

Harvard Law School Record



VOL. 20. NO. 2

CAMBRIDGE, MASS., THURSDAY, FEBRUARY 10, 1955

PRICE TEN CENTS

Party Ethics Up For Debate By Politicians

Two New York State officials and a former United States Senator will discuss "Ethics in Politics" at the Harvard Law School Forum on Feb. 18.

The State officials are Democrat Carmine G. DeSapio and Republican Jacob K. Javits. The former senator is William Benton, now publisher of the Encyclopedia Britannica. Associate Dean David F. Cavers will moderate the discussion.

Mr. DeSapio, recently appointed to his State post by Governor Averell Harriman, is also leader of the New York County Democratic organization (Tammany Hall). His predecessor as Secretary of State, Thomas Curran, was leader of the New York County Republican organization. Mr. DeSapio, who chose Averell Harriman as the Democratic candidate for Governor, will discuss some of the reasons why "bosses" make the choices they do, the Forum reported.

Attorney General Javits has been described as a New Deal Republican. He joined the Republican party because his father was an enemy of Tammany Hall and its power on New York City's lower East Side.

Disliked within his own party because of his liberalism, Mr. Javits was picked to run against Rep. Franklin D. Roosevelt, Jr. as his party's strongest candidate. His campaign was completely separate from that of Irving Ives, Republican nominee for Governor. Mr. Javits' literature did not even mention the head of the ticket. Mr. Ives was defeated, and Mr. Javits led the ticket to become the only Republican elected to State office. (See FORUM on page 4)

Marshall Bicentennial Convocation To Be Held

Currently the School is mailing to all alumni and other guests invitations to a conference to be held here next fall in honor of the bicentennial of John Marshall's birth. The conference bears the title "Government Under Law," and will be held on Sept. 22, 23, and 24.

The conference will discuss eight written papers, and will hear addresses by eight noted scholars and judges.

The papers will be mailed this spring to participants in the conference.

Papers will be presented by Prof. André Tunc of Grenoble University; Rev. Joseph M. Snee, S.J., Professor at Georgetown University; Prof. Charles Fairman, S.J.D. '38, Professor at Washington University (St. Louis); and Francis Shackelford, LL.B. '36, Assistant Secretary of the Army.

Other authors of papers include William H. Hastie, LL.B. '30, S.J.D. '33, Judge, Court of Appeals for the Third Circuit; and McGeorge Bundy, Dean of the Faculty of Arts and Sciences; Charles E. Wyzanski, Jr., LL.B. '30, Judge, United States District Court, Massachusetts; and John Lord O'Brian.

Among the speakers will be Chief Justice Earl Warren and Associate Justice Felix Frankfurter, LL.B. '06, of the Supreme Court of the United States.

Chief Justices of the highest courts of three members of the British Commonwealth will also deliver addresses. They are Sir Owen Dixon, Chief Justice of the High Court of Australia; A. Van de S. Centlivres, Chief Justice of the Appellate Division of the Supreme Court of South Africa; and Patrick Kerwin, Chief Justice of Canada. Sir Raymond Evershed, Master of the Rolls of England, will also speak.



Jacob Javits

Third Year Holds Lunch For Seavey

A luncheon in honor of Professor Warren A. Seavey will be held March 15 at the Hotel Continental.

The affair is being sponsored by the third-year class, which will sell tickets on Feb. 11 and 12 and on Feb. 18 and 19 from 11 a.m. to 2 p.m. in Harkness Commons. The price of tickets is \$2.30.

Professor Seavey, who is retiring from the faculty in June after teaching law for 49 years, will be introduced at the luncheon by Dean Erwin N. Griswold. Professor Seavey is currently active on the Law School committee investigating the grading situation.

The Record Reviews:

Stanford Law School Offers Scholarship Under The Sun

FIRST OF A SERIES

If you can picture a sky of almost continuous blue surrounding a perpetually warming sun, with the mid-day winter temperature a pleasant 60 degrees; sun-tanned students wearing light casual clothes during most of the year, carrying standard legal texts across a campus of velvet green, dotted with newly constructed spacious buildings, you may very well be looking at the campus in which is set the nationally known law school of Stanford.

Established in 1893, eight years after the University, the law school has established a firm national reputation for itself. The school has provided a thorough legal education for thousands of students from the western states, as well as a substantial group from other parts of the country.

Origins of Stanford

The University, a private, non-sectarian school, was established in 1885 by Senator and Mrs. Leland Stanford, in memory of their son, Leland Stanford, Jr., who died as a youth. Stanford gave the University his historic Palo Alto farm, 9000 acres of foothill land to the east of the city of Palo Alto, 30 miles south of San Francisco. Since then, the school has been known familiarly as "the Farm." He endowed the school with a large part of his personal fortune which he had acquired as one of the founders of the Southern Pacific Railroad. His influence on that line was so great that during the building of the University, the S. P. ran a spur into the heart of the campus to deliver sandstone for the new buildings.

Mr. Stanford originally conceived of Stanford as a residential University. Well separated from the nearest urban areas, the University early developed adequate dormitory space (as well as fraternity and sorority houses) to house the student body. This residential tradition has been vigorously maintained. Most of the \$5 million in new

SHMOOS AT DANCE

St. Valentine will be honored Saturday evening at the Dormitory Council's semi-formal midwinter dance.

Al Capp, creator of the Shmoo, Dogpatch and its inhabitants, will select the loveliest from six damsels to be chosen by Dormitory Council officials.

As usual, a band and ensemble will play on both levels of Harkness Commons. Admission is by Dorm Council card.

King's Bench Elects Bob Costigan C. J.

King's Bench held an organizational meeting for the second semester on Feb. 1 in Holmes Hall.

New officers of the group, who will serve until the end of the 1955 fall semester, are: Robert W. Costigan, 2L from Philadelphia, Chief Justice; Peter Schwarzkopf, 2L of Croton-on-Hudson, N.Y., Associate Justice; L. Neil Leroy, 2L of Easton, Pa., Chancellor of the Exchequer; Scriveners—Arnold W. Rieger, 1L, Philadelphia, and Frank Sherman, 1L from Brookline.

The following third-year members were elected to the Council of Justices (the five officers being members ex officio): David Swartz of Cambridge, David R. Driscoll of Jeffersonville, Ind., Myron Robbins of Brighton and Irwin Kimmelman of Newark, N.J.

Law School Placement Office Reports On Offers, Interviews

Representatives of 120 firms and companies have conducted approximately 2,000 individual interviews of prospective June graduates, since this school year began, under the auspices of the Law School Placement Office.

Most of the interviewers have come from the large eastern cities. New York City firms predominate in number, although Boston, Chicago, Cleveland, Philadelphia, and similar cities are represented.

Besides positions in firms engaged in law practice there are openings in trust companies, insurance companies, and other corporate legal departments.

In addition to those organizations which have sent interviewers to Cambridge, over 200 have notified the Placement Office of openings for which individuals may apply on their own initiative.

The interviewing season began the last week in September and continued in full swing until the Christmas vacation. By the end of that time, the majority of the large firms which engage men in a definite recruiting program had been here. Smaller firms which do not hire yearly, but happen to need new members, will be interviewing throughout the spring, as will other organizations with special needs.

Of the class of 1955, the Placement Office estimates that only about 180 will be able to take jobs immediately upon graduation. The remainder will enter military service.

At this date about 70 third-year students have accepted positions, with 22 going to New York City, eight to Boston, five to Cleveland and four to Chicago. The others are spread over fifteen states.

About 110 students not faced with military duty are still seeking positions. There are approximately 265 students who expect to enter the armed forces. The proposed reduction in the size of the army indicates that many of these students will not be inducted for some time and will be available for employment. These men have not been too actively concerned with placement as yet, but the change in circumstances may lead them to seek immediate employment.

The Placement Office, under the direction of Assistant Deans Louis A. Toepfer and Russell H. Peck, sends letters to all law firms and companies which it believes to be interested in hiring graduates, inviting them here to conduct personal interviews. Also, some firms contact the Placement Office themselves to make arrangements for interviewing.

By these means, as well as by the work of alumni acting as placement representatives in their local areas, a large number of prospective employers (See PLACEMENT on page 3)

Smith, Keeton In Feb. Review

The February issue of the *Harvard Law Review* contains three articles dealing with procedural topics and Comment on subagents and subservants.

The lead article is "The Right to a Hearing in English Administrative Law," by S. A. De Smith. It traces the development of the right to an administrative hearing in England and the other Commonwealth countries. The author has written on administrative and constitutional law for British journals and is currently Reader in Public Law at the London School of Economics and Political Science of the University of London.

Professor Robert E. Keeton's article, "Proprietorship Over Deponents," deals extensively with the problem of impeaching one's own witness. The author contends that the rule against impeaching one's own witness may in some circumstances be justified at a trial, but it is absolutely senseless when applied to deposition testimony.

"Workmen's Compensation for Maritime Employees: Obscurity in the Twilight Zone" is the third article in this issue, and contains a detailed examination of the *Davis* case, decided by the Supreme Court 12 years ago. That case seemed to say that a maritime employee (See LAW REVIEW on page 3)



Louis A. Toepfer

Libraries

Crothers Hall contains a working library and reading room for the convenience of its residents. This library contains over 5,000 volumes—most of the National Reporter System, all Federal reports, Shepard's citators for these volumes, encyclopedias, legal periodicals, and some treatises.

The main law school library contains about 75,000 volumes, with shelf space for another 125,000. Stanford's principal problem in the library field has been to find the funds to add to its library as fast as it would like.

Stanford, like most United States law schools, has been committed to the case system. Recently, an attempt has been made, however, to develop legal research and writing skills outside the strictly orthodox case method. The school has added to the required curricula of first- and second-year students (See STANFORD on page 4)



Astute observers of the local scene noted a newcomer among the pictures of the Great Justices hanging on the walls of Landell North last week. This addition was reported not to be a gift from Roscoe Pound.

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 \$0.10 each at the Law School, \$0.20 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.

Graduate "Center"

When former President Conant began planning the Graduate Center many years ago, he foresaw it as a great meeting place of students and scholars in many related and unrelated fields. He felt that in an era when increasing specialization has led to continually constricted mental horizons, more contacts between students in different disciplines would lead to valuable interchange of ideas and methods. He saw it also as a meeting place for those within each of the graduate schools in Cambridge.

To date, the Graduate Center has not yet achieved all that President Conant hoped that it would. It is easy to see why the graduate music students, the members of the Graduate School of Design, and so on, have not mingled so fully with the Law School as Conant hoped they would.

Harder to understand is the failure of the Graduate Center to serve as a unifying factor in the Law School itself. No doubt, the student body feels much more of a unit than it did in those dark ages when there were no Law School dormitories, no common meeting places, no common dining hall. Still, though, there exists an unnecessarily wide gap between the students and the faculty members. It is unnecessary to point out how much of the learning process can and should take place outside the classroom, how valuable would be even a few informal contacts with the many wise and learned men of the Law School's faculty.

To bring faculty and students at least a little closer together, we have an easy and sensible suggestion. It will be noticed that a good many faculty members eat in Harkness at least some of the time. If they would make it a point to sit down with students at least as often as they congregate with each other, could they not help to dispel some of the unjustified feeling that the faculty really takes no personal interest in the students, and that the School is really a sort of factory turning out lawyers by the class, not as individuals?

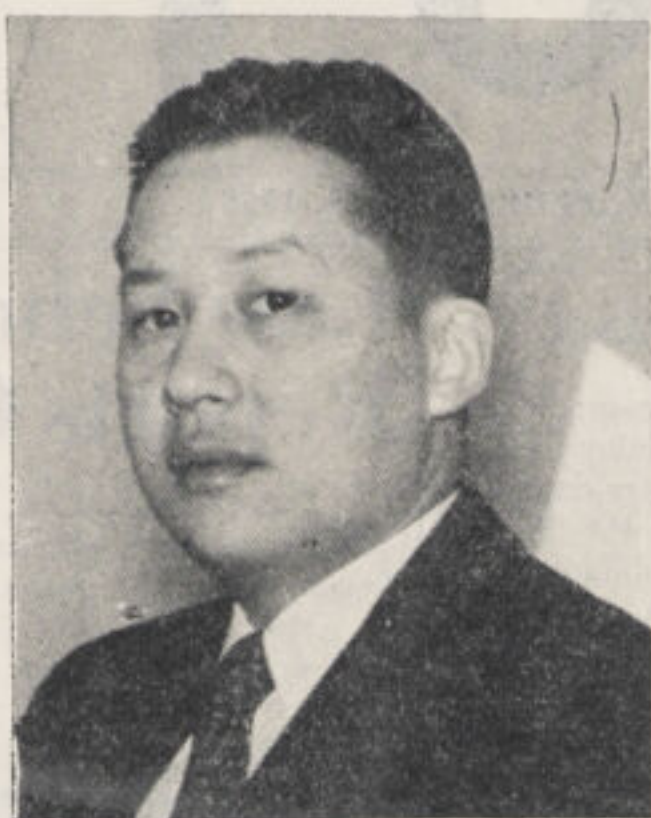
A Nation-Wide Opportunity

"No person . . . shall be compelled in any criminal case to be a witness against himself." This constitutional protection of the Fifth Amendment received support last year in a series of speeches delivered by Dean Griswold. The RECORD at the time was the first to publish the series.

Last month, these significant speeches were reprinted by the Harvard University Press in book form at a moderate cost. This presents a nation-wide opportunity to understand the meaning, the importance, and indeed, the necessity for preservation of the Constitutional provision. This timely republication is highly commendable.

Gallery

SEU HEUNG CHU
Judge



Seu Heung Chu, at 23, was China's youngest judge. Mr. Chu, at present a first-year student at the Law School, received his initial legal education from his father and his uncle, both of whom had been prominent judges in China, under the Nationalists. His formal education consisted of auditing classes in the Department of Law of Sun Yat Sen University while studying for a degree in political science. According to Mr. Chu, judges were selected by means of a government examination given once each year. Legal experience was not one of the prerequisites. One must, however, have obtained a Bachelor's degree in either Law or Political Science. Of the several hundred applicants for the judgeships only three or four were awarded in each state.

Mr. Chu served as judge in the district court of Tungkwang during 1948-1949, handling the many types of civil and criminal cases that came before his bench. He retired from the bench in 1949 to practice as an attorney in the same district. Mr. Chu left China for the United States in 1950. He has received an M.B.A. in 1951 from New York University and will very shortly receive his Ph.D. from Columbia University.

To Mr. Chu the major dissimilarity between the Chinese and Anglo-American systems lies in China's adherence to the continental code system as opposed to the United States' case-type of law. Chinese law is "written, while yours is as yet unwritten. In my country the judge's function is

to apply the proper article of the Code to the situation which is presented to him." Article I of the Chinese Civil Code states that the judge must first apply the proper Code provision; if none is applicable then he may utilize custom; and only when both the former are lacking may he employ "legal reasoning." "Bad laws are still laws," states Mr. Chu, "and they must be applied no matter how hard the case may then be. We are bound by the law and any reform must come from the legislature."

Another basic difference between Chinese and Anglo-American law is the lack of the jury system in China. The judge has the primary duty of being a finder of the facts. Absent also is the adversary system as we know it—the presiding judge has the sole power to examine witnesses. Opposing counsel merely submit questions which they would like put to the witnesses. The judge then chooses from them in much the same manner as a United States judge would choose from charges submitted to him by opposing counsel. The final decision as to which questions will be asked rests with the judge. Counsel may, however, appeal an alleged indiscretion in the questioning. Appeal may also be had on grounds of "unsound judgment, judgment against the weight of the evidence, or judgment against the law."

The attorney's functions consist of submitting a brief which includes a statement of the facts, proposed questions for direct examination and, in anticipation of his opponent's case, proposed questions for cross examination. In addition the attorney lays the basis for future appeal. In China, says Mr. Chu, lawyers almost never object during the course of the oral litigation. "This is as a matter of courtesy, to the judge and to the opposing counsel."

Discussing the jury system, Mr. Chu stated that it does impress him favorably, adding, however, that he has not had much opportunity to study the system first hand. He seemed skeptical about the rules which would not allow the jurors to take personal notes, especially in a long and drawn out litigation. Mr. Chu drew from his own experience on the bench, where prior to rendering a decision it was necessary for him to review in addition to the pertinent documents and exhibits extensive notes that he had taken during the course of the litigation. Mr. Chu was bewildered at the ability of juries to render verdicts within hours of the charge after hearing a case for many months.

Following his present course of study Mr. Chu hopes to take graduate work in the field of International Law. As for returning to China, Mr. Chu feels that it will be quite some time before the situation will warrant his leaving the United States.

A. W.

Letters to the Editor

TO THE EDITOR:

. . . I would venture that this will probably be the only Greenland subscription you have. Unfortunately, my efforts to found a Law School Association of Greenland have been unsuccessful, but you may be assured that probably no single copy of the RECORD will be read by as many people as the one you send here will be. I suggest that your placement office look into the possibility of referring men up here. Passing the Greenland bar examination would be a snap for any Harvard man. And to my knowledge, General Motors and most of the other large corporations have yet to retain counsel here, which leaves the door wide open for enterprising graduates.

Military Justice, however, extends all the way up here. My duties as base legal officer cover the field, from drawing wills to prosecuting men accused of crime. At this particular base, however, 60 miles above the Arctic Circle, the AWOL rate is very low.

My best wishes to all on the RECORD who were there a year or two ago. And through you, my best wishes to the Law School.

MELVIN L. ZURIER, LL.B. '53

TO THE EDITOR:

Wayne Morse, Doris Fleenon, and Allan Barth are campaigning colleges and universities as advocates of collectivism.

On collectivism (ownership in common) aside from land, the government owned in 1902 three per cent of our property. In 1954 government owned nine times that much of our property or 27 per cent. I quote these figures from Economic Research, Irvington on the Hudson. Don't those who favor ownership in common and fight private ownership of property have good reason to think they are "riding the wave of the future?" How do Wayne Morse et al figure our country can win the argument against the Chinese and Russian Communists when our country is moving into collectivism, ownership in common, at so fast a clip? What one of our presidents since the big flow of easy

money by Income Taxes has been able to resist the lure of hiking the rate for war, for big spending, and for ownership in common? When the Income Tax was passed, who pledged it would never be over two per cent and fall only on "the very rich?" Doesn't every little squirt now have 20 per cent to pay so government monopoly may build steam power plants and high dams? How do you resist Karl Marx income tax ideas? Why are conservative professors and students in our Universities so silent? Has the lawyer's position slipped back over 50 per cent in our left-wing economy?

Is the reason many conservatives don't voice their views the venom with which leftists attack them if they do? When one writes for the right wing why does he get five "no" letters from leftist psycho cranks to one fan-mail letter from friends of the right? Are friends of the right who outnumber leftists three to two asleep? After 22 years of leftist unioneer government inflation what University is not bearing down on its alumni for private money to meet the leftist-made inflation?

Hasn't the easy way to riches been by working for high pay and short hours in government sheltered monopolies owned in common? Also by getting lush contracts under the wing of government owned monopolies and then investing in common stocks?

E. F. MYERS, LL.B. '07.

PUZZLE SOLUTION

ACROSS: BAKER, L.FULLER, CAVERS, A.COX, GLUECK, SUTHERLAND, J.KING, LOSS, TOEPFER, HAMILTON, JAFFE, COLE, GRISWOLD, HARDEE, GOWER, BRAUCHER, MacLACHLAN, SOHN, HERWITZ, OSMOND.

DOWN: GAMBRELL, HALL, KAPLAN, ZCHAFEE, P.FREUND, SHER, A.SCOTT, PECK, C.MAGRUDER, BEVINS, KATZ, SEAVEY, HUDSON, A.SACKS, LEACH, TREADWELL, McNAUGHTON, POWELL, VonMEHREN, BORGESON.

Alternate solutions to the puzzle may be arrived at by making the following substitutions: for POWELL, NEWMAN; for BORGESON/SONN, HOROWITZ/KATZ; for KATZ/HERWITZ, HAAR/A.CASNER, HAAR/D.TURNER, or HART/DIMMITT.

Sub Judice

JUDICIAL NOTICE

Suit to enjoin the enforcement by the Post Office of a fraud order. Plaintiff had been found in a hearing before a Post Office examiner to be conducting a fraudulent scheme "by means of false and fraudulent pictures, representations and promises."

For those poor women who tend to be underdeveloped, plaintiff offered a device by means of which "You, too, may become a Lady Bountiful." According to the evidence the action of the device was equivalent to a massage and could cause no harm regardless of any beneficial effect it could render. It seemed that from five to fifteen minutes of exercise per day (depending on particular condition, of course) was supposed to "beautify . . . to complete satisfaction."

However, in the face of these alluring contentions by the plaintiff (substantiated by its pair of medical experts), the Post Office (also substantiated fully by two other experts) flatly declared that there would be no beneficial effect as promised.

Confronted by this contradictory testimony, the District Court was forced to revert to history and common knowledge. He turned back to the civilization of ancient Greece, with its statues glorifying the female and to literary and artistic works abounding with reference to the female anatomy. And he traced the style development through the Renaissance, Vogue magazine, and the new Dior look to "the voluptuous contours of the minor character in Jack Webb's 'Dragnet'."

Based on this common knowledge, the court felt secure in taking judicial notice that women throughout history have been and presently are "interested in improving their appearance for the purpose of their own morale and for the effect upon the male segment of the population." Further, the court intimated that this attempt would continue despite the issuance of fraud orders by the ever-vigilant, never-sleeping Post Office Department, and regardless of the decree of the court.

Several cases were cited in support of the apparent opinion of the court that the claims were not in themselves fraudulent. There was the famous case of *American School of Magnetic Healing v. McAnnulty*, 187 U.S. 94 (1902), in which the court questioned the propriety of labeling as fraudulent a certain contention when scientific knowledge had not advanced to the point where actual intent to deceive could be attributed to a person making it. Also mentioned was the noteworthy policy opinion in *Reilly v. Pinker*, 338 U.S. 269, 274 (1949), where new ideas and experimentation were lauded as the spurs of progress.

And finally, there was suggested by the court an analogy, somewhat dubious, perhaps:

"(1) All human beings have hair on their heads;

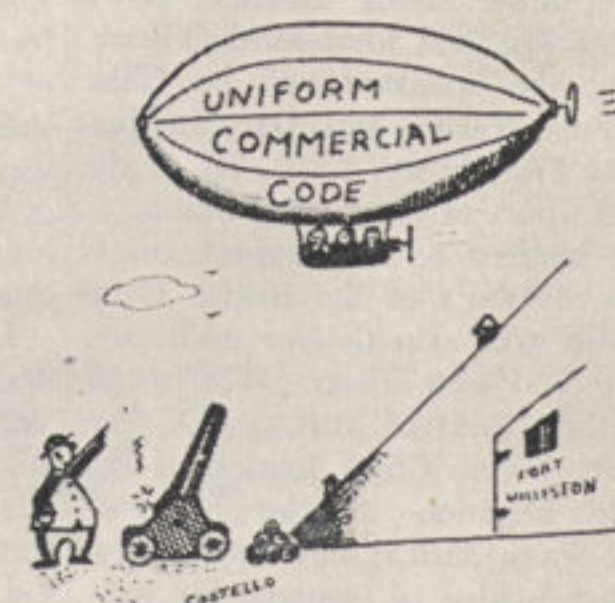
"(2) From time immemorial, the hair of the head has been brushed, stroked or massaged;

"(3) It is common knowledge that the best heads of hair are those which are most often brushed, stroked or massaged";

Then came the clincher: "*Quod in uno similium [sic] valet valet in altero* (That which is effectual in one of two like things shall be effectual in the other.)" Commentary on Littleton, by Sir Edward Coke." However, the court was unwilling to give full effect to the conclusion, leaving as an unanswered question whether there really was such a casual relationship. For the examiner who conducted the hearings had made some serious prejudicial errors in procedure. The court, therefore, issued the requested injunction (pendente lite) without deciding whether the above evidence was sufficient to show fraud.

Note: The attorney for the plaintiff, it should be observed, was a woman, as was the president of the plaintiff corporation.)

Atlanta Corporation v. Olesen, 124 F. Supp. 482 (S.D. Cal. 1954.)



"Back to Pennsylvania, Boys, or We'll Blast Ya."

NEWS
IN BRIEF

BRAUCHER TO TALK

The Harvard Young Republican Club and the Coffee Hour will co-sponsor a talk by Professor Robert Braucher on Tuesday afternoon, Feb. 15. The topic of Mr. Braucher's speech will be: "How President Eisenhower Will Get Along With a Democratic Congress."

The meeting will be held at 1:30 p.m. in Harkness Commons. Coffee will be served.

DRAFTEES

There is still opportunity for second-year students to enter the Drafting Competition, according to Thomas B. Bardos, 3L of New York City, Chairman of the Competition. The deadline had previously been set for today, but Bardos has extended the time for entering a few days to accommodate any second-year men who may have been misled by an erroneous report in last week's Record that Feb. 3 was the last day to sign up.

EXHIBIT IN TREASURE ROOM

From Feb. 1 to March 1, the Treasure Room of the Langdell library is showing an exhibit on "Famous American Trials."

The Treasure Room is open on Mondays through Fridays, from 9 a.m. to 5 p.m.

Bricker Amendment Lauded
In Book on Foreign Policy

Story of the "Bricker" Amendment, by Frank E. Holman Committee for Constitutional Government, Inc., New York, 1954. 179 pp. \$1.

Contrary to the assertions made on the back cover, this book will not rank with the Bible and "Uncle Tom's Cabin" as a landmark of great world literature. It stands primarily as a diatribe, trying to gain prestige by association with all that it asserts is truly American, while dismissing the opposition as summarily as possible.

The book is an anomaly, resting on no firm ground. If it purports to be a narrative of the "great nation-wide movement to protect American rights" as the introduction claims, it is incomplete, for it never deals adequately with the anti-"Bricker" forces. If it is presented as a polemic displaying the indefeasible justice and merit of the Bricker proposals, it fails also. It never raises the problems, nor does it really deal with the issues.

It is assumed that the reader of this column is familiar with the aims of the Bricker proposals, and the methods proposed to carry them out. It is not clear whether or not Mr. Holman is really concerned whether or not his readers are aware of the problems presented. His

prime propaganda technique is to line up a list of organizations which he considers to be representative of Americanism, and contrast them with other groups, whose views he feels are much more suspect.

He proudly asserts that the former groups are solidly on his side, while the latter forces, lesser in number, and in his view, lesser in prestige, comprise the opposition. A reading of the lists of organizations certainly leaves doubt as to which groups hold the more enlightened view. The point is, however, that this is not the proper manner of presenting the argument. Mr. Holman spends all too much time listing the advocates and opponents, and all too little in spelling out the consequences of their actions.

How can the controversial "which" clause be justified in light of Mr. Dulles' statement that 12 out of the 23 treaties approved by the Senate in 1953 would have been unconstitutional under it? Significantly, eight of those which would be unconstitutional were the Bricker proposals adopted, were approved by an 86-1 vote, Senator Bricker voting with the majority. Is this what the Amendment is trying to protect us against? We are not told.

Such are the questions never faced by the book. A story of the alleged perfidies of Messrs. Dulles, Wiley, Knowland, etc., is hardly worth the attention asked on the back cover. With reference to the distribution of the book, it reads, "Those who help in this task will be carrying through for our time a needed educational program as important as the distribution of *The Federalist Papers* by Madison, Jay, and Hamilton, which led to the adoption of the Constitution." I am inclined to think not.

H. W.

PLACEMENT

(Continued from page one)

are brought here for direct contact with third-year men seeking employment. The interviews are held at the Placement Office quarters at 23 Everett Street. An average of 15 students are interviewed by each visiting company or firm.

Unless notice of arrival is not given to the Office in time, an announcement is made on the bulletin boards of interviews to be held. Those students who are interested in the particular opportunity are invited to arrange to be interviewed. Some firms speak to all who sign up, while others are limited in the time they are able to spend here, and so cannot take everyone. In the latter cases, the Office selects the group either by indicated preferences, or if there are none, by lot. When a certain type of position is available in which particular students have signified special preferences, the Office tries its best to notify them if they have neglected to sign up for the interview. The information as to students' preferences is obtained from the record cards which each third-year man is asked to fill out, detailing his background and his professional and geographic interests.

An interview usually results in an invitation to those men in whom the firm is interested to visit their offices. Very few persons are hired on the basis of the initial interview alone.

The Placement Office also acts as a clearinghouse for summer employment. It does not take the initiative in this field, but does notify students of any employment vacancies brought to its attention by employers. Students who are interested in summer jobs are asked to register in early spring.

Alumni placement is operated on a similar basis. Those alumni who wish to change their location register with the Office, giving details of experience, salary desired, etc. Then employers who contact the office seeking experienced personnel are informed of the available candidates. Most requests for experienced personnel comes from the legal departments of corporations, while law firms are the main source of requests for new graduates.

Cards should be filed now by those students interested in summer work.

Alumni Notes

LL.B. '44-(48)—Wade H. McCree, Jr., was appointed judge of the Wayne County Circuit Court by Governor G. Mennen Williams to fill a vacancy. Judge McCree is running for re-election this coming spring.

John S. Pennish announces the formation of the law firm of Wolff, Frankel, Pennish & Orlikoff with offices in Chicago and Los Angeles.

LL.B. '48—Theodore M. Newman has become a partner in the firm of Kupfer, Silberfeld, Nathan & Danziger with offices in New York.

Walter E. Oberer has been teaching law part-time at the Detroit College of Law in addition to his private practice. He has taught courses in contracts and business associations.

LL.B. '49—Donald C. Lubick has become a member of the firm of Hodgson, Russ, Andrews, Woods & Goodyear located in Buffalo, New York.

Bull & Bear Hears
"Blue-Sky" Lecture

On Feb. 13, Arthur H. Haussermann, LL.B. '41, addressed the Bull & Bear Club on "Blue-Skying" securities, that is, preparing securities to conform to the various states' laws.

The chief problem of an underwriter who buys securities at a fixed price for resale to the public, is to get the securities approved by the SEC and the states quickly and simultaneously. Mr. Haussermann explained that the states vary widely in their regulations. Some Midwestern states are so strict that they sometimes want a company to change its by-laws before it can sell its stock, but the Eastern states (where investors are thought to be more sophisticated) are comparatively liberal.

State statutes generally provide only vague standards, and the state securities commissioners often do not promulgate formal rules and regulations. Consequently, to know the commissioners and their particular practices is of prime importance to the underwriter.

SEC policies have varied widely over the years and have sometimes collided with those of the states. Today's rules are fairly liberal. In fact, it is a practice to note customers' "indications of interest" before the SEC gives final approval to the sale of an issue of securities.

Haussermann remarked that it is fortunate that Harvard Law School has an organization such as Bull & Bear inasmuch as "lawyers who make more money than they know what to do with are notoriously soft touches for unsound investments."

Mr. Haussermann was a special agent of the F.B.I. from 1942 to 1945, and then practiced law for a few months before becoming general counsel and partner in Vance, Sanders & Company, underwriters.

LAW REVIEW

(Continued from page 1)

injured in the course of his employment could avail himself of either federal or state workmen's compensation, although the two seemed to be mutually exclusive by the terms of the federal act. Professor Robert E. Rodes, Jr., points out that the Supreme Court still has not clarified the *Davis* case. Professor Rodes, LL.B. Harvard '52, was associated in a legal capacity with the Liberty Mutual Insurance Co. and is presently Assistant Professor of Law at the Rutgers University School of Law, where he is teaching admiralty law.

A Comment by Professor Warren A. Seavey attempts to bring some order to the confused case law on subagency. The Reporter for the Restatement of Agency discusses a proposed revision of the Restatement to alter the definition of "subagent" and to provide a definition for "subservant."

The February issue of the *Review* also contains notes dealing with discovery practice, state FEPC's, and proceeding separately against joint tortfeasors.

The *Review* has recently published a symposium on the 1954 tax code.

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READERS of the *Harvard Law School Record* will not have forgotten how Dean Griswold spoke out, last year, on the continuing value to us today of the controversial clause in the Fifth Amendment which provides that "No person . . . shall be compelled in any criminal case to be a witness against himself."

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Amory Leaves; New Book For Fills D.C. Post Law Aspirants

On leave of absence from Harvard Law School last year to take a prominent part in the Central Intelligence Agency, Prof. Robert Amory, Jr., has since resigned from the School in order to continue in his Washington position.

Mr. Amory was best known in the Law School for his development of the second-year accounting course. Joining the faculty in 1946, he pioneered in the field of accounting for law students. His casebook, now Amory and Hardee, is a standard work in this area. He also taught Property I, Corporations I, and part of a legal aspects of business administration course in the Harvard School of Business Administration.

A graduate of Harvard College in 1936 and of Harvard Law School in 1938, Mr. Amory was treasurer of *Law Review* during his third year. He was admitted to practice in 1939, joining the firm of Wright, Gordon, Zachry, and Reindel in New York City. He is at present a member of the bar in New York, New Hampshire, and Massachusetts.

Activated as a private in the National Guard, Mr. Amory rose to rank of colonel and faced Pacific combat.

The Law School has published a 23-page booklet designed to explain Harvard Law School to college students who have not yet made any firm decisions about making law a career. The book, printed in two colors with a four-color cover, is being mailed to college deans, counsellors, and pre-law advisers throughout the country.

Assistant Dean Louis A. Toepfer, a co-author of the booklet, says that the publication is designed to bring word of Harvard Law School to students who might otherwise never consider applying for admission here.

Law School Secretary Harrison Dimmitt and Assistant Dean Russell H. Peck collaborated in writing and editing the booklet.

Underrepresented Areas

It is known that the School has felt some concern about the relatively low rate of applications from some parts of the United States. Dean Toepfer has said that one reason for the paucity of applications is the failure of many college students to realize that they might be able to come to Harvard Law School, and that the School is interested in having them consider such a move.

The book meets this problem directly, telling the possible applicant that "men and women come from all over the United States . . . who at first thought they would not be qualified for admission . . . because Harvard was famous and far away they did not believe it worthwhile to make an application. Fortunately, through . . . helpful advice . . . they were persuaded to apply for Harvard."

Scott and Seavey

There is a picture or sketch on almost every page. Professors Scott and Seavey are shown in action, and a class in Langdell Hall is depicted. The library reading room is also shown, as is a typical between-class traffic jam. On the cover is a group of students congregated on the northeast steps of Langdell.

FORUM

(Continued from page 1)

Senator Benton was appointed to the Senate in 1949 by Connecticut Governor Chester Bowles, who was Mr. Benton's partner in a New York City advertising firm. An early critic of Senator Joseph



William Benton

R. McCarthy (R-Wis.), Senator Benton was elected in 1950 for a two-year term and defeated for re-election in the Eisenhower landslide of 1952.

A \$2,000,000 libel suit by Senator McCarthy against Senator Benton was dropped by the Wisconsin investigator before the case ever came to trial. Senator McCarthy claimed he could find no one to believe Senator Benton's charges about his financial dealings. This viewpoint was refuted by advertisements which appeared in newspapers, signed by lists of people who said they did believe Senator Benton's statements.

A dinner for Messrs. DeSapio, Javits, and Benton and the Forum executive board, will be held at 6 p.m. at the Faculty Club. Tickets for the Forum will be on sale at the door to Sanders Theatre on Feb. 18, and at Harkness Commons.

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(Continued from page 1)

courses on legal research and legal writing.

Supplementing the regular program are the *Stanford Law Review* and moot court system. The *Law Review* is published four times each year by the students, who are selected in their second year for their class standing based upon the grades of the first year.

About 150 students enter the school each year, but less than 100 survive the three-year course to receive their LL.B.'s. The casualty rate is higher, as might be expected, after the first year, when about 15 per cent are dropped and another 15 per cent leave for other reasons.

The basic rate of tuition is \$250 per quarter with a large percentage of the student body studying under full or part time scholarships. This tuition is the same as undergraduate tuition. The Stanford Health Service extends to law students, with no charge being made in addition to the tuition. Under the Stanford health plan, students in the University get complete medical, surgical, and hospital care, at no added cost. The only exceptions are for dental and optical treatment.

The University maintains an infirmary, rest homes for men and women convalescents, and an isolation hospital for contagious cases. Hospital care is provided at the Palo Alto City Hospital, which is located on the campus and operated under Stanford's supervision.

Grading System

The school uses an 11-division grading system, beginning at the top with A and going through D and failure. The four standard letters are supplemented with pluses or minuses. The administration translates these letter grades into a numerical average: A equals 4.0 and failure 0. B, C, and D, are 3.0, 2.0, and 1.0 respectively. A plus adds 0.3 to the number grade, and a minus takes 0.3 away from the grade.

Stanford Law School, over the years, has become the best-known and most highly regarded law school west of the Mississippi. One small indication of its calibre is the success of its graduates in passing bar examinations. In a recent survey covering a three-year period, 88.6 per cent of Stanford graduates taking bar examinations for the first time were successful.

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