

The Harvard Law School Record

VOL. 2 NO. 4

CAMBRIDGE, MASS., THURSDAY, NOVEMBER 14, 1946

PRICE TEN CENTS

FACULTY CONTINUES TO EXPAND

Miss Mentschikoff To Give Commercial Law Next Autumn

Another addition to Harvard Law School's hard-pressed and overworked faculty, for the post-war period, is being made in September, with the appointment of Miss Soia Mentschikoff as a Visiting Professor of Law.

Miss Mentschikoff will teach Sales in the fall of 1947 and in the Spring of 1948 will give a new and hitherto unlisted course in advanced Commercial Law for men who wish to do further work in that field than is afforded by the present courses in Sales and Bills and Notes.

The new visiting professor graduated from Columbia Law School with the Class of 1937. Since then she has been in active practice in New York and is a partner of the well known Wall Street firm of Spence, Hotchkiss, Parker, and Duryea. With this firm she has largely, though not entirely, specialized in Commercial law and labor agreement and conference work.

She has for some years been engaged in the preparation of the forthcoming Commercial Law Code, the work being done under the auspices of the American Law Institute in a fashion similar to the making up of the Restatements. Miss Mentschikoff has been Assistant Chief Reporter for the whole code, Associate Chief Reporter of the chapter on Sales, and Reporter for the topic of Commercial Paper.

NEWS BRIEFS

Two members of the Law School staff, Dr. Eleanor Glueck and Professor Sheldon T. Glueck, have been honored by the United Prison Association of Massachusetts, which selected them for its Parsons Memorial Award for 1946. The medal is bestowed annually in recognition of outstanding achievement in the treatment and prevention of crime.

There have been two recent shifts on the staff of the *Harvard Law Review* announced by James H. Wilson, president. Elliot L. Richardson, A.B. (Harvard) 1941, has been appointed as note editor, and Martin C. Barell, B.A. (Columbia) 1940, has been elected treasurer to succeed Peter K. Morse, A.B. (Univ. of Michigan) 1940, who graduated in October.

Former chairman of the Board of Student Advisers Albert L. Goldman, LL.B. '46, has been appointed as Faculty Adviser to the Board.

Endicott Peabody, former All American guard at Harvard and now a second year student at the Law School, has been elected President of the Cambridge Chapter of the A.V.C.

For those who are interested in statistics, it was announced by Mr. Arthur C. Pulling, the Director of the Law Library, that there are now 623,876 volumes in the library with 2,242 received during the month of October.

COMMUNITY FUND DRIVE

Aiding the general Boston campaign which will be a drive for the community fund will be conducted this week today, tomorrow and Saturday, in Langdell South. Dean Griswold has referred this matter to the Law School Committee of the Phillips Brooks house and it will be organized in conjunction with the under-graduate school.

This campaign is more generally known as the Red Feather drive and since the proceeds are distributed among the Boston charities it is generally aimed at those living in the Boston area. However, other students are encouraged to support such a worthy organization.

Contributions may be in the form of immediate cash or pledges. The contribution may be general or a specific charity may be designated by the individual who supports the fund.

Robert Trump heads a committee composed of Julius Leetham, Carl Shipley, James Walker and Larry Hickey which is in charge of this drive.

Pound Finds Chinese Legal Codes Excellent, Application Deficient

As a result of his trip to China last summer, where he served as an adviser to the Chinese Ministry of Justice, Dean Roscoe Pound now has in his office three testimonials which were presented to him in appreciation for his services by the Ministry of Justice, the Ministry of Education, and an adviser of Chiang Kai-Shek.

Although these honors have already been given him, Dean Pound's work in China is far from completed, and he plans to return there next summer to remain in an advisory capacity for so long as he is needed.

In speaking of his work last summer, Dean Pound said he found that the basic difficulty in the Chinese judicial system is that their jurists do not have

a common background in the law. The Chinese teachers and judges have been educated in all parts of the world, and as a result they do not have a unified approach to the application and interpretation of their codes.

Chinese codes are excellent, Dean Pound says, but they are only statements of fundamentals. "The life of the law is in its application, and in this respect the Chinese system is deficient."

Modern Chinese law is now in the formative stage, the codes having been adopted only 10 years ago, and the Chinese judges and teachers, instead of having a common background, are having to rely upon the concepts which prevailed in whatever country they happened to have been trained. As a result of the lack of a suitable rationale, variations in application and interpretation have developed.

As a method of reducing the varied concepts of the Chinese jurists to basic propositions which will serve as a common foundation, Dean Pound has recommended the formation of a body similar to the American Law Institute. Committees of this body are already at work, and part of Dean Pound's duties when he returns to China will be to serve as an adviser to them.

The work of the Chinese Law Institute, when completed, will serve as a basis for legal education in China, as well as a rationale for the application and interpretation of the Chinese codes.

RED POLICY TO BE DISCUSSED

Forum Provides Special Facilities For Overflow

The policy which America should adopt toward Russia will be the subject for discussion at the second meeting of the Harvard Law School Forum at 8:00 P.M. this Friday, November 15, in the New Lecture Hall, Kirkland and Oxford streets.

Speakers for the evening, who will deliver addresses of 20 minutes each will be: John Fischer, an editor of *Harper's* magazine, observer in the Ukraine from March through May this year to check on the distribution of UNRRA supplies, and editor of "The Scared Men in the Kremlin;" John Somerville, professor of philosophy at Hunter College, author of "Soviet Philosophy," and member of the Committee for American-Soviet Friendship; and Michael Karpovitch, professor of history at Harvard College.

Moderator of the discussion will be Richard Lauterbach *Time-Life* reporter, author of "These are the Russians" and "American in Siberia," and a first-hand observer of Russia from Vladivostok to Moscow.

Because of the large Forum membership, members only will be admitted until 7:50 P.M., it has been announced. To accommodate the expected overflow crowd this week, arrangements have been made for the excess spectators to be seated in Mallinckrodt Hall, adjacent to the New Lecture Hall, and the ad-

(Continued on page four)

LEGAL AID MAKES AUTO LAW STUDY

At the request of University authorities the Legal Aid Bureau has recently compiled an up-to-date survey of the position of students who are driving automobiles registered in other states, or who hold driving licenses issued by states other than Massachusetts, with regard to Massachusetts driving regulations. The report will be circulated throughout the University, and student motorists are urged to pay particular attention to it, since their legal rights may depend very much on compliance with Massachusetts law.

The Bay state is one of those strict jurisdictions which has adopted the "trespasser on the highway" doctrine with regard to vehicles which have not complied with its registration requirements. Both the owner and the driver of such a vehicle may be denied recovery for injuries to themselves and to their autos, and may conversely be held liable for damages and injury arising out of accidents. Moreover, the fact that the driver of a properly registered vehicle has not complied with Massachusetts licensing requirements may be evidence of negligence resulting in denial of recovery, or liability for damages arising out of an accident.

Any motorist must have either a Massachusetts license, or his own state license, either on his person, or easily accessible in the car he is driving. If he is not a Massachusetts driver, he must be licensed by a state which is recognized by the Massachusetts Registrar of Motor Vehicles as one which grants similar privileges to Massachusetts drivers, and one which also enforces standards of fitness substantially as high as those required by Massachusetts. While a majority of the states in

(Continued on page four)

PROFS ARGUE BEFORE AMES

To Present Model Case For First Term Men

Professors Robert Braucher and Ernest J. Brown will participate in a model argument in the Langdell Hall Court Room at 8 P.M. on Wednesday, November 20, under the sponsorship of the Board of Student Advisers.

The case sounds in tort and is entitled *Mary Barton v. T. F. Rich Company*. It will be argued in the Supreme Court of the Commonwealth of Ames, on which three faculty members, E. Merrick Dodd, Lon L. Fuller, and Livingston Hall, will sit as judges. Mr. Dodd is to be the chief justice.

The action is for damages arising out of a collision between the defendant's car and one owned by the plaintiff. The case turns on the determination of the defendant's liability for damage done by strangers under a statute of the Commonwealth of Ames requiring him to lock his car when he leaves it parked

(Continued on page three)

REPUBLICAN FORUM ESTABLISHED HERE

The Harvard Republican Open Forum will hold its first meeting Tuesday evening, Nov. 19th, at Lowell House Junior Common Room, William A. Rusher, second-term, (Princeton '43) of New York City, announced today. The topic will be "Is Uncle Sam Overpaid?"

Speakers for the opening session will be Seymour Harris, Professor of Economics and Charles Abbott, Professor of Business Economics.

Among the students who have been active in promoting the Forum are: W. A. Rusher, LL; L. Winfield Alberts, 3L; James G. Hurley, LL; and Judson J. Allgood, LL.

Republican Open Forums were established on a nationwide basis last April, and have their headquarters in Washington, D.C. Active among the founders was Harold E. Stassen, former Governor of Minnesota, who is now Chairman of the National Advisory Committee of the R.O.F. Among the other sponsors are Senator Leverett Saltonstall of Massachusetts, Senator Raymond Baldwin of Connecticut, Senator Wayne L. Morse of Oregon and Rep. Chris Herter of Massachusetts.

The Harvard Republican Open Forum was founded last month by a number of Harvard students (graduate and undergraduate) who felt that the time had come for an organization of Republican and independent opinion to take its place in the life of the University. Permanent officers will not be chosen until the organization has had one or two meetings.

(Continued on page four)

LAW REVIEW AND BOARD NAME THIRD TERM MEN



FISHER



SACKS



COCHRANE



AMBERG



BLED SOE



RAINES

Above are six of the newly-appointed members of the *Harvard Law Review*. Pictures of the other men were not available.

Gluecks Conduct Research Seeking Causes of Juvenile Delinquency

"The twentieth century Sociological School of Jurisprudence expresses the movement to unify the social sciences of which law is but one. Law is no longer regarded as a self-sufficient, cabalistic discipline, isolated from the other social sciences. We are realizing more and more that knowledge and methods from outside the formal law must be imported into the legal order. We can no longer be content with the use of exclusively legal material in the critique of the law." (Extract from Glueck, *Mental Disorder and the Criminal Law*, Boston, 1925, p. xvii.)

Since 1925 Professor Sheldon Glueck and Dr. Eleanor T. Glueck have been carrying on a series of original research projects in criminology and penology under the auspices of Harvard Law School. Theirs is no mere arm-chair speculation. Over these years they have laboriously and methodically been setting down the stories of over 3000 individuals—from the first stages of youth to full maturity . . . from earliest delinquency to full-fledged criminality or complete reform.

The object is to study the problem of juvenile and adult crime, its control, its remedies.

Each year the courts and parole boards grind out decisions sending men, women and children away from society—restoring them to society—with little promise of any let-up in the incidence of crime. The Gluecks wanted to dig deeply into the whys and wherefores.

Reformatory and other correctional institutions have been making exorbitant claims of rehabilitation successes.

YALE GAME DANCE TO BE CABARET

Completing its final plans, the Law School Committee of the Phillips Brooks House has decided that a cabaret style will be best suited to Memorial Hall where the Harvard-Yale dance will be held on November 23. Tables will be scattered around the dance floor and chasers will be provided so that those attending may add their own choice of ingredients.

The final price on the tickets has been set at \$3.00 a couple and it would be wise to purchase tickets at the earliest opportunity. No tickets will be sold at the door and only 400 tickets will be available.

Although Memorial Hall is one of the largest halls around the Boston area this limit is necessary to insure adequate dancing space for all when the cabaret style is used. Added to this is the fact that a certain number of tickets will be sent to the Yale Law School. After last year's Harvard-Yale game the Yale Law School gave a dance for those Harvard men who were there and the dance this year will be an attempt to reciprocate their hospitality.

As previously announced the band will be Ken Reeves' and the decorations will consist of clusters of Harvard and Yale pennants dotted over Memorial Hall.

Eleven Join Bugle; Ames Takes Four; Top Grade Is 77

Election of top honor men of the third term class to the much coveted positions on the *Harvard Law Review* and the Board of Student Advisers were disclosed Tuesday by James H. Wilson and Frank M. Coffin, heads of the respective organizations.

The Bugle took the first ten men of the class which entered in February, as determined by grades in the recent examinations, and added one other third term who had entered with the October class and skipped the summer session. Student Board took 4 men.

Leading the pack with 77 averages were (alphabetically) Roger D. Fisher (Harvard '43) of Winnetka, Illinois, and Albert M. Sacks (CCNY '40) of New York City. Pressing closely with 76s were Kingman F. Brewster (Yale '41) of Cambridge, Francis D. Cochrane (Harvard '42) of Boston, and Charles M. Haar (NYU '40) of New York City. The 75 men, just making their 'A' average and thus reaching the traditional *Law Review* threshold were David M. Amberg (Princeton '41) of Grand Rapids, Michigan, John P. Bledsoe (Arkansas '41) of Pocahontas, Arkansas, William E. Collins (Texas '39) of Leonard, Texas, James G. Raines (Georgia '42) of Dawson, Georgia, and William W. Wyse (U of Washington '41) of Spokane, Washington. The October entrant, James M. Weinberg (Stanford '45) of Los Angeles, California, above-mentioned, was also a 75 pointer. All but Weinberg were veterans.

These selections exemplify the geographical spread of the school, including four Ivy Leaguers, three Southern collegians, two from the West Coast, and two from New York city institutions.

Four of the five highest 74 averages won places on the Board of Student Advisers. These were (again alphabetically) Donald C. Alexander (Yale '42) of Pine Bluff, Arkansas, Frank I. Davis (Maryland '41) of Poolesville, Maryland, Melvin J. Sykes (Johns Hop-

(Continued on page three)

ALUMNI SUBSCRIBERS

It has come to our attention that although copies of the *Record* are mailed to all our subscribers within one day of publication, delivery is frequently delayed several days. Our use of third class postage has been found to be the cause of this regrettable situation. Circulation is now sufficiently great to make us eligible for second class mailing privileges and we are applying for such an authorization. Meanwhile we ask that our alumni subscribers tolerate the present delays in the expectation of definite improvement in the very near future.

Dean Griswold Gives Explanation For Delay In Announcing Grades

Following is a statement issued by the Dean's Office on November 6, 1946. The *Record* will publish similar statements from time to time.

It is natural that there should be question in the minds of many students about the grading procedure in the School, and chafing at the delay in making the marks available.

All the marks for a particular term must be received by the Secretary's Office before any of the marks for that term can be given out. The final list of marks for the second term on Tuesday, November 5th. After that, the grades had to be tabulated, typed, and carefully checked. They were issued on Wednesday, November 6th. That should make it obvious that there was no delay in issuing them after they became available, beyond that which was actually necessary in handling them.

Before all of the marks were in, it became apparent, from the marks already received, that certain men could not meet the standards required to pass the examinations. When that fact was established, each man was notified. We

do not particularly enjoy sending out bad news, but there seemed to be no reason why we should have any man continuing in the third term when it was clear that he must either drop out or go back to the second term. It would have been nice to have all of these notices go out at once but that involved delaying some of them until all of the marks were in. As I have indicated, it seemed better not to delay any man's notice when his failure was established, even though there might be other men who would later fall into that category.

The final figure, after all of the marks were in, counting only men taking the second term examinations for the first time, was 49 failures out of 436 men. This is a failure percentage of 11.2 per cent, or considerably less than that experienced in normal times. We regard this as a reflection of the much higher admissions standards which were necessarily imposed with the class entering in February 1946. In addition, 22 out of 38 men repeating the second term after failure in June again failed.

(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*, Austin Hall, Cambridge 38, Massachusetts. Subscription prices: \$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. Business and Editorial Offices, Austin Hall, Cambridge 38, Massachusetts. Telephone KIRKland 7600, extension 133.

CHARLES G. SWEET, President
THOMAS J. O'TOOLE, Editorial Manager
PAUL F. HELLMUTH, Business Manager

WALTER H. GARDNER, Jr., Advertising Manager
RINALDO A. CAPONE, Circulation Manager
SAMUEL C. WALLER, Promotion Manager
ROBERT C. TRUMP, Treasurer
HERBERT BERMAN, News Editor
C. DUANE ALDRICH, Articles Editor
NATHAN C. FITTS, Alumni Editor
CHARLES W. DAVIS, Current Case Editor
SEYMOUR S. EPSTEIN, Opinion Editor
HARVEY KARLIN, Feature Editor
R. W. COLBERT, Calendar Editor
THOMAS MACDONALD, Secretary

Staff: Mitchell Aaronson, Jack Backman, William Barnes, Morton B. Braun, Irving Constant, Loren E. Juhl, Stephen G. Lax, Clarke S. Lyon, Donald J. Miller, John C. O'Byrne, James L. O'Dea, Harold F. Olsen, William F. Fassanante, Samuel Schwartz, Nathaniel Tepp, R. H. Wolford, Vincent St. Johns, John Cancian, John F. McKenna, Jr., Charles A. Lord, Eugene Flanagan, David Kallman.

Editorials

The recent rule denying access to the stacks to third year men working on their papers has aroused a great deal of comment among those chiefly affected.

It was a little unfortunate that official announcement did not precede the imposition of the ban, since most men learned of it when they were told, sometimes politely, by the library attendants that the stack permits they held were invalid.

Although workers in many fields will be gravely inconvenienced by the rule, it is difficult to see how the stacks could be kept open to all hands, if not this term, in the fall anyhow. The facilities here just are not adequate for the student body, and this is an example of the type of adjustment that has to be made if such a huge enrollment is permitted.

The opponents of the third year paper requirement have noted that this action makes preparation of the paper more difficult, and their point is made more valid by the fact that the difficulties increased are not ones with any educational benefit. No one learns much by waiting twenty minutes for a book, and then being told that it is 'not on shelf.' The limited hours of stack service seriously inhibit research, if it must be carried on through the middlemen at the desk. Certain kinds of research, particularly in fields like labor, administrative, legislative, and legal history, where it isn't all in the reports, are rendered difficult by the stack bar. The browsing type of search is just out of the question. If the mechanics of our library (and perhaps the appropriations) were like those of Widener, stack cards would be a somewhat less essential adjunct to scholarly work.

If the stack rule cannot be changed, and it is hard to see how it can be, perhaps the written work requirement should be reexamined. The suggestion collecting and processing mechanism of the Student Board has recommended this step, and it is currently under advisement. It is argued against the paper that 1) the personal relation of advisor and student which once made it particularly helpful has now disappeared (2) that the term system makes it difficult to do a thoroughly sound piece of work because of the short time (3) that the method of grading most papers (they aren't graded) is not conducive to devoting enough time from courses (which are graded) to the paper (4) that the training in writing is negligible and that composition is a college subject or a high school one anyhow (5) that since it is said that no one is denied graduation from the school for a poor paper, the value of the degree is not enhanced by this requirement. Now that the difficulty is so much increased, and the benefits unchanged, the faculty might properly reconsider the written work requirement.

The almost unanimous student resentment against the requirement is not born of laziness—it was a student proposal at the start—and we are a more earnest body of men than the prewar crowd. The resentment arises from a lack of appreciation of value of the requirement as it now exists, a disdain for the cavalier manner in which papers are sometimes perforce handled, and recently, from the difficulties the library puts in the way of a good job.

It might be that compulsory participation in Ames for the first two terms would satisfy the desire to have every man do a constructive piece of written work.

If, as seems likely, this requirement is maintained, and the stack rule is unchanged, perhaps the only way out is to ameliorate the library set up. For instance ingress to seminar rooms, stuffed with materials of a given course, might be permitted to men taking such subjects wherein a paper is required. If these men in the 'paper' courses were taken care of, in addition to men doing papers as part of their seminar, by furnishing properly equipped seminar rooms, then the remaining handful could be given ordinary stack cards if the nature of their project demanded such. Perhaps stack service might be given for longer hours.

The question of library personnel is delicate, but certainly regulations should be made for the benefit of the school, not for the library staff, and enforced accordingly. To this end the RECORD requests the appointment of a faculty-student Committee: two professors, and three students of adequate educational background and administrative experience to investigate the service rendered by the library and wherein it may be improved. The scope of this inquiry should include *inter alia* the placement of texts and reports, the operation of the desk, the rules governing the relation of library employees to persons using the library, the accuracy of the index, the method of stack service, the exclusionary rules, the assignment of seminar room books, control of traffic in the library, and perhaps a general appraisal of the library's function in a research-training law school and how well it performs. Student participation therein is essential; first since the library is mainly for our use, secondly, because only through student investigation can the situation be fully explored and thirdly, to ensure that such investigation does not degenerate into a whitewash of apologetics.

C. G. S.

Letters to the Editor

To the Editor of the RECORD:

More than five weeks ago I took my first examination. As of today I do not know the result of any one of my examinations. I wish to suggest that the School adopt the College policy of permitting students to insert self addressed postcards in their bluebooks so that the Professor could mail the grade to each student immediately after correction. Now that we are to have numerical marks it is not necessary that they be averaged before disclosure. Certainly the grades do not gain in stature while incubating in administrative offices. Furthermore there is no need to subject a student to acid indigestion everytime he worries about his Evidence grade.

CHARLES W. DAVIS,

To the Editor of the RECORD:

Once each week I faithfully sit down, read my copy of the RECORD and then run out to get three fast beers to try to cheer myself up.

You have a fine paper, Mr. Editor, but oh, so serious. If it's not an exhaustive (I almost said exhausting), detailed report of the latest case before the Supreme Court—and God knows we read enough of those throughout the week—it's a depressing account of the latest outrage down South, or another example of government bungling in housing, food, etc.

Now don't get me wrong, Mr. Editor. I'm not suggesting that that sort of thing doesn't belong in a school paper. I'd be a fool to do that after you so neatly took to task the professor who intimated that we shouldn't worry about such things. What I am suggesting is that there should also be room in the paper for an occasional light piece that would not solve a single world problem, raise a single vital issue, or require the slightest bit of concentration, but which might give someone a laugh.

Just to prove that it could be done, I've written something about the law school that isn't deadly serious. It might be a little too frivolous for your paper, or a little out of line with your editorial policy, but I'm sure that anyone who has ever had Professor Seavey for a class will find it amusing. If you have ever read "The Secret Life of Walter Mitty" by James Thurber you'll probably recognize the pattern, but I'm sure Thurber won't mind if you don't.

K. G. WEINBERG, 4th Term

This *Thurberesque* item will appear next week. We hope you'll like it. C. G. S.

To the Editor of the RECORD:

It is a little while since I received the last of the four issues sent to members of the Association. I read practically every word of every issue. I had been out of the country for a while and I found that the contents of the RECORD filled in a great deal that I had missed.

I think that the RECORD is particularly useful to those of us who are in Government because it supplies us with some material we used to get while we were in private practice but which a Government attorney does not normally receive.

HYMAN J. COHEN, LL.B '31

Off the Record

A. R., who is still somewhat shaken over the matter, swears on a stack of Morgan and Maguire's *Cases on Evidence* that while studying for his Evidence exam he overheard the following exchange between his little daughter Andrea and her four year old playmate, Peggy, also a legal eagle:

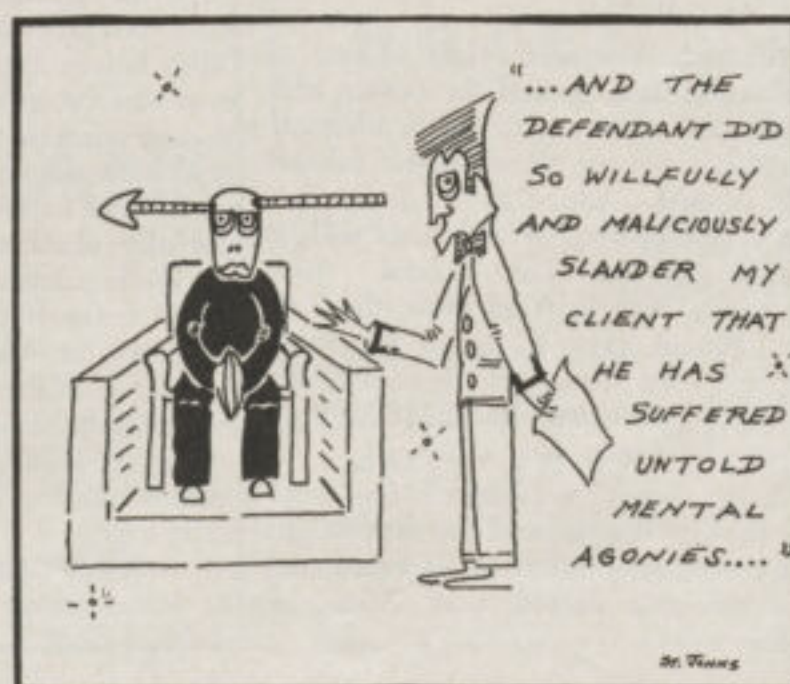
Andrea: "You can't play in my yard anymore."
Peggy: "I don't want to play in your yard 'cause I'm mad at you. And I hope your daddy gets all C-minuses, so there."

A. R. is now sweating out his grades with more than the usual vigor.

The more faithful of our readers will recall last term's disclosure of the meritorious *Langdell Lyrics*, a tiny volume edited and published privately by Professor W. Barton Leach. Legal scholars who have not yet glanced into this compilation of wit may find the volume on the shelves in the Root Room. Inspired by the gentle spoofing of Future Interests manifest in the volume, one of our more serious contemporaries who designates himself only as R. W. C. composed and, before he thought better of it, deposited his contribution to the next edition of *Langdell's Lyrics* in the RECORD box.

ON FIRST LOOKING INTO LANGDELL LYRICS
Was ever poet's potent pen
More carefully incised with truth?
For what to us the laughter of
An ancient age, long years ago.
When Turton's "certain" must have brought
To Leach's clear, discerning mind
A view of doggerel sublime.
No longer can we smile with youth's
Ne'er-ending hope and easy lightness
At remainders, "limitations" dewy brightness.
Nay, for us, survivors of the world's old ills,
No humor can be found in desiccated Wills.
On you upon whose shoulder's greatness' mantle easy rests,
Mark well the temper a new epoch manifest;
Nor puzzle long ere soon discerning.
The serious aspect of our learning.
And, lest misunderstanding plague the course,
And seriousness a change in ways do force,
Let's hasten to evaluate this "wit";
One thing's wrong; there's not enough of it.

R. W. C.



Gallery

COUNTRY LAWYER

RICHARD H. BOSTWICK

With this issue the RECORD publishes the first of a series of profiles of Harvard Law School graduates. Profiles of the faculty will continue on alternate weeks.

Chardon is a town of about two thousand population, the county seat of Geauga County, Ohio, thirty miles east of Cleveland. It lies in a rich farming area and is the center of a growing industrial region. The Public Square, with its row of shops along one side, is dominated by the red-brick county courthouse. On an autumn morning there are few people about, the town sleeps quietly in the bright sun.

Richard H. Bostwick, tall, graying, pleasantly relaxed man has practiced law in Chardon for twenty years, having joined his father on graduation in 1925. He has never had any regrets that he came to a small town rather than going to New York or some other large city. The men in his class who went to New York haven't, to his knowledge, any better practice nor have they on the average made any more money.

For the past ten years, after having been county prosecutor, Bostwick has engaged entirely in private practice. He shares office space with his brothers Scott '28 and Harold above the Central National Bank, across the street from the Courthouse.

To Bostwick, one of the great advantages of a small town practice is the wide variety of work that comes to the lawyer. Bostwick does a great deal of corporation work for the growing number of corporations in the area; he represents several insurance companies and all of the banks in the county; he does extensive personal injury work and has been defense counsel in numerous criminal cases. In addition he is director of several companies in the county. He finds that the wide variety of cases that he handles keeps him right on his toes in all phases of the law.

Another advantage of small town practice is the satisfactory personal life the lawyer leads. Bostwick lives within walking distance of work and takes his meals at home. The small town pace is more leisurely than city practice; there is greater opportunity for rest and relaxation. He is seldom as tired, nervous and on edge as are many of the Cleveland lawyers he knows. The small town is a better place to raise children and to make lasting friendships, personal and professional.

Perhaps the chief disadvantage of small town practice is the great number of cases the lawyer must handle. This entails talking and spending time with more people and doing more detail work than the city lawyer has to do. Much of his time is taken up with small matters at small fees. But, he makes out just as well since his expenses are far smaller than those of a city practice. Mr. Bostwick cited as an example the fact that his large offices consisting of a room for each lawyer, a reception room and a large library rent for much less than similar city space. Other expenses are proportionately less than they would be in the city.

Although he did not do so, since his father had an established practice when he graduated, Bostwick thinks the graduate should first go into a medium-sized firm for two or three years. There he will learn the law of his particular state and pick up much of the knowledge of procedure and of management of a law practice which he will need. Then he should quit and open his own office.

"Never work on a salary," Bostwick advises. "If you can't make a go of it on your own you'd be better off to get out altogether."

A Harvard graduate should not hesitate to set up his practice in a small town. When Mr. Bostwick started practice there were twelve or fifteen lawyers in Chardon and they were all doing well. Now there are only eight and they are all very busy. Unquestionably the town could support more lawyers; up to a certain point, the more lawyers there are in a town the more business there is for everyone. Lawyers make business.

It is hardly worthwhile to set up a practice in any small town other than a county seat, since that is where all of the business is. Ideally, the town should be fairly close to a good sized city, giving access to the Federal Courts and also bringing in some practice in the city courts. In the beginning things will be rough, but once the man gets started his practice will pick up much faster than his brother's in the city.

The lawyer should join all of the organizations he can and should get around among people. Bostwick belongs to The Cleveland Country Club, University Club and Shrine in Cleveland; the Mentor Yacht Club; The Elks Lodge and Knights Templar in nearby Painesville; the Masonic Blue Lodge Chapter, Odd Fellows, Knights of Pythias, Eagles and Grange in Chardon. He also belongs to the Ohio and American Bar Associations, the County Prosecutors Section of the Ohio State Bar Association and the Prosecutors and Assistants Association of Ohio. Once having joined an organization, the lawyer should take an active part in it. The contacts he makes will help the growth of his practice.

The graduate should seek political office which gives an opportunity for legal work, such office as county prosecutor. Campaigning in itself will put him in contact with many prospective clients. Once in office, he can show people what he can do, and when he does that they will come to him for advice on their legal problems. In a small town he can easily combine his public office with his private practice. After a few years he should give up the job and devote himself to his established practice.

Appearances are very important to the small town lawyer. He should have a nice looking office, a good home and a good car, and should be well dressed. Good appearances tend to increase the client's confidence in him. Clients like to point out such a man as their lawyer and to recommend him to others. He should also be on good terms with the local newspaper which will often run an article when he has done a good job, and that always helps.

"More than any other lawyer, I think the small town man approaches the status of a servant of the general public," Bostwick concluded. "He isn't tied down to a few large clients but must take all the cases which come to him. He must work as hard on small cases as on large ones. But most important of all, to me anyway, a good small town practice should lead to a happy personal and satisfying professional life."

H. K.

Sub Judice

OWER & SPECIFIC PERFORMANCE****

Plaintiff contracted to buy farm land from the defendant. The latter agreed to give the plaintiff a warranty deed signed by himself and his wife sufficient to convey the fee to plaintiff. No provision was made for adjustment of the purchase price in the event that defendant's wife refused to release her inchoate dower right. Plaintiff paid several instalments, but when he tendered the balance, it was refused. It was also found by the chancellor that the plaintiff refused to accept a deed signed by the defendant alone.

Plaintiff brought suit in equity to compel the defendant to produce a warranty deed signed by himself and his wife. Alternatively, if defendant's wife refused to join in a deed, plaintiff sought a determination of the value of the inchoate dower right and a reduction in the purchase price by that amount. As another possibility plaintiff sought to have the defendant make indemnity for any loss or damage that should occur by reason of defendant's failure to deliver the deed. Plaintiff also joined defendant's wife as a party-defendant in the pious hope that the chancellor would order her to execute a release of dower.

The chancellor found that defendant had tendered a warranty deed signed by himself alone, and that this had been refused. Upon this finding the prayer for specific performance was dismissed. On appeal the Supreme Court of Illinois affirmed. *Pearson v. Adams*, 68 N. E. (2d) 777 (Ill., 1946).

It is well settled in Illinois that a court of equity cannot compel a wife to release her inchoate right of dower in lands which her husband has contracted to sell but to which she is not a party. Ordinarily where a vendor has contracted to convey by warranty deed with his wife joining (as in this case) a court of equity will order him to convey by warranty deed all the interest he can, leaving the vendee to proceed at law for damages for breach of his covenant. But despite the conflict in decisions in other states (see 46 A. L. R. 748 and 148 A. L. R. 292) the courts of Illinois have refused to permit the chancellor to fix a value on inchoate dower rights and order abatement of the purchase price. But here where plaintiff had refused to take a warranty deed conveying all that the husband could convey, the complaint must be dismissed, leaving plaintiff to his action at law for damages. A cross complaint by the defendant for rescission of the contract on the ground of fraud was also ordered dismissed.

OF JEWELS IN HOTEL ROOM MATTRESSES****

Guest cannot keep jewel found in hotel room as against the hotel.

Plaintiff came to Virginia for the worthy purpose of testifying for a friend in a tax case against the government and put up in the Monticello Hotel in Norfolk. Prior to leaving his hotel room for an evening of entertainment plaintiff discovered something wrapped in tissue on the dresser. Inspection proved it to be a sparkling brooch which was appraised the next day for about \$4,000. At the suggestion of the hotel manager the jewelry piece was left with him until such time as the owner claimed it. It was the understanding of the plaintiff and his friend that this was upon condition that the brooch would become plaintiff's property upon failure of the true owner to claim it.

After some time went by without any claim being made for the brooch, plaintiff was unable to recover the jewelry from the hotel. An action in detinue (in 1946!) was brought to recover the diamond brooch or its value. The jury brought in a verdict for the plaintiff, but the trial judge set aside as against the evidence. On appeal the Supreme Court of Appeals of Virginia affirmed the judgment. *Flax v. Monticello Realty Co.*, 39 S.E. (2d) 308 (Va., 1946).

The dispute between the plaintiff and the hotel manager as to the disposition of the jewelry in the event no one claimed it was not regarded as important by the court. It turned out that a maid found the brooch in the mattress and placed it on the dresser. Thus the plaintiff was not a finder at all but one who would reap where he had not sown. He had no standing to claim the brooch. The controlling circumstance as to the rightful authority and custody of the article is the control over the *locus in quo* in which the thing is found. Property students will be interested in the court's citation of *Silcott v. Louisville Trust Co.*, 205 Ky. 234, Warren's Cases p. 121.

PURE FOOD LAW****Manufacturer's warranty that he has complied with federal law does not avail distributor who handles or processes the product to which the warranty attaches.

The defendant partnership was charged with violation of the Federal Food, Drug and Cosmetic Act in the shipment and sale of rubber prophylactics which were, in fact, ineffective for prophylactic purposes because of the presence of holes and perforations in the devices. It was not disputed that the goods shipped in interstate commerce were adulterated and misbranded.

The defendants claim they are not guilty because of the manufacturer's guaranty warranting that all merchandise complied with the Pure Food, Drug and Cosmetic Act and authorized them to make the same guaranty to their distributees. The defendants received the merchandise in bulk, repacked in individual containers bearing own labels and shipped to customers. There was some evidence that the goods were acquired by the purchase of a wholesale business which had in stock the prophylactics which the original owner had purchased from the manufacturer. The Government claimed that this last vitiated the guaranty. In a dictum the court agrees.

The policy of the Act, however, is to protect the consumer. Absolute liability is thrown upon those who introduce bad goods into interstate commerce. The exemption clause of the statute does not include those who handle or process the product to which the guaranty attaches. Judgment of guilty. *United States v. Crown Rubber Sundries Co.*, 67 F. Supp. 92 (N.D. Ohio, 1946).

The Witness Stand

The Question: Do you think the Harvard Law School is a conservative institution?

1. H. L. Hitchins, Dallas, Texas, 1st Term

My impression is that the law school itself is not liberal in the sense of being far left in national policies and views. The University as a whole seems to have existing societies which have much more liberal views. The teaching methods employed conform materially with what my impressions of what teaching of law was; very orthodox. The School itself is certainly not radical and Dean Griswold is fairly accurate in his view. My professors lean on the established form and practice. So far the only liberality I have encountered would be Professor Glueck's theories on punishment. On the whole I find a mild conservatism pervading.

2. William P. Walpole, Oak Park, Illinois, 2nd Term

As far as the law is concerned, I think the school is ready and quick to accept changes. In my opinion, this tendency on the part of the faculty will definitely have a good effect on the decisions of the courts of the future. I think as a whole the student body is liberal, not ridiculously liberal, but they are certainly anything but ultra-conservative.

3. Melvin H. Morgan, Providence, R. I., 1st Term

The student body has very definitely liberal tendencies. In fact, they did everything but hang the flags at half-mast after the recent national elections. As to the faculty, I'd say there is an even split. That opinion, however, is subject to change within the next few months.

4. Jerome S. Raskin, New York, N. Y., 2nd Term

In my opinion, the Law School has a conservative approach. The educational approach is one which basically leads from fundamental conventions to modifications necessitated by present conditions. The student body is in a highly formative state and consequently there is much instability of opinion and there is therefore a great tendency to be torn between conflicting arguments. I think that you cannot class the student body as a whole as being either liberal or conservative.

5. Elmer Harris, Wilkes-Barre, Pa., 3rd Term

I think by and large Harvard Law School is liberal, but as with all generalizations there are certain exceptions. The student body is liberal and the faculty, those who have expressed themselves, are in the main liberal. Those faculty members who might be classed as conservatives are not of the ostrich type but have an awareness of the world's problems born of a wealth of experience.

ELECTIONS (Continued)

kings '43) of Baltimore, Maryland, and Milton R. Wessel (Yale '46) of New Rochelle, New York.

Sidney M. Glazer (Washington U. St. Louis '43) of University City, Missouri, would have been elected also on the basis of his scholastic record but had neither competed in the first year of the Ames work nor procured a waiver without prejudice. It has been a long standing and well publicized requirement for election to the Student Board that the candidate either participate in the law club activity or secure such a waiver, and the Board felt themselves bound by this rule in Glazer's case. This additional place with the Advisers will be filled by some upper classman when the grades of the advanced terms are announced.

Selection of members for the Harvard Legal Aid Society have not been announced as yet.

Officers of the Law Review in addition to Wilson are Case Editor Malory Smith (Furman '39) of Greenville, South Carolina, Note Editors W. Covington Hardee (Emory '40) of Cambridge and E. L. Richardson (Harvard '40) of Brookline, Book Review Editor William P. Bundy (Yale '39) of Boston and Treasurer Martin C. Barell (Columbia '40) of Brooklyn, New York.

This latest group of selections raises the membership of the Law Review's staff to 35 and that of the Student Board to 19.

Aiding Coffin in the work of managing the Commonwealth of Ames are John J. Delaney (Harvard '45) of Arlington, Massachusetts, chairman of the second year committee, Henry J. Smith Jr. (Fordham '40) of New York City chairman of the first year committee, and Fred Hoffman (Michigan '44) of Rochester, Indiana, treasurer.

For Accurate, Neat, Technically-Correct Typing of Your Brief
Call JACKSON — TRO. 8165
—Typing for Law Club Men Since 1930—
ELMER JACKSON
33 Trowbridge Street

Alumni Notes

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

The Harvard Law School was well represented among successful candidates for state governor and U. S. Senator in the recently-held elections. As stated in the October 30 issue of the RECORD, Gov. Horace A. Hildreth, LL.B. '28, who won re-election in Maine's early elections was the only state governor claimed as an alumnus. He has now been joined by Alfred E. Driscoll, LL.B. '28 governor-elect of New Jersey; Robert F. Bradford, LL.B. '26, of Massachusetts; Beauford H. Jester, ex-'19, of Texas.

New U. S. Senators are John S. Cooper, ex-'26, of Kentucky; and James P. Kem, LL.B. '13, of Missouri. Other alumni in the U. S. Senate are R. Owen Brewster, LL.B. '13, of Maine, re-elected in September; and still serving unexpired terms are Leverett Saltonstall, LL.B. '17, of Massachusetts; Robert A. Taft, LL.B. '13, of Ohio; Claude D. Pepper, LL.B. '24, of Florida; and Theodore F. Greene, ex-'93, of Rhode Island.

A petition for the "integration" of all lawyers in Massachusetts as a self-governing body, to be known as The Bar of Massachusetts was filed with the Supreme Judicial Court on October 8 by the Massachusetts Bar Association.

Chief Justice Fred T. Field, LL.B. '13, granted permission for the filing of the petition, and it was accordingly filed for the association by Edward O. Proctor, LL.B. '12, president, Frank W. Grinnell, LL.B. '98, secretary, and Horace E. Allen, LL.B. '15, treasurer.

The proposal for integration follows the example set by some 25 other states whose bars have been completely organized. The present petition, on which the Supreme Judicial Court has been asked to take such action as is deemed advisable, represents the culmination of five years of discussion by the bar as a whole. In 1941 a referendum showed 2000 Massachusetts lawyers in favor of integration and about 1000 opposed. On the suggestion of Mayo A. Shattuck, LL.B. '21, then retiring as president of the Massachusetts Bar Association, a committee of 25 lawyers was named to consider the report, and this committee prepared the material which has now been presented to the Supreme Judicial Court.

The purpose of the organization involves the consideration of the administration of justice, judicial grievances, and other matters affecting the legal profession in the state, and co-operation with the bar examiners in regard to the admission of candidates for the bar would likewise be a function of the planned organization. The various phases of activity undertaken by the organization would be worked out through a committee system.

In addition to the petition for "integration," pamphlets of suggested rules and by-laws were filed for consideration. These regulations propose that every lawyer in Massachusetts should be a member of the organization, divided into active, inactive, and honorary categories. Only active members would be eligible to practice, and active members would pay annual dues of \$10. Administration of the organization would be in the hands of a council of 40 members serving without pay and comprising representatives of each county. The county bar associations would have a part in the nominations of these officers. In addition, there would be the regular officials — president, secretary, and treasurer—who would be elected by the association members.

LL.B. '04—Henry W. Palmer died en route to Sweden aboard the S. S. Gripsholm. Palmer practiced law in Boston and was a member of the board of directors of the Children's and Infant's Hospitals and the New Ocean House, Inc. of Swampscott, Mass.

LL.B. '21—John J. McCloy, of the New York firm of Milbank, Tweed, Hope, Hadley, and McCloy, has been elected to the board of directors of the Union Pacific Railroad.

LL.B. '32—Miss Margaret M. Foley of Pasadena, Calif. has become engaged to

George D. Jagels of Los Angeles, who has now returned from naval service where he held the rank of Commander.

LL.B. '38—Edwin J. Putzell, Jr., has been appointed to the legal department of the Monsanto Chemical Company as assistant secretary. Putzell previously served as assistant treasurer for the company.

LL.B. '39—John Philip Coghlan has returned from service in the Navy as a Lieutenant. He saw duty both in North Africa and on the east coast of the United States. He has resumed his association with the firm of Chickering & Gregory, 11 Sutter Street, San Francisco, Cal. He worked with this firm for a short period after graduation and prior to his entry into the naval service.

LL.B. '41—Miss Melvina Pollack has become engaged to Richard I. Klein of Shaker Heights, Ohio. During the war he served overseas in the Army Air Forces.

LL.B. '41—Lt. Col. John J. Rhodes has returned from military service and is now associated with W. J. Van Spanckeren in practice at 46A No. Macdonald St., Mesa, Ariz., and 69 W. Boston St., Chandler, Ariz.

LL.B. '42 (as of '46)—Norman E. Henkin has opened offices at 110 East 42nd Street, New York City.

LL.B. '43—Bernard Dunau has been connected with the National Labor Relations Board since spring. His address is 815 Connecticut Ave. N.W., Washington, D. C.

Ex-'44—Miss Helen Brewer of Plymouth, Mass. has become engaged to Noel Chadwick of Boston: the wedding will be held in Plymouth on November 16. Chadwick received the degree of LL.B. from the University of Paris and also was graduated from the diplomatic section of the Ecole Libre des Sciences Politiques.

LL.B. '46—Stanley H. Rudman is now connected with the firm of Schneider, Reilly & Bean, 11 Beacon Street, Boston, Mass.

AMES—(Continued)

on the street. The action comes to the Supreme Court on an appeal by the plaintiff from a directed verdict for the defendant and judgment rendered thereon by Judge James J. Patrick of the Superior Court of the Commonwealth of Ames, Fourth Judicial District. It comes up on an agreed statement of the record, under the provisions of Rule 76 of the Federal Rules of Civil Procedure.

Mr. Braucher is counsel for the appellant and will be assisted by Raymond Ostlund and Paul N. Temple, of counsel on the brief. Tudor Gardiner and Cecil E. Munn will assist Mr. Brown on the brief for the defendant-appellee. The argument is being sponsored in accordance with the Board of Student Advisers' policy of presenting alternately each semester either a model argument or a series of two lectures on brief writing and oral advocacy, primarily for the benefit of first term students. Therefore, first term men will be admitted to the court room first and will be given front seats. Other students will then be admitted to the extent that the court room facilities permit.

All the formalities which usually attend the proceedings of a court of last resort will be observed. Members of the Board of Student Advisers will perform such duties as crier and mace-bearer.

The last model argument was held during the Spring Term of 1946, when Professors Archibald Cox and Paul A. Freund argued the case of *Adeline Adams v. B. F. Smith Company*, in which judgment was rendered for the plaintiff-appellant, represented by Mr. Cox.

RACKETS RESTRUNG

ONE DAY SERVICE
TENNIS & SQUASH SHOP
67A MT. AUBURN ST. CAMBRIDGE
Opp. Lowell House — TRO. 5417

UNIVERSITY THEATRE

HARVARD SQUARE KIR. 4580

Now thru Saturday
Fred MacMurray - Anne Baxter
"SMOKY"

Rendezvous With Annie

Sun., Mon., Tues., Nov. 17, 18, 19

"THRILL OF BRAZIL"

Evelyn Keyes - Keenan Wynn
Ann Miller

Pat O'Brien - Claire Trevor
Herbert Marshall
"CRACK-UP"

GRISWOLD—(Continued)

There may well be question why it took until November 5th to have all of the papers graded when the summer term ended on October 5. This School has always followed the policy that blue books are marked personally by the instructor who conducted the course. We do not use readers to mark essay question blue books. Each man has the assurance that, for better or for worse, the mark he receives is the personal judgment of the faculty member who taught the course and set the examination. This puts a tremendous burden on the faculty members, which they assume because they regard it as an essential part of the School's organization. I can say from considerable experience that there is no task connected with the School as arduous or as nerve-racking as that of marking blue books. The downright physical labor involved is very great. If a man spends about all of his time at the task, he can read about 20 full-length books in a day. Some instructors read a few more, some a few less. If he has three or four hundred books to read, several weeks at the least are required to dispose of them even if he does nothing else. In normal times, examinations finish in May. The faculty has June and early July in which to read blue books and grades are ordinarily available about the middle of July. Under present conditions, however, most faculty members have to go right ahead with classes while they are still reading blue books. Many faculty members have to spend a good deal of time on countless administrative problems which arise in connection with the current operations of the School. It is, therefore, extremely difficult to get the books read while carrying on a more or less full scale run of other duties. No man would want to have his book read without full consideration. The inevitable result is that a considerable amount of time is consumed before all of the marks can be completed. We want students to understand and feel that faculty members work on this matter as hard and as conscientiously as they are able.

Apart from second term marks, there are others which are necessarily delayed. Vice Dean Hall, who has the Criminal Law blue books to grade, could not start on them until he finished the Torts blue books. It will be some time until he can have them all completed. Similarly, other instructors who had papers in the second term to mark had to do them first, since that group of papers will be generally regarded as the most crucial. It is not feasible to send out the marks piece meal. I want to assure students that we will send them out just as promptly as possible after the faculty members are able to grade the papers and send them in.

I have only one concluding thought. On the whole, I would think that many of us on the faculty feel that much too much concern is now being given to grades. I think that is natural and understandable, but still unfortunate. After all, you are here to study law and get a comprehension of our legal system, and not just to get marks. I have been told that a number of men on the Law Review are very unhappy and cannot sleep nights and so on, because their marks are not in. I hope that will bring a smile to some of the other members of the student body.

ERWIN N. GRISWOLD,
Dean.

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

BRIEFS TYPED

Picked up and delivered
at law school
Make your appointment early
Call Mrs. Juhl at Las. 6119

The Law School Typing Bureau

Typists familiar with
"Introduction to Oral Advocacy"
Apt. 401, Palmer Bldg. 1416 Mass. Ave.
TRO. 0429 Harvard Square

BRIEFS TYPED

Rapid, Accurate, Reasonable Rates
Call TRO 6487 15 Everett St.
for appointment Apt. 33
(One block north of Langdell)

Opportunities In Federal Agencies

Thomas J. Corcoran has expressed the opinion that all Harvard Law School men will at some time or other be connected with one of the various federal agencies that form so large a part of governmental administration. The RECORD has been able to assemble a good deal of information for those who are interested in such work in the near future. Considerable skepticism has been expressed by various students as to the type of work which a young lawyer could expect in these bureaus. It must be remembered that while there is a good deal of routine clerical work involved in many of the positions, legal firms consider these jobs as excellent preparation for specialists in a given field. In these days of keen competition it may be very helpful for a man who desires a private practice in taxation work to serve as an apprentice with the Bureau of Internal Revenue instead of as a law clerk with a firm doing general practice.

The pay in the lower professional classifications, which at one time was considered generous, now no longer compares favorably with the wages of unskilled laborers. There are, however, provisions for regular advances in pay on the basis of seniority, and for advances in grade where the standard of work is high and openings are available. Graduation from a reputable law school and membership in the bar of some state or of the District of Columbia are the minimum requirements for most of the agencies. In some cases it has been possible for graduates to secure a job in one of the non-professional grades until the bar exam was passed. Promotion would then follow to the professional class which is graded in levels from 1 to 8. These are Civil Service classifications, but appointments are made by each agency according to its own standards of fitness. There are no competitive examinations which determine a priority for candidates. An inexperienced lawyer with the N. L. R. B., for example, would be placed in grade P-1 for orientation during which time his annual salary would be from \$2644.80 to \$3397.20 depending on length of service. It is not infrequent, however, for a beginner to secure a position in grade P-2 or P-3 with the ICC or some one of the other agencies which has developed a policy of not hiring below those grades because of the difficulty in securing competent personnel. The salary in those grades runs from \$3400 to \$4900. At present salaries for non-policy making members of these agencies do not exceed a maximum of \$8059.80.

The number of lawyers employed seems to be fairly large. The Interstate Commerce Commission alone, for ex-

ample, employs over 200 attorneys to handle its legal work, scattering the men between Washington and the district offices. It has been estimated that the normal turnover in these positions is somewhat around fifteen per cent a year. The rapid changes which were normal during the war, however, have made it difficult to predict any norm for the future.

The substantive work done in these jobs is, of course, determined by the statute setting up the agency or commission, but except for minor variations the same general type of work is done throughout. By far the largest number of attorneys are engaged in investigative work of some sort for the commissions. This may mean merely sitting in Washington reading advertising copy, or it may involve considerable travel in the field, with conferences, special reports, and opinions on modifications of commission rules.

Another general subdivision of legal work is engaging in litigation involving the employment bureau. This work is subdivided frequently into legal research of the law clerk variety, preparation of briefs, and arguments in federal district and appellate courts, usually on appeals from commission orders, or for judicial enforcement of those orders. This is obviously work which would provide experience of the most valuable sort, but the number of such positions is understandably limited.

The third general subdivision is trial work before the commission itself. Jobs in this category are available to a moderate extent, and do provide an inexperienced lawyer the opportunity to acquire knowledge and proficiency in his chosen field. Counsel in these cases represent the government as to the rules to be imposed or the action to be taken, while the opposition is supplied by lawyers representing the defendant concerns. Here the work involves legal research, preparation of briefs, memoranda, and evidence, and introduction of and argument concerning these before the commission acting as a court. Travel in this type of work is fairly frequent, since much is done at the convenience of the company concerned, although argument before the commission, if the company wishes, is held in the home office.

Further information on specific agencies is available at the RECORD office. In order to present a more detailed picture of the opportunities in a typical agency the RECORD will print in the next issue a summary of the activities of the Federal Trade Commission, prepared by Mr. W. T. Kelley, General Counsel of the Commission.

The good lawyer . . .

subscribes to Reporter Systems, has statutes and case law in his library.

The eminent lawyer . . .

adds to this the Harvard Law Review, for its intensive analysis of important decisions, trends, reviews of every phase of the law, and outstanding articles by the most learned men of the profession.

A ONE-YEAR SUBSCRIPTION

to the

Harvard Law Review

for \$4.50 (\$5.00 foreign)

Eight issues per year.

Address Orders to:

HARVARD LAW REVIEW ASSOCIATION

GANNETT HOUSE

CAMBRIDGE 38, MASS.

SUBSCRIPTION BLANK

(Cut out and Mail)

THE HARVARD LAW SCHOOL RECORD

AUSTIN HALL

CAMBRIDGE 38, MASS.

I wish to subscribe to the RECORD for

- ☐ 1 year at \$6.00
☐ 1 term at \$2.00

Enclosed is check for the subscription price.

Name:

Address:

Bella Vista RESTAURANT

LUNCHEON
11:30 — 3:00

DINNER
6:00 — 9:00

A LA CARTE

9:00 until closing

Visit our COCKTAIL LOUNGE
KIRKland 4311

44 Church St. Harvard Square

Calendar

THE LEGAL WORLD

Ames Competition

First term: Facts issued, Round 3-A, Thursday, Nov. 14; facts issued, Round 3-B, Friday, Nov. 15; fact-conference, Saturday, Nov. 16; brief conference, Round 2-A, Monday, Nov. 18; facts issued, Rounds 4-A and 4-B, Monday, Nov. 18; briefs exchanged, Round 1-A, Tuesday, Nov. 19; fact-conference, Rounds 4-A and 4-B; briefs exchanged, Round 1-B, Wednesday, Nov. 20.

Second term: Brief exchange, Thursday, Nov. 14; arguments, Monday and Tuesday, Nov. 18 and 19.

Third term: Qualifying round facts issued daily (including Saturday), today through Wednesday, Nov. 20.

Tea for Wives

Wives of new students are invited to attend a tea which will be given by Mrs. E. N. Griswold, wife of the dean, Tuesday, Nov. 19, 4:30-6:00 p.m. in Kendall House.

Property Review

Prof. Cavers will conduct a review for his first year Property class Monday afternoon, Nov. 18, 3-5 p.m. in LSM.

Law Wives Party

The Harvard Law Wives will hold a party Saturday evening, Nov. 16, at Kendall House.

Chancery Club Meeting

The Chancery Club will meet in Kendall House Saturday, Nov. 16, 4-7 p.m.

Law School Forum

What Should America's Policy Toward Russia Be? will be the subject of the discussion this Friday evening at 8 P.M. in the New Lecture Hall. The participants will be Philip Mosely, former adviser to the State Department at Moscow, Yalta, Potsdam, London, and Paris; John Fischer, Editor of *Harper's* and UNRRA observer in Russia; and Michael Karpovitch, Professor of History at Harvard.

An *Analysis of the Soviet Legal System* will be made in Langdell Courtroom, Tuesday, November 19 at 3 P.M. by John Hazard, Professor of Law, Russian Institute, Columbia University.

Year Books

Last chance to get your copy of the '46 yearbook. A few more copies will be for sale at Gannett House today through Saturday. The price is \$6.00.

Job

Mr. Dimmitt would like to see any men in the School who will graduate in 1947 and who are qualified for patent law in that they have had considerable chemistry and physics or an engineering degree.

Massachusetts Hopefuls

All men who will graduate in February and June of '47 and who expect to practice in Massachusetts are asked to leave their names with Miss Clayton in Mr. Dimmitt's office as soon as possible.

THE UNIVERSITY WORLD

Play

Adam The Creator, a satiric fantasy by Karel and Joseph Capek, will continue through Saturday night at Sanders Theater. The play is about a man who annihilates all of creation except himself and is commanded by God to re-create it, only to discover that his men are but stale reproductions of those he had destroyed.

Concert

The Radcliffe Choral Society and the Harvard-Radcliffe orchestra will give a concert in Sanders Theater next Wednesday evening, November 20. The concert is open to the public, free of charge.

Dance at Sargent

The will be an informal dance this Saturday night, November 16, at Sargent College. Music by Bob Norris. Entertainment and refreshments.

Lectures

Professor Henri Frankfort, Oriental Institute of the University of Chicago, will speak on *The Ancient Egyptian State: An Element in the Created Order*, in the Large Lecture Hall Semitic Museum (Divinity Ave.) this afternoon at 4 P.M.

Robert Frost will give a reading of his poems this afternoon at 4:30 P.M. in the New Lecture Hall.

Harvard Dames will hear Congressman John F. Kennedy speak on U. S. *Foreign Policy Today and Tomorrow* tonight at 7:30 P.M. in the Phillips Brooks House.

Open Forum

The Harvard Republican Open Forum will have its first meeting in the Lowell House Junior Common Room on Tuesday, Nov. 19. The subject will be *Is Uncle Sam overpaid?* Admission is free and all interested students are invited.

GLUECKS—(Continued)

tactfully that in the overwhelming majority of the cases their cooperation and assistance was gladly given. Parole officers, police, probation officers, teachers, family physicians, and relatives were sought out, as were local storekeepers and others who might provide scraps of information later to be checked and rechecked. The files of social agencies, hospitals, courts, finger print bureaus, and a myriad of other sources of information were used in gathering the data. To supplement interviews and personal examinations of already recorded materials about the men and their families, thousands of letters and questionnaires were sent to police, welfare agencies, schools, employers, hospitals, and others.

Little by little pages of history were accumulated concerning the men. As they grew older, the files increased, the biographies lengthened. Five years, ten years, fifteen years after the men were discharged from the reformatory their progress was noted. The men were followed through most of the 48 states and even into foreign countries. The story of their careers was first described in *500 Criminal Careers* and further recorded in *Later Criminal Careers* and *Criminal Careers in Retrospect*.

Similar investigations have been made into the life careers of 500 women, reported in the volume *500 Delinquent Women*; and into the lives of 100 juvenile delinquents, described in *One Thousand Juvenile Delinquents* and *Juvenile Delinquents Grown Up*.

Among the by-products of these "follow-up" studies are a series of prediction tables from which the subsequent behavior of certain types of offenders can be forecast. One of these prediction tables compiled by the Gluecks on data gathered on former juvenile delinquents who entered the army in the first world war was recently tested by army authorities. It was proved to be valid for predicting behavior of men in the armed forces in World War II who were delinquents in civilian life. (A report of this was published in the July 1944 *Journal of Mental Hygiene* and was made available by the Josiah Macy Jr. Foundation to 800 Army and Navy psychiatrists and psychologists.)

The test was made on 200 men in the Army who had been sentenced by General Courts Martial. It was found that with the aid of the Glueck prediction table, a strictly mathematical computation based solely on factors concerning their life previous to entering the army, would have screened out as clearly undesirable 85% of these men at their induction centers, while another 10% of the men were indicated to be a 50-50 risk.

As yet the Gluecks have deliberately refrained from formulating crime prevention and treatment programs, on the ground that effective results cannot be achieved until the facts and forces that cause criminal behavior are better known.

Research Into Causes of Juvenile Delinquency

Since 1939 Professor and Mrs. Glueck have been making a comparative study of 500 delinquent boys ranged against 500 non-delinquent boys, individually matched by age, nationality, intelligence, and socio-economic status, to institute a search for the combinations of factors and forces that makes one group delinquent and the other non-delinquent. Each boy has been given a medical and psychiatric examination, intelligence and other psychologic tests; anthropometric measurements have been made to determine physique types; and a thorough investigation of their family and personal background is now in process. On the Gluecks' staff to aid in collecting the data are a physician-psychiatrist, anthropometrist, psychologists, and social investigators. All the data are systematically recorded on schedules for each individual. Tabulations of every conceivable combination of factors will soon be made.

From the differences revealed between the delinquents and the non-delinquents should emerge many answers to the puzzling problem of the causes of crime.

THE OUTER WORLD

Plays

The Magnificent Yankee, with Louis Calhern as Justice Holmes, starts Monday, November 18, at the Colonial.

Christopher Blake, Moss Hart's new play about the effect on a young boy of his parent's divorce, continues at the Plymouth.

Musicals

The Student Prince, Sigmund Romberg's popular operetta, will be at the Opera House through Saturday night.

Ford Hall Forum

Edgar Ansel Mowrer will speak on *Cards Not Seen on the Table* at Jordan Hall, Sunday, November 17.

While Professor Glueck deems it important to train students in the fundamentals of the traditional criminal law, he is convinced that no mere arm-chair speculation as to the various theories of punishment, as to the constituents of *mens rea*, (a legalistic concept developed long before the rise of modern anthropology, biology, psychiatry, psychology and sociology), as to "how to prevent 'crime-waves,'" or how to cope effectively with any aspect of the social problem of crime can give the crucial answers. He and Mrs. Glueck believe that only painstaking biologic and sociologic research can furnish the raw materials which will help to make understandable the true tasks of legislation, prosecution, sentencing, peno-correctional treatment and preventive programs for delinquency and crime.

In a 1943 publication of the Social Science Research Council, results of a poll among psychiatrists, psychologists, sociologists and other specialists in the field of human behavior which asked them to name up to 15 studies which had contributed most to the increase of our knowledge of delinquents and criminals, Professor and Mrs. Glueck's *500 Criminal Careers* ranked first, while two other of their studies ranked among the first ten.

The research work of the Gluecks is still in its infancy. Harvard's is the first Law School in the country to sponsor such a program. Twenty years can only make a dent in the mass of unexplored data. The field is still new and still largely uncharted. Already, however, these researches recorded by the Gluecks in seven volumes and numerous articles are widely known here and abroad. Some have been cited by the United States Supreme Court and by outstanding statesmen. They have exerted a powerful influence on legislation and administrative reform. One volume—*After-Effects of Discharged Offenders*—summarizing the results of their "follow-up" studies—was written at the invitation of the Faculty of Law of the University of Cambridge, England, and has an Introduction by Mr. Justice Felix Frankfurter.

FORUM—(Continued)

dresses will be "piped" to Mallickrodt. Starting this week, the Forum discussions will be broadcast over station WHDH. Time of the broadcast Friday night will be from 9:35 to 10:00 P.M.

In conformity with a policy commenced at the first meeting of the Forum, four books will be awarded to the person who asks the best question from the floor during the question period. These books will be Richard Lauterbach's *These Are the Russians*, John Somerville's *Soviet Philosophy*, Corliss Lamont's *Peoples of the Soviet Union*, and Sumner Welles' *Where Are We Heading?*

REPUBLICANS—(Continued)

In common with the other Republican Open Forums, on campuses and in communities across the country, the H.R.O.F. meets once a month, to discuss a topic assigned by the Forums' national headquarters. (In all other respects, the H.R.O.F. is completely independent of the national organization.) The topic for this month (as announced above) is, "Is Uncle Sam Overpaid?"—a forum on the cost of government. Two Harvard professors who are authorities in this field will start the ball rolling with brief talks. Then the floor will be thrown open to general discussion and debate.

At the end of the meeting, printed ballots will be distributed to everyone present. Each person will vote on the questions of a balanced budget, lower income taxes (or higher ones), how best to cut government expenditures (or raise them), and reduction of the national debt. The ballots will then be collected, and forwarded to the national headquarters of the Forums. When all the ballots for this topic are in, the national results will be tabulated and the statistics will be distributed to the Republican National Committee, and the Republican leadership in Congress.

LEGAL AID—(Continued)

the Union are so recognized, students are urged to ascertain the exact status of their own state with regard to the Massachusetts law, in order to avoid possible complications. Motorists from states not accorded reciprocal privileges by the Massachusetts Bureau of Motor Vehicles must take an examination and procure a Massachusetts license.

The Massachusetts registration law gives the same rights to out-of-staters as their own states give to visiting Massachusetts vehicles. Here again the student is urged to find out whether his state is accorded unlimited reciprocity under the statute, or whether Massachusetts accords only limited rights to drivers from his state. Many other states, for instance, are given only a 30-day period of grace under the law. Unless an automobile is registered in Massachusetts by the end of the period, under the "trespass" doctrine it will be regarded as an unregistered vehicle on the highway, and its driver will be placed under serious legal disabilities in case of an accident.

No non-Massachusetts car, from whatever state, may be operated for more than 30 days in this state without insurance in the minimum amount set by Massachusetts law. The minimum in liability for personal injury or death involving one person other than the driver or guest is \$5000, and for personal injury or death involving more than one person is \$10,000. Evidence of this insurance must be on the driver's person, or easily accessible in the vehicle.

SQUASH RACKETS

Largest Variety in New England

TENNIS & SQUASH SHOP

67A MT. AUBURN ST. CAMBRIDGE
Opp. Lowell House — Tro. 5417

Going by Plane?

- Let us secure your reservations.
- No fee for this service.
- The airlines pay us to accommodate you.

TRAIN RESERVATIONS - TOURS - CRUISES

UNIVERSITY TRAVEL CO.,
KIRKLAND 1650
HARVARD SQUARE - CAMBRIDGE, MASS.

MEET ME AT...

The Harvard Cafeteria

1613 Massachusetts Ave.
Cambridge, Mass.

A Good Place to Eat

Open 6:00 A. M. — 12:00 P. M. Every Day

WURST-HAUS

DELICATESSEN
RESTAURANT

Famous for its

Fine Food — Tasty Sandwiches

Visit Our Delicatessen Counter

4 Boylston St. Harvard Square

Law Books Bought for Cash

When your books are for sale
Phone MR. WILLIAMS, CAP. 7520
WILLIAMS BOOK STORE
85 WASHINGTON STREET, BOSTON

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

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.

Special This Week

Johnnie Walker \$4.50 four-fifths pint

UNIVERSITY TYPEWRITER CO.

HARVARD SQUARE KIRKLAND 2720

Sales - Service - Repairs - Rentals — Lamps - Stationery - Ribbons - Carbon Paper - Gifts

WE BUY TYPEWRITERS

Confessions of a Law Wife

What happens when women leave home—and go to work? This subject, seriously treated, could prove intellectually rewarding for the sociologist. Then again, it could be watercolored with humorous hues. The latter is precisely what we hope to do.

There has arisen in the annals of Langdell life a wife whose archetype, for the nonce, is Tillie the Toiler. From the time she silences the clanging alarm—her mate snoozes peacefully, in anticipation of his eleven o'clock class—until she shoves the sirloin ("such stuff as dreams are made on") into the broiler, her day has been one of clerical quirks, qualms and questions. Our work has been at Widener Library, but no matter what the individual working girl has done, she has had to deal with facts and people. The latter, being the flesh, are infinitely more unpredictable than those her spouse has had to deal with between the covers of "Selected Cases on the Law."

The brief interlude at the dinner table is practically the only chance husband and wife have to talk over the day's doings. We shall label the speakers "He" and "She," even though in so doing we run the risk of being akin to a modernistic towel rack:

She (Ladies first, if you please): "Imagine his telling me that the Library should send him a gentle reminder before his books are due! He acted as if it were my fault that he owed Harvard eighty cents!"

He: "Scottie said the gift was to A, whom, for the sake of convenience we shall call B."

She: "The book wasn't back on the shelf, nor was it charged out to anyone else. I couldn't tell him it might be acting as his doorstep, nor could I smile and say it was all a naughty printing error that he got a notice to return it."

He: "Why in blazes must consecutive classes be in Langdell North and Austin West? The only way you can make the trip in ten minutes is to use a jet-assisted take-off."

She: "... But, darling, I have only an hour for lunch, and I can't eat and do all the shopping too. Besides, it's your turn to look for that colored film."

He: "... Boy, did he mess up our bridge game tonight. I thought eleven cases would carry me through tomorrow's class also, but he took up nine of them today."

She: "Dos Passos, De Voto and Robert Sherwood were at the main desk at the same time. Too bad your kid sister quit collecting autographs."

He: "Now, about the Rule Against Perpetuities. Well, you see, its something this... Lemme take another look at those notes."

This continues until the meal is completed. By the time the dishes are put away, it is easily seven-thirty and the Lord of the Manor (see, we *did* listen when he was reviewing Property II) is already at his books for the evening performance. As our career girl turns out the bed light at ten, she has two and a half hours to call her own. All she has to do is write to Aunt Kate, mop and

carpet-sweep the living-room and bedroom floors (usually to the accompaniment of "Honey, please, this B. A. requires attention"), empty the numerous ashtrays, dust in the obvious spots (the others are done on THE DAY OFF), rinse out some stockings, and make two lunches for tomorrow!

Sic transit gloria Monday. And Tuesday? Exactly the same!

—Norma Pike Tepp

USED LAW BOOKS

BOUGHT—SOLD—EXCHANGED
AT ALL TIMES

HARVARD BOOK STORE

19 BOYLSTON STREET
Next to Western Union at Harvard Square

1611 MASS. AVE. CAMBRIDGE NEXT TO THE HARVARD CAFETERIA

"Courteous and Efficient Service"

University Central Barbershop

We cut to your satisfaction
one minute from the law school

GUY'S SHOP

Custom made clothing

Imported and Domestic Fabrics

Haberdasher and Sportswear

1611 Massachusetts Ave.
Cambridge, Mass.

ELI. 8574

WHITE SHIRTS

Only \$3.26, \$3.74, \$3.88 & \$4.99

Broadcloth, Shantung, Lawn

and Oxfords

Mail Order - One Week's Delivery

No Limit - No Money in Advance

Florence & Roy Gootenberg

Room 302, 1416 Mass Ave., on the Sq.

Midget Delicatessen & Restaurant

Our Motto

Quality — Quantity — Service

Try our catering service

1728 MASS. AVE. — CAMBRIDGE, MASS.

TEL. ELI. 8556

20 CHECKS FOR
ONLY ONE COST \$2

SPECIAL

CHECKING

ACCOUNTS

HARVARD TRUST COMPANY

DOMBEY'S INC.

WOMEN'S and MISSES SHOP

36 Brattle Street
Cambridge, Mass.

KIRKLAND 6496

Coop Members Purchasing Gas, Oil, Washing & Greasing

at the

Cambridge Garage

128 Mt. Auburn St.

Will Receive A

Patronage Refund

The COOP



The Brattle Inn Gift Shop

48 Brattle Street — Cambridge, Mass.

Telephone ELI 1799

Select Gifts for Birthday, Wedding and Anniversary

CHINA — GLASS — LINEN

Delivered Anywhere • Gift Wrapped • Personal Shopping

Martha Louise Reilly, Mgr.

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