



Harvard Law School Record



VOL. 21, NO. 1

CAMBRIDGE, MASS., THURSDAY, SEPTEMBER 29, 1955

PRICE TEN CENTS

Honor Groups Elect Members

On the basis of the June 1955 examinations the Law School honor societies have completed their selection of new members.

The top twenty-five members of the first-year class were named editors of the Review. Eight high-ranking members of the second-year class were also chosen, including Miss Nancy Goldring of New York City, formerly a member of the Board of Student Advisers.

Other new third-year members are Stanhope S. Brown of Cincinnati, Ohio; James E. Bye of Anoka, Minn.; Ralph P. Dupont of New London, Conn.; Manley O. Hudson, Jr., of Cambridge; Lawrence Stone of Malden; Paul H. Zalecki of Toledo, Ohio; and Arnold J. Zurcher of Pelham, N.Y.

The twenty-five new second-year editors, from among whom the ten officers of the Review will be chosen in February, are Harold E. Abrams of Pensacola, Fla.; Paul Bender of New York City; David Butler of St. Paul, Minn.; George L. Christopher of Detroit, Mich.; Richard E. Deer of Indianapolis, Ind.; Roland W. Donnem of Seattle, Wash.; Glenn M. Feit of New York City; Robert J. Geneisse of Seattle, Wash.; Thomas H. Hagoort of Bloomfield, N.J.; John H. Hall of Warsaw, Ill.; Gordon D. Henderson of Providence, R.I.; Howard I. Kalodner of Philadelphia; Edward W. Keane of New Canaan, Conn.; Lee H. Kozol of Brookline; Richard H. Miller of Tarentum, Pa.; Ronald A. Morris of New Hyde Park, N.Y.; Robert H. Mundheim of New York City; Herbert B. Olfson of Dorchester; Anthony Partridge of Fair Lawn, N.J.; David Sachs of Paterson, N.J.; Martin C. Scham of New York City; David L. Shapiro of New York City; Bruce J. Terris of San Francisco; Verne W. Vance of Omaha, Neb.; and Norman R. Vander Clute of Rockville Centre, N.Y.

Top man in the class was Mr. Shapiro, a graduate of Harvard College. Second spot was taken by Mr. Vander Clute, an alumnus of Amherst. They are in line for the \$500 Sears Prize, which is awarded annually.

The Board of Student Advisers took the next eight members of the class. They are George B. Adams, Jr., Earl M. Colson, Howard W. Phillips and Arnold M. Weiss of New York City; Maurice S. Binkow of Miami Beach, Fla.; James B. Moran of Escanaba, Mich.; Berton B. Subrin of Akron, Ohio and Frederick Young of Dayton, Ohio.

(See SOCIETIES on page three)

Yearbook Chooses Bacon New Editor

Sylvia Bacon, 3L of Watertown, S.D., will edit the 1956 Harvard Law School Yearbook with a staff of three third-year men as assistants. Miss Bacon is an alumna of Vassar College. A former vice president of the United States National Student Association, she also studied at the London School of Economics.

Others elected by the Yearbook were Lawrence Levine, 3L of New York City, business manager; Andrew Carlin, 3L of New York City, advertising manager; and Allan Roth, 3L of Newark, N.J., assistant editor.

The new book will contain a memorandum to the late Thomas Reed Powell, LL.B. '04, and tributes to the retiring faculty members. Plans have been made for a special photographer to cover Law School events and to increase informal coverage of club programs.

The book will be distributed by subscription only. Copies must be reserved by placing a one dollar deposit with the Yearbook by October 14. Books will not be placed on general sale as only a specified number of copies will be printed.

Student Dies

On Friday morning, September 23, Peter Kurtz, 2L of Hollis, New York, died of a heart attack in his room at the Law School.

Sincere sympathy is extended to the family and friends of the deceased by the students and faculty of the Harvard Law School.

Prof. Emeritus Powell Is Dead

Professor Emeritus Thomas Reed Powell, who retired from the Law School faculty in 1949, passed away this summer. Prof. Powell, an expert on constitutional law, delivered the Carpenter lectures at Columbia University this spring.

For several decades recognized as an outstanding scholar in constitutional law, Prof. Powell has built up a large body of literature in the field. He wrote *Separation of Powers*, and *The Supreme Court and State Police Power*, a series of articles which first appeared in *Virginia Law Review* and were later published in book form, and an impressive group of essays on Gross Receipts Taxes which appeared in the *Harvard Law Review*.

He served as special assistant to the Attorney General of the United States in 1936 and in 1941 was a member of President Roosevelt's Emergency Board on the National Railway Strike.

Prof. Powell was born in Richford, Vt., in 1880. He graduated from the University of Vermont in 1900 and from Harvard Law School in 1904. After being admitted to the Vermont bar, he practiced at Burlington until 1907, when he was hired as a lecturer by Columbia University.

After a year at Columbia, Prof. Powell went to the University of Illinois, where he spent two years as an associate in political science. He then returned to Columbia, where he advanced to the position of Ruggles Professor of Constitutional Law.

Comes to Harvard

In 1925 Prof. Powell joined Harvard's law faculty where he became Langdell Professor of Law in 1928 and Story Professor of Law in 1938. At Harvard, Prof. Powell served as Chairman of the Committee on Graduate Studies. In 1937 he was elected president of the American Political Science Association.

Prof. Powell was especially familiar with the case of the Scottsboro boys, *Powell v. Alabama*, 287 U.S. 45 (1932) which he aptly nicknamed "my case". Another case discussed in his course on Constitutional law was what he called "the sick chicken case", *U.S. v. Schechter Bros.*, 295 U.S. 495 (1935).

Prof. Powell's long acquaintance with the Supreme Court and with many of the present justices used to liven up his classes considerably. For example, the eager note-taker may find himself writing, "This is one of Felix's more foolish decisions," or "I asked Felix what made him do it; I

(See POWELL on page three)

Record Smoker Tonight

Would you like to write for a Law School publication?

THE HARVARD LAW SCHOOL RECORD, America's oldest law school newspaper, has several openings in its editorial and business departments. First-year and second-year students are invited to become candidates for membership.

Undergraduate journalistic experience, although not required, is helpful to candidates for the RECORD. Writers of feature articles are in demand, as well as newsmen.

The time required for RECORD membership will not disqualify students from academic success, according to recent experience. RECORD staffman David Sachs has just been elected to the *Harvard Law Review*, while Features Editor James B. Moran, Gallery Editor Arnold M. Weiss and Berton B. Subrin are new members of the Board of Student Advisers.

A smoker will be held this evening at 8 p.m. in Harkness Commons, to which students interested in membership on the RECORD are cordially invited. Refreshments will be served and entertainment will be provided by the Dunster Dunces, a Harvard College singing group.

'Government Under Law' Conference Commemorates Marshall Bicentennial

In tribute to John Marshall, honoring the bicentennial of the great Chief Justice's birth, Harvard Law School played host last week to one of the greatest gatherings of jurists in modern times. "Government Under Law" was the central theme of the Conference, featuring eight scholarly papers and addresses by two Justices of the U.S. Supreme Court, the Master of the Rolls of England and the chief justices of Australia, Canada, and South Africa.



The Chief Justice of the United States and the president of Harvard College, seated with the delegates at the conference on Government Under Law.

The six hundred members of the Conference, composed of alumni, educators, jurists, and statesmen, took part in a tight schedule of events, keyed by welcomes by Dean Griswold and President Pusey and an opening address by Felix Frankfurter, Associate Justice of the Supreme Court, Thursday morning in the James Barr Ames Courtroom. Chief Justice Earl Warren concluded the session with a final address at a formal dinner in Memorial Hall, Saturday evening.

Sir Raymond Evershed, Master of the Rolls of England, 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 Kirwin, Chief Justice of Canada, also addressed the members of the Conference in the three-day session.

Rockefeller Grant

The Conference, made possible through a grant given from the Rockefeller Foundation, honored the great Chief Justice, who, in the words of Justice Frankfurter "... gave institutional direction to the inert idea of a paper scheme of government." He went on to further praise the jurist, whom President Jefferson sought to "sidetrack" to what he conceived to be an innocuous role as judge. Justice Frankfurter pointed to Marshall's expression, "It is a Constitution we are expounding," as the central theme of his philosophy, but stressed the vast changes in the scope of law since Marshall's time, reflecting the vast changes in society.

Justice Frankfurter, in recognizing the limitations on the area of adjudication, told the members of the Conference that "the standard of what is fair and just set by the courts in controversies appropriate for their adjudication is perhaps the single most powerful influence in promoting the spirit of law through government." "Judges cannot free themselves from the responsibility of the inevitable effect of their opinions," he added.

Guests

The eight scholarly papers presented at the Conference were published prior to the meetings and distributed to the members. The "audience" included such notables as Supreme Court Justice Harold H. Burton, Judge Bailey Aldrich, Judge John Biggs, Jr., Philadelphia District Attorney Samuel Dash, Brig. General George W. Hickman, Jr., Dean William C. Warren of Columbia Law School, and many other leading alumni, jurists, lawyers, and scholars.

"Government Under Law—A Civilian View," by Andre Tunc, Professor in the Faculty of Law and the Institute of Political Studies of the University of Grenoble, and "Leviathan at the Bar of

(See CONFERENCE on page four)

PBH Distributes Books To Students

Over 200 books have been distributed this September by the Law School Committee of Phillips Brooks House. The books are part of the PBH Law Library, located at 23 Everett Street.

This year PBH spent \$500 on new books for the library. The collection includes those casebooks which are most frequently used.

Many new tax books were purchased because of the new Internal Revenue Code, and the library has appealed to students to donate their used books to it. Eugene Levy, 2L of New York City, library chairman, has requested students who care to work for the library to contact him at 23 Everett Street.

Library Installs New Lighting In South Of Reading Room

Biggest, most obvious, and most welcome change in the facilities and service of the library occurring this summer was the complete change in the lighting facilities in the south end of the Reading Room. Through the installation of specially designed fluorescent lights the south section has become the best lighted area in the library.

Complementary changes have also been made in book facilities, according to Assistant Librarian Philip A. Putnam, to take advantage of the better lighting. The American Digests are now situated at both ends of the library instead of being concentrated exclusively at the northern end. Likewise, the Shepard citators have also been split, those referring to the official reporters now are in the Southern end.

Mr. Putnam stated that there has already been a noticeable change in habits of students using the library. Whereas previously those studying in the library at night crowded in the section containing the unofficial reporters, there is now a more even distribution at both ends with a few hardy scholars preferring the more dimly-lighted area in between.

Plans for the future, although the timing is indefinite, include the rearrangement of the Reading Room so that more books can be carried in the open shelves. At present there are approximately 30,000 books upstairs, of which about 22,000 are carried in the bookcases around the walls. Each year the mounting tide of reports, periodicals, and other publications necessitate the addition of more than 600 volumes to the shelves, not counting the enormous accretion in the stacks. At the present time each addition usually requires the removal of another to a less accessible part of the library.

Dean Greets New Students

Five hundred twelve members of the class of 1958 met Sunday, Sept. 18, in the James Barr Ames Courtroom to hear Dean Erwin N. Griswold welcome them to the Law School. It was the first occasion on which the recently renovated second floor of Austin Hall served to provide incoming students with their first glimpse of the administration.

Dean Griswold introduced members of the administrative staff, the vice, associate and assistant deans and the head of the medical clinic. He then informed the class, ten of whom are women, that they represent 42 states and Canada, Hawaii, Alaska, the Philippines, Mexico, and Sweden. 26% of the class come from New York, which leads the states in enrollment. Following New York are Massachusetts, 9%; and Illinois and Pennsylvania, 6%.

Diversity of Citizenship

The educational background of the class shows that they attended 133 different colleges and universities. This represents a decrease of 20% from last year's figure of 166 colleges. One hundred fourteen men, or 22% of the class, spent their undergraduate days in Harvard Yard. The ten women are alumnae of Boston University, Mount St. Mary's, Wellesley, Radcliffe, Stanford, University of Arizona, Barnard, Hunter, and Cornell.

There are 188 veterans, 35 per cent of the class. The class ranges from nineteen to thirty-five years in age, with twenty-three being the median.

Ninety-four members of the class are recipients of \$70,000 in scholarship awards from the Law School, University, and other funds.

The Admissions Committee, composed of Vice Dean Livingston Hall, Professor Louis Loss, and Assistant Dean Louis A. Cooper, accepted 30% of the 1700 persons who applied for admission.

865510

The Harvard Law School Record

Published weekly on Thursday 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 10c each at the Law School, 20c each mailed. Business and Editorial Offices, 23 Everett St., Cambridge 38, Massachusetts. Telephone Kirkland 7-7600, extension 447.

OFFICERS

MARTIN KRAMER President
HENRY J. STERN Editorial Manager
MATTHEW KESSLER Business Manager

MANAGING BOARD

LEONARD S. GOODMAN News Editor
WILLIAM HUTCHINSON Copy Editor
FRANK A. OLSON Department Editor
JAMES B. MORAN Features Editor
MITCHELL BLANKSTEIN Treasurer
STUART A. JACKSON Advertising Manager
WILLIAM A. DAY, JR. Personnel Director

STAFF

Frank N. Gallagher, Assistant News Editor; Richard Grossman, Assistant Copy Editor; Norman E. Scull, Articles Editor; Arnold M. Weiss, Gallery Editor; Albert D. Barclay, Jr., Martin Mushkin, Photography Editors; Bruce Balch, Puzzles.

William L. Boyan, Philip N. Costello, William A. Day, Jr., Jeremy Goldstein, Valerie Handler, George McCormack, Morton Smithline, Herbert L. Spira, Berton B. Subrin.

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

Thomas Reed Powell

In the passing of Thomas Reed Powell, the law has lost a distinguished scholar, and law students have lost a great teacher.

The thousands of lawyers who received their training in constitutional law from Prof. Powell while students at Harvard and Columbia law schools are aware of his talent and imagination. Those who have read his books and articles are also familiar with his role in the development of a better understanding of our federal union, its checks and balances.

Professor Powell was one of those outstanding people who have made Harvard Law School what it is today. His death is a loss to both the School and the profession.

The Explicit and Implicit

A new first-year class is entering Harvard Law School, a society ennobled not so much by her incomparable library as by her immortal spirit. You will partake of that spirit, and in your turn contribute to it.

The explicit things are easy to see, easy to measure, easy to long for: grades, rank in class, volume of notes taken, hours spent, pages covered. But Harvard Law School offers more than these. A good lawyer must have more than these.

The implicit things are hard to see and impossible to measure. Yet they are very important. If you absorb much of a professor's lecture, but little of his analytical and understanding mind, you will have impoverished yourself. If you are too busy to spend an evening with a fellow student having some difficulty, then the service you some day render to a client will be technical service lacking in that sympathy and understanding which makes it good service. And do not be afraid to be really active in your law club work, contribute to an extracurricular activity, see a movie, attend a religious service, hear a concert, or play some bridge. A lawyer is primarily a man, secondarily a legal technician.

Make no mistake about it. Study is important. Long hours are important. But they are still only part of a larger, more comprehensive picture. The explicit things will carry you faster in the beginning, but the implicit things will carry you farther in the end and make the journey worth-while.

'Government Under Law'

The conference on "Government Under Law" which was just concluded on the two hundredth anniversary of the birth of Chief Justice John Marshall, has brought honor and prestige to the Law School.

The chief justices of five nations that attended the Conference, and the distinguished professors and judges who presented papers, deserve our thanks for their contributions to the Conference. The seven hundred members of the Conference, including three Supreme Court justices, played an important role in making the meeting a success.

Chief Justice Warren's suggestion that the Conference should be made an annual affair, to be held just before the opening of the Fall term of the Supreme Court, is indicative of the high regard which the visitors held for the proceedings.

The administration of the Law School, especially the Committee that arranged the Conference, should receive special praise for its efforts. The Conference was an event of which Harvard can well be proud.

Gallery

ARNOLD RAUM
Judge, Tax Court of the U.S.



This September marks the fifth anniversary of the appointment of Judge Arnold Raum to the Tax Court of the United States. But the Judge's experience as a litigant, before assuming his present position, can hardly be overshadowed. The announcement at the time of the Senate confirmation proudly indicates that Mr. Raum "... has argued more tax cases in the Supreme Court than anyone in history." As a member of the Department of Justice, in the Solicitor General's Office and as Acting Solicitor General from time to time, Judge Raum assisted in litigation in hundreds of tax cases.

A sparkling career in several government departments, sprinkled as well with brief periods as an instructor at both Harvard and Yale law schools, lies behind the Judge. A native of Massachusetts, he was graduated from Harvard College summa cum laude with mathematics as his field of concentration. In 1932 he received his LL.B. magna cum laude from the Law School after having served for two years as an editor of the *Law Review*. Upon graduation he was the recipient of a traveling fellowship to Cambridge University to do research in the field of Future Interests. However, an offer from the Reconstruction Finance Corporation interrupted his graduate law study soon after.

Early Career

In the fall of 1932, Mr. Raum entered government employ. At this time the R.F.C. was swamped with cases involving bank reorganizations, liquidations and closings. He remained with the agency for two years and was ultimately connected with the administration of the Roosevelt monetary reforms, in charge of the legal aspects of the gold purchase program preceding the revaluation.

In 1934 the young lawyer became a special assistant to Attorney General Homer Cummings in the Tax Division of the Department of Justice. The change followed a desire to get into active litigation and from that point on began a career involving court work that has carried him to every Federal Circuit court and the Supreme Court. He remained with the Justice Department until he entered the Solicitor General's office in 1939.

Faculty Associations

During the academic year 1937-1938, Judge Raum taught a course in taxation at the Yale Law School. He commuted back and forth from Washington to New Haven to meet his class twice a week. This was his only teaching position aside from a class at the Harvard Law School in the summer of 1947, while on leave of absence from the Solicitor General's office. At Harvard he also instructed in taxation, being extremely well qualified, as a large percentage of the cases in the casebook were ones that he took part in. (This is true of the tax casebooks used even today.) Judge Raum remained with the Solicitor General, in charge of the Government's tax litigation and other cases in the Supreme Court, until his appointment to the Tax Court. During the war he was on military leave for a year and a half as a lieutenant commander in the Coast Guard.

Some of the highlights of his litigation days include *O'Malley v. Woodrough*, 307 U.S. 277, 59 S. Ct. 838 (1938), which decided that federal income taxes can be assessed on salaries paid to federal judges, (argued in the lower court by Mr. Raum and in the Supreme Court by the then Solicitor General Robert Jackson), *U.S. v. Johnson*, 319 U.S. 503, 327 N.S. 106, where the trial court's conviction of Chicago gambler William ("Big Bill") Johnson was affirmed, and the first treason case of World War II, *Stephan v. U.S.*, 318 U.S. 781. Mr. Raum also conducted the 1939 Grand Jury investigations of the Huey Long machine and represented the government successfully in the so-called "Tidelands" case.

Judge Raum enjoys sitting on the other side of the bench. He finds it stimulating, with less pressures than on the advocate. He describes the situation as "... complete intellectual freedom to

reach what one thinks as the correct result in each case." The sixteen judges of the Tax Court sit separately, and their position on a court with jurisdiction throughout the U.S., involves travelling to sit in various cities. Though most of the year is spent in Washington working on the cases heard, approximately one-fifth of the year is spent in travel varying from Boston to Portland, Oregon.

The Judge remains closely connected with the Law School where he studied as well as taught. He is close friends with a large number of the faculty. Several of them lived with him when they were taking part in government work in Washington. He enjoys getting back to Cambridge to visit and has presided at several Ames arguments.

—Kramer

Current Case

In the past few months two notable cases have been decided which, if followed, will cause a radical revision of the traditional law of insanity.

In *Durham v. U.S.*, 214 F.2d 862 (D.C. Cir., July 1, 1954), the court reversed a housebreaking conviction of a young man who, after having been discharged from the Navy for a "profound personality disorder," had committed several crimes and had been placed in a mental hospital. The trial court, relying in part on the traditional M'Naghten Rule of 1843 (8 Eng. Rep. 718), had rejected the defendant's plea of insanity "in the sense that he didn't know the difference between right and wrong or that even if he did, he was subject to an irresistible impulse by reason of the derangement of mind." (214 F.2d at p. 865)

After a review of the law of insanity in the light of modern scientific knowledge the appellate court held that "the science of psychiatry now recognizes that a man is an integrated personality and that reason, which is only one element in that personality, is not the sole determinant of his conduct. The right-wrong test, which considers knowledge or reason alone, is therefore an inadequate guide to mental responsibility for criminal behavior." (p. 871)

"We find that the 'irresistible impulse' test is also inadequate in that it gives no recognition to mental illness characterized by brooding and reflection and so relegates acts caused by such illness to the application of the inadequate right-wrong test. We conclude that a broader test should be adopted." (p.874)

"But in making such judgments, they (juries) will be guided by wider horizons of knowledge concerning mental life. The question will be simply whether the accused acted because of a mental disorder, and not whether he displayed particular symptoms which medical science has long recognized do not necessarily, or even typically, accompany even the most serious mental disorder." (p.876)

In *U.S. v. Kunak*, 5 USCMA 346, 17 CMR 346

(Dec. 30, 1954), the Court of Military Appeals reversed a murder conviction in which the accused had been sentenced to death for calmly shooting a lieutenant in a mess hall. Kunak wanted to get out of the Army and had talked about killing various officers. He had talked to the Division Psychiatrist and received no comfort from him. As a civilian he had once jumped off a 75-foot bridge and had tried to stand on his head while riding a motorcycle. He had a brother and sister in mental institutions. At the trial there was conflicting testimony as to whether Kunak was responsible for his crime.

The court remanded the case to an Army board of review with directions either to affirm an unpremeditated murder conviction with an appropriate sentence or to order a rehearing. The court reasoned that "the law officer nowhere suggested the important principle that mental impairment, less than legal insanity, might be considered by the court-martial members when they were deliberating upon the element of premeditation. Significantly, missing in this case is an instruction to the effect that if in the light of all evidence the court-martial has a reasonable doubt that the accused was mentally capable of entertaining the premeditated design to kill involved in the offense of premeditated murder it could find the accused not guilty of that degree of the crime." (p.362)

Durham and *Kunak* represent two quite different approaches to the problem of insanity. Whereas the former case overthrows the old rule and sets up a new test for criminal responsibility based on the findings of modern science, the latter decision recognizes a state of mental disorder which, although short of insanity by the old test, will reduce a premeditated crime to an unpremeditated one. It remains to be seen how each of the forty-eight states will tackle this problem as it is raised case by case over the next few years.

—Olson

Puzzle

Those definitions designated as anagrams may have the letters scrambled in the solution. For example, the answer to the first definition across is "Freund," which has been scrambled into "nefudr." All other definitions are solved as in a standard crossword puzzle.

ACROSS

1. HLS Professor (Anagram)
6. HLS Dormitory (Anagram)
13. Extent
14. Planned by 75 across
15. First state to secede (Abbr)
17. Slow horse
18. Beverage
19. One who pays
20. Take without right
22. Give back
26. Resinous substance
27. Serpentine dagger
29. Crane
30. Contest
31. Bestow upon
33. Friend
34. Sword
35. Scottish one
36. Girl
38. Son of Adam
40. Saint or Street
41. Egg
42. Sign of Assent
43. Type of Naval Vessel
45. Measure
47. 1954 Hurricane
48. Conjunction
49. Surface
52. Guided
54. Happening
56. Acquire by labor
57. Indian Tribe
59. Latvian City
60. Bit by Bit
61. Excuse
63. Meadow
64. Masculine pronoun
65. Wing
66. Particle
68. Type Measure
69. Ruins
72. Entrap
74. HLS Professor, Commercial Law (Anagram)
75. HLS Professor (Anagram)

DOWN

1. Harvard Graduate Commons (Anagram)
2. Musical Note
3. Vase
4. Beloved
5. Stormed
6. Large Electric Firm (Abbr)
7. Be
8. Begin
9. Story
10. Consumed
11. Compass Point
12. HLS Associate Dean (Anagram)
16. Trumpet
19. Step
21. Offer
23. Tree Juices
24. Federal Agency
25. Lubricates
26. Laboratory
28. Son of David
30. Well-known University (Anagram)
32. Shift
34. Rock
37. Perched
39. Finish
43. Silk Fabric
44. HLS Professor, Accounting (Anagram)
46. Other
47. Border
49. HLS Professor, Equitable
50. Purplish-red Pigment
51. Scandinavian Coin
53. Consume
55. Lie Backwards
57. Red Ornamental Herb
58. Banishment
61. Common Person
62. Excursion
65. Exist
67. Held Unconstitutional in 295 U.S. 495
69. Nationalist Chinese Official
70. Catholic Fraternal Society (Abbr)
71. Strontium (Chem)
73. Plural Ending

Board Speeds Organization Of First Year Ames Clubs

With the first round of the Ames Competition for first-year students scheduled to begin about the middle of October, the Board of Student Advisers is rushing to completion the organization of the new students into their eight-man clubs. According to Hershel Shanks, 3L, Chairman of the Board's First Year Committee, the deadline for submission of membership lists of student-formed clubs is Oct. 1.

First-year students not joining an established club or forming their own group of eight will be placed in clubs by the Board. Students desiring to be placed together in Board-formed clubs will be accommodated, but must submit their request in writing by the end of the week to the Board offices in Austin Hall.

To help in the administration of the first-year program, the Board is seeking the help of second and third-year students to act as supervisors of the new clubs. The principal functions of the supervisor are arranging the time and place of arguments, locating judges, and organizing the social activities of the club.

As the first step in its program of pre-

paring first year students for Ames the Board will introduce them to the workings of Langdell Library and the intricacies of legal research, through the medium of its technicolor sound film, "Case In Point." This year's showing is scheduled for the Austin Courtroom at 7:30 p.m. next Tuesday, Oct. 4.

In preparation for the imminent beginning of the Qualifying Round of the Ames Competition for second-year students, two committees of the Board of Student Advisers are currently at work in the Second Year office in Austin Hall.

Clubs Being Organized

The Administrative Committee, under the Chairmanship of Gerald Gorman, 3L, is primarily occupied at the moment with the organization of clubs. The final deadline for the submission of club lists is Monday, October 3. Last year a record 34 clubs participated in the qualifying round.

Also underway is the search for judges for the arguments. As usual the courts will consist of a practicing attorney, a faculty member and a high-ranking third-year student.

The Second Year Facts Committee, headed by Paul Marx, 3L, is engaged in preparing new cases for use this year. As well as replacing old cases which had been found wanting with new cases on more interesting and up-to-date subjects, the committee has been forced to replace several that were of such current importance that they have been decided by the Supreme Court or others within the past year.

Group Pictures

The Yearbook will take pictures of all student organizations and Ames-clubs during the week of October 3-14 between 1:00 and 2:00 p.m. Monday through Friday. Any organization desiring pictures should call KI 7-7600, ext. 381 unless arrangements have already been made with the Yearbook.

SOCIETIES

(Continued from page one)

Two third-year men were elected to the Harvard Legal Aid Bureau. They are William J. McCarthy of Ruxton, Md., and James A. Urdan of Milwaukee.

Second-year students who made Legal Aid are Joseph A. Adelman of Teaneck, N.J.; Edwin S. Baldwin of St. Louis; George M. Brantz of Philadelphia; Andrew J. Dowd of Roxbury; Yale H. Gellman of New York City; Thomas J. Godfrey, Jr., of Chicago; Joel F. Handler of Newark, N.J.; Charles D. Hawley of Ottawa, Kan.; John C. Howell of Summit, N.J.; Jerome Kasoff of New York City; William A. Klein of Chicago; Melvin H. Levine of New Bedford; Eugene L. Levy of New York City; John F. McClatchey of Buffalo; Glenn R. Murray, Jr., of Dayton, Ohio; Samuel A. Olevson of Providence, R.I.; Roy A. Povell of New York City; Thomas E. Weesner.

Alumni Notes

LL.B. '04—Gilbert H. Montague has completed nineteen months active service as a member of the Attorney General's National Committee to Study the Antitrust Laws.

LL.B. '33—Jack J. Moss, '33, and Lester S. Cramer, '54, have announced the formation of a partnership for the general practice of law in the Professional Building, 4 Federal Street, Woburn, Massachusetts.

LL.B. '48—Milton Prigoff has become associated with Abram A. Lebson in the general practice of law at 39 Park Place, Englewood, New Jersey under the firm name of Lebson and Prigoff.

LL.B. '49—John M. Kaufman has been named Assistant Professor of Law at Rutgers Law School. He continues in the practice of law with the firm of Bilder, Bilder and Kaufman in New Jersey.

LL.B. '50—Harvey Greenfield has been appointed Secretary of the Committee on Taxation of the Federal Bar Association of New York, New Jersey and Connecticut.

LL.B. '51—Frank Brenner has announced that he has resigned as Assistant District Attorney of New York County and is now engaged in the general practice of law with offices at 170 Broadway, New York 38, New York.

LL.B. '51—Allen Klein has become associated with Herbert G. Baerwitz, 240 South Beverly Drive, Beverly Hills, California.

LL.B. '53—Alan Jay Hartnick has been transferred from Commander Fleet Activities Yokosuka Japan where he was serving as Assistant Legal Officer, to the Office of the Judge Advocate General of the Navy, where he is serving as appellate defense counsel.

LL.B. '53—Robert A. Jelinek has announced that he is now associated with the law firm of White and Case, 14 Wall Street, New York City.

Ballantine Finds Law Training Valuable To Modern Business

Arthur A. Ballantine, LL.B. '07, partner in Dewey, Ballantine, Bushby, Palmer & Wood of New York City, has written the following article for the RECORD, which he entitles, "The Lawyer In Business."

William B. Given's interesting article "The Engineer Goes Into Management" which appeared in the January-February number of the *Harvard Business Review*, suggests consideration of the part in business of another professional—the lawyer.

Mr. Given, head of a great diversified producing company, finds that in recent years many top executives have been, like himself, of basic engineering training. Mr. Given discusses the advantages and disadvantages of engineering training for executive work. He remarks:

"On the asset side, engineering training provides a background of fundamentals which makes it easy to grasp quickly the principles of machinery, methods of manufacturing, structure of the organization and details of the product. Also, engineers are usually well trained in the orderly

process of thinking. They learn to accumulate the facts, to arrange and analyze them logically, and to base conclusions and decisions on their findings."

The qualities which Mr. Given here ascribes to the engineer are similarly found in the lawyer. The lawyer has always been readily adaptable to business: witness the notable case of Judge Gary as President of the United States Steel Corporation and the cases today of Earl D. Babst, President of the American Sugar Refining Company and John J. McCloy, Chairman of the Board of Directors of The Chase Manhattan Bank.

In still broader fields legal training is highly serviceable: witness in earlier days the part played by lawyers in the formation of the government and today the vast service in international affairs of John Foster Dulles.

As business has grown increasingly complicated we find more lawyers in service on boards of directors, and it is not because of the desire of other directors to get spot legal advice, but because of the ability of the lawyer to treat a difficulty as a problem to be solved. The lawyer has been helpful to the business man in the business man's transition in the public mind from being regarded in the nineties as an enemy of society into being recognized as a leader in rounded community life.

There is to be found in the schools of law today increased recognition of the breadth of the lawyer's calling—a calling not to be regarded as one of delving into the black letter books but of delving into all that concerns human and social conditions.

POWELL

(Continued from page one)

guess his clerk had an old case he liked the name of and wanted to cite it once more." But those who remember Mr. Justice Frankfurter's visit to the Law School in 1947 will recall the pleasure with which he returned Prof. Powell's fire.

Prof. Powell has been called by his students a unique teacher. Although demanding of their time and intellectual ability, his courses have been richly rewarding.

CONTOURA

THE IDEAL GIFT

For LAWYERS, for EDUCATORS and for all those who work by thinking.

Use it for copies of charts, graphs, legal articles, old letters — anything written, printed or drawn.

QUICK — EASY — GUARANTEED

8" x 10" research model

\$46.00

8½" x 14" legal size

\$68.50

Constat — rapid dry processor

\$69.50



Sold exclusively at

Crimson Camera Exchange
1300 MASS. AVE. CAMBRIDGE
EL 4-4236

26 YEARS — "AT YOUR SERVICE"

ELBERY MOTOR CO., Inc.
FRANK ELBERY

Sales



Service

Complete Service Done By Expert Mechanics
Including Body, Paint and Fender Work

Ask To See Our New Paint Booth and Baking Oven
The Most Modern In Met. Boston

See and Drive the Most Brilliant Car on the Road
THE EXCITING NEW '56 FORD

GUARANTEED USED CARS

JUST 2 MINUTES VIA MEMORIAL DRIVE

360 RIVER STREET, CAMBRIDGE

KI 7-3820 - 21

OxfordShirtSale

BUTTON-DOWN SHIRT



BUTTON-DOWN SHIRT



ROUND-COLLAR



3 for 10.00 **3.49** each
REGULAR 5.00 VALUE

IN A RANGE OF 5 HANDSOME COLORS

Oxford shirts are always correct, always fresh looking. In colors they're a Harvard tradition. And at the J. August bottom price they're one of the top shirt buys anywhere. Each shirt is made of the finest combed mercerized yarns. Sanforized to shrink less than 1%. And all the colors are yarn dyed.

Choose from the 2 most popular styles—Button-down — Round Golf Collar.

Choose white or solid colors — but buy now at J. August's low sale price.

Button-down collar with regular cuffs — white, blue, pink, tan, grey. Round Golf Collar — white and blue — all shirts guaranteed 1 year.

J. August Co.

Harvard Square Since 1898

Even if you plan no immediate purchase—Come in anyway. We offer FREE Check Cashing Service for Harvard Students.

You're always welcome at J. August

Lawyers, Scholars, Jurists Attend Conference

(Continued from page one)

Justice," by Joseph M. Snee, S.J., Professor of Law, Georgetown University, were the two papers delivered at the meeting Thursday afternoon, September 22, the first day of the Conference.

Professor Tunc compared French and American legal systems with respect to his topic. In France the legislature developed in the 19th century as a powerful special court for a review.

Rev. Snee commented that the Supreme Court has "gained rather than lost in prestige" in its constitutional decisions, despite sometimes widespread public dissatisfaction with the results. "... The concept of the Constitution as fundamental law enforces upon an often impatient majority a long 'cooling off' period ...", he asserted.

Fernando Fournier, Ambassador of Costa Rica to the United States, and Professor Arthur T. von Mehren of the Law School, commented on the first paper, with the former, influential in shaping the Costa Rican Constitution, remarking as to the unusualness of a Civil Law country with a United States Constitution. Professor Herbert Wechsler, Columbia Law School, describing the Constitution as an "instrument of sober second thought," and Professor Henry M. Hart, Jr., added to the second paper. Professor A. James Casner presided at the afternoon session.

Unusual Setting

The Main Reading Room, Root Room and Treasure Room in Langdell Hall were the site of a formal reception for those attending the Conference, and their wives, given by Dean Griswold and the Faculty of the Law School on Thursday evening.

The Friday morning session featured an address by Sir Raymond Evershed, Master of the Rolls of England, who noted that the lack of a written constitution produced no serious defects in his country. Francis Shackelford, of Atlanta, formerly Counselor, Department of the Army, and Assistant Secretary of the Army, presented his paper on the "Separation of Powers in the Time of Crisis," and Professor Charles Fairman of the Law School said that "ours is a Constitution 'intended to endure for ages to come, and, consequently, to be adapted to the various crises of human affairs' ...", using the language of



Dean Griswold addresses a plenary session.

Chief Justice Marshall. Mac Asbill, Jr., of the Washington, D. C., Bar, formerly of the office of the Counselor, Department of the Army, Professor W. Barton Leach, Joseph J. Hurley, of the Boston Bar, and Associate Dean David F. Cavers commented on the two papers presented. The chairman was Professor Robert Braucher.

Sir Owen Dixon, Chief Justice of the High Court of Australia, pointed out instances where decisions of John Marshall had influenced his country's constitution in the afternoon session. Judge William H. Hastie, of the United States Court of Appeals for the Third Circuit, lauded the Supreme Court for decisions respecting the States, in the presentation of his paper, "Judicial Method in Due Process Inquiry." Thurgood Marshall, counsel for the National Association for the Advancement of Colored People, and Professors Paul A. Freund, of the Law School, and Robert G. McCloskey, Government Department of Harvard University, added comments.

Student Meeting

Dean McGeorge Bundy of the Faculty of Arts and Sciences of Harvard University, presented his work on "A Lay View of Due Process," which was added to by Professor Robert E. Cushman, of Cornell University, and Charles P. Curtis, Jr., of the Boston Bar. Professor Benjamin Kaplan, of the Law School, presided.

Friday evening's meeting, held in Sanders Theater, Memorial Hall, was open to the students of the Law School as well

as the Conference members. A. Van de S. Centlivres, Chief Justice of the Appellate Division of the Supreme Court of South Africa, said, "As long as the principle of government under law is faithfully observed by the legislature, the executive and the judiciary of any country, the liberty and dignity of the individual living in that country will be safe."

"To the layman constitutionalism never stood in higher esteem than now," stated Judge Charles E. Wyzanski, Jr., of the United States District Court for the District of Massachusetts, in his paper on "Constitutionalism—Limitations and Af-



Chief Justice Warren and Associate Dean Cavers take time out to talk things over.

firmation," presented on Saturday morning. Whitney North Seymour, of the New York Bar, and Associate Professor Louis Hartz, Government Department, Harvard University, commented. John Lord O'Brien, of the Washington, D.C. Bar told the Conference members that the American citizen, although he cannot quote the sections of the Constitution, believes it will protect him in all situations, for "he equates it with right and wrong." Mr. O'Brien's concluding paper, "The Value of Constitutionalism Today," was commented on by Harold F. Birnbaum, of the Los Angeles Bar, and Professor Samuel H. Beer, Government Department,

Harvard University. Law School Professor Arthur E. Sutherland was chairman at the session.

The Marshall Bicentennial Dinner, held in Memorial Hall, Saturday evening, September 24, concluded the three day Conference. At 9:16 p.m., Dean Griswold announced the beginning of the third century of the Marshall era, the Chief Justice having been born 200 years ago that moment. He also announced to participants that Saturday marked the 94th birthday of Professor Emeritus Samuel Williston, the Law School's second oldest alumnus. Stanley E. Qua, Chief Justice of the Supreme Judicial Court of Massachusetts, extended greetings from the bench and bar of Massachusetts.

An aim of the Conference "... to find a fresh view of the goal and to encourage us to go to work ... after examination, discussion and debate ..." was stressed by President Pusey. He went on to endorse the search for truth and further to commend Dean Griswold and the Law School faculty on its views on the Fifth Amendment.

Chief Justice Speaks

The concluding address of the Conference was delivered by Earl Warren, Chief Justice of the United States. "I marvel not at the differences of approach that we have as to government under law, but as to how much in common men have throughout the world as to government under law," the Chief Justice stated, commenting as to his reaction to the Conference. "No people have a copyright on law." Justice Warren praised the idea of such a Conference and suggested occasional meetings of such type as we "... strive for equal justice ... and learn from and encourage each other ..."

The inscription over the entrance of the Supreme Court building, "Equal Justice Under Law," is our goal and we constant-

ly reach for it, remarked Justice Warren. He traced the survivorship of countries with independent judiciaries, in contrast with the fall of others, throughout history.

In the courtroom of the Supreme Court, the Chief Justice indicated, are inscribed the names of the leading lawgivers of the world, throughout history. Only one American has been so honored—that man being John Marshall.

—Kramer



President Pusey opens the Conference.

The COOP OPTICAL

DEPARTMENT



Offers you accurate and prompt service on all prescriptions. Broken lenses and frames replaced.

New Location
Third Floor
Take Elevator

Harvard Cooperative Society
1400 Mass. Ave., Cambridge TR 6-3000

HERE'S ANOTHER INSTANCE WHERE THE

Patronage Refund Is Very Important

GASOLINE OIL GREASING

The COOP wishes to emphasize the fact that members of the Harvard Cooperative Society may purchase gasoline and oil for their cars and obtain a Patronage Refund thereon. A Patronage Refund is also paid on the charges for greasing. To the drivers of cars, this represents a saving that is well worth while and you are urged to visit this Authorized COOP Garage.

SKY CHIEF per gallon 26.9c tax incl.
FIRE CHIEF per gallon 23.9c tax incl.

Church Street Garage

41 Church Street
Near Harvard Square

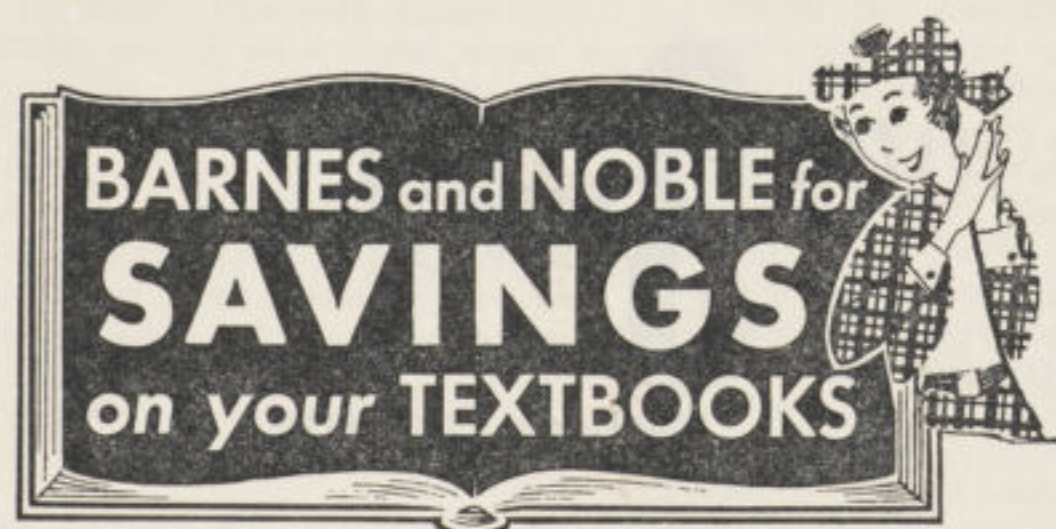
The Authorized Coop Garage

The COOP

For the very best in Dry Cleaning..Try RITE-WAY

- Complete Laundry Service
- Tailor, Dressmaker on premises
- 24 hr. Pick up and Delivery Service

63 Church Street
Harvard Sq. Tr 6-3228
and
4 Hudson Street
(off 1612 Mass. Ave.)
Ki 7-8008



Law Textbooks and Casebooks

USED & NEW for Harvard Law School Students

- Outlines • Dictionaries • Quizzers •
- Supplementary Readings • Review Books

Sell Us Your Discarded Books

Yes, even those discontinued on your campus!

BARNES & NOBLE · Books

28 Boylston Street at Harvard Square

CRONIN'S

30 DUNSTER ST.

Famous for Steaks
Chops & Sea Food

Porter House Steak for Two
\$4.45

— DAILY SPECIALS —

Soup or Juice
Chicken Salad Sandwich
Pot. Chips — Chefs Salad 65c
Grilled Sirloin Flank Steak
Baked Pot. — Tossed Salad 95c
Rolls & Butter — Beverage
Dessert

WE NOW HAVE DARK BEER

Tel. EL 4-1366

Jim Cronin, Mgr.