

The Harvard Law School Record

VOL. 10 No. 2

CAMBRIDGE, MASS., WEDNESDAY, FEBRUARY 15, 1950

PRICE TEN CENTS

NEWS IN BRIEF

ISSERMAN, FRAENKEL TALK

The Lawyers' Guild announces that Abraham J. Isserman and Osmond K. Fraenkel will discuss *Constitutional Issues in the Communist Trial* on Thursday, Feb. 16, at 8 p.m. in Emerson D. Admission will be 30c to cover the printing and rental expenses. Mr. Isserman was one of the five defense counsel for the Communist leaders in the recent trial. Mr. Fraenkel is counsel for the American Civil Liberties Union and has participated in a similar discussion with Mr. Isserman at the Yale Law School a few months ago.

The Guild is offering this program to present to students a point of view on this trial that is otherwise difficult to obtain.

GLUECK TO RECEIVE DEGREE

The Royal Consulate of Greece, located in Boston, will present an honorary LL.D. degree from the University of Thessaloniki to Professor Sheldon Glueck this Sunday afternoon at Langdell Hall. The degree is being given to Professor Glueck in recognition of his pioneering work in the relation of law and psychiatry, in the law of war criminals, and in the study of crime and punishment.

FRIEDMANN ON AD LAW

Dr. Wolfgang Friedmann, professor of public law at the University of Melbourne, will address all sections of Administrative Law tomorrow at 9 a.m. in Langdell Courtroom. He will speak on *The Government Corporation: An Alternative to Government Regulation*. Dr. Friedmann spoke at Langdell last night on *The Legal Impact of the Social Welfare State*, under the auspices of the Forum.

FORUM ELECTION

The Forum announces that the following members were recently elected to the Board of Directors and the Staff. Elected to the Board: William Cousins, Jr., 2L, of Chicago, Ill.; Robert Oppenheimer, 1L, of Rochester, N. Y.; Harry B. Rosenberg, 1L, of Burlington, Vt., and Sidney D. Rosoff, 1L, of Bronx, N. Y.

Elected to the Staff: Louis F. Del Duca, 1L, of Philadelphia, Pa.; Howard S. Dorris, 1L, of Jackson Heights, N. Y.; (Continued on Page three)

Dunne Replies To Blanshard On Catholicism

Speakers Clash Sharply Over Hierarchy, Morals Before Overflow Crowd

Speaking before a capacity audience at the Harvard Law School Forum last Friday evening, Father George Dunne, S.J., author of *Religion and American Democracy*, and Paul Blanshard, author of *American Freedom and Catholic Power*, discussed the question of *The Catholic Church and Politics*. Henry D. Aiken, associate professor of philosophy at Harvard College, acted as moderator. While hundreds milled about outside the auditorium unable to secure admission due to the record turnout, those admitted sought seats on stage, in the wings and along the sides of the theatre.

Mr. Blanshard argued that the Catholic Church as such has no right to adopt a stand on political questions when its position is not arrived at by the use of democratic processes among its constituents. Father Dunne urged that the Church has authority on moral questions and, further, has the right to attempt to propagate moral ideals and to influence non-Catholics in the realm of morals.

The Jesuit father likened Mr. Blanshard to Gerald L. K. Smith and charged him with such bias as to disqualify him from discussing any questions involving the Catholic Church. Mr. Blanshard deplored Father Dunne's reluctance to give "a specific reply" to his bill of particulars involving the "non-democratic structure" of the Catholic Church, and the Church's stand on such matters as parochial school education, marriage, divorce, birth control, and childbirth.

Forty minutes of the program, covering the rebuttal and question periods, were broadcast locally over station WHDH. Additional questions from the audience followed the broadcast portion of the question period.

RECORD OUT TUESDAY

Due to the Washington's Birthday holiday next Wednesday, February 22, the *Record* will be published on Tuesday, February 21. After that, the regular Wednesday publication schedule will be resumed.

Legal Practice In Government Service Offers Widely Diverse Opportunities

This article was written especially for the *Record* by Frank Pace, Jr., LL.B. '36, Director, United States Bureau of the Budget.

The distinguished record of The Harvard Law School in providing our National Government with leaders over many generations seems to me to present something of a paradox. Law school students—including, I suspect, most of



FRANK PACE, JR.

those who have participated so ably in national affairs—rarely consider themselves to be in training for Government careers. They may visualize themselves as departing from the path of legal practice, but they are likely to expect this departure to be toward the bench or in the direction of business or financial enterprise. Government service probably means to them appointment to a judicial position or to an important official post after a successful private career, rather than entry into Government service as a life work.

Many Government Lawyers

There are, however, some 6,750 men and women now filling legal posts in the Federal Government, with substantial and capable representation from Harvard among them. There are many thousands more with legal training who are serving the Government in a great variety of positions not classified as legal posts at all. In the Bureau of the Budget, for example, there was a recent period when five out of the ten principal positions were held by law-trained men (two of them from Harvard), all of whom considered themselves career public servants, although only the General Counsel's position among these was legal either in its title or in its duties.

The law school graduate represents a major source from which the Government must draw the manpower needed to meet its heavy and exacting responsibilities. The late Secretary Forrestal phrased this need well in an essay *Managing the Public's Business* when he said, "There has been general agreement that the increasing complexity of the social and economic problems within our country and the equally great complexity and delicacy of external relationships force us to search for men who will make a career of Government and to whom Government can offer opportunities at the highest level of administrative and executive responsibility."

I believe that we can well look to our law schools to supply people who are qualified not only in the legal area but who have the qualifications for many other demanding and challenging assignments. In my opinion, the qualities that lead the law-trained man to be successful in many diverse lines of private endeavor can lead him also to be successful in many kinds of work within the public service.

The Lawyer As a "Generalist"

Legal training, while it seems to be highly specialized, actually puts a premium on the ability to be a "generalist." The lawyer must be able to make himself at home quickly in any subject-matter field on which a client needs

advice. He is trained in the thorough and logical analysis of any problem that may be brought to him. He is trained to dissect a situation, to find inconsistencies, to relate a given problem to other factors, to devise a course of action that can be both pursued and defended, and to implement his recommendations with documents or arguments that will be at once articulate and sound. All of these characteristics are as important, and as appropriate, in Government as in private activity.

In emphasizing the qualities of the generalist, I do not mean to underestimate in any way the importance of government work strictly within the legal field. Litigation, the preparation of legal analyses, and the drafting of strictly legal documents can be of the utmost importance and the greatest possible variety. The General Counsel and his staff in any agency are people of consequence to the organization and status in it.

The Challenge of Service

Legal work in the public service has a distinctive quality that gives it an almost unique challenge. In our day-to-day activities, law cannot be separated from policy and operations. The attorney is called on to participate in the planning of programs, to map out courses of action, to draft operating documents, to suggest ways of handling difficult problems of policy or operations, to represent his agency in conferences and negotiations, to testify before Congressional committees, and to participate in the program of his agency in countless other ways. He does these things in the course of his duty as an attorney, and he can move, as I mentioned earlier, into an even wider role in the general administration of a program or an organization.

Perhaps I do not need to stress the importance of the tasks that people in Government today must handle. There has never been a time when competence throughout the public service was so greatly needed, when human beings have been so heavily charged with responsibility and when, I honestly believe, opportunities for significant accomplishment have been so great. To illustrate at random, the development and use of atomic energy for civilian purposes, wholly aside from its military significance, is as vital to our future as it is novel in our experience. The Government's program in the field of natural resources requires a unified approach to a myriad of subjects: agriculture, irrigation, the use of our water supply, flood control, soil conservation, inland navigation, power—each a field of major importance and each a part of the larger total program. To take a more technical subject, of interest because of its

(Continued on page four)

Legal Aid Will Remain Active In July, August

Non-Members Tendered Opportunity for Service Representing the Needy

Directors of the Harvard Legal Aid Bureau are now formulating plans for operations during the summer of 1950, according to President Don Paradis, 3L (Wesleyan '43). The Bureau will be kept open so that the large number of residents of Cambridge and Greater Boston who need its services may obtain adequate representation, and in order to provide more students with the training given by Legal Aid work.

With law school activities no longer on a 12-month basis, it will be necessary to recruit volunteers to carry on the work of this organization during the summer. Last summer the opportunity to serve, and gain the practical experience afforded by this work, was provided to second and third-year men at the Law School who had an average of 70 or better. About 15 responded and worked for varying lengths of time. They were supervised by two regular members of the Harvard Legal Aid Bureau. The same general type of organization will probably be used again this year.

The Bureau handled over 450 cases in the two and one-half months it was open and counsel had almost complete responsibility and independence in serving their clients.

Any interested students may obtain further information at the Bureau's offices in Gannett House.

The expansion of present legal aid services throughout the country was one of the central topics of discussion at the January 12 meeting of the Board of Directors of the National Legal Aid Association, Harrison Tweed, LL.B. '10, presiding. Students participating in legal aid this summer will be interested in learning that of the 124 cities which the 1940 census classified as a metropolitan area of 100,000 or more, there are still fifty cities with no legal aid office. The need for organized legal aid facilities was by no means limited to cities of this size. Experience gained during the summer under the supervision of trained legal aid personnel should be an invaluable asset to those interested in developing this service in their home communities.

Guild Hears Report On Police Methods

The Lawyer's Guild heard a report from one of its members, concerning activities of the Boston police in the city's South End area, populated mainly by minority groups, at its last meeting. A citizens' committee, formed under the sponsorship of four ministers, has alleged that residents of the area are subjected to brutality and a denial of their Constitutional rights at the hands of the police.

A typical case cited was that of Walter Brown, a Negro youth who was recently given a five-year suspended sentence for unarmed robbery of fifty-five cents. It appears that Brown and three of his friends met an associate on Washington Street, Boston, several months ago. Two of Brown's companions demanded a quarter from the associate; upon his refusal, Brown's companions punched him twice. The victim of the beating signed an affidavit that Brown took no part in the attack. Nevertheless, Brown was held in jail for two months before trial. When the victim testified at the trial that Brown took no part in the assault and robbery, the judge recessed the trial overnight and victim of the beating spent the night in jail. When the trial was resumed the

(Continued on page four)

WHRB Plans to Extend To Law School Dropped

The Technical Director of WHRB, the Harvard College radio station, George Mealy, disclosed this week that the station's plan to broadcast programs to the Law School buildings has been postponed indefinitely. The postponement is a consequence of the FCC regulation that forced WHRB to suspend all of its broadcasting activities last January 14.

The FCC regulation restricts the intensity of "carrier current" transmission—the type used by WHRB—in order to protect other licensed stations from the "radiation" effects of non-professional transmitters. WHRB technicians are trying to reduce these "radiation" effects in order to bring the station within the limits set by the FCC regulation. If this solution proves unworkable, they hope FCC hearings to be held this spring will relax the present requirements. The popularity of carrier current broadcasting has grown rapidly in

(Continued on page three)

College and Grad Schools Offer Lively Fare To Flavor Law Students' Courses

More than 24 different courses are being taken this year by law school students in the different schools and departments of the University. These courses range from Problems in Political and Military Strategy in War and Peace to Music Appreciation and include the French, Danish, Norwegian, and Slavic languages. Third year men are eligible to receive credit for work in other departments if they receive the approval of the dean of the Law School and the dean of the school in which the outside study is contemplated.

The Graduate School of Business has received the greatest attention with 12 courses elected. An interest in Accounting is evinced by the fact that three of the courses being taken are: Specialized Accounting Problems, Auditing, and Financial Accounting. However, the major proportion of subjects being studied at the Business School concerns finance and economics and these include Financial Management, Money and Fiscal Policy, Economic Aspects of Public Policy, and Management of Financial Institutions. The other fields being covered are: Air Transportation, Administrative Policy and Problems of Collective Bargaining.

In the labor relations field another course taken is Trade Unionism and

Collective Bargaining which is offered at the Graduate School of Arts and Sciences. In addition to this course, Business Organization and Controls and Industrial Organization and Controls have been elected there. Probably closest to home is the course in Current Problems in Constitutional Law which is being taught by Judge Charles Edward Wyanski, Jr. (LL.B. '30) at the Arts and Sciences School. There is also participation in a seminar in Housing at the Graduate School of Design.

Such subjects as have been mentioned and others may be taken by third year men in place of regular law courses if approval is obtained from the dean of the Law School and the dean of the school in which the course is offered. While credit may be received for such work, the grades attained will not be included in the Law School average due to the difference in grading scales. In the past no students have taken more than two outside courses.

The interest of law students in the other departments of the University has been reciprocated. Students from other schools are now taking Unfair Competition, Government Regulation of Business, Labor Law, and Contracts at the Law School. For further information call KI 7-3489.

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Published weekly on Wednesdays for twelve weeks of each term by *The Harvard Law School Record Corporation*, Austin Hall, Cambridge 38, Massachusetts. Subscription price: \$2.00 per term mailed, \$4.00 per year (24 issues); student subscription \$1.50 per term mailed, \$1.00 per term distributed at the Law School. Individual copies \$.10 each at the Law School; \$.15 each mailed. Business and Editorial Offices, Austin Hall, Cambridge 38, Massachusetts. Telephone KIRkland 7-7600, extension 447.

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"Entered as second class matter November 19, 1946, at the post office in Boston, Massachusetts, under the Act of March 3, 1879."

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

The announcement by the Lawyers' Guild that Abraham J. Isserman will participate in a discussion of the Constitutional issues raised by the Communist trial once more forces the RECORD to object to the ethical propriety of the lawyer in the case discussing it while it is *sub judice*. Our stand is supported by the position taken by Frank H. Gordon, an Assistant United States District Attorney who served as a member of government counsel at that trial, when he refused a similar invitation from the Guild on the ground that legal ethics precluded him from speaking on this subject. Guild members tell us that no breach of ethics is involved: they say that Mr. Isserman will not discuss his own summary conviction for contempt and that it is entirely proper for him to discuss the Communist trial as such since the trial phase of the case is over and Mr. Isserman will not be one of the attorneys on the appeal.

If this case concerned a point of contract law, the Guild arguments, nice though they are, would be respectable. But in a case involving ethics we cannot let niceties force us to a conclusion that seems repugnant to the broad principles of professional conscience that form the reason for the rule. Furthermore, we do not think the Constitutional issues of the Communist trial are as neatly separable from the issues involved in Mr. Isserman's contempt conviction as the Guild argument assumes. When Mr. Isserman says his clients were convicted unjustly, it takes more than an ordinary effort to avoid drawing the conclusion that Mr. Isserman, too, was unjustly convicted.

The Constitutional issues involved in the Smith Act prosecutions are grave. But, grave as they are, certainly the Guild can find others who can "present to students a point of view on this trial that is otherwise difficult to obtain" as forcefully as Mr. Isserman can and who will not be subject to this ethical objection. Even if we accept the Guild argument that no technical violation of ethics is involved, the case comes so close to a violation of ethics that the Guild action is, in our opinion, in poor taste for future members of the bar.

A. B.

We have only the highest praise for the recent Forum, *The Catholic Church and Politics*. The Forum Board brought a very controversial issue before the Law School and the Cambridge community. Both groups responded by turning out in large numbers to fill Cambridge High and Latin School to capacity.

The Forum is to be commended for two of the more obvious instances of the careful planning that went into this particular program. First, no tickets were sold at the door and those people in excess of the physical capacity of the building were turned away in an orderly manner. Second, the Forum went to the expense of bringing Father Dunne from Arizona, since they felt that he was the speaker most qualified to answer Blanshard.

The speakers held widely divergent views, yet this Forum did not degenerate into a mere reso-

lution of semantic differences, as some others had. Unfortunately, however, it did degenerate into a discussion of morals rather than of the specific topic. And the question period which followed fell into the same pattern.

While it is encouraging to see such a turnout to listen to a discussion of a controversial and important issue in our society, we regret that the speakers so often failed to join issue. This is perhaps a difficulty inherent in a forum type of discussion. It appears that there is no solution to this problem, with the possible exception of the moderator taking a more active part in pointing up the discussion.

We hope the Forum will continue to bring speakers with widely differing views to speak before us, to satisfy a need for discussion of such issues. It is only by understanding the problem and the argument on the various sides that we can properly decide for ourselves the answer to controversial questions. The need for such understanding would seem ample answer to those who disapprove of debating such issues publicly. The RECORD strongly endorses such debates and we believe the American public is behind us in this feeling.

R. M.

Letters to the Editor

To the Editor of the RECORD:

May I comment on the suggestion in your editorial of December 14th that a series of lectures on legal ethics be arranged designed to remedy "this deficiency in our legal education,"—i. e. the reported assertion of many students that legal ethics is "something about which they feel they know very little?"

A comprehension of "legal ethics" cannot possibly be taught in the sense of teaching contracts, or torts, or accounting, or plumbing for that matter. It is something which is instinct in any gentleman who has read some law and associated with lawyers. In the School sitting under the faculty provides that association. Any student who has attended classes has "eaten his dinners." But the association—or, if you will, the dinners—cannot do the trick alone. Unless your man is a gentleman he is beyond praying for and lecturing him will be a complete waste of time. By the same token if he is a gentleman the lecturer will likewise have wasted his time, and both he and his auditor will leave the room with a rather sour taste in their mouths. . . .

If any student at the School feels that he doesn't know much about legal ethics and that he needs to be lectured on it, let him leave the School tomorrow and take to some trade which does not require that those who follow it be gentlemen, for he assuredly will never be a lawyer.

RICHARD WAIT, LL.B. '26

To the Editor of the RECORD:

I have read with interest the editorial in the December 20 issue of the RECORD requesting suggestions for names for the new Law School dormitories.

To me, it seems fitting that these dormitories should memorialize some jurist whose abilities and reputation have withstood the tests of time. On this basis, I can think of no one better qualified than John Marshall, who did more than anyone else to establish the Supreme Court as an independent branch of government, in a most critical period.

If it is desired to recognize only Harvard graduates, I suggest, as an alternative, the name of Joseph Story—one of Marshall's disciples and associate Supreme Court Justice.

KARL EDWIN SEYFARTH, LL.B. '25

To the Editor of the RECORD:

I read with much interest and not a little consternation the letter submitted by Robert L. Halfyard, regarding the selection of names for the new dormitories. I applaud his suggestion that the choice be popularly approved by the student body, but at this point we part company.

Let us then look to the future. Let us select names symbolic of the dreams which so often have been our sole salvation when our prospects were blackest—when all hope seemed shattered. Accordingly I respectfully submit six names which ably typify those six basic fields of success, which assuredly must actuate every red-blooded law student. The five dorms I would call *Valli*; *Haig and Haig*; *Lincoln-Continental*; *Aly Khan*; and *The Latin Quarter*. The Commons should be more closely related to the subject of law. What could be more fitting than a commemoration of that inspirational plaintiff—*Palsgraf*?

This list is only a bare suggestion. Equally fitting would be *Rose La Rose*; *Rock and Rye*; *Piper Cub*; *Rosellini*; *Copacabana*; and *Title Guarantee and Trust Co.* (that immortal defendant).

Gallery

HENRY EPSTEIN

Former Solicitor General,
New York State



If a trial attorney or appellate advocate were to look back over the years and attempt to guess at the amount of written material he has turned out in the course of preparing cases, he would be quite astonished at the total. The wall shelves of Henry Epstein's office testify to this, for there, neatly aligned stand 68 volumes of briefs and records of cases which Mr. Epstein prepared and argued over a period of ten years as solicitor general of New York State. What stands out, however, and what is probably characteristic of the legal profession, is the facility with which he pours through the volumes recalling the highlights of the various cases and reciting the facts almost from memory.

Mr. Epstein was born in Port Royal, South Carolina, and came to New York City when he was ten years old. He graduated summa cum laude from Harvard College in 1915 and entered Harvard Law School the following year. After serving as a Lieutenant (j. g.) in the United States Naval Intelligence during the first world war, he returned to law school and received his LL.B. in 1921.

Originally, Mr. Epstein had thought of becoming a teacher, his main interest in the academic field being history. During his undergraduate days, he taught at Arlington High School and also coached debating and dramatics there, and upon his return from service, tutored history in the College. His decision to remain in the legal profession was made in his last year at law school, when he married Ethel Steuer, daughter of the famous trial lawyer, Max. D. Steuer.

Upon graduation, Mr. Epstein practiced with Mr. Steuer's firm and in 1923 opened offices in New York City together with Maurice Smith, a classmate at law school. In 1931, he was appointed solicitor general of New York and he remained in that position throughout Governor Lehman's administrations (1933-42). During the early thirties, Mr. Epstein was actively engaged in drafting federal and state legislation and, in his capacity of solicitor general, argued many important cases involving minimum wage laws, social security and unemployment insurance. Perhaps the best known case with which Mr. Epstein was associated is *Moorehead v. New York ex rel. Tipaldo*, 298 U. S. 587 (1936) in which the New York Minimum Wage Law for women was held unconstitutional by a five to four decision. However, the following year in *West Coast Hotel Co. v. Parrish*, 300 U. S. 379, a similar law passed by the Washington legislature was upheld when Justice Roberts switched his vote, thus terminating the long struggle for judicial approval of minimum wage rates for women.

Mr. Epstein pointed out that the duties of a solicitor general are three-fold. First, he is the consulting attorney to whom the various state department heads resort for advice concerning the legality of any contemplated action or program. He supervises and directs the writing of opinions for the governor and other state officials. This is the solicitor general's most vital function as an administrative officer. However, the bulk of the solicitor general's work consists of the super-

The true beauty of this scheme is seen not only in the universality of the interests covered, but also in the fact that it permits each student the opportunity of selecting his own muse. Everyone can choose living quarters in that dorm which most closely accords with his personal inspiration.

If we adopt these recommendations I am certain that the haunted looks will forthwith disappear from most of our faces. Who can despair living in *The Latin Quarter*—who can fail to rejoice as he returns each night to *Valli*.

JOSEPH H. WISHOD, 2L

Sub Judice

"PHONY" HEARSAY

Tolisano appeared to be a moderately successful business man. He was always well dressed and provided a good home in the better section of town for his wife and two children. He was indicted and convicted for "maintaining a room with apparatus for making or registering wagers." Tolisano had rented an apartment in a far-removed section of town under the name of Charles Clayton. He would come to "work" every morning at 10 and leave between 6 and 7 p.m. When the Hartford vice squad raided the apartment they found the door leading to the hallway locked, the back door open and the receiver off the telephone. There were racing sheets and little white pads spread over the table near the telephone. A radio was on and tuned to WEIL, which customarily broadcasts horse-racing results. Twenty-five or thirty calls were taken by the police; each placing a bet on some horse or horses running that day. The following is an example of the bets taken: "This is Al, Charlie; the Doc wants a \$10 number on eight races at Saratoga." The testimony concerning the telephone calls was vital for a conviction. Defendant objected to this testimony on two grounds: 1) that the calls might have been coincidental; 2) that the testimony should be excluded as hearsay evidence. Held: conviction affirmed. Said the court, "one or two such calls might have resulted from getting a wrong number, twenty-five or thirty removed the matter from the coincidental and was proper and relevant evidence to prove the charge made." The court also held the testimony admissible "not to establish the truth of the facts related in the telephone calls but to establish the calls as verbal acts to show that the defendant was engaged in the activities described in the information." *State v. Tolisano*, 70 A 2d. 118 (Conn. 1949).

vision of appellate litigation in which the state may be involved. While in office, Mr. Epstein estimates that he argued possibly 100 cases before the New York Court of Appeals and some dozen cases before the United States Supreme Court and appellate Federal Courts.

In 1943, Mr. Epstein joined the firm of what is now Hays, Wolf, Schwabacher, Sklar and Epstein, located in the heart of the financial district of New York City. His main work now as before consists of appellate litigation. "I enjoy both aspects of it: working up the theory and the outline of a brief and presenting it orally in court," Mr. Epstein said.

Mr. Epstein's chief lament is that he spends too much time on extra-legal activities. His major interest over the years has been in the field of civil liberties, combating discrimination and segregation. This probably stems from an experience he had as a little boy in South Carolina and Georgia when, before the age of six, he was witness to a lynching. He served as counsel to the President's FEPC Commission in 1943 and was chairman of the National Community Relations Advisory Council for the first four years of its existence and is now a trustee of the Anti-Defamation League. He is active in the American Civil Liberties Union and his most recent interest has been working with the National Committee Against Jim Crow in the Armed Forces. What impresses Mr. Epstein most about the membership of these organizations is the quality and sobriety of the layman in his approach to the problem of minority rights.

Another area in which Mr. Epstein feels at home is politics, in which his activities date back to his freshman year at Harvard College when he campaigned for Woodrow Wilson throughout Massachusetts. He entered formal politics soon after graduation from law school and admits to a long affiliation with Tammany Hall. However, Mr. Epstein states, "I have always exercised my privilege to be independent and express my views in accordance with my beliefs." This is attested to by Mr. Epstein's constant efforts within the Democratic Party to liberalize it and to produce new leadership. He served as campaign manager for Mayor William O'Dwyer in 1945 and was recently appointed to the Mayor's Committee on Surveys, which will study and plan for a more effective city governmental economy. He is also a member of the legislative policy committee of the New York State Democratic Organization.

Mr. Epstein has a strong and abiding faith in the American political system and maintains that the two-party system is the cornerstone of a stable and progressive society. He personally favors the free enterprise system and believes that with the passage of pending social and welfare legislation, America will reach a higher level of industrial and community life, which he feels are indispensable elements of an evolving "capitalistic democracy."

S. H.

Alumni Notes

This concludes the list of members of the class of June, 1949, who have reported their present activities.

Eric R. Haessler, Hart, Spencer, McCulloch, Rockwood & Davies, Portland Oregon; Roger W. Hager, Own practice, Johnstown, Penn.; John R. Hally, Nutter, McClennen & Fish, Boston, Mass.; Richard L. Halpern, Abraham Schlesinger, New York City; Myron E. Harpole, Paul W. Sampson, Los Angeles, California; Alden S. Hart, Young, Shanley, Foehl & Fisher, Newark, New Jersey; Robert C. Hawley, Bannister, Weller & Friedrich, Denver, Colorado; Dan F. Henderson, University of California, Berkeley, California; John B. Henderson, Tillinghast, Collins & Tanner, Providence, Rhode Island; Joseph W. Henderson, Jr., Rawle and Henderson, Philadelphia, Pennsylvania; Robert G. Hennemuth, Nutter, McClennen & Fish, Boston, Massachusetts; Rodman C. Herman, Harkavy & Lieb, Newark, New Jersey; Gerald T. Herschopf, Marshall, Bratter, Seligson, Klein, New York City; David R. Herwitz, U. S. Tax Court, Washington, D. C.; Henry R. Heyburn, Peter Heyburn, & Marshall, Louisville, Ky.; Jean C. Hiestand, Harshman & Young, Dayton, Ohio; James S. Higgins, Dunne & Dunne, San Francisco, Calif.; Thomas L. Higginson, Shearman & Sterling & Wright, New York City; William P. Hindman, Jr., Winthrop, Stimson, Putnam & Roberts, New York City.

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WHRB—(Continued)

recent years, and there is a strong sentiment in favor of easier requirements for the many colleges using this method of broadcasting.

When the present difficulties are overcome, graduate students will once again hear the music, news, sports-comment, and special events that WHRB broadcast from 7 p.m. to midnight. Furthermore, since the station has already acquired additional equipment for that purpose, WHRB will resume work on its plan to extend its service to the present Law School dorms and the new Graduate Center.

NEWS BRIEFS—(Continued)

Richard L. Gold, II, of Milwaukee, Wis.; Richard A. Myren, II, of Winthrop, Mass.; Charles V. Retherford, II, of Acton, Ind.; Joseph D. Silvers, II, of Somerset, Mass.; George A. Vardamis, II, of Bangor, Me., and John W. Wylder, 3L, of Garden City, N. Y.

RECORD

Wallace E. Cowan, 3L, (N.Y.U. '47) of Union City, N. J., has been elected circulation manager of the RECORD.

LILIENTHAL SPEAKS

David E. Lilienthal, LL.B. '23, retiring chairman of the Atomic Energy Committee, will speak at Symphony Hall, March 2 at 8:30 p.m., on *Atomic Energy for Peace*. Tickets for the talk are \$1.20, \$1.80, \$2.40, and \$3.00 tax included, and may be obtained at Symphony Hall or by mailing a self-addressed, stamped envelope to Symphony Hall, Boston.

Professor Richard H. Field is president of the Cambridge School of Weston which is sponsoring the lecture. Mrs. Erwin N. Griswold is handling the publicity.

BRANDEIS TRIP

Because of the widespread interest in Brandeis University a trip is being planned to the University on Sunday, February 19, between 3 and 6. There will be an address by one of the University's founders, George Alpert; a tea dance; and a conducted tour of the campus. Free bus transportation both ways. Interested students should sign up on bulletin board posters.

H.L.R.C. MEETING

The Harvard Law Republican Committee will hold a business meeting this Thursday at Phillips Brooks House at 8 p.m. The adoption of a new platform will be discussed.

ST. THOMAS MORE

At a Communion Breakfast last Sunday in the Hotel Commander, approximately 80 members and guests of the St. Thomas More Society played host to U. S. Secretary of Labor Maurice J. Tobin and two other speakers, Monsignor George W. King of the diocese of Kansas City, Missouri and Father George H. Dunne, S.J. of Phoenix, Arizona. James P. Tierney, 2L of Kansas City, Missouri was the toastmaster.

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Calendar

LEGAL WORLD

Ames Competition

First Year—Second Series

Rounds 1 and 2, Brief Conference, Monday, February 20. Rounds 3 and 4, Brief Conference, Tuesday, February 21. Rounds 7 and 8, facts issued, today, February 15.

King's Bench

King's Bench will hold its regular smoker at Kendall House Tuesday, Feb. 21, 1950 from 4-6 p.m. There will be a faculty member present who will give a short talk starting at 5:10. There will also be a contract rubber bridge tournament at Kendall House that evening beginning at 8 p.m. Prizes will be given.

Law Wives

There will be a meeting tonight at Kendall House at 8 o'clock. Herbert P. Gleason, Publicity Director of the Salzberg Seminar, will be the guest speaker and will offer motion pictures of last summer's session.

UNIVERSITY WORLD

International Studies

The Committee on International and Regional Studies will present Sir Mohammad Zafrullah, Minister for Foreign Affairs and Commonwealth Relations of Pakistan and Chief Delegate from Pakistan to the Security Council of the United Nations, who will speak on *Pakistan's Role in World Peace* Friday, February 17 in the Auditorium, Littauer Center at 8 o'clock.

William James Series

Karl R. Popper, Professor of Logic at the University of London, will deliver the William James Lectures in Philosophy this term. The first lecture in the series, *Is Science Still Interesting?*, will be given in Room D, Emerson Hall, Thursday, February 16 at 4:30 p.m.

Fogg Art Museum

Professor Meyer Schapiro, Columbia University, will discuss *Abstract Art* today at 4 p.m. in the Large Lecture Hall, at the Museum.

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GUILD—(Continued)

next day, the victim had changed his story, and Brown was convicted upon the basis of this testimony alone. He was sentenced to five years in prison, suspended at the request of Brown's priest since he had a good church record and no previous arrests. A motion for a new trial is now pending.

Since many of the cases involving violation of due process as well as police brutality and intimidation never reach the courts because of the victims' fears or lack of knowledge of their civil and legal rights, the Guild also adopted a proposal to study and report on the activities of the Boston police, especially in relation to minority groups.

The Guild voted to send a representative to the Citizens' Committee as an observer. It will also make the services of its members available to the Massachusetts Civil Liberties Union and other Boston attorneys who are interested in these cases, but who have been precluded from taking them because of lack of a legal staff.

Non-Guild students are invited to participate in any of the Guild activities.

Concert

On Tuesday, February 21, the Harvard and Radcliffe Music Clubs will present David R. Fuller in a program of contemporary organ music, including work of Hindemith, Piston, Messiaen and Sowerby. The concert will be given in Memorial Church at 8:30 p.m. It will be free and open to the public.

Film Series

The Harvard Liberal Union and Harvard Chapter, American Veterans Committee present *The Circus*, *Easy Street* and *The Adventurer*, all with Charley Chaplin Thursday, February 16. The Liberal Union is also presenting *The Informer*, winner of the Academy Award, Tuesday, February 21. Both programs will be in New Lecture Hall at 7:30 and 9:30 p.m. Tickets will be 60 cents.

The Boston Film Society presents *The Plow that Broke the Plains*, directed by Pare Lorentz and *Alexander Nevski*, directed by Sergei Eisenstein, with music by Prokofiev, Friday, February 17 and Saturday, February 18 at the Fogg Art Museum at 8:30 p.m.

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PACE—(Continued)

legal implications, the basic policies behind our revenue program are matters for the most perceptive and penetrating analysis, to provide a proper pattern of taxation among the various levels of Government and to provide a revenue program that will avoid inequitable or stifling impact on business enterprises, individuals, and segments of our economy.

Entering Government Service

Up to this point I have tried to give a general answer to the question, "What kind of a career in Government can the law-trained man expect?" Now I want to treat the question a little more concretely, with particular reference to how a man enters the service and what he can expect when he is in it.

In making appointments to the position of attorney in the Federal service, the regular civil service examining procedure is not now used. The appointment of an attorney is a matter to be handled between him and the agency where he is to work, so long as the appointee meets certain standards of training and experience for the various salary grades, and so long as certain requirements about veterans' preference are met. Thus the process is somewhat similar to that of achieving a location with a private law firm or with a business organization. It involves a combination of action on the part of the individual to make his availability known and activity on the part of Government agencies to look for good candidates. Some of the Government's more alert legal officers take affirmative action in looking for superior talent among law school graduating groups; we should do this more extensively and systematically than we now do.

Socio-Legal Work

The law-trained man can, and in fact often does, enter the Federal service in some other capacity than that of attorney. He may be appointed to a position in such fields as economics, budgeting, administrative management, international affairs, natural resources, problems of finance, or many others. A serious suggestion that someone trained in the law should, apparently at least, desert his chosen field for other areas of concentration may seem peculiar and certainly deserves a word of explanation. Legal training is by no means wasted in these other areas. It is a useful form of preparation for them, both directly and indirectly. It is helpful in qualifying for many civil service examinations, and in many cases it makes a candidate more interesting to appointing officials. Finally, many people have found opportunities and stimulation in these other fields that have seemed to justify their turning their legal training to uses outside the formal bounds of the profession.

Recruitment in the area of the social sciences other than law is handled under the examining processes of the Civil Service Commission. Great strides have been made in the last two years in developing examinations for the position of Junior Management Assistant to provide us with eligible lists of superior candidates, the best of whom, to the number of several hundred, are virtually assured of appointment to an interesting variety of administrative jobs. The examination stresses broad social science background rather than specialized training in public administration. A definite effort is made to find candidates with imagination, flexibility, the ability to deal effectively with people, and a broad approach to public problems. We hope that in the very near future similar examination processes can be used for economists, for a group of positions

called "Social Science Analyst," and for positions in these fields above the junior entrance level. In all such examinations, legal training will be appropriate and helpful.

This discussion would not be complete without a frank admission that the job of finding, utilizing, and developing career personnel has not been done as well, in some respects, as it should be. I want to mention three such areas.

First, I feel strongly that the nature and the responsibilities of the public service must be more fully understood by every citizen. The concept of the public servant as a "Bureaucrat," a stodgy individual who values mediocrity above aspiration, is too heavily emphasized in the public press and in the public statements of leaders whose words carry weight and who should know better. While we in Government can do much by cooperating more actively in making information about the public service available, particularly to the student bodies of our universities and graduate schools, a public attitude of this kind can be affected only by public understanding on the part of people generally.

Second, as to recruitment and appointment I believe that the fault is largely ours in Government. We must make our system less cumbersome and more flexible, at the same time recognizing the special responsibility of public enterprise to avoid favoritism and discrimination—personal or political—and to achieve a process of selection on the basis of merit and fitness. Progress in fields of Junior Management Assistant is hopeful and further changes in our personnel program, under the impetus given by the recommendations of the Hoover Commission, are almost certain.

Salaries Low at Top Levels

Third, as to opportunities for people to advance and develop after entering Government service, progress is being made. We have achieved fairly satisfactory standards of remuneration except

for the positions at our top levels; even there recent Congressional action has helped considerably. The public service will never be able to offer the spectacular monetary returns that are achieved by a few people in private life; I do not think that it should. Salaries should be high enough to offer reasonable economic security, but the challenge of the work, and a feeling of contributing to the Nation's welfare, will offset the lack of opportunity to make a fortune. We have made a start toward a conscious—and, I hope conscientious—program of "executive development" designed to give us more effective methods of finding, training, promoting, and rewarding the people of greatest competence in the Executive Branch. And we offer, increasingly I believe, work of real challenge and importance to be done.

To sum up, the vital task of staffing our Government with superior career people is one to challenge the best efforts of all of us, in public or private endeavor. I believe that the task begins in the home and in the school, where a sincere concern for public problems, a sense of public responsibility, and a respect for public endeavor must be inculcated. Our colleges, universities, and graduate schools must provide a well-rounded insight into public affairs and public problems rather than piecemeal or overspecialized education; steps in this direction at the Harvard Law School, the Littauer School, the Harvard Business School and elsewhere are most encouraging. We, in Government, must increase our efforts to make entrance into the public service—and continuance in it on a career basis—worthy of choice by superior graduates of the Harvard Law School and other institutions. The tasks that must be performed for the Nation and the world in the years ahead almost stagger the imagination; it is my sincere conviction that we must, and can, rally a corps of public servants of the high quality that we need to cope with them.

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