

The Harvard Law School Record

VOL. 15 No. 8

CAMBRIDGE, MASS., THURSDAY, NOVEMBER 20, 1952

PRICE TEN CENTS

Caldwell, Lewisohn, Spillane Speak On Novel Tomorrow

Erskine Caldwell, Mickey Spillane, and Ludwig Lewisohn meet tomorrow night at 8 in the New Lecture Hall to thrash out the past, present, and future of the American naturalistic novel, in a meeting sponsored by the Harvard Law School Forum.

Moderator for the evening is Mrs. Vachel Lindsay, now an instructor at Lesley College, and widow of the noted American poet.

In tomorrow night's debate the speakers will seek to assay the contribution of the natural school of writing to the body of our literature. Panel members are also

area of national politics and international problems to deal with a matter of a more cultural nature. The earlier non-political program this year was "What's Funny Today?"

Wrote Over 20 Books

Erskine Caldwell is the author of over 20 novels, among them *God's Little Acre*, *Tobacco Road*, *Tragic Ground*, and *Kneel to the Rising Sun*. He has also written several books dealing with his experiences as a correspondent. Some of these are *North of the Danube*, *You Have Seen Their Faces*, and *Moscow Under Fire*.

(See FORUM on page four)



Mickey Spillane

expected to discuss the sex-content of current novels and whether this characteristic represents a new artistic trend or whether it is only an effort to cash in on the commercial value of "purple" writing.

The Forum again will be leaving the

Treasure Room's Treatise Collections Cover Span Of Centuries, Continents

Built as a war memorial for former Harvard Law students who were killed in World Wars I and II, the Treasure Room lies at the north end of the reading level of Langdell Library.

This little-visited, auspicious-looking section of the library houses all the rare

and old volumes possessed by the law school. The room, completed in 1948, represents essentially the fruition of the joint efforts of John H. Arnold (former law librarian), Prof. Joseph H. Beale, and former Dean Roscoe Pound.

These men were concerned with the gradual deterioration of the many irreplaceable volumes in the stacks, brought on by dust and mishandling. The Friends of the Law School Library, then the Harvard Law School Association, provided the necessary funds to build the room and the accompanying stacks, capable of holding 30,000 books. Preservation of the valuable editions is furthered by a controlled temperature of 72° F. and constant relative humidity of 50 per cent.

Examples of Incunabula

The Treasure Room contains almost 500 examples of Incunabula (i.e., works published before 1501.) Within this group are specimens of canon law, civil



law, early commentaries, statutes of old Italian and German states, and others. The canon law collection is second only to that of the Vatican.

The most famous collection in the

(See TREASURES on page three)

PROFESSOR'S APPRECIATION



Prof. Louis Jaffe's letter on Abraham Feller's death appears on page three.

Food Law Institute President Gives Survey Lecture Today

Charles Wesley Dunn, president of the Food Law Institute Inc., will speak here this afternoon at 4:30 in Langdell South Middle on Food, Drug and Cosmetic Law.

This is the first of a series of introductory lectures, sponsored by the Institute, to be given at the Law School. Mr. Dunn has given such lectures at the Schools of Business Administration and of Public Health.

Other Lectures Given

Other lectures in the series have already been given at the law schools of the University of California, Minnesota, Southern California, Stanford, McGill, George Washington, Duke, Illinois, North Carolina, Northwestern, Tulane and Washington, to inculcate an interest in food law among students at these schools.

The lecture series is one of the basic elements in the educational part of the Institute's two-fold program. A research program is also being conducted by the institute.

Food Law Leader

Mr. Dunn is a professor of law at New York University Law School, and is director of the pioneer program for graduate study in food law at that school. As a practitioner in this field, he has been general counsel for the Grocery Manufacturers of America and the American Pharmaceutical Manufacturers' Association.

He also serves as Chairman of the Division of Food, Drug and Cosmetics Law of the American Bar Association, and is chairman of the corresponding section of the New York State Bar Association.

Prof. Dunn also is chairman of the Anti-Trust section of the New York State Bar Association and is chairman of the

(See DUNN on page three)

Fraenkel To Speak On Supreme Court For Lawyers Guild

Osmond K. Fraenkel, counsel and authority on civil liberties, will give an address this afternoon at 4:00 p.m. in



Mark Howe

the Wheeler Room of Holmes Hall on "The Supreme Court and Civil Liberties in 1952."

Prof. Mark de Wolfe Howe will introduce Mr. Fraenkel to the audience. The speech is sponsored by the Harvard Chapter of the National Lawyers Guild.

Admitted to the New York Bar in 1910 Mr. Fraenkel has been active in the field of the law and civil liberties for over forty years. At the present time Mr. Fraenkel is a national officer of the American Civil Liberties Union and National Vice-Chairman of the National Lawyers Guild.

Article Writer

He has been in the forefront of the leading civil rights cases of the last several decades, including the Sacco-Vanzetti and Scottsboro cases.

Author of several books and commentaries, Mr. Fraenkel's Annual Summary and Analysis of the Decisions of the Supreme Court on Civil Liberties is his best known and most widely read.

The activities of Mr. Fraenkel have included writing articles for leading periodicals, appearing before the Supreme Court, and have extended to defending clients charged with speaking at street corners without a permit.

To Cover Political Cases

It is expected that Mr. Fraenkel will deal with the major decisions of the Supreme Court in the recent period dealing with the legal rights of political groups and individuals holding dissident political opinions. Mr. Fraenkel is expected, in particular, to deal with the decision in the Smith Act and Feinberg Act cases.

All students are invited to attend. It is planned that there will be a question and answer period after the speech by Mr. Fraenkel.

AMES COMPETITION

Assignments for the first-year Ames Competition are as follows: Round 3, argument next Monday; Round 4, argument next Tuesday; Round 5, brief exchange next Monday; Round 6, brief exchange next Wednesday; Round 8, brief exchange next Friday.

Assignments for the Qualifying Round of the Ames Competition are as follows: Round 4, argument tonight; Round 5, brief exchange next Wednesday; Round 6, brief exchange Dec. 1; Round 7, brief exchange Dec. 3; Round 8, brief exchange Dec. 5.

Combined Charities Drive Under Way; Goal Is Contribution By Every Student

Full student participation will be the foremost goal of the annual Law School Combined Charities Drive which opens next Monday, Louise Florencourt, 3L of Arlington, chairman of the drive, announced Monday.

Letters are being sent to all members of the student body requesting contributions to the Charities Drive. Gifts may be sent to Miss Florencourt by mail at the Law School office of Phillips Brooks House, 23 Everett St., or may be delivered there in person.

Any Donation Welcome

Students who pledged at registration are reminded that this is the time to honor their pledges.

No particular size of contribution is being suggested, in contrast with previous years. Instead, Miss Florencourt asked that students make a gift in whatever amount they can afford.

Following the pattern set last year, donors will be permitted to allocate their contributions as they desire to any specific charity or charities they wish to receive their funds. All money not specifically allocated by the donor will be distributed by the Committee to numerous worthwhile charities.

The largest single grant last year went to the local Red Feather Drive. Other large sums went to the Salvation Army,

(See CHARITIES on page four)

HOURS EXTENSION

Guests may be entertained in the dormitories until 1 a.m. tomorrow and Saturday evening, according to Dormitory Council President Harvey Krieger, 3L of Los Angeles, who announced the extension of parietal privileges for the Yale weekend.



The retiring Board of the RECORD is pictured above. FRONT ROW: Left to right, H. Klein, E. Booth, A. Biener, S. Hack, R. Suttle, D. Conley, and M. Foner. SECOND ROW: A. Siegel, J. Lubell, D. Lubell, A. Sherman, and D. Sanderson. THIRD ROW: J. Sexton, A. Ives, and J. Manello. These men served from Vol. 15, No. 1 through today.

Foner, Conley Head Board Siegel Named Third Officer In Record Election

For the next 12 issues, the RECORD will operate under a new arrangement. Instead of the separate positions of President and Editorial Manager, the top jobs will be combined, and will be held jointly by Don Conley, 3L of Oak Park, Ill., and Mat Foner, 3L of New York City.

The re-organization was the result of a constitutional amendment passed by

the post for the last six issues of the volume.

Arne Siegel, 3L of New York City, was chosen business manager, the third top position.

The Board selected David Lubell, 2L of New York City, as associate editor; Chas. H. W. Talbot, 1L of Walla Walla, Wash., copy editor, and Johanan H. Vigoda, 3L of New York City, advertising manager. Herbert C. Klein, 3L of Hillside, N. J., was re-elected news editor.

Long Service Rewarded

The new men replace Don Conley, former associate editor, who became President and Editorial Manager; Edgar H. Booth, 3L of Brooklyn, former copy editor, who has retired, and Raymond H. Suttle, 3L of Hilton Village, Va., ex-advertising manager, also retired.

Four department editors were retained and two newcomers were added. The incumbents are John J. Sexton, 3L of Arlington Features; Arthur Sherman, 3L of Mattapan, Current Case; Jonathan

(See RECORD on page three)

Duplicator Donated For Student Needs

The RECORD, in conjunction with the Law School, has purchased a duplicating machine which will be made available for the use of all student organizations. The machine will be located in the Year-book offices at 23 Everett St.

"Editors of the RECORD and other campus organization leaders long have felt the need for equipment of this sort to be placed at the disposal of our extra-curricular groups," said Sam Hack, 3L of Detroit, retiring President of the RECORD, in commenting on the purchase. Arrangements will be made to set up a priority of use by organizations, and it is believed there will be a small service charge for each job to cover mechanical repairs. The machine purchased is a Gestetner Duplicator, an English-made machine.

Vice-Dean Livingston Hall, who supported the RECORD proposal for the duplicator, was instrumental in getting the administration's approval of the purchase.

Scholarship Given

In addition to its contribution towards the duplicator, the RECORD has also given \$600 to the School's scholarship fund. In past years the RECORD's annual scholarship gift was \$500. This year the amount was raised in order to cover the full cost of tuition. The additional \$100 was taken from surplus.

The RECORD scholarship is available on the same terms as other scholarships in the Law School.

The Harvard Law School Record

Published weekly on Thursdays for twelve weeks of each term by *The Harvard Law School Record Corporation*, 23 Everett St., Cambridge 38, Massachusetts. Subscription price: \$2.00 per term mailed, \$4.00 per year (24 issues); student subscription \$1.50 per term mailed, \$1.00 per term distributed at the Law School. Individual copies \$.10 each at the Law School; \$.20 each mailed. Business and Editorial Offices, 23 Everett St., Cambridge 38, Massachusetts. Telephone KIRkland 7-7600, extension 447.

OFFICERS

SAMUEL L. HACK *President*
MATTHEW FONER *Editorial Manager*
ALVIN N. BIENER *Business Manager*

EDITORIAL BOARD

DONALD W. CONLEY *Associate Editor*
EDGAR H. BOOTH *Copy Editor*
HERBERT C. KLEIN *News Editor*
RAYMOND H. SUTTLE *Advertising Manager*

DEPARTMENT EDITORS

John J. Sexton *Jonathan Lubell*
Features *Gallery*
Arthur Sherman *David Sanderson*
Current Case *Alumni*
Arne Siegel *David Lubell*
Treasurer *Articles*

EDITORIAL ADVISORY BOARD

Alan B. Ives, Joseph B. Manello

STAFF

John Bernstein, Leon Birnbaum, Hugh Bradshaw, Melvin Cohen, Phillip Costello, Milton J. Crystal, Allan Curhan, Frederick Fagelson, Burton T. Gans, Jeremy E. Goldstein, Ronald Golub, Richard S. Kaplan, Robert Levine, Herbert D. Lewis, Paul Mazza, Peter Mosher, Donald Schwartz, Norman Stone, Charles H. W. Talbot, Johanan Vigoda, Herbert Wasserman, William Westling.

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

CHANGES OF ADDRESS should be sent to the RECORD office, 23 Everett St., Cambridge 38, Massachusetts, at least three weeks in advance to insure prompt delivery.

Copyright 1952, Harvard Law School Record, Inc.

— 30 —

With this issue, the present Board members of the RECORD hand over their tasks to a new Board. We have tried to maintain the standards set by our predecessors. At the same time we have tried our best to improve the RECORD. During our term in office there have been changes, not only in style and method but also in the physical confines of our offices which have been moved to 23 Everett St. Monumental changes and controversies, both legal and political, have marked our tenure. We have commented on these when we have felt it appropriate, and we bear our scars with pride.

Our hope is that our successors always will keep the facilities of the RECORD open to all sides of any question, though retaining the privilege of editorial comment whenever appropriate. From this standard there should be no deviation. We are confident we leave the RECORD in good hands.

Off the Record

HOW HIGH IS UP?

The following report appeared in the Los Angeles Daily Journal on October 10, 1952. The RECORD wishes to thank Irving R. M. Panzer, LL.B. '40, for calling it to our attention:

SAN JOSE—The world's largest judgment is going to be enshrined in the State House at Santa Clara County Fairgrounds as a monument to a man who bought a horse and ran up a bill for more than 300 trillion dollars.

Digging through musty old files in the County Courthouse, Recorder Charles A. Payne came up with the whopping order and had a photostat copy made for posterity.

The tale of the expensive horse started back in 1897 when one George Jones borrowed \$100 from Mrs. F. M. Stuart and gave her a note for the amount which was to bear interest at the rate of 10 per cent per month, compounded annually. With the money, he bought a horse. Soon after this, Jones left the State and forgot about the little transaction. He returned to California 24 years later and discovered the statute of limitations was suspended and the note expanded into Frankenstein proportions.

On Jones' return, Mrs. Stuart's husband, Henry B. Stuart, filed suit in Superior Court to recover the \$100, plus interest. Judgment handed down by the late Superior Judge J. R. Welch threw the legal world into a turmoil.

The judge ordered Jones to pony up precisely \$304,840,332,912,685.16 plus 7 per cent interest thereon until it was settled. In addition to this staggering amount, Jones was directed to pay \$50 attorney fees to the late Louis Oneal, representing the plaintiff.

Soon after this, Jones switched to horseless carriages for his living and in time went bankrupt. Plaintiff Stuart attached Jones' bank account and set about collecting the monumental debt. How much did Jones finally pay?

\$19.69.

Gallery

SAMUEL HAROLD LEWIS
Practicing Attorney



As a member of the Boston Bar for thirty-five years, Samuel Harold Lewis has earned for himself the respect and admiration of his many friends and colleagues in the profession. Except for five years which he spent in public prosecutors' offices, he has been engaged in the private practice of law where he has exhibited great social awareness and keen legal insight.

Mr. Lewis, born in Boston, attended the elementary schools in that city, graduating Boston English High School in 1911 in which year he entered Harvard College. "At the time, I felt that six years of advanced education was all that I desired to devote to college and law school training," he says. "So eager was I to commence to practice law that I accelerated my college course, completing it in three years but taking my degree with the class of 1915." In September of 1914, he entered the Law School along with such men as United States Senator Leverett Saltonstall, Kenneth Royall, Secretary of War under President Truman, and Charles Munn, present Dean of the Wisconsin Law School.

In recalling a few of the more renowned professors under whom he studied, Mr. Lewis says, "The fact that Dean Pound could teach *Equity* without the use of a note always amazed me, but Williston was my most interesting teacher. He was a soft-spoken, mild-mannered individual with none of the barbed-wire tactics of Warren or sharp, staccato ways of Beale. My first meeting with Justice Frankfurter was in the Fall of 1914 when he came to teach. He left with his students a deep feeling that he would become one of the great teachers of the School and a worthy successor to many illustrious predecessors."

Impact of Prohibition

Upon his graduation in 1917 Mr. Lewis entered the private practice of law. He continued in that capacity, except for a short time spent in the Army, until 1924 when he was appointed Special Assistant District Attorney for Middlesex County. One year later he was appointed the Assistant District Attorney. "Not long after the passage of the Act enabling District Court Judges to preside in the Superior Court in the cases of certain misdemeanors," says Mr. Lewis, "I came to the District Attorney's office. Without this Act the court dockets would have been clogged

for years due to the great increase in cases arising out of the violation of prohibition laws. The impact of prohibition with its resultant flow of easy money to the willing lawbreaker made our office a veritable madhouse.

"In Middlesex County it had been normal to conduct one session presided over by a Justice of the Superior Court, for part of ten months a year. As a result of prohibition there were always two sessions devoted to the trial of felonies, and from one to three sessions for the disposal of misdemeanors. Cases were tried all month through without any surcease. Even during July and August, always previously a vacation period, it was necessary to hold several sessions to keep pace with the increased tempo of the times.

In Court Every Day

"I tried cases every court day for more than a year," he continues. "They ranged from every type of criminal offense, from the violation of an ordinance to murder. I took part in the presentation of the famous 'carbam' murder case, wherein the three principals were convicted of murder in the first degree for killing a night watchman in the perpetration of a robbery in the city of Waltham."

In January, 1927, Mr. Lewis was appointed Assistant Attorney General for the Commonwealth of Mass. Of his work in that office he says, "More often than otherwise an attachment to public office results in specialization as there are so many fields of law to be covered and so much time necessary to be devoted to each. But when it was my good fortune to represent the State in the Attorney General's office, there was so much work to be accomplished with so little personnel that everyone took a hand in the day's work whatever it chanced to be. Compared to more than thirty Assistant Attorneys General at present, we kept up to date the entire business of the Commonwealth with eight Assistants.

"So far as I was concerned," he continues, "my work in this office was divided between the preparation of briefs for the Supreme Judicial Court and the representation of fifteen Departments of the Commonwealth both in an advisory and in a trial capacity."

Summarizing his work in these positions, Mr. Lewis says, "The experiences gained from the two public offices I occupied have been of inestimable value. Sitting at the feet of eminent members of the Court has given me an appreciation of the place in our System of the conscientious and humane Judge."

Resumed Private Practice

Along with his professional work, Mr. Lewis has spent a good deal of time in Freemasonry. He is a Past Master of United Lodge in Brookline, Mass., a Past District Deputy Grand Master for the Brighton 5th Masonic District, an Associate member of the Board of Masonic Relief, and one of the Commissioners of Trials, that body which sits in judgment on the trials of Masonic offences. He is also a member of the Board of Directors of The Meadows, Inc., as well as Comptroller of both Monmar Music, Inc., and Riverbank Realty, Inc.

On leaving the Attorney General's office Mr. Lewis resumed his private practice, and concentrates at present on corporation work. In all the endeavors toward which he has directed his efforts, whether in public office or in his private practice, he has distinguished himself. Thirty-five years after his graduation from the Law School, he stands out as a credit to his family, to his profession, and to his School. H. D. L.

Sub Judice

O CAPTAIN, MY CAPTAIN

This case involves part of the saga of the S.S. *Flying Arrow* in foreign waters. The action had its origin in the signing of shipping articles on October 29, 1949 by Rivera as an electrician on the S.S. *Flying Arrow* for a voyage from the port of New York to the Far East via Mediterranean waters for a term not exceeding twelve months.

Rivera stated two causes of action, one for breach of contract and the other for an alleged assault and battery by the master of the vessel. The court found for the plaintiff on his contract claim in as much as he was not in default of his duties under the contract by refusing to sail to Shanghai, an area which was heavily mined and from which the State Department had warned all vessels to keep away.

"Coming now to the alleged assault by the master, according to the plaintiff, although only a member of the engine-room crew, the 'Black Gang' on the morning of January fifth, he bravely knocked on the door of the captain's cabin and, having been bidden to enter, he directly asked the skipper whether he intended to set sail to Shanghai. The skipper replied in a manner that hallows the memory of Captain Bligh: he stood up and delivered himself of a roundhouse that felled the plaintiff in his tracks. And more. He then proceeded to kick the plaintiff out into the companion way as though he were a stranger's cur, and then slammed shut the bulkhead door. Thus did Captain Jones reply.

"For corroboration, the plaintiff summoned the purser who was in the cabin at the time of the fracas. In the purser's own choice English, the captain gave the plaintiff a forearm slash, and then with the aid of his feet, spurned him over the threshold. All this the captain denied. He didn't even lay a finger on him, quoth he. All he did was to gently flick off the fellow's cap because he had entered his quarters without knocking and stood before him covered. *In respectfully disbelieving the captain, the court is grieved to the soul.* [Italics added.] But, the circumstances being as they were, the probabilities are overwhelming that the master replied to the plaintiff's question with such vigor that the plaintiff's second cause of action is deemed proved by a fair preponderance of the credible evidence." *Rivera v. Isbrandsten Co., Inc.*, City Ct., Trial Term Part V. April 1952. [As reprinted in the New York Law Journal.]

LET THEM EAT CAKE

Bloomington Bros., Inc., brought this action to recover the price of food furnished Mrs. Benjamin, joining Mr. Benjamin as a party defendant on the theory that the goods were necessities for which he was obliged to pay.

Mr. and Mrs. Benjamin were married in 1941 and "by normal standards, until their separation in 1949, lived on a grandiose scale." The two had lived together in a 20-room apartment while in the city, and roughed it in the summer in a small, simply furnished 30-room affair. Of course, there was the necessary complement of servants. But money doesn't make the marriage and Mr. and Mrs. Benjamin parted in 1949.

The purchases (in the amount of \$1,377.81) which are the subject of this suit were made by the butler at her direction between Oct. 24 and Nov. 9, 1949 while Mrs. Benjamin was living at the city residence. Apparently the larder was low after the summer months.

In addition to Mrs. Benjamin, there were two sons of the husband by a prior marriage and a retinue of servants to feed. Mr. Benjamin defended on the ground that the purchases were not necessities and, even if they were, he claimed that his wife was adequately provided for. The trial court held him liable and dismissed the action against Mrs. Benjamin. The husband appealed.

Held: Judgment affirmed.

"It is significant that a close examination of the articles purchased reveals that they are by and large either victuals or common household items. True enough, in the case of the food-stuffs, some of the purchases seem large, but the Benjamin menage was also large. There were Mr. Benjamin's two sons, the servants, Mrs. Benjamin herself, all huddled together in the 20-room apartment after the summer cupboard was bare. In provisioning this group, it cannot be said that Mrs. Benjamin's clear purpose was incontinent living. Excluding the items of whale meat and caviar, none of the purchases appear unduly adventurous. Even with respect to those items, in the gilded world wherein the Benjamins moved, whale meat may very well have been regarded as plain but honorable fare. . . . Nor should the Court be called upon to declare that six hams for this group were quite enough, but that the purchase of 12 was a wanton act." *Bloomington Bros., Inc. v. Benjamin*, 112 N.Y.S. 2d 33 (1952.)

(The above opinion was forwarded to the RECORD by Irving R. M. Panzer, LL.B. '40.)



A CASUAL REFERENCE TO YOUR BRIEF IN AN AMES ARGUMENT

TREASURES—(Continued)

room, however, is the Dunn Collection, which was purchased in Europe in 1913 by Prof. Beale. It comprises mostly session laws, statutes, and texts, and is the largest collection of its sort, all of it printed before 1601.

Collection of Yearbooks

Another series of volumes is the collection of yearbooks. These were the unofficial records of early English court decisions. The English lawyers were in the practice of sending their own reporters to court to take notes from a practical viewpoint. They were not interested so much in various precedents being established, but used these records as a guide to pleading and practice.

Out of the 500 or so Yearbooks printed, the collection in the Treasure Room contains 460. Again, there is no comparable collection in the world on early English law; it far surpasses anything like it in England.

Out of the 88 existing editions of the *War and Peace* of Grotius, the latest being in Japanese, the Harvard collection boasts 82. The stacks also contain numerous copies of 14th, 15th, and 16th century manuscripts. The oldest printed book in the library is the treatise on Italian merchant law, printed in 1468.

The manuscripts of Bracton, however, are the oldest documents in the library, dating from 1296-7. Harvard possesses three out of the five copies in existence, the others being at Columbia and Yale.

Miss Eleanor Little, librarian in charge, proposes monthly exhibits in the interest of law students and legal scholars alike. The current exhibit for the month of November features a collection of selected yearbooks.

Foreign Visitors

Distinguished foreign visitors constantly frequent the room and are invariably amazed at the thorough collection of the legal documents of their own native lands. A guest book is maintained, and among the dignitaries whose names appear are Prime Minister Nehru and Prime Minister Costello of Ireland.

Recent guests have been T. Clifton Webb, Minister of External Affairs of New Zealand, and Haim Cohn, Minister of Justice of Israel. The Treasure Room is open from 9 to 5 on weekdays and 9 to 12 on Saturdays.

RECORD—(Continued)

Lubell, 2L of New York City, Gallery, and David Sanderson, 3L of Littleton, Alumni. The new department heads are Melvin Cohen, 2L of Windsor, Ontario, who was chosen Treasurer, and Herbert D. Lewis, 2L of Cambridge, who is new Articles editor. They replace Siegel and David Lubell, respectively.

Conley and Foner both have worked on the RECORD for three years. Conley has served as reporter, gallery editor, and associate editor. Foner also has been a reporter, then successively copy editor, news editor and editorial manager. Siegel was treasurer before becoming business manager.

NEWS IN BRIEF

LAW WIVES SUPPER

Prof. Edwin O. Reischauer of the Harvard faculty, will speak to the Harvard Law Wives tonight at 8 in the Lounge of Harkness Commons. His subject will be "Problems of Asia." The Law Wives will be special guests of the Harvard Society of Dames at this time.

On Saturday, November 29, a Pot-Luck Dinner will be given in Harkness at 6:30 p.m. Law Wives are asked to call Mrs. Donald Conley at KI 7-9537 to tell her of the special covered dish each expects to bring, in order to avoid too many duplicates. A square dance has been planned to follow the buffet supper.

DUPLICATE BRIDGE CLUB

The Harvard Law School Duplicate Bridge Club will not hold a tournament today because of the Ames competition. The next tournament will be held Thanksgiving Day at 7:30 p.m. in the Wheeler Room of Holmes Hall.

Winners of last week's tournament were Herb Katz and David Baker. In second place were Norbert Fessel and Don Mintz.

CALIFORNIA-STANFORD PARTY

The California-Stanford Club will have its annual Big Game party this Saturday at 4:15 p.m., in the Peabody Room, Phillips Brooks House. The game will be heard by a private-wire broadcast. The meeting is open to all Stanford and California alumni; spouses and dates are welcome. Refreshments will be served, and there will be a small charge to cover expenses.

PBH Selling Tickets For Eli Game Social

The Yale Prom, sponsored by the Law School Committee of Phillips Brooks House, will be held on the upper and lower levels of Harkness Commons this Saturday evening after the Yale game, from 8:30 p.m. to midnight.

Music will be supplied by George Graham and his orchestra; entertainment by the Wellesley Tupelos. The dance is on a B.Y.O.L. basis, set-ups to be provided by the dance committee.

Tickets are \$2.50 per couple, tax included. The dress for ladies is formal; for men, formal dress is optional.

Tickets will be on sale in Harkness Commons during mealtimes.

According to Gene Piazza, 1L of Aurora, Ill., social chairman, and David Conrad, 2L of Upper Montclair, N. J., in charge of decorations, the Commons decorations will include potted palms.

Tedson Meyers, 3L of Bayonne, N. J., president of the Law School Committee of Phillips Brooks House, said that profits will go towards free functions and facilities, such as the RECORD dances and the P.B.H. Directory.

HCLU LUNCHEON

A luncheon accompanied by a speaker will be given by the Harvard Law School Civil Liberties Union tomorrow at 1 p.m. in the private dining room of Harkness Commons.

A short address will be given by an executive officer of the Massachusetts Civil Liberties Union. Interested students are invited to attend.

AMES JUDGE AWARD

The Board of Student Advisers will award a prize for the best written opinion submitted by a judge of one of the first-year arguments. This may be the opinion of the court or a dissenting or concurring opinion.

"It presents a splendid opportunity for legal writing, a skill which cannot be underestimated in training for a legal career," the Board said.

The opinion should be written after the argument, based upon the briefs, oral argument and further research by the judges, if necessary, and should consist of from two to five single-spaced typewritten pages.

The Board warned, however, that the prize cannot be awarded unless the opinion-writing competition meets with suitable response. They said that no prize would be given unless at least 15 opinions are submitted.

DUNN—(Continued)

Editorial Advisory Board of the *Food, Drug and Cosmetic Law Journal*. He is a trustee of the Nutrition Foundation, and a director of the National Society for Medical Research. He is the editor of many books in this field.

The Food Law Institute Inc., is organized as a non-profit corporation in New York. It was organized, according to its by-laws, "to promote a constructive development of the food law." The Institute has interpreted food law to include the traditionally associated drug law, and laws on cosmetics, poisons, and other affiliated fields.

State Statutes Prevail

According to the Institute, the food law, as a subject, is divided into the general law and the special law. The first prohibits adulteration, misbranding, and false advertisement of food products. Important legislation in this field is federal. In the special law, governing such diverse topics as weights and measures, supervision of drug stores, and production of dairy foods, state statutes prevail.

Although the philosophic basis of this law is supposed to be regulation of the industries involved, rather than advance governmental approval of their conduct, the tendency has been increasingly toward supervision of production, especially in recent Congressional action. The Institute reports concern by some authorities in the field that the trend is toward complete government control over food and related industries.

The Food Law Institute is supported by contributions from member corporations, primarily food processors and packers, and food retailers. On the other hand, the organization has received praise from the American Bar Association and state and federal officials in the field.

Rackets Restrung

One Day Service \$3.50 to \$9.50

TENNIS & SQUASH SHOP
67A MT. AUBURN ST. CAMBRIDGE
Opp. Lowell House — TR 6-5417

EXETER Kenmore 6-7067
NEW ENGLAND PREMIERE TODAY!
The J. Arthur Rank Organization presents
ALEC GUINNESS
in THE
PROMOTER
Glynis Johns - Valerie Hobson - Petula Clark
"Guinness adds another leaf to his wreath of comedy laurels."
—N. Y. Herald Tribune
LIGHT IN THE WINDOW (The Art of Vermeer)
THE BRIDGE OF TIME — A CITIZEN OF SINGAPORE

Prof. Jaffe Praises Life And Work Of Late UN General Counsel Feller

(The following letter is submitted by Prof. Louis L. Jaffe as an appreciation of Abraham Feller, LL.B. '28, who committed suicide last week. Mr. Feller had been General Counsel for the United Nations.)

To the Editor:

The death by suicide of Abraham H. Feller, LL.B. '28, has brought intense sorrow to his many friends and a terrible sense of tragic waste. Abe Feller was a great lawyer and a great public servant. The tasks of government today are unutterably complex, particularly in international matters, so much so that one occasionally loses faith that they can be solved. An effective policy-maker must have great intelligence, a shrewd sense of what will work, steadfast courage and an abiding good will toward his fellows. These were the qualities which accounted for Abe Feller's achievement in his remarkably varied career.

International Law Student

After graduating from Law School he devoted himself to study and publication in International Law. He studied here with Manley O. Hudson and in Germany and Geneva. He argued before international tribunals. At different intervals of his career he taught at Harvard, at Stanford University and at the Ecole Libre des Hautes Etudes. He was professor at Yale Law School. In government, prior to World War II, his most important assignment was with the Department of Justice where he worked on the briefs and arguments in favor of the constitutionality of the Social Security and National Labor Relations Acts.

In the period beginning with the crisis prior to World War II, World War II itself and the aftermath, he held a series of top policy-making jobs in the Office of War Information, UNRA, and finally the Secretariat of the UN. He did advisory work for the AAA, the TNEC and the Bretton Woods Conference.

Keen Analysis Noted

In all these jobs Abe Feller displayed the skills and spirit of the lawyer at their highest: keen and broad analysis, imagination in the formulation of solutions, patient belief in the effectiveness of compromise, negotiation and fair dealing. Above all, he grew in objectivity and balanced judgment. He was one of the earliest of the great New Deal public servants to see the danger of partisan clichés and loyalties. Judge Wyzanski

has told us that as early as 1940 Mr. Feller alerted the members of the National Defense Mediation Board to the dangers of Communist infiltration of labor unions. He was never guilty of closing his eyes to or underestimating the enormous threat of the Soviet system. But his mind and his experience taught him the futility of attempting to slay the Evil Giant with lazy, hysterical denunciation.

Pressure of Our Times

The tragedy is that in this time of great peril and perplexity his abundant gifts should have been thrown away, because the hostilities are so violent, the pressure upon our top men is merciless and unceasing. In these circumstances a responsible government and public opinion would do everything in its power to ease this pressure. But we have recklessly intensified it and not for the first time. I do not for a moment suggest that the presence of American Communists in inferior jobs in the Secretariat is not an immediate threat to our security. There is every reason to suppose that the problem can be dealt with effectively by quiet negotiation and discreet administrative procedures. Yet while our top men have been standing at their post in one of the most crucial crises in our history we have harried them with attacks from the rear, we have embarrassed them before the common enemy.

Deep Devotion

It would not be fitting, however, to close on this note. The legal profession is constantly belabored for its lack of commitment to the common cause. Abe Feller always thought of his work as the work of a lawyer. He was deeply devoted to the law, loving to teach it and practice it. For him it was a way of life and a fulfillment. His career proves that the lawyer continues to be an important constructive force, and is a source of pride to us all.

LOUIS L. JAFFE, LL.B. '28

CHARLES SNACK BAR

GOOD THINGS TO EAT

37 BOYLSTON ST., CAMBRIDGE, MASS.

Telephone ELiot 4-8865

It's Up to You

Savings Bank Life Insurance is the kind of insurance that can only be bought over the bank counter on your own initiative. It's up to you to make the first move.

With sales expenses thus reduced, it can be sold at a lower cost, with the promise of earlier and larger cash and loan values.

Only those who live or work in Massachusetts can buy it. As a resident you are eligible to apply for it. This presents an unusual opportunity especially to those from out of state.

Our bank is Headquarters in Harvard Square for Savings Bank Life Insurance. Come in or write for folders describing all types of policies and exact rates at your age.

Sample Rates for \$1,000 Straight Life Insurance		
Age Nearest Birthday	Annual Premium	Monthly Premium
20	\$16.19	\$1.43
30	21.53	1.90
40	29.97	2.64

Our Insurance Dept. is located just inside the front door on the left. Ask for Mrs. Dexter or Mr. Howard.

CAMBRIDGE SAVINGS BANK



RIGHT IN HARVARD SQUARE
8:30 to 3—Monday thru Friday

SALE

for one week only

SUITS

from \$44.50

SPORTCOATS

from \$27.50

OUTERCOATS

from \$49.50

TEDFORD HARVARD-INC.

1410 MASSACHUSETTS AVENUE

HARVARD SQUARE

Brazilian Professor First Two Addresses By Overholser Greeted By Faculty Call For Liaison Of Law, Psychiatry

Prof. Hermes Lima, professor of law at the University of Brazil at Rio de Janeiro, was a visitor at the school last week. He was honored by the faculty at a luncheon with Dean Griswold and



Prof. Hermes Lima, center, greeted by Arthur Pulling, left, and Dean Griswold.

other members of the administration at the Faculty Club.

In addition to his teaching duties, Mr. Lima is also a federal representative from the State of Bahia in the Brazilian legislature and one of the Brazilian delegates to the United Nations General Assembly, now meeting in New York City.

While here Mr. Lima visited several classes, among them Prof. Manley Hudson's international law seminar, and toured the Library. He was pleased with the resources afforded by the Library, and especially interested in the Latin American materials available there, and signed his name in the Treasure Room guest book.

William S. Barnes, Director of the Foreign Research Study, and Arthur S. Pulling, Director of the Library, as well as Dean Griswold, welcomed him here.

These visits, along with the series of talks by foreign scholars visiting and studying at the Law School, were seen as part of an increasing emphasis on making the institution a leader in the field of international law studies.

In two lectures on "Psychiatry and the Law," Dr. Winifred Overholser called for a closer connection between legal concepts and psychiatric knowledge of the human mind. Dr. Overholser spoke last Thursday and Friday in Langdell, giving the first two of the four Isaac Ray Lectures. The other two lectures were given Monday and Tuesday at the Medical School.

Dr. Overholser reviewed some of the pertinent concepts of psychiatry in his address on Thursday, and on Friday compared the findings of the psychiatrists with the holdings of law.

He disagreed with the idea that most actions are performed after a decision has been reached by reasoning and a weighing of the pros and cons. The mental conditions that the law recognizes as creating exceptions to this rule, are insanity, drunkenness, and heat of passion.

Irresistible Impulses

But, said Dr. Overholser, psychiatry recognizes other unconscious drives, like kleptomania, which are "irresistible impulses" and lead people to commit crimes.

The law does not recognize another important psychiatric finding: mentally ill people are not completely sane or completely insane, although courts and legislatures act as if they always fall in one of the two categories.

The refusal by the law to admit that

FORUM — (Continued)

Another of the panelists, Mickey Spillane, shot into prominence a few years ago with a series of "blood-and-bluster" novels. The titles of these detective stories are *I, The Jury*, *My Gun Is Quick*, *Vengeance Is Mine*, *One Lonely Night*, and *The Big Kill*. His latest best-seller is *Kiss Me Deadly*.

Ludwig Lewisohn, the third speaker, is now an instructor at Brandeis University. He has written widely on Jewish life in America, criticisms of American literature, and studies of German philosophers. Some of his better-known works are *Breathe Upon These*, *The Creative Life*, *Israel*, *Roman Summer*, and *Adam*.

there are degrees of mental disorder led to such ideas as the one that suicide was a felony, and the person who attempted to take his own life was treated by the courts as a criminal. Dr. Overholser reported it is generally recognized now that persons with suicidal impulses are sick and should receive psychiatric treatment.

Role of Emotions

Dr. Overholser also spoke of the role of emotions in the actions of law-makers as well as in the behavior of law-breakers. He cited as one example of legislation influenced by emotion, the recent sexual-psychopath laws, which provide for indefinite segregation for those guilty of sex crimes who do not meet the legal definition of insanity.

These laws, although useful because they provide for treatment of mentally ill persons instead of punishment, are not based on an increase in sex crimes, the speaker stressed. Figures on sex crimes show no increase in the last several years.

While Dr. Overholser was critical of the "bogey-man" fear of sex offenders that the new legislation indicates, he was quick to point out that the law has made a distinct advance in recognizing in this field, at least that there are persons in need of psychiatric treatment, but are not completely "insane."

False Charges

One problem of the "indeterminate sentence" that Dr. Overholser touched on was the possibility of a person being falsely accused of a sex crime and being sentenced, in effect, to life imprisonment.

He cited several instances in which legal machinery was not adequate to protect innocent men from accusation. It was his opinion that many charges of sex offenses are based on the "frank psychosis" of the accuser. Therefore, he said, in sex cases the prosecution's witnesses ought to be examined by psychiatrists.

Most statements of "fact" in the legal sense are based on conclusions drawn from observations, and conclusions in turn are colored by emotions. "The mental state of a witness is always of interest to the court," Dr. Overholser said, and very probably all witnesses in any case ought to be examined by psychiatrists. To bear out this conclusion, Dr. Overholser reported several cases of mistaken identity by eye-witnesses.

Reactions By Jurors

Emotional reactions by juries also were discussed. In one case in Great Britain, a jury found a certified lunatic guilty of murder, perhaps because he had learned to play bridge while awaiting trial. Judges were criticized for occasionally influencing juries because of their own emotional feelings about cases.

In addition to criticizing the "all-or-nothing" rule of insanity, Dr. Overholser pointed out that the term "insanity" is a legal concept, not used by medical experts. He noted there are at least five different legal definitions of insanity, each used in a different situation.

The last influence of emotions on law that Dr. Overholser discussed was emotional shock resulting from torts, such as automobile accidents.

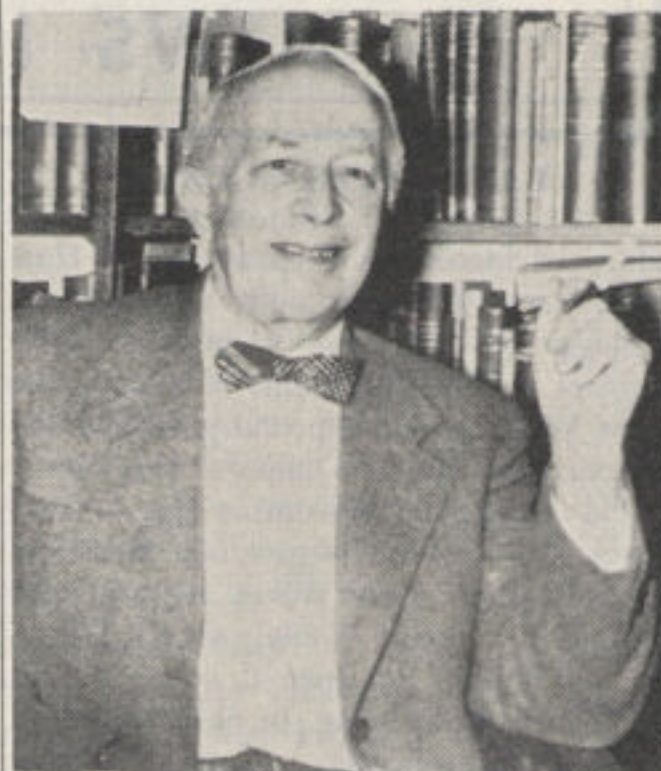
Permanent Injuries

Some juries award damages in such cases with the idea that the mental injuries are permanent. Usually, however,

SQUASH RACKETS

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

PRESS FREEDOM ADDRESS



Zechariah Chafee

"An Outsider Looks At the Press," Prof. Zechariah Chafee's speech before the Associated Press Managing Editors Association meeting in Boston on November 14, 1952 will appear in the next issue of the RECORD. This address deals with the freedom and responsibility of the Press in America.

they are curable. Lump-sum settlements of such damage suits should be encouraged, Overholser urged, because continuing payments tend to prevent victims from recovering; for one reason, the person is constantly reminded that he is mentally disturbed.

In concluding, Dr. Overholser stressed that he was not criticizing, but pointing out areas where law and medicine could work together.

Dr. Overholser was introduced by Prof. Sheldon Glueck, Roscoe Pound Professor of Law. Dr. Overholser is the first recipient of the American Psychiatric Association's "Isaac Ray Award" and his lectures will be reprinted in book form in the spring of 1953.

The last two lectures were delivered in Amphitheatre D of the Medical School last Monday and Tuesday.

CHARITIES — (Continued)

National Scholarship Service and Fund for Negro Students, American Cancer Fund, American Friends Service Committee, and American Relief for Korea.

Working with Miss Florencourt on the Drive are Greta Worstell, 2L of Columbus, Ohio, Irwin Rubin, 1L of Brooklyn, Charlotte Horwood, 3L of Cambridge, David Conrad, 2L of Montclair, N. J., William Boyan, 1L of Bergenfield, N. J., Robert Whitstock, 1L of New York City, Roman Santes, 2L of Carolina, Puerto Rico, Eve Schessel, 2L of New York City, Carolyn MacTear, 3L of Wollaston, Gene Piazza, 1L of Aurora, Ill., and Frances Fraher, 2L of Roxbury.

Mutual Fund Details Given To Stock Club

Gerard L. Regard of Kidder Peabody & Co. addressed the Bull & Bear Club last Friday on the subject of mutual fund investing. He spoke at the regular luncheon meeting of the club in the Mallory Smith Room of the Commons.

In stressing the advantages of mutual funds for both small and large investors, Mr. Regard pointed out that by purchasing shares in a mutual fund an investor obtains a diversified financial interest in many corporations.

Different types of mutual funds are available for investors who prefer capital appreciation, income, or protection of principal, Mr. Regard stated. He believes that the best minds in the investment world are to be found among the managers of mutual funds, because of the high salaries paid the top mutual executives.

Another feature of mutual funds which was cited was the guaranteed redeemability of mutual fund shares at their net asset value, as opposed to "closed end" investment trusts, whose share prices bear no relation to their net asset value.

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

Chez DREYFUS
Same Delicious Food At The Same Prices
BANQUET ROOM — COCKTAIL BAR
44 Church St., Cambridge
KI 7-4311

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

JIM'S PLACE
30 DUNSTER STREET
STEAKS — SEA FOOD
Full Line of Liquors and Beers
Complete Dinners .50 - \$2.65
Porterhouse Steak for 2 \$4.45
Coupon Books \$5.50 for \$5.00

IF YOU ARE LOOKING FOR THE BEST IN —
SERVICE

PARTS & ACCESSORIES
NEW OR USED CARS
Come: "Where your money rides further with Our Special"

STUDENT DISCOUNT

"Where Customers Send Their Friends"

Porter Station Garage, Inc.

820 SOMERVILLE AVE.
CAMBRIDGE — TR 6-3740
PLYMOUTH

WE'LL DRIVE YOU BACK

MEMBER OF FLORIST TELEGRAPH DELIVERY ASSN.
KUPERSMITH — Florist
FLOWERS FOR ALL OCCASIONS
Telephone Kirkland 7-5442
17 Brattle St. (Harvard Sq.) Cambridge 38, Mass.

Central Barber Shop
Specializing in ALL STYLES of
HAIR CUTTING and SCALP TREATMENT
Cor. EVERETT and MASS. AVE.

CLEANWAY
Self Service Laundry
9 LBS. WASHED AND DRIED — 55c
SUITS CLEANED, PRESSED — 85c
104 OXFORD STREET
Just a few minutes from the Law School

DALTON-ELCOCK BAR REVIEW
This review, preparing candidates for the Massachusetts Bar Examination, is given twice a year; November and December, evenings; and in June, days.
For information write or call:
Dalton-Elcock Bar Review
10 POST OFFICE SQUARE
BOSTON, MASSACHUSETTS
HAncock 6-2850

Materials and Reviews Based on all Law Courses and Case Books at Lowest Prices	20,000 Second Hand Law Case Books and Law Text Books at Lowest Prices LAW BOOKS NEW AND USED BOUGHT :: SOLD :: EXCHANGED Largest and most complete supply of used Law Case Books and Law Text Books for all Law Schools UNIVERSITY LAW BOOK EXCHANGE, INC. 28A Boylston Street Same Block as the Coach Grille Restaurant Harvard Square, Cambridge, Mass. Telephone Kirkland 7-4000 Abraham Isenstadt, Mgr.	Materials and Reviews Based on all Law Courses and Case Books at Lowest Prices
---	--	---

We can save you substantially on any Law Books whether New or Used. If it is a Law Book, We Have It, or Will Get it for you!

Give to: COMBINED CHARITIES DRIVE

SUPPORT MANY CHARITIES WITH ONE CONTRIBUTION

Make Checks Payable To: HARVARD LAW SCHOOL COMBINED CHARITIES DRIVE — 23 EVERETT STREET