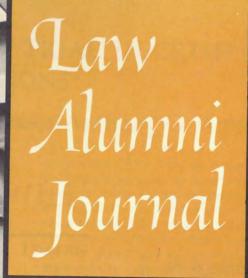


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## ABORTING STATE COURT TRIAL IN CRIMINAL CIVIL RIGHTS PROSECUTIONS\*

## by Professor Anthony G. Amsterdam, '60

Federal trial courts can and must put a stop to state criminal prosecutions such as those against Mississippi Negro defendants for whom litigation in the state court is not a meaningful avenue to the enjoyment of federal rights at or before the time of state court trial. This power and obligation of federal courts to intervene exists whether one views the state criminal process in these cases as one enormous malignant conspiracy of all official state organs leagued in massive resistance and dedicated to the destruction of federal civil rights, or merely as the product of prosecutorial perversity coupled with the heavy-fisted clumsiness and inefficiency that is characteristic of American state criminal administration (and not alone in the South), or as the mindless and inevitable, unhappy creature of pervasive bigotry and popular intolerance, tugging along alike state prosecutors, juries and judges (again, not alone in the South), or sometimes one or another or a combination of these things. Only very far from practicality and from the necessity of proof are such distinctions meaningful. In its normal processes Mississippi justice too unbearably clogs the freedoms indispensable to a free society. In this regard it differs only in degree from the justice administered in other southern States, and in States outside the South.

For, institutionally, the processes of state criminal administration are designed to ignore or destroy such federal guarantees of civil liberty as free speech, free resort to the ballot, free access to the streets.

Although abstractly accurate, it is perfectly absurd to say that the mayor and police chief have federally guaranteed immunities to make a speech, cast a vote, or walk the sidewalks of their towns. They do not need these immunities. The Constitution gives them nothing. Such protection as the Constitution gives, it gives to those in sore need, those whom other protections have failed, who are so defenseless that society may arrest them or charge them with crime. They are the powerless, the unpopular; once it is known that a man is within this class and the fact of his prosecution is sufficient evidence of it-his fate before a state jury, an elected justice of the peace, or circuit judge is substantially decided. Prosecutors know this fact and can laugh at philosophies which ignore it. Defense counsel know it who have tried without success to make state trial judges read an opinion from the United States Reports before ruling on a motion for acquittal in a free speech case. True, state courts are competent to administer federal law, and they may by self-denial act to vindicate federal liberties. Theory casts them in this protective role, but the battle is not over theory. The battle is for the streets, and on the streets conviction now is worth a hundred times reversal later.

Here the state authorities have the jump on the

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Constitution. They have the power in the streets. The Constitution purports to limit state power, but power speaks immediately and effectively until it is effectively stopped. State arrests and state prosecutions are the voice of state power. They may voluntarily cease to speak, in obedience to higher law. But where the higher law is a law for unpopulars, the probability that the popular organs of state prosecution will voluntarily cease to speak is small. In time, from locality to locality, these organs may unlearn old prejudices, but predictably they will learn new ones. In time they may unlearn some of the fear and ignorance and interest which underlie all prejudices; but federal guarantees predictably will also develop with time, and insofar as they are needed those guarantees will always represent the gap between the evolving ideal of freedom and the capacity of the representatives of power to let men be free. The matter is not one for dogmatism, but so far as one can predict, the probability is that the popular organs of state prosecution will never effectively protect federal civil liberties; that they will remain instruments for harassment, not vindication, of persons who dare to exercise freedoms to which the United States is Constitutionally committed, but which its majorities who speak in the state process are not constitutionally built to accept.

It is precisely to protect against probabilities of this sort that federal trial courts have been created and much of their jurisdiction given. Since the inception of the Government, those courts have been employed in cases "in which the State tribunals cannot be supposed to be impartial and unbiassed," for, as Hamilton wrote in The Federalist, "[T]he most discerning cannot foresee how far the prevalency of a local spirit may be found to disqualify the local tribunals for the jurisdiction of national causes." The federal question jurisdiction of the federal district courts in civil cases rests largely on the assumption that federal judges "are more likely to give full scope to any given Supreme Court decision, and particularly ones unpopular locally, than are their state counterparts." The federal diversity jurisdiction has recently been authoritatively justified in terms of "the possible shortcomings of State justice," inter alia, the localization of trial in small constituencies where "justice is likely to be impeded by the provincialism of the local continued on page 24

\*Brief excerpt without footnotes from Professor Anthony G. Amsterdam's monograph-length article "Criminal Prosecutions Affecting Federally Guaranteed Civil Rights: Federal Removal and Habeas Corpus Jurisdiction to Abort State Court Trial" 113 University of Pennsylvania Law Review 793-912 (1965).

# Church and State Conference Held at Law School



At the instance of several community leaders interested in the current problems regarding the relationship of church and state, Dean Jefferson B. Fordham arranged for a searching and provocative two-day Pennsylvania Conference on Church and State at the Law School on October 13 and 14. One hundred seventy-five influential Pennsylvanians with a vital interest in the subject and representing varying viewpoints were invited to attend a discussion, in legal and constitutional context, of current and emergent problems which are of large public interest and importance.

As those invited included teachers, school administrators, public officials, clergymen of different faiths, and lay people affiliated with various community organizations as well as lawyers, the first session, at which Dean Fordham presided, was devoted to "The Exposition of the Law of the Subject." In his discussion of "The Law in the Light of the Decided Cases," Professor Paul W. Bruton concluded that the theme of the decided cases is adjustment and accommodation between the free exercise and establishment clauses of the First Amendment as well as between the rights of the individual and secular social considerations. In reviewing the cases, Mr. Bruton showed that the two clauses operate in a state of uneasy collaboration so that the Supreme Court arrives at "the least erroneous solution of insoluble problems," to quote Cardozo.

Professor Paul G. Kauper of the University of Michigan Law School then discussed "The Issues Which Remain Open." Most of these issues arise under the establishment clause. Many of the questions are now being generated by the various federal aid to education provisions. He highlighted the peculiar question of whether the local school board can use federal money to do things it is prohibited from doing with state money by the terms of the state constitution.

Professor Kauper also chose accommodation or benevolent neutrality toward religion as the guiding principle for predicting the outcome of cases in this area rejecting both absolute separation and strict neutrality.

Another major open area he discussed was tax exemptions. He took into account excise taxes and federal estate, gift, and income taxes, as well as the ad valorem property tax.

Professor John Honnold of the law faculty presided at the next session devoted to "Religion in the Public Schools," Philip Jacobson, a lawyer and Program Coordinator of the National Community Relations Advisory Council, and Professor William B. Brickman of the Graduate School of Education, University of Pennsylvania, presented opposing views in a colloquy on "Problems After the Schempp Case." Mr. Jacobson stated that the aim of developing morally upright students in a religiously neutral public school is complicated by the introduction of spiritual values equated with religion or theology. Although the legality of many public school practices has not been settled he feels that the Schempp case does serve as a moral guide which educators and clergy should not attempt to circumvent nor should they approve circumvention. To do

#### et al.: Law Alumni Journal



Dean Jefferson B. Fordham and the Hon. Genevieve Blatt share a pleasantry. The others are l, to r, panel members Leo Pfeffer and William B. Ball.

otherwise is, in his view, of more deleterious moral effect than the absence of religious expression in the public school.

Mr. Brickman, on the other hand, is afraid of developing a religion of secularism and wonders why that would not fall within the proscribed establishment of religion. It is his opinion that absolute church-state separation is not necessary for religious liberty. One of his main aims is to keep the private school flourishing so it will be available for all and parents will not be forced to send children to public schools to submit to a religion of secularism.

In the panel discussion on "Teaching About Religion in Pennsylvania," Professor Philip H. Phenix of the Teachers' College of Columbia University outlined the stimulating course he conducts at Teachers' College on the objective study of religion in public schools. He thinks it is the educator's responsibility to accept the challenge of the Supreme Court to deal with the religious dimensions of various subjects.

Professor Edwin D. Freed of the Department of Biblical Literature and Religion, Gettysburg College, discussed some of the objective facts archeology and other disciplines have recently added and which he incorporates in his teaching at the college level. Miss Elsie M. Murphy, English teacher in South Hills High School, Pittsburgh, told about the dilemma she faces in teaching English in a public high school. Literature abounds with religious ideas and references. This presents a problem of objectivity for the teacher.

Dean Robert F. Drinan, S.J., Boston College Law School, addressed the group on Religious Differences and Community Understanding. He emphasized the major importance of the recent statement by Pope Paul VI on religious understanding as a ringing affirmation of Catholic commitment to religious freedom.

He pointed out that it is only in the area of education in this country that consensus on church-state matters either never existed or has broken down. He is, however, afraid that the absence of religion from the

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public schools will result in lack of moral standards or that moral truths will be accepted because they are state endorsed and enforced. He also looks on this exclusion as a suppression of religious convictions of both teachers and students.

The concluding session on the "Organized Community and Church Related Institutions" was a lively debate between William B. Ball, Esq., General Counsel, Pennsylvania Catholic Conference, and Leo Pfeffer, Esq., Special Counsel American Jewish Congress, with the Hon. Genevieve Blatt, Secretary of Internal Affairs, Commonwealth of Pennsylvania, presiding. The main focus was government financial aid to parochial schools and church-related institutions. Mr. Ball maintained that although government may not promote religion it may achieve secular goals through religious institutions and must be permitted that control necessary to see that the public purpose is accomplished.

Pfeffer, on the other hand, foresees adverse effects on education especially where multiple facilities are required by the terms of the aid grant. Those improvements made through having consolidated school systems, for example, would be lost. He also contended that such an approach also has adverse effects on religion, and that circumventing the requirements of the Constitution in this way leads to disrespect for the law.

The conference was financed by a grant from the Philadelphia Foundation.

## **Bicentennial Fellows**

The Law School is pleased to be able to invite outstanding scholars to spend a year here as Bicentennial Fellows in Criminal Law and Administration to further their research in various aspects of this subject. Some of them offer a course or two while here. In either case, they make a stimulating contribution to thought in the Law School. This year, for the first time, there are two Bicentennial Fellows, Alan Milner former Dean and Professor of Law at Ahmadu Bello University in Zaria, Nigeria (see p. 21) and Eliahu Harnon of Israel. Dr. Harnon is on leave of absence from the Faculty of Law of the Hebrew University of Jerusalem this year to make a comparative study of res judicata including double jeopardy.

Robert Knowlton now Professor of Law at Rutgers University, Edward L. Kimball now Assistant Professor of Law at the University of Wisconsin Law School and Willard D. Lorensen now Associate Professor at the University of West Virginia Law School were earlier Bicentennial Fellows.

Peter Louis Waller, who now occupies a senior position on the Faculty of Law of Monash University, Melbourne, Australia, was Bicentennial Fellow last year.

Other foreign experts who have now returned to teaching in their own countries have included: Mirjan Damaska, Zagreb University, Yugoslavia; Ryszard Krzyzanowski, University of Warsaw, Poland; Knud Waaben, University of Copenhagen, Denmark; Hafeezul Rahman, Aligahr University, India. Gillis Erenius is with the judiciary in Sweden.

## The Evil Practice of Majority Opinions

A Report by Arnold Cohen, '63,

on Professor Haskins' Address to the Coif Chapter

Professor George L. Haskins is one of eight scholars engaged in preparing the History of the Supreme Court of the United States authorized by Congress pursuant to the will of Justice Oliver Wendell Holmes. Dean Jefferson B. Fordham is a member of the Permanent Committee for the Oliver Wendell Holmes Devise. It is under the aegis of this committee that the history is being written. Mr. Haskins is personally responsible for the volume dealing with the early period of Chief Justice John Marshall. His address to the annual luncheon meeting of the University of Pennsylvania Chapter of The Order of the Coif was based on his research for this volume.

The title of Professor Haskins' address, "The Evil Practice of Majority Opinions", is a phrase borrowed from Thomas Jefferson's characterization of the United States Supreme Court's practice in the early 1800's of having one justice speak for the majority.

Professor Haskins noted that prior to Marshall's appearance on the Supreme Court, the Court's practice was similar to that employed by English courts—namely, each judge wrote a separate opinion. However, Jefferson's attack on the Court forced the Court to adopt a united front and to dispense with concurring or seriatim opinions. Professor Haskins' talk dealt with the historical background for this abrupt change in judicial practice.

In 1800, the Republicans drove the Federalist Party from power in both the legislative and executive branches of the government, and Thomas Jefferson became President. The Federalists, however, remained strongly entrenched in the judiciary where the cloak of life tenure immunized federal judges from the popular will. Thus, the Republicans' ascension to power was as yet incomplete.

One of Jefferson's chief aims was the destruction of the Federalist stronghold in the judiciary. Accordingly, the power of the national courts had to be curtailed. Thus, the Judiciary Act of 1801—which had created the Circuit Courts and led to the appointment of the "Midnight Judges"—was repealed, the Circuit Courts abolished, and eighteen Federalist judges shorn of their robes. Jefferson's part in engineering this repeal marked the first stage of his assault on the judiciary.

Jefferson's second stage was to "purify" the Supreme Court. This was to be accomplished by the method of impeachment, and in 1805, Jefferson instituted the attempt to impeach Justice Chase.

Jefferson and the Republicans saw the Supreme Court, with its Federalist composition, as a roadblock to the institution of reform and a body bent on overriding the will of the people and their chosen representatives. Jefferson's strong attacks on the Supreme Court, however, were not solely a result of his political theories. He had long been an inveterate enemy of his cousin, John Marshall, and had publicly attacked Marshall's conduct and integrity on previous occasions. Professor Haskins noted that these factors, along with other evidence, indicate that the real object of the Chase impeachment was to institute an attack on Marshall.

This assault on the Court, and especially on Marshall, continued in one form or another throughout the early 1800's and forced the court to present a united front and speak with a common voice. Professor Haskins noted that it was quite some time before concurring opinions began to reappear as part of our judicial practice.

## CLASS OF 1968 SERVICE MINDED

The entering first year class in the Law School includes 186 students from twenty widely scattered states and the District of Columbia representing sixty-two colleges.

William R. Shane, '61, Assistant Dean and Director of Admissions, characterizes the Class of 1968 as being unusually community service minded. Many of them have engaged in extra-curricular tutoring of educationally disadvantaged children or have worked with prisoners, reformatory inmates and emotionally disturbed people. They have given volunteer assistance through boys' clubs and other community organizations. The class also includes returning Peace Corpsmen.

They have, of course, participated in a wide range of other athletic and extra-curricular activities including significant political work for both the Democratic and Republican parties. Leadership potential has already been demonstrated by the many who served as officers of their class or of the various groups to which they belonged.

# UNIVERSITY OF PENNSYLVANIA LAW SCHOOL Alumni Annual Giving FINAL REPORT • 1964-1965 Sixteenth Annual Campaign

EDWIN HAINES BURGESS 3700 NORTH CHARLES STREET BALTIMORE IB, MARTLAND

October 1, 1965

Dean Jefferson B. Fordham The Law School University of Pennsylvania Philadelphia, Pennsylvania 19104

Dear Jeff:

It gives me much pleasure to report that the sixteenth Law School Alumni Annual Giving Campaign produced a record-breaking total of \$87,164.20. This represents an increase of about \$14,200 or 16.5% over the 1963-64 amount. Alumni participation, although it remains at about 42%, was numer-ically greater than ever before. An increase of 68 brought the total to 1859 contributors.

I hope that with these funds you and your colleagues on the faculty can maintain that margin of excellence that we all wish for the Law School. I can state again without question that the support and devotion of the alumni to the School has never been stronger or more enthusiastic than it is today.

On behalf of the associated chairmen and all who worked on the campaign, I extend best wishes for institutional and personal fulfillment in the work of the School.

Sincerely, Edwin H. Burgess Edwin H. Burgess General Chairman Law School Alumni Annual Giving

#### UNIVERSITY of PENNSYLVANIA PHILADELPHIA 4

The Law School OFFICE OF THE DEAN

October 5, 1965

Edwin H. Burgess, Esquire 3700 North Charles Street Baltimore 18, Maryland

Dear Ed:

It is with great pleasure that I accept your final report of the 1964-65 Law School Alumni Annual Giving Campaign. The impressive fund of \$87,164 will be of great assistance to us in such areas as research, student financial aid, and library acquisitions.

We are now within a good stride of an annual level of \$100,000. It is a great thing for the School to be able to look forward to supplemental income of this magnitude. It represents the yield upon capital funds of \$2,500,000.

The Law School is deeply grateful to all who contributed to this effort. I speak for it in expressing warm thanks to you for superb leadership as General Chairman. I extend special thanks to Morris M. Wexler, Chairman for Benjamin Franklin Associates; Richard P. Brown, Jr., Chairman for Century Club; Milton B. Garner, Chairman for Class Agents; and J. Pennington Straus, Chairman for Regions, and to each class agent and regional chairman.

With every good wish, I remain

Jefferson B. Fordham

Fall 1965



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THE BENJAMIN FRANKLIN ASSOCIATES ARE A UNIVERSITY-WIDE GROUP OF ALUMNI AND FRIENDS WHO CONTRIB-UTE ONE THOUSAND DOLLARS OR MORE TO THE ALUMNI ANNUAL GIVING FUND. LISTED ARE LAW SCHOOL ALUMNI WHO JOINED THE BENJAMIN FRANKLIN ASSOCIATES.

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THE SUSTAINING FELLOWS OF THE CEN-TURY CLUB ARE THOSE MEMBERS WHO CHOSE TO GO BEYOND THE BASIC RE-QUIREMENTS FOR MEMBERSHIP AND AS-SISTED THE SCHOOL BY CONTRIBUTING TWO HUNDRED AND FIFTY DOLLARS OR MORE.

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\*Louis L'izzbita, L'27 \*Louis Lipschitz, L'27 Samuel S. Logan, L'41 \*Hon. Joseph S. Lord, III, L'36 Wilfred R. Lorry, L'30 \*John G. Love, L'21 \*Daniel Lowenthal, L'31 \*Edwin A. Lucas, L'17 James C. Luitweiler, L'14 Hon. Alfred L. Luongo, L'47 Hon. Alfred L. Luongo, L'4 \*Harry K. Madway, L'36 \*D. Arthur Magaziner, L'14 David S. Malis, L'11 Otto P. Mann, L'20 Robert Margolis, L'48 Jerome L. Markovitz, L'33 \*Albert J. Marks, L'17 James F. Masterson, L'15 William L. Matz, L'29 \*Baldwin Maull, L'25 \*Thomas McConnell, L'22 \*Thomas McConnell, L'22 Jack J. McDowell, L'31 \*Tom L. McDowell, L'36 \*Hugh P. McFadden, L'28 Hon. Thomas C. McGrath, L'57 Hon. Thomas C. McGrath, L'57 \*William B. McIntosh, L'17 George W. McKee, L'34 Leon Meltzer, L'26 \*Thomas P. Mikell, L'27 A. Arthur Miller, L'34 Mrs. Dorothea Grater Minskoff, L'34 Samuel W. Morris, L'49 Emanuel Moss, L'20 \*John C. Mueller, L'59 Finance, Mussi, E.20 Finance, Mussier, L'59 Paul A. Mueller, Jr., L'55 David H. Nelson, L'49J Philip F. Newman, L'17 Eugene Nogi, L'32 \*Leon J. Obermayer, L'08 \*Leon J. Obermayer, L'08
\*Thomas A. O'Boyle, L'40
\*John J. O'Brien, L'08
Hon. Arturo Ortiz-Toro, L'17
Isidor Ostroff, L'30
\*Gilbert W. Oswald, L'34
\*George Ovington, Jr., L'07
George Ovington, 3rd, L'40
\*Israel Packel, L'32
Charles C. Parlin, Jr., L'49J
Henry N. Paul, Jr., L'25
J. Craig Peacock, L'12
Morris Pfaelzer, 2nd, L'38 Morris Pfaelzer, 2nd, L'38 \*Hon. Frank L. Pinola, L'15 Harry Polikoff, L'31 Herman I. Pollock, L'27 Herman B. Poul, L'38 Herman B. Poul, L'38 Howard I. Powell, L'16 John B. Prather, L'27 Ernest D. Preate, L'34 Lipman Redman, L'41 W. Foster Reeve, L'17 Pace Reich, L'54

P. Herbert Reigner, L'17 Paul H. Rhoads, L'31 \*Victor J. Roberts, L'37 Milton W. Rosen, L'41 David H. Rosenbluth, L'33 Samuel M. Rosenfeld, L'30 Max Rosenn, L'32 Hon. Samuel Y. Rossiter, L'13 William Rowe, L'27 \*William B. Rudenko, L'32 \*W. Albert Sanders, L'31 \*W. Albert Sanders, L'31
\*Alex Satinsky, L'37
Hon. Edwin H. Satterthwaite, L'40
\*Hon. Harold D. Saylor, L'17
\*James W. Scanlon, L'30
\*John N. Schaeffer, Jr., L'37
\*Nathan J. Schneider, L'27
\*Andrew J. Schroder, II, L'30
\*Lloyd J. Schumacker, L'30
Louis B. Schwartz, L'35
\*Ernest Scott, L'29
W. Frazier Scott, L'39 W. Frazier Scott, L'39 \*Irving R. Segal, L'38 Milton H. Shapiro, L'40 W. Simms Sharninghausen, L'39 Robert M. Shay, L'61 \*Hon. Charles A. Shea, Jr., L'36 \*G. William Shea, L'36 \*G. William Shea, L'36 Nathan Silberstein, L'33 Seymour S. Silverstone, L'25
\*Charles D. Smeltzer, L'24
\*Alan J. Smith, L'29
\*Carl D. Smith, L'07
\*Geoffrey S. Smith, L'25 Elvin R. Souder, L'42
Samuel L. Sperling, L'32 Hon. Maurice W. Sporkin, L'17 Sigmund H. Steinberg, L'24 Lee N. Steiner, L'49F Philip Sterling, L'10 Philip Sterling, L'10 Guy K. Stewart, L'32 Thomas H. Stewart, L'51 \*J. Pennington Straus, L'35 Thomas H. Stewart, L'51 \*J. Pennington Straus, L'35 \*Aaron S. Swartz, L'11 \*Leonard A. Talone, L'30 William E. Taylor, Jr., L'44 Charles C. Townsend, L'27 \*Robert L. Trescher, L'37 \*Eugene K. Twining, L'33 Robert W. Valimont, L'49J Frederick A. Van Denbergh, Jr., L'37 \*Charles B. P. Van Pelt, L'49F \*Hon. Joseph Varbalow, L'17 Maxwell E. Verlin, L'26 Theodore Voorhees, L'29 Howard K. Wallace, L'16 Guy E. Waltman, L'29 \*Stewart E. Warner, L'27 Wendell E. Warner, L'27 Wendell E. Warner, L'24 Mrs. Helen Moran Warren, L'30 Richard H. Warren, L'51 Hon. Gerald J. Weber, L'39 \*Wilton W. Webster, L'12 Joseph S. Weinfeld, L'31 Jerome B. Weinstein, L'34 Lewis Weinstock, L'40 Sidney L. Weintraub, L'25 H. John Weisman L'42 Sidney L. Weintraub, L'25 H. John Weisman, L'42 H. John Weisman, L'42 \* Morris Weisman, L'27 Lloyd B. White, L'50 \* Thomas Raeburn White, Jr., L'36 William White, Jr., L'38 \* Morton Witkin, L'17 \* Morris Wolf, L'03 H. Albert Young, L'29 John R. Young, L'30 \* Judah Zelitch, L'27 \* David B. Zoob L'27 \*David B. Zoob, L'27 Francis J. Zugehoer, L'35

\* Denotes 5 or more consecutive years as a Century Club Member.

Fall 1965

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## REPORT OF CLASSES

Chairman-Milton B. Garner, L'36

				1964-196	5		1963-190	54
	A	No. in	No.	Per Cent		No.	Per Cent	
lass	Agent	Class	Giving	Giving	Amount	Giving	Giving	Amou
	Non Alumni		4		\$1,355.00	3	20	\$1,750.
382-99	Milton B. Garner	14	5	36	430.00	6	30	250.
000	Charles H. Howson, dec'd	8	6	75	165.00	6	55 25	165. 25.
001	Edwin Emhardt	4	2	50 33	125.00	1 3	43	30.
02	Joseph Sternberger	6	2 4	25	15.00 170.00	4	24	185.
03	Hon. L. Stauffer Oliver	16 6	3	50	30.00		20	27.
04	Milton B. Garner	13	3	23	1,020.00	2 9	64	1,105.
06	Frank G. Sayre, dec'd John Martin Doyle	9	4	45	125.00	6	55	360
07	Stanley W. Root	12	6	50	345.00	5	42	335
08	John Arthur Brown	18	9	50	590.00	9	43	470
09	Joseph J. Tunney	14	3	21	25.00	5	36	60
10	Wallace Bromley	28	13	46	651.00	14	47	526
11	Milton B. Garner	21	9	43	685.00	8	36	585
12	Milton B. Garner	27	6	22	1,538.73	5	18	1,385
13	Samuel R. Rosenbaum	24	8	33	270.00	11	44	385
14	Frank H. Mancill	39	37	95	11,430.00	19	52	6,346
15	James F. Masterson	31	12	39	1,270.00	13	40	1,540
16	Martin Feldman	33	22	69	993.00	23	70	745
17	Raymond K. Denworth	51	30	59	2,295.00	32	62	2,045
18-19	Milton B. Garner	14	3	21	165.00	3	20	130
20	Otto P. Mann	17	9	53	1,600.00	9	50	1,500
21	William I. Woodcock, Jr.	19	15	79	910.00	14	74	1,540
22	E. Perry Campbell	42	18	43	1,978.00	20	47	1,907
23	Samuel Goldberg	20	10	50	217.00	9	41	202
24	William C. Ferguson, Jr.	36	15	42	1,311.88	18	50	855
25	Desmond J. McTighe	42	21	50	2,325.00	20	47	1,950
26	Joseph G. Feldman	38	13	34	1,221.00	14	36	1,166
27	Herman I. Pollock	81	39	48	5,852.50	43	52	4,693
28	Sanford D. Beecher	76	30	40	1,705.00	30	38	1,192
29	Alan J. Smith	88	31	35	2,045.00	28	32	1,785
30	J. Russell Gibbons	98	35	36	2,229.50	32	33	1,778
31	Knox Henderson	114	46	40	3,030.00	46	40	2,800
32	Walter W. Beachboard	97	27	28	1,770.00	26	27	1,423
33	Nathan Silberstein	89	39	44	2,842.50	46	51	3,854
34	Roland J. Christy	85	32	38	1,864.44	30	36	2,403
35	Frank E. Hahn, Jr.	93	42	45	2,055.00	38	40	1,770
36	Milton B. Garner	101	36	36 32	2,069.00 1,291.00	37 32	36 33	1,928
37	F. A. Van Denbergh, Jr.	101 85	32 35	41	1,971.00	36	42	1,297
38 39	Raymond J. Broderick	05	55	41	1,971.00	50	42	1,540
39	Arthur R. Kane, Jr. & James Hunter, III	88	43	49	1,625.00	45	53	1,465
40	Lewis Weinstock	96	36	37	1,712.50	26	27	695
41	Paul A. Wolkin	102	45	45	1,256.00	41	40	953
42	F. L. Ballard, Jr.	72	24	33	890.00	20	28	640
43	Robert Hachenburg	48	8	17	220.00	12	24	270
44	Barton E. Ferst	23	11	48	425.00	10	46	310
45	Milton B. Garner	9	7	78	400.00	6	67	125
46	John L. Esterhai &				100.00			
	James C. Bly	27	12	45	225.00	8	30	180
47	Robert M. Landis	75	18	24	605.00	22	29	485
18	Raymond Jenkins	131	46	35	1,350.00	47	36	1,140
49F	Henry N. Platt, Jr.	87	36	41	1,216.00	28	32	891
49J	Thomas McIvor	75	40	53	1,318.50	36	48	1,048
50	Stephen J. Korn	100	46	46	1,340.00	43	43	1,054
51	John J. Galbally	130	58	45	2,028.00	54	42	1,296
52	Joseph P. Flanagan	121	44	36	912.50	43	36	765
53	Leonard Barkan	137	59	43	1,161.00	57	42	960
54	Morris M. Shuster	90	42	47	830.50	51	57	914
55	Robert Kendall &	102	50	40	0.00.00	47	10	
	Irving M. Hirsh	103	50	49	963.00	47	48	776
56	Alan G. Kirk, II &	125	62	50	042.00	52		
-	Carl Schneider	125	62 54	50 54	846.00	53	44	558
57	Richard Schneider	101 129	54 50	34 39	664.00	56	58	574
58	George B. McNelis	153	53	39	759.50	66	52	839
59	George F. Reed	152 117	35	30	1,006.77	63 31	43 29	831
60	Nicholas D. Vadino	117	61	55	435.00	74	67	270
61	Raymond K. Denworth, Jr.	112	76	60	848.50	90	75	858.
62	E. Barclay Cale	144	64	45	744.50	48	36	751.
	John L. Harrison	144 145	64 67	45	768.00 633.38	40	30	338.
63 64	William J. Levy							

Thirty-seven classes reported a gain in per cent of participation over last year; twenty-five classes failed to achieve as high a percentage as last year; three classes reported no change in percentage; the Class of 1964 has no comparative figures.



Members of the Class of 1915 Law attending the luncheon on Law Alumni Day. They are (l. to r.) Hon. Robert V. Bolger, J. Wesley McWilliams, James F. Masterson, Arnold M. Blumberg, and Hon. James F. Henninger.

## **CLASS PERFORMANCES**

## GREATEST NUMBER

OF DOLLARS CONTRIBUTED

Class	Agent	Amount
1914	Frank H. Mancill	\$11,430.00
1927	Herman I. Pollock	5,852.50
1931	Knox Henderson	3,030.00

## GREATEST NUMBER OF CONTRIBUTORS

Class	Agent	Number
1962	E. Barclay Cale	76
1964	William J. Levy	67
1963	John L. Harrison	64

## BEST PER CENT OF PARTICIPATION

(Classes of 25 or more)

Class	Agent	Per Cent
1914	Frank H. Mancill	95
1916	Martin Feldman	69
1962	E. Barclay Cale	60

## BEST PER CENT OF PARTICIPATION

Class	Agent P	er Cent
1921	William I. Woodcock, Jr.	79
1945	(Handled by Class Agent Chairman)	78
1900	Charles H. Howson (Deceased)	75

## Fall 1965

## ABOVE AVERAGE

## These Classes Equalled or Bettered the Over-all Alumni Participation of 42%:

Year	Agent	Per Cent
1914	Frank H. Mancill	95
1921	William I. Woodcock, Jr. (Under 25 members)	79
1945	(Handled by Class Agent Chairman)	
	(Under 25 members)	78
1900	Charles H. Howson (Deceased)	
	(Under 25 members)	75
1916	Martin Feldman	69
1962	E. Barclay Cale	60
1917	Raymond K. Denworth	59
1961	Raymond K. Denworth, Jr.	55
1957	Richard G. Schneider	54
1920	Otto P. Mann (Under 25 members)	53
1949J	Thomas McIvor	53
1901	Edwin Emhardt (Under 25 members)	50
1904	(Handled by Class Agent Chairman)	
	(Under 25 members)	50
1907	Stanley W. Root (Under 25 members)	50
1908	John Arthur Brown (Under 25 members)	50
1923	Samuel Goldberg (Under 25 members)	50
1925	Desmond J. McTighe	50
1956	Alan G. Kirk, II & Carl W. Schneider	50
1939	Arthur R. Kane, Jr. & James Hunter, III	49
1955	Robert Kendall & Irving M. Hirsh	49
1944	Barton E. Ferst (Under 25 members)	48
1927	Herman I. Pollock	48
1954	Morris M. Shuster	47
1910	Wallace Bromley	46
1950	Stephen J. Korn	46
1964	William J. Levy	46
1906	John Martin Doyle (Under 25 members)	45
1935	Frank E. Hahn, Jr.	45
1946	John L. Esterhai & James C. Bly	45
1941	Paul A. Wolkin	45
1951	John J. Galbally	45
1933	Nathan Silberstein	44
1963	John L. Harrison	44
1911	(Handled by Class Agent Chairman)	
	(Under 25 members)	43
1922	E. Perry Campbell	43
1953	Leonard Barkan	43
1924	William C. Ferguson, Jr.	42

CLASS OF 1912

## CONTRIBUTORS

NON-ALUMNI Number Giving \$1,355.00 Amount Wilmot E. Fleming Jefferson B. Fordham John O. Honnold, Jr. Mrs. F. A. Weisenback CLASS OF 1897 Number Giving Per Cent Giving 20 Amount \$255.00 Charles E. Blackburn Ira Jewell Williams CLASS OF 1899 Number Giving 3 Per Cent Giving 43 Amount \$175.00 Bert Cohen Marcus S. Hottenstein Charles Kuschke CLASS OF 1900 The Late Charles H. Howson, Agent Number Giving 6 Per Cent Giving 75 \$165.00 Amount William S. Allen Paul Bedford Albert N. Garrett Charles H. Howson Wilfred B. Wolcott Hon. Charles A. Wolverton CLASS OF 1901 Edwin C. Emhardt, Agent Number Giving Per Cent Giving 50 \$125.00 Amount Hon. Jasper Yates Brinton Edwin C. Emhardt CLASS OF 1902 Joseph Sternberger, Agent Number Giving Per Cent Giving 33 Amount \$15.00 Hon, Edwin O. Lewis Joseph Sternberger CLASS OF 1903 Hon. L. Stauffer Oliver, Agent Number Giving Δ Per Cent Giving 25 \$170.00 Amount Benjamin Dintenfass Hon. L. Stauffer Oliver Walter B. Saul Morris Wolf CLASS OF 1904 Number Giving 3 Per Cent Giving 50 \$30.00 Amount Estate of George M. Henry Estate of David Levinson William C. Longstreth CLASS OF 1905 The Late Frank G. Sayre, Agent Number Giving 3 Per Cent Giving 23 \$1,020.00 Amount Eugene S. Richardson Maurice B. Saul Frank G. Sayre

CLASS OF 1906 John Martin Doyle, Agent Number Giving Per Cent Giving 45 \$125.00 Amount John Martin Doyle Robert J. Eby Albert M. Greenfield Isaac W. Roberts CLASS OF 1907 Stanley W. Root, Agent Number Giving 6 Per Cent Giving 50 \$345.00 Amount Hon. James H. Duff Edward W. Evans Louis M. Fleisher George Ovington, Jr. Stanley W. Root Carl D. Smith CLASS OF 1908 John Arthur Brown, Agent Number Giving 0 Per Cent Giving 50 Amount \$590.00 John Arthur Brown James D. Carpenter Randolph W. Childs Robert T. Fox T. Walter Gilkyson Otto Kraus, Jr. Leigh M. Morss Leon J. Obermayer John J. O'Brien CLASS OF 1909 Joseph J. Tunney, Agent Number Giving 3 Per Cent Giving 21 Amount \$25.00 Louis W. Robey Joseph J. Tunney Russell Wolfe CLASS OF 1910 Wallace Bromley, Agent Number Giving 13 Per Cent Giving 46 Amount \$651.00 Wallace Bromley Hon. E. Wallace Chadwick Harold Evans Roland C. Heisler Edward Hopkinson, Jr. Sidney Loewenstein Hon. Byron A. Milner Isaac T. Porter Hon. Forrest R. Shanaman Mrs. Rebecca Roberts Shelly Francis A. Stanger, Jr. Philip Sterling Hon. W. Butler Windle CLASS OF 1911 Number Giving 9 Per Cent Giving 43 \$685.00 Amount Ralph J. Baker Arthur M. Eastburn Fred T. Fruit George K. Helbert Hubert J. Horan, Jr. Samuel L. Howell David S. Malis

Joseph Rosenstein

Aaron S. Swartz, Jr.

Number Giving 6 Per Cent Giving 22 Amount \$1,538.73 Harry N. Brenner W. Barclay Lex James C. Peacock Edmund H. Rogers William A. Schnader Wilton W. Webster CLASS OF 1913 Samuel R. Rosenbaum, Agent Number Giving 8 33 Per Cent Giving \$270.00 Amount Schofield Andrews Isidore Baylson Joseph J. Brown Edward T. Curry Percy C. Madeira, Jr. Bertram P. Rambo Samuel R. Rosenbaum Hon. Samuel Y. Rossiter **CLASS OF 1914** Frank H. Mancill, Agent Number Giving 37 Per Cent Giving 95 \$11,430.00 Amount Harry S. Abrams J. Charles Adams Robert M. Bernstein Hon. John A. Boyle John S. Bradway Edwin H. Burgess Walter M. Burkhardt Hon. Vincent A. Carroll Alexander Conn C. Russell Corson Hon. George C. Corson L. Leroy Deininger Roy A. DeLong Lewis J. Finestone Domenic Furia Harry J. Gerber William Ginsburg Hon. Lynn B. Griffith Romain C. Hassrick Robert D. Hughes Louis Levinson James C. Luitweiler D. Arthur Magaziner Frank H. Mancill Mark T. Milnor William N. Ottinger Theodore S. Paul H. James Sautter Charles C. Savage, Jr. Hon. Paul N. Schaeffer Yale L. Schekter Benjamin Schmerer Clarke M. Seltzer William G. Stathers Herman J. Tahl Brig. Gen. John Thomas Taylor Charles S. Thompson CLASS OF 1915 James F. Masterson, Agent Number Giving 12 39 Per Cent Giving \$1.270.00 Amount Justin S. Bamberger Ralph W. Crowell R. McCall Gilkey David D. Goff Hon. James F. Henninger Gilbert R. Hughes

Robert F. Irwin, Jr. Lewis H. Kirk James F. Masterson Hon. Frank L. Pinola Thomas Reath Alexander N. Rubin CLASS OF 1916 Martin Feldman, Agent Number Giving Per Cent Giving \$993.00 Amount James M. Brittain

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Hon. Francis Shunk Brown, Jr. Heath S. Clark Joseph L. Ehrenreich Harry Feinstein Martin Feldman Benjamin B. Hoar Vernon S. Jones Robert G. Kleckner Benjamin M. Kline Harry G. Lenzner Hon. Louis E. Levinthal Hon. Thomas M. Lewis Howard I. Powell Welter L. Rodman Thomas E. Shipley Elmer D, Simon Moses J. Slonim Edward Stone Paul C. Wagner Howard K. Wallace Aaron Weiss CLASS OF 1917 Raymond K. Denworth, Agent Number Giving 30 Per Cent Giving 59 \$2,295.00 Amount Harry E. Apeler Hon. John C. Bell, Jr. Rodney T. Bonsall Meyer L. Casman Edward Davis Raymond K. Denworth John J. Goldy M. Joseph Greenblatt Hon. T. Linus Hoban Aaron Kravitch Joseph H. Lieberman Robert C. Ligget Edwin A. Lucas Albert J. Marks William B. McIntosh Marshall H. Morgan Philip F. Newman Hon. Arturo Ortiz-Toro Mrs. Rose Lerner Perlman W. Foster Reeve, 3rd P. Herbert Reigner Paul M. Robinson Maurice Saeta Hon. Harold D. Saylor Claude C. Smith Hon. Maurice W. Sporkin Edward J. Swotes Mervin R. Turk Hon. Joseph Varbalow Morton Witkin

CLASS OF 1918-19 Number Giving 3 Per Cent Giving 21 Amount \$165.00 Joseph H. Grubb, Jr. Ernest R. Keiter Ernest N. Votaw

CLASS OF 1920

Otto P. Mann, Agent 9 Number Giving Per Cent Giving 53 \$1,600.00 Amount Miss Ethel F. Donaghue Hon, Harold L. Ervin Bernard L. Frankel Arthur Littleton Otto P. Mann Emanuel Moss Harry Polish Eugene H. Southall Donald H. Williams CLASS OF 1921 Wm. I. Woodcock, Jr., Agent Number Giving 15 Per Cent Giving 79 \$910.00 Amount

Joseph F. M. Baldi Samuel J. Becker Francis H. Bohlen, Jr. A. Samuel Buchman Robert Dechert Henry M. Dubbs, Jr. Benjamin C. Jones Armand L. Koethen John G. Love Clarence G. Myers J. Howard Neely, Jr. John Russell, Jr. Joseph Smith Isadore S. Wachs William I. Woodcock, Jr.

#### CLASS OF 1922

E. Perry Campbell, Agent Number Giving Per Cent Giving \$1,978.00 Amount Franklin H. Bates Harold F. Butler E. Perry Campbell W. Meade Fletcher, Jr. William D. Harkins J. H. Ward Hinkson Frederick H. Knight Herman H. Krekstein Thomas McConnell, 3rd Hon. Leo H. McKay Clarence A. Patterson Edward A. G. Porter G. Ruhland Rebmann, Jr. Henry D. M. Sherrerd A. Carson Simpson Arthur B. VanBuskirk Miss Sybil U. Ward Allen H. White

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#### CLASS OF 1923

Samuel A. Goldberg, Agent Number Giving 10 Per Cent Giving 50 \$217.00 Amount Hon. E. Arnold Forrest Samuel A. Goldberg Cadmus Z. Gordon, Jr. Hon. George W. Griffith Henry R. Heebner Penrose Hertzler Milton A. Kamsler Holman G. Knouse Hon. Felix Piekarski Ezra S. Shapeero

CLASS OF 1924 Wm. C. Ferguson, Jr., Agent Number Giving 15 Per Cent Giving 42 Amount \$1,311.88 Robert K. Bell Benjamin N. Brown Hon. Hazel H. Brown Edward V. Buckley Mrs. Ida Oranovich Creskoff William C. Ferguson, Jr. Edward H. P. Fronefield Thomas M. Johnston Harry Kaufman Richard H. Klein David F. Maxwell Philip S. Polis Charles D. Smeltzer Sigmund Steinberg Wendell E. Warner CLASS OF 1925 Desmond J. McTighe, Agent Number Giving 21 50 Per Cent Giving \$2,325.00 Amount Harris C. Arnold Laurence Brunswick Hon. Herbert B. Cohen Meyer E. Cooper Michael Edelman Francis I. Farley Carl W. Funk Mortimer E. Graham Samuel R. Greenwald Charles P. Larkin, Jr. Baldwin Maull Desmond J. McTighe Morton Meyers Rabbi Louis Parris Henry N. Paul, Jr. James B. Savers Walter Seiler Seymour S. Silverstone Geoffrey S. Smith Sydney L. Weintraub Hon. J. Colvin Wright CLASS OF 1926 Joseph G. Feldman, Agent Number Giving 13 Per Cent Giving 34 \$1,221.00 Amount Erich O. Angermann Henry W. Balka Julius C. Baylinson J. Warren Brock Hon. Joseph S. Clark, Jr. Joseph G. Feldman Rev. Edward B. Guerry John F. E. Hippel Hon. Bernard J. Kelley W. James MacIntosh Leon Meltzer Frank M. Travaline, Jr. Maxwell E. Verlin CLASS OF 1927 Herman I. Pollock, Agent Number Giving 39 Per Cent Giving 48 \$5,852.50 Amount Herman P. Abramson Mrs. S. Mossell Alexander Philip Werner Amram Francis J. Beckley J. Glenn Benedict Alvin W. Carpenter Rabbi E. Lewis Cooper Guy W. Davis

Herman Eisenberg Laurence Eldredge John Kennedy Ewing, III Harry Friedman Jacques H. Geisenberger Nathan Goldman Harold D. Greenwell Michael H. Gurbarg John Harper John F. Headly Harold H. Hoffman Charles M. Justi Louis Lipschitz Joseph A. Matt Albert B. Melnik Thomas P. Mikell Herman I. Pollock John B. Prather Rev. Elwood F. Reeves, Jr. William Rowe Nathan J. Schneider Manuel Sidkoff C. Leo Sutton Charles C. Townsend Stewart E. Warner Morris Weisman William N. West, 3rd Morris M. Wexler John H. Wharton Judah Zelitch David B. Zoob CLASS OF 1928 Sanford D. Beecher, Agent Number Giving 30 Per Cent Giving 40 Amount \$1,705.00 Harry Norman Ball Sanford D. Beecher Franklin H. Berry Clifford M. Bowden Joseph Brandschain J. Russell Cades William V. Cherry Morris Cheston J. Lawrence Davis Guy G. deFuria Herman M. Ellis David H. Frantz Joseph A. Grazier Martin Greenblatt Jesse Hyman John P. Jordan Harrison G. Kildare Samuel P. Lavine Hon. Paul S. Lehman Abraham Levin Hugh P. McFadden James A. Montgomery, Jr. Harold B. Ramsey Benson N. Schambelan A. Allen Simon Lawrence M. C. Smith Leon Sobel Robert Stuckenrath Joseph Weintraub Edward S. Weyl CLASS OF 1929 Alan J. Smith, Agent Number Giving 31 Per Cent Giving 35 \$2,045.00 Amount William B. Arnold John H. Austin Milton Berger Herman Cohen Stanley B. Cooper Daniel De Brier Lawrence E. Frankel B. Graeme Frazier, Jr.

Morris B. Gelb Walter E. Greenwood, Jr. Edmund P. Hannum Gilbert G. Harris W. Lester Henry Albert M. Hoyt, Jr. William S. Hudders Joseph G. Jackson William F. Kennedy Hon. Abraham H. Lipez Edward S. Lower Samuel Marx William L. Matz William L. Rubin Sidney Schulman Ernest Scott Louis Sherr Hon. Kendall H. Shover Alan J. Smith Theodore Voorhees Guy E. Waltman W. Wyclif Walton H. Albert Young CLASS OF 1930 J. Russell Gibbons, Agent Number Giving 35 Per Cent Giving 36 \$2,229.50 Amount Samuel A. Armstrong George M. Brodhead Philip Dechert George C. Denniston Samuel E. Ewing Joseph First Edward W. Furia J. Russell Gibbons Samuel E. Gilbert Louis Gorrin Stanley Jakubowski Norman J. Kalcheim Joseph Kaplan Herman Krakovitz William H. Kresch I. Harry Levin Herbert M. Levy Wilfred R. Lorry Elias Magil James W. Marvin Clarence Mesirov Isidor Ostroff Samuel M. Rosenfeld James W. Scanlon Andrew J. Schroder, II Lloyd J. Schumacker Norman Snyder Herman W. Steerman Alexander T. Stein Leonard A. Talone Mrs. Helen Moran Warren F. N. Weidner, Jr. Carroll R. Wetzel John R. Young Bernard M. Zimmerman CLASS OF 1931 Knox Henderson, Agent Number Giving 46 Per Cent Giving 40 Amount \$3,030.00 Alexander B. Adelman Nathan Agran Philip I. N. Alperdt James R. Anderson, Jr. Joseph Atlas Arthur W. Bean Kellogg W. Beck John H. Bertolet William R. Bready, 3rd Philip Cohen Robert B. Ely, 3rd

## Fall 1965

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## REGARDING LAW SCHOOL ANNUAL GIVING

Two areas of concern have in some degree affected results of Annual Giving almost from its beginning. It is with this in mind that the following explanation is made.

Roughly, one quarter of the Law School alumni body are "double" graduates. These are alumni who have graduated from, and have allegiance to, more than one school at the University. Although many in this situation do reply to appeals from each school, a large number do not. It is because of this fairly high percentage that it is felt worth discussion.

When Annual Giving was instituted, alumni who attended both undergraduate and professional schools at the University automatically received duplicate credit in each for a single gift. Several years ago the University revised its system and ruled out the "double" credit because it did not reflect a true picture of gifts or donors. Today each school conducts its own campaign and the proceeds are credited separately. Each has to rely on these individual funds to meet daily operating needs and opportunities not fully provided for within the general University budgetary framework. It is like the case of a law alumnus who received his undergraduate degree at another institution. In order to receive credit in two or more schools, you are urged to send to each a separate check in the school envelope provided. However, if you wish to make only one check and split your gift, the designated amount should be clearly marked for each school. This will be very helpful in keeping things straight and assuring observance of your wishes.

The second point to be covered is this: Alumni Annual Giving funds are separate and distinct from funds contributed to the Law School Development and Capital program. The latter gifts are used solely for the building program. On the other hand Annual Giving gifts, as has already been shown, are used for daily operating needs, faculty and student research, student aid funds, the library, the Law Review and contingencies. Both classes of gifts are, of course, of great importance to the well being of the School.

In view of the fact that payment of capital pledges is far advanced, it is reasonable to expect that Annual Giving will grow significantly. It is believed that the alumni will keep the Law School's continuing needs in mind when considering institutions worthy of their support.

#### Fall 1965

## A GLANCE AT TEN YEARS OF ANNUAL GIVING

Year	Number of Contributors	Per Cent Participation	Amount Contributed
1955-56	1056	29	36,830.
1956-57	1027	28	30,078.
1957-58	1096	29	37,635.
1958-59	1365	34	45,000.
1959-60	1281	32	50,096.
1960-61	1250	31	50,812.
1961-62	1498	37	53,325.
1962-63	1680	41	63,389.
1963-64	1791	42	72,935.
1964-65	1860	42	87,164.

## CORPORATE MATCHING GIFT PROGRAM

The names of corporate donors who have participated in this year's Law School Annual Giving Program are listed below. These corporations have generously matched, wholly or in part, the gifts of our alumni in their employ. The number of the companies and the amount received from them increases each year as more join the matching gift program.

Alumni who are eligible to have their gift matched are urged to send in their company's form in order that the Law School may benefit from it. The matching amount is also credited to you, your class and your region.

At present there are over 250 corporations known to have adopted a plan for matching gifts made by employees, officers, and, often, directors to their schools and universities. The Alumni Office will be glad to supply information to any alumnus who may be in a position to influence the establishment of a matching gift plan in his company.

AIR PRODUCTS AND CHEMICALS, INC. ARMSTRONG CORK COMPANY ARTHUR ANDERSON & COMPANY THE CONTINENTAL INSURANCE COMPANIES ESSO EDUCATION FOUNDATION GENERAL ELECTRIC COMPANY GIRARD TRUST COMPANY HOOKER CHEMICAL CORPORATION INSURANCE COMPANY OF NORTH AMERICA KIDDER, PEABODY & COMPANY MARINE MIDLAND TRUST COMPANY OF NEW YORK OLIN MATHIESON CHEMICAL CORPORATION PHILCO CORPORATION SCOTT PAPER COMPANY SMITH, KLINE & FRENCH LABORATORIES Allan W. Keusch Mrs. E. Hatton Landis Joseph Shanis John N. Stull Ellis W. Van Horn, Jr.

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#### CLASS OF 1958

George B. McNelis, Agent Number Giving 50 Per Cent Giving 39 \$759.50 Amount Fred C. Aldridge, Jr. Harris C. Arnold, Jr. Duffield Ashmead, III Bennett I. Bardfeld Harold J. Berger S. David Brandt A. Balfour Brehman, Jr. Benjamin E. Carter David R. Cohan Martin Cohen Philip Cohen Joseph A. Damico, Jr. Martin S. Evelev Stanley Frank Philip R. Frieder Jacques H. Geisenberger, Jr. Howard Gittis Melvin D. Glass Sidney R. Granite Richard T. Gross Bernard M. Guth Henry R. Heebner, Jr. Baron E. Kessler Harry A. Kitey Charles F. Knapp George D. Knapp Michael G. Kurcias John P. Leemhuis Harvey Levin James A. Loughran Alan W. Margolis George B. McNelis T. Weldon Monteith, Jr. Ramon R. Obod Michael A. Orlando, 3rd John W. Roberts Littleton W. Roberts, Jr. Ronald R. Rosenberg

Mortimer D. Rubin Joseph H. Savitz Allan B. Schneirov Edwin W. Semans, Jr. David J. Steinberg Richard W. Stevens Louis G. Tarantino, Jr. Friedrich J. Weinkopf Marvin Weiss William H. Wolf, Jr. Elliott Yampell Robert H. Zimmerman CLASS OF 1959 George F. Reed, Agent Number Giving 53 Per Cent Giving 35 \$1,006.77 Amount Alan I. Aberman Miss Margaret E. Adam Louis J. Adler L. Carter Anderson Donald Beckman Sanford D. Beecher, Jr. Joseph Beller Gerald Broker H. Donald Busch Richard L. Cantor James J. Casby, Jr. Philip Cherry Jonathan S. Cohen William Congreve, 3rd Thomas S. Conlon Wallace P. Cooney Murray S. Eckell J. Earl Epstein Seymour H. Feingold William J. Geen Murray C. Goldman Arthur R. Gorr Bernard M. Gross Jack G. Handler Selwyn A. Horvitz John R. Hudders Samuel H. Karsch Edmund H. Kase, 3rd Lewis Kates Robert G. Kleckner, Jr. Albert W. Laisy John J. Lombard, Jr. Richard D. Monroe Thomas B. Moorhead John C. Mueller John C. Mueller Allen O. Olin Peter C. Paul Peter H. Pfund Martin B. Pitkow George F. Reed Jack A. Rounick Marshall A. Rutter Matthew J. Ryan, 3rd Boris Shapiro Oscar F. Spicer Joseph F. Strain Thomas A. Swope, Jr. Louis M. Tarasi, Jr. Ira P. Tiger David R. Tomb, Jr. Herbert A. Vogel John D. Wilson Franklin A. Wurman CLASS OF 1960 Nicholas D. Vadino, Jr., Agent Number Giving 35 Per Cent Giving 30 \$435.00 Amount

#### LAW ALUMNI JOURNAL

Edward L. Batoff

Michael Bernstein

Ralph H. Clover

Edward I. Dobin John F. Dugan, II Frank Federman Melvin S. Feldman Mrs. Ruth M. Ferrell Jay F. Frank Miss Cherie A. Gaines Lewis J. Gordon Robert J. Hastings Charles A. Heimbold, Jr. John H. Higgs Richard S. Hyland John R. Jakubowski Allan Katz Mark K. Kessler Charles G. Kopp Gerald G. Kramer Randall D. Luke Roland Morris Benjamin S. Ohrenstein Edward Robin George F. Robinson David E. Seymour Lowell S. Thomas, Jr. Thomas T. Trettis, Jr. Nicholas Vadino, Jr. Joseph T. Vodnoy Alvin M. Weiss Marvin M. Wodlinger Hillard N. Zebine Ronald Ziegler

#### CLASS OF 1961

Raymond K. Denworth, Jr., Agent Number Giving 61 Per Cent Giving \$848.50 Amount Edward N. Adourian, Jr. Edward N. Adourian, Jr. James H. Agger Paul R. Anapol Lewis Becker Lawrence F. Corson Joseph M. Dalton, Jr. Raymond K. Denworth, Jr. Arthur J. England, Jr. Mrs. Ruth Morris Force Robert A. Freedman Bernard Glassman Rayner M. Hamilton Mrs. Ann Epstein Harrison John B. Healy Peter Hearn James N. Horwood Howard M. Jaffe Edward L. Jones, Jr. Anthony L. Joseph Michael Joseph Malcolm B. Kane Charles K. Keil Eric G. Koskoff Daniel M. Kristol Lewis S. Kunkel, Jr. Franklin L. Kury Kenneth H. Lang Kenneth H. Lang Herbert W. Larson Henry W. Lavine Anthony S. Leidner Paul G. Levy Wilfred F. Lorry Robert S. Lucarini Jack K. Mandel Spencer G. Nauman, Jr. David F. Norcross Frederick D. Pettit Francis J. Pfizenmayer Ronald Pinsky Paul B. Pollack Paul B. Pollack Philip Price, Jr.

Arthur D. Rabelow David V. Randall Robert A. Rosin Irwin M. Samuels Robert J. Sann James M. Scanlon William R. Shane Robert M. Shay Anthony J. Sobczak David L. Steck Richard K. Stevens, Jr. Marc L. Swartzbaugh Gilbert Wasserman Harold B. Wells, 3rd David H. Wheeler Bruce B. Wilson Lawrence E. Wood Roger S. Young Edward K. Zuckerman CLASS OF 1962 E. Barclay Cale, Agent Number Giving 76 Per Cent Giving 60 \$744.50 Amount Milton D. Abowitz Richard D. Atkins Paul Auerbach Mrs. Andrea C. Balliette William Balliette, Jr. Joseph F. Battle, Jr. Leigh W. Bauer William M. Baumgartner Martin M. Berliner Mrs. Barbara P. Berman Richard R. Block Stuart S. Bowie R. David Bradley Jonas Brodie Scott P. R. Burnaman E. Barclay Cale, Jr. William B. Christy, 4th Robert B. Cohen Leonard J. Cooper Alfred W. Cortese, Jr. Alfred W. Cortese, Jr. James D. Crawford Kenneth M. Cushman William J. Dale Mrs. Judith Norvick Dean George C. Decas Richard D. Ehrlich Richard H. Elliott Alexander Endy Alexander Endy Nick S. Fisfis Joel P. Fishbein Gordon S. Freesman Joel Friedman Robert F. Y. Garrett, 3rd Bernard R. Gerber John E. Gillmor Francis E. N. Gleeson Donald F. U. Goebert Harold Greenberg Gerald E. Haughey Martin G. Heckler John A. Herdeg Heinz K. Hintermann Burton Hoffman Jerome A. Hoffman Paul D. Horger Paul D. Horger Steven D. Ivins Warren J. Kauffman John P. Kelley Edmond M. Kirby Jerold G. Klevit Daniel J. Lawler Edward J. Lewis David P. Loughran Spencer A. Manthorpe Robert W. Maris David W. Miller Edwin S. Moore, 3rd

Stephen J. Moses Alexander Neave Thomas P. Nugent Philip S. Nyman Lewis F. Parker Robert M. Philson Martin M. Pollock John H. Potts Charles B. Pursel Miss Suzanne R. Schiffman George H. M. Schuler Richard J. Sharkey M. Michael Sharlot Louis P. Silverman Martin W. Spector Charles H. Thomas, Jr. Galen J. White, Jr. Morris Zacher Arnold Zenker CLASS OF 1963 John L. Harrison, Agent Number Giving 64 Per Cent Giving 45 \$768.00 Amount Steven A. Arbittier Donald V. Berlanti Aaron D. Blumberg Harold Bogatz A. Richard Caputo Lt. Richard A. Carrick Abraham J. Chasnoff Arnold B. Cohen Henry B. Cortesi Thomas F. Cunnane Morton F. Daller Nicholas P. Damico Mrs. Joanne R. Denworth Lowell H. Dubrow David M. Epstein Mrs. Myrna Paul Field Melvyn H. Freeman Nathan G. Ginsburg Edward M. Glickman Jay L. Goldberg Frederick P. Hafetz John L. Harrison, Jr. Harold Jacobs Arthur S. Karafin Morris C. Kellett Martin N. Kroll Robert Kruger Judah I. Labovitz John J. Langenbach James R. Ledwith Gerald M. Levin Arthur L. Levine Robert C. Littman Thomas Lumbard Arnold Machles David H. Marion David H. Marion Francis G. Mays John H. McGrail Paul R. Melletz Henry F. Miller John R. Mondschein Joseph L. Monte, Jr. Louis H. Nevins Robert J. Partlow Farle I. Patterson 3r. Earle J. Patterson, 3rd Thomas E. Quay J. Ashley Roach Michael J. Rotko Michael J. Rutenberg Peter M. Ryan Charles A. Shaffer Stephen A. Sheller Max Spinrad Albert M. Stark Jonathan R. Steinberg Robert J. Stern

Clarence W. Vandergrift Michael D. Varbalow James L. Weisman Thomas R. White, 3rd Mrs. Faith Ryan Whittlesey Miss Susan P. Windle Edwin D. Welf Edwin D. Wolf Stephen G. Yusem CLASS OF 1964 William J. Levy, Agent Number Giving 67 Per Cent Giving 46 Amount \$633.38 John T. Andrews, Jr. Richard A. Ash Steven T. Atkins Peter F. Axelrad Frank B. Baldwin, 3rd George W. Bissell George C. Bradley Earl T. Britt Andrew B. Cantor John A. Chanin Robert L. Coles Nicholas D. Constan, Jr. Stephen A. Cozen George M. Dallas, 4th Mrs. Bard Richman Dea Mrs. Beryl Richman Dean David Dearborn Marshall A. Deutsch Calvin S. Drayer, Jr. Neil K. Evans Peter A. Eveleth Eugene E. Fike, 2nd Dennis M. Flannery Michael O. Floyd Michael H. Frankel Robert G. Fuller, Jr. John R. Gibbel L. Anthony Gibson Henry A. Gladstone Oscar B. Goodman Oscar B. Goodman Richard J. Haber Henry S. Hilles, Jr. James G. Hirsh George H. Jackson, 3rd Richard A. Jacoby Matthew D. Janczewski Alan K. Kaplan Miss Frederica B. Koller William J. Levy Miss Frederica B. Koller William J. Levy Richard A. Lippe Richard K. Mandell Charles M. Marshall Richard C. Montgomery Francis J. Murphy Mansfield C. Neal, Jr. Samuel H. Nelson Bruce S. Nielsen Bruce S. Nielsen William T. Onorato Michael A. O'Pake David C. Patten Miss Marian R. Pearlman Paul D. Pearson David L. Robinson Martin F. Robinson Christopher R. Rosser Herbert F. Schwartz Evan Y. Semerjian Howard Shapiro Gordon D. Simonds Daniel B. Slack Alan Steinberg Alan Steinberg James A. Strazzella John L. Sullivan Irwin J. Tenenbaum Jerome R. Verlin Peter C. Ward Richard D. Wood, 3rd

## Fall 1965

## SUMMARY OF REGIONS

(Areas, other than Philadelphia, with 15 or more alumni)

Chairman-J. Pennington Straus, L'35

		No. of	No. Partici-	Per Co Partici		4 m	ount
Region	Chairman	Alumni	pating	1964-65		1964-65	1963-64
Chester County, Pa.	Thomas R. Butler, L'39	58	41	71	59	\$ 1,594	\$ 1,188
Cleveland, Ohio	Henry W. Lavine, L'61	16	11	69		190	-
Lancaster County, Pa.	Jacques H. Geisenberger, L'27	48	28	58	72	1,510	1,230
Atlantic City, N.J.	Robert Neustadter, L'56	42	23	55	38	430	535
Lehigh County, Pa.	Emanuel G. Scoblionko, L'34	56	30	54	59	1,200	901
Wilmington, Del.	Herbert W. Larson, L'61	71	38	54	50	947	1,531
Delaware County, Pa.	Albert Blumberg, L'33						
	Guy G. de Furia, L'28	183	91	50	38	5,546	4,598
Washington, D.C.	Lipman Redman, L'41	137	67	49	50	1,987	1,280
Trenton, N.J.	Edward B. Meredith, L'51	42	20	48	38	354	265
Boston, Mass.	Philip G. Nyman L'62	20	9	45	-	100	
Los Angeles, Calif.	Marshall A. Rutter, L'59	36	16	45	43	753	475
Northampton County, Pa.	John C. Hambrook, L'47	45	20	45	42	670	460
Camden, N.J.	William F. Hyland, L'49	90	39	43	46	1,712	1,232
Bucks County, Pa.	Charles M. Marshall, L'64	57	23	40	37	787	533
New York, N.Y.	Richard M. Dicke, L'40	329	128	39	35	5,642	5,431
San Francisco, Calif.	Ronald Pinsky, L'61	21	8	38	-	285	
Erie County, Pa.	Mortimer E. Graham, L'25	32	12	38	32	401	295
Chicago, Ill.	Richard J. Farrell, L'41	19	7	37	-	275	-
Burlington County, N.J.	Edward N. Adourian, Jr., L'61	33	12	37	44	235	170
Dauphin County, Pa.	Francis B. Haas, Jr., L'51	52	18	35	42	715	352
York County, Pa.	E. Eugene Shelley, L'48	23	8	35	27	355	299
Lackawanna County, Pa.	James W. Scanlon, L'30	46	15	33	44	725	755
Montgomery County, Pa.	Victor J. Roberts, L'37	260	85	33	34	4,442	2,565
Luzerne County, Pa.	Andrew Hourigan, Jr., L'40	78	24	31	31	811	650
Berks County, Pa.	Richard T. Williamson, L'35	52	15	29	38	601	396
Allegheny County, Pa.	George J. Miller, L'51	81	22	27	38	675	841
Schuylkill County, Pa.	Calvin J. Friedberg, L'35	26	5	20	20	220	200
	Totals	1953	815	42%	40%	\$33,162	\$26,182



A congenial chat among friends in the Law Dormitory Courtyard.

## ABOVE AVERAGE

These Regions Bettered the Over-all Alumni Participation of 42%:

Region	Chairman	Per Cent
Chester County, Pa.	Thomas R. Butler, L'39	71
Cleveland, Ohio	Henry W. Lavine, L'61	69
Lancaster County, Pa.	Jacques H. Geisenberger, L'2	7 58
Atlantic City, N.J.	Robert Neustadter, L'56	55
Lehigh County, Pa.	Emanuel G. Scoblionko, L'3-	4 54
Wilmington, Del.	Herbert W. Larson, L'61	54
Delaware County, Pa.	Albert Blumberg, L'33 Guy G. de Furia, L'28	50
Washington, D.C.	Lipman Redman, L'41	49
Trenton, N.J.	Edward B. Meredith, L'51	48
Boston, Mass.	Philip G. Nyman, L'62	45
Los Angeles, Calif.	Marshall A. Rutter, L'59	45
Northampton County, Pa.	John C. Hambrook, L'47	45
Camden, N.J.	William F. Hyland, L'49	43

# Law Alumni Day

# May 13, 1965



Attending the luncheon honoring the five-year classes and the graduating class are: (l. to r.) Hon. C. William Kraft, Jr., '27; Ernest Scott, '29; Hon. John Biggs, Jr.; Henry T. Reath, '48, President of the Law Alumni Society; Dean Jefferson B. Fordham; Carroll R. Wetzel, '30; Lennox L. Moak (back to camera).



Dean and Mrs. Jefferson B. Fordham (on right) chat with the Hon. and Mme. P. B. Gajendragadkar. The latter gentleman is Chief Justice of the Supreme Court of India, and he delivered the Alumni Day Address.



Robert M. Bernstein, '14, and Lawrence H. Eldridge,'27, are attentive listeners at a Law Alumni Day Seminar.



Members of the Class of 1965 were luncheon guests of the Law Alumni Society.

## Kickoff Luncheon for 1965-66 Alumni Annual Giving



About fifty alumni and guests attended the kickoff meeting and luncheon for the 1965-66 campaign for Law School Alumni Annual Giving held at the Law School on Saturday, October 30. The date coincided with the Pennsylvania-Harvard football game and homecoming weekend when many alumni and their families were visiting the University campus.

Edwin H. Burgess, L'14, General Chairman of the campaign, reported on the successes achieved last year in reaching a new high of \$87,164, and sounded the keynote in calling for increased funds in 1965-66 to meet the expanding costs for academic excellence at the School. He announced that this year the Law School Alumni Annual Giving goal is \$100,000. Other speakers who discussed their areas of responsibility were: Morris M. Wexler, L'27, Chairman of Benjamin Franklin Associates; Louis J. Goffman, L'35, Chairman of Century Club; Milton B. Garner, L'36, Chairman of Class Agents; Dean Jefferson B. Fordham; and James D. Evans, Jr., Assistant to the Dean for Alumni Affairs.

At the luncheon, held in Horace Stern Hall, Mr. Burgess presented the Class Performance Awards to the following Class Agents: Frank H. Mancill, L'14, Greatest Number of Dollars Contributed; Frank H. Mancill, L'14, Best Percent of Participation (Classes of 25 or more); William I. Woodcock, Jr., L'21, Best Percent of Participation (Classes of less than 25); E. Barclay Cale, L'62, Greatest Number of Contributors.

Luncheon in the Law School's Horace Stern Dining Hall is enjoyed by Annual Giving workers and guests.



(l. to r.) Dean Jefferson B. Fordham and Edwin H. Burgess, '14, General Chairman for Law School Annual Giving, optimistically discuss the prospect of another successful year while Morris M. Wexler, '27, Chairman of Benjamin Franklin Associates, and Milton B. Garner, '36, Chairman of Class Agents, plan campaign strategy.

sions Office of the Law School. The applicant must also

## SPECIAL ANNOUNCEMENT: GOWEN FELLOWSHIPS AVAILABLE

William R. Shane, Assistant Dean for Admissions and Student Aid, announces that Gowen Fellowships in amounts up to \$4500 are available to graduates of the Law School for the coming academic year. They may be used for graduate study at the Law School or at another graduate school either in this country or abroad. Application forms are available from the Admis-

include a detailed description of his graduate study and career plans. Applications must be filed by December 15, 1965. The Graduate Committee will make its decisions in January 1966. No letters of recommendation or transcript are required so that section of the form can be ignored.

## COMMENTS ON LAW IN THE AFRICAN COUNTRIES

Former Dean of Nigerian Law School Is Bicentennial Fellow

Alan Milner LL.B., LL.M., Ph.D., former Dean and Professor of Law of Ahmadu Bello University in Zaria, Nigeria is a visiting scholar supported by a Bicentennial Fellowship in Criminal Law and Administration during the current academic year. Dr. Milner started this law school which was the first in Northern Nigeria. In 1961 Northern Nigeria with a population of twenty-nine million had three native lawyers. When Dr. Milner left the school in 1965 it had a faculty of fourteen, the library contained 15,000 volumes, classes included about twentyfive students, and the school had graduated its first class of four. The law school also helps upgrade existing court personnel. A two-year law subdegree program has granted fifteen diplomas and three month courses have been given to 1500 native court judges.

Dr. Milner had also taught at the College of Commerce, Leeds, England; University of Pittsburgh Law School, and Queen's University, Belfast, Northern Ireland. This semester Dr. Milner is teaching the very

## Conflict of Laws Major African Legal Problem

In those African countries which were formerly British colonies, conflict of laws is an ever recurring legal problem as two legal systems and court systems had developed simultaneously in each country. Customary law applied to natives only, but law based on English statutes and the common law had been introduced and applied to both Europeans and natives. As these colonies become independent countries, the question of how these two systems are to interrelate becomes a major problem further complicated by the fact that there is also conflict among the customary laws-there are thousands of tribes with different customs and even variations within tribes. Most of the so-called European legal material is available in English. The local law, however, is in the local language. A major project being undertaken in several countries at this time is the codification of the customary law which had not previously been reduced to writing in any language. Dr. Milner pointed out, however, that the work of the comparative lawyer interested in African law is being thwarted by such factors as Tanganyika (now Tanzania) codifying its law in Kiswahili!

Although both types of law are now being retained, the problem of determining whether a given person is to be classed as a native or non-native must, in many cases, be determined by statute.

The duality has also spawned two systems of courts. Judges in the European courts had to be qualified lawyers and to have been members of the bar a specified length of time. Judges in the customary courts, on the other hand, had no such formal educational requirements. They had to be learned in customary law as demonstrated by such factors as age and family. In the predominantly Moslem countries of Africa a Koranic education may have been required as well as apprenticeship or attendance in a Moslem law school. popular and timely new course, African Law Problems, which has an enrollment of fifty-five students. Next semester he will teach Comparative Criminal Law.

Dr. Milner has published work in family law, jurisprudence, and legal education in addition to criminal law.

He is currently preparing a complete manual for the Nigerian Penal System intended to be used for advisory and training purposes in Nigeria. This book will include material hitherto unavailable in Nigeria on practices, experiences and statistics from other legal systems. He is also organizing and editing articles by fifteen contributors from different countries into a book surveying African Penal Systems.

After this year he will be Law Fellow of Trinity College, Oxford University, England.

The following material on law in those African countries which were former British colonies is based on an interview with Dr. Milner.

In Northern Nigeria, for example, there are five classes of native courts. These range from "A" in which the traditional ruler, the Emir, serves as judge and has unlimited jurisdiction including capital jurisdiction, to the loosely organized pagan court in which about fifteen members of the village serve together as judges and choose one of their members to act as chairman. Islamic law is the common "customary" law of large areas of Northern Nigeria and serves as a unifying force.

Legal representation was not *allowed* in the customary courts—the parties spoke for themselves if at all.

It is interesting to note that one influence of colonial policy even in those countries we are considering, where the common law was the basis for the law in the European courts, was that the only trial by jury provided was in capital cases—and that only in some countries.

Ghana, Tanzania and Gambia have attempted the unification of the court systems. Tanzania has accomplished this by adding a new lowest court, the Primary Court, which has jurisdiction over former customary matters as well as non-customary jurisdiction based on other factors such as the amount involved. The present District Courts and High Court alone formerly comprised the European system.

Two major steps which are being taken in unification of the two systems are the abolition of customary criminal law and giving the customary courts statutory jurisdiction to apply European law. Remembering, however, that judges in these courts do not necessarily know the language in which the law is written one can see why countries such as Northern Nigeria, Sudan, Uganda and Kenya have resorted to saying that the native courts shall use European legislation relating to procedure, evidence and crimes as guides.

#### Fall 1965



Officers of Coif chapter attend to group's business. L. to r. Harold Cramer, '51, President; Vice Dean Theodore H. Husted, Jr., '50, Secretary; and, seated, Louis J. Goffman, '35, Vice President.

## COIF LUNCHEON

Professor George L. Haskins addressed the annual luncheon meeting of the University of Pennsylvania Chapter of The Order of the Coif October 15, 1965 held in the Mirage Room of the Barclay Hotel, Philadelphia on "The Evil Practice of Majority Opinions." For a report of this talk see page 4.

## New York Alumni Dinner

The University of Pennsylvania Law School Association of New York City held a dinner at the University of Pennsylvania Club in the Biltmore Hotel on November 17. Dean Jefferson B. Fordham was present, and Bernard G. Segal, '31, delivered the main address. Richard B. Smith, '53, President of the group, served as toastmaster.

The officers were re-elected for an additional one year term. Richard B. Smith, '53, continues as President; Edward M. Harris, Jr., '49, Vice President; Silas Spengler, '60, Secretary; and John C. Mueller, '59, Treasurer.

## Class of 1925 Holds 40 Year Reunion

The following fourteen members of the Class of 1925 attended their fortieth reunion at the home of Judge J. Colvin Wright at Bedford, Pennsylvania on June 24, 1965: Harris C. Arnold, Lancaster, Pa.; Louis A. Bloom, Chester, Pa.; Hon. Herbert B. Cohen, York, Pa.; Myer E. Cooper, Philadelphia, Pa.; Michael Edelman, Philadelphia, Pa.; Carl W. Funk, Philadelphia, Pa.; Mortimer E. Graham, Erie, Pa.; Daniel Marcu, Philadelphia, Pa.; E. E. Mather, Philadelphia, Pa.; Desmond J. McTighe, Norristown, Pa.; Morton Meyers, Johnstown, Pa.; Seymore S. Silverstone, Johnstown, Pa.; Arthur M. Soll, Philadelphia, Pa.; Hon. J. Colvin Wright, Bedford, Pa.

## ALUMNI

## 1914

CLARKE M. SELTZER is celebrating the 100th anniversary of his law office. The office was established by his second cousin with whom he practiced until the latter's death in 1917. He believes his office to be one of the oldest in Pennsylvania.

## 1917

MERVYN R. TURK has been named first assistant in the Delaware County, Pennsylvania, Public Defenders office.

## 1920

THOMAS K. FINLETTER is now with Coudert Brothers, 200 Park Avenue, N.Y., after having represented the United States at the Paris headquarters of NATO since 1961.

## 1924

DAVID F. MAXWELL was elected president of the Crime Commission of Philadelphia. He was also elected to membership in the Institute of Judicial Administration.

## 1927

PHILIP W. AMRAM, Chairman of the Pennsylvania Civil Procedural Rules Committee, had an article in the July American Bar Association Journal on "The Proposed International Convention on the Service of Documents Abroad."

HERMAN I. POLLOCK was elected to membership in the Institute of Judicial Administration.

### 1928

JUDGE BURTON R. LAUB has been named Dean of the Dickinson School of Law effective upon his retirement as a member of the Erie County Common Pleas Court January 3, 1966.

## 1929

THEODORE VOORHEES was elected Vice Chairman of the National Conference of Bar Presidents at Miami Beach.

## 1931

HERBERT S. LEVIN was appointed a judge in the newly formed Philadelphia Common Pleas Court Number 10.

## COMING ALUMNI EVENT

The Pennsylvania Law Alumni Group will hold a luncheon during the 1966 Pennsylvania Bar Association meeting on Thursday, January 20 in the Pittsburgh Hilton Hotel.

## NOTES

## 1936

JEROME A. O'NEILL has been appointed a judge of the Philadelphia County Court.

THOMAS RAEBURN WHITE, JR. was elected a Fellow of the American College of Trial Lawyers.

## 1938

GREGORY G. LAGAKOS was appointed a judge of the Philadelphia County Court.

## 1940

EDWIN P. ROME was elected a Fellow of the American College of Trial Lawyers.

## 1942

GEORGE KERESTES was elected President of the Pennsylvania District Attorneys' Association.

### 1950

D. DONALD JAMIESON was appointed a judge in Philadelphia Common Pleas Court Number 9. This is a newly added court.

## 1951

FRANCIS B. HAAS, JR. was honored by the Boys' Clubs of America for "material contributions to the cause of juvenile decency."

## 1953

EDWARD J. BRADLEY was appointed a judge in the newly added Philadelphia Common Pleas Court Number 10. HARRY V. KLEIN, JR. was elected Commander of the American Legion, Department of Pennsylvania, the Legion's largest state organization.

## 1958

JOSEPH F. KEENER, JR. is first assistant defender of the Montgomery County, Pennsylvania, Voluntary Defender Association.

### 1963

THOMAS E. QUAY has recently joined William H. Rorer, Inc. as assistant counsel on the legal staff of the Fort Washington, Pennsylvania, pharmaceutical manufacturing company.

## ALUMNI SONS IN CLASS OF 1968

The following alumni have sons in the present first year class:

Oscar Bregman, '34 Robert J. Dodds, Jr., '40 John W. Frazier, III, '38 Harry A. Greenberg, '38 Israel Packel, '32, LL.M '33 Richard S. Packel

Eric Bregman Robert J. Dodds, III John W. Frazier, IV Murray Greenberg

Fall 1965

## Class of 1908 Holds Fifty-Seventh Annual Reunion

The Class of 1908 held its fifty-seventh annual reunion at the Locust Club in Philadelphia on June 5, 1965. Dean Jefferson B. Fordham addressed the group.

Each member of the class in attendance spoke. Most other members of the class sent letters. Extracts from minutes of the first meeting of the class held in September 1905 and from subsequent class meetings were read.

Isaac Ash of Philadelphia took complete charge of arrangements. Leon J. Obermayer of Philadelphia is President of the class, and Edward F. Hitchcock of Media, Pennsylvania is Secretary of the class.

The following graduates of the class and their families were present: Mr. and Mrs. Leon J. Obermayer; Mr. Edward F. Hitchcock and his son, Mr. Edward F. Hitchcock, Jr.; Mr. Russell L. Browne; Dr. and Mrs. Frederick S. Baldi; Mr. John J. O'Brien; Mr. Isaac Ash; Mrs. Ellwood J. Turner and Mr. William H. Turner, widow and son of a member; Mr. and Mrs. Louis M. Cohen, son-in-law of a member; Mrs. Randolph W. Childs and Mr. Dawson Childs, widow and son of a member. Dean and Mrs. Jefferson B. Fordham were present as guests of the Class of 1908.

At the Reunion letters were read from practically every surviving member of the class who was unable to be present including the following: Henry Arronson, Charles H. Bracken, William J. Brady, John Arthur Brown, Hon. Frank B. Burch, James D. Carpenter, James Arthur Ewing, Robert T. Fox, Walter Gilkyson, Otto Kraus, Jr., Rev. Eugene A. Martin, Leigh M. Morss, Henry P. Norris, Howard S. Okie, Raymond Pitcairn, Forrester H. Scott, and Arthur M. Widdows.

## **OFFICERS OF THE CLASS OF 1965**

L. to r. Stephen M. Goodman, Treasurer; Harvey Bartle III, Class Agent; William H. Ewing, President; Thomas Hamilton, Secretary; Alan M. Lerner. Vice President.





Professor A. Leo Levin Named Vice Provost of University

President Gaylord P. Harnwell has named Professor of Law A. Leo Levin, '42, vice provost of the University with primary responsibility in the area of student affairs. Professor Levin will be responsible for the offices of the Dean of Men, Dean of Women, Admissions, Student Financial Aid, Foreign Students, Fellowship Information and Study Programs Abroad, and the University Counseling Service.

Mr. Levin will continue a substantial teaching schedule in the Law School. He has resigned as chairman of the University Senate and vice chairman of the University Council.

When announcing Mr. Levin's new position, President Harnwell said, "This appointment reflects the marked changes in undergraduate life which have evolved in recent years. Characteristic of these changes are the increased student concern for the educational process and for closer faculty-student relationships.

"As former chairman of the University Senate and of the University Council's Undergraduate Publications Committee, Professor Levin has been closely identified with both student and faculty affairs. As vice provost, his special responsibility will be centered in the chief educational office of the University, insuring that the administration of student affairs will be concerned with the total educational experience of the undergraduate."

## Graduate Students Represent Six Countries

Of the nine graduate students this year, six are from the following foreign countries: Israel, Korea, Philippines (2), Taiwan, Pakistan.

Although interests are clustered in various fields of international and comparative law—one of the three American students also being interested in public and private international law—they do include criminal law, corporate taxation, labor law and social legislation.

All but one of the these students has expressed an interest in teaching. Three who have already engaged in law teaching intend to continue on completion of their work here.

### Civil Rights continued from page 1

judge and jury, the tendency to favor one of their own against an outsider, and the machinations of the local 'court house gang.' "Particularly, in civil cases involving civil rights, "Congress has declared the historic judgment that within this precious area, often calling for a trial by jury, there is to be no slightest risk of nullification by state process." I believe that Congress made the same judgment in criminal cases; that here, too, it saw and acted on the probability that state courts would not adequately protect federally guaranteed civil rights; that here, too, it authorized and commanded federal trial courts to anticipate and supersede state court trials for the complete and timely enforcement of interests "of the highest national concern."

Two grants of jurisdiction to the federal district courts are specifically addressed to the problem: the civil rights removal jurisdiction, 28 U.S.C. § 1443 (1958), and the federal habeas corpus jurisdiction, 28 U.S.C. § 2241 (1958). The lower federal courts, with some support in Supreme Court decisions, are giving unduly narrow scope to both. In cases like that of Mississippi Negro defendants mentioned above, federal district courts have disallowed removal and refused to entertain habeas corpus. Section 1443 is plagued by unlikely constructions which leave it impotent to cope with any state infringements of civil rights save those which state ingenuity outgrew three-quarters of a century ago. Section 2241, disfigured by the doctrine requiring exhaustion of state remedies, has become largely the exclusive prerogative of long-term state felony convicts claiming trial error. My study of the background of the two jurisdictional grants and the appropriate scope of removal and habeas corpus in civil rights cases reveals a way to minister to these ills.

My principal thesis is that under the federal removal and habeas corpus statutes a petition filed before state trial by a state criminal defendant making a colorable showing that the conduct for which he is prosecuted was conduct protected by the federal constitutional guarantees of civil rights authorizes and requires the appropriate federal district court to entertain and dispose of his federal contention (in the case of habeas corpus) or of the whole prosecution against him (in the case of removal) in advance of state trial-and this without regard to whether he also claims that the state courts are hostile, biased, conspiratorial, or incompetent. I appreciate that some will regard my proposal as an end of federalism. I fully share their concern for the preservation of an appropriate federal balance, but I think the complaint exaggerated. I am also concerned by the opportunities for abuse which extension of pretrial federal intervention may allow state criminal defendants whose cases do not come within the scope of allowable removal or habeas corpus as I understand those jurisdictions, but who may attempt to use federal petitions as a means for delaying or disrupting state trials. I think that the danger of these abuses may be minimized, and so much danger as remains is a price I am willing to pay for protection of federal constitutional liberties. More to the point, I think the price is one which Congress was willing to pay.

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