

1956

## Annual Report of the Dean 1955–1956

Joseph O'Meara  
*Notre Dame Law School*

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NOTRE DAME LAW SCHOOL  
ANNUAL REPORT OF THE DEAN  
1955-1956

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rollment is that fewer Notre Dame undergraduates are entering the combination programs. This, in turn, is the result of the higher standards which have been in effect for the last three years, and of the harder work which the higher standards necessitate. In short, the higher standards have acted as an automatic selector, as was anticipated. In consequence, the performance of the combination students has gone up as their number has gone down, as the following table shows.

<u>Year</u>	<u>Number of Combination Students in Entering Class</u>	<u>Number Completing Year Successfully</u>	<u>% Completing Year Successfully</u>
1953-54	64	38	59.4
1954-55	21	15	71.4
1955-56	16	13	81.25

In addition, of the 10 ranking students in last year's beginning class, based on performance for the full year, three were combination students. In contrast, not one of the 11 Notre Dame degree students achieved this distinction.

New applications for 1956-57 are running slightly ahead of last year: 171 against 165, as of August 15. Last year's experience indicates that the number of beginning students who register in September is slightly less than 40% of the number applying for admission. This is, however, a slender basis for prediction.

The source and status of the applications for admission in September are shown in the following table.

Applications for Admission in September 1956

	<u>Total Applications</u>	<u>Rejected or Withdrawn</u>	<u>Pending</u>	<u>Net Accepted</u>
<u>Notre Dame Students</u>				
With degree	32	6	1	25
Combination	17			17
<u>Non-ND Students</u>				
With degree	118	49	7	62
Veterans*	<u>4</u>	<u>1</u>		<u>3</u>
	171	56	8	107

\*Only three years of college work

Of the total applications for admission in September, 71.3% are from non-Notre Dame men, that is, students who have an undergraduate degree from an educational institution other than Notre Dame. This continues the trend which has been apparent for several years, as the following table shows.

Non-Notre Dame Men in Entering Class

	<u>Number</u>	<u>%</u>
1953	20	18
1954	24	36.5
1955	33	56.5

This trend, as I said last year, is a salutary one. An increase in the number of non-Notre Dame men is desirable because it gives us a broader base. A student body is enriched by representation from many institutions of higher learning across the country. Furthermore, as the number of students from other colleges and universities rises, so will the incentive for outstanding Notre Dame men to study law in the Notre Dame Law School.

In contrast to the rising number of non-Notre Dame men, the table on page 1 shows that the number of Notre Dame degree men has been declining. A reversal of this latter trend may be in the making. We have on hand 25 accepted applications from men with an undergraduate degree from Notre Dame. Of these, five were graduated magna cum laude; five cum laude. Present indications, therefore, are that both the number and the quality of Notre Dame degree men entering in September will surpass last year.

Our total enrollment in September this year will be down substantially from last September. I do not think we can count on more than approximately 145. The number in each class in September 1954 and 1955, and the estimated number in each class in September 1956 follow:

	<u>1st year</u>	<u>2d year</u>	<u>3d year</u>	<u>Total</u>
1954	72	68	61	201
1955	62	46	59	167
1956	60-70	38	43	141-151

The population experts assert that the year 1958 will see the beginning of a sharp upswing in the number of students graduated annually from the nation's colleges. A corresponding increase is expected in the number of students entering the law schools of the country. We will get our share of this increasing number of law students.

Recruitment

God helps those who help themselves; and we do not intend to rely

on the anticipated increase in the country's law-school population, although we necessarily will benefit from it. Our recruitment program will be further intensified next year, both on and off campus.

I am planning a series of lectures for Notre Dame pre-law students to acquaint them with various aspects of the legal profession, its traditions and ideals and its role in a democratic society. For this purpose I expect to call upon outstanding judges and practitioners as well as members of our faculty.

The final lecture of the series I plan to give myself and, on that occasion, will answer fully and frankly, to the best of my ability, any and all questions concerning the legal profession and preparation for it. I held two question-and-answer meetings of this sort last spring, as I have done each year since coming to Notre Dame.

In 1955-56 our third-year students, the men who were graduated in June, did a first-rate job of presenting to Notre Dame undergraduates the advantages of the Notre Dame Law School. They presented a program via the student radio station, WNDU; organized a campus-wide meeting of pre-law students at which several of the class leaders spoke; and subsequently held question-and-answer meetings in two of the senior residence halls. These activities were climaxed by a smoker in the Student Lounge in the Law Building, to which all pre-law students were invited.

I am confident our students will be equally active in 1956-57.

Beginning last fall, recruitment visits were made to 16 colleges and universities, as shown by the table on the following page.

As the table shows, active assistance (and very effective assistance, I am confident) was rendered by Judge Desmond, a member of our Advisory Council; by Mr. Joseph F. Deeb, a former president of the Notre Dame Law Association; by Messrs. Roger P. Brennan and John J. Locher, Jr., directors of the Notre Dame Law Association; and by Messrs. George W. Vander Vennet and William B. Lawless, members of the Notre Dame Law Association. With the exception of Judge Desmond, each of these men spent a full day, in the company of a member of our faculty, at one of the institutions visited. Judge Desmond spent two full days, one at Canisius College and the other at Niagara University.

<u>Name of Institution</u>	<u>Location</u>	<u>Visited by</u>
Aquinas College	Grand Rapids, Mich.	Asst. Dean Broderick and Mr. Joseph F. Deeb of Grand Rapids, a former president of the Notre Dame Law Association
Canisius College	Buffalo, New York	Asst. Dean Broderick and Judge Charles S. Desmond of the New York Court of Appeals, a member of the Advisory Council
College of St. Thomas	St. Paul, Minn.	Dean O'Meara
Fairfield University	Fairfield, Conn.	Professor Kellenberg
Iona College	New Rochelle, N. Y.	Professor Kellenberg
John Carroll University	Cleveland, Ohio	Professor Barrett and Mr. Roger P. Brennan of Cleveland, a director of the Notre Dame Law Association
Loras College	Dubuque, Iowa	Dean O'Meara and Mr. John J. Locher, Jr., of Cedar Rapids, a director of the Notre Dame Law Association
Niagara University	Niagara Falls, N.Y.	Asst. Dean Broderick and Judge Charles S. Desmond of the New York Court of Appeals, a member of the Advisory Council
Rockhurst College	Kansas City, Mo.	Professor Ward
St. Ambrose College	Davenport, Iowa	Dean O'Meara and Mr. George W. Vander Vennet of Davenport, a member of the Notre Dame Law Association
St. Benedict's College	Atchison, Kansas	Professor Ward
St. Bonaventure	St. Bonaventure, N.Y.	Asst. Dean Broderick and Mr. William B. Lawless of Buffalo, a member of the Notre Dame Law Association
St. John's University	Collegeville, Minn.	Dean O'Meara
St. Joseph's College	Collegeville, Ind.	Professor Kellenberg
St. Peter's College	Jersey City, N. J.	Professor Kellenberg
Xavier University	Cincinnati, Ohio	Dean O'Meara



This coming year I hope to further expand the number of schools visited.

As in the past, every Catholic college and university and every active Newman Club chaplain will be circularized at least twice. In addition, an effort will be made to establish liaison with a faculty member, friendly to the Notre Dame Law School, in educational institutions not under Catholic auspices. This is in line with a suggestion by Justice Walter V. Schaefer of the Supreme Court of Illinois, a member of our Advisory Council. He felt, and I agree, that such contacts in leading educational institutions can be most helpful to us. Contacts have already been established at the University of Chicago and at Princeton.

Last spring Father John J. Cavanaugh, C.S.C., suggested the desirability of an attractive brochure designed to acquaint prospective law students and pre-law advisers with the distinctive features and advantages of the Notre Dame Law School. There is real need for a brochure of this sort, and I hope to have one ready in the near future.

The recruitment program is not designed merely to enlarge the student body. It seeks also, and primarily, to attract students of exceptional talent. This is most important because, as I have said more than once, no law school can become great or continue great without a topnotch student body. The finest faculty ever assembled will produce indifferent results if the students are mediocre. The best of faculties needs the stimulation of keen, alert, diligent students. And the student body needs stimulation from its own ranks as well as from its instructors. In a great law school the faculty and the students are constantly infecting one another with enthusiasm and zeal.

### Scholarships

This is why a student who has a really first-rate college record and a good score on the Law School Admission Test can obtain a scholarship at any of the country's leading law schools. The chances are, indeed, that he will not have to ask for a scholarship; he is apt to be sought out and offered a scholarship, sometimes by several institutions. As Justice Schaefer has said, outstanding pre-law students are sought after almost as eagerly as young athletes.

When I came to Notre Dame there was not a single dollar of scholarship money available. Under the leadership of Mr. Clarence J. Donovan, when he was president in 1953-54, the Notre Dame Law Association undertook to correct this unhappy situation. It inaugurated a scholarship program designed, when in full operation, to supply the funds necessary for 30 full-tuition scholarships a year. This project has moved ahead steadily, and is gathering speed and momentum under the inspired leadership of Mr. Norman J. Barry of Chicago, now serving his second term as president of the Association. Our gratitude is due also for the loyal and effective work of the National Scholarship Chairman, Mr. Frank J. McCarthy of Washington, D. C., a member of the Advisory Council.

In addition to the funds thus made available by the Notre Dame Law Association, a number of named scholarships have been established. They are described as follows in our Bulletin:

The John J. Cavanaugh Law Scholarships -- Founded by Rev. Theodore M. Hesburgh, C.S.C., President of The University of Notre Dame, in honor of his predecessor, Rev. John J. Cavanaugh, C.S.C. The University awards annually two 3-year tuition scholarships for study in the Notre Dame Law School, one to a graduating senior in the University's College of Arts and Letters and the other to a graduating senior in the College of Commerce. These awards are made only to students who have demonstrated exceptional scholastic ability.

The Charles F. Williams Law Scholarships -- Established in June of 1954 under the will of Charles F. Williams of Cincinnati, Ohio, a member of the Associate Board of Lay Trustees from 1948 until his death in September of 1952. The income from \$50,000 will be awarded annually, in amounts to be determined from time to time, to students of unusual promise.

The F. Henry Wurzer and Louis C. Wurzer Law Scholarship -- Established in May of 1954 by relatives and friends of F. Henry Wurzer, '98, and Louis C. Wurzer, '96. The stipend is \$1,500, which may be awarded to one outstanding student or divided among several.

The John M. Touhy Law Scholarship -- Established by a friend in February of 1955 in honor of the late John M. Touhy of the Appellate Court of Illinois. The stipend is \$1,500 annually, which may be awarded to one student of outstanding ability or divided among several.

The Andrew A. Hellmuth Law Scholarship -- Established in April of 1955 by Paul F. Hellmuth, '40, a member of the Advisory Council, in honor of his father, the late Andrew A. Hellmuth of Springfield, Ohio. The stipend is \$750.

The George G. Hughes Law Scholarship -- Established in October of 1955 in honor of the late George G. Hughes of New York City by two of his friends in South Bend. The stipend is \$750.

The Advisory Council Scholarship -- Established in November of 1955 by a member of the Advisory Council. The stipend is \$750 a year for three years.

All except the Charles F. Williams Law Scholarships and the John M. Touhy Law Scholarship are on a year-to-year basis, that is, the donors are under no obligation beyond the current year.

A recent benefaction, for which we are most grateful, established The McCune Foundation Scholarship. The donor is Mr. C. N. McCune, a member of the Advisory Council, and the stipend is \$500 a year for three years.

Altogether 14 students received scholarship assistance in 1955-56, of the value of approximately \$9375. About 20 of our students will receive scholarship assistance in 1956-57.

Notre Dame is a high-cost law school, more expensive than all but a handful of our competitors, namely, Columbia, Cornell, Harvard, New York University, Pennsylvania and Yale. This, more than anything else, deters promising students from coming to Notre Dame. For example: As of August 15, 42 prospective students, who had submitted applications for admission in September, withdrew them after acceptance. Of these, 22 or 52.4% explained that they were under the necessity of withdrawing because of financial considerations.

Nor is that the whole story. As of August 15, we had received 355 inquiries from prospective students. To each of these I wrote a personal letter, enclosing our Bulletin and an application blank. Of the 355, less than half, 48.1% to be exact, applied for admission. On the basis of the available evidence, I have little doubt that most of the remaining 51.9% concluded they could not afford to study law at Notre Dame.

One thing I notice increasingly is that more and more excellent prospects, having been helped through college by their parents, are reluctant to accept further aid from them. The following extracts from letters received in the recent past, all from first-rate students, are typical of this attitude.

"My father has been very generous in the past, but I know that any help he could give me now would be a serious burden to him .... I do not intend to ask my father to help me through law school; rather, I will undertake the task on my own resources."

. . . . .

"My father has till this time accepted the burden of the expense (of my education), and has offered to do likewise for my law school expenses. However, this has been, and will be, only at great sacrifice to himself and I cannot justify continuing at Notre Dame under these conditions."

. . . . .

"My father is in public relations, but has been forced by heart trouble to go into partial retirement, and my mother is at present working full time. I have three younger sisters, the oldest of whom will be entering college this fall. For these reasons I am very interested in continuing my education at no further expense to my parents."

Since they are reluctant to accept further aid from their parents, these men are under extreme pressure to enroll in the law school of their state university, or in some other law school close to home, where the cost is very much less than at Notre Dame.

There are only two ways to meet this situation. One is to make the Notre Dame Law School so good that the kind of student we want will not hesitate to make the sacrifice necessary to come here. The other is to have sufficient financial aid available for deserving students to cope with the realities of our competitive situation.

Financial assistance to students need not all be in the form of scholarship grants. Indeed, it should not be. We have great need for a revolving loan fund from which students could borrow their requirements, within reasonable limits, on easy terms as regards interest and repayment. This need is really urgent, and I hope a way can be found to establish such a fund in the near future.

### Mortality

The number of students dismissed for scholastic deficiency in each of the last three academic years is shown in the following table:

	<u>1st year</u>	<u>2d year</u>	<u>3d year</u>
1953-54	19.2%	12%	10.5%
1954-55	15.9	14.9	5.0
1955-56	17.7	6.5	1.7

Last year's mortality in the second and third years was more in line with normal expectations.

The total first-year attrition, including voluntary as well as involuntary withdrawals, for the last three academic years is shown in the following table.

<u>1953-54</u>	<u>1954-55</u>	<u>1955-56</u>
47.1%	34.9	30.6%

### Student Morale

The spirit of the student body has continued to improve. As a matter of fact, I doubt that it was ever better than it is now. The students are beginning to get the pitch of the new program; and, as they progress in it, experience a sense of achievement which, in turn, gives them a feeling of pride in themselves and in the School.

The forgotten people of The Law School have surely been the wives of the married students. Each year I have suggested to the officers of the Student Law Association that something ought to be done about it. Last year something was done about it: the Law Wives Club was organized. At the invitation of Mrs. O'Meara, the members held their first meeting in our home and climaxed the year with a garden party at our place to which they brought their husbands. In between, they held monthly get-togethers which, I feel sure, helped to break the monotony of what must be, for most of them, a pretty hemmed-in and humdrum existence.

### Placement

There has been a definite upturn in job opportunities for our graduates. To some extent, no doubt, this is a consequence of the shortage of available young lawyers due, at least in part, to the demands of the armed services. But, unless I am mistaken, more than this is reflected in the cordiality of the reception extended to our graduates and the increasing demand for their services. I think it fairly can be said that desirable professional opportunities are available to every man who makes a good record in the Notre Dame Law School.

## THE PROGRAM OF INSTRUCTION

Our curriculum and teaching methods are kept under constant surveillance, to the end that no opportunity for improvement will be overlooked. There were no significant innovations in 1955-56, but there are two points which merit attention.

### Problem Method

We make rigorous use of the case method in the first year. In the second and third years we emphasize the problem method. This method concentrates on working out legal problems (two kinds of problems, research problems and class problems) instead of emphasizing analysis of judicial opinions, as the case method does. The years since our program was put into effect in September 1953 have been transitional years; and not until 1955-56 was the problem method in full operation, and then only in the second year. It will be in full operation in the third year for the first time in 1956-57.

Beginning in September, members of the faculty teaching third-year courses as well as those teaching second-year courses will be expected to concentrate in class on problems carefully prepared and mimeographed in advance. These problems will be of such nature that a student will be unable to cope with them unless he has read and mastered his case-book assignment. But the class period will be devoted to the discussion of the problems rather than the assigned material in the case book.

In addition, each member of the third-year or graduating class will be required to make a thorough study of a live legal problem selected by him in consultation with his instructors, and to write an acceptable report. To be acceptable, the study and the written report will have to meet exacting standards. No one who falls short will receive a degree.

#### Combination Programs

I am much impressed by a suggestion recently made by Father Hesburgh, namely, that, as soon as practicable, the combination programs be restricted to honor students, that is, those having a cumulative average of 88 or better.

Meanwhile, I shall continue to seek a solution for the persistent problems created by these programs, some of which I have discussed in earlier reports.

#### Our Approach to Legal Education

Because of its importance, I should like to reiterate what I have said in this regard.

"I have abandoned the traditional approach, still followed in greater or less degree in most of the nation's law schools, which leaves pretty nearly everything to the discretion of the individual teacher. Given things as they are in today's world, my thesis is that best results will be obtained by a concerted attack upon the educational problem by the faculty working as a team. This does not mean that every teacher will be required to adhere to a rigid pattern of instruction. But it does mean uniformity of approach and close collaboration among members of the faculty to insure that each course will play its assigned role in a co-ordinated pedagogical campaign.

"This approach is a virtual impossibility in most law schools, particularly large schools like Harvard and Michigan. The latter offer advantages which, if we are honest, we must admit we will not be able to match in the foreseeable future. It is just as true, on the other hand, that we can do what

they cannot, and that is to provide an integrated program calculated to encourage the professional ideals and develop the professional competence we have set as our goals. It is my purpose, therefore, not to imitate others but to concentrate on exploiting the advantages our own particular situation puts within our reach: a balanced program which takes account of the significance of historical and philosophical learning; small classes and the intensive training they make possible in working with legal materials; close liaison between faculty and students; close and cordial collaboration among the members of the faculty. In due time these will enable us to affirm with full confidence that there is no better law school than the one at Notre Dame."

### THE FACULTY

My purpose has been and is to augment the full-time faculty by recommending the appointment of outstanding young men as they become available. It is a pleasure, therefore, to report that Mr. Robert E. Rodes, Jr., a young man of great brilliance, will join us in September. After being graduated magna cum laude from the Harvard Law School, he spent two years on the legal staff of the Liberty Mutual Insurance Company in Boston. For the last two years he has taught at Rutgers University School of Law. This summer, as last, he is serving as law secretary to the Appellate Division of the Superior Court of New Jersey. I have the highest hopes for him. Mr. Paul F. Hellmuth and Mr. H. Clay Johnson, members of the Advisory Council, were helpful in the negotiations which led to Mr. Rodes' decision to come to Notre Dame.

One of the high points of last year was the acceptance by Mr. Clarence B. Randall, former chairman of Inland Steel Company, of an invitation to deliver a series of lectures in The Law School under the University's distinguished professors program. Subsequently, Mr. Randall was appointed Special Assistant to the President of the United States, in which capacity he will be Chairman of the Council on Foreign Economic Policy, a member of the President's Council of Economic Advisers, Administrative Assistant for Economic Affairs and Special Assistant for National Security Affairs. This makes it impossible for him to deliver the lectures, as planned, in the second semester of 1956-57. I do not attempt to conceal my disappointment; but I agree that his public responsibilities must come first. He made that clear when he accepted our invitation. I confess, however, I am impatient for the time when he will be free to participate actively in our program.

Honorable Luther M. Swygert, United States District Judge for the Northern District of Indiana, who has been in charge of our Practice Court, has been ill and this has forced him to ask for a year's leave of absence. We will miss Judge Swygert, who has done an outstanding job for us.

Professor Chroust's book, entitled Socrates: Man and Myth, has been accepted for publication by Routledge & Kegan Paul, Ltd., of London.

His article on "Natural Law and Legal Positivism", published in 13 Ohio State Law Journal 178-186 (1952) has been selected from among several hundred papers on jurisprudence for publication in a collection of the most significant American writings on jurisprudence since 1945. This collection is sponsored by the State Department and will be distributed throughout the world as a monument to America's contributions to contemporary science and culture.

Professor Chroust has been appointed to the Committee on Jurisprudence of the Association of American Law Schools for the year 1956-57.

Before coming to Notre Dame, Professors Wagner and Ward had completed the course work for the S.J.D. degree, Professor Wagner at Northwestern and Professor Ward at Yale. Each is now completing his doctoral thesis, and I expect to be able to record in my next report that the S.J.D. has been awarded to both of them.

A list of publications by members of the faculty for the academic year 1955-56 is appended.

#### MOOT COURT COMPETITION

The final argument in the 1954-55 Moot Court Competition was held on October 25. The Court which sat on that occasion was composed of:

Mr. Justice Tom C. Clark of the Supreme Court of the  
United States

Judge Potter Stewart of the United States Court of  
Appeals for the Sixth Circuit

Judge W. Lynn Parkinson of the United States District  
Court for Northern Indiana

Messrs. Ronald P. Mealey and Edward F. Broderick, Jr., both of New Jersey, were adjudged the winners. They represented us in the Regional Moot Court Competition in Chicago in November. After defeating teams from the Chicago-Kent College of Law and Northwestern University School of Law, they were defeated by the team representing the University of Chicago Law School.

The Appellate Court of Indiana heard the arguments in the semi-final round of the 1955-56 competition on April 20, sitting in two divisions of three judges each. The four students who survived the semi-finals will participate in the final argument to be held next October. The Court at that time will be composed of:



Mr. Justice John M. Harlan of the Supreme Court of the  
United States

Judge Charles E. Whittaker of the United States Court of  
Appeals for the Eighth Circuit

Judge Charles J. McNamee of the United States District  
Court for the Northern District of Ohio

#### BAR EXAMINATION RESULTS

The box score of our June 1955 graduates is as follows. There were 49 graduates in June 1955. 40 of these have taken the bar examination in the state where they intend to practice. Of the 40, 38 passed and have been admitted to the bar. Of these 38, seven passed on the second try, having failed the first time.

In addition to the 38 who passed the examination in the state of intended practice, six were admitted on motion, a privilege extended by some states to men in the armed services. Thus, of 49 who were graduated in June 1955, 44 are now members of the bar in the state where they intend to practice.

Of the remaining five, two failed the bar examination in the state of intended practice on the first attempt and have not retaken it. The other three, by reason of illness or other cause, have not yet taken the examination.

Of the 40 who took the bar examination in the state of intended practice, six took it also in a jurisdiction other than that of intended practice. Of the six, four failed; only two passed. There is, of course, not the same incentive to pass in a jurisdiction where one has no intention of practicing.

As I said last year, I do not think law schools can fairly be judged by the success or failure of their students on the bar examination. On the average, nevertheless, graduates of a good school should make a good showing. The record of our June 1955 graduates represents further improvement, but cannot be considered satisfactory.

#### SPECIAL EVENTS

##### Demonstration Trial

On October 8, 1955 a demonstration trial was staged in Washington Hall before Judge F. Kenneth Dempsey, of the Superior Court of St. Joseph County, and a jury of first-year law students. The plaintiff was represented by Mr. Roland Obenchain, Jr., and the defendant by Mr. George N. Beamer, both experienced and able trial lawyers in South Bend.

We borrowed for the purpose a series of motion pictures of an automobile striking a pedestrian. There were four films, each taken from a different vantage point. Each of those who testified about the accident was shown only one of the several films. The lawyers did not see any of the pictures, and so had to rely on what they could get from the witnesses when they were interviewed before the trial.

The purpose of the demonstration trial was to galvanize the interest of the students at the threshold of the schoolyear, and to enable them to bring to their studies the greater insight afforded by seeing for themselves at first-hand how the judicial process works.

Judge Dempsey and Messrs. Obenchain and Beamer made a real contribution.

#### Anniversary of Chief Justice Marshall

Our students were invited to a special meeting of the St. Joseph County Bar Association on February 8 in honor of the 200th anniversary of the birth of Chief Justice Marshall. Mr. Thomas M. Scanlon, president of the Indiana State Bar Association, was the principal speaker. As a result of this very successful meeting, I have discussed with the officers of the St. Joseph County Bar Association the possibility of a joint meeting of practitioners and students each year. Their response has been favorable.

#### Politics Institute

What we called a Politics Institute was held on February 21. There were four speakers, all young men actively engaged in politics. The Republicans were represented by

Honorable C. William O'Neill, 40, Attorney General of Ohio and Republican candidate for governor in November

Mr. Ronald Webster, Jr., 37, a practicing lawyer in Phoenix and Chairman of the Maricopa County Republican Central Committee

The Democrats were represented by

Honorable Philip A. Hart, 44, Lieutenant Governor of Michigan

Mr. Richard J. Nelson, 39, Assistant Manager of Industrial Relations for Inland Steel Company and former president of the Young Democratic Clubs of America

Each member of the panel read a short paper on the role and opportunity of the young man, particularly the young lawyer, in politics. Opportunity was then afforded the students to ask questions -- an opportunity of which they took full advantage. In fact, the question-and-answer session was the real feature of the program, as it was intended to be.

All of the speakers underlined the opportunity for public service afforded by politics to members of the legal profession. This, really, was the main purpose of the Institute, for certainly there is urgent need for responsible leaders in these troubled times.

#### Law Honor Banquet

Mr. Robert F. Kennedy, Chief Counsel and Staff Director of the Senate Permanent Subcommittee on Investigations and a member of our Advisory Council, was the featured speaker at the Law Honor Banquet on April 12. The Law Honor Banquet, held each year under the auspices of the Student Law Association, serves the dual purpose of saying bon voyage to the members of the graduating class and recognizing the achievements of the School's student leaders.

Mr. Kennedy spoke on "Colonialism within the Soviet Union" and made a deep impression. He pointed out that Russia, which often levels the charge of colonialism against the United States and her allies, herself imposes a colonialism "of a peculiarly harsh and intractable kind" on the 18,000,000 people of the Soviet Central Asian Republics, whose freedom the Communists have been permitted to wipe out "with hardly any objection from us."

#### NATURAL LAW INSTITUTE

The Natural Law Institute, a function of the Notre Dame Law School, was organized in 1947. Five annual convocations were held under its auspices, the last one in December 1951. Thereafter, a search was undertaken for a way in which the institute could function effectively on a year-round rather than a once-a-year basis. After exploring many possibilities, it was decided to publish a journal of natural law studies, to be known as the Natural Law Forum.

The first issue of the Forum came out early in July. It has been well received.

The Forum is published, under the auspices of the Notre Dame Law School, by the following editorial board:

#### Editor-in-Chief

Professor Antonio De Luna, The University of Notre Dame  
and the University of Madrid

Associate Editors

Professor Vernon J. Bourke, St. Louis University  
Professor A. H. Chroust, Notre Dame Law School  
Mr. George W. Constable, Baltimore, Md.  
Professor William J. Curran, Boston College Law School  
Professor A. P. d'Entrèves, Oxford University, England  
Professor Lon L. Fuller, Harvard Law School  
Professor Myres S. McDougal, Yale Law School  
Professor F.S.C. Northrop, Yale Law School  
Professor H. A. Rommen, Georgetown University  
Professor Leo Strauss, The University of Chicago  
Professor John Wild, Harvard University

Contributors to the first issue include the following members of the editorial board, namely, Professors d'Entrèves, McDougal, Bourke and Chroust and Mr. Constable, and, in addition, the following:

Gottfried Dietze, Assistant Professor of Political Science  
in the Johns Hopkins University

René Théry, Professor of Law in École Libre du Droit,  
Facultés Catholiques, Lille, France

Freiherr von der Heydte, Professor of Law in the University  
of Wuerzburg

Guido Fassò, Professor of Law in the University of Parma

Antonio Truyol, Professor of Law in the University of Murcia, Spain  
and University of Lisbon, Portugal

Joseph P. Witherspoon, Jr., Professor of Law in the University of  
Texas School of Law

In addition to the editor and associate editors named above, the  
Forum has a distinguished group of advisory editors, as follows:

Professor Felice Battaglia, University of Bologna, Italy  
Professor Edgar Bodenheimer, University of Utah College of Law  
Professor Brendan F. Brown, School of Law, Loyola University  
of the South  
Mr. Huntington Cairns, National Galleries, Washington, D.C.  
Professor Edward S. Corwin, Princeton University  
Reverend Thomas E. Davitt, S.J., Marquette University Law School  
Honorable Charles S. Desmond, New York Court of Appeals  
Honorable Charles Fahy, United States Court of Appeals for the  
District of Columbia Circuit  
Professor Guido Fassò, University of Parma, Italy  
Honorable Jerome N. Frank, United States Court of Appeals for  
the Second Circuit

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Professor Eduardo Garcia Maynez, National University of Mexico  
Professor George W. Goble, University of Illinois College of Law  
Professor Jerome Hall, Indiana University School of Law  
Professor Freiherr von der Heydte, University of Wuerzburg, Germany  
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Professor Friedrich Kessler, Yale University Law School  
Honorable Roger J. Kiley, Appellate Court of Illinois  
Professor Jacques Leclercq, University of Louvain, Belgium  
Professor Luis Legaz, University of Santiago de Compostela, Spain  
Professor Luis Cabral de Mancada, University of Coimbra, Portugal  
Professor Radhabinod Pal, University of Calcutta, India  
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Dean Miriam Theresa Rooney, Seton Hall University School of Law  
Professor René Théry, École Libre du Droit, Facultés Catholiques,  
Lille, France  
Professor Antonio Truyol, Universities of Lisbon, Portugal, and  
Murcia, Spain  
Professor Joseph P. Witherspoon, University of Texas School of Law  
Professor Erik Wolf, University of Freiburg i.Br., Germany

It is hoped that, eventually, the advisory editors will include every recognized scholar anywhere in the world who is actively interested in natural law, regardless of race and religion.

#### LAW BUILDING

I reported last year that Mr. Frank Montana, Head of the University's Department of Architecture, had been authorized to make a study of the Law Building, which was poorly planned and is inadequate for our needs. After considering a number of possibilities, he has suggested that the Law Building be extended to the east. The building has two wings, both on the east side, one at the north and the other at the south end; and, speaking generally, the proposed extension would be accomplished by running a wall south from approximately the eastern end of the northern wing. In Mr. Montana's opinion, this is the least expensive and most feasible way to get the additional space which is required for the storage of books and for faculty offices.

#### Former Deans

Portraits of all former deans of the Notre Dame Law School are now hanging in the Practice Court. The portrait of Dean Hoynes has been there for some time. I secured pictures of the others, namely, Dean Francis J. Vurpillat, Dean Thomas Konop and Dean Clarence E. Manion; and the Notre Dame Law Association had them framed. They were hung late this spring.

#### ADVISORY COUNCIL

I reported last year that an outstanding event of 1954-55 was the organization of our Advisory Council. Meetings of the Council were held in November 1955 and May 1956. They were successful meetings. The members of the Council have demonstrated deep interest in the Notre Dame Law School, and I look forward to a long and increasingly fruitful association with them.

After the May meeting of the Council, Mr. Paul F. Hellmuth, Chairman pro tem, appointed two committees, namely, a Building Committee and a Library Committee. According to Mr. Hellmuth, the purpose of the Building Committee is "to work with Dean O'Meara and the Administration of the University to develop the best possible plans for expansion of the present Law School building." Members of the Building Committee are Messrs. Oscar John Dorwin, Bernard J. Voll and Aaron Huguenard, the last named being chairman.

Justice Walter V. Schaefer accepted the chairmanship of the Library Committee, whose purpose, as stated by Mr. Hellmuth, is "to work with the dean and the faculty in developing as well balanced an operating library at The Law School as possible."

#### CONCLUSION

We made some progress in 1955-56. For what was accomplished thanks are due to many people -- to the Administration and particularly Father Hesburgh and Father Moore, to the faculty, to the officers of the Student Law Association, to Father Walsh, Rector of Fisher Hall, to the officers and directors of the Notre Dame Law Association and to the members of the Advisory Council. For all the help and the many kindnesses I have received I am sincerely grateful.

Respectfully submitted,

JOSEPH O'MEARA  
Dean

## FACULTY PUBLICATIONS 1955-56

Edward F. Barrett

### Articles

"The Practice Court at Notre Dame," 31 Notre Dame Lawyer 28-45 (1955)

"The 'Catholic' Law School and the Natural Law," LVI Homiletic and Pastoral Review 904-917 (1956)

### Book Reviews

C. M. Schmitthoff, The English Conflict of Laws, 3rd ed. (London: Stevens and Sons, Ltd., 1954) 30 Notre Dame Lawyer 703-707 (1955)

Lord Justice Alford Denning, The Road to Justice (London: Stevens and Sons, Ltd., 1955) to be published in the August 1956 issue of the Notre Dame Lawyer

John J. Broderick

### Book

Fourth Annual Proceedings of the Union-Management Conference on Current Issues in Collective Bargaining (University of Notre Dame, 1956). Co-editor.

Anton-Hermann Chroust

### Book

Socrates: Man and Myth, The Two Socratic Apologies of Xenophon, accepted for publication by Routledge & Kegan Paul Ltd. of London, England

### Articles

"Xenophon, Polycrates, and 'The Indictment of Socrates,'" 16 Classica et Mediaevalia 1-77 (1955)

"Loyalty and Treason in Ancient Greece," 11 Quarterly Bulletin, History Teacher's Club no. 3 9-12 (1956)

"The Emergence of Professional Standards and the Rise of the Legal Profession: The Graeco-Roman Period," to be published in the Fall 1956 issue of the Boston University Law Review

Anton-Herman Chroust (Continued)

"The Legal Profession during the Middle Ages: The Emergence of the English Lawyer Prior to 1400," Part I to be published in the August 1956 issue of the Notre Dame Lawyer; Part II in the December 1956 issue of the Notre Dame Lawyer and Part III in the March 1957 issue of the Notre Dame Lawyer

"The Beginning, Flourishing and Decline of the Inns of Court: The Consolidation of the English Legal Profession after 1400," to be published in the December 1956 issue of the Vanderbilt Law Review

"A Proposal for a New Definition of Law," to be published in the December 1956 issue of the Tulane Law Review

"The Ranks of the English Legal Profession," to be published by the Notre Dame Lawyer late in 1957

Book Reviews

Roscoe Pound, An Introduction to the Philosophy of Law, Revised Edition (New Haven: Yale Univ. Press, 1954), 31 Notre Dame Lawyer 117-125 (1955)

Felix Flueckiger, Geschichte des Naturrechtes, Erster Band: Altertum und Fruhmittelalter (Evangelischer Verlag, Zollikon-Zuerich, 1954) 1 Natural Law Forum 135-146 (1956)

Conrad L. Kellenberg

Book Review

Curtis Bok, Problems in Criminal Law (Lincoln: Univ. of Nebraska Press, 1955) to be published in the August 1956 issue of the Notre Dame Lawyer

Joseph O'Meara

Article

"Freedom of Inquiry versus Authority: Some Legal Aspects," 31 Notre Dame Lawyer 3-13 (1955)

Roger F. Peters

Article

"How Income Taxation of Trusts and Estates Under 1954 Code Differs From Previous Rules," 3 Journal of Taxation 130-141 (1955)



Roger P. Peters (continued)

Book Review

Bernard Schwartz, American Constitutional Law (New York: Cambridge University Press 1955) 31 Notre Dame Lawyer 327-329 (1956)

W. J. Wagner

Book

Chapter on Conversion in The Judicial Process in Tort Cases by Leon Green (St. Paul: West Publishing Co., 1956)

Book Reviews

Fereydoun Adamiyat, Bahrein Islands, A Legal and Diplomatic Study on the British-Iranian Controversy (New York: F. A. Prager, 1955) 50 American Journal of International Law 456-457 (1956)

Leon Petrazycki, Law And Morality (Cambridge: Harvard University Press, 1955) accepted for publication by The Review of Politics