

New Record Board Chosen Gans Selected As President By Retiring Editors; Talbot, Greenberg Receive Other Top Offices

On Nov. 5, Burton T. Gans, 3L of Roxbury, former Associate Editor, was elected President of the Harvard Law School RECORD for the 12 issues beginning with the issue of Nov. 26, the RECORD's outgoing President, Herbert D. Lewis, 3L of Cambridge, announced today.

The other two top officers chosen by the Board of Directors were Joel Greenberg, 3L of New York City, former treasurer, elected Business Manager, and Chas. H. W. Talbot, 2L of Walla Walla, Wash., re-elected as Editorial Manager.

Other Directors

Other members of the new Board of Directors will be: Arnold F. Ciaccio, 3L from Rochester, N. Y., who will be the new Associate Editor; William Westling, 3L of Lincoln Park, N. J., who was re-elected News Editor; Paul F. Glenn, 2L of Sharon, Pa., former Alumni Notes Editor, who becomes Copy Editor; and Robert Belmonte, 2L of Framingham, the new Advertising Manager.

Department Heads

The Board also filled eight department positions. Herbert Wasserman, 2L of New York City, was elected Features Editor, a post which has been revived for the next volume. Current Case Editor will be Marvin A. Stern, 2L, Boston. Matt Kessler, 1L of New Rochelle, N. Y., will be the new treasurer.

New Setup for Ads

The Board, revamping the advertising organization, created the new position of Advertising Co-ordinator, and chose Ed Pincus, 2L of New York City, the former advertising manager, to fill the post.

Edmund Rosenkrantz, 3L of New York City, was elected Gallery Editor. For the position of Alumni Notes Editor, the Board picked John Corry, 1L of Springfield, Ohio. The position of

(See ELECTIONS on page four)



Burton T. Gans

Charity Campaign Nets \$680 To Date

With more than five weeks left to go in the campaign, the law school Combined Charities had already received contributions of about \$680 by Monday, according to Gene Baker, 3L of Rumford, R. I., who is in charge of the solicitation.

Baker said that if contributions continue at the present rate until the end of the campaign at the Christmas vacation, the drive "will definitely be a success." He announced that 138 students have made gifts so far, about what the committee had expected at this point. Most donations came as a result of mail solicitation.

In addition to another direct mail appeal to students living off-campus, the Combined Charities will solicit gifts individually in the dormitories. Baker said this type of solicitation will give the drive a chance to speak to students during their leisure time, and will help offset the inability of the University to let students put Combined Charities gifts on their term bills.

Although Combined Charities campaigns are also currently under way in other parts of the University, the law

(See CHARITIES on page three)

Mixed Marriage Is Law Forum Subject

Judging by audience response, last Tuesday's Law School Forum on religious intermarriage was one of the most stimulating of the year. The speakers were not only uniformly well-informed, but their wealth of practical experience with the problems of intermarriage provided vital illustrations of the points they raised.

Mr. Robert Dodds, Minister of the First Church in Cambridge, Congregational, opened the program with a discussion of intermarriage as a community problem rather than as an individual's problem. He raised the issues of the melting pot, minority survival, and the value of maintaining the contributions of individual religious strains.

Rabbi Maurice L. Zigmond, Director of the B'nai B'rith Hillel Foundation at Harvard, Wellesley, and Radcliffe; and Mrs. Emily Mudd, President of the American Association of Marriage Counselors, spoke of the practical problems which face people who intend to become intermarried and who are intermarried, as well as the ways in which these problems might be avoided.

(See FORUM on page four)

H. A. A. Ruling Leads To Cancellation Of Law-Grad Basketball Tournament

Vice Dean Hall Suggests Opening of Hemenway 3 Nights And Saturday

In a letter to Norman W. Fradd, assistant director of the Harvard Athletic Association, Vice Dean Livingston Hall has suggested that the Hemenway Gymnasium be made available to law students on Tuesday, Wednesday, and Friday nights from 7 to 9, and after the football season, from 11 a.m. to 6 p.m. on Saturdays.

League Could Be Revived

If the H. A. A. adopts this suggestion, the law-grad basketball league can be revived, according to Maurice Downey, 3L of New Bedford, the commissioner of the league. Downey told the RECORD that the league could play 12 games a week under Hall's proposed arrangement.

Vice Dean Hall wrote the H. A. A., "as I told you, we would be glad to pay the extra expenses involved in opening the building" during the proposed hours. Hall explained that the Law School would be willing to contribute to a reasonable settlement in order to lessen the burden on the H. A. A.

Sees Demand

Hall, in suggesting the Saturday afternoon hours, told Fradd "It . . . seems to me likely, from what some of the students tell me, that there would be a real demand for Hemenway's facilities from 11 a.m. to 6 p.m. on Saturday, at least after the football season is over."

Australian Affairs Discussed By Cowen

Prof. Zelman Cowen, Dean of the Law School of the University of Melbourne, speaking at the Coffee Hour last Tuesday, predicted that the present Australian government of Prime Minister Menzies would not be returned in next year's elections.

'Dizzy and Drunken' Prosperity

During the early part of the Korean action, United States stockpiling of wool led to "dizzy and drunken prosperity" for Australia, according to Prof. Cowen. He believes that the voters have blamed the present government for the recession that occurred when U. S. stockpiling ceased.

In post-war years production costs in Australia's extensive industries have risen to the point where her goods are no longer competitively priced in the international market. Prof. Cowen said that these high costs hurt Australian trade with other parts of Southeast Asia, and constitute one of the most important problems for the country to solve.

Other problems facing Australia which he pointed out include unsatisfactory Federal-State relationships, and the need for a realistic foreign policy toward Australia's Asian neighbors.

(See AUSTRALIA on page three)

BULL AND BEAR

Mr. Albert H. Gordon, a partner in the investment banking firm of Kidder, Peabody & Co., will speak to the Bull & Bear Club this afternoon at 4:15 p.m. in Langdell South Middle on "The Role of the Investment Banker." Mr. Gordon was one of the principal defendants in the recent investment banking anti-trust case. He will discuss syndicate operations, privately negotiated underwritings, and other phases of investment banking procedure. President Paul F. Glenn urged all club members to attend the talk.

The Harvard Athletic Association has effectively destroyed the Law-Graduate basketball league and virtually deprived law and graduate students of the use of any basketball courts by imposing new restrictions on the use of the Hemenway Gymnasium, according to Maurice Downey, 3L from New Bedford, commissioner of the league. As a result of the new restrictions Downey has cancelled the law-grad tournament.



Norman Fradd

Norman W. Fradd, assistant director for physical training of the H.A.A., has arranged the Hemenway schedule in such a way that law and graduate students can use Hemenway's two half-size basketball courts only between 11 a.m. and 2 p.m. The reduced hours were imposed to make way for greatly expanded freshmen physical education and College intramural activities.

In addition to the nearly prohibitive restrictions on the use of basketball courts, the H.A.A. has closed eight out of 12 Hemenway squash courts to students, so that varsity teams may use them.

Under the new hours imposed by assistant director Fradd on the use of the basketball floor, law school and graduate students may use the Hemenway facilities from 11 to 2; freshmen physical education classes will take over from 2 to 4; and intramural games between College teams will occupy the facilities from 4 to 6. Hemenway will be open two evenings a week, but other College intramural activities will take over.

Price Rise, Too

Athletically minded law school and graduate students are especially irate at the H.A.A. because the price of athletic participation cards was raised from \$20 to \$30 this year, and locker fees, formerly \$2 a semester, were increased to \$4 a

(See BASKETBALL on page four)

Dean Seeks Answer To Library Lights

(The following is the second in a series of articles to be written for the RECORD by Dean Erwin N. Griswold.)

Students may be surprised, from the results produced, but one of the matters which has consumed a surprising amount of Deanly time in the recent past is the problem of lighting, particularly in the Langdell Library reading room.

From time to time there have been complaints about these lights. Although they were installed with careful advice from lighting engineers and fully met the standards commonly used at that time, it is currently the fashion to demand brighter lights. Whether this represents a genuine need or is the result of advertising by the electric companies is far from clear even to the experts.

\$10,000 Experiment

At any rate, recognizing the demand, we undertook to do something about it two years ago. On an experimental basis, we installed fluorescent lighting in the north end of the Langdell Hall Reading Room. This gives brighter light. It also makes a lot of noise. The

(See LIGHTING on page three)

'Forensic Psychiatry' Valuable Trial Text

Forensic Psychiatry, by Henry A. Davidson, M.D.: The Ronald Press Co., New York. 1952. 398 pp. \$8.00.

The gap between psychiatry and the law has long presented many difficulties indeed, insurmountable problems to both the lawyer and his expert witness, the doctor. Coming into contact under such circumstances, these two highly specialized professions have found confusion and misunderstanding. To enable both doctors and lawyers to resolve this confusion and find a common meeting ground, Dr. Henry A. Davidson, for what is considered the first time, has covered in this manual all the important legal phases of psychiatry and its pertinent application in the law.

The author, Dr. Davidson, is a member of the American Academy of Forensic Sciences and a fellow of the American Psychiatric Association. He is, in addition, an experienced physician widely known for his specialty, forensic psychiatry. Since 1950 Dr. Davidson has been Chief, Program Analysis and Planning Section, Psychiatry and Neurology Division, in the Veterans Administration.

(See PSYCHIATRY on page four)

Derham To Debate Federal Uniformity

On Tuesday, Nov. 17 at 8:00 p.m. in the Wheeler Room, Prof. David P. Derham of Melbourne, will participate in a discussion with Prof. Henry M. Hart of the Law School, on the topic "Uniformity in a Federal System—The Australian Experience." The discussion is open to all members of the University.

This is Professor Derham's first trip to the United States, but he brings with him a wide range of experience ranging from a year of teaching at Wardham College, Oxford, to serving in the Pacific



David Derham

theater during the War. He met Dean Griswold two years ago during the Dean's Australian tour and that meeting led to his stay here this year on a grant from the Carnegie Foundation. Although his wife has been able to come with him, Professor Derham has had to leave his three children at home in Melbourne where he is Professor of Jurisprudence at the University Law School.

While here at Harvard, he has been listening in on various classes and studying teaching methods which he says are more lively than in Australia. Generally he finds the students here to be under more pressure than at home, but they

(See DERHAM on page four)

Practitioner Stresses Emphasis On Facts

The following article was written for the RECORD by Arthur A. Ballantine, LL.B. '07. Mr. Ballantine, a partner in the firm of Root, Ballantine, Harlan, Bushby & Palmer, of New York City, contributed an article, "Proposals for a New Approach to the Law," to our issue of April 9, 1953.

The most important task in legal proceedings is finding the facts, yet that task is frequently subordinated to discussion of legal theory. If a layman looks through the thousands of volumes



Arthur Ballantine

that crowd law libraries he would find that they are made up mostly of discussions of the theory to apply to ascertained facts with comparatively little about ascertaining the facts.

Long ago there were days when Divine help was looked to for revelation of both facts and law—the days of trial by battle or trial by ordeal. And even when it became recognized that facts must be ascertained by human beings there long remained traces of the primitive idea that the witness would be more truthful if subjected to torture. Nowadays the torture stimulus is not used in

(See BALLANTINE on page three)

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

Invitation To Harvard

Senator Joseph McCarthy
Senate Office Building
Washington, D. C.

Dear Senator McCarthy,

Last week the press quoted you as saying that there is a "smelly mess" up here at Harvard and that you could not "conceive of anyone sending their children anywhere where they might be open to indoctrination by Communist professors."

This is a pretty broad accusation. So, as students directly concerned in the matter, maybe you will grant us an exception from your judgment.

Perhaps our views differ on what life is *really* like here at Harvard because, while we have sweated out many hours in its classrooms, you have never so much as sat in one of them. If this is so, then a remedy comes immediately to mind—why not come up here and see for yourself what goes on in a Harvard classroom?

Take the class in Constitutional Law, for example. Of course this might be old hat to you since, we understand, you already have your LL.B. But there are some things about which you might refresh your memory. In this class, we learn such things as the meaning to be given to concepts like "due process"; and we learn to have a decent regard for the *reasoned* opinion that differs from our own. After it is all over we are confident that you will have an impossible time squaring the learning process up here with that of Communist indoctrination methods.

But we are still troubled. It may be that a visit here wouldn't change your published views. Perhaps you like blasting away at Harvard. Apparently its prestige and its fame make it fair game for the unprincipled attack which has been leveled at it.

If this is the reason for your outburst, we feel obliged to call a few truisms to your attention. First, Harvard has been around for a long, long time, and like we say, has had to deal with antagonists many times in its venerable and honored history. And even you must admit Harvard has been remarkably successful in these encounters. Secondly, it is a matter of public record that the administration of Harvard University considers that "a member of the Communist Party is not fit to be on its faculty." President Pusey himself has stated very emphatically that "if a man were indoctrinating students (with Communism), we wouldn't have him on the faculty." These statements would seem to speak for themselves, but that there may be no mistake, let us add, here, that from our own experience never have we been subjected to Communist indoctrination in the classroom.

Long ago, in 1836 to be exact, Harvard was permanently admonished to adhere to certain fundamental principles. In the fourth stanza of "Fair Harvard" occur the following lines:

"Let not moss cover'd error moor thee at its side,
As the world on truth's current glides by."

It's time, we think, Senator McCarthy, that you should at least get hold of a paddle and start moving.

Sincerely yours,

THE EDITORS

Gallery

HAROLD D. HAZELTINE

Legal Scholar



It is often when the achievements of one are so varied and spread over the years that any more than a brief summary of his acquaintances and experiences would require more space than that allotted by expediency.

Harold Dexter Hazeltine was born at Warren, Pa., on November 18, 1871, the son of A. J. Hazeltine, a well-known banker. He is descended from John Hazeltine, who, with his brother Robert, landed at Salem, Mass., in 1637, from Yorkshire, England.

After graduation from the Warren High School and Worcester Academy (Mass.), he studied at Brown University in Providence, R. I., taking his A. B. degree in 1894. At Brown he was for three years an editor of the *Brunonian*, the University weekly, being Editor-in-Chief the last year; and he was also Editor-in-Chief of a volume entitled *Brown Verse* (Boston, 1894).

During the year following his graduation from Brown, he spent part of his time in a lawyer's office in Warren, Pa., and also completed a piece of historical research begun at Brown. The result of his historical study was a paper on "Appeals from Colonial Courts to the King in Council," read before the American Historical Association.

He entered the Harvard Law School in the fall of 1895, taking his LL. B. degree in 1898. While at the Law School he was a member of the Ames-Gray Law Club, and for two years an Editor of the *Harvard Law Review*. Prof. Hazeltine recalls, "At the sessions of the courts of the Ames-Gray Law Club in that period beer, with crackers and cheese, was always provided. At the last court of the year either Ames or Gray presided as Chief Justice, and naturally that was the most interesting session." During his years at the Law School, when Austin Hall was its home, he formed friendships with Dean Ames and Professors Gray, Beale, Thayer, Wambaugh, Smith, and Williston.

He spent the years from 1898 to 1905 in foreign travel and study. He studied Continental Law in the Universities of Berlin and Paris, and English Law in the University of London. In 1905 he took the degree of Doctor of Laws (J.U.D.) with honors from the University of Berlin, where he had heard the lectures of Otto von Gierke, Heinrich Brunner, Bernhard Huebler, Franz von Liszt, Heinrich Dernburg, Josef Kohler, and other eminent legal scholars of that time, who became his friends.

On the recommendation of Dean Ames, Hazeltine became in 1906 Law Lecturer of Emmanuel College, Cambridge, England (John Harvard's old College); and soon afterwards he was elected a Fellow of Emmanuel. In 1907 he was appointed Reader in English Law in the University of Cambridge, and held this post, together with his Emmanuel lectureship, until 1919. In 1919 he was called to the English Bar by the Inner Temple; and in that same year he was appointed Downing Professor of the Laws of England in the University of Cambridge, a post which he held until his retirement in 1942. While at Cambridge, England, he lectured on most branches of English Law, but during his last years there chiefly on English Legal History and Equity.

During his residence in Cambridge, England, he was for five years Chairman of the Board of the Faculty of Law, a post corresponding in some measure to that of Dean of an American Law School. He was also for five years an Examiner for the English Bar, and for many years an Examiner in the Honours Examination of the Law Society, London, the main society of the solicitors' branch of the legal profession in England. While living in England he was one of the founders of the Society of Public Teachers of Law of England and Wales, a society somewhat similar to the Association of American Law Schools; and for one year he was its President. After his election as Downing Professor of the Laws of England in the Univer-

sity of Cambridge in 1919, he lived in The West Lodge, Downing College, a house which had been Maitland's home during his tenure of the Professorship (1888-1906). Mr. Hazeltine recalls how he met Maitland in 1902, spending a day as his guest in Cambridge, and saw much of him in the Michaelmas Term, 1906. Prof. Hazeltine said, "I attended a tea party given by Maitland in that term, when Sir Frederick Pollock was also one of the guests. It is very likely that this was the last time these two eminent legal scholars were together, for Maitland died late in 1906."

On his appointment as Reader in English Law in 1907 Prof. Hazeltine was granted the degree of M. A., *honoris Causa*, by the University of Cambridge; while in a later year he received the degree of Doctor of Letters (Litt. D.) from the University of Cambridge, a degree awarded him on the basis of his published writings. In 1920 Brown University gave him an honorary LL.D. degree, while in 1924 Harvard University also conferred on him an Hon. LL.D. degree. In 1924 he was elected a Fellow of the British Academy, a fellowship which he still holds.

In 1910 Prof. Hazeltine delivered three lectures in the University of London on "The Law of the Law"; these lectures were published later in *The Law of the Air* (London, 1911), one of the pioneer works on the subject. In 1938 he gave in French in the Law School of the University of Paris two lectures on "The Notion of Equity in English Law." He has also lectured in American Law Schools. Thus in the summer session of the Law School of the University of Chicago in 1906, when James Parker Hall was Dean, he gave a course on Partnerships, while in the summer of 1908 (at the Law School of the University of Wisconsin) he gave a course on Property. At the annual meeting of the Association of American Law Schools held in Detroit, 1909, in connection with the meeting of the American Bar Association, he read a paper on "The Present State of Legal Education in England." In the discussion which followed the reading of the paper, Sir Frederick Pollock and Dean Ames took part. In 1912, and again in 1916, he gave courses of lectures on English Constitutional and Legal History in the Law School of Columbia University, when Harlan F. Stone, later Chief Justice of the United States, was Dean. Since returning to the United States in 1940 he has delivered lectures at Harvard, Michigan, Northwestern, and Cincinnati Law Schools, as well as at Brown University.

Among his published writings, in addition to *The Law of the Law*, already mentioned, are *Zur Geschichte der Eheschliessung nach angelsächsischem Recht* (Berlin, 1905), a study of the law of marriage in England before the Norman Conquest, and *Die Geschichte des englischen Pfandrechts* (Breslau, 1907), a history of the English law of Mortgage. He has also published many essays and articles on English and European legal history, air law, and legal education. For many years he was General Editor of *Cambridge Studies in English Legal History*. During his editorship twelve volumes were published in this series, including Dean Pound's *Interpretation of Legal History*; to each volume in the series he contributed an introduction. To Dr. Walter Ullmann's *The Medieval Idea of Law* (London, 1946) he contributed an introduction entitled "Legal and Political Ideas of the Post-Glossators."

Since returning to Cambridge, Massachusetts, in 1940 he has been engaged in legal research at the Harvard Law School, where he has an office in Langdell Hall. He has nearly completed a work on the History and Theory of the Corporation in Europe and America, as well as a book on the career, writings, and ideas of the late Sir Frederick Pollock. He has recently published a memoir of Sir Frederick Pollock in the *Proceedings of the British Academy*, Volume XXXV.

Professor Hazeltine speaks in the warmest terms of the great kindness which has been shown to him by Dean Landis and Dean Griswold and the Professors of the Harvard Law School ever since his return to the school in 1940. His daughter Georgina married, in 1942, W. Covington Hardee, now Professor of Law at Harvard.

R. B.

Letters to the Editor

TO THE EDITOR:

I write in response to the editorial in the November 5th issue of your paper soliciting solutions to the law school parking problem.

It appears to me that on most days five or six more cars could be parked in the commuter spaces to the front and rear of Austin Hall and on the Service Road to the Graduate Commons, if all cars were properly parked. The effect of such proper parking would admittedly be limited to a few, but would serve to protect more students from the hazards of street parking.

Since the school apparently has more faith in the ability of its students to operate and park

Sub Judice

ALL IN FUN

Gay Langness and his wife were frequenters of the weekly wrestling show promoted by Paavo Ketonen in the Tacoma Arena. Like any other Friday night, Mr. and Mrs. L. attended the bouts on Oct. 13, 1950. Certainly the omen was present. The Langnesses were real connoisseurs and always sat up close. Wrestling in the last and feature match of an otherwise dull card was Skagway Clements, the much hated and abused villain. The script for that night called for Skagway's disqualification for "conduct unbecoming a wrestler" (??) and after the decision had been announced to the audience's delight, Skagway went into a few tantrums running around the ring and thrashing a bit—not unusual for the defeated wrestler.

The evening's activities having terminated with Clements' disqualification, Mr. and Mrs. L. proceeded past the ring toward an exit. Skagway's antics at this point were apparently obnoxious to Mrs. L. so she took off her shoe, reached into the ring, and swatted Skagway in the foot.

The wrestler, himself, began kicking and jumping around and his tantrum became worse. He was springing his body up and down on the ropes when he struck Mrs. L. in the face.

She and her husband brought this action for damages for the personal injuries sustained. The defendants were Skagway and Paavo, the promoter. The jury returned a verdict for plaintiffs for \$9,000 and judgment was entered in accordance.

Held: Reversed. The instructions concerning plaintiffs' possible contributory negligence and assumption of the risk were improperly given to the jury. On the issue of the promoter's liability, the jury was permitted to draw an unwarranted inference from the testimony of a veteran wrestler-promoter that all wrestling matches are under the strict control of the promoter.

This latter issue turned on the testimony of Nick Zvolis, a veteran of 40 years' wrestling in the Tacoma area.

Q. How many wrestling matches have you been engaged in, Mr. Zvolis? **A.** Thousands, thousands.

Q. Thousands? How many have you refereed? **A.** (Being more explicit.) How many I refereed? How many hair I got on my head?

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To adjust the mistaken inference drawn from this testimony the court promptly remanded the cause for a new trial. *Langness et ux v. Ketonen*, 155 Pac. 2d 551, Supreme Court of Washington, 1953.

their cars with consideration for others than it does in the ugly but useful practice of marking all individual parking spaces, the burden of squeezing five or six more cars into the area allotted would appear to fall squarely on the commuters themselves.

There would be more room for autos in the Austin parking lots if the first driver would park at one end or the other. Subsequent drivers could then park closely parallel to the car which immediately preceded them into the orderly increasing row of vehicles.

There would be more room for cars on the Service Road if the first cars parked as close to the limits of permitted parking areas as possible. This would avoid the result often occurring there of half spaces at the beginning and end of a permitted area, such as that between two driveways.

KURT F. PANTZER, JR., 2L

TO THE EDITOR:

I should like to express the longing of many loyal patronizers of Langdell Library for more effective lighting arrangements.

My suggestion is that the lights in one of the four sections be kept on at all times when the library is open. This would give refuge to those of us who find the strain of reading is at its worst in the mid-morning or mid-afternoon, when Langdell has its own peculiarly oppressive milk-grey twilight.

My proposal is, I hope, modest enough so that there is a possibility that it will be acted upon. I have refrained from suggesting a more ambitious remedy because I realize that cost factors make that unlikely of realization in the near future. But the cost of keeping at least one part of the library lighted at all times should be small enough to be more than compensated for by the reduction in eyestrain among the students.

LARRY MCQUADE, 3L

BALLANTINE—(Continued)

the West but apparently it is still regarded in some places as proper and useful.

There are few important facts that can be found by physical evidence, such as wills, contracts and deeds; most facts have to be determined by the testimony of witnesses.

Our rules of evidence in the United States consist largely of limitations on the nature of permitted testimony. Under these rules the ascertainment of truth may be subordinated to other ends. Limitations include the "dead-man rule" under which it is forbidden in the ascertainment of a claim against the dead man to put words in the dead man's mouth, and the Statute of Frauds requiring certain contracts to be in writing.

The constitutionally protected privilege against self-incrimination is a rule of a different sort. Of a still different sort is the anti-hearsay rule forbidding

the introduction of a statement of a person other than the witness as evidence of the truth of the statement. We have no rule forbidding testimony of a witness as prejudiced or interested, but leave the question of the weight of such testimony to the jury or other trier of the facts.

It might be refreshing if the law schools' courses in "Evidence" could now be renamed as "Truth" or "Facts" and the limitations on testimony reviewed, with the idea that there might be less reliance upon fixed limitations and more reliance upon the discretion of the trier of the facts. In these days the trier of facts is frequently not a jury or a judge, but a commission.

COFFEE HOUR

On Tuesday, Nov. 17 at 1:30 p.m. in the large meeting room of Harkness Commons, Jerome Rappaport, Chairman of the New Boston Committee, will address a Coffee Hour audience.

**NEWS
IN BRIEF****AMES COUNSEL**

Counsel in the qualifying rounds are reminded that they, their judges, and guests, are invited to the "coffee time" to be held in the meeting room of Harkness Commons after each round of argument. The first four rounds are scheduled for the nights of Nov. 12, 13, 16, and 17 at 7:30 p.m.

LAW WIVES

The Harvard Law Wives will meet Wednesday, Nov. 18 at 8 p.m. in the large meeting room of Harkness Commons. Mr. Charles Banino, general manager of the Ritz Carlton Hotel and former head chef, will demonstrate the preparation of a dinner for 10 of the dishes which are served at the Ritz. *Risotto Ritz* (a chicken and mushroom dish), *truffled rice* and *Pear Tart Bourdelouse*, a Ritz specialty, will be prepared right in the meeting room, and at the end of the evening, the dishes will be awarded as door prizes.

PRICE v. NILES

The appeal from the decisions in the case of *Price v. Niles* will be heard in the Langdell Courtroom on Thursday, Nov. 19 at 8 p.m. The attorneys will be Dean Erwin N. Griswold for the defendant and Professor Louis Loss for the plaintiff.

BARN DANCE

The Beth Israel Hospital Junior Auxiliary (supporting tumor and cancer clinic) presents its "Briar-Patch Jamboree" Saturday, Nov. 14, 8 p.m. at the Mt. Hood Country Club (Clayton Rd., Melrose). Music by "The Chicken Reelers." Admission \$2.50 per couple. Tickets may be purchased at the door.

AUSTRALIA—(Continued)

According to Mr. Cowen, the Australian States are handicapped by a lack of financial resources, most of which have been absorbed by the Commonwealth. The States, however, still have substantial legal powers. Cowen says Australia must find some way of "equating responsibility with power" by which he means that the government which is supposed to exercise certain functions should have the resources to do its job.

As for Australia's problems in the international sphere, Cowen was more sanguine. He pointed out that Australia, which first became a sovereignty in 1901, now has a distinct "international personality" and no longer depends on the United Kingdom for leadership in foreign affairs. For example, Australia is taking a major role in the Colombo plan, by which members of the British Commonwealth of Nations are pooling their financial, technical, and material resources to develop the Commonwealth nations in Southeastern Asia.

DIRECTORY

The Law School Committee of Phillips Brooks House has begun distributing the 1953-54 edition of the Harvard Law School Directory. Free copies can be picked up by appearing personally at the Receptionists' desk in Langdell Hall.

CHARITIES—(Continued)

school drive has no connection with the other campaigns. The drive in the law school is under the direction of a subcommittee of the Law School Committee of Phillips Brooks House. Receipts from student gifts are given to various local, national, and international charities in such proportion as the subcommittee decides on. Except for gifts which are earmarked for a specified charity by the donor, the committee does not allocate any funds until the drive is completed.

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LIGHTING—(Continued)

cost of this installation was \$10,000.

As I have indicated, this was done on an experimental basis. As far as the light produced is concerned, the experiment has been a success. But the resulting noise is clearly bad, and we do not want to proceed further unless that can be eliminated.

Touchy Problem

So we went to work on the noise. It appears to come from the "ballasts" which are part of the fluorescent installation. Apparently this noise is a constant problem with fluorescent installations. The lighting companies are rather touchy about it. I have seen a report made with respect to another installation at Harvard, where engineers from a prominent lamp-producing company said, in effect, (1) there isn't any noise, (2) anyway, the noise would not be so noticeable if the room was not otherwise so quiet, and (3) our company's lamps are so wonderful they ought not to be complained against. The net result of this is hardly very satisfactory.

Total Cost High

The advice we now get is that the noise can be eliminated in the Langdell Reading Room installation by putting the ballasts in another part of the building, presumably in the attic of Langdell

Hall. But the cost of this will be an additional \$6,000. We can provide the \$6,000 all right for this particular place. But this would bring the total cost of this installation, covering only a small portion of the entire Reading Room, to \$16,000, and indicates that the cost of putting similar light throughout the Langdell Hall Reading Room would come to a total of close to \$100,000.

This seems like a rather large sum to me. Even if we could find it, it is not clear that lighting would be the use to which it would be put; and even if we wanted to put it into lighting, we would not want to venture so large a sum for the purpose unless we could be sure that the expenditure would be more successful than the present pilot operation has been.

Satisfactory Solution Sought

Personally, I think that the noise in the north end of the Langdell Reading Room is pretty awful. I would only like to say that we have spent a lot of time and energy, as well as money, in working on the problem. Apparently the lawyers are not the only group in society who have not solved all their problems. I hope that a satisfactory solution to this one can be found, but it appears now that it is not going to be easy. I hope that students will continue to be patient while we see what can be worked out.

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BASKETBALL—(Continued)

term. Students who bought individual admission tickets each time they used Hemenway facilities found the price raised from 35c to 50c.

Ruling May Hit 225

It is estimated that about 225 law school students bought athletic participation tickets this year. However, there is no way of telling how many students planned to use Hemenway, since the permanent tickets also entitle the holders to use the facilities elsewhere in the University, principally at the Indoor Athletic Building.

During 1952-53 nearly 60% of the students using the facilities at Hemenway were said to be from the law and graduate schools. This proportion has undoubtedly declined, now that undergraduates are given an athletic participation card as one of the incidental benefits of their \$800 tuition, and can use the University's athletic facilities without further charge.

No Consultation

The HAA posted the new restricted hours at Hemenway just six days before the Law-Grad basketball league was scheduled to begin operations. According to John Conlan, Dormitory Council president, the Association gave no notice of its plans to any student groups. The formation of the league had been announced several weeks in advance.

PSYCHIATRY—(Continued)

The work itself is an extremely readable and intensely interesting expose of an otherwise drab but albeit vital subject. In a well organized and transitional form, there is presented the whole range of the detailed medico-legal problem with information needed to instruct physicians and other expert witnesses in the essentials of juristic mechanics. The book fully answers such problems as how to examine a patient or claimant, how to measure a defendant against legal standards of responsibility, how to evaluate disability, how to anticipate and answer cross-examination and how to prepare an acceptable legal report.

For the lawyer, *Forensic Psychiatry* brings a clearer understanding of the language and the point of view of the medical profession. It shows him how to coordinate efficiently his own work with that of the medical expert and how to brief the expert witness in the manner of courtroom procedure. The application of this work is in cases where the psychiatrist is most frequently involved: personal injury, divorce custody, child placement, wills, alcoholism commitment, contractual capacity, etc. Dr. Davidson most ably deals with each and all of these aspects.

Useful Volume

In an area fraught with theory and speculation, the author has been able to eliminate much of the theoretical material, and present a useful volume in which the essential questions drawn from the author's wealth of experience and knowledge are patiently and methodically resolved. The book covers among others, the following important subjects: Criminal Responsibility; Examination of the Defendant; Marriage, Divorce, and Annulment; Last Will and Testament; Appraisal of the Sex Offender; Medico-Legal Aspects of Alcoholism; Malingering and Malpractice. Apart from the substantive sections of the book the author's part II deals with the Tactics of Testimony covering such fields as the Nature of Medical Testimony Qualifying the Psychiatric expert, Answering the Hypothetical Question, and Courtroom Etiquette. Finally the doctor has compiled what seems to be a very valuable Psychiatric Glossary for Lawyers.

It would not be overly trite to recommend this book most wholeheartedly. This manual is a primer for the trial division and an indispensable tool of the courtroom tactician. A. F. C.

FORUM—(Continued)

Dr. Joseph Spiegel, Chicago psychiatrist and social psychologist, and visiting professor at Harvard University's graduate department of social relations, abstracted from the problems presented by the two previous speakers, explaining, on the theoretical level, the value-conflicts which underlie many of the problems of intermarriage.

Professor Samuel Stouffer of the department of Social Relations, Harvard University and author of the monumental "The American Soldier," moderated the program. During the discussion period which followed the initial presentation, Dr. Stouffer directed the speakers' attention to the points of disagreement which inhered in their individual viewpoints.

ELECTIONS—(Continued)

Articles Editor, suspended during volume 17, was re-activated; James Petersen, 1L of Cambridge, will fill the job.

In recognition of the importance of cartoons to the paper, the Board voted to put a department head in charge of cartoons. John Bernstein, 3L of New Rochelle, N. Y., who has been a *RECORD* cartoonist for two and one-half years, was chosen for the new position.

Take Office Nov. 26

The new Board of Directors and department chiefs will assume their duties beginning with the issue of the *RECORD* of Nov. 26.

In addition to Lewis, the outgoing officers include Melvin Cohen, 3L of Sarina, Ont., Business Manager, and George Chimples, 3L, Copy Editor.

DERHAM—(Continued)

have the benefit of better buildings, books and teachers.

In Australia it takes five years to be admitted to the bar, since students go to law school for four years and then take a year of advanced study with part-time work in a law office. There is not as yet an emphasis on Corporations and Taxation as there is in this country. But in other ways Australia is now following America in their emphasis on free enterprise, and has turned from British policy which has dominated its thinking for the last hundred years.

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