

The Harvard Law School Record

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PRICE TEN CENTS

Vorenberg Is Chosen Review President For Coming Year

Elect Sheedy Treasurer; Seven Others Appointed As Department Editors

An all night session of the editorial board of the *Harvard Law Review* resulted in the election of James Vorenberg, 2L (Harvard '48) of Cambridge, Mass., as president of the *Review* for the coming year. Vorenberg, who graduated magna cum laude from Harvard, has done research in labor arbitration for Professor James J. Healy of the Harvard Business School and taught last summer at the Hudson Shore Labor School in West Park, N. Y. He replaces Vincent L. McKusick, 3L (Bates '43) of Guilford, Me., who held this office during the past year.

Since all of the 24 second-year editors are automatically candidates for this top position a long and complex elimination system is used in considering men for this office. The process of electing a new president began at 2 o'clock Saturday afternoon but it was not until 8 o'clock the following morning that a choice had been made by the 57 board members. Performance of work on the *Review* and scholastic achievements are the principal bases upon which selection is made.

In a separate election Monday night H. James Sheedy, Jr., 2L (Swarthmore '48) of University Heights, Ohio, was chosen to succeed Horace R. Baldwin, 3L (Wesleyan '47) of New York, N. Y. as treasurer.

Vorenberg announced appointments of department editors yesterday. Note editors are Detlev F. Vagts, 2L (Harvard '48) of Sherman, Conn., and Leonard B. Sand, 2L (N. Y. U. '47) of New York, N. Y. They replace Leon S. Lipson, 3L (Harvard '41) of Newton, Mass., and David Simon, 3L (Cornell '44) of Brooklyn, N. Y.

In addition, James T. Lynn, 2L (Western Reserve '48) of Euclid, Ohio, becomes case editor. Richard L. Watling, 2L (Harvard '49) of Oak Park, Ill. is articles editor. Developments editor is Robert Mertz, 2L (Lehigh '48) of Pittsburgh, Pa., and book review is Jerome P. Facher, 2L (Penn State '46) of Wilkes-Barre, Pa. Benjamin C. Fisher, 2L (Illinois '48) of Washington, D. C., was named director of the legal research program.

RECORD BOXES

The *RECORD* has boxes in the Austin foyer and Langdell South as a convenience for contributors of *Letters to the Editor* and *Off the RECORD* material.

Smith, Ritholz And Indick Are Named For Record Posts

The old board of directors of the *RECORD* voted in members of the new board and department editors in an election held last Wednesday evening. The newly elected men will assume their positions starting with next week's issue.

Arthur Smith, 2L (Harvard) of Malden, Mass., will be the new president, replacing Bernard A. Friedman, 3L (Illinois '47) of Jackson Heights, N. Y. Smith was formerly news editor.

New editorial manager is Jules Ritholz, 2L (Brooklyn '48) of Brooklyn, N. Y., who moves up from the copy staff, replacing Raphael Mur, 3L (Tufts '46) of Brooklyn, N. Y. Replacing Julius Levinson, 3L (C.C.N.Y. '47) as business manager is former advertising manager, Joseph H. Indick (N.Y.U. '48) of Elizabeth, N. J.

Former features editor Henry C. Caron, 2L (Brooklyn '48) of Brooklyn, N. Y., is new associate editor, replacing Seymour Hozore, 3L (N.Y.U. '47) of Brooklyn, N. Y. Sidney H. Lyons, 2L (Northwestern '48) of Ft. Wayne, Ind. will be news editor, replacing Smith. Taking over the copy desk from Arthur Brody, 3L (U. of Chicago '47) of Chicago, Ill., will be Harold Trachtenberg, 2L (Wisconsin '48) of Brooklyn, N. Y.

Lauren D. Rachlin, 2L (Buffalo '48) of Buffalo, N. Y., succeeds Indick as advertising manager. Nathan S. Paven, 2L (Harvard '46) of Cambridge, Mass., will be feature editor, replacing Caron. William Hack (C.C.N.Y. '48) of Brooklyn, N. Y., replaces Samuel Dash (Temple '47) of Philadelphia, Pa., as *sub judice* editor. Joseph J. Thalhofer, 1L (Harvard '49) of Prineville, Ore., will be articles editor, replacing Gerard Mandelbaum, 3L (Yale '46) of Bronx, N. Y.

The work of Bernard M. Hyatt, 3L (Continued on page three)

Justice Black Will Head Ames Bench; Counihan, Gibson To Sit As Associates



EDWARD A. COUNIHAN, JR.



HUGO L. BLACK



ERNEST W. GIBSON

Hugo L. Black, Associate Justice of the United States Supreme Court, will preside as Chief Judge of the Supreme Court of the Commonwealth of Ames, when that body hears the final argument of the Ames Competition April 13th. Sitting with Mr. Justice Black will be Associate Justice Edward A. Counihan, Jr., of the Supreme Judicial Court of Massachusetts, and U. S. District Judge for Vermont, Ernest W. Gibson. The court will convene in the Langdell Courtroom, to hear

End Of "G.I." Bill Benefits Focuses Attention On Necessity For Student Aid

This article was written especially for the *RECORD* by S. Norman Feingold, Ed.D., B.U. '48, author of *SCHOLARSHIPS, FELLOWSHIPS, AND LOANS, and Executive Director of the Jewish Vocational Service of Greater Boston*.

Aid for the qualified student who lacks sufficient financial resources is fast playing a paramount part in higher education. Prior to World War II more and more planning was given to the matter. Attention, however, was deflected from the problem by the war and the rapid influx of "G.I." students immediately following the close of hostilities. As the "G.I." Bill draws to a close, awareness of the need for student assistance is again highlighted.

Colleges and universities are aware of their obligation to offer educational opportunities to qualified students who need financial assistance. However, the picture is complicated by the fact that many colleges and universities are themselves in difficult financial straits. They are squeezed between higher costs of operation and lowered endowment income. Everything the college buys from coal to pencils has been going up. Endowment funds have not increased at the same rate. A survey by the investment counseling firm of Scudder, Stevens and Clark would seem to indicate that the shrinkage in the importance of endowment funds between 1936 and 1946 while affected by a decline in the rate of return was even more the result of the failure of the principal of endowment funds to grow as rapidly as university expenses. Between 1936 and 1946 the book value of the principal of endowment funds increased approximately 32% while operating expenses increased roughly 63%. An article in a recent issue of *Changing Times* mentions that many a college that once obtained 5% interest on endowment now earns 3 1/2 or 3%.

Qualified High School Alumni

For every student who attends college, one equally as qualified does not enter. The median income for all American families is less than \$3,000. About 3.5 million non-farm families whose breadwinners are employed persons between 21 and 64 years of age have an income of less than \$2,000. It has been pointed out that only approximately 20% of the intellectually capable high school graduates from families with less than a \$2,000 income now enter college. A recent study by the American Council on Education indicated that 28.4% of the high school seniors in the highest quintile of intelligence who were not planning to attend college in the fall, would go if they were offered a scholarship. J. R. Steelman in *Manpower and Research* points out that

12.4% of able students drop out of college because they can not afford to continue their training.

Whenever a person works at a lower level than that for which he is qualified, the nation as well as the worker suffers. The President's Commission on Higher Education indicates that only 4.6% of the population completes four years or more of college while 32% of our population has the mental ability required for the fulfillment of an advanced liberal or specialized professional education. Many leaders in the field of law believe that lawyers by the nature of their training and the fact that they use their training in the field of statesmanship have played, are playing and will continue to play a

(Continued on page four)

HAA Announces Varied Spring Sports Program; Tennis, Boating Listed

The annual coming of spring has not caught the Harvard Athletic Association napping. Boating on the Charles, tennis, and baseball make up the spring program available to Law School men. Holders of Athletic Participation cards may use the boating facilities and the tennis courts with no additional charge. The boating facilities, single and double shells, will cost 60 cents per hour for those without cards. At present it is expected that boats will be available about April 3.

Tennis courts may be used at either the Business School or Soldiers' Field. Hard courts are now open and the clay court will be opened as soon as weather conditions permit. Racketeers may avail themselves of these facilities for 35 cents per hour per person. The courts at the Business School are open from 1 p.m. until dark, those at Soldiers' Field from 10 a.m. until dark.

All nine baseball diamonds at Soldiers' Field will be opened when weather permits. Permission for teams to use the diamonds must be obtained from the Harvard Athletic Association office.

In addition to the outdoor activities that become available with the advent of spring, a full program of athletics continues at Hemenway gym, next to Hastings Hall. To combat the pre-exam slump the gym offers basketball, squash, handball, and exercise rooms. A special "Daily Dozen" group meets in the exercise room every day at 5:30 p.m.

Currently the Law School Committee of Phillips Brooks is sponsoring a squash tournament. If enough interest is shown the Committee plans a softball tournament.

the case of *Thellusion Terminal Co., et al. v. Associated Transport Workers of America, et al.*; counsel will be the Cardozo Club, for the Terminal Co., appellees, and the Powell Club for the Transport Workers, appellants.

Mr. Justice Black was educated in the public schools of Ashland, Ala., and received his L.B. from the University of Alabama in 1906. His public career began in 1910, when he served for 18 months as a police judge in Birmingham, Ala. In 1917 he became solicitor (prosecuting attorney) for Jefferson County, Ala., a post he held for 10 years.

During World War I, the future Justice (Continued on page four)

Application Forms For Dorm Rooms Being Distributed

Assistant Dean Wesley E. Bevins, Jr., L.L.B. '48, announced yesterday that applications for dormitory rooms for all dormitory space are now available at the receptionist's desk in Langdell Hall for students currently enrolled, and at his office, Harvard Law School, Cambridge 38, for the others.

Students who have applications now on file with the Bursar should apply on the new forms. All applications should be completed and returned to the receptionist in Langdell on or before April 14, 1950. The admission to the dormitories will be determined by lot in the order of preference indicated on the application. Students in the school will be given notice of their room allocations before they leave for the summer; entering students will be notified by July 25, 1950.

The application asks routine questions of the applicant and then requests him to indicate the type of roommate he would prefer, if he desires one, and it becomes necessary to choose one for him. Space is provided, however, for the applicant to indicate the name or names of roommates whom he would desire. Also on the application is an optional pledge to buy and pay for 21 meals in the new dorms, and notice is given that priority of rooms may be given to those signing the pledge.

In a small pamphlet available with the application, the school has indicated its priority for choosing men for the new dorms and a brief description of the facilities available. All rooms will be supplied with the necessary furniture and appropriate window shades. This furniture will be new and largely specially designed. Maid service will be supplied; the student will supply his own linen. There will be no charge for electricity as long as the appliances used do not consume over 100 watts of power. For certain special appliances using over

(Continued on page four)

Legal Principles Come Face To Face With Realities At Legal Aid Offices

The Harvard Legal Aid Bureau, Gannett House, is the one place in the Law School where legal theory comes face to face with reality. After 35 years of almost continuous operation, the Bureau has found that the two get along quite well.

For the Bureau's thousands of indigent clients, the success of the merger has been proved over the years by the overwhelmingly fine record of successful law suits. In 1949-50, for example, of the 118 cases which have thus far reached the stage of litigation, 106 accomplished the purpose of the suit.

To the Bureau members themselves, the educational value of working on these cases is no less satisfactory. As President Donald E. Paradis, 3L (Wesleyan '44) of Newton, Mass., put it, "Work on the Bureau tends to create a sense of practicality, which in turn leads to a realistic approach to problems discussed in class."

Much of this sense of "practicality" is due to the feeling of individual responsibility placed on each member. Legal Aid deals with desperately real people, who have pressing problems and small resources. A mistake here can't be corrected by an "erratum" later.

Each one of the 40 members is assigned office hours, generally two hours a week. He will thus fall heir to about

40 of the 1500 cases likely to be handled by the Bureau this year. Perhaps it will be a landlord and tenant case, a category which accounts for 21 per cent of all cases handled. If not, then it may be a domestic relations problem (19 per cent), or a tort case (eight per cent). If none of these, the case will be one of the ordinary civil problems, taxation, drafting of legal documents, citizenship, bankruptcy, change of name, small claims, or family problems, which together make up 25 per cent of the Bureau's work. If the case is a criminal case, it will ordinarily be referred to the Voluntary Defenders Committee in Boston; similarly, workmen's compensation problems are referred to the Boston Legal Aid Society.

Having the case before him, the member first decides whether the client is eligible for legal aid. The client must be financially unable to employ an attorney, and he must be seeking a socially desirable result. The first requirement helps pacify those members of the bar who see any sort of free legal aid as a menace to their livelihood. Then too, the Bureau does not wish to compete with the practicing bar. The second requirement is the policy of the National Legal Aid Association, of which the Bureau is a member.

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The Harvard Law School Record

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CHANGES OF ADDRESS should be sent to the RECORD office, Austin Hall, Cambridge 38, Massachusetts, at least three weeks in advance to insure prompt delivery.

Editorials

With this issue its third-year members leave the RECORD. While most of us have been on the staff we have reported some extremely important changes to the School, principally the curriculum revision and the dormitory planning and building. We like to think that we have had some part in shaping these changes by arousing an interest in them and giving students and alumni a chance to voice criticisms and make suggestions, many of which were adopted.

Many students with grievances or suggestions do not feel free to bring them to the administration directly. Instead they come to the RECORD. We have found ourselves advising them, passing their suggestions on to the proper authorities or presenting the issues to our readers.

In this we have at times almost felt that we are looked upon as a student council is at other schools. Until need and sentiment for a council appears we hope that those who are interested in improvements and are reluctant to go directly to the administration will continue to seek assistance from the RECORD. B. A. F.

President James R. Killian, Jr., president of Massachusetts Institute of Technology, speaking in Los Angeles and quoted in *The Boston Herald* of March 11, 1950, said:

"Every person who has looked at the facts has come up with the inevitable conclusion that many youngsters of superior ability whose families are in low-income brackets never get to college or professional institutions. There is at the present time an unquestionable financial barrier."

Medical schools for the sons of the rich only would be undesirable. Law schools on that basis would be disastrous, for they furnish the pool from which most people in government are selected. The Bar must be kept democratic if the country is to remain democratic.

Scholarships for all qualified students who need them would be the ideal solution. However, the amount of money necessary makes such a project difficult in the foreseeable future.

The use of loans to finance legal education has generally been objected to for placing a heavy handicap on the struggling student and young lawyer. However, it appears to us that any student who has faith in himself and in the education he is to receive should be willing to take a loan, with proper repayment terms, to get through law school. If a law school has confidence in its admissions policy and in the value of what it is teaching it should be willing to back the future of its students.

Loan funds do exist in most law schools, but little is known about them. The RECORD is starting to survey many of the law schools throughout the country to determine the extent and effectiveness of these funds.

After compiling these data we intend to work with the Survey of the Legal Profession in determining what problems would be involved in providing adequate loan funds for law students throughout the nation. We expect that this will lead to concrete proposals which can be the basis for federal legislation or a good proposition for financiers with faith in the earning power of a legal education. B. A. F.

Letters to the Editor

To the Editor of the RECORD:

Referring to "Law Faculty Splits" on Mundt Loyalty Bill, reported in your March 15 issue: In the opinion of this septuagenarian Republican, any American convicted by a jury—under Anglo-Saxon procedure and constitutional safeguards, of conniving with agents of a foreign power to overthrow our government by force, or to impair our defenses against armed attack, is a traitor and should be shot! As for this Bill: If enacted, it will prove a more potent recipe for turning Pinks into Reds, than any the Commies have cooked up yet!

Justly irritated our law-makers may be, but they will get no comfort by kicking against the [thorns]! Patient sleuthing, prompt criminal prosecution—where the facts justify—may be tedious, but they are in no way Nazi!

HENRY M. CHANNING, LL. B. '04

To the Editor of the RECORD:

The Law School Committee of P.B.H. regrets that some persons who had failed to purchase tickets before the dance last Saturday were turned away at the door due to fire department regulations limiting the ticket sales.

The large number of last-minute sales exceeded our expectation, which was based upon our only available guide—last minute and door sales for Law School dances in the past.

JIM JENKINS

Chairman, Law School Committee, P.B.H.

To the Editor of the RECORD:

This letter is written in perhaps futile protest against the quality and preparation of the food being served at the Graduate Dining Hall. The qualification is made above because in three years not only have I never seen any remedial action taken by the stewardship of the Dining Hall, but also never have I heard of attempt by the management to answer or even to deny the charges so frequently leveled against the establishment.

As one who has spent, to the present, 16 consecutive years eating various institutional fares, may I say that, with the exception of some (but not all) Army messes, I have never experienced so consistently such insufferably unappetizing diet. Granted that the Dining Hall does provide large quantities of food, this hardly justifies so great a sacrifice in quality and certainly cannot be made to excuse the almost incredibly unpalatable preparation. It is unnecessary to enumerate specific instances: a week's—any week's—attendance at Graduate Dining Hall meals will prove, I feel sure, the incontrovertibility of the above charges. The Graduate Dining Hall is to be contrasted, rather than compared, with the other eating establishments maintained by the University.

May I suggest that some appropriate body investigate the validity of the above charges and, having ascertained them to be true, press for action.

ROBERT E. FRUSCH, 3L

Off the Record

Unprepared

When Torts and Procedure and Sales are forgot,
We still will remember that magical phrase
That echoed so often through these classroom halls
And lives on to help us the rest of our days.
Yes, Harvard has taught us what no others dared—
To ease through this life with a blithe "Unprepared."

To roughnecks, beach tarzans, and those of their ilk
Who'd like to match feats, or else pick some fights,
To girl friends who dare us to skate on thin ice,
To ski over cliffs or to dive from great heights,
To these we'll reply, "Though we're not at all scared,
This isn't the time for we're just 'Unprepared'."

To women who want us to say we're in love,
To women who crave the expensive night life,
To women who hint matrimonial plans,
To men who appear when you're kissing their wife,
We'll answer with haste before we get ensnared
And talk our way out with a deft "Unprepared."

When faced with a mortgage we simply can't pay,
When stakes are proposed as we shuffle the deck,
When partners more senior suggest we work late,
When others are fumbling to pick up the check,
We'll hedge, for our money and time can't be spared
We'll sneer and we'll smirk as we say "Unprepared."

When told to be brave and demand a slight raise,
Or begged to take kiddies to see the parades,
When asked to appraise the new hat wife's bought,
Or coyly requested to join in charades,
We'll knowingly sense that a crisis is bared,
And stay the dear wife with a quick "Unprepared."

Through life we'll evade and avoid and elude,
Habitually using this word so sedate.
On death we will go up to Heaven above,
And learn our reward as we pause at the Gate,
When Pete checks our record to see how we fared
And says with a sigh: "Unprepared, Unprepared."
H. 3

Gallery

ALFRED E. DRISCOLL
Governor of New Jersey



It is no easy task for any man to listen to the still, quiet voice of conscience. When that man is a politician and the governor of a state, it is doubly difficult for him to do so. All about him the conflicting cries of expediency, privilege, and self-interest, demand a hearing. Alfred E. Driscoll, LL.B. '28, governor of New Jersey, is a man who has listened, heard, and obeyed his conscience and he succeeded because of it, not despite it. It is this which has won for him the respect of those who disagree with him, and the admiration and loyalty of those who feel that the implementation of his concept of government and man's relation to it is the only one that can preserve a free America.

In 1946, when Alfred Driscoll was the Republican nominee for governor, he made an address before the National Association for the Advancement of Colored People in which he spoke of his ambition to attain "full citizenship for all citizens of our state, to remove all forms of discrimination based upon race, creed, color, or national origin, and to set aside anything which would deny human dignity to any citizen." To one unfamiliar with the record and the man, the statement might seem to be so much political pap thrown in to woo the minority vote. But Governor Driscoll had not been in office long before he proved that he meant what he said. First he laid the foundation in the adoption of a new state constitution which among other things guaranteed civil rights to all men and women.

The next step involved the Governor in a fight with the National Guard which had issued a secret order continuing segregation. As soon as he discovered the existence of this order, the Governor called the attention of the National Guard to the fact that "all State agencies and departments are required to observe the letter and spirit of the State Constitution." He also ordered any Army directive to the contrary to be "ignored."

Next, Alfred Driscoll turned his attention to the schools and ordered that any school district violating the full equality clause of the Constitution would be denied state funds. Feeling that this was not enough, in 1949, he urged the adoption of the Freeman Civil Rights Bill which provided that any aggrieved person, alleging racial or religious discrimination in any particular situation could lodge a complaint with the Division Against Discrimination, a state agency with enforcement powers.

Governor Driscoll thus won out against bigotry and prejudice, changed a pattern of tacit segregation that had existed for years, and proved conclusively that his pledge of full citizenship to all men was not politician's chatter, but honest conviction translated into purposeful and effective legislation.

The Governor is 48 years old. He is a slim, vigorous man with a hawk-like face. In repose his features seem a little strained and his eyes tired, but as soon as he begins to talk his face lights up, all suggestion of weariness disappears, and he is as eager as a boy. He is restless, boiling over with energy, and takes his glasses off and fiddles with them, lawyer fashion, as he speaks.

A tremendously busy man, the Governor is impatient with the polite amenities that office thrusts upon him. There is force and power in the man that refuses to use itself up in small talk. He is like a motor that is more powerful than the machine it operates. You sense a surging forward that resents confinement—of the mind or body.

Alfred E. Driscoll was born in Pittsburgh, Pa. His ancestors had lived in New Jersey for generations and shortly after his birth his parents returned to New Jersey, residing in Haddonfield, where the Governor now lives with his wife and their three children. His father was a manufacturer of paints and varnishes. The Governor was an only son. He attended the public schools in Haddonfield and then entered Williams College. At college he became interested in history, and today biography and

Sub Judice

NO USE

While crossing the street, Dillon slipped on the ice and fell. His legs were momentarily paralyzed. One of defendant's bus drivers could not stop in time to avoid hitting him. Dillon sued the bus company averring negligence on the part of the bus driver. He also relied on Burns' Stat. §47-1821 which places a duty upon a driver to yield the "right of way" to a pedestrian. Verdict for Dillon. Held, on appeal, reversed and remanded. The court said that one who trips and falls cannot rely on the "right of way" statute if he was struck while lying on the highway. The court claimed that "right of way" was a privilege of the immediate use of the highway. "The word 'use' must necessarily refer to the use for which the highway was intended. The appellee's fall and its consequent paralysis of his powers of locomotion compelling him to lie prone on the crosswalk for some little time, although unavoidable and no fault of his own, is not the use of the highway contemplated by the statute granting pedestrians the right of way . . ."

The dissenting justice argued that one does not lose his "right of way" simply because his position accidentally changes from vertical to horizontal. "[The majority] proceeds to reason that whatever else icy and slippery highways may be used for, a pedestrian does not have the privilege of using it for the purpose of slipping and falling upon it, and if he does he loses his right of way. To me such an interpretation appears whimsical." *Gary Ry. Inc. v. Dillon*, 89 N.E. 2d 287 (Ind.—1949).

history still bulge large in his reading.

An early interest in civic affairs was manifested by the Governor. In 1929, a year after graduation from the Law School, he was elected to the Haddonfield Board of Education, becoming its president in 1937. In 1938 he was elected State Senator from Camden County, and in 1941, he served as Senate Majority Leader. In 1941 Driscoll was elected State Commissioner of Alcoholic Beverage Control. He served in this position with great distinction, winning praise from such diverse elements as The Women's Christian Temperance Association and the Retail Beverage Association. He held this position until 1947 when he resigned to become Governor.

Of all the changes which the Driscoll administration brought to New Jersey, the Governor is most proud of the new State Constitution which has been widely praised as one of the finest in the country. This is typical of the Governor in that he feels that basic to good government is a sound foundation upon which wise legislation can build. It is on this foundation that New Jersey has erected a modern system of courts which has transformed the archaic maze of justice, through which harassed litigants formerly had to wend their way, into a streamlined judicial system in which the law is administered impartially and efficiently.

Governor Driscoll's intelligence and vision has not been bounded by the local scene. He recognizes that the major social problem of our time involves the extension of individual security without the extinguishment of individual liberty. In his concern with the problem of ends and means the Governor has penetrated to the heart of the dilemma of our age. He feels, although security is a desirable end, it is the method by which we seek to attain it that will determine whether we reach security at all or only greater loss of freedom.

Crying out against the present trend, the Governor sees in the centralization of modern government the seeds of destruction of the liberty of the individual. This can be avoided, the Governor thinks, by returning to the states and municipalities a large part of the administrative machinery which has been taken away from them. In line with this, the Governor endorses the view taken by the Hoover Commission that "every possible effort be made to leave to the localities and the states adequate resources from which to raise revenue to meet the duties and responsibilities of local and state governments."

There are many who feel that Governor Driscoll is the best candidate the Republicans could have for the Presidency, but of this the Governor has nothing to say. He is completely engrossed in the business of trying to give New Jersey the most efficient government it has ever had. He feels that public service offers its greatest reward in the opportunity it gives to make a reality of one's democratic ideals. He thinks it is basic to democracy that there be widest participation by all in the process of government. He stresses, "It is our duty and responsibility to respond to our nation's need for trained and conscientious public servants at a time when the battle for freedom can be won by making our democracy work—not only for ourselves but for the entire world."

PAUL BAUMAN, 3L

Alumni Notes

LL.B. '25—William H. Harkness, vice-president of the Presbyterian Hospital, New York, was recently elected a member of the board of the United Hospital Fund.

LL.B. '30 — Burnham Enerson is a member of the board of directors of the Bar Association of San Francisco.

Ex-'35—Laurence S. Rockefeller, president of Rockefeller Brothers, Inc., New York, has been elected president of the board of managers of the Memorial Hospital for the Treatment of Cancer and Allied Diseases, New York.

LL.M. '40 — Conrad W. Oberdorfer, lecturer on law at Northeastern Law School, Boston, recently accepted an 18-month appointment as assistant general counsel to the American High Commissioner at Frankfurt, Germany. Mr. Oberdorfer was visiting professor of law here at the Law School during the summer of 1947.

LL.B. '48—Irving Ferman is now associated with the newly organized firm of Marcus and Steeg, New Orleans, La.

LL.B. '48—Irving L. Gartenberg and Norman W. Kliegman announce the formation of a partnership under the name Gartenberg & Kliegman with offices in New York, N. Y.

RECORD — (Continued)

(Maryland '43) of Annapolis, Md., present alumni-gallery editor, will be divided between Nathan J. Siegel, 2L (Cornell '48) of Utica, N. Y., who will handle the gallery, and Robert Ehrenbard, 2L (Vt. '48) of New York, N. Y., who will be in charge of alumni news. Jerome Reiss, 2L (Brooklyn '48) of Brooklyn, N. Y., succeeds Allen S. Krawover (Pitt. '44) of Pittsburgh, Pa., as treasurer.

Before the election the Board completed staff reorganization plans eliminating several positions found to be unnecessary. They reappointed responsibilities to insure efficient management and an improved newspaper.

7 Passenger Convertible \$275

1934 Packard, Straight 8. Four new tires, electric wipers, spotlight, tail light working, very good top, all paint and chrome excellent. A sporty car in excellent operating condition. Come in and see it to believe it.

ALSO

FOR SERVICE AT A SAVING TO THOSE WHO JOIN THE CAC*

- ✓ 21% off on Lube jobs.
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Federalism, Budget Among Issues At Forum Last Friday

In a verbal clash on the merits and demerits of the welfare state, Hubert H. Humphrey, Democratic senator from Minnesota and John F. Dulles, former Republican senator from New York, presented their positions last Friday to a



HUBERT H. HUMPHREY

near capacity audience at the Harvard Law School Forum. The conflict resolved itself to three main issues: balancing the national budget, federal government versus state, and economic democracy versus individual responsibility.

Humphrey, national chairman of the ADA, presented his argument in defense of the Fair Deal measures of the Democratic Administration, noting that the "welfare state" issue was considered a dead letter. Stating that Governor Dewey had labelled the welfare state argument a clumsy and ill-considered attack on the administration, Humphrey maintained that it is "a legitimate objective of representative government" to foster the economic well-being of the citizens.

Dulles agreed with Humphrey that welfare was needed, but differed over the means to be used in achieving these objectives. He called for a decrease in

Want A Ride Home??

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The RECORD, this week starts a new service for students looking for rides home. We will print your destination, desired time of departure, and your name, address and phone number.

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If desired we will also have a "Rides Offered" section.

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NEWS IN BRIEF

EQUITY LECTURES

Last year, it was understood that Professor Zechariah H. Chaffee would give a series of lectures to take the place of the omitted course in Equity. However, Professor Chaffee has stated that the lectures will not be given. He gave as his reason the small student attendance at the forums at which he was the speaker. Another reason given is that students, busy reviewing, will not attend outside affairs. His advice to students who will feel cheated is: "Let them get it from McClintock."

DEMOCRATS

The Democratic Club of Harvard Law School will meet tomorrow, March 30, in Langdell South at 4:00 p.m. for the purpose of adopting a constitution, electing officers and signing up members. All interested students, including those who were unable to attend the first meeting, are invited to attend. There will also be reports on the activities of the Research Committee and the Speakers' Bureau.

STUDENT ON RENT BOARD

James J. Sullivan, 2L (Harvard '47), of Roxbury, Mass., has been appointed to the Rent Advisory Board for the Norfolk-Suffolk Counties District by the Office of the Housing Expediter in Washington, D. C.

Sullivan is vice-president of the Young Democrats of Massachusetts. He formerly

served as a research assistant at the Harvard Graduate School on Public Administration.

ROTARY SCHOLARSHIP

Paul G. Gebhard, 1L, of Oak Park, Ill., was recently named recipient of a Rotary Foundation Scholarship for study abroad on 1950-51. One of 85 graduate students awarded Rotary grants, Gebhard will study economic history in Great Britain.

FOREIGN STUDENT

Hans Christoph Leo of Neuer Jungfernstieg 21, Hamburg, Germany has written to the Law School asking that anyone interested in the problem of color scheme protection at gasoline stations on the basis of the German law on unfair competition and German trade mark law correspond with him at the above address. Assistant Dean George Minkin, LL.B. '48, has the letter received from Hans, and has publicized Mr. Leo's problem on the bulletin board at the Law School, but with no success. He suggests that interested alumni contact him, as well as students interested in this problem from the point of view of unfair competition, or government regulation of industry.

HOOVER REPORT

The Harvard Law Citizens Committee for the Hoover Report has prepared a summary of the Hoover Commission's recommendations for the Post Office Department. This report recommends that the Post Office Department be operated as a modern business corporation with modern accounting and budgeting methods installed. Political appointments of Postmasters would be abolished.

Each of the original Hoover Commission's Reports (there are 24 of them)

can be obtained from the Superintendent of Documents, Washington 25, D. C., for 10 cents apiece.

CHANCERY HOOPSTERS WIN

Sparked by the nifty ball-handling and shooting of "Little All-American" Clint Stevenson, the Chancery Club basketball team beat a club from the Business School by a 54 to 40 count. The game was played at Hemenway gym.

The Clubbers, winners of the Law School league, led all through the game and were never pressed after the first few minutes. Big George Babcock, 3L (Indiana '47) of Logansport, Ind., center of the Law School five, made excellent use of his height to control both backboards and contributed 12 points, mainly on a soft pivot shot.

The Chancery team was well-coached by Homer Hewitt, 3L (Princeton '47) of Wynnwood, Pa., who doubled as one of the starting five.

WAR ORPHANS

Six student war orphans are being selected as delegates to an international conference on the Atlantic Pact to be held in Brussels next month. A joint committee of the A.V.C., the American Legion, and the Veterans of Foreign Wars has been created for the purpose of making this selection.

The Brussels Conference is being sponsored by the Belgian Prime Minister, the Ministry of Foreign Affairs of Belgium, the Belgian universities, and Les Invalides Preveyants de Belgique (a Belgian organization of disabled veterans). In addition to the activities at the conference, the delegates will make visits to the Belgian universities and inspection trips to representative Belgian industries.



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DALTON-ELCOCK BAR REVIEW

The Spring Review, Preparing Candidates for the Massachusetts Bar Examination to be held July 6 and 7, will begin on May 29, 1950 and will continue through July 3, 1950.

Class will be given during the day.

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Calendar

UNIVERSITY WORLD

General Clay

General Lucius D. Clay will discuss *The Administration of Germany as a Part of the Fight for Freedom* in his final lecture of this year's Godkin series tonight, March 29, in New Lecture Hall at 8 o'clock.

Atomic Physics

The Committee on General Education will present a motion picture, *Atomic Physics*, today at the Institute of Geographical Exploration, 2 Divinity Avenue, at 4 and at 8 p.m. The film, which was produced by J. Arthur Rank, is being distributed by the U. S. Atomic Energy Commission and will be open to the public.

Harvard Conference on Careers

Under the auspices of the Office of Student Placement, Colonel C. P. Sumnerall; Colonel Richards W. Fellows, Acting Deputy for Personnel, Continental Air Command, Mitchell Air Force Base; Lieutenant Commander J. G. Thompson, Office of Naval Officer Procurement, Boston, will discuss *Military Careers* tonight at Lowell House at 8 o'clock.

Music Department

At 8:30 tonight the Department of Music will present Andrew Heath, Jr., pianist, in a senior recital in Paine Hall, Music Building. The program will include compositions by J. S. Bach, Aston, Beethoven, Ravel and Martin. The concert is free and open to the public.

Boylston Prizes

The annual competition for the Boylston Prizes for Education will be held in Room D, Emerson Hall, at 8 p.m. today. The judges will be Bernard A. DeVoto, Walter D. Edmonds and David T. W. McCord. Open to the public.

William James Series

Karl R. Popper, Professor of Logic at the University of London, is delivering the William James Lectures in Philosophy this term. The seventh lecture in the series, *The Plight of the Social Sci-*

ences, will be given in Room D, Emerson Hall, Thursday, March 30, at 4:30 p.m.

Concert

Paul Hindemith will conduct a concert of medieval music to be given in Sanders Theatre at 8:30 p.m., Friday, March 31. Most of the singers and instrumentalists are students in Professor Hindemith's class in the History of Theory. They will be assisted by soloists, William Hess of New York, Paul Tibbetts of Boston, and Robert Gartside, 4C. All the instruments will be medieval or modern copies of old instruments lent by the Metropolitan Museum of New York and the Boston Museum of Fine Arts.

Radio

The Lowell Institute Cooperative Council presents Professor Seymour Harris, Harvard Department of Economics, in two broadcasts on *Economics for the Citizen*; *Economic Maturity* tonight at 7 o'clock on station WBMS-FM, and *Unemployment* Saturday, April 1, at same time on same station.

Parents' Organization

The Parents' Organization of the Harvard Pediatric Study presents two lectures: Miss Felicitia C. Pellegrini, Public Health Supervisor of Northeast Metropolitan District of Massachusetts, who will speak on *Public Health Problems in the Community*, and Mrs. William Locke, Assistant Advisor to Harvard Wives, who will speak on *Services Offered by the Advisor to Harvard Wives* Monday, April 3, at 8:30 p.m. in the Peabody Room, Phillips Brooks House.

Law Wives

Professor Edmund M. Morgan will discuss his recollection of Harvard Law School tonight at 8 o'clock at Kendall House.

AMES JUDGES—(Continued)

tice served as a captain in the 81st Field Artillery, and as Adjutant, 19th Artillery Brigade. In 1927, he was elected U. S. Senator from Alabama, being re-elected in 1933, and in 1937, he was appointed to the Supreme Court.

Associate Justice Edward A. Coughlin, Jr., L.B. '06, attended the Cambridge public schools and Harvard College before entering the Law School. He was Chairman of the Cambridge Committee on Public Safety during World War II, and Chairman of the Observance of the Cambridge Centennial in 1946. From 1921 to 1949, he served as Special Justice of the Cambridge District Court, and in September, 1949 was appointed to the Supreme Judicial Court of Massachusetts.

Judge Gibson was born in Brattleboro, Vt., in 1901. He took his A.B. at Norwich University in 1923, and was graduated from George Washington Law School in 1927. After serving as secretary to the Vermont State Senate, he resigned that post in 1940, to finish out the unexpired term of his late father in the United States Senate. In 1946, Judge Gibson was elected Governor of Vermont, resigning that office last year upon his appointment to the District Court.

FEINGOLD—(Continued)

critical role in the future of our country.

Embryo Lawyers

What then are we doing to help boys from poor families with a drive to be lawyers to attain their objectives? How many youth have sufficient funds to com-



S. NORMAN FEINGOLD

plete pre-legal training but not professional law school as well? The answers are not as yet available.

In a review by the writer of funds administered by private organizations and foundations not controlled by colleges or universities, there appear to be fewer funds allocated specifically for professional law school training than for many other fields of work (*Scholarships, Fellowships and Loans*, Bellman Publishing Co., Boston). Private enterprise, however, has done more in the way of setting up scholarships, fellowships and loans than is generally realized. Nevertheless, much remains to be done in an active constructive manner. The total picture can obviously be significantly changed if private enterprise substantially increases scholarships, fellowships and loans and/or the government legislates some sort of student aid along the lines of the "G.I. Bill."

Part-Time Work

Two other possibilities are that of part-time work and student loans. The Connecticut Mutual Life Insurance Company recently asked a number of colleges to indicate "the maximum number of hours of paid work per week" they felt advisable and practical for the average undergraduate in a four-year liberal arts course. They indicated that "the average maximum hours of work (for the brighter students) is sixteen." Approximate wages for part-time work amounted on the average to 70 cents per hour. This means a maximum earning power of \$11.20 per week or about \$400 a college year. How many hours of part-time work would be advisable and practical for a law student?

There thus remains the question of loans as a means of financing law school training. This is one source of aid that has not been and still is not popular with students. In New York State in 1941-42, approximately \$1.1 million in loan funds was available, of which approximately only \$350 thousand was borrowed. Students used only 32% of the loan funds that were available. It may be necessary in the years to come for more qualified students to secure and to accept loans as a means of going on to the higher education they need. Revolving loan funds at schools, colleges and through private organizations will be able to secure adequate aid for a greater number of qualified people. Rather than accept the seemingly unpopularity of student loans, it would be expedient to conduct a study to determine the reasons.

At present some of the staff of the HARVARD LAW SCHOOL RECORD are preparing a survey of the legal profession under the direction of Reginald Heber Smith, LL.B. '14. This study will throw new light and focus attention on this very vital question of today—how to help qualified students with insufficient resources to finance their legal training.

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LEGAL AID—(Continued)

If the client's case is accepted, he will pay a nominal fee of 25 cents, which will be added to a fund to defray minor costs incidental to his and other cases. It is felt that better attorney-client relationship results from this charge. Fees, plus a yearly donation from the Law School (\$788 in 1949-50) constitute the financial backing of the Bureau, out of which all expenses are paid. Normally, the client pays for filing fees and all other costs of litigation.

From the first interview, the Bureau member handles the entire case to its conclusion; he looks up the law, decides on a course of action, drafts pleadings or other documents, does field investigation where necessary, files necessary papers in court, and negotiates settlements with the opposing parties or their attorneys.

Many cases require no more than giving proper advice to clients. Of course, settlements are encouraged. In 1949-50 about 526 cases were disposed of in one of these two ways. However, if the case requires litigation, the student counsel takes it into court.

Although Bureau members appear in court, they are not expressly authorized to do so by law. However, long-established practice, the tacit approval of the bar and judiciary, plus an opinion that legal aid to the poor does not constitute the practice of law, have combined to enable clients to be represented by Bureau members.

The Bureau has a paid supervisor who is a practicing attorney with the Boston Legal Aid Society. He signs all pleadings and official court papers as attorney of record and Bureau members technically appear as his juniors. He is available one afternoon a week for consultation with members and generally oversees the entire work of the Bureau.

As already noted, the record of members in court is extremely gratifying. Judge George M. Poland of the Middlesex County Probate Court has said, "Their cases have been perfectly prepared and presented and their courtroom manners may well be copied by a good many members of the bar."

Most litigation takes place at district and probate levels, although several cases have been taken to superior courts. Thus far no case has ever gone up to the Supreme Judicial Court of Massachusetts, mainly because the average client does not have sufficient financial resources to bear the cost of an appeal; but if the situation arose, the member who has been handling the case would

do the necessary research, and, if permitted, would argue the case before the appellate court.

In a recent report to the American Bar Association's survey of the legal profession, the Bureau estimated that members spend an average of 15 hours a week on legal aid work, although some men have consistently spent as much as 25 hours a week. It is the good student who can spare this much time, for which reason, perhaps, there are no men on the Bureau staff with less than a 73 average. In the summer, however, the Bureau is staffed by volunteers from the second-year class who have a 70 average or above. This year it is expected that about 20 such volunteers will have an opportunity to work in the Bureau.

While a 73 average is the minimum needed to earn a permanent berth, many men have higher averages. Several men have declined invitations to join the other honor societies, preferring to work on Legal Aid. D. S.

NEW DORMS—(Continued)

this level of power, annual license fees ranging from \$1.50 to \$4.50 will be charged.

Dormitory residents are expected to eat in the new cafeteria dining hall which will contain lounges and a grill room for evening snacks. There is no requirement that all meals be taken in the dining hall, but should it become necessary, those who pledge to take their meals in the dining hall will be asked to fulfill their promise. The school points out that a saving of about \$133.00 is possible during the school year for those dining consistently at the dining hall because of the reduced price of the weekly dining rate. All law students will be able to avail themselves of the new dining facilities on a per meal basis if they do not choose to pay weekly for all meals.

On the first floor of the central dormitory building there will be four lounge rooms and one large combined recreation and lounge room. These rooms vary in size, and can be converted to small unit sizes for use as moot court rooms. All these rooms are available to all students at Harvard graduate schools.

The rates for the students in the new dorms are \$250 per man for the academic year for the large study-bedroom, and the single room is \$280 per year. Suites of two study-bedrooms with one room larger than the other will rent for \$290 per man per year.

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