ye all these things, but do not grow lax. Verily, there is much that you must learn for yourself. Remember always that it is writ in the book: Annotate regularly. Selah

H. C.

The Harvard Law School Record

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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

One of the less attractive sides of life at the Law School was highlighted recently when several members of the faculty and their wives were invited to a party at the Hastings dormitory. It seemed, from comments, that some of the students regarded it as somewhat extraordinary that the faculty members were present and that they were pleasant, friendly, and willing to talk of things other than the law.

It is unfortunate that many men at the Law School consider their instructors beyond reach. That it is impossible for the faculty to be on a first name basis with everyone is apparent from the large number of students in attendance. Certainly men who have reached the graduate level of study are not in need of the careful person to person handling they may have had at college. Nevertheless, much can be done to make the relationship between the instructor and the student less formal and to relieve the discomfort of some men who feel the instructor's only interest is in law and that interest in his students is slight. And surely the function of the Law School is not limited to imparting knowledge of the law and legal methods. The faculty is outstanding not merely as a collection of legal scholars, but as a group of men who have experiences that are not to be found in case-books and law reviews.

At present faculty-student contact is rare outside the classroom. It is true that students can see members of the faculty at a moment's notice to discuss classroom and personal problems. And it is also true that many instructors have been very generous in attending affairs sponsored by our student bodies. Most students, however, are reluctant to make appointments to see the faculty, and the interviews are generally quite short. Not many men belong to student organizations.

Getting the students and faculty on a very close personal basis relation is impossible and unnecessary, but it is both possible and desirable to bridge the gap. Many members of the faculty consider such efforts praiseworthy and have been happy to respond to invitations to join the students in social relaxation. In a world increasingly composed of men who are Army serial numbers, Social Security numbers, Automobile Registration numbers, and classifications of all kinds, it is with unabashed nostalgia that the tribute to a great teacher of another era is recalled, "Mark Hopkins sat on one end of a log and a schoolboy sat on the other end." We trust it was a short log.

B. G.

Letters to the Editor

To the Editor of the RECORD:

Announcement has been made that written work completed by second year men who took third year courses last term will not be accepted in satisfaction of the third year written requirement. This bare statement, without clarification or reasons therefore, imparts a refusal on the part of the administration to render credit where credit is due.

The purpose of the third year written requirement is to have the student gain the experience

of writing a paper dealing with some aspect or topic of law. Whether this work is completed in the second or third year would seem immaterial, so long as the work meets the standard established for the grading of such papers.

It is inconceivable that such work does not meet the standard required for the third year written work. Although it was completed by second year men, being a satisfaction of a requirement (optional or otherwise) for a third year course, the standard of grading was that applied to third year courses. The fact that such written work has been accepted as satisfactory by professors teaching these third year courses is a positive indication that the standard of the third year has been met.

Under the present program, the third year man has lost out on the advantages of changes in curriculum offered to first and second year men. As a result thereof, he has reached the third year with gaps in his legal education. To fill these gaps he is dependent upon the limited number of courses offered in the third year. In some cases he is taking as many as seven courses which leaves him little time for extra work outside of preparation for these courses. To impose upon him the added burden of writing a paper when he has already written one which was accepted as satisfactory in accordance with third year standards is an unfair imposition by the administration.

STANLEY S. BROTMAN, 3L

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To the Editor of the RECORD:

We are confronted with a small problem. It relates to the use of the blackboards in classrooms for the posting of notices.

Of course, the blackboards are intended primarily for classroom work. But we have always had notices on them from time to time. In recent weeks, however, persons putting up these notices have become more and more expansive and recently there have been occasions when the boards were largely covered by notices. This has been a serious disadvantage to members of the faculty and an interference with our basic educational work.

I hate to issue any sort of a ukase to the effect that the blackboards cannot be used for notices. As a matter of fact, I think it is occasionally useful to have some notices on the blackboards. It occurs to me that this statement of the problem may be enough to enable us to handle it. I would like to ask, therefore, that persons refrain from posting notices on the blackboards when it can be avoided. The regular bulletin boards are available for notices. When it does seem necessary or desirable to put notices on the blackboards, they should be written in fairly small letters, and confined to a small area of the blackboard.

Student cooperation on this will be helpful and much appreciated.

ERWIN N. GRISWOLD, Dean

Off the Record

To He Who Hisses in Class

Behold the ass somewhere in the class,
The ever-present hisser,
Who loudly blows what little he knows
Out steam vents in his kisser.

For hints, a hiss; for jokes, a hiss;
For cautions, noise most farcical.
It matters not what prof he's got:
His disrespect's impartial.

No fears has he. In anonymity
He holds a Critic's Seisen.
Ah, what a shame he has no same
Dominion in good reason.

What is this thing of potent sting,
Of rudeness in full sway?
Is't man or beast? A snake at least
Can act no other way.

Head deep in book, with beady-eyed look,
The animal sends out hisses.
Methinks I've heard Scott use the word
"Demurrer" to state what this is.

If Demurrer he be, then obviously,
He'll search this RECORD through.
Perchance he'll see this one short plea
To stop this bothersome stew:

"O! Mighty Kneader, O! Self-Pick'd Leader
We need a change of diet.
Dear Chronic Griper, Good Muttersnipe,
Let's try a little quiet."

How sad that a class should harbor an ass,
With holes in his head and his kisser,
Who's nought but air beneath his hair:
I give you the classroom hisser.

JAY NEWMAN, 2L

Gallery

ARTHUR TAYLOR VON MEHREN
Assistant Professor of Law



Arthur Taylor Von Mehren graduated from Harvard Law School in 1945. He had been appointed to the editorial board of the *Harvard Law Review* during his first year, and had served as President of the *Review* in his final year. He spent the year following graduation clerking for Judge Calvert Magruder and acquiring his Ph.D. in political science at Harvard University.

The visitor to Mr. Von Mehren's office is greeted by a tall slender man in his late twenties whose manner reveals a pleasing combination of quiet reserve and friendliness. If the visitor is a student of the common law, he realizes that he is on unfamiliar ground when he sees the foreign language titles of the treatises, decisions and codes which form Mr. Von Mehren's library. They are the tools of Mr. Von Mehren's course in Introduction to the Civil Law.

The story behind this began in July, 1946, when Mr. Von Mehren was appointed assistant professor of law in Harvard Law School and sent abroad to acquire a background for his present occupation. In view of his excellent academic record and his ability to speak fluently in French and German, he was a natural choice. After a year at the University of Zurich where he studied the Swiss law, he rounded out the first part of his assignment with some courses in French at Geneva. Then came the month of October, 1947, an eventful one for Mr. Von Mehren. During this month he returned to the United States, became a married man, and was off for Europe again, this time to work for the American Military Government's Legal Advice Branch of which Professor William McCurdy was then Chief. Mr. Von Mehren was later made deputy chief and acting chief of the Legislation Branch, holding these positions concurrently. This branch is charged with the drafting of the legislation of the United States occupation authorities and the reviewing of newly enacted German statutes. In October, 1948, he became a student at the University of Paris. He returned to Germany in July, 1949, to head a project charged with the task of reviewing existing United Council and U. S. Military Government legislation in order to bring it within the limitations of the Occupation Statute, which now governs the relations of the occupation authorities with the West German government.

Although there are some similarities in the continental and American approaches to the study of law, Mr. Von Mehren found that the American student abroad has to make some rather extensive adjustments. He will, for instance, go through the whole course of study without ever seeing a case book. The keystone of the system is the code of the particular country. Treatises provide an important supplement. When a court decision is cited in a lecture, it is usually to support a statement by the professor as to what he thinks should be the solution to a problem not covered by the code. The professor's lectures are, in relation to other sources, a more important part of the educational process than they are in a typical American law school. Classroom work tends more toward the abstract. The cases which are posed in class are usually less complex than those which come out of our case books and out of the minds of our professors.

The same emphasis is found in actual litigation. German and Swiss lawyers are perhaps more prone to cite cases than their French colleagues, but nowhere on the continent are prior decisions relied upon to the extent that they are in Anglo-American law. Further, although lower courts tend to follow decisions of higher courts, they are under no compulsion to do so. The fact that the codes occupy such a predominant rôle gives rise to another fundamental distinction. There is always present under the civil law the potentiality of an extremely rapid adjustment to changing social, economic and philosophic

Sub Judice

Closed Shop for Lawyers?

Each lawyer in Florida received a ballot from the State Bar Association on the question of whether or not he was in favor of integrating the bar. The bar is integrated when every lawyer within a given area has membership in a cohesive organization. Integration means compulsory membership and in this case there was a proposed annual membership fee. Of the 2,700 ballots mailed, 1,631 were voted and returned; only 1,131 voted in favor of integration and 500 voted against it. Then the Association petitioned the Court for a rule integrating the Florida Bar.

HELD: Petition granted. When it was suggested to the Court that only the legislature could decide that membership in the Bar Association should be compulsory, Justice Terrell answered that "attorneys are officers of the court and as such constitute an important part of the judicial system, . . . and . . . in those matters which are purely and essentially judicial the judiciary may chart its course without interference from other departments. . . . Since the bar is such an important part of the judicial system and has expressed itself so decisively on this point, we would not be remiss to adopt the deduction of Mr. Dooley about the Supreme Court of the United States and 'follow the election returns'."

When it was next suggested that an autonomous group such as an integrated bar might have an exclusionary propensity, the Court stated that "it is no more akin to unionism and the closed shop than it is to the Rotary Club or the Presbyterian Church."

When it was finally suggested that an integrated bar would be too concerned with individual conformity to ethical standards, the Court replied that the Association would be more concerned with securing the composite judgment of the bar on questions involving its duty to the public than to legal ethics since the legal profession "by the square foot contains as many members of unblemished character as any profession." The Court then added that even though the bar should be relieved "of ethical anemics, crackpots and communists, . . . the law school is the logical place to do it." In conclusion the Court touched upon legal fees by stating that "if money making is the lawyer's sole purpose, he worships a god that is too small. If he does not approach the law as an avenue to perform a fine public service, work hard, live by faith and die poor, he should turn to some other business for food and shelter and raiment. It is true that now and then one turns trader and finds the coveted pot of gold but not so if he sticks to his profession."

Petition of Florida State Bar Association, 40 SO. 2d 902 (Fla. 1949).

conceptions. By a sweeping act of the legislature the pins could be knocked out from under the previously existing legal order, but a new order would rise out of the new code. No change in the structure of the system would be required. Within the common law system, on the other hand, sudden changes in basic conceptions of men's relations with other men and with the state would not be possible.

In spite of the gulf between the civil law and the common law, Mr. Von Mehren found that representatives of the two systems have less difficulty than is commonly supposed, in understanding each other when exchanging views on points of law. When the discussion turns to governmental policies, what is seemingly a technical misunderstanding is often, in reality, a deep-seated difference in political objectives.

While in Germany Mr. Von Mehren observed that the people were submitting to American authority, but there was little support for our positive programs and a likelihood that soon they will take advantage of their strategic position to demand greater independence.

The air lift made a strong impression on the German people that the Russians attempted to counteract. A friend in the Russian sector of Berlin informed him that the Russians were explaining away the formidable display of air power by saying that actually there were only four or five transports which were flying back and forth between Berlin and points just outside the city.

The general orientation of Mr. Von Mehren's Civil Law course is similar to that of Jurisprudence, but there is perhaps a greater emphasis on "the practical," since the training could relate to certain phases of government and corporation work. For instance, the ability to interpret properly to an American court the brief of a foreign correspondent will be developed. The course should be especially valuable as a starting point for students who intend to pursue intensive civil law studies.

GEORGE F. CARROLL, JR., 3L

Alumni Notes

L.L.B. '22—**Elmo H. Conley** was recently elected a director of the Security-First National Bank of Los Angeles. He is a partner in the law firm of Gibson, Dunn and Crutcher. He is also a trustee of the Collis P. Huntington Memorial Hospital, Pasadena, and a director of the Los Angeles Transit Lines, Pacific Mutual Life Insurance Company, Huntington Land and Improvement Company, Purex, and the Rodeo Land and Water Company.

L.L.B. '30—**Chester T. Lane** became a member of the law firm of Beer, Richards, Lane & Haller of New York. **Walter E. Beer, Jr.** and **Stewart W. Richards** were both members of the Class of 1929 and **H. Kenneth Haller** was a member of the Class of 1930.

L.L.B. '41—**Louis C. Wyman** has returned to the general practice of law in Manchester, N. H. as a partner in the firm of Wyman, Starr, Booth, Wadleigh & Langdell. He is a former Counsel to the Senate Campaign Expenditures Committee, was also secretary to United States Senator Styles Bridges, and until last month was Counsel to the "Joint Watchdog Committee" over the European Recovery Program.

STURGES—(Continued)

In his talk on legal education at Harvard, Dean Griswold discussed the past, present, and future of the Harvard Law School. Terming the Harvard Law School a factor of great significance in American life, the dean also discussed the great influence of the School on American legal education. The dean pointed out that approximately 25 per cent of the nation's law teachers have studied here. Dean Griswold also said that many of the other great law schools can trace their rise from the time when Harvard-trained men went to them to teach.

The dean admitted that the Harvard Law School had a competitive atmosphere, but considered this an advantage rather than a drawback. Life is competitive, and so is the lawyer's work, said Dean Griswold. The dean said further that "Law is not practiced in a pipe-and-slipper atmosphere."

At Harvard Law School, Dean Griswold said that students have an opportunity to come into contact with more great teachers than at another law school. In addition, the wide background, interests, and experience of the student body were pointed up as advantages of a large law school such as Harvard.

Concerning the future of the Law

School, the dean again reiterated a desire to see a world school of law set up here. The dean said there were great possibilities for real accomplishment in the field of international law, and that Harvard Law School should lead in this work.

GRAD. STUDENTS—(Cont.)

Holmes once said of Harvard men, then they are studying it in an even grander manner, for the deepening and broadening of the student's understanding of the law is a primary consideration in the graduate program.

The graduate students have their own informal organization and meet regularly with faculty members to discuss legal problems.

Many of the foreign students, who comprise a third of the graduate body, have serious financial problems because of the currency situation. Like all other students who demonstrate ability and need, they are eligible for scholarships and fellowships and many of them have been helped by grants from their own countries or from private foundations.

But the complaints of the grad students are no different from those of the first year students, "There's little time for anything other than the law."

NEWS BRIEFS—(Continued)

Henry W. Minot, Jr., 2L (Harvard '48) of Chestnut Hill, Mass., and Charles Gennert, 3L (Yale '47) of New Bedford, Mass.

FOOTBALL

Any organization or independent group that wishes to enter a team in the Law School touch football league should contact Marshall Binder at D33 McCulloch Hall, Harvard Business School, phone KI 7-4859 by Friday, October 21. Games will start Monday, October 24 under sponsorship of the Law School Committee of the Phillips Brooks House.

ROSCOE POUND

Former Dean Roscoe Pound has been named visiting professor by the University of California at Los Angeles Law School. For over twenty years dean of the Harvard Law School, Dean Pound now joins the five-man faculty at the recently established school.

This year Dean Pound will teach introductory courses in procedure, equity and agency.

Headed by L. Dale Coffman, S.J.D., '35, former dean of Vanderbilt Law School, the new school has an enrollment of about fifty and the teaching of new fields of law is being emphasized.

CAVERS PUBLISHES

Professor David F. Cavers wrote the monthly law feature in the July 1949 issue of *Fortune Magazine*. In an article entitled *Anti-Trust: Symbol Into Problem*, Professor Cavers developed an introduction to a series on the anti-trust problem, and discussed some of the current features of this unsolved problem.

LIBRARY DISPLAY

A copy of a Boston newspaper published on Saturday morning, August 9, 1817, and announcing the opening of a law school in Harvard University, is now on display in the Langdell Law Library. The newspaper, the *Columbian Sentinel*, in a front page story, prints an announcement from President John T. Kirkland of Harvard University calling attention to the establishment of a Law School under the superintendence of Asahel Stearns, University Professor of Law. A postscript to the story requests editors of newspapers, who deem the information above interesting to their readers, to publish it.

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GRISWOLD—(Continued)

facility in making it—even when surrounded by the charming young ladies in the Harvard Law Wives organization.

Evidently Griswold endorses Lord Eldon's prescription for the law student's life: "Live like a hermit, work like a horse." None of his students doubts that the dean did just that when he was in Law School.

Recently the Governor of Massachusetts appointed him chairman of a special board of three persons to hear an appeal from the dismissal of a popular state official. The dean denies that he greeted reporters with "I am not interested in meeting the press." However, he was promptly dubbed "Ol' Laughing Boy" by the reporters, but it was plain that he quickly achieved their esteem by his dogged fairness and intelligence.

This abruptness arises from his detestation of dissimulation of any kind in himself or others. His main objection to Franklin D. Roosevelt was that—so Griswold believes—he acted indirectly by choice. This to Griswold is a major fault in any man.

The Dean neither smokes nor drinks, but he does not object if others do. If his host wishes to please him, white grape juice and ginger ale will be on hand.

Griswold is the sixth dean in seventy-nine years. In the first fifty-three years

of its existence, the School had no dean. In 1871, Christopher Columbus Langdell was named to that office. He introduced the case system now in general use throughout the country.

James Barr Ames, 1895-1910, and Ezra Ripley Thayer, 1910-1915, continued the development of that system in their respective deanships. Dean Roscoe Pound, 1915-1935, emphasized the importance of graduate study in training teachers and researchers. His valuable contributions as dean, practical as well as doctrinal, are surpassed by his truly epoch-making development of sociological jurisprudence. Law is not the product of history or logic, Pound showed, but an ever-changing pattern of human interests.

His successor as dean, James M. Landis, 1935-1946, staunch advocate of administrative agencies, became an outstanding exponent of public law.

Every dean exercised leadership which had widespread repercussions over the United States—and in Pound's case, at least, over the world.

When Langdell became dean in 1871, and indeed until 1928, the only purpose of the School was, according to the catalogue, to give "such training in fundamental principles of English and American law as will constitute the best preparation for the practice of the profession in any place where that system of law prevails."

From the beginning of the School in (Continued on page four)

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Calendar

LEGAL WORLD Ames Competition

First Year—Rounds 1 and 2: Fact Conference, today, October 19.

Rounds 3 and 4: Fact Conference, Thursday, October 20.

Rounds 5 and 6: Facts issued, today, October 19; Fact Conference, Friday, October 21.

Rounds 7 and 8: Facts issued, Thursday, October 20; Fact Conference, Saturday, October 22.

Second Year—Round 4: Date of Issue, Monday, October 24.

King's Bench

There will be card games and dancing at Kendall House, Friday, 7:30 p.m. to 12 midnight. Next Tuesday there will be a smoker at Kendall House, 4 to 6 p.m.

Law Wives

The Law Wives will hold their first regular program meeting today, October 19, at 8 p.m., at Kendall House. Mrs. Myles Baker will be the speaker.

PBH Committee

All first and second year men interested in working on the Law School Committee of Phillips Brooks House are invited to attend a meeting on Tuesday, October 25, at 1 p.m., in the parlor at Phillips Brooks House.

UNIVERSITY WORLD Liberal Union Movie

The Harvard Liberal Union will pre-

GRISWOLD—(Continued)

1817 until 1871, there was also the purpose of affording legal training to men intending to enter public life or business. Not until 1928 was this reinstated. Two others were added at the same time: the training of law teachers and researchers.

Reducing the purpose of the School to more concise terms, seventy-nine-year-old Pound, with the hearty concurrence of his equally spry colleague, eighty-eight-year-old Samuel Williston, the great contracts authority, declares that a law school should teach a man to think. And that this requires all his time and energy while a student.

"Nothing is so short-lived as a fact," Pound often says. "If you teach a student about particular statutes, the legis-

lature may repeal his knowledge tomorrow."

In answer to that and in defense of courses like federal taxation, Dean Griswold says he sees little chance that the Internal Revenue Code will be repealed tomorrow.

Griswold is not breaking sharply with the past represented by Pound and Williston. He and the faculty are free to adopt whatever policies they may favor. Although the new curriculum discloses departures from tradition, the main purpose is still to teach the student to think.



CHARLES O. PORTER

sent *The Seventh Veil* on Tuesday, October 25, at 7:30 and 9:30 p.m., at the New Lecture Hall. Admission is 60c.

Harvard AVC

An informal Harvard AVC party will be held on Friday, October 21, at 8:30 p.m.

OUTSIDE WORLD Ford Hall Forum

The Ford Hall Forum will present Henry Allen Overstreet and Bonaro W. Overstreet discussing *Understanding the Motives of Men* on Sunday, October 23, at 8 p.m., at Jordan Hall.

Gardner Museum

The Isabella Stewart Gardner Museum will present Gordon Dilworth, Baritone, on Sunday, October 23, at 2 p.m.

cases before the Supreme Court of the United States.

"Griswold's leaving government service will cost the United States fifty million dollars a year," said Chief Justice Hughes upon hearing that Griswold had accepted the Harvard appointment.

When he returned to Harvard in 1934 as assistant professor, he was twenty-nine. The following year he was promoted to full professor, one of the youngest men ever so honored. Four years earlier he had married Harriet Allena Ford of Los Angeles. They have two children.

Griswold was one of the professors brought to the School to fill the gaps made by the retirements of Professors Samuel Williston and Joseph Henry Beale, old timers with vast reputations. His chair is that of the Fairchild Professor of Law.

Most of his scholastic work is in federal taxation. His only treatise, however, is in the field of his first love—trusts. Griswold's "Spendthrift Trusts," an exhaustive study of that subject, was published in 1936, and a second edition in 1947.

By his own admission, it includes references to all the cases on the subject in every state and the District of Columbia. Reviewing the volume when it first appeared, a prominent Columbia law professor said it showed "the operation of a finely-turned, analytical mind working out a logical presentation of an organized whole, and puncturing rationalizations to reach realities . . . an excellent example of what a legal treatise can be."

He was the prime mover behind the Federal Register Act, essentially a simple

idea providing for a single periodic publication containing regulations issued by governmental agencies. "Government in Ignorance of the Law—a plea for better publication of executive legislation" was the title of his article in the *Harvard Law Review*.

Not so effective, his more recent recommendation for a court of tax appeals was respectfully considered by the taxation section of the American Bar Association and rejected.

In 1940 he compiled a casebook on federal taxation. He is co-editor of a conflict of laws casebook and is an Adviser to the Restatements of Restitution and Judgments, in addition to the Restatement of Trusts. In 1942 he was Consulting Expert to the U. S. Treasury.

He is active in the American Bar Association and is a consulting editor of its *Journal*. Prentice-Hall, publishers of much legal material, are proud to have his editorial talents for several of their publications, one of which is the *Law Student's Tax Service* which he originated as the only practicable way of putting current data in the hands of the law student studying federal taxation.

(In the concluding installment, next week, Porter describes Dean Griswold's extra-legal activities and teaching methods.)

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Athletic rivalries between Harvard and Yale may have lost a measure of their time-honored zest, but the law schools of these institutions carry on the conflict. The Yale Law School consciously seeks to produce the "policy-makers of tomorrow" by giving its students stiff injections of the sociological or situational facts which provide a frame for legal action. Griswold does not deny the importance of these facts. The questions he and his faculty face are: How much of that material should be given in law school? Who should give it? And what must be omitted as a result?

Dean Griswold was born in East Cleveland, Ohio, in 1904 and attended Shaw High School there. When the United States entered the first world war, he was selling papers on the streets. His father, James H. Griswold, a successful lawyer, still practices in Cleveland.

At Oberlin College he majored in both Political Science and Mathematics. On graduation day in 1925, as a result, he received a master's degree along with the bachelor's degree, the latter *summa cum laude*. In order to help put himself through college and law school he worked in a travel agency in Europe seven summer vacation periods.

He almost forsook the Harvard Law School to do graduate study in astronomy at Harvard. At the Law School his scholastic rating soared within whispering distance of the all-time high set by Brandeis. Only Griswold and four other students have won *summas* since the School began giving them twenty-one years ago. He became President of *The Harvard Law Review*, received his LL.B. in 1928 and remained an additional year to earn an S.J.D. degree.

In June 1929, he returned to Cleveland to work in his father's firm. His first fee—\$100—was earned for answering an obscure question concerned with trusts. Already he had been appointed Adviser on Trusts for the American Law Institute. He conducted a personal survey and wrote a "re-check" of the famed Cleveland Survey of the Administration of Criminal Justice, which Dean Pound and the then Professor Frankfurter had directed ten years earlier.

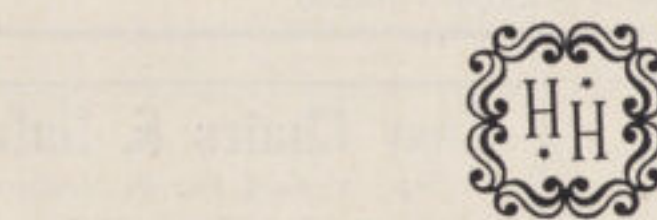
After three months he went to Washington to become a special assistant to the Attorney General. Soon recognized as one of the government's leading tax experts, he argued many of the Treasury's critical cases.

In one six months' period in 1934, he personally argued twenty-two major tax

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