The quiet attractiveness of a now well-equipped Library, and a view of one of the finely furnished Conference Rooms were brought before you in the last two issues of the NEWS. To-day the General Assembly and Lecture Room is portrayed—partly—for the reading table with comfortable chairs, the large leather lounge, and a line of individual writing tables are outside the scope of this flashlight. There is here a "homey" atmosphere, to which the canvasses of masters lend dignity and beauty. Here one enjoys a quiet smoke or the fellowship of other Suffolk men, perhaps strangers heretofore, but now friends by Association ties. Here one comes in social contact with attorneys and business men, frequently non-members who are registered in the graduate courses. And here the lectures are held in a very informal manner, acceptable to instructor and student alike. Our social gatherings monthly are always happy occasions to which the pleasant environment of this Assembly Room lends its charm.

CRANKING THE FLIVVER

BY GLEASON L. ARCHER, LL. D.

How well I remember that first flivver! What man forgets his first roaring "Spirit of Detroit"? I brought it home proudly and parked it in a little shed below the bungalow. The last occupant of that shed prior to my purchase of the place had been an old elephant of a horse that had died one night from over indulgence in hay. The old nag had been hauled out by the heels after sundry portions of the front of the shed had been demolished to permit his removal. Portions of the front of the shed had been demolished to permit his removal. Dealted, however, I finally gathered up my overcoat, my under coat, my vest, my collar and my tie and oozed into the bungalow.

The burning message that I sent over the wire to that physical replica of Henry Ford who had sold me the thing brought him post haste to my door. He came with horns sprouted from either side of his head. He departed with a halo and a wide grin for he started the engine at the third turn. It was all in knowing how. My superior strength was as nothing to the skill of this elongated spider.

Herein is a lesson. But there is also another lesson lurking in this story. My car of to-day has a sleeve-valve motor and six cylinders. It is big, powerful and cost approximately four thousand dollars. But I carry its crank in a tool box and the crank has never been used. The car is a self-starter. It begins operations, not with an irresponsible car-cracking roar but with a business-like murmurs that does not interrupt conversation in the car in the slightest degree. It moves off with a steady gathering momentum, with no sound save the steady sighing intake of air in the carburetor. A vast change from the unlovely flivver with its dangling crank and boiler factory din!

The flivver was indeed hard to start but not much harder than to start than some men. They, too, have to be cranked vigorously. They, too, stall in traffic and slow up the procession.

How many men do we know who have to be prodded and cranked and cursed and scolded into doing anything necessary or worthwhile; who pay their taxes at the last possible moment; who are doing to-day some of the things that they should have done last week and to whom obligations mean little or nothing?

Inertia, indifference and downright stagnation of conscience is the curse of mankind to-day. There is a crying need of the old-fashioned New England conscience, that self-starter of the soul that will not permit a man to rest unless he is entitled to rest—the conscience that hisses in the ear:

"Bijah, get up! The clock has alarmed, confound ye, get up! Shake a leg!" or "Bijah, remember your promise. Don't forget that appointment.

How about your plan to go to the Alumni House to-night to attend Keezer's lecture on 'Domestic Strife'? By the way, have you sent Cleveland that check that was due last January? Have you got writer's cramp?

That is what is needed—a conscience that spurs one to duty. A conscience that spurs one to duty. A conscience that spurs one to duty. More phoning to the garage man to stir up a dead flivver. Put the crank out of sight. Get a self-starter. Develop power in every cylinder. Get somewhere. Do something! Be yourself in the highest sense of the word.
COMING EVENTS

MEMBERS’ NIGHT, Wednesday, March 25th, 7.45 P.M., provided a very interesting program in which Antonio Termiello, ’17, rendered vocal selections and Kenelm Murphy, ’27, read “Othello’s Plea to the Duke,” and other selections. U. S. Posner, Attorney A. Chesley York, our genial professor, told us of duties connected with his office and of the method of procedure in the United States Courts.

Those present at the February and March Members’ Nights were unanimous in the opinion of having enjoyed very delightful and profitable evenings.

In February Vitali and Madam Podolsky rendered violin and piano selections of great merit; and Charles S. O’Connor, ’13 gave a very instructive and eloquent address on “Citizenship.”

THE APRIL BUSINESS MEETING AND DEBATE will be held at the Club House, Thursday, April 12th, at 7.45 P. M. Suggestions for Alumni and Advertisers’ Night, April 26th, will be welcomed, and plans for the Second Annual Banquet, June 4th, will be drafted. Committees to take charge of Members’ Night, of the Monthly Luncheon Club Program, and of the Banquet will be elected. These are important events in the progress of the alumni work and alumni should either submit their suggestions at this meeting or, if unable to attend, send them by mail to the office. The Business Meeting will be followed by a Debate and subsequent Discussion on:

Resolved: “That the Boston Elevated Railway Should Be In The Hands of A Public and Controlled By A District Commission.”


This is the second of a series of debates to develop a Suffolk Debating Team. All graduates interested in debating are requested to register at the office. See “Secretary’s Report” regarding last month’s debate.

John M. Swift, ’26, has the May debate in charge.

THE CENTURY FUND

Established by Edson L. Ford, ’27, in November, 1927, to create a fund for the purchase of Library Books, ALL are invited to contribute $1.00 or more.

CONTRIBUTIONS IN MARCH

F. J. Hansberry $1.00
Leo V. Bennett 1.00
Thomas P. Dillon 1.00

ACKNOWLEDGMENTS

The Alumni Association will always cherish the fine portrait given by Dean Archer, which is now in the Library. It is a likeness reflecting the strength, kindness, patience and wisdom of our Director who has in so few years reared the largest law school in the world and established for its graduates an alumni club house and organization worthy of the original undertaking.

From Professor Hogan, for our Library, Jorman on Wills, 2 vol., and Vol. 25 American Bar Association Reports for 1927.

From Professor Evans, Blue Books of the General Laws.

From James C. Biller, Suffolk Junior, the advance tickets to the General Court of Massachusetts.

From Edson L. Ford, ’27, a Comprehensive Hand Directory for Library use.

From A. T. Bodl, ’19, we have received a large number of miscellaneous magazines.

From Professor Getchell, “The Law of Charity Trusts under Massachusetts Decisions.”

REPORT OF MARCH MEETING

Alden M. Cleveland, Alumni Secretary

The March Meeting of the Suffolk Law Alumni Association was held at the Club House, April 15th, with President Brennan presiding. About forty-five men were present.

The Secretary’s report was read and approved.

Owing to the unavoidable absence of the Treasurer his report was omitted.

President Brennan spoke with much enthusiasm of the progress of the alumni work, and of the responsibility resting upon each individual of the organization to make it an increasing success by regular attendance, participation and genuine support. In particular President Brennan emphasized the fine opportunity offered to members of the association, and others, to learn practical methods of applying the law, by attending the graduate courses which continue throughout April and May.

As there was no new business to be acted upon the business meeting was adjourned at 8.30. As President Brennan was obliged to leave for another engagement, Charles J. Austin, ’19, was appointed Chairman to preside at the Debate on, Resolved, “That Capital Punishment Should Be Abolished in Massachusetts.”

William R. Gilman and John J. Geoghan represented the affirmative and James E. Bagley, Jr. and Arthur F. Laurian the negative. All were of the class of ’27, and presented their arguments in a manner worthy of highest commendation. Each reflected a firm conviction of belief in his side of the question; which is an essential feature of a successful debate. By unanimous vote of those present the decision was given in favor of the negative.

We express our appreciation as an organization to the men of ’27 who so ably inaugurated and conducted this first of a series of debates. Adjournalment, 9.40 P. M.
Mr. Justice Holmes, speaking for that court says in part: "In such circum-
stances and in view of the way in
which business is done at the pres-
cence of the contract and in case of
a well known solvent bank in the
neighborhood would be it. It seems
likely that it would have been exce-
ted for the defendant's desire to
escape from his contract. If without
previous notice he insisted upon cur-
rency that was strictly legal tender
instead of what usually passes as
money, we think it was so far at
least the plaintiff was entitled to a reasonable
opportunity to get legal tender notes,
and as it was too late to get them
that day might have tendered them
to the next. But the jury might find
also that the defendant's behavior
signified a refusal to go farther with
the matter and therefore that the
plaintiff was not called upon to do
anything more. If these were found
to be facts, as they might be, the de-
fendant broke his contract and the
plaintiff has a right to recover. Judg-
ment reversed."

THE BALTIMORE & OHIO RAIL-
ROAD COMPANY, PETITIONER

DORA GOODMAN, ADMINIS-
TRAH OF NATHAN GOODMAN

(United States Supreme Court.
Decided October 31, 1927.)

NOTE: The facts in this case are
so tersely stated by Mr. Justice
Holmes and the decision is of such
practical importance that substan-
tially the entire opinion is here
quoted:

"This is a suit brought by the
widow and administratrix of Nathan
Goodman against the petitioner for
calling his death by running him
down at a grade crossing. The de-
fense is that Goodman's own neglig-
ence caused the death." The de-
fendant asked for a directed verdict
which was denied "and the plaintiff
got a verdict and a judgment which
was affirmed by the Court of Ap-
rts."

"Goodman was driving an automo-
bile truck in an easterly direction
and was killed by a train running
southwesterly across the road at
a rate of not less than sixty miles an
hour. The line was straight but it is
said by respondent that Goodman "had
no practical view" beyond a section
house two hundred and forty-three
feet north of the crossing until he
was about twenty feet from the first
rail or as respondent argues
twenty feet from danger, and that
then the engine was still obscured
by the section house. He had been driv-
ing at the rate of ten or twelve miles
an hour but had cut down his rate to
five or six miles at about forty feet
from the crossing. It is thought that
there was an emergency in which,
so far as appears, Goodman did all
that he could."

"We do not go into further details
as to Goodman's precise situation,
bes-
yond mentioning that it was daylight
and that he was familiar with the
crossing, for it appears to us plain
that nothing is suggested by the evi-
dence to relieve Goodman from re-
sponsibility for his own death. When
a man goes upon a railroad track he
knows that he goes to a place where
he will be killed if the train comes
upon him before he is clear of the
track. He knows that he must stop
for the train, not the train stop for
him. In such circumstances it seems
true to us that if a driver cannot be sure
otherwise whether a train is danger-
ously near he must stop and get out
of his vehicle, although obviously he
will not often be required to do more
than to stop and look. It seems to us
that if he relies upon not hearing the
train or any signal and it seems any
further precaution he does so at his
own risk. If at the last moment Good-
man found himself in an emergency
it was his own fault that he did not
reduce his speed earlier or come to a
stop. The question of due care is,
in such circumstances, entirely a
question of fact, and we are dealing
with a standard of conduct, and when
the standard is clear it should be laid
down once for all by the Courts. Jutgment reversed."

ANNOUNCEMENTS

1928 Dues are now due!

Every Suffolk graduate is reminded
that payment of his 1928 dues au-
tomatically gives him a reservation
(without further charge) for the
Second Annual Alumni Banquet on
Monday, June Fourth. Plans for the
banquet are already under way and
dues should be paid forthwith in order
to enjoy reservations. All mem-
bers of the graduating class who are
to be here will be guests of the School.

Class Day Exercises this year will
be held at 2:00 P. M., June fifth, in the
School Auditorium. Auditorium and Emer-
ment Exercises will take place at
7:30 P. M., either in the auditorium
or at Tremont Temple. Let us make
this Class Day a rally day in honor
of those who are joining our Alumni
ranks, and for the renewal of the fine
bonds which contribute so much to
Suffolk's success.

Alumni Class Day Supper, to be
served at Hotel Bellevue, Tuesday,
June fifth, at 5:30 o'clock promptly.
Reservations $1.00, otherwise admi-
ittance banquets. Open to all Seniors, Alumni,
undergraduates, families and friends.
It is a real opportunity to have
mothers and wives and sweethearts
and children, who have so willingly
sacrificed for Suffolk's successes, to
meet together with the graduates on
this glad day. Let us make this new
function a grand success. Music and
special speakers. Make your reserva-
tions now ($1.00 per plate), for there
are accommodations for a limited
number only. Checks payable to Suf-
folk Law Alumni Association.

There will be open house and in-
formal reception at the Alumni Club
on Saturday, June seventh at 7:00 o'clock
and evening of Commencement Day.
Suffolk men are invited to bring fami-
lies and friends to visit our attractive
and through its pleasant Alumni
headquarters that they may better
realize that Suffolk goes forward with
its graduates in their life-vocation,
and through its pleasant Alumni
rooms, its fine library, its valuable
graduate courses and its social func-
tions, furnishes means and methods
of increasing the pride of Suffolk's
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SUFFOLK ALUMNI NEWS

GRADUATE COURSES 6 to 7:30 P. M. April
Monday—Practical Conveyancing
Allen N. Swain, LL.B., of Swain, Commonwealth
Tuesday—Probate Practice Problems
Leo J. Halloran, LL.B., Professor of Wills, Suffolk Law School.
Friday—Massachusetts Motor Vehicle Law
Sidney V. von Loesecke, LL.B., Ass't. Attorney, for the A. L. A. (Pour
of Wills, Suffolk Law School.

SPECIAL COURSES IN APRIL
Wednesday—12:30-1:30 P. M. Public Speaking
Delbert M. Staley, LL.B., Ph.D., President, College of Spoken Word.

FRIDAY—7:30-9 P. M. Speakers' Clinic
James W. Prentice, LL.B., John H. Carr, Secretary.

"DAILY LIST"
Suffolk Law Alumni Club House, 73 Hancock Street, Boston.
Fri. Tel. Hay. 0739.
Lecture, 6 to 7:30 P. M.
Monday, Tuesday and Friday
Rates for Courses: Members free.
Non-members, apply at office, or telephone for information.

Wednesday, 12:30-1:30 P. M. Dr. Staley.
Fri. April 6. Speakers' Clinic: 7:30 to 9 P.M.

TUES. APRIL 3

9:30, 10:00 A.M. Directors' Meeting.

Mon. Apr. 9. Conveyancing: The Real Estate Agreements. Mr. Swain.

Wed. Apr. 11. Public Speaking: 12:30 to 1:30 P.M. Dr. Staley.
Thu. Apr. 12. 7:45 P.M. Monthly Business Meeting, and Debate.
Fri. Apr. 13. Speakers' Clinic: 7:30 to 9 P.M. Directed by Mr. Prentice.

Mon. Apr. 16.

12:30 P.M. Mr. Prentice.

Wed. Apr. 18. Public Speaking: 10:30 to 12:30 P.M. Dr. Staley.
Fri. April 19. Law of Negligence Relating to Use of Automobiles. Mr. von Loesecke.

Fri. Apr. 20. Speakers' Clinic: 7:30 to 9 P.M. Directed by Mr. Prentice.

Mon. Apr. 23. Conveyancing: Adjustment of Mr. Swain.


Wed. Apr. 25. 7:45 P.M. Alumni and Advertisers' Night. Special Entertainments and Speakers.

Fri. Apr. 27. Law of Negligence Relating to Use of Automobiles. Mr. von Loesecke.
Fri. Apr. 27. Speakers' Clinic: 7:30 to 9 P.M. Directed by Mr. Prentice.

PERSONAL MENTION

Attorney James P. Gallagher, '20, 277 Washington Street, Newton, is President of the Newton Riwan Club.

Edward P. Hughes, '27, and Frank R. Whiting, '27, entered the matrimonial lists a short time ago and have the well-wishes of all the Alumni.

John J. Murphy, '27, has opened an office for the general practice of law at 18 Union Square, Somerville.

Louis Villani, '27, who passed the Maine Bar examination in January with one of the highest percentages yet attained, has planned to go to Portland with his wife and three chil-
dren in May and there enter the general practice of law. Mr. Villani is a graduate of the Waterbury, Conn., High School, and attended lectures at Harvard in Ethics, Psychology and Philosophy.

It is interesting to note that through the vision and aggressiveness of Louis H. Steinberg, '25, President of the Massachusetts Lime and Cement Company, the company has grown from the small shack which it occupied a few years ago in East Cambridge, to vast yards of building materials from which most of the class "A" builders who require first class materials in their work select their stock.

We regret to learn of the illness of Martin S. Kilgallon, '27, newly elected President of the Class of 1927. A letter from Mr. Kilgallon at the Veteran's Hospital, Rutland, Mass., brings its "best wishes to all the boys," and bears a happy anticipation of return to the ranks early in September.

Without doubt letters from some of our members with news of Suffolk's doings would be welcome to so active a man as Mr. Kilgallon.

Our Alumni President, James H. Brennan, '21, was confined to his home a part of the month with the flu; and our Alumni Treasurer, Martin W. Powers, '25, recently under went an operation for Appendicitis. Both are now quite well recovered.

Early March saw our genial Trustee, Hon. Joseph O'Connor, bearing as broad a chest as he entered his office at 11 Beacon Street, for his eighth son, the eleventh child, had arrived.

Many alumni and undergraduates enjoyed the visit and the fine orations of Ex-Gov. Clifford Walker, of Georgia, who was guest of the school on Wednesday, March 14th. A banquet in honor of the Governor was given by the Trustees and Faculty at Hotel Bellevue.

Bernard F. Gately, a Suffolk Senior who passed the bar examination last December, is frank in crediting his success "entirely to instruction at Suffolk." Mr. Gately, who lives at 45 Emerald Street, Medford, and intends to enter private practice, is recognized as authority in the Federal Workman's Compensation Law and is oldest in point of service in that division of government service.

We congratulate Clarence ('25) and Maud Hoag on the arrival of a fine boy, Clarence Gleason Hoag and appreciate the honor reflected in the name.

George E. Constantino, '26, was elected Solicitor of Clinton, Mass., March 5th.

Henry M. Duggan, '25, 39 State Street, Newburyport, is a member of the Newburyport Bar Association.


We note that James J. Fox, '23, was on the ticket for Selectman of Saus-gus last month.

One of our Suffolk Juniors, Maurice Liberman, has written a book entitled, "Know the Bible," which has met country wide acceptance among ministers and rabbis alike, and is enjoying a large sale at $1.00 per copy. Mr. Liberman is Education Director at Temple Kehillath, Brookline, and has studied at the University of Paris and New York University. A copy of his book is in the Library.

CITY OR COUNTRY?

Charles A. Perry, '25 of the Maine Bar

When the writer on a certain momentous day a very few years ago received his degree from Suffolk, previously having delivered the class prophecy, he little realized that some of his predictions would so soon come to pass; for example our Alumni Club
SUFFOLK ALUMNI NEWS

House. While on a business trip to Boston recently he was both surprised and pleased at the fine building, alumni lectures and general spirit of the governers.
He predicted for himself practising in the country; not that so doing was through choice but family conditions seemed to make it necessary; and in this short article will attempt to convey his impressions.
In 1871 he practised in Greater Boston and having attended its public schools and colleges it was difficult at first to become acclimated to small town conditions.
My first case, (I'll never forget it), in the Supreme Court in equity was forwarded to me by an old judge, a trial justice of years' experience who instructed me how it should be brought, was nearly a failure due to the following reasons, quoting from the conversations at the bench, between the writer and the presiding justice.
"How did you happen to bring this action this way?" The answer was that my judgment was to bring it otherwise.
"Why didn't you do so then?" It was explained how the case was brought at the suggestion of the older practitioner.
"You are young in practice and I want to give you a little friendly advice. You graduated from a good law school, turning out capable men and have evidenced your right and ability to practice by passing the State bar examination. In the future make sure you bring all your actions as you think and not listen to anyone else. You'll make mistakes, we all do, but make them of your own knowledge."
I was finally able honorably to retire "without prejudice and without costs." I have several difficult cases before the same justice next month and it is to be hoped that an improvement will be noted.
Since that time the advice so kindly given has been followed and I have tried cases against some of the best men in my part of the State and thus far, I believe, I have never been defeated in any way. The advice so kindly given has been more and more appreciated as time goes on.
Rural practice does not bring the fees found in the larger cities. On the other hand the expenses are less. If one likes, however, to fish, hunt, sail and all outdoor sports they are all within a few miles of the office. But if one believes, get a greater variety of actions, get to trial sooner, and secure a more diversified experience in the smaller communities. I have a naturally inclined and make good in the locality, you can go ahead about as fast as you wish. The writer was offered the nomination as attorney general in the election of a grand attorney or judge of probate. The same difficulty arises as does in Boston, can one afford to serve for the money salary?
Graduates of the big day law schools have been my adversaries. I can see no reason why a Suffolk man should ever doubt his training.
Recalling the "mouse trap" quotation of Emerson, be fair with your fellow man, work hard and honestly, have confidence in yourself and your training and the business will come. By all means start by yourself and if you have a knowledge of the law you will make better than a living the first year and double it the second. The prophet predicted for himself a trip with his small introduction in a rattle trap Ford but within the first year of practice he made it in a car in the thousand dollar class.
This article is not written in the spirit of egotism as the writer still feels he has quite a distance to go, but to encourage those who may hesitate and be bold about hanging out the shingle in city or country districts.

LEGAL BIBLIOGRAPHY
Francis P. Garland

In a former issue of this paper we called the attention of the student to the importance of certain subjects outside the field of law which every one should study to equip himself properly for the practice of his profession. Among these subjects were included history, government, economics, literature, science, and logic.
It is the purpose of this article to interest the student in legal bibliography and the history of jurisprudence.
In his book "The Life of Rome," Mr. Huber states that the history of Rome is the great central fact in the history of the world. Rome brought under her imperial sway all the civilized nations of Europe and out of national unity and the disruption of the Roman Empire came the nations of modern Europe. But the true record of Roman greatness is not to be found in the history of her military conquests, her political institutions, or in the civilization and the culture which she bequeathed to posterity; it is rather to be found in her splendid jurisprudence, which has so largely influenced the development of the legal systems of modern times.
The universal principles of justice absorbed by the Eternal City into her judicial system from the jus gentium, and developed by Gaius, Papi­nian, and Ulpian, found their final expression in the monumental work of Justinian; the Corpus Juris Civilis those principles have found their way into the systems of continental Europe, England and America. While Blackstone, whose knowledge of the Common Law was as extensive as his knowledge of history was limited, attempts to minimize the con­tribution made by the Civil Law to the development of jurisprudence in England, better informed critics like Pollock and Fenwick have fully ac­knowledged the indebtedness of England to Rome. From Bracton to Mansfield and even to the present day, there have been convictions of the fact that the Civil Law has improved and enriched the Com­mon Law; and in our own country Kent and Story bear witness to this fact.
Every student should be familiar with the works of jurists whose labors have done so much to expound and illustrate the principles of the law of England. The names of Bracton, Littleton, Coke, Hale, Holt, Mansfield, and Blackstone should mean something definite to the lawyer.
In our own country we cannot fully understand and appreciate the develop­ment of jurisprudence without some knowledge of the enduring work of Marshall, Story, Kent, Blackstone, Pomeroy, and many other great judges and lawyers.
When we think of distinguished ad­vo­cates we recall at once the plen­i­d names of Choate and Webster. But many others have added lustre to their profession in America, and in concluding this short essay we wish to mention one whose career at the bar has been so overshadowed by his great success as to make us think that we seldom think of him as a lawyer.

Photo Courtesy of The Pathfinder
Abraham Lincoln emerged from a life of hardship and poverty to become the greatest of our Presidents. Before he became President, however, Lincoln had won a high position at the Bar, and the secret of his success has been well stated by Justice Davis of the Supreme Court of the U. S.

"In all the elements that constitute the great and good, as Judge Davis, "Lincoln had few equals. He was great both at nisi prius, and before an appellate tribunal. He seized the strong points of a case and presented them with clearness and great compactness. His mind was logical and direct and did not indulge in extraneous discussion. Generalities and platitudes had no charms for him. An unwill­ing vein of humor never deserted him; and he was able to claim the attention of the Court and jury, when the cause was most uninteresting, by the appropriate­ness of his anecdotes. His power of comparison was large, and he rarely failed in a legal discussion to use that mode of reason­ing. The framework of his mental and moral being was honesty."
The life and work of such a man can never fail to be a source of inspiration, and the uncompromising honesty of thought and action which characterized Lincoln at all times and under all circumstances is a solid foundation on which to build a successful career at the Bar.

RECENT DECISIONS OF MASS. SUPREME JUDICIAL COURT
Arthur V. Getchell

CODE OF ETHICS

The case of Re Max Waldo Cohen, 1928 A. S. 21, is a wholesome reminder to the bar that codes of ethics are not lightly to be disregarded by attorneys. In this case respondent, who advertised in the newspapers, under a name
not his own: "advice free in legal matters: specialist marriage troubles," etc. in connection with the necessities of ethics of the Massachusetts and Boston Bar Association, was disciplined by suspension from the bar for two months. The court said that codes of ethics of bar associations have no statutory force, but are commonly recognized as wholesome standards of professional action. Solicitation of clientele by advertisements such as in this case is contrary to sound practice. This court... is vested with authority to investigate the conduct of attorneys at law and to remove them from office absolutely or to suspend them for a stated period if found guilty of conduct in any respect unbecoming the high standard of propriety which ought to be maintained by all members of the legal profession."

REGISTRATION OF LAND—ADVERSE POSSESSION

Ansiv v. Taylor, 1928 A. S. 369. Petition for registrations of land. L. T. had erected, on the land in question, two buildings, called the Trust Building and the Elm House. Later he erected a laundry building between the two, using timbers of this building, including attached to the Elm House on the south and inserted in the brick wall of the Trust Building on the north. The eaves of the latter building overhung, and the foundation for 18 inches projected under the laundry. The Trust Building had been specifically devised by L. T. to the predecessor of Taylor. Ansiv acquired title to the southerly parcel, including the Elm House and hotel, through the residuary devises under the will of L. T. The dividing line between the lots is in dispute, Taylor claiming title to the land under the eaves and foundation wall of the Trust Building. Ansiv to the wall of the Trust Building and also the fee in that wall so far as the timbers of the laundry extend from the foundation wall. Property of a specific devise of the Trust Building carried title to all the land under the building including the land on which the building stood and the lands and the eaves under the eaves. The stone foundation was part of the building, and the land under this wall was included in Taylor's title. Also that Ansiv acquired an easement in the wall of the Trust Building for the support of the laundry, and as the laundry had since been torn down, this easement was extinguished. Ansiv also claimed title to the land under the laundry (which included the land under the eaves of the Trust Building and over the foundation clear to the brick wall of that building) by adverse possession for over twenty years. But as this possession was not exclusive and was equally consistent with a right of easement, the court held there was no title by adverse possession.

TORT—PROOF OF AGENCY

Welch v. Checker Taxi Co., 1928 A. S. 359. Action of tort for damages caused by collision between plaintiff's and defendant's cars. The evidence showed that one Devoe was driving the taxicab; also that a Devoe was employed by the company; but the company's payroll did not show the hours he worked on that day or his first name. Devoe had on the regulation "Checker" uniform and had a license with the name "Devoe" upon it. But there was not any evidence that there was any passenger in the car or that the driver was on his way for a passenger in response to a call or was returning after completing such service, the plaintiff had not sustained the burden of showing that Devoe was not only the defendant's servant, but acting within the scope of his employment at the time of the accident. Ordered verdicts were sustained.

WORKMEN'S COMPENSATION—UNSKILLFUL TREATMENT

Valatalo v. Thomas, 1928 A. S. 421. Action against a physician for damages due to an unskillful operation for hernia sustained by plaintiff in the course of his employment, for which he had sought and received compensation under the Workmen's Compensation Act. It was held that the acceptance of compensation under the act constituted a release of all claims and damages at law arising from the injury, that it could have been found that this defendant's "lack of skill was an act of negligence which, it might reasonably have been anticipated, would flow as a natural and probable consequence of the original injury," for which compensation had been paid and that the release of the insurer barred recovery from this defendant.

IMPROPER REGISTRATION OF MOTOR VEHICLE

DiFranco v. West Boston Gas Co., 1928 A. S. 425. Tort for death of child as result of his being in contact with an auto truck owned and controlled by defendant and driven by his servant acting within the scope of his employment. There was evidence that the truck was registered by the defendant under an incorrect engine number at the Registry of Motor Vehicles.

Heid. The registration of the truck was illegal and it was a trespasser on the highway. The use of such an illegal vehicle is a wrong which gives the injured person a remedy independently of negligence.

"HEIRS"—EQUAL SHARES PER CAPITA

Proctor v. Lacy, 1928 A. S. 773. Among other questions presented in a petition for instructions was the constitution of the words in a will distributing a certain fund "in equal shares per capita and between my legal heirs then surviving who are to be determined by the laws of Massachusetts relating to the descent and distribution of personal property. It was held that the "heirs" were to be determined by the statute (in this case, the testator's "heirs" being four nephews, three great-nephews who are children of a deceased niece, and a grandson and great-niece who were the children of another deceased niece), but the division was not to be made per stirpes in accordance with the statute, but in equal shares, one share to each of these heirs, in accordance with the direction of the testator.

SUFFOLK'S SUCCESSFUL CANDIDATES AT THE MASSACHUSETTS BAR EXAMINATION JANUARY 1928

Edward J. Avallone. '27.
James E. Bagley, Jr. '27.
Louis Bobrick '26.
John J. Boyle '27.
Harvey A. Brimer '27.
Fred E. Burden, June '28.
Frank J. Cavanagh '27.
Joseph B. Cleary '27.
John J. Coakley '27.
Hugh J. Conway '27.
Leonard J. Davidson, Jan. '28.
Maurice Davis '27.
John S. Feeney '26.
Joseph Fine '27.
Bernard P. Gately, June '28.
John J. Geoghegan '26.
John H. Gilbert, June '28.
Mathew A. Goburgh '27.
Myer W. Kettlemann '23.
John J. Leahy '27.
Joseph Letonciewich '27.
Gerald T. Liston '27.
Lawrence P. Manning '27.
Patrick A. Menton, June '28.
David S. Miller '27.
Everett H. Miller '27.
Nicholas Moscovitch '27.
Christopher J. O'Byrne '24.
Leonard Poretsky '27.
Ralph W. Prout '25.
William F. Regan, Jan. '28.
Max D. Richmond, Jan. '28.
Joseph Rothstein, June '28.
George S. Ryan '26.
Nathan Sallop '27.
Thomas L. Tully '27.
Michael J. Watkinson, June '28.
Robert L. Weiner '27.

The Alumni Association, through its officers, extends its hearty congratulations to every successful applicant at The January Bar Examination, and wishes for each the largest joy in the practice of his chosen profession, with increasing success attendant upon honest effort and conscientious service.

WITH THE SOLONS

Leo J. Halloran

The bill to authorize the city of Boston to pay $5000 to the mother of the young man killed by an automobile commandeered by a policeman last November, although adversely reported by the Pensions Committee was approved by the House of Representatives and the committee report overruled. Rep. Twohig, of South Boston, the author of the bill, was at one time a student at Suffolk, and now has a son in the school.

The effort on the part of the Legislature to have "Lindy" address it on his recent visit to Boston, was unsuccess-
cessful. The flier is more than anxious to keep out of the public eye for a time.

The bill to increase the allowances under the Workmen's Compensation act, although substituted for an adverse investigation in the Senate, was turned down by the Senate.

Committee on Highways and Motor Vehicles ought to reject the bill to make solicitation of rides from passing automots a crime. The habit on the part of our citizens of "hitching" a ride is the result of the times. Discussing, especially when a line of youngsters is looking for a "hitch," but to make it criminal to do so seems to go beyond the bounds of reason.

The bill introduced by Rep. Symonds, of Lynn, to provide medical inspection of all persons employed by restaurants and hotels has been reported. The long-felt necessity for the protection of the public in the preparation of food seems to a degree met by this measure.

The question of a new Registry of Deeds building for Suffolk County, is now agitating the Legislature and numerous real estate operators are working hard to put it over.

Dean Archer's bill to provide for the making of complaints by persons aggrieved by the actions of attorneys to District Court judges, though rejected, established this precedent, namely, that the first imperative step in this State to eradicate existing evils in the profession of law.

The bill for a two-cent tax on gasoline has been reported by committee. Year after year an effort has been made to place a tax on gasoline, but without success. The present claim of the proponents is that it will result in a decrease in the cost of registration of autos. Perhaps it finally have a step towards the eradication of the evil in the profession of law.

It looks as though the effort to soften the old "blue laws" to the extent of allowing sale of bread on Sundays will be successful.

The attempted referendum to the people to procure their attitude on the prohibition law, has been declared by the Supreme Court to be illegal on the ground that the constitutional right of "l. & R." refers to proposed laws, and that the present referendum is not a law, but merely an expression of opinion.

The House has killed a bill which would create a superintendent of fire prevention in Boston. It is interesting to note that the bill was killed after a Springfield representative had spoken against it.

Governor Fuller has signed the bill for a two-cent tax on gasoline. The proposed increase in the Governor's salary from $18,000 to $25,000 will not be made law this year. It is not believed that Governor Fuller is disturbed over the matter.

The recent removal of Registrar of Motor Vehicles Frank A. Goodwin was not unexpected. Although a fearless, honest, upright public official, his ill-advised and at times almost vicious attacks upon the courts, lawyers, and finally the Chief Executive of the Commonwealth, has done more to undermine the respect and confidence of the people in our form of government than any act of the last fifty years. The press of the State is unanimous in the belief that the only thing left to relieve what was fast approaching an intolerable situation was his removal by those with power to do so.

To it is to be regretted that a man of the Registrar's ability and fearless- ness should be lost to the State, because he could not contain himself within his own sphere of endeavor. In the eyes of a public, but the superficial knowledge of the procedure of our courts, he did not hesitate to attack judges noted for their fairness in the performance of their judicial duties; district attorneys eveyed by the people and enjoying the confidence of the lawyers and public; and in fact any person who had displeased him. Through the press of the State and the country be brought about. The decades, until finally he attacked the Governor of the Commonwealth. His friends who all at first had defended him, had their defenses swept aside, and nothing remained but to agree that if we are to maintain confidence in the integrity of our courts and our officials, without which we must necessarily have anarchy and chaos, Mr. Goodwin should be removed.

The House committee, which will investigate charges of mal-administration and misconduct against the Attorney-General, is holding its meetings; collecting evidence, and in a short time will report to the House. This latest sensation to fill the pages of our daily newspapers appears to be one of far-reaching importance. The question of whether a public official may properly act for those persons and organizations over whom his department must necessarily have supervision is one which we hope will be decided by this investigation.

It would appear that no man has a right to use his position, whether as District Attorney, Attorney-General or otherwise as an instrument of coercion, or as an assistance to building up a lucrative law practice. If the Attorney-General is innocent he should be vindicated. If guilty, he should be punished to the limit and extent of the law. The law must not be a Charles of conduct, one code must apply to all.

The bill to permit the "padlocking" of questionable roadhouses has become law.

Governor Fuller has urged direct nomination of Presidential candidates by the people, with a plea to "do away with back room politics." It is not believed that the Legislature will take kindly to the idea.

The effect of organized labor to have a State fund for compensation insurance has been re-entailed. The bills have been referred to the next annual session.

The District Attorney, Attorney-General or Assistant District Attorney, is charged with the duty of bringing charges against attorneys for practices which are considered to be against the public interest. The work of this office is of far-reaching importance. It is the duty of the office to protect the public in the preparation of food. The law must not be a Charles of conduct, one code must apply to all.

ATTORNEY-GENERAL READING has retained a staff of six well-known lawyers to represent and defend him before the legislative investigating committee. Ex-District Attorney Thomas J. Hammond will represent the committee. As yet Major Hammond has not selected his assistants. It is expected that at least six weeks will be required for the hearing.

The GOODWIN REMOVAL.

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The DISTRICT ATTORNEY, Attorney-General, is holding its meet­ing. Ex-District Attorney Thomas J. Hammond will represent the com­mittee. As yet Major Hammond has not selected his assistants. It is expected that at least six weeks will be required for the hearing.

L. H.
ADDRESSES WANTED

Through the prompt cooperation of many alumni the list of those whose letters have been returned to the Secretary marked, "Gone, etc." has been reduced. Can you supply the correct address of any of the following men, at once?

- Thomas H. Barry '24.
- Alfred W. Bohm '21.
- George S. Briggs '18.
- Morris Caplan '23.
- John P. Casey '24.
- Rafael Cervino '19.
- Lawrence R. Connor '22.
- Raymond E. Cotter '24.
- James C. Donahue '24.
- Samuel Finn '25.
- William Grife '20.
- Francis J. Hattie '19.
- Schicare Hayashi '22.
- Joseph P. Jienuskersky '25.
- Bernard F. Johnson '25.
- Jacob Kline '19.
- Edward A. Lacey '24.
- Jeremiah A. Leary '25.
- George H. Moran '25.
- Daniel F. Murphy '23.
- Martin S. Neary '20.
- Charles T. O'Byrne '24.
- Victor W. Porter '19.
- Joseph Russu '19.
- Paul T. Shea '18.
- Samuel Sidlofsky '19.
- Bernadino Silva '24.
- John P. Sylvia '25.
- Charles T. O'Byrne '24.
- Francis J. Hattie '19.
- Schicare Hayashi '22.
- Joseph P. Jienuskersky '25.
- Bernard F. Johnson '25.
- Jacob Kline '19.
- Edward A. Lacey '24.
- Jeremiah A. Leary '25.

PERSONAL MENTION

John H. Eaton, '24, and Sheridan J. Thorup, '24, have recently been appointed Assistant Trust Officers of The Boston Safe Deposit and Trust Company.

William F. Regan, '27, is secretary to the Mayor of Peabody.

C. Edward Rowe, '26, is serving on The School Committee of Marlboro.

WHY NOT?

Why not a Suffolk Orchestra? All Suffolk men, whether graduates or undergraduates, who are players of orchestral instruments are requested to make that fact known to The Alumni Secretary before April 3rd, if interested in forming a School orchestra. What instrument do you play? How long have you played? What instruction, and what experience have you had? Please answer these four questions. The Secretary is not a player himself, but leaders are forthcoming and plans for practice will be developed immediately if "timber" for the work register promptly.

ALSO,—All Suffolk "Readers and Entertainers" please register with the Secretary at the same time.

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Wanted: In Boston; desk room with other Suffolk man. I am 1927 grad. and member of Mass. bar. O. W. 1.

PROPERTY For Sale and To Let:

South Shore properties of real value; country and by the sea; near and far from the city. P. S. L. 2


Wanted: Position as insurance adjustor with opportunity to work part time in legal department of company. P. W. 2.

Wanted: By a conveyancer of broad experience over a number of years, opportunity to become affiliated with the title investigation department of a reputable bank. P. W. 3.

Wanted: Part time work on pre-liminary investigation of cases, etc. P. W. 4.

SUFFOLK ALUMNI DIRECTORY

The Suffolk Alumni Directory is developing and will undoubtedly be in the hands of our men by the first of May. All graduates who wish a copy of the Directory must fill in and mail the application below promptly to the Alumni Secretary. No costs of strings attached. The Directory is a valuable book (sold to other than alumni for $2.00 but free to all alumni on application herewith.) We cannot afford to mail out such a book without knowing that it is going directly to the address he wishes it sent. We realize that there are undoubtedly some forwarding addresses on our mailing list which are insufficient of some forwarding addresses on our mailing list which are insufficient. Pre-liminary investigation of cases, etc. are insufficient. Pre-liminary investigation of cases, etc. are insufficient.

SUFFOLK LAW ALUMNI NEWS

CLASSIFIED ADS

Direct inquiries and requests through the Alumni office.

Copy and fee should be in hand by the 20th: 3 cents per word, $1.00 minimum charge.

PROPERTY For Sale and To Let:

May, 1928

APPLICATION

The Secretary wishes to take this opportunity to express his appreciation of the receipt of $1.00 and $2.00 remittances from a number of Suffolk men as their contribution toward the cost of the Directory. As they truly say, "its three listings, and photo (as the case may be), and its wide distribution of use is bound to give them publicity returns for in excess of such contribution."

Financing this publication by the Advertising Supplement is a big undertaking. You are assured that should we be so fortunate as to have a sum in excess of our needs (which seems quite improbable) that it will be used wisely for the Library for the benefit of all.

Sincerely,

A. M. CLEVELAND

MASSACHUSETTS BAR EXAMINATION December 31, 1927

Morning Paper

(Answers will be published in the next issue.)

1. A grocer, while delivering groceries at the house of a customer, fell on a stairway in the house and was injured. The stairway was defective, and the defect caused the fall. The customer was a tenant at will of the owner of the house. The grocer brought an action against the owner. Can he recover?

2. Define — "Accessory before the fact."

3. (a) A freight car loaded with merchandise was destroyed by the Western Massachusetts flood, while the merchandise was in transit. (b) A freight car loaded with merchandise was burned in the great Boston fire, while the merchandise was in transit. Was the carrier liable to the owner of the merchandise for the loss of it in either (a) or (b) or both?

4. Define "Police Power" and give an example.

5. What bailiffs are insurers of goods in their possession? Define the doctrine of liability of such bailiffs, and the reason for the extraordinary liability.

6. What is the meaning of the words "probable cause" as used in the law of torts?

7. If a losing party in an action at law in the Superior Court wishes, after the case is ripe for judgment, to take a question of law to the Supreme Judicial Court for determination, under what circumstances would he do so by appeal, and under what circumstances would he do so by bill of exceptions?

8. A member of the bar, after collecting for his client $1000, and after he had deducted a reasonable amount for his services, converts the balance to his own use. What are the liabilities of the attorney, civil or criminal?

9. P sues D in Massachusetts for personal injuries sustained while in the State of Vermont. Assume that under the law of the State of Vermont judgment would be entered for D and the Massachusetts judgment would be entered for P. D submits no evidence of the law of Vermont and moves for a directed verdict. What result?

10. P, operating an automobile, was injured by the negligent operation of D of another automobile. P sued D, who pleaded in defense (1) that P's automobile was not registered; (2) that P's negligence was a cause of the accident. Neither P nor D introduced any evidence as to the registration of P's automobile, and there was no preponderance of evidence showing that P was negligent. D moved for a directed verdict. What result?

11. P sues D in Massachusetts for personal injuries sustained while in the state of Vermont. Assume that under the law of the State of Vermont judgment would be entered for D and the Massachusetts judgment would be entered for P. P submits no evidence of the law of Vermont and moves for a directed verdict. What result?

12. D was indicted for the murder of X by drowning. The theory of the defense was that X had committed suicide. The defendant offered evidence of declarations of the deceased made within two days before the time his body was found, in which the deceased stated that he was in grave financial and domestic difficulties and intended to commit suicide by drowning. The Commonwealth objected to the admission of this evidence. What result?

13. (a) How is the record title to real property conveyed? (b) What important changes in the method of conveying real property have been made by statute during recent years?

14. What different estates in land are there and what are the characteristics of each of them? (a) What is the doctrine of fixture and how may an existing business corporation be dissolved? (b) What effect will dissolution of a business corporation have upon existing claims against it?