



Harvard Law School Record



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Aldrich Hears McCarthy Rap Pusey in Testimony

By STEPHEN C. COY

When Senator Joseph R. McCarthy (R., Wis.) started jabbing at Harvard last week with his once-sharp "pink" shears, he was really taking the school on on its own home grounds—he was attacking Harvard in the courtroom of a man who graduated from both the College and the Law School, Federal District Judge Bailey Aldrich, LL.B. '32.

According to the newspapers, McCarthy was called to Boston to testify against Leon J. Kamin, onetime Harvard psychology researcher, who was indicted for contempt of the Senate for refusing to answer certain questions before a Congressional investigating committee here in 1954. Kamin subsequently admitted membership in the Communist Party.

It also came out that last week's trial was by no means his first brush with this institution for the junior Senator from Wisconsin. McCarthy acknowledged having said at the 1954 hearings that a citation of Mr. Kamin for contempt would be "a good way of getting rid of some of Mr. Pusey's Fifth Amendment Communists."

The Senator's antipathy toward the President of Harvard, as it turned out, went a long way further back than 1954. Thursday's testimony included mention of Dr. Pusey's political activities in the 1952 Wisconsin Senatorial campaign, at which time the educator—then president of Lawrence College, Appleton, Wis.—wrote what McCarthy called a "vicious smear article" which was approved by the Daily Worker.

During this performance Judge Aldrich was occupying a position in which McCarthy himself was once well-known—at the business end of a gavel. A distinguished student and a prominent figure in Law School activities since his departure from Harvard, Judge Aldrich won a Sears Prize his first year here and eventually reached the position of Case Editor of the *Law Review*.

Dorm Council Holds Election, Plans Dances

The Law School Dormitory Council will continue its fall social program with the third council sponsored dance of the season this Saturday, Oct. 22 in Harkness Commons. Dancing to the music of Bob Norris and his orchestra will begin at 8 p.m.

Saturday's dance is one of a series of such affairs sponsored by the Dorm Council. These dances form a major part of the organized social program of the school.

In addition to Saturday's event there remain four dances, including the winter semi-formal, on the 1955 schedule released by the council this week.

The remaining dances will be held Nov. 15, the date of the Harvard-Princeton game, Nov. 20, the date of the Brown game and Nov. 26, Thanksgiving weekend.

The 1955 social season will be climaxed by the semi-formal to be held Dec. 10. The semi-formal will feature the music of two orchestras, with dancing both upstairs and down in Harkness.

Election of representatives to the Dorm Council has recently been completed, with each floor or entry electing one man to serve as its representative on the Council for the coming school year.

The present officers, who were elected in January, 1955 and will serve till January, 1956 are Michael J. McNulty, 3L of Niagara Falls, N.Y., president; Arthur Rose, 3L of Leonia, N.J., vice-president, and Allan R. Roth, 3L of Newark, N.J., treasurer.



Bailey Aldrich

Before the appointment to his present position, Judge Aldrich was in private practice with the firm of Choate, Hall, and Stewart in Boston and was an active solicitor for the Harvard Law School Fund.

It is a particularly interesting coincidence that the Kamin-McCarthy-Pusey uproar arose at this time of year, because it was just a year ago this week that Judge Aldrich presided over the case of *Crane v. Sloane*, the annual model trial for first-year students sponsored by the Teaching Fellows. The mock trial involved an action for libel, slander, and interference with an advantageous relationship, and was held in the then-new James Barr Ames courtroom in Austin Hall.

At the time of the Ames trial, Bailey Aldrich had been a Federal District Judge for just six months, having been appointed in the District of Massachusetts in April of last year.

It is interesting to note that while Judge Aldrich conducted the model trial before a "real" jury—one which was not primed beforehand but decided the case as it saw it—he heard most of the Kamin case without any jury at all. He had declared a mistrial because of several outbursts of applause for Sen. McCarthy when he arrived to testify.

Braucher Urges Re-allocation Of President's Routine Duties

Speaking to the Coffee Hour Tuesday afternoon, Professor Robert Braucher discussed Presidential prospects in the coming elections. In discussing the Republican prospects for the '56 elections, Professor Braucher declared that President Eisenhower would win if he seeks re-election.

Mr. Braucher questioned the traditional imbalance between the burdened Presidential and the relatively inactive Vice-Presidential offices—a problem brought into sharp relief by President Eisenhower's recent illness. He suggests utilizing the Vice-Presidency in a manner designed to relieve the President of the innumerable and relatively unimportant responsibilities and functions such as the passing on hundreds of appointments to minor judicial, administrative and foreign service posts and other formal duties of the Chief Executive.

Legislation to this effect would, in Mr. Braucher's opinion, allow the President to concentrate on major policy decisions and lessen the crushing physical strain inherent in the discharge of these minor duties. Such an allocation of duties would greatly enhance President Eisenhower's desire to seek re-election since his work would not be so physically demanding.

(See BRAUCHER on page four)

Bar Exam Results

Harvard Law School graduates have again succeeded in the Massachusetts Bar Examinations. 91.4% of the Harvard Law graduates who took the exam passed, while the passing percentage for all aspirants was only 52.3%.

Seventy-five Harvard Law graduates took the exam for the first time, and sixty-eight were successful. Thus 90.7% succeeded. In addition, there were six Harvard graduates who had taken the examination previously. All of these repeaters were successful, raising the overall success figure to 91.4%.

Of all persons taking the examination for the first time, 66.6% were successful. The overall percentage of those passing was 52.3%.

One of Every Five Students Aided by Fund

The Law School's financial aids program was substantially increased during last year, according to Dean Erwin N. Griswold's annual report.

During the 1954-1955 school year a total of 290 students, or 19.2% of the student body, received scholarship aid in the amount of \$228,000, compared with \$154,000 received by 223 students the previous year and \$65,000 received by 135 in 1949-1950. The increase in scholarship awards is due largely to the Alumni Scholarship Program of the Harvard Law School Fund, the addition of several new endowed scholarships, and capital increases of several existing funds.

A breakdown of the scholarship funds awarded last year shows that endowed Law School scholarships accounted for 29%; current gifts to the Law School for scholarship purposes, 37%; general University scholarships, 17%; and unrestricted funds of the Law School, 17%. Further examination of last year's statistics discloses that 250 undergraduates received \$169,000, for an average of \$677 per student, while 40 graduate students were the recipients of \$59,000.

The great bulk of the Law School scholarship funds comes from gifts of alumni and their families. In addition to many gifts received annually for specific scholarship funds, both endowed and unendowed, each year a considerable number of alumni donate Alumni Scholarships through the Harvard Law School Fund.

Five years ago the Fund initiated an An-

(See LOANS on page four)



Robert Braucher

Field, Sutherland to Clash At Model Trial in Austin

A capacity crowd is expected to fill the James Barr Ames Courtroom for the opening of the first year Model Trial this afternoon at 5:00 p.m. The case before the bar involves a claim for invasion of privacy against a newspaper editor and a counter-claim for assault and battery. Judge Ford, Federal District Court of Mass., will preside and the issue will be tried to a jury composed of Boston and Cambridge citizens.

Professor Richard H. Field will be counsel for the plaintiff while Professor Arthur Sutherland will represent the defendant.



Arthur E. Sutherland

In preparation for the trial first year students have spent four group work sessions drafting pleadings, hearing depositions, and attending a pre-trial conference. The case materials have been shaped by the teaching fellows.

The facts of the controversy are as follows: The plaintiff, Mr. Thompson, while held as a prisoner of war in Korea, had been forced to confess to being a member of a germ warfare team.

The defendant is editor of the Austin Star. He discovers the background of Mr. Thompson, who is now Asst. Superintendent of the nearby Cancer Clinic. The defendant also discovers that Mr. Thompson is considering running for town councilman, and feels bound to inform Mr. Thompson that if he does run, all the facts of the Korea episode will be spread before the public in the Austin Star. The editor offers to print the story and Mr. Thompson's explanation side by side.

The two principals meet in the newspaper office for an interview giving rise to a conflict in testimony. The defendant claims that Mr. Thompson struck him with a camera causing him to be sent to the hospital where one eye was removed. Plaintiff claims he had left the editor's office before the injury was sustained by means of the editor's own carelessness.

While defendant was recuperating, Mr. Thompson wrote a letter withdrawing his candidacy and sent it to the editor's room, where it remained unopened for a disputed length of time.



Richard H. Field

In the interim, the editor authorized the printing of the story and it was published. Substantial damages are being demanded by both parties.

The Model Appeal is scheduled to be held on Nov. 16. Admission to the Court room today will be by ticket only.

Class of '50 Holds Large 5th Reunion

A banner reunion of the Law School Class of 1950, held at Harkness Commons October 6 to 8, set an attendance record for such gatherings of 120 alumni.

Included in those attending were alumni from as far as Fairbanks, Alaska and Paris, France as well as lawyers from throughout the United States. The reunion was termed by the committee in charge of arrangements "an unqualified success, greatly enjoyed by all present."

The reunions of the classes graduating

(See AMES on page four)

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Point of Order

Last week we commented on the jury study, financed by the Ford Foundation, which is being conducted by the University of Chicago Law School. We pointed to the dangers of planting secret microphones in jury rooms, and we advised a reexamination of the study's methodology, "to consider the full implications of its actions before it is too late to rectify any 'wrongs' that may be done.

Therefore, we were gratified when a Senate subcommittee announced an investigation of the jury-tapping project.

Unfortunately, Senator James O. Eastland, the Chairman, and Senator William Jenner have exhibited their usual predilection for completely irrelevant issues. Professor Harry Kalven, Jr. and Dean Edward H. Levi of the Chicago Law School were witnesses, and much of the questioning attempted to link them with communist or subversive causes in the past. The Dean's transgression consisted of a short-lived membership in the National Lawyers Guild more than ten years ago, and a letter to a newspaper which denounced the House Un-American Activities Committee as a spy-hunting group.

Professor Kalven was quizzed about his aid to groups who sought to obtain clemency for Julius and Ethel Rosenberg, and the Subcommittee counsel made sure that he focused some attention on Prof. Kalven's article for the Bulletin of Atomic Scientists attacking the security decision against J. Robert Oppenheimer.

These acts certainly do not make a man a communist or a subversive, nor do they constitute anything for which he should be shamed or punished. We do not recall any judicial decision or legislative action which proclaimed the Un-American Committee or the decisions in the Rosenberg or Oppenheimer cases as sacred cows which may not be questioned, opposed, or criticized.

We strongly protest the manner in which the hearings are being conducted. An investigation which should bring to light the well-considered opinions of varying personages, from law school deans to public prosecutors, has been perverted into an inquiry by a Subcommittee on Irrelevant Activities.

Miami Miasma

Perhaps the best description of the American Legion's condemnation of the United Nations Educational, Scientific and Cultural Organization (UNESCO) was provided by Legionnaire Harry S. Truman, who said, "the Legion's gone haywire." The boys should stay out of politics, Mr. Truman said, and with this thought we heartily concur.

In overruling the report of its own special committee, which made an exhaustive study of UNESCO and concluded that the international group was not dominated by "subversives," the Legion has manifested what *The New York Times* called "sophomoric xenophobia." The charges made against UNESCO were not backed up by a scintilla of evidence, and the condemnatory resolution was not even discussed on the floor of the Legion convention in Miami.

There are many political questions on which men honestly differ, that is why we have two parties. But in recklessly branding this United Nations agency as a sower of Communism, the Legion demonstrates that it has wandered far from the track of reasoned consideration of issues.

Professor Seavey

The poem on this page was sent to us by Arthur Stambler, LL.B. '48, who wrote it in honor of Professor Warren A. Seavey after reading the *Record's* Seavey Retirement Issue last spring. Also included in this issue is Mr. Seavey's report of his student days at the Law School.

Gallery

SIR RAYMOND EVERSHERD
MASTER OF THE ROLLS OF ENGLAND



When Sir Raymond Eversherd, Master of the Rolls of England, was asked how the Court of Appeal works he replied with typical British humor, "Very well." Sir Raymond has presided over the nine man Court of Appeal since 1949. The Court, which nearly always meets in three chambers of three judges each, is the court of last resort inferior only to the House of Lords itself. Since Medieval times the Master of the Rolls has been the Lord Chancellor's assistant; but in 1881 there took place one of those practical adjustments which later turn out to be constitutional changes—the Master of the Rolls began presiding in the Court of Appeal and has been there ever since.

Royal Engineer

Sir Raymond was born in 1899, attended Clifton College, and then graduated from Balliol College at Oxford. He saw service during the war in France with the Royal Engineers, and remarked that "the Germans gave up shortly after I got there." He was appointed to several important positions: a King's Counsel in 1933, Judge of the High Court in 1944, Lord Justice of the Court of Appeal in 1947, and Master of the Rolls in 1949. He is also a Privy Councillor.

Judicial Progress

The Court of Appeal does not concern itself with political matters. Nevertheless, as Sir Raymond explained, after the Labor Party's victory in 1945 there were those who felt that the courts would be unable or even unwilling to adapt themselves to the task of expounding the new economic and social legislation. Indeed, twice in the twentieth century it had been necessary for Parliament to curb the power of the House of Lords to veto or delay legislation. However, these fears have never materialized with respect to the judges. In fact, a high standard of impartiality, realism, and efficiency has continued to be the hallmark of the English judiciary in the present era of complex and controversial changes.



To Warren A. Seavey

But best of all—alive—
In the full richness of that art,
Lit by bright, coruscant thought,
Warmed by charm, and verve and wit
(Impersonally caustic, yet personally gentle),

He led us bewilderedly through the simplest wood
And incisively through bewildered maze;
Reaching and joggling against our will
Resistful minds rather mired and asleep.

Yet—somehow—in a hundred hours briefly shared
His genius found and fixed the mark,
Illuminating the Law and glorifying the School
And creating that small Heritage we carry with us still.

But more importantly his all-too-human self
Performed that even rarer feat
Of weaving in us that fast bond of affection between men
That braver hearts call Love.

—Arthur Stambler, LL.B. '48

Current Case

The problem of adjusting Indian claims, or fleeing the Indian tribes of their property (depending on the reader's point of view), has not altogether vanished from the dockets of American courts. In *Tee-Hit-Ton Indians v. United States*, 348 U.S. 272 (decided February 7, 1955), the Indians fared quite badly although Justices Douglas, Warren, and Frankfurter dissented in their favor.

The Tee-Hit-Tons, a small tribe of 60 or 70 Indians in Alaska, sued the United States in the Court of Claims for compensation for the Government's sale of timber located on 350,000 acres occupied by the tribe. The Secretary of Agriculture's action was based upon a Joint Resolution of 1947, 61 Stat. 920, authorizing sales of the timber "notwithstanding any possessory rights." The tribe based its claim on the right to compensation for the taking of private property under the Fifth Amendment. The Supreme Court affirmed the dismissal of the suit by the Court of Claims.

The Court defined Indian rights as follows: "... After conquest they were permitted to occupy portions of territory over which they had previously exercised 'sovereignty,' as we use that term. This is not a property right but amounts to a right of occupancy which the sovereign grants and protects against intrusion by third parties but which right of occupancy can be terminated and such lands fully disposed of by the sovereign itself without any legally enforceable obligation to compensate the Indians." (p. 279)

The Treaty of 1867, 15 Stat. 539, whereby Russia ceded Alaska to the United States, carefully provided that, "The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to the aboriginal tribes of that country," (article 3), and that the cession is to be unencumbered by any grants, privileges, or franchises of anyone "except merely private individual property holders" (article 4). The tribal chief's testimony was that the land was possessed by the whole tribe and not held as property by individuals. Hence, the Treaty was of no avail to them.

The first Organic Act for Alaska, 23 Stat. 24 (1884), provided that, "the Indians or other persons in said district shall not be disturbed in the possession of any lands actually in their use or occupation or now claimed by them but the terms under which such persons may acquire title to such lands is reserved for future legislation by Congress." The Court held that this act conferred or recognized no title, but only a right of occupancy. "Our conclusion does not uphold harshness as against tenderness toward the Indians, but it leaves with Congress, where it belongs, the policy of Indian gratuities for the termination of Indian occupancy of Government-owned land rather than making compensation for its value a rigid constitutional principle." (p. 291)

—Olson

Recently Published

THE SUPREME COURT

Carl Brent Swisher, Prof. of Pol. Sci., Johns Hopkins U.; 40 Va. L. Rev. 837 (1954).

It is time to re-evaluate the role of the Supreme Court after two decades of bizarre behavior. It is the function of law schools, law reviews, and forums to discuss fundamental constitutional issues from all angles and to develop alternative approaches to these problems. However, the nine justices should not use the Court as a forum for propounding a great variety of individual views. It is their function to synthesize the law on fundamental issues. Dissenting and concurring opinions should be the exception rather than the rule.

RESTORING JUVENILE OFFENDERS

Irving Ben Cooper, Chief Judge, Court of Sessions, New York City; 38 J. of Amer. Jurid. Soc. 70 (1954).

Behind juvenile crime lurk the images of Robin Hood and Maid Marion. The wayward youth needs to have these images corrected. He needs guidance in actual community processes and needs to be shown the genuine value of citizenship, work, love, home, children, and recreations. The courts need to be staffed with more and better probation officers if those youthful offenders who have good moral potentialities are to be spared further difficulties and eventual imprisonment.

COPYRIGHT LAW

Young, H. E., American Copyright Law in the American Picture. 34 B.U.L. Rev. 478-91.

COURTS

Vanderbilt, A. T., Clearing Congested Calendars. 14 NACCA L.J. 326-37.

Johnson, J., United States Customs Court—Its History, Jurisdiction and Procedure. 7 OKLA. L. Rev. 393-415.

COURTS-MARTIAL

Snedeker, J. A., A BRIEF HISTORY OF COURTS MARTIAL, United States Naval Institute (Annapolis), pp. 65 (1954).

Fedeles, F., Manual for Courts-Martial—Its Legal Status and the Effect of Decisions of the United States Court of Military Appeals. 23 FORD L. REV. 323-38.

HUSBAND & WIFE

Fridman, G. H. L., Consortium as an "Interest" in the Law of Torts. 32 CAN. B. REV. 1065-83.

INHERITANCE AND GIFT TAX

Emery, H. G. & Miller, M. H., Estate Planning and the Internal Revenue Code of 1954. 30 NOTRE DAME L. W. 3-37.

JUDICIAL REVIEW

Mendelson, W., Mr. Justice Frankfurter and the Process of Judicial Review. 103 U. OF PA. L. REV. 295-320.

April N., Reappraisal of the Immunity from Self-Incrimination. 39 MINN. L. REV. 75-92.

Puzzle

by Balch

Construct the last names of nine members of the Harvard Law School faculty by placing the given letters into the numbered positions. Each letter is used once and only once. A letter must occupy the

1—2—3—4—(5)—6—7—
1—(2)—3—4—5—6—
1—(2)—3—4—5—6—
1—2—(3)—4—5—
1—2—3—(4)—5—6—
1—2—3—4—(5)—6—7—
1—(2)—3—4—5—6—
1—2—3—(4)—5—

position in a name corresponding to the number assigned in the list of letters. Upon proper completion, the letters falling in the bracketed spaces will spell the middle name of the Dean, reading down.

1. B C C F G H K L T
2. A A E E E E H I U
3. A A E E R R R R S
4. C D F L M N N T W
5. A D E E E H I N O
6. E E N N R R T
7. R Z

Harkness Helps to Feed Hungry Harvard Hordes

In spite of the diversity of studies found in the various graduate departments of Harvard, there is one phase of the school's relationship to its students which is strictly on a mass-production basis—the large-scale feeding operation at Harkness Commons.

Nearly 2,800 meals a day—enough to give an Army cook a Regimental-sized headache—are served in the Graduate Dining Hall of the Commons, according to records compiled through October 12 of this term by the University.

This is the dining hall that serves all the law and other graduate students of Harvard and Radcliffe and their guests. Of course, not all students eat all their meals

Heaman, they would pay no less for 18 meals than for 21, because when the budget is set up, the fact that the average contract diner misses two or three meals a week is considered. If every sign-on student ate 21 meals each week, the weekly rate would have to be about \$16 or \$17.

Twenty-one meals for \$14.50 figures out at \$.69 per meal, a figure which would cause dining hall officials to use gallons of red ink if 2,400 meals (there are approximately 800 signers-on) were served each day at \$.69 per meal.

The graduate dining hall is not operated for profit, but it must sustain itself. It would appear, then, that the weekly rate of \$14.50 is pegged so as to allow the contract student some diversity of surroundings on occasion.

For Late Eaters

A feature of Harkness Commons is its snack bar, which dispenses hamburgers, sandwiches, beer and other beverages, and ice cream from 8:30 till midnight every evening. This is a great boon to starving, studying law students who do not have time or wheels with which to frequent their favorite midnight haunts during the week. And the word is that the Harkness "burgers hold their own with any in town.

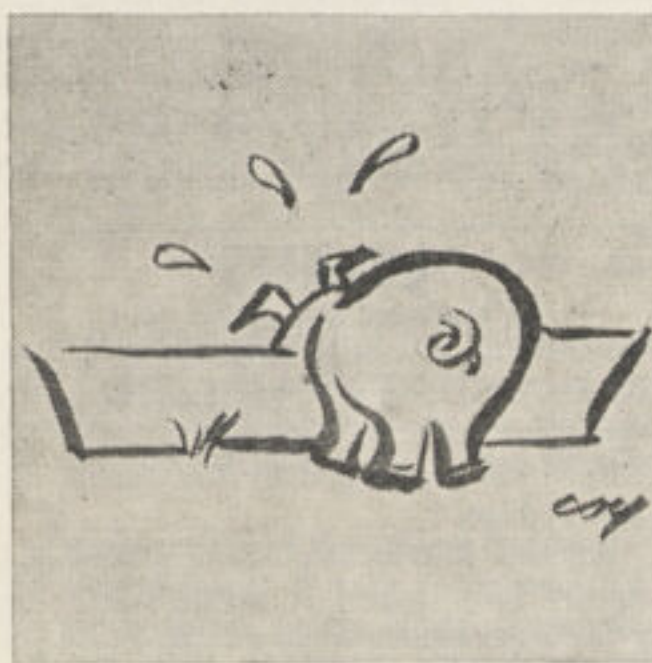
Also, where else can you get 25¢ beer these days?

As to the question of why the grill is not open all day so that we can get coffee and donuts (only coffee served now), sandwiches, etc. between meals, the answer is simply that according to careful estimates of the Dining Halls Dept. the added revenue would fall far below the additional cost of operation.

One can get an idea of the magnitude of the operation at Harkness Commons by the fact that it served 620,000 meals during the 1954-1955 school year and by noting the size of the staff that is required to keep this 520-seat dining hall running smoothly. The Harkness steward's rolls disclose that there are 67 full-time kitchen employees, who work a five-day, 40-hour week, plus 47 part-time employees who work on an hourly basis. In addition, three persons are on administration and four porters police the building. And 48 Harvard students help themselves through school by working part-time in Harkness. With respect to the non-student kitchen workers a union shop prevails.

The management is not oblivious to the students' desires, and welcomes suggestions, which may be dropped into a box located on the wall at the left of the entrance to the cloak room in Harkness.

—Friedman



"At the Trough"

at Harkness, but enough do to make it a rough job to try to get a 1:10 lunch or a 6:15 dinner.

The graduate dining facility is under the general supervision of William A. Heaman, manager of the Dining Halls Dept., and the individual supervision of Walter J. Dennis, steward of Harkness Commons.

Most Sign On

There are two ways by which one may take meals at Harkness: as a transient or by contract. Any graduate student or guest may eat any meal served at the transient rate of \$.65 for breakfast, \$.85 for lunch, or \$1.15-\$1.35 for dinner. Or a graduate may sign on, or contract, to take all his meals at the weekly rate of \$14.50 for 21 meals.

The majority of the meals eaten in the Commons are at the contract rate; last school year's records disclose that 70% of the meals served were sign-ons.

Many students would like to see the hall serve only about 18 meals a week so that they might sign on and still eat a couple of meals out on the weekend without paying double for them. But, as explained by Mr.

Alumni Notes

LL.B. '07—Judge J. Harold Brennan is beginning his 32nd year as judge of the Hancock County Circuit Court in Ohio.

LL.B. '27—Morris Marshall Cohn was appointed by Governor Harriman of New York to the Supreme Court of the Fourth Judicial District of New York. The Judge will be a candidate for a full term in November.

LL.B. '51—Lewis Froikin has become associated with Irvin J. Zipperstein and Irving I. Saul in the general practice of law at Suite 1001-1002, Harries Building, Dayton, Ohio, under the firm name of Froikin, Zipperstein and Saul.

LL.B. '52—John Kern has been appointed an Assistant United States attorney. The oath of office was administered by his father, Judge John W. Kern, LL.B. '23, of the United States Tax Court.

LL.B. '52—Harry H. Wellington is serving as law clerk to Mr. Justice Frankfurter, LL.B. '06.

LL.B. '53—Robert Kauffman is now out of the service and is associated with the firm of Body, Muth, Rhoda and Stoudt in the general practice of law at 519 Walnut St., Reading, Pennsylvania.

LL.B. '55—Chas. H. W. Talbot is a teaching fellow at the University of Washington Law School in Seattle.

Grants Offered By Fulbright in 1956

Applications are now being accepted for Fulbright Scholarships for the academic year 1956-57. These scholarships can be used to study in any one of 35 different countries and are administered under the United States Government international educational exchange program.

General eligibility requirements for the reception of a Fulbright Scholarship are: 1) United States citizenship, 2) a college degree, 3) knowledge of the language of the country where one wishes to study, 4) an age of less than 35 years, 5) good health.

Interested students should make an appointment to see Joseph A. King, Jr. in Langdell Hall to talk over their project with him. Closing date for applications is November 1, 1955.

Congress Swarms With 39 Alumni of Harvard University

A new red cell has been found to be operating in the Congress itself. The cell members, five senators and thirty-four representatives, fly a red flag with a white "H" at their meetings. They are the alumni of the University and the Law School who are members of the current 84th Congress and their cell is the Capitol Hill chapter of the Harvard Alumni Association.



Leverett Saltonstall



Torbert H. Macdonald

Leverett Saltonstall, A.B. '14, LL.B. '17, (R., Mass.) whose family has had academic connections with the University since 1642, has been the Republican Senator from Massachusetts for the past eleven years.

Among the Representatives in the Congress who are Harvard alumni is Richard B. Wigglesworth, LL.B. '16 (R., Mass.), who is now in his fifteenth term. Rep. Wigglesworth's father, George, LL.B. '78, had two other sons at the University, and was himself a sixth generation alumnus. A three-letter man, Rep. Wigglesworth coached Harvard football for six years.

John F. Kennedy, A.B. '40 (D. Mass.), Paul H. Douglas, Grad. '15-'16 (D., Ill.), and Samuel J. Ervin, Jr., LL.B. '21 (D., N. C.) are among the other Senators who received their "basic training" at Harvard. Many of the Representatives have served more than one term. Six of them have served five terms; three, six terms; two, seven; two, nine terms; one, ten terms; and one, eleven terms in Congress. Most of these Representatives are not Harvard College graduates, but are Harvardmen as a result of studying at the Law School. The captain of the 1939 football team, Torbert H. Macdonald, LL.B. '43, is now a Democrat Representative from Massachusetts. The Roosevelt family is represented by James, A.B. '37, (D., Cal.), and Franklin, Jr., A.B. '37 (D., N.Y.), both sons of the late President, A.B. '04.

Lawyer's Service Wants Law Seniors

Positions with the Lawyer's Reference Service to interview people seeking legal help are open to interested third year students. The Service is run by the Boston Bar Association to provide legal assistance to the indigent.

The initial interviewing is done by 30 third year students working in teams of three. The maximum time required of each student is two afternoons a week, with the program ending just before spring vacation and being suspended during vacations and January examinations.

A statement issued by the Service said, "This opportunity to get practical experience is being offered because of the enthusiastic endorsement of the students who worked with the Lawyer's Reference Service last year."

Interested students should contact Charles Albert, ELiot 4-3612, as soon as possible.

'50 REUNION

(Continued from page one)

since the war have been generally marked by large attendance. Last year the class of 1949 drew 110 for its reunion.

Members of the reunion committee were J. M. Howe, chairman, Coleman L. Bornstein, George H. Kidder, Assistant Dean Russell H. Peck, Research Assistant Charles P. Schwartz, Hans F. Loeser and Philip H. Suter, Jr.

Europe

in '56

Round Trip via Steamship \$280⁰⁰
FREQUENT SAILINGS

Tourist Round Trip Air
\$420⁰⁰ off season \$460⁰⁰ in season

Choice of Over 100
STUDENT CLASS TOURS \$540
TRAVEL STUDY TOURS
CONDUCTED TOURS up

University Travel Co., official bonded agents for all lines, has rendered efficient travel service on a business basis since 1926.

See your local travel agent for folders and details or write us.

UNIVERSITY TRAVEL CO.
Harvard Sq., Cambridge, Mass.

The Finest Italian-American Food and Pizzas

—AT—

SIMEONE'S

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Prof. Emeritus Seavey Tells Of Experiences as a Student

(This article was written for the RECORD of March 2, 1949 as the third in a series describing the law school in earlier days.)

Unlike my young friend Austin Scott, I have available no contemporary evidence of my impressions of the Law School of 1901-04. But they are still vivid. The inscrutable "abiding in law" and all the subsequent mysteries of Pleading; the troubles of Mrs. John of Stiles who, with her husband, was allowed to recover for harm which the inquest said did not exist; the offer to pay if a flagpole was climbed, revoked just before the climber reached



Warren A. Seavey

the top; the "consent" given to catch a solid ball but the non-consent to catch the foreign substance artfully buried in the ball, the waifs, strays and deadends, with the whale which escapes, to be again harpooned.

Exciting days, following an inglorious succession of drab years devoted to languages, memorizing dates, listening to discourses; portions of which I was expected to remember long enough to regurgitate at the examination period. In the Law School I found a series of short dramas, with heroes, villains and innocent victims of circumstances, with the hope of a judgment to reward the righteous and deter the contract-breaker or the creator of risk. We were invited, not to memorize, but to reach our own conclusions as to what logical inference should be drawn and as to what would be just.

Judges, fellow students—yes, for the first time, the instructors, could be the focus of our criticism. We were no longer treated as sponges, but as people, with brains to be exercised and initiative to be stimulated. Here at last was a proving ground where we could joust in the hopeless combat with our instructors, and with greater success, against our peers in the bull sessions. The irrefutable logic of the gracious Williston; the nimble side-stepping of Beale with his inimitable and embarrassing dialectic; the genius of the gentle Ames in developing the basic patterns and assumptions of the law; the vigorous analysis of Smith, who predicted in 1902 much that was not dis-

covered by the courts until a generation later. These furnished the catalectic for a mental metamorphosis.

But much as these men did for me, my equally stimulated fellows gave me even more. The murky vault of anachronistic Memorial Hall was my eating place, and there our table with its score of law students (including one T. R. Powell), was noted for its noisy after-class discussion, from which both heat and light resulted. Almost from the beginning I met regularly with others for review sessions in which fortunately one always differed from the others. We spent long evenings in which work became a pleasure, although having a profit motive.

Worries, yes (I was sure I would flunk in Pleading); dull moments, yes (contingent remainders and negotiable instruments were not my meat). But the dry dust of college history and economics stirred into life. We were participating in solving problems with profound repercussions on human life. We were learning to correct errors, right wrongs, protect the weak and give every man his due. We acquired confidence that as new problems arose we could find solutions. Illusions, it is true; we have found few of the answers. But as I humbly try to pass on the traditions of teaching in the grand manner, I have an abiding gratitude to those great and kindly men who first disclosed to me the possibilities of thinking for myself. O anni mirabilissimi, si sic hodie omnia.

AMES

(Continued from page one)

To determine the qualifiers for the quarter-final round, the 31 teams taking part will be ranked on the basis of their records this fall. Clubs which win all four of their arguments will qualify first, then clubs which win three cases and tie one, and finally those which win three and lose one.

Ties if any, will be broken by use of a point system in which points are awarded for the writing of outstanding briefs and the presentation of superior oral arguments. The Board will also award individual prizes for best brief and best oral argument.

The first-year Ames program is also well underway. A total of 64 clubs have been formed and will participate in the arguments.

Singles arguments are held in the fall semester, and for the spring term, the people who argued against each other team up for doubles matches.

Just thirty-two third-year men are left in the Ames competition. They are in four clubs, a group that will be cut to two this fall in the semi-final round. The winning clubs will meet in the 1956 final, to be held in the spring.

—Schumacher



FRONT ROW (left to right): Richard E. Heath, Russell J. Weintraub, Lawrence Bilder; BACK ROW: Gustave M. Hauser, John M. Brumbaugh, Edward A. Traubin.

Teaching Fellows Tutor First Year Group Work Program

Tonight's Model Trial marks the climax of the first section of the work of Harvard Law School's Teaching Fellows. The mock trial is designed to give first year students a better understanding of the background of the appellate opinions which make up the bulk of the material in the first year courses, and as such its preparation and presentation involve much of the time spent during the first weeks of the group work program by both teacher and student.

The six men who make up this year's Teaching Fellows all are Law School graduates of the classes between 1951 and 1955, insuring vivid memories of the trials and tribulations of the first year students.

Lawrence Bilder, LL.B. '52, makes his home in South Orange, N. J. A member of the New Jersey Bar, Mr. Bilder is associated with the Newark firm of Bilder, Bilder and Kaufman, from which he is presently on leave of absence. A graduate of the U.S. Naval Academy, class of 1946, he served in the Navy from his graduation—until 1949, and again from 1951 to 1953. While at law school Mr. Bilder was a member of the Board of Student Advisers. Mr. Bilder is 32 years old and unmarried.

Washington Lawyer

John M. Brumbaugh, LL.B. '51, a member of the District of Columbia Bar, is from Washington, D.C. Mr. Brumbaugh, 28 years old and unmarried, is a veteran of the Marine Corps with which he served from Nov., 1951 to Nov., 1953. Since his discharge he has been employed by the New York firm of Haight, Gardner, Poor and Havens. While in law school and during summer vacations he worked for the Administrative Office of the United States Courts. Mr. Brumbaugh holds an A.B. degree from Swarthmore, class of 1948.

Mr. Brumbaugh's promising career in music was terminated, he reports, at the vehement request of his piano teacher.

Gustave M. Hauser, LL.B. '54 is 26 years old and unmarried. Also a veteran, he served in the Army after graduation for 21 months, and he was an instructor in law at the Provost Marshal General's School, Camp Gordon, Ga. He has also taught Business Law at the University of Georgia Extension Division and has been associated with the Cleveland firm of Benesch,

Friedlander, Mendelson, Gnaul and Coplan. A 1950 graduate of Western Reserve University, Mr. Hauser is from Cleveland and is a member of the Ohio Bar and the Bar of the United States Court of Military Appeals.

Somewhat more attached to music than Mr. Brumbaugh, he plays the recorder (a primitive English instrument of the woodwind family and a predecessor of the modern flute) and regularly attends the Boston concerts.

Richard E. Heath, LL.B. '55, from Somerville, N. J. is 24 years old and recently married. Asked his major hobby, he replied, "my wife." Mrs. Heath is a senior at Wellesley. The couple were married in June. Mr. Heath is interested in politics and describes himself as an extensive reader. While in Law School he was a member of the Board of Student Advisers.

Edward A. Traubin, LL.B. '55, from Los Angeles, Cal., is 26, married and the father of one child. He is a member of the Massachusetts Bar, being sworn this past Monday and is a Certified Public Accountant in the state of California. He practiced public accounting from 1950 to 1952 in Los Angeles. His hobby is golf when he "finds the time."

Russell J. Weintraub, LL.B. '53, a native of New York, is a member of the Bar of that state. Married and 25 years old, he is the father of one child. Immediately after his graduation from law school and prior to his induction into the Army in Sept., 1953, he worked as a Senior Law Clerk with the New York State Department of Labor. During his 23 months service in the Army he was an instructor and Operations intelligence specialist. He also participated as individual defense counsel at special Courts Martial. His hobbies are bridge and tennis, and during his tour of duty in the army, two years of which were spent in Georgia, he has acquired a southern accent which belies his New York City background.

—Hutchinson

BRAUCHER

(Continued from page one)

Turning to a more specific consideration of Republican prospects, Mr. Braucher, discounting the probability of a dark horse nomination, noted the paucity of prominent candidates available. He believes that if Eisenhower decides not to run, Warren appears to be in the best position to win the election assuming he desires the nomination, a probability which he does not think likely.

Regarding other aspirants for the Republican nomination, Mr. Braucher maintained that Herter's chances are hindered by the lack of time for a national buildup while Lodge would have difficulty explaining away his defeat by Kennedy.

Considering the Democratic picture, Mr. Braucher predicted Kefauver would enter into many primaries and being an expert handshaker would defeat Stevenson despite the pro-Stevenson results of the Gallup Polls. This political neutralization of these candidates would, he believes, leave the way open for Harriman's nomination, there being no other likely candidates.

LOANS

(Continued from page one)

annual Giving Program, which has been very successful. During 1954-1955 the program produced gifts of \$355,000, \$176,000 of which was earmarked by the donors for scholarships.

Another important phase of student aid in the Law School is loans, which are available to scholastically qualified students in financial need. During the past academic



Louis A. Toepfer

year 187 students borrowed a total of \$93,000. On June 30, 1955, the aggregate amount of loans outstanding was \$263,000, with \$373,000 available. The loans and scholarships program is under the direction of Assistant Dean Louis A. Toepfer.

The financial aids program thus continues to insure that a student who is otherwise qualified need not be denied a Harvard law education because of his financial status.

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