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Editor's Notes

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EDITOR'S NOTES

With this issue, the reader will note two changes in the *Washington Law Review*. The first is the adoption of a new cover, one which we feel will give a more pleasing first impression of our publication. Grateful acknowledgment is made to Mr. David A. Lauer, Graduate School of Art, who designed it. The second is the creation of *Editor's Notes*, an informal discussion of matters that have come across the editor's desk, but which have been withheld in the past because they did not lend themselves to formal Review presentation.

As a first step in this direction, it is felt that the attention of the Washington Bar should be directed to Rule 43, Rules on Appeal. In an appalling number of cases, the appellant, in appealing from an action tried to the court without a jury, has failed to "point out by number and description the finding of fact upon which he predicate[d] error." The resulting acceptance by the Supreme Court of the trial court's finding of fact has caused no end of embarrassment to counsel and possible expense to his client. The regularity with which the Court has demanded meticulous adherence to the rule suggests that the practitioner would do well to give Rule 43 a second reading before "taking the case up."

ROY J. MOCERI