ANNOUNCEMENTS

Second Thursday.

October 11, 7:30 P. M., at the Club House—Monthly Business Meeting. President Brennan presiding; followed by special program arranged by the Committee, Chairman Francis X. A. Readdy.

Third Wednesday.

October 17, 1:00 to 2:00 P. M., promptly, at Hotel Bellevue—Suffolk Luncheon Club. Special speaker, invited guest of Committee Chairman, Thomas F. Duffy. Reservations must be made through the Secretary on or before the 16th.

Note.—Tickets will be placed by each photo corresponded with the reservations made. Kindly sign your ticket and give it to the headwaiter, together with your dollar. He will direct you there before the speaking begins.

Fourth Thursday.

October 25, 7:30 at the Club House—Members’ Night. Special speaker, invited guest of President Brennan.

EDUCATIONAL COURSES

“Daily List”

6.00 to 7:30 P. M.
at
Suffolk Law Alumni Club House
73 Hancock Street, Boston

Courses, free to members. Nominal charge to non-members. Apply at office—Hay. 0739

Monday, Oct. 1, 8, 15, 22.
Estates in Trust.
Charles A. DeCourcy, LL.B.
Monday, Oct. 25, Nov. 5, 12, 19.
Massachusetts Motor Vehicle Law.
Sidney S. von Loeseeke, LL.B.
Tuesday, Oct. 3, 10, 17, 24.
Round Table Conference on Legal Problems: for all attorneys.
Fridays, Oct. 6, 13, 20, Nov. 3, 10, 17.

Conditional Sales
Frank Keesee, LL.B.

NOTE: The course on Estates in Trust deserves particular attention of attorneys, bankers and men of means.

The course on Conditional Sales should mean much, not only to attorneys, but to banks, automobile dealers, furniture dealers, and men in all business selling on time. This course met with great approval last year, and we believe it will develop numbers and interest this fall.

Massachusetts Motor Vehicle Law should interest men of the general public, policy holders, the insuring man, the banker and the attorney.

REMEMBER: All courses are open to non-members for a nominal fee.

Suffolk’s courses are for men only.

NOTE—The course on Estates in Trust deserves particular attention of attorneys, bankers and men of means.

Courses on sale to the public.

Suffolk University Law Alumni Association, 73 Hancock Street, Boston, Mass.

Devoted to Legal and Educational Interests in the Commonwealth

VOL. II, No. 7 Suffolk Law Alumni Association, 73 Hancock Street, Boston, Mass. October, 1928

Purchasers of Suffolk Law Alumni Directory

A few directories have been sent to Suffolk graduates in different localities. The request to stimulate interest in this edition. No man is under any obligation to keep his copy, but we will certainly appreciate either prompt remittance or prompt return of the book according to your decision. Any graduate who has not received a copy, who wishes to look the book over before paying his $5.00, will receive a copy “on approval” on request, for we believe your Suffolk co-operation will either bring the cash or the book back to the office within a day or two.

Purchases of Suffolk Law Alumni Directory

Every graduate is listed in three places, with his class, alphabetically, and by city or town. Founders, charter members, and those joining in 1928 are also listed, with photo, in so far as possible or desirable for every one to see him through.

Moreover, it is wholly unwise to dismiss without prejudice. It is well not in the sense of its being evil, but in the sense of its being, as Sir William Ellenball said, "The law is very crooked," i.e., deciding how the client, not you, who is seeking advice. Should he undertake to tell you how to conduct the trial he should be courteously stopped and the case dismissed without prejudice. It is well to establish the habit of writing a letter to a client—"confirming our conversation of to-day, etc." that facts may be properly set before him as you understand them, avoiding any attempted "comebacks" or any mis-understandings later.

Moreover, it is wholly unwise to promise favorable results. The old saying is, "The law is very crooked," not in the sense of its being evil, but

COLLEGE MONOPOLY OF LEGAL EDUCATION

Gleason L. Archer, LL.B., Dean, Suffolk Law School, Boston

(Address delivered at Annual Convention, New Hampshire Bar Assn., Manchester, N. H., June 30, 1928.)

By the clever use of statistics it is possible to prove many things that are not so. An expert can take ten men and prove that on the average each one of them is worth a million dollars provided one of the ten is the fortunate possessor of ten million dollars.

We are living in an age of statistics and standardization and yardsticks. In my own family, for instance, my children, lean and tall like their Yan­kee ancestors, have caused great con­cern to school doctors of Boston because they were not tall enough for their height to conform to standards of height and weight based upon the average of American school children. They have been reported to be underweight and undernourished, par­ticularly my eldest son, who has since developed into a splendid specimen of good health, a strong and well filled out college student.

Statistics and standards and yard­sticks are not in the nature of things

(Continued on Page 2, Col. 3.)
The Club House is open day and evening EXCEPT SUNDAY. Conference rooms and library available to all Alumni.

REPORT OF SEPTEMBER MEETING

Alden M. Cleveland, Secretary

The first Alumni Business Meeting of the Fall was held at the Club House, Thursday, September 13th, 7.30 P.M., President Brennan presiding.

Report of the secretary was read and approved.

Fifty graduates who had filed application for membership since the last meeting, June 4th, on recommendation of the Membership Committee, were unanimously voted into the Association; and the following were unanimously voted into Honorary Membership:

Hon. President Coolidge, who laid the cornerstone of our present school building;

U. S. Senator David I. Walsh, who as Governor of Massachusetts, signed the Suffolk Law School charter to give degrees;

U. S. Senator J. Hamilton Lewis, of Illinois, who was orator at the dedication of our Alumni Club House;

And past commencement orators. U. S. Senators Henry F. Ashurst, of Arizona; William E. Borah, of Idaho; William H. King, of Utah; George H. Moses, of New Hampshire; Royal S. Copeland, of New York.

The Luncheon Committee reported programs arranged for the fall luncheons and urged regular attendance for the third Wednesday each month.

The report of the Committee on Election to Public Office led to friendly discussions which terminated in expressions of general desire to help all well-qualified Suffolk men to attain the money of your clients honorably, to you they may be trust.

Time was when practically the only responsibility of these representatives concerned their duty to the Probate Court and consisted mainly in the filing of an inventory and sometimes a final account.

Contrast those days with the present, when so many complicated questions are constantly arising on the most simple set of facts, involving State or Federal Income and Inheritance Tax laws, as well as the various State transfer taxes.

While, of course, everyone realizes the necessity of knowing the abate of the laws which are constantly being enacted, and the court decisions issuing from the many judicial sessions there is such a thing as having a general idea of a subject like taxes, for example, sufficient to put a person on his inquiry as to the existence of some legal requirements.

In other words, it is well for the attorney to be alert at all times and to read, as far as he can, accounts of discussions, cases and incidents as they appear in the current newspapers, tax pamphlets, periodicals and various publications. Decisions are constantly coming down from the various courts affecting taxes already paid, entitling the taxpayer to a refund of the money collected by the taxing authority on a misinterpretation of the law.

It frequently happens that something which the lawyer has learned in this manner enables him to avoid serious errors. We all want to avoid the responsibility, of having the client learn that his attorney whom he has retained to guide him through the various stages of the administration of his estate, has made an innocent or illegal a demand for admission of facts—neglect of this important duty. File stock forms are to be deplored. File fraudulent engagement slips, which sooner or later are sure to come to light.

At that crucial moment when the question comes, "Are you ready?" well have the client receipts. He knows all, and his signature shows it. In no sense can he say or feel that you are withholding knowledge of facts to which he is entitled. He holds one receipt, you hold the original and another form for emergency use.

For it is always wise to establish a credit, that is, to develop a balance for the lean periods which are bound to come. To do this, as well as to handle the money of your clients honorably, one should have some simple system of books of accounts in which he enters promptly debits and credits and knows at a glance just how each account stands. Be prompt in rendering accounts and in remittance of money due your clients.

Two don'ts: Don't sign notes as accommodation endorser. Don't swap checks. One of your laws may spend twelve of the best years of his life paying other men's debts because he had guaranteed their notes for over $30,000.

In the sense of its being a long and winding road where each turn may bring unexpected facts to view and unforeseen problems to be settled, or however, your client's rights to be scrupulously respected. Particularly does this apply to the care, the use and the return of papers entrusted to you. To fail to be conscientious, but to him they frequently represent a lifetime of struggle and effort. As the "respected attorney" of your community, don't lessen esteem or break confidence by delay or disappointment, but rather having expeditiously brought your case to a finish, return all papers belonging to your client promptly.

In the matter of fees be frank. A trial receipt for a case on which is stated the sum received from the insurance company, amount paid, doctor, your fees, and the balance for which the client receipts. He knows all, and his signature shows it. In no sense can he say or feel that you are withholding knowledge of facts to which he is entitled. He holds one receipt; you hold the original and another for emergency use.

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SUFFOLK TO SUFFOLK
SERVICE BUREAU
The Alumni Office is ready to co-operate by
giving information on recent decisions, 
estate matters, the subject of legal researches, or 
legal and social matters; and to aid in such
matters of law and business as may fall 
within its scope.

RECENT UNITED STATES
COURT DECISIONS

Kenneth B. Williams

RADIO CORPORATION OF
AMERICA

ARTHUR D. LORD, Receiver

(Circuit Court of Appeals for the Third 
Circuit, Decided September 15, 1928.)

Monopolies

Plaintiffs, engaged in the manufactu-
re and sale of vacuum tubes known as 
audios which are used in radio sets, 
sought to enjoin the Radio Corporation 
of America, hereinafter called the 
defendant, from enforcing certain 
provisions of its contracts with deal-
ers and manufacturers who it had 
licensed to use and sell its patented 
radio parts and appliances. The 
defendant sold unpatented vacuum 
tubes to its licensees under a written aggre-
ement which provided in part: "Nothing 
herein contained shall be con-
strued as conveying any licenses . . . 
to manufacture, use or sell the 
vacuum tubes, except to use and sell 
the vacuum tubes purchased from the 
Radio Corporation as herein provided."

The suit was brought by plaintiffs 
alleging violation of sections 1 and 2 
of the Sherman Act and section 3 of 
the Clayton Act. The district judge 
held that the contract violated sec-
ction 3 of the Clayton Act which pro-
vides: "It shall be unlawful . . . to lease 
or take a sole or contract for sale of goods . . . whether patented or un-
patented . . . on the condition, agree-
ment or understanding that the lessee 
or purchaser shall not use or deal in the 
goods . . . of a competitor where 
the effect may be to substantially 
lessen competition or tend to create 
a monopoly in any line of commerce."

The Court of Appeals affirmed the 
decree of the District Court, saying 
in part: "This contract or under-
standing between the defendant and 
the licensees has actually resulted in 
the monopoly of the radio tube busi-

ness by the defendant to the extent of 
 somewhere between 70 per cent 
and 95 per cent. The defendant in-
mates that it had a large part of the 
business before the contract was made, 
but the plaintiffs say that their busi-
ness and the business of others gen-
erally has decreased and been taken by 
the defendant and its licensees and 
that the results show that com-
petition has been substantially less-
ened and a monopoly created. This 
prohibited combination of defendant's 
tubes to the patrons of the licensees 
gives the defendant a big advantage 
over other manufacturers of tubes in 
the first instance, for these patrons 
naturally replace old tubes with the 
same kind that were in the sets when 
purchased. This put other manufac-
turers of tubes in a great disadvan-
tage, which they cannot overcome so 
long as the defendant is permitted to 

enforce the provisions of this para-
graph."

"The district judge found that the 
effect of the contract, condition, agree-
ment or understanding was to sub-
stantially lessen competition and 
tended to create a monopoly. We 
think that the evidence justified that 
finding." Buffington, J., dissented.

"THE LAW'S DELAY"

Shakespeare considered "the law's 
delay" as one of the accepted hard-
ships of life. In some instances at 
least legal proceedings have not been 
greatly accelerated. Charles M. Boer-
man died in Porto Rico in January, 
1916. Litigation over the settlement 
of his estate commenced in March of 
that year. On June 28, 1928, the 
Circuit Court of Appeals for the First 
Circuit announced its third, and it 
hopes its last, opinion in the 
case. In the course of the opinion the 
court says: "The extraordinary delay in 
making final settlement of Boerman's 
estate of upwards of $100,000—calls for 
disapproving comment, and for such 
present action as lies within the 
power of this court to prevent further 
delay." See Boerman v. Marrero, 
27 F. (2d) 321.

CARBONELL

v.

PEOPLE OF PORTO RICO

(Circuit Court of Appeals, First Cir-
cuit, Decided June 28, 1928.)

Prior Jeopardy

"Carbonell was indicted for the mur-
der of Alfredo Martinez on January 
1923. At the first trial, in the Dis-

circuit Court of Porto Rico (Porto 
Rico) he was found guilty of manslaugh-
ter only. On his appeal to the Supreme 
Court of Porto Rico, the judgment 
was reversed for error in constitu-
ing the jury."

At the second trial for murder Car-
bonell pleaded the former conviction 
for manslaughter as an acquittal of 
the higher offense and a bar to fur-
ther prosecution for murder. His plea 
was overruled. He was tried de novo 
and again found guilty of man-
slaughter. This judgment was af-

firmed by the Supreme Court of Porto 
Rico. Carbonell carried the case to 
the Supreme Court of Appeals on writ of error.

The judgment of the Supreme 
Court of Porto Rico was affirmed. 
Anderson, J., speaking for the court, 
said in part: "An essential point of the conten-
tion as to double jeopardy is that the 
defendant's conviction at the first 
trial for manslaughter amounted to 
an acquittal of greater offence—murder, and that the second offence 
must be confined to manslaughter. 
Such convtions on a single 
double jeopardy provision has provision in 
also been rejected by 
the United States Supreme Court. 

Trono v. United States, 251 U. S. 15, 26 S. Ct. 1192, 50 L. Ed. 292; Strong 
v. United States, 251 U. S. 15, 40 S. Ct. 50, 64 L. Ed. 103."
RECENT OPINIONS OF THE SUPREME JUDICIAL COURT

Assignment of Error in Felony Cases

Commonwealth v. McDonald, 1928 A. S. 1533. Interesting discussion by the Chief Justice of the new practice regarding review by the full court of trials for felonies, that is, by appeal and assignment of error, instead of by bill of exceptions. In this case defendant was indicted for a felony, and the judge directed that the trial be conducted under the new practice. Although the defendant was convicted of a lesser offense, amounting to a misdemeanor only, nevertheless it was held that, as the trial was upon the felony as charged, the proper method offered to have secured defendant's right to have terrestrial assignment of error (and not by bill of exceptions as would have been the case if the complaint had been brought for the lesser offense only).

The defendant excepted to the charge as a whole, and the court reiterates the rule that such an exception is of no avail.

The defendant also assigned as error the failure of the judge in his charge to discuss the presumption of innocence. It was held that such an instruction must be given if seasonably requested, but advantage of a failure to so instruct must be taken by the saving of an exception, and an assignment of error based thereon. No exception had been saved. Judgment affirmed.

Equitable Restrictions

Abbott v. Steigman, 1928 A. S. 1671. Plaintiff and defendant were owners of different lots in a tract of land which had been conveyed by the M Company into lots and sold under uniform restrictions that no building should be erected on the premises for mercantile or manufacturing purposes, and also no building other than one-family dwelling houses, except private garages; subject to the right of the M Company alone to erect, with the consent of the grantee, to qualify these restrictions. The defendant's deed contained a clause to the effect that the restrictions against use for mercantile or manufacturing purposes should "not preclude the erection of a community garage." Defendant erected a brick building which was used by her for the purpose of selling oil, tires, and automobile accessories, and of repairing tires. This action was brought to enjoin the defendant from violating the restriction. Defendant contended that the M Company alone had the right to maintain the action. Held that it is well settled that, where an owner divides a tract into building lots with uniform restrictions under a general building scheme, such restrictions may be enforced by one grantee against another. It was furthermore held that the building in question was neither a private garage nor a community garage; and therefore there was a violation of the restrictions. Final decree for plaintiff affirmed.

Liability of Religious Society for Negligence

Glaser v. Congregation Kahalath Israel, 1928 A. S. 1075. Action of tort to recover for injuries caused by accumulation of snow and ice on steps of defendant's temple, devoted to religious purposes. The defendant was organized as a corporation in accordance with the Orthodox Jewish faith. The court held that the decisions holding churches to be charitable organizations to religious organizations; and that as a public charitable corporation the defendant was not liable for negligence of its officers and servants. The court points out that the early decisions in Davis v. Central Congregational Church, 129 Mass. 367, and Smithurst v. Boston Square Church, 148 Mass. 261, are not authorities, since the question of the liability of a public charity for the negligence of its servants or agents was not raised or decided in those cases, and also because at the time of those decisions the conception of a religious body as a charity had not been firmly established. Defendant's exceptions were sustained and verdict ordered in defendant's favor.

Conveyancing

Two recent decisions—Bates v. Nessen, 1928 A. S. 1017, and Greenburg v. Lannigan, 1928 A. S. 1158—have been disturbing to the conveyancers. For an exhaustive discussion of these cases see "Massachusetts Law Quarterly" for May, 1928. In Bates v. Nessen the record title to certain land stood in the name of Barnett Nettlerman. A suit was brought against Barnard Nettlerman and an attachment made. Plaintiff bought the land in good faith from Barnett after examination of the title, and there was no attachment against him; the attachment against Barnard was not gone into. Defendant obtained judgment against Barnard and plaintiff brings this action to restrain sale of the land on execution. By a majority decision the attachment was sustained and the injunction refused. In another case, the court holds that an attachment against real estate is not as matter of law ineffectual because of an innocent mistake in the name of the defendant. The court also held that the conclusion reached is not affected by G. L. c. 233, sec. 66, which proves that attachments shall not be valid against bona fide purchasers except from the time a copy is deposited in the registry or, where the attachment is made in a wrong name and the writ is afterward amended, from the time when an amended copy is deposited. This will not apply in the present case since the writ was never amended to correct the name of the defendant.

In the other case, Greenburg v. Lannigan, defendants contracted to convey certain premises to plaintiff by a good and sufficient deed free from all encumbrances. Plaintiff had paid defendants $500 at the time the agreement was entered into, and the balance was to be paid on a day set at the Registry, where the necessary papers were to be passed. The defendants had done everything necessary except to pay off the mortgages, except that they were not prepared to discharge the mortgages with their own money; but they had in their possession discharges of the mortgages which they were authorized to record as soon as they received the purchase price. Plaintiff's deed was not ready or able at the time for performance to pay the price if a proper deed had been tendered. The attachment was levied for an uncertain estate money, and the court held, by a majority decision, that he was entitled thereto on the ground that, although the defendants had the discharges ready to deliver if the purchase price was paid, nevertheless the deed as tendered left the property subject to the mortgages.

MEMBERS' NIGHT WITH HON. FREDERICK J. MACLEOD GUEST AND SPEAKER

Each month this winter will bring to our alumni the privilege of listening to and meeting men honored as leaders in law and business. Our much respected Hon. Frederick J. MacLeod, judge of the Superior Court, Boston, and a large representative group of men at the Club House on Members' Night, September 27th, and brought to them a message of great worth and inspiration. Refreshments were enjoyed and Harold Yofe and Harry Slesovitch furnished real music for the occasion! Remember the fourth Thursday each month!
COLEGE MONOPOLY OF LEGAL EDUCATION

(Continued from Page 1.)

sticks do not make allowance for indi
dividual cases. Gentlemen, we are not in
terested in the statistical man or in reduc
ing every man to a dead level. Our forefa
thers have had no experience with life, whose education has been from books alone, can believe in the fallibility of standards and yardsticks.

No two individuals are alike. No two
toXies are alike. No two com
munities are alike. The hill towns of New Hampshire, for instance, offer a very different problem from the standpoint of educational privileges than do the mill towns of Massachu
setts. The farm boy, the country lad, who acquires from necessity an amazing range of knowledge of life in his mind, may lack in school-
room hours as compared with the city lad, but in equipment for the profes
sion of law he has an immense advan
tage in resourcefulness and under
standing.

The School of Life v. Classroom Hours

Gen. Charles W. Bartlett, one of the great lawyers of Massachusetts of the past generation, who was self-educated, wrote in a letter to a friend in New Hampshire, for instance, that a lawyer who had
never been to school had made more money in ten years in New Hampshire than he could have made in twenty years in Massachusetts.

The advocates of college monopoly can never win so long as there is equal opportunity for men to demonstrate their ability to do with the public should have university training in order that he may become an efficient servant. Is it not more important for the public to have men who make the laws of the State or nation be college-trained than for some obscure lawyer who is college-trained and drafting legal documents for the countryside have a university training? Certainly it is more important, and if this cru
side continues unchecked you will find that very thing being advocated a few years hence.

It is embarrassing enough for the crusaders to have many of the out
standing lawyers in every State self
-educated; many leading jurists, in
cluding some Supreme Court justices of the nation, self-educated. In spite of that embarrassment they pursue their campaign and are gain
ing ground in many communities.

Lessons from American History

But we need not go to Europe for illustrations. Benjamin Franklin had but a meager grammar school training if measured by the new yardstick of the American Bar Association; he had the scien
tists and savants of the world at his feet. He it was who put intellectual America on the map of the world, despite the fact that Harvard and other American colleges had been turning out graduates for a century and a half.

The shapers of American destiny have ever been men of world vision, of profound wisdom and learning. Shall we say the same of today? It is astounding to us to learn that Harvard and other American colleges had been turning out graduates for a century and a half.

Then, if we survey a later genera	Aon in which Andrew Jackson and

Henry Clay bulked large in American

history, can we honestly say that self
educated men such as they were not fully the equal of any university graduate even in the national arena?

What of Abraham Lincoln?

It is the fashion among the "intel
lectuals" in these days to sneer at the poor boy argument as exemplified by Abraham Lincoln. They say, "Why, if Lincoln had had the advantages of the boys of to-day he would have gone to college." The fact is he did not go to college, and if two years of college had been a requirement in his day under his circumstances he could not have gone. America and the world would have lost one of the sublimest characters of all history.

How many college graduates, think you, would it require to compensate America for the loss of that one mar
velous self-educated man?

We have but to compare the death
less beauty of Lincoln's Gettysburg speech with the ponderous eloquence of Edward Everett, the orator of that occasion, to realize that colleges had nothing to add to Lincoln's intellectual equipment. Study by study and odd moment had enabled him to overtop even in the field of eloquent prose the proudest product of Amer
ica's oldest university.

Whence Come our Leaders?

History repeats itself in our own day. Not alone in law and industry, but in the real world of politics, men like Henry Ford, John D. Rocke
feller, Charles M. Schwab, Henry Fire
stone and others too numerous to name are self-educated. It is no mere coincidence that the present leaders of the American Bar Association, including its pres
idents, are college-trained jurists; half of our United States Sena
tors, and the majority of our Con
gressmen, lack college degrees.

Who is Behind the Crusade?

How does it happen, then, that we are faced with this extraordinary spec	acle of the American Bar Association turning its back upon the less-learned, of Democracy and allowing itself to be used in a nation-wide campaign to close the doors of opportunity to the self-educated?

If there were time I would relate to you in detail the precise manner in which this movement was fostered upon the public by a powerful group of uni
versity law schools. I have the minute
es of the meetings of the Associa
tion of American Law Schools for the past twenty years. I could read to you the very speech of the president of the association, delivered in 1915, in which the two-year college idea was first advocated as a means of sup
pressing rival law schools.

(Continued on Page 7.)
whether carpenter, mason, truck-driver, laborer, or what not, can be the proud possessor of that magic which will enable him to carry his head high, that he is needed by all of men; that will enable him to find elation in the works of master poets and authors; and that will give him a comprehension, and understanding, that renders life enjoyable in its fullest sense.

Appreciation and enjoyment of the finer things of life can only be developed by cultivation. The most apt method of cultivation is education. Why, then, should the capture of music, the soothing beauty and rhythm of nature, and the elation of letters and art be jealously guarded for the favored few? Why should not the space be filled that lingers every man's breast, to kindle into flames of passion for the beautiful in life? Imagine the menace of this age.

To preserve republican governments education must be made available for all who seek it; not circumscribed only by money, but enlightened along those lines which a soul inclines. Education not necessarily to prepare a man for a profession but enlightenment and understanding to fit him for life. The greatest hindrance to education of the masses has been the distorted and asinine notion that an educated man occupies a too exalted position in life to labor with his hands. Fortunately this foolishness is passing and it will soon be possible to educate a man without destroying his usefulness to society. The time will come when the soul who "finds the common daylight sweet" and is content with the lowly notions that an educated man occupies a too exalted position in life to labor, he will use his education to beautify his simple life.

The evening schools and colleges that are springing up all over the land will bring higher education within the reach of all who seek it. America is, indeed, the land of opportunity.

SUFFOLK MEN AT MAINE BAR EXAMINATION

Nine of the twenty-five men who passed the Maine Bar examination last August were Suffolk graduates. We commend them for their fine representation of the school and wish for each large success in the State chosen for the practice of his profession. From the Pine Tree State have come strong men, as founders and builders of our school. It is well that good men from our ranks should return to serve the State which has so well served us.

The successful alumni were:


SUFFOLK MEN AT MASSACHUSETTS BAR EXAMINATION

Still, watchful, waiting, for the list!

Library Accessions

Legal pamphlets from Professor Keezer, which he is chairman of the Library Committee, by regular contributions, sets an example worthy of emulation by all alumni.

D. D. Carnes, to date, from Daniel W. O'Brien, '24.

CORRESPONDENTS

It is important for the greater good of the organization that Suffolk men use Suffolk correspondents in law and business to the greatest extent possible. Many men are co-operating in this way now. Use your Directory, or refer your case through the office to another lawyer, where registered in the Directory under one address only, send your other address, home or office as the case may be, to the Secretary, who may have a full list for wider use of our men. For instance, if a Springfield man has in the Directory a Boston office, he can address a case or business in his home city, we should have his Springfield address on file.

ESTATES AND TRUSTS

Penalty for failure to comply with some legal requirements.

It will thus be seen that in addition to the requirements of probate law, the attorney has the duty of advising his client generally on those phases of all laws, both State and Federal, affecting his obligations as fiduciary. In the drawing of wills, trusts, and other documents, it is the lawyer's duty to know and advise his client not only as to the legal effect of the instrument which he has drawn, but also the effect from the standpoint of tax liability. The insertion or omission of a few words in the instrument which you are preparing may mean the loss or saving of hundreds or thousands of dollars, according to the amount of property involved.

Words can the contractors have the right to neglect the tax phase of the situation when examining title to real estate formerly owned by a person who has died. By statute the various taxes are made a lien on the real estate until paid or for a certain statutory period, and of course, the conveyance, when the title, the conveyancer must see that all forms of taxes which constitute a lien are properly discharged.

But Probate and Trust work is not the only field which has changed. We find the Workmen's Compensation Act replaces the old Employers' Liability Act. Agitation is now going on for a change in the jury system; for a board like the Industrial Accident Board for automobile accidents; for a commission to have charge of automobile violations. Changed conditions necessitate changed laws. It is one of the signs of progress.

FIRST ROUND TABLE CONFERENCE

The first Round Table Conference, conducted by Sidney S. von Loesecke, of the A. L. A., instructor in October-November Graduate Course of Massachusetts Automobile Law, was a gratifying success in the satisfying despatch of the case and questions submitted.

Case—"A, resident of Rhode Island, while operating a car registered in Rhode Island, runs into a Massachusetts car in this State causing considerable damage to the Massachusetts car and its occupants."

Question—"In what State would it be more advisable to bring suit against the Rhode Island man?"

Questions of jurisdiction, of judicial notice, of methods of conflict of laws, etc., were discussed; the statutes and cases cited, and reference made particularly to G. L. Ch. 90, s. 3a, Ch. 4, s. 6, as well as to the new law of December 1st touching "Negligence," Ch. 251, S. 24. Look it up yourself. It is worth your while!

ROUND TABLE CONFERENCE WEEKLY, ON TUESDAY

Submit your case for discussion and writing beforehand that the specialist in that line may be appointed to preside.
COLLEGE MONOPOLY OF LEGAL EDUCATION

(Continued from Page 5.)

That was before the World War had taught the art of camouflage and the power of propaganda was then plain speaking. It was pointed out that the university medical schools, by the use of the same two-year college device, had blown a great cloud of smoke, and had caused half of the medical schools of the nation to close their doors. It was a weapon of big business and monopoly openly and crudely advocated year after year by the university law schools.

But the American Bar Association was necessary to their plans. The university medical schools had operated through the American Medical Association and the Carnegie Foundation. The control there was attempted here. The aid of the Carnegie Foundation was invoked. The American Bar Association was induced in 1917 to authorise the study of Legal Education. This, when formed, consisted of five university law school deans. I wish I had time to relate to you in detail the stormy career of that council and the blazing indignation of the American Bar Association in 1919 when, having discovered the motive, it put the council to death and kicked the university conspirators out of doors.

Would that I had time to read to you the minutes of the December, 1919, meeting of the “Association of American Law Schools.” Then it was that the conspiracy was hatched to capture by strategy the section of Legal Education of the American Bar Association. In their own words I could show you this in detail. From official records I could prove to you that sixty law school professors attended the American Bar Association Convention in 1920, packed the section of Legal Education, and captured it. I could prove to you, also, that the Root committee investigation was conducted by men, the majority of whom had been working for years for the two-year college rule.

These are the ugly facts behind the legal profession. They are not if they could. Why? The country towns all over the nation are crying out in alarm! Some of them are advertising for doctors. Things have come to such a pass that people in the country cannot get a doctor to settle within automobile distance unless several towns get together to subsidize one to do so.

America is already paying and will pay even more dearly for the activities of the medical school trust. They claim to have the whole care of the people at heart, but if that were true why could they not have continued to train their specialists for the cities precisely as they are doing to-day, and have permitted their weaker and less expensive rivals to have trained others for the country and wilderness where medical aid is now almost unobtainable?

The university men whose hearts yearn so mightily for the welfare of the people are striving to duplicate in the legal profession what they have accomplished in the medical profession. Every State Bar is being imported. Their spokesmen are everywhere. I am grateful, indeed, that the parting of the ways coming to the Bar Association of New Hampshire the other side of the question.

Psychology of College Graduate

But the movement goes beyond the legal profession. It has taken hold of the whole body of people. There is that responsive echo in the heart of every college man who has never analyzed the exact benefits of college. Many college men, however, are alive to the facts, and have responded to my questionnaire of last winter, condemning in strongest terms the plans of the conspirators.

The psychology of the college man is easily explained. When he entered college at seventeen or eighteen he was still a child in intellect. By the time he graduated he had become a man. Quite naturally he now ascribes the wonderful mental development of the critical four years to himself alone. He does not realize that to the thoughtful and studious lad in the mills and factories and farms and lumber camps comes the same sort of development,—the assumption of the crown of manhood after years of childhood and adolescence.

The very danger in the movement lies in this sort of college psychology and the crusading zeal of the college man. There is the assumption that college education is open to all who desire it. In a few sections of the nation this is true, but in a large portion of the country it emphatically is not true.

The most damning indictment of college education is the very fact that college graduates can be so narrow and lacking in vision that any considerable number of them seriously join in an attempt to bar non-college men from competing with them in any field of endeavor. If college training can impart the access of power that is claimed for it, non-college men will be hopelessly out in all the facts are otherwise. The non-college (Continued on Page 8.)
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COLLEGE MONOPOLY OF LEGAL EDUCATION

(Continued from Page 7.)

man who has formed the habit of self-instruction all too often outdistances the other, not only in success but in education. College to most men is merely four years more of high school, and four less innocent years at that.

Does College Education Safeguard the Public?

The university men have an argument to the people—an argument that has been proclaimed by their spokesmen everywhere. College education will safeguard the public, they say, because it is a guaranty of high and enlightened ethical standards. Last summer at the Buffalo Convention, one of my most eloquent opponents was the then Attorney-General of Massachusetts. He voiced his argument to a group of us with great earnestness and with apparent sincerity.

Yet all lawyers in America know what happened to Arthur K. Reading recently. The Legislature of Massachusetts voted his impeachment for gross corruption and betrayal of the rights of the people in his high office as Attorney-General. Yet he is a graduate of... College and... Law School.

Some years ago the eyes of the nation were on Massachusetts. She stood disgraced before the world because the district attorneys of Suffolk County and Middlesex County were convicted, when they were put to the scrapes of public trials, of being members of a black-mall ring, enriching themselves by the betrayal of a public trust. Yet both of these men were college graduates and law school graduates.

In other words, gentlemen, the only lawyers who have supremely disgraced the great Commonwealth of Massachusetts within the memory of man have been college graduates.

Does this thing happen in other states? Are the temptations of the profession too great for some men who have led the soft and sheltered lives and are the allegiance of moral strengthening of college? Have you ever known many lawyers to go wrong after having fought their way up through the adversity and hardship that shapes character? Do we not need more of such in the profession instead of none at all?

Gentlemen, this propaganda that is being fed to the nation, to the effect that college training is a guaranty of high ethical understanding and conduct, is all fallacious. College education, especially in the modern college, with its skepticism and scotlings at religion, does not transform an inherently dishonest man into an honest and incorruptible one. It rather renders him the more dangerous. An ignorant villain is soon caught. A highly educated villain with an ability to change, especially in the legal profession, is society's gravest menace.

The Incompetent or Ignorant Lawyer

They are endeavoring to persuade the country that the incompetent and ignorant lawyer is doing great damage to the nation. Gentlemen, did you ever hear of an incompetent lawyer getting any volume of business or attracting any number of clients who must suffer at his hands? True, he may appear in a few cases, but clients and public instantly recognize him for what he is, and his career at the bar is exceedingly brief.

The same thing is true of the ignorant lawyer. He must educate himself or quit. The life of the lawyer is one of continuous study. The self-educated lawyer, with the habit of study and a thirst for knowledge, soon overtakes the lawyer who has not had that rigorous discipline of life. The college man has, of course, an advantage at the outset, but I know college graduates, and so do you, whose heaviest reading outside of office hours is the "Saturday Evening Post."

We need not worry about the incompetent and ignorant lawyer. "Survival of the fittest" is one law that he will speedily learn.

Efforts to Stifle Discussion

Gentlemen, if you will look into the history of the movement you will see that since the university men captured the machinery of the Bar Association by packing a meeting of the section of Legal Education with professors eight years ago, never have they permitted any open discussion of the problem of how the poor boy who lives on the farms or in the hill towns may qualify if he has no financial aid from others. Since that date every meeting has been cut and dried, a pre-arranged program of speakers favor able to their side, in one meeting of the section, two days being thus used with no opportunity for any one to be recognized with any facts or figures in opposition.

Those are their tactics wherever they appear. I attended a hearing before the Court of Appeals of New York on this question a year and a half ago. George W. Wickersham had charge of the proponents' side. They used the forenoon until the luncheon recess, and we supposed that the opposition would have the afternoon. Instead of that, when the court convened it again begged the court's indulgence, and started a new relay of speakers. This weary business kept up all the afternoon until about half an hour before adjournment, and until everybody was wearied to death and deserting the court room.

Then, when the opponents were given a chance, a chap, be-whiskered nut of a New York lawyer began a violent harangue, and the court later ordered him to sit down. In fact, during the brief time that was allowed us the judges manifested great impatience, perhaps regarding us all as nuts. When I was speaking, for instance, and argued that before adopting a drastic requirement means should be provided by evening colleges for working men to qualify, Chief Justice Cardozo interrupted impatiently by informing me that there were such means provided in all the larger cities. I replied that except the city of New York and perhaps one other city there was not an evening college of Liberal Arts in the country. But he retorted that statistics showed that every city of Boston there were several thousand evening college students. My attempt to explain that these "college students" were taking courses in salesmanship or accounting one or two evenings a week, and were not college students in the sense of qualifying for the Bar Association college standard, made no impression at all.

Misleading Statistics of College Attendance

In other words, gentlemen, even the highest courts in the land are deceived by propaganda and misleading statistics. The universities have taken over the field formerly occupied by the business college. Any store clerk by studying salesmanship one evening a week at the University College of Business Administration, being listed as a college student and professors with only a grammar school education. College to most men is education, especially in the modern college, with its skepticism and scotlings at religion, does not transform an inherently dishonest man into an honest and incorruptible one. It rather renders him the more dangerous. An ignorant villain is soon caught. A highly educated villain with an ability to change, especially in the legal profession, is society's gravest menace.

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SUFFOLK ALUMNI NEWS

COLLEGE MONOPOLY OF LEGAL EDUCATION

(Continued from Page 8.)

College credits must there be acquired by transfer from other colleges. What we need is to face the facts and see what has happened to the day colleges in the past few years. The section of the Bar Association that does not hold an open meeting on Tuesday. Instead it combines everything in a dinner to be held in the supper recesses of Thursday evening, after the business sessions of the convention are over.

Why? Why? Because the university men do not dare to give us a chance to show up the facts. If the Bar Association and the public learn the facts it will endanger their program.

Mounting Cost of Education

What happens in economics, I ask you, gentlemen, when there is an over-demand and an underrupply? Why, prices skyrocket, of course! That is what has happened and is happening in the colleges of the land. You men who worked your way through college years ago, must revise your ideas. Tuition that cost you $100 a year costs the boy of to-day $300 and perhaps the items that cost $1.50 then cost $4.50 or more to-day in our eastern cities. Meals and board have gone up in the same proportion. In the catalogue of New Hampshire's great college, Dartmouth, it is frankly stated that the average expense of a college student there is $1,530. Many college catalogues warn prospective students not to come to them expecting to find work to help out their expenses.

Plight of Boy Who Must Win His Education

What are we coming to, gentlemen? Why, we have already arrived at an era when in the large centers of population the poor boy has absolutely no chance to win a college degree on his own resources. There are some few places in the country, in the Middle West, for instance, where costs are still low and boys from Maine and New Hampshire and the New England States still find opportunity. I have a very independent young nephew, a Maine boy, with a father dead. He has no one to look to but me. He went to Ohio Wesleyan last fall with $500 and a solemn resolve to earn the balance of his expenses. He was fortunate enough to get a job, and he has worked all the year, but he used up that precious $500 with which he had saved so laboriously by raising cattle during his high school years. The fund that in his hope and inno­cence would enable him to go to college has vanished in one semester and Uncle has supplied the rest. That boy has an older brother whom I have put through college and through one year to date of medical school, Ohio Wesleyan and Ohio State. I have a son of my own who will be a junior at Harvard College next year. So you see, gentlemen, I have qualified as an expert on college expenses, and my check book contains the very latest information thereon, the latest statistics.

From a thousand dollars to fourteen hundred a year is the story in eastern colleges. What chances has a boy, then, upon his own resources to win even two years of college? Why, the average working boy could not hope to save one-third of one year's cost of college in a year.

Before such a young man has accumulated enough money to finance a college education he is too old to attend college. Before they talk of loan funds and scholarships to assist such men, but for every man thus aided there are hundreds equally deserving for whom no help is possible.

The Boy with Dependent Relatives

Let me call your attention for a moment to the type of man who sacrifices himself for his family,—the man whose early experience is illustrated by the life of Grover Cleveland. In the year 1853, fifteen and one-half years of age, Cleveland was preparing for college. His clergyman father died, leaving a family of nine children of whom this boy was fifth. He did not say: "Let the older ones take care of the family. As for me, I must have a college training like my older brothers." Not at all. He left school, as thousands of boys similarly placed are doing to­day, and went to work to support the younger children. There was no more school for him, but fortunately for him and for America there was no university barrier in those days. He educated himself for the profession of law, and by sheer merit and ability rose in successive stages until he became President of this nation. The university crusade would bar such men as Grover Cleveland. It would bar every lad thus orphaned and every other boy who is obliged by parental poverty to leave school in his teens and assume the burdens of manhood.

Government Statistics of School Attendance

Do you gentlemen realize what a multitude of boys are taken from school and put to work at tender age? The latest statistics compiled by the United States Bureau of Education, 1927, report, demonstrate the follow­ing staggering figures: Out of every hundred boys and girls who enter the public schools only thirty-four reach high school; only fourteen graduate from high school; only seven enter the freshman class of college; and only two and three-tenths out of the original hundred graduate from college. Less than four of the hundred would qualify under the two-year college rule.

But what of the ninety-seven who would be forever barred under this rule? Has a man reversed his plan of operation in some sudden and mysterious fashion that he no longer distributes those gifts of genius and leadership among the children of the poor and lowly, among the ninety-seven per cent who would be barred by this rule?

Then beware how you lay profane hands on the Ark of the Covenant of God. This nation will pay in blood and tears if it ever attempts to de­prive the younger children of the priceless heritage, equality of opportunity that would permit education by daylight or by candle light, in palace or in hovel.

Evening Colleges a Necessity

If we are to require training in col­lege as a prerequisite to the bar, we must first establish municipal colleges for evening instruction in every city in the land. We already have our evening high schools. Let us devise also evening colleges along simple classical lines instead of the expensive department store mon­strosities known as colleges to-day. Let us offer this training free of charge to those men who are looking for a living, but in whose souls the Almighty has implanted that inner light of aspiration and ambition that has power to transform and glorify the individual.

The Modern College Stifles Originality

The economic waste of modern col­lege and professional training is be­coming a frightful burden upon the nation. To keep a man from contact with life until he is twenty-five years of age, to cramp his brain with academic theories, to bore him with books, never to give him a chance to think his own thoughts, but always to follow another man's thoughts, is to erase a large part of his God-given personality.

All too often a man comes from col­lege with all his originality wiped out, lacking in resource and with false ideas of life. He is not a safe leader of men, for he has lived only on a plan of life. To lead and help others one must have experienced those elemental things that go with poverty and hardship and intimate contact with those who toil. One must have been close to the great throbbing heart of humanity if he is to minister to the needs of the world.

Occupation and Education Make for Fullest Development

Young men need as a part of their development wholesome physical labor, coincident with mental training. In evening Colleges and with false ideas of life. The Great Ethical Teacher of the Ages was educated at a carpent­er's bench. The man who works, and thinks his own thoughts, and plays the part of an apostle and struggles up­ward is the man in whom the hopes of humanity must ever rest, irrespec­tive of college or standard, or yardsticks. To bar out such men is to ruin the nation.