



TO THE BAG

CONTENTS ARE 80% LIBRARIAN

To the *Bag*:

The Winter 2016 issue of the *Bag* contained my essay (“What’s in a Name?”) concerning the impending vote of the members of the American Association of Law Libraries on the subject of changing the group’s name to the Association for Legal Information. The Executive Board of the Association unanimously recommended the change and I ruminated over the move away from the use of the word “library” in the new sobriquet. As it turns out, others were concerned as well. Eighty percent of the membership voted against the change. I cannot recall the last time anything failed by an 80-20 margin. The Board promises to explore other courses in its efforts to rebrand but for now we are still librarians, or at least professionals who work in libraries. Must be something in a name after all.

Yours in books,
Robert C. Berring
Berkeley, CA

ABOUT *EX PARTE QUIRIN*

To the *Bag*:

I appreciate Professor Davies’ account in the spring issue of the Court’s resolution of the appeals of the eight Nazi spies and saboteurs who came to the United States in 1942 only to be caught and convicted in a military court with the approval of the Supreme Court. There is an additional detail of that event that I have recorded in my book, *American Lawyers: Public Servants*

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and the Development of A Nation. The feature of the 1942 event of greatest interest to me is the role of the two lawyer-colonels who were ordered by their commander-in-chief, President Roosevelt, to represent the Nazi offenders, but only in a special military proceeding. The colonels were Kenneth Royall from North Carolina and Cassius Dowell from Iowa. Their Presidential orders commanded them to restrict their advocacy to the military tribunal that was being specially established to handle the case very quickly so that the offenders could be promptly executed. It was in defiance of the commanding President that the lawyers took their Nazi clients' objection to the military jurisdiction to the federal court and to the Supreme Court. Their effort did not succeed, as noted in Davies' account. But it won a letter signed by the eight convicted clients expressing admiration for their moral courage and observing that no German lawyer could have the courage to defy Hitler. Royall went on to become the Secretary of War in the Truman administration and then a named partner in a large Manhattan firm. I was employed there in 1953 as a summer law clerk. In my brief encounter with Mr. Royall he recounted the *Quirin* experience, and he stated that it was his proudest moment as a professional lawyer to defy the President on behalf of clients, and he showed me the letter from his clients. I still reflect on his advice about the moral obligations of the professional lawyer. I hope that I have not myself wimped out, and I frequently shared the story with law students.

Paul D. Carrington
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THE PAPER CLIP FILES

To the Bag:

Rob James' discursion, *The Jurisprudence of Paper Clips*¹ made me revisit a case I heard about years ago in which paper clips provided the remedy, sort of.

In *Searight v. New Jersey*, Mr. Searight alleged that someone was talking to him on the inside of his brain. He accused the State of New Jersey of causing this problem when it "unlawfully injected him in the left eye with a radium electric beam" – Mr. Searight having been in the custody of the State at the time. (The opinion is unclear about why Mr. Searight found

¹ 19 Green Bag 2d 249 (2016).