

The Harvard Law School Record

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Griswold Explains Law School Fund's Annual Giving Plan

(The following is the third in a series of articles written for the RECORD by Dean Edwin N. Griswold.)

The Harvard Law School Fund is one of the important activities of the School, important both to the School and to its students. The Fund is conducted under the auspices of the Harvard Law School Association, with a National Chairman designated by the Association. The present National Chairman is S. Pearce Browning, Jr., LL.B. '25, of New York. The Director of the Harvard Law School Fund, in charge of the Fund Office in the basement of Walter Hastings Hall, is Assistant Dean Wesley E. Bevins, Jr., LL.B. '48.

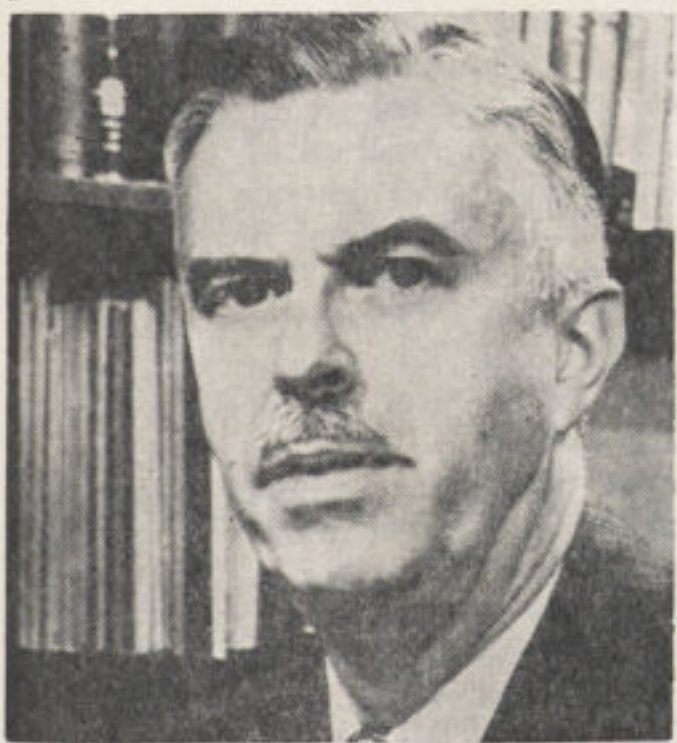
The Fund is a new development in the history of the School. It began in 1948. The first phase of the effort involved the raising of the funds which made possible the Law School dormitories and the dining facilities in the Graduate Center. In an effort which extended over more than two years, a total of more than \$1,500,000 was subscribed for this purpose, mostly by alumni of the School. Thus, present generations of students are greatly indebted to their predecessors for the new facilities which have been made available here.

Since 1950, the Harvard Law School Fund has continued on the basis of Annual Giving. Both the amount received, and the number of subscribers have increased each year. In 1950-51, the receipts through the Harvard Law School Fund were \$57,438.76. In 1951-52, the receipts were \$67,438.76. (See FUND on page three)

Teaching Fellows' Applications Open

Applications are now being received from third-year students, interested in obtaining teaching fellowships for 1953-54, Associate Dean David F. Cavers has informed The RECORD. Professor Cavers, who supervises the conduct of the group work program, suggests that third-year and graduate students, as well as alumni readers of The RECORD, who are interested in the possibility of a fellowship, make inquiry of him.

In the selection of teaching fellows, an effort is made, Professor Cavers explained, to secure a balance between



David F. Cavers

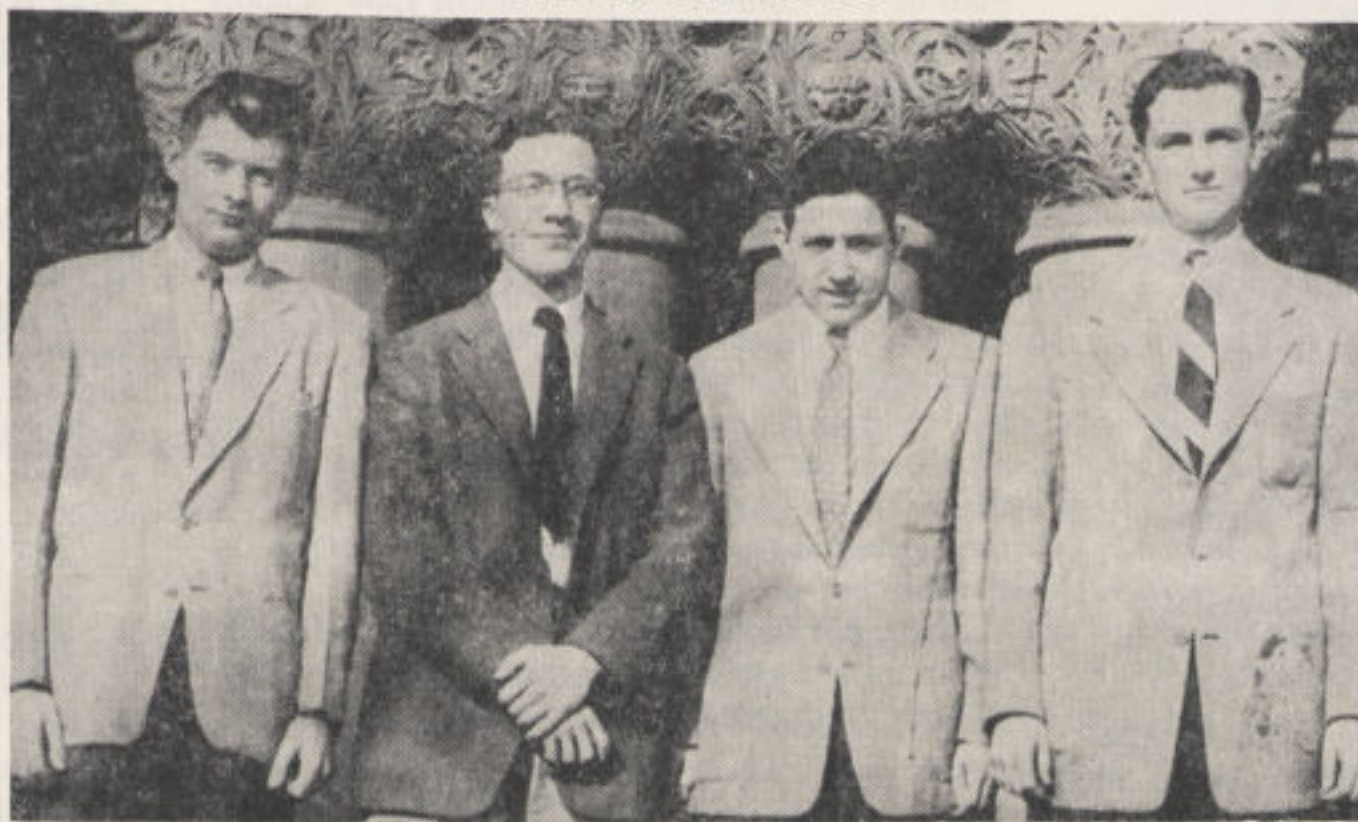
men with experience in law practice and men who have just been graduated and so are in close touch with problems and viewpoints currently prevailing in the student body. Usually the staff has included a graduate of a law school other than Harvard.

A teaching fellowship gives the holder faculty status, and he may not be a candidate for a degree, Professor Cavers said. The salary paid to newly graduated fellows is in line with what they would receive in law offices in the metropolitan centers.

A committee of the faculty under the

(See FELLOWS on page four)

AMES ORALISTS



Left to Right: John Mitchell, Archibald Spencer, Richard Barnett, Monroe Freedman.

Third-Year Clubs Argue Next Week In Semi-Finals Of Ames Competition

The semi-final arguments in the Ames competition will take place on Thursday and Friday evenings, Dec. 3 and 4.

On Thursday the Jaffe Club will argue for the appellant and the Gardner Club will appear for the appellee in a case involving the Fair Trade laws. The Chief Justice will be Herbert F. Goodrich, LL.B. '14, of the United States Court of Appeals for the Third Circuit, and the Associate Justices will be Oscar M. Shaw, LL.B. '29, Ropes, Gray, Best, Coolidge & Rugg, and Harvey Bundy, LL.B. '14, Choate, Hall & Stewart, of the Boston Bar.

In this case the action was brought in the Suffolk Superior Court of the Commonwealth of Ames by the Forrester Pen Company and its wholesale distributor in New England against the defendant, Shields Stationery Company. The plaintiffs found that the defendant was advertising, offering to sell, and selling the manufacturer's pens below the minimum retail resale prices which had been established pursuant to Ames Fair Trade law.

These sales took place after arrangements had been made by which the goods could only be sold at prices set by the manufacturer unless the manufacturer previously consents or the sale is by an officer of the court. The plaintiffs moved for summary judgment on the pleadings and the court granted judgment, holding that no facts were in controversy. The defendants' appeal

will involve the Sherman Anti-Trust Act, the Miller-Tydings amendment to it, and the McGuire Act, as well as the Ames Fair Trade law.

The oralists for the Jaffe Club will be Monroe H. Freedman and Richard J. Barnett, both of Cambridge. For Gardner the oralists will be John Mitchell, Archibald Spencer, and Richard Barnett, both of Cambridge. (See AMES on page four)

Ames Supreme Court Remands Case Of Price v. Niles, Orders New Trial

The Supreme Court of the Commonwealth of Ames reversed the lower court's decision in *Price v. Niles* and returned the case for a new trial to determine whether or not there had been the required manual delivery of the disputed necklace to the appellees. Dean Erwin Griswold successfully



Louis Loss

argued the cause for the appellants and was opposed by Professor Louis Loss. The appeal, argued Nov. 19, was heard by a bench consisting of the Hon. John V. Spalding of the Supreme Judicial Court of Massachusetts, Sumner H. Babcock, Esq., President of the Boston Bar Association, and Robert E. Keeton, Ezra Ripley Thayer Teaching Fellow.

The lower court's decision awarding the earrings to the Niles was upheld but the necklace decision was remanded, the court holding that it was in error for Judge Charles E. Wyzanski to allow the jury to find for the plaintiff on the basis of symbolic delivery.

Dean Griswold, accepting the facts of the case as presented by Prof. Loss,

LAW WIVES

The Harvard Law Wives will meet in the Wheeler Room on Dec. 2 at 8 p.m. Prof. John T. McNaughton, LL.B. '48, the speaker for the evening, will discuss the political and economic aspects in the administration of the Marshall Plan. Prof. McNaughton served with E.C.A. in Paris as an assistant to Milton Katz. All interested husbands are invited. There will be a question-and-answer period following the lecture.

Basketball League To Begin; Dean Hall's Action Effective

The Law-Graduate basketball league will begin on Tuesday, Dec. 1, three weeks later than originally planned, according to Maurice Downey, commissioner of the league. The delay was the result of the virtually restrictive hours that had been allowed by the Harvard Athletic Association for the games.

Hemenway Gymnasium will be opened for law and graduate students' use on Tuesday, Wednesday and Friday evenings from 7 until 9 o'clock. These hours have been in effect since the beginning of this week for practice.

Dean Writes HAA

The hours during which law students can use the gymnasium were changed from 11 a.m. to 2 p.m. to the hours presently in effect as a result of a letter written nearly three weeks ago by Vice Dean Livingston Hall. Dean Hall suggested the present hours and perhaps Saturday, and expressed the law school's willingness to pay the extra expense of keeping the gym open. This expense has been set at at least \$50 a week by the H.A.A. Students are still expected to pay \$50 for using the facilities each time or

to show an athletic participation card.

The H. A. A. hours were in effect during the week of Nov. 16-20. They proved to be prohibitive to student use of the facilities.

It is now planned that the basketball league will run for 10 or 12 weeks.



Livingston Hall

Instead of two sections as originally planned, there will be only one, with an intermission from Dec. 19 to Jan. 26 for examinations.

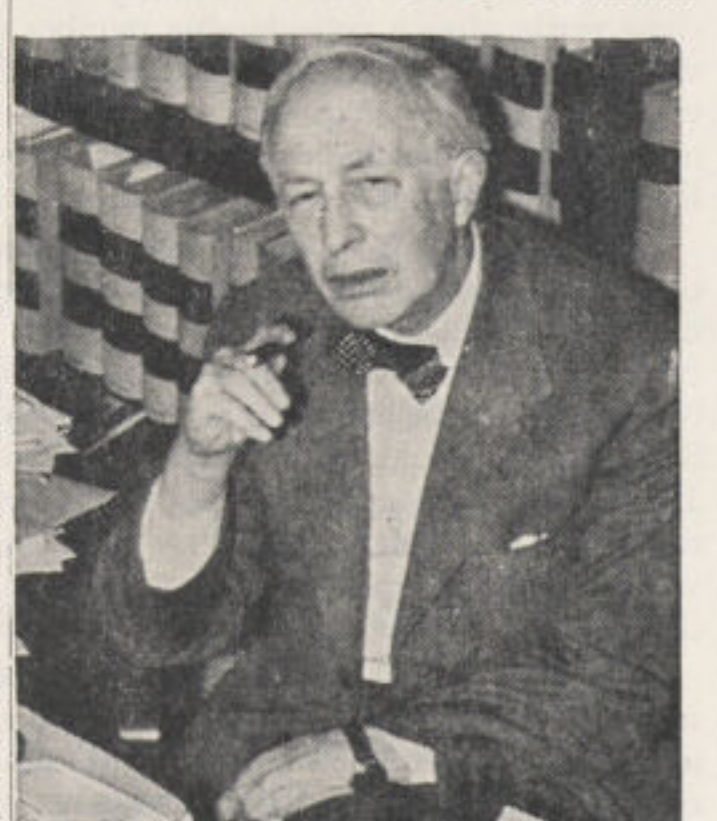
Any teams still wishing to join the league may do so by contacting Maurice Downey before Nov. 29. The teams already entered have been formed by dormitory entries, Chancery Club, and groups of friends.

The League will commence on Tuesday, Dec. 1, when Chancery Red plays The Crusaders at 7 p.m.

Prof. Chafee Back After Short Illness

Back in his familiar role in front of his Equitable Remedies class after an absence due to illness is Professor Zechariah Chafee, Jr. Professor Chafee has been back at the Law School since the first of November. Looking fit and exhibiting his usual exuberance, Professor Chafee has resumed teaching, although he has put off his Fundamental Rights course in the College until next spring. He hopes to be back to his regular schedule by spring.

Aside from his teaching duties Professor Chafee is preparing the late Professor Dodds' work on the American



Zechariah Chafee

Business Corporation for publication by the Harvard University Press. At present he is correcting the galley sheets.

After he completes this task, Professor Chafee hopes to prepare two series of lectures to be printed by the Harvard University Press. The first of these series of lectures was given in Kansas and dealt with "Three Human Rights in the Constitution." The other lectures were delivered in North Carolina and are entitled "Freedom in Special Situations."

Counsel For Jenner Speaks Here Dec. 2

The Student Bar Association this week announced the names of the first three speakers in its 1953-54 lecture series opening next Wednesday, men who have been closely associated with Government investigations.

Discussing "The Function of the Lawyer in Public Investigations" will be Mr. Robert Morris, chief counsel for the Senate Judiciary Special Subcommittee on Internal Security; the Hon. Kenneth B. Keating, Republican representative from New York's 38th District; and Abe Fortas, member of the Washington law firm of Arnold, Fortas & Porter.

The SBA reported with regret that Adlai Stevenson would be unable to appear in the series, but in a letter replying to the Association's invitation he said, "I think you have chosen the most interesting timely and useful field for these talks this year and I wish I could participate."

Mr. Morris will speak on "The Lawyer as Counsel for a Legislative Investigating Committee" on Wednesday, Dec. 2. The talk is scheduled for 5 p.m. in Langdell South Middle.

Representative Keating, LL.B. '23, will discuss "Procedural Reform in Congressional Investigations" at an evening meeting planned for Dec. 17.

Mr. Fortas' talk on "The Role of

(See SBA on page four)

The Harvard Law School Record

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Sound Mind, Healthy Body

Athletically inclined law students will be able to use the facilities of Hemenway Gymnasium this year. Yesterday's announcement by Vice Dean Hall's office to the effect that the basketball floors and the squash courts would be available for the exclusive use of law students (three nights each week) is met with high praise of the Administration by those of us who consider a healthy body as important as a sound mind, and who have invested \$38 to that end.

The squeeze which was placed on law students' use of Hemenway Gym began last April when the Law School was asked to pay more money to the HAA. The new levy was supposed to compensate for the undergraduate increase in tuition, part of which went into HAA coffers. Under the new set-up, undergraduates were given free use of all the athletic facilities, while law and graduate students were forced to purchase a participation card which would now cost \$38 for the year. Of course they could "pay as they played" at 50 cents per (also up 40% over last year).

Given the free use of facilities, the undergraduates flocked to Hemenway en masse. With Freshman Physical Training classes, the Freshman Intramural League, and the influx of the "free-loader," law students were restricted to tossing basketballs between the practically useless hours of 11 a.m. and 2 p.m. Squash players were likewise limited, more so in some respects, since the squash courts were used by many College and House teams. In addition, the HAA informed the PBH Athletic Committee that the Law-Graduate League could not be accommodated this year. These untimely revelations were made after a considerable number of law students had invested in a participation ticket, which money in effect was spent without any expectation of an inadequate return in way of facilities.

At this point, Vice Dean Hall stepped into the picture, proposing the extended hours, and offering to undertake some of the cost. After two weeks of delay, an answer was finally sent to Dean Hall. Under the plan evolved, the Law School is to pay at least \$50 per week to keep Hemenway Gym open for the use of law students and the League, albeit for three nights a week. Needless to remark, participation cards or 50 cents will still be the price of admission.

The Law School administration is to be commended for this move. Many students supplement their academic training with physical exercise. These students have always looked to Hemenway as the "Law School gym." For those whose exercise is limited to a few informal periods in the squash courts or in tossing baskets, to the more avid participants in the Basketball League, Hemenway is ideal. Hence the administration's far-sighted move in meeting the HAA's indifference to law students is extremely gratifying. While the law students are not looking for something for nothing, the H.A.A.'s attitude in the matter was somewhat short of fair.

Congratulations too are in order to Maurice Downey 3L, who did most of the liaison work between the Law School and the HAA in their reaching an agreement.

Gallery

FRANK C. NEWMAN
Visiting Lecturer of Law



Professor Newman has enjoyed what is probably the longest between-semesters break on record—five years. He took the first part of his work in quest of his master's degree at the University of California in the fall of 1941, entered the armed services after Pearl Harbor, and finally received his LL.M. in 1947, from Columbia University. During that time he served in O.P.A. and in the office of the General Council of the Navy.

At the University of California he taught from 1946 until his appointment at Harvard. It was at California that he found his niche in the fields of Administrative Law and Legislation and worked, in conjunction with Professor Stanley S. Surrey, on "Materials on Legislation," a casebook now in mimeographed form.

Teaches Legislation

He is teaching the Legislation B course, a seminar in Legislation, and will teach a section of Administrative Law in the spring. He also took Professor Chafee's course for a month this fall until the latter returned.

Professor Newman says that he has been impressed, during his relatively short stay here, by the immensity of the school, and the number of "outside" activities engaged in by the students, much more than at California. This, perhaps, compensates for a tendency he has found in students here towards less preparation in class-work. Exactly why this is so, Prof. Newman does not know. It may be the nature of the Legislation course, for work done on the special reports in that course has been exceptionally good, according to Prof. Newman. He suggests that perhaps more outside work is done after, rather than before, class. At any rate, he will not commit himself to generalities any more than to state that "Harvard is a great school."

Government Service

Professor Newman received his A.B. from Dartmouth and his LL.B. from the University of California. In the spring of 1953 he received his S.J.D. from Columbia. He is extremely active in public service in the legal field.

In 1953 he was Enforcement Commissioner for the Economic Stabilization Agency and Co-chairman of the Conference on Ethical Standards in Government held at the University of California. He has also been a consultant to the OPS and counsel for the Governor's Commission on Unemployment Compensation in California.

Prof. Newman is a native of Eureka, California, a town north of San Francisco, but he went to school originally in South Pasadena,

near Los Angeles. He is married to the former Frances W. Burks of Palo Alto, California, and they have three children, two boys and a girl.

As a Californian he is chairman of the Conference of California Law Instructors, and has written for the *California Law Review*, as well as for the *Harvard Law Review* and the *Columbia Law Review*. He has also served as Chairman of the Conference of Western Law Schools and of the Association of American Law Schools Committee on Teaching and Examination Methods. That committee's work under Prof. Newman consisted of summarizing and reporting on current teaching methods, and was written up in the *Journal of Legal Education*, volume 3, p. 598, for those interested. He also served as the Chairman of the Conference on Ethical Standards in Government, which met at Berkeley, California, in the spring of 1953. A brief report on that conference appeared in *Frontier* magazine in June, 1953, and concerned where the underlying responsibility for corruption in government must rest.

Prof. Newman, it can be seen, is definitely not in an ivory tower, and this is in the tradition of both the faculty and the school. E. R.

Letters to the Editor

TO THE EDITOR:

Re 67 Harvard Law Review xxvii:

It is indeed shocking to see sex in the *Harvard Law Review*, that pristine and most proper of Bostonians. On page xxvii of the present issue there is actually an advertisement for "that book." I thought the *Harvard Law Review* would be more discreet due to the present period of mourning for Rose la Rose, The Old Howard, and The Casino.

The advertisement tells us that "lawyers will find . . . fascinating reading, (&) will refer to it again and again." Further, the hucksters bleat that the book is full of "legal implications!"¹ I have seen sex used to sell law books,² but the reverse—how absurd! The caliber of the legal portions is paraded by telling that the writer's staff "includes two Research Associates in Legal Studies."³ (Yale Law School men, no doubt.) The complete uniqueness of the book is due to its approach. "Cases are cited and interpretations discussed."⁴ West Publishing Co. should blush, being scooped in this manner. Finally—the telling blow—this book deals with "the unrealistic nature of many present laws."⁵ What poor taste to disclose this to the public!

This type of advertisement is bound to undermine the *Harvard Law Review* itself—for who would laboriously wade through the rest of our local Bugle, knowing what other choice reading delights lay elsewhere.

I hope that this innovation is not due to the current personnel of the *Review*. The *Review* may adopt the "new look," but the "raised hemline" is only for *haute culture*.

Remember, that the *Review* asked at the bottom of the page: "Please mention the *Review* when dealing with our advertisers."⁷ So when you buy *Sexual Behavior in the Human Female*, tell the clerk the *Harvard Law Review* sent you.

DONALD S. COHAN, 3L

(The author wishes to express his gratitude to L. Axophinius McQuade and Donald Hugh Green for checking his cites.)

¹ Harv. L. Rev. xxvii.

² *Ibid.*

³ An effective technique is seen in Casner and Leach's "Cases and Text on Property," the case of *Tami v. Pikowitz*, page 113 of the text, the case of the gigolo turned cad.

⁴ 67 Harv. L. Rev. xxvii.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

Sub Judice

LANDLORDS AND INDIANS

The Alta Club was a busy nightclub near Miles City, Montana, and the plaintiff, Mrs. Lorenia H. Brown, paid \$500 a month rent for the premises. However, the landlord, philanthropist that he was, did not see his way clear to allow Mrs. Brown to stay in business there when she was two months in arrears with her rent. So landlord Grenz started eviction proceedings in a very orderly manner. But after serving Mrs. Brown with a "notice to vacate" and getting no results, he started to take the law into his own hands.

He removed slot machines, chained and padlocked the front door and entrance of the club, and set off stench bombs, saying, "I am fumigating you rats out of here." Then he pointed a small gunlike object at Mrs. Brown, which emitted fumes and smoke, burning her face, causing her to cough.

According to Mrs. Brown, at a late hour on the next evening, Saturday, while the club was crowded, Grenz had two men "slap" Purex, turpentine, and white paint over all of the small entrance way and front door of the club, causing an "obnoxious and terrific odor" to invade the place; that the white paint was tracked onto the club floor and "two or three ladies came in with fur coats covered with paint. . . . You couldn't walk in or out. My rugs and everything were covered this time."

On the same night Grenz parked his Chrysler car from 11 p.m. until closing time "right up against the front door" so no one could get in or out of the club's entrance; and he chained and padlocked the front door on the next day, Sunday, about 6 p.m.

Not stopping there, he broke into her living quarters and threw her personal effects into the street, "suits, socks, shoes, underwear, hats, anything a lady would wear." The star witness to this blitz attack was Mrs. Brown's faithful retainer, Blanche Whitemoon.

Blanche Whitemoon, better known as Granny, a venerable lady of distinction in her own right, "born and raised in Custer County when it was a military post," although not on the Alta Club first team, was major domo of the "scrubs." "They call me Buckskin Ethel," she confided to the court and jury, "but I use Blanche Whitemoon because I pay city taxes . . . the chief of our tribe names us and then the white man gives us a name. The Northern Cheyennes have two names." According to Buckskin Ethel, Grenz told Mrs. Brown, "I am going to take these machines," and she said, "No, you ain't, Chris."

"I reached and grabbed my butcher knife and I looked around and she kind of run behind me, and Mr. Chris, there he sets at the end of the table, still had his fist drawn up, and he called us both dirty names and out he went with the machines."

It was Buckskin Ethel who "went out and picked up what silks I could pick up and the fur coat out of the mud and drug it up to the side of the house. . . . There was no door on the bedroom. That door was all broken—taken off, and I looked into where I had made the bed before I left and there was nothing left but just what we call, in the Indian way, 'a foot of the bed and the stays.' There was no bed clothes or nothing on it. . . . I stopped by the door and wiped my eyes and held the soap and butcher knife in my hand and . . . all at once something went boom, just like a kid would shoot a firecracker and it was an awful odor."

Buckskin Ethel, soap in one hand and butcher knife in the other, may have eased an otherwise explosive situation, for Grenz then came to her and said, "Granny, you and I have never had no trouble and we never will," and I said, "Mr. Grenz, if I had my money I would go down the road."

Before the trial Grenz seemingly suspected Ethel of having four steel chairs which belonged to him and he approached her on the subject, "He said, 'If they subpoena you, you have got to go, but don't you know nothing.' I looked at him and I got mad and . . . walked away. . . . I would like Chris to tell me the names of the young men that told him I had his four chairs."

Grenz admitted to all of these things, and the jury found for the plaintiff \$200 actual damages and \$5,000 punitive damages from which verdict the defendant appeals.

Held: The judgment of the district court is affirmed. Where the right to possession of real property is in dispute, the owners thereof may not take the law into their own hands and proceed by violence to take possession thereof. . . . Nor is there any doubt but what Grenz, in committing the acts which resulted in Mrs. Brown's eviction, was motivated by a desire to vex, injure and annoy her. Such acts were, therefore, done maliciously. The award by the jury for exemplary damages was thereby justified. *Brown v. Grenz*, 257 P.2d 246, Supreme Court of Montana, May 22, 1953.



"Well at least they're getting practical about these Sunday night meals."

'Legal Ethics' Key Guide For Lawyers; Collects, Digests, Discusses New Cases

Legal Ethics, by Henry S. Drinker, Columbia University Press, New York, 1953. 470 pp. \$4.00.

In 1854, long before the adoption of the Canons of Ethics by the bar associations, Judge Sharswood's *Professional Ethics* was published; but because of its age, that volume is of relatively little value to the current-day practicing attorney. In the early part of the twentieth century, Warville's *Legal Ethics* and Thornton's *Attorneys At Law* appeared, but neither covers the several important amendments to the Canons or their interpretations by the various ethics committees. This book, then, written by the senior partner of the law firm of Drinker, Biddle & Reath in Philadelphia, and the Chairman of the American Bar Association Standing Committee on Ethics and Grievances, stands out as the only complete treatise today on the whole field of legal ethics, for it collects, digests, and discusses rulings of ethics committees all over the country.

Mr. Drinker applies old principles to new conditions, dealing with modern developments such as advertising and solicitation, and fee splitting. He summarizes the many decisions rendered during the past 30 years by ethics committees. In the Appendices, he lists some 300 decisions by the ABA Ethics Committee, never before published; Court decisions specifying grounds for disbarment, suspension, or censure are digested. More important, the ABA Canons of Professional and Judicial Ethics, Hoffman's Fifty Resolutions in regard to professional deportment, and the original Alabama Code of Ethics are published in their entirety.

This treatise is divided into two parts, the first of which discusses organization of the bar and of disciplinary proceedings. Beginning with a short history of the bar in England and in the United States, Mr. Drinker outlines the sanctions of professional conduct, and the history of the Canons of Ethics. He goes on to discuss the procedure and grounds for the discipline of erring lawyers, who do, however, enjoy certain rights of reinstatement, once having been suspended or disbarred. In certain other situations, a lawyer charged with delinquency may resign, but in the American Bar Association "the practice has been not to permit the resignation of members against whom

charges are pending, but some exceptions have been made."

Part II treats with the duties and obligations of lawyers. Mr. Drinker points out the lawyer's duty to police the bar, to represent the indigent, not to stir up litigation, and not to aid in the unauthorized practice of law.

The lawyer also has an obligation to the courts to be fair, to observe a respectful attitude, to be punctual, and a very important duty to disclose relevant matters not brought out by opposing counsel. "The theory of our system," says Mr. Drinker, "is still that justice is best accomplished by having all the facts and arguments on each side investigated and presented with maximum vigor by opposing counsel, for decision by the court and jury."

Besides his duty to the court, the lawyer has obligations to his clients, among which are the obligations not to represent conflicting interests, and to settle cases where to the client's advantage. "Unless a principle is involved which it is essential that the client maintain, a settlement on a reasonable basis, on a fair estimates of the relative chances of the parties, is always far better for the client than litigation, involving time, expense, and ill-feeling."

He further has obligations to "refrain from deliberately stealing another's clients," and not to negotiate with one already represented by counsel. Mr. Drinker emphasizes that he must always show courtesy and good faith to other lawyers, because "the highest reward that can come to a lawyer is the esteem of his professional brethren."

The tone, the character, and the many citations in this sound and well-documented treatise are overwhelming evidence that it will be immensely important to lawyers both as a key reference book and a guide. It is an invaluable addition to the attorney's personal library.

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FUND—(Continued)

52, this rose to \$165,619.10. Last year, 1952-53, a total of \$194,501.62 was received from more than 3,850 donors. It was these gifts, and these gifts alone, which made it possible for the School to postpone an increase in the tuition until next year.

Scholarships

An important part of the Harvard Law School Fund's effort is the Scholarship Committee, now under the Chairmanship of John G. Buchanan, LL.B. '12, of Pittsburgh, Pennsylvania. Last year, a total of \$70,646.78 was given through the Fund for scholarship purposes. A large portion of this sum was in the form of full tuition scholarships given by more than 70 graduates of the School. It is obvious that these alumni scholarships play a very important part in our overall scholarship program, about which I will say more in a later article.

Maintains Alumni Relationships

The Harvard Law School Fund plays an important part in maintaining the contact between the School and its graduates. A large number of alumni have been active as members of the Fund organization. Their efforts, and the resulting gifts to the School, have provided important sources of strength for our work here. If this School is to remain a great center of legal education and development, it will require the continued interest and support of its graduates. We hope that most of the students here now will come to feel that they got something here which they will want to foster and support for their successors in the years to come.

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NEWS IN BRIEF

BSA VICTOR

The Board of Student Advisers defeated the Legal Aid Society in their annual fall football game by a score of 6 to 0. The winning touchdown came in the last minute of the game on a pass from Moses Erlich to Remsen M. Kinney III. The game is fought over large quantities of beer, which is consumed by both victors and vanquished.

EXAMS

Harrison L. Dimmitt, Secretary of the Law School, has announced the schedule for the end of the first semester.

January 16: End of third-year and graduate courses.

January 18: Third-year examinations begin.

January 20: End of first- and second-year classes.

January 21: Second-year examinations begin.

January 23: First semester ends; first-year practice examinations held.

January 25: Second semester begins, first-, second-, third-year, and graduate classes begin.

COUNCIL DANCE

Approximately 200 couples enjoyed the informal dance sponsored by the Dormitory Council last Saturday evening in Harkness. Jerry Bernard's Orchestra provided music for dancing.

Intermission entertainment included a Dixieland jazz concert by the orchestra, and an impromptu Charleston exhibition by Miss Lenore Bentley, vivacious date of Hershel Shanks, LL, who looked on

in amazement. Miss Bentley, who later also displayed her vocal talents, finally recruited a Charleston partner in the person of David Driscoll, 2L, who courageously matched steps with the nimble maiden.

The only mishap of the evening occurred when George Drucker, 3L, collided with the trumpet player during an overly enthusiastic Mexican Hat Dance, breaking two valves on the \$225 horn.

The Dorm Council revealed its new invisible ink checkout system, which is designed to prevent gate crashing. The next Council dance will be held on Dec. 5 and will feature the music of Bob Norris' Orchestra.

AMES COMPETITION

With the qualifying rounds half-finished in the Ames competition, Baker-Smith Equity has won four arguments and lost none. Wilson and Scott have each won three arguments and tied one. Three other clubs have won three and lost one argument.

Four rounds remain in the second-year qualifications for the Ames Competition. They will be argued on the following evenings:

Round five: Nov. 30.

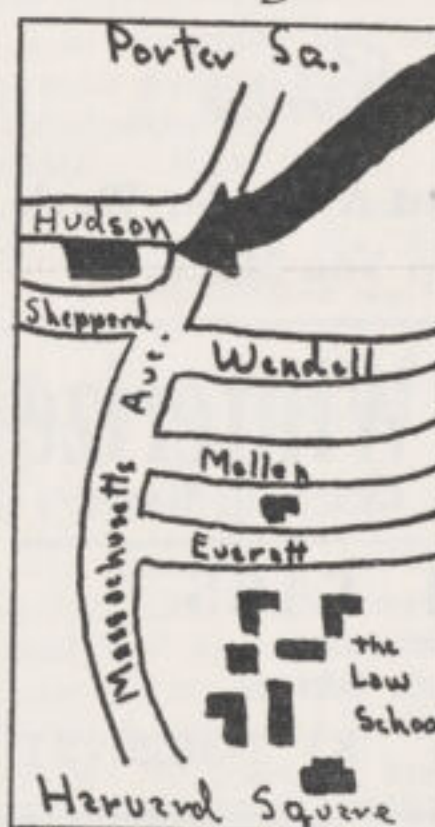
Round six: Dec. 1.

Round seven: Dec. 2.

Round eight: Dec. 3.

The first-year arguments are also half-completed. The remaining ones will be held Dec. 7, 8, 9, and 10, for Rounds five through eight respectively.

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Band Leader Guest At The Coffee Hour

"A good speech, like good jazz, should not be rehearsed," Duke Ellington told an overflow crowd at the Coffee Hour on Nov. 24. Little had to be said about the topic, "Modern Music," for the 30 "crazy kids" and "jaded bar-risters of the highest potential," who filled the Commons, spoke for the fact that it has its charms.

When a loyal fan from the back of the room asked how long it had taken him to compose "Blue Indigo," the Duke answered, "Fifteen minutes on the night before it was recorded."

He reminisced of the days in 1932 when he was asked about his famous pressing with Bing Crosby of the "St. Louis Blues." Crosby was with the Rhythm Boys, and the recording was made at 3 in the morning, since Bing was doing two shows nightly at different theaters. RKO would use Crosby for filling-in on the sound track of movies, but they dubbed in the faces of three trumpet players on the film.

The piano had been conveniently placed close to the speaker's table, and it wasn't long before Ellington eased his six-foot frame down to the keyboard. Then looking out toward the World Tree, he began to improvise.

A book of Bach was on the piano, but when the Duke hit the keys all the old

Alumni Notes

LL.B. '30—*Thorne Caldwell* has been promoted to associate counsel of the State Mutual Life Assurance Co., Worcester. He will have charge of all ordinary life, sickness, and accident claims.

LL.B. '31—*Lazare M. Kaufman* has joined the brokerage firm of A. W. Morris & Co., 9680 Santa Monica Blvd., Beverly Hills, Calif.

Jesse W. Curtis, Jr., has been appointed judge of the California Superior Court. His appointment extends until the 1954 elections.

LL.B. '50—*Coleman Bornstein* has been elected chairman of the Young Democratic Clubs of Massachusetts.

Harvey Greenfield was appointed in September to the legislation and municipal affairs committee of the Real Estate Board of New York.

specialties came out. With his great stage presence, the Commons soon became another Storyville, where he is currently appearing. He admitted it was a little early for him to be making music, and then swung into "Take the 'A' Train" as people began to sway and tap to the rhythm.

After playing the law students lament, "Don't Get Around Much Any More," he gave a serene rendition of "In My Solitude," and followed that by a sparkling arrangement of "Caravan."

"To establish a state of abandon," the Duke played his audience-participation special which had everyone snapping their fingers to fill in for the orchestra as he played.

G.O.P. Backers Invited To Attend Conference At Harvard On Dec. 5, 6

Law School Young Republicans and visitors have been invited to attend the New England College Young Republican Conference to be held at Harvard and Radcliffe Dec. 5 and 6, according to the chairmen of the Conference's arrangement committee, Max Bell, 3L of Framingham, and Edmund R. Schroeder, 1L from New York City.

The conference will provide young G. O. P. supporters an opportunity to hear party and government leaders, and to discuss topics of current interest.

At the opening session on Saturday afternoon in the New Lecture Hall, Rep. Chester E. Morrow (R., N. H.) will speak, probably on some aspect of foreign affairs. He is a member of the House Foreign Affairs Committee, and has just returned from a trip abroad as chairman of a Foreign Affairs subcommittee which studied the specialized agencies of the U. N.

Following Morrow's address, the conference will meet in committees to consider these topics: foreign policy and defense; public and private rights in investigations; industry and tariffs; agriculture; labor; taxes; campus organizations; and fund-raising.

Saturday evening the conference will meet at Agassiz Hall, Radcliffe, where there will be another speaker, as yet unannounced. After the address there will be a reception for all delegates. On Sunday morning, committees will meet again, and at 1 p.m. the conference will receive and act upon committee reports.

HANSEN—(Continued)

Mr. Hansen told the Club that such a system costs more than \$500,000 per year, and is, therefore, not feasible for the small brokerage or investment-counseling firm. Such firms must rely upon their own judgment and on published information which they can obtain from financial publishing firms such as Moody's or Standard & Poors, and from the larger brokerage firms.

Security Analysis a Profession

Mr. Hansen, who is past president of the Boston Security Analysts Society and the National Federation of Security Analysts Association, believes that security analysis is a profession, and that in the near future examinations will be required by law which will place security analysis on a more equal rank with the other professions. A bill is now pending in the New York Legislature which would require such an examination before one could practice security analysis.

Method of Analysis Shown

Mr. Hansen distributed to Bull and Bear members a check list of the points which a security analyst investigates in every company which he analyzes. He showed how to compare the relative merits of two companies within the same industry by studying their histories, giving as examples Thompson Products and Briggs Manufacturing Co.

FELLOWS—(Continued)

chairmanship of Professor Warren A. Seavey is primarily responsible for the selection of fellows. Emphasis is placed by the committee on personal qualifications likely to make the applicant an effective leader of group discussions as well as on law school record. No teaching fellow has been appointed who did not have a B average or better.

SBA—(Continued)

Counsel for the Witness in a Public Investigation" is tentatively scheduled for Feb. 1.

The lectures will probe the basic theory and the legal and ethical problems involved in the non-judicial framework of public investigation. The discussions will analyze the dangers in immediate publicity of testimony, difficulties in cross-examination, the problems of leading questions, the role of counsel for witnesses, and the impact of investigatory techniques on civil liberties.

APPEAL—(Continued)

including *Snyderwine v. McGrath*, 343 Pa. 245, 22 A.2d 644 (1941), of which he said, "It's only a little case, but there are those who love it."

The court upheld the "preponderance of evidence" instruction, claiming that "clear and convincing evidence" is the test only for criminal actions in the Commonwealth of Ames, while the former applies for civil actions. They saw little reason for this case to be held as an exception.

Donald W. Dowd, 3L of Lowell, and William I. Schapiro, 3L of Elizabeth, N. J., assisted Professor Loss with the appellants' brief and in preparing the oral argument, and John M. Kahn, 3L of Uxbridge, and Donald L. Rome, 3L of West Hartford, Conn., aided Dean Griswold.

This was the fourth year in which a model Ames argument of this type has been held. Dean Griswold has faced Professors Cox and Hardee, as well as Professor Loss.

The Price-Niles appeal allowed each counsel from 30 to 35 minutes, approximately the time allowed in the first-year arguments.

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AMES—(Continued)

ner Club, John A. Mitchell of Haynesville, Me., and Archibald C. Spencer of Minneapolis will argue.

The orators for Griswold Club will be John A. Moore of Denver and Jeffrey O'Connell of Worcester. Story will be represented by John M. Dickey of Springfield, Mo., and John V. L. Elliott of Bethesda, Md.

Gardner Brief Writers

Brief writers for the Gardner Club are George Chimples of Hamilton, Ohio; Frederick D. Houghteling, Washington, D. C.; William S. Ellis of Roxbury; James C. Ingwersen, Portland, Ore.; James M. Rose, Jr., of New York City; and Fred Wyle of Brooklyn, N. Y.

On Brief for Jaffe

Counsel appearing on the Jaffe Club brief include Lawrence S. Fordham of Chicago; John M. Harding of Lenox; Charles H. Harff, Cambridge, N. Y.; James T. Haris of Walpole, N. H.; Robert B. Matusoff of Dayton, Ohio; and Raymond L. Posel from Philadelphia.

News From Prof. Morgan

Friends and former students of Edmund M. Morgan, LL.B. '05, Royall Professor of Law, Emeritus, will be interested to learn that he and his wife are preparing to spend the last two weeks of January in Puerto Rico.

The RECORD has been informed that Prof. Morgan's purpose in making the visit "is to confer with the Advisory Committee of their Supreme Court. I have taken on the job of drafting a set of Rules of Evidence for them."

Professor Morgan taught at the Harvard Law School from 1924 until his retirement in 1950. He then joined the faculty of Vanderbilt University Law School in Nashville, Tennessee.

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