The Reporter

Official Publication of Phi Alpha Delta Law Fraternity for the Month of April, 1952

Golden Anniversary Convention

THE EDGEWATER BEACH HOTEL on the shores of Lake Michigan has been selected as the site for the 1952 Golden Anniversary Convention of Phi Alpha Delta.

Chicago Alumni Chapter Plans Enjoyable Program for Convention Delegates

The 29th Biennial Convention of Phi Alpha Delta will celebrate the Fiftieth Year of existence of the fraternity. While this is the 29th Convention, it is actually the 25th Convention of Phi Alpha Delta as four Conventions were held by predecessor organization Lambda Epsilon.

The Supreme Executive Board accepted the invitation of the Chicago Alumni Chapter to hold the 1952 Convention at the site of its founding. The Chicago Alumni Chapter, as host to the delegates, officers and visitors attending the Convention, has planned a most enjoyable program including a reception, a dinner dance and either a luncheon or dinner. In addition entertainment has been scheduled for the wives of the delegates and guests attending the Convention.

The fraternity was fortunate in securing the Edgewater Beach Hotel on the shores of Lake Michigan as the site of the Convention. The Hotel Convention Bureau has promised to go "all out" in making the meeting of Phi Alpha Delta enjoyable, interesting and educational.

Historical Background of P.A.D.

History tells us that the predecessor of Phi Alpha Delta, Lambda Epsilon, was formed in 1898 by those students who had organized to protect their rights from a rule for admission adopted by the Supreme Court in Illinois. The original Chapters of Lambda Epsilon were from the Chicago College of Law, Kent College of Law, Northwestern University and Chicago Law School.

The founders of Lambda Epsilon undoubtedly meant to establish a fraternity, but unfortunately their fears that the organization might pass into the control of those who might not have the same lofty ideals, and their ambition to be known as the fathers of what they had hoped to be, and what has since come to be, the greatest law fraternity in the world, led them into errors which were not possible to correct. This finally led to rebellion by Story Chapter, whose members would not submit to being without a voice in the government of the fraternity.

The original constitution of Lambda Epsilon expressly forbade the holding of any convention at any time, nothwithstanding the first call for a convention was made for December 4 to 9 inclusive in Chicago, Illinois, 1899. The purpose of the Convention, as stated in the call, was to adopt a new constitution, elect officers and transact such other business as might come before the convention. The officers of the grand chapter, and six delegates from each chapter composed the convention.

In spite of the earnest endeavors of all the delegates, officers of the grand chapter, the convention after five stormy days accomplished nothing except to antagonize those who ought to have been united. The second biennial convention was held in 1901 at Round Lake, Wisconsin. Little, if anything, was accomplished at this convention due perhaps to the fine fishing, boating and bathing, no less than the attractions of nearby country dances. Supreme officers were elected but the convention postponed action on the revision of the constitution and adjourned to meet again in the autumn at the call of the Chairman.

South Haven Convention

The call for the next convention was issued to meet at the City of South Haven, Michigan, July 26, 1902, and from day to day until it should adjourn. The Convention Headquarters were at the "Colonial Tavern" and meetings were held in the cupola of a small tower above the building, the hottest place in all creation. Twenty-one delegates attended this convention. A spirit of dissatisfaction had spread since the last convention, and after many speeches a resolution dissolving Lambda Epsilon was unanimously adopted.

As the delegates attending the convention no longer belonged to any law fraternity the question was what attempt should be made to have the fraternity established. A committee was appointed to suggest a method of procedure, and after three months of arduous work, the committee gave its report to the 21 signers of the Articles at a meeting held on November 8, 1902 in the Gold Room of De Jonghe's at 45 Monroe Street, Chicago, Illinois. The committee's report was adopted as was the constitution, ritual and rules governing the organization of Phi Alpha Delta.

Thus did Lambda Epsilon, with all its troubles, finally cease the struggle and pass out of existence. But it had not lived in vain,

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THE REPORTER

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John L. Sullivan Chapter Initiates 24

A successful year was culminated on March 22, 1952 when the John L. Sullivan Chapter of St. Louis University initiated into its ranks 24 pledge brothers. The event was held in the Alexander Room of the Melbourne Hotel. The initiation was followed by a cocktail party and banquet. The speaker for the occasion was the Hon. James F. Nangle, presiding judge of the St. Louis Circuit Courts.

Message From the Supreme Justice

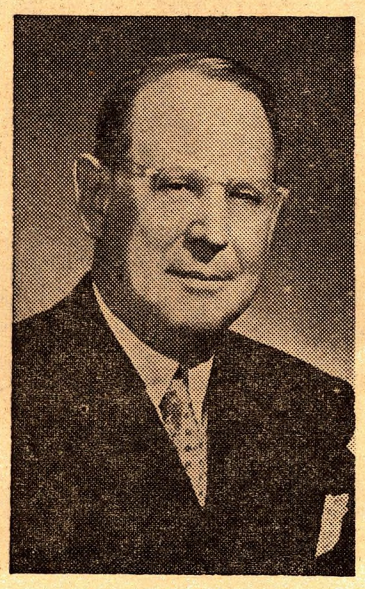
Fifty years ago a group of young attorneys and law students gathered in Chicago to found a legal fraternity. They were not inexperienced in the matter of fraternal organization. All of them were members of Lambda Epsilon, which, in its four years of existence, had become the leading legal fraternity in the city. Some had been members of the "Law Students League," the forerunner of Lambda Epsilon. Desirous of extending to other parts of the nation the benefits which they had derived from their fraternity, they met with the avowed intention of reorganizing it on a basis which would make possible their dream of national expansion.

On August 28th, we will meet in Chicago to pay tribute to those men who, in 1902, created Phi Alpha Delta Law Fraternity. They built well. Upon their foundation has risen a professional society of stature and size beyond all expectations. From the four Lambda Epsilon Chapters in Chicago in 1902 have sprung 73 Chapters in Class A law schools throughout the nation. And the first few Alumni of those Chapers have been joined through the years by 20,000 others who have taken their places in the profession in every part of the country and beyond the seas.

In closing my work as Supreme Justice for the last four years, I pay my respects to our founders. Our first members and Alumni, they remain our most staunch supporters. From their example, we all may draw a lesson. Their vision in 1902 remains ours in 1952. The courage and devotion which they have displayed for the past fifty years will be needed by us to carry on the work which they founded.

As in 1902, we must have the guidance of experienced men. In 1902 we turned to the leaders in Lambda Epsilon. Today we turn to our Alumni to provide us with leadership. We call upon our Alumni to join us in Chicago this Fall in larger numbers than ever before attended a National Convention. As we look back upon our progress of the past fifty years we also look forward to problems which will face us in the future. To meet those problems with assurance, and with the certainty of continued accomplishment, we must have the loyal and experienced guidance of those who have gone before us in the Fraternity.

Our student members represent the finest of the youth in the leading law schools of our land. They are our strength and our principal reason for existing as an organization. But without



DOUGLAS L. EDMONDS

our Alumni they could accomplish little. Today, as in 1902, they are impatient to progress, and yet beset with doubts; eager to lead, but willing to be shown the way. And so they turn to us, the Alumni, as experienced partners. With us rests the task of launching the Fraternity upon its second half-century of progress.

I know that our Alumni will heed this call for guidance. For here we face a task which is a true pleasure to accomplish. We shall gather to celebrate our Fiftieth Anniversary in a city noted for its pleasures and a hotel famed for its hospitality. Old friends, some not seen for many a year, will be on hand to greet us. Such a vacation opportunity, complete with young and inspiring new friends, seldom is found in the crush of professional business. Although we expect every Alumni Chapter to send a delegation, we are equally anxious for all Alumni to come.

I hope to greet in person at the EDGEWATER BEACH HOTEL, in CHICAGO, AUGUST 28-30, 1952, the largest number of members of our Fraernity who have ever gathered together to discuss how we may best build a greater organization on the broad foundation of fifty years of successful accomplishment.

Justice Clark Advises Young Attorneys

Associate Justice Tom C. Clark (Taney) of the Supreme Court of the United States advises young attorneys to spend at least a year in the office of the district attorney or public defender to obtain basic trial experience.

This suggestion was one of several contained in an interview with Brother Justice Clark which was published in the February, 1952, issue of "The Young Lawyer," a publication of the Junior Bar Conference of the American Bar Association. Experience in this type of public office, Justice Clark stated, is valuable in providing an insight into the problems of the individual client, increasing ability to predict a court's reaction to a client's problem, and acquiring courtroom presence and confidence. In addition, trial practice broadens the young attorney's outlook by placing him in contact with both attorneys and laymen and by giving him an opportunity to become interested in public affairs and local problems.

The best alternative to service in a prosecutor's or defender's office, Justice Clark stated, is service as attorney in forma pauperis cases or with legal aid societies. Work in the field of legal aid, he said, is especially valuable to the community. Each litigant should have the benefit of legal assistance in the interests of proper administration of justice, or the doors of the courts are not truly open to all who wish to enter.

The interview closes with some hints by Brother Justice Clark upon an effective approach to oral argument. An attorney, he said, must always be well versed in all authorities pertinent to his case. Pointing out the advisability of a common sense approach, he related the answer of an attorney to former Chief Justice Stone's stock question, "How did you get here?" The attorney blandly replied: "I came on the B. & O.!"

Clay Chapter Establishes Scholarship

Through the generosity of the Alumni of Clay Chapter of the University of Kentucky a scholarship, to be known as "The Phi Alpha Delta Alumni Book Scholarship" was established. The award is to consist of a one year's supply of the basic required case books for the junior year. Selection of the recipient is to be based on ability to do law work, character and need. The student to receive the award will be chosen by the faculty and the Justice of Clay Chapter.

The Clay Chapter Alumni pledged themselves to contribute a $1.00 a year for five years in order to insure continuance of the scholarship. Brother Laramie Leatherman of the College of Law at the University of Kentucky is Chairman of the Alumni Relations Committee and is the person to whom the contributions have been sent.

Briefing System

The Chapter has also established a briefing service to provide the Alumni in the State of Kentucky with a staff of research assistants. The Alumnus should send a statement of facts to the Justice of Clay Chapter, not mentioning the names of the parties involved and the Justice will put a committee to work on it and a memorandum will be sent to the attorney covering the law involved, citations, opinions of faculty and other matters.

All correspondence will be strictly confidential and only the Justice will know the inquiring party. The University of Kentucky maintains a fine law library and with this briefing system and the facilities of the law school available, many touchy problems in the law can be solved by use of this briefing service.

The Chapter also, at the beginning of the school term, furnished each incoming student with a brochure entitled "Hints on Briefing Cases." It contains a model brief and other helpful information on how to prepare a case for class.

Luncheon Meetings

The Chapter is also holding regular luncheons. At the first Luncheon held on October 30, 1951, Brother John W. Brown was the guest speaker. He talked on the constitutional privilege of self-incrimination and the right to counsel. The second luncheon held on December 12, 1951, had Brother Eldon S. Dummit speak on the "Responsibilities of the Individual to do for Himself and to Avoid Reliance on 'Paternalism in Government'." The Chapter is also showing movies at the Law School covering a wide range of subjects. A list of films shown include "John Marshall," "What Is a Contract?", "The Nuremburg Trials," and "Are Parents or Society Responsible for Juvenile Crime?"

Next to the Nuremburg Trial films, the most popular one was called "The F.B.I." Mr. Kyle Tackett, Special Agent of the F.B.I., spoke in connection with this film, pointed out the possibilities of a career with the Bureau, and answered questions put to him by the audience.

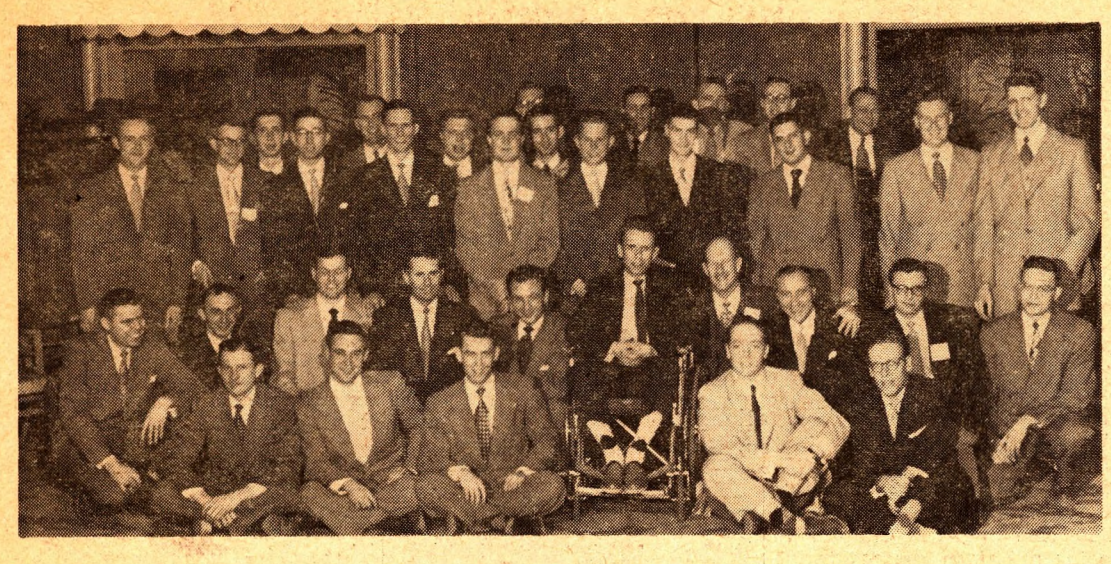
On the social side, the Chapter held a pre-student Bar Association Dance and Reception at the Kentucky Sportsmen's Club. The faculty and the freshmen were invited. P.A.D. Punch was served and George Combs of the Chapter served as "punchmaster."

Cleary Studies Illinois Civil Procedure

Professor Edward W. Cleary, (Magruder) is reporter for the American Bar Association Section of Judicial Administration's Illinois Committee which, in cooperation with the Joint Committee of Illinois Civil Procedure appointed by the Chicago and Illinois State Bar Associations, has formulated a list of suggested changes for improvements in procedural statutes and rules.

In general, the suggestions indicate that the Illinois Bar is satisfied with the present Civil Practice Act, but clarification of some provisions seems to be required. The committee will examine present procedure relating to summary judgments and judgments on the pleadings, as well as broader provisions for interpleader and third-party practice.

A subject of primary importance is the problem of reducing the cost of appeals and, particularly, the high cost of printing.



DELEGATES ATTENDING DISTRICT 7 CONCLAVE held at Iowa City, March 28 and 29, 1952.

Judge Savarese Attends District 7 Conclave

The 1952 Seventh District Conclave was held at Iowa City, Iowa on March 28th and 29th. Hammond Chapter at the University of Iowa was Host to the Conclave and Leo Baker of that Chapter was Conclave Chairman.

Honorable Anthony P. Savarese, Jamaica, New York (Rapallo Chapter) and Supreme Treasurer of Phi Alpha Delta, attended the business Conclave and gave the principal address at the Conclave Banquet held Saturday evening.

Other Alumni attending the Conclave, included Owen Cunningham of Des Moines, Iowa (Cole Chapter) who gave the principal address at the luncheon held during the Conclave.

Also in attendance were Francis J. Rooney of Chicago, Illinois (Webster Chapter) Assistant Dean of Loyola Law School, of Chicago; Anthony A. DiGrazia of Argo, Illinois (Story Chapter) Justice of the Chicago Alumni Chapter, and District Justice of District 6; Honorable James P. Gaffney of Marengo, Iowa (Hammond Chapter) Judge of the Eighth Iowa Judicial District; and Robert D. Jackson of Des Moines, Iowa (Cole Chapter) District Justice of District 7.

Approximately 35 delegates registered for the Conclave. Mason Ladd, Dean of the University of Iowa Law School, was a guest of the Conclave.

Conclave Dance

A dance was held on Friday evening, March 28th at the Hotel Jefferson to open the Conclave Activities. The business session of the Conclave commenced at ten A.M. Saturday morning, March 29, at which time the delegates were welcomed by District Justice Jackson.

During the discussion period held during the Conclave, Dan Griffin of Cole Chapter told of the successful practice of his Chapter in soliciting various corporations of the country and alumni in an effort to place its graduating members in legal positions.

More Chapter at Creighton University, by its member Kenneth Sacks, led the Conclave discussion on Rushing. More Chapter uses a program of personal contact with rushees. He stated that in two years the membership of More Chapter had grown to sixty-two.

Fraternity activities was the next subject discussed by the Conclave. It was brought out that the lack of finances is the greatest handicap to a well-rounded activity program. Law Days, furthering the program of Legal Aid, and participating in the work of producing law reviews and conducting seminars was some of the activities which a chapter could conduct without the expenditure of large sums of money.

A well-attended luncheon was held at Hotel Jefferson at noon on Saturday. Brother DiGrazia was introduced and gave an interesting report on the forthcoming Convention of the fraternity, scheduled for Chicago on August 28, 29 and 30. He extended an invitation from the Chicago Alumni Chapter and the Sixth District to attend the Convention.

Tojo Trial

Owen Cunningham of Des Moines, Iowa, was introduced by District Justice Jackson, and he gave an enthusiastically received address "Looking Back at the Trial of Tojo." Brother Cunningham recently returned from Tokyo, Japan, where he took a major part in the trial of Tojo and seven other Japanese Generals, Admirals, Prime Ministers, Government officers and Ambassadors.

The afternoon session was devoted to the discussion of various fraternity problems and then election of officers was held. Don Burkley of Benson Chapter, Washburn College of Law, was elected District Vice-Justice, Everett Meeker of Hammond Chapter, was elected District Clerk and Cy Zaban of Cole Chapter was elected District Treasurer.

Representatives of Benson Chapter extended an invitation to hold the 1953 District Conclave at Topeka, Kansas. This invitation was accepted by the delegates. Benson Chapter is the only Chapter in the District maintaining a fraternity house and Washburn College possesses a notable Law School. With the active interest maintained by the Topeka Alumni Association, in fraternity affairs, the 1953 Conclave holds great promise.

Judge Savarese Speaks to Delegates

At the conclusion of the business session, an enjoyable cocktail hour was held in the hotel followed by a banquet, at which Supreme Treasurer Savarese gave the main address. He was introduced by District Justice DiGrazia. In reviewing the history of the fraternity, he told of the decline of membership of the fraternity during the war years, and the revival and remarkable growth in recent years.

Judge Savarese called attention to the fraternity's furtherance of the legal aid program throughout the country and pointed out the ever present need of such a program. He urged members of the fraternity to support and lend assistance to the program and admonished them that their failure to do so may result in a condition akin to socialized medicine in England.

In discussing the country's need for lawyers, Savarese discredited the idea that the young lawyer of today has less opportunities for success, and impressed upon his audience intelligence, hard work and integrity are the lawyer's only requirement for success. He pointed out the vast field of opportunity for young students in the practice of law, and positions requiring thorough knowledge of law.

Of interest to the delegates

(Continued on Page 9)

HONORABLE ANTHONY P. SAVARESE, Supreme Treasurer of Phi Alpha Delta and Owen Cunningham, speakers at the 1952 District 7 Conclave. Judge Savarese was speaker at the banquet and Brother Cunningham speaker at the luncheon.

OFFICERS OF DISTRICT 7 elected during the Conclave: Everett Meeker (Hammond), District Clerk; Cy Zaban (Cole), District Treasurer; Don Burkley (Benson), District Vice Justice; Robert D. Jackson (Cole), District Justice.

Dean Storey Nominated For ABA Presidency

Dean Robert G. Storey (Taney) was nominated for the presidency of the American Bar Association by the caucus of state delegates to the ABA House of Delegates at the association's mid-winter meeting in Chicago.

Nomination by the state delegates is tantamount to election by the association. Brother Dean Storey will take office at the annual ABA meeting in San Francisco next September.

Brother Storey, a member of the Dallas law firm of Storey, Sanders, Sheriff and Armstrong and Dean of the Southern Methodist University School of Law, is a past president of the State Bar of Texas. He has served as a member of the ABA Board of Governors and House of Delegates. He is President of the Southwestern Legal Foundation, which dedicated the new Southwestern Legal Center on the Southern Methodist University campus last Spring.

Award LLD Degree

Receiving his academic and legal education at the University of Texas and Southern Methodist University, Brother Dean Storey has become one of the best known and most highly respected men in the field of legal education. Texas Christian University has awarded him an LL.D. degree. He has also earned an outstanding reputation in active practice, business and governmental service. He has served as director of the Southwestern Bell Telephone Company and as Chairman of the Board of Directors of the Lakewood State Bank.

Folowing active military service in both World Wars, Brother Storey was executive trial counsel to Justice Robert H. Jackson (Jay) in the prosecution of the Nuremberg war crimes trials during 1945 and 1946. In public office, Brother Storey has served as Assistant Attorney General of Texas in charge of criminal appeals and as President of the Park Board of the City of Dallas. His civic interests have been varied. He has been a member of the National Executive Committee of the American Legion, Regent of the University of Texas, and Governor of the Kiwanis Clubs of the Texas-Oklahoma District.

Active in ABA

Besides having been President of the State Bar of Texas, Brother Storey has served as President of the Dallas Bar Association, Chairman of the Section on Legal Education of the American Bar Association, and member of the Council of the Inter-American Bar Association.

At Brother Dean Storey's invitation, the first Conclave of District 8 was held last Spring at Dallas in conjunction with the Lawyers Week activities dedicating the Southwestern Legal Center.

This reservation form not to be used by Official Delegates

To Edgewater Beach Hotel
Chicago 40, Illinois

Phi Alpha Delta Convention
August 28-30, 1952

Please Reserve

Large Suite $23.00 ☐ $26.00 ☐ $30.00 ☐
(Bedroom and Parlor—Dbl. or Sgl. Occupancy)

Small Suite $18.00 ☐ $20.00 ☐ $23.00 ☐ $25.00 ☐
(Bedroom and Parlor—Dbl. or Sgl. Occupancy)

Family Unit $20.00 ☐ $22.00 ☐
Based on full occupancy of four persons
(Two twin bedded rooms, connecting bath)

Double Room $10.50 ☐ $11.50 ☐ $12.50 ☐
$13.50 ☐ $15.00 ☐ $16.50 ☐
Full-sized beds ☐ Twin beds ☐

Single Room $7.50 ☐ $8.50 ☐ $9.50 ☐
$10.00 ☐ $11.00 ☐

We cannot guarantee rates prior to arrival; however, we will make every attempt to assign as per your request.

Date.....

Names of Occupants.....

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Address.....

City.....**State**.....

CHECK-OUT HOUR 3:00 P.M.—THEREFORE THERE MAY BE SOME DELAY IN ASSIGNING ROOM PRIOR TO THAT TIME.

Arrival Date.....

Departure Date.....

The above quoted prices are subject to a proportionate adjustment necessary to meet current economic conditions.

Senator Sparkman Addresses District 12 Conclave

The Honorable John J. Sparkman, Senator from Alabama, a member of Morgan Chapter, gave the principal address at the Fellowship Banquet closing the Third Annual District Conclave of District 12. He was introduced by Judge Frank H. Myers (Jay Chapter) of the Municipal Court of the District of Columbia.

Senator Sparkman, in addressing the Active Delegates from the Chapters of District 12, and the alumni from the Washington, D. C., area, discussed the need for integrity in politics and government office today. His interesting and enlightening speech was well received by the members attending the banquet.

The Third Annual Conclave of District 12 was held in Washington, D. C., on March 15th, 1952, with Jay Chapter at George Washington University and Taft Chapter at Georgetown University as hosts. Delegates from Staples Chapter at Washington and Lee, Timberlake Chapter, at Wake Forest, Henry Chapter at the University of Richmond, Ruffin Chapter at the University of North Carolina and Jefferson Chapter at the University of Virginia, attended the business meeting held at the Washington Hotel. Rutledge Chapter at Duke University was not represented.

Registration began at 9:00 a.m. Saturday, followed by a short meeting of the Justices of the various Chapters with Tommy Thomason, Student Justice of District Twelve as Chairman of the program. Tom Matthews of Ruffin Chapter was appointed recording Secretary for the Conclave.

Chapter Justices Welcome Delegates

Welcoming the delegates to the Convention were Chris Clayton, Justice of Jay Chapter and John Murray the Justice of Taft Chapter.

During the morning session, the Resolutions Committee and the Nominating Committee were appointed and instructed to meet so they could bring in their report at the afternoon business session.

During the morning, discussions were held on the scholastic requirements of the Chapters before a man was initiated into the Fraternity and as to the initiation fee that would be paid to the National. A motion was passed that the Resolutions Committee consider asking the National to accept the initiation fee in two installments.

William B. Robertson of Washington, D. C. Alumni Chapter spoke on the activities of his group. He stated that a placement committee, legal aid committee and other coordinating activities had been established by the Washington Alumni Chapter and were functioning for the benefit of the actives from the various Chapters of Phi Alpha Delta.

Judge Turner Luncheon Speaker

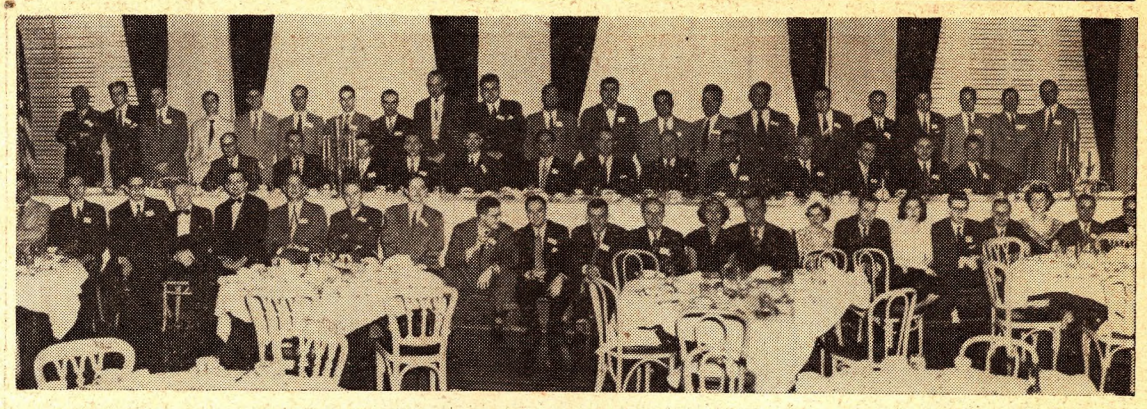
At the luncheon held in the Washington Room of the Washington Hotel, J. Edgar Snider, Justice of the Washington Alumni Chapter, introduced the Honorable Bolan B. Turner, Judge of the U. S. Tax Court, and a member of the Jay Chapter.

At the afternoon business session, the Resolutions Committee reported the following resolutions, which were unanimously adopted. A resolution expressing appreciation of the conclave to Jay and Taft Chapters for the arrangements of the conclave; resolution thanking the principal speakers and forum participants; a resolution of appreciation to Tommy Thomason, the District Justice; a resolution asking the Student Justice to specify a time for the delegates from the Active Chapters of District 12 to the national convention in Chicago in August to arrive prior to the convention. A resolution asking the National Chapter to amend its Constitution and By-Laws to permit the payment of the initiation fee in installments; a resolution directing the Chapter to appoint a liaison representative through whom matters affecting the common interest of the Chapters of the District could be channeled; a resolution of sympathy to the widow and family of Ashley A. Anderson, active member of Henry Chapter; a resolution concerning the Rutledge Chapter situation, which resolution was to inform the national that the conclave does not possess sufficient information about the situation; a resolution requesting each Chapter to summarize its activities in a letter to the Student District Justice, and that the Student District Justice compile and distribute the information to all Chapters within District 12; and a resolution of appreciation to the Washington, D. C. Alumni Chapter.

Conclave Officers

At the election of officers, Harry Faggart of Ruffin Chapter and Spencer Ennis of Timberlake Chapter were nominated for District Student Justice. Spencer Ennis was elected District Student Justice. The District Student Justice was authorized to name the site of the next conclave, and he was to notify the Chapters by October 15, 1952, where the conclave would be held.

After the business session there was a round table forum of criminal law, led by George Morris Fay (Taft Chapter), formerly U. S. Attorney in the District of Columbia and Edward B. Williams (Taft Chapter), professor of criminal law at Georgetown University.



DELEGATES AND GUESTS attending banquet closing District 12 Conclave held at the Washington Hotel, Washington, D.C., March 15, 1952.

Vinson Chapter Visited

DR. PHILLIP DAVIDSON, President of the University of Louisville, introducing Supreme Justice Douglas L. Edmonds, principal speaker at Louisville, Kentucky banquet. Pictured on the right is Athol Lee Taylor, Justice of the Louisville Alumni Chapter.

Justice Douglas L. Edmonds visited Vinson Chapter at the University of Louisville on February 26th, 1952, and concurrently with his visit to Vinson Chapter, he spoke at a general assembly to the students at the University of Louisville. Speaking to the law students, Supreme Justice Edmonds generally surveyed the legal profession today. He emphasized the increased need for Legal Aid, warning that without such free public service, voluntarily supplied by the Legal Profession, Lawyers in this country will soon be faced with socialization, just as all professions are in England.

"People must have their legal rights protected—modern society demands it, despite this threat, however," Justice Edmonds said, "all is not lost. We can clean our own house and avoid the eventual intervention of some governmental agency."

He briefly discussed the newest governmental agencies utilizing legal talent. Referring to the expansion of U. S. Industry, Edmonds said "Every time a new industry opens, a new and fertile field for lawyers is created—it is in these intended fields that the challenge lies today. Industry and business have greater needs than ever for young lawyers, and the reason for this is? The lawyers belong to the profession of thinkers. The law graduate today is welcomed to any business both as an attorney and as an executive."

A fraternity banquet was held that evening at the Kentucky Hotel in honor of Judge Edmonds. Athol L. Taylor of Lurton Chapter, and a professor of law at the University of Louisville Law School, acted as Master of Ceremonies. Justice Edmonds, before delivering his address to the assembled brothers, presented Bill Burbank, retiring Justice of a Louisville Chapter, with a gold key in token appreciation of his services.

Arata Appointed SF Municipal Judge

Raymond J. Arata (Temple) was appointed Judge of the Municipal Court of San Francisco by Governor Warren on April 1.

Brother Arata received his A.B. degree from St. Mary's College and his LL.B. degree from the Hastings College of the Law. Upon admission to practice, he joined the law firm of Tobin and Tobin. A key man in Republican Party activities, Brother Arata is presently vice-president of the California Republican Assembly. He is a past president of the San Francisco Chapter of the party organization. In addition, he is a member of the executive committee of the Republican County Central Committee.

Active in civic affairs, Brother Arata is a member of the State Board of Education. In March he was named to the Board of Regents of St. Mary's College. He has served as president of the St. Mary's College Alumni Association and as a member of the association's board of directors. Besides his membership in Phi Alpha Delta, Brother Arata is a member of the Commonwealth Club, Serra, Columbus Civic Club, Knights of Columbus and Native Sons, and the Italian Catholic Federation.

SF ALUMNI PLAN ABA RECEPTION

A reception and cocktail party for all members of Phi Alpha Delta Law Fraternity attending the American Bar Association Convention this Fall will be sponsored by the San Francisco and East Bay Alumni Chapters in the French Parlor of the Palace Hotel in San Francisco, Calif., on Thursday evening, September 18.

John R. Griffin (Temple), chairman of the PAD American Bar Convention Committee, announced that the reception has been scheduled to avoid conflicts with other convention activities. Planned to run from 6:00 to 7:00 p.m., it will follow the close of the Thursday afternoon business sessions and will immediately precede the principal convention banquet at 7:30 that evening. Brother Griffin urges all PAD's in attendance at the convention to take advantage of this opportunity to renew acquaintances with their brothers from throughout the nation.

In addition to the reception, the Alumni Chapters and the four Active Chapters in the San Francisco Bay area plan to operate a PAD registration table throughout the convention week. Arrangements have been made with the ABA to establish the registration table as a part of the over-all convention registration desk. PAD's registering at the Fraternity table will be given distinctive ribbons in the Fraternity's colors, purple and old gold, to attach to their identification badges. A list of all registered PAD's at the convention, together with San Francisco hotel addresses, will be maintained at the desk for the convenience of visitors in locating friends. For the benefit of visitors, a general San Francisco information service will also be available.

Notices of the Phi Alpha Delta reception will be carried in all preliminary and final convention program announcements published by the ABA. Brothers planning to be in San Francisco for the convention will find the PAD Welcome Mat out and waiting.

F.B.I. Positions

The Federal Bureau of Investigation is now accepting applications for the position of Special Agent from qualified candidates who possess an LLB Degree from a resident law school.

The applicant must be a male citizen of the United States, at least 5′ 7″ in height and have reached their 25th but not their 45th birthday. The applicants must also possess vision of 20/40 and 20/50 corrective to 20/20. Applicants must also possess normal hearing, and color vision and be able to pass a rigid physical examination. They must be capable of performing strenuous physical exertion and have no physical defect which would interfere with their use of fire arms or participation in raids, dangerous assignments or defensive tactics. They must be willing to serve in any part of the United States or Territorial possessions. They must also be the qualified operators of passenger vehicles.

Special Agents investigate violation of those laws of the United States over which the F. B. I. has jurisdiction and subversive activities endangering the internal security of the United States. They start at a salary of $5,500 per annum.

An Agent may retire after twenty years service at the minimum age of fifty. His pension is based on the average of his highest five years' salary. He receives 2% of this amount for each year of service up to a maximum of 60%.

Applicants will be afforded an interview and must pass a written examination. Appointments are subject to a complete character and fitness investigation. Application forms and further information may be secured from the nearest field office of the Federal Bureau of Investigation.

Rutledge Chapter Faculty News

Rutledge Chapter reports that several Brothers on the faculty of the Duke University School of Law recently have been in the news.

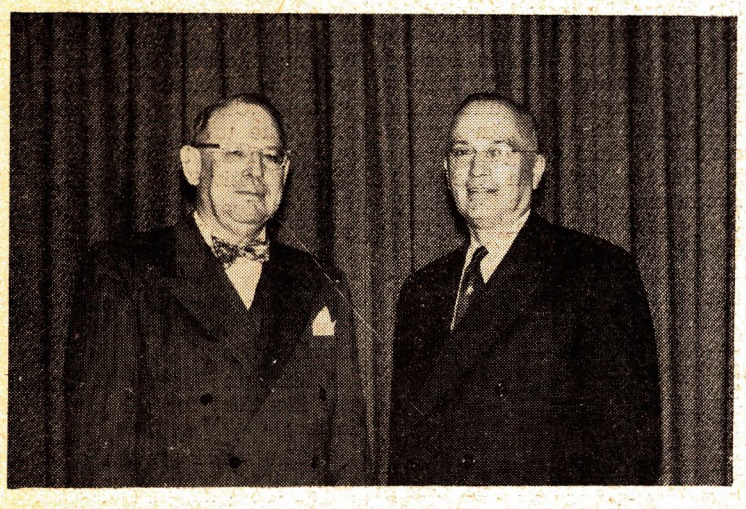
Dean Joseph A. McClain, Jr. (Fish) served as Legal Consultant to Assistant Secretary Daniel K. Edwards, Department of Defense, during the past summer. During August, he attended, as Defense Department representative, a conference of representatives of seventeen nations in Geneva, Switzerland, which prepared a statute to establish an "International Court of Criminal Law" for presentation to the United Nations General Assembly. Prior to leaving for Europe, Brother Dean McClain had addressed the annual meetings of the state bars of Georgia, Tennessee and Alabama.

Prof. Malcolm McDermott (McReynolds) was on sabbatical leave during the Fall semester to serve as Legal Consultant to the Department of Defense.

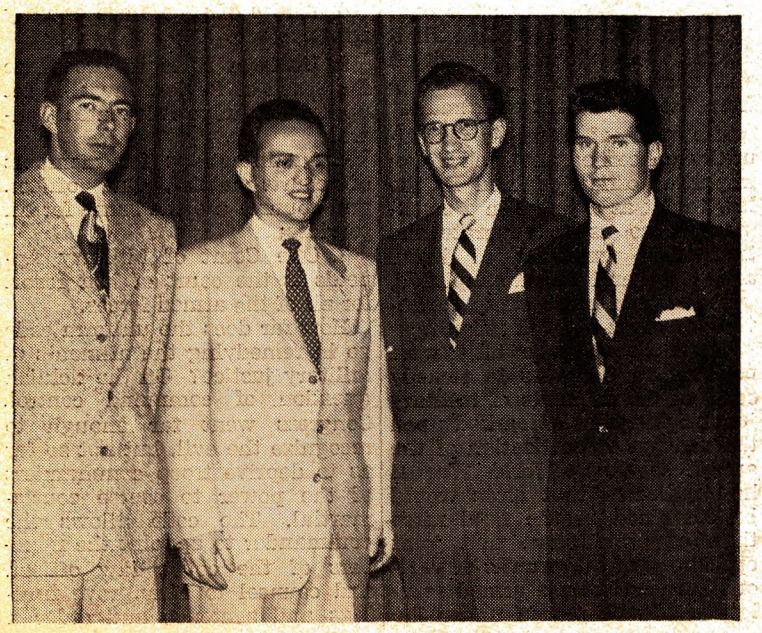
Prof. John S. Bradway (Rutledge) has continued his many activities in connection with legal aid. In September, he addressed the American Bar Association Section on Legal Education and Admissions to the Bar. His topic was "Legal Aid Clinics." Recent articles in the field of legal aid by Brother Bradway have included "Practical Legal Training" (35 Journal of the American Judicature Society 2); "Go Ahead and Sue Me" (25 The Social Service Review 3); and "Legal Aid Work" (University of Virginia Dicta).

Prof. Charles H. Livengood (Rutledge), Chairman of the American Bar Association Committee on Wage-Hour Legislation, presented the report of his committee to the September meeting of the ABA in New York. Brother Livengood was promoted to full professor this year, after having served on the Duke law faculty as associate professor since 1948. His book, "The Federal Wage and Hour Law," was published this Fall by the American Law Institute. The November issue of the Labor Law Journal published his article on "Overtime Compensation Under the Fair Labor Standards Act." His study of "Compensable Working Time" appeared in the December issue of the North Carolina Law Review.

DISTRICTS 2 and 3 HOLD CONCLAVE



SUPREME JUSTICE Douglas L. Edmonds welcomes Walter L. Pope, Judge United States Court of Appeals, Ninth Judicial District, to Fresno Conclave. Judge Pope was the principal speaker at the banquet closing the Conclave.



CONCLAVE OFFICERS elected at joint Conclave of Districts 2 and 3 held in Fresno, April 18th and 19th, 1952, left to right, Johnny Walker of Knox Chapter, Vice Justice of District 3, Claude Perasso, Matt Sullivan Chapter, Vice Justice District 2, Gene Tinsley, Ross Chapter, District Treasurer, and Pat Coleman, Ford Chapter, District Clerk.

WIVES AND GUESTS of P.A.Ds. at banquet closing District 2 and 3 Conclave. Bottom row, left to right, Dolores Venturi, guest of Matthew S. Rae, Mrs. Chalmer E. Lones and Mrs. Frank E. Gray. Second row: left to right, Mrs. Douglas L. Edmonds, Mrs. Walter L. Pope and Mrs. Edward L. Kellas. Third row, left to right, Mrs. Truman F. Campbell, Mrs. Leo Kologian, Mrs. Richard D. Love and Mrs. James V. Paige.

The Third Annual Joint Conclave of Districts 2 and 3 was held at Fresno, California, April 18th and 19th, 1952. The Fresno Alumni Chapter again was gracious host to the delegates of the Chapters in California and Arizona. Represented at the Conclave were delegates from Holmes Chapter at Stanford University, Matt Sullivan Chapter at the University of San Francisco, Temple Chapter at Hastings College of Law, Ross Chapter at the University of Southern California, Ford Chapter at Loyola, Knox Chapter at the University of Arizona. Not represented were Field Chapter at the University of California at Berkeley and McKenna Chapter at the University of California at Los Angeles.

Supreme Officers and alumni attending the Convention included Supreme Justice Douglas L. Edmonds, District Justice J. Albert Hutchinson, Executive Secretary Frank E. Gray, Vice Dean Edward A. Hogan of Hastings College of Law and Justice of the San Francisco Alumni Chapter; Arthur Sammis, Registrar of Hastings College of Law; Matthew S. Rae, former National Field Representative of Phi Alpha Delta; Wade Shefflet from San Francisco and Marty Whalen of Los Angeles.

The four delegates from Knox Chapter at the University of Arizona traveled more than 800 miles to attend the conclave. This was the first conclave at which Knox Chapter was represented. The delegates stated that hereafter the Chapter would be present at the annual get togethers.

Conclave Reception

The Hotel Fresno, in Fresno, California, was the conclave headquarters and all events were held in the hotel. On Friday night preceding the conclave the Fresno Alumni Chapter held a reception in the Crystal Room of the hotel. The Fresno Alumni and their wives gathered to greet the delegates to the conclave. More than 75 people attended the reception.

The following morning, registration commenced at 8:30, with the business session starting at 9:30, presided over by District Justice J. Albert Hutchinson of District 2. Hank C. Rohr, District Justice of District 3, was unable to attend the conclave due to the untimely death of his son.

During the morning session, Sullivan Chapter reported on Rushing, Pledging and Invitation Practices, and Procedure. During this discussion period it was brought out that the pledges should be instructed on the purpose of their fraternity during pledgeship. That this led to making better active members.

Temple Chapter then reported on Chapter and conclave financing. It was brought out during the discussion period that various Chapters used dues and assessments to pay their social and professional obligations. The Chapters were urged to use the facilities of the National in collecting from delinquent members. There is a provision in the by-laws making it mandatory for the Chapter to certify any member who is more than three months delinquent in payment of his Active Chapter dues.

Prison Visited by Holmes

Holmes Chapter gave an extensive report on Chapter participation in campus and professional projects. One of the interesting reports that Holmes Chapter made was about the field trips that it conducts. The last was made to San Quentin Prison, at which time the Actives and their dates and wives were conducted through the prison and at the conclusion of the tour were entertained at dinner and a variety show put on by the inmates. A prison orchestra was provided that played dinner music during the dinner. Holmes Chapter also reported that they bring speakers to the campus and have the whole law school in attendance as guests of the Chapter. At one time they had Judge Medina speak to them.

Discussion was then had on the legal aid program which was led by Ross Chapter at U.S.C. All of the Chapters were urged to participate in the legal aid program, and Supreme Justice Edmonds stressed the need for legal aid, and stated that Phi Alpha Delta could carry out one of its prime purposes by being an active participant in the legal aid program.

Snedeker Luncheon Speaker

The conclave then adjourned for luncheon in the Crystal Room which was presided over by James Paige, Justice of the Fresno Alumni Chapter. At luncheon he introduced the various Fresno Alumni in attendance and introduced the principal speaker, James Snedeker of Jay Chapter, who is presently on the Public Works Commission of the City of Fresno. Brother Snedeker was formerly instructor at the University of San Francisco. He is a retired general of the United States Marine Corps and well versed in the new uniform code of military justice. His talk to the delegates was on the history of military justice and the change brought about by the adoption of the uniform code.

At the afternoon session, the resolutions committee reported and a resolution was adopted of thanks to the Fresno Alumni Chapter for hosting the delegates to the conclave. A resolution of sympathy to District Justice Henry Rohr on the occasion of the death of his son, was also adopted.

Knox Chapter reported on the Chapters' social programs and activities. The reports from the other chapters in attendance on their social programs coincided with that of Knox, that is to have a dance, a barbecue, and comparable functions.

Fresno Invitation

Chalmers Lones speaking on behalf of the Fresno, Alumni Chapter, extended an invitation to the delegates to hold their next conclave in 1953 at Fresno. He reported that the Fresno Alumni Chapter had contributed $240 to staging this event and they were interested in having the law students and actives return to their city and join with them in holding their annual meetings. The invitation of the Fresno Alumni Chapter was unanimously accepted.

Registration fee of $5.00 per delegate was charged and based on the registration fee and the assessments and allowances made to each delegate of $7.00 to defray the expenses of attending the conclave. The $5.00 registration fee entitled each registrant to the luncheon and dinner.

The committee on by-laws then brought in its report and the by-laws as submitted were adopted.

Nominations for District Officers by the Nominating Committee was then submitted to the conclave, and the following were elected: Claude Perasso, Vice Justice District 2. He is from Sullivan Chapter. Johnny Walker of Knox Chapter was elected Vice Justice of District 3. Treasurer was Gene Tinsley of Ross Chapter, and Clerk Pat Coleman of Ford Chapter.

A forum composed of the national officers was then conducted in which questions from the floor were answered. Matters discussed in this forum were the coming national convention at Chicago, August 28, 29 and 30, and the constitution and by-law amendments which were being proposed.

Supreme Justice Edmonds arose and spoke to the delegates on the work of the fraternity and stressed that the fraternity was based on team work. And that the national officers, working as a team, had accomplished over the past four years great strides in the fraternity's history. He stated that P.A.D. is first on practically all campuses because its members give, and the fraternity gives for the entire benefit of the profession.

Conclave Banquet

At the banquet held Saturday evening, at the Hotel Fresno, Chalmers Lones, a member of Ross Chapter, and the Fresno Alumni Chapter was the toastmaster. Brother Lones stated that it was the custom to call upon the wives of the various P. A. D. 's attending the banquet to state their views. He called up Mrs. Douglas L. Edmonds, in a response to the invitation to give her views of the P.A.D. stated that she, along with Supreme Justice Edmonds, certainly enjoyed the many contacts and acquaintances they had made through Phi Alpha Delta.

Mrs. Walter Pope, wife of Judge Pope, the principal speaker, told the assembled guests that she had "trapped" her husband and the method she had used was legal and above reproach. She stated that after becoming a wife of a P.A.D. SHE found that she in turn had been "trapped." And that all of the P.A.D.'s she had met had been intelligent, subtle men who were proud of their organization and fraternal connections. Brief responses were given by various members of the Fresno wives in attendance, and by Mrs. Frank E. Gray and Mrs. Chalmers E. Lones.

Toastmaster Lones then introduced Supreme Justice Edmonds who, in his speech introducing the principal speaker, pointed out that Walter L. Pope, a member of Marshall Chapter at the University of Chicago, had practiced law in Missoula, Montana, then became an Assistant Attor-

(Continued on Page 11)

UNIFORM CODE OF MILITARY JUSTICE

(Brig. Gen. James Snedeker, U.S.M.C. (retired) a member from Jay Chapter and formerly instructor at the University of San Francisco, gave the following address at the luncheon of the Joint Conclave of Districts 2 and 3 held at Fresno, California on April 19. 1952)

As you know, the armed forces of our country do not rely upon the general criminal laws alone, but operate under a special code of military law enacted by Congress and under regulations issued by the executive branch of our government. From the time of the Revolution until last year (1951), each branch of the armed forces had its own set of articles, separate and distinct from that of the other branches. There were some similarities, but there were also major distinctions.

Military law on land had a fundamentally different origin from the law of the sea. On land, proceedings leading to punishment were based upon vengence and prevention by example; at sea, upon a theory of protection of the ships and cargoes in maritime commerce. On land, in an era when war was a normal state of existence among tribes and kingdoms, the rules were established and abolished with the rise and fall of the dynasties on shore; at sea, there was a continuous and growing body of rules recognized as international in character and independent of dynastic changes. On land, justice was administered for the most part by the same individuals, in peace and in war, the civil judges being the military commanders; at sea, special courts set up by the world traders retained jurisdiction over maritime matters and had no authority over nonmaritime affairs.

There have been several points of contact between these two bodies of law. Each has made some impact upon the other at several points in history. As early as 1190, the sea-law of Oleron is believed to have been used by Richard I of England in making an ordinance designed to prevent quarrels and disputes during his voyage to the Holy Land. The ordinance was the first recorded instance of unification of armed forces under one body of law, applying to soldiers and mariners alike. Later, after the first English admiral had been appointed, the influence of the Court of Chivalry, which had grown up in the land forces, was felt among officers of English fleets assembled for use in war. Some of these officers were knighted in 1333 and carried into their fleet regualtions the high moral precepts of the Chevaliers. The comprehensive military code of Gustavus Adolphus of Sweden, drafted in 1621, was translated into English and published in London in 1639. It greatly influenced the later English codes, not only those governing the army, but also those regulating the navy. Some of the legislation of this early Swedish code is to be found in our modern American military law. Naval forces operating on land, although not specifically governed by the language of the Hague Convention of 1907, relating to the laws and customs of war on land, have been considered as being governed by its provisions. Prior to last year, our army was governed by the Articles of War and our navy by the Articles for the Government of the Navy. The Articles of War had been revised from time to time in the recent past, but the navy's articles enacted in 1862 were still in force in 1950. The operation of the court-martial system has been a source of considerable criticism. This criticism, which was quite vocal following World War I, reached a crescendo after World War II. Most of it was directed against the military justice of the army, but the air force and the navy also received a share of it. The executive departments concerned took cognizance of this criticism and appointed various boards and committees to diagnose the ailments of military justice. In the army, the McCook survey, the Clemency Board headed by Justice Minton, and the Vanderbilt Committee had their opportunity to examine the patient and suggest treatment. In the navy, the Ballantine Committee, the Clemency Board headed by Admiral Taussig, the McGuire Committee, the report by Father White, the Keeffe Board and the Ballantine Board pointed out the defects in naval administration and recommended remedies. The ailments found seemed to fall roughly into five general categories:

1. Command control;
2. Insufficient trained legal supervision;
3. Lack of assurance of constitutional guarantees;
4. Jurisdictional problems; and
5. Procedural problems.

"Command control is a tag which has been affixed to the influence exercised over a court-martial by the officer in command. There was ample evidence that such control existed although the frequency of its illegal exercise was disputed. It manifested itself in caustic reprimands to members of court-martial, in the promulgation of the local policies concerning high minimum penalties for certain offenses, in the transfer of a successful defense counsel to other duties, and in the power over leaves of absence and official fitness reports. What made illegal coercion possible was the power given to the officer who convened the court-martial to review the record of proceedings of that body, act judicially upon the findings, and exercise clemency as to the punishment imposed. The fact that the clemency power was a jealously guarded prerogative of the commander led to the widely prevalent custom for a court-martial to impose, not the sentence which in its judgment fitted the crime and the criminal, but a much more severe sentence, leaving to the commander a great latitude for the exercise of his power. The excessive sentences which caused such a public clamor toward the close of World War II were the product of this custom.

Trained legal supervision of a court-martial system demands an integrated body of legal specialists devoted exclusively to the administration of legal problems. There never has been sufficient trained legal supervision in our armed forces. The army, prior to 1949, had a Judge Advocate General's Department into which officers of other branches of the army were fed and from which many were, from time to time, transferred. While serving with the Department, however, its members were given full-time legal assignments. The strength of the Department during World War I grew from 17 to 426. In World War II, more than 25,000 lawyers applied for commissions in the Judge Advocate General's Department, but the applications were not received with favor and the need for properly trained personnel was grossly underestimated. Officers with no legal training were frequently used as law members and as counsel, even in general courts-martial. In 1949, the Department was replaced by a Corps with a separate promotion list, but was not adequately staffed. In the navy there has never been a Judge Advocate General's Department. Prior to last year, the navy Judge Advocate General was not required to be a lawyer, and indeed before 1938, the incumbents of that office never held a law degree. The navy plan was to send line officers to law school to acquire legal training in the nature of an avocation. When World War II came, the navy had 75 line officers who were legally trained, but only 15 of them were available for legal duties. At the war's end, there were over 12,000 reserve officers who held law degrees, but few of them were assigned legal duties. The problem of trained legal supervision is still an ailment of military justice.

Too often in the recent past, there were court-martial cases which showed a denial of fundamental fairness, including refusals to give time for preparation of the defense, incompetent defense counsel, failure to call witnesses in the accused's behalf, denial of the right of confrontation, intimidation of defense witnesses, use of an involuntary confession, and conviction of one crime when charged with another. The denial of such basic rights was not always due to willful and malicious transgression. It is often due to the fact that those who administer military justice did not know what the rights of the man in uniform are or should be. This ignorance is often excusable in view of the fact that Congress has never included in its enactments of military law a definitive list of constitutional guarantees applicable to the armed forces, and in view of the fact that the judges of our Federal courts have often disagreed. The slow and often expensive process of getting authoritative judicial decisions on these matters has not, to date, yielded the full and satisfactory answers. It is not too difficult to set up the constitutional guarantees applicable to those in the armed forces and there has been a crying need for doing so ever since World War I. All of the rights enumerated in the Constitution do not apply in courts-martial. Some are specifically excepted and some are, by their history, inapplicable in whole or in part. The fundamental rights which apply to an accused in court-martial procedure include the following:

1. Right to be informed of the nature and cause of the accusation;
2. Right to have the assistance of counsel for his defense;
3. Right to a speedy trial;
4. Right to a public trial;
5. Right to be confronted with the witnesses against him;
6. Right to have compulsory process for obtaining witnesses in his favor;
7. Protection against being compelled by legal process to testify against himself;
8. Due process of law;
9. Prohibition of cruel and unusual punishments, and excessive fines;
10. Protection against double jeopardy; and
11. Other rights retained by the people and not delegated to the Federal government, such as the presumption of innocence.

The right to protection against unreasonable searches and seizures, and the prohibition of warrants, other than upon probable cause, supported by oath, and being specific as to place, persons, and things, are not applicable to the armed forces in the same manner as to the civilian public. The prohibition of prosecution of a capital or other infamous crime, except upon presentment or indictment of a grand jury, the right to a jury trial, the right to a trial in the State where the crime was committed, and the protection against excessive bail are not applicable to court-martial procedure.

Among the most important jurisdictional problems are those concerned with jurisdiction over persons, particularly civilians and deserters. Civilians serving with or accompanying an armed force outside the reach of our Federal courts can be subjected to courts-martial by Congress because the right to a jury trial is territorially limited to the United States and its organized Territories. If a civilian is in a status giving him such a connection or association with our armed forces as to create an obligation on his part directed toward the military mission of the forces, he may be subjected to courts-martial even in the United States. This is because he becomes a part of the "forces", excepted from the requirement of indictment in the Fifth Amendment and from the guarantee of a trial by jury in the Sixth Amendment. A similar obligation arises in a draftee prior to his induction into the armed services, and it is a question of national policy whether to subject him to the civil courts or to the military courts for offenses committed prior to actual induction. In World War I, military courts had jurisdiction, whereas in World War II, civil courts had jurisdiction. Doubt arises when Congress confers jurisdiction over civilians accompanying forces "in the field," without mentioning the obligation-giving status. Doubt also existed as to the amenability to court-martial for a prior desertion in the case of a deserter who, while still a deserter, fraudulently enlisted and then received a discharge from the fraudulent enlistment.

The greatest ailments procedurally concerned the lack of an impartial officer trained in the law to act as a judge in a court-martial, so as to separate the traditional functions of judge and jury, and for a simplified, speedier, and more adequate review of court-martial records.

While separate bills were pending in Congress to remedy some of the ailments of military justice, Congress embarked upon the venture of unification of the armed services. World War II had indicated that arms would be combined in the field more than ever before, that joint operations of large units of various branches of the armed services would be placed under the over-all command of one officer, and that each services must understand the functions, capabilities, and limitations of the other services. Over-all strategy and policy making in the military sphere was vested in a body known as the Joint Chiefs of Staff. By cooperation and coordination of effort, we were among the victors of that war. This led to the establishment of a Department of Defense, of which each service department of the armed forces was a part. Planning, schooling, and training were integrated without being merged, but air transport facilities were placed under one head, sea transport facilities were combined, a national war college was established, and a consolidated budget was submitted to Congress for approval. The issue of universal military training was being heatedly debated in and out of Congress and thoughts turned to the unification of the laws dealing with military justice under which our sons and daughters might be forced for a time to live. Veterans organizations were still plugging for a reform of military justice and when the first peace-time draft law came to a vote in 1948, a bill to reform military justice in the army was added to it. Many people believed, however, that the law under which our drafted boys must live should be the same law whether they were in the army, the navy, the air force, or the coast guard. In the month following the passage of our first peace-time draft law, the Secretary of Defense appointed a special committee to draft a uniform code of military justice, uniform substance and uniform in interpretation, to be equally applicable to all of the armed forces. Professor Edmund M. Morgan, Jr. of the Harvard Law School was designated chairman. The committee and its able staff had before it the diagnoses of the boards and committees which had previously studied the ailments of the judicial system in the individual services, and information on comparable practices in foreign military establishments, as well as the newly revised Articles of War and a proposed revision of the Articles for the Government of the Navy. The committee and its staff labored for seven months and produced a draft of a uniform code which was introduced into Congress in 1948. Extensive hearings, which lasted two months and built up a record of 1,076 printed pages, were held by Congressional committees. The uniform code became law on May 5, 1950 and was fully effective on May 31, 1951.

What does the uniform code purport to do? As the name implies, it is designed to secure uniformity among the services. According to the report of the House committee, it provides for the following:

1. Offenses made punishable are identical for all the armed forces;
2. The same system of courts with the same jurisdictional limits is set up for all;
3. Identical general court-martial procedure, including that for pre-trial investigation and post-trial review, applies to all;
4. Modes of proofs are equally applicable to all;
5. Uniform rules of procedure for Board of Review must be set up by the Judge Advocates General;
6. Qualifications for members of courts-martial, law officer, and counsel are the same for all services;
7. One Court of Military Appeals is the court of last resort for all of the armed forces.

How far does the uniform code go in remedying the ailments of military justice? On the ticklish question of command control, Congress went far enough to recognize the evil, but not so far as to deprive troop commanders of the power to coerce courts-martial. The code allows the commander to appoint the members of the court, law officer, and counsel to disapprove findings and sentence and order a rehearing, to approve some of the findings or part of the sentence, and to remit or suspend the sentence. He must get the advice of his staff legal officer, but he need not follow it. After admittedly leaving command control in the position which it occupied during the last war, Congress injected some "restrictions" on its applications. The code issues a mandate to the convening authority that he shall not censure, reprimand, or admonish those performing judicial functions and that neither he nor anyone else subject to the code shall attempt to coerce or, by any unlawufl means, influence judicial action. This is like putting a loaded gun in the hands of a big game hunter and telling him not to fire it. The code further provides that non-compliance, if knowingly and intentionally resorted to, is a punishable offense. This is like warning the big game hunter that if he fires the gun, his followers (who depend upon him for all the good things in life) can make complaint about it. It is naive to believe that such provisions will eliminate command control. The code relies heavily upon its procedural improvements to reduce the effect of the command control which it embraces.

The code fails to provide sufficient trained legal supervision. It leaves the army with its Judge Advocate General's Corps, but provides no similar integrated body for the other armed services. The number of trained lawyers now in the service is inadequate to provide the legal supervision envisioned by the code.

The code unfortunately fails to enumerate the constitutional guarantees applicable to the man and woman in the uniform. Yet some of them are covered, more or less adequately, by code provisions. An arrested person is immediately informed of the specific wrong of which he is accused. An accused man has the right to be represented by counsel not only during his trial, but also at the pretrial investigation, and, if his case goes to a Board of Review or to the Court of Military Appeals, before

those bodies upon appellate review. Defense counsel provided for a general court-martial must be either a member of the bar or a service lawyer who is a law school graduate; but defense counsel for a special court need have no legal qualifications unless the government's trial counsel has qualifications. Thus a special court martial, which can impose a bad conduct discharge, can still lawfully proceed with no lawyers in attendance. The right to speedy trial is recognized, but the right to a public trial is not mentioned. The right of confrontation is denied, because the prosecution may take and admit into evidence depositions of certain witnesses and no provision is made for the accused or his counsel to be present at the taking of the deposition. The right of compulsory process to secure witnesses for the defense is apparently limited to the extent to which the prosecution may be allowed to subpoena witnesses for the government, the code providing only that they shall have "equal opportunity." The protection against the compulsory self-incrimination is adequately covered and even extended to protect against compulsory degrading statements immaterial to the issues. The code prohibits the interrogation of an accused before he is informed of the nature of the accusation and is cautioned concerning his right to refuse to make any statment. This right is coupled with the effective remedy of exclusion of all statements obtained in violation of the right. The guaranty of due process of law is not so well covered. The readily ascertainable standard of conduct which every criminal statute should embody is still missing in some of the punitive articles. The code requires an impartial pretrial investigation prior to trial by general court-martial, but compliance is not a jurisdictional prerequisite, and no effective remedy is provided for its violation. The right to sufficient time to prepare the defense is not specifically mentioned, although a minimum period of delay between the service of charges and the beginning of trial is assured in time of peace. The right to cross-examine the witness against the accused at his trial is not mentioned in the code, but is left to be provided for by the President in his prescription of procedure. The code leaves the application of the principles of law and the rules of evidence as recognized in federal district courts to the discretion of the President and not only authorizes him to delegate that authority, but also to provide for its sub-delegation. The right to be protected against cruel and unusual punishments is enunciated through their prohibition. The code still authorizes confinement on bread and water, but limits its application. It is effective, as a practical matter, only in the Navy and Coast Guard.

The right to protection against double jeopardy is abrogated in the same article of the code (Article 44) in which it is recited. The power of military authorities to disapprove a conviction and to order the accused retried an indefinite number of times in subsequent court-martial proceedings technically called "rehearings" is specifically granted, and applies to cases where the accused has not in any manner waived his constitutional right. The Senate added one paragraph to deny the power to subject the accused to second jeopardy. In the one situation where the prosecution of a case is abandoned prior to finding because of the failure of available evidence or witnesses for the prosecution. This grew out of the situation in the famous 1949 case of Wade v. Hunter, and affords somewhat more protection to the accused than he had before. There is no attempt, however, to clarify what constitutes jeopardy in court-martial proceedings, or to establish tests for the determination of identity of offenses. The presumption of innocence is expressly mentioned by the code which provides for its being brought to the attention of the court-martial in every case before a vote is taken as to the accused's guilt or innocence. The burden of proof is similarly handled.

The jurisdictional problems are, in general somewhat better solved, although some of them are left unanswered. Jurisdiction over civilians is fairly well covered. Civilians serving with, employed by, or accompanying the armed forces, or in a leased or reserved area used by the armed forces, beyond the reach of the Federal courts are subject to the code in peace or war. A provision for war-time jurisdiction over civilians serving with or accompanying an armed force "in the field' 'is deficient in failing to set up the necessary obligations of such civilians toward the military mission. Jurisdiction over deserters is settled in a commendable way. A deserter who during his desertion enlists in, serves with, and is discharged from another armed service is triable by court-martial, notwithstanding the discharge, if the charges are drawn within three years of the date of desertion. The troublesome problem of handling discharged veterans whose offenses committed while in service were discovered after discharge is very well handled. In effect, discharges are made conditional during a period equal to the Statute of Limitations and the condition is that the offense must be a serious one (punishable by confinement of five years or more) not triable by state or federal courts. Only if this condition is fulfilled and the Statute of Limitations has not run can veterans be subjected to courts-martial. The code also solves the even more difficult problem of providing a method for the legal determination of the present status of a discharged serviceman who was subsequently charged with having obtained his discharge by fraud. The code provides that a court-martial shall be the agency for the determination of his status, and limits its authority to the trial of a fraud charge brought within the period of the Statute of Limitations. This solution effectively puts a stop to the unilateral administrative determination of fraud by the military authorities themselves.

The procedural problems have been disposed of extremely well. The law officer of a general court-martial will, in many respects, take on the aspect of a judge, a great novelty to naval courts-martial. He will be divorced from the responsibilities of the members of the court, and can act impartially as between trial counsel and defense counsel. Voting by members of the court will be by the use of an unsigned ballot, The outstanding accomplishment of the code in its procedural arrangements is for a relatively simplified review. Boards of Reviews in the offices of the Judge Advocates General review the serious cases and have power to determine law and fact and to weigh the evidence. No dishonorable or bad conduct discharge is executed until affirmed on such review. A single new Court of Military Appeals of three civilian judges holding 15 year appointments, divorced from military command, is the final arbiter of the law in all services. It must review all death sentences cases, cases affecting generals and admirals, and board of review cases which a judge advocate general authorizes forwarded to it. In addition, any accused may petition this high court for a review and the court may, on good cause shown, grant a review. Appellate defense counsel will be available upon request to represent the accused before this court or before Board of Review, a new procedure not previously provided for. In addition, an accused whose sentence extends to death, separation from the service, or confinement for one year or more may, within one year, petition for a new trial on grounds of newly discovered evidence or fraud on the court.

It has been too short a time for an accurate evaluation of the new military code. It represents little change from the system given to the Army in 1948, but it is a great improvement over the antiquated system used by the Navy for 88 years. The most outstanding improvement is the establishment of the United States Court of Military Appeals. Perhaps the most important feature of the new law is that which provides for the members of the Court of Military Appeals to meet annually in conference with the Judge Advocates General, and to make Congress a report on the Code's operation together with recommendations for its improvement. If this periodic check-up works in the way intended, our military law cannot stagnate as in the past, and we will have before us the bright prospect of possessing, in one or two decades, the best code of military law the world has ever known.

Chicago Alumni Chapter Completes Investment Seminar

MEMBERS OF P.A.D. attending dinner at Union League Club closing the Seminar on Investments for Attorneys. Seated left to right, Andrew Ludolph, Robert Mackey, Capelle Damrell, Harold C. Heubner, Judge John P. McGoorty, Phil Hanna, Benj. Raskin, and John Wenner. Standing, Harry Schlackman, Barrett O'Hara, Edward Havey, Ernest H. Gager, Pat Conlon, Bernard A. Snyder, Don McFayden, Harry E. Rice, A. A. DiGrazia, John P. Burita, Raymond E. Stoecker, B. M. Pickard, Justice McCarthy, Frank Butzon, Robert Monaghan and William Nealon.

Twenty members of Chicago Alumni Chapter of Phi Alpha Delta completed a course on investments organized by Daniel F. Rice & Co.

The course was designed to inform lawyers of methods of dealing in stocks and bonds from the lawyer's standpoint. This was an exclusive P. A. D. project, and is believed to be the first both for the fraternity and also the brokerage house.

The course was conducted by Brother Harry E. Rice, Blackstone Chapter, 1913, and the Daniel F. Rice Economist, Benjamin Raskin, Ph.D.

The course culminated with a dinner and lecture at the Union League Club. The guest lecturer was Phil Hanna, noted financial editor of the Chicago Daily News. Judge John P. McGoorty attended the class and addressed the final meeting.

It is proposed to make this seminar a permanent project of the Chicago Alumni Chapter on a larger scale. There was no charge to members and will be none in the future.

There were five sessions in the course, and during the first session the film entitled, "Money at Work" was shown. In all of the sessions, a question and answer period was scheduled so that P.A.D.'s attending this seminar could have some of their particular questions answered.

L. A. Alumni Elect Officers

At a meeting of the Los Angeles Alumni Chapter, held March 20, 1952, the following officers were elected for the ensuing year: Frank E. Gray, Justice; Leroy Koos, First Vice Justice; Fred Field, Second Vice Justice; Arthur Guy, Third Vice Justice; Bion Vogel, Treasurer; A. A. McDowell, Secretary; Judge Daniel Stevens, Assistant Secretary; and Albert Lee Stephens, Marshal. Supreme Justice Douglas L. Edmonds acted as the installing officer.

The meeting was presided over by Judge Jess Frampton who had served as Justice of the Los Angeles Chapter for two terms. In recognition of his service to the Los Angeles Alumni Chapter he was presented with a Past Justice's Key.

Allaben Selected G. R. Bar President

F. Rollin Allaben, a member of Campbell Chapter, and a practicing Attorney in Grand Rapids, Michigan, was installed as President of the Grand Rapids Bar Association at its Fiftieth Annual Dinner Meeting held February 11, 1952.

Edmonds Visits Knox Chapter

DURING VISITATION TO THE UNIVERSITY OF ARIZONA, Supreme Justice Douglas Edmonds met with faculty of the College of Law. Included, from left to right, Claude H. Brown, Floyd E. Thomas, William S. Barnes, Lester W. Freezer, Francis J. Owens and Charles H. Woods.

On April 4 and 5, Supreme Justice Douglas L. Edmonds visited Knox Chapter at the University of Arizona in Tucson, Ariz.

At the invitation of the Acting Dean, Dr. J. Byron McCormick, (Capen Chapter at Illinois Wesleyan University) Justice Edmonds addressed the student body of the law school on "The Future of the Legal Profession." His address to the law school students pointed out that the graduates must analyze themselves as to their abilities and inclinations. That with such proper analysis, there is ample opportunity for every graduate to find his right place, particularly in such newer fields as administrative law and tax law and in the smaller towns. He stressed the responsibility of the legal profession, particularly in connection with the Legal Aid Program.

Supreme Justice Edmonds was a guest of the law faculty at their weekly luncheon and that evening met with the officers and other members of Knox Chapter and discussed chapter problems with them.

Knox Chapter held its initiation ceremonies on April 5. The Justice of Knox Chapter, Ernest L. Heimann, officiated at the ceremonies and the oath was administered to the initiates by Supreme Justice Edmonds.

Alumni Attend

A banquet was held that evening at El Presidio Hotel in Tucson. Among the alumni members attending were Judge J. Mercer Johnson, of the Pima County Superior Court, (Knox Chapter) and Claude H. Brown, (Cole Chapter) of the faculty of the University of Arizona law school.

Justice Edmonds delivered the principal address of the evening at this banquet, at which he discussed the various aspects of fraternity life. He stressed that each Chapter is an integral part of the national organization and that it is important for every Chapter and member of a Chapter to be conscious of this.

Justice Edmonds reminded the alumni present that they form the background for the fraternity. He emphasized the benefits which the alumni may derive from closer association with each other as well as the services which may be promoted through such association for the benefit of the entire profession.

"Looking Back at the Trial of Tojo"

(Address given by Owen Cunningham (Cole Chapter) of Des Moines, Iowa, before the District 7 Conclave held March 29, 1952, at Iowa City, Iowa. Brother Cunningham recently returned from Tokyo, Japan where he took a major part in the trial of Tojo and 27 other Japanese Officials, is a member of International and Comparative Law Section and Committee on Legal Aid to Armed Services of the American Bar Association. His speech was given at the luncheon held during the Conclave.)

Since the Tojo trial ended in 1948, there have been many articles written in Bar Journals by Justice Robert Jackson and Judge John J. Parker designed to justify the Nurnberg trials of Goering, Ribbentrop and others. They have not convinced the American lawyers that it was anything but judicial lynching based on judicial legislation. Many newspaper stories and much editorial comment has appeared in the American Press condemning the trial of Tojo and discussing the good and bad features of the Trials of Major War Criminals generally.

The developments which have taken place in our International relations recently have kept attention focused on the change in attitude of the government of the United States toward the government of Japan and the Japanese people. The nation which was our enemy in 1945, is now our ally. If it was a mistake to hang Tojo and his associates, and I submit that it was, for the position he took in Asiatic Affairs, during the years prior to Pearl Harbor, that mistake has become aggravated, now that we have come to rely upon Japan as our sole bulwark against the spread of Communism in Asia.

In some ways the Japanese position in the Occupation of Korea in 1910, the Manchurian conquest in 1931 and the China war from 1937 on, is less vulnerable than our own position in Korea is today, from a strictly legal standpoint.

Very few Americans realize the full significance of the recommendations made by General MacArthur that we "bomb Manchuria" and "blockade the China Coast." That is how the Japanese-Chinese war got its start. Thirty million people live in Manchuria and 28 million of them are Chinese. Manchuria is as large an area as France and Germany combined. The people of Manchuria are the same Chinese who were allegedly victimized by the Japanese, the same Japanese upon whom our leaders rely as our staunchest ally in the fight to prevent the further spread of Communism in Asia today. The Japanese are reluctant to arm to fight against the same foes who defeated them a few short years ago, but they also resent the threat of Communism, more than we do.

The Japanese attitude toward Soviet Russia is no different today than it was in 1936, when the government entered into the Anti-cominturn Pact with Germany and Italy. It is the American attitude towards Russia that has changed.

The leadership of the Japan of today is no different than it was prior to Pearl Harbor, the leaders are simply serving the same Emperor at a different period in history. Their main concern is the welfare of Japan and its people. It is our attitude toward Japan that has changed.

The Japanese have the same lack of confidence in the ability of Chiang-Kai-shek to govern the Chinese people as they had from 1931 on, but it took the United States two decades to discover his weakness and incompetence.

Japan has always contended that the domination of Korea and Manchuria is necessary to prevent Russia from overrunning Asia, but it took the Pacific War for the United States to realize this.

Japan has been the bulwark in Asia against the spread of communism in Asia ever since the Russian Revolution. Our leaders regard this as something which has been discovered since the end of World War II. Russia has coveted the control of Manchuria and Korea, ever since the Russo-Japanese war of 1904.

Japan can see that China went to the communists because the Japanese forces were withdrawn too soon before a satisfactory government was set up in China, they call it the "Vacuum created by the defeat of Japan."

Japan considered it unfair that her leaders were found guilty of "Aggression against Soviet Russia" while now she is asked to prepare to defend the West against the further aggressions of Russia against Japan and the Far East. Against this background of these developments I should like to look back at the Trial of Tojo and point out to you some of the things that I see.

Owen Cunningham

U.N. Dreams Not Realized

It was the dream of the framers of the Charter under which Hideki Tojo stood trial in 1946, that by the time the trial ended in 1948, peace in the world would be a reality, and that war would be but a dim memory of the past, barbari-atomic ages; that the United Nations would be a world government with a constitution capable of providing a legislative, executive and judicial branches sufficiently supported to finance an army to carry out the policies of the government. Instead they discovered that the Assembly became only a debating society. The Security Council became an impotent organ whose functions are obstructed by a veto.

Allies Did Not Remain Allies

Those framers relied upon the continuation of a permanent mutuality of interest, to be supported by a conciliatory attitude maintained among the Free peoples of the world, considering of course of all their allies as the "Free peoples." They included the colonized nations and the Communist dominated satellite group. They relied upon a united front for peace and harmony. They saw in the U.N. Security Council some hope of security for peace. They anticipated that the U.N. Assembly could settle the "Peace or War" problems as they arose, but through discussion, negotiation, compromise and diplomacy, without resort to war or force of arms. They discovered very soon that the one nation they relied upon so heavily to accomplish this aim jumped at the use of arms when the weakness of the adversary was apparent, Communist Korea against Free Korea. They didn't count on Russia returning to type so soon.

No World Legislature

They saw in the Bill of Human Rights, the Genocide Pact and the other proposals of U.N. legislation, the possibility of equality of man's rights in all nations, with provision for enforcing those rights through orderly, parliamentary, judicial processes. They failed to realize that each nation has the sole authority to determine for itself the rights of its citizens and subjects.

War Crimes Trial Procedures Not Sanctioned

They accepted the trial procedures of Nurnberg and Tokyo as experiments in trials of individuals by International Courts toward the abandonment of some of the sovereign rights of states over their subjects, to insure the safety of the International Community of Nations. This was their aim. They admitted that the trials were imperfect but considered them as the beginning toward International Law and Justice, at the individual level. They expected support for this ideal from the Sixth committee of the United Nations Assembly. It was discussed, but the necessary approval was never given. States do not easily give up their rights of sovereignty. In some instances their constitutions prohibit it.

No Provision for Prosecution Staff

The prosecutors for the trials were appointed by executive order as a temporary expediency until the constitution of the proposed world government made provision for the law enforcement branch of the judicial system. This was never set up. No International Criminal Court, no International Legislative body to codify or enact criminal laws and no law enforcement agency seems probable, either now or in the foreseeable future. Their dreams are destined to remain but fantasy.

No Agreement on International Code

The International Agreement whereby the United Nations might punish crimes against the International Law, to be codified soon after the United Nations organization was perfected, was never executed. The failure of the Genocide Pact, which is only one crime of the many contemplated by the Code of International Criminal Law to pass the U.S. Senate, indicated the ultimate fate of all such laws.

No Appeal From Unauthorized Tribunal

The decision of the United States Supreme Court in refusing to intervene and review the action of General MacArthur in setting up the International Military Tribunal for the Far East, which tried Tojo was premature, short sighted, and uncourageous. The U.S. Supreme Court, with some members dissenting, decided that General Douglas MacArthur was acting as a representative of the International Community, or Allied Nations, when he set up the Court. This has been disproved quite emphatically. When it came time to remove the General and relieve him of his command, it was discovered then that he was still very much only another American General, under the exclusive command of the Commander in Chief, the President of the United States, with no United Nations command that could not be turned over to some other American General. The title of Supreme Commander of the Allied Powers was but an illusion. The reaction of Justice Douglas of the United States Supreme Court, expressed in his dissenting opinion that it was "shocking" to discover that any American General is beyond the reach of the United States Supreme Court, was quite a natural one. Legal loopholes make bad law, however expedient they may appear at the time.

History Is Best Defense

The Allied prosecutors attempted to show that the Japanese were wrong in intervening in Korea and taking it over in 1910, and later in occupying Manchuria in 1931, and the action of Japan in conquering China after 1937, was not for the best interests of Asia fell flat, when immediately after the defeat of Japan, Communism, a much worse evil from the standpoint of the rest of the world, which had been lying dormant in China, awaiting this opportunity, stepped in to take up where Japan left off. It is now becoming evident to the students of Far Eastern politics that China, Manchuria and Korea were all far better off under Japanese domination than under the Communists. The Japanese believed this from the very beginning.

Allied Judges Not Neutral

Selection of impartial, open minded judges from a group of victor nations to try fallen leaders of the vanquished foe proved quite impossible, especially when the Philippine government nominated and General MacArthur appointed a judge who had been captured by the Japanese and who was a member of the forces in the Bataan Death March. The Americans sent the Judge Advocate General of the United States Army. Australia sent the Chairman of the War Crimes Investigating Commission to preside over the trial. It was pure folly at any rate to expect such judges, right after the war's end, to arrive at any independent judgment, based on facts alone. National prejudices would not permit it. When four of the eleven judges dissented for reasons which bore on the invalidity of the law under which the trial was conducted, the whole structure upon which the trial was grounded, was doomed to failure. The French Judge, Justice Bernard, who dissented, said "A verdict reached by a Tribunal after a defective procedure cannot be a valid one."

Temporary Expedient, Bad Precedent

Little did those who planned the trial of Tojo and who framed the charges contemplate that soon after the trial, similar charges were to be directed against Soviet Russia, one of the prosecuting nations at the trial, and, that Counter-charges would be directed against the United States and the other Allied Nations. When the prosecution urged that the Japanese defendants produce evidence to justify their fighting in Manchuria and the presence of Japanese troops in Korea, and their signing of the Anti-Cominturn Pac in 1936, they had no idea that soon thereafter United Nations troops would be fighting in Korea, that American Generals would be advocating the "bombing of Manchuria" and that Atlantic Pact nations would be joining together to prevent the spread of Communism in Europe and Asia. They could not see then how much harder it would be for the United States to explain the presence of her troops in Korea than it was for the Japanese who were close neighbors, interested vitally in the welfare of Japanese Nationals and their economic interests in Korea, to explain her position and actions.

Good for Them—Bad for Us

When the Allied prosecutors were confronted with the unanimous decision of the Japanese Cabinet, the Supreme Command, the Privy Council, the Imperial Conference, the decision of the Elder Statesmen and the final approval of the Emporer himself on the question, War or Peace, they did not realize that some day they might have to justify the decision of President Truman, representing the U.S. Government, ordering American armed forces into Korea to settle a dispute of questionable importance to the interests of the United States. They failed to look far enough ahead to appreciate that some International Tribunal, patterned after the one which tried Tojo might be called upon to determine, after a defeat, whether or not such an act was authorized by International Law, or allowed by the U.S. Constitution.

Law and Special Privilege

When the combined staff of the United States made the decision to exempt Hirohito the Emporer of Japan, for Trial, because he was the only man in Japan who could order the Japanese Army to lay down its arms and have them obey and also order the Japanese people to accept a peaceful occupation, little did they think that within the short period of six years they might be asking that same Emperor to order the Japanese to again take up arms to fight against the same enemies by whom they were defeated, except that they should go forth under a different banner the next time.

Russia—Shining Bad Example

When the Allied Tribunal that tried Tojo could determine in its decision that the Japanese leaders were guilty of aggression against the Soviet Union, after Japan had done everything possible to keep out of the war with Russia, it exposed to the world the extent to which International Law can be stretched to favor the victor and punish the loser.

After this discussion of weaknesses of the trial of Tojo as shown by subsequent events, I submit these recommendations for your consideration:

1. We should give up trying, by judicial process to convince a nation that it or its leaders were wrong. We are not going to prevent future wars by prosecution of war criminals or peace criminals through subsequent proceedings. We must avoid the cause of war by providing legal machinery capable of correcting economic and social injustices before they crystallize into armed conflict.

2. When we prescribe a course of conduct for others and a penalty for violation, let us be sure that we will be willing to be judged by that same standard in the event that we lose a war. In planning a peace campaign through war, we should be sure that our partners in the plan, share the same views as we adopt as our war aims. Our alliance with Russia was a political blunder.

3. We should be certain before we establish law, by charter, on the international level, that its application is universal, backed by public confidence, enforceable by the power of government and is recognized as a part of a permanent system, subject to orderly change to meet conditions as they develop, and is not ex post facto.

4. When one nation or group of nations undertakes to conduct a fair trial over citizens of an enemy country, that trail should follow the highest standards required in any one of the countries complaining. No nation has a right to administer a lower standard of justice to the citizens of another nation than it would require for its own. The presumption of innocence, impartiality of judges, clear definition of an established offense, set rules of procedure, the highest of safeguards and the recognition of constitutional rights and privileges must be acknowledged, or we are hypocrites. We should make very sure that our enemies are given just as fair a trial as we would demand if we were the defeated enemy.

5. It is to be expected that both parties to an action shall be treated alike. The integrity of a court is lost otherwise. Any international court system must stem from a well considered parliamentary act passed by an authoritative government, stemming from some kind of a strong, sound, constitution. The rules of procedure and evidence should be settled well in advance by mutual treaty based upon the highest standards of justice existing anywhere among civilized nations. When judges of victor nations undertake to pass upon the validity of the acts of the leaders of a nation, those judges should be familiar with the laws, customs and habits of the people of that nation.

6. If we are to have joint prosecution of individuals by many nations, we must have responsible prosecutors, representative of an established system of justice with integrity, with a separate

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GOLDEN ANNIVERSARY CONVENTION

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for it is only reasonable to say, but for the organization of Lambda Epsilon, Phi Alpha Delta would not have been born.

1952 Convention at Birthplace

With this heritage, Phi Alpha Delta will hold its 1952 Convention at the place of its birth—Chicago, Illinois.

The business and entertainment program of the convention as tentatively set calls for the registration of delegates commencing on August 27 at 7:30 p.m. The call to order of the Convention will be had at 10:00 a.m. on Thursday the 28th, with Supreme Justice Douglas L. Edmonds presiding. The morning session will be devoted to the report of officers and the appointment of committees. No afternoon session is scheduled in order that committees may meet to prepare their reports. Sessions will be held Friday morning commencing at 9:30, and Friday afternoon commencing at 2:30 in order to receive Committee reports and act thereon. Saturday morning the convention will reconvene at 9:30 a.m. to finish the business before the meeting. Saturday afternoon will be devoted to the report of the nominating committee and the election of new officers and their installation.

Entertainment Features

The Chicago Alumni Chapter has undertaken to raise $3,000 to entertain the delegates attending this Convention. They plan to hold a stag reception and smoker on Thursday evening at the Chicago Bar Association. Busses will be provided to transport the delegates from the Hotel to the Bar Association Club rooms in the Loop and back to the hotel after the smoker. Discussions are now under way as to whether the Friday affair will be a luncheon or a banquet at which time a nationally prominent speaker and member of Phi Alpha Delta will address the assembled guests. Saturday night a dinner dance is scheduled (dress optional) and dates for the delegates will be supplied. Entertainment for the wives of the delegates attending the Convention is being planned by the committee of the Chicago Alumni Chapter.

The Chicago Alumni Chapter has appointed committees on arrangements, budget, finance, smoker, alumni, dinner, dinner dance, publicity, housing, transportation, distinguished guests, public officials, information and registration, judges and ladies events.

District Breakfasts

Also during the Convention, breakfast meetings will be held on Friday and Saturday mornings. These breakfasts will be attended by representatives from Chapters in various Districts, and at these breakfasts plans will be made for the holding of District conclaves in the 1952-53 school year.

All meetings and events of the fraternity will be held at the Edgewater Beach Hotel, except for the smoker on Thursday evening.

The fraternity says the expenses of one delegate from each active chapter based on first class railroad fare, upper berth rates, to and from the convention, a subsistence while traveling to and from and at the Convention and hotel allowance. Notification of the Chapter allowance has been given to the Chapters by the Executive office. No chapter is entitled to have its delegates seated or receive its allowance if it is not in good standing with the Executive Office. Each active chapter is entitled to two delegates and two alternate delegates. Each alumni chapters is entitled to one delegate and one alternate delegate. Alumni and active chapters are entitled to two votes on every question presented at the Convention.

Constitutional Amendments

Amendemnts to the Constitution of the Fraternity must be submitted to the Supreme Executive Board at least sixty days before the Convention and to the Active and Alumni Chapters at least thirty days before the Convention. Amendments to the By-Laws may be submitted on the floor of the Convention and acted upon.

A committee composed of Second Supreme Vice Justice Tom Henderson and Supreme Marshal J. Westwood Smithers, was appointed to revise the existing Constitution and By-Laws and their report will be submitted to all active and alumni chapters prior to the holding of the Convention.

Official registration cards for delegates attending the Convention will be supplied by the Executive Office. Elsewhere in this Reporter is the form to be used in making reservations by those alumni who plan to attend the Convention.

If the hotel is unable to fill these reservations, they will make reservations at a hotel for you in the nearby area. This will be one of the largest fraternity meetings of the organization. It will be interesting, inspirational, and educational, and, through the efforts of the Chicago Alumni Chapter, will be very enjoyable.

OKLAHOMA ALUMNI

Harlan Chapter at the University of Oklahoma published its first Alumni Bulletin. This bulletin is edited and published by actives of Harlan Chapter.

The first bulletin contained a message from Dean Earl Sneed, Jr., in which he stated that Harlan Chapter "is active and cooperative in all affairs of law school and in several instances has aided me directly in the organization and education of law school functions."

An article by Olin L. Browder (Magruder Chapter) the faculty sponsor of Harlan Chapter, commented on the revival of Harlan Chapter after World War II.

The bulletin also contains a message from Jim Peabody, Harlan Chapter Justice, in which an invitation was made to all P.A.D.'s who reside in Oklahoma to return to the law school for the law day ceremonies. Justice Peabody also states that the chapter has 38 Actives and out of these Actives, they have the President of the Board of Governors of the Student Bar Association, the Presidents of the Junior and Senior Classes and the Student Senator from the Law School. In addition the editor of the Law School Bulletin and the whole team of the Junior Moot Court Finals are members of Phi Alpha Delta. The Managing Editor of the Oklahoma Law Review, and ten Active members on the staff are also P.A.D.'s.

An Article entitled: "Need a Lawyer" is also Included in this bulletin, giving the names and addresses of the graduating seniors of Harlan Chapter.

General information on school activities rounds out this three-page Alumni Bulletin, which the Chapter intends to publish periodically.

Judge Savarese

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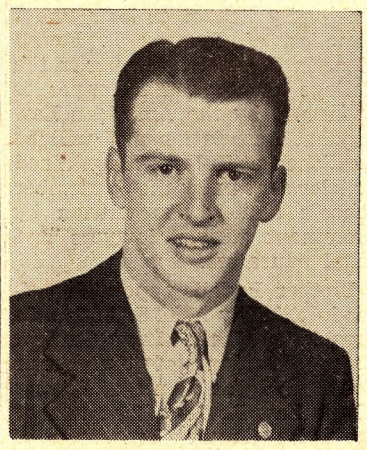
was the speaker's description of the Surrogate Court and particularly the Surrogate's Court of Queen's County, New York, over which Supreme Treasurer Savarese presides.

The wives organization of Hammond Chapter entertained visiting wives throughout the Conclave. Saturday morning was devoted to a tour of the campus at the University of Iowa, and in the afternoon a trip was made to the near-by Amana Colony where the woolen mills and furniture factory were inspected. Following dinner, the ladies engaged in bridge.

PAD Heads Temple Publication



Henry Bischoff

Henry Bischoff (Roberts Chapter), a student at Temple University School of Law, is the new Executive Editor of the Temple Law Quarterly. Brother Bischoff advanced to this assignment from the position of Recent Case Note Editor.

Brother Bischoff is a home town product, having spent his undergraduate days at Temple University in Philadelphia. During this time he was a member of the Honorary Accounting Society and the Honorary International Social Science Society (Pi Gamma Mu). He was also the Secretary-Treasurer of the Prelaw Club, the Vice-President of the International Relations Club, and the Vice-President of the Intercollegiate conference of Government. During the all-state convention in 1949, Brother Bischoff served as the chief-Parliamentarian of the Intercollegiate Conference of Government in the state capital at Harrisburg. He is the current President of the Alumni group.

Henry entered the Law School of Temple University in September, 1949. In his second year he was pledged to Roberts Chapter. Subsequently in the first semester of his third year he served as the Smoker Chairman for the October 26 affair at the Hotel Barclay.

Because of his untiring efforts while serving as the Case Editor on the Quarterly, Brother Bischoff was able to increase and better the quality of the case notes. In his new position as Executive Editor he will have full charge of all student work and student departments.

Bradway Labels Divorce Disease

"Divorce is a disease like alcoholism, and we ought to treat it that way," according to Prof. John S. Bradway (Rutledge), chairman of the Research Committee of the National Interprofessional Commission on Marriage and Divorce Laws.

Brother Bradway, who is also Director of the Duke University Legal Aid Clinic, said, "We've got to stop looking at divorce cases as if they were a moral wrong if anything is to be done about the alarming rise in divorces." He suggested that instead of permitting married couples to fight it out in court, thus producing hard feelings, a team of psychiatrists and marriage counsellors might be appointed by the judge to study the problem from all sides, and perhaps prevent the divorce. This, he said, is being tried in several parts of the country.

One great step in the right direction, according to Brother Bradway, would be the adoption of uniform divorce laws in all 48 states. However, he pointed out that this will be a long time in coming. Congress, he said, is powerless to act in the situation without a constitutional amendment, which seems virtually impossible to achieve.

Looking Back At Tojo

(Continued from Page 8)

investigation of the facts by impartial agencies. There must be equal opportunity of subpoena. Justice, not conviction alone, must be the shining goal.

7. Nations joined together in a common cause of a trial should have the organization supported by some Treaty, agreement or lawfully adopted and enforceable law, applicable to all parties, victors and vanquished alike. Laws passed by the victors for the vanquished are unilateral and should never be permitted, especially in International trials. What comes within the right of a nation under self defense must be clearly defined. We shall never be able to outlaw war through treaties which undertake to maintain the status quo. We must have a living organization, with governmental responsibility, endowed with full authority and voluntary cooperation, backed by force, the force of public opinion. Our first step toward this is the strengthening of the United Nations, destruction of the veto and reference of disputes over international law and the interpretation of treaties and individual delinquencies to a world, not an allied, court.

8. No trial of a national or International character, of a civilian or military nature, should be conducted without some provision for appeal and judicial review, provided by persons trained in the particular branches of the law. Trials without provision for appeal or judicial review can easily develop into tyranny. Right to habeas corpus should be universally recognized. There must be some judicial recourse from the injustices of an unfair trial.

9. Until nations give up their soverign rights to some super-soverign, the political acts of their leaders should not be triable before an International Criminal Court. Some time limit should be placed upon the extent of the inquiry, at all events to prevent the rehashing of old issues and the resettlement of old scores.

10. There must be a sound provision to secure the impartiality of judges. Permitting the victors' judges to try the vanquished accused is not practicable. Challenge must be respected and bias, intolerance, prejudice and prejudgment avoided.

11. Until all of the people of the world are subject to an established world government, International law should be confined to acts of states and should not apply to the acts of the leaders of that state. The role of counsel for the defense must permit of inquiry co-extensive with that of the prosecution.

12. Selection of defendants, charged with the commission of a crime, whether it be a domestic or International crime, must be uniform, based upon some established system of impartial investigation, and not depend upon the personal selection of the prosecutor in power at the time. Government by laws, not by men is as applicable in International Courts as in others. In assessing blame for international delinquencies we had better confine ourselves to state responsibility rather than individual responsibility. The influence of statesmanship on the cause of war is only a secondary role at its best. The economic factor still predominates.

13. Mussolini's hanging without trial, Hitler's destruction of himself to avoid capture and the Immunity granted to the Emporer of Japan permitted the men who were politically responsible for the commencement of the war to be spared a trial. As a consequence only the subordinates, who were bound to obey orders, were punished as the organizers, planners and plotters. A sound basis for the legal principle of individual responsibility must be established before the law can be enforced satisfactorily. If heads of the state are to be exempted, we should state the rule clearly.

Conclusion

The peace-loving nations of the world recognize that they need a world government supported by an agency capable of enforcing its laws. Facilities must be provided for the orderly revision of treaties to meet the changing concept of collective security. The sovereignty of law must ultimately be placed above State sovereignty to enable the super-sovereign to restrain any aggression. Only through orderly parliamentary processes can we all achieve our aims to see the day when war among nations will be a dim, far off memory of the human race.

My experiences convinced me that the system of justice we have in this country is the best in the world. Our judges are justice minded, fair and impartial. Our prosecutors are objective. Our executives are ever eager to correct the mistakes and injustices of the judiciary, where passion and prejudice might have interfered with the orderly administration of justice. Our legislators are eager to keep the law of the land abreast of the times. This is democracy. It makes me very proud to be an American.

Bull Bounces Barrister

Most students only read about foreign countries and their national sports, but Thomas R. Fadell, Tulane Law Senior, and a member of Martin Chapter, visited his fraternity brother and fought bulls in Spain.

He was the guest of Prince "Browny" Christian of Hohenlohe, who is also a senior at Tulane Law School, and a member of Martin Chapter. Last year, "Browny" invited Tom to visit him during the summer. Twenty-two-year-old Tom of Gary, Indiana, said "I had been to Europe in 1948 with the R.O.T.C. but it was nothing like this trip. This was really getting to know Spain."

"Browny," whose home "El Quexigal" is a converted monastery built during Philip II's reign, staged a bull fight for his friends. He and Tom did the bull fighting. "'Browny' had fought bulls before, and naturally I hadn't," Tom said, "but he gave me lessons a week before the fight. The ones I fought were young, and though they were small, they were very vicious."

"Of the twenty-five million inhabitants of Spain," the Prince says "there are only about twenty professional bull fighters and 500 to 1,000 people who 'play around with it.' So bull fighting is a mark of prestige to the Spanish people."

Tom says that besides the bull fighting, there are other novelties to his trip to Spain. "To the Spanish eating is an art. They eat at 2:00 p.m. and again at 11:00 p.m. then they go to bed around two in the morning." "Living in a Spanish home really let me know the people," Tom said. And of all of his experiences in Spain, he says he enjoyed the bull fighting most. "But," he said, "I don't think it is a sport—it is more of a spectacle and a fine art."

Judge McGranery Named U. S. Attorney General

Another Phi Alpha Delta joined the Cabinet on April 3 when President Harry S. Truman (Benton) appointed Federal Judge James P. McGranery (Roberts) of Philadelphia, Pa., to succeed J. Howard McGrath as Attorney General of the U. S.

Brother Justice McGranery formerly was a Justice Department employee assigned to the Attorney General's staff under Francis Biddle. From 1937 to 1943, Brother McGranery was Congressman from the eastern district of Pennsylvania.

District Six Holds Joint Initiation

On February 23, six of the active chapters in District Six, with typical PAD cooperation, conducted a joint intitiation in which 97 pledges were initiated. The ceremony took place in the courtroom of Brother Judge Wm. F. Waugh, active alumni member and Probate Judge of Cook County, Illinois. Participating in the impressive ceremonies were Blackstone, Fuller, Halleck, Ryan, Story and Webster chapters.

A banquet at the LaSalle Hotel following the initiation highlighted the evening and the new members were impressed by the guests present. Rarely is a local affair so fortunate as to have such an outstanding array of prominent PAD's at one function. Heading the list, of course, was the guest of honor, our own Supreme Justice Douglas L. Edmonds, whose welcome to the new men was very inspiring.

Past Supreme Vice Justice William O'Shea, in a grand address, presented the PAD story to the new men in an unforgettable manner. Drawing analogies from the bible he transmitted a message that every man present will carry with him until he stands before the Supreme Judge.

Also present at the banquet, as well as at the initiation, is a man known to Chicago members as Mr. PAD himself, Brother George E. Fink, Past Supreme Justice, and a PAD before many of the fathers of some of the new members ever saw the light of day. The time could probably be best computed on the same basis as that of a presumption of a lost grant of an easement.

Others in attendance were Past Supreme Historian Edwin Hale; Cap Damarell, Barratt O'Hara, George Angel and Robert Mackey, four of the most active alumni members; and Dean Francis Rooney and Professor John C. Hayes of Loyola University of Chicago. Dean Rooney, Assistant Dean of Law at Loyola, is a real PAD stalwart on the Chicago scene.

And of course, no PAD affair in the sixth district would be complete without our new District Justice, Tony DiGrazia. Tony, the moving spirit behind the joint initiation, and master of ceremonies, made sure the banquet was a social success by seeing to it that the necessary liquid refreshments were on hand.

Initiated along with the rest of the youngsters was William H. Stanley of Story Chapter. Mr. Stanley, an executive of the William Wrigley Co., is just 71 years young, and presently enrolled in the DePaul Evening College of Law.

TOLMAN REVIEWS FEDERAL COURTS

Leland L. Tolman (Marshall), Administrative Office of United States Courts, summarizes the annual report of the Director of the Administrative Office in an article appearing in the February, 1952, issue of the "American Bar Association Journal."

According to Brother Tolman, the main emphasis of the 1951 report was upon the urgent need for additional federal judges in particular districts where dockets are becoming more congested. Statistics accompanying the report, Brother Tolman states, show that both in the courts of appeals and in the district courts, the volume of litigation is increasing. In the courts of appeals, the increase in caseload was 5.4 per cent over 1950. The most serious congestion is in the Southern District of New York, where sixteen resident judges have pending before them more than one-fifth of all civil cases pending throughout the country. Throughout the nation Brother Tolman relates, the time for disposition of civil cases is increasing, the rise during 1951 being one month, to an average of 12.2 months as compared to 11.2 months for 1950.

Although the volume of criminal cases also increased, Brother Tolman attributes the increase entirely to immigration violations occurring in five districts on the Mexican border. Bankruptcies, he says, increased another 5 per cent over 1950. However, the proportion was much smalled than the preceding four years, which had included increases of 28 per cent in 1949 and 41 per cent in 1948.

Brother Tolman also reviews other aspects of the annual report, including the temporary assignment of judges to district courts outside of their circuits, administrative and personnel statistics, and the probation system.

A.L.S.A. Paper to Be Published at Tulane

The Student Lawyer, first national Law Student newspaper, printed its first issue at Tulane University School of Law under direction of Thomas R. Fadell (Martin Chapter), a senior in the College of Law. The paper is sponsored by the American Law Student Association and will be published at Tulane. It contained articles sent in by the 87 member schools and stories written by prominent jurists, lawyers and legal educators.

Brother Fadell, appointed editor-in-chief by A. L. S. A., is also President of the Law Student Body, President of the Honor Board, and the Board of Editors of the Law Review, Chairman of the Fifth Circuit Convention of A. L. S. A. and Active Member in Phi Alpha Delta.

Working with Brother Fadell are three P. A. D.'s, Richard J. Gallagher, John N. Anton and Juan Jose de Vidaurrazaga.

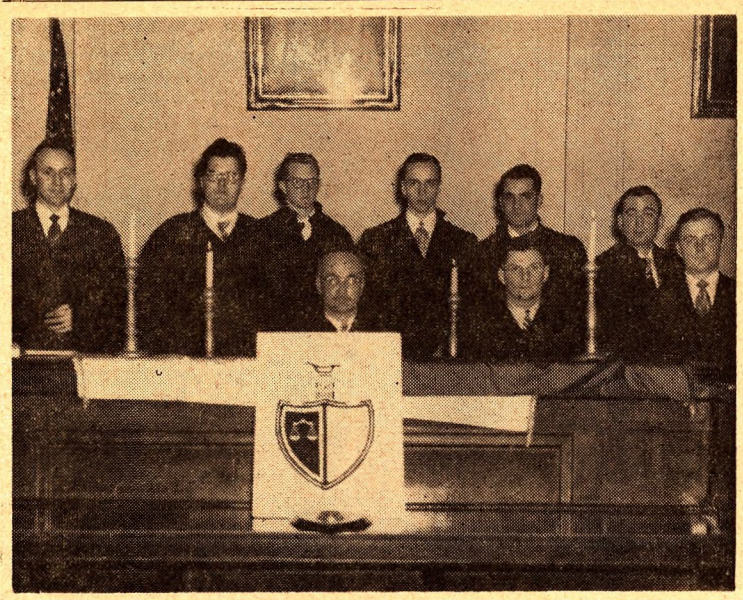
Other P. A. D.'s in activities at Tulane Law School include Gus A. Fritchie, President of the Senior Class, and Malcolm O'Hara, Presiding Justice of the Tulane Moot Court Board.

Inman Editor of Tulane Review

Leslie L. Inman of Martin Chapter and a Law Senior at Tulane University School of Law, has been named Editor of the Tulane Law Review for the Spring Semester.

A Navy Veteran, he received his B.A. degree from Tulane in 1950.

He was one of the original students who re-activated Martin Chapter at Tulane. He also attended the 1950 Convention at French Lick Springs, Indiana. Brother Inman received his B.A. degree while completing his first year of legal work at the Law School.



OFFICERS from Six Active Chapters used to make up the Initiation Teams.

INITIATES TAKING OATH OF OFFICE at joint initiation held February 23rd in Chicago, Illinois. Chapters participating in joint initiation were Blackstone, Fuller, Halleck, Ryan, Story and Webster.

All P.A.D.s Are Not Attorneys

HOWARD B. MILLARD (Left) and Fred H. Young, Capen Alumni, who are in the newspaper business.

"If you are going to practice law in Illinois, why don't you transfer to Wesleyan, we have a very fine Chapter there."

It was Scott W. Lucas, playing ball in the I.I.I. league talking to Howard B. Millard from Illinois, a native of Peoria, after the latter had spent a year at the University of Iowa and was a member of Hammond Chapter of Phi Alpha Delta. The same Lucas who was to become a United States Senator and then Senate Majority Leader, was a graduate of the Illinois Wesleyan University Law School and a member of Capen Chapter.

Taking a tip in deciding to visit Capen Chapter, Millard arrived in Bloomington late one August afternoon and went out to the Chapter House, opened the door and yelled "Hello."

The only one in at that time was Frank H. Young, dressing for a dinner engagement, who invited the stranger upstairs. That was in the summer of 1914 and was the beginning of a warm friendship between the two men, whose lives have been almost in exact parallel.

Young, then in his junior year, was to receive his degree in the Spring of '15, and on the side was Sports Editor of the Bulletin, Bloomington's leading newspaper. During his eligibility at Wesleyan he had been a great basketball star and was considered one of the finest players in the Mid-west. He was not only all conference student for three years, but was a pitcher on the varsity baseball team with a "no hit game" to his credit.

Millard began his basketball and baseball career the year after Young had helped Wesleyan win the hardwood championship of the then "Little Nineteen Conference." He played on the green and white's first undefeated baseball team in '16 and was captain of the basketball team in his senior year in 1917.

But it was after they had graduated from law school that their lives began to ride side by side. After service in the United States Navy during World War I, Young returned to his sports editorship and Millard then finally became assistant editor on the Peoria Star. Young recommended Millard for sports editor of the Decatur Review, as did another P.A.D., French Lane, who was sports editor of the rival Peoria Journal. Based on the recommendation of his two fraternity brothers, Millard took over as Sports Manager for the Decatur Review.

Young started his officiating career in basketball and football in 1914. Millard joined him upon his graduation and for over a quarter of a century they worked many games together. During their officiating carrer, this pair of P.A.D.'s have traveled over 300,000 miles together, by train, plane and auto, not counting the mileage on the gridirons and basketball courts of the country.

Young contributed much to the game in the city of Decatur and he was instrumental in his Alma Mater becoming the first minor college of the country to start making annual jaunts to Dixie for spring training, as well as giving much of his time to junior, municipal and American League Baseball, both State and National.

Millard has occupied about every position in organized ball. He has been business manager and president of Decatur's I.I.I. Clubs, league statistician, president of the Dayton Ohio Club of the Central League for the season of 1929 and the first president of the M. O. V. League when it was oganized as the Illinois State League in 1947.

Many yarns can be written about the experiences of these sports writing P.A.D.'s and their travels. They came from a chapter that produced a number of fine newspaper men.

For many years, French Lane of Capen Chapter was the racing authority for the Chicago Tribune, L. W. "Mike" Meredith has been a valued member of the Chicago Herald American Staff. The late Everett Whightsell was on a Houston paper for many years, and Int Stanley, who followed a newspaper career, is a Capen Chapter product.

Joe Bunting, present General Manager of the Bloomington Panagraph, was Millard's roommate at Capen in 1914-1915. A Chapter that was to pass out when the Wesleyan Law School was discontinued. The Charter was transferred to the University of San Francisco, and the name of the Chapter later changed to Matt Sullivan Chapter.

Young married Helen Morrison of Bloomington in 1916 and Millard was wed to Thelma Brannan of Decatur in 1923. Harry William Millard, the only child of the two families is at present Classified Advertising Manager of the Modesto California Bee.

Yes, both Young and Millard were two peas in a pod except for one thing, the former is a Sigma Chi and the latter a Phi Gam, but only a day separated them both from being Sigs.

In their graduate work they found one another through Phi Alpha Delta and the friendship formed while they were attending law school has continued throughout the years.

P.A.D. Father Swears In P.A.D. Son

F. Ryan Duffy, Jr., a member of Ryan Chapter at the University of Wisconsin, was admitted to practice in the Federal Court, on motion made by his father, F. Ryan Duffy, Sr., Judge of the U. S. Court of Appeals.

Young Duffy was also admitted to practice before the Wisconsin State Supreme Court and the Western Wisconsin Federal District Court on motion by his father.

NOTICE TO CHAPTER CLERKS

Form N was due in Executive Office April 15, 1952

Proposed Constitutional and Bylaw amendments will be mailed to Clerks around May 15, 1952.

Frank E. Rutledge

a member of Phi Alpha Delta for nearly fifty years, died sudenly of a cerebral hemorrhage, on Saturday evening, April 19, 1952, at his home, 61 Meadow Street, Garden City, New York. He was born May 9, 1884, at St. Louis, Missouri, a son of William A. Rutledge and Emma (Neave) Rutledge.

Brother Rutledge became a member of the Fraternity in 1904 through Webster Chapter then at the Chicago Law School, Chicago, Illinois, from which he received his LL.B. degree in 1906. His first official positions in the Fraternity were as Clerk and later as Financial Secretary of his Chapter. At the 10th National Convention of the Fraternity held in Chicago in 1911 he was elected a member of the Board of Tribunes and upon the organization of the Board he was chosen as its Chairman and served faithfully in that office during the term for which he was elected.

For many months immediately following the start of the First World War he was acting Supreme Recorder of the Fraternity.

At the 21st Biennial Convention of the Fraternity held in Cincinnati, Ohio, in December, 1927, he was elected Supreme Vice Justice, which office he held until the 23rd Convention of the Fraternity held in Chicago in 1934 when he was succeeded by Dwight H. Green, who later became Governor of the State of Illinois. At this Convention Brother Rutledge was elected to the newly created office of Supreme Alumni Adviser, which office he held continually until the 26th Convention of the Fraternity held in Kansas City, Missouri, in 1946.

Brother Rutledge labored unceasingly for the growth and the good of the Fraternity. Such offices as he held were not sought by him, but were accepted by him as opportunities to further the advancement of Phi Alpha Delta.

Upon his removal to New York, he promptly affiliated with the New York Alumni Chapter in which he had served as Director and held other official positions.

Frank E. Rutledge honored as he has been by his Fraternity and beloved by those most intimately acquainted with him ever held the highest rank in the respect and admiration of his associates. His gentle disposition, his noble and manly qualities, his earnest attachment and devotion to his friends, and his utterly unselfish nature won for him new friends wherever he went.

Earnest and independent in word and deed, firm in his convictions and sincere and deep in his friendship, he commanded the confidence of his friends and the respect of those of opposing views.

Though the grave hides from earthly view all that was mortal of our late brother, those who knew him, will, with kindly voices, continue to speak his praises, and forever keep his memory green.

In concluding this inadequate tribute to the memory of an esteemed Brother, I join with others of his legal fraternity in a request to those who were bound to him by earth's closest ties that they permit us to mingle our tears with theirs over the loss of him whom we all loved so well.

Brother Rutledge left surviving him his wife, Anne, and two sons, Ellsworth and Richard, and a daughter, Mrs. Carolyn Phelps.

GEORGE E. FINK,
Past Supreme Justice.

District Conclave

(Continued from Page 5)

ney General of the United States. returned to his practice in Montana and then was appointed to the U. S. Court of Appeals of the Ninth Judicial District. Justice Edmonds commented that while Brother Pope was in Washington he undoubtedly had made the right connection.

Revolutionized Law Teaching Today

Justice Pope stated that his speech was based on the title of a well-known book, and a film newsreel. He stated that in his opinion law and life could invariably be tied up with the title "Gone With the Wind" and "Time Marches On." The constant changes of life bring about the constant changes of law. The teaching of law has been revolutionized and today the law schools are producing better lawyers because one has to be to succeed. He stated that many of the professors with whom he had studied law would be unable to comprehend the problems facing the lawyer today and would not even know the title of many of the courses that were being taught. He stated that in the study of law and the practice of law you must realize that you are dealing with humans and as such must act like a human both personally and professionally.

He recalled many problems that faced him in the evolution of the law, and that when he first started practice the problem that faced business men was to reduce to writing their agreement. Today the problem facing business men after they make their basic agreement is how does this affect us from a tax standpoint? How does this affect them from a labor relations standpoint and how does this affect them under the various governmental agencies that have been set up?

During the dinner and preceding the address by Justice Pope, the Active Chapters delegates were introduced. All of them in acknowledging the introduction, paid thanks to the Fresno Alumni Chapter and to the conclave chairman for the excellent arrangements that were made for their entertainment and enjoyment while attending the third annual joint conclave of Districts 2 and 3. The Chapters attending the conclave were Holmes Chapter at Stanford University, Matt Sullivan Chapter at the University of San Francisco, Temple Chapter at Hastings Law School, Ross Chapter at the University of Southern California, Ford Chapter at Loyola University of Los Angeles and Knox Chapter at the University of Arizona. Not represented at the conclave was Field Chapter at the University of California and McKenna Chapter at UCLA.

Lt. B. C. Allen Returns From Korean Fighting

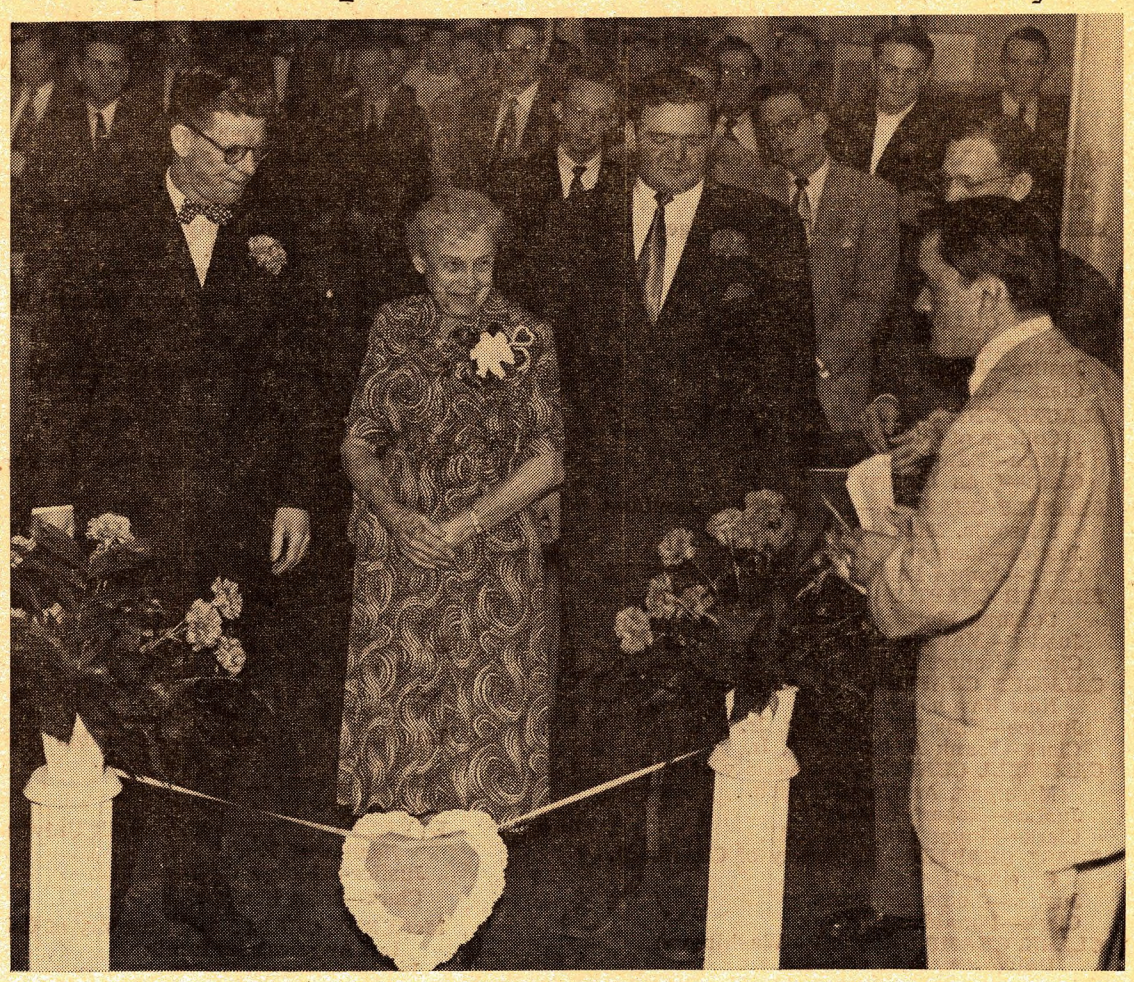
Lt. (j.g.) B. C. Allen, Jr., (Staples) recently returned from the Korean fighting to undertake a new duty assignment with the Pacific Fleet Amphibious Force at Coronado, Calif.

Lt. Allen was ordered to return to active duty with the Naval Reserve in September, 1950. Since that time, he has been an officer on the USS Mt. McKinley which has been in active participation in the Far Eastern combat zones. He has participated in the assault landings at Pohang, Inchon and Wonsan and the redeployment of U.N. forces from Hungnam, each a major action in the Navy's Korean campaign.

During these actions, Lt. Allen was assistant legal officer and division officer on the staffs of Rear Admiral James H. Doyle, Commander of Amphibious Group One, and Vice Admiral Ingolf N. Kiland, Commander of the Pacific Fleet Amphibious Force.

Lt. Allen also saw active service during World War II, having served as legal assistance officer at the Naval Operating Base at Samar, P.I., and assistant watch and division officer on the destroyer USS Dane. Before returning to active duty last year, Lt. Allen was practicing law in Wilson, N.C.

Hughes Chapter Celebrates Valentines Day



Hughes Chapter Officers and members during Sweetheart ceremonies for Mrs. Wilson. Left to right: Vice-Justice George Trim, Mrs. Minnie Wilson, Justice Dean Moyer, George Torbica (foreground), Chairman of the affair.

Librarian Selected as Sweetheart

Hughes Chapter at Denver University selected as their 1952 Sweetheart Mrs. Minnie Wilson, Assistant Librarian of the Law School for the past fifteen years. She was honored during the annual Sweetheart Day Celebration on the Denver U. Campus in recognition of her many years of service to the law students.

Sweetheart Wilson was feted with a luncheon at the Tiffin Dining Room and was presented with an orchid and bouquet of red roses from the Chapter. A letter of commendation from Supreme Justice Douglas L. Edmonds, addressed to Mrs. Wilson, was read at the luncheon.

The ceremonies took place on St. Valentine's Day and was a long overdue recognition of Mrs. Wilson's value to the Law School. She was also honored at an all school assembly. Professor Hurst, Acting Dean and a member of Phi Alpha Delta, presented the orchid to Mrs. Wilson. Dean Moyer, Justice of Hughes Chapter, presented the roses to Mrs. Wilson.

Mrs. Minnie Wilson, Assistant Librarian at Denver University Law School, seated in Sweetheart's Chair during presentation to her on St. Valentine's Day.

McCarty Appointed SF Supervisor

Francis L. McCarty (Temple) has been appointed to fill a vacancy on the San Francisco Board of Supervisors.

A past president of the Barristers' Club, the San Francisco junior bar organization, Brother McCarty has been instrumental in the development of many programs of benefit to young attorneys. He received his undergraduate education at the University of California and earned his LL.B. degree at the Hastings College of Law.

Brother McCarty has been actively identified with Democratic party affairs for several years. During the war he served as hearing commissioner for the Office of Price Stabilization and as chief rent enforcement officer.

Besides his active law practice, Brother McCarty is also an instructor in law at Golden Gate College. His memberships, in addition to Phi Alpha Delta, include Alpha Sigma Phi, the Lawyers' Club, and Presidio Parlor of the Native Sons.

PAD Appointed to National Jesuit Honor Society

Bro. P. Pierre Dominque was appointed by the Very Rev. Paul C. Reinert, S.J., President of St. Louis University, to Alpha Sigma Nu, the National Jesuit Honor Society. Reception in Alpha Sigma Nu is considered the highest honor attainable at a Jesuit University. The members are selected on the basis of scholarship, loyalty, and service.

Bro. Dominque, a senior and past clerk of John L. Sullivan Chapter, is the Editor of the St. Louis University Law Journal and author of several articles. He is active in many university affairs, being the constitutional chairman of the University Conclave. Just recently Bro. Dominique was appointed to "Who's Who among Students in American Colleges and Universities."

Rhone Appointed To Court

Bayard Rhone (Gunter Chapter) was appointed a Judge in the Municipal Court of Los Angeles. He took his oath of office from Superior Judge Joseph W. Vickers (Holmes Chapter).

Judge Rhone had served as Deputy Attorney General of the State of California for many years prior to his appointment to the bench. He is an active member of the Los Angeles Alumni Chapter and participates in fraternal affairs on state-wide basis.

At the induction ceremony, a brief address was given by Judge Rhone's former boss, Chief Deputy Attorney General, William O'Connor (Taft Chapter) who presented Brother Rhone with a new Judicial Robe, a gift from his former associates in the Attorney General's office.

Directory of All PAD Chapters

Active Chapters

BAYLOR CHAPTER—Baylor University, Waco, Texas
Justice—Robert W. Henderson
Clerk—Walter L. Mackey

BENSON CHAPTER—Washburn College of Law, Topeka, Kansas
Justice—Richard Hite
Clerk—Jack Summers

BENTON CHAPTER—University of Kansas City, Kansas City, Mo.
Justice—James P. Jouras
Clerk—James J. Crisp

BLACKSTONE CHAPTER—Chicago-Kent College of Law, Chicago, Ill.
Justice—Edward J. Conley
Clerk—Glen Lantry

BRANTLY CHAPTER—University of Montana Missoula, Montana
Justice—Emmet Walsh
Clerk—James Patten

BREWER CHAPTER—Stetson University, DeLand, Florida
Justice—Malcolm Stephens, Jr.
Clerk—Kenneth Cross, Jr.

CALHOUN CHAPTER—Yale University, New Haven, Conn.
Justice—Ellis W. Manning, Jr.
Clerk—Frank A. McFerran, Jr.

CAMPBELL CHAPTER—University of Michigan, Ann Arbor, Mich.
Justice—Robert Burford
Clerk—Simon J. Morand, III

CHASE CHAPTER—University of Cincinnati, Cincinnati, Ohio
Justice—Louis Schwartz
Clerk—Donald Shear

CLARK, CHAMP CHAPTER—Washington University, St. Louis, Mo.
Justice—Clement Maher
Clerk—Frank M. Hamilton

CLARK, TOM C. CHAPTER—University of Texas, Austin, Texas
Justice—Tom Solomon
Clerk—Joe B. Dibrell, Jr.

CLAY CHAPTER—University of Kentucky, Lexington, Ky.
Justice—Eugene E. Hines
Clerk—Shelley Riherd

COLE CHAPTER—Drake University, Des Moines, Iowa
Justice—Samuel MacAllister
Clerk—James Gritton

CORLISS CHAPTER—University of North Dakota, Grand Forks, N. D.
Justice—Michael McIntee
Clerk—James J. Granner

DUNBAR CHAPTER—University of Washington, Seattle, Wash.
Justice—Franklin L. Calkins
Clerk—Frank J. Pavia

FIELD CHAPTER—University of California, Berkeley, California
Justice—Peter Maier
Clerk—William McDermot

FISH CHAPTER—Mercer University, Macon, Georgia
Justice—William Buffington
Clerk—Cubbedge Snow, Jr.

FLETCHER CHAPTER—University of Florida, Gainesville, Fla.
Justice—Evans Crary, Jr.
Clerk—Roy W. Caldwell

FORD CHAPTER—Loyola University, Los Angeles, Calif.
Justice—Vincent Pagliarulo
Clerk—John E. Finn

FULLER CHAPTER—Northwestern University, Chicago, Illinois
Justice—William J. Isaccson
Clerk—Leonard F. McGee, Jr.

GARLAND CHAPTER—University of Arkansas, Fayetteville, Ark.
Justice—Perry Goodwin
Clerk—Darven L. Brown

GREEN CHAPTER—University of Kansas, Lawrence, Kansas
Justice—Guy L. Goodwin
Clerk—Dan Hopson, Jr.

GUNTER CHAPTER—University of Colorado, Boulder, Colorado
Justice—Graydon F. Dowis
Clerk—Daniel E. Quigley

HALLECK CHAPTER—Valparaiso University, Valparaiso, Indiana
Justice—John Krueckeberg
Clerk—Dale W. Beasey

HAMILL CHAPTER—University of Indiana, Indianapolis, Ind.
Justice—William F. LeMond
Clerk—Robert Spray

HAMMOND CHAPTER—University of Iowa, Iowa City, Iowa
Justice—Elliot McDonald
Clerk—Marvin Adams

HARLAN CHAPTER—University of Oklahoma, Norman, Okla.
Justice—James Peabody
Clerk—Jack F. May, Jr.

HAY CHAPTER—Western Reserve University, Cleveland, Ohio
Justice—Lawrence Brock
Clerk—Robert Lawther

HENRY CHAPTER—University of Richmond, Richmond, Virginia
Justice—Richard Smouse
Clerk—Dorman T. Hall

HOLMES CHAPTER—Stanford University, Palo Alto, California
Justice—Luther J. Avery
Clerk—J. Calvin Simpson

HUGHES CHAPTER—Denver University, Denver, Colo
Justice—Deane Moyer
Clerk—Wililam L. Bromberg

HULL CHAPTER—Cumberland University, Lebanon, Tenn.
Justice—Drake Bingham
Clerk—Guilford Ogilvie

JAY CHAPTER—George Washington University, Washington, D. C.
Justice—Christopher Clayton
Clerk—Richard T. Laughlin

JEFFERSON CHAPTER—University of Virginia, University, Va.
Justice—Guilford D. Ware
Clerk—Stanley Magenheimer

KEENER CHAPTER—Emory University, Atlanta, Ga.
Justice—Nolan B. Harmon
Clerk—George B. Smith

KENT CHAPTER—University of Idaho, Moscow, Idaho
Justice—Francis L. Hummel
Clerk—Marion J. Wright

KNOX CHAPTER—University of Arizona, Tucson, Arizona
Justice—Ernest L. Heimann
Clerk—Don O. Corbitt

LAMAR CHAPTER—University of Mississippi, University, Miss.
Justice—James Ramsey
Clerk—Edward L. Cates

LAWSON CHAPTER—University of Missouri, Columbia, Mo.
Justice—Lane D. Bauer
Clerk—Thomas Derleth

LIVINGSTON CHAPTER—Columbia University, New York, N. Y.
Justice—Paul L. Beck
Clerk—Henry L. Hulbert

LURTON CHAPTER—Vanderbilt University, Nashville, Tenn.
Justice—George G. Boyte
Clerk—John Shofner

McKENNA CHAPTER—University of California, Los Angeles, California
Justice—Warren Sikora
Clerk—Stanley Lourimore

McKINLEY CHAPTER—Ohio State University, Columbus, Ohio
Justice—Dean James
Clerk—Clinton D. Boyd

McREYNOLDS CHAPTER—University of Tennessee, Knoxville, Tenn.
Justice—Arthur H. Stolnitz
Clerk—Abram W. Hatcher

MAGRUDER CHAPTER—University of Illinois, Urbana, Illinois
Justice—Ralph E. Sharp, Jr.
Clerk—Edward J. Connor

MARSHALL CHAPTER—University of Chicago, Chicago, Illinois
Inactive

MARTIN CHAPTER—Tulane University, New Orleans, La.
Justice—William Drazsnyak
Clerk—John H. Welsh, Jr.

MITCHELL CHAPTER—University of Minnesota, Minneapolis, Minn.
Inactive

MORE CHAPTER—Creighton University, Omaha, Nebraska
Justice—James Greene
Clerk—Robert Burkhard

MORGAN CHAPTER—University of Alabama, University, Ala.
Justice—Sam S. Hays
Clerk—John W. Pemberton

PINCKNEY CHAPTER—University of South Carolina, Columbia, S. C.
Justice—Hugh J. Johnson
Clerk—E. B. Cureton, Jr.

RAPALLO CHAPTER—New York University, New York, N. Y.
Justice—LeVone A. Yardum
Clerk—Warren H. Gunther

RASCO CHAPTER—University of Miami, Coral Gables, Fla.
Justice—Carl Stephens
Clerk—James P. Cahill

REESE CHAPTER—University of Nebraska, Lincoln, Nebraska
Justice—Orrin C. Osterholm
Clerk—Donald R. Kanzler

ROBERTS CHAPTER—Temple University, Philadelphia, Pa.
Justice—Bayard M. Graf
Clerk—Vincent N. Grosso

ROSS CHAPTER—University of So. Calif., Los Angeles, California
Justice—Jack R. Levitt
Clerk—Loyal D. Frazier

RUFFIN CHAPTER—University of North Carolina, Chapel Hill, N. C.
Justice—James D. Blount, Jr.
Clerk—I. T. Valentine, Jr.

RUTLEDGE CHAPTER—Duke University, Durham, N. C.
Justice—Frank Montemuro, Jr.
Clerk—Joseph W. Spencer

RYAN CHAPTER—University of Wisconsin, Madison, Wis.
Justice—Joseph Fagan
Clerk—Charles Victor

STAPLES CHAPTER—Washington & Lee University, Lexington, Va.
Justice—E. E. Tucker
Clerk—R. L. Banse

STEPHENS CHAPTER—University of Georgia, Athens, Georgia
Justice—Hinton A. Hicks
Clerk—Thomas A. Parker

STORY CHAPTER—DePaul University, Chicago, Illinois
Justice—Charles Ecklund
Clerk—John E. Dreyer

JOHN L. SULLIVAN CHAPTER—St. Louis University, St. Louis, Mo.
Justice—Bernard P. Ploch
Clerk—Berlin O. Queen

MATT SULLIVAN CHAPTER—University of San Francisco, San Francisco, California
Justice—Claude Perasso
Clerk—Milt Baldwin

SUTHERLAND CHAPTER—University of Utah, Salt Lake City, Utah
Justice—Joe Novak
Clerk—Tom Begley

TAFT CHAPTER—Georgetown University, Washington, D. C.
Justice—John M. Murray
Clerk—Warren E. Whyte

TANEY CHAPTER—So. Methodist University, Dallas, Texas
Justice—James R. Kinzer
Clerk—Edward G. Robins

TEMPLE CHAPTER—Hastings College of Law, San Francisco, Calif.
Justice—Edward Bronson
Clerk—Howard F. McKissick

TIMBERLAKE CHAPTER—Wake Forest College, Wake Forest, N. C.
Justice—Otto K. Pridgen
Clerk—Spencer B. Ennis

VINSON CHAPTER—University of Louisville, Louisville, Ky.
Justice—William F. Burbank
Clerk—Dave Varble

WATSON CHAPTER—University of Pittsburgh, Pittsburgh, Pa.
Justice—Daniel Mushin
Clerk—Roy Markon

WEBSTER CHAPTER—Loyola University, Chicago, Illinois
Justice—Martin J. Burns
Clerk—Paul R. Beecher

WILLEY CHAPTER—University of West Virginia, Morgantown, W. Va.
Justice—Charles M. Harrison
Clerk—James E. Reed

WILLIAMS CHAPTER—University of Oregon, Eugene, Oregon
Justice—J. Kelly Farris
Clerk—Duane K. Craske

WILSON CHAPTER—Cornell University, Ithaca, New York
Justice—Carl Anthony
Clerk—Don Hathaway

ALUMNI CHAPTERS

ALABAMA CHAPTER—University, Alabama
Justice—Charles Nice, Jr.
Clerk—Wm. B. Moore

ATLANTA CHAPTER—Atlanta, Ga.
Justice—King Cleveland
Clerk—Henry B. Troutman

CHICAGO CHAPTER—Chicago, Illinois
Justice—Anthony A. DiGrazia
Clerk—Philip H. Corboy

CLEVELAND CHAPTER—Cleveland, O.
Justice—Edwin F. Sawicki
Clerk—John Butala

DALLAS CHAPTER—Dallas, Texas
Justice—E. Lee Smith
Clerk—H. M. Amlin

DENVER CHAPTER—Denver, Colo.
Justice—Royal R. Irwin
Clerk—Leo Wm. Kennedy

DETROIT CHAPTER—Detroit, Michigan
Clerk—Richard J. Thoma

EAST BAY CHAPTER—Oakland, Calif.
Justice—Samuel H. Wagener
Clerk—Hugo P. Correll

INDIANAPOLIS CHAPTER—Indianapolis, Ind.
Justice—Robert D. Armstrong
Clerk—Thomas J. Falcouner

KANSAS CITY CHAPTER—Kansas City, Mo.
Justice—Gerald L. Gore
Clerk—H. Jay Gunnels, Jr.

LINCOLN CHAPTER—Lincoln, Neb.
Justice—Frank E. Landis
Clerk—J. P. O'Gara

LOS ANGELES CHAPTER—Los Angeles, Calif.
Justice—Frank E. Gray
Clerk—Hon. Daniel N. Stevens

LOUISVILLE CHAPTER—Louisville, Ky.
Justice—Joseph E. Rose
Clerk—Henri L. Mangeot

MADISON CHAPTER—Madison, Wis.
Justice—Glen H. Bell

MIAMI CHAPTER—Miami, Fla.
Justice—J. Tillman Pearson
Clerk—Joe Jennings

MILWAUKEE CHAPTER—Milwaukee, Wis.
Justice—Joseph P. House, Jr.
Clerk—John M. Reinhart

NEW YORK CHAPTER—New York, N. Y.
Justice—Donald G. Schenk
Clerk—Howard F. Cerny

PITTSBURGH CHAPTER—Pittsburgh, Pa.
Justice—Edward T. Tait
Clerk—Stephen Emery

PORTLAND CHAPTER—Portland, Ore.
Justice—Frank S. Sever
Clerk—Richard Carney

ST. LOUIS CHAPTER—St. Louis, Mo.
Justice—R. Forder Buckley
Clerk—Thomas B. Maloney

SALT LAKE CHAPTER—Salt Lake City, Utah
Justice—Paul F. Potter
Clerk—William Frank

SAN FRANCISCO CHAPTER—San Francisco, Calif.
Justice—Edward A. Hogan, Jr.
Clerk—John R. Griffin

SEATTLE CHAPTER—Seattle, Wash.
Justice—J. Orrin Vining
Clerk—Joseph A. Holleman

SHENANDOAH VALLEY CHAPTER—Luray, Virginia
Justice—Lynn Lucas

TALL CORN CHAPTER—Des Moines, Iowa
Justice—Hon. Russell Jordan
Clerk—James E. Steffarud

TOPEKA CHAPTER—Topeka, Kansas
Justice—John Corkhill
Clerk—Willard N. Van Slyck, Jr.

VIRGINIA STATE CHAPTER—Richmond, Va.
Clerk—Oakley J. Graham, Jr.

WASHINGTON CHAPTER—Washington, D. C.
Justice—J. Edgar Snider
Clerk—Robert Redding

WICHITA CHAPTER—Wichita Kan.
Justice—Robert C. Allan
Clerk—Manford Holly