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THE UNIVERSITY OF MICHIGAN

Law Quadrangle Notes

OL. 4 NO. 1

JANUARY 1960

SPECIAL SUMMER SCHOOL FOR LAWYERS

June 20–July 1, 1960

For the first time, the Law School will hold a "summer school" for lawyers who wish to continue their legal education through formal study. Seven courses will be offered during the period June 20 through July 1, 1960. In addition, those enrolled will have an opportunity to hear six special lectures on the general topic "Post War Thinking About the Rule of Law" which will be given during the two-week period.

Instruction will be given by regular members of the Law Faculty, including Professors Conard, Joiner, Kauper, Oppenheim, Polasky, Reed, R. A. Smith and Wright.

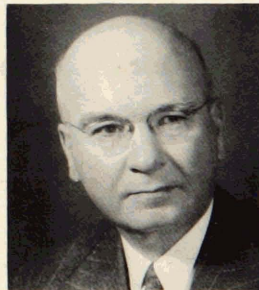
The courses scheduled are "Estate Planning" (by Polasky), "The Labor Agreement" (by Smith), "Current Antitrust and Trade Regulation Aspects of Marketing Policies and Practices" (by Oppenheim), "Current Problems in Constitutional Law" (by Kauper), "Special Problems of Evidence and Proof" (by Reed), "Modern Procedural Developments" (by Joiner), and "European Business Operation: Organization and Taxation" (by Conard and Wright).

Further information may be obtained by writing Charles W. Joiner, Chairman of the Special Summer School for Lawyers, Room 918 Legal Research Building.

Formation of an Institute on Continuing Legal Education by The University of Michigan Law School, Wayne State University Law School, and the State Bar of Michigan has been announced. Original request for the Institute came from the State Bar. The Institute is expected to be self-sustaining, and to expand continuing legal education in the state.

From the Dean . . .

As I have indicated in earlier issues of the *Law Quadrangle Notes*, the teaching of International and Comparative Law has, since World War II, assumed greater significance than prior thereto in the programs of several of the leading law schools. Stimulated in considerable measure by generous financial assistance from the Ford Foundation, which has, during the past five years, made grants totaling upwards of \$8,000,000 toward the promotion of international legal studies in fourteen different law schools, a truly imaginative and worthy program is being developed.



DEAN STASON

At Michigan, which was one of the recipients of the Ford grant, the new program has included increased emphasis upon Public International Law, expanded course offerings in Comparative Law, the introduction of about a dozen new seminars that include various aspects of International and Comparative Law, and in greatly expanded research and developmental work in these fields. Readers of the *Law Quadrangle Notes* may be interested in the reasons why these new programs in International Legal Studies are assuming increased importance in these post-war years.

I suggest five points for consideration, —five reasons for embarking upon these new activities. They are:

First of all, our profession needs considerable numbers of young men and women educated to deal at the professional level with worldwide transactions and activities. There are too few properly trained persons available today, too few who know enough of other legal systems to possess the capacity to handle the legal problems of international trade, investment, monetary exchange, and economic development, even though done in collaboration with counsel from the other nations involved. We lack acquaintance with their legal institutions, their legal concepts, their procedures, and their prejudices. We need more craftsmen in the field.

Second, we need not only craftsmen to take care of clients' needs, but also statesmen to lead in policy-forming activities at the top levels of government and business, activities that are necessary to bring order out of the present international tensions, misunderstandings, and chaos. Statesmanship is not only necessary in connection with government and diplomacy, but in serving professional clients as well—clients who are increasingly concerned, in a strictly dollars and cents way, about policy formulation in the world scene. One may cite as an example ability to work constructively with the rapidly deteriorating legal relations between our country and Latin America, with their frustrating problems involving trade, commerce, and property ownership.

Third, we need, more than we ever have before, an almost unlimited amount of basic research to facilitate activities in connection with international affairs, and for this work also we need trained personnel. Moreover, this is also purely practical business, as well as possessing obvious diplomatic and cultural aspects and advantages. I need only refer for illustration to tax matters, to the incidence of the tax burden and

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Institutes on Advocacy and Property Problems To Be Held on Campus in February and March

Two institutes for the practicing lawyer are being planned by the School for the Spring of this year.

11th Annual Institute on Advocacy

The first of these, the 11th Annual Institute on Advocacy, will be held Friday and Saturday, February 19 and 20, 1960, at the Rackham Building, Ann Arbor. The first session will be devoted to a consideration of the psychological factors involved in communicating with and obtaining information from clients and witnesses. Discussing this will be Prof. Howard Sacks, of the Northwestern University Law Faculty, Dr. Andrew Watson, a psychiatrist, who has recently been appointed to The University of Michigan Law School and Medical School faculties, and Allen Hartman of the Chicago Bar. Following this, three practitioners will deal with the subject "Ethical Problems Involved In Preparation and Trial of Lawsuits." They are J. Cameron Hall, Detroit, Duane S. vanBenschoten, Saginaw, and Fred Roland Allaben, Grand Rapids.

At the opening session the following morning, Craig Spangenberg and Donald Traci of the Cleveland Bar will talk on "The Integration of Investigation and Discovery with Trial and Appeal," relating their discussion to various aspects involved in a trial and in the appellate process—opening statements, proof, exhibits, witnesses, argument, and the record.

The final speaker, Philip M. Lustbader, of Newark, New Jersey, will outline the special problems faced by the defendant's lawyer in his talk entitled "Special Problems in the Investigation,

Settlement, Preparation, Trial and Appeal of Lawsuit from Defendant's Side of the Table."

Institute on Property Problems—1960

Scheduled for Friday and Saturday, March 25 and 26, 1960, the second institute, entitled "Property Problems—1960," will also be held at the Rackham Building. The conference is divided into two sections. Part I will deal with the new title standards proposed by the Michigan State Bar Committee on title standards, while Part II will be devoted to a review of real and personal property tax assessments.

Speakers on Friday, March 25, include Perry W. Morton, United States Assistant Attorney General in charge of the Lands Division, of Washington, D.C., discussing "New Horizons in Property Law," and William B. Conn, Pleasant Ridge, Michigan, who will talk on "New Title Standards on Dower—The Effect of Dower on Michigan Titles." Byron P. Gallagher of Mt. Pleasant, Michigan, will outline the new oil and gas standards. Ray L. Potter of Detroit will discuss those dealing with federal income tax liens, while Reuben M. Waterman of Detroit will be concerned with those for estate and gift tax liens. Friday evening conferees will hear a talk on "Legislation to Remedy the Complexities of Federal Tax Lien Problems" by Daniel S. Wentworth, Jr., of Chicago, and a discussion of miscellaneous title standards by Cyrus M. Poppen of Muskegon, Michigan.

Saturday morning, a panel, chaired by Ralph Jossman of Detroit, and composed of Joseph J. Beck, Arnold W. Lungershausen, Frank J. Ortman, G. Earl Owens, Clarence Videan, and Reuben M. Waterman (all of the Detroit Bar) will consider "New and Old Title Standards," and answer questions put to them by institute participants.

Part II of the institute, "Reviewing Real and Personal Property Tax Assessments," will begin at 10:30 A.M. Saturday. R. Gerald Barr of Port Huron and Albert E. Champney and Edward T. Goodrich of Detroit will be the speakers for this part of the program. Charles W. Joiner, Institute Program Chairman, states that "pressures are increasing to require lowered assessments on homes and industrial real and personal property. Countervailing pressures are increasing, arising from the needs of municipal governments for additional revenue. These two forces meet head on in the tax assessor's office, and the administrative machinery established to resolve the conflict." He believes that the discussion by Messrs. Barr, Champney and Goodrich should prove interesting to all institute participants.

Further information concerning the two institutes may be obtained by writing Professor Joiner, Room 918 Legal Research Building, The University of Michigan, Ann Arbor.

FROM THE DEAN

(continued from page 1)

the problem of multiple taxation imposed upon transactions that cross international boundary lines. The field teems with problems calling for study.

Fourth, there is the somewhat more subtle idea of stimulating, supporting and promoting international unification of law related to transactions and activities that cross international boundary lines. The advantages of unification are obvious in the facilitation of world trade and international understanding, but again, education and research are necessary to effective results.

Fifth, I would refer to the purely cultural values in exposing the next generation of lawyers to some of the literature and the problems of International and Comparative Law. A mastery of the law and legal institutions of other countries can give us much in the way of understanding, pleasure, and satisfaction. Perhaps we lawyers should pay more attention to such values and should regard them more highly than we have been accustomed in the past.

These are the principal reasons why Michigan and other leading law schools have devoted increasing effort in recent years to international and comparative legal studies. I predict that the emphasis will continue to grow, and indeed that it must do so if we are to establish and maintain a position of leadership in the modern world.

LAW QUADRANGLE NOTES

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Graduate Named To High Court

Theodore Souris, appointed Wayne County circuit judge in February, 1959, has been named to the Michigan State Supreme Court by Governor G. Mennen Williams. Judge Souris holds both A.B. and LL.B. degrees from The University of Michigan.

At 34, Judge Souris will be the youngest justice in Michigan's 132-year history. A native of Detroit, he graduated from the Michigan Law School in 1949. His appointment to the State Supreme Court came as a result of the resignation of Justice John D. Voelker, (LL.B.'28), of Ishpeming. The appointment was effective Jan. 4 and will run until the office is filled by election in November 1960.

Michigan Committee On Procedural Revision Makes Final Report

The Joint Committee on Michigan Procedural Revision, of which Professor Charles W. Joiner of the Law Faculty is Chairman, has made its final report and recommendations to the Legislature, the Supreme Court, the Judicial Conference and the State Bar of Michigan.

In that report, the Committee recommends that the statutes and rules drafted by it be adopted and made effective January 1, 1961; that a concentrated educational program be initiated during the year 1960 to assist all the lawyers in the state in becoming acquainted with the new statutes and rules; and that the existing procedural statutes and rules be repealed. The Committee also recommends, in a supplemental report entitled "Judicial Administration at the Appellate Level—Michigan" that an intermediate court of appeals be created for the State of Michigan. The Committee indicates that this change in the court structure is necessary to provide the machinery and judicial administration at the appellate level.

The Joint Committee was created by action of the Supreme Court, the State Bar and the Michigan Legislature. The primary purpose of the Committee was to eliminate technicalities and to reduce the cost of litigation, as well as to provide a system of procedure which will produce just results. The Committee was composed of thirty-three members selected from throughout the State. Its first meeting took place in the Spring of 1956. Since that time the Committee has met on the average of six times a year, for two-day sessions.

The final product of the Committee's work is a set of statutes and court rules which complement each other. More than 900 sections of the Michigan Judicature Act are proposed to be eliminated because special or general provisions in the proposed new statutes and rules made them unnecessary, and more than 500 are to be eliminated in view of the proposed consolidation of ideas and simplification of the procedural system.

Summarizing the accomplishments of the recommendations, Professor Joiner states: "Litigants are given greater opportunity to achieve the desired result in a single action due to the introduction of the compulsory counterclaims and broadened joinder rules. Many actions have been simplified by the abolition of technicalities. The cost of litigation has been lessened as a result of the ability to bring in one action which previously required several actions. Lawsuits may be begun more simply and the use of courts by litigants has been made less burdensome. Archaic and harsh provisions have been eliminated. Discovery rules have been broadened and made less expensive to assist litigants in finding facts in advance of trial. The procedural distinctions between law and equity have been abolished insofar as practicable. More efficient use of the courts has been promoted. This should reduce the case load and trial time and should lessen the burden on our courts. The changes in practice have been made with the litigant in mind to make the solving of disputes a less frustrating and burdensome experience and to lessen the cost of litigation. Adoption of the statutes and rules should make it more likely that decisions will be made on the merits."



The present Editor-in-Chief of the MICHIGAN LAW REVIEW is Thomas E. Kauper, a Senior in the Law School, and son of Professor Paul G. Kauper of the Law Faculty. Following graduation, Tom will become Law Clerk to Mr. Justice Potter Stewart of the U.S. Supreme Court.

LEGAL EDUCATION STUDIED BY CONFERENCE

Over one hundred law teachers, undergraduate educators, practicing lawyers, and representatives of commerce and industry attended a four-day Conference on Legal Education in Ann Arbor, June 15-18, 1959. The conference was called by the Law School to stimulate planning for the future and was directed at two problems: (1) the law schools' role in developing a lawyer; and (2) the law school as a vehicle of public service.

The members of the conference met in small seminar groups during much of the four-day period and discussed a prepared agenda which listed various problems facing legal education today and likely to arise in the future. In addition, the principal addresses were given before the entire conference. Among these were "Legal Education for Statesmanship," presented by Dean E. Blythe Stason of the Law School, and "A Sense of Fairness," given by Homer D. Crotty, Chairman of the Section on Legal Education of the American Bar Association. Other main speakers included Ross L. Malone, President of the American Bar Association; Carl McGowan, General Counsel of the Chicago and North Western Railway Company; Harlan Hatcher, President of The University of Michigan; and Charles W. Joiner, Chairman of the Conference.

Each participant was encouraged to write a memorandum on some phase of the conference agenda. These were distributed among the participants in advance of the conference and served as points of departure for the discussions. The conclusions reached by each seminar group were reported and included in the final report on the consensus of the conference. That report was approved by the conference as a whole.

The final report speaks strongly in favor of the development of closer relationships between the law schools and undergraduate colleges. In addition, it recommends more emphasis on the study of comparative and international law, and directs attention to the need for acquiring competent instructors in these fields in order to provide more courses in these areas in the law school curriculum. The report also urges that the law schools welcome moves by the organized bar looking toward closer cooperation between them, and, finally it outlines the obligations of the law schools and their faculties in the research field.

As noted elsewhere in this issue the proceedings of the conference have been published and are available to all interested persons. Orders may be placed through the office of Michigan Legal Publications at the Law School. The price of the volume is \$4.00.

16 Attend AALS Meeting

Sixteen members of the Law Faculty attended the annual meeting of the Association of American Law Schools, held in St. Louis, Missouri, December 28 to 30, 1959. Those present included Associate Dean R. A. Smith, Assistant Dean R. F. Proffitt, and Professors Cooperrider, George, Harris, Harvey, Hawkins, Julin, Kauper, Kimball, Oppenheim, Polasky, Reed, A. F. Smith, Watson and Wright. Several of the faculty were program participants.

On Monday afternoon, December 28, Thomas F. McDonald (LL.B.'17, LL.M.hon.'36) played host to the faculty attending the meeting at an informal gathering at the Key Club. Mr. McDonald, a member of the firm of McDonald & Wright, St. Louis, had also asked a number of the School's alumni now located in the St. Louis area to meet with them, and to become acquainted with Visiting Prof. Frederick H. Lawson and Prof. Richard R. B. Powell (who will be teaching at the School during the 1960 Spring Semester), who were also in attendance.

INTERNATIONAL LEGAL STUDIES AT MICHIGAN

By WILLIAM W. BISHOP, JR.

Elsewhere in this issue, Dean Stason discusses Michigan's progress in international and comparative law. Teaching and research in these fields have gone forward steadily at Michigan since the close of World War I, when Prof. E. D. Dickinson joined the faculty to teach international law. Renewed impetus after World War II has been greatly aided by the Ford Foundation grant to the School for international legal studies in December, 1954, in the amount of \$500,000 to be expended over a ten-year period. This grant was allocated by the Foundation for graduate student fellowships, research, an addition to the law faculty, and travel and similar "miscellaneous" assistance.

Prof. Eric Stein and William W. Bishop, Jr. serve as co-directors of the work in this field. Others of the faculty, including Prof. Alfred Conard, B. J. George, Paul Kauper, Spencer Kimball, Allan Smith and Hessel Yntema, devote part of their time to foreign and international phases of the Law School's work. Our law library has one of the country's leading collections of foreign law and international law materials. Research, preparation of teaching materials, and other developmental work in international legal studies are carried on at Michigan. With 75 per cent to 85 per cent of our graduating students having taken at least one course or seminar in the international and comparative law field, Michigan today leads the larger United States law schools in the breadth of impact of such work on the law student body as a whole.

Why are we stressing international legal studies? Dean Stason gives five reasons. Expressing the same thoughts, it might be said

that it is in part because an increasing number of our graduates find demands in private practice, work for corporations, and government legal offices, for some familiarity with international and foreign law. More important is the belief that such study broadens the lawyer's horizons, and gives him a chance to see how other legal systems (particularly the somewhat rudimentary system of law between nations) operate. The approach or solution under other laws may suggest ways of dealing with problems which currently trouble our own law. Examination of the nature, background, growth, concepts and functioning of other legal systems helps the student to understand better our own legal system, and to form ideas of the possibilities and limitations of law as a social institution. This explains the inclusion of courses and seminars in international and comparative law in the group of "jurisprudential" or "perspective" courses from which each student must select at least one course or seminar as a prerequisite for graduation.

Furthermore this work is valuable because of the lawyer's professional responsibility as a leader of the community, of government, and of public opinion, in matters going beyond our own country. International law, as the legal aspect of international relations, calls for the lawyer's skills, the lawyer's attitudes, and the lawyer's approach. By reason of legal training and familiarity with law in his daily work, it is the lawyer who is in the best position to guide effectively public opinion in a democracy when legal questions arise in international relations. With the increasing importance of the United States in world affairs, and the importance

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Graduate students from other countries enrolled at the Law School this fall are seen here. In the front row are Mohammad Nawaz, Pakistan; Kanae Taijudo, Japan; Gabriel Singson, Philippines; Grace Pena, Philippines; Ceferino Gaddi, Philippines; Yoshimichi Hiraide, Japan; Akira Fujishim, Japan; Yoshiya Kawamata, Japan. In the second row are Manuel Abello, Philippines; Alois Rutz, Switzerland; Jorge Falomir, Mexico; Masahiko Takeda, Japan; Ajit Bedi, India; Jacques Bourgeois, Belgium; Jose Plana, Philippines; Kensuke Kobori, Japan. In the third row are Jean-pierre Stenger, France; Geerd Muentinga, Germany; George Mueller, Switzerland; Jurgen Krumland, Germany; Enrique Perez, Philippines; Lawrence Ziman, England; Albert McClean, England. In the top row are Profs. B. J. George, Jr., and Allan F. Smith.



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of international affairs to all in our country, it becomes highly necessary that we have many persons sufficiently conversant with international law to understand the legal aspects of problems arising in our relations with other countries. Introduction to the legal aspects may well lead on to reading and thinking about the other aspects of international affairs.

The basic one-semester course in International Law, successively taught by Prof. E. D. Dickinson, Mr. Bishop as a research assistant, and Prof. Hessel Yntema, is now taught by Professors Bishop and Stein. From 170 to 220 students each year now take this course devoted to international law as applied between independent nations and in American courts. The Comparative Law course, formerly taught by Prof. John P. Dawson, has been conducted by distinguished European visiting professors since 1956. This year it is taught by F. H. Lawson of Oxford. Our comparative law work will be strengthened by the addition to the faculty in 1960 of Whitmore Gray, an honor graduate of 1957 who comes from foreign study and New York law practice. Prof. Hessel Yntema, as Research Professor of Comparative Law, has long been a distinguished leader in the field and has encouraged advanced individual work in comparative law studies.

A number of seminars in the international and comparative field give groups of 10 to 20 undergraduate and graduate law students the opportunity to do advanced and intensive work, discussing problems and writing original research papers. Professor Bishop's International Law Seminar usually deals with aspects of treaties, law of the sea, and protection of nationals abroad. Professor Stein's seminar on European Economic Organizations studies such recent developments as the European Coal and Steel Community, the "Common Market," Euratom, and the like. His United Nations seminar concerns the legal problems arising in the work of the United Nations and its specialized agencies. One of the most popular seminars is that in the Law of Foreign Trade and Investment, developed and taught by Professor Stein with the collaboration of Prof. L. H. Wright. Professors Bishop and B. J. George occasionally offer a seminar on International Problems of Criminal Law, bringing together the criminal law and international law viewpoints for consideration of questions of extradition, jurisdiction over crime, procedural safeguards in prosecutions of aliens, war crimes trials, etc. Prof. A. F. Conrad teaches a seminar in the Comparative Law of Business Associations, while from time to time Prof. Paul Kauper conducts a Seminar on Comparative Constitutional Law. Professor George, with the collaboration of Prof. Burke Shartel and of foreign scholars, has developed a Comparative Criminal Procedure Seminar working on German and Japanese materials as well as American. For many years almost all our American graduate students who are candidates for the S.J.D. degree have taken a comparative law seminar. From time to time, comparative aspects have been incorporated in other seminars, while new seminars in the international and comparative areas are currently under development.

Through fellowship awards from the Ford Foundation grant and Cook funds, those provided by the United States and foreign governments, and other resources, in recent years the Law School has had from 20 to 35 foreign law school graduates working at Michigan each year, either as graduate students or research personnel or as visiting scholars. These young men and women have contributed much to the understanding of foreign ideas and attitudes by faculty and students, and have taken home to their own countries a clearer idea of American law, American institutions and American ideals. The Law School tries to work out with each such visitor the program which will be of most benefit in his individual case. Two special courses are offered for foreign students, a Constitutional Law Survey taught by Professor Kauper, and a Survey of American Law now conducted by Prof. Spencer Kimball with the participation of faculty experts in various subjects. The foreign students take part in other course and seminar work

along with American undergraduate law students, and often aid in bringing out the viewpoints of their own legal systems for contrast with ours. Many also carry on some research project while at Michigan, usually on a comparative basis. Prof. B. J. George, as Advisor to Foreign Students, and the Graduate and Research Committee, are much occupied with these young foreign lawyers who form a distinctive element of the student body at Michigan. The valuable informal contacts between American and foreign students outside the classroom are facilitated by the surroundings and living conditions of the Lawyers Club.

Foreign contacts also consist of Americans studying or researching or observing abroad. A number of those graduating from the Law School in recent years have managed to study in foreign countries, in large part through Fulbright awards, fellowships provided by the Law School's Ford Foundation grant, and the like. Law faculty members who have spent considerable periods in other countries in recent years include Burke Shartel, W. B. Harvey, B. J. George, Wm. W. Bishop, Jr., Eric Stein, A. F. Conrad, and Paul Kauper, in addition to more frequent though briefer visits by Dean Stason and Hessel Yntema.

The Michigan record of comparative and international legal research has also been substantial. The comparative studies in the law of negotiable instruments, particularly in the other American Republics, long carried on and directed by Professor Yntema, have formed a task of major importance. Professor Stein's investigations of the European Economic Community and the legal problems of American enterprise in connection therewith have made Michigan the leading center in the United States for legal studies concerning European economic integration. The international law aspects of peaceful use of atomic energy are being stressed in the very active program of legal research on atomic energy under way at Michigan, with Wm. Berman and Lee Hydeman as co-directors under the supervision of a faculty committee of which Dean Stason is chairman. A considerable number of smaller or earlier research projects have resulted in articles, teaching materials for seminars, lectures, etc.

In addition to such research contributions, the Law School has played an important part in developmental activities in international and comparative law. The establishment of the *American Journal of Comparative Law* was largely due to the efforts of the school and of Professor Yntema, who has been the Editor-in-Chief since its founding. Professor Bishop served for a time as Editor-in-Chief of the *American Journal of International Law* and still remains on its Board of Editors. Teaching materials, syllabi, etc., prepared for seminar use by Professors Dawson, Conrad, George, Stein, Bishop, Kauper and others, have made real contributions to teaching in comparative and international law. Professor Bishop's international law casebook is among the most widely used in the subject. Michigan faculty members have played important parts in the various organizations devoted to comparative law and international law.

Building on a long record of interest, aided and stimulated by the Ford Foundation grant, the Law School stands among the leaders in international and comparative law in this country. With strong student interest, and widespread faculty encouragement of and participation in the program of teaching and research, Michigan looks forward to playing an increasing part in better preparation for international and foreign law work, for improving international understanding, and for promoting the role of law in international affairs both public and private.

The Law School's Legislative Research Center has drafted a model act which would make non-resident property owners, businessmen, contractors, and others subject to court action in the states where they do business. To prevent undue harassment of out-of-state residents, the model act provides that if the plaintiff fails to win his case, the court has the right to make him pay the costs for the defendant's appearance.

New Faces Added To Law Faculty

Four men joined the Law School Faculty in September, 1959: Roger A. Cunningham, Robert J. Harris, Joseph R. Julin and Dr. Andrew S. Watson.

Professor Cunningham received a Bachelor of Science (magna cum laude) in 1942 from Harvard College, and in 1948 received a Bachelor of Laws degree (cum laude) from the Harvard Law School. After being admitted to practice in Massachusetts in 1948, he became associated with the firm of Nutter, McClennen & Fish, Boston, during 1948-49. The following year he was appointed as a teaching fellow at the Harvard Law School and, as such, helped initiate the "group work program" for the first-year students at the School. Mr. Cunningham was a member of the George Washington University Law Faculty from 1950 to 1954, and, in 1954, joined the faculty of Rutgers University Law School, where he remained until coming to Ann Arbor. While at Rutgers, Mr. Cunningham, with the aid of a Ford Foundation grant, helped establish a new program of research and instruction in urban problems.

At Michigan, Mr. Cunningham is teaching courses in Property and Securities, and is scheduled to conduct a seminar on Land Utilization during the spring semester. As a result of his article on "Control of Land Use in New Jersey by Means of Zoning," which appeared in *14 Rutgers L. Rev. 37 (1959)*, Mr. Cunningham has been requested by the Secretary of the New Jersey Law Revision Commission to participate in the revision of the New Jersey Planning and Zoning Acts.

Professor Harris was graduated from Wesleyan University in 1953, and received the LL.B. from Yale Law School in 1956. While at Yale, he was a member of the Editorial Board of the *Yale Law Journal* and was elected to the Order of the Coif.

After receiving his law degree, Mr. Harris served as law clerk to Chief Judge Charles E. Clark of the U.S. Court of Appeals for the Second Circuit until July, 1957. He then became associated with the firm of Goldstein & Peck, Bridgeport, Connecticut, and the following year joined the George Washington University Law Faculty.

Since coming to Michigan, Mr. Harris has been teaching two sections of the first-year course in Contracts.

He is a member of the Connecticut Bar and the Bar of the U. S. District Court for the District of Connecticut.

Professor Julin holds a B.S.L. (1950) from Northwestern University and an LL.B. (1952) from the same institution. While in law school he was elected to the Order of the Coif, served as President of the Graduating Class, and as Associate Editor of the *Illinois Law Review* (now the *Northwestern University Law Review*). He received the Wigmore Key for reflecting outstanding credit on his law school.

Mr. Julin joined the firm of Schuyler, Richert & Stough (now Schuyler, Stough & Morris), Chicago, in 1952, and became a partner in that firm in 1957.

In addition, he served as a Lecturer in Law at Northwestern from 1953 to 1959, and was a Special Lecturer in Medical Jurisprudence in that University's Medical School from 1954 to 1959.

Mr. Julin is a member of the Chicago Bar Association, the Illinois State Bar Association, the American Bar Association and the Bar Association of the Seventh Federal Circuit. From 1956 to 1959 he was Secretary of the Chicago Bar Association's Probate Practice Committee, and, during the same period, acted as chairman of a sub-committee on the Office of the Clerk of the Probate Court of Cook County. Mr. Julin assisted in the 1959 revision of Rules of Probate Court of Cook County.

He is presently teaching courses in Property and Future interests, and will offer courses in the natural resource area, specifically in Oil and Gas Law, in the future.



Four new faculty members this year are, at the top of the page, Roger A. Cunningham and Dr. Andrew S. Watson, and in the second row, Joseph R. Julin and Robert J. Harris.

Dr. Watson received a Bachelor of Science degree from The University of Michigan in 1942, and an M.D. from Temple University in 1950. After a year's rotating internship at the Graduate Hospital of the University of Pennsylvania, he returned to Temple University Hospital in 1951 for three years of residency training in psychiatry. In 1954 he received the degree of Master of Science in Medicine from Temple. He then joined the staff of the Department of Psychiatry at the University of Pennsylvania and, in 1955, was appointed Associate Professor of Psychology and Law at the University of Pennsylvania Law School. There, on a project financially sponsored by the National Institute of Mental Health, he became involved in a program to produce an experiment with teaching materials in the behavioral sciences for use by law schools. This work resulted in the preparation of a manuscript for a book which is now under contract for publication, as well as many articles for various law and medical journals.

Dr. Watson has an academic appointment in the Michigan Law School and in the University's Medical School. In the Law School he is taking part in courses and seminars in which the qualities of human behavior are of "substantial significance," such as Criminal Law, Criminal Procedure, Evidence and Domestic Relations. He is also interested in promoting interdisciplinary teaching programs in the Law School as well as in the Medical School. In addition, he works in the Children's Psychiatric Hospital, where he conducts teaching and supervision with emphasis on problems of family psychopathology and its social implications.

ALUMNI DIRECTORY—ORDER NOW!

Copies of the 1959 edition of the Law School Alumni Directory may be ordered by writing the Directory Office, 310 Hutchins Hall, Ann Arbor. The price per copy is \$8.50, and checks should be made payable to The University of Michigan.

Birthday Gift Fund

Totals \$56,984

At the Centennial Banquet on Oct. 23, two heartwarming birthday gifts were presented to the Law School.

Ralph M. Carson, of New York, represented a committee of New York alumni that sparkplugged a Birthday Gift Fund to be used for top-level purposes not feasible within existing fiscal resources. Mr. Carson presented the Dean with a check for \$53,439, contributed by about 550 alumni who wished in this way to express their affection and support for their Alma Mater. Additional contributions brought the fund to \$56,984 on Dec. 2.

Another birthday gift came from The University of Michigan Alumni Association of Taipei, Taiwan. Two Chinese palatial lanterns were sent with a message from the Hon. Lian-chien Cha, Vice Minister of Justice of the Republic of China and president of the Taipei alumni group. The lanterns are symbolic of light, and came with the wish that the Law School may continue to "flourish and bring future light to world peace and welfare of mankind with its efforts in promoting the Rule of Law." The lanterns will be hung in the Hutchins Hall Alumni Room.

These thoughtful and generous remembrances are most sincerely appreciated by the faculty and all others interested in the Law School.

A firm and final budget for the use of the Birthday Fund has not been fixed, but a list of top-level items is under consideration, and others may be added. The following are being studied:

1. Inviting distinguished professors, leading practitioners, and other specialists to spend more or less extended periods in the School, engaging in seminars or conferences, assisting in developmental work, or associating in the Lawyers Club with students.
2. Offering special graduate instruction in comparative and international law, especially as provided by professors from foreign countries on appointments not to exceed one semester.
3. Presenting special lectureship, with emphasis on the humanistic aspects of the law.
4. Engaging in exceptional research projects, including assistance to finish some significant treatise, or to carry out some project that will contribute toward improvement of the law or administration of justice, or that will penetrate newer areas of the law.
5. Offering scholarships for outstanding but needy students.
6. Making special purchases for the Law Library.

Dean Stason, accepting the gifts on behalf of the School, expressed appreciation for them especially because of the loyalties which the gifts represent.

Business Manager Named

Maurice M. Rinkel has been appointed to the newly created post of Business Manager of the Lawyers Club.

Operating the dining room, and serving as hostess for the Club, is Mrs. Wilda Morgan. Prof. John W. Reed continues as Secretary of the Club's Board of Governors.

This new management arrangement was devised after the retirement of Mrs. Georgia Peavey as Director. The increasing complexity of the Club's operation and the enlarged program of speakers and seminar leaders in the Club required a shift to more and specialized personnel.

Mr. Rinkel, a certified public accountant and holder of a master's degree from the University's School of Business Administration, is also Business Secretary to the University's Board in Control of Student Publications, and is Auditor of Student Organizations.

Mrs. Morgan, who came to the Club from a public school position in California, served until a year ago as Director of Residence Halls at the California Institute of Technology.

Job Placement

Picture Is Good

The number of job opportunities for law students and graduates increased slightly during the 1958-59 school year. Representatives from 78 law firms, corporations and government agencies interviewed at the School on 95 separate schedules. They conducted 750 individual interviews. More than 300 other lawyers and corporate executives notified the Placement Office about openings, an increase of 50 over the preceding year.

Of the 212 members in the 1959 graduating classes who registered with Placement, 66 per cent had reported employment by October 1; 18 per cent were subject to military service call; and the remaining 16 per cent had not reported. Michigan drew the greatest number of students, with New York, Ohio and Illinois next in that order. Most of the students took jobs in law offices; some are in government offices, corporations and banks.

It appears that the activity this year will be greater than last. Sixty-seven representatives interviewed at the Law School from October to Christmas vacation as compared with 49 during the same period last year. There is a definite increase in the number of opportunities for summer employment for second-year students. More firms are interviewing earlier in the fall, and third-year students are getting offers earlier each year.

Although a number of students will have made decisions by the first of the year, the School will have good students seeking locations during the second semester. The Placement Office will appreciate hearing about any and all opportunities for these men, and for former graduates who are in military service or are interested in a change. Prof. Laylin K. James is Director of Placement; Miss Elizabeth Bliss is Placement Secretary.

PROFESSOR TRACY DIES

John E. Tracy, professor emeritus of law at The University of Michigan, died Dec. 21 after an illness of two months. He was 79.



Professor Tracy practiced law for more than a quarter century in Michigan, New York City, and Chicago before joining the Law School faculty in 1930. He retired in 1950.

Among his books are *The Successful Practice of Law* (1947), *The Doctor as a Witness* (1957), and the forthcoming *Stories of Famous Trials*, the manuscript for which was completed for publication just before his illness. He was the author of various other books and articles on law

and legal practice, and was an occasional contributor to the *Michigan Alumnus Quarterly Review*.

"Professor Tracy had a rare gift for bringing the practicalities of the law into the classroom and into his personal consultations with students," Dean E. B. Stason has commented. "He performed invaluable service in his advice to young attorneys embarking upon legal careers."

Tracy received his A.B. degree from Maryville College, in Tennessee, in 1901, studied law at the University of Wisconsin, 1901-03, and was admitted to the Bar in 1904. He practiced law in Menominee and Marquette, Mich., New York and Chicago during the period 1904-30. He was honored by the Michigan State Bar in 1957 for 50 years' service to the profession.

Five Books Issued By Publications Office

The Michigan Legal Publications office had a very busy production schedule in 1959, with seven books totaling over 5,000 pages appearing during the year. Several other volumes are nearing completion and will be published early in 1960. The May 1959 *Law Quadrangle Notes* gave information about most of these books, but only three had actually appeared at that date.

Of special interest to alumni is *Legal Education at Michigan: 1859-1959* by Elizabeth Gaspar Brown, in consultation with Prof. W. W. Blume, (940 pages, 7 illustrations, \$15.00), which was published during the Centennial celebration. Not only Michigan graduates but all who are concerned with legal education will be interested in this publication. Part I of the volume, consisting of twelve chapters, presents an account of the growth of the Law School from a department with a faculty of three and only 90 students to an institution with an international reputation. Part II includes valuable tables, charts, documents, and an extensive bibliography of all faculty and research staff contributions to legal literature during the hundred year history of the Law School. Knowing one's past is helpful in charting the future course; therefore the book has significance to all persons considering problems relating to legal education.

Recognizing the importance of planning for the future of legal education, a conference was called by the Law School of The University of Michigan "for the purpose of taking stock and planning for the future in concert with members of the law teaching profession, undergraduate educators, practicing lawyers and persons representing commerce and industry, and directing the attention of those interested in the process of legal education to the ultimate goals of excellence and superiority which are essential to tomorrow's lawyer." *The Law Schools Look Ahead: 1959 Conference on Legal Education*, edited by Charles W. Joiner (340 pages, paperbound, \$4.00), contains the proceedings of this conference and the advance memoranda prepared by the more than one hundred participants. This was the Twelfth Annual Summer Institute sponsored by the Law School of The University of Michigan.

Atoms and the Law, by Dean E. Blythe Stason, Prof. Samuel D. Estep, and Prof. William J. Pierce (1512 pages, \$15.00), represents the culmination of studies in the legal implications of peaceful uses of atomic energy. Assisted by substantial grants from the Michigan Memorial-Phoenix Project, the Detroit Edison Company, the William W. Cook Endowment Fund, and the Ford Foundation, work began in 1951 and still continues in this rapidly changing field. *Atoms and the Law*, which appeared in September 1959, contains sections on Tort Liability and Radiation, Workmen's Compensation and Radiation Injuries, State Regulation of Atomic Energy, Federal Regulatory and Administrative Limitations upon Atomic Activities, and International Control of Atomic Energy. Eric Stein, and Bernhard G. Bechhoefer wrote the chapter on the International Atomic Energy Agency; Courts Oulahan, now on the legal staff of the Atomic Energy Commission wrote on the Commission's administrative procedures; and Horace W. Dewey wrote the chapter on Soviet atomic developments.

Discussed in the May 1959 *Law Quadrangle Notes* are four other publications which appeared in first half of the year; *The Conflict of Laws*, Volume I, Revised, by Ernst Rabel (\$15.00); *Constitutional Uniformity and Equality in State Taxation*, by Wade J. Newhouse, Jr. (\$12.50); *Collective Bargaining and the Law*, the proceedings of the 1958 Summer Institute sponsored jointly by The University of Michigan Law School and the Institute of Labor and Industrial Relations (The University of Michigan-Wayne State University) (\$4.00); and *The Use of In-*

Cooley Lecture Volumes Honored

Six of the Thomas M. Cooley Lecture Series volumes published by the Michigan Legal Publications office are now on the "Treasure List of Classics" offered to members of the Lawyers' Literary Club.

The Lawyers' Literary Club has a distinguished board of editorial advisors: Judge Learned Hand, Judge Alexander Holtzoff, Dean Roscoe Pound, Emeritus, Mr. Merlo J. Pusey, Mr. Joseph N. Welch, and Mr. F. Trobridge vom Baur. By last December 1, 1400 members had subscribed to the Club, and many orders were being received by the Michigan Legal Publications office for the Cooley Lecture Series volumes.

The Cooley Lectures listed as treasured classics are: *Some Problems of Equity* by Zechariah Chafee, Jr.; *Frontiers of Constitutional Liberty* by Paul G. Kauper; *A Common Lawyer Looks at the Civil Law* by F. H. Lawson; *Selected Topics on the Law of Torts* by William Lloyd Prosser; *The Constitution and Socio-Economic Change* by Henry Rottschaefer; and *Public Policy and the Dead Hand* by Lewis M. Simes.

6 of 18 Kirkland Scholars at U-M

A small and elite group within the student body are the recipients of the Weymouth Kirkland Scholarships. These scholarships are awarded each year on a competitive basis to students from "Chicagoland" (Illinois, Indiana, Iowa, Michigan and Wisconsin) who are attending approved law schools in the same area. Eighteen Kirkland Scholars were named for 1959-60. Six are students in The University of Michigan Law School, two in each class. They are: Thomas Kauper, Ann Arbor, Michigan, and Roger Findley, Benton Harbor, Michigan (Seniors); Daniel E. Lewis, LaPorte, Indiana, and Robert Steed, Grand Rapids, Michigan (Juniors); and Robert B. Wessling, Chicago, Illinois, and James J. White, Harlan, Iowa (Freshmen). In the three years that these scholarships have been available, eleven Michigan students have been so honored. They have all maintained excellent scholastic records, and each has at all times stood in the upper 10 per cent of his class.

The scholarships were named for Mr. Weymouth Kirkland of the Chicago Bar. They consist of annual grants to cover tuition and, in appropriate cases, an additional allowance for living expenses, up to \$800. A student who receives an award as a freshman may retain his award through his junior and senior years if he continues to do satisfactory work. The awards are made available through funds provided by the Trustees of the Robert R. McCormick Trust, in recognition of the long association between Colonel Robert McCormick, late editor and publisher of the Chicago Tribune, and Mr. Kirkland, a close friend and adviser. The Trustees of the Weymouth Kirkland Foundation administer the scholarships.

International Law, in the Thomas M. Cooley Lecture Series, by Philip C. Jessup (\$5.00).

To be published soon are *The Improvement of Conveyancing by Legislation*, by Lewis M. Simes (\$5.00); *Fraud on the Widow's Share*, by William MacDonald; a second edition of Volume II of Rabel's *Conflict of Laws*; and several other volumes.

Orders or requests for information about these or other Michigan Legal Publications may be sent to

William J. Pierce, Editor
Michigan Legal Publications
Legal Research Building
Ann Arbor, Michigan



American graduate students are pictured here. In the first row are Seymour Schafer, Frenk Sengstock, Boris Kozolcyk, Max Pock, Prof. F. H. Lawson. In the second row are Prof. Allan F. Smith, Alan Sinclair, John Winters, Beverly Pooley, Edward Swartz, and Larry Elison.

58 STATES AND COUNTRIES REPRESENTED AMONG LAW SCHOOL STUDENTS

Articles in past issues of the *Notes* have emphasized that an important factor in the strength of the School and its influence throughout the United States, and throughout the world, has been the diversified geographic origins of its students. This is no less true today. From within the United States, students come to the School from as far west as Hawaii and as far east as Massachusetts; from as far south as Texas and Florida and as far north as Maine. In addition, there are students from Belgium, Canada, Cuba, Egypt, France, Germany, India, Indonesia, Japan, Mexico, North Ireland, Norway, Pakistan, the Philippine Islands, Puerto Rico, Switzerland, and Thailand. Through daily association with their fellow students and through participation in some of the School's comparative and international law courses, the law students acquire a great deal of knowledge concerning the customs and legal systems of other places. The total number of states, territories and foreign countries represented in this year's student body is 58.

In addition to their diverse geographic origins, students come to the Law School from many different campuses throughout the world. This, too, enriches the educational experience of the entire student body. This year 211 educational institutions are represented, and this is a typical year. At the same time, it is worth noting that a rather steady flow of students come to the School each year from several of the country's leading universities and colleges. The greatest number, although usually not more than 25 per cent, have had their undergraduate work at The University of Michigan. During the last four years (which have been typical) twelve different schools, in addition to The University of Michigan, have had an average of ten or more graduates in residence here. Those schools, and the average number of graduates in residence each year, are: Michigan State University (45); Princeton (30); Dartmouth (27); Yale (27); Northwestern (21); Amherst (17); Notre Dame (16); Harvard (14); Wayne State University (13); DePauw (11); Williams (11); and the University of Kansas (10).

The number of veterans receiving aid from one of the G.I. bills has dropped to 72. The married law students are still a large group, comprising more than one-third of the student body. There are eleven women enrolled in the School this year.

Five Instructorships Now Available

The Law School is now considering applications for five openings for the position of Instructor in the Problems and Research Program for the school year 1960-61. These appointments are made for one academic year only, and carry a stipend of \$5,500 for the nine and one-half month period.

The Problems and Research Program, initiated in 1957, provides all second-year students with individual work in legal research and writing, under the supervision of the Instructors. Students are given problems in such areas as estate planning and the drafting of wills, preparation of contracts, drafting of statutes, and the elicitation and marshalling of facts orally and from documents.

The work provides the instructors with an experience which will be helpful to them in the later practice of law, or in the teaching branch of the profession. Any of the School's recent graduates who would like to be considered for one of these appointments should write Prof. Jack Richard Pearce as soon as possible. Professor Pearce is in charge of the program.

During the current year, three of the instructors, Dudley H. Chapman, Thomas A. Dieterich, and Ronald T. Schaps, are Michigan Law School graduates. All are former members of the *Michigan Law Review* staff. The other two instructors are Lawrence K. Harris, a graduate of the Harvard Law School, and Rodney Shkolnick of the Iowa Law School. All have had some experience in law practice.

Senior Fellowships Strengthen Research Work

While continuing its support of legal research by faculty members, the Law School is now broadening its efforts to encourage fruitful research through the use of senior research fellowships. These awards bring to Ann Arbor established scholars who have demonstrated their ability and who, through the awards, are freed from all teaching responsibility in order to accomplish the writing of significant works.

Four such fellowships have been awarded during 1959-60. The Edson R. Sunderland Research fellowship was given to J. Keith Mann, Professor of Law at Stanford University. He will be in residence until April, 1960, doing research in his field of specialization—labor relations law. He is working particularly on the modes of settlement of inter-union disputes.

Prof. E. C. Hoyt, formerly with the Department of Government, Hamilton College, is in residence doing research in the field of international law. He expects to complete a study of the relationship between international law and United States foreign policy.

A third fellowship was awarded to Prof. L. Neville Brown, Senior Lecturer in Comparative Law at the University of Birmingham. Professor Brown is in residence from January to September, and expects to do comparative research in the field of family law. He is interested particularly in the economic aspects of the matrimonial relationship, both during its continuance and at its termination.

Prof. Yu-kun An, of National Taiwan University, Formosa, was in residence during the fall semester pursuing comparative research in his teaching field.

The program for awarding these fellowships is not formalized, but recognition of the suitability of this kind of grant makes it possible to encourage high quality scholarship.

Faculty News Notes

Ralph W. Aigler (emeritus) is again spending the second semester of the academic year at the University of Arizona Law School. He reports that the manuscript for the current two-volume edition of the casebook on Property, co-authored jointly with Professor A. F. Smith and Professor Sheldon Tefft, is now completed. A paper by Mr. Aigler entitled "Two Recent Significant Decisions in Bills and Notes" is about to be published in the *Arizona Law Review*.

W. W. Blume has completed the third of a series of five articles dealing with law on the American Frontier. Entitled "Probate and Administration on the American Frontier—A Study of the Probate Records of Wayne County—Northwest Territory 1796–1803; Indiana Territory 1803–1805; Michigan Territory 1805–1816," the article was published in the December, 1959, issue of the *Michigan Law Review*. Professor Blume is currently working on the fourth article in the series, which will deal with "Chancery Practice on the American Frontier—A Study of the Records of the Supreme Court of Michigan Territory 1805–1836."

The December, 1959, issue of the *Michigan State Bar Journal* carries Mr. Blume's article on "The Scope of a Cause of Action—Elimination of the Splitting Trap."

Since his return from Europe, A. F. Conard has been working on a study of European corporation law in the six countries of the common market, to serve as a guide for American companies establishing subsidiaries there. "Luckily, the six countries have only four languages among them, since the Belgians use French or Dutch, and the Luxemburgers use French or German. Even so, that is more languages than I can read. Fortunately the texts of the Italian company laws have been translated into French, where I can get at them, and the Dutch into English. I also have informants in most of the countries who answer questions for me, and comment on manuscript; the Dutch and Italian ones write to me in English."

Professor Conard has also begun the study of Economics of Injury Litigation described in the May, 1959, issue of the *Law Quadrangle Notes*, and has met with a large number of people whose help will be sought in this connection, including the Michigan Secretary of State, the Commissioner of State Police, Detroit police officials, insurance company officials, and the Negligence Section of the Michigan State Bar Association. Representatives of The University of Michigan Survey Research Center, which will carry on the field work for the study, have also attended these conferences, and are currently designing the field survey.

Frank E. Cooper recently testified before the U. S. Senate committee investigating the causes of unemployment in Michigan. He participated in two panel discussions of the Federal "Labor Reform Law," one conducted by the National Association of Manufacturers and the other by the National Conference of State Mediation Agencies.

He was elected to the Council of the A.B.A. Administrative Law section at the Miami Beach convention, and is giving attention to the presentation to Congress of arguments and testimony in support of the pending bills to improve administrative procedure.

Samuel D. Estep is continuing his work in atomic energy law research. In August, 1959, he delivered a paper, "Some Legislative Suggestions for Dealing with Atomic Energy Injuries," before the 13th annual NACCA Convention, in Miami, Florida. This talk will be published as a part of the Proceedings of the Convention.

Professor Estep is a member of the Executive Board of the Michigan Memorial-Phoenix Project and has taken an active role in the campaign to raise \$2,000,000 for support of further atomic energy research. Since the Fall, he has given six talks, in Ann Arbor, Flint, and Lansing, on legal research aspects of the Project before various groups of alumni and other Project sup-

porters. As a member of the Michigan State Bar Committee on Atomic Energy, Mr. Estep is preparing for resubmission in the 1960 legislative session a model state atomic energy act, on which he had worked earlier. The Bar Committee hopes for more adequate consideration when the Michigan tax picture is clarified and occupies less of the Legislature's attention.

In the area of constitutional law, the Spring issue of the *Iowa Law Review* will carry a book review by Mr. Estep on international arms control and American constitutional concepts. In this, Mr. Estep suggests that even Americans should not accept unlimited access without search warrant to all government, corporate and individual establishments, and urges that, if necessary, some alternative be found.

Again this year, Mr. Estep is serving on various University faculty committees. These include the Committees on University Lectures, Athletic Policy, and Research. On the Research Committee, he is drawing on his experience during the past summer, in Madison, Wisconsin, in an interdisciplinary seminar on Government and Science.

B. J. George spent the summer of 1959 in Japan, working on Japanese language for research purposes. While there he gave a lecture in Osaka as a continuation of a practitioner's seminar on criminal procedure and evidence which he had conducted in 1956–57, while studying in Japan on a Fulbright grant.

In addition to his recent appointment to the U.S. Supreme Court's Advisory Committee on Civil Rules (noted elsewhere in this issue), Charles W. Joiner's activities included speeches at the Upper Peninsula Institute held in conjunction with the mid-year meeting of the Board of Commissioners of the State Bar of Michigan at Mackinac Island July 9 on the subject "Abolishing the Distinction between Law and Equity in Michigan;" the annual meeting of the American Law Student Association in Miami Beach on August 23; and the Judicial Conference of Michigan held at Hidden Valley, September 15 and 16, reporting on the current status of the revision of the Michigan Court Rules and the Judicature Act. In addition, he spoke and led the afternoon discussions at the following Regional Judicial Conference meetings of the State: Detroit, June 23; Alpena, July 8, and Kalamazoo, July 28. The topic in each case was Michigan Procedural Revision and the merger of law and equity. He also addressed the Emmet-Charlevoix County Bar Association, East Jordan, Michigan, on October 14, and the Ingham County Bar Association, Lansing, Michigan, on December 2, concerning the proposed Michigan Procedural Revision.

Professor Joiner served as reporter for a round table discussion on the tenure and compensation of judges which was a part of the National Conference on Judicial Selection and Court Administration held at the Edgewater Beach Hotel in Chicago on November 22–24, 1959. This Conference was called by the American Bar Association, the American Judicature Society, and the Institute on Judicial Administration. He also attended two meetings of the Joint Committee on Continuing Legal Education of the American Bar Association and the American Law Institute, the first in Washington, D. C. on May 23 and the second in New York City on October 11 and 12.

He continues as chairman of the Joint Committee on Michigan Procedural Revision and as chairman of the Civil Procedure Committee of the State Bar of Michigan, and has recently been appointed Chairman of the special committee of the American Bar Association on Uniform Rules of Evidence for the Federal Courts. He also serves as a representative from Michigan to the Attorney General's Conference on Court Congestion.

As noted elsewhere in this issue, the three-volume report of the Joint Committee on Michigan Procedural Revision, of which Mr. Joiner is chairman, will be published and distributed shortly.

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Faculty News Notes

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A special report of the Committee entitled "Judicial Administration at the Appellate Level—Michigan," containing recommendations pertaining to an intermediate appellate court for the State was published in December, 1959.

Paul G. Kauper just completed the manuscript for the second and revised edition of his *Cases and Materials on Constitutional Law*, which will be published by Little, Brown & Co. in Spring, 1960. His article "Supreme Court: Trends in Constitutional Interpretation," based on an address given before the federal judges of the Sixth Judicial Circuit, appears in 24 Federal Rules Decisions 155 (October, 1959).

On November 10, 1959, Professor Kauper delivered an address on the subject "Bill of Rights and the States," at Milwaukee, Wisconsin, as a part of the Foundations For Freedom program. This program, sponsored by the Milwaukee Junior Bar Association, with the assistance of a grant from the Fund for the Republic, is designed for the benefit of Milwaukee's school teachers, with the expectation that by absorption of these materials into the teaching program the community will become more familiar with the Constitution and the Bill of Rights.

Mr. Kauper was one of the recipients of The University of Michigan Faculty Distinguished Achievement Awards given on October 5, 1959, at the annual Fall meeting of The University of Michigan Senate. This award consisted of a framed certificate and a gift of \$1,000. In addition to this, Mr. Kauper received an honorary Doctor of Laws degree from Valparaiso University on October 8, 1959.

Professor Emeritus Paul Leidy advises that he is enjoying his life as an emeritus professor "by doing practically nothing, on or off the campus." He says that his "'club life' is limited to Rotary and DUNWORKING CLUB, the latter a group of retired business and professional men who, like myself, 'loaf' and 'view with alarm,' and—once in a long while—'point with pride.'"

A paper by S. C. Oppenheim on "Antitrust Developments in Courts and Federal Trade Commission" appeared in 14 ABA Section of Antitrust Law (1959).

Professor Oppenheim participated as Research Adviser in the Public Conference on the Patent, Trademark & Copyright Foundation, held at George Washington University, Washington, D.C. in June, 1959, and also delivered an address on "Antitrust Developments During the Past Year" before the ABA Section of Antitrust Law, at the Association's annual meeting, held in Miami in August, 1959.

Jack Richard Pearce's activities include a talk on October 15, 1959, before a number of students gathered in the Lawyers Club Lounge, concerning the course in Contracts. He also presided at one of the Centennial celebration sessions, at which he introduced Dean Griswold of Harvard.

Professor Pearce continues to direct, on behalf of the faculty, the Problems and Research Program, given to second-year students, as well as the Freshman Group Program. This very important assignment includes the recruitment each year of instructors for the programs and continuous consultation with them in the day-to-day operation of the programs.

In August, 1959, during the meeting of the American Bar Association, William J. Pierce presented a paper at the Technical Session on Taxation entitled "The Case for the Uniform Division of Income for Tax Purposes Act and an Alternative Federal Statute." This paper will be published as a part of the proceedings of the Section as well as in modified form in the Journal of Taxation. Also, during the annual meeting of the National Conference of Commissioners on Uniform State Laws, at Miami, Professor Pierce was appointed a member of the Executive Committee of the Conference and the Chairman of its Sub-Committee on Scope and Program. He continues as Chairman of the

Conference's Special Committee on the Uniform Radiation Liability Act.

In September, Professor Pierce participated in the annual meeting of the State Association of County Social Welfare Boards in St. Joseph, Michigan. His address, entitled "Public Welfare Laws and Their Execution," is being published in the proceedings of the meeting.

In addition to his responsibilities in connection with the Law School Centennial celebration in October, 1959, Marcus L. Plant is now serving as vice-chairman of the Negligence Law Section of the Michigan State Bar Association, and is again serving as a member of the Medicolegal Committee of the Association. He also continues to serve as an Associate Editor of the *Michigan State Bar Journal*. Professor Plant recently became a member of the Michigan State Medical Society's Committee To Review The Problem of Medical Professional Liability. That organization is composed of four Michigan lawyers and seven physicians from the State.

The treatise written with Professor Emeritus Burke Shartel on *The Law of Medical Practice* was published in August, 1959, by the Charles C. Thomas Company of Springfield, Illinois.

Included among the recent publications of Alan N. Polasky are "Planning for the Disposition of a Substantial Interest in a Closely Held Business (I—The Proprietorship; II—The Partnership), which appear in the Fall, 1958 and Fall, 1959, issues of the *Iowa Law Review*; "Estate Tax Marital Deduction in Estate Planning" (June, 1959, *Tax Counselor's Quarterly*); "Pour-Over Wills—And The Statutory Blessing," to be found in the Proceedings of the 1959 meeting of the ABA Section on Real Property, Probate and Trust Law, as well as in the October, 1959, issue of *Trusts and Estates*; and "Significant Decisions in Real Property Law," the report of the ABA Committee of which Mr. Polasky was Chairman.

Book Reviews include appraisals of Hills, *The Law of Accounting* and Shannon, *Accounting and the Law*, which were published in the May, 1959, issue of the *Journal of Accountancy*, and an article concerning Hunt's *Law and Locomotives: The Impact of the Railroad on Wisconsin Law in the Nineteenth Century* which appeared in the June, 1959, issue of the *Michigan Law Review*.

Professor Polasky's recent activities also include an address at the annual meeting of the Iowa State Bar Association, held in Des Moines, in June, 1959, on "The Hearsay Rule and the Uniform Rules of Evidence;" a talk before the Real Property, Probate and Trust Law Section of the ABA, at the annual Association meeting, held in Miami in August, on "Pour-Over Wills—Recent Legislation;" and a speech, in October, 1959, before the Flint Bar Association, on "A Review of Hearsay." He continues to serve as an editorial reviewer for the *Journal of Accounting*.

During the summer of 1959, Mr. Polasky was a Visiting Professor at the University of California Law School, teaching a course in "Accounting for Lawyers." In July, 1959, he addressed a Michigan law alumni group in San Francisco.

Roy F. Proffitt participated in a seminar on International Law and Military Justice conducted by the U. S. Navy at Treasure Island, California, July 25 to August 8, 1959.

In a resolution adopted October 12, 1959, the Supreme Court of Missouri expressed its appreciation to Assistant Dean Proffitt and to others who had assisted the Court in the preparation of the recently promulgated Rules of Practice and Procedure in Municipal and Traffic Courts in Missouri. Missouri is the second state to adopt such rules. (Mr. Proffitt was a member of the faculty of the University of Missouri School of Law, 1949–1956.)

Professor Emeritus Burke Shartel is currently on the faculty of the College of Law, California Western University (San Diego, California). He writes: "The student body is small but the members of it have been well-chosen so that I find the discussion in

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Faculty News Notes

(continued from preceding page)

class very good. The students strike me as quite able and no less interested than the average of our student body in Ann Arbor (you notice that I still speak of 'our'). I cannot quite detach myself from Michigan even though I cannot get too excited about our football team.

"The faculty here is also small—five men including myself. We have lunch together almost every day. The group is congenial, it talks over law school problems frequently since the group can have a 'rump' faculty meeting at the drop of a hat.

"Our home which is very pleasantly situated near the University campus suits the Shartels very well. The weather is lovely; it suggests May or September in Ann Arbor. We have roses in our own living room every day which we get from our rose bushes."

Professor Emeritus *Lewis M. Simes* is currently on the Hastings College of Law faculty. His courses include a section of First Year Property and Property III (Conveyancing) and he finds his work at Hastings very interesting. He states that "faculty associations are most enjoyable. Elliott Cheatham (formerly of Columbia), Judge Calvert Macgruder (formerly of C. C. A. and Harvard), and I, constitute the new members of the faculty. The 'over-65 club' I find to be a very live group; and the discussions at lunch are frequently most interesting. . . .

"My research on the law of Conveyancing continues. We are in the process of having mimeographed a tentative draft of a set of model land title standards. This will be ready for distribution to a select group in a short time; and when the draft is revised and published, will constitute the second segment in our research project.

"We very much miss Ann Arbor and our friends there. But San Francisco is a fascinating place. And the knowledge that there will be no snow shovelling is not without its appeal. George Bogert's house in Belvedere, where we are living this semester, is a location to thrill an artist. The rear of our lot joins the waters of a large lagoon in which are reflected the mountains of Marin County."

As noted elsewhere, *Allan F. Smith*, jointly with Prof. Emeritus *Ralph W. Aigler* and Prof. *Sheldon Tefft*, of the University of Chicago Law School, has completed the manuscript for a new two-volume casebook on Property. The books constitute a revision of the earlier edition of the same authors, and will be printed in time for use in the fall of 1960.

Professor Smith has been granted sabbatical leave for the year 1960-61 and expects to devote the year to a comparative study of law relating to land use controls. Present plans are that he will spend the year at the University of Paris.

One of Mr. Smith's most important and time consuming assignments is in connection with the Graduate and Research Program of the School. He is Chairman of the Graduate and Research Committee and Director of Graduate Studies. In these capacities, in consultation with his Committee and with the Dean, he administers the very substantial William W. Cook Research Endowment and, as a part of the Graduate and Research Program, passes on the admission of candidates to graduate study, grants of fellowships, and grants to members of the Faculty for research purposes. Included among his many activities as Director of Graduate Studies is the work of placement of graduate students, primarily in law teaching positions.

During the current academic year, *Russell A. Smith* has been serving as a member of the Executive Committee of the National Academy of Arbitrators, as well as continuing as Chairman of the Academy's Committee on Law and Legislation.

Associate Dean Smith was reappointed Coordinator of the Special Studies Committees of the Michigan State Bar Association's Labor Law Section Council, and was recently named Chairman of the Municipal Charter Review Committee of the Ann

Arbor Citizens' Council. Serving with him on the charter review committee from the Law School are Professors Joiner and Kauper.

Other activities include an address before an institute sponsored by the State Bar Section of Labor Relations Law, in January, 1959, on "Survey of Problems Concerning Michigan Labor Laws;" serving as panelist in a discussion of "A Legal and Practical Philosophy of Arbitration" at the annual meeting of the National Academy of Arbitrators, held in Detroit, in January, 1959; an address on "The Collective Bargaining Agreement" to a labor-management relations law seminar, sponsored by the Cleveland Bar Association, in February, 1959; acting as chairman of a panel discussion of "Current Events in Labor Law and Legislation," at the annual meeting of the State Bar of Michigan, held in Detroit in September, 1959; participation in a conference on "Significant Provisions of the 1959 Labor Law—An Analysis," sponsored by the Atomic Energy Commission for Commission field staff managers and others, in Dayton, Ohio, on November 17, 1959; acting as chairman of a panel discussion on the Labor-Management Reporting and Disclosure Act of 1959, before the Annual Conference of the Association of State Labor Relations Agencies, in Detroit, on November 19, 1959; and an address given before the Wisconsin chapter of the Industrial Relations Research Association on the 1959 Act in Madison, Wisconsin, on December 1, 1959.

Mr. Smith also served as chairman of a panel discussion on the 1959 Act at a conference for trade unionists, held in Ann Arbor on November 10, 1959. This meeting, which drew some 500 trade union leaders to the campus, was co-sponsored by the Institute of Labor and Industrial Relations (The University of Michigan-Wayne State University), the Michigan and Wayne State Law Schools, and the Michigan State University Labor and Industrial Relations Center.

With Professor *Leroy Merrifield* of the George Washington University Law Faculty, Mr. Smith is revising the second edition of *Smith, Cases and Materials on Labor Law*. It is planned that the new edition will be in two volumes.

As a result of his 1958 visit to the Soviet Union, which was reported in the January 1959 issue of the *Law Quadrangle Notes*, *Dean E. Blythe Stason* has been asked to give many addresses on law, legal education, the administration of justice, and other aspects of life in the Soviet Union. Included have been addresses before the State Bar of Michigan, the Grand Rapids Bar Association, the Kalamazoo Bar Association, the American Judicature Society Annual Meeting, and various other alumni and civic groups.

In recent months, *Dean Stason*, jointly with Professor *Paul G. Kauper*, has published a third edition of *Cases and Materials on the Law of Municipal Corporations*.

Five law school deans, including Mr. Stason, took part in an extensive two-day panel discussion on legal education before the Association of General Counsels of American Corporations, held in October, 1959, at Bald Peak Colony Club, Melvin Village, New Hampshire.

Mr. Stason is a life member of the National Conference of Commissioners on Uniform State Laws, and is currently serving as chairman of one of its committees on Revision of the Model State Administrative Procedure Act. This act was originally sponsored by a committee of which *Dean Stason* was the chairman, and was given final approval by the Conference in 1946. The proposed revision is designed to include the latest developments in practice in this field.

Mr. Stason has accepted appointment as Administrator of the American Bar Foundation, the appointment to become effective on a full-time basis in September, 1960, upon his retirement from active duty on the Michigan Law Faculty. At the present time, Mr. Stason is devoting several days each month to

(continued on page 13)

Faculty News Notes

(continued from preceding page)

Foundation affairs, visiting the headquarters in Chicago, becoming acquainted with projects and staff, and planning for the future.

Eric Stein's recent activities include an address to a seminar sponsored by the American Management Association, in New York City, on problems of the new European institutions; a report on EURATOM developments before a meeting of the ABA Committee on International Control of Atomic Energy, held in Ann Arbor; and a speech before the Ann Arbor Rotary Club on the European Common Market. Mr. Stein also prepared a statement on "The Law School and the World Scene" for the 1959 Conference on Legal Education.

Professor Stein's review of a book on *Public International Law* by Paul Reuter, Professor of International Law at the University of Paris, appeared in the October, 1959, issue of the *American Journal of International Law*. The manuscript for the book, *American Enterprise in the European Common Market—A Legal Profile*, by Mr. Stein and others, is currently being edited.

Mr. Stein was recently asked to serve as a member of the Committee for International Organization of the American Branch of the International Law Association.

Roy L. Steinheimer, Jr. was recently appointed Chairman of the Michigan Bar Association Committee to Study and Make Recommendations on the Uniform Commercial Code.

Prof. Steinheimer is serving as chairman of a special faculty committee which is reviewing the Law School's admissions policies and standards. In this connection, he is supervising an extensive statistical study of data pertaining to admissions.

Apart from his continuing duties as editor of the *American Journal of Comparative Law*, and efforts to finish the extensive research involved in a comparative survey of the Latin-American negotiable instruments laws, Hessel E. Yntema's activities included attendance at the session last summer in July and August at Luxembourg, where he gave a course of lectures on comparative private international law, and served as President of the Faculty of Law. In that capacity, he assisted in the direction of the development of the program of the International Faculty of Law at the University Center of Comparative Sciences in Luxembourg.

Professor Yntema's recent publications include "Le Droit Comparé et l'Humanisme," Discours Inaugural, prononcé le 4 août 1958, en qualité de président du Congrès, Ve Congrès international de droit comparé à Bruxelles, in *La Revue Internationale de Droit Comparé*, 1958, No. 4; "Comparative Law and Humanism," in *The American Journal of Comparative Law*, Vol. 7, No. 4, Fall, 1958; and "Les Objectifs du Droit International Privé," in *Revue Critique de Droit International Privé*, 1959, No. 1.

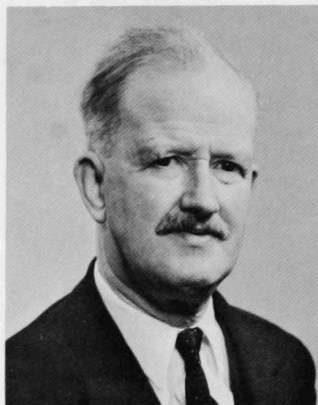
American business faces a stiff competitive challenge in the European Common Market, Prof. Eric Stein declared in a recent speech.

The combination of lower production costs and tariff advantages enjoyed by European firms will make it more difficult for U.S. firms to increase their exports to the Common Market, he said. Stein said the U.S. should continue to press for removal of import restrictions on American goods in Europe. This is particularly important in view of the current deficit in our international balance of payments, he added.

In return for European tariff concessions, the U.S. will have to lower its own trade barriers, according to Mr. Stein, who is studying legal problems of American enterprise in the Common Market.

LAW SCHOOL HAS INTERNATIONAL VISITORS

International flavor is not difficult to find in the Law School halls during the current year, as the practice of bringing distinguished foreign visitors to the School continues. For several years, the Law School has had a visiting professor from abroad to present work in comparative law to the American students. This year's visitor, Professor Frederick H. Lawson, of Brasenose College, Oxford, has given both an undergraduate course in comparative law, and a seminar for graduate students.



Professor Lawson is one of the outstanding scholars in the field, and, in addition to his regular teaching schedule, he has participated in related seminars at the Law School, and has been available for informal consultation by staff members. He is not a newcomer to the Michigan campus, since he delivered the Cooley Lectures here in 1953, under the title "A Common Lawyer Looks at the Civil Law." He is the author of a number of books on a variety of subjects.

Two members of the law faculty of the University of Istanbul, Turkey, are also in residence this year, although neither is engaged in direct teaching responsibilities. Professor Bulent Davran is assisting in the seminar in Comparative Business Associations, and participating in Professor Lawson's seminar in Comparative Law. He is also engaged in independent comparative research during the year. Dr. A. Selcuk Ozelik will spend the year working with American legal materials, and studying methods of legal education before returning to his post in Turkey.

Radioactive Shipment Controls Urged

World-wide rules governing the shipping of radioactive materials by all means of transportation should be developed through the International Atomic Energy Agency, the directors of the Law School's Atomic Energy Research Project believe.

In a paper before the Inter-American Symposium on Administrative and Legal Problems Connected with Peaceful Atomic Energy Programs, held in November, William H. Berman and Lee M. Hydeman declared that present regulations governing international transport of dangerous goods, including radioactive materials, are inadequate and uncoordinated.

On the positive side, however, they note: (1) Nearly all radiation transport control systems have adopted similar maximum permissible radiation levels; (2) Several regional groups have made "significant strides" toward developing unified rules for the land transportation of hazardous goods; and (3) The International Air Transport Association has achieved widespread agreement on shipments of hazardous goods, including radioactive materials.

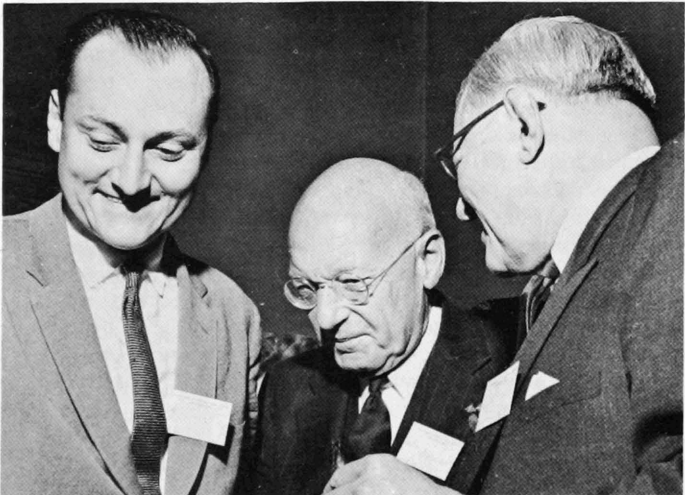
At present, Berman and Hydeman note, the IAEA has set up two panels of experts to develop transportation control recommendations for both high and low-level radioactive materials. They suggest that the technical recommendations of these panels should be adopted through an international convention, rather than on a piecemeal basis by individual countries.



At one of the luncheons, Howard L. Barkdull (J.D.'11) of Cleveland, and a former ABA President (left), talks with Professor Emeritus John B. Waite.



Following the conferring of the honorary degrees, two of the degree recipients, Judge Brown and Mr. Carson, pose with Professor Hessel E. Yntema of the Law School. Professor Yntema is wearing the academic garb of the University of Stockholm, from which he received an honorary doctor of laws degree in May, 1957.



Father and son attend the Centennial. Alan C. Boyd (J.D.'51) of Toledo (left) and Alan W. Boyd (J.D.'21), of Indianapolis (right) chat with Selden S. Dickinson (J.D.'15) of Detroit.

Eleven of the twelve persons awarded honorary doctor of laws degrees at the Centennial Convocation are shown here, with University of Michigan President Harlan H. Hatcher.

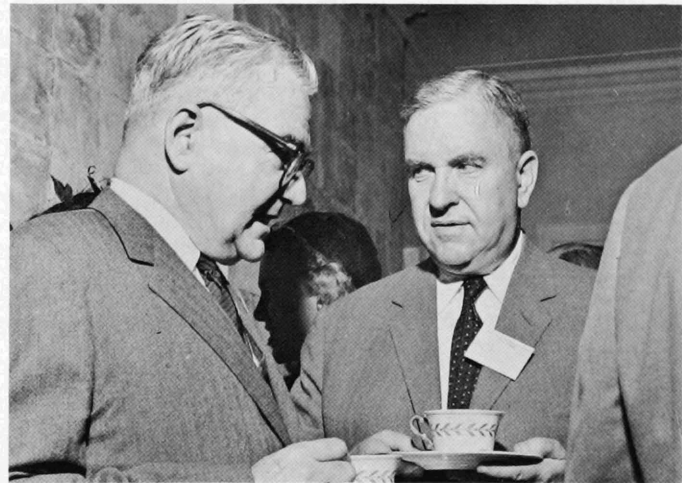
From left to right, standing, are: Ralph M. Carson (J.D.'23) of New York City; Dean Edward H. Levi of the University of Chicago Law School; Dean Erwin N. Griswold of the Harvard Law School; Werner W. Schroeder (J.D.'16) of Chicago; Harry G. Gault (J.D.'17) of Flint, Michigan; Edgar N. Eisenhower (LL.B.'14) of Tacoma, Washington; and The Honorable Paul O'Hara, Judge of Recorder's Court, Detroit (LL.B.'14).

Those seated are, from left to right: The Right Honorable Lord Shawcross, Queen's Counsel, of London, England; The Honorable G. Mennen Williams (J.D.'36), Governor of the State of Michigan; President Hatcher; Mr. Justice John M. Harlan of the United States Supreme Court; and The Honorable John Robert Brown, Judge of the U.S. Circuit Court of Appeals for the 5th Circuit (J.D.'32) of Houston, Texas.



The Right Honorable Sir Hartley William Shawcross, of London, England, is shown here as he spoke to those attending the Centennial Banquet. Lord Shawcross served Britain as Attorney General, member of Parliament, President of the Board of Trade and as a Principal Delegate to the United Nations. He was also Chief Prosecutor for the United Kingdom at the Nuremberg trials, and a member of the Permanent Court of Arbitration at the Hague.

He told his audience that lawyers, scientists and statesmen must work together to foster world order before world law can become a reality. "Although we talk of law and order," he declared, "historically order precedes law."



At an informal tea given by President and Mrs. Harlan Hatcher, Renville Wheat (J.D.'16) of Detroit (left) converses with Dean Erwin N. Griswold of the Harvard Law School. Dean Griswold, a featured speaker at the Centennial observance, strongly urged that "what we ought to be teaching is how to go about attacking and resolving new problems, not the specific details about a vast number of problems that happen to be current now."



THE LAW SCHOOL HAS A BIRTHDAY PARTY

Over 500 alumni and friends of the Law School attended the celebration of the School's Centennial held in Ann Arbor October 22, 23 and 24, 1959.

Those present had an opportunity to renew acquaintances as well as to attend the many special events scheduled for the three-day period. Many enthusiastic comments concerning the Centennial observance have been received by the School.

A real vote of thanks is due the members of the Faculty Centennial Committee, composed of Professors M. L. Plant, Chairman, R. L. Steinheimer and R. V. Wellman, who spent many hours on the arrangements for the celebration, and to the 41 members of the Alumni Centennial Committee, to whom the Faculty Committee turned for advice and consultation.



Featured speaker at the October 23 luncheon was the Honorable G. Mennen Williams (J.D.'36), Governor of Michigan. Shown with Governor Williams, from left to right, are Selden S. Dickinson (J.D.'15) of the Detroit Bar, and Dean E. Blythe Stason of the Law School.

In his talk, Governor Williams asked lawyers to stand firm against "the general erosion of individual liberties. We must, as we can, make clear to the general public that some of the critical decisions which seem to so many to be based on only the most complicated and insignificant technicalities are actually important safeguards of the very bulwarks of our system," he said.

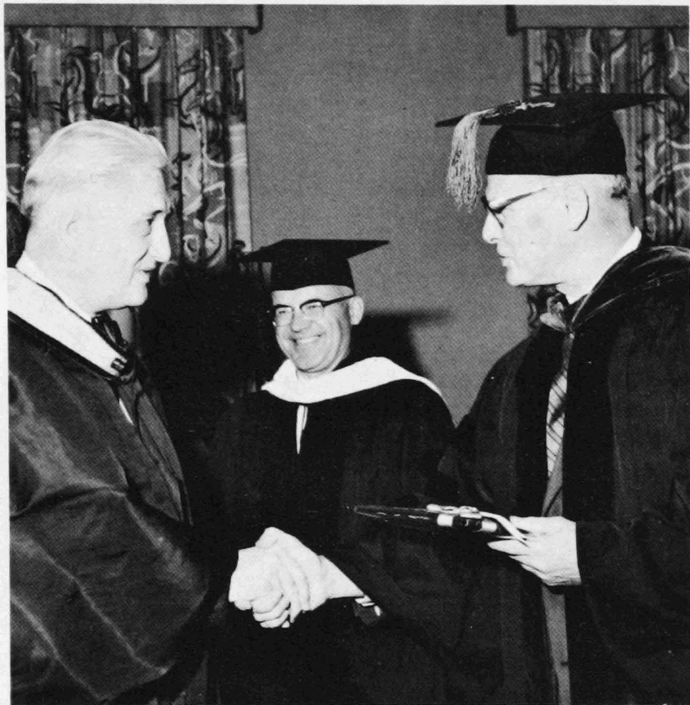


Mr. Justice John M. Harlan of the U. S. Supreme Court (right) is pictured here with Thomas E. Sunderland ('27-'29). Until recently Mr. Sunderland was Vice President and General Counsel of Standard Oil Company (Indiana) and is now President of the United Fruit Company, Boston.

In his address at the Centennial Convocation, Mr. Justice Harlan stressed the importance of the lawyer's role in the current age of advancing technology. "Leasing this [new] age of technology to the peaceful services of mankind," he said, "calls for new wisdoms in the political field, in whose development lawyers with their heritage should be able to contribute."

The twelfth honorary degree was conferred in a Lansing, Michigan, hospital. Chief Justice John R. Dethmers of the Michigan Supreme Court (LL.B.'27), shown here on the left, was permitted to leave his hospital bed only long enough to receive this honor. Congratulating him is Marvin L. Niehuss, Vice President and Dean of Faculties of The University of Michigan. Looking on is University of Michigan Regent Carl Brablec of Roseville, Michigan.

The speech prepared by Justice Dethmers for delivery at the October 23 luncheon, was read for him by Dean E. Blythe Stason. In it, Justice Dethmers asked that lawyers conduct a "continuing crusade for improved administration of justice." Outlining some of the improvements he believes should be made, Justice Dethmers concluded that these changes are "imperative if the people's confidence and support [are] to be won anew and assured."



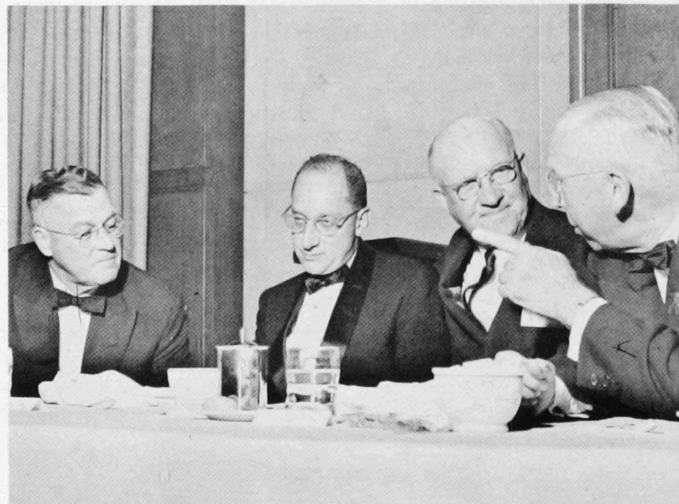
One of the Friday morning speakers, Ralph M. Carson (J.D.'23) of New York City, is shown here (right) with University of Michigan Regent Roscoe O. Bonisteel (LL.B.'12) of Ann Arbor.

Mr. Carson's speech was concerned with personal freedom in the United States. Stating that there is "ground for hope" for the preservation of personal liberty over the next century, he nevertheless cautioned that "we cannot put the maintenance of liberty in the next century stronger than a well-documented hope. True love of liberty is a minority view. When people claim to favor freedom, they mean as a rule freedom for themselves only."



Professor Marcus L. Plant, Chairman of the Faculty Centennial Committee, is seen here with Fifth Circuit Judge John R. Brown (J.D.'32) of Houston.

Judge Brown, who gave the opening address at the Centennial, declared that the majority responsibility for determining the future course of federal-state relations lies in the hands of Congress. He pointed to the power of Congress to stimulate federal policy through State action, through federal grants-in-aid or tax credits, stating that "this power through taxation is spectacular" and declaring that "we have witnessed its use to bring about almost uniform state policy over night . . ."



Pictured at the Centennial Banquet are, from left to right, Harry Gault (J.D.'17) of Flint, Michigan; Dean Edward H. Levi of the University of Chicago Law School; Edgar N. Eisenhower (LL.B.'14) of Tacoma, Washington; and Werner W. Schroeder (J.D.'16) of Chicago.

Dean Levi, in his address that afternoon, stressed the need for a lawyer to understand new situations. "We must continue," he stated, "to create a profession dedicated to the life of reason in the community—a profession which is willing to reject the false and popular prestige now given to public opinion. Law itself creates sentiment, confines its course and changes it, and in heroic hours must stand against the sentiment of the moment."

Law School Grads Named to Deanships

Two more Michigan Law School graduates have moved into administrative posts in legal education recently. John W. Riehm, Jr., (J.D.'47) has succeeded Robert G. Storey as dean of the Southern Methodist University School of Law, and John E. Howe (LL.M.'43) has taken over the reins at Washburn University School of Law, in Topeka, Kans.

Dean Riehm practiced in New York for a year after graduation, then moved to Dallas, where he served on the SMU faculty as instructor, assistant professor, associate professor and assistant dean. He returned to Ann Arbor last summer as a visiting professor. Dean Howe practiced law for three years in Kentucky, then joined the faculty at Creighton University Law School in 1946, moved to St. Louis University in 1952 where he became assistant dean in 1955.

The 1959 Directory of Law Teachers shows a number of other schools directed by men who have had legal training at Michigan. Among them are: Baylor University, Abner V. McCall (LL.M.'43); Detroit College of Law, Charles H. King (LL.M.'41); Duke University, Elvin R. Latty (J.D.'30); University of Houston, Newell H. Blakeley (LL.M.'54); University of Idaho, Edward S. Stimson, (S.J.D.'32); University of Kentucky, W. L. Matthews, Jr. (S.J.D.'50); Ohio Northern University, Eugene N. Hanson (LL.M.'48); University of Tulsa, A. Allen King (LL.M.'47); Wayne State University, Arthur Neef (J.D.'23); University of Washington, George N. Stevens (S.J.D.'51); Washington University (St. Louis), Milton Green (J.D.'28); and Western Reserve University, Edgar I. King ('39-'40).

SCHOOL REPRESENTED AT ALUMNI SESSIONS

The Law School is happy to cooperate with its alumni in helping to arrange meetings, and upon request will send a speaker to represent the School, whenever possible.

Recently, the following law alumni meetings have been held: Aug. 17—Dean Stason spoke at meeting of law alumni held during ABA meeting in Miami, Fla.; Sept. 24—A luncheon in San Francisco was held in connection with the California State Bar Convention, and was attended by Dean Stason; Sept. 26—A noon meeting of Indiana law alumni was held at French Lick during the Indiana State Bar Association annual convention, with Prof. Jack Richard Pearce representing the School; Oct. 2—Alumni group in Kansas City, Mo., heard Prof. John W. Reed speak on "The Law School of Today and Tomorrow" at a luncheon held as part of the Missouri Bar meeting; Oct. 9—An alumni luncheon was scheduled in conjunction with the annual meeting of the Nebraska State Bar Association, with Assistant Dean Roy F. Proffitt as speaker; Nov. 5—Dean Stason spoke before a dinner gathering of Illinois alumni, in Chicago, at the Illinois State Bar Association meeting; Nov. 13—In connection with the Southern Regional Meeting of the ABA, in Memphis, Tenn., Dean Stason addressed a luncheon gathering of alumni in attendance from the Region.

Grads Win Prizes

Two Law School graduates have won recognition in the Nathan Burkan Memorial Copyright Competition. The paper by Roger A. Needham ('58), entitled "Tape Recording, Photocopying and Fair Use" was awarded the national prize of \$500 in the 1958 Competition, while the essay by John L. Wilson ('57) on "The Scholar and the Copyright Law" was awarded first honorable mention in the 1957 competition. Both papers appear in the Tenth Copyright Law Symposium, recently issued by Columbia University Press.

MOVIE ABOUT LAW SCHOOL COMPLETED

The Law School has recently completed production of a 16mm. sound film, "Mastery of the Law." Its purpose is to provide a means for acquainting pre-law students with The University of Michigan Law School.

In addition to picturing the beautiful buildings and grounds of the Law Quadrangle, the film takes the viewer into classrooms, seminar rooms, Lawyers Club, Library, *Law Review* offices, the Practice Court room, and into a Case Club argument. Through direct recordings of these sessions, film-viewers will hear as well as see these discussions.

The School will make the film available to pre-law groups in schools throughout the nation. It is expected that alumni groups may also be interested in seeing it. Interested alumni should write to Assistant Dean Roy F. Proffitt.

HURST LECTURES ON LAW AND SOCIAL CHANGE

Prof. James Willard Hurst, of the University of Wisconsin Law Faculty, gave the 12th series of Cooley Lectures, Nov. 9-13, on "Law and Processes of Social Change in U.S. History."

One of the nation's foremost legal historians, Professor Hurst deliberately focused attention on the ordinary affairs of men, rather than on highly chronicled events. He illustrated the tendency of man's affairs to drift, and illustrated the extent to which this has affected the development of our legal order. He then outlined the way in which our legal order has helped give direction to the growth of society, stating that it has encouraged the adoption of fresh policy, supported stable patterns of behavior, monopolized force in society, and exerted leverage to force adoption of new policies in response to changing needs.

Faculty Candid Photos Offered

At the Centennial luncheon on Oct. 23, a booklet of pictures of present members of the Law School faculty and of some members of earlier years was distributed. Most of the pictures were taken unobtrusively by student photographers in the classroom. Thereafter they were examined by some person or persons (still unidentified) and captions written for each photograph.

The booklet is entitled *Prudentia in Persona—Delicto in Flagrante*. No one has come forward to suggest which thought applies to which pictures.

Some additional copies of this souvenir booklet are available to alumni or others at a price of \$1.25 which covers cost of printing and mailing. Orders, accompanied by checks payable to The University of Michigan, may be sent to Mrs. Helen L. Betts, Law School Recorder, Hutchins Hall, Ann Arbor, Mich.

Student-Faculty Liaison

In an effort to obtain greater understanding of mutual problems, the Student Bar Association last year and again this year named a Student-Faculty Liaison Committee, composed of five seniors and two juniors.

The committee meets from time to time with faculty groups to consider such matters as faculty-student relations, admission policies of the School, establishment of an adviser system, placement procedures, case method of study in the second and third years, and problems concerning use of the Library.

One useful result, among others, of the committee's work has been institution of an adviser system under which each student has a faculty adviser assigned to him throughout his stay in the Law School.



Paul G. Kauper, professor of law, was one of five faculty members receiving "distinguished faculty achievement" awards last fall. He is shown here with President Hatcher. The recipients are (from the left) Stanley A. Cain, Professor Kauper, James K. Pollock, Paul W. McCracken, and Kenneth A. Easlick. At right is Raymond T. Perring, chairman of the board of the Development Council.

Antitrust Law

Developments Reviewed

There's no legal basis for condemning a corporate merger merely because it involves two huge companies.

This belief was expressed by Prof. S. Chesterfield Oppenheim in a recent review of current developments in antitrust law. Under the Clayton Act, Professor Oppenheim maintained, the effects of a merger must be evaluated in terms of its impact on competition within defined relevant business markets. Substantial economic power as such is not prohibited.

Recent decisions of the Supreme Court have helped clarify the distinction between antitrust matters subject to the expanded rule of reason and those termed "per se" violations, where detailed inquiry may not be required. Oppenheim expressed concern that the Court may extend the area of "per se" violations.

UNIFORM TAX LAWS ON MULTI-STATE CORPORATIONS ASKED

States should move quickly to develop uniform tax treatment for multi-state corporations. If they don't, Congress will be forced to take action in this area.

This warning was voiced at last summer's ABA tax section meeting, in Miami, by Prof. William Pierce, director of the Law School's Legislative Research Center.

Recent Supreme Court decisions have reemphasized the possibility of nation-wide corporations having more than 100 per cent of their income subject to taxation by the states in which they operate, Professor Pierce said.

Adoption of uniform legislation endorsed by the National Conference of Commissioners on Uniform State Laws would remedy this problem without creating competitive disadvantages for multi-state firms or their local competitors, he continued. To date, this legislation has been adopted only in Alaska.

More rapid progress could be expected if states develop or Congress enacts a uniform apportionment formula to assure that business firms will be taxed on 100 per cent of their income—no more or no less, he added.

Pierce cited the so-called "Massachusetts formula," which bases business taxes on an arithmetical averaging of property, payroll, and sales factors, as one of the best means yet devised for determining a fair level of taxes for most business firms.

The uniform law proposed by the Commissioners is based on the same three factors. It provides that property shall be valued on its actual cost basis, that the payroll factor be measured by the same tests used in determining unemployment taxes, and that the sales factor be based on the place of destination of sales.

Judges are permitting too many young people to avoid jury duty with resultant weakening of the jury system, Prof. Emeritus John B. Waite declared in a recent interview.

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