

The Harvard Law School Record

VOL. 4 NO. 7

CAMBRIDGE, MASS., WEDNESDAY, JULY 23, 1947

PRICE TEN CENTS

NORMALCY KEYNOTES FALL TERM

Pre-War Schedule To Be Inaugurated By September Class

As part of the Law School's program to return to a pre-war schedule, 550 men, to be divided into four sections, are being admitted to the first term next fall. This will be the first class of normal pre-war size since the end of the war.

Also, the entering class will be the first since 1942 to go through school on the basis of three academic years of two semesters each. The semesters, however, will be four weeks longer than the present terms.

Although applications for the fall class were closed on July 1, not all of the 550 students have yet been selected. However the Admissions Committee has stated that they believe there will be a very great percentage of veterans, although not so many as heretofore accepted.

According to Vice Dean Hall, the admission policy continues to be based on the fundamental notion that "the Harvard Law School offers legal training to people who we think can profit most from it."

Consideration of each applicant is largely based on his record both in college and in graduate study he may have completed, but the use of college records is qualified by a fifteen year statistical study of each college that has sent students to the Law School. Accordingly, applicants from the schools whose students have done the best work at Harvard in relation to their college records are given a priority.

With the use of four sections, the average number of men per section will be about 135, giving the class an advantage over present students. With one

(Continued on page three)

Student Committee Suggests Changes In Curriculum, Teaching Techniques

(Ed. note.—The following is a condensation of the first installment of a Harvard student committee report prepared for presentation at the National Law Student Conference on Legal Education in New York on July 11 and 12. The title of the report is "Legal Education and the Urban Lawyer," and it was presented at a panel on the relation of legal education to the needs for legal services in urban centers. The Harvard Committee, headed by John A. King, was composed of Kingman Brewster, R. A. Hendrickson, C. D. Aldrich, Jerome Rappaport, David Martin, P. C. Sheeline, Roy Tolles, James Perkins, Walter Glass, and Tom O'Toole. The concluding installment will appear next week.)

The committee emphasizes that the student lacks the perspective necessary to reach definitive conclusions concerning legal education. Hence its report does not purport to do more than present student suggestions.

Our limited knowledge of the professional task of the urban lawyer has been supplemented by the results of a questionnaire which was recently circulated among a sample of the alumni of Harvard Law School by a faculty committee on legal education. Although the sample was small, the results afford some factual background to this discussion.

In answering the questionnaires, lawyers practicing in communities of over 1,000,000 and those practicing elsewhere gave similar ratings to the skills listed by the questionnaires as possibly necessary to successful practice. These opinions and the jobs that urban and other lawyers are called upon to do indicate that from the standpoint of technical professional capacity there is no great distinction between the educational needs of urban and other lawyers. To the extent to which our paper reflects our emphasis on strictly professional training, therefore, it does not hew to the line assigned to us by arbitrarily setting apart "the lawyer in larger urban centers" from other members of the profession.

The results of the questionnaire showed that an overwhelming majority

of those polled did not select their major fields of endeavor until near the end of their courses or later. Seventy-two of ninety-five lawyers who practiced in centers of over 1,000,000 stated that in their opinion they were not specialists in any particular field. Because of these findings and because we believe that most specialists should have the benefit of a generalized legal education, we talk in this paper in terms of a general program and we do not recommend specialization for the ordinary student. The fortunate student who knows exactly what he wants to do should be permitted to concentrate to some degree as long as his concentration does not make it impossible for him to obtain the skills and substance of a general legal background.

BASIC SKILLS

Of the basic skills, the first in our opinion, is the "legal mind." Although we are not attempting an all-inclusive definition, the phrase to us connotes an ability to analyze—to dig to the core of a particular problem, discarding irrelevant matter and recognizing subtle differences of fact. A complementary ingredient of this essential skill is the ability, once the analysis has been completed, to draw upon recorded instances

(Continued on page four)

AVC TELLS ITS STAND ON BILL

Harvard Chapter Favors Increase In Allowances

In its first general membership meeting of the summer the Harvard Chapter of the American Veterans Committee unanimously voted to place itself on record in favor of the Educational Benefits Bill to increase educational allowances now in Senate committee. The chapter also voted to petition Congress in support of the Stratton Bill, which would admit 100,000 displaced persons to the United States each year for four years.

Although no formal action was taken in regard to the Buckley Bill, which would deny G.I. benefits to Communists and Communist sympathizers, the AVC expressed its sympathy with the policy of the measure but thought it too sweeping in its present form.

An active program to tutor disabled veterans at the Cushing General Hospital in Framingham in order to help them obtain high school diplomas was initiated.

The AVC Book Exchange system, which has already aided several hundred students to obtain used textbooks, will be continued. Though the system is strictly voluntary, the AVC's suggestion of a selling price of 60% of list price has generally been followed.

Plans are also under way to study methods whereby the present small scale book exchange can be replaced by an exchange sponsored by the university. The AVC hopes that a plan can be presented to Harvard officials by which students can sell used books to the proposed exchange at 70% of cost and the store resell them at a slightly higher price.

Of the chapter's total membership of 850, law students comprise over one-third. Especially valuable aid is rendered by members from the Law School in the consideration and preparation of testimony in congressional hearings on veterans' legislation.

LAW SCHOOL NURSERY

The Law School Nursery is increasing its enrollment to include five more children. Children should be between the ages of two and four. Applications may be made to Mrs. Richard Wolford, 50 Jarvis Court, Cambridge, Eli. 4613.

(Continued on page three)

FORUM ANNOUNCES WINTER PROGRAM



LOPEZ



FLOM

Current Questions In American Policy Will Be Discussed

Announcement was made this week of subjects for winter meetings and membership on committees of the Law School Forum by Henry Lopez, 3L, president. Mr. Lopez also revealed that the Forum had elected its former president, Jerome Rappaport, president emeritus and that an article on the formation and functions of the organization will appear in either the July or August issue of the American Law Journal.

While the exact subjects and a schedule for the fall and winter meetings of the Forum have not yet been decided, announcement was made last Wednesday of a tentative list of topics. It was agreed that some aspect of the American policy in Europe would form the subject matter for at least one meeting, but the committee has not yet decided whether the Marshall plan will form the nucleus of such discussion. Mr. Lopez stated that final selection of a subject in this field will necessarily be dictated by the flow of political events.

There will also be a continuation of the "Values for Modern Man" forum which was held last year. It is hoped that this discussion will center on the question of the compatibility of Christianity and Communism. Other meetings will highlight discussions on freedom of the press, political issues in the 1948 campaign, the role of the local political machine, race relations and labor-management relations. Inasmuch as previous meetings have so often featured a preponderance of speakers representing the views of labor, according to Mr. Lopez, at least one attempt will be made to bring two industrialists with different points of view to the same meeting.

(Continued on page three)

Toepfer's Rolls Is An Aged Bus But She's Built To Last Forever

One of the more interesting spectacles which rewards the law student as he goes to his nine o'clock these mornings is the entrance into the driveway between Hemenway and Austin of an exceedingly long, black, shiny town car, circa 1922, which makes its way like a battleship going up a tortuous channel, to its berth back of Hastings. The bald-pated helmsman is Louis A. Toepfer, officer-in-residence of the Placement Bureau, who boasts that he is the only man ever to own a Rolls Royce one year after graduating from law school.

Toepfer implies that the New York millionaire who paid over \$20,000 for this hand-made, precision-built automobile probably got his money's worth. The engine is a display of brass and copper, and the trimmings are all silver—even to the foot plates under the doors. The expensive upholstery and needlepoint are in fine condition. With its seven-foot long rear springs it rides like a Pullman car. It has run 46,000 miles but it was built to last forever.

Although gas consumption for its five-inch pistons is top secret, Toepfer claims his repair bills are negligible. The reason for this is that mechanics consider it a privilege to work on the engine with its dual ignition system—two spark plugs for each of its six cylinders, two coils, two distributors, etc.—its strange carburetor, and its split head construction. The parts all fit together so perfectly that few nuts and screws are necessary, making it possible to tear

down the engine with very little wrench and screwdriver strain. The compression is so high that it often can be started by simply turning on the ignition, but since Toepfer had it apart last time he has to use the starter. There is no fuel pump to break down—the gas is fed by air compression, built up by a hand pump at the chauffeur's station.

Toepfer has always been interested in old cars, and it took him exactly fifteen minutes of fascinated inspection to buy this one from a dealer in antique cars, who sold it for the estate of the millionaire, who had it in storage since 1932.

The town car model is particularly adaptable for a "family bus," says Toepfer, since the kids and dogs go in the back end, which can be sound-proofed by cutting the juice on the inter-com, and the driver is also protected from bouncing balls and boys.

The prize operating feature is a governor which controls the carburetor. When set, the gas is fed automatically so as to maintain the car at a constant speed up hill and down, with no sudden deceleration or acceleration jars to disturb milady. (This device would be appreciated on the Boston Elevated buses.)

How much is she worth, is the question often asked Toepfer. He doesn't know just what standard to use in answering this, but he claims he has been offered \$800, which is over twice what he paid for it. But from the way he polishes those silver trimmings it doesn't look as if he is going to sell.

Dutch System Of Legal Education Outlined By Student From Holland

By HUIBERT DRION, (SPEC.)

To give an idea in a few columns of the differences and similarities between the American and Dutch systems of legal education is not an easy task. A comparison cannot limit itself to the basic differences of education, nor to the differences in the objective of the legal teaching, but has also to concern itself with the different aims of law students of both countries and with the social background of those who enter the study of the law.

The oldest Dutch university is that of Leiden, whose privilege was granted by William of Orange in 1574. The second oldest is Groningen, while, in the same year that Harvard was founded, Utrecht got its university. Other smaller universities arose, but were discontinued in the nineteenth century. Ulrichs Huber, father of the "community of nations," taught in one of these. All universities included a law faculty from the outset.

Before discussing legal education in the universities we should deal briefly with the legal system which governs the Netherlands. The Dutch system of law is based on the civil law. In 1838 the French Civil Code was adopted, not without numerous changes and additions (notably in the fields of marital property, mortgage, torts, sales, etc.). A penal code on a humanitarian basis (abolishing capital punishment, for one thing) was introduced in 1886. Neither in criminal nor in civil law has the jury system been adopted. The judiciary is

appointed by the Crown, the Supreme Court by Parliament. The appointment is for life and dismissal is only possible by the Supreme Court, so as to secure full independence from the executive. Any pressure from the side of the latter as to the application of the law is indeed unthinkable. As far back as 1516 the Emperor Charles V solemnly promised to the "Great Court" of Mechlin not to interfere with pending cases, repudiating in advance any future interferences by his own agencies.

The law of precedents is not recognized (as it is in the German and the Swiss courts) and the Dutch Supreme Court never refers to its earlier decisions. But although the law expressly forbids them to render judgments by way of general rules, the Dutch courts are perhaps more careful than American courts not to say any more than is essential for carrying their decisions, so as not to prejudice their freedom in later cases. For one can reject the rule of *stare decisis* without ignoring the needs of continuity and certainty of the law. The language of the decisions is austere and follows the style of the French decisions. There is a striking difference between their purely technical wording and the often colloquial and human language of American courts.

Such a system does not, it is clear, lend itself to the case method of studying law. In his first year the Dutch law student follows courses in Roman law, the laws of the Dutch provinces

(Continued on page three)

The Harvard Law School Record

Published weekly on Wednesdays for twelve weeks of each term by *The Harvard Law School Record Corporation*, Austin Hall, Cambridge 38, Massachusetts. Subscription price: \$2.00 per term mailed, \$6.00 per year mailed; student subscription \$1.50 per term mailed, \$1.00 per term distributed at the Law School. Individual copies \$1.00 each at the Law School; \$.15 each mailed. Business and Editorial Offices, Austin Hall, Cambridge 38, Massachusetts. Telephone KIRKland 7600, extension 133.

HARVEY KARLIN, President
RICHARD H. WOLFORD, Editorial Manager
MARSHALL J. DEUTSCH, Business Manager

THOMAS N. BANTIVOGGIO, Advertising Manager
ROBERT MAIER, News Editor
LOREN E. JUHL, Articles Editor
NATHAN C. FITTS, Alumni Editor
ROBERT W. CULBERT, Current Case Editor
EUGENE FLANAGAN, Opinion Editor
JOSEPH P. LOGAN, Features Editor
SAMUEL SCHWARTZ, Calendar Editor
WALTER J. MYKOWSKI, Technical Editor
CHARLES A. LORD, Secretary
CHARLES O. PORTER, Associate Editor

Staff: Larry Corbett, William P. Cunningham, Bancroft G. Davis, Jr., Stanley R. Evans, Eli Goldston, Elliott S. Gross, Milton P. Kayle, Paul Kirby, George Powell, Sydney Rothstein, Jerome Shestack, Alvin Silverman, Saul Toustler, Miles Wedeman, Kenneth G. Weinberg, Robert P. White.

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

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

Editorials

The foundations of democracy, many observers have said, lie in the local subdivisions of the political system. Except for the payment of Federal income taxes once a year, most citizens have no contact with the national government and little more with the State. Contact with the municipal power is an everyday occurrence: the policeman on his beat, the rubbish truck on its rounds, the digging of sewers, the marriage license, the birth certificate, the burial permit. The citizen judges all government and all politics by what he sees at close hand. Too often what he sees is enough to raise doubts as to whether democracy is workable.

Most students in the Law School intend to devote some part of their careers to public service, though most are vague as to what kind it will be. Visions run to Congressman, governor, memberships on federal agencies, but seldom to ward leader, city councilman, county commissioner or state representative. Few men know of the opportunities for community service these positions hold; fewer still know their requirements and duties, or the means of getting them.

If democracy is to function efficiently and honestly at the local level, where it is most important, men with the qualifications and education possessed by graduates of the Harvard Law School must take part in local government. The Law School biennially presents a course of lectures on Water Rights. It should also be possible for it to present a series of lectures on local government and politics. The facilities of the Forum could be used to arrange late afternoon lectures by such people as ex-Mayor LaGuardia, Governor Bradford, a state representative, a city councilman, a member of a school board, a judge, a ward leader, a city political boss, a professor of political science. These men would speak not of political ideologies, but of the practical, day by day operation of local and state government and politics, the opportunities for service and how to give this service.

Such a program would arouse in men who had never thought of elective office a desire to serve in their local communities, where they are needed, and would acquaint others with the many opportunities for local service. Interest among students is sure to be great. Here is a chance for a contribution to the working of democracy which can hardly be ignored.

H. K.

Letters to the Editor

To the Editor of the RECORD:

In an editorial of July 9, 1947, the RECORD, in a lather of generalities, viewed with alarm Columbia University's choice of a new president. Without venturing to tilt with its Editor on the Military Menace in High Places, may I merely say that, though a veteran, I cannot share the RECORD's conviction that all abilities demonstrated while in OD's are (a) dangerous to the future of democracy, or (b) prone to produce goose-stepping in educational institutions.

Without being at all sure just what the Editor is complaining about—Columbia's desire to bask in "reflected glory" or "fears concerning the control which the military exert over national policy," I think it might be relevant to point out that General Eisenhower, in his post as Allied Commander, persuasively demonstrated ability in statesmanship, diplomacy, and administration, whether military in scope or not. At the risk of being obvious, one might also note that better college presidents have just such talents,

even though they are exercised on a smaller scale.

Though it is concededly more usual for educators to be chosen for such jobs, one need not cavil at a decision by the Board of Trustees to seek talent outside the field, by now apparently well-combed to fill a vacancy empty since 1945. One cannot so lightly deny the contributions of a statesman, Thomas Jefferson, or a soldier, Robert E. Lee, to our educational institutions. Nor can one believe that the administrative "chain of command" technique is so insidious a contagion that Teutonic hierarchy will shortly overwhelm that sister institution.

After all, we cannot stop this demobilization short of the generals. They, too, ought to have a crack at being civilians. So let's be broad-minded, and give Mr. Eisenhower a chance to prove, if he can, that he is not, as you say, so "obviously unfit" for the post.

ROBERT J. CAHALL, 3L

To the Editor of the RECORD:

It has been called to my attention that The Harvard Law School Southern Club has voted that Missouri is not a Southern State. As a loyal Bushwhacker, I must protest what you-all have done. Missouri meets all the requirements for a Southern State. We have discrimination, segregation, slow trains, and raise cotton. I realize our two Republican Senators are unorthodox for a "Rebel" State, but gentlemen, anyone can mistake a Republican for a Southern Democrat.

Missouri is the recognized home of that characteristic Southern animal, the Jackass. President Truman and many other distinguished Southerners come from Missouri; Mark Twain, General Pershing, Jesse James, Anheuser Busch, and Margie Hart. Please reconsider, Suh. The state is just recovering from a flood and the President's veto of the labor bill. I am afraid another shock at this time would be too much. How can I explain this to the Missouri Chapter of the United Daughters of the Confederacy? What did you vote to call the Missouri Compromise?

Robert E. Lynch,
M.Sgt. CSA (Retired)

The Book Shelf

THE BALKANS, FRONTIER OF TWO WORLDS. William B. King, and Frank O'Brien, ALFRED A. KNOPF, \$3.50, 278 pp.

Its subject matter makes *The Balkans, Frontier of Two Worlds* a book which will be eagerly read by all who are searching for a solution to the present international dilemma. Unfortunately there are lapses in reasoning and omissions and inaccuracies which detract from its effectiveness; yet it is a necessary piece of work, and we owe Messrs. King and O'Brien a debt of gratitude for having written it.

This book is a country by country analysis of the tenants of the Southeastern European peninsula beginning with Yugoslavia and Trieste and continuing through Rumania, Bulgaria, Albania, Turkey and Greece.

While discussing Yugoslavia the authors go into considerable detail about the methods Tito used in seizing and retaining power. It is certainly no secret that the Soviet Union wanted Communist dominated states along her European borders. Her technique followed a consistent pattern of co-operation and conciliation at first, then a gradual strangulation of the police and internal economics of the region by careful placement of Communist ministers in influential positions, followed by coups d'etat and eventual liquidation of all opposition. This sort of thing is possible only when certain conditions exist and according to the authors of this book, the Western democracies are responsible for the chaos in the first place.

While not certain whether they wanted Tito, the people of Yugoslavia were united in their opposition to the Western supported government-in-exile. Yet we gave them no middle ground. As Messrs. King and O'Brien point out, we quietly watched growing Communist strength intimidate and overpower the democratic oriented socialist parties of Eastern Europe. We seemed to base eligibility for American support on the criteria of unrelenting opposition to Russia and non co-operation with the Nazis. In 1945 European socialism was anxious to reach an understanding with the Red Army as well as the West. Faced with the lack of American help on one side because of our mistrust of any friendliness to the Soviet Union, and with Communism on the other, Social Democracy was caught between them and disintegrated into one or the other of the opposing camps.

Tito managed to put the United States in a bad light in two other respects. First, the AMG administration of its sector of Venezia Giulia and Trieste was a complete failure while Tito had some success in restoring order and the status quo in his sector. King and O'Brien point out that economically and ethnically Trieste should go to Yugoslavia, but their conclusion is that Italy must get it since the fulcrum of our European policy must be inexorable opposition to Communism.

(Continued on page three)

Gallery

CONRAD W. OBERDORFER

Visiting Professor

For those of you who might think it a fearsome thing to face two hundred and fifty law students Conrad W. Oberdorfer has a ready answer: "It's the same as with a class of twenty-five," says the mild gentlemanly Mr. Oberdorfer. "Of course I have to speak a little louder, and suggestions from the class are often more divergent and occasionally more brilliant, and always more frequent." With this Mr. Oberdorfer explains away his presence on the faculty.

But Mr. Oberdorfer's path to a position on the platform of Austin North and to a comfortable law office on State Street, Boston, was not an easy one. Harvard's Continental expert on American Constitutional Law was born thirty-nine years ago in Nuremberg. He received a classical secondary education and at eighteen went on to the law school at the University of Munich, receiving his degree four years later. It may be interesting to those who find the Harvard examination system onerous to discover that at the University of Munich examinations are given only at the end of the four year course. Thus, instead of midyears, law students in Bavaria have only mid-decades to worry about.

After completing law school, Professor Oberdorfer remained at Munich for graduate work. He wrote his thesis on principles of electoral law in the German states under the Weimar Constitution, and early in 1933 he received the degree of J. U. D. But the Weimar Constitution shortly became none too popular a subject and Mr. Oberdorfer left for the United States the following year.

A word of advice for those who sneered when some law students last spring went to work for Filene's: Mr. Oberdorfer began working as a stock boy at Filene's in the summer of 1934, commencing attendance at Northeastern University's night law school a year later. In 1939 he received his LL.B. Magna Cum Laude and entered the graduate School of Law at Harvard. He was awarded an LL.M., a year later, maintaining a Summa average while a student here. At this time student Oberdorfer was introduced to Professor Thomas Reed Powell's course on Constitutional Law. During his stay at Harvard, he held the Sidney Thompson Fairchild Fellowship.

After graduation came a year of law practice in downtown Boston with Herrick, Smith, Donald, and Farley. Then an offer of an assistant professorship arrived from the University of Washington Law School. After much deliberation Mr. Oberdorfer decided to accept and went to Seattle with his wife and baby boy, who has since been joined by a sister. Little suspecting what was in store for him when he arrived, the neophyte professor in the next two years found himself teaching Administrative Law, Debtors' Estates, Federal Jurisdiction and Procedure, Government Regulation of Business, Legislation, Conflicts of Laws, Constitutional Law and Insurance.

In 1943 Mr. Oberdorfer returned to Boston and resumed practice, this time with Choate, Hall, and Stewart, the firm with whom he is associated at present. However, he found education a difficult field to forsake and soon was teaching Constitutional Law at Northeastern. This summer he is conducting night sessions at Northeastern in addition to his classes at Harvard.

One might think it strange that Professor Oberdorfer chose to begin his legal education anew upon his arrival in America. He considers it one of the most fortunate decisions in his career, and says that during his first year or two at Northeastern his main difficulty was in disassociating a European background from his newly acquired knowledge. Looking back today upon his dual experience he finds it especially valuable in a broad philosophical sense rather than of any direct assistance as a lawyer. Thus familiarity with both philosophies enables him to determine which decision stands on the firmer logical base.

Mr. Oberdorfer laughingly denies that he should find it incongruous that, having been educated in Europe, he should now be teaching American Constitutional Law. He recalls that the Weimar Constitution was patterned somewhat after French and American models. He believes that a great deal of the political stability of the Common Law countries stems from the makeup of the Common Law system with its emphasis on deeply-rooted precedent. Thus in Germany the National Socialists could upset the legal institutions of the country by issuing a fresh set of statutes, regulations, and decrees. In England or the United States judges would naturally be loath to surrender up a thousand-year-old institution.

BERNARD MARCUS, 2L

Sub Judice

A TEXAS TORNADO? — NO, JUST NEGLECTED CHILDREN

The citizenry of Haskell, Texas were perturbed by certain depredations inflicted upon their property. For example, the safe in the office of the Co-op Gin had been turned over and the knob hammered on, various typewriters had been beaten up, and office records burned. Five tomb stones at the Willow Creek cemetery were turned over and the ornaments on other graves were broken, and then there was the affair at the East Side Baptist Church. At 202 S.W. (2d) 471, 472, the court said, "We quote from the testimony of Reverend Priddy, pastor of the church, relative to the condition of the church after it was broken into: A. On the evening of March 26th, Sheriff Clifton came down to my home . . . and asked me what had happened to the Church and I said, 'I don't know, why?' He said, 'Well, it's torn all to pieces.' I got in his car and we went down there and we walked on around the west side toward the west door at the back; a lot of window lights were broken out and I could hear something roaring inside and we went on to the west door and the glass in the west door had been broken out, and I stepped up in the door and saw pamphlets, the Sunday School literature, scattered all over the floor; the baptistery was full of furniture; part of the ceiling was pulled down; the gas was flowing and the light bulbs had been broken; the piano was over in the—had been pulled around and turned over, was laying flat on its back, one leg had been broken off; the top front and the bottom front of the piano had been torn off and some of the black keys had been broken off; some of the white keys had been set afire; the gas cocks had all been broken off, or the handles had been broken out except one. The light bulbs were all broken out except one, and that was the one out on the front porch; some holes had been punched in the side of the entry room to the porch, in the sheet rock; the Honor Roll on which we had the names of our boys who had gone to war was—the glass was broken out and the paper on which the names had been written was torn up. The pictures in the little folks room were torn down and the glasses were broken up in small bits; some pictures of the boys that had gone to Service that the young people had in their class in frames had been torn out and we found them partially torn up. The baptistery had been filled with the piano stool, the pulpit, two stoves, three tables and some song books. The broom was in the throat of the air conditioner along with a roller for a rolling door or folding door which we had down there; thirty-four 9 x 12 window lights were broken out. I believe that is about all."

The court considered this and other evidence sufficient to sustain a jury verdict that James and Jimmie Nelson were neglected children within the purview of the applicable statute, hence they were remanded to the custody of their parents, subject to the jurisdiction and direction of the court. James and Jimmie were twin boys under nine years of age. *Nelson v. Clifton*, 20 2S.W. (2d) 471 (Court of Civil Appeals of Texas, May 23, 1947).

TORTS PROFESSOR'S HEAVEN:
TRESPASS, SWEET POTATOES, COWS.

Those of us who have been subjected to certain Seavey suppositions may experience nostalgic twinges as we "Take This Case." A, the owner of Blackacre, pastures his cows in an enclosure thereon. B, a tenant of A, and an employee of C, invites C, without A's authorization, to dump a load of decaying sweet potatoes on A's land, near the house B occupies. A state statute declares it to be a misdemeanor to dump any trash, junk, or waste of any kind upon the property of another person without written consent of the owner of the property and imposes a fine of from \$10 to \$500 for violation thereof. C, complying with B's request, dumps the decaying sweet potatoes on A's land. A, noticing the decaying heap, removes some of the potatoes, but a thunderstorm intervenes, during which A's cows break out of their pasture and eat the sweet potatoes, causing the death of two cows and the sickness of several others. What torts?

The Supreme Court of Arkansas was presented with this problem recently and in a decision which may well draw sneers from inveterate issue-finders, held that (1) A was not required to remove the potatoes, but might have had them removed at C's expense, (2) eating the sweet potatoes was the cause of the cows' illness, (3) the thunder storm was not such an intervening cause as to justify the court in holding as a matter of law that the wrongful act was too remote, and (4) A is entitled to recover the value of the cows which had died, but was not entitled to recover \$43 awarded by the jury as the value of the dairy products which might have been obtained from the cows which became sick, the evidence on this point being too indefinite and uncertain. *Ozark Packing Co. v. Stanley*, 202 S.W. (2d) 352 (Sup. Ct., Ark., May 26, 1947).

Alumni Notes

Alumni are especially invited to forward contributions to this column to the Record office, Austin Hall, Cambridge (38), Mass.

LL.B. '95—William Sleeper Bangs died June 30 at Marblehead, Mass.

Ex. '10—Carroll Atwood Wilson died on June 26 at New York, N. Y.

Ex. '11—Jay R. Benton, former Massachusetts attorney general, has announced his intention of retiring as chairman of the Greater Boston Development Committee, a post he has held for three years.

At its annual election meeting, the Virginia Harvard Club named three Law School alumni as vice-presidents: T. Justin Moore, LL.B. '13, Morton L. Wallerstein, LL.B. '14, and Ralph H. Ferrell, Jr., LL.B. '36.

Ex. '19—Vernon W. Marr of North Scituate, Mass., former chairman of the Republican state committee, has been appointed a member of the public utilities commission by Gov. Bradford. Marr has been a member of the industrial accident board since 1942.

Ex. '28—Earl Russell Thoenen died on May 12 at Winona, Minn.

Hyman J. Cohen, LL.B. '31, and Benjamin E. Gordon, LL.B. '33, have announced their association, specializing in practice before the Federal courts, departments and agencies. Offices are at 1730 K Street, N. W., Washington, D. C.; and at 310 Kimball Bldg., Boston, Mass.

Cohen recently was an attorney for the Office of the Foreign Liquidation Commissioner, Department of State, and during part of 1946 was General Counsel in Manila, Philippines, for that office. Gordon was former New England counsel for the National Labor Relations Board.

LL.B. '33—Jacob Lewiton of Boston has resigned as special counsel on the staff of Governor Bradford of Massachusetts, in order to resume private practice. He was active in handling legislation for the Governor, especially in the field of labor-management relations and housing.

LL.B. '40—Miss Phyllis Marion Genden, of Springfield, Mass., and George M. Cohen were married in New York City on June 28. Cohen was placed on inactive duty in the Army as a major, after serving in the Philippines as a prosecutor with the War Crimes Commission.

LL.B. '41—Miss Gilda Halpern and David E. Feller were married on June 29 at Harrisburg, Penna. While at the Law School Feller was an editor of the *Law Review*. After graduation he was a lecturer in law and economics at the University of Chicago, served in Military Intelligence during the war, and is now an attorney in the Department of Justice in Washington, D. C.

LL.B. '42—Sydney R. Rubin, formerly on the staff of General Counsel, Office of Alien Property, Department of Justice, has become associated with Harry Friedman, specializing in federal tax cases. Offices are in the Munsey Bldg., Washington, D. C.

LL.B. '47—John Frederick Hoffman is with the firm of Bohrer, Blackman & Loman, 33 N. LaSalle St., Chicago.

LL.B. '47—Daniel Irving Glass is with Newman & Biscoe, 29 Broadway, New York City.

1947—Eugene Martin Feinblatt, a graduate student at the law school in 1946-47, is with the office of Simon E. Sobeloff, 217 Court House, Baltimore, Md.

CRANE'S BEACH

Hourly bus service was recently opened between Ipswich and Crane's Beach. Thus the finest stretches of open beach in this area are made accessible from Cambridge without an automobile.

The round trip comes to \$2.10 (train \$1.45, bus, \$45, subway, \$.20). Saturdays, trains leave North Station at 9:00 in the morning and at 12:30, 1:00 and 3:30 in the afternoon. The run to Ipswich is 50 minutes. From there buses leave the station every hour on the hour. The last bus back leaves Crane's Beach at 7:30, connecting with the last train at 8:04.

Sundays, leave North Station at 8:20 a.m. or 1:45 p.m. Trains returning leave Ipswich at 5:42 p.m. and 9:39 p.m.

LES GENS DE JUSTICE



Vous aviez faim . . . vous aviez faim . . . ca n'est pas une raison . . . mais moi aussi presque tous les jours j'ai faim et je ne vole pas pour cela.

The RECORD is currently presenting a series of lithographs of Honoré Daumier which are of particular interest to the legal profession. At a later date, the RECORD hopes to be able to make individual prints of these caricatures available to its readers.

Daumier, whose life spanned the great political changes in France during the nineteenth century, was born in 1808. In his teens Daumier served for a period as a court messenger, later turned to art, and won his first great popular success in the magazine *Caricature* which was established shortly after the July Revolution in 1830. This magazine was devoted largely to comment on contemporary affairs, much of it adverse to the policies of Louis Philippe. In 1832, the government, irked by Daumier's pictorial satire, imprisoned him for several months because of his criticism of the rule of the July Monarchy. With the re-establishment of press censorship in 1835, *Caricature* ceased publication and Daumier then drew for *Charivari* for many years prior to his death in 1879.

The lithograph reproduced this week is one of a series entitled "Les Gens de Justice" printed in *Charivari* during 1845 and 1846.

BOOK SHELF—(Continued)

Second, although evidence was clear that Draja Mihailovic was a traitor to his people, we found ourselves unofficially biased in his favor during the period of his trial. As the authors state, Mihailovic was a man who was too mediocre for the position in which he was thrust. The rise of the Partisans blinded his perspective as to who was the real enemy, and he turned on his countrymen. On these facts the people's court could render no verdict other than death.

In Rumania we supported Iulio Maniu, a grand old Transylvanian nationalist but none the less a man shot through with hatred of Rumania's Magyar minority. His party, the National Peasants, is avowedly anti-semitic. King and O'Brien condone Maniu's Peasant Party because of its anti-soviet cast. In Bulgaria there is very little democratic ideology left to support. Georgi Dimitrov has succeeded in liquidating all Socialist resistance. The remnants of the opposition consist of members of the Nazi puppet government, who are rapidly being convinced that easiest re-entry to favor is through the Communist Party. It is interesting to note that among the more prominent Rumanian Communists are George Tatarescu and some members of the Iron Guardist Codreanu family.

The authors make a significant distinction between Western dominated Greece and Turkey and the rest of the Balkans along geopolitical lines. Thus Russia controls the heartland of the peninsula and we rule the sea or rimland. Correlating with this is Russia's desire to expand into the Dardanelles and our desire to exert a greater influence in Central European affairs. King and O'Brien suggest the nexus of the struggle for balance of power lies here. But again, although the problem is well posed, the solution is confused.

The writers do their best work with Greece and Turkey. This is to be expected since their AP assignments centered in Turkey through most of the war. There is an excellent analysis of the growth of the Atatürk regime in Turkey and of how Ismet Inonu was able to steer his country through the war as a neutral, keeping out both the Nazis and the Red Army.

Concerning Greece there is an excellent chronological retelling of events which background present conditions in that unhappy state. The authors inconsistently register tacit approval of British action in smashing the 1944 EAM revolt in Athens, while explaining

that EAM was not a Communist organization but was composed of all Greek resistance forces and contained the only democratic elements in the country. Together with a worn out monarch, Greece has lately acquired all the abuses of the old regime. There is no initiative in the country. The people have become charitable wards of Britain and the United States. Persecution of Macedonian minorities has been reinstituted. There have been no serious attempt to set the Greek economy on a self-sustaining basis.

BERNARD MARCUS, 2L

FORUM—(Continued)

Along with the regular Forum meetings it was also decided to have a series of afternoon discussions on more purely legal subjects such as the administration of the Taft-Hartley Bill. Also, plans are being made to hold "spot forums" which will be led by members of the faculty of the Law School or one of the other schools in order to discuss current issues of state or national interest. One or two evening programs might also be reserved for such meetings, but on a more formal basis, Mr. Lopez said.

Members of the Board of Directors of the Forum who were made chairmen of the various committees are as follows: Planning and Provisional Committees, Joseph Flom, 2L; Public Relations Committee, George Esser, 2L; Preparations Committee, Milton Prigoff, 2L and John A. McMahon, 2L, co-chairmen; Membership Committee, John Crane, 3L; Entertainment Committee, Frank C. Boyce, 2L; Committee on Treasurer's Report, William Lowry, 3L; Committee on Constitution and Reorganization, Jerome Rappaport, 3L. Coordinators include George Esser, 2L, Royal S. Radin, 3L and Thomas L. P. O'Donnell, 2L.

NEW CLASS—(Continued)

exception, no professor will teach more than two sections.

In regard to the schedules for the whole school in the fall term, the administration is not contemplating the scheduling of any classes in Littauer, but the pressure on room space may force the placing of one or two second year courses in the afternoon. This pressure is anticipated because of the usual problems connected with the system of allowing graduating men to take any course offered.

DUTCH—(Continued)

before the nineteenth century, a general introduction to the law and economics. He finishes this part of his study by taking an oral examination—nearly all university exams are oral—which will confer upon him the bachelor's degree in law. Only then begins his study of the modern Dutch law which comprises as compulsory fields: civil law, criminal law and procedure, commercial law, civil procedure and constitutional law, each field taught entirely by one professor. The courses in civil law cover domestic relations, property, inheritance law, contracts, torts and evidence (the latter subject is sometimes treated under civil procedure). The courses in commercial law include business corporations, bills and notes, insurance and maritime law.

An examination must be taken in two additional fields of a more limited scope, which are chosen by the student from a definite range of subjects. Possible choices are a foreign legal system, conflicts of laws, a subject of legal history, criminology, economics. The constitutional law of the U. S. A. is a favored choice of the students at Leiden.

The study for the master's degree takes about three years and is completed by the passing of the so-called "doctoral examination" (done in two parts with an interval of six months). The student is now "master in the laws" and entitled to the letters "Mr." before his name, which for American ears does not sound very impressive. Without any additional exam he can enter the bar or the judiciary. He can also continue his studies by writing a thesis in order to become "doctor in the laws." This degree is not, however, required for any position, and is often taken in a later stage of the career.

Besides the absence of assignments, regular examinations, and an Ames Competition, a special reason for the lack of interest on the side of the Dutch law student must still be mentioned. The legal education in Holland is much less a professional education than it is in this country. The legal degree in the Netherlands offers a wide range of opportunities besides the bar and the judiciary, especially in the central, the provincial and the municipal governments. The contrast between the legal teaching as it is offered as a professional education and the reason why it is chosen by so many law students seems to be one of the weakest points in the system. Possible remedies are being examined now by a government commission for reforms of the university education. One of the most favored solutions is the creation of a faculty of

political sciences, which is still absent from our universities. Such a faculty, no doubt, would attract many of those who now enter the legal faculty as coming nearest to their needs.

The same fact has also increased the use of private instructors who form a silently tolerated institution of Dutch legal education. The comparative smallness of the faculties, hampering personal contact between professor and student, has stressed the need of private instructing. More than one professor has been a private instructor in his young years. But not all private instructors have become professors. One of my professors used to remind his students in this connection of the famous maxim of Roman law that "nobody can transfer more right to another than he himself possesses," the pun of which is that in Latin "no more right" is expressed by the same words as "no more of the law."

Though something like the Ames Competition is unknown, numerous students are members of legal clubs (called "disputes") where often moot trials are organized under the direction of a professor. Real practice, however, the students only acquire after having finished their studies by joining a lawyer's office or becoming assistant-clerk at a court. No special bar examinations exist and the young "master in the laws" must get his practice by practicing. He will be helped by an older colleague. During his junior years he used to earn little, but the general lack of legally trained people after the war has strengthened his financial position.

To give an appreciation as to which of the two systems of legal education is the better one, of course, would have little sense. This much may be said, however; it would be hard for a Dutch student to accept any substantial limitation of the freedom which for him constitutes the very spirit of the university education as compared with the secondary school. But it would be equally difficult for him not to admit that for a number of students with little interest in their study a more compulsory system would yield in shorter time a greater profit in knowledge of the law.

FOR BETTER RESULTS

USE

CLASSIFIED

ADVERTISING

RATES FOR HARVARD LAW SCHOOL MEMBERS

\$1.50 an inch One insertion
\$2.50 an inch Two insertions
\$3.00 an inch Three insertions

CONTACT THE RECORD OFFICES, AUSTIN HALL

TENNIS RACKETS

ALL MAKES ALL PRICES

Sneakers - Shorts - Balls - Shirts

TENNIS & SQUASH SHOP
67A MT. AUBURN ST., CAMBRIDGE, MASS.

TOURS
CRUISES
AIRLINE-TRAIN
RESERVATIONS
UNIVERSITY TRAVEL CO.
Harvard Square - KIRKLAND 1650

Orders Taken Now For Harvard Law School Ring



Delivery in about 12 weeks

For further details

Phone — Write — Contact

James J. Kalled

Joseph A. Suozzi

1 Perkins Hall Eliot 9537

Imported and Domestic Wines, Liquors, Cordials HARVARD PROVISION COMPANY, Inc.

92-94 Mt. Auburn St., Cambridge — KIR. 6684

Hours: 9 A.M. - 9 P.M. - Fridays and Saturdays

9 A.M. - 7 P.M. - Monday thru Thursday

ALL POPULAR BRAND SCOTCHES \$5.85 A BOTTLE

HOTEL CONTINENTAL

"One of New England's Best Hotels"
Cambridge, Mass.

The perfect place for your Law Club luncheons,
Tea Dances and other Club functions.
Delicious food at moderate prices

Chauncey Depew Steele, Jr., General Manager

CALL: KIRKLAND 6100

Calendar

THE LEGAL WORLD

Bills and Notes

Professor Aigler's class will omit the following pages in Chapter 4: 387-393, 402-406, 412-416. In Chapter 5 there will be no omissions.

Ames Competition

Qualifying Round (third term) Argument, Argument 1—will be presented today. Qualifying Round Argument 2, on July 24. July 28—Qualifying Round Argument 3. July 29—Qualifying Round Argument 4. July 30—Qualifying Round Argument 5.

Softball League

In response to requests from several students, the names and telephone numbers of softball managers in the Summer League have been obtained.

Legal Beagles, Bob Maynard 2L, 14 Chauncey St.; Black Acres, Bill Taylor 2L, Kirkland 0807; Chancery, Glenn McGee 3L, Prospect 4555; Revisers, Nathan Rosenblatt 2L, Trowbridge 8065; Legal Aid, Bill Howland 3L, Lexington 1411; Solicitors, Dick Paige 3L, Trowbridge 8472; Lincoln's Inn, Ned Carpenter 2L, Commonwealth 7932; Trover Boys, Marty Lubarsky 1L, Kirkland 1478; Conveyancers, Dick Witt 1L, Eliot 8750; Perkins, Taylor Greer 2L, Eliot 8223; Morris, John Scott 3L, Eliot 8891; and Independents, George Munroe, Eliot 4866.

King's Bench

There will be a Social at Kendall House, July 25, Friday, at 8:30 p.m. Tuesday, July 29, there is a luncheon at the Hotel Continental, 1 p.m.

Morgan Club

The Morgan Club is having a dance at Kendall House July 26, 7:30 p.m.

National Lawyers' Guild

The National Lawyers' Guild meets at Kendall House, July 25, from 3 to 5 p.m.

THE UNIVERSITY WORLD

Harvard Observatory

On Monday evening, July 28, at 8 p.m., "Open Night" will be held at the Harvard College Observatory. Dr. Lawrence H. Aller of Indiana University will talk on "What Makes the Stars Shine." If the weather permits, the lecture will be followed by telescopic observation of celestial objects. Admission is free. However, tickets must be obtained in advance by sending a self-addressed, stamped envelope to "Open Night," Harvard College Observatory, Cambridge 38, Mass. The number of tickets desired should be stated.

THE OUTER WORLD

Summer Theatres

The Boston Summer Theatre: Bela Lugosi will continue in the vampire thriller, *Dracula*, through Saturday, July 26. The play is being presented at the air-conditioned New England Mutual Hall.

The Cambridge Summer Theatre: Miriam Hopkins appears in John Van Druten's comedy, *There's Always Juliet*. The play will run through Saturday, July 26.

Dracula, starring Bela Lugosi, begins July 28 at the Brattle Street Playhouse. This is the vampire thriller made famous by Mr. Lugosi on both stage and screen.

Concerts

Gardner Museum Concerts: Concerts are presented at 2:45 p.m. on weekdays, and at 2 p.m. on Sundays at the Isabella Stewart Gardner Museum.

The following concerts are scheduled for this week: July 24, Richard Martin, baritone; Noel Lee, pianist; William Achilles, accompanist. July 26, Klaus Liepmann, violinist; Elizabeth Sherman, cellist; Lois Schaefer, flutist; Daniel Pinkham, harpsichordist.

The museum is open on Tuesdays, Thursdays and Saturdays from 10 to 4; Sunday, from 1 to 4; admission is free.

Dances

The Carlton Club holds its regular Saturday night dance at the Commander Hotel. Male students are admitted free.

Baseball

Major League Games in Boston: The Red Sox are at home all this week. Chicago visits tonight. Another night game is played against St. Louis on Friday, July 25. St. Louis enters Fenway Park again on Saturday afternoon, July 26, and plays a double-header on Sunday, July 27. Finally, the Red Sox meet Cleveland in a day game on Tuesday, July 29.

Revision Advised By Committee

(Continued from page 1)

of treatment of similar problems in the past in such a way that the desired result may be harmonized with previous solutions to analogous problems.

Discussion of the development of the "legal mind" raises one of the important questions of the first-year curriculum: Should there be an orientation course at the beginning of the first year? It has been suggested that to have a course of about 10 hours, covering in broad terms the major classifications and subdivisions of the law, the sources of the law, types of legal relief, what a "case" is, the reporting of legal decisions, and materials and suggested techniques of study, would save time in the first year which is now lost in confusion and would make for a more efficient application of student energy. We are inclined to oppose such a course. We feel there is no short cut to legal facility and that the shock of bewilderment is the most efficient attack on undergraduate habits of verbal and mental looseness and generalization. The suggestions of the different teachers as now given in the different courses as to the best methods of approach are valuable for their variety alone. But our primary objection to an orientation course is that it would inevitably involve discussion of generalities at the very instant the student should be driven from them.

It seems to us the first year courses, such as Torts, Contracts, Property, and Common Law Crimes, in conjunction with the case system are well suited to developing the "legal mind." Cases in the casebook should not be chosen primarily for their substantive content or for their value in everyday practice, but for their usefulness in raising problems which, though simple factually, are not susceptible of easy solution. With such cases, the teacher can encourage vigorous classroom discussion, exacting strict intellectual justification of the students' statements and conclusions, and testing them by painfully difficult hypothetical problems. Every effort should be made to encourage discussion and thought, outside the classroom, by the students of problems which will develop their powers of analysis and correlation. We do not suggest that the first year need be devoid of acknowledgment of the non-legal and non-logical factors which underlie and run through the inconsistencies between the cases, but if the particular technique of legal reasoning is to be achieved these extra-legal considerations should never be introduced in such a manner as to convey the impression that a general "right idea" or "sociological awareness" is an adequate substitute for strenuous logical thinking.

It is suggested that written work be made a requirement, probably not as a part of any course. This requirement could be divided into two parts. One of these would be a short "note" on a problem in which the law and the facts were relatively simple and clear; its purpose would be to train the student to make each word count, to achieve brevity without loss of clarity, to get completely precise expression. The student would be given a word-by-word criticism by the corrector so that he would receive, in some measure, the benefit that the neophyte on the *Law Review* obtains during the editing process. The suggestion that the facts and law be simple is for administrative convenience to narrow the work of the student and corrector to the practice of expression. The second part of the requirement would be a combined problem in legal research and writing, with emphasis on the former, similar to a *Law Review* note.

Conceivably the raw material for these might come from recent cases rejected by the *Law Review* as unsuitable for publication for various reasons. It is suggested that the correctors for these papers be upperclassmen with averages of B or better, or possibly graduate students, although the problem of obtaining the men (whether on a voluntary basis or not) is also to be considered. Only three marks would be given: failure, satisfactory, and honor, with the failures and honors being reviewed by a faculty member. Only honor marks would be given some value in the student's record but he would be obliged to fulfill his writing requirement by getting a satisfactory. It is believed that such a requirement would give the necessary additional training in writing

and legal research. It might be noted that such a requirement supplements the training afforded by the moot court arguments in these skills, since the approach in the latter is argumentative and in the former reportorial. We propose these "notes" be submitted in each of the last three terms, excusing those students who get this or similar training elsewhere, as on the *Law Review*.

Drafting is another skill in which the student should be given more guidance. Of course, the training in writing, proposed above, will contribute directly to the student's ability as a draftsman, but we think that additional emphasis might well be placed on drafting in the courses themselves.

A progressive variation of teaching, both as to method and substance, will contribute to the effective development of these skills. For example, the curriculum at the Harvard Law School follows the usual progression from simple, two-and-three-person associations and conflicts to complex social relationships. It seems to us that this progression is well suited to supplying the skills mentioned above and the necessary knowledge of the law. Although the first year, in our opinion, should primarily be devoted to shaping what we have called the "legal mind," the effort should not cease at that stage, but should be a continuing process. In the second and third years, however, emphasis would be laid on the other skills. It is possible that some progress in this direction might be made by carrying the "questions by the instructor" technique one step further, both as to form and method. Questions might be assigned to groups within the class who would be responsible for discussion in class of the problem. The questions would be directed not primarily at determining what the law is, but rather as to its significance and how it can be used to solve a problem. This is merely a development of techniques now in use, but we feel that this approach would stimulate interest, make for better answers, and give students experience in working together on legal problems.

In addition to this change, we suggest a departure from the straight "case system" as a teaching method for two reasons. One is, as we have pointed out, that some of the skills cannot be taught as well by this method as by some others. Secondly, we think that there is a great waste caused by use of the case system without variation, especially in the second and third years. We do not say here that any course should be taught in any particular way, for we feel very strongly that each professor should use the method best adapted to his background and personality. We do think, however, that by the second year the case system no longer holds student interest and that the student has discovered that a hasty reading of the day's cases is enough to prepare him for class; he finds his time more efficiently spent in analyzing and summarizing what he has been told. He is quite satisfied merely to listen and absorb what he will be expected to know by examination time. Material other than cases—pertinent statutes, parts of texts or law review articles, briefs, histories of how a case was compromised—might well be included in the casebook not only to provide a change but also to show how the law actually is administered. Classroom technique might be modified by a certain amount of lecturing interspersed with questions, by the use of visual aids where they would assist in the comprehension of legal situations, and by the technique in which the instructor poses a hypothetical problem which involves the points covered in a number of assigned cases.

BASIC KNOWLEDGE

Thus far, our suggestions as to curriculum have stemmed from considerations developing skills. Now, when it comes to defining courses, we are reluctant to make any detailed proposals as to the content or length of any course, not only because of our lack of professional experience, but because we recognize that content as well as technique must be in large part determined by the abilities and background of the individual professor. In general terms, however, we urge planning of the courses so that the student may become aware of the connection between his courses as they progress from year to

year from simple to more complex problems, relations, and conflicts. One professor should know what another is teaching, particularly in those areas where there is a very obvious connection between the courses. For example, in Harvard terms, the limit of our experience, we suggest that the first year course in Agency be broadened under the label of Fiduciary Relationships to include partnerships, and be taught self-consciously as the beginning course in business associations. Thus, the archaic lingo of "master-servant" would be related to current, practical group association problems, rather than being treated as a self-contained body of historical concepts. Then the second year course in Business Associations would continue designedly from this foundation, giving the student an appreciation of the development of legal principles as they encounter a more complex institutional form.

The same continuity should be striven for between the first year course in Procedure and the later course in Administrative Law. The questionnaire reveals that urban lawyers rate administrative practice of major importance. We propose, therefore, that it be a required course in the second year as a continuation of the earlier Procedure course, rather than as an optional course which is widely thought of as being of interest only to those who will pursue public law. Here again the progression of courses would illustrate how society develops new legal institutions to meet new social problems.

This change fits in with our recommendation that Equity be abandoned as a separate course. We believe that its various components could be parcelled out among other courses; equitable remedies to the first year course in Procedure, equitable servitudes and equitable conversion to Property and Wills, and specific performance to Contracts.

We believe these changes may provide a little extra time in the crowded curriculum for the introduction of new material required for developing the capacity for total decision, which we will cover in our next section. Combining Sales and Bills and Notes into a single full-year course, labelled Commercial Law, with less emphasis on historical and common law concepts would also make room for certain non-legal materials necessary for total decision. The decrease in emphasis on historical and common law concepts would not be harmful in the light of the wide acceptance of the Uniform Acts.

(TO BE CONCLUDED)

FIVE BALL CLUBS
HAVE NO LOSSES

The Legal Beagles and the Counselors now lead the Langdell Softball League with three straight wins and no losses. Hastings, Morris, and the Independents have an unspoiled record of two wins. On July 30, the Legal Beagles will meet the Independents in a game that promises to be significant in this twenty team race for the league championship.

Schedule for July 23-30

Wednesday: Perkins v Counselors, Revisers v Athletics. Thursday: Chancery v Trover Boys, Independents v Tax Dodgers, Fri. Lincoln's Inn v Blackacres, Mon. Chancery v Perkins. Tuesday: Lincoln's Inn v Sheriffs, Trover Boys v Counselors. Wednesday: Legal Beagles v Independents, Revisers v Arsonists.

U.N. COUNCIL—(Continued)

broadcasting facilities in the United States. After performing varied services for the State Department during the war, the station has re-embarked on its own program of "enlightenment in the interest of international goodwill and human progress." Among its major achievements so far has been its World Wide Radio University—through which local educators have given radio courses in the major fields of learning to WRUL's global audience. Mr. Wyman Holmes, the Boston manager of WRUL, and Mr. Stern feel that this series of programs on the United Nations will help to get the world to realize that the United Nations is a presently-effective institution for securing world peace. Any students interested in participating in these plans of the local United Nations Council will be welcome and are advised to see Mr. Stern.

UNIVERSITY
THEATRE

HARVARD SQUARE KIR. 4580

Today thru Saturday, July 23, 24, 25, 26

J. Arthur Rank

presents

David Niven - Raymond Massey

Roger Livesey

in

"STAIRWAY TO HEAVEN"

"WANTED FOR MURDER"

A British-made psychological melodrama

Starting Sunday, July 27

"It Happened on 5th Avenue"

CONTINUOUS DAILY FROM 1:30

THE MISSES
LITTLEFIELD

HARVARD SQUARE

PROFESSIONAL TYPISTS

4 Brattle Street Tro. 7495
Harvard Square

JIM'S PLACE

30 DUNSTER STREET

FAMOUS FOR CHOPS
STEAKS, SEA FOOD

Complete Dinners .50 - 2.00

Visit our new Cocktail Lounge

Complete Air Conditioning

Have you need of

OXFORD SHIRTS?

All Colors and Sizes

both button down and plain now available at

TWEEDS, LTD.

33 Brattle St. and

CHIPP, INC.

73 1/2 Mt. Auburn St.

RACKETS RESTRUNG

ONE DAY SERVICE

Air Pressure Machine

TENNIS & SQUASH SHOP

67A MT. AUBURN ST. CAMBRIDGE

---naturally
YOUR BANKHARVARD
SQUARE
OFFICEHARVARD TRUST
COMPANY