

The Harvard Law School Record

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NEWS IN BRIEF

MASS. BAR EXAM

Dean Erwin N. Griswold has announced that 91.6 percent of the Harvard Law School men taking the December, 1949, Massachusetts bar examination for the first time passed. Of all the Harvard Law School men taking the examination, including those who had taken it previously, 87.5 percent were successful.

The over-all percentage of success for all people taking the examination was 53.7 for those taking the examination for the first time, and 47.1 for all persons taking the examination.

Dean Griswold commented: "This seems to me to be a satisfactory record, though no better than our graduates should do. I want to emphasize again the importance of bar examinations, and the importance of making special preparation for the examination."

"The examinations in any state necessarily turn to some extent to local law, and it is most important that Law School graduates should devote a considerable amount of time and effort to obtaining a better understanding of local procedure and law. A fair number of failures in the bar examinations may be attributed to the fact that the student took the examination 'cold' without any effort at systematic review, with special reference to local statutes and decisions."

EWING RECEIVES AWARD

Federal Security Administrator Oscar R. Ewing, LL.B. '13, received the award of the Sidney Hillman Foundation for Meritorious Public Service on March 11, 1950. The award of the Hillman Foundation consists of a medal and a check for \$1,000. Mr. Ewing has endorsed the (Continued on page three)

Local Alumni Plan Mass. Chapter Of H.L.S. Association

Under the leadership of the Honorable Raymond S. Wilkins, LL.B. '15, a Massachusetts Chapter of the Harvard Law School Association will be organized at the Harvard Club of Boston April 11, 1950. Invitations to the 3,500 Harvard Law School alumni in Massachusetts are being sent out today.

Adrian S. Fisher, LL.B. '37, the Legal Adviser to the Department of State, will be the featured speaker. His topic has not been announced. Among the other speakers will be Dean Erwin N. Griswold, Professor Austin W. Scott, and Kurt F. Pantzer, LL.B. '17, of Indianapolis. Charles C. Cabot, LL.B. '25, will be toastmaster.

Sponsors of the meeting met last week in Boston to write a Constitution and nominate a slate of officers. Judge Wilkins, as Chairman of the Sponsors, presided at this meeting. The following men were nominated: for President, Raymond S. Wilkins; for Vice-President, Jacob J. Kaplan, LL.B. '10; for secretary, Frederick G. Fisher, Jr., LL.B. '48; for treasurer, Oscar W. Haussermann, Jr., LL.B. '48.

Members of the Committee on Arrangements are: Frederick G. Fisher, Jr., Chairman; Wesley E. Bevins, Jr., LL.B. '38; John B. Dolan, LL.B. '48; Oscar W. Haussermann, Jr.; Denis Maguire, LL.B. '48; Richard G. Mintz, LL.B. '48; Malcolm D. Perkins, LL.B. '39; Francis J. Vaas, LL.B. '48; Herbert W. Vaughan, LL.B. '48.

Massachusetts has more Harvard Law School graduates residing within its borders than any other state except New York. Thirteen local chapters of the Harvard Law School Association stretch from Hawaii through California, Texas, Indiana, New York, Washington, D. C., to London.

Faculty Group Lists Third Year Changes

Wider Seminar Program Planned With Emphasis On Specialized Topics

Heralding what they term a "new era" in Law School Education, a Faculty committee on the third-year program, headed by Professor Henry M. Hart, Jr. and consisting of Professors Robert R. Bowie, Archibald Cox, and E. Merrick Dodd, has announced changes to be made in the third-year curriculum. The core of the new program will be an expanded seminar program allowing the student to deal with a specialized topic and to analyze it in a manner similar to that encountered in practice.

There will be changes in existing courses, expanded opportunities for students to meet their written requirements in courses and seminars, and a new writing program. These changes are made possible through increased manpower. Many of the Faculty are returning from sabbaticals and other assignments and new men have been added to the staff.

The committee was uncertain as to the advantages of specialization, pointing out that few students are sure of which field they will specialize in after graduation. They decided, however, that the advantages of intensive individual work outweigh the disadvantages of specialization.

The only prescribed third-year course will be Taxation, since that subject, the committee thought, was one that everyone should know before entering practice. Corporation II, Labor Law and Conflicts of Law will be offered in alternate forms; Conflicts in three-hour and four-hour sections, and Corporation II and Labor Law two semester hours or four.

Some indication of the possibilities offered in the new seminar program may be grasped from a glance at the tentative offerings for the fall: Administrative Law will be given in two seminars, one by Professor Milton Katz and the other by a visiting professor. American Legal History (Professor Mark DeWolfe Howe); Anti-trust Law (Asst. Professor Arthur T. Von Mehren); Conflict of Laws (Visiting Professor J. H. C. Morris); Constitutional Litigation (Professor Paul A. Freund); Corporation Finance (Professor E. Merrick Dodd); Criminal (Continued on page four)

Frankfurter, Griswold Meet With D.C. Alumni; Report On Fund Drive

More than 150 Law School graduates attended the annual dinner meeting of the Harvard Law School Association of the District of Columbia, held at the Washington Hotel last Thursday. Retiring President, Edward Burling, Jr., LL.B. '32, presided.

Speakers included Justice Felix Frankfurter, LL.B. '06; Dean Erwin N. Griswold, LL.B. '28, S.J.D. '29; and Ernest A. Gross, LL.B. '31, deputy United States representative to the United Nations.

Dean Griswold outlined the status of the endowment drive, progress on the new graduate center, and developments in the School curriculum.

Justice Frankfurter spoke informally, making liberal use of wit and anecdote. He emphasized the relationship between the Law School and the Supreme Court, recalling that when nominated to the Court in 1939 he had said, "The measure of success which I shall attain in my new work on the Supreme Court is the extent of my adherence to traditions of the Harvard Law School."

Mr. Gross analyzed Administration views on some aspects of the international situation.

The following new officers were elected: Judge John W. Kern, LL.B. '23, of (Continued on page three)

AVC Tabulates Results Of Survey On Housing

The Chairman of the housing committee of the American Veterans Committee, Wellington F. Scott, 1L (Harvard '49) of Beechurst, New York, announced today that 1250 questionnaires, out of a total of 2400 distributed to married students at Harvard University, had been returned. The tabulation of results is near completion and will be finished some time this week.

Of the men answering, 85 per cent are veterans and 50 per cent have families. Furthermore, a little over 60 per cent expect to remain at Harvard for at least one more year. The University expects to have 1500 married students next year. The A.V.C. believes that the excellent response is indicative of the keen interest in the housing problem throughout the University.

In addition to the questionnaires, the A.V.C. has interviewed University officials.

Legal Education In France Mirrors European Systems Of Jurisprudence

This article was written especially for the RECORD by Professor Arthur Taylor von Mehren, LL.B., 1945, magna cum laude, Fay Diploma; Ph. D. Harvard, 1946, who has conducted extensive researches at the University of Zurich, and at the University of Paris.

A description of the structure and techniques of a country's legal education, the ways in which a particular society trains its future law-men, has not only a general, descriptive interest, but is also of interest for the insights which such a description gives into the functioning of the society's legal system and, indeed, into the very structure of the society itself. Within the brief compass of this article it will be impossible to do more than sketch briefly the main outlines of legal education in France and to suggest, in passing, the extent to which French legal education mirrors certain characteristics of the French legal system in general. It should also be noted that much of what is said in reference to French legal education applies, in its broad outlines, to continental legal education in general. However, there are also important differences between French legal education and the legal education of other European countries. For example, in Belgium and in certain parts of Switzerland university legal education extends over a five year period.

Secondary Education

University legal education in France is a part of an educational system which, in its traditions and its structure, differs fundamentally from the educational system of the United States. Secondary education is far more intensive and, at all except the lower levels, has a far narrower base in terms of the total society. Higher secondary education, required for university attendance, is essentially classical and mathematical in its orientation, is very demanding, with (Continued on page four)

Turnout At Democratic Organization Is Large

Over 200 students of the Law School crowded into Langdell South last Thursday to witness the birth of the Harvard Law School Democratic Club. The response from the student body surpassed the expectation of the organizing committee. The one-hour session was highlighted by speeches from John Saltonstall, Jr., vice-chairman of the Young Democratic Club of Middlesex County, and Professor Richard Field, LL.B. '29.

After a brief welcoming speech, the chairman of the Organizing Committee, Robert Ehrenbard, 2L (U. of Vt. '48) of New York, N. Y., introduced the speakers. Professor Field advised the organization to start from the bottom of the political ladder with the unpleasant tasks in the political set-up, i.e. ringing doorbells, and distributing literature.

Professor Field was followed by John (Continued on page four)

Dulles, Humphrey Will Speak On "Welfare State" At Forum



JOHN FOSTER DULLES

ADA Leader Will Clash With G.O.P. Statesman Over Domestic Program

Senator Hubert H. Humphrey and former Senator John Foster Dulles will be speakers at the Harvard Law School Forum this Friday evening. They will discuss *The Welfare State: Which Path Should America Follow?* The Forum will be held in Rindge Tech Auditorium in Cambridge at 8:15 p.m. Professor David F. Cavers, LL.B. '26 of Harvard Law School will be moderator of the Forum.

The speakers are expected to discuss the trend in American government, and to ask how far current trends may be continued without changing the basic forms of American character and government.

Senator Humphrey is the first Democrat to have been elected to the Senate by the people of Minnesota. Interested in Minnesota's politics during the thirties, he was a member of the administrative staff of the W.P.A. and later head of the state division. He also served as State Director of Adult Education, before he became assistant regional director of the War Manpower Commission in 1943.

In 1944, Humphrey was chairman of the state convention that formed the Democratic-Farm-Labor Party. It was his belief that liberal Democrats would benefit by co-operation with farmers and urban workers. Humphrey also served from June to November in 1944 as state campaign manager for Roosevelt and Truman. From 1945-48 he served as mayor of the city of Minneapolis, and his re-election in 1947 with a majority of 52,000 saw the largest margin in the city's history. It was in 1948 that Humphrey was elected as democratic senator from Minnesota, defeating his Republican opponent, Senator Joseph Ball. (Continued on Page three)

Priority In Dorms Goes To 3L Men, Entering Students

According to Assistant Deans George Minkin and Wesley E. Bevins, Jr. the new dormitory policy is aimed at two goals: (1) to give all men in the School an opportunity to spend at least one year in the dormitories, and (2) to place as many first year men as possible in a position to receive the advantages of living in close contact with upperclassmen and with one another. Thus of the 500 men who will be accommodated, 250 will be chosen by lot from the entering class; the remaining 250 will come from the third year with top priority going to those who have never been in a Law School dormitory.

If, as is expected, the third year does not supply 250 applicants, the remaining openings will be filled by second year men. At present the whole plan is necessarily indefinite, for no one knows how many men will apply and the type of rooms they will desire. The administration hopes a questionnaire that is now being prepared will aid in solving the problem.

Although the College requires its dorm-residents to sign up for meals, dining-hall patronage has never been compulsory in the graduate schools. However, since the dining facilities for the new dorms have such a large capacity, a certain minimum patronage will be needed to avoid serious financial loss.

Therefore, as a precaution, the administration will try to ascertain in advance the number of students willing to buy 21 meals a week. Present indications are, however, that the likelihood of having to enforce such an agreement is nil.

By the fall of 1950, Hastings will be refurbished with new desks and chairs (Continued on Page three)

Howe Talks On Rights Of Maritime Workers

Professor Mark DeWolfe Howe, LL.B. '33, has been chosen to give the first lectures on the rights of maritime workers by the National Association of Claimants' Compensation Attorneys, it was announced today by Mr. Samuel B. Horovitz, LL.B. '22, Editor-in-Chief of the *NACCA Journal*. The lectures are scheduled for April 22 and May 4 at 8 p.m. in Langdell South.

The NACCA has established four lectureships in the general field of workmen's compensation law: (1) workmen's compensation, (2) admiralty law, (3) railroad law, and (4) the common law affecting workmen's compensation. Lectures have been scheduled at Cornell and the University of Minnesota, but Professor Howe's lectures are the first to be given on the rights of maritime workers.

The lecture carries an honorarium of \$250 and requires only that the professor give two lectures, and that the first option to publish part of all of the lectures go to the *NACCA Journal*, without prejudice to future publishing rights of the lecturer. There is no obligation on the professor to take sides, or to lecture other than he normally would on the subject.

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CHANCES 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 third-year paper requirement has been instituted to give the prospective graduate a taste of legal research and an opportunity to acquaint himself with the various library tools so that he will not be mystified when asked to prepare a memo of law by the senior partner of a law firm. No one will doubt that the objective is a sound one, but the attitude of let's-get-it-over-with-as-soon-as-possible-and-with-as-little-work-as-necessary seems to be prevailing and is an unfortunate one.

Two law schools, New York University and St. Louis University, have attempted a partial solution to this apathetic attitude by introducing the novel experiment of an intra-mural law review, in which the best original legal writing of non-law review students is published. Chief Justice Arthur T. Vanderbilt of the New Jersey Supreme Court, formerly dean of the N. Y. U. Law School, has pointed out that the incentive of possible publication would give the preparation of the paper a sense of reality and importance that otherwise would be lacking and would help transform the written requirement from mere theme work to serious authorship [Foreword, 1 N. Y. U. Intra-Mural Law Review (1945)]. The intra-mural law review would also provide a suitable vehicle for the average student with some special field of interest to rise above his mediocrity in the ordinary subjects.

The possibility of expanding such a project into a co-ordinated plan of legal writing for the Law School as a whole is not to be overlooked.

Under the present system it would be feasible to vest such an undertaking in the Teaching Fellow in charge of the third-year written requirement, for he is in the best position to solicit the views of the Faculty as to which papers are most worthy of publication. First and second year men should also be considered in such a project, for the latter are required to submit papers in the elective course and the former's group work program may produce some fruitful writing.

This recommendation does not exhaust the list of possibilities, but it does suggest that a further step can be taken in augmenting the practical experience of the potential lawyer.

S. H.

Letters to the Editor

To the Editor of the RECORD:

The H.L.R.C. sends its congratulations to the newly organized H.L.S. Democratic Club and wishes them well in their new undertaking.

Since rattling around alone here we have awaited the arrival of our sparring partners for several months. We like to feel the success of our group has encouraged them to make the big step.

We are glad to see the new club is a well rounded group, including Southerners (as well as a refugee from Kansas) and does not consist of just one wing of the party.

We earnestly hope that every member of the law school joins either their group or ours. We

believe that it is the lawyer's job to participate actively in civic affairs, a job that cannot be accomplished by sitting back as an independent and letting others shoulder the load. It is only through the orderly machinery of the two party system that this country can effectively work out its solutions to the many problems of today.

FRED TRUE, 3L

Chairman, Harvard Law Republican Committee

To the Editor of the RECORD:

Your issue of March 1, 1950, carries a story on page 1 under the title "Mundt-Ferguson Bill is 'Repugnant to Liberty' Lawyer Group Asserts," and states that the parties named therein have voiced their objection to this bill on the ground that it violates principles of the American Constitution because of imposing punishment on individuals for "mere membership in organizations." Would it not constitute a more fair and accurate statement of the purposes of the bill to modify the foregoing statement to read that the bill imposes punishment for "mere membership in treasonable organizations"?

OLIVER W. HAMMONDS, LL.B. '36

To the Editor of the RECORD:

I noted your editorial in a recent issue of the RECORD concerning a name for the new dormitory.

Although I attended Law School many, many years after he left, it appears to me that the name of James Barr Ames still is one of the most hallowed and respected. It seems to me that a true gentleman and scholar of his caliber should be so honored.

JAMES F. BELL, LL.B. '48

To the Editor of the RECORD:

I want to thank the students of the Law School for donating blood for my husband, Vincent. The response to the notice posted by Vice-Dean Hall was heart-warming and this past week-end many, many students answered our appeal at the Veterans Hospital in Roxbury. Through the generosity of the law students Vincent has already replaced more than the ten transfusions that he has received.

Vincent's recovery will certainly be hastened by the wonderful spirit of his classmates and for this I shall always be deeply grateful.

ANNE C. LEAHY (MRS. VINCENT F.)

To the Editor of the RECORD:

Your suggested 11 o'clock library closing hour meets an important student need. The interruption of the evening study period by the need to find a new roost at 10 o'clock is certainly time-consuming. Also, study conditions in rooms, dormitory and elsewhere, interfere with serious and efficient study during the post-ten o'clock hours for many students. And the availability of the reports and other materials on the Langdell shelves for an extra hour would be a great boon to the men engaged in third-year papers, etc.

A problem of increasing annoyance and seriousness is that of library noise. With Langdell viewed as a thoroughfare and a distribution center, and with many men inconsiderately taking the view that the library is the appropriate place for business and social conversations, study efficiency is greatly impaired. An effort by the RECORD to make the student body aware of the need for cooperation to solve this noise problem would seem in order.

THIRD YEAR STUDENT



"... 26 percent of the class intend to go into private practice."

Gallery

MAYO A. SHATTUCK
Estate Planner



Mr. Shattuck is one of the nation's leading authorities on estate planning. He was graduated from Harvard College in 1919 and from the Law School in 1921, due to an accelerated program. Thinking back to the beginning of his distinguished career, Mr. Shattuck said, "It was my good fortune to study under Professor Scott for it was he who started me in the field of trusts and estate planning." In 1923 Northeastern Law School was looking for an instructor in Trusts. Professor Scott recommended Mr. Shattuck. By this time, Mr. Shattuck had already become a member of the Maine and Massachusetts Bars.

In 1926 Mr. Shattuck became a partner in the firm of Barker, Davison and Shattuck, now Hauserman, Davison and Shattuck. He continued teaching evening courses. Through his practice and teaching, Mr. Shattuck built up a ready storehouse of Massachusetts cases in his chosen field. It was, therefore, almost inevitable that he would be the one selected to contribute the Massachusetts annotations to the *Restatement of Trusts*. This work was published in 1936.

In 1940 Mr. Shattuck curtailed his teaching activities when he became a member of the Massachusetts Board of Bar Examiners. However, this did not halt Mayo Shattuck's academic pursuits. In the same year he published a revision of *Loring's Trustees Handbook* and drafted a model statute: *The Prudent Man Investment Rule for Trustees*. The book received wide attention in the field, and the statute has been enacted in fourteen states.

Mr. Shattuck roughly estimates that in the field of trusts he devotes equal thirds of his time to the administration of trusts, the preparation of briefs for appellate courts and the drafting of trust instruments. The increased impact of taxes and the fluctuations in the value of the dollar have brought new problems to one practicing in the field of estate planning. Mr. Shattuck has written articles and lectured widely on these aspects.

Mayo Shattuck expressed no preference among the particular types of work within his field. He pointed out, "Everyone loves to mind somebody else's business, and if you can get paid for it, so much the better." However, in a more serious vein, he described his enthusiasm for the deep human element in this field. "The human problems," he said, "meeting new families, and seeing the change in hands of this nation's wealth, are all interesting and moving experiences associated with my work."

Mr. Shattuck's universal interest in the development in the law of trusts will soon take him abroad to a seminar being held at the University of London on the administration of trusts.

Mr. Shattuck enjoys a number of interests outside of his specific field of endeavor. One of these is politics. He campaigned vigorously for Governor Robert Bradford of Massachusetts and Wendell Willkie. His total efforts in relation to the law brought him the presidency of the Massachusetts Bar Association in 1941, and he remained in that office through 1943. Mr. Shattuck has also left his favorite field to take on duties as counsel for certain publishing houses, banks and business corporations, and he has even gone so far afield as the drafting of the *National Fisheries Code* under the NRA. And, at present, Mr. Shattuck is chief counsel for a young boy being prosecuted for murder. It has been a full life in the law for Mayo Shattuck.

Mr. Shattuck remembers the Law School as a fine institution in his day, but he thinks it may even be a better one now. "Less theory and more practical knowledge is being given to the law student of today." As a guide to success in the law Mr. Shattuck offered the advice, "If one is interested in his work, by diligently sticking to his task, he is bound to come out on top." He underlined, "Too many are lazy, and, subsequently falter and get left by the wayside." His final thought was, "There is no substitute for perspiration."

M. G.

Sub Judice

GAMBLING REVISED

A certain pinball machine "designed by the alliterative and euphonious cognomen, 'Jack and Jill,'" was seized by the police of Green County, Missouri, and prosecution instituted by the Prosecuting Attorney to have the machine condemned and destroyed as a gambling device prohibited by Section 4173, Revised Statutes of Missouri, 1939. The trial court held that "Jack and Jill" was a gambling device and ordered its destruction. The owner of the machine appealed. *Held: Reversed.* The court agreed that the pinball machine was a game of chance and not a game of skill, but said that in order for it to be a gambling device within the language of the statute, it must be "adapted, devised and designed for the purpose of playing any game of chance for money or property." The only reward offered by the machine were free games. Whether or not these free games were "property" was the weighty question before the court. Vandeventer, presiding judge, in holding free games were not property said, "Does the player get property for his nickel? We think not. It is argued that he gets amusement. The vacuous mind that may momentarily be brightened by finding entertainment and amusement in watching a metal ball meander aimlessly over the surface of an inclined table and finally score by dropping from sight into an aperture therein, would be equally entertained by watching a certain species of scarabaeoid beetle aimlessly roll his putrid ball across the ground and into a hole where eventually it becomes sustenance for itself and young. Would not the entertainment and amusement in each instance be the same though five cents is paid to pull the plunger in the one, and in the latter, the propulsion is by the beetle and its accomplishments are not emblazoned upon an electrically lighted scoreboard. . . . How could watching a rolling ball bounce from peg to pin and then disappear, enrich the mind or broaden one's intellect? After its propulsion by the plunger, gravity moves the balls but the law of physics was discovered by Sir Isaac Newton more than two centuries ago. Such information is not acquired by inserting a nickel in a pinball machine. From the beetle, one might learn some new fact relating to entomology but nothing from 'Jack and Jill'. If there is educational value in either, it preponderates in favor of the beetle." To the additional dismay of the tilt aces, the court continued, "To be allowed to do a useless thing free does not make that privilege property or 'a thing of value' because one has previously paid for doing another useless thing." *State v. One 'Jack and Jill' Pinball Machine*, 224 S.W. 2d 854 (Missouri 1949).

PATERNAL TWINS

On June 27, 1946 Mary Jones* gave birth to illegitimate twins. She claimed that Ken Smith* was the only man with whom she had sexual intercourse during the month of conception—October, 1945. The court appointed three doctors to test the blood type of the twins and the accused father. The test was performed 11 times, each giving the same results: Child A—type M; Child B—type MN; Ken Smith*—type N. The doctors testified that by the operation of the biological law, sometimes called "the blood test law," a parent with blood of type "N" can not have a child with blood type "M"—and they concluded that Ken Smith* could not be the father of Child A. The doctors further testified that "the father of twins must be one and the same man." In the face of this uncontroverted testimony, the jury returned a verdict finding that Ken Smith was the father of the twins. A motion for a new trial was granted. *Held*, on appeal, motion sustained. New trial granted. "The skill and accuracy with which the blood grouping tests were here conducted were clearly and convincingly demonstrated by the testimony of disinterested witnesses. There is nothing in their testimony which even casts suspicion upon the accuracy of the findings or the consequent exclusion of the respondent as the father of Child A. The statement by the complainant, 'There is no other one to accuse,' even if interpreted as a denial of intercourse with any man other than the respondent, is not sufficient to overcome the overwhelming effect of this positive testimony by disinterested witnesses. If the jury found that the results of the blood grouping tests were inaccurate, such finding must have been based on mere conjecture or understandable sympathy for the complainant and prejudice against the respondent. Such finding is not supported by any believable evidence in the record." The court stated that it was unnecessary to deal with the contention that the father of twins "must be one and the same man," but denied a request that a separate paternity suit be allowed for each child. *Jones* v. Smith**, 69 Atl. 2d 670 (Me.—1949).

* Fictitious names.

Alumni Notes

LL.B. '01—Percival P. Baxter, former Governor of Maine, was awarded a certificate of honor and merit on August 20 by the Women's Press Association, Inc., as a "far-sighted public benefactor."

LL.B. '13, Armstrong A. Stambaugh, who has been vice-president in charge of sales and a director of the Standard Oil Co. (Ohio) since 1933, was recently elected senior vice-president of the company.

LL.B. '39—Alan J. Flattery, assistant to the president of the Merchants National Bank & Trust Co. of Syracuse, N. Y., has been elected by the New York State Junior Chamber of Commerce as one of the three "New York State Men of the Year." Flattery, who is also a practicing attorney with the firm of Melvin and Melvin in Syracuse, has served as chairman of the New York State Bankers' Association Committee on chattel mortgage revision.

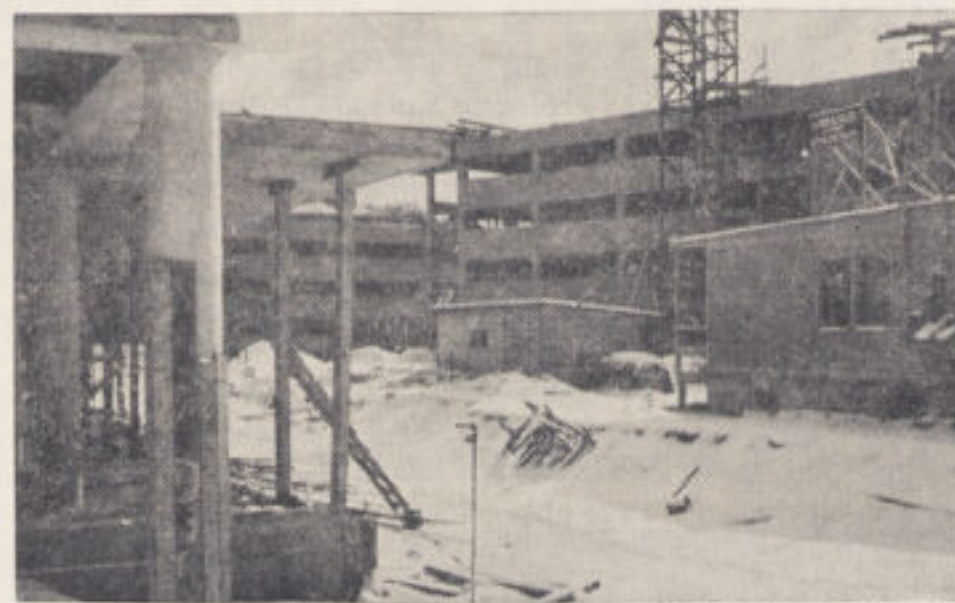
LL.B. '48—Harvey Karlin, member of the first RECORD staff and the paper's fifth president, has opened an office for the general practice of law in Portland, Oregon. He is associated with the firm of Boyles & Sulmonetti.

LL.B. '48—Tom Reavley is a partner in the newly-formed firm of Bell & Reavley, Nacogdoches, Texas.

LL.B. '48—Kenneth G. Weinberg is now chief corporation counsel for the Secretary of State of Ohio.

EXETER EXETER & NEWBURY STS.
BOSTON KE6-7087
Abbey Theatre Players
"SAINTS and SINNERS"
plus "SILENT DUST"

New Dormitories



Pictured on the left is the view from the new dining hall, on the right is a view of the sunken garden.

DORMS—(Continued)

and a large size book case. The buildings and grounds crew will do the work and will also devote time to bettering the washrooms and hallways.

There has been comment on the high rent schedules throughout the graduate schools. The Graduate Council in its Bulletin of March 16 has been the first to question openly the criteria on which the rents are based. However, Assistant Dean Bevin, when approached on the subject of high dormitory prices, said that the school hopes to break even or make \$5 to \$10 a man on Hastings.

D. C. ALUMNI—(Continued)

the United States Tax Court, president; Robert K. McConaughy, LL.B. '29, vice-president; Norman P. Seagrave, LL.B. '40, secretary; John F. Grindle, LL.B. '43, treasurer; David G. Bress, LL.B. '31, and Hon. Dean G. Acheson, LL.B. '18, executive committee; Charles V. Imlay, LL.B. '10, vice-president of the National Association.

NEWS BRIEFS—(Continued)

check and sent it to the Law School with the request that it be added to the loan fund which he established several years ago in honor and memory of Dean Ezra Ripley Thayer.

HLS DANCE

Tickets are now on sale in Langdell South and Austin Foyer for the informal Law School Dance this Saturday, 8:30 p.m., at Longwood Cricket Club. Admission is \$2.70, including tax. Set-ups will be provided and guests may bring their own liquor. Take an M.T.A. Chestnut Hill bus from Kenmore Sq. to Hammond St. These busses leave every 15 minutes. A similar bus leaves from Wellesley Hills. The last bus, both to Kenmore and Wellesley Hills, leaves at 12:30 a.m.

RAINFALLING ARTICLE

Most recent request for Eli Goldston's (LL.B. '49) *Many Legal Entanglements Forecast for Rainmaker*, published in the RECORD almost two years ago, comes from the Law Department of the City of New York.

SQUASH TOURNAMENT

Albert L. Cohn, 2L of Paterson, N. J., recently appointed chairman of the athletic committee by the Law School Committee of Phillips Brooks House, announced Monday that the annual Squash Tournament will start Tuesday, March 28.

All students and faculty members of the Law School are eligible to compete. Those interested should sign up with Charlie Dale at the desk in Hemenway Gym or notify Cohn at 13 Perkins Hall, UN 4-4244. The deadline for entries is this Friday. Pairings will be posted next Monday, March 27 on the bulletin board in Hemenway.

If enough men express interest in one, Cohn promises that a Handball Tourney will be run off at the same time. Handballers should also sign up by Friday.

Two of the top four men in last year's squash tourney are still in school. Lane A. McGovern, 2L of Winchester, Mass., is the current titleholder while William M. Hoeveler, 3L of Haverford, Pa. was bested only by McGovern in last year's semi-finals. Professor Robert Braucher, LL.B. '39, was eliminated just prior to the semi-finals last year by Joseph Koufman, LL.B. '49, who went to the finals.

The Business School has challenged the top few men to a play-off for the inter-school championship after the tournament.

GENERAL CLAY LECTURES

General Lucius DuB. Clay will discuss the running of occupied Germany in a series of three Godkin lectures beginning Monday, March 27.

Clay, who resigned as Commander of the United States Forces in Germany last May, will speak on March 27, 28, and 29 in New Lecture Hall on the *Administration of Germany as a Part of the Fight for Freedom*.

LAWYERS GUILD

As part of its newly-formed legal aid program, the Harvard Chapter of the National Lawyer's Guild is currently working with S. Roy Remar of the Boston Bar on several civil liberties cases that are being handled by Mr. Remar's office.

The cases receiving the most urgent attention involve the constitutional power of a Massachusetts township to provide funds for the transportation of schoolchildren to parochial schools, and to permit its schoolhouses to be used by

FORUM—(Continued)

As a member of the Eighty-First Congress, Humphrey was a member of the Labor and Public Welfare Committee and the Labor Management Committee. He has been a supporter of the civil rights program, and was one of those responsible for placing the civil rights plank in the 1948 Democratic platform. He has also given his support to the extension of rent control, and the \$300,000,000 federal aid to education bill.

John Foster Dulles was appointed as interim Senator from New York in 1949. He has long been one of the leading Republican experts on foreign affairs, and has served as adviser for Governor Thomas Dewey. It was Dewey who appointed him to the New York State Banking Board in 1943.

In 1945 Mr. Dulles was a member of the United States Delegation to the San Francisco Conference, and he was later a member of several meetings of the Foreign Ministers Council, including those in Moscow and London in 1947.

Mr. Dulles became interested in foreign affairs while still a student at Princeton, and in 1907 was a secretary at the Hague Peace Conference. He has been at every major peace conference since that time. He was principal American counsel for committees discussing reparations and financial matters at the Paris Peace Conference after World War I.

Mr. Dulles received his law degree from George Washington University in 1911. He is well known as an international lawyer, and is a senior partner in the New York firm of Sullivan and Cromwell.

Season ticket holders must have their tickets punched and obtain a special admission ticket at Gannett House by Friday noon.

This Forum will be broadcast locally over Station WHDH at 9:35 p.m. on Friday. Tickets to the Forum are free to season ticket-holders, or 60 cents each to others. Season tickets will be honored only up to 8 p.m., Friday.

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Calendar

UNIVERSITY WORLD Harvard Professors

The Harvard Chapter of the American Association of University Professors will present a *Symposium on Loyalty Investigations and Academic Freedom* tonight, March 22, at Institute of Geographical Exploration, 2 Divinity Avenue at 8 p.m. Speakers will include Professors Norman F. Ramsey, Kirtley F. Mather and Alfred S. Romer.

Concert

The Harvard and Radcliffe Music Clubs will present a concert in the Living Room, Agassiz House, Radcliffe College tonight at 8:30. Program: Bonner, 4C., String Trio; Tawa, 1G., Clarinet Sonata; Robertson, 2G., Bassoon Sonata; Taylor, 2G., Piano Variations; Bela Bartok, *Mikrokosmos*. Admission will be free to members, 50 cents to others.

Harvard Conference on Careers

Under the auspices of the Office of Student Placement Professor Charles R. Cherington, Graduate School of Public Administration, Thomsa H. Buckley, Massachusetts Commissioner of Administration, John C. Dreier, Director, Office of Regional American Affairs, State Department, and Lyman S. Moore, City Manager, Portland, Maine, will discuss *Careers in Government* Thursday at Leverett House at 8 p.m.

Southern Club Erratum

The Southern Club will meet tomorrow evening, March 23, at Kendall House rather than tonight, as was stated in last week's *RECORD*.

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THIRD YEAR—(Continued)

nology (Professor Sheldon Glueck); Government Contracts (Professor Robert Braucher); Insurance (Professor George K. Gardner); International Law Problems (Professor Manley O. Hudson); Labor Law (two seminars by Professor Archibald Cox); Legal Problems of World Trade (Professor Harold J. Berntson); Legislation (Professor Henry M. Hart); Problems in Public Control of Atomic Energy (Professor David F. Cavers); Problems in Public Issue of Securities (Professor Robert Amory); Problems in Contemporary Jurisprudence (Professor Lon L. Fuller); Property III (Professors A. James Casner and W. Barton Leach); Public Utilities (Professor Cavers); State and Local Taxation (Professor John Maguire); Special Tax Problems (Professor Maguire and a visiting professor); Taxation of Corporate Distributions and Reorganizations (Professor Ernest Brown); World Organization (Mr. Louis B. Sohn).

In proposing these changes, the committee took into consideration the changes already made in the first two years. In the first year, there is the Teaching Fellow program of individual instruction. In the second year the perspective courses are intended to give the student a broader view of law and legal order. Procedure is being remodelled into a course that will not be recognized by those who have taken it in the past.

To meet this written work requirement, the third year student may write a long paper, comparable to a law review article. Alternatively, he may meet the requirements by writing a paper in his seminar or in work in the basement law review. Another alternative will be a new writing program under the direction of a teaching fellow to give editorial assistance to those who feel their writing is not all it might be.

VON MEHREN—(Continued)

riculum. Moreover, there are many students who study law as a general, cultural subject to prepare themselves for a vast variety of activities other than the practice of law. The curriculum includes, especially in the first year of the three year program leading to the *licence en droit*, many courses whose orientation is definitely economic, philosophical or historical. There is substantial freedom of student choice in making up each year's program, though the core of the program for each year is dictated by the compulsory fields in the examinations, written and oral, held at the end of each year of study.

Method of Instruction

The great bulk of the instruction is carried on by the lecture method. Practical exercises are offered but, with rare exceptions, amount to little more than lectures delivered by an instructor in answer to his own questions. As the student has only his code, and no prepared material, in the nature of a casebook, with which to work, it is difficult to see how the *travaux pratiques* could, except with advance groups, prove very successful.

Both the student verdict upon the value of the lectures and the physical facilities available at French universities can be illustrated, though perhaps not with complete fairness, by the atypical situation at the *Faculte de Droit de Paris* where some 20,000 students are enrolled. Of this 20,000, however, only about 2,000 will ultimately practice law. The largest lecture hall seats perhaps 800 students and there are perhaps five or six such halls. The library seats roughly 700 persons. The net result is obvious, it would be physically impossible for the students to attend classes even if they were convinced of their value, which they are not. Instead, the students purchase and study the verbatim lectures, taken down by a short-hand reporter, reproduced, and distributed in periodic installments throughout the year. This is done with the consent of the professors, who even check the copy to see that none of their golden wisdom is concealed by lumpish stenographic errors. In the interests of accuracy it should be pointed out that no other European faculty of law has an enrollment of this size. Therefore, the physical facilities at other law faculties are far more adequate and the classes much smaller. The percentage of attendance at lectures is also usually considerably larger. There has, of course, been post-war crowding in most universities, much as in this country. Finally, it is generally recognized that the *Faculte de Droit de Paris*, which occupies a dominant position in French legal education, is very conservative intellectually and socially.

Classroom Formalities

French law teaching tends both to be traditional, and to emphasize an accumulation of factual information, though a few rare personalities transcend the system. The traditions of instruction, with the professor wearing his academic robe and the students arising upon his entrance, are conservative and are not such as to promote, from the psychological point of view, a critical attitude of mind on the part of the students. A lecture is never interrupted for questions. Nor would the average French professor react favorably to the student's suggestion, however veiled, that he, the professor, might be wrong. This professorial attitude reflects not only certain characteristics of French society, but is perhaps also connected with what might be called the "spirit" of French law. Because French law has its formal, theoretical source in a code, it lends itself to dogmatic exposition. Law tends to be conceived of as a series of objective norms of abstract rules and general principles. It is these norms, rules and principles which are explained and detailed by French professors of law. Their instruction does not, therefore, face the problem which instruction of the common law must solve, how to teach law where legal rules are not conceived of as contained in objective norms and general principles but, instead, are conceived of as emerging from a series of concrete situations, each of which has its element of uniqueness and each of

which is involved in a process of development and of change.

This must not be understood as saying that the French legal system can, as an operating system, be understood as a series of objective norms which contain within themselves their own principle of application to individual trouble-cases. It is certainly true that to understand French law one must read the French decisions. But the above is intended to suggest that both the "spirit" of, and the problem of teaching, French law are not the same as the "spirit" of, and the problem of teaching, common law. To this extent there is poetic justice in the fact that the common law is taught in the United States by the case method, a method opposed to dogmatism and one in which first principles are continually called into question and are continually re-examined, while in France, the civil law is taught by the lecture method, a method which inclines to dogmatism and which usually accepts first principles without question. It may also be suggested that, for historical and cultural reasons, French legal education is basically concerned with producing finished products who, in the practice of law, will maintain and carry forward legislative judgments embodied in abstract rules and contained in the code. In the United States, on the other hand, the aim of legal education has been far more to produce successful practicing lawyers, men trained in advancing their clients' position and in shaping the rule of law in terms of the interests conflicting in the particular case.

Outside the School

A number of other details about French university legal education should be noted. There are no extra-curricular activities, such as legal aid, moot court work, law reviews, and so forth. Some students, however, who intend to practice law upon graduation, gain practice experience by working in law offices while studying at the *Faculte de Droit*. At certain European faculties of law a start towards the development of such extra-curricular activities has been made. But the movement is not, as yet, a general one. The students have little contact among themselves, as the universities, with few exceptions, furnish no dining, living, or meeting facilities, and legal discussions among the students are rare. The contact between students and professors is almost non-existent for classes are large, contact is not encouraged and the professors have their offices at home. The professors are only

very rarely recruited from practice. Most of them, after having taken an advanced degree with honors, have prepared themselves for teaching by taking a special course of study followed by special examinations. Many professors, however, especially at Paris, have a fairly active consulting practice. Others, again especially at Paris, are active in government service.

Summary

In sum, therefore, French university legal education is theoretical and "cultural" in its orientation. The university legal education is supplemented, after the law student, who intends to practice law, has passed the state bar examination and has been admitted to the bar, by a year's compulsory "stage," which is in practice often considerably longer, with an *avocat an avoue* or the ministry of justice. (It should be noted, parenthetically, that all French lawyers must have the university preparation. Reading in law offices and night law schools are unknown in France.) It is with this preparation and this background, therefore, that the French lawyer begins his practice of law.

DEMOCRATS—(Continued)

Saltonstall, Jr., who told the young Democrats that their organization at the Law School could play a leading roll in Massachusetts politics, a role that could be greater than that of a Young Republican Club. In his opinion, the youth of the Democratic party are more fully appreciated than young Republicans; since the Republican party is well controlled by party elders, it truly bore the name of the grand, old party.

He emphasized the fact that a great deal of work had to be done to create a vote-getting organization, work the leaders in the party would gladly delegate to a capable organization. He pointed out that following the present census, there will be a re-districting of the election districts in Massachusetts, and that the efforts put forth by Law School Democrats between now and the November elections will have a real effect both in Massachusetts and national politics.

The chairman, Bob Ehrenhard, then introduced a few members of the organizing committee. Harry V. Spanos, 2L (Harvard '48) of Newport, N. H., temporary publicity chairman, pointed out that one of the duties of the publicity department was to make the Democratic club known both in school and in the voting community.

The next meeting of the club was tentatively set for Thursday, March 30.

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