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THE CORNELL LAW SCHOOL from 1919 to 1954

Robert S. Stevens†

During the First World War, when the law student population was decimated by service in the armed forces, Dean Woodruff contributed to Volume 4 of the *Cornell Law Quarterly* a comprehensive history of the Cornell Law School from its conception in the early years of the University, to its birth in the fall of 1887, through the end of the academic year 1918-19.¹ Woodruff, a member of the Law School's first graduating class, joined the faculty in 1896 and became Dean in 1916. He thus had first-hand knowledge of the problems, the method of handling them, and the development of the School in those early years.

In September, 1919 I joined the faculty as Lecturer in Law at the salary of \$2,700. I was associated with the Law School until my resignation as Dean and professor in September, 1954 and have been invited on a few occasions thereafter to lead first year classes through the course in Equity. I propose to review the history of the School from the point where Dean Woodruff stepped down to the year 1954.

In 1919-20, the School operated on a budget of \$33,428, including an appropriation of \$3,600 for the library which then contained 33,197 volumes. The Dean's salary was \$5,250, and the highest salary on the six man faculty was \$5,000. The 189 students included many returning veterans. Although the entrance prerequisite of at least two years of study in a college of approved standing became effective in September, 1919, only eleven of the entering class of seventy-nine met that new qualification. The faculty resolution adopting this requirement had included the qualification that "[i]n September, 1919, applicants who prior to entering military or naval service, could have offered one such year of college work will be admitted if by reason of such service they have been prevented from offering two years of college work."² This concession to the veterans was also an expedient to insure against a drastic drop in enrollment. The Dean's report for 1919-20 anticipated that the class entering in the fall of 1920 would be much reduced because freshmen entering college in 1919 would not have the two year

† 1888-1968. Dean of the Cornell Law School, 1937-1954.

¹ Woodruff, *History of the Cornell Law School*, 4 CORNELL L.Q. 91 (1919).

² TWENTY-SEVENTH ANNUAL REPORT BY PRESIDENT SCHURMAN: 1918-1919, App. IV: Report of the Dean of the College of Law, at xviii.

qualification until the fall of 1921. In fact, students entered under the new requirement as follows: 16 in 1920, 28 in 1921, 36 in 1922, 52 in 1923, and 76 in 1924. This requirement of two years of pre-legal study was put into effect some years before the American Bar Association made it a prerequisite for certification and before the Association of American Law Schools made it a prerequisite for membership. Furthermore, not until June, 1927 did the Court of Appeals amend its rules to require one year of pre-legal college study or its equivalent in 1928, and two years or the equivalent in 1929. As Dean Woodruff's history explained, both the faculty and the administration from the beginning emphasized the necessity of maturity and a liberal education as prerequisites for the study of law, but they faced the serious practical and financial effect that an increase in standards would have upon enrollment.

Woodruff resigned as Dean in 1921 but continued on the faculty until his retirement in 1927.³ Professor George G. Bogert, LL.B. 1908, was appointed to succeed him as Dean. Dean Bogert, in his report for the year 1921-22, pointed to the enrichment of the curriculum by the addition of courses in Taxation, Restraints on Business and Industry, International Law, Municipal Corporations, Administrative Law, Damages, and Bankruptcy, a total of twenty-nine hours of new studies.

Lyman P. Wilson was appointed Professor as of September, 1921, but the faculty still consisted of only six members. Pending an increase in the size of the faculty, the temporary device of giving some courses in alternate years was adopted. The expansion of the curriculum and the belief of the faculty that students should have the opportunity for a degree of specialization led to the introduction of a limited elective system. The School had previously adhered to a fixed curriculum with no student choice of subjects;⁴ ninety hours of work were offered and the completion of those ninety hours was required for graduation. Another policy change was made in 1922-23: The hours required for graduation were reduced from ninety to eighty-two, "to encourage in the student body more thorough and intensive study of the several subjects and to discourage shallow, superficial work."⁵

³ Tributes to Professor Woodruff upon his retirement are at 13 CORNELL L.Q. 1 (1927). A further tribute at the time of his death is at 27 CORNELL L.Q. 1 (1941) and in ANNUAL REPORT OF PRESIDENT EDMUND EZRA DAY FOR THE YEAR 1940-41, App. IV: Report of the Dean of the Law School, at xviii.

⁴ See Woodruff, *supra* note 1, at 105-09, for the views of Deans Huffcut and Woodruff opposing the elective system.

⁵ THIRTY-FIRST ANNUAL PRESIDENT'S REPORT BY LIVINGSTON FARRAND: 1922-23, App. IV: Report of the Dean of the College of Law, at xv.

Dean Bogert received a sabbatic leave during 1923-24 and became associated with Whitman, Ransom, Coulson & Goetz in New York City. Horace E. Whiteside, LL.B. 1922, who served as part time Lecturer in Law in 1922-23, became a full time Lecturer in Law to carry on Dean Bogert's teaching. Professor Burdick was appointed Acting Dean.

In the early part of 1923-24, the faculty adopted this resolution:

That it is the sense of the Faculty of the College of Law that it is desirable from an educational point of view that the entrance requirements of the College of Law be increased to admit only those applicants having a Bachelor's Degree, except that students in the College of Arts and Sciences of Cornell University shall be permitted to take the combined six-year Arts-Law course leading to the degrees of A. B. and LL. B. as at present.⁶

At its meeting in January, 1924 the Board of Trustees voted:

Upon recommendation of the Faculty of the College of Law it was *Resolved*, That beginning with the academic year 1925-26, the Cornell Law School be placed on a graduate basis, retaining, however, the six-year combined Arts-Law course.⁷

As expected, this increase in admission requirements again cut the first year enrollment from 106 in 1924-25 to 81 in 1925-26, and 75 in 1926-27, but in 1927-28 it returned to 107. For the academic year 1926-27, no students, except Cornell Arts seniors, were admitted without a bachelor's degree from an approved college or university. Cornell then had the highest entrance requirement of any law school in New York State.

With the return of Dean Bogert in September, 1924 and the appointment of Horace Whiteside as Assistant Professor, the faculty became seven. The School was then operating on a budget of \$60,900, with a library appropriation of \$6,000. There were 58,500 volumes in the library, and 197 students were paying tuition of \$200. Tuition was raised to \$250 for 1925-26 and \$300 for 1928-29.

The years 1925-27 brought many changes in faculty personnel. Dean Bogert was granted leave for the year to become a visiting Professor at Chicago and Professor Burdick was again named Acting Dean. Herbert D. Laube became Assistant Professor to fill Burdick's vacancy. Bogert decided to remain at Chicago, and his resignation was accepted in February, 1926. Burdick was appointed to succeed him as Dean.

⁶ THIRTY-SECOND ANNUAL PRESIDENT'S REPORT BY LIVINGSTON FARRAND: 1923-24; App. IV: Report of the Acting Dean of the College of Law, at 28.

⁷ PROCEEDINGS OF THE BOARD OF TRUSTEES OF CORNELL UNIVERSITY 776 (1924). The name was not officially changed from College of Law to Law School until the Board's meeting in November 1925.

Professor Elliott E. Cheatham, then at the University of Illinois Law School, was appointed as Professor, effective September, 1926. In February, 1926 Professor McCaskill resigned to accept a call to Illinois and Professor George J. Thompson of the Pittsburgh Law School was appointed to fill that vacancy. Finally, Whiteside was on leave for 1926-27 to obtain his S.J.D. at Harvard (while there he held the Ezra Ripley Thayer Teaching Fellowship). Thus, the faculty for that year remained at seven, and Dean Burdick repeated the urgent request for adding an eighth member to the staff to avoid the necessity of alternating some courses, to enrich the curriculum still further and to enable the members to have more time for research and writing.

Professor Woodruff, on sabbatic leave during the second term of 1925-26, was granted a further year's leave of absence because of illness in the summer of 1926. He retired from active service, at his own request, at the close of 1926-27. To carry on his work and also to add to the curriculum, William H. Farnham, LL.B. 1922, was appointed Assistant Professor as of September, 1926. Whiteside, who was to return from Harvard in the fall, was promoted to Professor and the faculty finally grew to eight.

In the fall of 1925, the standards for student performance were raised by establishing merit points as follows: For each hour of work in which a student received a grade of AA, four points; for each hour of A, three points; for each hour of B, two points; for each hour of C, one point; and for each hour of D or F, no points. It was further provided that (1) as a prerequisite for graduation, a student must earn eighty-two hours of credit and not less than eighty-two merit points, and (2) a student who earns eighty-two hours of credit and 180 or more merit points may be recommended for graduation with honors. The following year, first year moot court competition was initiated by a division of the class into eight law clubs.

In the spring of 1927, William D. P. Carey, LL.B. 1926, established the Carey Exhibition. Influenced by his experience as a Rhodes Scholar, he offered a prize to be awarded to the student who, in the judgment of the faculty, acquits himself most creditably in two competitive examinations covering the principal fields of law. There were fifteen participants in the first test. The examination included questions in different subjects contributed by the teachers of those subjects. After three years of experience in administering the Exhibition, as thus constructed, it became predictable that the student who had already demonstrated his superior ability in course examinations would win the prize. Accordingly, the scheme of the Exhibition was changed in 1929-30, so as to test not only the competitor's knowledge and

ability to reason from memory, but also his resourcefulness in analyzing and solving a complicated problem with ample time and free access to the library.

In the spring of 1928, Professor Cheatham resigned to accept a call to Columbia. Two new permanent appointments were made: Professor Henry W. Edgerton from the University of Chicago Law School, and Professor Gustavus H. Robinson, from Boston University Law School. Assistant Professor Farnham was granted leave for the following year to pursue graduate study at Harvard on an appointment as Ezra Ripley Thayer Teaching Fellow. To carry his work for the year, Harold E. Verrall, who graduated with distinction from the Minnesota Law School and taught at the Louisiana State University Law School, was appointed Assistant Professor. Although the faculty consisted of nine members for the year 1929-30, Dean Burdick nevertheless reemphasized that a faculty of nine

continues to be abnormally small for the work which we must do and for the standards which we must maintain, and is very much smaller than the law faculties at Harvard, Yale, Columbia, Michigan, and Chicago. This results at Cornell in limiting productive scholarship, in overloading members of the faculty, and in restricting the curriculum. It is most important that the personnel of the law faculty be steadily increased, and that this be accompanied by a continued increase in salaries.⁸

The budget for 1929-30 was \$75,000, including \$8,000 for the library. Professors Laube and Farnham were promoted from Assistant Professors to Professors, and John W. MacDonald was appointed Assistant Professor as of September, 1930. MacDonald, a former Clerk of the New York Court of Claims, had received the degrees of A.B., M.A. and LL.B. from Cornell and had practiced in Albany. Thus, for the year 1930-31, there were ten on the faculty.

By action of the Board of Trustees in June, 1928, the granting of advanced degrees in law, J.S.D. and LL.M., was authorized, and three students enrolled for graduate work in 1929-30.

By 1929-30, student enrollment was back to normal, and the faculty gave further study to the subject of admissions. It was obvious that neither requirement of a bachelor's degree nor the completion of three years of undergraduate study at Cornell were guarantees of aptitude for the study of law. The drop-out rate by the end of the first year confirmed this. A questionnaire was therefore prepared to

⁸ THIRTY-SEVENTH ANNUAL PRESIDENT'S REPORT BY LIVINGSTON FARRAND: 1928-29, App. IV: Report of the Dean of the Law School, at xiv.

obtain information not only as to a candidate's scholastic record at college, but also as to his preparatory school record, his college activities, his scholarly interests, and the character of his reading and writing ability. All candidates for admission the following year were required to give the information solicited, not as a test of qualifications for admission but as a test of the adequacy of the inquiry and of the correlation it might have with a student's subsequent performance in the Law School.

Further impetus was given that year to independent study under guidance. It was recognized that the *Law Quarterly* experience afforded valuable training in research, independent thinking and writing and that these benefits should not be restricted to those who achieved the distinction of being in the honor group of the class. Some members of the faculty were experimenting with modified methods of conducting advanced courses and two courses were added for the consideration of problems in Jurisprudence and Corporations. Effective this year was a rule that students entering upon their third year with an average of B or better might graduate with four hours less of *course* work, and those with just below a B average with two hours less than the normal requirement. The purpose was to provide opportunity for independent study, and, as a result of these various methods of encouragement, forty-three per cent of the third year class participated in forms of individual supervised study that year. The increased burden which this innovation put upon the faculty supplied an additional reason for the continued expansion of the size of the faculty. A further purpose in encouraging this type of independent study was to provide, on an experimental basis, a supplement to the casebook method of instruction.

Another pedagogical problem was surely not peculiar to Cornell. Year after year the faculty had observed that students in their final term, confronted with the hurdle of a bar examination, neglected their daily class work and devoted the time thus stolen to reviewing the preceding two and a half years of study as preparation for the bar examination. They were not deterred from this practice by the necessity of having to pass satisfactorily a law school examination in each of their final term courses. The urgency of preparation for the bar examination was natural, and the loss of excitement for the case method of instruction by the third year was generally recognized in the law school world. The chances of a student not being called upon in a particular class on a particular day could be calculated as favorable and it was possible, if not even probable, that a creditable scholastic record for

the first two and a half years would be weighed against the final course examination grades.

In 1930-31, under the direction of a committee on academic policy, the entire faculty undertook a careful study of some problems of legal education. Review in preparation for the bar examination seemed inevitable and even desirable if the School was to maintain its record on the bar examination. The merits of individualized study in the third year had been established, and the goal of increasing such study when practicable was adhered to.

It was suggested that in the first year, when all students were taking the same program of work, composite examinations in February and June should be substituted for the several separate course examinations. Several reasons were advanced:

(1) The course examination labels each question as falling within the particular study area of that course and, in addition, tends to isolate the subject matter of that course.

(2) A composite examination, given on as many days as necessary, could include as complete coverage of the term's work as the several course examinations and could produce the advantages, first, of not labelling the questions and, second, of affording an opportunity of demonstrating the interrelation of courses by merging in one question problems taken from two or more courses, *e.g.*, procedure and substantive law, constitutional law and criminal law.

(3) Experience had shown that it was not impossible for a student to get satisfactory grades, even good grades, in all course examinations except one and fail in that. Under the rules, the course failed would have to be repeated the following year with a passing grade. It was urged that a student who had demonstrated competence for the study of law could be advanced to the second year and again permitted to prove his competence in new subjects without having to repeat the failed course. This, it was argued, could be safely accomplished by establishing an overall grade on the composite examination as the test of his ability and his eligibility for advancement. Although the proposal was rejected for the first year class, the faculty did decide that, effective in June, 1932, a third-year comprehensive examination would be substituted for the sixth term course examinations. It was expected that questions relating to third year courses would be included in the comprehensive along with questions relating to the courses of previous terms.

The attainment of the required merit point ratio in course examinations for six terms was, in a sense, a mechanical test for graduation.

The less eager and industrious students sometime elect what are reported to be the easier courses, and some may seek the teacher who student hearsay suggests is a more liberal grader. However, the experience with the remodeled Carey Exhibition had satisfactorily demonstrated that the library problem was an excellent test of a student's ability to perform an essential part of a lawyer's work, that is, to analyze a difficult problem, make effective use of a library, and defend his solution of the problem in writing and orally under questioning. Therefore, it was decided that competing in the Exhibition should no longer be optional but required of all students in the third year. This meant that the third year comprehensive examination would consist of two parts: The written examination at the end of the sixth term and the problem test given earlier in that term. The written portion of the comprehensive was to be composed of questions that were in themselves comprehensive, *i.e.*, lawyer-like problems that recognized no traditional course boundaries but cut across them. In this respect, the written comprehensive improved on the early form of the Carey Exhibition, for which the several professors submitted questions limited to the field or fields of their own teaching.

The written comprehensive also had a mechanical advantage. Pre-graduation final examinations must be read expeditiously. When examinations are given in each final term course, the burden of appraising the eligibility of students for graduation falls heavily upon those few who are teaching those courses. The comprehensive examination distributed that burden among the whole faculty, each member reading only the one or two questions contributed by him. To be declared eligible to take the comprehensive, a student had to achieve a fixed minimum merit point ratio by the end of his fifth term. Certainly the presumption should be in favor of the graduation of a student who has for five terms maintained the progressive scholastic standards for retention in a law school, provided that in his sixth term he retains his physical stamina and professional interest and ambition. If exceptions to this thesis are experienced to a material extent, the required standards progressing from the second to the fifth terms should be raised, and this had been done at Cornell. The purpose of adding the comprehensive was to devise a scheme for getting an overall picture, a better appraisal of a student's equipment and ability to practice, and, it might be said, of the effectiveness of the faculty's three years of instruction and discipline.

In the course of the year 1930-31 it was decided to discontinue the summer session which had been offered continuously since 1923. The

main purpose in instituting the summer session was to enable students to accelerate their law school studies. The session ran for eleven weeks, divided into two terms of five and a half weeks, or the equivalent of one-third of an academic year. It offered instruction in both first year and upper class work. Students who began the study of law in the summer could qualify for graduation by completing three summer sessions and two full academic years. Upper class students could enrich their curricula by attending one or more summer sessions. Members of the faculty were given an opportunity to teach in the summer, but the summer staff always included distinguished members of the faculties of other schools. The summer sessions were always well attended and were profitable.

The number of students who began their law work in June constituted a substantial proportion of the total summer enrollment. The faculty finally came to the conclusion that to permit students to begin the study of law in summer presented some undesirable pedagogical disadvantages, especially in connection with a sound progression of their subsequent program of courses. For the subjects taken in the eleven week summer session, a student would substitute ten hours of upper class courses in the program of the ensuing academic year, frequently without assurance of adequate background for those courses. To minimize this irregularity of studies, the faculty tried the expedient of concentrating on Torts, for example, in the first term and Contracts in the second so that if Contracts was taken in the summer the substitution of upper class courses could be postponed until the second term. But this was found an unsatisfactory solution and the summer session was discontinued.

In June, 1932 the Law School completed its fortieth and last year of occupancy of Boardman Hall. The thirteen year period covered up to this point, from 1919, could be characterized as the period when the Law School became of age. It had become a graduate school. Its curriculum was enriched. Standards of admission and of scholarship were materially strengthened. The faculty was increased from six to ten. Salaries went from \$5,000 to \$10,000. The number of books in the library doubled. The librarian got long-needed assistance by the appointment of Lewis W. Morse, LL.B. 1928, as Assistant Librarian in 1931. And the library budget, though still inadequate, was increased from \$3,600 to \$9,000.

These are the indications of the Law School's transition from its infancy to its majority. It had outgrown the cramped quarters of Boardman Hall, and with eagerness and inspiration, the faculty looked

forward to moving in the summer of 1932 into Myron Taylor Hall and to further expansion and development.

Dean Woodruff recorded that "[t]he year 1892-93 was a notable one in the history of the school" because it occupied "a new and admirably equipped building [Boardman Hall] exclusively for the use of the school"⁹ However, not too many years passed before deficiencies in Boardman Hall were noted. Dean Bogert's report for 1921-22 stressed the library's need for additional shelving which involved changes in the building and a problem as to the strength of the floors. He also called attention to the absence of a student smoking room and student lockers. In 1926, Dean Burdick emphasized that in one, or at most two years, the library stack space would be exhausted and he noted that the future of the Law School called for seminar rooms, additional offices, and other facilities.

Then in 1929, he reported with enthusiasm that "[t]he most important occurrence in the life of the Law School during the past year was of course the gift to the University by Myron C. Taylor, LL.B. 1894, of \$1,500,000 for a new law building to be known as Myron Taylor Hall."¹⁰

Preliminary sketches for Myron Taylor Hall, prepared by F. Ellis Jackson, a graduate of the Cornell College of Architecture, revealed an imposing structure with two wings springing from a central massive tower. The design appealed to Mr. Taylor to the extent that he immediately accepted it as finalizing the building's exterior appearance.

The faculty then endeavored to adapt the interior to the needs of the School and to facilitate the development of its policy of instruction in relatively small groups. To that end, the north wing became the lecture room wing with one large room to accommodate general assemblies and moot court and four principal lecture rooms with moderate seating capacity. In the south wing, provision was made for a large reading room, with adjoining shelf space for 450,000 volumes, twenty-five staff offices to take care of the anticipated increase in the faculty, five seminar rooms, numerous carrells adjoining the stacks, ten offices for graduate students, and men's and women's lounges and locker rooms.

The tower consisted of offices for the *Law Quarterly*, a student activities room, two bedrooms for visitors, and a two-story apartment for a member of the faculty.

As an afterthought, it was suggested that a squash court was as

⁹ Woodruff, *supra* note 1, at 97.

¹⁰ THIRTY-SEVENTH ANNUAL PRESIDENT'S REPORT, *supra* note 8, at xiv.

appropriate in educational planning as a moot court. Our students would be graduate students and their physical fitness was essential for their mental alertness. That thought was accepted and the plans were adapted to include a squash court and a shower room in the subterranean part of the building. If this added anything to construction costs, it proved to be a worthwhile investment.

Though the building is Gothic in style, the importance of windows that would admit ample daylight was stressed. With luxurious details inside and outside, the building is an inspiration to those who teach and study there and has drawn from them a sense of protective guardianship.

Worthy of special attention are the carvings by Lee Lowrie decorating the exterior. At the dedication in the fall of 1932, Dean Burdick called particular attention "to the spandrels over both sides of the great tower arch, where the Law Faculty has sought especially to symbolize the real purpose for which this great structure has been raised. On the east you see Henry II sending out his itinerant judges to bring the king's peace to all parts of the realm, and on the west you see a conference of all the races, striving for international accord. The whole symbolizes peace by law—national peace by local law, world peace by international law—to that ideal do we rededicate the Cornell Law School today." Over the passage ways linking the two wings to the tower are the carved caricatures of the judge, the jailed, the court crier, the pettifogger and the scrivener. The carvings about the stairway in the north wing depict the development of law in New York from the compact with the Indians through the influence of the Dutch and the English to independence and the constitution. Below the seminar windows are the symbols of the profession—the quill, the book, the seal, and the money bag.

The increased financial support hoped for when Myron Taylor Hall was occupied in 1932-33 was deferred for several years. The successive Deans' reports reiterated the School's critical needs for increases in the size of the faculty and faculty salaries and for the endowment of substantial scholarship and loan funds.

Instead of more liberal financial support, there were enforced reductions in the appropriations. The 1929 depression had a disastrous effect upon University finances. Professorial salaries in all the endowed colleges were cut ten per cent. The Law School budget for the first year in Myron Taylor Hall had been \$113,000. For 1933-34 and 1934-35, it was cut back to a little over \$94,000. Then it went up by modest increments of \$2,000 a year until the appropriation for the year 1937-38 was \$101,000, still \$12,000 below that for 1932-33.

The depression also had its effect upon enrollment. The 213 students in 1929-30 had dropped to 150 in 1932-33. The American Bar Association's Annual Review of Legal Education showed that the loss in law school enrollment was nation-wide. But at Cornell, there were additional causes for the shrinkage. First, there was a more stringent enforcement of our policy of not admitting those applicants whose prior records justified the prediction that they would not, if admitted, meet the standards for continuance in the School. Second, the grossly inadequate scholarship and loan funds had a contributing effect upon the loss of students, especially during this period of financial crisis.

As pointed out in Dean Bogert's report for 1924-25,¹¹ when the School went on a graduate basis, there were no scholarship or loan funds available for law students except those who were registered as seniors in the College of Arts and Sciences. In this emergency, the Cornell Law Association, formed in June, 1923, contributed one scholarship and two alumni each contributed a scholarship, all for \$200 which was then the amount of the tuition. By 1927, these annually contributed scholarships numbered thirteen, some of them for \$300 to equal the increase in tuition. The Board of Trustees established five free tuition scholarships and subsequently increased these to fifteen. The Van Nostrand scholarship fund was received in 1930, the Sackett in 1931, the Van Cleef in 1932, and the Pound in 1937.

A small revolving loan fund was established by the Law Association and the Law Student Association contributed annually to this fund the net proceeds derived from the Barristers' Ball. In 1932, Walter P. Cooke bequeathed \$50,000 to the University as a loan-fund for law students.

In the Dean's report for 1937-38, it was pointed out that the financial assistance available for law students in that year was as follows:

| | |
|------------------------------------|----------|
| 15 University Tuition Scholarships | \$ 6,000 |
| (10 First year, 5 unrestricted) | |
| Endowed Scholarships | 1,560 |
| Annual alumni contributions | 1,200 |
| Loans | 3,030 |
| | \$11,790 |

This total sum was spread so as to assist 26% of the student body, or 47 students, with an average of \$250 a student.¹²

¹¹ THIRTY-THIRD ANNUAL PRESIDENT'S REPORT BY LIVINGSTON FARRAND: 1924-25, App. IV: Report of the Dean of the College of Law, at 32.

¹² FORTY-SIXTH ANNUAL PRESIDENT'S REPORT BY EDMUND EZRA DAY: 1937-38, App. IV: Report of the Dean of the Law School, at xxiii.

The Dean's report contrasted this with comparable figures contained in the reports of the deans at Yale and Columbia for 1936-37. At Yale, a total of \$36,327.83 was awarded to 101 students. Twenty-seven per cent of the student body was assisted with an average of \$360 a student. At Columbia, a total of \$40,483 was awarded to 124 students. Twenty-three per cent of the student body was assisted with an average of \$326 a student.¹³

The importance of securing substantial endowed funds at Cornell was emphasized by two facts: First, of the cash scholarships aggregating \$2,760, the \$1,200 derived from annual contributions from individuals could not be expected to continue indefinitely; and second, of the total of \$11,790 available in the form of both scholarships and loans, more than one-half, or \$6,000, was supplied by the University in the form of free tuition, and to the extent that endowed scholarships could replace free tuition, the University's income would be increased.

In 1941, income of \$2,000 from a bequest of George W. Hoyt, A.B. 1896, for use in the Law School became available and the Trustees voted that this be used for scholarships for law students. This brought the total income from endowed scholarships to \$4,000.

Soon after the opening of the fall term in 1936, Charles Burdick, unexpectedly, and for reasons of health, tendered his resignation as Dean. At its meeting in November, the Executive Committee of the Board of Trustees accepted the resignation to become effective December 31, 1936, and granted Professor Burdick a sabbatic leave for the spring term of that academic year. I had served as Acting Dean in 1929-30 and on January 30, 1937 I was appointed Dean, effective January 1, 1937.

Charles Burdick had been Acting Dean and Dean during most of that period which has been characterized as the transition of the School from infancy to maturity. A summary review of the developments of the School under his leadership was set forth in the Dean's report for 1936-37.¹⁴ Additional mention should be made of some of Dean Burdick's outside activities. He participated in the Harvard Research in International Law in the fields of extradition and territorial waters. Governor Roosevelt appointed him a member of the New York Commission on the Administration of Justice studying in particular the penal law. In April, 1934 Governor Lehman appointed him to the State's Judicial Council. From this, he resigned in June to accept ap-

¹³ *Id.*

¹⁴ FORTY-FIFTH ANNUAL PRESIDENT'S REPORT BY LIVINGSTON FARRAND FOR 1936-37, App. IV: Report of the Dean of the Law School, at xvi.

pointment as the first Chairman of the newly created New York State Law Revision Commission, of which Professor MacDonald was made Executive Secretary and Director of Research, and to which the University Trustees granted quarters in Myron Taylor Hall. The public significance of the work of this Commission is well known and has inspired the establishment of similar commissions in other states.

The year 1937-38 brought signs of the end of the depression, and for the first time since 1930-31 there were changes in faculty personnel. Professor Edgerton, who had spent his sabbatic leave in 1934-35 as Assistant Attorney-General in the Department of Justice, resigned as of the close of the first term of 1937-38 to become Associate Judge of the United States Court of Appeals for the District of Columbia.

To fill that vacancy, Arthur J. Keeffe was appointed Assistant Professor as of February 1. He received his A.B. from Cornell in 1924 and his LL.B. in 1926. From 1926-38, he practiced in New York City with Milbank, Tweed, Hope & Webb and was engaged largely in corporate reorganization and trial work.

There was finally a response to the persistent appeals for an increase in the faculty. The professorial staff was increased from eleven to twelve, and, in addition, authorization was given for the appointment of a Teaching Fellow. These additions were made feasible through the generous assistance of a few alumni whose gifts to the University were specifically for this purpose. The budget for the year 1938-39 was increased by \$10,000, but it was still below that for 1932-33.

In the spring of 1938, George T. Washington was appointed Assistant Professor and joined the faculty in the fall of that year. He was graduated from Yale in 1928 with the degree of Ph.B., *summa cum laude*. In his senior year, he was the ranking member of the Yale team in "The Battle of Intelligence" between Yale and Harvard. He was a Rhodes Scholar for two years, studying under the direction of Sir William Holdsworth and receiving the Oxford degree of B. Litt. in 1931. Graduating from the Yale Law School, *cum laude*, in 1932, he became associated first with Carter, Ledyard & Milburn and then with Root, Clark, Buckner & Ballantine.

In 1936-37, the problem type of instruction had been limited to two courses: An advanced course in jurisprudence given by Professor Laube, and a course conducted jointly by Professors MacDonald, Whiteside, and Stevens dealing with the tax implications of problems drawn from the fields of corporations and of trusts and estates. But in 1937-38, sufficient problem courses were offered to enable every third year student to elect at least one of them. Whiteside and Stevens di-

vided their subjects into two courses. Professor Thompson introduced a problem course in Business Regulation, and Professor Keeffe used the problem method in the course on insolvent estates.

As had been previously stated, individual study under faculty guidance had been encouraged for third year students. When problem courses were formally organized, they were offered for students only in their sixth term. This decision was based in part upon the fading enthusiasm for and neglect by some third year students of case book instruction. Problem courses provided a stimulating change of method, and the weekly work required could not be neglected. But when the problem portion of the comprehensive examination became required and was given early in the sixth term, it became apparent that problem courses had to be offered earlier if they were to provide training and experience for the problem portion of the comprehensive. That students recognized the value of problem work was shown by the eagerness with which they sought admission to these courses, and the number of them that they elected to take.

Two years of effort and persuasion resulted in the establishment of relations between the Law School and the Tompkins County Bar Association which would give students an opportunity to participate in legal aid work. Interested second and third year students formed the Cornell Legal Aid Bureau. The Bar Association adopted a resolution providing that: (1) More general publicity should be given to the readiness of the members of the Association to render legal aid in all needy cases; (2) the President of the Association, the County Judge and the City Judge constituted a committee on legal aid to assign cases to members of the Association in rotation; and (3) the attorney performing such service might avail himself of the assistance of one or more students in the Cornell Legal Aid Bureau. The plan went into effect in April, 1938, and within that month four cases were handled. The arrangement supplied a helpful supplement to law school instruction, giving students an occasion for the practical application of law, for contact with actual clients, and for planning the solution of a client's problem under the direction of a practicing attorney. There was a gratifying increase in the number of cases handled each year until the Second World War.

In the report for 1939-40, it was noted that the percentage of students dropped for scholastic reasons had been "reduced as a result of a more intelligent application of tests for admission."¹⁵ For one thing,

¹⁵ ANNUAL REPORT OF PRESIDENT EDMUND EZRA DAY FOR THE YEAR 1939-40, App. IV: Report of the Dean of the Law School, at xxi.

we had gained confidence in the prediction of success based upon the information revealed in the prescribed form of application for admission. In addition, we had begun to evaluate the transcripts from the various colleges from which the applicants were graduating by correlating an applicant's scholastic standing in college with his subsequent performance in the Law School. Every applicant for admission in September, 1939 had been personally interviewed, pursuant to a policy newly adopted by the faculty. In most instances it had proved practicable to require that the interview be at the Law School. When this had not been feasible, alumni in various parts of the country were invited to conduct the interview and submit a report.

It had been recognized here and at other law schools that first year students experienced an initial period of confusion. In an attempt to overcome or lessen this handicap, a series of introductory or orientation lectures were given to first year students for the first time in the opening week of the fall term of 1938. These were conducted by Professors MacDonald and Robinson. Subsequently, a committee of the faculty prepared a collection of materials to serve as an introduction to the study of law. This volume was sent in the early summer to every admitted first year student and was used as the basis of class discussions at the outset of the fall term.

In 1939-40, \$2,000 was added to the appropriation for the library, bringing that item to \$12,000. In addition another \$1,000 became available from the Van Cleef Memorial, initially for the purchase of books for the Ithaca branch of the Medical School but, to the extent not needed for that purpose, for the purchase of books for the Law School. Upon the abandonment of the Medical School in Ithaca, the income was devoted to the benefit of the Law School.

The annual report for 1938-39 contained this interesting item:

A letter from F. D. Carman, '81, of Herrington, Kansas, called the Librarian's attention to a rare item in our collection. Mr. Carman remembered using "Atherley's Marriage Settlement" while studying law in the office of Merritt King of Ithaca, N.Y. He recalled that the fly-leaf bore the signature of Chancellor Kent and that on the blank pages in the front and back of this volume, in the handwriting of Chancellor Kent, were paragraphs relating to the property rights of married women. These paragraphs were subsequently included by Kent verbatim in his "Commentaries." Many years ago the Law School acquired the library of Merritt King, and so owns a volume which was in Chancellor Kent's private library and was used by him in the preparation of "Kent's Commentaries."¹⁶

¹⁶ FORTY-SIXTH ANNUAL PRESIDENT'S REPORT, *supra* note 11, at xxv.

The resources of the library were immeasurably enriched by the bequest in 1946 of Edwin J. Marshall, LL.B. '94, of over 9,000 volumes in the fields of equity, trusts and receivers, and eighty-nine volumes of early Northwest Territory and Ohio session laws. It had been one of Mr. Marshall's hobbies to collect everything procurable relating to Equity. It was a unique and priceless collection including calendars of various Chancery Rolls, reports and treatises published in the 17th and 18th centuries. The session laws included volumes that for years had been unavailable on the market.

Dean Burdick died in June, 1940. The vacancy caused by his death was filled by the temporary appointment of Theodore S. Hope as Assistant Professor for the year 1940-41. He came to us on leave of absence from the New York firm of Donovan, Leisure, Newton & Lumbard. He had graduated from Harvard in 1925 and from the Columbia Law School in 1928, where he was a Kent Scholar and Note Editor of the *Law Review*.

The course in Labor Law was given by Professor Royal Montgomery, of the Department of Economics. Though not a lawyer, he had for a long time been a student of the statutes and decisions relating to trade unions and labor disputes.

Daniel G. Yorkey was appointed Assistant Professor. He graduated with honors from the College of Arts and Sciences in 1935 and with distinction from the Law School in 1937. He was the Boardman Scholar, Editor-in-Chief of the *Cornell Law Quarterly*, and had attained the highest scholastic average of any student graduating from the Law School in the preceding fifteen years. He had been practicing in Buffalo with Kenefick, Cooke, Mitchell, Bass & Letchworth.

In the spring of 1941, it was obvious that the program of national defense would have a drastic effect upon all institutions of higher education and particularly law schools. There had already been a shrinkage in our first year class, and throughout the United States there had been an average loss of ten per cent in law school enrollment. As a part of our obligation to adjust our program, we made several changes which were to continue during the emergency. Commencing in September, the academic year was divided into three terms of ten and a half weeks each and all courses were confined to a single term with the exception of Torts and Contracts, which were spread over two-thirds of a year. A second decision was to offer a summer session of ten and a half weeks for advanced students only. This was financially possible only because the members of the faculty, out of loyalty to the University and as a small contribution to the program of national defense,

volunteered to teach during the summer session without compensation. These changes enabled men students to gain the maximum academic credit before being drafted and increased the likelihood that they would be permitted to finish the ten and a half week term for which they were currently enrolled. Realizing that, for most men, the obligation to serve with the armed forces would delay their admission to the bar for one or more years, it was decided that students would be admitted to the Law School upon the completion of three rather than four years of undergraduate work at an approved college. Even these changes could not prevent a drastic reduction in enrollment for the next few years, and, as an offsetting economy, it was decided not to permanently refill the vacancy caused by Charles Burdick's death until conditions became more normal.

The reports of Acting Dean Farnham for 1941-42 through June 1945 relate the history of the Law School during the war years. Assistant Professor Yorkey resigned and Kenneth B. Lane, who had obtained his A.B. and his LL.B. from Cornell with distinction, in 1936 and 1938 respectively, and who had been an editor of the *Quarterly*, was appointed Assistant Professor for the period from July 1, 1942 to May 31, 1943. But with Burdick's post unfilled and with three members, Stevens, Washington, and Morse, on leave without pay and engaged in government service, the faculty which had numbered thirteen was reduced to nine. Some courses had to be eliminated from the curriculum, and it was found expedient to substitute three fifteen week terms for the four ten and a half week terms. For the three terms of 1943-44, enrolled students averaged only thirty-one. However, during these war years, the space and facilities of Myron Taylor Hall were not wasted but, in fact, were overtaxed by the presence of naval officers and some 800 trainees in the Naval Training School at Cornell.

In 1944-45, after consultation with representatives of other north-eastern law schools, it was decided that there should be a further relaxation of the entrance requirements for the benefit of returning veterans. Because of their service in the armed forces, they had gained experience and maturity and, at the same time, suffered a postponement of entrance upon their civilian careers. Particularly to offset this prejudice, it was decided that a veteran who could not fulfill the usual entrance requirements might, in the discretion of the faculty, be admitted if he had completed with satisfactory grades two years at an approved college and if his college education, training in service, maturity and personality indicated that he would do satisfactory work in the Law School. Though these requirements were an appreciable departure from

the pre-war standards, they still measured up to the then existing requirements of the Association of American Law Schools and of the American Bar Association. They were regarded as a reasonable concession to those whose education had been interrupted by war service for a considerable time, and it was resolved that the privilege of admission under these relaxed requirements would be granted sparingly and with careful scrutiny. A further concession to veterans was the temporary continuance of the accelerated program of year-around instruction in three terms of fifteen weeks each.

Acting Dean Farnham and those members of the faculty who remained in residence during the war years deserve high commendation for their accomplishments during that difficult period in keeping the School in operation and in readiness for the resurgence of the demand for the study of law.

Because in 1943 students who were nearing the completion of their courses were allowed to finish before entering military service, and because we, among the first, had started an accelerated program in 1941, there were comparatively few upper-class students seeking to reenter the School at the conclusion of the war. The great demand for admission was from applicants who wished to begin the study of law.

In the fall of 1945, ninety-three students were enrolled. Early that fall, President Day, foreseeing a shortage of housing for students, allotted each college and school a quota of students for the spring term of 1946. The Law School kept its enrollment to its quota of 200 for that term. For 1946-47, the School was allowed a quota of 320, but, since Arts-Law students were charged to the Arts College, 347 were actually enrolled. This required enlarging the seating capacity of room A and the library reading room. The growth of the enrollment is shown by the following figures: 1947-48, 375; 1948-49, 375; 1949-50, 412; 1950-51, 459. The class of 155 students admitted in September 1948, selected from 552 applicants, was the first in which consideration was given to the score obtained on the legal aptitude test. It was also the first class to be divided into two sections for all first-year courses. Statistics taken from the reports of these post-war years show that the average age of the student body was twenty-seven; eighty-seven per cent were veterans; fifty-eight per cent were married; about twenty-eight per cent came from Cornell and seventy-two per cent came from more than one hundred other institutions.

Beginning in September, 1946 first year students were again admitted only at the beginning of the fall term and the accelerated program was abandoned by the elimination of the summer session after

the summer of 1948. As the demands of returning veterans became satisfied, the enrollment became more normal: 391 in 1951-52; 329 in 1952-53; and 320 in 1953-54.

With the opening of the academic year in November, 1945, the war-time faculty was increased by the return of Stevens and Morse and the addition of four new members, one of them replacing Professor Washington. Thus, the staff was increased to fourteen as against eleven in 1942. Professor Morse spent three and a half years as Director of Libraries in the Office of the Judge Advocate General in Washington. In that capacity, he had risen to the rank of Colonel and had been awarded the Legion of Merit. The new members were Associate Professor Harrop A. Freeman, Professor Arthur E. Sutherland, and Associate Professors Arthur Larson and Bertram F. Willcox.

Professor Freeman was appointed upon the resignation of Assistant Professor Lane. Freeman received his A.B. and LL.B. from Cornell, and, after twelve years of practice in Niagara Falls, taught law for three years in the Department of Jurisprudence in the College of William and Mary. In the summers of 1943, 1944, and 1945, he did graduate work in the Law School and was awarded the J.S.D. degree.

Professor Sutherland graduated from Wesleyan in 1922 and was there a member of Phi Beta Kappa. After graduating from the Harvard Law School in 1925 where he was Case Editor of the *Law Review*, he clerked two years for Mr. Justice Holmes. He practiced in Rochester, New York, until he entered military service in 1941. The many decorations awarded him by the United States and our several allies for his distinguished service in Tunisia, Italy, Holland and occupied Austria are recorded in the annual report for 1945-46.¹⁷

Associate Professor Larson came to us from war-time work during 1941-45 with the Office of Price Administration and the Foreign Economic Administration. He graduated, summa cum laude, from Augustana College. As a Rhodes Scholar, he took a first in Jurisprudence, was a member of the three-man International Debating Team and was treasurer and vice-president of the Oxford Union. After five years of practice in Milwaukee, he was for two years Professor of Law at the University of Tennessee.

Associate Professor Willcox graduated Phi Beta Kappa from Cornell in 1917. He received his LL.B. from Harvard in 1922 and was Chairman of the Board of the *Law Review*. He practiced in New York

¹⁷ REPORT OF THE PRESIDENT: 1945-46, App. IX: Report of the Dean of the Law School, at 62.

City until 1943 when he became a public member of the Appeals Committee of the National War Labor Board.

Upon the decision to add the Law of Cooperatives to our curriculum, Sherman Peer, LL.B. '06, was appointed Professor of Law in 1947, and he conducted a problem course in that subject, without compensation, until his retirement in 1951.

W. David Curtiss joined the faculty at the beginning of the academic year 1947-48 as Assistant Professor of Law and Secretary of the Law School. He had received the Bachelor of Arts degree in 1938, and the Bachelor of Laws degree, with distinction, in 1940, both from Cornell, and had been elected to Phi Beta Kappa and to the Board of Editors of the *Cornell Law Quarterly*. Following graduation he entered the practice of law at Sodus, New York, and in 1941 served as District Attorney of Wayne County. In 1942, he entered the United States Navy and served until the conclusion of World War II. He was discharged with the rank of Lieutenant Commander, United States Naval Reserve, in 1946. In the same year he accepted an appointment as an Assistant Professor of Law in the School of Law of the University of Buffalo and remained in that position until he began his service at Cornell.

After twenty-three years of service, Professor Laube retired in 1948. Rudolf B. Schlesinger was appointed to fill that vacancy. His history and qualifications will be referred to later. Professor Robinson retired in 1949 and Ernest N. Warren was appointed Assistant Professor. Upon graduation from Hamilton College, Warren entered the Law School in 1928, was the ranking student of his class in each of his three years, was Managing Editor of the *Quarterly* and received his LL.B. with distinction. He had practiced in Utica and Carthage, New York, for eighteen years.

In 1949 Associate Professor William H. Shannon of the School of Business and Public Administration, who had for two years been giving a course in Legal Accounting in the Law School, was given an appointment, with the same rank, as a member of the law faculty.

In 1950 and 1951, the School suffered two losses. In the spring of 1950, Professor Sutherland resigned to accept a position on the faculty of the Harvard Law School. He had just been appointed to the newly established Cromwell Professorship. Professor Robinson was recalled to take over his courses in 1950-51 and was awarded the Cromwell Chair. Professor Lyman Wilson, who had served for thirty years, died suddenly in April, 1951. He would have become Professor Emeritus on July 1, and had accepted an appointment to continue instruction in 1951-52.

To fill Professor Wilson's place, Peter Ward was appointed Associate Professor as of September, 1951. He had received his A.B. degree, cum laude, from Harvard in 1936 and graduated from the Cornell Law School with distinction in 1939. From 1939 to 1951, he had eight years of practice as an associate and partner in the firm of Ward & Ward in Buffalo and four years of military service. He was relieved from active duty with the rank of Major, Field Artillery, in 1945, having received battle stars in both the European and Pacific theatres of operations.

Two other additions to the faculty were made in September, 1952: Michael H. Cardozo as Associate Professor and Richard I. Fricke as Assistant Professor. In coming to Cornell, Professor Cardozo terminated fourteen years of service with the federal government. From 1938-40, he was on the staff of the Securities Exchange Commission. For the next two years, he was in the Tax Division of the Department of Justice, arguing cases before the United States Courts of Appeals. Then he moved to the legal staff of the Lend-Lease and Foreign Economic Administrations. At the close of the war, he joined the legal staff of the State Department, first as Chief of the Legal Division in the Office of Foreign Liquidation Commissioner and then as Assistant Legal Adviser for Economic Affairs. He assisted in the drafting of the Economic Cooperation Act, the Mutual Defense Act, and the Mutual Security Act. Other responsibilities included reciprocal trade agreements, liquidation of enemy assets abroad and other related international economic problems. He graduated from Dartmouth College and the Yale Law School. At the latter, he was a member of the Board of the *Law Journal*. Between law school and government service, he practiced for several years in New York.

Professor Fricke received his A.B. from Cornell in 1943, was on the Dean's list and an honor graduate in the R.O.T.C. He served as a First Lieutenant in the Air Corps from 1943 to 1945. He took his first year of law as an Arts student and, returning to the Law School upon his release from military duty, was awarded an LL.B. with distinction in 1947. He was top-ranking student of his class and Editor-in-Chief of the *Quarterly*. For the next five years he was associated with the Buffalo firm of Kenefick, Bass, Letchworth, Baldy & Phillips.

Further losses in faculty personnel were sustained in 1952-53. Professor Keeffe resigned as of the close of the fall term to accept a position in practice in Chattanooga, Tennessee. He had been on the faculty for sixteen years. Professor Larson was appointed Dean of the University of Pittsburgh Law School, and resigned as of the end of the academic year. He had been with us since the fall of 1945, had

written a two volume work on Workmen's Compensation, and had collaborated in the preparation of Stevens and Larson, *Cases and Materials on the Law of Corporations*. An additional partial loss resulted from the appointment of Professor Farnham as Dean of the University Faculty, and the burdens of that office necessitated his relinquishing a substantial portion of his law teaching. It was then that William Tucker Dean was appointed Associate Professor and Harry G. Henn Assistant Professor, both to assume their positions as of September, 1953.

Professor Dean graduated from Harvard College, magna cum laude, in 1937 and had been elected to Phi Beta Kappa. He attended the University of Chicago Law School, and was awarded the J.D. degree in 1940. Concurrently with his study of law, he was enrolled in the Division of Humanities at Chicago. He was at the Harvard School of Business Administration in 1942-43 and, after an interruption for war service, received the M.B.A. degree in 1947. He served as Assistant Professor at the University of Kansas Law School, 1946-47, and as Assistant and Associate Professor at New York University Law School, 1947-53. He had been editor of the *Annual Survey of American Law* and the *Survey of New York Law* published by the latter school. His essay on "International Legislation" won the American Bar Association's Ross Prize in 1947.

Professor Henn's undergraduate work was taken at New York University, where he was elected to Phi Beta Kappa and from which he graduated, summa cum laude, in 1941. At Cornell, he was Editor-in-Chief of the *Quarterly* and was awarded the LL.B., with distinction, in 1943. Thereafter, he was continuously associated with the Wall Street firm of Whitman, Ransom & Coulson until his appointment to the faculty. But during the period of his practice, he found time for further study in the Graduate Division of New York University, specializing in the law of corporations, business regulation, copyright and jurisprudence, and received the J.S.D. degree in 1952. He has been an active member of the Copyright Sub-section of the American Bar Association.

An interesting and novel development was the introduction in September, 1948 of a course of study leading to the degree of "LL.B. with Specialization in International Affairs." This was stimulated by the keen interest that so many veterans expressed in their inquiries prior to admission as to what the Law School had to offer in the international field. The new program was also a recognition of the need for such a wider understanding and background for future members of the bar.

We had long been eager to add Comparative Law to our course offerings and this now became essential to our new program. We set out to find someone who had trained in and practiced both the civil and the common law. Rudolf B. Schlesinger had these unusual qualifications. Between 1927 and 1933, he studied law at Geneva, Berlin, and Munich, and received the degree Doctor Juris, summa cum laude, from Munich. He practiced for five years in Munich. He graduated from the Columbia Law School in 1942, and was Editor-in-Chief of the *Law Review*. After a year as law secretary to Chief Judge Lehman and another year as the law clerk of the New York Court of Appeals, he was associated with a New York City firm before coming to Cornell in 1948.

The new program for specialization in international affairs required the study of seventy-eight hours in the Law School, including International Law and Comparative Law, and three hours a term in the second and third year in graduate courses in international economics, politics and administration. For the latter, we were indebted to Professors Briggs, Einaudi, Fox, and Kahn of the Arts College and Professor Schaff of the Business School. One-third of the class which finished its first year in June, 1948 signified a desire to enroll for the new program.

Coincidentally, but quite independently, Mr. Taylor, LL.B. '94, made provision for the Myron C. Taylor Lectures on International Affairs. Delays were encountered in arranging the program but in the spring of 1949, Dr. Isaiah Bowman, President Emeritus of Johns Hopkins University, opened the series with "Where the Forces Strive: A Lecture on Foreign Policy." He was followed by Dr. Derwent Whittelsey, of Harvard, who spoke on "The Geographic Bases of International Politics." The following year the Honorable Ralph Bunche, then Director of the United Nations Trusteeship Division, and the Honorable Dean Rusk, then Assistant Secretary of State in Charge of Far Eastern Affairs, were Myron Taylor Lecturers.

In addition to his course in International Law, Professor Cardozo introduced a problem course in International Affairs and, through the use of the Myron Taylor International Law Lecture Fund, obtained from the Department of State and the Treasury Department officials of policy-making rank. These visitors participated in informal discussions with the problem group and, in addition, gave lectures to the entire student body.

In 1951-52 the School obtained a grant of \$12,000 a year for three years from the James Foundation for the support of the Comparative and International Law Program. One aim of the Comparative Law

Program was to bring foreign lawyers into association with our own students, to instruct the latter in foreign law and the former in our law. The grant from the James Foundation enabled us to offer financial assistance to lawyers from other countries. In the succeeding two years, 1952-54, eight young lawyers enrolled as students from England, France, West Germany, Holland, India, and Iran. The James Foundation grant also made possible Professor Schlesinger's unique collection for the library of materials bearing upon the impact of Soviet influence upon the legal structure and the social and economic conditions in East Germany.

CONCLUSION

The Law School was always operated with penny-pinching frugality. The salary scale in 1953-54 was only 10.5 per cent higher than it was in 1930. The appropriation for the library had, by one device or another, been upped to the inadequate figure of \$15,000, once by applying the profit from the summer session and later by assessing law students with a library fee of \$16. Annually, the Dean's report stressed the principal needs of the School: (1) An improvement in the salary scale and an increase in the staff; (2) endowed scholarships; (3) endowment for the support of the library; and (4) a Law School dormitory.

President Day's Report for 1948-49 noted that "[w]e have right now an operating academic budget which is substantially 'in the red.'"¹⁸ It was the first deficit during his administration. Acting President de Kieweit's report for 1949-50 further noted that "[t]he deficit that we estimated at the beginning of the 1949-50 fiscal year was \$828,000."¹⁹ But he pointed out that by producing \$300,000 of new income over and above alumni contributions and by paring some \$500,000 from the appropriations, the budget was practically balanced.²⁰ Such were the conditions under which deans had to operate.

Nevertheless, there had been significant changes in the financial position of the Law School between 1927 and 1954. In 1937, with a student body of 200, the tuition income was \$33,000 less than budgeted expenses. In 1953-54, with a student body of 320, a faculty twice as large and a budget one hundred per cent greater than in 1937, the tuition income was \$77,000 greater than budgeted expenses.

¹⁸ REPORT OF THE PRESIDENT: 1948-49, at 9.

¹⁹ REPORT OF THE PRESIDENT: 1949-50, at 6.

²⁰ *Id.*

The financial situation was further brightened by other sources of income restricted for Law School purposes. Although in twenty-five years the complexion of the student body had changed from predominantly Cornellian to seventy per cent non-Cornellian, the School was not, until 1952, permitted to solicit from its graduates contributions restricted to a Law School purpose. In 1949, the Cromwell Professorship was established. The J. DuPratt White and the Edwin H. Woodruff Professorships became available in 1952-53 and the William G. McRoberts Professorship in 1954. The endowment behind the Professorships greatly aided the salary budget.

Between 1937 and 1954, five new scholarships were given to the Law School, raising the total endowment for scholarships to \$96,000. The income of \$3,800 was still staggeringly insufficient.

In April, 1954 I tendered my resignation as Dean of the Faculty and Professor. This was accepted by the Board of Trustees to become effective September first.*

* A history of the Law School—1955-1969, by Professor W. David Curtiss, to be published in Volume 55 of the *Review*, will re-examine Dean Stevens's important role in the development of the Cornell Law School.