

The Harvard Law School Record

VOL. 13 NO. 5

CAMBRIDGE, MASS., WEDNESDAY, OCTOBER 31, 1951

PRICE TEN CENTS

NEWS IN BRIEF

PBH DIRECTORY

The Harvard Law School Directory, published by the PBH Law School Committee, will be distributed free of charge this afternoon, at the Reception desk in Langdell Hall. The directory gives a complete listing of all students in the Law School with their addresses and phone numbers. There is also a special section listing phone numbers of various women's pages in the vicinity.

The committee which published this directory is: Sidney Kess, 3L (C. N. Y. '49), of New York City; Louis Del Duca, 3L (Temple); of Philadelphia, business manager; Vernon Elderkin, Jr., 3L (Syracuse); of Jamestown, N. Y., advertising manager.

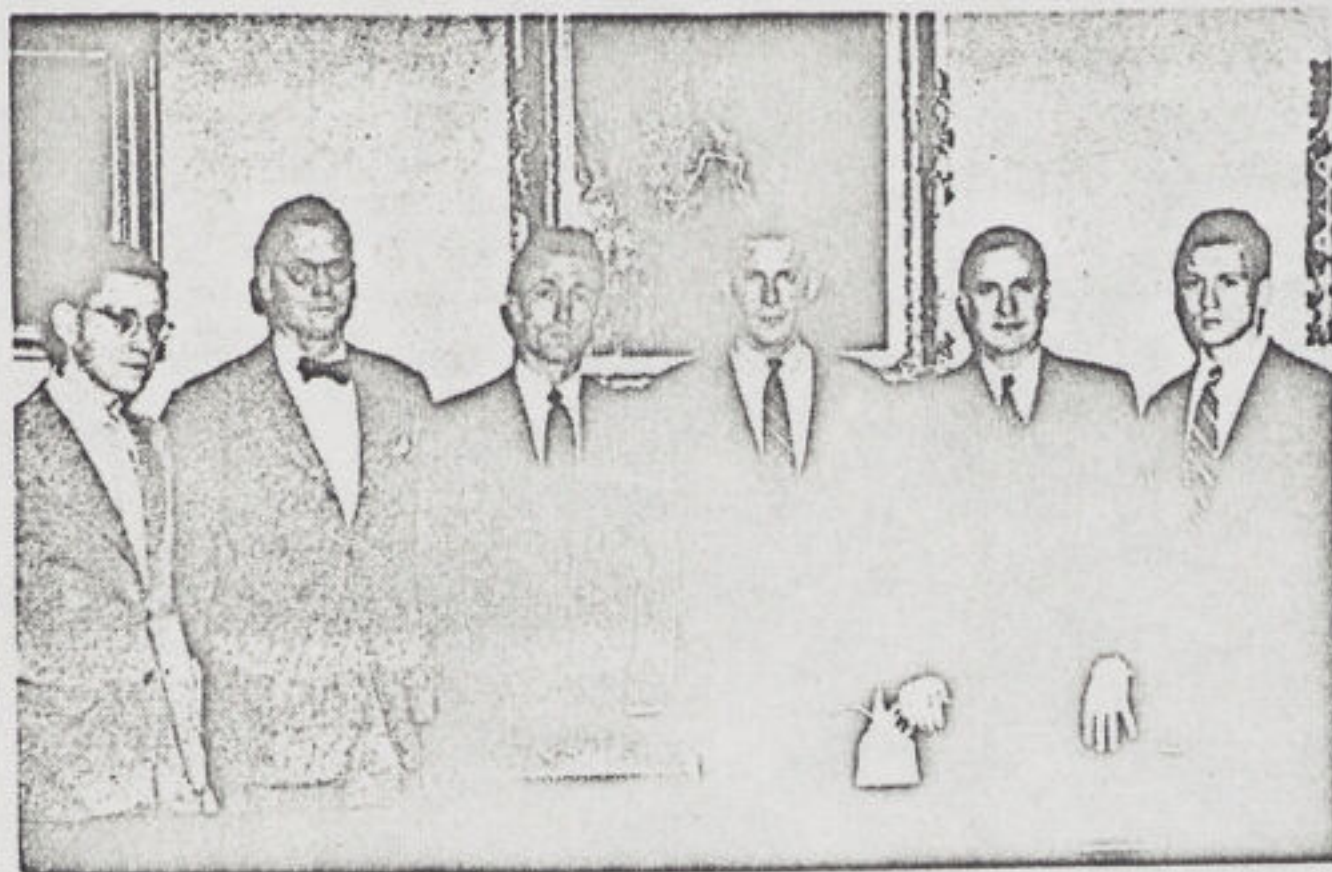
AMORY AT COFFEE HOUR

Professor Robert Amory will discuss "New Trends in Army Tactics" November 5, at 1:30 p.m., at the Coffee Hour in Harkness Commons. His discussion will include observations on the deployment of the United States forces in Western Europe, the use of tanks in modern warfare, and the structure of the Russian division. There will be no Coffee Hour next Tuesday, Nov. 6.

COMBINED CHARITIES DRIVE

More than \$1,100 has been collected from 200 students in the first three days of the Law School Combined Charities Drive, according to Chairman Sandra Markowitz, 2L (Wellesley '50), New York City. Miss Markowitz said the Committee "very pleased" with the response the drive has met in the Law School this year. If the present trend continues, the goal of 100 per cent contribution will be reached, she said. According to statistics released by the Committee, the progress of the (Continued on page three)

Counsel For Moot Court Argument



Left to right: Arthur Polier, Professor Hardee, Richard Miller, Peter Heller, Dean Griswold, and William Everts

Griswold, Hardee Appellate Arguments Close Mock Trial Program Tomorrow

Judge Calvert Magruder, Chief Judge of the United States Court of Appeals for the First Circuit, will preside tomorrow evening at 8 p.m., in the appeal of the mock case of *Swift v. Fowler*. With Judge Magruder on the bench will be Charles C. Cabot, Esq., and Talcott M. Banks, Esq., both of the Boston bar.

Dean Erwin N. Griswold will represent the plaintiff-appellant, and Professor W. Covington Hardee will argue the case for the defendant-appellee.

This appeal is from the judgment in the trial court session held in the courtroom of Langdell Hall on Oct. 11. Plaintiff Fowler was awarded \$3,500 damages on the charge of negligence.

Briefs on appeal have been prepared by third year students with quarter-final experience in the Ames Competition. Preparing the brief for the plaintiff-appellant are Peter S. Heller, 3L (Harvard '48), of New York City, and William M. Everts, Jr., 3L (Harvard '49), of Garrison, N. Y.

The brief of the defendant-appellant has been prepared by Arthur Polier, 3L (Duke '49), of Raleigh, N. C.; and (Continued on page three)

Richard B. Miller, 3L (Harvard), of Tulsa, Okla.

Defendant's appeal is based on three points:

1. Failure to charge the jury that to find for the defendant they must find that the plaintiff suffered physical harm.

2. Failure to charge the jury that they should take into consideration the contingent nature of a contract plaintiff had with a private school. This contract included a clause that would permit the school to discharge the plaintiff if he had a recurrence of his war-time nervous injury. After the incident on the beach with Swift's plane, the contract was so terminated.

3. Plaintiff can not cross-appeal on assault because of his failure to comply with Rule 51 of the Federal Rules of Civil Procedure.

(Continued on page three)

Bok Comments On So. African Crisis

Only recently returned from a two-year expedition in South Africa, Professor Bart J. Bok, Assistant Director of the Harvard Observatory, gave a critical analysis of the work and policies of the Nationalist Party of South Africa.

The present policy of "partitioning"—the allocation of separate geographical areas for different peoples—has antagonized many of the moderate leaders. The continuation of this and other policies of the Nationalist Party, Professor Bok believes, will only lead to revolution.

Professor Bok said a member of the Nationalist Party had admitted to him that the current policies would lead to increased tensions, but this spokesman for the Party felt the only way such conflicts could be controlled would be to complete the partitioning program.

In explaining the treatment which the native population received, Professor Bok, remarked that while native laborers were permitted to mix paint and set up ladders, they were forbidden to do the actual painting, since this was "skilled work."

Although there has been much improvement in the education of the native children, he observed, such education will not be of any significance until the time comes when the educated native is permitted to occupy a position of importance.

The Nationalist Party has succeeded very well in pitting the Indian population against the native African population, he remarked.

NEW PUBLICATION DATE

A change in our printing schedule necessitates our changing the RECORD's publication day from Wednesday to Thursday commencing next week, November 8, 1951.

Canadian Justice Ivan Rand To Speak At 3 In Langdell

"Law, Business, and Democracy" will be the topic of an address by Justice Ivan C. Rand, LL.B. '12, of the Supreme Court of Canada, to an open meeting of Business and Law School students at 3 p.m., today in Langdell Courtroom.

Justice Rand is one of two Law School graduates on the bench of the Supreme Court of Canada. The other is Justice James W. Estey, LL.B. '15.

Originally from Moncton, New Brunswick, Justice Rand began his practice of law immediately following graduation, in Medicine Hat, Alberta. In 1920 he returned to New Brunswick and practiced with Senator C. W. Robinson in Moncton from 1920-26. From then until his appointment to the Supreme Court in 1943 Justice Rand was in private practice.

Serving as arbitrator in several strikes in Canada's vital industries, he has become a prominent figure in the field of labor relations. Dean Griswold has commented that Justice Rand's arbitration opinions are generally regarded as outstanding.

He is best known for the so-called "Rand Formula" which he developed in the Ford dispute in 1945. In 1947 Justice Rand was a Canadian delegate to the United Nations Committee on Palestine in which capacity he helped draft the majority report recommending partition.

It is expected that Justice Rand will attend Professor Freund's seminar on the Legal Problems of Federalism, following his address to the joint meeting. In the evening he and Professor Freund will be the guests of Dean and Mrs. Griswold at a dinner given for Canadian law students and their wives in the private dining room in Harkness Commons.

Dr. Raymond W. Miller, visiting professor of business administration and special lecturer on public relations at the Business School, arranged for the jurist's visit, which is jointly sponsored by Dr. Miller and Dean Griswold. Tomorrow, Justice Rand will visit the Business School.

'MacA To Japan' Brewster Suggests To Forum Hearers

General MacArthur should be sent back to Japan as our first ambassador, Senator Owen Brewster (R., Maine), declared at the first Harvard Law School Forum last Friday evening. Senator Brewster, the featured speaker on a panel whose topic was the future of Japan as a free nation, said that General MacArthur's appointment is a positive and necessary step in avoiding a possible crisis in United States-Japanese relations.

Fairbank, Martin Agree

The other members of the panel, whose moderator was Professor Harold J. Berman of the Law School, agreed with Senator Brewster that the United States must take positive action quickly. Professor John K. Fairbank of Harvard suggested that the most practical aid we can give Japan is to encourage trade by lifting tariff barriers on principal Japanese exports. More direct subsidizing, with no strings attached, was favored by Mr. Robert P. Martin, a former Columbia Broadcasting System correspondent in Tokyo and now a Nieman Fellow at Harvard.

Unemployment and hunger are now present factors in Japan which may drive the people either to Russian Communism or to a form of home-grown totalitarianism, Mr. Martin explained.

Martin Suggests 'No Strings'

He warned that after the ratification of the peace treaty Japanese interests will be governed by "self-interest" — not necessarily enlightened, and that the United States must avoid using economic aid to control Japanese politics. Aid with no strings is the best way to keep Japan's (Continued on page four)

PBH Again To Sponsor Yearly Princeton Dance After Gridiron Contest

Long a tradition at the Law School, the "Tiger Trot," an informal dance following the Princeton game, will be sponsored again this year by the PBH Law School Committee on Saturday, Nov. 10, from 9 p.m. until midnight in Harkness Commons.

Music will be supplied by George Graham and his seven piece orchestra. During intermission the Committee has arranged for "The Tupelos," a group of 11 Wellesley girls, to sing old-time and novelty songs. "The Tupelos," led by Hardy Long, have sung with the Boston Pops and at various colleges.

Both the first and second floors of the Commons will be used. The orchestra will play in the downstairs meeting room with the music being piped into the dining hall. Setups will be served upstairs.

The ticket sale, which will be limited to 150, will begin next Monday at \$1.80 per couple. Should any profits result from this dance, they will go to offset the expense of the Coffee Hour programs.

The committee in charge of this affair is: George H. Meyer, 3L (Michigan '49), of Detroit, chairman; Robert Reid, 3L (Washington and Lee '49), of Winchester, Ky.; Tom Pearlman, 3L (Continued on page four)

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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; \$1.50 each mailed. Business and Editorial Offices, Austin Hall, Cambridge 38, Massachusetts. Telephone KIRKland 7-7600, extension 447.

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"Entered as second class matter November 19, 1946, at the post office in Boston, Massachusetts, under the 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.

Bar Exam Preparation

We are happy to publish the list of successful Law School candidates to the Massachusetts Bar which you will find on page three of this issue. We understand that fairly accurate, but as yet unofficial, figures show that approximately 85 per cent of the Harvard graduates who applied for the July exam will be admitted to the bar. This is a fine showing when you consider that only 45 per cent of all those taking the exam passed.

There are as yet no comparable figures for the New York Bar which is the other examination taken by a large part of each class. But we have heard reports from acquaintances in the Class of '51 who say that Harvard graduates did very well this year.

These results are not accidental. They were not made by men who rested on their sheepskins after graduating, for the Law School curriculum is not planned to prepare the student to practice in any particular state. Rather they were the result of intensive preparation by all concerned, either on their own or in bar review courses.

To maintain and improve the record of Law School graduates third year men should be planning their pre-bar exam preparation. Some are undoubtedly enrolled already in a bar review course. The rest of us must not let too much time slip past before getting to work in earnest.

First and second year men are somewhat removed from the imminence of bar exams. But it is never too early to remind yourself that they are serious obstacles toward which your Law School career is more or less aimed. In this regard we recall a suggestion once made by Dean Griswold relating to preparing for the exams and also subsequent practice. The Dean feels that it is valuable for law students to keep up with the advance sheets from the highest court in their home states or the states in which they intend to practice. In that way the student can get the "feel" of the law in his chosen state.

Irrespective of the methods employed to prepare for bar examinations, the battle is half won when each Law School student recognizes the problem posed by them and then seriously attacks it.

Student Directory

Last year at this time we were still awaiting the arrival of the 1950-51 edition of the Student Directory. In fact it was December 6, 1950 when it arrived on the Law School scene. By that time more than half the first term was already behind us. We criticized the Law School Committee of Phillips Brooks House in this column because of the great delay in publication.

For that reason it gives us added pleasure to congratulate this year's three-man Directory Committee in particular, and the Law School Committee in general, for the promptness with which they have completed their task. Sidney Kess, 3L, Louis Del Duca, 3L and Vernon Elderkin, Jr., 3L may rest easy with the knowledge of a job well done. We hope that future student Directory Committees will equal this performance.

Gallery

HELEN MAUD CAM
Law Professor



Helen Maud Cam, the second woman to teach in Harvard Law School, is best known for her many accomplishments in the field of constitutional history, in which she has so deeply carved a permanent niche.

Over the space of four decades, Miss Cam has written innumerable articles and books on the many facets of medieval history and law, of which her latest is "England before Elizabeth." But as one scans the titles of Miss Cam's other works, the legal eye quickly captures such titles as "Liberties and Communities in Medieval England," "Studies in the Hundred Rolls," "The Legislators of Medieval England," "Quo Warranto Proceedings Under Edward I," and "Local Government in France and England."

Has Five Degrees

Helen Cam was born in England, educated at home by her father and mother and attended the Royal Holloway College, one of the three women's colleges of the University of London. Her London degrees of B.A. and M.A. were obtained in 1907 and 1909, respectively. Since then she has been a recipient of Litt.D. Cambridge, 1937, honorary LL.D., Smith, 1949, and honorary LL.D., Women's College of North Carolina, 1951.

On Dec. 10, 1948, Miss Cam was installed as Samuel Zemurray, Jr. and Doris Zemurray Stone-Radeliffe Professor of History in Harvard University. On that day she made a statement that could have been directed to all law students who may feel that law is something that can be studied in a vacuum:

"Not only are the practical problems of government and administration common ground with past and present citizens and administrators; not only does the documentary analyses which it involves offer a peculiarly valuable discipline to the student desirous of acquiring the techniques of scholarship; but the study of medieval developments is almost indispensable as a foundation for the study of modern history, above all in England and the countries which derive their institutions from England."

Experience With Law

Miss Cam's earliest connection with the law came while she was teaching history in her native England. Afternoons she attended the seminar given on Year Books by Professor Vinogradoff of Oxford. He was then, as Miss Cam is today, combining studies of history and law. In the 1920's Miss Cam came to Girtton, one of the two women's colleges which are part of Cambridge University, and some 15 years later was named Director of Studies in History and Law. She thereby became adviser of all women attending Girtton who were studying these subjects, and earned the friendly title of "pseudo-lawyer" from her colleagues in Cambridge Law School.

In contrasting English and American man-in-the-street conceptions of law, Miss Cam feels that the English hold the law more tenderly to their hearts. "People regard it as a right, feeling that the law has a value; but in America, the law is thought of as something that interferes with man's ability to do as he pleases, and so is not treated with such respect." This may be explained in the feeling of "inheritedness" by which the English hold as valued the old law, as contrasted with the frontier psychology of the American: that if the law is not capable of doing the job itself, people will act in place of the law.

Today Miss Cam, teaching English Legal History in the Law School, imparts her knowledge of constitutional history as reflected in the Year Books (the earliest form of law reports in England, written in French) of the 14th century. She teaches in the hope that there may continue "the tradition of even-handed justice, regardless of personal or political considerations or social or racial standards, which is the most precious heritage of our two countries today."

A. I.

Sub Judice

THE REAL McCOY

"This is a feud of the McCoy's—not with the Hatfields—but with the McCoy's, over the right to use their celebrated Irish name in the competitive furniture business."

George and Mable McCoy who are partners both in matrimony and in the furniture business, brought this action against Leo McCoy to establish their exclusive right to the use of the name McCoy in connection with the sale of furniture. Both George and Leo were born McCoy's, and both did business under the name "McCoy Furniture and Appliances."

George and Mabel were in business for more than 20 years. In 1946 Leo opened a furniture store about three blocks from plaintiffs' store but in 1949 moved three or four miles away.

Held: Petition denied.

Although acknowledging the rule that the use of the family name in competition will be enjoined in cases where there is deception or an attempt of a subsequent user to pass off his business as that of the prior user or where the prior user's name has taken on a secondary meaning, the court failed to find evidence to support such contentions.

Riotous In Color

The court visited each store with the litigants' permission and commented, "We do not think that the defendant's store front was designed to be passed off as plaintiffs'. Their respective ideas of how to reach the public through a store front are entirely different. One literally uses a riot of colors and signs. The other, in color and signs, is paucity and simplicity personified. When being cross-examined about the signs on the front of the plaintiffs' store, the plaintiff Mable McCoy exclaimed that they had 'so darn many signs' she couldn't remember them. The two big words that dominate defendant's store front are 'Furniture and Appliance.' In fact, they are so big and blatant in comparison with defendant's own name that they steal the show away from it and on first glance one might think that the name of the proprietor was 'Furniture Appliances' instead of Leo McCoy."

The court went on to say, "The parties are to be commended for attempting to solve their own difficulties. On defendant's store front his full name 'Leo McCoy' appears in no less than six places. On his stationery, envelopes, business cards, checks, receipts, statements and current telephone listing he is using his full name 'Leo McCoy.' On his business cards and statements he even has his picture. The plaintiffs, too, have in good faith attempted to solve the problem by putting Mr. McCoy's first name in front of McCoy, both in the telephone book and on plaintiffs' store front. Unfortunately when plaintiffs

undertook to do this on their store front, instead of using the full name 'George,' they abbreviated it to 'Geo.'—which, to one quickly passing might be taken to be defendant's first name 'Leo.' Defendant says that he can't elongate abbreviate his first name 'Leo,' but that plaintiffs don't have to create confusion by abbreviating 'George.'"

"One further thing has defendant done to the problem. On his business card and in classified and telephone listing he bills himself as 'The Real McCoy.' That, the plaintiffs definitely do not like! They claim that is carrying the attempt to differentiate too far. They say that that implies that plaintiffs are not McCoy's."

"Perhaps this is the first court in the world that has ever had to determine the meaning of the celebrated phrase 'The Real McCoy.' It is a historical dispute as to how it originated. As a student of Americana and as one who has slept and eaten in the hospitable mountain cabins of the feudin' McCoy's of Peter Co. Hollow in Pike County, Kentucky—along with hollow the rifles of a former generation of McCoy's, in ambush, once dropped 16 Hatfields once—it was surprising to learn that the authorities do not credit one of these with being original 'Real McCoy.'"

McCoy Is Quality

"One version, that of O. O. McIntyre, is that the phrase originated when a drunk picked quarrel with Kid McCoy, welter-weight champion of the world, refusing to believe that was the prize fighter. After discovering a mistake and picking himself off the floor, as part of the *res gestae* he exclaimed, 'It's the real McCoy.' Another version attributes the phrase to Bill McCoy, notorious Atlantic coast runner in the early days of prohibition who was so honest, so the version says, that he carried only the best liquor; accordingly, The Real McCoy came to signify quality."

"Whichever version one takes, certainly must be said that the phrase is in daily use among the American people; that it is doubtful that there is a living McCoy who has not some occasion referred to himself as The Real McCoy; and that when he did so he did not mean that all other McCoy's were spurious."

"The truth here is that both of these McCoy's are 'Real McCoy's.' This court will not prohibit the defendant from using that innocuous phrase. Even in this serious world, people enjoy and the law permits to business men, and to others who desire to do it, a little harmless bugle blow and drum-major strutting to snatch a share of the public's attention."

McCoy et al. v. McCoy, 98 NE 2d 435 (Ohio 1951)

Off the Record

THE DOCTRINE OF MERGER

Professor MacLachlan was asked to clarify a point in his Creditor's Rights class which concerned the law of Partnerships. Commented the professor: "There seems to be a gap in our instruction, here. We used to have a course on Partnerships, but it was merged into Business Associations and disappeared."

RELIABILITY

During a discussion in Commercial Law class of the liability of a bank for failing to comply with a customer's stop order, Professor Branch stated, "I'm perfectly content to make liability rest on the negligence of the bank and 12 good men and true—and that's as close to absolute liability as you can get."



IT ONLY SEEMS THAT WAY
The One Student Who Agrees With the Decision

Carolyn McTeer, 2L

FORUM—(Continued)

good will, he declared.

Subsidization of imports would probably keep Japan from going Communist for economic reasons, Mr. Martin said, and it is up to the United States to discourage a swing to the right by avoiding contact with Japanese militarists.

Concluding, Mr. Martin emphasized that the United States must avoid interfering in Japanese internal affairs. It is vitally necessary for our own protection to keep Japan's good will, and we must not do anything to make the Japanese resent our economic aid when they become a free nation.

Brewster Favors Caution

Senator Owen Brewster, the second speaker, agreed with Mr. Martin that the United States must give aid to Japan, but stated that in our own interest we must be able to specify how such aid is to be used.

Emphasizing again that any American aid to Japan must be on a favor-for-favor basis, Senator Brewster ended his talk by saying, "America must come of age. It must cease sowing wild oats around the world. Only strict conservation of our material resources can save the world economy."

Professor John K. Fairbank, the last speaker, pointed out that the government's experience in Europe indicates that, as Senator Brewster had said, subsidized countries hate our bounty. It seems to be better to give aid on some sort of an exchange basis.

He warned against pushing Japan around with subsidies, "stringed or stringless." Instead, he favors lowering tariff barriers to encourage mutual trade. Although this might make readjustments necessary in our internal economy, he felt it was a necessary measure of practical statesmanship. If Japan doesn't trade with us, she will trade with Communist China, he warned.

Suggests Future Steps

In Japan, Professor Fairbank believes, we have an opportunity to "start from scratch, to prevent the situation from going to pieces, as we did in China." The problem in our relations with Japan

HUDSON—(Continued)

the Court must satisfy itself not only that it has jurisdiction, but also that the United Kingdom's claim "is well founded in fact and law." Art. 53, Statute of the I. C. J. See Hudson, *Cases on International Law* (3rd Ed., 1951), p. 732 et seq. where the statute is set forth.

A significant aspect of Prof. Hudson's letter would appear to be the indication that the Security Council seems not well



PROFESSOR MANLEY O. HUDSON

versed on the procedure of the Court, nor on the present state of the Iranian dispute before that body. Of special interest to lawyers and students is Prof. Hudson's demonstration that there is still a need for calm analysis of current issues to the end that neither the public, the litigants, nor the delegates at the United Nations will be misled into basing their decisions upon erroneous conceptions of the facts and law involved.

is to influence her development in what we would regard as a "healthy" direction.

Finally, he suggested some measures which the government might take in future relations with Japan. We should avoid American identification with a particular Japanese political group, a mistake we made in China. As in the E. C. A., we should give funds only for specific uses. Most important, we should make more contacts through individuals and private associations.

HUDSON'S LETTER

The action taken by the Security Council on Oct. 19 with reference to the British-Iranian dispute, following the order indicating interim measures of protection issued by the Court on July 5, presents a striking instance of political timidity in contrast with judicial firmness.

The Security Council adjourned consideration of the item on its agenda until the Court could decide upon its own jurisdiction to deal with the dispute. This would seem to be based upon a misconception of the procedure of the Court.

Despite the fact that the Government of Iran has entered no appearance before the Court in the proceedings instituted by the United Kingdom application of May 26, these proceedings are following a regular course. A memorial has been presented by the United Kingdom, and Jan. 10, 1952, has been fixed as the date of expiry of the time limit for the presentation of the Iranian counter-memorial. Until Jan. 10, 1952, the Iranian Government may file a preliminary objection to the Court's jurisdiction.

Question of Jurisdiction

The filing of the objection would have the effect of suspending all proceedings on the merits, and of instituting a collateral proceeding with reference to the sole question of jurisdiction. This is the established way of challenging the Court's jurisdiction: in some cases—namely the "Phosphates in Morocco Case" between Italy and France in 1938—the challenges have been successful.

On June 22 the United Kingdom requested the Court to issue an order indicating provisional measures of interim protection, to preserve the respective rights of the parties pending the decision of the Court. The parties were duly notified that a hearing on this request would be held on June 30. The Government of Iran did not appear at this hearing, but an Iranian communication was before the Court which expressed Iran's "hope" that the Court would declare that the case was not within its jurisdiction—this was not tantamount to a preliminary objection to the Court's jurisdiction to deal with the case on the merits.

On July 5 the Court issued an order indicating provisional measures of interim protection to "apply on the basis of reciprocal observance" by the parties. It was stated in the order that this indication "in no way prejudices the question of the jurisdiction of the Court to deal with the merits of the case and leaves unaffected the right of the respondent [Iran] to submit arguments against such jurisdiction." Hence the order did not deprive the Iranian Government of the opportunity to challenge the Court's jurisdiction by filing a preliminary objection. The Court is not required to make any preliminary inquiry into its jurisdiction to deal with the merits of a case before exercising its power to indicate interim measures.

No such inquiry was made before the order of July 5 was issued, though the Court did note that the original complaint was such that a claim based upon it did not a priori fall "completely outside the scope of international jurisdiction."

Factors in Judgment

If by Jan. 10, 1952, the Iranian Government should fail to present either a preliminary objection to the jurisdiction of the Court or a counter-memorial, in other words if it does not appear before the Court and fails to defend its case, the United Kingdom, acting under Article 53 of the Court's statute, could call upon the Court to decide in favor of its claim. Before giving a default judgment, however, the Court would be required to satisfy itself both that it has jurisdiction and that the claim is well founded in fact and law.

At the present time, therefore, the Court is not seized of any question as to its jurisdiction. It will be so seized if before Jan. 10, 1952, a preliminary objection to its jurisdiction is advanced by Iran, or if after that date the United Kingdom should call upon the Court to give a default judgment. If neither of these conditions is met, it is probable that the Court will find it unnecessary to take any decision on its jurisdiction in this case.

In this state of the case before the Court the Security Council's action on Oct. 19 can be accounted for only as an effort to evade its responsibility for dealing with the question on its agenda. Unfortunately, this action was cast in terms which may be misleading to the public.

MANLEY O. HUDSON.

Cambridge, Mass., Oct. 20, 1951.
Reprinted from the New York Times, Oct. 28, 1951.

Long, State Tax Head, Advises Young Lawyers At King's Bench Smoker

Henry Long, Tax Commissioner for Massachusetts, addressed King's Bench last Tuesday on "The Problems of the Young Lawyer" in the Wheeler Room.

In dealing with the question of how a lawyer should act when he comes before the Tax Commissioner, Mr. Long delivered this caveat: *Don't smoke cigars, and followed up this initial 'don't' with such warnings as: don't say why you have come to see the tax commissioner until he asks you; and don't lay out the law unless so requested.*

Among the 'do's,' Mr. Long advised young lawyers to wear ties when appearing before the commission, and to be sure to state explicitly who they are and what they want.

Mr. Long's year's of experience in state positions have convinced him that the best policy for the lawyer, both young and old, is to conduct his discussion with the tax commissioner on a business basis and to avoid informality.

Cautioning lawyers not to lay down the law to the tax commissioner, he stressed the poor psychology in repeating to the commissioner points of law which he has probably heard innumerable times in the past. In so doing the lawyer is wasting the commissioner's time and doing irreparable damage to his client's case, he pointed out. When representing a corporation, Mr. Long advised keeping the brief concise and to the point.

Massachusetts Tax History

Mr. Long opened his discussion of the subject of taxation with a history of taxation in Massachusetts. He observed that Massachusetts and New York were the last two states to adopt a gasoline tax. This tax, he noted, suggested the inadvisability of earmarking taxes. Mr. Long stated that he preferred pooling all of the revenue obtained through taxation and allotting this money where deficits require it.

Mr. Long, who passed the Massachusetts state bar without a formal law school preparation, has held several state positions. At present, in addition to his job as State Tax Commissioner, Mr. Long also teaches Taxation at Northeastern University.

The Tax Commissioner's address was the second in a series of informal talks sponsored by King's Bench.

Pan-American Bar Meets In Uruguay

Members of the bar from all over the Western Hemisphere will gather at the Seventh Conference of the Inter-American Bar Association to be held in Montevideo from November 22 to December 31, 1951.

The work of the conference will be with the meetings of the 23 Committees or sections into which the conference has been divided. 106 topics have been assigned to member bar organizations throughout the Americas, and papers on these topics, prepared by experts on various subjects, are now being written for presentation at the committee meetings.

Some of the topics are: *Legal principles involved in the right of asylum; current legal concepts of sovereignty and intervention; legal principles respecting blood tests in determining paternity; consideration of reports concerning draft uniform laws on patents, trade-marks and copyright; consideration of recent measures adopted or proposed in the field of double taxation in American and legal problems arising from strikes.*

PBH DANCE—(Continued)

(Amherst '49), of Providence; Mr. Bachman, 2L (Brown '50), of Providence; Scott Whitney, 3L (Nevada '48) of Reno; George Boney, 1L (Georgia '51), of Jacksonville, Fla.; Murray Drakin, 2L (Hamilton '50), of Port Chester, N. Y.; Francis Fraher, 1L (Manhattanville '51), of West Roxbury; Charles Frisch, 1L (Minn. '51), of Minneapolis; and Harry Schuman, 1L (Ohio Wesleyan '51), of Plainfield, N. J.

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