

Mr. Bulling

# The Harvard Law School Record

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PRICE TEN CENTS

## Ford Grant To Support Work By Gluecks On Delinquency

Dean Erwin N. Griswold today announced that the Ford Foundation had made a grant of \$200,000 to the Harvard Law School in support of the researches into the causes and treatment of juvenile delinquency conducted under the direction of Prof. Sheldon Glueck and his wife, Dr. Eleanor T. Glueck.

"The Ford Foundation grant will enable the Gluecks to accelerate the development and validation of their diagnostic tests designed to reveal early tendencies to delinquency in children," Dean Griswold said. "If the tests are as successful as initial studies give promise, preventive and remedial measures can be taken while the children having these tendencies are still young enough to respond readily to treatment."

The grant was made by the Ford Foundation under a mandate of its Trustees to support, as part of its overall program, "scientific activities designed to increase knowledge of factors which influence or determine human conduct, and to extend such knowledge for the maximum benefit of individuals and of society."

## MOCK TRIAL C. J.



Calvert Magruder  
(See story on page three)

## Dr. Overholser Begins Series Of Legal Psychiatry Lectures

Dr. Winfred Overholser, former Massachusetts Commissioner of Mental Health, will deliver two lectures on *Psychiatry and the Law* in the Langdell Courtroom today and tomorrow at 4 p.m. Two other lectures will be given by him on the same topic at the Medical School Monday and Tuesday at 5 p.m.

The four Isaac Ray Lectures are to be given by Dr. Overholser as the first recipient of the American Psychiatric Association's "Isaac Ray Award" for his notable contributions to the study of legal problems connected with mental disorders.

## Nielson Gives First Of Talks By Scholars

The Harvard Law School Visiting Scholar Series will commence on Tuesday at 7:30 p.m. in the Harkness Common Meeting Room when Prof. Thøger Nielsen of the University of Aarhus in Denmark, gives an informal talk on "Scandinavian Law—The Middle Way."

Prof. William S. Barnes and Dean David F. Cavers have planned the program in cooperation with Martin Hertz, 3L of Brooklyn, vice-president of the Law School Forum which is taking care of publicity and coordination.

In his two appearances here he will be introduced by Prof. Sheldon Glueck. "The Substance of Psychiatry" and "Differences of Viewpoint" will be the subjects discussed in these two talks.

Dr. Overholser will discuss "The Mental Patient and the Hospital" and the "Psychiatrist as a Witness" when he speaks next week in Amphitheatre D of the Medical School.

## Native of Worcester

A native of Worcester, Dr. Overholser was graduated from Harvard College in 1912 and from the Boston University Medical School in 1916. He practiced at State Hospitals in Westborough, Gardner, and Medfield before becoming Commissioner in 1934.

He also was professor of psychiatry in Boston University Medical School and Lecturer in the B. U. Law School. He left Boston in 1937 and is now superintendent of St. Elizabeth's Hospital, Washington, D. C.

## Past President of APA

Dr. Overholser is a past president of the American Psychiatric Association, and served for many years on its Committee on Legal Aspects of Psychiatry. In addition to his duties at St. Elizabeth's Hospital, he serves as Professor

(See PSYCHIATRY on page three)

## Controversial Career Of Sen. McCarthy Detailed By Reporters Anderson, May

*McCarthy, the Man, the Senator, the 'Ism'*, Jack Anderson and Ronald W. May. Boston: The Beacon Press. 431 pp.; \$3.75.

It is difficult to evaluate this book objectively. It deals with a man who is probably the most controversial public figure of the day, and whoever speaks of him must take sides. The two young reporters, editors of the book, admittedly could not be as objective as they wished. However, they do accomplish a fine job in reporting the facts as they found them, in a journalistic style almost completely unaffected by personal opinion.

Although the function of a critic is generally not to retell the author's story in much poorer form, a certain measure of retelling is necessary since the value of this book depends not on any literary

style but on the image of a man created through the recounting of events in McCarthy's career.

It is for this reason that these reviewers feel they must make their evaluation mainly a summary of some highlights of the text. The book can best be measured by conveying some of the impact of its narrative upon the reader.

The story is told chronologically, opening with Senator McCarthy's humble beginnings on his father's farm in Grand Chute, Wisconsin.

## Left Home Early

After an early departure from the roof of a tyrannical father, and a quick failure at chicken farming, Senator McCarthy decided to leave the limited opportunities of his home town and try other fields. He soon found that his lack of education hampered him and set this to rights with a one-year high school education. Next he went to Marquette University, where he first studied engineering and then switched to law. During his law school career, he continually amazed his teachers with his ability to miss the important points but memorize enough of the courses to pass.

After his graduation McCarthy decided to enter the field of politics. His political debut was as a circuit judge.

It was in his capacity as judge that McCarthy received his initial notoriety through the Wisconsin Supreme Court's ruling that his decision not to enforce

(See BOOKS on page four)



Sheldon Glueck

## Third 'Law School Giving' Drive Opens; Alumni Asked To Contribute \$200,000

With a \$200,000 goal the third "Law School Giving" drive began last week when thousands of letters were sent out to alumni throughout the country.

Almost \$30,000 of the desired amount has already been received without any solicitation. Some 50 additional donations have also been sent in since the drive began, according to Asst. Dean Wesley E. Bevins, Jr., '48, Director of the campaign.

The first two Annual Givings, each of which had their goals set at the \$200,000 figure, netted \$64,056 and \$158,536, respectively. During these years the School operated at a total deficit of \$78,780.99.

A small brochure, sent along with the solicitations, tells alumni the story of an expanded faculty, decreased enrollment, and other factors which necessitate the large scale financial aid of alumni.

## Dormitories Aided

Five items were listed as expected beneficiaries of this year's fund raising efforts. Among these were the Teaching Fellow program which needs \$35,000 and the scholarship fund which requires \$60,000.

The brochure also states that an additional \$35,000 will finish paying for the construction of the five new dormitories and for the last of the rehabilitation.

## AMES COMPETITION

The Board of Student Advisers announced the following schedule for first and second year arguments:

### First Year Arguments

- Round 2—Argument tonight.
- Round 3—Brief Exchange, Nov. 18.
- Round 4—Brief Exchange, Nov. 19.
- Round 6—Brief Conference today.
- Round 7—Brief Conference tomorrow.
- Round 8—Brief Conference, Nov. 17.

### Qualifying Rounds

- Round 1—Argument, Nov. 17.
- Round 2—Argument, Nov. 18.
- Round 3—Argument, Nov. 19.
- Round 4—Argument, Nov. 20.
- Round 7—Fact Issue today.
- Round 8—Fact Issue tomorrow.

## STILL ACTIVE AT 91:

## Williston Continues His Legal Research

At the age of 91 Prof. Samuel Williston still can be found every weekday morning engaged in legal research at his office in Langdell Hall. One of the Law School's most illustrious personages, Professor Williston continues to make contributions to the development of the law of contracts and sales.

The last published article by Professor Williston was a strong criticism of the proposed Uniform Commercial Code. He contends that "the Uniform Commercial Code is wrong in its effort to change so completely the past law. Law has got to flow; it cannot jump, at least in the sphere of commercial law."

Commenting on the present Uniform Sales Law (written by Prof. Williston), he states, "The present Uniform Sales Law may be defective. It is largely copied from English law. This was done on purpose for it was thought that the Law should be similar to the law of England, Canada, and the English dominions. The sales provision of the Uniform Commercial Code is very different. The precedents of 40 and 50 years in the United States is something a practical lawyer would recognize as important. It is not possible to shove out this entire body of law."

## Conserving Mental Power

Though still active Professor Williston's routine has been curtailed. Now he comes to his office only every weekday morning. As he places it, "At the age of 91 it is best to use the intellectual power four or five hours in the morning." When Mr. Williston was a student, and then a professor, he

worked seven days a week. Now he finds five days "is enough to take care of people."

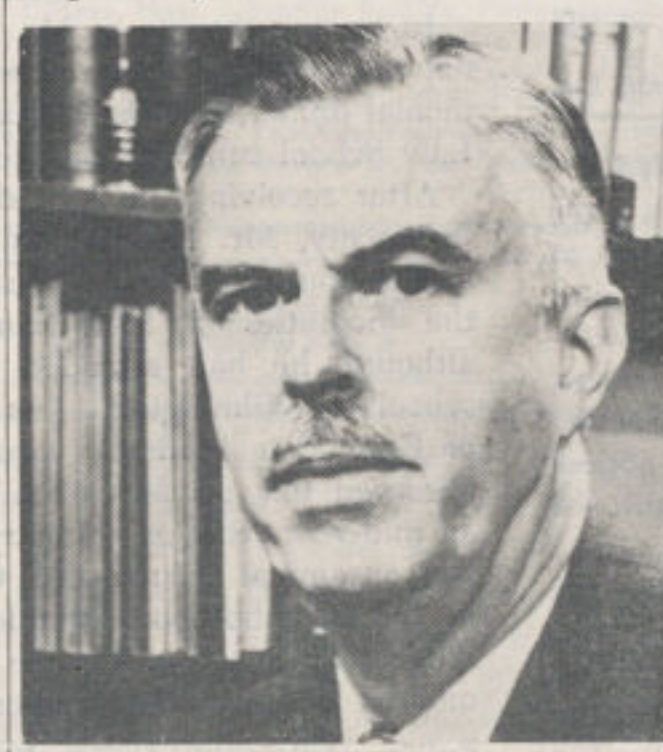
Professor Williston continues to support the proposition of his friend and teacher, Justice Gray, that the function of the Law School is to teach the practice of law. With the expanded curriculum of the Law School "many theoretical questions arise. . . . Today there are many courses taught at the School which most students will never practice." Professor Williston has accepted these innovations which still "have not changed the basic function of the Law School."

Discussing what makes the Law School what it is, Professor Williston had definite ideas. "There is still a vigorous competitive attitude in the Law School, and this is good. When I was young I tried as hard as possible to beat out the other fellow. If I had had security I probably would not have tried so hard."

It is this belief in stiff competition that has led Professor Williston to oppose "economic laws which seek uniform security." Not only does he have criticism of such laws but also of the new thinking and philosophy which would confine and restrict competition. As he sums up his own position, "In these United States one can not avoid competition, as of yet, and one better be as smart as he can."

"I recognize it is hard for the person on the losing side of the competition. It's a hard thing of life, but nevertheless

(See WILLISTON on page four)



David Cavers

At Harvard on a Fulbright Grant until Christmas, Prof. Nielsen will study educational methods here while doing research on the law of contracts.

## Guest At Dinner

After leaving here, he will go to Chicago to appear on the "Comparative Law Round Table" and will discuss "Scandinavian Experimental Legislation in the Conflict of Laws." He will then proceed to the University of California at Berkeley.

Mr. Nielsen will be the guest of the Graduate Law Student Association at a

(See TALKS on page three)

## Panel Lays Decline In Moral Standard To Fear Of Reds

The American reaction to the Communist danger has hurt this country more than the danger itself, according to Norman Thomas and two Harvard professors who were speaking at the Law School Forum on "Men and Morals," Friday night.

Socialist Thomas expressed the belief that in trying to stop the evil we were adopting its methods, though in reality the evil itself was not so great. Henry Aiken said we are allowing "Fascists and anti-liberals to foist their ideas upon us in the guise of anti-Communists," and Pitirim Sorokin likened public reaction toward liberals to the Athenian condemnation of Socrates.

"We have nothing to fear but fear itself," Mr. Thomas said, quoting the



Norman Thomas

famous statement of the late President Franklin Delano Roosevelt. The conformist who speaks of the great dangers we face "and the true believer who brooks no interference" are the only really great dangers facing us, he continued.

"No one did more harm to the cause

(See FORUM on page four)

## The Harvard Law School Record

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## A Market Place of Ideas

In a letter appearing elsewhere on this page R. Howard Bland, '05, has directed criticism at some of the material that has appeared in past issues of the RECORD and has seen fit to withdraw his name from our list of subscribers. While we have always encouraged constructive criticism, we cannot but regret the latter action. Perhaps it calls for a restatement of our editorial policy.

The RECORD takes no position on what we regard as purely political matters. We maintained this neutrality throughout the recent political contest. At the same time we feel that the RECORD would fail in its obligation to the students and the alumni if it did not serve as the vehicle through which student views could be expressed.

For this reason we initiated the two columns headed by the Democratic donkey and the Republican elephant in which the heads of the political groups on campus could express themselves. The space was theirs and they used it to their liking.

As we have previously stated, our columns are open to students, alumni and faculty. When something in the RECORD does not necessarily represent the views of its editors, it is signed by the author or clearly marked some other way.

We may at times touch on subjects which are being used as political footballs, but when we do, it is not for the purpose of taking political sides but to express our views as to the legal basis which underlies the controversy.

We too are proud of our School, and much of this pride stems from the fact that our School has never restrained the free expression of ideas. It has never offered us as an ideal the symbol of the three monkeys, who shielded their eyes, their ears and their mouths lest they utter or be exposed to unsound ideas. If truth must gain its acceptance in the free market place of ideas, it follows that all opinions must be given entry into the square. This has been our policy. We would welcome student and alumni opinion upon it.

## Letters to the Editor

To the Editor:

I have read with feelings of disgust and of amazement the column "For Stevenson" by one John Sexton, a third year law student, and, I believe, one of your editors, appearing on page three of "The Harvard Law School Record" dated Oct. 30.

He says of General Eisenhower, a truly great American, that as a candidate he "mumbles meaningless platitudes, endorses the worst elements in the Congress, including acknowledged slanderers, and worst of all, plays politics with our historic effort in Korea." Of course none of this has a grain of truth and of itself smacks of libel as Mr. Sexton, if he has any knowledge of law at all, should know.

The results of the election ought to make this young man thoroughly ashamed of himself, but he probably can't see himself as others see him. The American people have once more proven their ability to see through sham and false prophets.

## Gallery

LOUIS L. REDDING  
Civil Rights Attorney



On the evening of September 22, 1952, 450 men and women—including a governor, lieutenant governor, several judges and many other outstanding public figures—gathered in the Grand Ballroom of the Hotel DuPont in Wilmington, Delaware, to honor Louis L. Redding for his contribution to the movement to eliminate segregated education. Reflective of the man himself was the fact that this was the first affair in the Hotel DuPont sponsored by a Negro organization with white guests.

In tracing the life of Mr. Louis Redding one not only finds ample reason for such a testimonial dinner, but also a graduate of whom the Law School can well be proud.

After receiving an A.B. degree from Brown University, Mr. Redding taught for two years in the South, where he became fully aware of the inequities of State-mandated segregation, although he had attended a segregated high school in Wilmington. "As assistant principal of Fessenden Academy, near Ocala, Florida, I observed this private school's enrollment swell at mid-year, that is, January. This I learned was an annual occurrence. Children who lived in the neighborhood attended the free public schools for Negroes for the four and one-half months that they were open; then, when the school year, abbreviated by the State for its Negro citizens, ended before Christmas, some of these pupils managed to raise the tuition required to enable them to attend a private school for the rest of the school year."

### Taught in Georgia

The following year Mr. Redding taught at Morehouse College in Atlanta, Georgia, where, he remarks, "The gaps in the scholastic preparation of many of its students, who had come from areas where segregated public school systems deprived them of adequate high school training, forced the institution to expend much of its effort preparing its students to do college work."

Three years at the Law School followed. Mr. Redding graduated in the class of 1928, which, he comments, "among other notables, produced the present dean of the Law School—a Republican, I understand, a Democratic governor of New York, and a Communist member of the New York City Council."

When, under the persuasion of his father, Mr. Redding decided to practice in Delaware, he was confronted with a difficult obstacle. Delaware requires an apprenticeship for persons seeking admittance to the Bar under a preceptor who must be a lawyer practicing in Delaware.

It is my opinion that your paper with its editorial policy and the type of articles presented, is not doing the great Harvard Law School any good, and I suggest that you strike my name from your list of subscribers.

I happen to have two Harvard degrees: A.B. '02 and LL.B. '05, of which I am still very proud.

R. Howard Bland, '05

To the Editor:

Were I confident that the imputations to a deposition regarding an accused's reputation would be stored with the buttons, banners and badges of the recent campaign, I would not presume to interject these comments. However, the letters of Messrs. Shipley and Myers in your Oct. 30 issue . . . may be read as stemming more from personal than partisan beliefs.

Accordingly, permit me to offer the following thoughts: (1) To arrive at a position from which he could see top secret documents, Hiss had to convince the governmental community that he was patriotic, intelligent and truthful. (2) Stevenson's deposition stated merely that Hiss' reputation for truth and veracity in that community was good. (3) Lawyers and jurists know the distinction between testimony of one's own knowledge as to an accused's char-

courts for at least ten years.

The difficulties in this procedure for Mr. Redding were set forth in the following manner in one of the replies he received from a Delaware attorney: "You doubtless know that a colored man has never been admitted to the Bar of Delaware. For many years there was a settled prejudice against women, Jews, and Negroes. Women and Jews have broken in, but, as yet, the Negroes have not because of a wholly unjustifiable racial prejudice, which I do not share in my more lucid intervals."

Mr. Redding remarks, "Needless to say, when I did come down to Wilmington to register as an apprentice it was not with this lawyer. For me, however, his unguarded confession kept me alerted for his less 'lucid intervals' when later he ascended the Bench and I had to appear before him. Despite this revelation, I can honestly say that I have never encountered from any judge any overt display of racial prejudice."

### Worked With O.P.A.

During the war years, Mr. Redding interrupted his practice to serve in the Second Region Office of O.P.A., in New York City, where he became chief of a unit of attorneys and investigators responsible for supervising the enforcement of price control regulations relating to food in that region.

Regarding the segregated education cases in which he has been engaged, Mr. Redding states, "It is difficult to summarize these cases in a few words. We did not succeed in the impossible venture of having lower courts reverse the United States Supreme Court and declare color segregation unconstitutional."

"We did elicit a ream of oral testimony by experts in many fields demonstrating the harm wrought by State-imposed segregation in education. On the basis of this, the Chancellor in the Delaware Equity Court found, that in our Delaware society, State-imposed segregation in education itself results in the Negro children, as a class, receiving educational opportunities which are substantially inferior to those available to white children otherwise similarly situated." The Chancellor then stated, "I believe the separate but equal doctrine in education should be rejected, but I also believe its rejection must come from the Court—the U. S. Supreme Court."

### Progress in Delaware

The result of these cases has been the admittance of Negro children to a State-operated undergraduate college, high school, and elementary school, despite a State constitution imposing segregation.

If the U. S. Supreme Court should invalidate segregation in public education in the cases before it for argument in December, Mr. Redding does not visualize anything like unanimity among the Southern states in flaunting the Court's mandate, "no matter what Governor Byrnes threatened in South Carolina." If the Court fails to outlaw segregation, "lawyers are left with the burden of whittling it away, case by case."

Engaged in a job which the *Wilmington Sunday Star* describes as "changing the social pattern of history," Mr. Redding explains his work in the following manner, "The Negro who undertakes to work, to live as a lawyer in the South, not only as a professional obligation, but out of sheer self-respect, must fight color discrimination in all its forms. I do not know how he can live with his conscience unless he does. Such activity may well be the major public service he can expect to perform for at this moment, he can scarcely expect to be accorded recognition for judicial appointment and other preferment which, color ignored, he might merit." J. L.

acter, and testimony as to his reputation in the community for truth and veracity; reputation may be evidence to prove character but it is not evidence of character. (4) A conscientious defense attorney would not have attempted to use Stevenson's reputation deposition as a character deposition, and a conscientious judge would not have allowed any such attempt. (5) Since Hiss' guilt was established only when overwhelming evidence (primarily regarding the typewriter) was introduced at the second trial, Stevenson's deposition was made at a time when Hiss was presumed to be innocent. (6) If would-be deponents decide to speak or be silent on the basis of the odds favoring the conviction of the accused rather than on the basis of the facts as known to them, there will be little left of our constitutional presumption of innocence.

Recalling my acquaintanceship with Carl Shipley in Cambridge, I doubt strongly that he will ever be charged with perjury or the crime alluded to in his hypothetical question. However, I will not hesitate to state now or at any future time that, during the 1946-48 period in which we knew each other, Mr. Shipley had in the Law School community not a good, but an excellent, reputation for the truth as he saw it.

Nathan B. Taft, '48

## Sub Judice

### SIDEWALKS OF NEW YORK

This was a proceeding to determine the custody of a minor child born out of wedlock. The petitioner is the mother of the child and the respondent is the county home in which the child had been placed by order of a referee as a result of a previous petition of habeas corpus in which the child's father had been named as respondent.

The father testified that he first met the mother in 1947. He said that he had not previously been acquainted with her and that the first time he saw her was "when she lay intoxicated on a midtown Manhattan sidewalk outside of a cafe from which she had been forcibly ejected." Testimony further revealed that "in spite of such an unconventional meeting, a friendship developed between them which continued for at least four years."

It was not long after they met that he transferred his bookmaking headquarters to her father's home. There he employed her as his mistress. Among her duties were included the taking of bets over the phone, recording them and "laying off bets with other bookmakers."

The child's father described the petitioner as being drunk most of the time. He explained that he "did not pay [her] any regular salary for any of the services which she performed" but he did pay for her food, clothing, rent and for other "overhead expenses."

It should be noted that all this time the father was lawfully married to another woman who was in complete ignorance of what was going on until the petitioner was in her fourth month of pregnancy. The father had no children by this marriage.

The father and his lawful wife both claim that the mother is an unfit person "for the reason that she drinks scotch and ale." In the words of the court: "The father's testimony was replete with evidence, much of which was gratuitous rather than in direct answer to interrogation, relating instances of petitioner's lack of sobriety from the time of the 'sidewalk meeting.' He told of their relationship and of their business operations which continued through March, 1951, when he was convicted for bookmaking, 'one of some four convictions for the same offense during the period of pregnancy. . . . His wife claims that she is much more fit than the natural mother to raise the child."

Held: Custody granted to the petitioner.

After finding that the mother was capable of supporting the child and of giving it proper upbringing the court recited the rule that a mother has more of a right to an illegitimate child than the father, though the father would have rights superior to a stranger. *Matter of Kazlow*, — Misc. — (N.Y. Sup. Ct., 2d Dist. 1952.)

## Off the Record

### TWICE-TOLD TALES

Student: "What you suggest would be a hard rule to draw in practice."

Beale (With a Shrug): "I didn't advertise this as a snap course."



"IS THIS WHERE THE MIXER . . ."

## GRANT—(Continued)

trist, a psychologist, and anthropologist, and social investigators, working under the Gluecks' direction.

"The initial examinations and the follow-up studies which are still continuing have amassed an unparalleled body of facts concerning human behavior," Dean Griswold said. "Analysis of the data may lead to important reforms in criminal law and penology. The Gluecks have summarized their latest findings to date in their recent books, *Unraveling Juvenile Delinquency* and *Delinquency in the Making*, now being translated into several languages. Widely hailed as a major contribution to the study of human behavior, their work is being discussed by criminologists and other behavioral scientists here and abroad."

## Criminal Rules Advisor

In addition to degrees in law, Professor Glueck has a Ph.D. in psychology and sociology from Harvard and has written extensively on the relationship of criminal law to psychiatry and on war criminals. He has been a member of the Advisory Committee of the Supreme Court on Rules of Criminal Procedure; adviser to the American Law Institute on the Youth Correction Authority Act and the Model Penal Code; consultant to Justice Robert H. Jackson, American Chief of Counsel, on the Nuremberg trial of war criminals, and an official United States delegate to the International Penal Congresses at Prague and The Hague. Mrs. Glueck, who received her doctorate in education at Harvard and is a graduate of the New York School of Social Work, is an authority on the community use of schools and on social research.

Dean Griswold pointed out that the Harvard Law School has long been a pioneer in the study of crime as part of the teaching and research in the criminal law. In 1922, Dean Roscoe Pound (now Emeritus) and Professor Felix Frankfurter, now a Justice of the Supreme Court, directed the famous Survey of Criminal Justice in Cleveland. At Harvard, Dr. Sheldon Glueck held the first professorship in criminology to be established in any American law school. Recently he was appointed to the newly created Roscoe Pound Professorship.

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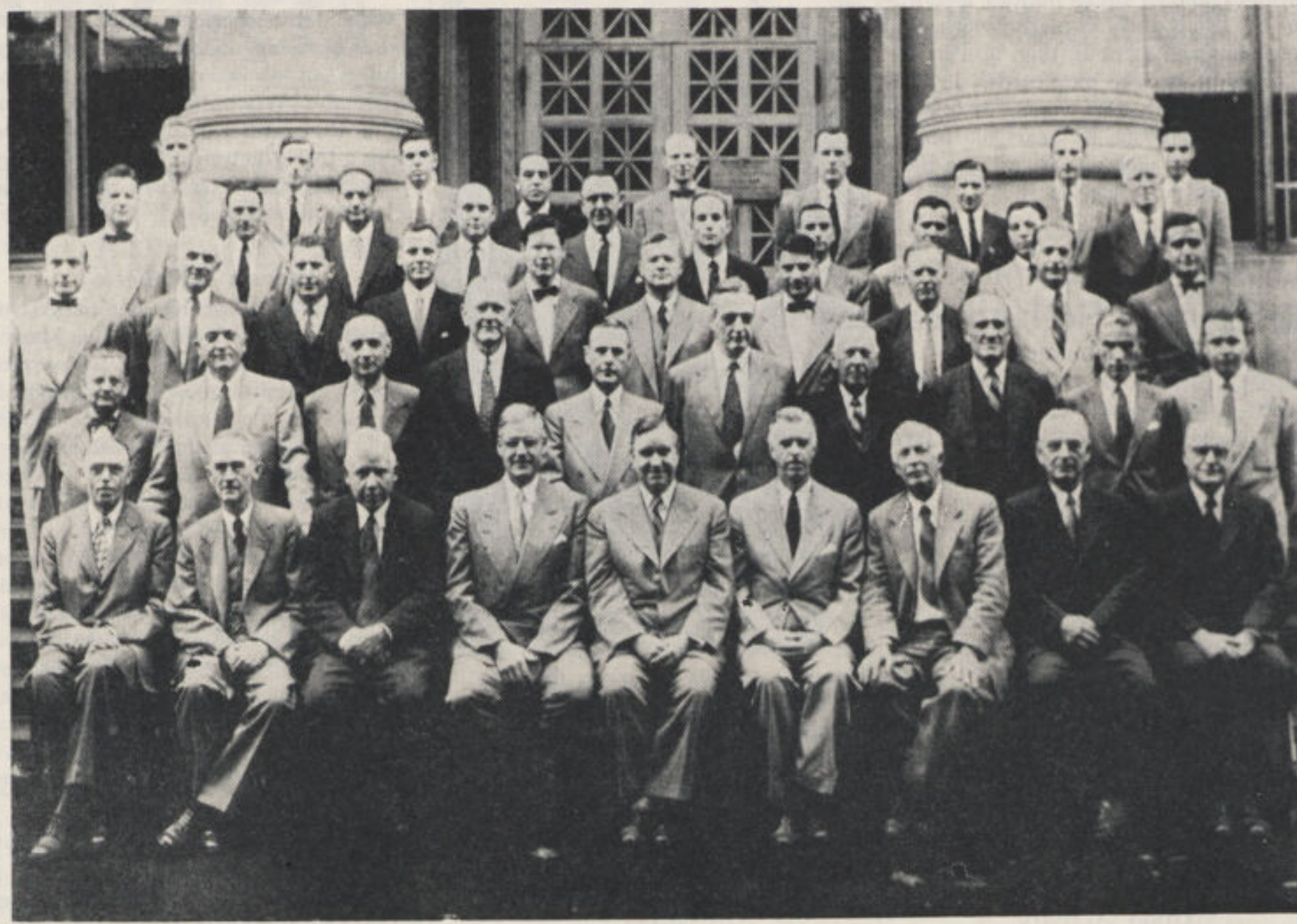
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## HARVARD LAW SCHOOL FACULTY, 1952-53



FRONT ROW, Left to right: Professors Maguire, Baker, McCurdy, Vice Dean Hall, Dean Griswold, Assoc. Dean Cavers, Professors Chafee, Seavey, Scott. SECOND ROW: Librarian Treadwell, Professors Glueck, Sutherland, Fuller, Casner, Hart, Librarian Pulling, Professors Gardner, Howe, Asst. Librarian Borgeson. THIRD ROW: Director of Foreign Research Barnes, Professors Field, Berman, Hardee, Von Mehren, Bowie, Surrey, Asst. Librarian Putnam, Professors Kaplan, Brewster. FOURTH ROW: Prof. Wollett, Asst. Dean Bevins, Prof. Freund, Asst. Dean Toepfer, Prof. Brown, Teaching Fellows Schwartz, McCoid, and Inker, Research Associate Urbano, Secretary Dimmitt. FIFTH ROW: Professors Braucher, Parry, Haar, Jaffe, Sacks, Teaching Fellow Fleming, Faculty Asst. in Ames Competition Randall, Teaching Fellows Bateson and Wellington. (NOT PICTURED: Professors Cam, Hudson, Leach, Loss and MacLachlan, Lecturer Sohn, Judge Magruder, and Asst. Dean Peck.)

## PSYCHIATRY—(Continued)

of Psychiatry at George Washington University School of Medicine and is editor-in-chief of the Quarterly Review of Psychiatry and Neurology. The French Government recently made him a Chevalier of the Legion of Honor.

The Award, named in honor of Dr. Isaac Ray, a founder of the American Psychiatry Association, also carries with it an Honorarium of \$1,000. Establishment of the Award was due largely to the efforts of Dr. George Zilboorg, prominent New York City psychiatrist and Chairman of the A.P.A. Committee on the History of Psychiatry.

## GIVING—(Continued)

to study "practical problems that can be studied effectively only if a research staff can be built up" will require another \$50,000. Nearly half a million dollars has already been spent on specific projects, but more is needed to continue the School's leadership in this field.

A final \$20,000 will be used to maintain the library staff and to procure the books necessary to keep the library up-to-date.

## NEWS IN BRIEF

## ST. THOMAS MORE SOCIETY

The Most Reverend John J. Wright, Bishop of Worcester, will address the Saint Thomas More Society on, "The Diplomatic Activity of the Holy See," Sunday morning, at a Breakfast to be served in the Ballroom of the Hotel Commander.

As Secretary to the late Cardinal O'Connell, and former auxiliary Bishop of Boston, Bishop Wright has acquired a wide reputation as lecturer and author, being particularly hailed for his work, "National Patriotism in Papal Teaching."

The Society will offer Mass at Saint Paul's Church, Harvard Square, at 9:00 a.m., and the Breakfast will follow immediately at the Commander. Non-members are cordially invited to attend.

## MINORITY RIGHTS GROUP

The Harvard Society for Minority Rights and the Radcliffe Association for the Advancement of Colored People will present a talk and discussion on the South Carolina segregated education case before the Supreme Court, tonight at 7:30 in the Peabody Room of Phillips Brooks House.

The organizations also will discuss a proposed *amicus curiae* brief to be submitted in their names to the Supreme Court, written by law students. All are invited to attend.

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## BULL &amp; BEAR CLUB

The Bull & Bear Club will meet tomorrow at 1 p.m. in the Mallory Smith Room in Harkness Commons to hear Mr. Gerard L. Regard speak on "Aspects of Mutual Fund Investing." Mr. Regard is the head of Kidder Peabody & Co.'s mutual fund department in New England. He is a graduate of the Harvard School of Business Administration.

## LAW WIVES

The Harvard Law Wives will hold a Bridge and Canasta party next Wednesday evening at 8 in the Wheeler Room, Holmes Hall.

## CIVIL LIBERTIES UNION

Officers will be chosen and agenda prepared at a meeting of the Harvard Civil Liberties Union tonight at 8 in Apt. B-2 at 19 Everett St. Students interested in joining this group are invited to attend.

## LAWYERS GUILD

A dance and social sponsored by the Harvard Chapter of the Student Division of the National Lawyers Guild will be held this Saturday evening, November 15, at the Professional & Businessmen's Club, 543 Massachusetts Ave., in Boston. The affair will begin at 8:30 p.m. Admission is \$1.00 for men and free for women. All are welcome to come.

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Mock Appeal Court  
Rules For Plaintiff

Sitting as Chief Judge of the Supreme Court of the Commonwealth of Ames, Calvert Magruder, Chief Judge of the United States Court of Appeals, First Circuit, upheld the judgment of the lower court in the mock appeal of *Parr v. West*, on Monday night in Langdell Courtroom. The trial court awarded Miss Parr damages of \$2,000 for assault and false imprisonment.

Prof. Donald Wollett of the Law School faculty and Edward J. Samp, Jr., of the Boston Bar served as associate judges.

Dean Erwin N. Griswold argued for the plaintiff and Prof. Covington Hardee appeared for the defendant.

Defendant appealed on the grounds that: (1) The trial court, on all the evidence should have directed a verdict of not guilty on the battery count, (2) the trial court erred in its instructions as to a shopkeeper's privilege to detain a suspected thief.

Plaintiff cross-appealed the lower court's ruling that there was no right of privacy in the Commonwealth of Ames.

By a 2-1 decision the Court upheld the battery and false imprisonment counts. Judge Magruder in delivering the opinion, stated that the trial court erred in not recognizing a right of privacy in the Commonwealth of Ames. However, he concluded, the record in the case showed there had been no invasion of a right of privacy.

## TALKS—(Continued)

dinner preceding the talk. A discussion period and a reception will follow the speech. Coffee will be served.

All programs in the series have been planned for Tuesday evening of the week in which the Forum is not planning a legal program.

A tentative schedule of talks follows:

S. G. Chitale, Principal, Bombay College of Law, on "Civil Liberties Under the New Constitution of India (especially with respect to criminal process and protection of the accused)," Dec. 9; open, Feb. 3; Prof. Spanoghe of the University of Ghent in Belgium, on "Conflicts Problems in a United Europe," March 3; open, March 31; open, April 28.

The series has been planned because it is felt that the increasingly large number of visitors here have something very valuable to offer the student body in the way of discussion of the differences between other systems of law and education and our own.

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**WILLISTON—(Continued)**

we have to try to achieve the best, and that cannot be done without competition. It is a race and I believe in the race. In the main I have run the race."

At the time of this interview, Professor Williston was busily engaged in reading and studying an article in the current issue of the *A.B.A. Journal* on the Laws of Unfair Sales. Laws on this subject, enacted in 38 states, are, in Professor Williston's opinion, "attempts to deprive competitors of competition in regard to sales below cost done with intent to destroy a competitor or competitors."

**Still Reads Law**

Most of Prof. Williston's legal research is devoted to reading new cases and articles on the law of contracts and sales. When he locates something of interest or importance he sends it, with his comments, to several persons in New York who are responsible for compiling the supplements to his various treatises.

Recalling his days as a student, Professor Williston stressed the advantage he had in being able to take shorthand notes. He was able to put down on paper an entire lecture. This served him not only as a student, but also as a professor.

**Invaluable Shorthand**

Professor Williston's shorthand also was to become invaluable to the Law School in a rather unusual way. As he recalls, "When Professor Ames died in 1910, they wanted to have some notes on lectures he had given on the history of law. I got my notebooks, with notes I had taken in 1888, and could still clearly read them in 1910. They were very helpful to the School."

As to the notes Professor Williston took while a student back in 1888, he finds that, "I still use them today. They are a great help in tracing cases, and save considerable effort."

Professor Williston continues to lead a well-organized life. Besides a morning of legal and scholarly work, his afternoons are spent resting, and in the evenings he likes to play cards. In Professor Williston's own words, "It is good advice for a person 91 years old not to try to work all day, and to get in a little amusement, if he can do it."

**Dorm Council Committee Hits Dining Hall Abuses**

Dining Hall Committee Chairman Robert S. Jacobs headlined committee reports at the recent Dormitory Council meeting with an officially registered complaint concerning student use of dining hall cards.

Issued individually to students preferring the weekly board rate, meal cards have been priced on the expectation that the holder will not transfer his card to others. At the date of complaint, the expectation had not been realized.

Students are advised that the cards are not transferable and offenders may expect direct action from the Law School. Such an action will cause a great deal of embarrassment as well as inconvenience. It is hoped that such measures will not have to be invoked.

**Other Activity**

Activity of the Dining Hall Committee has been directed otherwise toward menu revision, weekly rates for breakfast, and Grill Room operations. The Mallory Smith Room has been reserved for students with dates on Saturday nights.

Newest action taken from student suggestions points to the possibility of a juke-box to be placed in the Grill Room for evening entertainment. The Committee requests that suggestions be addressed to the chairman or be placed in the suggestion boxes in the Commons.

**Faculty Presents Volume To Frankfurter At 70**

Felix Frankfurter

This Saturday is the 70th birthday of Mr. Justice Felix Frankfurter. As a memento of this occasion, the Faculty has prepared a small book which is being given to the Justice for the occasion. The volume is bound in red morocco, with simple tooling. It contains only one page of printing, the text of which is:

To  
Justice Felix Frankfurter  
your colleagues old and new  
at the  
Harvard Law School  
which you served for twenty-five years  
and where your impact on the students  
the teachers and the law, endures  
send greetings and warm wishes  
for your happiness  
on your seventieth birthday  
November 15, 1952

Following this are the signatures of all of the present members of the Faculty, and other Corporation appointees on the Law School staff, including Emeritus Professors Samuel Williston and Thomas Reed Powell. There are 57 signatures in all.

**FORUM—(Continued)**

of civil liberties in this country in the last 20 years than did Alger Hiss. He meant well, but by acting on the belief that the moral law could be broken to achieve a proper purpose, he defeated that very purpose," Mr. Thomas told the audience.

Professor Aiken of the Philosophy Department in his talk, denounced what he called "the degradation of the Democratic dogma, . . . the evils of complacency and pyramiding political power." He welcomed the election of General Eisenhower as a repudiation by the American people of these evils.

**Decries Election**  
But on the other hand Mr. Aiken decried the election as an example of "the twentieth century tendency to glorify leaders, to look at heroes and grasp at straws."

These things lead to "an anonymous fear, a creeping paralysis of the free mind, who because of fear of accusation will not speak. But our appearance here tonight is proof that the situation is not yet lost. However, we must not be complacent in rooting out the evil," he concluded.

Of the three Professor Sorokin of the Social Relations Department, saw the most serious dangers in today's "enormous moral decline." Particularly, he deplored the growing power of the government, "the tendency toward regimentation," the frequency of wars, and "the growing limitations on the constitution."

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**BOOKS—(Continued)**

a state statute because it would work undue hardship on the defendant "constituted an abuse of judicial power." When the Wisconsin Supreme Court found the verdict and its explanation missing from the transcript of the record, Judge McCarthy explained that he had ordered them destroyed, "because they weren't material."

**Defeats LaFollette**

Shortly thereafter he abandoned his judicial career and entered the Marine Corps. The time spent in the service later stood him in good stead during his campaign in the Republican Senatorial primary. He ran against Senator Robert LaFollette, Jr., a respected young man who became the first major target of McCarthyism. McCarthy won the primary and became the freshman senator from Wisconsin. It was during this fight in the primary that McCarthy was backed by the Communist Party of Milwaukee, a somewhat ironic circumstance in view of his later activities. It was also at this time that he spoke up for our liberties by saying, "Communists have the same right to vote as anyone else, don't they?"

**Enters Senate**

McCarthy entered the Senate like a shot from a cannon, and it wasn't long before Col. Robert E. McCormick, owner of the *Chicago Tribune*, made overtures to McCarthy. The emergent was American Action, Inc., with McCarthy as its leader.

The authors describe what they characterize as a lobby for the Pepsi-Cola Co. They base this statement on an

attempt to have more sugar allocated to commercial use. During this period, Senator McCarthy became known in Washington newspaper circles as the "Pepsi-Cola Kid."

The next episode was the Lustron affair. McCarthy was diligent in voting against public housing measures but probably not more diligent than in his preparation of a booklet on housing for the Lustron Corp. He earned \$10,000 for his efforts.

**Fighting Communism**

The authors could well have titled the last part of their book, "Act III, Scene 1—In a Communist Garden of Evil." This is the area in which Senator McCarthy really his stride. In January, 1950, McCarthy decided on Communism as his issue. He attacked hundreds of people, using the floor of the Senate where his Senatorial immunity protected him, and always hitting back at any counter-attack with cries of "Communism."

No one in the public eye was safe from McCarthy's attacks. His poison hit at such men as General Marshall, President Truman, and even General Eisenhower, who he said was "implicated in the Marshall Conspiracy."

As one reads of the momentum which Senator McCarthy's campaign gathered, one wonders what will be the path of this man, whom the electorate so recently returned to office. This book indicates where he has been heading. In the final analysis it will be an informed American public which will determine the continued effectiveness of "McCarthyism." We earnestly recommend this book to partisans of both sides.

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