

Percentage Failing Bar Exams Rises



America's Oldest Law School Newspaper

VOL. 38 NO. 1
CAMBRIDGE, MASS.

FIFTEEN CENTS
JAN. 30, 1964

An alarming increase in bar exam failures of Law School graduates is a source of growing concern to the Administration, Dean Erwin N. Griswold disclosed this week.

Only 73% of the Law School graduates who took the New York bar exam in July passed it, Dean Griswold said. And in 1962 the figure was a hardly more impressive — 75%. Traditionally the figure of passes has run close to 90%, the Dean said.

Of 73 persons who took the Massachusetts bar exam for the first time in June, ten failed it. The Dean said that the number of failures was at least twice what is normal.

(Continued on page 12)

Georgia Alumni Charge Unfairness

The Harvard Law School Association of Georgia has sharply criticized the RECORD for its "irresponsible disregard" of "basic standards of factual accuracy and fairness" in publishing an article headlined "Albany, Ga., Called 'Police State'", last fall.

The article, published October 3, 1963, was an interview with Elizabeth Holtzman, 2L, who worked in Albany last summer with Negro attorney C. B. King. She made a series of charges about police brutality and

repression of demonstrations which she said were based on sworn affidavits filed with the FBI.

In addition to deploring the RECORD's lack of fairness and objectivity, the Association submitted a series of answers to Miss Holtzman's accusations. The findings were based on an investigation by Holcombe H. Perry, Jr., an Albany attorney who is immediate past president of the Georgia Bar Association.

(Continued on page 4)

Wins Special Election by 2 to 1

Student Storms State House

By Michael Hampden

Despite an early write-off by political forecasters in his race for the Massachusetts State Legislature, Charles W. Long, 2L, a Republican won a decisive two-to-one victory over Peter J. Cloherty, a political pro, in the heavily Democratic Allston-Brighton ward of Boston.

How did he do it? The answer seems to be that with a great deal of political skill and determination, Long took advantage of a situation ripe for such an upset.

First, this was a special election to replace Rep. William F. Joyce, a Democrat, who was killed in an automobile accident last fall. The very light vote characteristic of a special election can work to the advantage of a political outsider: more hinges on the organizational effectiveness of the individual campaign than on the district's sheer number of regis-

(Continued on page 6)



Charles W. Long

On Journalistic Responsibility

In a resolution directed to the Dean and Faculty of the Law School (story, page one,) the Harvard Law School Alumni Association of Georgia charges that we showed "deplorable" judgment in publishing the story "Albany, Ga., Called 'Police State'" (October 3, 1963.) The end of this editorial is not to debate the merits of a debatable issue, the state of affairs in Albany, Ga. Rather, our aim is to justify the publication of that article and to show several shortcomings of the resolution, shortcomings so apparent that we would hesitate to point them out did they not represent the efforts of a distinguished group of men from a distinguished school.

The *Harvard Law RECORD* is not a judicial tribunal and does not purport to be one. Our standard of publication is that a story, news or feature, be reliable to the best of our knowledge and that it be of legitimate interest to our readership. Without asserting our own infallibility, we think that the article concerning Albany, Ga., containing the clearly-marked allegations of a second-year law student who had spent the summer in that city, met that standard.

The argument which it presented was hearsay, but it was also the presumably reliable testimony of a Harvard Law student. Her argument offered a somewhat obscured side of a less than obscure subject, the other side of which has received wide national publicity from respected journals.

A free press can not afford to be irresponsible, but at the same time it has a duty to see that citizens are well-informed and widely informed on the public issues of the day. The *RECORD* hopes to serve this purpose. If a newspaper had to double-check every story which it printed and swear to its correctness, the dissemination of news would be seriously impeded, and this duty could not be well-served. If the *RECORD* had checked the facts in the instant case, publication of the story would have been delayed to a point where it would have lost its relevance as a state-

(Continued on page 15)

Harvard Law Record

Charles M. Hamann	President
Daniel J. Kucera	Vice President
Donald W. Kramer	Executive Editor
Stewart D. Davis	Managing Editor
Roger P. Bernhardt	Business Manager
Walter V. McLaughlin, Jr.	News Editor
Michael D. Hampden	Feature Editors
Thomas E. Woodhouse	
Bruce Abel	Senior Editor
Robert A. Grayson	Associate Editor
Richard A. Hannaway	Assistant Managing Editor
Peter F. Knopp	Assistant Features Editor
Myer J. Sankary	Assistant News Editor

Associate Staff

Brian Christaldi, Edward H. Hein, Neal W. Johnston,
Elaine M. Kalenevitch, Caroline M. Simon, Richard S.
Toder.

Published on Thursdays ten times each semester by THE HARVARD LAW SCHOOL RECORD CORPORATION, 23 Everett Street, Cambridge 38, Massachusetts. Subscription price: \$2.00 per semester, \$4.00 per year mailed; student subscription, \$2.00 per year distributed at the Law School. Individual copies 15c each at the Law School, 25c each mailed. Business and editorial offices, 23 Everett Street, Cambridge 38, Massachusetts. Telephone UNIVERSITY 8-7600, extension 418. Permission is given for reproduction of any part of an article appearing herein provided that credit is given to both the *RECORD* and the author of the article. Second class postage paid at Boston, Massachusetts.

TONGUE 'N CHEEK

By Fenno

The morning of the accounting exam I was busy deferring my last minute studying over a cup of coffee with an appreciated friend.

"Say friend," I said, "I can barely wait to take on that old exam with my wonderful orange electric pencil with the electromagnetic eraser that I got for Christmas."

"Then I'll see you in the typing room," friend said.

"But, I was planning to use it in the writing room, after all it is just like a regular pen."

"Hogwash," friend said, "it is a mechanical device through which current flows and it probably hums a little—it is perfectly analogous to an electric typewriter."

"No, no," I protested, "it writes it doesn't print; and it makes more noise than the clicking of a retractable ball point. In fact, it looks just like an ordinary pencil—except for the thirty foot cord."

"Why don't we look at the purpose of separating the typists and the writers," friend suggested.

"The purpose is to keep one room quiet and the other noisy," I replied.

"Than why is it you can smoke in the typing room and not in the other? Smoking doesn't make any noise."

"Well, that does make things more difficult," I answered. "Maybe it is because both smoke and noise are evils of society. In which case I should be in the typing room because my wonderful electric pencil is a good."

"You'll have to make up your own mind," friend said, "but remember that you have a duty to the law school, or maybe it's a right to some kind of action or a liability—at any rate, don't rock the boat."

I went back to my room and pulled the plug out of my wonderful electric pencil and threw it away. I picked up my old fountain pen and my accounting book and left for the exam. It's another world.

Third Year Class Elections Set

Third year students who wish to run for election as Class Marshall, Secretary or Class Committeeman must file petitions by Friday, Feb. 14, Raymond G. McGuire, chairman of the Ad Hoc Election Committee, said this week.

Petitions and memoranda concerning the election process and official duties are available at the Receptionist's Desk in Langdell. The election will be held Thursday, Feb. 20.

At the same time, the class will be asked to ratify the Class Charter, prepared by a special subcommittee under the direction of Thomas J. Boodell, Jr. The document, which provides rules and procedure by which class affairs are to be managed, follows closely the pattern of previous class charters. Copies are also available at the Receptionist's Desk. Boodell said that suggested changes or additions will gladly be considered.

The five winners of the class election will appoint four other committeemen on the basis of geographical representation, and the nine officials will then be in charge of maintaining class unity and directing alumni proceedings.

The Ad Hoc Committee is appointed each year by the Phillips Brooks House Committee to represent a variety of student groups.

In addition to McGuire (PBH) and Boodell (St. Thomas Moore Society), the Committee is composed of Myles Hannan (Voluntary Defenders), Donald W. Kramer (RECORD), Nancy M. Kuhn (representing the lady students), James B. Lampert (Board of Student Advisers), Jack I. Samet (Dormitory Council), Neil Shilling (ILC), and Russell E. Van Hooser (Republicans).

RECORD Plans Smoker

The RECORD will hold the last of the great smokers on Friday, January 31, from 4:30 to 6:00 in the Grey Room of Holmes Hall to commemorate the passing of the cigarette. First year law students who are interested in having something to tell their grandchildren about smoking, drinking and a law school career of journalistic greatness are particularly welcome.

Wallace Trial Begins Wednesday

Fred L. Wallace's change of venue motion was denied by Virginia Circuit Court Judge Carlton Mayes after nearly two hours of argument last week. The Negro third-year student will stand trial in Farmville, Prince Edward County, on a felonious assault count beginning next Wednesday.

Wallace, who is charged with assaulting a police officer during a scuffle in the Farmville Court House, July 28, faces a possible 10-year sentence on the felony charge. He is also being tried on several misdemeanor counts, including disorderly conduct and cursing an officer.

A hearing on the change of venue motion was originally scheduled for January 13, but because of the blizzard that blanketed the East, it was postponed until January 21. Wallace, who had flown down for the hearing, remained for the week and took his mid-year examinations in Virginia.

The Case(y) Method of Dying



Last Saturday some five hundred first-year students assembled at the request of the Harvard Law School faculty to take a practice exam. Harvard, the largest, wealthiest, and self assuredly finest legal institution in the world asked these students, such as those shown above, to contemplate the consequences of Drs. Kildare and Zorba injecting Jungle Fever virus (type "B") into the pounding veins of Dr. Casey.

The creators of the Casey controversy had the decency not to appear; however, even if they had, no incident was likely, as most students were too busy remembering their prior pious protestations that after all they didn't give a damn about practice grades to be bothered by their badgerers.

RECORD Hit

(Continued from page 1)

tion, and was 1962 Chairman of the American Bar Association Committee on Unauthorized Practice of Law.

The investigation was carried out by interviews with Albany Police Chief Laurie Pritchett, members of his department, the City Attorney Grady Rawls, Recorder's Court Judge A. N. Durden and agents of the FBI. The official dockets of the Recorder's Court and the Superior Court of Dougherty County were also examined.

In a point-by-point refutation, the Association cited Chief Pritchett's denial that he had ever physically contacted demonstrators or had seen or heard of incidents of brutality by his officers. The investigation also denies other allegations of brutality and harassment.

(Another point of view, supporting Miss Holtzman's charges, is contained in a memorandum submitted to the RECORD late this week by Attorney King. See RECORD, next week.)

The findings were incorporated in a resolution passed by 40 members at the mid-winter meeting in Atlanta, December 6.

The Association said the "publication of such charges against governmental officials, without a very thorough investigation and substantiation, is particularly deplorable in a journal edited by students at the Harvard Law School, since that School has always set the highest standards of fairness and objectivity in the treatment of all issues."

The resolution was submitted to the Dean and faculty with the "recommendation that this matter is deserving of their serious consideration."

The resolution was read at a faculty meeting this month without comment from the Dean or the faculty.

The complete text of the "Accusations" and "Findings" is printed below.

1. THE ACCUSATION: "Albany is a police state. Laurie Pritchett,

the Police Chief who has built for himself a nationwide reputation for non-violence, has himself beaten demonstrators and dragged girls by the hair." THE FINDINGS: According to Chief Pritchett's own statement, he has never personally handled or physically contacted demonstrators in any manner whatsoever. Furthermore, he denies having seen or even having reported to him any beating or dragging of any demonstrators by any officers of his command. It would seem apparent that had any of the alleged incidents actually occurred, any good faith complaint would have been reported to the police authorities at once.

2. THE ACCUSATION: "The demonstrations have been ruthlessly repressed". THE FINDINGS: According to Chief Pritchett, this is absolutely false. All demonstrators have been dealt with in a manner consistent with good police practice and the Albany Police Department has treated all demonstrators as ordinary law violators.

3. THE ACCUSATION: Miss Holtzman personally helped handle 500 cases involving demonstrators in Albany and the surrounding territory. Her employer, C. B. King "now has 2000 or 3000 cases on appeal." THE FINDINGS: While more than 2,000 cases were made in Albany, only 15 to 20 have been tried, some of which, however, involved more than one defendant. From these cases, only some 75 writs of certiorari have been filed. This is a glaring comment on the competency of Miss Holtzman's observations.

4. THE ACCUSATION: "The city jail in Albany has a reputation for being the worst in the South." THE FINDINGS: The jail facilities are admittedly below what they should be. Recognizing this, Albany city authorities recently proposed a bond issue to construct new jail facilities. Negro citizens voted overwhelmingly against the bond issue.

5. THE ACCUSATION: "White integration workers have been beaten unmercifully by their fellow inmates, paid, according to sworn affidavits, by the police." THE FINDINGS: There have been no

reported incidents of mishandling or beating inmates of the city jail. There was one disturbance in the jail caused when two servicemen being held therein became disgusted with demonstrators when they refused to work as the other inmates were required to do.

6. THE ACCUSATION: "White girls have been forced to strip in front of white males." THE FINDINGS: No female, white or colored, has ever been required to strip before any male. All female demonstrators have been searched by matrons.

7. THE ACCUSATION: "One girl was dropped on the sidewalk eight times when she was arrested and dragged into the jail cell by her hair. A Negro minister was dragged by the genitals." THE FINDINGS: All female demonstrators, when apprehended or arrested, were carried into the jail by means of stretchers if they became passive or refused to walk. The use of stretchers for this sort of situation was covered by national news media. The specific charge regarding the Negro minister referred to the Reverend Samuel Wells. This charge was brought to light during his stay of more than one week in the city jail. He was interrogated personally by Chief Pritchett and he denied that he had received any injuries or that he had been handled in any manner so charged. After his release under bond, he was examined by a private physician who also verified that he had received no injuries and had not been mishandled as claimed.

8. THE ACCUSATION: Negro children who tried to swim at a non-privately owned all white swimming pool had "burning matches dropped on their flesh." THE FINDINGS: The charge again is a complete fabrication. Police, who would have been the first informed that such thing had actually occurred, have absolutely no record of any occurrence of this kind.

9. THE ACCUSATION: The FBI has done nothing about these cases despite sworn affidavits filed with the Bureau. THE FINDINGS: The FBI has thoroughly investigated every complaint involving police

(Continued on page 14)

Civil Juries Placed on Trial

By Michael Hampden

"Jury trial is the apotheosis of the amateur. Why should anyone think that twelve persons brought in from the street, selected, in various ways, for their lack of general ability, should have any special capacity to decide controversies between persons?"

With these words Dean Erwin N. Griswold last fall in his annual report to Harvard President Pusey, opened the 1963-64 season of what has become the legal profession's most exciting sport: debating the question of abolishing the civil jury.

It would be comforting to think that we are academically toying with constitutional machinery from the loftiest of motives — the speedy justice of a court sitting without a jury ("Justice delayed is justice denied") weighed against the unimputable fairness of a jury decision ("Slow justice is better than speedy injustice"). It is true that we have heard a great deal of this in the past months.

But the sheer amount of energy and persistence which has gone into the appeals from some quarters suggests there may be more, or less, to it than fidelity to our great legal heritage. For many practicing lawyers this rightfully is a question both of principle and of survival, at least at the level of attainment to which they are accustomed.

The organizational focus of the opposition to the Dean's point of view has been the National Association of Claimants' Counsel of America (NACCA), representing nearly 15,000 trial lawyers, most of whom are involved in personal injury litigation.

NACCA is no newcomer to this particular fight, and no amateur. For years it has been contending with critics of high jury awards in accident cases, principally the insurance companies. That criticism is less frequently heard now, since the insurance industry has discovered two things: their business is thriving despite correspondingly higher premiums, and, according to Dean Griswold, their reserves for payment of judgments against them earn interest during the delay caused by crowded dockets; consequently they are more willing to risk a jury trial.

On this point, the Dean recommends that all personal injury awards earn 6% interest from the date of the filing of the suit — more

than the insurance companies can themselves earn on their reserves. Conceivably this would discourage defensive stalling and make immediate settlement more attractive. With this reform, NACCA is in accord, an official said recently.

Only a few, Dean Griswold among them, have questioned a jury's capability as a fact-finder. The most widespread objection is that jury trials are responsible for the great delays in virtually all metropolitan jurisdictions. The main thrust of NACCA's response is that we must not eliminate a constitutional right in order just to save time.

NACCA's President, Jacob D. Fuchsberg, argued against abrogation of the civil jury right on three fronts: that the docket delay is exaggerated, that eliminating juries would not save time, and that less drastic methods have been proven effective.

To say that a court is 24 months behind sounds impressive, Fuchsberg said, but neglects the fact that up to 90 percent of the cases scheduled will be settled, and the important ones will get preference by the court. This means that the average time between filing and trial for the 10 percent actually tried is a great deal shorter than 24 months. The reply of the jury critics is that the delay is precisely the cause of the high incidence of settlement; the average injured plaintiff simply cannot afford to wait long for his compensation.

Fuchsberg's second point was that a trial before a judge is as time-consuming as one before a jury. The judge is rarely present during the selection of the jury or during its final deliberation; he is busy on other cases. Furthermore, a judge is less likely to press for settlement when he is to be the final arbiter of the facts, and he is less disposed to keep out irrelevant testimony. He will allow fewer recesses with a jury assembled, and grant fewer continuances. The "abolitionists" on the other hand point to the opening and closing statements to the jury, often accompanied by time-consuming theatrics, the involved testimony on simple issues for the jury's benefit, the judge's often lengthy

(Continued on page 10)

Student Snags Election

(Continued from page 1)

trants in the respective parties. In Long's election, fewer than 3000 of the ward's 17,300 voters came to the polls.

Long explained another factor in the light vote: 20 percent of his constituency is over 65 — one of the highest proportions in the state.

From the outset Long capitalized on the thin vote in prospect with a hard-driving, personal-contact campaign; doorbell ringing, telephoning and mailing. His card read, "Stop the State House Gang! Elect Charles W. Long."

A small but enthusiastic organization, managed by Howard Phillips, Harvard '62, was providing voter transportation to the polls right up to closing time.

Although Democrats in Brighton out-register Republicans three to one, in recent statewide elections the district has been carried by Republicans, including Ex-Gov. Volpe, Sen. Leverett Saltonstall and Atty. Gen. Edward W. Brooke.

It is difficult to assess the importance of substantive issues in an election of this character, but Long shrewdly stressed those which would help him most. He campaigned on a stronger Crime Commission (as a former legislator, Cloherty had voted for a weak bill), against the recent legislative pay raise (for which Brighton voters had shown distaste in a statewide referendum) and for the retention of capital punishment (his district favors capital punishment by five or six to one, Long said).

Long's campaign was financed by the Republican State Committee, with the help of thirty or forty individual contributors. His expenses for the primary were about \$700; for the election, about \$2500. Half of this expense was for mailings. Printing, telephoning, newspaper advertizing, a few paid workers, and a one-shot radio appeal accounted for the rest.

Since his election, Long has found public life a busy one. The Legislature convenes Monday through Thursday in the afternoons. He has accepted three or four speaking engagements a week with local groups, but expects these to level off. He receives many

requests for advice and favors, including complaints from tenants without heat or water — the number of absentee landlords is high in his district, Long observed.

As a result of redistricting of the Legislature, Long's ward, now with three Representatives, will be reduced to two in the fall. This summer will thus be spent campaigning for re-election against the two Democratic Representatives from Brighton, Norman Weinberg (a veteran of 12 years) and Arnold Epstein (in his first term, having beaten Cloherty in the 1962 primary).

Long will stay publicly aloof from the Republican Presidential nomination race since "open support of national figures rarely helps in local politics." His personal preferences, however, are Richard M. Nixon and Pennsylvania Governor William W. Scranton, either of whom, he feels, may well capture the nomination in the event of a deadlock.

"Although Representatives of my age [23] are rare in this area," Long remarked, "there are many of us in our twenties in the Legislature. In the western districts of the state, it is not uncommon for law students to run for State Representative."

Long received a cordial reception at the Legislature, but admitted he got some "sass" from some of Cloherty's friends. ("Welcome Mr. Long. I'm one of the 'State House Gang'.")

Long, a graduate of Harvard College with honors in Government, lives in Allston with his wife, Diana Joy, and their one child.

Special Scholarships Available

The few students who come within the special terms of one or more of the restricted scholarships administered by the Harvard University Committee on General Scholarships should obtain application blanks from the Financial Aids Office. The deadline date for filing these applications is February 20.

Regular Law School Financial Aid blanks will not be available until after the first of March.

High Charity Goals Set

Larger contributions and greater student participation are the goals of this year's charity drive, which opens Monday, Feb. 3 and runs until Feb. 10. Raymond G. McGuire, co-chairman of the drive, told the RECORD last week that he hopes to be able to make up for the poor showing of last year when only \$1,200 was collected for charity. Previous charity drive contributions had averaged between \$1,800 and \$1,900. The aim this year, he said, was to regain that level of giving and surpass it, if possible.

In reference to the effort to get a larger percentage of the student body to contribute, McGuire said "Our experience over the past has been that much of the money collected came from sizeable gifts by a few students, while a great many others contributed nothing at all." In order to achieve this participation, drive volunteers will approach personally dormitory students who have not already given in response to an initial letter which will start the drive.

Even if \$1,800 or better is collected, the Law School will still be far behind the University and the Business School in its average donations. The Law School average has been between one and two dollars per student. The University and the Business School, in their charity drives, have averaged five dollars per student.

This year's drive expands considerably the choice of charities to which the student may give his contribution, over previous years when only a few charities were available for choice. This year, in making his contribution, a student may choose his favorite charity from a list of fourteen charitable organizations. Money not designated for any specific charity will be distributed among different charities at the discretion of the Chairman.

Posters placed on the bulletin boards next week will advertise the drive and there will be a booth where contributions may be made in Harkness Commons at lunch time. In addition a box for contributions will be set up at 23 Everett street.

The charity drive is sponsored by the Law School Committee of the Phillips Brooks House. Sharing the management burden with McGuire is co-chairman William A. Merritt, Jr., 3L.

Cigarette Sales Off a Bit

Are Harvard Students smoking less now and enjoying it more?

The effect of the health report on smoking may have run its course according to Charles P. Condon, 3L, manager of the concession at Harkness. Sales indicated that smokers tried valiantly to substitute sweets for tobacco. Even before the report was issued, sales on cigarettes dropped about 5%. Since the government report was made official, sales dropped 20% in the first week, but rapidly returned to about 10% below normal this week. Candy sales rose proportionately to 20% above normal. Condon predicted normal sales within another week.

Condon also noticed a remarkable shift to Lark, which advertises a special charcoal filter, and an increase in sales of cigars and pipe tobacco.

An unpredicted increase in the sale of toothpaste remains something of a mystery to Condon. He thought it may have something to do with completion of mid-term exams.

25 Seek Rights Jobs

Twenty-five students have submitted applications for civil rights jobs in the South this summer, according to Joel F. Henning 3L, head of the Law Students Civil Rights Auxiliary Group.

In addition to clerkships with civil rights lawyers, some students will be assigned teaching duties at Tougaloo Southern Christian College, the only willingly integrated institution in Mississippi.

Teaching assignments will probably be in the area of pre-law.

Henning is hopeful that all applicants will be found jobs, and is pleased that so many students are seeking these positions which pay no salary.

Other students interested in working for room, board and civil rights may contact Henning, he said.

Land Usage Exhibit Showing

There will be an exhibit of Harvard University Press books on Land Usage in the entrance hall of the Law School Library from January 3 through February 7.

In Search of Truth and Gold(water)

By Stewart D. Davis

Mr. Goldwater was followed everywhere by about a half-dozen Harvard law students, who asked him to clarify his views. He and his staff seemed slightly annoyed by the end of the day. One student identified himself as Edward Cabot, 26,

Thus, with a comma, ended one *New York Times* account of the non-Goldwater followers who spent some time last week following Goldwater from town to New Hampshire town.

More insight was gained the next day when *Times* reporter Charles Mohr, apparently finding Sen. Goldwater growing repetitious, joined with his fellows of the fourth estate to dub the law students the "Harvard Truth Squad." The squad asked Goldwater a few pointed but "non-heckling" questions on such subjects as Social Security and the U.N., Mohr reported. Martin A. Linsky 3L, who did not identify himself to the *Times*, told the RECORD what he told Mohr, "We just came up to see what this guy is saying."

The RECORD took up where the *Times* left off and asked Edward S. ("Ned") Cabot, 3L why he had trekked to New Hampshire to question Mr. Goldwater.

He said that the squad members want to get Mr. Goldwater to clarify his views and make his meetings with the electorate more meaningful. "In short," said Cabot, "we want to make him express his sillier views." The squad wants to make things so tough for Mr. Goldwater that he will be eliminated and "we can turn to a more meaningful consideration of other candidates." Cabot admitted a present leaning toward Mr. Rockefeller with a future interest in Scranton and Lodge.

Cabot called the "Truth Squad's" operations "strictly day-to-day", resulting from luncheon meetings in Harkness Commons. He said that he and his friends would probably go listen to and question the Arizona Senator again.

Linsky stated that the squad members were in fact "several Republican partisans interested in making the weaknesses of Sen. Goldwater's position abundantly clear" who "decided it was our responsibility to make sure that at his gatherings he was confronted with reasonable questioning on issues where

his position is vulnerable."

Calling the Senator "especially out of touch" with such issues as medical care, social security, and the UN, Linsky frankly admitted that the squad was trying to vitiate the Senator's support. If in fact Mr. Goldwater is thrown from the race, Linsky would like to see Rockefeller run.

One of the most constant travellers to New Hampshire is Emil H. Frankel 2L, who too is trying to question and get Mr. Goldwater to straighten out what Frankel calls "uncertainties in his position."

Frankel stated, that what he enjoys most is just going to New Hampshire to talk to people in the towns there, sitting down with them and telling them why he is for Rockefeller and against Goldwater. Frankel had been making these excursions in November before President Kennedy was shot, and, since he found the New Hampshirites enjoying his company, he plans to go up again.

Some 35 to 40 law students will be giving some of their time, maybe a day a week, canvassing for Gov. Rockefeller, it was reported by John R. Price 2L. These Republican stalwarts will go from house to shingled house, passing out propaganda and talking up their reasons for supporting Rockefeller to the voters.

Joel Teaford 2L, filled in further the pro-Rockefeller activities, saying that before Kennedy's death he and some 20 other Rockefeller supporters had been laying the groundwork for Rockefeller's campaign, talking to persons who it was thought might support Rockefeller, trying to get them to head up local committees.

While the work is being forwarded for a rocky road to GOP victory, the law and graduate school Republican club is keeping strictly neutral. According to its president, Robert C. Kirkwood, Jr. 2L, "We are not allowed by our Constitution to make any pre-convention endorsements."

Also underway is a movement for Sen. Goldwater. Of the nine-member Harvard Students for Goldwater Committee five are law students: H. Woodruff Turner 3L, Mark W. Murphy 3L, Lawrence L. Bowles 2L, Steven Ellis 3L, and Richard R. Mainland 3L.

(Continued on page 9)

Seeking the Truth

(Continued from page 8)

This group was inactive during the Kennedy moratorium, vacation, and exam week, but "Woody" Turner said that they gathered last Friday to discuss future plans. From the meeting came two concrete plans, the first of which is to hold a general organization meeting for Goldwater supporters Feb. 12. There committees will be formed to explain the Senator's positions and put them in the best light.

The other plan is a negative one — not to

send people to New Hampshire to harass Gov. Rockefeller in any way. "Our energy," said Turner, as if talking directly to the squad of questioners who were thought by some to have 'heckled' Goldwater, "will be directed toward affirmative action."

Elaborating further, Turner said he thinks the squad's constant questioning of Goldwater will have a negative effect; New Hampshirites will think of the squad as "foreigners from Massachusetts, and from Harvard to boot." Applying the final epithet of "carpetbaggers" to the squad, Turner

(Continued on page 12)

Ripon Society Calls for Moderate GOP

It should not be surprising that the names of the men who travelled to New Hampshire to question Sen. Goldwater often are heard in another context, that of the Ripon Society. Not all of those who went to New Hampshire are Riponers, and further those who do belong to the society went to see Goldwater as individuals and not as representatives of, or even as members of, the society, they said.

The Ripon Society derives its name from Ripon, Wis., the town where the Republican Party was born in the mid-19th century. Its platform is a call for a rebirth in that Grand Old Party. Formed in December of 1962 by Emil H. Frankel of the Law School and John S. (Jack) Saloma of M.I.T., the society is now made up of some 40 law and graduate students and young professional and business men. Patterned after the English Bow Society, a one-time powerful group of progressive Conservatives, the Ripon Society has the aim, in Frankel's words, "to take public problems and research them and develop a reasoned Republican response to them . . . to bridge the gap between academia and politics . . . to tie bright young people to the Republican Party." In the words of Ned Cabot: "We are trying to define a Republican position different from the Democrats' but worlds apart from Goldwater's." Both men stressed the high degree of consensus and group spirit in the Ripon ranks.

Presently the group is working on a civil rights paper which will discuss what the GOP has been doing and what the Party's response should be to the present bill in this field. The paper will be finished and distributed within the next three weeks.

In a now well-publicized paper, "A Call to Excellence in Leadership — An Open Letter to the New Generation of Republicans" which was released on Jan. 6, the Society sounds a clarion call for liberal progressive Republicans to set to work and gain control of the country's political center. Mourning President Kennedy's death, the paper appraises the Republican position after that death and says, ". . . the center is once again contestable. We believe that the Republican party should accept the challenge to fight for the middle ground in American politics. The future lies here."

Stating that the Democratic Party under President Johnson will hark back to the New Deal and will thus be the "stand-pat conservative party of today," and rejecting the "strategy of the right" (built on "a coalition of all who are opposed to something") the paper opines that the future of the GOP lies in moderation.

The program called for is both simple and general — with pragmatism in emphasis and moderation in methods, it will strive "with a passion to get on with the tasks at hand." The moderation the paper is pushing is "a point of view, a plea for political sophistication, for a certain skepticism to total solutions." It demands "the audacity to be adaptable, to seek the limited solution most appropriate to the needs of [the] nation, its institutions, and its people."

Calling for the creation of "fiery moderates," these "Kennedy Republicans" want their party to inherit his legacies and to bring under their party's banner the moderate and the young persons of America.

Civil Juries

(Continued from page 5)

instructions, and the time spent in arguments and rulings on points of evidence.

Finally, Fuchsberg argued that measures short of abolishment have eliminated congestion in some courts. An amendment to the Florida Constitution provides for an additional judge automatically with each increase of 50,000 in the population, and that state's delay problem is solved. In New York, the Chief Judge of the Court of Appeals, Charles S. Desmond, has repeatedly failed to get legislative backing for sufficient judgeships, he said.

Judge Desmond, an outspoken proponent of scuttling the civil jury, contends that these and other devices such as longer court hours, circulation of judges to courts where most needed, and dismissals for lawyers' delays, have done little to relieve the backlog. In Dean Griswold's words, "... the best that can be done ordinarily ... is to hold our own. Rarely do we put our finger on the real cause of delay in the administration of justice, which is the ... prevalence of jury trials in ordinary automobile accident cases."

Dean Griswold has received many replies to his stand on the issue, "some rather heated, but others quite thoughtful," he said. One of the latter group from a Massachusetts attorney argued that some of the best judges favor elimination of the jury because they erroneously assume their brethren can handle non-jury cases as capably as they. The overall level of judicial competency, the Dean admitted, is the strongest argument for retaining the jury system.

In the attorney's letter to the Dean several steps were proposed to reduce the backlog in the Massachusetts Superior Court. Among them were:

Granting more of plaintiffs' motions for a speedy trial, and fewer remands to the District Court.

Utilization of six-man juries, which have been successful in Worcester, Massachusetts.

Consolidation of several counties for jury purposes.

Granting of more summary judgments and partial summary judgments on the issue of liability only. A partial summary judgment for defendant would end the

case; for plaintiff, would induce defendant to settle on the damages issue.

Pressure by the state Insurance Department to dissuade defendant insurance companies from insisting on jury trials.

An interesting characteristic of the debate is that the same facts are sometimes used by both camps to support antithetical conclusions. Studies show that a high proportion of jury verdicts would have been decided the same way by the presiding judges. It has been said for this reason both that we should abolish and retain the jury. Somehow jury duty makes people appreciate the judicial process by engaging in active citizenship, and yet those who have served are said to be the most vocal critics of the waste of time and money they witnessed. From one corner it is said that the strict rules of evidence in jury trials speed up the litigating process; from the other, that they drag it out.

The discussion generated in recent months over the proposal to abolish the civil jury has been on the whole responsible and fruitful. Resolutions to retain the system have been announced by the Brooklyn Bar Association, the Federation of Bar Associations of the Fourth Judicial District of New York and the New Jersey Bar Association. In December the County Judges Association of the State of New York sponsored a debate between Judge Desmond and Thomas F. Lambert, Jr., Editor-in-Chief of the NACCA Law Journal. Dean Griswold has spoken on the subject to the New York Bar Association.

However the Dean has expressed astonishment and disapproval of a recent issue of NACCA's monthly *PI & E Bulletin*. It characterized the position taken by the Dean as an "anti-jury propaganda attack with ... its shoddy purpose." An editorial in that issue under the title "A Clear and Present Danger," recalled the "loss of jury privileges ... in Nazi Germany and Fascist Italy," and called the movement to reconsider the need for civil juries a "plot" and a "nationwide drive, its motivations suspect, but not yet well enough defined."

Blue Yonder Offered

The Air Force will be on campus February 5, and the Navy February 12 to interview interested students. Consult the placement office for further details.

Minority Stockholder Voices Views

By Myer J. Sankary

An outspoken man whose bold voice is heard in at least a hundred annual shareholder's meetings each year was heard again last week preaching his doctrine of corporate democracy, this time at Harkness Commons at a meeting of the Bull and Bear Club.

Lewis Gilbert, probably the nation's most active professional capitalist, urged corporate shareholders to participate in annual meetings and to make their voices heard in the affairs of the companies which they own. Gilbert, who has investments in about 800 major companies in lots of ten and twenty shares, makes it his business to submit proposals to change the by-laws and policies of corporations to conform to his theory of corporate control and organization — which he calls "people's capitalism or corporate democracy."

Gilbert revealed his formula for determining which companies measure up to his standards, and are therefore good investments. The secret is in the company's attitude and treatment of shareholders. "The proxy statement, the annual report, and the post-annual meeting report are three weapons available to shareholders," Gilbert said. "With these reports, you don't need inside information to determine whether a company is a good investment."

"When you get a proxy statement, the first thing to do is find out where the annual meeting is held," Gilbert advised. One of Gilbert's major criteria is that annual meetings be held at convenient places where shareholders can easily attend. He praised R.C.A. for its plan to televise its next meeting on closed circuit T.V. with coast to coast participation.

Another indication of a good investment, he said, is how much stock the directors own. "If they don't want to put their money into the company, why should you?" he quipped. Once at an annual meeting, Gilbert asked General MacArthur why he didn't own any stock in the Sperry Rand Corporation of which he was chairman. Angered, MacArthur retorted, "What I do with my money is my own business! Besides, I buy defense bonds." At the following meeting the next year, MacArthur opened by saying, "My fellow share-



holders." Gilbert, an ex-corporal, praised himself for that great victory.

Two more planks in Gilbert's platform for "corporate democracy" are the use of cumulative voting and the abolition of the stagger system of election of directors. In the long run these are important elements in the success of the company, for the shareholders are better able to keep a check on "managerial blunders," he said. Gilbert also said that he does not hesitate to object to excessive salaries and option plans that executives pay themselves. Increased salaries for directors should correspond to increased earnings for shareholders.

"Don't buy wall paper," Gilbert warned vigorously. "Make sure your investments have earning power. Examine the annual report closely." He displayed several reports which he believed showed poor management — one report had failed to number the pages. Another report used 40 pages to advertise its liquor and squeezed the financial report into 10 pages.

"The consolidated balance sheet," he declared, "hides more managerial blunders than any other publication in America." He advised investors to look at the footnotes which really give all the bad news. Gilbert said that in the report of Unexcelled Chemi-

(Continued on page 13)

Failing the Bar

(Continued from page 1)

Dean Griswold conjectured that people have become "pretty sloppy" about taking bar exams. "I think that people should realize that they are a very serious business," he said.

"People ought not to take the exams without taking a preparatory course in the law of the state. I don't want to say that a 'cram' course is a 'must,' but I would suggest that students taking a bar exam in a state inquire about 'cram' courses and discover which are the good ones."

The Dean said that careful preparation by all students would lead to improved results. At the same time he did not discount the possibility that defects in Law School teaching methods and materials or stricter grading by bar examiners may be contributing factors to the recent disappointing results.

Failure of the bar exam may have physical repercussions and certainly is bad psychologically, the Dean said. "Nothing is more deflating to a young fellow in a law office to take the exam and fail it." He also noted that in some states repeated failure may foreclose the possibility of taking the exam again. California allows the applicant only three chances to pass its exam.

The Dean said that Harvard Law School graduates still had a better passing record on the New York Bar Exam than Yale graduates but noted that the differential was decreasing.

Another state where the failure rate was high was California. The passing rate was 87%. The Dean said that this figure did not disturb him as much as the New York and Massachusetts results because of the unfamiliarity of Law School graduates with some aspects of California law such as community property.

Bar Exam Check

All third year students who have not already checked on the requirements for admission to the bar of the state in which they intend to practice should do so immediately. This information is available in the Placement Office in copies of a booklet entitled "Rules for Admission to the Bar."

GOP in N.H.

(Continued from page 9)

added that his group has not yet decided whether it will send men to New Hampshire to help Goldwater, but it will consult Massachusetts and N. H. Goldwater supporters before deciding. Turner confessed that personally, "I'd like to go up and sniff around and see what things look like."

Mark Murphy, who admitted candidly that he is a less than ardent supporter of the Arizonan, explained the beginnings of the Goldwater movement at Harvard. The group was set up to correct any misrepresentations about the Senator on campus, and particularly to correct the way the liberal press distorts his views ("absolutely appalling"). Also the group hoped "to preempt the pro-Goldwater field before such groups on the radical right as the Young Americans for Freedom" could.

Plans to Question Rocky

Murphy himself is planning to go to New Hampshire to question Rockefeller. He expects to ask the New Yorker why he wants to be President, and wants the response, "to serve my fellow men," and not, as Murphy's suspicions suggest, "because I want to be President." Also, from an admittedly Methodist viewpoint, Murphy wanted to ask Rockefeller about his divorce, questioning "how he can put himself before the young people of our nation after he has done what a good part of the country thinks is wrong?"

Admitting to strong reservations about his candidate, Murphy said he backs Goldwater because he is "genuinely concerned by the continued trend by which Washington is assuming the responsibility for doing things which are in reality the responsibility of individuals in their own communities."

Forum Elects Officers

The Harvard Law School Forum held its regular election meeting on Dec. 17, 1968. The new officers will be David I. Faust, 3L, President; Norman D. Slonaker, 2L, Vice-President, Programming; Morton Bobowick, 2L, Vice-President, Administrative; Michael Steinberg, 2L, Secretary; William S. Rubinstein, 2L, Treasurer.

Gilbert Speaks

(Continued from page 11)

cals Co., the management had described its progress of the past year in glowing terms, but its footnotes (written in small print on dark brown paper) disclosed meekly that the corporation had sold all its assets that year. He condemned this practise as a form of "slick tranquilizing," and a violation of his principle of full disclosure.

Gilbert insisted that "it's good for every corporation to have a stinker around somewhere." He said that "shareholders ought to stir the animals up — annoy them. It's good for them."

GOP to Hear Iowan

GOP congressman, Fred Schwengel of Iowa, will speak to the Law and Graduate Republican Club at 1:30 on Monday in the Harkness meeting room.

Variety Show Slated

The Harvard Law School Variety Show, to be presented on Saturday, March 21, in Sanders Theater, may feature several members of the Law School faculty. According to an announcement made at the last meeting of the Dormitory Council on January 20, a number of professors had been asked to participate and volunteers are always welcome.

Several scripts have already been submitted for the show including one by a group of Law School secretaries. A dance held in Memorial Hall with the Seven Sons of Harvard as the featured band is planned after the Show.

The Council also discussed further plans for the Career Conference now definitely scheduled for November 11 of next year. Approximately 20 seminars will be held throughout the day. Although several will be running concurrently they will be planned in such a way that interested students will be able to attend at least five or six.

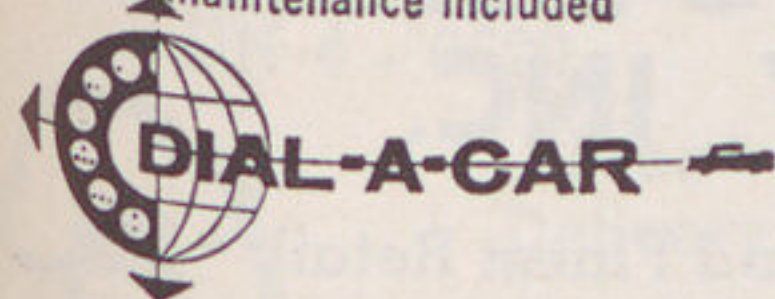
DIAL-A-CAR TO RENT A CAR

LESS THAN **25¢** AN HOUR ON A DAILY BASIS PLUS MILEAGE*1

CHRYSLER VALIANTS, DARTS & PLYMOUTHS

Safety Belts, Radio & Heater
Automatic Transmission

*9¢ a mile—Gas, Insurance and maintenance included



Mass & Garfield
Gulf Service Station

1725 Mass. Ave., Cambridge
EL 4-9203

WORRIED???

About your personal property? You needn't be, — with a modern Tenant's Package Policy.

Because we represent large national insurance companies, you never lose on a cancellation charge when you move to another state.

Call us NOW for rates and information.

**W. T. PHELAN & CO.
INSURANCE**

Representing

Aetna Casualty & Surety Co.
The Hartford Group

McCloskey & Harty
representing
The Travelers Group

11 Dunster St. (Street Floor)

Harvard Square

TR 6-0876

CRONIN'S

114 MT. AUBURN ST.

Famous for Steaks
Chops & Sea Food

Tenderloin for Two
on Sizzling Platter
\$7.00

Porter House Steak for Two
\$6.00

— SAMPLE DAILY SPECIALS —

Soup or Juice

Roast Rump of Beef

French Fries — Tossed Salad 99¢

Rolls & Butter — Beverage

Dessert

Tel. EL 4-1366

Albany, Ga.

(Continued from page 4)

brutality in Albany, using both local and outside agents. A full report was sent to the Justice Department in each case. No prosecu-

Secondhand Law Books LAW SCHOOL AIDS

Bought — Sold

HARVARD BOOK STORE

1248 MASS. OPP. LAMONT
OPEN TIL 10 P.M. TR 6-9069

SQUASH RACKETS

Tennis and Squash Shop

67A Mt. Auburn St., Cambridge
Opp. Lowell House — TR 6-5417

Now In Your Neighborhood

Cambridge's Most Modern
One Stop Laundry and
Dry Cleansing Center

Open 8 A. M. to 11 P. M.

Do it Yourself and Save
WASH 25c — DRY 10c

SPECIAL FEATURES

- 22 TURQUOISE COIN-OP MAYTAG WASHERS
- 10 ULTRA MODERN DRYERS
- 2 COIN-OP MI-T-BOY HEAVY DUTY WASHERS
- ATTENDANTS ON DUTY
- COUNTER SERVICE
- Same Day Dry Cleansing and Shirts - Tailoring
- Shoe Repairs - Flatwork
- Storage - Rug Cleaning
- YES — WE WILL WASH and DRY YOUR LAUNDRY FOR YOU. (Extra Charge)
- CAN'T WAIT! LEAVE YOUR COIN-OP DRY CLEANSING WITH US.

8 Pounds \$1.75

EASY PARKING
NO METERS

Gold Star Laundry of Cambridge, Inc.

104 OXFORD STREET
Near Agassiz School
Phone 354-8585

tions for civil rights violations have resulted therefrom because the Bureau has repeatedly found the accusations to be groundless. As a matter of fact, in a letter contained in the November 14, 1963, RECORD, Director Hoover himself replied to these charges.

10. THE ACCUSATION: "Police harassment even existed in the courtroom." THE FINDINGS: Each and every court proceeding was thoroughly covered by national news media and reported in the press. If for no other reason than this, Judge Durden and Chief Prit-

chett made a special effort to prevent even an appearance of prejudice. All court sessions were open to the public and well attended.

From the foregoing, it should be obvious that all charges in the RECORD article were based on hearsay at best. Nowhere in the article is any attempt made to claim firsthand observation by Miss Holtzman.

On the other hand, the charges made in the RECORD article have been investigated by one of the leading members of the Georgia Bar. Facts have been furnished him by Chief Pritchett and the FBI and reported to the public at the time of their occurrence by fair-minded members of the national news media who have almost universally praised Chief Pritchett for the handling of the situation. Indeed, even the article does itself comment that Chief Pritchett "has built for himself a nationwide reputation for non-violence." Furthermore, the allegations have once again been denied by the FBI through Director Hoover himself.

Statement of Ownership

October 1, 1963

Title of Publication: The Harvard Law Record. Frequency of Issue: 10 times each academic semester, 20 times per year. Location of Known Office of Publication: 23 Everett St., Cambridge 38, Mass. Location of General Business Offices: 23 Everett St., Cambridge 38, Mass. Publisher: Harvard Law School Record Corporation, 23 Everett St., Cambridge 38, Mass. Editor: Donald W. Kramer, 23 Everett St., Cambridge 38, Mass. Managing Editor: Charles W. Hamann, 23 Everett St., Cambridge 38, Mass. Owner: Harvard Law School Record Corporation, 23 Everett St., Cambridge 38, Mass. Names and addresses of stockholders owning or holding 1 percent or more of total amount of stock: none. Known bondholders, mortgagees, and other security holders owning or holding 1 percent or more of total amount of bonds, mortgages or other securities: none. Total no. copies printed: average preceding 12 months, 10,800; issue nearest filing date, 12,000. Paid circulation: preceding 12 months, 10,100; issue nearest filing date, 11,400.

SKI EQUIPMENT

Largest Variety in New England

Tennis & Squash Shop

67A Mt. Auburn St., Cambridge
Opp. Lowell House — TR 6-5417

BRATTLE THEATRE

Antigone

Daily at 5:30, 7:30, and 9:30
Sat. & Sun. matinee at 3:30

HARVARD SQUARE THEATRE

Fellini's "8½"

at 1:15, 5:10, and 9:15

LOVE AND LARCENY
at 3:30 and 7:35

HARVARD PROVISION COMPANY, INC.

Harvard Square's First and Finest Retail
Package Goods Store.

With Over 60 Years Service to the Community
and the University

94 Mt. Auburn Street

Hours: 9 to 9 Daily
Free Delivery 'Til 4:45

Cambridge

Sat. 9 to 10 P. M.
Call KI 7-6684-5

On Journalistic Responsibility

(Continued from page 2)

ment relating to the summer experience of a law student who worked for civil rights in the South. And as the welter of charges and counter-charges which swell any controversy concerning civil rights aptly demonstrate, even then the certainty of truth would remain an unobtained goal. That a standard of certainty is not and never has been the standard which the press in America must observe is attested by the notoriety which the Sedition Act of 1798 enjoys to this day.

With due respect to them, the alumni of Georgia are less modest in what they claim than was the RECORD article which they protest. Every charge in the RECORD article was attributed to the student who made them, and the source of her information, sworn affidavits, was made clear. The alumni uncompromisingly represent that their resolution presents the whole truth on the state of affairs in Albany. The so-called RECORD charges are "accusations"; their contradictions are the "findings."

What makes the assuredness of tone of the authors of the resolution particularly suspect and particularly pretentious is the obvious bias of all those persons who were questioned in the effort to learn the truth. Police Chief Laurie Pritchett, the city attorney, the judge of the Recorder's Court, and the local agents of the Federal Bureau of Investigation were all interested parties: specifically or generally, they were the ones attacked in the RECORD article. The omission of C. B. King, the Negro attorney for whom our informant worked last summer, from the list of those questioned is, in our opinion, rather eloquent testimony that the authors of the Georgia Alumni Association resolution failed to conduct an impartial investigation. So is the omission from the investigation of all those who have offered affidavits concerning mistreatment.

During the course of the last semester the RECORD published a large number of articles dealing with the subject of civil rights. If these articles had a point of view, that point of view was favorable to the cause of greater equality of opportunity for Negroes. But for this bias we need offer no apology: the plain facts are that all campus activity in the civil rights area of which we are aware was on behalf of the integrationist cause. Our publication of letters attesting to the "Griswold-Freund Axis" and berating "ultra-leftist" RECORD editors is evidence that we have not made an effort to suppress the other side of the story. "News management" is not a factor.

We appreciate the concern of the Georgia alumni, insofar as it is a good-faith concern, that the RECORD contain accurate and fair-minded articles. We are also encouraged that they think the subject of civil rights in general and of conditions in Albany in particular is sufficiently serious to warrant their efforts to clarify the matter. But we refuse to bow our heads and shrink away under their censure.

Letters to the Editor

To Be or Not To Be

(Continued from page 16)

out question as to wisdom, practicality, etc., so long as the person who issued them outranks you. Should you be permitted the privilege of asking a question, it is virtually impossible to obtain a straight authoritative answer. For example, I once asked the same question to my platoon sergeant, field first sergeant, first sergeant, commanding officer, and a civilian administrative employee in the department I was inquiring about. Result? Three different answers, two in direct opposition to each other; the only correct one being that given by the civilian.

"I think, therefore I am." I have begun to wonder whether anyone in the Army is. . . .

Joseph A. Broder, LL.B. '63
Fort Jackson, S. C.

West is East

To Fenno:

Re yours of December 19, 1963, guess what? The West Publishing Company doesn't publish in Minneapolis; it publishes in Saint Paul. You better read your case books more accurately!

Perry M. Wilson, Jr., LL.B. '49
St. Paul, Minn.

Rackets Restrung

One-Day Service

Tennis and Squash Shop

67A Mt. Auburn St., Cambridge
Opp. Lowell House — TR 6-5417

GINO & MIKE'S BARBER SHOP

Opposite Cambridge House
Motor Hotel

ONE BLOCK FROM
LAW SCHOOL

Five barbers for
better service

1638 Mass. Ave., Cambridge
EL 4-9790

CHICKEN DELIGHT

UN 4 - 0520



Free
Delivery

Complete
Chicken,
Shrimp, Fish,
Rib and Clam
Dinners

Hrs. Mon. 4-8
Tues. - Sat. 4-11
Sundays &
Holidays 11-11

ELSIE'S

Noted for the Best Sandwiches
To Eat In or Take Out
The Famous Special Roast
Beef Sandwich

•
KNACKWURST — BRATWURST
with Sauerkraut
OR POTATO SALAD

•
71 Mt. Auburn St., Cambridge, Mass.
Elsie & Henry Baumann 491-2842

Letters to the Editor

Holtzman Lauded

To the Editors:

This is with reference to the letters of J. Edgar Hoover and Elizabeth Holtzman concerning the Americus case which have appeared in the RECORD.

As one of the attorneys for the plaintiffs in that case I would like to dispel any impression which may have been created that Miss Holtzman did not act responsibly. The bloody shirts which she displayed at her press conference were introduced in evidence at the trial of this case and the witnesses confirmed by their testimony Miss Holtzman's statements to the press.

Miss Holtzman was also present during several of the days of preparation prior to the trial and during that time we all admired and appreciated her energy and her ability.

Michael O. Finkelstein,
LL.B. '58
New York, N. Y.

Ideological Nonsense

To the Editor:

The mention of a small newspaper ad on fluoridation in your editorial of the December 5, 1963 issue, in addition to being irrelevant, is indicative of the same kind of nonsense on your editor's part as, in all probability, on that of the newspaper; the same kind of ideological nonsense, I might add, with which we are plagued by both right and left today.

Science tells the editor fluoridation is good. But no matter how silly or wrong he may think those opposing fluoridation may be, the editor is hardly showing the tolerance for which he prays by linking them with forces of "hatred and suspicion." As a cathartic for this fault I recommend Eric Larabee's article in Harper's August 1963 issue.

George D. Jagels, LL.B. '32
San Marino, Calif.

We take no position on the merits of the fluoridation issue, but we take strong exception to advertisements which say merely "BEWARE THE HIDDEN DANGERS OF FLUORIDATION." This adds nothing to intelligent controversy; it only helps create fear and hysteria. We have enough irrationality already. — eds.

Leftist Propaganda

To the Editor:

Accolades to Mr. Cronin for his letter in the RECORD for December 19, 1963. It is from this first year law student that you received the best phrased admonishment that we have seen and one which you have needed for a long, long time: "Perhaps instead of being a propaganda publication for the far left you can provide a forum for all opinions in the spirit of this national law school."

Joseph J. Mullins, LL.B. '55
Albuquerque, N. Mex.

LL.B. to Pfc.

To the Editor:

Mr. John F. Floberg's letter in the November 21, 1963 issue of the *Harvard Law RECORD*, extolling the virtues of military service, compels me to write a reply.

We all owe a duty to serve in the forces which guard our country and our way of life, but Mr. Floberg's glowing estimation of the value of the experience causes me to take exception. I realize that he wrote primarily of service as a commissioned officer, but he did speak in rather general terms:

"I suppose young men can never in anticipation appreciate the true value of military experience . . ."

"I feel sorry for those today who fail to appreciate the real worth of an opportunity to serve in a combat type outfit in peace time."

Most of today's law graduates want to enter into practice immediately, a two or three year delay even while on an officer's tour of duty, not being a very attractive prospect. As for JAG, the survey of hiring firms published in a recent issue of the RECORD (Oct. 21, 1963) points up the opinion that the experience gained there is nowhere equal to that obtained in a similar period of private practice. When it comes to employment with a private law firm, the man just out of JAG seems to start on little more than an equal footing with the man fresh out of law school.

Faced with an impending draft call, the graduate's usual solution is to join a National Guard or Army Reserve unit for six months active duty (recently revised to a five to eighteen month program). There, this man with nineteen years of education serves as private E-1 . . . the lowest form of humanity. Having recently embarked on this course, myself, I find Mr. Floberg's letter a bit hard to appreciate. . . .

It should be no great surprise that a few years at law school make it hard to stomach a situation where orders are to be obeyed without question.

(Continued on page 15)

ENTERED AS SECOND CLASS POSTAGE. BOSTON, MASSACHUSETTS.

RETURN ADDRESS:

HARVARD LAW RECORD
MAIL DEPARTMENT, LANGDELL HALL
HARVARD LAW SCHOOL
CAMBRIDGE 38, MASSACHUSETTS

RECEIVED

FEB 13 1964

WASHINGTON STATE
LAW LIBRARY

Washington State Law Library
Temple of Justice
Olympia, Washington