

The Harvard Law School Record

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May Review Features Wechsler Article Concerning Codification of Penal Law

"The Challenge of a Model Penal Code" by Herbert Wechsler, professor at Columbia Law School, will be the lead article in the May issue of the *Harvard Law Review*. Mr. Wechsler originally prepared this analysis of arguments against and in favor of a model code, as well as discussion of the difficulties of codifying the penal law, as a memorandum for the Rockefeller Foundation.

Raymond Rubin, a New York attorney, presents a discussion of the tax problem that arises with the purchase of property subject to a lease. Mr.

Rubin's suggestion is that the buyer amortize, over the term of the lease, the difference between the price of the property, and its value at the termination of the lease.

Oil and gas conservation is the subject of an article by Howard R. Williams, associate professor of law at Columbia. He considers pro-rationing, a program to limit production through allocation of production quotas, by the Federal government to the states, and by the states to private producers.

Foreign Judgment Comment

Also in the May *Review* is a comment on the subject of foreign judgments. At this time, many countries have judgment registration systems; while here, a judgment is not automatically enforceable, but must be sued upon before it can be executed.

The last issue of the *Review* for the 1951-1952 school year will appear in June. Judge Charles E. Wyzanski, Jr., has written the lead article, entitled "Freedom and Responsibility of the Trial Judge." He will deliver it, as the Cardozo lecture, at the meeting of the Association of the Bar of the City of New York. Judge Wyzanski deals with the relation of the trial judge to the jury, and to the appellate court. Part of the article will later appear in the *Atlantic Monthly*.

(See REVIEW on page four)

Hughes, Wallace To Sup. Court Clerkship

Vester T. Hughes, Jr. (Rice, '49), of Mertz, Tex., will clerk for the Hon. Tom Clark next year, Dean Griswold's office announced this week. Harry L. Wallace, (Indiana U. '49) of Bloomington, Ind. also will clerk for a Supreme Court justice, the Hon. Sherman Minton.

Recent graduates, Donald T. Trautman, LL.B. '51 of Cleveland Heights, Ohio, and Alexander M. Bickel, LL.B. '49 of New York City, will both clerk for the Hon. Felix Frankfurter.

Court of Appeals clerkships were granted to Richmond Prescott (Harvard '49) of Dartmouth, Mass., who will work for Judge John Biggs, Jr., of the Third Circuit; Herbert Stoller (U. of Wisconsin '49) of Baltimore, who will clerk for Judge Harrie B. Chase, of the Second Circuit; Frank E. A. Sander (Harvard '49) of Brookline, who will be with Judge Calvert Magruder, in the First Circuit; and Stanton S. Oswald (U. of Pennsylvania '49) of Philadelphia, with Judge William H. Hastie, in the Third Circuit.

Thayer, Cound Named

Clerking for Judge Augustus N. Hand will be L. H. Harrison Thayer, II, (Amherst '45) of West Newton. John J. Cound (George Washington '49) of Washington, D. C., will clerk for Judge Learned Hand.

Also given Court of Appeals clerkships were Ronald P. Klein (Stanford '49) of San Francisco, who will be with Judge William E. Orr of the Ninth Circuit, and Charles N. Gregg, Jr. (Harvard '49) of Waban, who will clerk for Judge Peter Woodbury of the First Circuit.

George T. Finnegan, Jr. (U. S. N. A. '44) of Milton, will clerk for the Hon. Raymond S. Wilkins of the Massachusetts Supreme Judicial Court.

Harvard Alumni Head



Charles C. Cabot

Charles Codman Cabot, LL.B. '25, Boston attorney and former justice of the Massachusetts Superior Court, who was elected President of the Harvard Alumni Association for 1952-53. He will assume office on Commencement Day, June 19. The Harvard Alumni Association includes former students both of Harvard College and of the graduate schools. Mr. Cabot was graduated from Harvard College in 1922 and from the Law School in 1925.

He is a former member of the Board of Overseers (1944-1950) and now serves on the visiting committee for the Department of Social Relations.

LAST ISSUE

With this issue, the *RECORD* will cease publication for the 1951-52 school year. The first edition of Volume 15 will appear early next fall. The *RECORD* office will remain open for inquiries for the balance of the school year.



The Drafting Competition winners pictured above are: (First row l to r) Benjamin Kreitzberg, Edgar Booth, and Martin Friedman of the Seavey-Wilson Club; Warren Andrews, William Anderson, and Larry Bear of the Watts Club. (Second row, l to r) Malcolm Bayliss, Robert Fuller, Parker Hayden, and Robert Coulson of the Story-Powell-Webster Club.

Drafting Finals Set For Fall As BSA Announces Results

Seavey-Wilson and Story-Powell-Webster Clubs will meet in the drafting competition finals next year, the Board of Student Advisers announced in releasing the results of the recent drafting elimination round.

Seavey-Wilson drafted the best whiskey distillers contract and finished second in the trust agreement project. Story-Powell-Webster submitted the best

trust agreement and finished second on the whiskey distillers contract.

Watts Club drafted the best workmen's compensation statute, but finished fourth on the trust agreement. Marshall Club was second on the statute and third on the distillers contract. Frankfurter-Griswold finished third in both the statute and trust competitions.

Seavey-Wilson Finalists

The members of the finalist Seavey-Wilson Club are Edgar H. Booth of Brooklyn, Bernard Bernstein of Brooklyn, Herrick A. Drake of Chatham, N. J., Martin M. Friedman of Montclair, N. J., Benjamin I. Kreitzberg of Maplewood, N. J., and Walter L. Landergan, Jr., of Lynn.

The winning distillers contract was drafted by Booth, Friedman and Kreitzberg.

Finalists for the Story-Powell-Webster Club are Malcolm B. Bayliss of Miami, Donald W. Conley of Oak Park, Ill., Leland H. Cope of Canton, Ohio, Robert Coulson of New York City, E. Parker Hayden, Jr. of Brookline, Robert F. Fuller of Scarsdale, N. Y., Cornelius J. Kiley of Peabody, and Joshua M. Twilley of Dover, Del.

The winning trust agreement was drafted by Bayliss, Coulson, Fuller and Hayden.

Watts Wins On Statute

Drafting the winning workmen's compensation statute for the Watts Club were William G. Anderson of Springfield, Warren F. Andrews of Marengo, Ill., and Larry A. Bear of Cambridge.

The Board of Student Advisers has scheduled interviews for each group of participants with one of the judges who graded its project, to alleviate some of the impersonality present in the competition because of the lack of argument.

The judges, practicing attorneys, commented on the high level of work submitted. This opinion is borne out by the interest shown in the competition by outside parties, the Board revealed.

(See DRAFTING on page four)

Modern Legal Education Started Here, Seavey Declares At Record Banquet

Modern legal education originated in the Harvard Law School, Professor Warren A. Seavey told the Sixth annual *RECORD* banquet in the Harkness Commons last Thursday.

Professor Seavey spoke on "Legal Education and the Harvard Law

School" at the banquet which was attended by faculty and staff members. Judge Calvert Magruder was toastmaster. Dean Erwin Griswold also spoke.

The Law School can trace its origins to a gift of \$7,500 in 1815, which Harvard College used to establish the Royall Professorship of Law in honor of its benefactor, Professor Seavey revealed.

School Started in 1817

The Law School actually was started in 1817, but continued as a casually operated, almost part-time venture until President Eliot induced Professor Langdell to join the faculty in 1870.

Under Langdell's efforts the school was reorganized and became a full-time project with a regular curriculum. However, Langdell's most revolutionary change was the introduction of the case method, which was adopted by most American law schools.



Toastmaster Calvert Magruder and Warren Seavey at the banquet table.

New Course Listed

Dr. Ford Describes Medicolegal Seminar

The following report on the new *Medicolegal Problems Seminar* was written especially for the *RECORD* by Dr. Richard Ford, Assistant Professor of Legal Medicine and Acting Head of the Department of Legal Medicine in the Medical School. The seminar will be offered for the first time this fall.

In the academic year 1952-1953 a new seminar will be presented at the Law School in the first semester, each Tuesday afternoon from 4 to 6 p. m. This seminar is being presented under the joint auspices of the Law School and the Medical School of Harvard University.

Six years ago under the aegis of Dean Griswold, Dr. Alan R. Moritz, then Professor of Legal Medicine at the Medical School, initiated a short series of lectures open to the public but primarily directed at the student body of the Law School. Following the departure of Doctor Moritz, the Department of Legal Medicine continued the series for three years.

To those giving the lectures the allotted time seemed all too short to bridge the gap between the two professions of law and medicine, too short to cover adequately and intelligently the complicated interrelations of disease and injury.

In 1949 Dean Griswold first suggested the desirability of a course for credit in seminar form thereby providing

for free discussion. Each year the project has received reconsideration only to be blocked by lack of a sufficiently large and specifically trained teaching body.

For the first time, in the coming academic year, the Department of Legal Medicine in the Medical School is in a position to present

Problems Seminar. Instruction will be offered by Dr. Richard Ford, Assistant Professor of Legal Medicine and Acting Head of the Department; Dr. Michael A. Luongo, Instructor in Legal Medicine and Associate Medical Examiner in Suffolk County; Dr. Jack Ewalt, Commissioner of Mental Health for the Commonwealth of Massachusetts; Dr. Robert Hamlin, Assistant in Legal Medicine, and, as available, medical specialists in fields often concerned with impairment by injury, such as cardiology and orthopedics.

Four Sections Planned

The tentative plan for the seminar calls for four consecutive sections. Section 1, seven meetings, will consist of medical evidence from the medical point of view in lay terminology in the several fields of crimes, torts, and industrial compensation. Human anatomy and physiology with special reference to mechanisms of death and disabling injury—later amplified by demonstration autopsy (optional, of course)—will provide the framework upon which subsequent discussion will be spread.



Dr. Richard Ford

(See FORD on page three)

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A World We Make

If law students lived in ivory towers it would not be surprising if their reaction to the news that has been coming out of Washington recently would be to say "A plague o' both your houses!" and retire from the field of argument to ponder the nice distinctions between trespass and trespass on the case. But we are of this world, and many of us have had at least some small part in shaping the current alignment of powers.

This year, some have said, America is confronted with a crossroads of decision. Whether or not the 1952 Presidential election requires such dramatic treatment, this is a time when students can use the skills they have developed. We are sure their support will be welcomed by either party. But political activity should not be dependent on a particular election year; the concern of every citizen, it should be more especially an important interest of the legally trained.

Politics generally draws attention, yet there is just as important a field which is often overlooked by those persons who are frequently best prepared for leadership. If our fragile world position is depressing, if there is corruption in high office, or if the country seems apathetic to hypothesized dangers, the reaction of the lawyer should not be sideline cynicism.

Our years of study here are premised on the fact that after graduation we will be active in advocating better human relationships and forms of organization. But community service should not depend on being retained by a client nor need it await graduation. As "the fellow in the next house who goes to Harvard Law" we carry with us a tradition of public service which we should expect of ourselves to maintain.

Every community requires assistance in many areas, and each offers long-term benefits to those who devote a part of their time to the work. The rewards are in personal satisfaction, in understanding our neighbors, in helping when help is needed, and in directing when other leaders have lost direction. If the words we write sound like a melodramatic clarion call, we would suggest that the fault is not in the words or the phrasing, but that the ideas have been too distant from our thoughts for too long.

At the Law School we are prepared for careers as officers of the courts—a public office in itself. If we keep this nature of our profession constantly in mind, there need be no difficulty in expanding our activities into fields of public service.

Medicolegal Seminar

Once again Harvard Law School has taken the lead in expanding the horizons of legal education. In the past few years members of the bar and the medical profession have recognized a growing need for closer cooperation and understanding in numerous areas where their respective disciplines overlap.

After several years of experimentation, a new seminar in Medicolegal Problems has just been announced, to begin next fall. Considering the large volume of litigation involving medical testimony, we feel certain that many students, especially those interested in trial work will welcome this forward step.

Gallery

CALVERT MAGRUDER

Circuit Court Judge



The Judges took their seats, and a member of the Toney Club leaned over to whisper to his wife.

"That's Goodrich on the right, Douglas in the center, and Magruder is on the left."

"Magruder? I thought he taught Torts! Isn't this a labor case?"

The law student gave his wife a condescending look. "Look dear, he's up there because it is a labor case, and . . ." The explanation was cut short as counsel for the appellant began to speak . . .

Few men are better qualified to decide a labor relations case than Calvert Magruder. As a lawyer Magruder has watched labor come up from the ground floor. He went to Washington in 1934 as General Counsel for the earlier National Labor Relations Board set up under the N.R.A. In that capacity he participated in drafting the final version of the Wagner Act and the committee reports which recommended its passage. He remained for a while as General Counsel to the permanent N.L.R.B., and later served as General Counsel to the Wage and Hour Administration. Perhaps it was his excellent work in the labor field more than any other factor, that led to Judge Magruder's appointment to the First Circuit Court of Appeals.

When President Roosevelt announced this appointment in 1939, a fellow member of the Harvard Law School Faculty prophesied: "Magruder will make an excellent Judge, but it will ruin him as a Professor." Few New England lawyers would dispute that the first part of this prophecy has been fulfilled.

With the second part of the prophecy, however, most of Professor Magruder's students

would take strong issue. He does not go all out for either the Socratic or the straight lecture method, but manages to combine the two in a proportion popular with his first year classes. His classroom comments, much like his opinions, are given in a simple and direct manner. There is no indulgence in rhetorical flourishes, and the student who gives a long-winded answer is usually brushed aside by an abrupt "Yup." A breezy sense of humor is responsible for some of the best quips to come out of the first year.

Magruder was born in 1893 in Maryland and attended St. John's College at Annapolis. Incidentally, years later, the Judge was offered the Presidency of his alma mater. From St. John's he went to Harvard Law School where he finished his first year with a 79 average. In the next two years his average dropped to 78 and 77, respectively, mainly because he stopped reading cases in order to work on the *Law Review*. Judge Magruder was still able to graduate among the first six in his class. He had accepted an offer from a Baltimore firm, but during final exams he was told the partnership was dissolving and would not need his services. Judge Magruder replied that he was reserving the right to sue them for damages, but Professor Frankfurter saved him from this early litigation by recommending him as clerk to Justice Brandeis. The great Justice's method had profound influence on Judge Magruder. Brandeis reached out in every direction for facts that would bear on the problem, and Magruder, like him, is insistent in getting factual background for his opinions. He likes to obtain from his clerks "the latest wrinkle of law school teaching."

Judge Magruder spent a year in the Army in 1917 and then took a position under the Admiralty Counsel of the U. S. Shipping Board even though, as he says, "I didn't know port from starboard." In 1920, Professor Magruder began teaching at Harvard Law School, pinching in Insurance and Partnership, although he had never taken those courses himself. (He says he learned a good deal that first year.) Every time a Professor took a Sabbatical leave, Magruder was called upon to teach the professor's course. In 1925 he was appointed a full Professor, and five years later became Vice-Dean.

Professor Magruder's many contributions to legal literature include a standard casebook on Partnership, and "Emotional Disturbances in the Law of Torts" (49 Harv. L. Rev. 1033). It was in this article that Judge Magruder made his classic *bon mot* that law students prize. In commenting on the decisions denying women damages for mental distress and humiliation because of immoral proposals, the Judge summed up the cases by saying: ". . . The view being, apparently, that there is no harm in asking."

JEROME SHESTACK '49

Off the Record

LEGAL GYE-RATIONS

Fuller's *Basic Contract Law* is rich with cases involving that forthright, 19th Century Englishman, Mr. Gye, a promoter more often sued than suing. Turning to one of these cases Professor von Mehren said, "And now we come to *Lumley v. Gye*. Mr. Gye, gentlemen, was one of the founders of the common law."

FIANCEE?

Student (stating *In re Boyes*): "He wanted to make provision for his . . . for . . . (Long pause) . . . for his girl friend."

Professor Baker: "I fear it had gone a little beyond that."

COMPARATIVE ANATOMY

When asked to comment on whether he found any difference between the minds of Harvard Law School students and those of the Yale student, Professor Loss thought for a moment and replied: "Why, of course. One is in New Haven and one in Cambridge."

TO PORTIA

(And Her Heirs and Assigns Forever)

Thou art enfeoffed unto the Blindfold Bawd;
Thy token branch, thy smoking heart now freight

Her scales in common livery, *per quod*,
Omniscience is thine, to derogate
Love's tender. Not estopped, thou mayst deny
The parol promises on which relies
My idiot, unseared heart. Now, wherefore, I
(WITNESSETH) grant, surrender . . . and demise.

Farewell, then! *Dies juridicus* thy dower.

Accept thy Sapphic lover's emblems,
And swear thou knowst all things through her
dread power.

(Bear witness, gods! this testator dissents . . .)
Seized in Law's land-locked fee, thou 'It never
chart

The shifting uses of the human heart.

POETIC JUSTICE

Now Casner, Leach, and Company was a corporation bold

Incorporate in Ohio, but only two years old,
When Grasping Smith with eagerness upon the
Corp's own sod

Did continuously, notoriously, and adversely
start to trod.

For two and twenty years did Smith make clear
his claim,

By continual possession to own it was his aim;
But then our corporation its proceedings did
commence

To throw foul Grasping Smith and his lawyer
O'er the fence.

Now Smith did claim his title from his actions
in the past,

"Twenty-one years is all I need, and twenty-two
have passed.

"Through all this time most hostile, notoriously
and such,

"Continuously, possessively, this land was in my
clutch."

But all his ranting, ravings, his pleadings and
his cries,

Did not make him the owner—the court his
claim denies.

"For by Ohio statute, eleven-two-one-nine,
"You do not own this fair green sod. Now hear
the Court opine.

"The plaintiff corporation, by section number
two,

"Was but a weaning infant when causation did
accrue.

"It lost its disability when aged twenty-one,
"So the statute of limitations had still ten years
to run.

"The plaintiff now is twenty-four, and it has
brought its suit,

"To halt the cruel defendant from capturing the
loot.

"Judgment for the plaintiff, and for your information,

This statute is applicable to a minor corporation."

Sub Judice

THE BARGAIN HUNTER

C. A. Lane brought suit against the Fair Department Stores Inc. for injuries sustained by his wife, Mrs. Mamie Lane. He sought to recover compensation for her injuries, past and future medical expenses, and for the past and future reduced capacity of his wife to discharge her duties as a housewife.

It appeared that the Fair Department Stores Inc. conducted a vigorous advertising campaign during the early weeks of June, 1949 to induce a large crowd to attend its opening sale. The advertisements stated that the doors would open at 9 a. m. and that pairs of "fine hose" would be given the first 300 persons entering.

Needless to say Mamie was there at 8:30 and together with a few other early shoppers waited for the doors to open. At 9 a. m. "a small crowd" had congregated about the store front. By 9:25 a "great throng" of hose-hungry women had gathered about the entrance. Lane alleges that a few moments before the doors actually were opened the crowd became impatient and those in back started to push towards the front. It was further alleged that the store manager, a man of great experience in this field, well knowing the propensities of the bargain-hunting public failed to "police" the crowd. On the contrary, he held up the opening of the store for approximately 30 minutes so that photographers might get a picture of the mob. Unfortunately, blameless "Mame" was caught in the rush, fracturing her right leg, foot, and back and suffering various indignities.

The petition alleged that such acts and conduct of the store-manager constituted negligence and that such negligence was the proximate cause of Mrs. Lane's injuries.

The trial court found for Mamie only to be reversed by the Court of Civil Appeals.

Held: Judgment of the Court of Civil Appeals reversed. Judgment for the plaintiff.

The court based its reversal on the jury's specific finding that the failure of the department store to take such precautions as the court thought it had a duty to take, was the proximate cause of Mamie's injuries.

Wilson, J. dissenting in part: "I, respectfully dissent from such of the majority opinion as imposes a duty on the store owner to police the public." *Lane v. Fair Stores, Inc.*, 243 S.W. 2d 683 (Texas, Nov., 1951).

NUMBER PLEASE

Phi Delta Theta House Association of Madison, Wisconsin, petitioned the Wisconsin Telephone Company to install a control device to prevent long distance calls from being placed over the fraternity's telephones. Apparently the frat had difficulty getting its more talkative members and guests to admit having feminine acquaintances from Maine to California.

The phone company denied the request and the fraternity appealed to the commission.

Held: The Company's motion is granted. The commission found that the cost of a device controlling toll calls would exceed \$1,000 and would in fact result in a specialized service which would in turn be discriminatory unless it were made available to all subscribers.

To solve the problem the Commission suggested that the frat employ that means of policing toll calls which is open to everyone, i.e., the installation of coin boxes. *Phi Delta Theta House Association v. Wisconsin Telephone Co.* 89 P.U.R. 27 (April, 1951).



"YOU BIRDS . . ."

FORD—(Continued)

The remaining meetings of Section 1 will include discussions of gunshot, cutting and stabbing, blunt injury, head injury, various varieties of asphyxiation, and poisoning. Insofar as possible criminal aspects will be minimized and the civil problems of death emphasized.

Psychiatry and Law

Section 2 of the seminar will be devoted to psychiatry and the law. Instruction will be offered in basic medical psychology, criminal responsibility as distinguished from mental disease, and in the determination of mental competency with respect to estates, wills, trusts, divorce, marriage, and annulment. Attention will be paid to degenerative change: senility, alcoholism, and drug addiction. The recognition of the abnormal client will be discussed.

Section 3 will be concerned with the medical witness. The importance of the pretrial conference and preparation of the medical brief will be stressed. The credibility of the witness in compensation problems with respect to the estimation of disability, psychoneurotic sequelae, and orthopedic impairment will be presented at length.

The fourth and final section is concerned with the legal aspects of administrative medicine. Time will be devoted to the legal aspects of medical organizations: attorneys general acting for health administration, health insurance, medical service planning, and finally, medical malpractice. These sessions will be presented by Dr. Robert Hamlin who is currently completing his training in law.

New Faculty Assistant

Faculty Assistant to the Board of Student Advisers for the coming year will be Charles H. Randall, Jr., of Roslindale.

Mr. Randall received his A.B. at Harvard in 1947 before coming to the Law School. He was a member of the Blackstone Club and King's Bench, as well as the Board of Student Advisers.

After earning his LL.B. in 1950 Mr. Randall was employed by Hodges, Reavis, Panteleoni and Downey, in New York City. He intends to make the teaching of law his career.

He replaces William S. Hack, LL.B. '51, of New York City.

Alumni Notes

LL.B. '31—Walter J. Halliday announces the formation of a partnership, Nimes, Martin, Halliday, Whitman and Williamson, for the general practice of law in New York.

LL.B. '33—Edward J. Lawler has opened law offices in the Sterick Building, in Memphis, Tenn.

Charles R. Kaufman has joined a partnership for general law practice in Chicago, under the name Vedder, Price, Kaufman and Kammholz. Also associated with this firm will be Victor L. Lewis, LL.B. '38.

LL.B. '34—Frank J. Delaney, practicing in Washington, D. C., is now national president of the Federal Bar Association, and also serves as consultant on defense matters with the General Services Administration.

LL.B. '35—David B. Stern, Jr., has become a partner in Schumacher, Gilmore and Van Ness. The Chicago firm will now be known as Schumacher, Gilmore, Van Ness and Stern.

LL.B. '40—Bertram H. Schur joined in the formation of the firm of Glinsky, Schur & Mishkin, to practice in New York City.

LL.B. '43—Myron Semmel has become a member of the firm of J. K. Lasser and Company, New York.

LL.B. '48—William P. Cunningham and Ralph F. Tuller, LL.B. '49 have become associates in the firm of Haussermann, Davison, Shattuck & Field.

LL.B. '49—Howard Monderer has joined the National Broadcasting Company as an attorney, to practice in New York.

LL.B. '50—Richard Krieger Fink announces his association in the practice of law with the offices of Burnett Roth, in Miami and Miami Beach, Fla.

LL.B. '51—Louis E. Seltzer is now associated with Morris J. Winokur and Hon. Samuel Rose in the general practice of law in the Market Street Bank Building, Philadelphia. Jules Ritholz, former editorial manager of the RECORD, is now associated with the firm of Corcoran and Kostelanetz, New York City.

BOOKS—(Continued)

and Big Bill Hayward's trial for the murder of Governor Steunenberg. These trials have all been retold elsewhere, sometimes more dramatically, but never more accurately.

It is to be hoped that future volumes of this series will include photographs of the principles, or on-the-spot pictures, as well as more diagrams, reproductions of evidence, and quotations from newspaper and other contemporary sources. A serious drawback, it seems to this reviewer, is the poor quality and unimpressive appearance of the bindings and covers of the books.

Nevertheless, the content of these volumes is of the highest order. Lawyers and students undoubtedly will want to read them and be conversant with the cases which are the common cultural heritage of our profession.

DANIEL M. SKLAR

Language and the Law, by Frederick A. Philbrick, \$4.25. The Macmillan Co. (New York, 1949).

The relationship between semantics and the law is explored in *Language and the Law*, by Frederick A. Philbrick, which Macmillan Co. recently put through its third printing.

The first part of the book is devoted

to what the author terms "Principles." They are: persuasion, interpretation, the two forensic styles (roughly seeking to make the audience think and seeking to make it feel), bias, metaphor, and evaluation.

The author combines more or less technical concepts from the field of semantics with illustrations from law and literature, to provide an interesting and entertaining discussion of his subject. The book serves a particularly useful function in making lawyers aware of developments in a field which is extremely relevant to law, and yet, which has developed apart therefrom.

Language Illustrations

The second part of the book consists of detailed selections from four famous cases, presented as illustrations of the use of language in action by lawyers.

The cases are: the Proceedings against Queen Caroline of England, alleging adultery; *Tilton v. Beecher*, an action of criminal conversation, brought unsuccessfully (due to a hung jury) against the famous preacher, Henry Ward Beecher; *People v. Carlyle Harris*, conviction of a New York medical student, who murdered his wife; and *Rex v. Greenwood*, concerning Sir Edward Marshall Hall's successful defense of a man charged with killing his wife.

J. J. S.

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The COOP

DRAFTING —(Continued)

One law school and four lawyers have requested copies of some of the winning drafts.

Most sought-after was the whiskey distillers contract, because of the current interest in the problem of retail price maintenance in light of the recent "Fair Trade" decisions.

The winning clubs will meet next Fall in a competition that is expected to be as complex as an Ames Final, the Board reported. It is believed the finals problem may involve drafting a statute or setting up a corporate reorganization.

ERRATUM

The name of the winner of the first-year award for best brief in the Ames Competition, misspelled in last week's Record, is George T. Roumell, Jr., of Grosse Point Park, Mich. Roumell shared honors with Richard M. Markus of Wilmette, Ill. Both competed for the E. Warren Club.

REVIEW —(Continued)

Another contribution will be Professor Arthur E. Sutherland's discussion of the Bricker amendment, and other proposals to limit the treaty-making power, as well as the power of the President to make executive agreements. Arthur Dean, senior partner of Sullivan and Cromwell in New York, deals with the legal effects of the decrease in the purchasing power of the dollar.

Also in the June Review is a comment by Dean Griswold on the *Coloured Vote* case, in which the South African Court assumed the power to pass on the constitutionality of a legislative act.

NEWS IN BRIEF**KING'S BENCH ELECTIONS**

Tedson J. Meyers, 2L of Bayonne, recently was elected chief justice of King's Bench. Lawrence Newmark, 1L of Brooklyn, was elected associate justice.

Other members of the Council of Justices, chosen at the same meeting, were: Peter Gossels, 1L of Caracas, Venezuela; Richard Markus, 1L of Wilmette, Ill.; Wilton B. Persons, Jr., 2L of Montgomery, Ala.; Jack Polish, 1L of Brooklyn; James Porter, 1L of Ashland, Ky.; George T. Roumell, Jr., 1L of Grosse Point Park, Mich., and Bernard Sykes, 1L of Norwood.

DEMOCRATIC CLUB

John J. Sexton, Jr., 2L of Arlington, was elected president of the Executive Board at a recent meeting of the Law School Democratic Club. The new board will serve through the national elections next Fall.

Other board members chosen were Milo E. Shadle, 2L of Cambridge, vice-president; Donald W. Dowd, 1L of Lowell, secretary; and Melvin J. Buckman, 1L of Philadelphia, treasurer.

COFFEE HOUR SCHEDULE

Carol Channing and Eric Brotherson, featured in the Broadway hit, "Gentlemen Prefer Blondes," now showing in Boston, will speak today at an informal Coffee Hour meeting in Harkness Commons at 4:30 p. m.

Associate Professor Arthur Schlesinger, Jr., will attempt to forecast the

results of the coming political conventions at next Tuesday's meeting at 1:30 p. m. in the Commons.

Dean Erwin N. Griswold will be the speaker at the final Coffee Hour meeting of the year on May 13 at 1:30 p. m. His topic will be "Some Aspects of Australia and New Zealand."

Maurice Contor, 1L of Chattanooga, recently was elected chairman of the Coffee Hour Committee. He replaces Andrew Vance, 3L of Washington, D. C.

STUDENT BAR ASSOCIATION

Stephen K. West, 2L of Pittsfield, has been elected president of the Student Bar Association. Other officers chosen were William F. Gleason, 2L of Chicago, vice-president; James G. Noonan, 2L of Brookline, treasurer; and Clark A. Barrett, 2L of Kenmore, N. Y., secretary.

HARVARD LAW WIVES

Members of the Harvard Law Wives will present "Artichokes for Dinner," a three-act play by Lindsey Barbee, this Saturday at 8 p. m. in the large Meeting Room of Harkness Commons. All Law Wives and their husbands are invited to the performance, which is directed by Mrs. Sydnor Davis and Mrs. Herman Merinoff.

Technicolor movies of South America will be shown at the next regular meeting, next Wednesday at 8 p. m., by members of the Cosmopolitan Club, in the Wheeler Room.

NEW HVD SLATE

New officers elected for Voluntary Defender's at a meeting held Sunday, April 26th are as follows: President, Henry J. Naruk of Middletown, Conn.; Wesleyan '50, replacing Alvin H. Goldstein, Jr. of New York City; Executive Secretary, William S. Lynch of Woodside, N. Y.; Fordham '50, replacing Herbert M. Weiss of Kingston, Pa.; Treasurer, Eugene M. Feingold of Hazelton, Pa.; U. of Pittsburgh '50, replacing Richard Norris of Ventnor City, N. J. There will be a cocktail party May 10 as a reception for the new officers.

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