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The Harvard Law School Record

VOL. 10 No. 3

CAMBRIDGE, MASS., TUESDAY, FEBRUARY 21, 1950

PRICE TEN CENTS

Survey Discloses June Grads' Desire For General Practice

Corporation Law Next; Students' Preference Is For Mid-Atlantic Area

The Office of Student Placement has recently released a study of the background and intentions of the 446 men expected to graduate this June. Entitled a "Profile of Graduates—June, 1950," the survey consists of a statistical analysis of the college work of the graduates, their military experience, full or part-time work experience, activities at the law school, and the type of practice and location the graduates desire.

Taking the highest percentage in each category, the typical graduate is 26 years old, single, and seeking employment. A political science major in his undergraduate work, he graduated *cum laude*, although his academic work was interrupted by military service as an officer. Although he had no part-time work experience while in school, he spent a fraction of a year working full-time, probably during the summer vacation. His law school activities besides attending classes consisted only of the Ames Competition. He desires a general practice, outside of his home state, somewhere along the Atlantic Coast, and perhaps New York.

Sixty-seven per cent of the graduates majored in the social sciences as undergraduates, with 31% in political science alone. Almost half received undergraduate honors, 35% receiving a *cum laude*, 9% a *magna cum laude*, and 4% *summa cum laude*. Sixty-five men, or 16% qualified for Phi Beta Kappa.

All but 50 of the prospective graduates have had military experience, 45% as officers, and 38% as enlisted men. A large per cent, 65%, of the class had full-time work experience, but 44% (Continued on Page three)

There will be a meeting of the Class of 1950 in LSM at 1:10 p.m. next Tuesday, February 28, for the purpose of nominating candidates for class officers and electing an election committee. Class officers to be nominated are: Marshal for the Commencement Exercises, permanent secretary and class treasurer. All members of the Class are urged to attend.

VA To Pay Entire Cost Of Veterans' Bar Review Course

According to the Boston office of the Veterans' Administration, the VA will pay the entire cost of tuition for bar review courses for veterans under P.L. 346 if the veteran authorizes additional entitlement. Subsistence will be paid by clock hours rather than by semester. Twenty-five clock hours per week will be considered full time and entitled to full subsistence.

An amount up to \$14.70 a week will be paid for full-time (25 clock hours per week) tuition without authorization for additional entitlement on the part of the veteran. With authorization for additional entitlement by the veteran, the VA will pay at the contract rate, and will pay proportionately for programs not involving the full time of 25 clock hours per week.

Tuition for bar review courses taken concurrently with the regular school program will be paid by the VA if the veteran authorizes additional entitlement. The VA will not pay the bar examination fee.

P.L. 16 Veterans

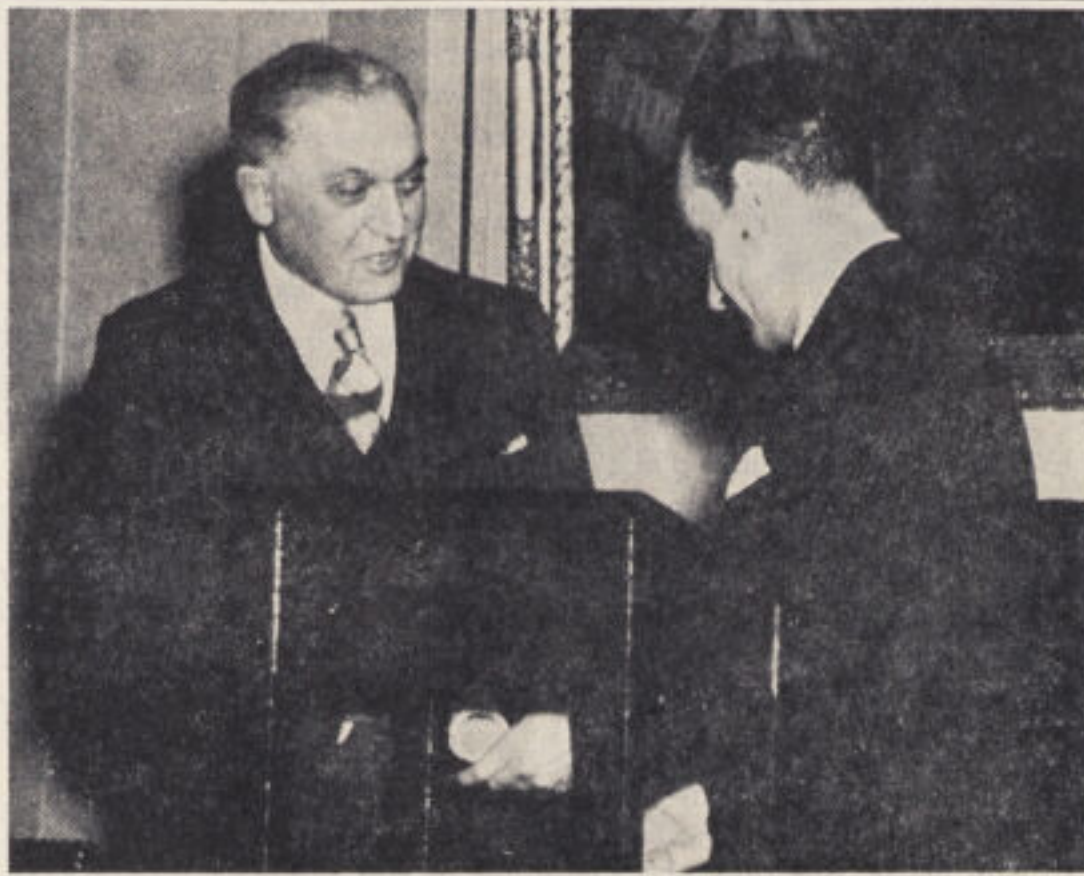
Regulations differ for veterans under P.L. 16. The New York Practice Course given at the Law School is considered concurrent training for these veterans and tuition will be paid for the entire course. Tuition plus subsistence will likewise be paid for the bar review course given in New York after graduation in June provided training is on a full time basis (25 clock hours per week).

For Judge Felix Forte's course for the Massachusetts bar exam, part of which is given at the Law School during the spring term and part of which is given after the School closes on June 3, the (Continued on page four)

BACK ISSUES

All readers wishing to secure extra copies of current or back issues of the RECORD should send 15 cents per copy (in stamps or coin) with their orders.

AVC Poll Shows A Continuing Need For Housing Facilities



Record Photo by Loveless

Professor Sheldon Glueck is pictured above receiving an honorary LL.D. degree from the University of Thessaloniki, in Langdell Courtroom, Sunday afternoon. The degree is presented by Mr. Constantine Triataphyllakos, the Greek Counsel. Dr. John Cavaros and Mr. Harry Demeter, Jr. also participated in the ceremony.

Alumnus Of 1888 Recalls Days Of Old Masters And Their Ethical Standards

This article was written especially for the RECORD by Frank W. Kaan, Esq., of the Middlesex County Bar, A.B. '83; A.M. '88, LL.B. '88, *cum laude*, former City Solicitor of Somerville for 32 years, member of the Massachusetts House of Representatives, and president of the Middlesex County Bar Association.

The Harvard Law School, established in 1817, was located first for fifteen years in a building near the present Cooperative store in Harvard Square, then in Dane Hall, erected for the School in the college yard, and moved to Austin Hall in 1883. There our class of the year 1883 in its turn undertook to build the foundation of honorable and useful life work under the direction of supervising architects, some of the best in the land.

There were five professors and 154 students in the School. The corresponding numbers today are about ten times larger. Our tuition fee was \$150 a year as compared with the present fee of \$600 recently raised from \$400.

The three law clubs, Ames-Gray, Pow-Wow and Thayer, each consisted of an upper court of six or eight mem-

bers from one class and a lower court of the same number from the next class.

Noted Students

The students included Joseph H. Beale, John H. Wigmore and Samuel Williston, all of whom became professors in law schools and the authors of law books that are regarded as authorities by lawyers and the courts. They were among the editors of the first volume of the *Harvard Law Review*.

Wigmore was for a few years a professor in Keiojijiku University Law School, Tokyo, and later was dean of Northwestern University Law School, Chicago. His ten volumes on evidence now costing \$115 are in contrast with the single five dollar book on evidence in use when we began the practice of law.

A graduate in the early '20's told me recently that he regarded Williston as (Continued on page four)

NSA Plans Study Tours Abroad Next Summer; Lingual Ability Needed

Erskine Childers, U. S. National Student Association Vice-President in charge of International Affairs, announced recently that the Association plans to send 800 to 1,000 students overseas this summer. Students will be selected on the basis of language ability, extra-curricular interests, student leadership, and general responsibility as reflected in their scholastic records. The USNSA International Commission, located here in Cambridge, has arranged various tours for the student-tourists, such as an Art Study Tour, a Festival Study Tour, and an Industrial Study Tour.

USNSA's students will travel for the most part by Trans-Atlantic student ship, The SS Volendam, operated by Holland American Line, will carry 600 of the student contingent; basic language instruction, lectures and discussions on Europe, and recreation programs are planned on board during the ten-day voyage. Accommodations are made possible by the co-operation of the Dutch Office for Foreign Student Relations and the Netherlands Ministry for Transport.

Last summer USNSA sent 600 American students to Europe. The students came from all parts of the U. S. A. and represented every kind of college, university, and academic interest. They toured Europe by bicycle and covered most of the continent in the short space of ten weeks. They participated in study-

(Continued on page four)

Dwellings For Married Students To Close Next Year, School Announces

Fred Putnam, 2L, and Mel Prague, 2L, of the American Veterans Committee, are conducting a survey among married veterans in the law school who will be affected by the University's announcement of plans to close next summer the 72 temporary housing units at Harvard Way Extension, adjoining the Harvard Business School. University policy calls for complete abandonment of all emergency units by the fall of 1951. The results of this poll will be given to Vice-Dean Livingston Hall to show how the problem affects the law school. All married law students are being urged to fill out and return the forthcoming A.V.C. questionnaire.

Present indications are that 40 of the 72 families at Harvard Way Extension, including five of the six families of law students now living there wish to remain there next year. Furthermore, it is estimated that as many as twenty other law school families will be eligible for and will desire such housing facilities next year. Eligibility requires that the applicant be a married veteran, who has one or more children and is a degree candidate.

Administration officials explain that the housing project is a financial burden to the University, that no need exists any longer, and that it will be possible to shift all such families to existing houses. It is claimed that the demand for housing accommodations has fallen off because of a decrease in the number of married students and that the facilities were only meant to be temporary emergency measures.

In the belief that not all of the rele- (Continued on page four)

Counsel For Reds, ACLU Lawyer Say Red Decision Bad

Osmond M. Fraenkel, member of the Board of Directors of the American Civil Liberties Union, and Abraham Isserman, one of the trial attorneys for the Communist defendants, discussed the Communist trial last Thursday evening under the sponsorship of the Lawyer's Guild. Both Speakers predicted that the verdict will be revised on appeal.

Mr. Fraenkel took the position that the Smith Act was unconstitutional so far as it made criminal the use of words alone. While not sympathetic to the 12 Communist defendants, he saw the case as a threat to civil liberties generally. Mr. Isserman discussed the evidentiary aspects of the case, maintaining that the use of informers is an invasion of the Constitutional guarantees of freedom from search.

Tracing the history of past civil liberties cases involving the advocacy of governmental overthrow, Mr. Fraenkel suggested that the qualifications of the "clear and present danger" test in Judge Medina's charge, would be one of the bases for reversing the conviction. He also speculated that the decisions in *Gitlow v. New York*, 268 U. S. 652 and *Whitney v. Calif.*, 274 U. S. 357 would be overruled, thus reestablishing the "clear and present danger" test in free speech cases.

In answering those who said Mr. Isserman's speech was a breach of legal ethics on his part, Alan Westin, 2L, chairman of the meeting pointed out that Frank Gordon, Assistant District Attorney in the case, has made speeches before various organizations discussing the case. Westin also charged that Judge Medina had made speeches concerning the case since the trial.

(Continued on page three)

NEWS IN BRIEF

VETERANS ADMINISTRATION

The counsellor for veterans at Harvard University has sent the RECORD a clarification of the Veterans Administration release in regard to the recovery of 15 day leave periods under the G.I. Bill. The only 15 day periods which may be bought back are leaves at the end of the academic year which were granted automatically. If a veteran specifically stated that he wished to be paid the subsistence for the leave time, he may not buy back the time. The regulation does not apply to Christmas, Easter and other vacation periods during the school year.

SOHN TO WORK AT U.N.

Louis B. Sohn, LL.M. '40, lecturer on law, will be working for the next six months in the Secretariat of the United Nations, in its Legal Department. Mr. Sohn gave a seminar in World Organization last term.

CAVERS-LOWELL INSTITUTE

Prof. David F. Cavers speaking on the topic *Is There Still a Chance to Agree With Russia on Atomic Energy?* suggested that instead of a permanent plan now, an interim plan should be devised for use until atomic energy can be made fit for industrial power.

Cavers shared the Lowell Institute platform on WEEI, with Demetri B. Shimkin, and Alex Inkeles, of the Russian Research Center. "In this 10 to 20 year interim period," Professor Cavers said, "all big atomic plants and stockpiles could be banned as useful only for war, while small-scale laboratories and plants could be kept for research and development work."

(Continued on Page three)

Conflicts Class Confuses Chartmaker Cavers, Donning Distinctive Disguises



Crimson Photo

Professor David F. Cavers, unleashed his "secret weapon"—a photographic seating chart—on his Conflict of Laws class.

The introduction of seating charts a few years ago added still another furrow to the brows of bedeviled, brow-furrowed Harvard Law students. They viewed it as an invasion of their highly

cherished class-room anonymity, a view agreed with by volatile, Trusts Professor Austin W. Scott, who said, "Before these charts we had to catch the student's eye to call on him, and that was pretty hard if he didn't want his eye to be caught." But it did not take elusive, embryo-lawyers long to find a way around the seating charts. They simply sat in the wrong seats.

This renaissance of student anonymity troubled all of the august Harvard Law faculty, but it particularly troubled mild, mustached Professor David F. (for Farquar—like "orange," it rhymes with nothing) Cavers. Marching through the seating chart and getting blank stares instead of answers annoyed the Conflict of Laws professor. As squat, moon-faced, Minnesota humorist Max Shulman might say, "Go talk Renvoi to a portrait of Lord Ellesmere."

Retaliating, Professor Cavers began calling on seat numbers rather than names. But this expedient proved unsatisfactory, for it was hard to tell just what seat was number 76 in crowded, compact Langdell North. Professor Cavers then got the idea for his photo-chart.

(Continued on Page three)

The Harvard Law School Record

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Editorials

After the war, the University shouldered the task of providing housing for the married students. Such housing was regarded as a temporary expedient and the University planned to close the houses when the post-war boom ended. A few housing projects have already been closed, more or less according to plan, and with little criticism on the part of the students. Few, for instance could argue with the removal of the 60 family units on Jarvis Court to make way for dormitories for 600 graduate students. However, the present proposal to level the Harvardway Extension needs more explanation than the University has given. The proposal calls for the tearing down of buildings used for the housing of married students and replacing them with an empty lot.

Although we have passed the peak of the post-war housing need, the problem is still acute. The least that the University can do is not make things more difficult for married students; the least the University can do is maintain the *status quo*. If maintaining these houses is a burden on the University, that burden is more than balanced by the positive good that can accrue to the students by allowing these houses to stand. If these houses are a financial burden, the A.V.C. tells us that the married students they have polled are willing to make that up by paying higher rents.

This problem raises the question whether the University should provide permanent facilities for the housing of married students. From University spokesmen we gather that the official attitude is that the University did not provide housing for married students before the war, and that we are now "returning to normalcy." However, many people think that the post-war years are the beginning of a trend toward earlier marriages by students and that the number of married students will increase. Therefore, the University should make no definite policy decision on housing for married students until it is certain whether or not such a trend has been established.

Since the University did not provide housing for single graduate students before the war to any great extent, the present construction in Jarvis Court shows a change in policy and a shouldering of a new responsibility by the University. It is inconsistent to have the University going to such great efforts to provide for single students, and, at the same time, planning to take away that which is already provided for students who happen to be married. B. A. F.

Letters to the Editor

To the Editor of the RECORD:

It was called to my attention that a summary of my talk before the St. Thomas More Society on the "Obligations of Catholic Lawyers in Civil Divorce Cases" appeared in your February 8 issue. Certain statements attributed to me and others taken out of the context of a rather lengthy and very qualified speech, appear to be very misleading and somewhat inaccurate.

The first two paragraphs of this summary are fairly accurate. The last three paragraphs, how-

ever, quote me as presenting information which I have not presented on this occasion or at any other time.

(A.) I stated that no Catholic can seek permission to bring a Catholic marriage into a civil court for civil separation unless ecclesiastical permission has first been obtained and a Catholic lawyer would be obliged to acquaint the client with this obligation and refuse to offer his services unless such permission has been obtained. Adultery is the only cause in Church law which would allow a permanent separation. The others, unless qualified by accompanying grave circumstances, would permit only a temporary separation. According to *Massachusetts Law*, civil divorce in a valid Catholic marriage would almost always be unnecessary since our laws on separation provide adequate protection, financial and otherwise, for the innocent party. I did not use the phrase which appeared in parentheses "with a civil divorce decree."

In dealing with non-Catholic clients the Catholic lawyer's conscience and the principles of Moral Theology must be his guide. Each case will have to be particularly examined.

(B.) In describing the set-up and work of the Diocesan Tribunal during the question period, I did not say that there were Advocates for each party. An Advocate, who is a priest versed in Canon Law, acts in behalf of the petitioner during all stages of the trial. The Defender of the Bond whose obligation it is to defend the validity of the bond of every marriage really acts in the interest of the defendant in such cases. Advocates do not act in Separation cases, nor does the Defender of the Bond. Separation cases do not touch the alleged nullity of a marriage, and are treated in an informal summary procedure.

(C.) In reference to the inaccuracies which appear in the final paragraph of this summary, I would say that when a favorable decision is given in Boston, the Defender of the Bond must appeal this decision to New York or the Sacred Roman Rota. When an unfavorable decision is given, then the petitioner through his advocate may appeal the decision to New York or the Sacred Roman Rota.

No formal marriage case is definitely settled until two concurring decisions are had of an affirmative or a negative nature. The second last sentence in this summary is inaccurate. Our Court of Appeal would be either the Tribunal of New York or the Sacred Roman Rota. No other Metropolitan See can or is approached, by Boston.

REV. LUKE A. FARLEY, J.C.L.
The Matrimonial Tribunal of the
Archdiocese of Boston.

To the Editor of the RECORD:

We are delighted to see the RECORD commenting editorially on the living issues confronting the bar these days, even though (once again) the Lawyers Guild is on the receiving end.

We do wish, however, that the writer might have found it possible to invoke more persuasive authority in support of his position against the propriety of the defense counsel's appearance than the stand taken by one of the prosecuting attorneys. We were further puzzled by the firmness with which the RECORD assumed that this was no question on which reasonable men could differ but on which the RECORD position was all-persuasive. This is especially true in the light of the following considerations:

(1) An article by the former Attorney-General, prime mover in the indictments against the Communists under the Smith Act and ultimately responsible for conduct of the Government's case, appearing in the August 1948 issue of *Look* magazine, in which he not only attacked the defendants but also denounced their counsel and called upon professional associations to move against them. The case was at that time not merely *sub judice* in a broad sense but underway before the trier of fact. The legal arm of the Government, headed by the Attorney-General, was not conscious of any ethical restraints in presenting its view of the case.

(2) The dictum in *U. S. v. Morgan*, 313 US 409 in which Justice Frankfurter referred to "a practice familiar in the long history of Anglo-American litigation whereby unsuccessful litigants and lawyers give vent to their disappointment in tavern or press."

(3) The example of our brothers at Yale whose student council played host to Messrs. Isserman and Fraenkel in a discussion similar to ours, with the Yale faculty present and with no apparent ill-effects.

(4) The repeated instances when speakers at the Law School and the University have had to excuse themselves for their inability to discuss the voluminous record in the Communist case (i.e. Prof. Mark D. W. Howe, Mr. Osmond Fraenkel) while in Mr. Isserman, there was presented a speaker not under this disability.

Aside from the rather hazy position taken by the RECORD (or at least by the author signing the article) on the ethical questions involved,

Gallery

LEE PRESSMAN
Labor Lawyer



Crimson Photo

At the age of 30 Lee Pressman became general counsel of the CIO. Back in 1936, the date of his appointment, the CIO was not the mammoth organization it is today. Part of the credit for its increase in stature must go to Mr. Pressman.

Prior to becoming a lawyer and general counsel for the CIO, Lee Pressman majored in economics at Cornell University. After leaving Cornell in 1926, he entered Harvard Law School. At that time Dean Roscoe Pound taught Criminal Law; Professor Joseph Beale, Conflicts of Law; and Professor Edmund Morgan, Torts. In his third year he belonged to the "case-of-the-month club," the name popularly given to Professor Felix Frankfurter's course in Public Utilities, since Professor Frankfurter in his insistence on thoroughness often devoted many classroom hours to a single case.

It is of Professors Morgan and Scott that Mr. Pressman has the most vivid memories. The knife-like questioning of Professor Scott, combining the qualities of the shrewd adversary and the none-too-bright judge, remain clear in his memory. Professor Morgan's meticulous treatment of every point still sharply outlines his class for Mr. Pressman.

"Bull" Warren was then the scourge of the students, Mr. Pressman remembers. "We all laughed until it was our turn to be questioned, and then it ceased to be funny. Students were not allowed admittance to the 'Bull's' class once the lecture had begun.

While at the Law School, Lee Pressman was an editor of the *Law Review*. At the time, he recalls, he found his work on the *Review* stimulating though arduous. In retrospect, he considers this work to have been of prime importance as a training ground for the future.

After his graduation from the Law School in 1929, Mr. Pressman began the practice of law in New York. He was admitted to the bar in 1929, and became associated with the firm of Chadbourne, Stanchfield and Levy. It was here that he came to know Jerome Frank, at present a judge in the Court of Appeals for the Second Circuit. In 1933 Mr. Frank was called to Washington as general counsel for the AAA, and Mr. Pressman went along as assistant general counsel. In 1935 he was appointed general counsel for the WPA, and remained in that post until his appointment as general counsel of the nascent CIO.

"The most memorable incident of my career was the negotiation of the first steel contract," he recalls. "The men were on a sit-down strike, and the signing was a crucial victory for the CIO. Mr. Pressman remained as general counsel with the CIO until 1948. During his term of office he participated in such famous cases as *Thomas v. Collins* and *Thornhill v. Alabama*.

there is also the matter of "taste." There the RECORD took a positive stand in a area by nature hazy and open to diverse interpretations. In this regard, the Guild was moved less by Emily Postian considerations than by the realization that we are now witnessing an unprecedented assault in every area of our national life on the principle of free expression. Dissent is on the way to becoming partner of treason. Law students (and their newspapers) have an obligation to resist this lest they find themselves forced to practise within a legal framework radically different from the one they studied. If this requires probing controversies to their core and listening to men who alone can treat critical parts of the case then the risk of stretching certain ethical standards invoked by the RECORD is a risk we should all be prepared to assume. There is a great deal at stake.

ALAN F. WESTIN, 2L
Chairman, Harvard Lawyers Guild

Sub Judice

GROUCHO SCORES A TKO

Cohen brought suit to recover damages for an alleged invasion of his privacy. The essential allegations of his complaint were that in 1933 he had entered the prize ring as a professional boxer under the name of "Canvasback Cohen"; that he continued this ring career, losing decisions, until about 1939, when he abandoned the prize ring; that on January 12, 1949, defendant Groucho Marx broadcast over a program of the defendant American Broadcasting Company on its program "You Bet Your Life," "I once managed a prize-fighter, Canvasback Cohen. I brought him out here, he got knocked out, and I made him walk back to Cleveland." The lower court gave judgment for defendant on demurrer. Held: Affirmed. The court said, "... it is evident that when plaintiff sought publicity and the adulation of the public, he relinquished his right to privacy on matters pertaining to his professional activity, and he could not at his will and whim draw himself like a snail into his shell and hold others liable for commenting upon the acts which had taken place when he had voluntarily exposed himself to the public eye." *Cohen v. Marx*, (Civ. 17264) District Court of Appeals, Second District of California, (Nov. 18, 1949).

DECOROUS DAILY DOUBLE

Appellant contends that the daily double is not pari-mutuel betting within the Constitution of the State of New York, that it "endangers the health, morals and safety of the people of New York," and that it is a violation of the Fourteenth Amendment of the United States Constitution, which guarantees "equal protection of the laws" to bettors. All of appellant's claims are based on the fact that single race pay-off pools are tabulated mechanically while daily double pools are tabulated manually.

Held: Affirmed. Pari-mutuel daily double betting without the aid of pari-mutuel machines held to be betting-not-gambling. "In information and belief deponent avers that included among daily double bettors are idiots and imbeciles ... the affiants conclusion in this respect founded merely on information and belief is more persuasive and convincing than his contention that sec. 7569 of the Unconsolidated Statutes ... deprives bettors on the daily double of the equal protection afforded by Amendment Fourteen of the Constitution of The United States." "The Constitution (of N. Y.) makes no mention of mechanically operated machines." This may be controlled by statute "and allowing manual type of vending in the case of daily double," as in sec. 7569 is constitutional. *Mellman v. Metropolitan Jockey Club Inc. et al*, 89 N.Y.S. 2d 64, May 13, 1949.

In 1948 Mr. Pressman became a candidate for the House of Representatives. He was supported by the American Labor Party, and opposed by the incumbent Representative Abe Multer, candidate of a coalition of the Democrat, Liberal and Republican Parties. Lashing out against the Truman administration, Mr. Pressman carried the election to the grass roots. He considered the lowering of economic standards by huge armament expenditures, the administration policy of rebuilding Germany, and the lifting of the arms embargo against and recognition of the state of Israel, the major issues of his campaign. Election Day in November, 1948, saw a sweep of Democratic victories and Mr. Pressman was defeated.

Recently Lee Pressman conducted a successful attack upon the constitutionality of the Feinberg Bill, which requires loyalty oaths of New York school teachers. He is extremely fearful of governmental encroachment upon the rights of free citizens. In regard to the government's wire tapping of telephone conversations between Judith Coplon and her lawyer, he asks: "Why is it that an individual would be guilty of a criminal offense for using such means, and yet the FBI uses wire tapping with impunity?" He feels that an aura of fear has gripped us into inaction on such subjects. Recalling his own days as a student at the Law School, he wonders: "Why haven't members of the staff at Harvard Law School taken a public stand on such issues as they did in the Sacco-Vanzetti case?"

Mr. Pressman visited the Law School in 1947 and spoke to the student body about the Taft-Hartley Act. He was impressed by the deep interest the student body exhibited in current social and political issues. Contrasting this with the attitude of the students when he was at the Law School, he observed that the present Law School student has a keener interest in social and political problems he will have to face as a lawyer. That these issues are critical to Mr. Pressman was evident from the earnestness with which he spoke throughout the interview. "Secure our civil liberties," he said, "and we can work out our other problems." M. G.

Alumni Notes

LL.B. '21—Edward A. Niles has compiled (with W. C. Handy) *A Treasury of the Blues*, published by Charles Boni and distributed by Simon & Schuster, Inc. It is a collection of 67 Negro folk-songs and their commercial derivatives, with a historical and critical text.

LL.B. '23—Adolph Schimel was recently elected vice president and general counsel of Universal Pictures Corp. He has been associated with the corporation since 1925, and was assistant general counsel and secretary of Universal Pictures prior to his election to his new position.

LL.B. '33—Abraham J. Harris, of Chicago, has been nominated by the President to be the Assistant Solicitor General of the United States.

LL.B. '33—Arnold Schlossberg was recently appointed to the Roanoke City Charter Commission and elected secretary of that body. The Commission is holding hearings for the purpose of recommending changes in the present charter of the city of Roanoke. Schlossberg is practicing law with offices in the State and City Building, Roanoke.

Law '37-'38—Karl O. Arndt has been appointed associate judge of the Bremen Court of Appeals in the U. S. Zone of Germany.

LL.B. '38—A scholarship has been established in the Woodrow Wilson School of Public and International Affairs at Princeton University in memory of William DuBose Sheldon. Funds for the scholarship were contributed by Sheldon's friends at Princeton, the Harvard Law School, and in Washington, where he lived and where he practised law.

LL.B. '39—Ward B. Coe, Jr., was recently appointed an assistant attorney general of Maryland. Mr. Coe is a member of the Baltimore law firm of Carman, Anderson & Barnes.

LL.B. '41—Boris B. Kramer has been appointed assistant attorney general for the state of Washington, representing the Department of Labor and Industries. His office is in Seattle. Formerly, he was with the Attorney General's office in Olympia, representing the Liquor Board.

LL.B. '48 Joseph A. Suozzi was recently sworn in as City Judge of Glen Cove, L. I., at the new Nassau County Court House in Mineola.

LL.B. '49—Jerome Rappaport has been appointed assistant secretary to Mayor John B. Hynes of Boston.

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GUILD—(Continued)

Mr. Isserman confined his attack to the vagueness of the indictment and the use of informers. He also questioned the objectivity of the judge in the treatment of objections from the opposing parties, saying that Judge Medina did not allow the defense to pose questions worded the same way as the government's questions.

NEWS BRIEFS—(Continued)

COMMENCEMENT PART

Professor Mark DeWolf Howe will see, between now and next Tuesday, any student who expects to receive an LL.B., LL.M. or S.J.D. degree this June and who is interested in entering the competition to deliver a commencement part. The part must be written by the student himself, take approximately six minutes for delivery and be given from memory.

BSA BANQUET

The Board of Student Advisers held its annual banquet at the Faculty Club last Wednesday evening. Speaker of the evening was Professor David F. Cavers whose topic was *The Ames Competition and Progress in Legal Education*. Other faculty guests were Dean Erwin N. Griswold; Assistant Dean George Minkin; John Scott, faculty assistant in charge of the Ames Competition; and Professors Robert Braucher, A. James Casner, Lon L. Fuller, Henry M. Hart, and David Watts.

MORGAN HONORED

At a recent meeting of the Harvard Law Society of Chicago, a unanimous resolution was adopted lauding Professor Edmund M. Morgan, LL. B. '05, and electing him an honorary member.

LAW SCHOOL RING

The Law School Committee of Phillips Brooks House and the Committee on Art of the Law School have approved a new ring for the Law School. This ring will be sold through an agent of the manufacturer, whose name will be announced when the ring makes its appearance in April. The ring is completely new and will be available in various styles.

WHRB RESUMES BROADCAST

WHRB, the Harvard radio station, resumed broadcasting last night. The station, off the air since Jan. 14 by FCC order, received permission to resume operations on the conditions that engineering modifications, already underway, will proceed as quickly as possible. The most important of these modifications will be a crystal transmitter control, that

will make it possible for the station to stay on its assigned frequency. Except for the Business School outlet, the station's entire hook-up is again in operation.

KING'S BENCH

Saturday, March 4th has been set for King's Bench first dance of the Spring Semester. The attire will be informal and the place is the University Club. Each member will be entitled to bring one guest couple without charge. Tentative dates for the other King's Bench dances this semester are: April 1 for a dress down dance and May 6 for the formal dance.

Professor Morgan will speak at today's King's Bench smoker at Kendall House from 4-6 p.m. The talk will start at 5:10 p.m. A contract rubber bridge tournament will also be held this evening at Kendall House starting at 8:00 p.m.

NROTC LOYALTY OATH

Petitions urging revision of the NROTC loyalty certificate were circulated last night in all college and graduate school dining halls. The petitions ask for the elimination of the loyalty certificate's so-called "stool pigeon clause" which requires NROTC students to report persons whom the signer knows have associated with groups listed as subversive by the Attorney General. Among the groups sponsoring the petition are the Lawyers' Guild and A.V.C.; officers of the Young Republican Club have endorsed the petition pending formal club action.

GUILD COURT TOUR

The Harvard Lawyers Guild is conducting a guided court tour at the Federal District Court, Post Office Square, Tuesday February 21st. The case will be a trial court one, and the group will be received by the presiding judge in his chambers following the session, at which time he will discuss the issues raised. The tour will leave from Austin Hall at 1.00 p.m.

WORLD LAW GROUP

There will be an organizational meeting of the World Law Group on Thursday, February 23rd, in Langdell South, at 4 p.m. All students interested in becoming members are cordially invited. One of the matters that will be discussed is whether the group should limit its attention to United Nations activity in the future.

JOBS—(Continued)

worked for less than a year, probably during the summer. Most of the students (76%) had no part-time work experience.

General practice was desired by the largest plurality of the men, 30% of the class. Twenty to thirty men in each group expressed a desire for the following types of practice, in the order of preference: corporate, tax, labor, trial, and international. Seventy men (17%) expressed no preference.

Only thirty-nine per cent or 161 men said that they intend to return to their home state to practice, whereas one-hundred eighty-five men (44%) stated a preference for the Middle Atlantic area. One hundred seventeen men or 28% specified New York City. The number of men intending to practice elsewhere follow: New England, 82 men; Midwest, 53; Far West, 47; South, 28, and the Southwest, 10. Fifteen men will head for Washington, D. C. and six men desire a foreign location.

While 396 men or 95% of the class participated in the Ames Competition, only a very few engaged in other law school activities. Only four men worked on the Yearbook. On the Review, we find that 31 men participated; 34 in Legal Aid, 24 on the Forum, 20 on the Record, and 11 on the Board of Student Advisers.

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Crimson Photo

And the student response to the photo seating chart is pictured above.

MASKS—(Continued)

Like all great ideas, the idea of the photo-chart was essentially a simple one. In addition to the student's name and seat-number, the photo-chart would contain the student's photograph. The student photos could be obtained from the entrance applications. No longer would the students be anonymous.

The students received Professor Cavers' announcement of the photo-chart with mixed emotions. They knew that they would be caught by the same means the postoffice uses to catch criminals, but they could not help admiring Cavers' ingenuity. At each class-meeting Cavers told the class the progress his secretary was making in pasting up the photos, and the class fears increased. Finally, Professor Cavers announced he would unveil the photo-chart on Wednesday, February 15.

Tuesday evening, Feb. 14, a secret group of student conspirators gathered in Hastings Hall. They hatched the plan that would sabotage the Cavers photo-chart. Full-credit for the plan is given to a blue-eyed Board advisor who prefers to remain anonymous.

The next morning Professor Cavers entered Langdell North, the photo-chart under his arm, and made his way to the platform. He unfolded the chart, spread it upon his desk, looked at its rows of passport photos and then looked up at the class. Instead of the usual vaguely familiar faces, Professor Cavers saw rows of mysterious masked faces. About three-quarters of the class wore masks:

most wore small, black eye-masks, but here and there Professor Cavers saw a full-face mask and even a full-bearded Santa Claus.

One aftermath of *Taffaire masque* seemed symptomatic of the legal mind. Cautious, Criminal Law Professor Livingston Hall (who is also vice-dean) recalled a Massachusetts statute making it a misdemeanor to wear a mask in a public place. Disregarding the fact that hundreds of masquerades have been held in Massachusetts, statute or no statute, legal minds among Harvard Law's student body and faculty are now speculating whether Langdell North is a "public place" within the statute. Said one student: "Whoever heard of a public-place charging \$600 admission?" Said Professor Cavers: "It certainly seemed public that Wednesday morning."

Professor Cavers, who had laughed with the rest, used his photo-chart, but he couldn't have enjoyed using it as much as he had anticipated. The thrill was gone. And although, once the masks were off, the students gave up their right to be anonymous, they at least had the consolation that goes with giving instead of having something taken away. Besides, who knows what might happen in the future if enough Conflicts students are unprepared?

A. B.

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Calendar

LEGAL WORLD Ames Competition

First Year—Second Series

Rounds 3 and 4, Brief Conference, Tuesday, February 21; Brief Exchange, Tuesday, February 28.

Patterson Club

The Patterson Club will have a party at Kendall House this Saturday February 25 from 8-12 p.m.

King's Bench

The King's Bench will hold a luncheon at the Coach Grille, next Tuesday at 1:15. Speaker for the luncheon has not as yet been announced.

Law Wives

There will be no meeting of the Harvard Law Wives tomorrow.

UNIVERSITY WORLD Berman At Hillel

Harold Berman, Assistant Professor at the Law School, will speak on "Religion and the State in the Soviet Union," this Sunday evening at 8 p. m., at the Hillel House, 5 Bryant Street. Admission is free and all students are invited to attend.

Boston Symphony Orchestra

Mr. Charles Munch announces this program for the fifth concert in the Cambridge series at Sanders Theatre, tonight, at 8:30: Barber, Overture, *The School for Scandal*; Stravinsky, *Jeu de Cartes* (Card Game, Ballet in Three Deals); Schubert, *Symphony in C major, No. 7*. Tickets required for admission.

Organ Music

The Harvard and Radcliffe Music Clubs sponsor a concert of contemporary organ music tonight at 8:30 in Memorial Church. David R. Fuller, organ, assisted by W. C. Cummings, violin, and Samuel Adler, viola. No admission charge.

Critics' Forum

The Ivy Films unit is presenting a group of motion picture critics from Boston newspapers who will discuss methods of judging films. A question period will follow the discussion which takes place in the Chapel Room, Fourth Floor, Phillips Brooks House tonight at 7:30. Those interested are cordially invited.

Film Revival

The Harvard Liberal Union will show *The Informer*, winner of the Academy Award, with Victor McLaglen, tonight in New Lecture Hall at 7:30 and 9:30. Tickets will be 60 cents.

William James Series

Karl R. Popper, Professor of Logic at the University of London, is delivering the William James Lectures in

HOUSING—(Continued)

vant matters have been considered by the University, the petitioning is now in process in conjunction with A.V.C. investigations concerning the problem. Mr. Putnam, in urging that the decision be reconsidered, pointed to the following factors, especially: (1) The physical space available for married students with children in the Cambridge area is inadequate to meet the needs of all married students with children, since other families with children not already in such low-cost Federal housing units are hoping to get in soon. (2) The financial effects of this policy will be very severe, particularly in the light of the expiration of governmental aid for many students and higher tuition, rents, and living expenses than in pre-war years. (3) The married students involved are willing to co-operate with the University in preventing further financial loss for the housing projects.

In addition, reports of an A.V.C. investigation indicate the trend is toward more married students in professional schools than in pre-war years.

The University's reply is that these factors were considered to the "extent pertinent" and that the decision has been made and is not expected to be reversed. The administration's position is that they are trying to see this as one item in an overall University picture and that no effort has ever been made to find or provide living space for all married students. They have, however, stated that they would be happy to receive and consider the A.V.C. report.

Philosophy this term. The second lecture in the series, *Understanding Nature—The Passing of an Illusion*, will be given in Room D, Emerson Hall, Thursday, at 4:30 p.m.

THE OUTSIDE WORLD The Theatre

William Devlin of London's Old Vic Theatre opens in Shakespeare's *King Lear* tomorrow, at Brattle Theatre, Cambridge.

Ian Hunter stars in a new drama, *The Heart of the Matter*, which deals with a man surrounded by his wife, his girlfriend and his religious faith. This will have its world premiere at the Wilbur on Thursday.

The musical *Lend An Ear* returns to Boston and the Shubert next Monday, February 27, after 58 weeks on Broadway.

Mister Roberts sails into Boston for its first visit on Monday, March 6, at the Colonial. The Navy cargo ship, however, will be staffed here by a crew with less time afloat than the veteran crew presently operating on Broadway seas. It was suggested that tickets be purchased now since Bostonians will rush the box office for this one.

Those who missed the *Streetcar* when it was in town two years ago, as well as those who couldn't afford the fare in New York, now have until March 4 to catch Tennessee Williams' fine Pulitzer Prize winner at the Plymouth.

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KAAN—(Continued)

the best of all the teachers he had ever had anywhere.

Beale had an unusual quickness in thought and speech of which I was later reminded by the quickness in thought and action of a half-breed Indian guide whom I met in northern Maine.

In those days students in graduate schools were eligible to take part in athletic sports as representatives of the university. Roland W. Boyden while a member of our class was a pitcher and center-fielder on the Harvard nine, half-back on the eleven and a member of the tug-of-war team. Subsequently he became one of the leading lawyers in Boston. During the first world war he was at the head of the enforcement division of the United States Food Administration. After the fighting was over he acted as our unofficial delegate in Europe and was credited with doing more to advance the prestige and influence of the United States in Europe than any other American there. He died October 25, 1931.

Harvard v. B. U. Law School

It was the opinion of some Boston

NSA—(Continued)

tours, work-camps, and seminar programs as guests of European national unions of students. The various ten-week programs cost them from \$300 to \$650 for all expenses except pocket money and spare-time activities.

Not only does the International Commission provide trips abroad for American students, it also brings European students to this country for summer tours. Last year the International Commission brought 80 European students to this country and this year it plans to bring 200 European students here. Most of last year's European students studied American government. Last year's visitors were put up by families of American students and the Commission expects this year to expand the same plan that proved so successful last year.

The USNSA was founded by the 25 American student representatives to the World Student Congress in Prague, Czechoslovakia. At that Congress, held in 1946, the American student representatives saw that the United States was the only one of the leading nations of the world that did not have a national union of students. From the 25 founders, the National Student Association has grown until by 1949 the organization represented one million American students.

From the beginning of the organization, an important part of the USNSA's program has been the promotion of international understanding. The summer trips to Europe is one means the organization uses to promote this international understanding and is one step toward the goal set by UNESCO: "Since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed."

Students interested in USNSA's summer program should call at the offices of its International Commission, 96 Winthrop Street, Cambridge, Mass.

BAR REVIEW—(Continued)

entire tuition will be paid. However, subsistence will not be paid after June 3, since the course is not on a full-time basis.

For cram courses taken after graduation and involving full-time training, the VA will pay the cost of tuition, subsistence and the bar examination fee, provided that the P.L. 16 veteran has not exceeded the 48-month limit on training. If the veteran has exceeded this limit, the VA will pay for nothing.

After taking the bar examination, veterans under P.L. 16 will receive rehabilitation pay for two months.

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lawyers that although our students were given good mental training in the study of law which paid off well in the long run, the Boston University Law School taught more of what the law actually was, so that its students were better prepared to engage in practice immediately after graduation.

The examination in Boston for admission to the bar was held in the old granite courthouse where the city hall annex now stands. We were told that it was more important to answer some questions well than to try to answer all the questions. At the same table with me a teacher in the Boston English High School took the examination—for the sixth time. Meeting several years afterward he told me that he passed the examination but was a teacher still.

Faculty

Our professors were Christopher C. Langdell, Dean, James B. Ames, John C. Gray, William A. Keener and James B. Thayer. Much was told about them and their methods of teaching by Williston in the February 16, 1949, issue of the RECORD.

They were men of high character as well as of great mental ability and knowledge of the law. You would expect them to act in accordance with their own standards in dealing with the affairs of clients and to refuse business of clients who demanded something different.

It is said of Jeremiah Smith, who became a professor in 1890 after many years of law practice and as a Justice of the Supreme Court of New Hampshire, that he advocated loyalty to the principles of right and justice rather than insistence always on legal rights, and recommended that students read the last part of the 25th chapter of Matthew. The story is told of him that walking one day with a friend in Harvard Square in the year 1918, and being then 81 years of age, he made the remark that the day was a solemn occasion for him, that it was the anniversary of the death of his only brother, a brother who died 125 years before. It was this way: His father born in 1759 married and had a son who died in 1793 at the age of six years. He lost his wife and married again and in 1837 a second son, the professor was born.

Perhaps law schools should give instruction in the subject of how best to use the knowledge of the law taught by them. As a result lawyers in general might be regarded by the community with greater confidence and respect.

Standards of Right and Wrong

How far should a lawyer go in acting according to his own standards of right and wrong and still perform his duty to a client? Consider these typical cases and opinions for which reasons are not given.

(1) A city changes the grade of a street thereby causing substantial injury to dwelling house property belonging to a man of small means and without experience in such a matter. He delays bringing an action until the statute of limitations has become a good defense. Should the city solicitor advise the city government to make a reasonable settlement? Yes.

(2) In an action brought against a city because of injuries received by

reason of a defect in a public way the only defense, a good one, is the failure by the plaintiff to give the notice required by law. Should the city solicitor use this defense and refuse to advise any settlement although the city government wishes to make one? Yes.

(3) The defendant in an action on a promissory note for \$1,000 brought by the payee against the maker asks his lawyer to plead the statute of limitations which would be a good defense. In reply to inquiries the lawyer learns that the note was given for a loan of \$1,000 at a time when the parties were intimate friends and the money was greatly needed by the defendant, that he several times orally promised to pay the note when able to do so, once shortly before it became outlawed and that he was then and he is now well able to pay it in full. Should the lawyer comply with his request? No.

(4) A conveyance of real estate is about to be made before taxes for the current year have been determined. The contract of sale provides for the apportionment of taxes. The owner's lawyer alone knows that the assessed value and the tax rate for the current year will probably be larger than the previous year's. Should he mention this when it is suggested that the apportionment be made on the basis of the previous year's tax? Yes.

The writer has carried on the general practice of law in Boston for more than 60 years with only moderate success but with enjoyment in the work and a feeling of gratitude toward the law school that made it possible.

Some of the foregoing statements are based on information contained in the Centennial History of the Harvard Law School published in 1918 by the Harvard Law School Association and so are hearsay, not admissible in evidence, nevertheless reliable; some of the statements are based on memory, and admissible in evidence, whether reliable is anybody's guess, but few there are to contradict them.

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