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TEN CENTS

Dean Griswold
Scores Critics
Of High Court

"It is in the nature of things that the Supreme Court should be subject to criticism." It is "the 'umpire' in our governmental system." It has performed its job, on the whole, "satisfactorily." This was the point advanced by Dean Erwin N. Griswold in an address before the City Club in Cleveland, Ohio, last Saturday afternoon.

Dean Griswold stated that the Supreme Court is, being composed of men, not infallible. He declared that he found himself in disagreement with the Court in the *du Pont* anti-trust and the *Konigsberg* cases. But his expressed disagreement, he continued, was an "intellectual" one. "It does not lessen my respect for the Court . . . they were the umpire." The Dean pointed out that the ques-

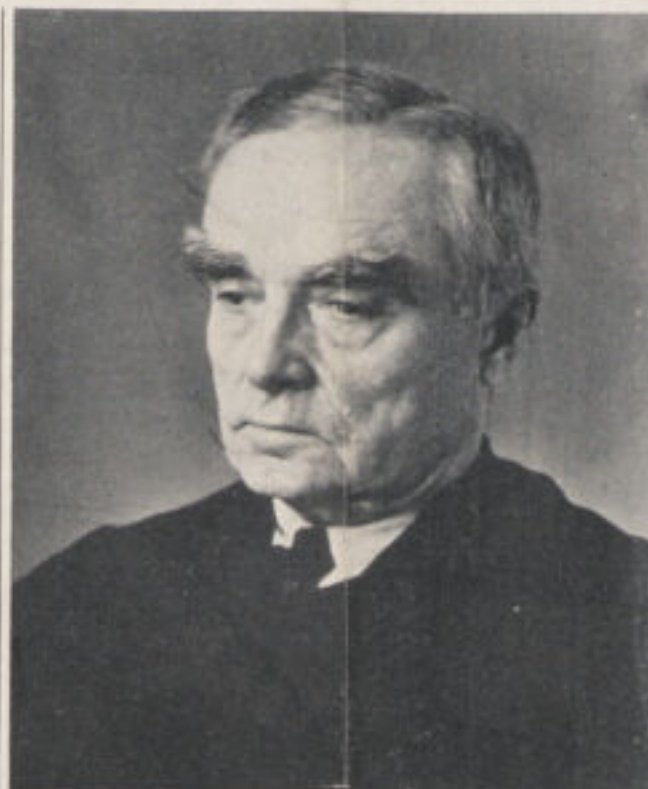
Finale

Due to the fact that there are certain other things to do at Law School besides putting out a newspaper, the RECORD suspends publication for the Fall Term with this issue.

The next edition of the RECORD will appear on Thursday, Feb. 6, 1958. Those wishing to purchase subscriptions for the 12 Spring Term issues at the rate of \$1.00 may do so at any time from Mrs. Betsy Casner, Secretary to the RECORD, at 23 Everett St., or from the distributors of the RECORD on Feb. 6.

tions that the Supreme Court is called on to decide are often so "difficult and doubtful that the judges do not always agree." No matter which way the Court decides, its decision will be criticized by some sections of the public. This criticism "is likely to vary almost directly with the extent to which the speaker dislikes some decision, a standard which . . . is likely

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Learned Hand

Learned Hand
Feb. Lecturer

Learned Hand, LL.B. '96, retired Judge of the U. S. Court of Appeals for the Second Circuit, has accepted an invitation to deliver the Oliver Wendell Holmes Lecture for 1958. He will present the lecture in three parts on Tuesday, February 4, Wednesday, February 5, and Thursday, February 6, at 8 p.m. in the James Barr Ames Courtroom. His subject will be "The Bill of Rights."

Judge Hand, once described by *Life* as the "greatest, living, English-speaking judge", was appointed to the Second Circuit Court of Appeals by President Coolidge in December, 1924. Previously he had served as United States District Judge for the Southern District of New York.

The lectureship was made possible by a bequest to the Law School by the late Justice Oliver Wendell Holmes of the United States Supreme Court. Recent Holmes lectures have included the late Justice Owen J. Roberts of the United States Supreme Court and the late Dean Harry Shulman of the Yale Law School.

The lectures are free and open to the public.

Semi-final

The Griswold Equity Club, led by orators Julian W. Atwater of Batavia, N. Y. and James W. Venman of Bridgeport, Conn., defeated the Story Club in the second of the semi-final arguments in the Ames competition Tuesday night in the James Barr Ames Court Room.

The case involved a dispute over a California requirement that non-profit organizations be refused tax exemption unless they sign a "loyalty oath."

Study Is Probing
Atomic Liabilities

The Harvard Law School has undertaken a study of the international aspects of providing financial protection to the public and to industry against the possibly catastrophic losses which might be caused by a serious atomic industrial accident.

The study is supported by the Atomic Industrial Forum, Inc., an association of business firms and organizations interested in atomic development.

The possibilities, however slight, of catastrophic losses in the event of a serious atomic industrial accident constitute a major obstacle to the development of the peaceful uses of atomic energy on a wide scale. It has been a matter of international interest and is already under study by Euratom and the OEEC. Within the United States, the problem has been

(See STUDY on page three)

Fund-raising Continues . . .

Construction to Begin Soon
On International Legal Wing

The Harvard Law School will soon begin building a \$1,000,000 wing to house its programs of International Legal Studies.

This construction is made possible by the support of the Ford Foundation and of business organizations, foundations and others whose activities give them a special interest in International Legal Studies. Although all the funds needed have not yet been raised, the School has advanced far enough toward its goal to permit the contracts for construction to be signed. The School is hopeful that the balance of the required funds can be raised shortly, and the effort to obtain them is continuing.

Since International Legal Studies is an organic part of the Harvard Law School, the architects, Shepley, Bulfinch, Richardson and Abbot of Boston, have designed the new space as a wing of its main building. Faculty, students and books will move freely back and forth between this wing and other parts of Langdell Hall. Preliminary excavations have already begun.

"The purpose of the Law School's program in International Legal Studies," said Dean Griswold, "is to contribute to the training of lawyers and the development of legal institutions needed for the many varied international transactions which are a part of today's changing world."

"It reflects the multiplying responsibilities and opportunities of the

United States in all aspects of these transactions, public and private, individual and concerted. The fact that so many American businessmen have responded to this appeal for financial



Men at Work

support shows that they recognize the importance of this work to the business community, as well as the contribution which can be made through law to the achievements of a peaceful and productive international order."

The program in International Studies, explained Dean Griswold, has four principal tasks: the training of American lawyers in legal aspects of international transactions and relations, the training of foreign lawyers and scholars, research, and the mutual enrichment of the American and other legal systems.

The new wing will be made possible in part by a \$500,000 grant from the Ford Foundation, part of the \$2,050,000 given in December, 1954 and which also provided funds for the endowment of two professorships, financial aid on a ten-year basis for advanced fellowships, research, library needs and cooperation with other institutions.

During the current year, a committee of distinguished graduates of the School, under the chairmanship of Henry J. Friendly, LL.B. '27 s.c.l., of New York, have been seeking \$500,000 needed to match the Ford Foundation gift and thus provide the necessary funds.

Widespread corporate interest in international legal programs is evidenced by the fact that funds for the (See BUILDING on page three)

Eight Clubs Listed
For Quarter-finals

The eight clubs surviving the autumn qualifying rounds of the second-year Ames competition have been announced by the Board of Student Advisers.

Four clubs posted perfect 4-0 records. These were (in the order of their point totals) the Casner Law, Holmes, Griswold and Toepfer clubs.

The other four survivors had 3-1 records. They were (in the order of their point totals) the Frankfurter, Sacks, Henry Hart and Kent clubs. Six other clubs with 3-1 records failed to qualify.

The highest total of points was registered by the Frankfurter Club with 145. The Casner Law Club garnered 144.9 points.

The number of students participating in this year's qualifying rounds, 328, was the highest in 8 years.

Thurmond Claims Rights Act
Product of Practical Politics

Senator J. Strom Thurmond (D) of South Carolina Friday evening denounced the Civil Rights Bill passed by Congress last summer as "unnecessary, unwise and unconstitutional." Speaking before the Law School Forum, the Senator declared that "the greatest bulwarks of individual rights and freedoms in the long run are the twin principles of states' rights and independence of the three branches of government."

The former South Carolina governor accused all three branches of the Federal government with blatant violations of the Constitution in the recent past, scoring the judiciary for the school integration decision, the executive for the dispatch of troops to Little Rock and the Congress for the passage of the Civil Rights Bill (H.R. 6127).

Pointing out that the Constitution has not been lawfully amended to increase Federal powers since 1920, Senator Thurmond decried the practice of amendment by "interpretation" being used by the Supreme Court. Only the people can lawfully change the Constitution, he stated, by means of the amending process as set forth in the instrument itself.

No Power Given

The Southern champion of states' rights denounced the 1954 school integration decision of the Supreme Court, declaring that "nowhere in the Constitution . . . is the Federal government given any power in the field of public-school education." He termed the decision an "act of usurpation" and "devoid of constitutional derivation or support." He exhorted the Southern states to follow any and all legal means to "circumvent the decision."

Pointing out that the same Congress that passed the 14th Amendment also passed legislation providing for segregated schools in the District of Columbia, the Senator asserted that the integration decision "completely violates, beyond any real dispute, the plain intent of those who brought into being the 14th Amendment."

Senator Thurmond questioned the validity of the Amendment itself, noting the "force, fraud and peculiar circumstances surrounding its passage." (See THURMOND on page three)

Bull and Bear

Albert Nickerson, president of the Socony Mobil Oil Co. will speak before the Bull & Bear Club at 1:40 p.m. on Friday, December 13. The title of Mr. Nickerson's talk will be: "Frontiers in the Oil Industry." Besides a general survey of the oil industry today, Mr. Nickerson will emphasize the current Middle East problem and its effect on oil companies with operations in that area.



Clark Byse

Visiting Professor
Confers in India

Visiting Professor Clark Byse will be one of two American participants in an eight-day administrative law conference sponsored by the newly-formed Indian Law Institute beginning Saturday in New Delhi.

Mr. Byse, Professor of Law at the University of Pennsylvania Law School who is teaching contracts and administrative law here this year, will deliver four papers at the parley.

Professor Lawrence F. Ebb, LL.B. '43 ('46) m.c.l., of Stanford Law School, is the other American scholar taking part. Mr. Byse and Mr. Ebb participated in a five-week conference on "Public Law Problems in India" along with five leading members of the Indian bar and two other American law professors this summer at Stanford Law School. The New Delhi meeting is a follow-up to the summer sessions.

The Indian Law Institute, which is to be formally inaugurated today by the President of India, has been organized to facilitate joint discussion and research among the judiciary, the bar, the government and the law schools of India. Its objectives are to cultivate the science of law, to promote its development, and to improve the administration of justice.

The conference will be opened by ILLI president, Chief Justice Das of the Indian Supreme Court. The Vice

(See CONFERENCE on page four)



David F. Binder

raising the status of Senior Editor from associate to full membership. Joseph A. Page, 3L of Medford, was chosen to fill the former post. Mr. Page, the retiring President, graduated from Harvard College *magna cum laude* in 1955. As Senior Editor the board selected Ralph Nader, 3L of Winsted, Conn. Mr. Nader graduated from Princeton *magna cum laude*, also in 1955.

Letters to the Editor

TO THE EDITOR OF THE RECORD:

As an alumnus I receive the RECORD and have had the opportunity to read the well-written and informative article by Mr. Oliver in the November 7 issue entitled "Current Case." As an attorney and the officer charged with the responsibility for the administration of military justice in the Army, I must take exception to the comment made concerning shortcomings in the administration of military justice in the Army. I am quite sure that every law student and attorney will agree that no system of justice, civilian or military, is beyond improvement.

With respect to the administration of military justice, I should like to commend to those who are interested in this field an informative article on Military Law written by Captain William C. Hamilton, Jr., appearing in the September 1957 issue of the *American Bar Association Journal*, which compares the rights of an accused serviceman under the Uniform Code of Military Justice with those of a civilian accused of a federal criminal offense.

It should be pointed out that whenever a serviceman is accused of a serious offense, the conviction of which could result in his punitive separation from the service or confinement in excess of six months, he is furnished as counsel, without charge, a member of the Judge Advocate General's Corps. Military counsel represent an accused from the outset of the pretrial investigation (comparable to a commissioner's hearing or grand jury action), at trial, and, if convicted, until his case is finally disposed of by the United States Court of Military Appeals.

The military system is unique in that legal representation is provided without charge throughout appellate review. Of course, any accused may retain civilian counsel at his own expense at any time. The military attorneys who represent servicemen are outstanding graduates of the various accredited law schools of our country, a number being graduates of the Harvard Law School. The caliber of the defense furnished by them is usually of the highest order.

It is my hope that future criticisms of the administration of military justice will be based on personal knowledge, experience, or research. In this connection, I should like to invite attention to the fact that in enacting the Uniform Code of Military Justice, the Congress intended that military justice should parallel federal criminal practice where not inconsistent with the Code. When inconsistencies do exist, you will find that they usually favor an accused by granting to him rights in addition to those granted in a civilian court.

GEORGE W. HICKMAN, JR., LL.B. '48
MAJOR GENERAL, USA
THE JUDGE ADVOCATE GENERAL

TO THE EDITOR OF THE RECORD:

The exact words in my article to which General Hickman apparently objects were,

"The administration of justice in the lower echelons of the military has often fallen short of that which one expects in civilian life. Much might be said in favor of a complete overhaul of the system." [25 HARV. L. RECORD No. 7, p. 2.]

It should be noted that I did not single out the Army for censure, nor did I include in whatever criticism there was, the truly admirable appellate structure which the General describes. My remarks were directed toward administration in the lower echelons. To be more specific, the three institutions of non-judicial punishment under Article 15, UCMJ; summary courts-martial; and special courts-martial not involving a punitive discharge or confinement in excess of six months. Even here, I meant to reflect no discredit on the officers involved, but rather upon a system which places on often over-worked officers the "additional" duties of handling numerous minor offenses.

My personal knowledge and experience is limited to that gained during two years as a battalion defense counsel and later trial counsel (i.e., prosecutor). I hasten to say that in neither capacity did I ever see a man convicted whom I personally believed to be innocent, and that my brother officers who served on the courts weighed the evidence diligently and conscientiously.

But my experience was that in the lower echelons mere punishment of individuals too often took the place of corrective measures when minor offenses were involved; that minor offenses usually preceded major offenses; and that more attention to the causes of minor offenses might have saved countless man-hours later to be lost in confinement or premature discharge.

The administration of military justice in smaller units falls short of its civilian counterpart because normally the task is a duty assigned to officers in addition to their regular full-time jobs. Many lack any special training for this important work. No matter how conscientious they may be, they cannot deal with the problem of the early, minor offender from a preventive standpoint.

For these reasons, I must respectfully adhere to my original position.

ROBERT W. OLIVER, 3L

Censorship Study Seen Disturbing

Once a year the *Harvard Law Review* forsakes heavy reliance on the written word and takes on a study that requires plunging into the social maelstrom. This year's endeavor has produced a particularly instructive, though disturbing, Note appearing in the December issue subtitled "Official and Unofficial Control of the Content and Distribution of Motion Pictures and Magazines."

Sustained by a Law School grant and fortified with the rich lore of nearly one thousand interviews spanning 24 states, editors Thomas B. Leary, 3L of Orange, N. J., and J. Roger Noall, 3L of Salt Lake, Utah, deserve a hearing broader than they were permitted by the *Review's* austere style.

From a variety of conditions observed, they were strongly made aware of the lawless and arbitrary nature of most forms of regulation, including those of officials acting un-



J. Roger Noall and Thomas B. Leary

der color of state or local laws. Much regulatory action is incited by non-responsible voluntary groups or prominent individuals in the city or community. Enforcement is conducted in a cynical and intimidating manner on a captive subject whose only practical recourse is docile surrender. It is subjected to little public scrutiny and even less judicial control.

First, as to the attitude of private national and municipal citizens' committees, Leary and Noall found overweening paternalism, self-righteousness and shallowly conceived concepts of protecting the public (generally pictured as on an inferior level) from corrupting influences of certain films and magazines.

Paternalism Rampant

In this area paternalism is dangerous to democracy in the broadest sense in contrast to its more appropriate role in family, church, school and mental institution. It is based on the closed premise that "these obscenities wouldn't in the least harm us but we must protect the multitude from exposure" — a kind of "immunity than thou attitude." Its nature is essentially bigotry, its appearance a smug moral evangelism behind whose rampart no reasoning process can penetrate. Its impact is one of autocratic exclusion; its actions though potentially expressed through public officials are unresponsive to public control. The antonym of tolerance, paternalism undermines what John Dewey meant when he wrote that democracy was more an attitude of mind than a system of government.

Let two examples from their travels do for many. Recently a young up and coming attorney in a large eastern city conducted a vigorous defense on behalf of a newstand operator. Reaction by a reprisal-bent woman's club leader involved in guarding community taste: "It's certainly not going to help his political future one bit." A Superior Court Judge writes a strong opinion against the prosecution. Reaction by an irate feminine morals' moulder: "We obviously are not getting any cooperation from the judiciary."

No appreciation that defendant is entitled to a good defense. No awareness that there is another side to the problem.

Humor Gives Insight

The editors' experiences were not devoid of a revealing humor. There was the head of a city's Citizens' Committee to Suppress Indecent Literature. During the interview he called his secretary for his file containing samples of proscribed literature. The file was brought in empty. The gentleman explained that people in the office, people up and down the halls were always borrowing the materials. He blurted: "Everybody around here is against obscenity but they sure don't mind reading the stuff."

Even on the premises of the *Review* — that citadel of propriety, one of the editors had trouble keeping his file of proscribed literature (used for analytic purposes) intact. No matter how deep down in his desk they were buried, copies were first borrowed and soon, driven by competitive exigencies, the solemn members more permanently borrowed them.

Then there was the Mayor's assistant who was showing "selected groups of prominent citizens" the Kefauver Committee's films to appraise them of the evil that was circulating through our land. He quietly resigned his office on being asked to explain how college fraternities were "selected groups of prominent citizens."

Recurring instances such as these impressed the authors with the shallowness of

the censors' philosophy. Farcical, hypocritical, love of power, call it what you will, but not profoundly conceived.

The way the law was enforced or bypassed proved especially shocking to the authors. Police (often in response to private pressures) threaten newstands or movie operators to shed the particular magazine or film or face prosecution, license revocation or enforcement of unrelated charges.

Police officials admitted to them that their action was illegal, that though they would win in the lower courts, they would lose in the State Supreme Court. However, the police are not worried because challenges are rare; local merchants or theater owners are reluctant to bring suit against their governing officials or the leaders of the dominant social or religious groups in the community. It just does not pay to jeopardize 95% or more of your business in the defense of the 5% considered distasteful.

Process of Enforcement

How the intimidation is spawned can be illustrated by the account of a Police Chief in a small Midwestern city. He received a call from a clergyman telling him to stop the XYZ drugstore from selling the magazines *Huggermuggery*, *Covert* and *Lisp*. "I don't judge whether they are obscene or not," he said, "just take the clergyman's word or otherwise he'll damn me in church. The drugstore operator always comes around because he too doesn't want to incur adverse publicity."

How the enforcement procedures are often conducted is revealed in this brazen admission by the head of the Vice Squad of a large metropolitan Police Department. The matter dealt with penny arcades having machines which transform a dime into a tantalizing eyeful for depressed and aspiring males. He said:

"We send our men around to look and see. If they think the look-see is too whoopee, then we arrest the owner, he pleads guilty, is fined and reopens. When my men aren't sure whether the views are obscene or when we think we might get a court test, then we just throw a bent coin in the machine. You know, a machine like that is pretty complicated and one bent coin puts it out of commission for a long time."

Another approach taken is typified by the following incident in another town. When police officials realized they had no legal basis for preventing a drive-in theater from exhibiting a film considered objectionable, they achieved their goal by threatening to prosecute patrons of the drive-in for fornication. The owner came around.

The effect of *Butler v. Michigan*, 352 U.S. 380 (1957) (declaring a Michigan obscenity statute unconstitutional) on a small Michigan city was observed by Mr. Noall. Before the decision the city of Detroit, operating under the statute, compiled a list of materials considered obscene for children and distributed it widely. In the afore-mentioned city, Noall found an operative local ordinance that was very nearly a replica of the voided Michigan statute.

The local Police officials had never heard of the *Butler* case or didn't know the Michigan statute was unconstitutional, were still using the Detroit list and were threatening prosecution under the ordinance in order to keep materials off the stands.

Self-regulation by the motion picture industry is conducted quite rigorously in order to avoid outside censorship. The Industry's Production Code is so effective, that through control of facilities for distribution and exhibiting, it also largely ensures that no non-member capitalizes on those limitations for his profit.

Although Leary and Noall concur in the principle of self-regulation, they found that, carried too far as it is, it leads to the exclusion of many themes and characters. (They did find a slight relaxation of specific provisions). This is attributable to an oversensitive accession to pressure group demands and the commercial incentive to appeal to the largest possible audience.

To avoid censorship the Code prohibits explicit treatment of prostitution, abortion, vivisection and any treatment of sexual perversion and nudity in a non-natural setting.

Exercising influence on the industry are "representatives of public officials, who are sensitive to portrayals of corruption in public life; of professional men, who object to the presentation of persons in their profession as incompetent or dishonest; [e.g., the ABA] and of various racial or religious groups, who wish their members treated sympathetically and their customs with respect."

So influential are those groups that it appears that villains must be white unemployed Americans, without religious, professional, labor union or other connections.

Objections come pouring in: "... glass blowers have protested the showing of canned beer in motion pictures and furriers complained when a Negro in a film wore a certain type of fur."

Since over half of the industry's gross receipts come from foreign audiences the tastes of other nations have to be considered carefully. An Italian named criminal is

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ROBERT W. OLIVER, Business Manager
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countered by a police officer with a like ethnic name. Evil must be countered by good, crime must never pay except temporarily.

All these restrictions, the authors believe, limit realistic portrayal, reduce treatment of controversial issues and, in effect, cut away a great many human situations and personality variables that go to the creation of sensitive and profound art. How long the movie industry can continue operating with these pre-sliced slices of life is debatable. Box office results are already pushing the industry into areas previously tabu — like stories with racial themes.

Views Expressed

What general opinions did Leary and Noall arrive at? They would like to see the law restrict its regulation to protecting minors and preventing public exposure. The latter is meant to cover individuals being involuntarily exposed to views such as a salacious billboard in front of a cinema. But where an adult as a conscious voluntary choice wishes to enter a theater or purchase a certain magazine kept behind the counter, he should be given the chance to do so, in their opinion.

"Most people," stated Mr. Noall, "who are against control base their belief on the right of a person to express an idea in accordance with constitutional freedoms; our view is that an additional right is worthy of protection — that of people to choose or consume whatever movies or magazines they desire, provided there is no social interest injured."

They believe that the supposed social harm derived from exposure to so-called indecent literature by adults is grossly overestimated and does not rest on fact. A veteran criminal lawyer told Mr. Leary that sex pervers hardly spent much time reading because they were so engrossed in doing. There is just as good reason, they think to believe that consuming "indecent literature" acts as an outlet or has a sublimating effect as any contrary argument produced. And as far as protecting the "decent people"; well they just don't have to attend the movie or read the material.

The very proscription of the materials acts as a spur to consumption, they believe. You know, "Banned in Boston" means booming box offices.

In short they do not feel that any public interest is involved in the regulating of a private adult's right to see and read.

As to the unofficial groups, the authors believe their practices, in so far as coercive measures and economic boycotts are employed, should be curbed. The activities of private associations in the censorship field is only one area where such groups are growing more and more powerful. Law as the custodian of the individual's liberty must cope with what one critic called the unregulated liberty of private associations.

In conclusion, Messrs. Leary and Noall remarked that their interview work was an invaluable requisite for the study. Besides giving the personal feel for the subject, the field work gave them the understanding of how the laws were being applied and how private groups were exerting their influence, and also revealed the attitudes of the regulators. Additionally, it did what staying at Gannett House would never have accomplished: showed them the difficulty in defending violated rights that are diffused throughout a consumer reading body and not concentrated in any sufficiently organized countervailing force for the defense.

That two student-editors could come up with such a wealth of material is more than a tribute to their industry; it is a judgment on the orientation which valued the necessity of actual observance.

— Nader

Zerbst v. Gouldman-Taber Pontiac, Inc., last week's current case, has been reversed by the Supreme Court of Georgia. The latest decision is summarized in 26 U.S. LAW WEEK 2258 (November 26, 1957). The court held that the defendant's sending of a letter to Zerbst's employer did not exceed reasonable and necessary action to collect the debt.

THURMOND

(Continued from page one)

ported adoption." If the question of the legality of the adoption of this Amendment were now raised, he said, the Supreme Court would avoid and evade the question, refuse to decide it, and label it "not justiciable."

Senator Thurmond charged that the Civil Rights Bill passed by Congress is the product of "practical politics in certain big city states." The Bill was unnecessary, he protested, because "the right of all qualified citizens to vote is protected by law in each of the 48 states and by Federal laws where applicable."

The reason, the Senator said, that the number of registered Negro voters in the South is small compared to the total number of Negroes of voting age is because "many Negroes fail to meet the basic voting qualifications which are applied alike to members of both races" and others "simply lack sufficient political consciousness to spur them on to participate in political affairs." A great number of the latter, he said, "probably also lack cer-

tain other qualities prerequisite to casting a truly intelligent ballot..."

The Civil Rights Bill's most outspoken opponent challenged its validity for reasons extending from an "unconstitutional delegation of Congressional powers . . . to the lack of the guarantee of a jury trial in cases which are criminal in nature."

The Bill "is in direct conflict with the Constitution," Senator Thurmond charged, in denying the accused his right to a jury in a trial for criminal contempt if no fine in excess of \$300 is levied or no sentence of more than 45 days imprisonment is meted out.

He pointed to Article III, Sec. 2 of the Constitution, which provides, "The trial of all crimes, except in cases of impeachment, shall be by jury," and the 6th Amendment, "In all criminal prosecutions, the accused shall enjoy the right to a . . . trial, by an impartial jury."

Following his address Senator Thurmond was joined in a panel discussion by Professor Robert Braucher, Richard B. Dellheim, attorney and faculty member of Boston University, and Father Robert F. Drinan, Dean of Boston College Law School. Professor Fleming James, Jr. was the program's moderator. —Binder



Robert E. Keeton

Teaching Fellows Sought for '58-'59

The Law School is now accepting applications from third year and graduate students and from alumni who seek appointments as Teaching Fellows for the academic year 1958-59. Professor Robert E. Keeton has announced.

Six appointments will be made. The persons chosen will conduct the program of group work for the first year students, including the model trial, an important teaching device used annually to acquaint new students with the litigation process.

The Teaching Fellows are full-time members of the Law School Faculty. They are not accepted as candidates for advanced degrees, but are encouraged to audit Law School courses of special interest to them. They are paid salaries which compare favorably with those prevailing for attorneys in their first year or two of practice in law offices of the East.

A Faculty committee under the chairmanship of Professor A. James Casner will have primary responsibility for choosing the persons to be recommended for those appointments, which are made by the Harvard Corporation. A balance is sought between alumni who have experience in practice and recent graduates who are in touch with current student thinking. In some years, one or more of the Fellows have been graduates of schools other than Harvard.

The Faculty Committee is especially interested in applications from persons with interest in a teaching career, though this is not a requirement. Many of the Teaching Fellows of past years have moved directly into teaching positions in other law schools over the country.

STUDY

(Continued from page one)

largely met by the Anderson-Price Act recently passed by Congress, which provides a government indemnity of up to \$500,000,000 over and above available private insurance.

However, this law does not apply to atomic facilities outside the United States. A major purpose of the study is, therefore, to help define the legal liabilities of U. S. suppliers of atomic facilities abroad and to find practical solutions to the problem of providing financial protection for the public and the atomic industry. By doing so it will contribute to wider use of atomic energy for peaceful purposes.

The study is expected to be completed in one year. It will be under the direction of Robert B. Eichholz, LL.B. '36, of Washington, D. C.

Associate Dean David F. Cavers of the School will act as chairman of a faculty committee guiding the study.

The study forms part of the Law School's general program of International Legal Studies, a broad program of teaching and research in all aspects of the many and varied international transactions in which the United States and its citizens are involved today.

BUILDING

(Continued from page one)

World Tax Series have come almost entirely from more than fifty corporations. (The editorial in last week's RECORD was in error when it stated that the Ford Foundation has assisted the World Tax Series.)

The Law School has counted on and received constant assistance from its alumni. This is applied to continuing needs from scholarships, fellowships and loans for students and for necessary alterations to existing buildings and facilities. The School felt, therefore, that it was appropriate to seek the funds necessary for this new construction from other sources than its graduates. However, a few graduates, including a group of Japanese students who had attended the School, spontaneously made gifts for the new building.

The new wing will provide stack space for approximately one-quarter of the Law School Library's 880,000 volumes, a reading room, Faculty offices, four classrooms, and suitable work space for research and for the individual work of advanced students.

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The COOP

GRISWOLD

(Continued from page one)

to have no relation to the soundness of the decision."

In defending the 1954 school integration decision, Dean Griswold explained that a long history of decisions outlawing racial discrimination in related fields had led inevitably to the overruling of *Plessy v. Ferguson*. "It is not the first time that an old case has been engulfed in the current of which it was an early part," he said.

The problem, he continued, "transcends law. It is in essence a moral and ethical problem. . . . The Court, in pursuance of its duty, has simply applied our national professions as expressed in the Constitution."

Dean Griswold gave his unqualified endorsement to the controversial *Jencks* decision. The excitement it engendered, he asserted, was unwarranted and much of it was "the direct result of an extravagant dissenting opinion written by Justice Clark."

The witness whose reports to the FBI were refused examination by the defendant, he pointed out, was Harvey Matusow, a self-confessed 'False Witness.' "It was really a rather sorry case in which the government got just what it deserved."

DEMOCRATS

Professors John T. McNaughton and John P. Dawson will address the Law School Democratic Club tomorrow at 1 p.m. in the Mallory Smith Room of Harkness Commons.

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**Students Enrolling
In Other Courses**

Under existing rules permitting third year students to take up to six hours of work for credit outside the Law School, 24 third year students are enrolled in courses in other departments of the University.

Of these, twelve are taking courses in the Graduate School of Arts and Sciences while another dozen are across the river at the Business School.

The most popular courses appear to be in some variety of management: all but two of the courses taken at the Business School are management courses. The one most widely taken is Investment Management, with six people enrolled.

Government and economics lead the field in the Graduate School of Arts and Sciences with four students



Louis A. Toepfer

each. History follows with three and one student is taking Japanese.

In addition to those who are taking courses outside the Law School for credit, twenty-one students are enrolled in the GSAS and two in the Business School as auditors. Most of these students are taking Military or Naval Science, while others are taking languages (again including Japanese), mathematics, and government.

Louis A. Toepfer, Secretary of the Law School, said that the only requirement to taking courses outside the Law School was that the course selected fit in with the student's training and future plans.

— Todd

CONFERENCE

(Continued from page one)

President is Attorney General M. C. Setavald. Members of the Supreme Court are among the group's executive council.

The specific purpose of the conference will be to map out areas for fruitful research in administrative law. About 40 to 50 members will take part. The final day of the conference will be open to members of the bar in general, and to the press.

Mr. Byse will deliver an opening day paper, "Judicial Review of Administrative Proceedings — Indian and American Experience." He will consider the American picture, with Mr. Setavald treating the Indian aspects.

Other topics to be discussed by Mr. Byse are: "Elements of a Fair Hearing," "The Uniform Administrative Procedure Act in the United States: Federal and State Experience," and "Methods and Organization of Research: Procedure of Holding Enquiries into Administrative Practice and Law."

Mr. Byse observed that, "India has a constitution, judicial review and a federal system patterned after ours, though adapted to their own situations. It is of tremendous importance that India maintain its democratic traditions. I consider this conference an opportunity for mutually helpful exchange of experiences."

— Borden

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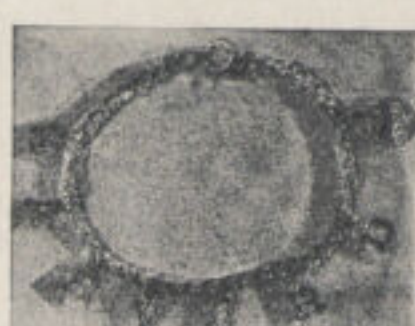
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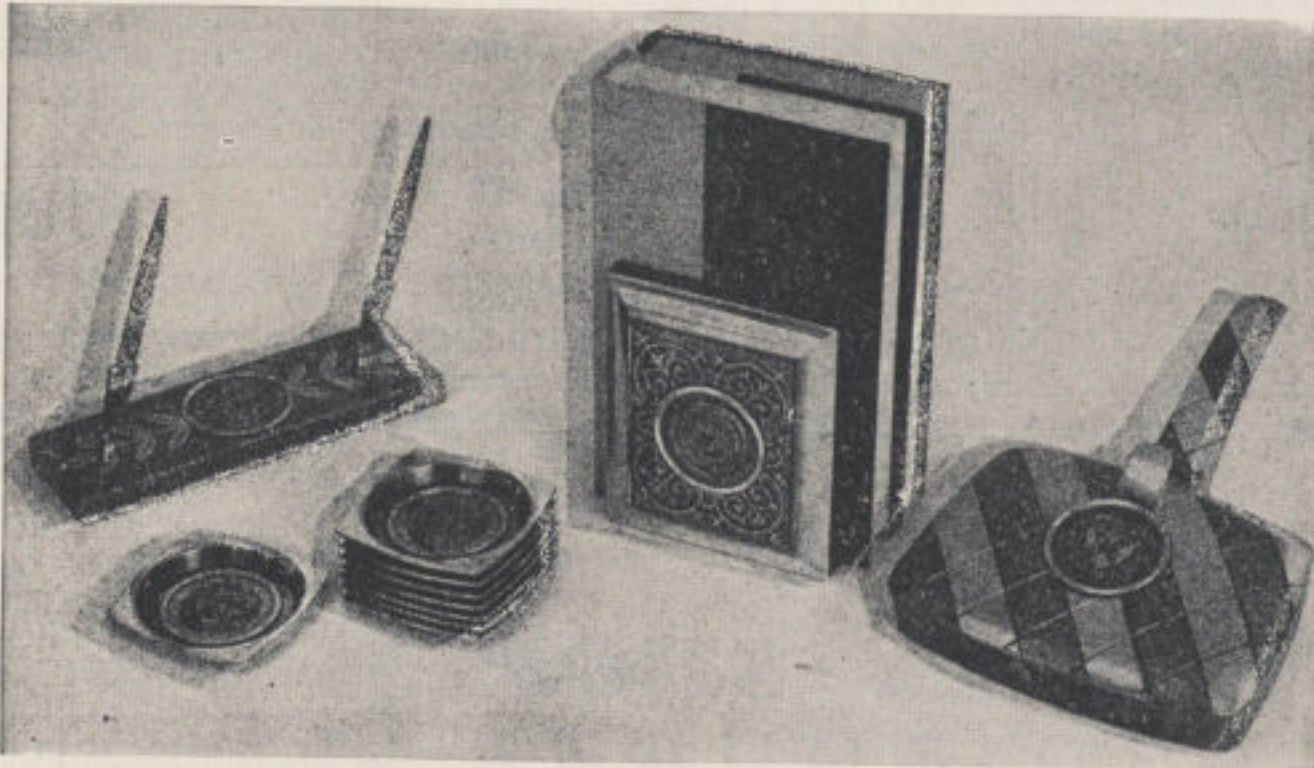
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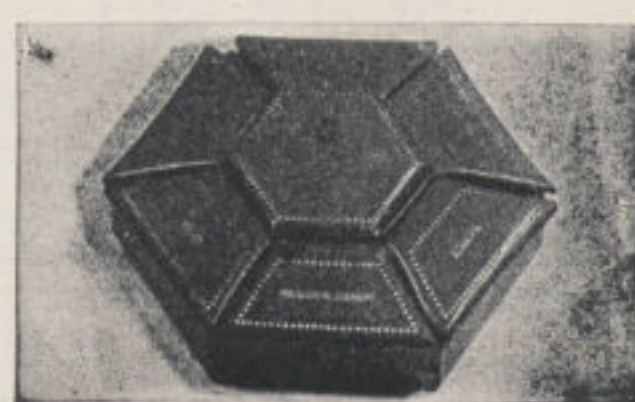


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