

Mr. Pulling

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Two Judge Advocate General's Officers Outline Corps' Functions, Opportunities

This article was written for the RECORD by First Lieutenant John S. Sellingsloh, LL.B. '50, U. of Texas, under the supervision of Major Kenneth J. Hodson, LL.B. '37, U. of Kansas, Chief of the Research, Planning, and Publications Division of the Judge Advocate General's School. We are indebted to Colonel Charles L. Decker, Commandant of the Judge Advocate General's School, in Charlottesville, Va., for making this article possible.

The Judge Advocate General of the Army, as the chief law officer of the Army and as legal adviser to the Secretary of the Army and all Army agencies, heads one of our country's oldest and largest law firms—the Judge Advocate General's Corps. The more than 1,000 officers of the Corps now on active duty are rendering legal services in various fields of law to a very sizeable group of clients, most of whom are the men and women who wear the Army uniform.

In these days of partial military mobilization it is understandable that many prospective law graduates are keenly interested in learning whether they may utilize their legal training as members of the armed forces. It is the purpose of this article to discuss briefly the nature of the work performed by the Judge Advocate General's Corps and to state frankly the existing opportunities for securing commissions in this branch of the Army.

The administration of military justice under the Uniform Code of Military Justice is one of the primary functions of the Corps and certainly the field in which the greatest number of its officers are engaged. The automatic appellate review of certain Army court-martial records (those involving severe sentences such as confinement for one year or more or dishonorable discharge) is performed by Boards of Review in the Office of The Judge Advocate General in Washington. There are at the present time six Boards of Review, each consisting of three member-officers and several assistants. The functions performed by these boards with respect to court-martial records are comparable in many respects to those of our civilian appellate courts having jurisdiction to review criminal cases.

Representing the respective interests of the Government and accused persons before the Boards of Review are two batteries of appellate counsel, each consisting of approximately 15 officers. These officers, as government and defense appellate counsel, also appear before the United States Court of Military Appeals, the court of last resort as to matters of law in the military justice system. Scattered throughout the United States and the many parts of the world in which our troops are stationed are a great many more officers in small groups constituting Staff Judge Advocate Sections in the various commands of the Army, having authority to convene general courts-martial.

Harkness Price Rise

A fifty cent increase in the board rate at the Harkness Commons Dining Hall went into effect February 4th, bringing the weekly price for sign-ons to \$14.50. The combination of rising costs of food and labor and the steady cyclical fall in volume has forced the increase, according to Vice Dean Livingston Hall.

The Administration has found that the volume varies in a steady curve from a high in October to a low in June. Last year in order to insure that the dining hall would break even the Administration raised the price in April and restricted the sign-off privileges during the months of February and March.

These officers (acting, of course, in but one capacity in each case) prosecute and defend accused persons before courts-martial, perform the functions of trial judge as law officers of general courts-martial, and review for their commanders all records of trials which must be forwarded to The Judge Advocate General in Washington for further review. They also review and correct the records of inferior court-martial trials held within their commands. As this brief description of the work of those engaged in administering military justice indicates, the officer who is interested in the practice of criminal law is afforded numerous opportunities to engage in such practice and in a variety of capacities.

(See JAG on page four)

Valentine Mixer

Tomorrow evening from 8 p. m. to 12, the Law School Dorm Council will offer a Valentine Mixer Dance in conjunction with the Graduate School Council, announced Harvey Krieger, 2L, of Los Angeles. Saturday night there will be a live-music dance in place of the customary record dance.

Girls from Wellesley, Radcliffe, Simmons, Lesley, and Brandeis have been invited to tomorrow's social, which will be held on both floors of Harkness Commons. Guy Ormandy and his orchestra will provide the tunes for dancing, and refreshments will be served.

Tickets for this affair are \$1.00. They will be sold at the Commons during Friday's dinner hour and will also be available at the door.

Secretary Of State Acheson's Record Highly Praised In Recent Bundy Book

"I will take a chance with history and bet that Mr. Acheson will be listed fifty years from now among the best of our American Secretaries of State. I think that on almost every big issue he has been at once right, energetic, and skillful." So writes McGeorge Bundy, Assistant Professor of Government in Harvard University in the preface to his recent book, *The Pattern of Responsibility* (Houghton Mifflin, Boston, 1951, 301pp.).

Mr. Bundy has gathered together and organized a number of Mr. Acheson's public statements on major issues. He concludes that it is "very hard indeed to square the record of man and policy with most of the charges that have been made." He thinks it significant that Mr. Acheson was praised highly after his performance at the signing of the Japanese Peace Treaty when "millions of Americans saw him for themselves, and not through other men's distortions."

Mr. Bundy is a Republican, but he does not feel that that means he may

Bundy summarizes Mr. Acheson's foreign policy in this way: "Resist communism, and build 'situations of strength'; work ahead for an eventual settlement without war, accepting the fact that the course is long, hard, and dangerous; stick to our own ideals."

One of the complaints of many critics of the Administration foreign policy is that we have been too much concerned with the interests of others and too little with American interests. Yet, Mr. Acheson, no less than Senator Taft, for example, emphasizes that the basic responsibility of American foreign policy is to "American interests or those wider interests which affect American interests." Our aid to other countries, be it economic, through the Marshall Plan or Point Four, or military, is motivated largely by national self-interest. "The stakes fundamentally at issue are our own freedom and security," said Acheson in support of our program of foreign aid.

An important facet of what Acheson has termed "The Strategy of Freedom" is that our policy is not merely negative

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McGEORGE BUNDY

not praise a Democratic Secretary of State. Mr. Bundy's praise is tempered with some criticism of particular issues, but, as Mr. Acheson himself has repeatedly stated, there is always room for honest differences. What Mr. Bundy objects to, however, is dishonest differences.

He feels that the present attack on Mr. Acheson is largely motivated by two sinister purposes. "... there are men who are willing to wreck American foreign policy if in so doing they can advance their personal reputation or win an election." Others are trying to discredit "the whole course of policy developed and pursued by American political and military leaders since 1946."

Moving to the substantive issues, Mr.

PBH Seeks Funds For Needed Books

Three aims are being served by the P.B.H. Law Book Bazaar, now in progress in the corridors of Austin Hall, according to James B. Johnson, 3L, of Billings, Montana, head of the Library Committee.

These purposes are the augmentation of funds for the purchase of new books to restock its lending library, reduction of P.B.H.'s supply of out-dated books, and encouraging students to buy these useful books at bargain prices.

The books being offered at the Bazaar have been accumulating on the shelves during the many years that P.B.H. has served the school with its library. They include out-of-date editions of case-books currently in classroom use, and volumes covering courses no longer being taught here in their original form.

'Classics' in Law Included

Included among the titles of these approximately 350 books are such "classics" as Williston's *Contracts* and Warren's *Property*. Casebooks on Sales, Bills and Notes, and Business Administration are also for sale. Prices in general tend to center around \$.25 for the copies.

P.B.H. has in addition invited students to contribute new and used case-books they may no longer need during the sale, in line with the charitable nature of the project.

While a large portion of the financial backing of the Library Committee comes

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Gluecks' Delinquency Study Condensed In Recent Book

Research On 500 Pairs Explodes 'Pet Theories'; Causal Factors Complex

Delinquents in the Making, a critical report on causes and characteristics of juvenile delinquency, was published last month by the Law School's fabulous Gluecks. A concise summary of their larger, more comprehensive *Unraveling Juvenile Delinquency*, the book gives in 200 short pages an explanation of their ten-year study of 500 pairs of closely matched boys, delinquent with non-delinquent.

Sheldon Glueck, Roscoe Pound Professor of Law, and his wife, Eleanor T. Glueck, Research Associate, have spent their lives studying crime and its causes and are currently leveling their sights at juvenile crime. Their latest joint opus was published as a result of widespread requests for a condensation of their large, first report on the ten-year study.

The large work is being translated into many languages. The Supreme Court of Japan has ordered it translated and printed at government cost to be distributed to courts and welfare officials throughout the country. Denmark, Sweden, Italy, Austria, Chile and France, to name but a few, have also shown great interest in the work. Recently, a full page ad appeared in many of the country's large dailies hailing the Gluecks' work and recommending it to the attention of parents, teachers and school officials everywhere.

The Boston Teachers' College has already decided to include a course in psychiatry and child delinquency in their curriculum along the line the Gluecks have suggested. The New York school system is planning a similar move and hopes to use the Gluecks' findings to help it spot potential delinquents as they enter the public schools, in order to aid them in giving these children the special care they need.

Group Tested

The 1,000 boys studied by the Gluecks were closely matched, in pairs of delinquent and non-delinquent, according to their age, I.Q., and ethnic origin. This was done to hold these factors constant so that the investigators would

(See Gluecks on page three)

Forum Speakers View Government Corruption As An Uprootable Evil

Reform leaders from three large Eastern seaboard cities told a Forum audience last Friday night that our Republic would not be lost because of corruption in government.

Speaking on the topic, "Corruption in the Cities," Rudolph Halley, President of the New York City Council said that Americans were not a corrupt people because "we have the courage and strength to investigate ourselves," and he held this "the difference between a corrupt country and one that had a spark of hope."

This desire "to go out every once in a while in an effort to polish up human nature," he said, "was becoming increasingly evident." Finding a common element in the present situation on the New York waterfront and business practices before antitrust legislation, Mr. Halley observed that "as the country develops, businessmen have more and more found it pays to stay within the law."

He indicated that on the waterfront, however, no help from the steamship companies could be expected "because they are not yet bothered enough," and

(See Forum on page four)



DR. SHELDON GUECK

H V D's Work Frees 2 In Appeal Cases

Two dramatic victories were scored by the Harvard Voluntary Defenders, during the week of January 21, which focused attention on the ordinarily quiet work of this group. In one case, the Defenders won a reversal, by the Supreme Judicial Court, and in the other, a referral back to the District Court.

The first case was that of Harold W. Hawbolt who, according to the record, was arraigned in Middlesex Superior Court, on charges of robbery. Hawbolt had been known as the "stoplight bandit," because he was charged with forcing his way into a car at the point of a toy pistol, when the car halted at a traffic light, and subsequently robbing the driver.

On his arraignment, Hawbolt pleaded not guilty, and asked if he could have counsel. He was told that counsel was supplied only in capital cases, which he took to mean that he had no right to hire counsel. His trial proceeded the same afternoon and he was convicted and sentenced to 9-15 years, to run consecutively to a similar sentence meted out three days before, on other charges, in the Suffolk Superior Court. The entire trial took about an hour and a half.

Daniel M. Sklar, 3L, of New York City, a member of the Defenders, went to see Hawbolt at the State Prison, and after discovering these facts, continued with the preparation of the case, which was then handed over to the Boston Voluntary Defenders Committee. They brought a writ of error before the Supreme Judicial Court, resulting in a reversal of Hawbolt's conviction, by Judge John V. Spalding.

In the second case, the Defenders were able to establish that one John F. McLaughlin, who had been found guilty of non-support and sentenced to Bridgewater State Farm for two years, had not only been sentenced to a longer term than the statutory maximum, but had also been sent to the wrong institution. The Supreme Judicial Court, upon being apprised of these facts, referred the case back to the District Court where McLaughlin had been originally sentenced.

In the District Court, Anthony de la Pena, 3L, of Berkeley, Calif., presented the facts, and the court ordered the charges placed on file, and McLaughlin was released. The research on this case was done by Maurice Chayt, 3L, of Brooklyn, N. Y.

So far this year, the HVD has taken more than 30 cases to court. It has investigated many more, on the chance that a complaint from a prisoner may be based on a real injustice done to him. Frequently, as in these two cases, their efforts have borne fruit and they have had the satisfaction of righting a terrible wrong.

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Where There's Smoke

Though much decried as a "bad habit" most students persist in smoking, and a majority of these like to smoke while studying. However, a large part of the studying and research done at the Law School takes place in Langdell Library where a no smoking rule is in effect.

Although it was formerly said that if one liked to smoke while working he could do both in the Austin reading room, the Austin Library no longer contains law reviews or treatises and is therefore inadequate for complete research.

Three reasons have been advanced for not permitting smoking in Langdell: a possible fire hazard, possible annoyance to non-smokers, and motivating students to use Austin. But none of these reasons can be said to have much force. The fire hazard can be no greater than that which existed in Austin, and there were no fires there. Furthermore, quite illogically from a hazard point of view, the students who work in the stacks do smoke in Langdell. Besides, the resulting congregation of students on the landings and steps outside of the library doors presents an even greater fire menace.

Annoyance could be easily overcome by allocating one section of the Langdell reading room for the smokers. The right to smoke, alone, will no longer bring students into Austin to study.

By some small adjustment in the rules of the Langdell reading room the needs and wishes of all could be met, and perhaps life in Langdell would be made a little happier.

Book Bazaar

Today and tomorrow P.H.B. goes to the students for help in continuing its worthwhile service of providing casebooks at a nominal cost to needy students. We urge that you take time to check the wares displayed on the stalls of this book bazaar, remembering the purpose you will be aiding.

IMMOVABLE OBJECT

The following story appeared in a *Huntington, West Virginia*, newspaper recently and was sent to the RECORD by Charles F. Dodrill, LL.B., '48:

"JENKINS, Ky., Jan. 19—(Special to The Herald-Advertiser)—Can M. Cook, 22, of Kona, Ky., a Letcher county school teacher, was being held here today on a charge of stationary rape. . . . Leading witness in the hearing before Judge Collins was the father of the girl, who is under 15 years of age."

Quite a feat.

ALL WET

After a student had expounded an intricate accounting matter, Professor Hardee, with a straight face, replied: "Your explanation has muddled the water a bit. I'm afraid I don't get your drift."

Gallery

CHARLES A. COOLIDGE

Lawyer Statesman



"I don't think my 'profile' will make very interesting reading but I'll help you as much as I can," said the man who, as a member of the Harvard Corporation, helps administer a university having a 22 million dollar annual budget and 270 million dollar endowment, who, as a member of Ropes Gray Best Coolidge & Rugg, is, when not in government service, an active partner in one of the country's most famous law firms, and who, as Assistant Secretary of Defense, supervises and coordinates all legislation proposed by that Department and all work which affects the three services on a Departmental level.

Mr. Charles A. Coolidge, LL.B. '22, tall, broad-shouldered, balding, and twinkle-eyed, smiled, leaned back in his Pentagon office chair, and began to reminisce. He graduated from Harvard College in 1917 after having played football for several years (he still looks as though he would be troublesome to opposing linemen) and answered a call from Uncle Sam for World War I. Like his Chief Executive, he served during the war as a Captain in the Army. Unlike the President, however, Mr. Coolidge commanded an infantry machine gun company in the 76th Division.

Return to Civilian Life

Immediately after World War I he missed a special session of the Law School commencing in February, 1919, and had to wait till the following fall to begin his studies. In the meantime, says Mr. Coolidge, "I used to carry William G. Thompson's briefcase—a great privilege." Mr. Thompson was, he declares, the irascible type of trial lawyer, but few could touch him today for knowledge of the cases, technique and effectiveness.

On graduation from the Law School in 1922, Mr. Coolidge joined Ropes Gray, and remained there until his government career began last March. He was called to Washington to serve for one year as deputy to Thomas D. Cabot, Director of International Security Affairs in the State Department. "They made me a chaperone for the Mutual Security Act on Capitol Hill," laughs Mr. Coolidge. It was his responsibility to see that Congress was presented with the unified views of the State Department, the Defense Department and ECA, at all times impressing on the legislators the importance of the Act and the great need for money. His effectiveness as a chaperone can perhaps be measured by the fact that when the bill was enacted last fall it had been left essentially intact except that "Congress, in its wisdom," had taken the administration of the act away from the State Department and placed it in the Executive Office of the

President under Mr. Harriman and had also reduced the 8.5 billion dollars requested by about one billion dollars. However, reduced as it was, the Act authorized more money than most had expected.

Shift to Defense Department

Having been legislated out of a job, Mr. Coolidge was preparing to act as liaison officer between the State Department and Mr. Harriman's office for the rest of the year he had agreed to serve, when he got a phone call from Robert A. Lovett. Bob Lovett spent one year at the Law School in Mr. Coolidge's class before he shifted to the Harvard Business School. The Secretary of Defense asked him to become Assistant Secretary of Defense for a year. He agreed and on November 20th, became, by recess appointment, one of Mr. Lovett's three assistants. The Senate confirmed his appointment on January 30th.

"Coming to work in Washington gave me a strange feeling," observed Mr. Coolidge. "I had been practicing private law for nearly thirty years and, in that field, felt like the seasoned baseball catcher who can throw to second base almost with his eyes closed. After spending a few days here in utter confusion I felt that I couldn't tell where the outfield ended and the bleachers began. Then, by the time I got some perspective on problems in the State Department, they pulled me over here where the outfield is sort of hazy again."

Secretary Coolidge's duties are to pass on all recommendations concerning proposed legislation and to supervise the entire legal staff of the Department of Defense. This staff handles matters which the large legal staffs of the three Services do not, that is, matters which require coordination between them or which peculiarly affect the Office of the Secretary of Defense. This requires the services of about thirty lawyers, ten of whom work in the legislative division alone, spending most of their time drafting legislation proposed by the Department and answering queries from Congressmen and Congressional Committees on legislation originating elsewhere. "We try to operate just as a large law firm would, with the various offices in the department as clients," explains Mr. Coolidge.

High Caliber of Associates

"Perhaps the thing that is the most satisfying about government work," said the Secretary, "is the high caliber of young men who are employed by the agencies with which I have been associated. I do not confine this to lawyers, but the government lawyers with whom I have come into contact are among the ablest I've seen—the sort of men any firm would be proud to have." Mr. Coolidge had praise for some of the "higher-ups" as well. Of his ex-boss, Secretary of State Dean C. Acheson, LL.B. '18-'19, he said, "I think Mr. Acheson will go down in history as one of our ablest Secretaries. He has accomplished many tasks thought to be impossible."

It has been Mr. Coolidge's policy to do what he can to maintain the closest of relations between his law firm and the Law School. This, he declares, has helped them immeasurably because the contact with faculty members and students who have become associated with the firm has helped them keep abreast of creative legal thinking. That relation has had its difficulties, however. "One of the worst spots I have ever been in," relates Mr. Coolidge, "was when Archie Cox's name came up before the Harvard Corporation for approval as a permanent member of the faculty. Since I was a member of the Corporation, I wanted him for the Law School, but I kept thinking how much we would miss him at Ropes Gray. The appointment of Cov. Hardee presented me with a similar quandary. I had to register myself as 'not voting' to escape my dilemma." J. S.

Sub Judice

THE LAUNDRYMAN COMETH

Early on one spring afternoon in 1949, Charley called at the home of his paramour on the dual mission of picking up her family cleaning and laundry for his employer, the Brookhaven Steam Laundry, and of spending part of the afternoon with her. She told him that he was late and that he shouldn't bother coming in because she had to return to her job at the shirt factory. He picked up the clothing, one of her husband's suits which was to be cleaned, and they stood on the porch and talked for about fifteen minutes. Charley and his lady-friend discussed future meetings between them during this period.

Suddenly, out of the bedroom, which had a door leading onto the porch, emerged Henry, husband of the lady in the triangle. Neither of the lovers had realized that Henry had not gone to work that morning, and they were shocked by both the pistol in Henry's hand and his statement, "Caught y'all." Charles was mortally wounded as he moved towards Henry and said, "Fella, I'll . . ."

Katherine, Charles' wife, and his son Rony brought compensation proceedings against his employer, The Brookhaven Steam Laundry, and their insurer for his death while in their employ, and on their business.

Held: The death was one arising out of the course of employment.

The court found that the only evidence offered contra to the fact that Charles was at the Garrett house for the purpose of laundry collections was that of Mrs. Garrett, who had reason to so testify so as to establish justification for her husband's shooting of Charles. Also, the court was convinced that even if Charles were at the Garrett house with a double purpose, the fact that one of those purposes was the errand of his employer was sufficient to place him within the protection of the compensation act. Charles had been holding the cleaning that he had picked up until a few moments before he was shot, and in fact until after Henry had appeared upon the scene.

Quere as to the direction the court's reasoning would have taken were there no laundry to be picked up when Charles reached the porch on the particular day in question. Although it was proper for him to come up to see if there were laundry going out it must also be noted that he always visited the Garrett house on the time which was supposed to be his lunch hour.

PORTRAIT OF A LAWYER

Peter had for some years put up with the cruelty of his wife Mary when finally he brought a libel for divorce. The court found that Mary's actions in attempting to stab Peter in the hand upon one occasion, throwing a metal framed likeness of Peter at him at another time, and upon various occasions forcing him to sleep in the attic, constituted cruelty.

After a separation, Peter had visited Mary and his young son on Sunday mornings. "From time to time the libellee did some typing work for him in connection with his work as a lawyer. Mary contended that such action on the part of Peter constituted condonation of her prior acts."

Held: Decree affirmed.

Mary's acts constituted cruelty, and her contention of condonation fails in that she has not established it as a matter of law, and the findings of the trier of facts is justified by the evidence. "Condonation is a state of mind to be determined on all the evidence including rational inferences." *Doyle v. Doyle*, 102 N.E. 2d 435, (Mass. Dec. 3, 1951).

Off the Record

CHARITY

Professor Scott: ". . . I wouldn't call a person who disagreed with me 'odd'. I may pity him. . . ."

WHAT NO ODDS?

Professor Sutherland: "I bet that provision will not last, without change, ten years." Pause and deep silence in the class.

Voice from the rear: "Taken."

KEEP SMILING

Student response to a Professor Brown hypothetical in Constitutional Law: (Plaintively), "Aww, you're just giving me a case which destroys my argument."

EXTRACT

We hear that Bennet Cerf is now telling the story of a judge who told his dentist to pull the tooth, the whole tooth, and nothing but the tooth.

INDEED

The following is a repartee heard in Landgdell South:

Student: ". . . this is analogous to an action quasi-in-rem."

Prof. Seavey: "Is that like an action in rem?"

Student: "Yes, something like it."

Prof. Seavey: "Why don't you drop the quasi then?"

Student: "Because it's not quite like . . ."

Prof. Seavey: "Oh, you mean it's not like an action in rem?"

Student: "Yes, it's a . . ."

Prof. Seavey: "Well, why don't you drop the rem then and leave quasi?"

Student: "Well . . ."

Prof. Seavey: "Maybe we better get back to in personam."



Alumni Notes

LL.B. '42 ('46)—**Alan N. Schneider** is Assistant City Attorney and utilities specialist for the City of Louisville, Kentucky.

LL.B. '43 ('47)—**James H. Wilson, Jr.** has returned to the Atlanta, Ga. office of the firm of Sutherland, Tuttle and Brennan.

LL.B. '44 ('47)—**John R. Carr, Jr.** has joined the Indianapolis firm of Buschmann, Krieg, DeVault and Alexander as a partner. **Herbert R. Silves** is associated with B. B. Fraker of Greenville, Tennessee, in the general practice of law.

LL.B. '44 ('47)—**Charles O. Porter** has become associated with a firm for the general practice of law under the firm name of Riddlesbarger and Porter in Eugene, Oregon.

LL.B. '46—**Walter H. Wager** is to assist Israel's Ministry of Transport and Communications on legal policy problems of air transportation, during the next year. Wager will be special assistant (international affairs) to the Director of Civil Aviation and will be stationed at Lydda.

LL.B. '48—**H. Earl Capehart, Jr.** has become a partner in the firm of Buschmann, Krieg, DeVault and Alexander in Indianapolis. **Alan Kahn** is associated with Richter, Lord and Farage in Philadelphia.

LL.B. '49—**Harold C. Lounsbury** is an attorney-examiner with the Chicago office of the Federal Trade Commission. **Ernest W. Lundeen** is a First Lieutenant with the 187th Airborne Regimental Combat Team, which is now serving in Korea. Lundeen has recently completed a tour as trial counsel for the special court which tries military cases in his area. **Edward J. Murtaugh** announces the opening of an office for the general practice of law in Poughkeepsie, N. Y.

LL.B. '50—**David Alter** has become a tax counsel with the firm of Simons, Schur and Straus in New York. **Burton C. Bernard** announces that he is now engaged in the general practice of law in Granite City, Illinois. An article by Bernard appears in the December, 1951 issue of the *Michigan Law Review*, entitled: "Avoidance of Constitutional Issues in the United States Supreme Court: Liberties of the First Amendment." **H. Roemer McPhee** has entered private practice with the firm of R. E. and A. D. Watson, New Brunswick, N. J.

LL.B. '51—**Melvin L. Glauberman** announces that he is now engaged in the general practice of law in New York City. **Kenneth H. Holcombe** announces the formation, in Plattsburg, N. Y., of a partnership for the general practice of law under the firm name of Tierney and Holcombe. **James C. McDowell** has joined the law office of Arthur W. Scharfeld, Washington, D. C. **Nathan S. Paven** is in the Legal Department of the Solid Fuels Branch of the Office of Price Stabilization in Washington, D. C. **Alan F. Westin** is currently teaching courses in Constitutional History at Northeastern University. His third year paper entitled "The Citizen, Wire Tapping, and Criminal Detection" will appear in the February issue of the *Columbia Law Review*.

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GLUECKS—(Continued)

be free to concentrate on physique, quality of intelligence, family background and character and temperament.

The boys were examined and classified according to Dr. William Sheldon's somatotypes and given various intelligence tests as well as the Rorschach. In addition, extensive exploration was made by social case workers to determine the boys' behavior patterns in home and at school, the kind of home each came from, interfamily relationships and also the backgrounds of the parents.



DR. ELEANOR GLUECK

Each of these approaches was carefully and scientifically controlled, and kept completely separate from the others. Those administering the Rorschach tests were not told anything of the background of the boys, for example.

Results Refute 'Pet Theories'

The results of the study, interestingly enough, tend to explode many pet theories about delinquency causation. Many sociologists have maintained that association in "gangs" is a primary cause, but this study shows that delinquent behavior begins to manifest itself at about the age of eight, on the average, whereas "gang" activity begins at about the age of puberty, 12-14.

The Glueck study points to the fact that such things as membership in gangs, street-roaming at night, truck-hopping, and vandalism are manifestations of physical and temperamental characteristics which themselves contribute to delinquency.

Throughout the book, the Gluecks emphasize the fact that they do not believe much value can come from attempts to reduce delinquency causation to a unitary concept. They believe, and their statistical findings bear them out, that juvenile delinquency can be and is caused by many things.

Family Relationships Stressed

They stress the importance, however, of family inter-relationships and parental affection and discipline. Although the Gluecks do not say that the findings are as yet definite their study seems clearly to point to the fact that the seeds of delinquency are laid in the first two or three years of life.

Much more will be known when the Gluecks complete their present work which consists of completing some 24,000 tables intercorrelating the statistical information so far gathered. They have eight volumes projected. However, sufficient information is already available to have enabled them to prepare prognostic tables which should permit the discovery of potential delinquency in young children.

Similar tables prepared some years ago by the Gluecks for the use of the Army during the war, showed an 85%

ACHESON—(Continued)

resistance to communism; more importantly we are for democracy and freedom. "We are for something positive, for the most fundamental urges of the human spirit." Our faith in freedom is the most revolutionary concept in human history, in Mr. Acheson's view, and we should make the most of it, not be tied down solely to a sterile policy limited to opposition to communism.

It is an interesting, but little known fact, that a strong spiritual current runs through Mr. Acheson's entire policy. He consistently emphasizes the importance of spirit and will in the solution of problems. The United States can aid others if its aid is the 'missing component' of a problem which would otherwise be solved, but the United States cannot furnish determination, will and loyalty, for these are matters of the spirit.

Mr. Acheson constantly emphasizes that the United States cannot control the course of world events, but rather can only attempt to influence them. The mere fact that communist influence rises in a portion of the world does not necessarily indicate that American foreign policy was mistaken. A statesman cannot be omniscient, although his opponents act as though he ought to be, as Mr. Bundy points out.

A *propos* of the Hiss matter, a statement of Mr. Acheson's is included which throws a good deal of light on the character of the man. The Secretary said he had to reveal what he believed about Mr. Hiss; he could not in conscience withhold his opinion:

"One must be true to the things by which one lives. The counsels of discretion and cowardice are appealing. The safe course is to avoid situations which are disagreeable and dangerous . . . one must live with one's self; and the consequences of living with a decision which one knows has sprung from timidity and cowardice go to the roots of one's life. It is not merely a question of peace of mind, although that is vital; it is a matter of integrity of character. That is the most fundamental of all considerations."

In contrast to the past solutions which some of his opponents offer to the problems of the world, Acheson has no magic solutions. There are no easy answers: ". . . we do not have choices between something that is highly desirable and something that is undesirable. We have choices between undesirables, and we have to pick out the less undesirable."

The road ahead is both rocky and long. The millenium is not around the next turn. ". . . it is a long and tough job. . . . We have got to understand that all our lives the danger, the uncertainty, the need for alertness, for effort, for discipline will be upon us. This is new to us. It will be hard for us. But we are in for it and the only real question is whether we shall know it soon enough."

J. J. S.

accuracy in prediction of "trouble-making" behavior.

These tables and the statistical findings in their book have been prepared by the Gluecks in the hope that school officials, parents, clergymen, and probation officers throughout the country will become more aware of the complexity of the problems of delinquency and cope with these problems in a more realistic manner.

Essentially the problem is one of correcting early character malformation, say the Gluecks.

NEWS IN BRIEF

KING'S BENCH

Among the newly-elected officers of King's Bench are Robert S. Persky, 3L of Jersey City, Chief Justice; Ben Sykes, 1L of Norwood, Mass., Associate Justice; and Gene Edwinn, a graduate student, Justice of the Exchequer.

The new Justices of the Council are: David Wolfe, 3L of Dorchester; Wilton Persons, 2L of Montgomery, Ala.; Al Ketcham, 2L of Cambridge; Charles Hawkins, 1L of Bronxville, N. Y.; George Roumell, 1L of Grosse Point Park, Mich.; and Larry Newmark, 1L of Brooklyn.

Early Trial Reports In Treasure Room

One of the earliest law books printed in America, a *Brief Narrative of the Case and Tryal of John Peter Zenger*, is on display in the Treasure Room of the Harvard Law School Library now exhibiting "Famous American Trials." A single newspaper had been published in New York by William Bradford and was largely at the beck and call of the representatives of the Crown. The leaders of the popular opposition induced and assisted a poor German printer, Zenger, to establish in 1733, the *New York Weekly Journal* as an instrument of defense of the rights of the people. He was charged with printing seditious libels in his paper. Andrew Hamilton, counsel for the defense, by his learned defense of the rights of mankind and liberty of the press, won the release of Peter Zenger.

The trial of Captain Andre, printed in 1870, is another rare item on display. Andre was a young officer sent by the British to aid Benedict Arnold in planning the deliverance of West Point into the hands of the British. On his return to New York at night, he mistook some Hessian coated American troops for his own countrymen and frankly admitted he was a British spy. He was hanged October 2, 1780.

Also shown is a contemporary print of the so-called Boston Massacre Trial in which case John Adams defended the British soldiers. Adams stated afterwards, "It was . . . one of the most gallant, generous, manly, and disinterested acts of my whole life."

The case of the Journeymen Cordwainers, one of the earliest labor cases, involved a strike by the society of Cordwainers in 1809, against their employers. The strikers were convicted of conspiracy and fined one dollar each plus costs. The report of the trial is an elaborate statement of the common and statutory law and the history of contests between capital and labor up to that time.

Among other famous cases are the trial of John Webster, professor in the Harvard Medical School, for the murder of his colleague, George Parkman; the trial of Samuel Chase, one of the Justices of the United States Supreme Court for high crimes and misdemeanors; the trial of Theodore Lyman for a libel against Daniel Webster; the trial of Aaron Burr for treason; and the Dartmouth College case containing the famous argument of Daniel Webster on behalf of the College.

JOB OPPORTUNITY

A special assistant to work on regulative cases is being sought by the Vice Chairman of the Federal Maritime Board in Washington, for the year 1952-53. The salary will be approximately \$3,750, and interested students should leave their names at the Placement Office before Saturday.

COFFEE HOUR ELECTIONS

Andrew Vance, 3L of Washington, was elected Chairman of the Coffee Hour at the last business meeting of the group. The new officers include Miss Roberta Good, 2L of Shaker Heights, Ohio, as treasurer, and Tom Pearlman, 3L of Providence, as secretary.

AMES COMPETITION

Round 2: Brief exchange today, brief conference Monday, Rounds 3 and 4: Brief conference Monday and Tuesday, respectively.

Round 6: Facts issued today; brief conference next Thursday. Rounds 7 and 8: Docket posted today; facts issued next Monday and Tuesday, respectively.

LAW WIVES

The regular bridge meeting of the Harvard Law Wives will be held next Wednesday, February 20, at 8 p. m. in the Wheeler Room.

KEFAUVER CLUB

The recently-formed Kefauver-for-President Club will hold its second organizational meeting on next Monday at 1 p. m. in the Wheeler Room. Thaddeus Rudzik, 2L of Hammond, Indiana, and John J. Sexton, Jr., 2L of Arlington, Mass., are acting as temporary co-chairmen.

BOARD SEEKS JUDGES

Students interested in judging second semester arguments in the First Year Ames Competition have been asked to submit their names to the Austin Hall office of the Board of Student Advisers. Second and third-year men who assisted last term are especially welcomed.

ST. MORE

COMMUNION BREAKFAST

Henry M. Leen, Esq., a member of the firm of Burns, Blake and Rich of Boston, will be the principal speaker at the monthly Communion Breakfast of the St. Thomas More Society Sunday at 10 a. m. in the Continental Hotel. Members will attend the 9 a. m. Mass in St. Paul's Church and receive Communion in a body.

RECORD POSITIONS OPEN

The RECORD announces that positions are open on the editorial and business staffs. Any student at the Law School who has an interest in journalism, advertising, or publishing is invited to leave his or her name at the RECORD offices on the third floor of Austin Hall. Any further information desired may be obtained from Mrs. Henderson in the newspaper offices. First year students are eligible to join.

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Level Of Placement Reaches New High

Job prospects are "very bright," according to Dean Louis A. Toepfer. Recently interviewed, the Assistant Dean called the current level of placement "the busiest I have ever seen," and he forecasted that the average graduate should find it easier to get a job roughly approximating his wishes than ever before.

According to Dean Toepfer, some of the increased demand for law graduates can be attributed to the increased need for business regulation and controls imposed by the stabilization of prices. Other factors were the continuing high level of production and employment, he indicated.

Eighty-nine offices have interviewed prospective graduates from October 15 to the Christmas vacation, as compared with an average of 60 to 70 firms in previous years. As a result of this increased activity, Dean Toepfer estimated that close to 100 men had been placed with offices throughout the country.

He indicated that the heaviest demand has been from the middle West, with the largest number of inquiries coming from Chicago, Toledo, and Cleveland.

Salaries for the young barrister are also on the upgrade. Dean Toepfer said most of the men placed have reported starting wages of \$3,000 to \$4,000 a year, and higher salaries in some instances.

He warned, however, that this is not the time of the year in which many students are placed, pointing out that most firms confine their interviewing to the winter and spring. The actual selection of men to be hired usually comes later. In addition, he noted that many small firms cannot estimate their needs too far in advance and therefore wait until the summer when the applicant already has his degree.

Asked to comment on job opportunities for men certain to be drafted within a short time after graduation, Dean Toepfer said it was unlikely that such men could hope for employment until they have completed their service. Cautioning against pessimism among such students, Dean Toepfer expressed the belief that demand for lawyers will still be high over the next two years, when most of the draftees will have been released from the armed forces.

Dean Toepfer again stressed the personal factors involved in the selection of help by law offices, commenting that rapport between interviewer and applicant was the first step to be attained by the job-seeker.

In an introductory talk for the School for Young Lawyers held by the Forum last October, Dean Toepfer emphasized the need for devising a "plan of attack" before even starting out for the first interview.

He suggested that a comprehensive and eye-pleasing resume be prepared, and that this be sent out with a covering letter requesting an interview to offices in the region in which the student wishes to work.

JAG—(Continued)

There are several other major functions of the Judge Advocate General's Corps touching substantially every field of law. Many of these functions are performed by the various divisions of the Office of The Judge Advocate General. The Claims and Litigation Divisions are responsible for the administrative disposition of claims filed against the Army under existing statutes, including the Federal Tort Claims Act, and for assisting the Department of Justice in litigation arising out of claims for and against the Army.

In addition, the Litigation Division participates in many other legal proceedings to which the Army is a party or in which it has an interest. The Lands Division has custody of all title records, pertaining to land under the control of the Department of the Army and prepares legal opinions relating to such matters as the acquisition, possession, title, use, and disposition of real property, and the acquisition and cession of political jurisdiction, as well as the applicability of federal and state laws over military reservations.

The duties of the Patents Division include patentability searches, preparation of patent applications, drafting contractual clauses for incorporation in research and development contracts, the handling of claims alleging patent infringement, and assisting the Department of Justice in litigation in this field. The Procurement Division formulates legal policies and procedures and renders opinions relating to the procurement of services and supplies for the Army, reviews and drafts procurement contracts, prepares legal phases of industrial mobilization plans, and represents the United States before the Armed Services Board of Contract Appeals.

A variety of questions are referred to the Military Affairs Division relating to such matters as the organization and administration of the Army and its personnel, international law, the laws of war, the rules of warfare, prisoners of war, and military government. This division is also responsible for the supervision of the program that provides legal assistance for Army personnel wherever they may be stationed.

The Staff Judge Advocate in the field is the legal adviser to his commander and chief legal officer of the command. As such, he and his assistants perform to a lesser extent many of the functions of the major divisions of the Office of the Judge Advocate General. For this reason the Staff Judge Advocate is frequently, and quite aptly, referred to as the general practitioner of the Corps.

Partial military and industrial mobilization and the requirements of the new Uniform Code of Military Justice have contributed to create a definite need for more Army lawyers. The existing opportunities for obtaining commissions in the Judge Advocate General's Corps are nevertheless somewhat limited and it would be less than truthful to report otherwise. During World War II there were some 30,000 lawyers in the armed services. Less than one-tenth of that number, however, were used in their professional capacity as

officers of the Judge Advocate General's Department, as it was then called. Although it is anticipated that a greater number of lawyers will be needed in the Corps in the event of a future all-out mobilization, it would be impractical to commission an excessive number of Army lawyers at this time.

Although the Secretary of the Army has limited the regular army strength of the Corps to 1½ per cent of the number of active regular army officers in the service, there are, at present, vacancies which can be filled by granting regular army commissions to those applicants between the ages of twenty-one and thirty-two years who are genuinely interested in an Army career. Appointments are normally made in the grade of first lieutenant.

At the time of his appointment as a regular army officer of the Corps, the individual must: be a graduate of an approved law school, with a professional degree; be admitted to practice before the highest court of a State or a Federal court and be in good standing before the bar; and have demonstrated an aptitude for the military service by having served as a commissioned officer in active federal service in any of the Armed Forces of the United States for at least one year with a creditable record, or completed the Judge Advocate General's Corps one-year qualification tour on extended active duty. Those applicants who are otherwise qualified but hold no commission are appointed and ordered to active duty as first lieutenants, Judge Advocate General's Corps Reserve, for the purpose of undergoing the qualification tour.

Appointments in the Judge Advocate General's Corps section of the Organized Reserve Corps are limited by Army Regulations to those necessary to fill existing vacancies in Organized Reserve Corps' troop program units. In addition, and to offset the losses that will be occasioned when reserve officers ordered involuntarily into the active military service are released from active duty, the Department of the Army has recently authorized the appointment of a considerable number of officers in the Judge Advocate General's Corps Reserve who volunteer for extended active duty for a period of three years. Extended active duty quotas are being assigned to the several army area commanders within the zone of the interior who will be the appointing authorities. A vacancy in a troop program unit need not exist when the applicant applies for extended duty.

Applicants for reserve commissions in the grade of first lieutenant must be between the ages of twenty-one and thirty-two years. Applicants must also: have been graduated from an approved law school, with a professional degree; have been admitted to practice and have membership in good standing of the bar of the highest court of a State or a Federal court; and be engaged in the private practice of law or teaching of law or hold judicial office.

It may be noted here that the selection boards are interested in the applicant's law school scholastic record, including moot court, law review, and comparable endeavors, and his record of prior military service, if any. Insofar as personnel requirements will permit, it is the present policy of the Corps to send newly appointed officers who are ordered to active duty to the Judge Advocate General's School at the University of Virginia for a short but intensive indoctrination in military law and certain basic military subjects.

Individuals who are interested in obtaining appointments in the regular army may secure information relative

to the submission of applications from the Office of the Judge Advocate General of the Army, Washington 25, D. C. Those interested in reserve appointments may obtain necessary forms and information from an Organized Reserve Corps instructor's office, from any Army installation, or from the Chief of the State Military District in which they reside.

FORUM—(Continued)

added that businessmen there still found it "cheaper" to permit racketeering than to risk great interference with their activities.

Jerome Rappaport, LL.B. '49, one of the founders of the New Boston Committee movement and now an Assistant Corporation Counsel of Boston, stated, "Corruption is a concomitant of the process of government, especially a democracy." He said corruption was not the basic problem, that "corruption is not scandal or wrong, and to understand (the phenomenon), we have to know what is being corrupted."

In Boston he saw the principal problem as a need for a "big-business business system" to handle the demands of the large community. In the areas of administration he pointed to the necessity for greater centralization of management and of responsibility.

Characterizing the previous history of Boston government as "shopkeeper corruption," he urged that in the functions of government as a supplier, as a consumer, as the provider of employment opportunities, as regulator, and as a provider of services, administrative discretion be minimized and the strength of the ballot box be increased.

A 1938 graduate of the Law School, Walter M. Phillips, who is presently the City Representative and Director of Commerce of Philadelphia, stressed the difficulties reform groups have to face. Quoting Lincoln Steffens' comment on Philadelphia as "corrupt and contented," he reviewed the fifteen-year fight for clean government.

Mr. Phillips found five reasons for the success of a reform Democratic Party in his city in the last two elections. Foremost was an expanding civil interest among the leaders of the community and the general citizenry.

He stressed also the gradual process necessary "to arrive at a wide enough base upon which to build a political movement," the disintegration of the Republican political machine, newly-developed media of communication with which to reach voters because of a hostile press, and dynamic leadership.

As Mr. Halley observed toward the close of the evening, "We may not change human nature, but the elements of corruption will be driven out, and then maybe we will begin to develop."

Calendar

UNIVERSITY WORLD

Choral Concert

With the assistance of the Harvard-Radcliffe Orchestra, the Harvard Glee Club and the Radcliffe Choral Society will give a concert in Sanders Theatre at 8:30 p. m. tomorrow. The program will be devoted entirely to the works of Ralph Vaughan Williams. Tickets may be obtained at the Coop.

Concert

A concert of music by Aaron Copland will be given in Sanders Theatre at 8:30 p. m. next Wednesday. The program will include Copland's *Quartet for Piano and Strings*, *Twelve Poems of Emily Dickinson*, and the *Sextet for String Quartet, Clarinet, and Piano*.

Fogg Art Museum

Twentieth-century Japanese Woodblock Prints, Early Italian Engravings, Oriental Galleries Reinstalled, Athens in the World of the Fifth Century, Baroque Portraiture in Graphic Art, are now on display.

Boston Film Society

Boston Film Society's program for tomorrow night will include: surrealist films from *Cinema 16*, *Le Chien Andalou* (by Dali), *The Lead Shoes*, and *The Petrified Dog*; and *Zero de Conduit*, by Jean Vigo, and will be shown at the Fogg Art Museum at 7 and 9 p. m. Tickets may be obtained at the door.

BOOKS—(Continued)

from the Whitney Endowment, which provides funds for the purchase of law books for needy students, Mr. Johnson said that rising prices have made necessary this resort to other sources.

Hard-pressed students who may wish to use the facilities of the Committee next year were urged to indicate their particular needs by signing a list to be available in Dean Toepfer's office during May. Those signing the list at that time will receive priority in the allocation to be made next semester. The casebooks are provided at a nominal rental.

The Committee now owns about 225 books, most of them in good condition. When these are not out on loan, they are stored in a room in the Austin Hall basement, and through the means of a card system, the members know the current disposition of each book.

In addition to Mr. Johnson, other members of the Committee are Miss Mary M. O'Connell, 2L of Jeanette, Pa., and Louis Del Duca, 3L of Philadelphia.

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