

The Harvard Law School Record

VOL. 13 NO. 1

CAMBRIDGE, MASS., WEDNESDAY, OCTOBER 3, 1951

PRICE TEN CENTS

Every Law Student Classed Undergrad By Draft Officials

Law students will be considered undergraduates for the purpose of granting deferments, according to the latest operations bulletin of the Selective Service System, which characterized the LL.B. degree as the "first academic degree in the field of study being pursued."

The effect of the ruling is to advise local boards that a registrant, to be deferred for entrance into a law school, must have been in the upper 75 per cent of his senior college class or have scored 70 or better on the Selective Service test.

A student must remain in the upper three-quarters of his class to retain his deferment, unless his Selective Service score is 70 or better.

Last Year's Policy

Under the policy in force last year, a prospective law student, like any other graduate student, had to score at least 75 on the Selective Service test or finish in the top half of his senior college class, to be deferred, but the deferment, once granted, lasted until he completed his graduate course.

The new scheme, like the old policy, is transmitted to local draft boards in the form of advisory bulletins, informing them of national policy, but leaving it up to the local board's discretion whether or not to follow the national policy.

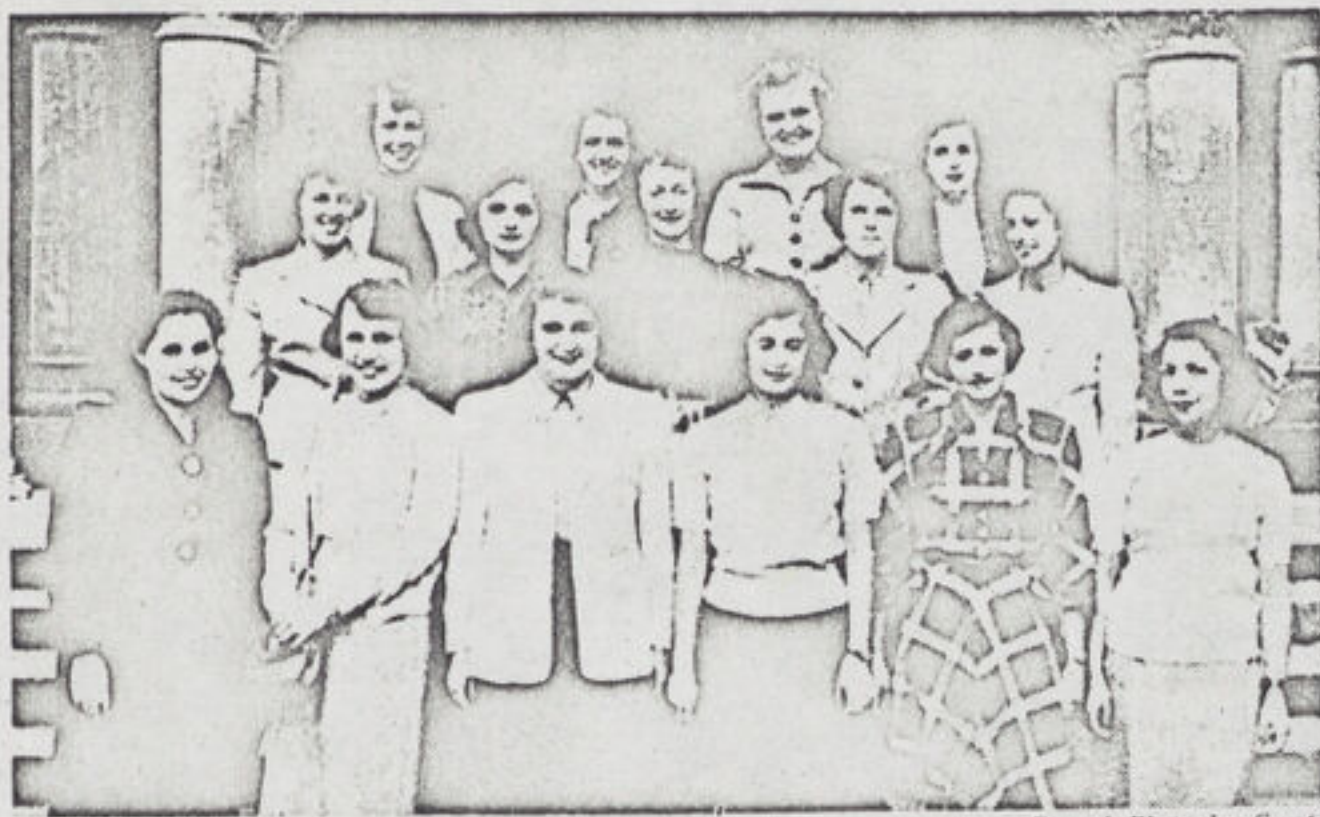
This change in the status of law students was made because many law schools do not require a college degree for entrance, but rather take men at the end of their second or third year, according to Selective Service. This rule will apply to all law schools including those like Harvard which require an A.B. before entrance.

Treat All Alike

In order to treat all law students alike, National Headquarters decided to re-define "undergraduate" to cover would-be lawyers as well.

The effect of this change on Harvard Law School cannot as yet be determined, according to Assistant Dean Louis A. Toepfer, since records are not now available as to how many men took the test, what their scores were or how they stand in their class, and no trend among local draft boards has become evident.

RECENT ADDITIONS TO THE WOMEN AT HLS



(Left to right), front row: Sonia Brady, Natalie Adelman, Marjorie Walsh, Raya Dreben, Dot Garber, Ruth Schectman. Middle row: Judith Swatland, Suzanne Brown, Greta Worstell, Louisa Clark, Antoinette Loiacono. Last row: Frances Fraher, Joan Dignon, Nancy Young, Eve Schessel.

Law School Forum Begins Year With School For Young Lawyers, Oct. 11, 12

A school for young lawyers, to be held Oct. 11 and 12 in Langdell Hall, will open the 1951-52 season for the Harvard Law School Forum.

Assistant Dean Louis A. Toepfer will start the panel discussions Oct. 11 at 8 p.m. with a talk on "How To Find A Job in Law" in Langdell South Middle.

D. Nelson Adams of Davis, Polk, Wardwell, Sunderland, and Kiendl will speak on the merits of practice with a large firm in one panel, while Thomas Kaplan of Goulstone and Storrs will discuss the advantages of the small firm in another. Paul F. Hannah, general counsel for Raytheon Corporation, and John Barker, Jr., general counsel of New England Mutual, will discuss employment in the legal department of a corporation in a third panel discussion on Oct. 12.

Labor Union Prospects

In another panel, Albert L. Goldman of Grant and Angoff and Robert M. Segal, counsel for the Massachusetts Federation of Labor, will discuss opportunities in labor unions. James A. Durham, counsel in the Office of Price Stabilization, will speak on government work. Joseph B. Abrams will discuss how to break into trial practice.

"Getting Started on Your Own" is the topic of the panel discussion to be led by Harris B. Steinberg. Frank K. Coffin

will speak on practicing in a small town. James B. Ames of Ropes Gray Best Coolidge and Rugg will give an insight into the field of trust and estate planning. Allan H. W. Higgins of Goodwin, Proctor and Hoar and George R. Blodgett of Herrick, Smith, Donald, Farley and Ketcham will moderate the survey of openings in Taxation. Hector M. Holmes of Fish, Richardson, Neave will speak on the field of patent law.

A special panel will be "Women in Law," over which Judge Jenny L. Barron of the Municipal Court of Boston will preside.

"A New Role In Japan" is the topic for the first regular Friday evening Forum to be held on Oct. 26. Senator Owen J. Brewster (R., Me.) will be one of the speakers.

First Year Grades Match Past Marks

Keeping step with recent first-year classes, the class of 1953 compiled 34 "A" averages, representing 7 per cent of the class. Fifteen of these top averages were 77 and above, while three men achieved grades over 80.

Twenty-four per cent of the first year class, 120 men, scored "B" averages. Some 52.2 per cent finished with "C" averages, while a mere 2 per cent had "D's". Forty-two students failed, this number representing 8.5 per cent of those taking the examinations.

A survey of results for the second year shows grades of an equally high level. There were 27 "A" averages, totalling 6 per cent of the class; 126 "B" averages, scored by 28 per cent of the class. Sixty-one per cent returned "C" averages, while 4 per cent had "D's" and 1 per cent failed.

52 Scholarships

Scholarships were awarded to 52 persons in the first-year class, making a total of nearly \$100,000 that has been

(Continued on page four)

A. B. A. Service Award Given To Reg. H. Smith

Reginald Heber Smith, LL.B. '14 was presented the American Bar Association's highest award, "for distinguished service to American law," at the Society's annual dinner on September 20 in New York.

The gold medal of the Association was first awarded in 1929, to Professor Samuel Williston. Smith is the seventeenth recipient of the honor, which has gone to such others as Elihu Root, Oliver Wendell Holmes, John H. Wigmore, and Charles Evans Hughes.

Smith, senior partner in the firm of Hale & Dorr, was instrumental in the organization of the Harvard Legal Aid Society. Early in his professional career

(Continued on page four)

New Transient Meal Rates For This Fall At Commons

Top Rankers Listed On Honor Groups; First Girls Named

Fifty-two members of the class of 1953, including the first two women in the history of the Law School to achieve such an honor, joined 20 present third-year men in winning membership in the law school's three honor societies.

The 25 students standing highest in rank in the present second-year class, together with 10 men from the third year class, make up the additions to the editorial board of the *Law Review*. Eight men from the second-year class and three from the third-year have joined the Board of Student Advisers. The Harvard Legal Aid Bureau has taken seven from the third-year class and 20 from the class of 1953, including Miss Ann M. Pfohl (New Rochelle '49) of Forest Hills, N. Y., and Miss Mary M. O'Connell (Chestnut Hill '50) of Jeanette, Pa.

The official list:

Law Review: Second Year: David Abrams (Syracuse '50) of Brooklyn; M. Bernard Aidinoff (U. of Mich. '50) of Newport, R. I.; Walter A. Apfelbaum (U. of Florida '50) of Miami; Wayne G. Barnett (Harvard '50) of Las Vegas, Nev.; Norman Dorsen (Columbia '50) of New York City; Raymond L. Falls (Wooster '50) of Youngstown, Ohio; Franklin Goldstein (U. of Maryland '50) of Baltimore; Bert M. Gross (U. of Minnesota '50) of Minneapolis, Minn.; Gerald Gunther (Columbia '50) of Brooklyn; Jack A. Haner (U. of Washington '49) of Centralia, Wash.

Richard Harrington (Harvard '50) of Webster Groves, Mo.; Charles F. Hawkins (Williams '50) of Brighton, Mass.; Edward J. Hawkins, Jr. (Princeton '50) of Walpole, Mass.; John B. Jones, Jr. (Harvard '50) of Radnor, Pa.; Kenneth Karst (U. C. L. A. '50) of Cambridge; Aram J. Kevorkian (U. of Penn) of Philadelphia; Deane E. Leonard (Princeton '50) of New York City.

(Continued on page three)

Dining Hall To Be Kept Upon Non-Profit Basis; Price Revision Possible

Transient meal rates at Harkness Commons have been increased, for the second time in seven months, Vice Dean Livingston Hall announced recently.

Although the weekly board rate of \$14 was maintained, the luncheon price was raised five cents to \$.85 and the dinner price placed on a sliding scale ranging from \$1.05 (which was the standard price last year) to \$1.30. Dinner prices will vary according to the cost of preparation.

There will be a special cut-rate for those who eat lunch every day at the Commons—\$4.00 for five consecutive lunches, Monday through Friday. In addition, special dispensation has been made to students signed on at the full board rate who bring women guests to the Dining Hall. The women will be charged at the same rate being paid in the College dining halls—\$.65 for breakfast, lunch at \$.80, and \$1.05 for dinner.

Proceeds Will Be Watched

"Of one thing you can be sure," declared Dean Hall, "we will watch proceeds like a hawk, and if they indicate that we were wrong, if they indicate that a change is necessary, we will revise the prices before the Christmas vacation." Present indications were held inconclusive, although they tended to show more sign-ons and fewer transients than last year.

In addition to the price rises, other steps have been taken to cut costs and raise revenues. Hereafter, students will be permitted to sign-off the first Monday and Tuesday of each month only; but they will be allowed to sign on at any time. Also, diners will be permitted no more than two beverages per meal.

According to Dean Hall, the new policy was adopted for Cowie Hall in the Business School and for Harkness Commons after a meeting of University officials at which finances were discussed. The dean said he believed all the measures taken would be necessary

(Continued on page four)

Professor Williston Feted By Faculty; Spends Ninetieth Birthday At His Desk

Austin Hall was three years old in 1885 when Samuel Williston, '88, Dane Professor of Law, Emeritus, entered upon his career at Harvard Law School. In the years since, Professor Williston has gained renown both for himself and for his alma mater. He is one of the greatest teachers of the law the school has ever known. And his treatises on Contracts and Sales are the authorities in those fields.

It is no wonder then that Professor Williston's ninetieth birthday, September 24, was the occasion for a faculty reception in the Root Room to honor its oldest member.

Professor Austin W. Scott and Zechariah Chafee, Jr., former pupils, reminisced about their student days and paid tribute to his greatness. Professor Scott read portions of letters, originally written to his father, full of enthusiasm concerning Professor Williston. Professor Chafee's accolade was more formal but no less fitting:

"September 24, 1951, falls in anxious times, but so did September 24, 1861,

two months after Bull Run. I remember Mr. Williston coming to our law club when I was a student and saying he'd give us just one piece of advice, 'Don't be afraid to accept responsibility when it is offered to you.'

"With all the calamities of the past twenty years, we have had the privilege of living in a period of wonderful old men—Mr. Justice Holmes, Chief Justice Hughes, Winston Churchill, Samuel Williston. To all of them has come, not merely long life, but what is rarer and more precious, long work. The law students heard Mr. Williston at his best until he was past seventy-six. During the many years since he stopped teaching, his

colleagues have been fortunate in finding him, almost every morning, in the stacks to their continuing pleasure and frequent profit. 'Sir, we rejoice that to you has been granted the blessing of Moses upon Asher, And as thy days, so shall thy strength be.'

Interviewed in his office last week we

(Continued on page four)

NEWS IN BRIEF

SEARS PRIZES

Sears prizes for the best performances in first-year work were awarded to Wayne Goodwin Barnett, 2L (Harvard '50) of Las Vegas, Nev., and Gerald Gunther, 2L (Columbia '50) of Brooklyn. Dean Erwin N. Griswold announced recently.

Second-year prizes went to William J. Kirby, 3L (Harvard '47) of Kewanee, Ill., and Allan Hulme McCoid, 3L (Northwestern '44) of Mount Pleasant, Iowa, who finished first and second respectively in the second year class.

Barnett was the top ranking first-year man, while Gunther placed second. The Sears prizes are for \$500 each.

YEARBOOK PREPARATIONS

Preparations for the twelfth volume of the Harvard Law School Yearbook are moving ahead rapidly, with plans to have the book available immediately following the spring recess.

Despite sharp increases in costs, the price has been set at \$7.00. This year's edition will be dedicated to alumnus Judge Learned Hand, who recently retired as Chief Judge of the United States Court of Appeals for the Second Circuit.

Co-editors, B. Jenkins Middleton and Irwin Markowitz, have announced that students not yet signed up for picture

appointments should do so immediately by adding their names to the appointment chart on the bulletin board on the second floor of Langdell South. Required men's attire for the picture consists of white shirt, tie, and jacket. Groups who have not been notified concerning their picture should contact the Yearbook Committee.

Staff positions on the Yearbook are still open to second year men.

PBH MIXER THURSDAY

A Law School Mixer open only to first year men will be held at Harkness Commons on Thursday, October 4, from 4 to 6 p.m. George Graham and his orchestra will play. Only 175 men will be admitted, at a cost of \$1 apiece.

FIEDLER TO SPEAK

Arthur Fiedler, conductor of the Boston Pops orchestra will conduct an informal discussion and question period for the Harvard Law School Coffee Hour Tuesday, October 9 at 1:30 p.m. in Harkness Commons Lounge. All Law and Graduate students are invited.

RECORD POSITIONS OPEN

The RECORD has openings on its staff for any Law School men or women interested in working in its News, Advertising, and Circulation departments.

(Continued on page four)

The Harvard Law School Record

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

OFFICERS

JOSEPH J. THALHOFFER President
MARTIN L. BARR Editorial Manager
ARNOLD M. LEIBOWITZ Business Manager

EDITORIAL BOARD

STANLEY L. GOLDEN Associate Editor
JOSEPH B. MANELLO News Editor
JAMES MARKOWITZ Copy Editor
MURRAY E. WEINSTEIN Advertising Manager

DEPARTMENT EDITORS

Dan Sklar Alan B. Ives
Features Gallery
Samuel L. Hack Albert Sennett
Current Case Alumni
Israel Stein Ralph E. Corey
Treasurer Articles

STAFF

Bernard Bernstein, Alvin N. Biener, Leon Birnbaum, Edgar H. Booth, Donald Conley, Milton J. Crystal, Matthew Fomer, Gordon Jaynes, Charles H. Harper, Jr., Brian Harvey, Richard S. Kaplan, William P. Kennedy, Herb Klein, Seymour Levine, David Lubell, Jonathan Lubell, Ruth L. Marshall, Carolyn McTear, Lester Nelson, David Sanderson, William A. Scheurich, Jr., Norman Schoenfeld, John Sexton, Arthur Sherman, Arne Siegel.

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

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

Austin Hall

After almost 70 years of watching Harvard lawyers grow in wisdom, the shelves of Austin Library gaze vacantly out across the virtually empty reading room. Gone are the reporters; gone are the law reviews; gone are the attendants guarding the treatises; and gone are most of the students who studied there.

It should be interesting, and perhaps dangerous, to be in Langdell when the fever generated by the Ames Competition reaches its peak later this month. Since the school has committed itself to this step we hope its experts will not find they have grossly underestimated the load that Langdell will have to carry in Ames-time. We have grave doubts.

Assuming that Langdell will carry its load nobly and will not have to call for help, at least two questions come to mind:

- (1) Along with many others we wonder why was it not feasible to keep The National Reporter System on the shelves of Austin? Losses should be negligible and the upkeep trivial. The convenience would be great and the place would "feel" like a reading room again.
- (2) What provision (if any) will be made for those who like to smoke while they do research? It seems that smoking should be allowed in a part of if not all of Langdell. To some this may be unimportant but others will miss most that feature of Austin.

H. C. B.

The teaching of law requires voluminous casebooks and printed matter which is costing the student more money each year. With most students who are not on the G. I. Bill and with the high cost of living facing us in all respects, the problem of H.C.B. (High Cost of Books) becomes quite acute. The law book exchange of Phillips Brooks House, for students who cannot afford to purchase casebooks in this era of the shrinking dollar, is robbed of its usefulness when so-called new and permanent editions are published.

The problem of H.C.B. becomes much more aggravated where (a) the student merely gets a paper bound (sometimes unbound) collection of cases with no valuable notations and no resale value whatsoever; (b) where the professor insists on different books for a long and short course on the same subject; (c) where students are required to pay close to \$10. for a thousand-page casebook less than half of which will be used during the year because the other half completely duplicates a prior expensive "temporary" edition used the previous year; (d) and where a new casebook is required of all students even though minor additions and revisions have not, actually, made older editions obsolete. More instances could probably be stated.

There is probably some justification for the matters criticized. H.C.B. is not completely the fault of the faculty. But we honestly feel that the faculty should give some thought to keeping book expenses low even if it means a minor inconvenience.

Gallery

ROBERT A. LEFLAR
Law School Dean



At an early age, farm boy Robert A. Leflar set his sights on a difficult target, a chance to attend Harvard Law School. Since that day he has continued to aim high and with consistent success—as a scholar, teacher, practicing attorney and a state Supreme Court Justice.

His family lived near Siloam Springs, Arkansas, a short distance from the University of Arkansas in Fayetteville, so "Bob" Leflar matriculated there and worked his way through four years obtaining a B.A. with honors in 1922. He then taught school for two years to accumulate money for the eastern trek to Cambridge, choosing Harvard because, "I noticed that case books were generally the same in all the schools but the editors of the books were professors at Harvard."

With the aid of a tuition scholarship the expenses of the first two years of law school were successfully met, but at the end of the second year his savings were almost gone. Mr. Leflar decided to remain in Cambridge that summer and find a job which would pay enough to finance his third year.

After three weeks of searching for the needed job unsuccessfully, Leflar decided to use his remaining cash to support himself that summer and to invest the time in preparing three of his courses for the coming year so that he might have spare time to work during the year. The gamble paid off and when school re-opened, he found a job at a restaurant which provided meals and some additional money. Mr. Leflar supplemented this by tutoring other law students and earned enough to enable him to graduate in 1927 with his LL.B., again *cum laude*.

The thought of teaching school had not occurred to the new attorney until his third year at Harvard, but as he looked around for a place to practice, Mr. Leflar was offered a position as law professor at the University of Arkansas Law School, which had just graduated its first class. The hills of home beckoning strongly, he cast aside his plans for big city practice and returned to teach in a school with a total enrollment of 21.

In 1932 Mr. Leflar returned to Harvard for his S.J.D., specializing in Conflicts of Laws. Professor Beale, who taught this course, is the teacher that Mr. Leflar remembers most. "He had a certain facility for exciting disagreement in me and in others in the class."

Returning once more to his teaching position, Mr. Leflar launched efforts to improve the law as well as the lawyers of his state. Without interfering with his law school instruction, he opened a consultative law practice in Fayetteville, Arkansas. Later he was appointed Secretary of the Arkansas Criminal Law Reform Commission which prepared and submitted an extensive proposed revision of the criminal law procedure to the State Legislature in 1935. The plans were so mutilated by the legislature that the Commission decided to submit it directly to the people of the State. After an active campaign the Act was initiated and adopted in the 1936 general election.

In 1938, Mr. Leflar's scholarship produced "Arkansas Conflict of Laws," an able treatise on the state law. In 1942 he resigned his faculty position and became attorney for the War Relocation Authority, but a year later the Dean of the University of Arkansas Law School died, and Robert Leflar was at once offered the position. He accepted and after devoting the rest of the year to finishing up his work in W.R.A. he returned to Fayetteville to head the state's law school.

Dean Leflar's life now assumed new complexities. Added to the task of teaching and running the Law School, was the never-ending work of serving on various commissions, in attempts to improve the law of his state. He served as Chairman of the Arkansas Statute Revision Commission which was responsible for the publication of the first set of annotated statutes of the state.

Later he was one of the Arkansas Commissioners on Uniform State Laws and as such a draftsman for the Uniform Enforcement of Foreign Judgments Act which the Arkansas legislature adopted in 1949, being the first state to do so. In 1946 he provided the drive which resulted in the founding of the Arkansas Law Review, a publication which has proved of great value to the bench and bar of the state. His interest in intercollegiate athletics also resulted in his becoming president of the Southwest Athletic Conference.

In 1949, Dean Leflar was appointed Associate Justice of the Arkansas Supreme Court to complete the term of a deceased member. The Law School granted him leave of absence to fill this position.

During his year and one half on the bench he wrote sixty-seven opinions, the most interesting one involving the estate of a one-time slave and the validity of slave marriages. Speaking of his work on the bench Dean Leflar said, "I found the work very interesting and enjoyed it almost as much as teaching. I discovered that judges, too, are human and the creation of law is not always as much of a science as it is an art."

On January 1, 1951 Dean Leflar returned to the University to resume his duties there. Currently he is conducting a fund-raising drive to provide money needed to build new quarters for the Law School. In his 24 years with the School, it has grown from its original 21 students to a peak student body of 250. If present plans succeed there will be a new Law School building within a year.

Some measure of the school's influence may be shown by the fact that one-third of the members of the last Arkansas House of Representatives were former students of Dean Leflar. This should help in the unending fight for better-trained lawyers and better laws for Arkansas.

C. R. WARNER, 2L

Sub Judice

Just Keep Smiling

A group of the local citizens complained to Sole Martin, the defendant sheriff, that a building then under construction was going to be used for the sale of beer in violation of the law and requested he prevent its completion. He referred them to the prosecuting attorney, who affirmed Martin's denial of authority, "but I alleged to have suggested another and complete remedy, but one which they did not have the legal power to invoke."

After the building was erected, an attempt to see the sheriff was made by the citizens, "who by their presence were intimating that the sheriff had been engaged in strenuous inactivity in the matter of law enforcement."

Harold Dorton, the plaintiff photographer, was sent by a local newspaper with a reporter to cover the story. Dorton took a photograph of the assembled group, and of Martin as he left his office to go to lunch. The latter registered his protest by striking the photographer.

The trial court peremptorily instructed the jury to find for Dorton on Martin's admission of the assault and battery. On appeal, Martin claimed an invasion of his privacy which justified the assault and battery.

In affirming the court said: "Any person who engages in any pursuit of occupation or calling which calls for the approval or patronage of the public submits his private life to examination by those to whom he addresses his call, to any extent that may be necessary to determine whether it is wise and proper and expedient to accord to him the approval or patronage which he seeks! . . ."

"Some of the courts have sustained the right of privacy on the ground of the long recognized right of life, liberty, and the pursuit of happiness. However, as applied to public officials, it is conceded that most politicians and office holders are entitled to live, but as to enjoying a full measure of liberty or the unbounded pursuit of happiness it is doubtful if this time honored principle is sufficiently potent or self-executing in that behalf. . . ."

"While it is true that the modern invention of instantaneous photography now in vogue is such as to afford the means of securing a portrait of an individual's face and form without first giving an opportunity in advance for adequate adjustment of facial expression, wearing apparel and posture of the person to be photographed, and often may not result in a good likeness being obtained such as would be pleasing to the officer involved and his admiring friends and constituents, it is nevertheless not sufficient ground to justify an assault and battery on an otherwise inoffensive photographer. If a servant of the dear people is thus humiliated by a published photograph which does not seem to do justice to him, the law leaves his disappointment and chagrin to be helped and vindicated by the tremendous force of public sympathy."

"His photograph would seem to compare favorably with that of most of the other sheriffs we have known. . . ."

Martin v. Dorton, 50 So. 2d 391 (1951).

Webster Passed the Word

Plaintiff brought an action on a building contract. Defendant contended that plaintiff had not complied with the specifications of that contract. After retiring the jury was supplied with a dictionary by the judge, without giving prior notice to the defendant or her counsel.

Held: judgment for plaintiff reversed. Brennan J.A.D.: "The trial of a law suit is public business usually to be conducted open for all to see. The trial court's error had unfortunate consequences. The jurors consulted the dictionary and in the circumstances of the case this vitiated their verdict. The dictionary was consulted to ascertain the definition of the word 'wainscot' which appeared (mis-spelled wainscote) in the specifications in the evidence. The specifications required plaintiff to wainscot wall of kitchen, lavatory and bathroom."

"It follows a definition of the word 'wainscot' was capable of influencing the jury in its consideration of the specification. However small the part played by the specification in the entire verdict, the whole of the verdict is infected by the taint of the illegal and extraneous evidence having the capacity to influence the determination. The test whether a new trial will be granted is whether the extraneous matter could have a tendency to influence the jury in arriving at its verdict in a manner inconsistent with the legal proofs and the court's charge. Defendant was denied the chance to challenge the completeness of the definition given in the dictionary used. It is no answer that the jury may think they were not influenced by the definition. The law holds it impossible for them to say what affect it had on their minds." Palestrani v. Jacobs, 177 A. 2d 183 (Nov. 27, 1950).

Off the Record

"B" School Slaves

The following news item appeared in *Harbus News*, newspaper of the Harvard Business School, on May 17, 1951:

"Have you first year men obtained a job for the summer yet? . . . The school expects each student, unless excused by an Assistant Dean, to engage in some form of summer employment. Each student will be asked at the time for Fall registration to file a brief report on his summer activities."

Egad! Forced labor in the United States.

Dining Hall Art

Mural, mural on the wall,
You are inspiration to us all.
When at our casebooks we must start
We're glad we didn't study art.

Famous Cases in Rhyme

I. DE S. ET UX V. W. DE S.

An innkeeper's wife at 4 in the A. M.
Was the intended victim of gory mayhem.
She looked out the window, not foreseeing disaster
As defendant's hatchet went whistling past her.
But the judge fell victim to the lady's charm,
Ruling she suffered enough and need not show harm.



Harrie B. Steinberg, LL.B. '35
"Your witness!"

1306905

Alumni Notes

CLASS OF 1926 REUNION TO FEATURE FRANKFURTER

Mr. Justice Felix Frankfurter has been invited to address the Class of 1926 at its 25th Reunion Dinner at the Boston Harvard Club on Oct. 19. Some 150 men, including members from Honolulu and Nova Scotia, have indicated their intention of returning to Cambridge to meet their professors again and to see what ravages time and the law have wrought on each other.

The morning of Oct. 20 will be reserved for sightseeing and attending classes, followed by a buffet luncheon in Harkness Commons. The Harvard-Army game is scheduled in the afternoon, after which the Reunioners will celebrate or commiserate with cocktails and supper at the Hotel Commander. Reservations can be placed, or further information had, by contacting E. Curtiss Mower, 75 Federal St., Boston.

LL.B. '04—Benjamin H. Brown announces the opening of offices for the general practice of law in Sacramento, Cal.

LL.B. '30—Samuel T. Thorne, Professor of Law and Librarian, Yale Law School will join the faculty of Cambridge University as a visiting lecturer in the

Our advertisers appreciate your mentioning the RECORD when you patronize them.

History of English Law for the academic year 1951-1952. J. Lindsay Ware announces the opening of an office for the general practice of law in Fitchburg, Mass.

LL.B. '31—James W. Shocknessy has been appointed chairman of the Bar Examining Board of the Supreme Court of Ohio.

LL.B. '48—John J. Kennedy has been appointed Assistant Chief of the Legal section of the new Air Force Finance Center with headquarters in Denver. Marshall Buckalew has been elected Vice-President of the Morris Harvey College at the spring meeting of the institution's board of trustees. John F. Crane is now a member of the firm of Gardner and Williams of Passaic, N. J.

LL.B. '49—Edward S. Masket has recently joined the legal department of United Paramount Theatres, Inc., with offices in New York City.

LL.B. '50—Ralph A. Fields is now associated with Bautzer, Grant, Youngman and Silbert of Beverly Hills, Cal. Richard M. Marshall has joined the firm of Pross, Smith, Halpern and Lefevre of New York City. David S. Wine, having been recalled to active duty, is now attending the Judge Advocate Generals School at the University of Virginia. Also attending are David S. Westfall '50 and Bernard Feinstein '49.

HONOR GROUPS—(Cont.)

cipia '50) of Elmhurst, Ill.; William B. Matteson (Yale '50) of Mt. Vernon, N. Y.; Gavin Miller (Harvard '50) of Montreal, Quebec; Robert F. Patton (Westminster '50) of New Castle, Pa.; Martin F. Richman (St. Lawrence '50) of White Plains, N. Y.; William Y. Rodewald (Haverford '50) of Pittsburgh; Hugh N. Scott (Princeton '50) of Philadelphia; Herbert Semel (N. Y. U. '50) of Passaic, N. J.; and Cecil R. Warner (U. of Arkansas '50) of Ft. Smith, Ark.

Third Year Review Additions

Third Year: Bernard Bressler (Rutgers '49) of Roosevelt, N. J.; John P. Eastman (Princeton '49) of Andover, Mass.; Charles N. Gregg (Harvard '49) of Waban, Mass.; Vester T. Hughes (Rice '49) of Mertzton, Texas; William A. Kaynor (Yale '45) of San Francisco; Allan H. McCoid (Northwestern '44) of Mt. Pleasant, Iowa; Henry S. Mendenhall, Jr. (Harvard '45) of Chestnut Hill, Mass.; Harry L. Wallace (U. of Indiana '49) of Bloomington, Ind.; and Harry H. Wellington (U. of Penn. '47) of New Haven.

Board of Student Advisers: Second Year: Sydnor I. Davis (Centre College '49) of Louisville; Joseph H. Guttentag (U. of Mich. '50) of Detroit; Robert W. Hallgring (Princeton '50) of So. Orange, N. J.; Alan K. Latman (N. Y. U. '50) of Brooklyn; Francis A. Lavelle, Jr. (Harvard '50) of Wellesley Hills, Mass.; John J. McNally (Holy Cross '50) of New York City; Gerald M. Oscar (N. Y. U. '50) of New York City; and Edgar M. Pope (Harvard '50) of Macon, Ga.

Third Year Men: George E. Desipio (U. of Penn. '48) of Haddonfield, N. J.; Hartley Fleischmann (Harvard '49) of Palo Alto, Cal.; and Edward L. Johnson (Union '43) of Hillsdale, N. Y.

Legal Aid Society

Legal Aid: Second Year: John W. Barnett (Oberlin '50) of Lakewood, Ohio; Erwin B. Drucker (U. of Virginia '50) of Newport News, Va.; Bud H. Gibbs II (Harvard '50) of Chicago; Robert W. Gibbs (U. of Cal. '50) of San Francisco; Howard E. Goldfarb (Washington & Jefferson '50) of Washington, Pa.; Sedgwick W. Green (Harvard '50) of New York City; Sanford J. Fox (U. of Ill. '50) of Brooklyn; Robert H. Haggerty (Manhattan '40) of Somerville; Edwin H. Heller (Cornell '50) of New York City; Myron H. Hendel (Yale '50) of New London; Gabriel A. Ivan (U. S. M. A. '43) of Milford, Conn.; John M. Karns, Jr. (U. of Ill. '50) of E. St. Louis, Ill.; Albert R. Ketcham III (Vermont U. '49) of Cambridge; Mary M. O'Connell (Chestnut Hill '50) of Jeanette, Pa.; John R. Kirk (Harvard '50) of Weston, Mass.; Wilton B. Persons, Jr. (U. S. M. A. '46) of Montgomery, Ala.; Ann M. Pfohl; Glenn B. Reed (Westminster '50) of Mahonington, Pa.; Jerome Shelby (N. Y. U. '50) of New York City; and Paul C. Shafer.

B. S. A. Prepares Students For Ames With Library Tours, Movie, Pamphlet

Tours of Langdell Library will be held today and tomorrow under the sponsorship of the Board of Student Advisers, according to Daniel L. Skoler, 3L, Chairman of the Board. The tours are designed especially to help first year students about to enter the Ames competition.

Skoler recommended that students familiarize themselves with the "Basic Techniques" material which they received at the first year class meeting on Monday, September 24, before going on the tour. Those interested must sign up at the Austin Club Notice Board.

Skoler also announced that all first year men were invited to the showing of a film produced by the Board, "Case in Point." The movie illustrates the preparation and argument of a typical Ames case.

This film will be shown in the Langdell courtroom at 7 and at 8:30 p.m. on Monday.

Jr. (Harvard '50) of Revanna, Ohio.

Third Year: Martin J. Cinadr, Jr. (Ohio State '49) of Brecksville, Ohio; Langdon E. M. Day (Harvard '49) of Philadelphia; Roy B. Erickson, Jr. (Harvard '43) of Beaverton, Ore.; Charles T. Hall (Princeton '49) of Blairston, N. J.; Jenkins B. Middleton (Princeton '49) of Rochester, N. Y.; Robert V. Spayd (Princeton '49) of Dayton, Ohio; and Alexander M. Vagliano (Harvard '49) of Pelham, N. Y.

An enlarged edition of the *Introduction to Advocacy* with many additional features, was recently completed and distributed by the Board of Student Advisers.

Among the new items incorporated in this fourth edition are comprehensive rules for the qualifying round of the Ames Competition, a section on locating statutory materials, and the correction of the citation system so as to comply with the Law Review Uniform System. Flavor has been added with a Robert Day cartoon frontispiece by permission of the *New Yorker*.

In addition, the new edition brings up to date the important instructions relative to legal research, brief writing technique, and oral argumentation.

Daniel L. Skoler, Chairman of the Board of Student Advisers, credits the revision of the *Introduction to Advocacy* to four of last year's Board officers, Bernard Nemtsov, LL.B. '51, William E. Willis, LL.B. '51, William F. O'Connor, LL.B. '51, and Alfred Miller, LL.B. '51. John P. Eastham, 3L, prepared the section, on *Locating Statutory Materials*.

Open 24 Hours
Every Day
SWANNY'S
35 Boylston St.
Harvard Sq.

STUDENTS!
Laundry Doesn't HAVE To Be Expensive
THE HUDSON
Self Service Laundry
WHERE YOU GET A CLEAN WASH
5 HUDSON ST. :: CAMBRIDGE
Off 1672 Mass. Ave. EL 4-9809

JIM'S PLACE
30 DUNSTER STREET
FAMOUS FOR CHOPS
STEAKS, SEA FOOD
Full Line of Liquors and Beers
Complete Dinners .50 - 2.00
Porterhouse Steak for 2 \$4.00

THE MISSES LITTLEFIELD
HARVARD SQUARE
PROFESSIONAL TYPISTS
4 Brattle Street TR. 6-7495
Harvard Square

EXETER EXETER & NEWBURY STS.
BOSTON KE 6-7067
3rd WEEK
Completely Delightful!
— NEWSWEEK —
TONY DRAWS A HORSE
A J. ARTHUR RANK ORGANIZATION PRESENTATION
also DISNEY'S
NATURE'S HALF ACRE

Enjoy Luncheon or Dinner at the
HOTEL CONTINENTAL
"One of New England's Best Hotels"

in our COLONIAL DINING ROOM or
PICCADILLY INN

On Chauncy Street only one block west from Graduate Center
All beverages moderately priced
Excellent Function Facilities for Law Clubs and Parties of All Sizes
CHAUNCEY DEPEW STEELE, JR., General Manager
29 Garden Street Tel. KI 7-6100

OCTOBER IS STATE INSPECTION
AND STICKER MONTH

Elbery Motor Co., Inc.

FRANK ELBERY, YOUR FORD DEALER

Sales **FORD** Service

FAST EFFICIENT SERVICE — EXPERT MECHANICS
BODY PAINT & FENDER WORK — WHEEL ALIGNMENT
GUARANTEED USED CARS @ ATTRACTIVE PRICES
DRIVE YOUR CAR TO US — WE'LL GET YOU BACK

360 RIVER ST., CAMBRIDGE
Tel. Kirkland 7-3820 - 21 - 22

(just off Memorial Drive
at River Street Bridge)

Restaurant
1640 Chez DREYFUS
1610 MASSACHUSETTS AVENUE
CAMBRIDGE, MASSACHUSETTS
TELEPHONE: ELIOT 4-8115

Rackets Restring

One Day Service \$3.50 to \$9.50
TENNIS & SQUASH SHOP
67A MT. AUBURN ST. CAMBRIDGE
Opp. Lowell House — TR 6-5417

Have you reserved your
1952 H. L. S. YEARBOOK

?

Sign up NOW... for full coverage
of the Law School year... At the
Yearbook office, basement of Hastings
Hall, or when you have your
picture taken.
Only \$1 down... easy credit terms

...be shoe-thrifty in

Bostonians

SCOTCH GRAIN

The plump, foot-friendly,
longer wearing kind.



STALWART
STYLE 6218
Tan Scotch Grain

\$15.95

Others \$15.95 up

Mansfield Shoes \$10.95 up

THE COOP

BROADWAY SUPER MARKET

486 BROADWAY, CAMBRIDGE
— BOTTLED LIQUORS —

HALLER'S BRAND
Dry Gin

Full Quart
\$3.50

Distilled from 100% Grain
Neutral Spirits
90 Proof

B.P.R. Reserve
Whiskey

Fifth
\$2.98

Straight Whiskies — 3 or more yrs. old,
30% str. whiskey, 5% str. whiskey 3 yrs.
old, 70% str. neutral spirits, 20% str.
whiskey 3 yrs. old. 86 Proof

IMPORTED SCOTCH
Whiskey

Fifth
\$3.99

STRONG'S HIGHLAND BRAND
Product of Scotland
100% Blend of Scotch Whiskies
86 Proof

STRAIGHT BOURBON
Whiskey

Fifth
\$3.49

HALLER'S 89 BRAND
All Straight Bourbon Whiskey
4 YEARS OLD 86 Proof

IMPORTED CHILEAN
Wines

Fifth
99c

VINEX BRAND—Vintage of 1936
Burgundy, Reising
Alcohol 12½% by Volume

Cremo Ale

NON-RETURNABLE
BOTTLES
FULL QUART **25c**

NEWS BRIEFS—(Continued)

tising or business departments. Those interested can call at the RECORD office in Austin Hall for full particulars.

SCOTT AT LAST COFFEE HOUR

Abstract logic divorced from other considerations is no longer the sole concern of instruction here, Austin W. Scott, Dane Professor of Law, told a standing room audience at the first Coffee Hour in Harkness Commons Tuesday, Sept. 25. He spoke on the history of the Law School.

Prof. Scott briefly discussed the introduction of the case method, which he pointed out was brought in by Christopher Langdell when President Eliot of the University appointed him Dean in 1870. Mingling his facts with anecdotes, Prof. Scott told of the other teachers who helped in the development of the present case method, including Gray, Thayer, and Ames.

HYRC TO PRESENT AMORY

Professor Robert Amory will address the Harvard Law School Young Republicans on "The Activities Carried on in Local Politics by the Cambridge Civic Association," tomorrow at 4 p.m. in Langdell South.

AMES JUDGES NEEDED

All second and third year students who are interested in judging first year

BOARD PRICES—(Cont.)

to avoid a deficit in the Dining Hall accounts.

Net Profit of \$19

As an indication of the need for such measures, he pointed out that, although gross receipts of the cafeteria last year were \$499,085.35, the net profit only came to \$19. This small profit was realized despite a rise in prices last April 1.

Dean Hall hastened to add, however, that Harkness is on a strict non-profit basis. Nevertheless, because of rising food prices, reduced enrollment in the Law School, and a recent wage increase for University employees, he believes the measures taken are necessary to prevent a loss for this year.

It is part of University policy, Dean Hall said, to keep as low a rate as possible for weekly board so that students who are financially hard-pressed can get food cheaply.

Ames arguments are requested to submit their names to the Board of Student Advisers' receptionist in Austin Hall.

ORGANIZED RESERVE MEETS

"Can the Army Organized Reserve Solve your Problem?" Major W. Bruce Pirnie, commanding the 356th F A Bn, 94th Division (Reserve) which meets at Harvard, will give the answer tonight at 7:30 in the Freshman Union.

FOREIGN STUDENT PICTURES

All graduate students from foreign countries are to have a group picture taken tomorrow at 1:20 p.m. on the front steps of Langdell Hall. All other graduate and special students are to have their pictures taken at the same place at 1:40.

WILLISTON—(Continued)

found that Professor Williston has indeed been blessed with unusual strength. He continues to work in his office from about 9 to 12 daily including Saturday. "I can't seem to get used to the five-day week. These days people seem to get their work done in five days when it always took me six." Looking at his treatises one wonders how he ever got his work done.

Professor Williston attributes his longevity to the fact that he has been forced to be extra careful of himself since his health broke when he was 35. This forced him to leave his work for about three years. He feels that stronger and more vigorous people often fail to take sufficient care of themselves.

Since his retirement from active teaching in 1938 Professor Williston has been counsel to the Boston firm of Hale and Dorr. Although he does virtually no work for them now, he does keep busy doing the final editing on the state annotations of the various Restatements of the American Law Institute. "A fortnight ago I finished my work on the California annotation of the Restatement of Judgments. Most of my job is cutting out verbosity and ensuring that the style is consistent," he said.

When the *Harvard Law Review* was founded in 1886 Samuel Williston, 2L was on the first board. He last contributed to the "Bugle" in 1949 with a leading article criticizing the Sales portion of the proposed Uniform Commercial Code.

Professor Williston is proud of the arrival of his first great-grandchild six weeks ago. The little girl's father is an army officer on his way to Korea. Although his two daughters married lawyers who were his pupils, Professor Williston asked us to scotch the perennial rumor that Professor William E. McCurdy is his son-in-law. He is not.

GRADES—(Continued)

given to 150 persons in scholarships over the past three years.

At the commencement exercises in June a total of 464 LL.B. degrees were given to 26 recipients with an over-all "A" average, 134 who maintained a "B" average, 296 men who finished with "C" averages, and eight who compiled "D" averages in their three years here.

The highest general average was 79. As a result no *summa cum laude* degrees were given, since the average required for the course of study is 80 or above. *Magna cum laude* (75 average or better) were awarded 26 graduates, while 62 others received degrees *cum laude* (72 through 74).

SMITH AWARD—(Cont.)

he acted as general counsel for the Boston Legal Aid Society. For nearly thirty years he served as treasurer of the Law School Association; he is an active member of the American Bar Association.



REGINALD H. SMITH

tion, and an editor of its distinguished *Journal*.

Cody Fowler, retiring president of the A. B. A. made the presentation. In an accompanying citation, he especially recognized Smith's work in legal aid, law office management, and in the preparation of the A. B. A.'s Survey of the Legal Profession.

SQUASH RACKETS
Largest Variety in New England
TENNIS & SQUASH SHOP
67A MT. AUBURN ST. CAMBRIDGE
Opp. Lowell House — TR 6-5417

PIZZA
at the
CAMPUS DEL
2 blocks north of Grad Center
1686 Mass. Ave.
Armenian, American and
Italian Specialties

"JOE" KEEZER
PAYS MORE FOR YOUR
USED CLOTHING
JEWELRY—AND PERSONAL BELONGINGS
Call KI 7-2455 or bring your clothes to
HARVARD COMMUNITY EXCHANGE
1094 MASS. AVE. CAMBRIDGE
Longest "Old Clothes" Man at Harvard University

SUBSCRIBE NOW
TO THE
HARVARD LAW REVIEW

in order to receive the November issue containing:

- 1) "FREEDOM OF EXPRESSION AND THE FUNCTION OF THE COURTS"
An authoritative and detailed discussion of the free speech problem . . . A timely article which no one should miss . . . by Elliot Richardson, former law clerk to Judge Learned Hand and Justice Felix Frankfurter.
- 2) "THE POWERS OF APPOINTMENT ACT OF 1951"
An exhaustive analysis of this vital new legislation just passed by Congress . . . By George Craven, member of the ABA Sponsoring Committee.
- 3) "THE SUPREME COURT, 1950 TERM"
A careful examination of the most significant recent developments in the High Court.
- 4) COMMENTS, RECENT CASES AND BOOK REVIEWS

Subscription Price: \$5.50 per year

Address your subscription order to:

Harvard Law Review Association
Business Office
Cambridge 38, Mass.

HOTEL COMMANDER
Across the Common from Harvard
Private Dining Rooms
for Luncheons, Club Reunions, and Meetings
Grill, Snack Bar, Dining Room
Garden Street, Cambridge
KI 7-4800

HOTEL COMMANDER
BARBER SHOP
HAIR CUTTING EXPERTLY DONE
Open Daily 16 GARDEN ST.
Tel. KI 7-4800

NOW AT THE MIDGET
Home Cooked Jewish Specialties
BLINTZES, GEFULTE FISH, KNISHES
as usual our American meals are the best in quality and value
1728 MASS. AVE. ELiot 4-8556

Three Brothers
SHOE REPAIRING
LUGGAGE
LUGGAGE REPAIRING
FINE LEATHER BRIEF CASES
Two Convenient Locations
1644 MASS. AVE. EL 4-4818
Opp. Law School
2 BOYLSTON ST. EL 4-8717
In Harvard Sq.

Here's another instance where the
Patronage Refund
Is Very Important

GASOLINE **OIL**
WASHING **GREASING**

The COOP wishes to emphasize the fact that members of the Harvard Cooperative Society may purchase gasoline and oil for their cars and obtain a Patronage Refund thereon. A Patronage Refund is also paid on the charges for washing and greasing. To the drivers of cars, this represents a saving that is well worth while and you are urged to visit this Authorized COOP Garage.

CHURCH STREET GARAGE
41 CHURCH ST. NEAR HARVARD SQ.
The Authorized Coop Garage

The COOP

TOURS-CRUISES
Airline-Train Reservations
UNIVERSITY TRAVEL CO.
188 Brattle St. KI 7-1650

HARVARD BOOK STORE
LAW STUDENT AIDS
OPP. LAMONT LIBRARY
1248 MASS. AVE. Cambridge 38, Mass.

CLEANWAY
LAUNDRY and DRY CLEANING SERVICES

Shirts	Washed and Ironed	16c
Suits	Cleaned and Pressed	85c

4-DAY AND SAME DAY SERVICES

Self Service Laundry
9 LBS. WASHED AND DRIED—55c
One-Hour Service
104 OXFORD STREET
Just a few minutes from the Law School