



Harvard Law School Record



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Seavey Club Is Victor In Ames

The Seavey Club will be the fourth club in the Ames semifinal rounds, because of its victory over the Kaplan Club on April 6.

Oralists for the Seavey Club were John M. Reed of Cambridge, and William M. Gross of Harrisburg, Pa. Gross made the rebuttal. The Kaplan Club's oralists were William D. Walsh of New Haven, Conn., and Leonard B. Boehner, Malvern, Iowa.

Chief Judge was the Hon. Edward Wienfeld, of the United States Court for the Southern District of New York. His associates were Kenneth W. Bergen, LL.B. '37, and Grafton L. Wilson, LL.B. '19, both of the Boston bar.

James D. St. Clair, LL.B. '44 (47), who was to have sat on the court, was unable to participate, because he had been appointed assistant counsel to the Army in the Army-McCarthy investigation.

The court, on the legal points in issue, decided that the case should be remanded to the Tax Court.

Facts and Issues

The case involved the attempt of the Commissioner of Internal Revenue (represented by the Kaplan Club) to tax a dividend of common stock which a closely held corporation declared to its shareholders, Mr. and Mrs. Swanson. The Commissioner claimed that the dividend was taxable because it actually increased the proportionate interests of the two shareholder-taxpayers.

Two minority shareholders had sold their shares to the corporation just before the dividend, and just after the dividend had repurchased their stock. The result was that they did not participate in the dividend. Their acts were said to be part of a plan to turn over the company to the Swansons.

Alternatively the Kaplan Club argued that a tax was due on the arrangement by which the corporation obtained the stock it issued as a dividend to the taxpayers. The Commissioner said that the arrangement was essentially equivalent to a stock dividend to the taxpayers and was therefore taxable under sec. 115-(g)(1) of the Internal Revenue Code.

The taxpayers, through their counsel, the Seavey Club, argued that the sale and repurchase by the minority shareholders did not affect the stock dividend, and that there was no change in the proportionate interests of the taxpayers.

The plan alleged by the Commissioner (See AMES on page four)

Harvard Defenders Elect New Officers

William O. Forbes, 2L of Nashua, N. H. has been elected President of the Harvard Voluntary Defenders for the next year. He succeeds Charles Weiss, 3L, of Philadelphia, in the office. Mr. Forbes is a Canadian citizen and holds a commission in the Canadian army.

Robert J. Alderdice, 2L of Harrisburg, Pa., was named secretary and Alan F. Milledge, 2L of Miami, Fla., was named treasurer in an election meeting which lasted five hours. Mr. Alderdice replaces Charles J. Cooper, 3L of Philadelphia. Donald H. Green, 3L of New York City is the outgoing treasurer.

Variety of Cases

The 26 members of the Voluntary Defenders have handled 412 new cases this year. They ranged from drunkenness to second degree murder and included breaking and entering, assault and battery with a dangerous weapon, larceny, and various narcotics and sex charges. Student defenders appeared in (See DEFENDERS on page four)

Catalogue Reveals Change In Courses And New Seminars

The new Law School Catalogue, became available recently. The most obvious changes from the student's viewpoint are in the courses offered and in the allocation of different faculty members to various courses.

For example, there will be no second-year elective and no graduate seminar in Soviet and American Law; Professor Ralph J. Baker will teach all sections of Corporations II; Professor John Maguire will teach Evidence in the fall semester only, as he will be on leave in the Spring.

Trial Practice Seminar

Among the new courses and seminars are Government Regulation of Business, a seminar to be conducted by Assistant Professor Donald F. Turner; Problems of Trial Practice, a seminar given by Assistant Professor Robert E. Keeton; Comparative Law; and Introduction to Common Law, a graduate course in which Professor von Mehren will acquaint foreign graduate students with the structure and procedure of the United States legal system.

A new third-year course will be given by Professor Stanley Surrey on Advanced Taxation.

Joint Seminar On Defense

Professor W. Barton Leach will conduct a new seminar on Defense Policy and Administration, which will cover almost every aspect of defense policy from the viewpoint of Congressional committees. The seminar will be conducted jointly with the Graduate School of Public Administration, Professor Arthur Smithies of Littauer, and Professors Arthur E. Sutherland and Robert (See CATALOGUE on page four)

BLOOD DRIVE

Today is the last day for prospective blood donors to register for the University blood drive, according to Jasper Evarts, chairman of the Phillips Brooks House blood drive committee.

Donations will be collected from April 26 to April 30 at Memorial Hall, between 11:45 a.m. and 5:45 p.m.

Law Wives' Drama Termed A Success

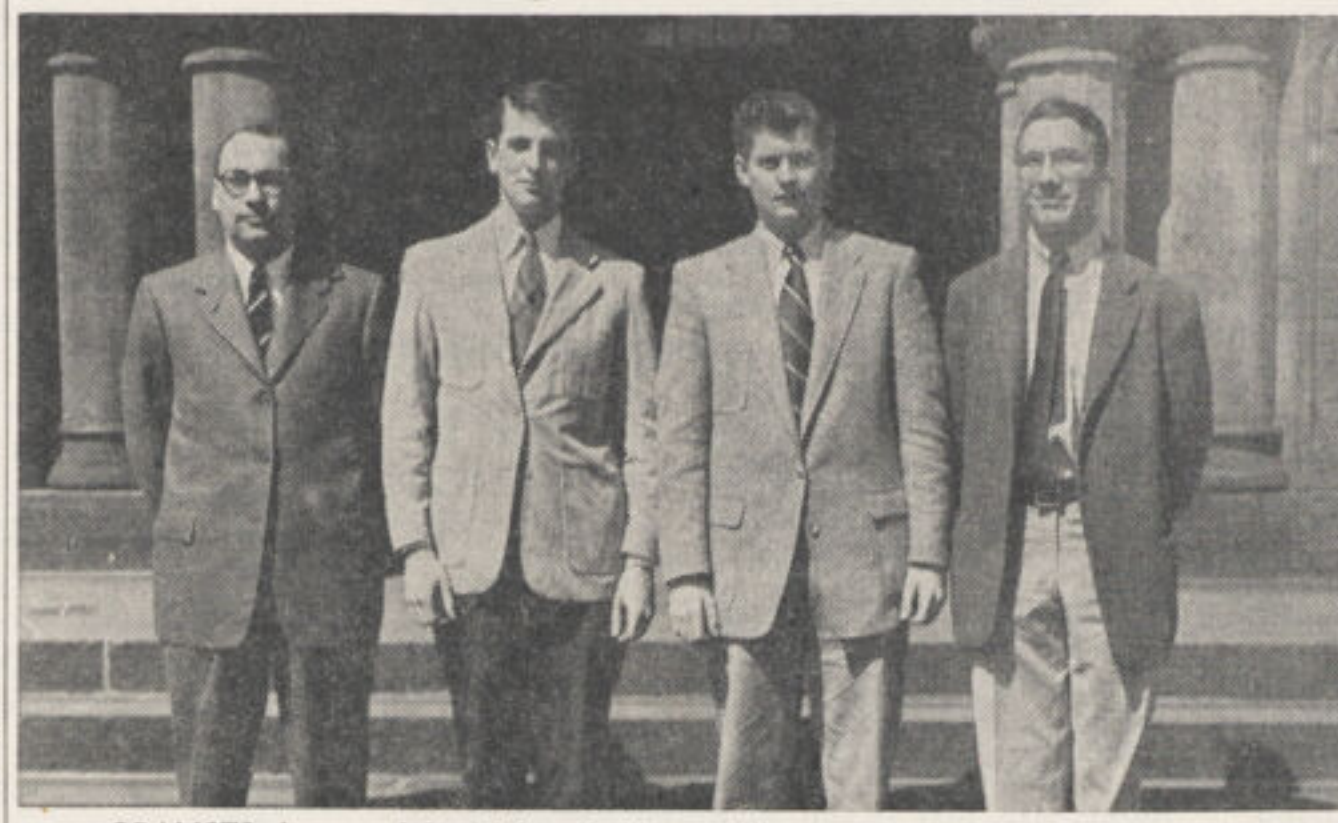
The Law Wives caused the Commons to split its sides Friday at the presentation of two one-act plays, "Suppressed Desires" and "Curse You, Jack Dalton."

"Suppressed Desires" is a satire about a Freudian enthusiast, Henrietta Brewster, played by Vicki Ciaccio, who sets out to free the world from suppressed desires, leaving her architect husband, Stephen, portrayed by Ursula Moore, with a very conscious and verbalized desire for his wife to give up her crusade and return peace and quiet to their household. In the midst of their somewhat hectic living, sister Mabel (Gooloo Irani) comes to visit. Henrietta is sure Mabel will end up in an institution if she does not undergo treatment immediately. Peace and happiness finally come to the Brewster household and all the psychology books get thrown out when Both Stephen and Mabel come back from the "analalozer" with the finding that Stephen's suppressed desire is to leave Henrietta (which he can not do until his shirts return from the laundry) and Mabel's desire is Stephen. Henrietta has learned her lesson and Stephen and Mabel resolve to resuppress their desires.

Melodrama

"Curse You, Jack Dalton," a melodramatic melodrama, was a constant (See DRAMA on page four)

Gardner Club Wins Ames Competition; Burton, Qua, Jacobs Hear Argument



ORALISTS: l. to r., John Dickey, LeMoyné Ellicott, John Mitchell, Archibald Spencer

Three years of Ames competition came to an end Wednesday night for 15 Ames finalists, with the argument before the Supreme Court of the United States of Ames of *Haskins v. Haskins*.

The Gardner Club, whose oralists were John A. Mitchell and Archibald C. Spencer, was the winning group. Their opponents were the Story Club, represented in oral arguments by John W. Dickey and L. LeMoyné Ellicott.

The court which heard the case consisted of the Hon. Harold H. Burton, LL.B. '12, Associate Justice of the Supreme Court of the United States of America, who presided, the Hon. Stanley E. Qua, LL.B. '04, Chief Justice of the Supreme Court of Massachusetts, and the Hon. Nathan L. Jacobs, LL.B. '28, S.J.D. '31, Associate Justice of the Supreme Court of New Jersey.

The case arose when Mrs. Haskins sought a divorce after she had been in the Virgin Islands six weeks and one day; the Virgin Islands' divorce statute said that residence for six weeks was "prima facie evidence" that the plaintiff was domiciled in the Territory. If the defendant made a general appearance, the court had jurisdiction without reference to domicile.

The District Court dismissed plaintiff's case, saying that she had not shown she was domiciled in the Virgin Islands, and that the statute could not constitutionally change the requirements for domicile.

The State of Langdell, represented by the Gardner Club, appeared as amicus curiae to protect its interests.

The petitioners, through the Story Club, said that it was constitutional for the territory to abolish the requirement of domicile in divorce actions: the decree would be valid at least in the Virgin Islands. The petitioner was only asking that matters relating to her status in the Virgin Islands be settled. Such a decision would not affect Langdell and it would not have to give full faith and credit to the divorce decree.

Ellicott said that if domicile was necessary constitutionally, due process in this case had not been violated by the statutory presumption that plaintiff was domiciled if she had been in the islands for six weeks. The defendant had had an opportunity to rebut the presumption. It was not arbitrary, because domicile and residence are related.

Langdell argued that the statute tried to prevent the courts examining the facts to see whether it had jurisdiction. The law was an effort by the legislature to interfere in the judicial process, and was void, because it violated the principle of separation of powers. Petitioners maintained that the Legislative Assembly had been given power to pass such legislation.

The major arguments of Langdell were: (1) domicile is constitutionally necessary before a court can entertain a divorce action, (2) if domicile is unnecessary, the Virgin Island should apply Langdell's divorce law, (3) the presumption of domicile violated the separation of powers and due process of law.

Discussing the second point Spencer said that the Virgin Islands could not constitutionally issue a decree that would only be valid there: the divorce is either valid everywhere or invalid. The law of the place of domicile (Langdell) must be applied, because of that State's great interest in the status of its domiciliaries. Langdell law would not permit a divorce in this case.

Mitchell addressed himself to the third argument. In addition to the point about separation of powers, he said that the presumption was so arbitrary and so (see GARDNER on page three)

Student Bar Association Hears Plea For Legal Wire-tapping

On Monday, April 12, the Harvard Student Bar Association sponsored a discussion of wire-tapping, the privilege against self-incrimination, and the relation of the Fifth Amendment to Federal law enforcement. The speaker was J. Edward Lumbard, Jr., LL.B. '25, United States attorney for the Southern District of New York.

The essence of Lumbard's remarks was a plea for two new weapons to be used in the Federal government's fight against organized crime and subversion.

The first of the proposals for which he argued was legislation allowing a more liberal use of wire-tap evidence. Lumbard emphasized the fact that the professional criminal operates in such a fashion as to make himself virtually immune from investigation under the traditional rules of evidence: he has no books, no records. Evidence from a wire-tap

is especially valuable, not in and of itself, but because of the leads which it furnishes enforcement officials.

Mr. Lumbard said that a criminal will not get a pardon merely for blurring out what he knows as the United States attorney will pose the questions which will grant him immunity. He added that such power is not novel as it exists in many states, and Federal officials have always had a similar power.

LATE ISSUE

This issue of the RECORD is published on Friday instead of Thursday so that we could publish the results of the Ames final.

Our next issue will appear on April 29, and will be the last RECORD this semester.

Law School Association Meets To Discuss Alumni Problems

The annual meeting of the Council of The Harvard Law School Association was held last Saturday, April 10, in Harkness. The proceedings lasted throughout the day. Council members discussed finances; they heard reports from the various sub-committees, and several addresses delivered by past presidents of the RECORD, Student Legis-

The Council also elected officers for the coming year, and all incumbents were returned to office. Those chosen were: Robert N. Miller '06, President; Hon. Raymond S. Wilkins '15, First Vice President; John Raeburn Green '17, Second Vice President; E. Smythe Gambrell '22, Secretary; Paul F. Hellmuth '43, Treasurer; and Harrison S. Dimmitt '25, Assistant Secretary and Treasurer.

Three men were elected to the Executive Council of the Association. They are: S. Pearce Browning, Jr. '25, Henry L. F. Kreger '20, and John G. Buchanan '12.

Many interested alumni from all over the country attended the meeting, some representing organized alumni groups. They include: Wesley E. Bevins, Jr. '48, Wilkie Bushby, '21, Paul Carrington, '17, Frederick M. Dearborn, Jr. '36, John M. Dry, '32, Harry L. Dunn, sp. 1919-21, Walter T. Fisher, '17, Robert T. Gannett, 2d, '42, Frank W. Grinnell, '98, Erwin N. Griswold, '28, Oscar W. Haussermann, '16, Bernard Helling, '39, H. Ober Hess, '36, J. Edward Lumbard, Jr. '25, Charles S. Maddock, '35, Hon. Calvert Magruder, '16, Kurt F. Pantzer, '17, George E. Ray, '35, Robert M. Segal, '42, Hon. Walter M. Shohl, '08, Charles M. Storey, '15, Eugene B. Strassburger, '10, John E. Tarrant, '23, Gerhard P. van Arkel, '23, Hon. Charles E. Wyzanski, Jr. '30, and Robert G. Zeller, '42.



Robert N. Miller

lative Research Bureau, and the Voluntary Defenders. Dean Griswold told the group of the problems raised by the increasing number of applicants for admission each year. The last thing on the agenda was a dinner with the members of the faculty.

The Harvard Law School Record

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In Corpore Sano . . .

This coming year brings an appreciable tuition rise at the Law School, from \$600 to \$800. Nevertheless, the law student will not be entitled to all of the privileges which a Harvard College student obtains for the same tuition; particularly unlimited use of athletic facilities and admission to the home games. These are good healthy recreational activities which should be encouraged, but law students must pay approximately \$55 a year extra for them.

The Law, more perhaps than any other learned profession, makes extreme physical as well as mental demands upon the individual. The effective lawyer must be well-equipped physically as well as mentally. Perhaps the last opportunity to lay down a solid foundation for good mental training and physical health comes in the law school. Therefore a step in the right direction would be to give free use of the gym to law students. Enlarged athletic facilities in the graduate school area would be a welcome and worthy project for the future. Just as plans are now being considered for a University theatre, law and graduate faculty, alumni, and students should consider the possibility of building a separate gymnasium for their exclusive use. This would ease the load on Hemenway, which currently handles Harvard College freshmen.

The university is losing an opportunity to strengthen its ties with hundreds of people who for financial reasons or otherwise had no previous opportunity to study in Cambridge. A lawyer is usually a significant figure in his respective community and should be cultivated as a worthwhile addition to an active and thoughtful alumni association. It is only too true that a good time brings people more closely together than a good exam. The stadium is often rather empty at many big football games in the fall. Tickets for the law students would encourage more people to come with guests on a paying basis. This would not only result in increased receipts for the ever-wailing H. A. A. but would help fill the stands and provide an appreciative rooting section for the men on the field.

Many law students already give time to the glee club, band, and orchestra without receiving equal benefits with the college men. So why not reward those who already give time to university activities and induce others as well to make full use of the Harvard opportunity, by allowing free use of athletic facilities and free tickets for all home athletic events?

Gallery

CHARLES CORKER
 Teacher
 Ford Foundation Director



In 1941 Charles Corker, a first-year student at Harvard Law School, sat complacently and expectantly in his first Property class. Old "Bull" Warren, whose legend still haunts Langdell Hall, was presiding. He had just completed a detailed explanation of his pedagogical technique, demonstrating that there were certain questions which required a monosyllabic yes or no. Professor Warren, white-haired and dramatic, now sought to launch the course on its devious tour through the by-ways of proprietary rights with a practical application of his recently expounded technique. His first victim answered meekly, monosyllabically, and correctly. "Bull" Warren beamed with joy. Fate erased the smile, for Charles Corker was the next selection for a question. Unfortunately, he answered "yes," when he should have said "no." There was a dreadful silence, and Charles Corker trembled before the mounting and visible wrath of his indignant professor.

"Why you damned fool," thundered "Bull" Warren in righteous fervor, "I suspect, Sir, you had best quit now, rather than waste more tuition." Mr. Corker was crushed, quashed, dashed, or devastated, depending on your choice. But from this traumatic birth into the ways of the Law Charles Corker went on to the *Law Review*, adding this achievement to his Phi Beta Kappa key which Stanford University had awarded him. Bankruptcy, not Property, became his favorite course, but there was no correlation for no one who ever knew Professor Warren had anything but admiration and awe for him.

World War II

The Pearl Harbor disaster occurred during Mr. Corker's first year of law school. Soon the ranks of both faculty and student body were being depleted, with each succeeding week revealing new vacancies in the classrooms. After his second year, Corker enlisted in the Navy, winning an ensign's commission. He served principally in Brazil in a lighter-than-air squadron which hunted German subs during the battle for control of the Atlantic. After several promotions he returned to the States, and with the end of the war, he completed his work at Harvard Law. He graduated in 1946.

Mr. Corker was born in Idaho in 1917, but ever since his undergraduate days at Stanford University he considers himself a Californian. His wife is also from the West Coast. She was born and raised in Seattle and is a graduate of the University of Washington. They were married in 1943 and have three children, the youngest of whom is a three-weeks' old girl.

After graduation Mr. Corker returned to his alma mater, Stanford, and taught Commercial Law in its Law School. It is of interest to note that until recently this field of law was splintered

into a number of courses including Sales and Negotiable Instruments. Since the war, however, the trend in law schools throughout the United States has been to consolidate these courses into a single subject, giving a student perspective in studying the field of commercial transactions.

Mr. Corker believes that this is the proper way the area should be taught, for though it makes the work load heavy, it integrates essential parts of a single transaction into a unit, rather than leaving the pieces of what was a puzzle game to mesh together by intuition and hope. Commercial Law has remained his special area of emphasis, and on this subject Mr. Corker has written a number of law review articles. These contributions can be found in the *Stanford Law Review*.

Returns To Harvard

Charles Corker first met Professor Arthur Sutherland in 1950 at a conference of Commercial Law professors. This association eventually brought about a re-enactment of an academic cycle, bringing Mr. Corker back from Stanford and into Harvard Law School. In 1952 Mr. Corker had resigned from Stanford's law school and begun private practice. A year later he was called to Harvard to direct the day-to-day operations of the Fund for the Republic—a research program sponsored by the Ford Foundation. This large, well-staffed project is under a supervisory faculty committee headed by Professor Sutherland. The compilations of the Fund for the Republic will not be released until late this summer, but its findings should be of value and interest to lawyers and historians concerned with the Communist problem in the United States.

R. W.

Letters to the Editor

TO THE EDITOR:

In last week's RECORD Professor Braucher suggested that Dean Griswold "overstates the case" when he criticizes Senator McCarthy's subcommittee because it has had as its basic purpose "exposures" instead of information gathering preparatory to legislation. Professor Braucher was entirely correct, I believe, when he pointed out that the "educational" or "informing" function of legislative investigations is a basic, necessary, and entirely proper part of our governmental process. In evaluating an institution or practice that is part of the political process, a literal reading of the constitution or a purely legal viewpoint doesn't provide a sufficient basis for judgment.

In criticizing Senator McCarthy we would be shortsighted indeed if we failed to distinguish between the practices which are themselves proper but which are being misused by the Senator and those which are bad *per se*. In this letter I would like to suggest four criticisms of McCarthy which I believe indicate some tests of any legislative investigation—whether conducted by those we admire or one whom we despise.

1. To an excessive degree McCarthy uses his hearings to inflict punishment on individuals. He purposely causes witnesses to suffer for acts of which he knows they are not guilty. This is to be distinguished from an investigation which, incidentally to informing the public about a situation, inflicts bad publicity on a few people.

2. To an excessive degree McCarthy's investigations are an instrument of his personal ambition, of his urge to power.

3. McCarthy uses the threat of punishment by his committee to achieve ends other than the improving of the situation, public abhorrence of which is the source of his power. The threat of exposure is a legitimate method of deterring wrongdoers; but threatening people with false accusations in order to procure favors, or some other personal end, is an entirely different story.

4. To an excessive degree McCarthy violates basic standards of "fair play" and due process. The political process is different than the judicial; to some degree less rigorous standards can be accepted. But McCarthy goes too far.

These criticisms are mostly matters of degree, they represent an attempt to draw somewhat careful distinctions. This is necessarily so, I believe, because I have tried to think in terms of the way our government and governors operate in practice. Partly, at least, because of space limitations, I am afraid I have not been able to make these distinctions clear. I hope that others will in their own minds go further with this attempt. Whether or not my attempt at making criticisms which are as valid against friend as foe has been adequate, it is of vital importance that in our reaction against McCarthy and our attempts to build safeguards against similar excesses, we do not turn to absolute rules and rely only on distinctions of kind, on sharp lines between the proper and improper. Considerations of degree and fine distinctions are sharp instruments and only through their careful, assiduous use will we be able to carve out a finer, more effective democratic system.

MAX SINGER 1L

Sub Judice

RETREAT

Mr. G was an ill man and was recovering from a stroke when the excitement took place. In fact, he still walked with the help of a stick. And so, early that morning, even before 7 a. m., he managed to walk from the back of the house to the living room sofa. There he sat in patient expectation for his wife to come in to say goodbye on her way to work.

He did not wait long, for Mrs. G entered in a few seconds with a surprise for hubby. In her right hand was a butcher knife with a blade over eight inches long, and she charged at her husband. (They had quarreled the night before and Mrs. G did mention that she might kill him.)

Perhaps due to physical inability, or from sheer fright, or due to a myriad of other reasons, Mr. G did not move and just sat there. And as the dear lady approached, he pulled out a gun and shot her five or six times when she was within five or six feet from him.

Needless to say, when a co-worker called for Mrs. G at 7 on her way to work that morning, Mr. G informed her that his wife "would not be going to work."

Held: Mr. G had a valid claim of self defense. "Where a house, premises, or other place of business is jointly occupied, used and possessed by two persons . . . each being entirely entitled to possession, the joint occupant need not retreat when attacked while in the building or premises by the other joint occupant . . . This rule is the same whether the attack proceeds from some other occupant or from an intruder." *State v. Grantham*, 77 S.E.2d 291, Supreme Court of South Carolina, August 10, 1953.

BRING HOME THE BACON

Reubin Sanchez was in the garage business. He specialized in repairing and painting automobile bodies. Eduardo Sanchez bought an auto which was financed by a finance company. In due course, Eduardo wrecked his (or the finance company's) car. He brought the wreck to Reubin to fix, if possible.

Reubin repaired the heap, but it seems that Eduardo ran short of cash. He made part payment to Reubin, but the balance remained. And so the latter kept possession of the car under a garageman's lien.

But the finance company was also not receiving its payments, and it was not to be outdone by any garageman. Thus, Hale entered into the merry scene. Hale did not disclose his identity, but claimed that he was a prospective purchaser sent by Eduardo. So Reubin accompanied Hale for a quick spin around to test out the repaired auto.

Just by coincidence, Hale happened to mention that he wanted to "have the car appraised" at the finance company, and before Reubin knew it, Hale had him in front of the finance company. They drove into an inclosure owned by the company, and the entrance was locked immediately after them. By hook or by crook, the finance company had retaken their baby.

However, Reubin Sanchez was later paid the sum due for the repair work by the finance company. But he was misled and "humiliated" and sued for false imprisonment.

Held: Repairman was falsely imprisoned, but there was no evidence as to the position in the corporation of employee Hale, so as to provide sufficient evidence to establish that the corporation had participated in, authorized, or ratified the tortious act of their employee. *Sanchez v. Securities Acceptance Corp.*, 260 P. 2d 703, Supreme Court of New Mexico, Aug. 13, 1953.

Off the Record

Mass. G.L., ch. 276, sec. 53:

Treatment of male and female prisoners . . .

An officer who, having the custody or control over prisoners, causes or permits male and female prisoners to be transported together to or from court in a vehicle, in a city of more than 30,000 inhabitants according to the latest census, shall be punished by a fine of not more than twenty dollars. (1894)

(Thanks to Jack Noble, 2L, and Jim Ratcliff, 2L.)

Associated Press, Memphis, Tennessee, Dec. 1953:

"An attractive 23-year-old blonde won a damage suit against a neighbor but the verdict cost her more than it did the defendant.

"Miss Jimmie Yopp filed a \$15,000 assault and battery charge against Fred A. Burmeister, 65, after a back yard squabble.

"The jury returned its verdict: \$1.50 damages.

"Court costs were \$25. The law provides that where judgments are less than \$5 the defendants need only pay the amount of the judgment toward court costs. By a law quirk the plaintiff—Miss Yopp in this case—must pay the rest—\$23.50."



"... and I had just finished memorizing the Internal Revenue Code when ..."

GARDNER—(Continued)

difficult for the defendant to rebut (because it depended on plaintiff's intentions) that due process was violated.

Briefwriters for Story

On brief for the Story Club were Edwin J. Carr of Des Moines, Iowa; Arthur C. Dwyer of Paterson, N. J.; Joseph DeFranco from New York City; John E. Kirkpatrick, Meadville, Pa.; and Richard K. McLaren of Skilman, N. J.

The counsel for the Gardner Club included George Chimples of Hamilton, Ohio; William S. Ellis of Roxbury; Fred-eric D. Houghteling from Washington, D. C.; James C. Ingwersen, Portland, Ore.; James McKinley Rose, Jr., and Fred Wyle, both of New York City.

Alumni Notes

LL.B. '13 — *Ernest Angell*, has withdrawn from the firm of Spence, Hotchkiss & Halpin and has established his office in New York City.

LL.B. '32 — *Herbert S. MacDonald*, has been elected President of the State Bar Association of Connecticut. He is a member of the firm of Thompson, Weir and MacDonald in New Haven and has served as judge of the Town Court in his home town of North Haven for the past fifteen years.

LL.B. '48 — *Robert W. Culbert*, has opened his own offices for the general practice of law in Washington, D. C.

LL.B. '49 — *Bernard Feuerstein*, former Assistant District Attorney in New York County has been discharged from the service as a First Lieutenant. He is now with the law firm of Scribner and Miller in New York City.

LL.B. '52 — *David H. Brill, Jr.*, announces that he is associated with the law firm of Goodrich, Dalton and Little in Mexico, D. F.

Edgar J. Graef, has become associated with Coolidge, Becker, Wall and Wood in Dayton, Ohio. Previous to that he spent a year in Washington, D. C. with the Federal Government.

Edmund V. Ludwig, is assistant staff judge advocate with the 3rd Division somewhere in Korea.

LL.B. '53 — *J. Brooks Johnson*, is with the Judge Advocate General Corps, and is assistant staff judge advocate with the 25th division somewhere in Korea.

Leonard Weinberger, is stationed in Northern Honshu, Japan, serving as an enlisted man. He recently became legal advisor to the battalion commander of the 50th Signal Battalion Corps.

Spring Ames Prizes Revealed By B.S.A.

Lester Rosen, chairman of the First-Year Facts Committee of the Board of Student Advisers announced Monday that Bradford C. Colcord, 2L of Cambridge, has won the prize for best quarterfinal Ames oralist. He will be given a legal text of his choice, with a special bookplate indicating the award.

Other Ames prizes for spring arguments announced by the board on Monday were all for first-year men. Top briefwriters were John Oleson of Hartford, Wis., and Frank Olson, La Grange, Ill., both of Brewster Equity. Best oralist was Herbert Hershfang of New York City.

Second-Place

The second-place prize for brief-writers was awarded to Nancy H. Goldring of New York City and Alan Hakes of Longmeadow, both of Casner Equity.

The following briefwriters won honorable mention: Albert Borowitz, Watertown, and Robert H. Nelson of Brockton (Frankfurter Law); James Gregg, Jr., Fort Mill, S. C. (J. Smith Eq.); Allen N. Rieselbach of Milwaukee (Bracton Law); W. Loeber Landau of New Orleans and Edgar Love, III, from Lincoln, N. C. (Casner Equity).

Honorable Mention

Honorable mention for oral argument went to John C. Fontaine from Ridge-wood, N. J. (Blackstone Equity); Andrew T. A. Macdonald, South Arlington, Va. (Brandeis); Herbert P. Shyer, Cambridge (Brewster Law); W. Loeber Landau of New Orleans (Casner Equity); Albert Borowitz, Watertown (Frankfurter Equity); and Henry P. Sailer of Wellesley Hills (Kent).

The Jurisprudence Course
A SECOND YEAR ELECTIVE

Jurisprudence is generally thought of as a graduate course or as a subject to be taken at the very end of formal legal education. Our curriculum departs radically from this conception, and places the introductory course in Jurisprudence in the first semester of the second year.

As I conceive the course in Jurisprudence it is primarily an introduction to legal philosophy. I make no attempt to initiate the student into all the schools and sub-schools of legal theory, but seek instead to study closely and discuss with

I try to relate the course as closely as I can to the work of the practicing attorney. I try to present the lawyer, not as one skilled in predicting which way judges will jump, or as the competent expounder of legislative fiat, but, to borrow a phrase from my colleague Milton Katz, as "an expert in structure." I try to uncover the common thread of insight into the problems of human organization that runs through all of the lawyer's work, whether he is acting as judge or arbitrator, arguing a case, drafting a statute, or negotiating a contract.

Teaching the course has been for me a difficult assignment. Students bring to Jurisprudence very different backgrounds and very different preconceptions. As I see it, the whole of legal philosophy should be animated by the desire to seek out those principles by which men's relations in society may be rightly and justly ordered. To some students, at least, this is a vain quest betokening a naive faith in the powers of the human mind. These students (fortunately a minority) have taken with all solemnity the dictum of William Graham Sumner, "The mores can make anything right and anything wrong."

The American Student

Teaching the course has caused me to reflect a good deal upon American undergraduate instruction. I have the impression that many teachers in the general field of the social sciences take as their chief task overcoming a naive moral dogmatism which they assume their students will bring to social studies. I wonder if they are not often struggling against a ghost that has been laid for at least a quarter of a century.

Teaching a course in Jurisprudence that takes as its central problem the meaning of justice is, therefore, an undertaking that runs against the grain of at least a portion of the average student's pre-legal training. Though this produces pedagogical difficulties, I would not have it otherwise. My principal concern is that the course shall not descend to the level of mere counter-indoctrination and that it shall remain a candid and uninhibited examination of the basic problems of law and government.

L. L. F.



Lon L. Fuller

him a limited selection of representative writings in this field. At present we read extensive works or passages from Austin, Holmes, Gray, Beale, Maine, Bentham, J. S. Mill, Corbin and Cook (as expositors of the Hohfeldian analysis), and Aristotle (the chapter on Justice). In addition, I recommend that students taking the course read in advance Cardozo's *Nature of the Judicial Process* and Pound's *Introduction to Legal Philosophy*.

General Aim

I can best convey the general aim of the course by a quotation from Holmes: "I sometimes tell students that the law schools pursue an inspirational combined with a logical method, that is, the postulates are taken for granted upon authority without inquiry into their worth, and then logic is used as the only tool to develop the results." In Jurisprudence attention is directed precisely toward those postulates that tend elsewhere to be taken for granted. I mean not simply, or even chiefly, those postulates that underlie, say, the law of contracts and torts, but the more basic premises that underlie any legal order, or indeed, any organized society.

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NEWS IN BRIEF

LAW WIVES

The Harvard Law Wives will not meet Wednesday, April 21; the next meeting will be on April 28 at 8 p. m. in the Wheeler Room.

The Club will elect new officers, and the elections are to begin promptly at 8. Professor Robert Braucher will speak on "Law As a Jealous Mistress".

YOUNG REPUBLICANS

The Planning Board of the Harvard Young Republican Club recently approved a plan to associate wives with the Club. The plan was submitted by the Law School Committee. Dana Coggins, LL, of Vineyard Haven, and John Heckler of Marblehead, vice chairman and chairman-at-large respectively of the law school organization, were coordinators with the University group.

Wives' Plans

The wives' group plans to hold joint meetings with the HYRC. Mrs. John Heckler, chairman, stated that there will be opportunities for direct political work in campaigns, research for candidates, and "social affairs coordination." Mrs. Charles Symington, vice chairman, is directing organization and planning for the group.

"THE FORT MONMOUTH CASES"

Visiting Professor Frank Newman and Mr. John Phelps of Yale University will discuss "The Fort Monmouth Cases" at a meeting sponsored by the Cambridge Branch of The Federation of American Scientists. The meeting will be held in Langdell Courtroom, Thursday, April 15 at 8 p. m.

KING'S BENCH

Professor Freund was the speaker at the weekly luncheon held on April 8. Professor Freund delivered a witty and interesting address on "The Department of Justice and Its Relation to the Supreme Court."

The next luncheon meeting will be held today. Professor W. Barton Leach will speak on "National Defense."

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Indian Professor Heard By Law School Students

India's economic problems, and their interrelation with her socio-political structure were set forth by Professor Gopal of the University of Andhra, India, at the coffee hour last Tuesday.

His exposition of these differences centered around her unbelievably poor agrarian society (80% of the population are farmers), her inherited social rigidity, lack of "know-how," and her many languages.

The per capita income in India is \$55 a year, causing her to look to increased agricultural income before attempting major industrialization of the country.

Her major economic effort is concentrated in a five-year plan, which, in cognizance of the Soviet experience, is carried on through private enterprise with some projects modeled after T.V.A. However, this plan at best will result in a 7 1/2% increase in income.

In spite of her great resources, Professor Gopal predicted India will never reach the level of the U. S. A., though the reform program will make her a major power.

CATALOGUE—(Continued)

Braucher will also participate in the seminar.

Another new combined seminar will cover the evolution of specific collective-bargaining agreements. Faculty of the seminar will include Professors Archibald Cox, John T. Dunlop (Public Administration), and Edward R. Livernash (Business School).

Atomic Power

One of the most intriguing additions is found in the Public Utilities Seminar. "In the second semester consideration will be given to the problems of regulation to be anticipated as a consequence of the private development of atomic power." As yet no private atomic-energy plants are in operation anywhere, except the minute atomic batteries recently revealed by RCA, nor are any under construction.

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DEFENDERS—(Continued)

district court 57 times to represent the defendants in these cases.

Worked Through Summer

The Harvard Voluntary Defenders worked on over half again as many cases this year as in the previous year. They were able to do this by working over the summer, by getting an earlier start in the fall, by working through January examinations, and by carrying their activities once more into East Cambridge.

Alan Milledge will be here this summer to continue the Defenders' work. During June, Lester L. Ward, 2L of Pueblo, Col., and Timothy W. Stanley, 2L of New Britain, Conn., will work with him. Assuming cases continue to come in at their present rate, the Defenders expect 500 clients next year.

AMES—(Continued)

was not proved by the evidence, so that even if the taxpayers were wrong on the law, they were not liable for the taxes, the Seavey Club concluded.

On Brief

On brief for the Seavey Club were Francis M. Coates of Baton Rouge, La.; Allan Grant Freund of Bloomfield, N. J.; William J. Ivey from Washington, D. C.; William F. Orme of St. Paul; Alette Reed, Cambridge (Mrs. Reed is the wife of oralist John M. Reed); and William W. Wealcatch of New York City.

The Kaplan Club members on the brief included William L. Boyan of Bergenfield, N. J.; Walton O. Schalick, Jr., from Salem, N. J.; Joe E. Stratton, Nelsonville, Ohio; and William H. Vogt III of Rochester, N. Y.

DRAMA—(Continued)

laugh for the audience. Mary Wyle, the heart-of-stone, attempts to marry her onion-a-day boy Jack Dalton (Sis Farrell) to the heart-of-granite Anita D'Andrea. Unbeknown to his mother, Jack is really in love with the pretty, little, good-hearted parlor maid, Deloris Mandel. Thus the plot thickens and so did the laughter—except for moments taken out to hiss the heinous villain, magnificently portrayed by Ursula Moore. It all ends up quite happy though, except for dear, tender-hearted Eloise Dalton (Annette Donovan) who loses her lover, but the parlor maid marries Jack and recovers a long lost brother and justice triumphs.

Hats off to Mollie Rifkind for the professional touch in the directing, and the Harvard Law Wives for a grand evening.

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