

12-1-1952

A Note from the Editor

Buffalo Law Review

Follow this and additional works at: <https://digitalcommons.law.buffalo.edu/buffalolawreview>

Recommended Citation

Buffalo Law Review, *A Note from the Editor*, 2 Buff. L. Rev. iii (1952).

Available at: <https://digitalcommons.law.buffalo.edu/buffalolawreview/vol2/iss1/3>

This Editorial Note is brought to you for free and open access by the Law Journals at Digital Commons @ University at Buffalo School of Law. It has been accepted for inclusion in Buffalo Law Review by an authorized editor of Digital Commons @ University at Buffalo School of Law. For more information, please contact lawscholar@buffalo.edu.

A NOTE FROM THE EDITOR

With this issue, the BUFFALO LAW REVIEW commences its third year, and second volume, of publication. Steady readers will note the addition of a new feature, the Court of Appeals Section, which undertakes to analyze leading cases decided by New York's highest court in its 1951-52 term. This enterprise has been almost as troublesome as profitable, and the staff have divided their time between mentally cursing my predecessor, who conceived the idea, and trying to think of some new millstone to hang on the unfortunate necks of next year's editors. So far no luck, but we may come onto something yet.

It is customary in this space to play the role of an honest forecaster and disclose the fate on appeal of cases previously noted in the REVIEW. I grudgingly concede that *Gautier v. Pro-Football, Inc.*, 278 App. Div. 431, 106 N. Y. S. 2d 553 (1st Dep't 1951), holding the televising of a professional animal act no violation of the CIVIL RIGHTS LAW, was affirmed on appeal (two judges dissenting), 304 N. Y. 354, 107 N. E. 2d 485 (1952). The case was criticized in 1 BFLD L. REV. 174. Less reluctantly do I acknowledge that *Zorach v. Clauson*, 303 N. Y. 161, 100 N. E. 2d 463 (1951), noted, 1 BFLD L. REV. 198, sustaining New York City's released time program, was affirmed by the United States Supreme Court, 343 U. S. 304 (1952). The note recognized that this path was technically open to the Supreme Court. And, for those who are wondering how the comment on group libel appearing at 1 BFLD L. REV. 258 could be cited by Mr. Justice Jackson in *Beauharnais v. Illinois*, 343 U. S. 250 (1952), prior to distribution of the Spring issue, the answer is *not*, as has been charged, that the REVIEW is running an advance sheet service.

Two of the leading articles published herein concern the position of the courts in our legal system. Now in his fifth year with the Buffalo Law School, Professor Clyde Summers has recently earned his doctorate in law at the Columbia University Law School. Because of his wide experience as author, editor, and teacher in the fields of Labor Law and Administrative Law, Professor Summers is peculiarly well fitted to advance the thesis that review by courts of the decisions of labor arbitrators is in many cases a questionable judicial practice. The Editors are pleased that Professor Summers has chosen to write for the REVIEW.

Professor John Frank brings to his analysis of the effect of "racial litigation" on race relations a rich background in Constitutional Law. Professor Frank received his B. A., M. A., and LL. B. degrees from the University of Wisconsin. He was law clerk to Mr. Justice Black, of whose biography he is the author,

A NOTE FROM THE EDITOR

and spent the war years with various government agencies in Washington. Dr. Frank is now Associate Professor at the Yale Law School, where he earned his J. S. D. degree in 1947.

It has been a good many years since Francis L. Wellman, in *The Art of Cross-Examination*, referred to "Lloyd Paul Stryker, who is fast rising to the leadership of our New York Bar." Nothing has since occurred to dim that prediction. Although best known of late for his careful defense in the first trial of *United States v. Alger Hiss*, Mr. Stryker has appeared in leading cases in New York City for a generation. Few men can write of cross-examination with more authority than he, and the REVIEW is delighted to publish his remarks on the subject. Mr. Stryker is also the author of *Andrew Johnson—A Study in Courage, Courts and Doctors*, and a biography of Thomas Erskine, *For the Defense*.