

Harvard Law School Record



VOL. 19. NO. 8

CAMBRIDGE, MASS., THURSDAY, NOVEMBER 18, 1954

PRICE TEN CENTS

Record Board Selects Talbot; Kramer, Feder Also Elected

Chas. H. W. Talbot, 3L of Walla Walla, Wash., was elected President of the HARVARD LAW SCHOOL RECORD in elections held on Nov. 10. Talbot, a 1951 graduate of Whitman College, had previously served three terms as Editorial Manager of the paper, and



Chas. H. W. Talbot

had also been Copy Editor and News Editor. He succeeds Herbert Wasserman, 3L of New York City.

Martin Kramer, 2L of New York City, and Robert Feder, 3L of Newark, N.J., were elected to the other two top posts. Kramer, who becomes Editorial Manager, graduated from the Wharton School of Finance and Commerce, University of Pennsylvania, in 1953. He

was formerly Current Case Editor. Feder, the new Business Manager, is a 1952 graduate of Syracuse University. He was formerly Advertising Manager. The retiring Business Manager is Robert A. Belmonte, 3L of Framingham.

Other Directors

Other new members of the Board of Directors are William H. Vogt III, 3L of Rochester, N.Y. (M.I.T., '52), Associate Editor; Henry J. Stern, 1L of New York City (C.C.N.Y., '54), Copy Editor; Harry L. Freeman, 2L of Omaha (University of Nebraska, '53), News Editor; Ed Saxe, 1L of Cambridge (Harvard, '54), Advertising Manager; and Bruce Marger, 1L of Coral Gables, Fla. (University of North Carolina, '54), Treasurer.

Retiring directors include Marvin A. Stern, 3L of Boston, former Associate Editor, and Matthew C. Kessler, 2L of New Rochelle, N.Y., former Treasurer.

Department Editors

Four new Department Editors of the RECORD were elected at the Wednesday meeting. They are William R. McKim, 3L of Canonburg, Pa. (Princeton, '52), Articles Editor; William D. Gaillard III, 2L of Scarsdale, N.Y. (Princeton, '53), Gallery Editor; Gordon M. Lucey, 1L of Leonia, N.J. (Hampden-Sydney, '54), Features Editor; and George J. McCormack, 1L of New York City (Fordham, '52), Current Case Editor.

Katz Analyzes Europe's Role

Even though the United States hoped that the European Defense Community would achieve our objectives with respect to Germany, there is no cause for pessimism with the new Western European Union, declared Professor Milton Katz, director of International Legal Studies at the Law School, at the weekly Coffee Hour Tuesday.

Speaking on "The U. S. Stake in Europe; Western European Union and E.D.C.," Prof. Katz remarked that on the whole U. S. policies in Europe have met with substantial success, while the trends have been in our favor also.

The Soviet Union is still trying to subjugate Western Europe and bring the area under its control, he said. For this reason, this area is vitally important to us from more than a strategic point of view, he stated.

The fact that organized society with all the normal instruments of social and political organization had disappeared in Western Europe as a result of the war, made Western Europe a real battleground between the East and West. The Soviet Union after 1945 maintained in Western Europe a continued propaganda barrage, penetration of government and labor unions, blockades, guerilla warfare in Greece, and the Red Army as a primary instrument of terror and psychological warfare.

The most recent stage in the development of Western Europe has been the joint efforts of the various nations. As of 1950, the biggest obstacle to these efforts, Prof. Katz continued, was the position of Germany. It was hoped in this country that EDC would effect United States objectives in Germany, and thus we backed it, he added.

However, Prof. Katz emphasized, it is the trend and direction of foreign policy that is critical, and we must beware mentally linking the method and the objective. If the Western European Union is ratified as it now stands, he said, there is no reason to be pessimistic.

S.B.A. Sets Plans For New Project

The Harvard Student Bar Association has announced that it will post monthly court calendars for the Boston area, including both state and federal courts, thereby aiding interested students to attend any sessions for which they find time. An important feature of the plan is to list items of interest for the month, such as prominent attorneys who may be arguing, and cases involving noteworthy legal problems. The calendars will be changed monthly, and will be posted in a special bulletin board in Langdell South entrance hall.

In conjunction with these notices, the Student Bar has also arranged to take members on guided tours of some of the courts listed. They will be taken in small groups and it is hoped that the judges will invite them to their chambers for discussion of unusual aspects of practice in that court. The first calendar should be posted by the end of this week, and court tours are expected to begin by the end of the month. The project has been planned and coordinated by Marvin Mazie, 3L of Sioux City, Iowa, and Raymond Reister, 3L of St. Paul, Minn.

Monday Meeting

At five o'clock last Monday, the Student Bar held an open meeting for third-year students who are interested in working for the Boston Bar-sponsored Lawyer Reference Bureau. Those selected will have an unusual opportunity to analyze factual situations, and ascertain whether legal counsel is needed. It differs from legal aid work, inasmuch as most of the people interviewed can afford to retain a lawyer, but do not know anyone to whom they may go. (See S.B.A. on page three)

U. S. Atty. Hires Students As Summer Legal Aides



J. Edward Lumbard, Jr.

Summer work for law students in the office of the United States Attorney for the Southern District of New York is expected to be available again in 1955, U. S. Attorney J. Edward Lumbard, LL.B. '25, has reported.

Last summer 41 students from 10 law schools who had completed second-year work were chosen as assistants to the Assistant District Attorneys in that office. The program was reported by its student participants as an "unqualified success."

Of the 41 student assistants, 13 were from Harvard, eight from Columbia, five from New York University, four from Yale, three from St. John's, three from Michigan, two from Virginia, and one each from Pennsylvania, Stanford, and Fordham Law Schools.

Recordings Of Forums To Be Made Available

Publication of the programs of the Harvard Law School Forum is now being planned, according to Charles Rippey, 3L of Omaha, Neb., president.

A tape recorder will be purchased to aid in preserving the substance of Forum sessions, from which the publication will be made. These tapes will be made available to members of the Law School doing research in fields bearing on the topics of Forum programs.

All programs will be recorded but only selected ones printed. An overall catalogue of the tapes will be set up.

The next forum program is scheduled for Dec. 10, when the revision of the UN Charter will be discussed.

Student Assistants

Each student was assigned to an Assistant United States Attorney to work under his immediate direction for the entire summer, and was treated in every way possible as a member of the regular staff. The type of work done by the students varied with the particular needs of the Assistant Attorney to whom the student was assigned, and therefore the experience derived was not limited in scope.

At the end of the summer, the students wrote a report on the success of the program and submitted it to the United States Attorney. In reference to the scope of the experience gained by the students, the report stated:

"The work performed by the student assistants has run the gamut of that (See LUMBARD on page three)

Broker To Discuss Railroad Securities

The Bull & Bear Club will meet Tuesday, Nov. 23, at 1:30 p.m. in the Meeting Room of Harkness Commons. Wendell Reuss of W. E. Hutton & Co., New York City brokerage house, will address the club on "Railroad Securities."

In addition to its customary article on the meeting topic, *Ticker-Tape*, the club's pre-meeting publication, will also begin series of articles entitled "Basic Considerations for the Investor." The first article to appear will be "A \$500 Billion Economy and the Problem of Translation."

Investment Contest

Tuesday's meeting will be the last opportunity for members to enter the club's hypothetical \$50,000 Investment Contest. The purpose of the contest is to encourage club members to read a financial page and to provide an opportunity to test their skill in selecting securities for short-term capital gain. The contest rules, drafted by Charles L. Convis, 2L of Lansford, N.D., contest director, have added refinements this year. For example, a brokerage commission is now charged and short selling is more closely regulated, in accordance with actual practice.

Investment Banking

Bull & Bear's last meeting in 1954 will be held on Dec. 10. Frank J. Mannheim, a partner in Lehman Bros., will speak on investment banking.

P.B.H. DIRECTORY

The Law School directory, published by the Phillips Brooks House Law School Committee, will be available Monday, according to Martin Bressler, 3L of New York City, chairman of the Committee.

Copies may be obtained from the Receptionist in Langdell Hall.

Address By Kaplan Evaluates Career And Life Of Cardozo

On Sunday evening, Nov. 7, in its continuing series of Sunday night lectures, Hillel House presented Prof. Benjamin Kaplan of the Law School speaking on Benjamin N. Cardozo.

Professor Kaplan noted that Cardozo excelled in a number of ways: "He was in the front rank of American and English judges, a remarkable literary craftsman, a distinguished philosopher although not of the most seminal kind. He was a teacher also, and it may be that he would prefer to be remembered in this role above others. His outstanding



Benjamin Kaplan

ing common law opinions, together with his trilogy, "The Nature of the Judicial Process," "The Growth of the Law," and "The Paradoxes of Legal Science," are principal texts in the education of modern lawyers."

Briefly outlining Cardozo's life, Professor Kaplan said that the judge stemmed from a line of Spanish-Portu-

guese Jews who came to America before the Revolution. Benjamin was born into an intellectual family of stable social position. But in early youth he felt "the stab of family tragedies," which confirmed his natural shyness and diffidence.

As a boy Cardozo studied at home; among his tutors was Horatio Alger. At the age of 14 he entered Columbia College, where he was a pupil of Nicholas Murray Butler. Upon graduation he entered Columbia Law School, but left without a degree. This was at a time when the course was being lengthened from two to three years, and Cardozo was not convinced that an uncoordinated additional year was worthwhile.

Appellate Practice

He went into private practice and attained a high reputation in appellate work. After more than 20 years at the bar, Cardozo was elected Justice of the New York Supreme Court (by an uncomfortably small margin) on the famous anti-Tammany ticket which included John Purroy Mitchel. He served on that court for only a short period in 1914, when he was designated by the Governor to sit on the Court of Appeals as special judge. There followed 18 years of service as Associate and then as Chief Judge, a period during which Cardozo made his major contributions to the law.

In 1932 Cardozo was elevated, "almost by acclamation," to the Supreme Court of the United States, to take the place of Holmes. Professor Kaplan remarked that President Herbert Hoover deserves credit for nominating Cardozo on the basis of merit without regard to (See KAPLAN on page three)

Justice Department Seeks Law Grads

A recruiting program for honor law graduates has been announced by the Justice Department. In 1954, 30 students were placed under this program, which was described by the Justice Department as highly successful.

A special feature of this program will permit young lawyers to acquire experience in more than one division of the Department of Justice. The trainees will be encouraged to shift around and will receive a special training course. "These features will form a substantial basis for early promotion," the Department's press release stated.

Starting salary for the trainees will be \$4,200. Regional interviews will be held by the Justice Department, and the deadline for applications is February 1, 1955, although earlier application is desirable.

Preliminary application forms are available in Dean Louis A. Toepfer's office, or from the Student Bar Association, or from the Deputy Attorney General at the Department of Justice, Washington, D.C.

The Harvard Law School Record

Published weekly on Thursdays for twelve weeks of each term by *The Harvard Law School Record Corporation*, 23 Everett St., Cambridge 38, Massachusetts. Subscription price: \$2.00 per term, \$4.00 per year (24 issues) mailed; student subscription \$1.50 per term mailed, \$1.00 per term distributed at the Law School. Individual copies \$.10 each at the Law School, \$.20 each mailed. Business and Editorial Offices, 23 Everett St., Cambridge 38, Massachusetts. Telephone KIRKland 7-7600, extension 447.

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

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With this issue, the term of office of the current RECORD officers and editors comes to a close. We have worked for a semester in the effort to bring students and alumni closer together, and to increase rapport within the Law School community.

It was especially heartening to us to receive a continual flow of mail from alumni in all parts of the country. Their criticisms, contributions, and comments were always welcome. We trust that alumni interest in the paper will continue at a high level and that they will take time to write us.

Our work would not have been possible without the splendid co-operation from the RECORD staff, the faculty, and especially Dean Griswold. With continued assistance from these sources, we are sure the new RECORD officers will be able to go on producing a student newspaper of credit to the School.

* * * * *

Ten Thousand Men

What many of us thought was a University tradition is apparently regarded by the higher-ups in the Harvard Athletic Association as a spectacle to be enjoyed solely by undergraduates and alumni. When graduate students and law students made inquiries at the H.A.A. offices concerning tickets for the Harvard-Yale game they were informed that none were available.

Many have been shouting about the demise of Harvard football. A few years ago, because of consistently poor attendance, the wooden stands at the north end of the Stadium were torn down. This decreased the seating capacity considerably; but to date has caused no inconvenience until the last game of the season, with Yale.

Under the present set-up, undergraduates receive a free ticket to each game, the price having been taken into account in the increased College tuition. This is a poor column in which to spread the news of a similar rise in tuition at the Law School. We are all aware of the tuition increase affecting us, and are equally cognizant of the fact that we receive no bounty in the form of free football tickets. Is it too much to ask that we be allowed to purchase them at the going rate? It would seem that any law student willing to pay \$5 per ticket knowing he will not get a choice location should be able to do so.

The difficulty seems to be that the College alumni, many of whom have long ago disassociated themselves from University affairs, are given preference in purchasing tickets. Law students, many of whom attend the "lesser" games every week, are discriminated against. May we suggest that the H.A.A. consider revising its policy so as to give some recognition to the requests of fans who attend many games, instead of paying indiscriminate attention to many who only develop a passion for Harvard athletics a week or so before Thanksgiving.

Gallery

HAROLD W. HOROWITZ
Harvard Law School
Ezra Ripley Thayer Teaching Fellow



Harold W. Horowitz holds the position of Ezra Ripley Thayer Teaching Fellow in the Law School for the 1954-55 academic year. Born in Los Angeles, Mr. Horowitz received an A.B. with highest honors in political science from U.C.L.A. in 1943. The Army Air Force occupied his time from then until 1946, and in February 1947 he entered Harvard Law School as a member of the last of the accelerated classes. While at Harvard he was a member of the Board of Student Advisers for a year, and an editor of the *Law Review* for a year, serving as Book Review Editor for a portion of volume 62. He received his LL.B. in June 1949.

After graduation and while preparing for the California bar examination, Mr. Horowitz worked in a Beverly Hills law office. In January 1950 he was appointed to the faculty of the University of Southern California Law School. His job at first was the administration of a legal writing program which had just been organized by the faculty—a series of courses in brief writing and in drafting of legal documents, running through all three years of the curriculum. Later he taught courses in Conflict of Laws, Property, Security Transactions, and Sales, and was made associate faculty editor of the *Southern California Law Review*.

Evening Refresher

Mr. Horowitz participated in setting up at U.S.C. a program of graduate study for practicing attorneys, and he later served as its assistant director. New York University and other law schools had previously offered programs which enabled the graduate lawyer to study at night toward an advanced degree, but nothing of the sort had been attempted in California. That the program filled a real need is shown by the fact that currently approximately 200 lawyers are registered each semester. Tax courses not unnaturally excite a great deal of interest, but this semester the most popular course is a newly introduced one in probate procedure. Not all the courses offered are so obviously practical: Jurisprudence and Legal History attract their share of the nocturnal

scholars. Mr. Horowitz was himself enrolled in the graduate program, and this June received his LL.M. degree.

For the past two years Mr. Horowitz has conducted research in the Los Angeles area for a study of loyalty and security tests for employment by Prof. Ralph S. Brown, Jr., of the Yale Law School. In the course of a survey of the loyalty programs of the Los Angeles city and county governments, he scrutinized records, interviewed people responsible for the conduct of the programs, and observed the programs in actual operation. His findings showed that there had been no discharges of employees for disloyalty, although a few employees had been fired for refusing to execute loyalty oaths and affidavits, and that there was thus serious question as to the necessity or desirability of such a program.

Hollywood Law

A study of the operation of "loyalty tests" in the motion picture industry produced less concrete results. The celebrated cases of the "Hollywood Ten" who were convicted of contempt of Congress were very unlike other situations in this field, where employers publicly announced that they would no longer employ security risks.

Other Hollywood employees, who have faced loss of employment through "loyalty tests," or whose employment has been subject to attack by various organizations, have been those whose names have appeared on various letterheads or who once were affiliated with certain organizations. Here there have been no publicly announced employer policies, and such employees may have their employment terminated with little means of defending themselves. The results of both these investigations have been published in the last two volumes of the *Stanford Law Review*.

Marriage

In 1951, Miss Elizabeth Marmorston of Los Angeles was a member of Mr. Horowitz's first-year Property class at U.S.C. A year later she became Mrs. Horowitz. She graduated from law school this past June and intends to go into private law. Mrs. Horowitz will practice in Los Angeles when the couple returns next June. The Thayer Fellowship is a one-year appointment.

As Ezra Ripley Thayer Teaching Fellow, Mr. Horowitz is part teacher, part student. He teaches a section of Commercial Law and takes two courses toward the S.J.D. degree. At the end of his one-year appointment here he plans to return to his post of Associate Professor at Southern California.

F. N. G.

Off the Record

Lawyer (reading client's last will and testament to a circle of expectant relatives): "And so, being of sound mind, I spent every cent I had before I died." (*Case and Comment*, July-August, 1954).

Judge to convicted man: "I'm giving you the maximum punishment. I'm going to turn you loose to worry about world conditions, taxes, and the high cost of living." (*Case and Comment*, July-August, 1954).



"... and reverter to the Pentagon. ..."

Sub Judice

DOMESTIC DISCORD

Marius Bredbenner married Rosa Whipplesap on Sept. 11, 1950. Their first child came on April 21, 1951. From the beginning it looked as if the Bredbenner household would not be the most serene of domiciles. Marius began attending a cabinet school (how to build cabinets guaranteed not to fall) soon after their marriage. After school he tried to earn some money by driving a truck which he owned. When he would return late in the evening after having slaved all day to win some bread for the household, Rosa would accuse him of consorting with notorious women.

Rosa, opposing this action for divorce, submitted an undated letter written to Marius by another woman which contained phrases hinting at a more than casual relationship and the desirability of continuing the fun. Marius had explained to Rosa that the letter had been written in 1948 before he was married, but she had ranted and raved and had locked herself in the bathroom, shouting vile epithets all the while.

Rosa also testified that Marius was devoted to drinking and would come home after the evening's revelry and beat her with the broom. She neglected to show the court her injuries sustained by the beating. Marius' father testified that Rosa also liked to down a few and that frequently both Marius and Rosa would sally forth to the local tavern and vie with each other for drinking honors. Marius' father further testified that one night Rosa was found in the tavern, where she had gone alone, by Marius. She had been drinking in voluminous quantities and had gotten into several fights with several other ladies who frequented the tavern, and had finally fallen asleep under the sink in the ladies room. These statements tended to weaken Rosa's contentions.

The court said: "With particular reference to plaintiff's charge of the use of vile epithets by defendant . . . we infer from the tenor of the language used by defendant in certain passages of her testimony that she was not incapable of expressing herself in even more unrepressed fashion outside the decorum of the court room." He continued: "We pass over lightly the controversial testimony relative to defendant's housekeeping habits, not because it is unimportant in its general effect upon the morale of a family, but because in this case we regard it as surplusage."

The most serious charge of the complaint is the averment, undenied by defendant, that on 12 occasions she had him arrested for assault and battery. Each time he was released and defendant could produce no evidence justifying her charges.

Held: For plaintiff. He had produced a preponderance of evidence in his favor.

(*Bredbenner v. Bredbenner*, 107 A.2d 169, Superior Court, Pennsylvania, 1954.)

* * * * *

THE DEPENDENT DOMESTIC

This was an action to review an administrative determination that the rooming house in which petitioner had lived was not a three-family residence and hence not subject to rent control.

The basement of the house was used as a storeroom by the landlord. It also contained a bed in one corner, which was used by Nina Farafantovina, a 75-year-old domestic employed by several families in the neighborhood. Indeed, Nina had been there when landlord acquired the premises, and had remained there 18 years only by virtue of his charitable disposition—he couldn't bear to throw her out.

Nina was very happy in her luxurious accommodations, although George Washington never slept there, and it is probable that Duncan Hines never ate there. In its favor, however, the European plan rates were most moderate.

Since the basement had no kitchen or bathroom facilities, Nina used those belonging to the landlord. She did not now nor had she ever paid anything for occupancy and use of the premises.

Held: Affirmed. The statute defined a multiple dwelling (this class of premises being subject to rent control) as one in which three or more families lived independently of each other. Respondent had submitted clear and convincing proof that Nina was not occupying the premises independently of the other families.

(*Moran v. McGoldrick*, 133 N.Y.S.2d 172, Supreme Court, Special Term 1954).

Treasure Room Of Library Exhibits Early Laws Of States And Territories

The Treasure Room, at the north end of Langdell Library, will feature a display through Dec. 6 of the earliest session laws of all the states and territories of the United States.

These early statutes are contained in rare first editions owned by the Library. The volume containing the laws of the Alabama Territory was the first book to be printed in Alabama. Alaska is represented by the Russian laws establishing the Russian American Company, which controlled the area before it was purchased by the United States.

Some of the codes are printed in the native languages of the areas to which they pertain. For example, Hawaii's law is in Hawaiian, and New Mexico's in Spanish. The Code for the Territory of Oklahoma contains an advertisement for the Santa Fe Route on its inside cover.

Page one of the Massachusetts rules, printed in 1663, begins with an order "to prevent the intrusions of the Quakers, who besides their absurd and blasphemous doctrines, do like rogues and vagabonds come in upon us. . . ."

Stripping from the "middle upwards" and whipping is provided for the infiltrating Quakers.

Had the first Constitution of Utah been approved by Congress, there would be a state of "Deseret" in the United States instead of Utah. The only known copy of the first printed edition of this Constitution is on display in the Treasure Room. The presentation is open from 9 to 5 on weekdays and 9 to 12 on Saturdays.

Highlights Of Legal History

The main purpose of the displays is to point out to the student the highlights of the history of the law, as exemplified by the rare books and manuscripts in the Treasure Room collection. The exhibits are changed periodically.

The most famous group of books is the Dunn Collection, comprising session laws, statutes, and texts, all printed before 1601. Also owned by the Library is the best collection of early English reports, and the second best collection of Canon law. The oldest documents in the library are three of the five existing manuscripts of Bracton.

History Prof. Oswald Backus Enrolled In First-Year Class

Although the Law School is noted for drawing men with diverse interests from scattered locations, the oldest member of this year's first-year class probably has a more unusual background than most. He is Professor Oswald P. Backus 3rd, 1L of Lawrence, Kan., currently on leave of absence from the University of Kansas where he is a Professor of Russian History.

Asked why he is striking out in law, Professor Backus explained that it really was not an abandonment of his field. He has been doing research with the long-range goal of finding out the effect minority peoples within the Russian empire have had on Russian institutions and ideas. It was while working on the Lithuanian people that he ran into a legal problem having administrative and semi-legislative aspects. In order properly to measure the impact of this problem, Professor Backus felt he not only needed to learn something of the law involved but also something of the manner in which legal thinkers handle the law.

Anglo-American Approach

One might imagine that the University of Moscow would be the place to study in view of this problem. But, as Mr. Backus states, he is writing for an American audience with an Anglo-American legal perspective. Therefore, it would be better to learn to write in more familiar terms. Essentially it is a program of acquiring a knowledge of

legal thought processes and applying them so as to understand aspects of Russian law as they bear on the minority question.

A second goal has developed for Professor Backus from this first one—he now has a great interest in developing the field of Russian legal history. This



Oswald P. Backus

field is largely a neglected one in this country. For example, the one course offered by Harvard Law School on the subject was not even given this year.

The primary reason why the professor came to Harvard for his legal training is because he was convinced that more attention was paid here to the basic principles of legal thought than at most other law schools.

Russian Research

Asked as to whether he plans to finish all three years here, Professor Backus could give no definite answer. Much depends on whether he can avoid following certain of the general requirements of the ordinary three-year law course which would be useless to him in view of his plans. At the present he is doing research in his field of Russian legal history along with the standard first-year courses, except that he is not engaged in the Ames competition.

S. B. A. —(Continued)

A dinner will be held by the Boston Bar for all those who will participate, at which time all aspects of the work will be explained.

Speakers for the Student Bar lecture series, and for a planned informal luncheon series, are expected to be announced soon. Officers of the Student Bar for the year are Eugene M. Haring, 3L of Summit, N.J., president; Lawrence Heller, 3L of New York City, vice-president; Champe Fisher, 3L of Cambridge, secretary; Marvin A. Stern, 3L of Boston, treasurer; and David F. Maxwell, Jr., 3L of Philadelphia, sergeant at arms.

KAPLAN —(Continued)

geographical or other considerations. But, for Cardozo, Washington was "a place of exile," so completely had his affections become bound up with his brother judges on the Court of Appeals and his work there.

Cardozo's Contribution

Professor Kaplan, turning to an examination of Cardozo's permanent contribution, said that he was not a genius in the sense of Holmes who "in a flash could illuminate an entire branch of law," who "saw the law from a new point of vantage." Cardozo's lifelong concern and special genius was in defining the processes by which judgments are reached. His attack on the problem was semi-introspective, but he was interested not so much in the psychology of judges as in the external forces which should and do shape decision, reconciling the need for continuity or stability with the need for change. In his concern with process or method, said Professor Kaplan, Cardozo was a man of his time, for the same emphasis is manifested in various branches of science.

In "The Nature of the Judicial Process," Cardozo identified the main forces which shape the law as "logic, and history, and custom, and utility, and the accepted standards of right conduct." But he had no set formula for mediating among these forces. Like the legislator, the judge must acquire his knowledge and wisdom "from life itself." Cardozo was thus prepared to acknowledge that the judge must go beyond the law books and consider what other branches of learning can aid in solving human problems.

Student Of Holmes

Cardozo did not align himself with any particular interests in the community. It would be hard to find any single thread running through his common law decisions, other than a warm sympathy for fallible human beings which, however, remained unspoiled by sentimentalism. On issues such as economic regulation by Congress and maintenance of civil liberties his views tended to correspond with those of his master Holmes.

His literary style is "ornamented, almost baroque, but nevertheless very clear." Occasionally the style is too high-flown and orotund for the purpose at hand. "But give him a proper set of facts on which to play, and a condition of the law exhibiting what sociologists used to call a 'cultural lag' and Cardozo is incomparable. He brings logic and history and all else to bear with the immense persuasive power of a superb advocate. The old structure tumbles. But just as he reaches a tentative new generalization adequate for the immediate decision, he begins to draw away. He indicates what may be the fresh lines of growth, but lets the future answer for itself."

After speaking of the "luminous and lovable" qualities of Cardozo's personality, Professor Kaplan said that in his zeal for justice Cardozo reminds us of the ancient prophets.



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NEWS IN BRIEF

YALE DANCE

The Yale dance of the Dormitory Council and Graduate Council will be held from 8:30 to midnight Saturday night in Harkness. The dance will be informal; Bob Norris' orchestra will provide the music; and intermission entertainment will be by the Baker's Dozen, a group of 13 Yale singers.

No guest tickets will be sold at the door, but they can be purchased from members of the special committee of the Dorm Council.

SECOND-YEAR STUDENTS

Because of the many new and revised second-year cases, the Board of Student Advisers is especially anxious to have every second-year student who argued in Ames this fall turn in a criticism sheet to the Board. The only way to evaluate the cases is from the criticisms and suggestions of those who argued them.

KING'S BENCH

On Thursday, Nov. 11, King's Bench held an Indoor Sports Pentathlon. The contest consisted of matches at gin rummy, checkers, chess, ping pong, and bridge. Robert W. Costigan, 2L of Philadelphia, won the tournament and an inscribed plaque by narrowly defeating L. Neil Leroy, 2L of Easton, Pa. Deciding factors were three ping pong games, in which Mr. Costigan edged Mr. Leroy by slight margins.

THANKSGIVING

The next issue of the RECORD will be published on Wednesday, Nov. 24, so that student subscribers may receive their copies before the Thanksgiving holiday.

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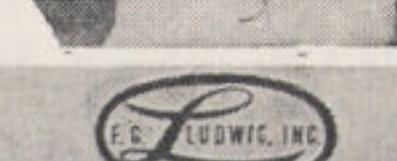
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Chancery's Secret Annals Reveal 30 Year's History

The Chancery Club's history is shrouded in mystery. This bit of doggerel very nearly expresses the total result of an investigation into the dark past of that organization. Among the many offices filled and functions performed in the nearly 30 years since its formation, there appears neither historian nor archives. However, a sketchy skeleton has separated itself from the shades of years gone by and is presented herewith.

In the school year 1925-1926 a group of law students, hungering for good fellowship, professional discussion, and also for lunch, used to gather every noon at the Harvard Union. These 30 or so men continued in informal association until June when they were confronted by a fortunate opportunity. The Business School announced that it was leaving the intellectual community of Harvard for the other side of the Charles River; the grass was greener over there. As a result, many buildings were vacated and leases left unfulfilled.

First Home

Among these was the lease of the Staphers Club, a Business School society, at 44 Follen Street, which is the present home of Lincoln's Inn Society. The law students were quick to recognize a rare chance to exercise the skills they had been developing and became assignees of the Staphers' lease.

They incorporated on June 5, 1926, and called their association The Chancery Club. The founders bought stock at \$25 a share and the capital so generated was used to purchase some of the Staphers Club fixtures, including the china, linen, and steward. D. Howe Moffat, LL.B. '27, was the first Chancellor.

Harvard Law School owned the Club's present home at 1557 Massachusetts Avenue, and the Club was able to lease this more convenient location in the early thirties. The decade following may be termed the Golden Age of the Chancery Club, the typical member truly meriting the epithet, Renaissance Gentleman. A succession of stewardesses was substituted for the steward. The Club maintained athletic and sporting facilities on the upper floors, among which were card, ping-pong and billiard tables, and an area reserved for an endeavor called liar's dice, which seems since to have disappeared from the Law School scene altogether. One of the Chancellors was also President of the Law Review.

The close of the Golden Age approached rapidly with the advent of World War II. Enrollment in the Law School shrank to some 50 souls, and Chancery's fiscal picture, like Dorian Gray's, began to reflect an inner decay. Louis Toepfer, now an Assistant Dean, had the distinction of being Chancellor for the shortest term on record. In a matter of hours after his election in

March, 1942, he left school to serve in the Navy. Apparently he departed in time's nick, for the next heard of the Club was that it had closed at the behest of creditors. Boston University next used the facilities for an eye clinic. Professor Seavey acted either formally or informally as receiver; he can't remember which, because there was actually very little to receive.

After the war the Club reopened around a nucleus of two dozen old members returning from military service. Drawing on their prewar experience and the intervening years of maturity they devised new financial policies so sound as to border on the colorless. The gaming rooms were made over into living quarters, and the floating poker players gave way to permanent student tenants. The only compensating change was that the laundry and coal bins in the basement became the bar, lounge, and television rooms of today. The present steward, Colonel Jack Carolyn, came to the Club in 1950, bringing sound buying and managing policies. Since then the Club has climbed well out of the red and has put away a sizeable fund for the future. An Alumni Advisory Committee has been formed to keep a benevolent eye on the Club's activities. In eight years the membership has grown from 100 to over twice that number.

Recently the Club has fostered several associations organized for specific programs, among the more noteworthy of which are the Suffolk County Ski, Hayride and Bocce Ball Society, and the Harvard Law School Yachting Society. The former, a group largely composed of non-skiers dedicated to weekends on the northern slopes, was very nearly disbanded when it found its headquarters were located not in Suffolk County, but in Middlesex.

Yachting Society

The Yachting Society is a group devoted to inventing diversions a yachtsman might enjoy when forced off the sea by the inclement winter weather of these latitudes. Last year it held a highly successful reception in honor of President and Mrs. Pusey at the Cambridge Boat Club, to which, to everyone's surprise and great pleasure, the Puseys came. The affair was hailed by Boston papers as one of the top social events of the season. Some of the members were so enthusiastic about last year's program that they undertook to learn how to sail over the summer. And so the Chancery Club continues to write illustrious chapters of its history, fulfilling its function as a social part of a legal education.

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Bridge Group Plans Tourney On Nov. 21

The Harvard Law School Bridge Club announced last week that its annual club championship match will be held Nov. 21. A trophy, donated by Dave Baker, last year's Director, will be awarded for the first time to the winners.

The club holds duplicate tournaments once a week in the Wheeler Room of Holmes Hall with the purpose of stimulating general law school interest in the game. The members feel that periodic bridge tournaments provide a welcome variation from the more usual school activities, and should be encouraged.

About 20 to 30 players attend on an average night, and they play 25 hands. Membership is by no means limited to the Law School, extending even to men who are completely unattached to the University.

Because the club is affiliated with the American Contract Bridge League, it is entitled to award "master points" on the basis of the weekly play. This is a means of rating players nationally in order to select participants for the regional and sectional tournaments that are held periodically.

Ordinarily, only a fraction of a "point" is awarded, but once a month the club holds a "master point night" when a full point is at stake. And for the annual club championship, the winner receives two points.

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Alumni Notes

LL.B. '42—Robert A. Taft, Jr. has been elected to the Ohio House of Representatives. In his first candidacy, Taft, a Republican, led the Hamilton County legislative ticket.

LL.B. '48—Morris Goldschlager, formerly of the Army Judge Advocate General's Corps, is now executive assistant to Sidney Markley (LL.B. '30), vice president of American Broadcasting-Paramount Theatres, Inc.

Richard G. Mintz has become a member of the firm of Mintz, Levin and Cohn of Boston.

LL.B. '49—William H. Wolf has become a member of the firm of Mintz, Levin and Cohn of Boston.

LL.B. '50—Morton Koppel announces the formation of a partnership with James S. Keily for the general practice of law as Keily & Koppel with offices in Massapequa Park and Seaford, Nassau County, New York.

Allen S. Krakover, formerly attorney adviser with the United States Securities and Exchange Commission, and Irving M. Mehler, have formed a partnership under the firm name of Krakover & Mehler, specializing in the law of securities regulation, tax law, administrative law and general corporate matters. The firm is located in Denver.

LL.B. '53—Arthur Sherman has become a member of the firm of Rittenberg & Rittenberg, located in Boston.

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