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law quadrangle

UNIVERSITY OF MICHIGAN LAW SCHOOL

NOTES



from the dean . . .

We are well started on the academic year 1957-58, and the years seem to come and go with startling rapidity.

This year is to be one of intensive planning at Michigan, planning on several different fronts, all intimately related to the educational values in our program of legal education. We intend that our graduates shall be given the very best possible training for statesmanlike professional careers.

To that end we are currently asking ourselves some serious questions. For example, we are asking how large a student enrollment will be good for Michigan. We have no desire for size as such, but we are confronted by strong pressures of ever increasing numbers of applicants. Will a student enrollment in excess of 1,200 be damaging to the educational process, or can we properly enroll as many as 1,500, 1,800, 2,000? What is the maximum enrollment for sound legal education? These are crucial questions that must be answered soon.

Again we ask how can we best use the wonderful collection of books in the Law Library to assure maximum student utilization and benefit? We have one of the great law libraries of the world. Three student years are all too short for the purpose of acquiring familiarity with it. Yet we cannot fail to give the students the maximum that can be obtained in the time available in the way of working intimacy with the books on the shelves. Our newly established legal writing program for all first and second-year students will help in this regard. We are seeking all suitable means of assuring full-time use of the lawyers' laboratory.

Again, how can we best bring about in our students the self motivation, the impelling desire for greater knowledge and understanding of the law, that marks the leaders of our profession? Leaders of the bar spend much of their time reading broadly and deeply. If the proper desires and habits can be initiated during the law school years, later success is facilitated. On the other hand, students who merely "get by" during their law school years, perhaps by use of "canned briefs" and "canned outlines," or by other slipshod methods—students who do not take advantage of the facilities of the law school years—will surely live to regret the lost opportunity. How can we best help them to acquire the invaluable self motivation?

These and other phases of planning for the future are currently at the top of the agenda for the year. In all of this planning a heavy burden rests on the faculty, and we are devoting special efforts to lifting this burden.



UNIV. OF MICH.
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LAW SCHOOL CENTENNIAL

In October 1959 the University of Michigan Law School will celebrate its 100th anniversary. Although this is two years away, plans are already being formulated for appropriate ceremonies to mark the occasion. The Centennial observance will be in October 1959, probably on the 18th, 19th and 20th of that month. Be sure to note these dates on your calendar and plan to return to Ann Arbor for this occasion.

The character of the legal profession depends on the character of the law schools . . . The character of the law schools forecasts the future of America.

W. W. Cook

Miss Murray Sees Alumni On Tour of Western States

"If I had it to do over again, I'd love to repeat my trip over the Canadian Rockies from Vancouver," Miss Katherine C. Murray mused as she recalled her recent six-weeks' tour of the Western states. Miss Murray, who retired as recorder of the Law School in June 1956 after over 45 years of service, made the trip with \$1500 given her by Law School faculty and alumni.

Leaving Ann Arbor by train on May 20, Miss Murray had her first view of the Grand Canyon, visited Los Angeles, and spent two weeks in San Francisco. On her arrival at the Sir Francis Drake Hotel in San Francisco, she found a bouquet from local Law School alumni, a number of whom she visited during her stay. She lunched at the Sheraton Palace Hotel with Charles B. Renfrew, '56, Bernard A. Petrie, '52, Paul R. Haerle, '56, Lewis Alonzo Moe, '56, Julian Caplan, '38, Frank H. Roberts, '48, Edward D. Ransom, '38, Douglas E. Cutler, '55, Horace S. (Tony) Orser, '56, and Frank M. Bowen, Jr., '52. She visited Sacramento with Rita Singer-Brandeis, '38, and spent a day sightseeing with Evalyn Forshar Thomas, formerly a secretarial assistant in the Law School.

Next stop on the itinerary was Portland, Oregon, where Miss Murray saw the Rose Festival. She had dinner one evening at the home of Calvin N. Souther, '29, and also met William H. Kinsey, '42. In Seattle, she stayed with Marion McPhee Warner and Milton Warner, both of the class of '41. She and Mrs. Warner lunched at the College Club with J. Henry Brockhaus, '51, Kenneth A. Cox, '41, Frank P. Helsell, '08, Thoms G. Holcomb, '42, and Theodore A. Le Gros, '45. Highlight of her stay in Seattle was a day's trip to the Mt. Ranier Reservation.

From Seattle, Miss Murray went by boat to Victoria, British Columbia, where she enjoyed the Butchart Gardens, and to Vancouver. She was especially impressed by these trips and by her train ride through the Canadian Rockies to Lake Louise, where she stayed at the Chateau Lake Louise.

Miss Murray started work as Law School recorder in 1910 when Henry M. Bates was dean. In those days, the only requirement for admission was a high school diploma, she recalls.

Since her retirement, Miss Murray has kept busy with housework at the home she shares with two other women on Wilmot Street. She has given part of her time to clerical work at the St. Mary's Student Chapel.



Emeritus Faculty Busy Writing and Traveling

Retirement for Law School faculty members seems to mean—by their own admission—time for writing, traveling, and “viewing with alarm.”

Six emeritus members of the faculty have responded to an inquiry concerning their present activities with the following information:

Ralph W. Aigler, who retired in 1954, taught during last spring semester and will do so again this coming spring at the University of Arizona Law School, in Tucson, where his course was Bills and Notes. He has also written a paper for early publication in the *Michigan Law Review*, supplementing one he published in that journal about six years ago, on the constitutionality of marketable title acts. He is scheduled to address the Florida State Bar Association at Miami Beach on Jan. 10.

Professor Aigler has not forgotten his long-time interest in Michigan athletics. Out of his years of experience as Michigan's faculty representative in the Big Ten, he has written a series of three articles on intercollegiate athletics, two of which have been published in the Spring and Summer issues (1957) of the *Michigan Alumnus Quarterly Review*, with the third to appear in the issue to be released Dec. 5.

Edgar Durfee, who retired in 1952, reports that he is working on two treatises, one dealing with priorities and the other with remedies. He also devotes a good deal of time to the extra-curricular activities of foreign students in the Law School. He has arranged for them to visit Lansing to observe state government activities, to visit the Michigan State Prison in Jackson, and to tour an automobile factory.

Professor Durfee adds that he has his hands full “keeping the younger fellows on the faculty in line.”

Professor emeritus Paul Leidy advises that, as he enters his 70th year, he plans to continue the activities which he has enjoyed since he retired in February, 1952—loafing and “viewing with alarm.”

In connection with a Law School history which is being compiled for publication in conjunction with the School's Centennial Celebration, to be held in 1959, Professor Edson Sunderland, who retired in 1944, has been asked to get together a bibliography of his writings. His daughter, Alice, who has been helping him with this compilation, reports that thus far they have found almost 20 such writings of book size and over 130 articles in 51 periodicals. She adds that her father was quite surprised at the amount he had written—that he always “went on to the new”—and is finding the work of “rediscovery” both enjoyable and overwhelming.

John E. Tracy has continued to make his home in Ann Arbor since his retirement in 1950, though he spends the winter months in Florida. He visits his Hutchins Hall office regularly when in town, occupying himself with reading, writing and some editorial work. His writing during the past year has consisted of completing a book for doctors entitled *The Doctor as a Witness*, published last spring by a medical publishing house. In addition, he writes an occasional article for the *Alumnus Quarterly Review*, the most recent of these being “The Old Hixon Place” in the Spring 1957 issue. Professor Tracy was honored this fall by the Michigan Bar Association for his 50 years' membership.

Retirement has given Prof. John B. Waite time for travel, since he assumed emeritus status in 1952. A year ago, he made an eight-weeks cruise of the Mediterranean, and last year visited Peru. He, too, writes for the *Michigan Alumnus Quarterly Review*, which published his article, “My Son in China,” in its Summer 1957 issue. About a year ago, he had an article in *Reader's Digest*, dealing with unnecessary judicial reversal of convictions, and will have another in that publication soon, with the suggested title “It's Not the Law, But the Lawyers.” He is now working on an article for the *Michigan Law Review*.

Water Resources and Law Considered at Institute

Water Resources and the Law, the Tenth Annual Summer Institute of the University of Michigan Law School, was held on Sept. 4-6, 1957. Thirty engineers, economists, and lawyers were especially invited to act as participants, and over 100 attended the Conference sessions. The Conference was called for the purpose of discussing and evaluating the need for revisions in state water resources law because of the increasing demands upon the water resources of the nation. In addition, the Conference considered in detail a proposed Model Water Use Act prepared by the Legislative Research Center of the Law School.

Among the topics discussed were: (1) "The Inherent Difference Between Water and Other Natural Resources," by Prof. Earnest Boyce, Chairman, Department of Civil Engineering, University of Michigan; (2) "The Legal Problems Arising from the Changing Needs, Uses, and Availability of Water" by Dean Thorndike Saville, College of Engineering, New York University; (3) "Hydrology and Water Law: Their Future Common Ground" by Arthur M. Piper, U. S. Geological Survey; (4) "The Adequacy of Riparian Doctrines Today" by Prof. Charles M. Haar, Harvard Law School; (7) "The Adequacy of Prior Appropriation Doctrines Today" by J. Byron McCormick, Professor of Law, University of Arizona College of Law; and (8) "The Proposed Model Water Use Act" by Prof. William J. Pierce, Director, Legislative Research Center. The final session of the Conference was devoted to a discussion of planning a major water law conference to be held at the Law School in the summer of 1958. This discussion was led by Prof. Clarence J. Velz, School of Public Health, University of Michigan.

Featured speaker at the Conference banquet was Clarence A. Davis, former Undersecretary of the Department of the Interior, who raised several challenging questions for further exploration. He suggested that water bills may be forced to increase until they are comparable with gas and electric bills. He cautioned against the establishment of any rigid system of priorities governing the development and utilization of the nation's water resources. Mr. Davis stated that in his opinion "the most fundamental legal problem in the field of water resources is the delineation of Federal and local activity and the determination of Federal constitutional power. This goes to the heart of the problem and determines whether we are to federalize the waters of the United States or not. Until this is settled, all else is vain."

As in the case of prior Summer Institutes, financial assistance was provided by Gilbert H. Montague of the New York Bar and the Summer Session of the University of Michigan.

Dean Stason peers through the periscope of the U.S.S. Seawolf, the atomic-powered submarine. He and other members of the Committee on Atomic Energy of the U. S. Chamber of Commerce spent a day on the ship last June.



Clarence Davis, former Undersecretary of the Department of the Interior, was a principal speaker at the Water Resources Conference. At his left is Gilbert H. Montague of the New York Bar.

Law School Research Program Progresses

The program of graduate study and research at the Law School has made continuous progress in recent months. Five of last year's graduate students have joined the teaching staffs of American law schools, and one has accepted a position as dean of a school of business administration. In the past four years, the number of seminars available in the Law School, providing advanced instruction in many areas of the law, has grown from 10 to 22, and others are now being planned.

On the research front, special mention should be made of the studies made by the Legislative Research Center in the field of Water Law. Under the supervision of Prof. William Pierce, a staff of three full-time assistants have produced a draft of a proposed Model Water Use Act, together with a number of basic legal studies to support or explain the provisions of the Act. As described more fully elsewhere on this page, a group of experts, including lawyers, economists, conservationists, industrialists and government personnel, were brought to Ann Arbor in September for an Institute on Water Resources. A detailed critique of the draft Act was part of the program, and the constructive suggestions received will be incorporated in a new draft before it is presented to the Conference of Commissioners on Uniform Laws.

As reported in the last issue, Prof. Charles Joiner is engaged in an extensive research project looking toward a reform of Michigan court procedure. In conjunction with a Joint Committee composed of members of the Supreme Court, the Legislature, circuit judges, executive officials, and members of the practicing bar, and with the help of full-time research assistants, he is conducting basic studies which will serve as a basis for future drafts of proposed statutory enactments and court rules. The work will take perhaps two more years to complete, but some of the studies are now complete.

Prof. L. Hart Wright recently prepared, with staff assistance, a two-volume work entitled *Federal Income Tax Law for Internal Revenue Agents*. It will be used for in-service training by the Internal Revenue Service.

Prof. William B. Harvey is conducting research in the law of air transport, and offered a seminar last summer in selected phases of the subject. With co-author John P. Dawson, he is also making final revision of a new casebook in Contracts.

The fourth volume of the late Ernst Rabel's treatise on comparative conflict of laws has been completed. In addition, the first two volumes will be republished in a revised edition, having been brought up to date by Dr. Ulrich in Germany.

Law Placement Office Gets Larger Quarters

During the summer, the Law Placement Office was "replaced" both in location and personnel. The office is now in Hutchins Hall 312, with access to two adjoining rooms which are to be used for interviews. The larger quarters will facilitate the work of the office.

Prof. Laylin K. James has succeeded Prof. Richard V. Wellman as placement director, and Miss Elizabeth Bliss has replaced Mrs. Suzanna MacKay as placement secretary, as the latter re-enters school to prepare for a teaching career. Miss Bliss is a former secretary and employment counselor for an Ann Arbor industry.

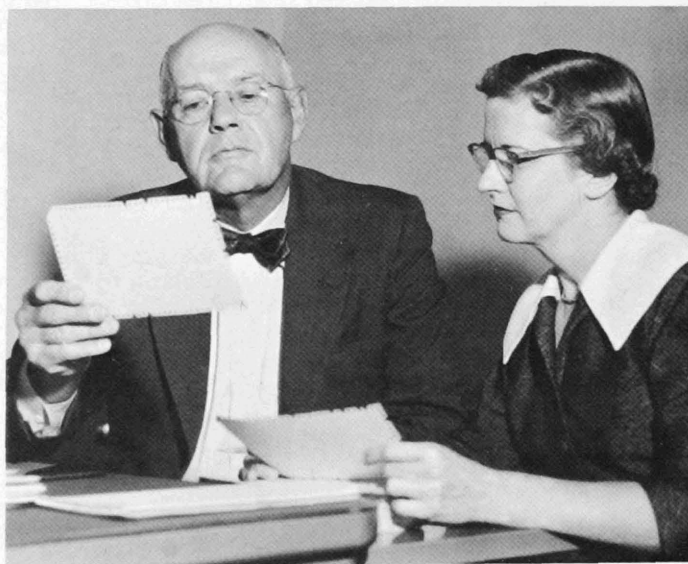
Of the 265 seniors in the class of 1957, 226 registered with the Placement Office, of whom 99 had secured jobs at the time of the annual placement report last May (as compared with 87 out of 176 seniors the previous May). Since that date, however, 38 others have reported placement and 37 are in military service or awaiting call. This seems to mean that 52 of the 226 are still looking, but experience suggests that many of this number are waiting for bar examination results before announcing jobs which will be secured then. And there are some who get their jobs and immediately lose interest in the Placement Office, to the extent of forgetting to report employment!

So far, 193 of the class of 1958 have registered with the Placement Office, and five of these have already obtained jobs. Many law firms and corporations have arranged for visits to Ann Arbor to interview seniors. Last year 93 employers visited the School, more than half of them between Oct. 15 and Dec. 15.

It is hoped that alumni will assist in solving employment problems for the current seniors. Alumni are invited to advise the Placement Office of any available jobs for prospective graduates. Though seniors do not expect the School to get jobs for them, they do need all the information about jobs which can be assembled for them.

The School is in touch with about 90 former graduates, most of them from relatively recent classes who are seeking a change from initial employment or who are in military service and looking for their first jobs after discharge. Alumni should therefore not refrain from notifying the School of job opportunities simply because the openings will not be held until the next graduation time.

Placement Office activities in the Law School are now under the management of Prof. Laylin James and secretary Elizabeth Bliss.



Philip Jessup To Give Annual Cooley Lectures

Philip C. Jessup, Hamilton Fish professor of international law and diplomacy at Columbia University Law School, will deliver the tenth annual series of Cooley Lectures at the Michigan Law School on Feb. 27 and 28, Mar. 3, 6, and 7.

The Thomas M. Cooley Lectureship was established by the Law School faculty, its purpose being to encourage scholarly legal research.

Professor Jessup is a distinguished scholar in international law with wide experience in diplomatic affairs. From 1949-53 he served as U. S. ambassador at large, and was U. S. representative to the fourth, sixth, and seventh sessions of the United Nations General Assembly. He is the author of such books as *The United States and the World Court*, *International Security*, and *Neutrality, Its History, Economics and Law*.

New Law Associates Program Now Started

As reported in the last issue of the *Law Quadrangle Notes*, the Law School this fall has initiated several new programs which are under the immediate direction of four Law Associates.

During the fall semester every second-year student will work out a series of legal problems in such areas as the negotiation and preparation of land contracts, title examination, preparation of wills, and statutory drafting. During the spring semester each second-year student will complete one substantial job of legal research and writing in the solution of a hypothetical legal problem. Under these programs the students, either individually or in small groups, meet with a Law Associate at various stages of their work for discussion and critiques of the problems.

The Law Associates also conduct a program designed to help orient the first year students in the study of law. The students meet regularly with an Associate to discuss study problems and related matters.

The Law Associates are recent law school graduates. They had outstanding records and have had experience in legal writing. Appointments for these positions for the school year of 1958-59 are now being considered. At least four Associates will be selected from among graduates of various law schools, and they will generally serve for one year. If any graduate of Michigan Law School is interested in being considered for such an appointment, he should write Professor Jack Richard Pearce, at Hutchins Hall, immediately.

Yale's Dean Rostow To Be Cook Lecturer

Dean Eugene V. Rostow of the Yale University Law School will deliver the William W. Cook Lectures on American Institutions on March 24-28, 1958.

The Cook Lectures are devoted to the "dissemination of sound principles concerning the basic concepts of American life." Dean Rostow is the ninth person selected for the Cook series, and his topic will be "The System of our Public Law for Controlling the National Economy." His discussion will include such topics as wage policies, price policies, taxation, policies toward investment and speculation, and international economic policy.

Dean Rostow has worked with the Lend-Lease Administration, the State Department, and the Economic Commission for Europe. A member of the Yale faculty since 1938, he was appointed Dean in 1955.

International Legal Studies Continue to Expand

Thirty-one graduate law students from foreign countries are in residence in Ann Arbor this year, as the program in International Legal Studies continues to expand.

Representatives from England, France, Germany, Switzerland, Italy, Austria, Yugoslavia, Greece, Turkey, Syria, Egypt, Canada, India, Pakistan, Thailand, Formosa, Japan, Philippine Islands, Colombia and Cuba are taking advanced work in their respective fields of interest, as well as special courses designed to acquaint them with the Anglo-American legal system. Included in the group are a number of law teachers, government employees, and private practitioners.

Many of the graduates are supported by Law School fellowships made possible by the W. W. Cook Endowment, and by the Ford Foundation grant to the Law School. Some are the recipients of United States government scholarships while others receive scholarships from their own governments.

For the first time, many of them will be participating in the new degree program, seeking to qualify for the degree Master of Comparative Law. One of the requirements for the degree is the preparation of a paper on some selected subject of comparative law. The cumulative product of these studies should provide valuable insight into many areas of the law. A few of the students, primarily those who are teaching in foreign universities, will seek to qualify for the S.J.D. degree. Their program will include the preparation and publication of a more extensive study in the area of their particular interest.

Prof. B. J. George, Jr. has returned from his year of study and teaching in Kyoto University in Japan, and is again serving as Adviser to the foreign students. Prof. William W. Bishop, Jr. is on leave during 1957-58 and will be studying in Rome, Italy, during most of the year. He will also be at The Hague during a portion of the time. Prof. Joseph Dainow, from Louisiana State University Law School, will be visiting professor during the second semester to handle the teaching of International Law. Prof. Eric Stein, in addition to his seminar in Problems of International Trade, will conduct a seminar in International Organizations this fall, devoting particular attention to some of the legal problems raised by the existence of the newly developing European organizations. Professor Conard will continue his work in the comparative law of business associations, and Professor Kauper will offer a seminar in comparative constitutional law.

For the first time, the Law School has also awarded a fellowship to enable an American student to study abroad. Whitmore Gray, last year's editor of the *Michigan Law Review*, will be in France during the year, and if conditions permit may spend some time studying in Russia.

Zweigert Gets Big Send-off

Professor Konrad Zweigert, Professor of Law, University of Hamburg, Germany, who was a Visiting Professor of Comparative Law at the School last spring, was given a send-off by his students which shook the Willow Run Airport rafters. Professor Zweigert was escorted to the airport by two-thirds of his class, distributed in half a dozen cars. Upon arrival at Willow Run, he was presented with an "M" sweater, and serenaded with "Du, Du, liegst mir im Herzen" as he boarded the plane.

Professor Zweigert termed this "the peak of my academic career."

Of 25 Michigan graduates taking the June 1957 Ohio Bar exams, 23 passed—the best record among schools with more than one graduate taking the examination.

Student Bar Association Aided By \$2,500 Gift

Activities of the Student Bar Association have received a big "boost" from a \$2,500 gift to be used by SBA over a five-year period. The gift came from Mrs. Roger Sherman of Winnetka, Ill., and her daughters, Mrs. Louise S. Watrous and Mrs. Eleanor S. Vincent. The gift is a memorial to the late Roger Sherman of the Law class of 1894.



GERMAINE

Wise use of these funds will permit the SBA to carry on many useful activities which have been either impossible or limited in previous years because of lack of financial support.

According to Al Germaine, 1957-58 president of the Student Bar Association, SBA activities fall in three major groups: those related to academic interests of law students, those related to professional interests, and those concerned with social interests.

On the academic side, SBA undertakes such services as providing a bi-weekly film program, featuring films on legal topics, and also sponsors an occasional lecture by a well-known person in the legal field. SBA publishes *Res Gestae*, the mimeographed Law School newspaper, which this year is appearing every week; it also publishes a yearbook for the Law School, assists in freshman orientation, conducts class elections, and engages in similar projects.

In the area of professional interests, Germaine places such SBA activities as its legal aid program, which is just getting started, and its publication of court information in *Res Gestae*, which carries the dockets of the local courts.

Social activities are important to SBA members, of course, and the Association sponsors an annual freshman-faculty smoker, an all-freshman dance, the Chancellors' Court (a formal dance held annually for the past eight years), and various other social events during the year. An SBA wives' affiliate entertained about 300 guests at its opening tea this fall.

Every student in the Law School is automatically a member of the Student Bar Association. The Michigan group is a part of the national Student Bar Association, which is affiliated with the American Bar Association. Another Michigan student, Fred Furth, is a vice-president of the national SBA.

Faculty Visit Alumni

Law School alumni in four states have had visits from faculty members in recent months. The School will be glad at any time to help with arrangements for an alumni meeting and, so far as possible, will attempt to send a faculty representative.

Last June, Professor Charles W. Joiner attended the annual meeting of the Iowa State Bar in Des Moines and spoke at a University of Michigan Law School alumni luncheon. In July, Dean E. B. Stason spoke at a law alumni luncheon in New York City.

On Nov. 1, Assistant Dean Roy F. Proffitt spoke at an alumni luncheon in Omaha, Neb., held in connection with the annual meeting of the Nebraska State Bar Association. On Nov. 7, Dean Stason spoke at a similar gathering in Chicago, this time held in conjunction with the Illinois State Bar.

Of this year's 869 law students, 322 are first year; 241 second-year; 260 third-year; and 46 are graduates.

Four Books on School's Fall Publication List

Aims and Methods of Legal Research, the proceedings of the Conference held at the Law School in November 1955, has just been published. The volume, which surveys the field of legal research and records the opinions and commentaries of those attending the Conference, should be of interest not only to educators administering legal research programs but to all those interested in the problems that have faced legal research and still face it today.

Included in the book are the following papers, together with commentaries: (1) *Social Significance in Legal Problems* by Karl N. Llewellyn, (2) *Research for Legislation* by Charles B. Nutting, (3) "Looking Out of the Cave"—*Some Remarks on Comparative Legal Research* by Hessel E. Yntema, (4) *Manpower for Research* by David F. Cavers, (5) *The Law and Some Aspects of Criminal Conduct* by Thorsten Sellin, (6) *The Legal Scholar and the Criminal Law* by Herbert Wechsler, and (7) *Report on the Jury Project of the University of Chicago Law School*, by Harry Kalven, Jr.

The Conference opened with a series of provocative and soul-searching questions put to the group by Dean Stason, questioning the direction, the techniques, and the status of legal research today. That the answers to these questions were encouraging and helpful is attested by Prof. Alfred F. Conard, writing in the foreword to the volume: "For the lawyer who cares about research, there is between these covers a remarkable survey of things done and things yet to be done in legal research. If he is new on the research scene, he will find here the opportunity of listening to many men from many places; he can learn through their shared experiences the hard lessons of three decades. If he is an old timer, he will meet old friends with their old and new ideas; he will recall much that he had forgotten, and pick up details that he had missed; and he will discover new responses to the old queries, coming from several fresh voices."

For those wishing to purchase the volume, orders may be addressed to Prof. William J. Pierce, Michigan Legal Publications, Legal Research Building, Ann Arbor, Michigan. The price is \$4.50; checks should be made payable to The University of Michigan.

The proceedings of the Eighth Annual Summer Institute, *International Law and the United Nations*, held at the Law School on June 23-28, 1955, will be published this fall. Presented as "a forum to gain perspective on international law developments affecting teachers, researchers, and practitioners in international law and related fields," the Institute drew internationally known speakers, including officials of our government and of international organizations.

Among the topics relating to current problems in international law and the United Nations covered in the volume are: (1) New Vistas and New Approaches in International Studies, (2) Needed and Projected Research in International Law, (3) The Teaching of International Law (including The Introductory Law School Course, International Organization Courses and International Organization in International Law Courses, and New Ideas in Conducting Seminars), (4) Contemporary Developments Concerning International Agreements, (5) The Challenge of the Atom to International Legal Studies, and (6) Adapting International Law to New Ideas, As Shown in Problems of High Seas Fisheries, Continental Shelf, and Territorial Waters.

In its wide exploration of the growing role of international law in our world today and the effect this increasing significance will have upon the teaching of international law, this volume should prove of interest to all those deeply concerned with improving the means of maintaining world peace.

Also scheduled for publication in the late fall are two volumes in the Michigan Legal Studies series, *Nonprofit Corporation*

Statutes: A Critique and Proposal, by Ralph E. Boyer, and *Foreign Personal Representatives* by Banks McDowell, Jr. According to Hessel E. Yntema, Mr. McDowell's monograph is an analysis of "the principal questions that an executor or administrator appointed in one state will encounter in the administration of a single estate on a multi-jurisdictional basis: his right to sue and liability to suit in other states, the effects of his extralegal action outside the state of his appointment, and the possibilities of reforming existing laws so as to make feasible a system of single administration of decedents' estates." The volume should be of value to all lawyers who face the problem of administering estates in more than one jurisdiction.

Professor Boyer's book has the goal of stimulating the achievement of "an adequate, coherent, and logical code of nonprofit corporation statutes." In the foreword, Prof. Laylin K. James has written: "This study by Professor Boyer is directed first to a careful, accurate appraisal of the nonprofit corporation statutes of a particular state (Michigan) and a recommended statute which is primarily for the purpose of simplifying the nonprofit statutory law in Michigan. The scope and magnitude of his task are staggering. By his comparative examination of the statutory and case law of the various states he has not only provided Michigan with the means of re-appraisal of its nonprofit statutes but has also furnished a basis for any state with a similarly complicated and duplicated set of such statutes to re-appraise its nonprofit statutory provisions. The synthesized recommended statute builds on the present general sections of the Michigan General Corporation Act but is complete and broad enough to be adaptable in any state."

Those interested in ordering these volumes may address orders to Prof. William J. Pierce, as above, and they will receive the volumes upon publication.

Six Courses Added To Law Curriculum

Six new or revised courses are being offered by the Law School this fall.

Added to the curriculum are "Problems and Research I and II," "Accounting for Law Students," and "Criminal Procedure." A new seminar in "Comparative Law" will be given in the spring semester by Visiting Prof. Joseph Dainow, of the Louisiana State University Law School.

"Pleading and Joinder," formerly "Civil Procedure I" is being taught for the first time, placing new emphasis on making the "pleading" part practical—calling for written exercises on the various stages in the proceedings. The taxation courses have also been reorganized to give increased emphasis to corporate and partnership tax problems.

The Law School's curriculum has expanded notably over the past 10 years. In 1947, when the School had 1,107 students (its largest enrollment, including, of course, many veterans), 24 different courses with a total of 48 different classes were offered, meeting one to four times weekly. In 1957, with an enrollment of 868 students, 40 different courses with 99 different classes are meeting one to four times weekly.

The increased number of courses and sections of course means quite a headache for Assistant Dean Proffitt, who has the responsibility for room and hour assignments.

Briggs Receives Fellowship

Professor Edwin W. Briggs, of Montana State University, is in residence at the Law School this year as the recipient of the first Edson R. Sunderland Senior Research Fellowship. He will devote full time to completing research already begun in the field of conflict of laws.

This fellowship is offered by the law faculty to mature scholars who have a well defined research project and who need free time in which to complete it.

Student Aid Funds In Great Demand

A substantial increase in semester fees for both resident and non-resident students and the scarcity of summer employment in some areas of the country, together with a decline in the proportion of students on various G. I. measures, have put new demands on the student aid funds of the Law School.

Both the number of applications for aid and the amounts requested have increased, and this situation seems likely to continue throughout the academic year.

Semester fees in the Law School have increased from \$280 to \$350 a year and \$550 to \$700 a year for Michigan residents and non-residents respectively. This was in line with an increase in fees for all schools and colleges of the University.

In an earlier edition of the *Notes* it was estimated that the total student aid for 1956-57 would exceed \$100,000. It did—by more than \$17,000! During this academic year (summer, fall, and spring) the Law School will expend in excess of \$125,000 to needy students. Assistant Dean Roy F. Proffitt, assisted by a small faculty committee, has the primary responsibility for administering this program.

A financial statement from the student, a personal interview, and the student's academic record are all factors in determining the amount and kind of financial aid that will be offered. Each year a pre-determined portion of the available funds is set aside for the use of the Admissions Office for scholarships for the incoming freshman class.

The demand for student aid this year will probably reach the maximum which the School can now offer in any one year. The School has been blessed with far-sighted and generous alumni and friends who have made it possible for many worthy and needy students—past and present—to attend the Law School, but because of the steady growth of the student body and the increased cost of legal education, the problem of financing our various student aid funds is a continuing one. To be ready for future needs, it is necessary to add to these funds now.

Some noteworthy additions to the scholarship accounts have been made in recent months. The expendable balance in the Law School Alumni Scholarship fund is more than \$5,000 greater than a year ago. This fund is entirely expendable, to be replaced and preferably increased each year by gifts from alumni.

The Law School endowment was enriched by a most generous gift from the estate of Clyde A. DeWitt, to be known as the Clyde Alton DeWitt Law Scholarship and Loan Fund. An honor student of the class of 1908, Mr. DeWitt lived and practiced for many years in Manila, Philippine Islands. Though separated by many thousands of miles, he retained a great loyalty to his Alma Mater.

Final distribution of Mr. DeWitt's estate has not been made, but the total gift will probably exceed \$1,000,000.

The Law School also received a substantial gift from the estate of Erasmus C. Lindley, LL.B. 1896, to endow the Lindley Scholarship. Mr. Lindley practiced in New York City.

Mrs. Standish Backus, Detroit, who last year created a scholarship fund in memory of her husband, has given the School an additional block of stock in the Burroughs Corporation to be added to her original gift.

Over a three-year period (1955-57), 13 out of 14 Michigan law graduates taking the California Bar Examination for the first time passed it. This gives Michigan a 92.9 per cent average for that period—which is the highest percentage of any school's graduates taking that examination.

Faculty Planning Committee Continues School Self-Study

The March 1957 issue of *Law Quadrangle Notes* reported the first year's operations of the Law School Planning Committee created by Dean Stason in the fall of 1955. The Committee resumed its weekly meetings during the 1956-57 academic year.

A substantial part of the Committee's efforts during the year was devoted to working out a concrete plan for the use of Law Associates in the work of the first and second-year students in the Law School. This program, as proposed by the Committee, had already been approved in principle by the faculty, but it remained to define more precisely the program's scope and objectives and to secure the personnel to administer it. The Planning Committee prepared a detailed plan which met faculty approval and which went into effect last September.

The Committee also spent a large part of its time exploring and discussing questions, ideas, and plans relative to the central problems of legal education. How can the teacher more effectively communicate with the student in the classroom? What method or methods of teaching are best designed to aid the learning process. To stimulate the student's thinking and curiosity, to sharpen and discipline his own skills in dealing with legal problems, to evoke the scholarly interest and concern that transcend the problem of meeting the daily assignment and passing the examinations? What are the problems to be faced in trying to reach the desired results? Are small classes preferable to large classes? Should the kinds of teaching materials be changed? What are examinations designed to test? Can they be improved?

Recognizing that these are questions which do not admit of categorical conclusions and that research and experimentation are a necessary part of any intensive and constructive study, it was the Committee's consensus that the faculty should be encouraged to examine and develop new ideas and methods, to experiment and report the results. Some thought was also given to ways and means of undertaking under University auspices a research project designed to give the Law School the benefit of expert and objective study on the whole problem of increasing the effectiveness of the teaching and learning processes.

Members of the Planning Committee for the 1957-58 year are Professors Estep, Harvey, Reed, R. A. Smith, and Joiner, chairman.

New Admission Deposit Required of Applicants

The School has adopted a policy of requiring a \$5.00 application fee and a \$45.00 acceptance deposit from all applicants for admission to the Law School. These deposits are refunded when the applicant registers.

The purposes of this deposit system are two-fold. First, the application fee helps to discourage multiple applications. Second, the acceptance deposit, required within 30 days after an applicant is notified of his acceptance, helps to establish the good faith of the applicant and aids in prediction of the number of accepted applicants who will actually register. The deposit system is now in use by most leading law schools.

For reasons which are difficult to explain satisfactorily, applications for admission to leading law schools were down this year. For example, applications for admission to Harvard were down over 10 per cent. Michigan was no exception in this regard. The result is that first-year enrollment is slightly below that of last year. Since this experience seems not to have been peculiar to this law school, there appears to be no immediate cause for concern.

Three New Faculty Members Appointed

Three new faces are to be seen among the Law School faculty this fall: Carl S. Hawkins, Spencer L. Kimball, and Alan N. Polasky.

Mr. Hawkins holds the A.B. degree (1948) from Brigham Young University and an LL.B. "with honors" from Northwestern, where he was elected to the Order of the Coif and served as editor-in-chief of the *Illinois Law Review*, now the *Northwestern University Law Review*. He also received the Wigmore Award, for reflecting outstanding credit on his Law School, and he did postgraduate work in 1951 as the Harry A. Bigelow Teaching Fellow at the University of Chicago Law School, working in their second-year tutorial program in legal drafting.

In 1951-52, Mr. Hawkins was an associate of the firm of Wilkinson, Boyden & Cragun, in Washington, D.C., and in 1952-53 was law clerk to the late Chief Justice Fred M. Vinson. In 1953-57 he was a partner in Wilkinson, Cragun, Barker & Hawkins, in Washington, engaged in general practice before courts and administrative agencies. The firm is best known for its representation of Indian tribes in claims against the U. S. Government (e.g., the *Confederated Ute* case, 1950—\$32,000,000, the largest single judgment ever entered against the United States; *Menominee* case, 1951—\$8,500,000). Mr. Hawkins' biggest judgment thus far (several larger ones are still in the works) was for the *Uintah and White River Bands of Ute Indians*, approximately 1,000,000 acres, judgment for about \$3,000,000, entered by Court of Claims on June 5, 1957. The biggest case he has tried was the *Crow Tribe*—about 30,000,000 acres—now waiting for a decision of the Indian Claims Commission.

Mr. Hawkins has assumed the responsibilities of Chairman of the *Michigan Law Review* Faculty Advisory Board, replacing Professor Cooperrider, and is currently teaching Torts and assisting Professor Reed in the Seminar on Legal Education. Next semester he will teach Jurisdiction and Judgments.

Professor Kimball received the B.Sc. degree (1940) from the University of Arizona and attended the University of Colorado (1943-44) and University of Utah (1946-47). In 1949 he received his B.C.L. from Oxford University, England.

In 1949 also he joined the law faculty at the University of Utah and was Dean of the College of Law from 1950-54. During his tenure in that office, the *Utah Law Review* was established and a chapter of the Order of the Coif was installed. As chairman of the Utah State Bar Committee on Institutes, he started a regular program of institutes; as chairman of a special subcommittee of the Utah Judicial Council, he was charged with the task of making recommendations for reorganization of the courts. The recommendations of the committee were endorsed by the Judicial Council and the State Bar, but not enacted by the Legislature.

In 1955-56, Professor Kimball held a Rockefeller Research Grant at the University of Wisconsin, working with Prof. Willard Hurst in the field of American legal history. He made a study of the legal implementation of economic public policy in the field of insurance, using Wisconsin source materials and interpreting the development of insurance law in relation to the social and economic development of America in the past century.

A portion of this study has been published as "The Role of the Court in the Development of Insurance Law" in *1957 Wis. L. Rev.* 520-62. The remainder of the study is nearing completion.

Professor Kimball is teaching Contracts, and is scheduled to teach a course in Insurance Law and, in alternate years, seminars in English and American Legal History.

Professor Polasky received the B.S.C. degree (1947) at the University of Iowa and the J.D. (1951) from the same institution. He is a C.P.A.

He practiced public accounting for two years, and was an



HAWKINS



KIMBALL



POLASKY

instructor in accounting at the University of Iowa while attending law school there. After graduation, he practiced law in Chicago with Sidley, Austin, Burgess and Smith and was at the same time a lecturer in business law at Northwestern University. He joined the Northwestern faculty as an assistant professor in 1953 and was promoted to associate professor in 1955. In the fall of 1955, he was visiting professor at the Yale Law School.

Mr. Polasky was a member of the Chicago Bar Association Committee on Federation Taxation; assisted in preparation of the 1953 revision of Illinois Annotations to Restatement of Trusts; and was a member of the Committee on Pre-Legal Education of the Association of American Law Schools.

Professor Polasky is teaching courses in Accounting for Law Students and in Fiduciary Administration as well as a section of Evidence. He will also teach Taxation and hopes next year to offer a seminar in Estate Planning.

Faculty Men Participate In "Rule of Law" Colloquium

The University of Michigan Law School was well-represented at a colloquium held at the University of Chicago Law School in September on the general subject: "The Rule of Law in the Western World," sponsored by the International Association of Legal Science.

The colloquium was attended by lawyers from West Germany, England, France, Italy, Mexico, Turkey, Brazil, Sweden and the United States, as well as by one from Poland and one from the U.S.S.R.

The General Rapporteur for the colloquium was Prof. C. J. Hamson, of Cambridge, England, a visitor at the Michigan Law School last spring semester. (For Professor Hamson's comments about Michigan, see page 10.)

The principal purpose of the colloquium was to furnish an opportunity for discussions pointing to a report and statement by the Rapporteur on the elements of the rule of law as understood in the western world, to serve as a basis for discussion with legal representatives from the U.S.S.R. at next year's colloquium in Warsaw.

Prof. Paul Kauper served as an assistant to Professor Hamson, and presented a paper entitled "The Rule of Law: An American View." Dean Stason gave a paper on the impact of administrative law on the rule of law.

Prof. Samuel D. Estep attended in his capacity as a teacher of American Constitutional Law, and was invited to participate in discussion. Prof. Hessel E. Yntema, editor of the *American Journal of Comparative Law* and a member of the board of the International Association of Legal Science, was in attendance, as were Profs. B. J. George and A. H. Conard. The latter two attended the sessions dealing with the Rule of Law in Oriental countries.

Twenty-seven seniors in the Law School are serving as assistant editors on the student editorial board of the *Michigan Law Review*. Twelve of them hail from Michigan, and the others come from homes in eight other states. All will graduate either in February or June, 1958.

Faculty News Notes

William W. Bishop, Jr.—Is spending a sabbatical leave in Europe, and is now settled in Rome after touring Western Europe. He will participate as a member of the U. S. Delegation in the International Conference on the Law of High Seas and Territorial Waters, to be held next spring.

Alfred F. Conard—Second edition of his *Cases on Business Organization* (Foundation Press) appeared last April. During the past summer, he was visiting professor at the University of Colorado. Recently named by the National Conference of Commissioners on Uniform State Laws to an Advisory Committee on the proposed Uniform Act to Simplify Security Transfers, which met at the New York Stock Exchange on Oct. 3. Has resigned after three years as chairman of the ABA Committee on Simplification of Security Transfers by Fiduciaries. A Model Act sponsored by the Committee was adopted last year by Illinois, Delaware and Connecticut, and probably will be introduced in 1958 legislatures in Michigan, New York and New Jersey.

Frank E. Cooper—Author of *The Lawyer and Administrative Agencies* (Prentice-Hall), published in July. Chairman of the Hearing Examiner Committee, Administrative Law Section, ABA; member, ABA Special Committee on Federal Administrative Practice Act; and member, Michigan State Bar Committee on Atomic Energy.

John P. Dawson—The Law School reports with regret that Professor Dawson has resigned to join the faculty of Harvard Law School. He was a visiting professor there in 1956-57. Toward the end of the year he was offered a permanent appointment at Harvard, and, after much soul-searching, decided to accept.

Edmond F. DeVine—Has been acting as a special consultant to the American Bar Foundation's Survey of the Administration of Criminal Justice in the United States, which has just reported on the conclusion of the pilot project.

Samuel D. Estep—With Dean Stason and Professor Pierce and at the request of the Governor, is working on a proposed statute on atomic energy regulation to be submitted to Michigan Legislature. Is chairman of the board of a newly established Bureau of Community Services, which is the planning arm of the Ann Arbor Community Chest. With Professor Kauper, helped University TV staff prepare one of its series of programs on men of genius, dealing with John Marshall, U. S. Supreme Court Justice, 1801-35.

B. J. George—Before his return to this country this fall (and in addition to items reported in an earlier issue of the *Notes*), he visited law schools in India and Pakistan in connection with the International Legal Studies Procurement Program; went on a lecture tour of northern Japan and Korea, sponsored by the U. S. Information Service; and visited Taiwan on the International Legal Studies Program.

Charles W. Joiner—In recent months, has spoken before Berrien County Bar Association; at the Annual Conference of the Federal Judges of the Third Judicial District; at the annual meeting of the Michigan State Bar; and to several alumni groups. Published a combination casebook-textbook entitled *Trials and Appeals* (Prentice-Hall, 1957) and the following articles: "Rules of Practice and Procedure: A Study in Judicial Rule-Making," 55 *Mich. L. Rev.* 623, (March 1957); "Judicial Rule-Making in Michigan," vol. 36, No. 4 (April 1957), *Mich. State Bar Jour.*; "The Coming Deluge: How Goes Our Ark?" 9 *Jour. L. Ed.* 466 (1957); and "The Union of Law and Equity: A Prerequisite to Procedural Revision," 55 *Mich. L. Rev.* 1059 (June 1957). Also continues his work on the Joint Committee on Michigan Procedural Revision and as a member of the Ann Arbor City Council.

S. Chesterfield Oppenheim—Editor, Trade Regulation Series, Little, Brown & Co. (one volume on trade association law and practice already published, two more to be published in 1957); research adviser, the George Washington University Patent, Trade-Mark and Copyright Foundation; revised edition of Fed-

eral Antitrust Laws casebook to be published for spring semester, 1958; member, Trade Regulation Round Table, Assn. of Amer. Law Schools (1957-58); presided over session of Association of General Counsel on Robinson-Patman Act (Cleveland, Oct. 23, 1957); and will preside at Section of Antitrust Law, New York State Bar Association, Jan. 30, 1958.

George E. Palmer—Has prepared a revised edition of Durfee and Dawson, *Cases on Restitution*. A temporary edition was used last year, and the final edition goes to press this fall. Campus activity includes membership on the general committee of the Division of the Social Sciences and on the Board of Governors of Residence Halls.

William J. Pierce—At the annual meeting of the State Bar of Michigan, in October, was elected Chairman of the Probate and Trust Law Section.

Marcus L. Plant—Contributed an article which opposed the imposition of strict liability on manufacturers for a symposium on the subject "Strict Liability of Manufacturers" to the spring issue of the *Tennessee Law Review*. A review of Harper and James *The Law of Torts* appeared in the November issue of the *Minnesota Law Review*.

Roy F. Proffitt—Article on "The Ad Hoc Research and Drafting Program in the Small Law School—The Missouri Experience" published in 9 *Journal of Legal Education* 531 (1957). Participated in International Metropolitan Police Executive Conference, Detroit, June, 1957.

John W. Reed—Is directing a study of the differences between the Uniform Rules of Evidence and the current rules of evidence as applied in Michigan state courts. In May 1957 was awarded a Jur. Sc. D. degree by Columbia University, partly in consideration of the publication of his articles on "Compulsory Joinder of Parties in Civil Actions," which appeared in the January and February issues of the *Michigan Law Review*. Article entitled "What Is This Thing Called Hearsay?" published in Spring 1957 issue of *Michigan State Bar Journal*.

Lewis M. Simes—Was visiting professor at the University of Chicago during the past summer and gave a course in Future Interests. Has been selected to direct a research project entitled "A Study of Methods for Improving Conveyancing Procedure and Promoting Marketability of Land Titles." The project is sponsored jointly by The University of Michigan Law School, American Bar Foundation, and Section of Real Property, Probate and Trust Law of the American Bar Association. The research will be started about Jan. 1, and beginning next fall, Professor Simes, who retires from the faculty next June, will devote full time to it. Purpose of the project is to reform conveyancing procedures under the recording system, now in operation in practically all states. The project includes the preparation of a Conveyancing Code to be used as a model for legislation, and also the drafting of Model Land Title Standards for adoption by state and local bar associations.

Arthur M. Smith—Conducted round table and prepared article "The Application of the Principles of Creative Writing to the Preparation of Patent Applications," Summer 1957 session, Practising Law Institute. Chairman, Committee on Taxation, American Patent Law Association; Chairman, Advisory and Policy Committee, Michigan Patent Law Association; Member, Committee on Ethics and Grievances, Patent Section, ABA; Member, Chemical Practice Committee, Michigan Patent Law Association.

Russell A. Smith—Appointed chairman of a special committee of the National Academy of Arbitrators to consider the Uniform Arbitration Act; appointed by Governor Williams to the Workmen's Compensation Study Committee. Continues as member of the Atomic Energy Labor-Management Relations Panel and as a member of Board of Governors, National Acad-

(Continued on page 10)

Faculty News Notes

(Continued from page 9)

emy of Arbitrators. Initial year of operation of the University of Michigan-Wayne State University Institute of Labor and Industrial Relations, of which he is co-director, has kept him busy.

E. Blythe Stason—Attended the American Bar Association meetings held in London in July. Presided over the meeting of the Section on Administrative Law. The program centered on two reports: that of the Special Committee on Administrative Procedure of the ABA which is sponsoring a complete revision of the Federal Administrative Procedure Act, and the other, the very recent report of the Parliamentary Committee on Inquiry into Administrative Practices in Britain. The chairman of this committee was Sir Oliver Franks, one-time U. S. ambassador.

Eric Stein—Co-authored an article in April issue of *Michigan Law Review* which was first English-language analysis of the new International Atomic Energy Agency, which Professor Stein helped to negotiate while he was with the State Department. Participated in the panel on international law and atomic energy agreements at the annual meeting of the American Society of International Law last April. His study on the effects of increased UN membership, prepared for the Carnegie Foundation last spring, is now appearing in serialized form (in German translation) in *Europa Archiv*. Prepared the first English-language summary of all decisions rendered by the Court of Justice of the European Coal and Steel Community, published in the October issue of *American Journal of International Law*. Participated in the Summer Conference on International Law at Cornell Law School; took part in the Midwest Seminar on "NATO and U. S. Foreign Policy" at Cranbrook in September. With Dean Stason, was invited to participate in the American Assembly meeting on atomic energy policy problems, held in mid-October.

L. Hart Wright—Was requested by the Internal Revenue Service to prepare a short course on "Methods of Tax Research" to be given to Internal Revenue agents. The course was published by the Service in September for its own use. Professor Wright also was requested to visit various Service Training Centers throughout the country to suggest improvements in the training of technicians.

Hessel E. Yntema—Recently honored by being awarded the degree of Iurius Doctor *honoris causa* by the Law Faculty of the University of Stockholm. Participated in the First International Congress of Comparative Law in Barcelona, Spain.

Michigan Opportunity Cited By British Professor

Prof. C. J. Hamson, of Cambridge University, England, a visiting professor at the law school last spring, considers that the School has "a remarkable opportunity for an important and possibly momentous development in the field of comparative legal studies." This is his conclusion in a written statement prepared after his return to Cambridge.

Professor Hamson points out that a number of American law schools are showing great interest in comparative law "but at none perhaps is the conjunction of circumstances as favourable as it is at Ann Arbor."

Professor Hamson cites the following "elements which, being present together, give the impression that a critical stage has been reached at Ann Arbor":

"(a) A considerable tradition of advanced research in comparative legal problems, and an important series of publications in this area . . ."

"(b) The concentration at Ann Arbor of the *American Journal of Comparative Law*, which is the prime instrument in the United States for the development of the subject . . ."

"(c) The existence at Ann Arbor of a remarkable collection of foreign law books and of an excellent library, providing unequalled opportunities for work and research . . ."

"(d) The fact that the Law School has, in addition to an incomparable plant, free funds which it is able and willing to devote to the prosecution of projects in the field of comparative legal studies . . ."

"(e) The presence at Ann Arbor of a continuing stream of foreign teachers and students . . ."

"(f) The existence at Ann Arbor of a flourishing school in public international law and in international legal relations . . ."

"(g) The marked interest of members generally of the Faculty at Ann Arbor in comparative law . . ."

"(h) The calibre, range and ability of the student body at Ann Arbor . . ."

"(i) The high standing with the profession of the Ann Arbor law school, and the fact that it is a Middle Western school. A solution which is acceptable to and judged useful by the Ann Arbor school would not be regarded as suspect by the profession nor as a fanciful and exotic aberration . . ."

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