CAMBRIDGE NIGHT
with the
ALUMNI

JANUARY 10TH, 7.30 P. M.
at the CLUB HOUSE

RAYMOND A. FITZGERALD, '25, EDWARD A. KOLLEN, '24,
Co-Chairmen of the Program

HONORED GUESTS AND SPEAKERS
Judge Arthur P. Stone        Judge Francis J. Good
Judge Edward R. Counihan      Clerk Frederick C. Bean
Judge Robert Walcott          Dean Gleason L. Archer

VOCAL SELECTIONS BY SUFFOLK ALUMNI
Generous Refreshments
WELCOME ALUMNI BROTHERS!

SUFFOLK LUNCHEON CLUB
Special Luncheon for
ALL BOSTON SUFFOLK GRADUATES
(NOT Excluding Others!)
HOTEL BELLEVUE
January 23rd, 1 to 2 P. M., Sharp
President Brennan Presiding

This Luncheon will be a special recognition of the
fine services rendered by our retiring President and
reservations must be seasonably made.

A. M. CLEVELAND, Sec'y.

A Happy and a Prosperous
NEW YEAR
TO EVERY ALUMNUS!

PLEASE PAY 1929 MEMBERSHIP DUES
PROMPTLY. ($10.00)
The Great Alumni Work Progresses.
Join in Its Successes!
ATTEND AND PARTICIPATE
SUFFOLK ALUMNI NEWS

ELECTION OF OFFICERS

January 10th—Annual Meeting
Nominations for Office

Boston, Mass.,
Dec. 17, 1928.

Suffolk, ss.

I hereby certify that the following qualified members of the Suffolk Law Alumni Association were duly nominated in accord with requirements of the Constitution and by-laws of the Association during the ensuing year.

HARRY J. O'REILLY,
Chairman. Nominating Committee.

George P. Douglas, for President,
6 Beacon Street, Boston.

George H. Spillane, for Vice-President,
16 Kearney Square, Lowell.

Martin W. Powers, for Treasurer,
10 State Street, Boston.

Roderick J. Peters,
for Executive Committee,
5 Beacon Street, Boston.

William J. Kelley,
for Executive Committee,
Malden Court, Malden.

SUFFOLK'S FIRST JUDGE

To F. Leslie Viccaro, ’17, has been accorded the honor of being the first Suffolk Law graduate to be raised to the Bench. Mr. Viccaro was appointed Associate Justice of the Amesbury Court on December 30th. This judicial court is comprised of the towns of Amesbury and Merrimac, with concurrent jurisdiction with the District Court of Newburyport over Salisbury matters.

Justice Viccaro is eminently qualified for his task, having been in active practice in Amesbury for over nine years; has served as Merrimac Town Counsel for a number of years and is counsel for several banks. For nearly six years he was associated with Spaulding, Baldwin and Shaw, of Boston. Mr. Viccaro was sworn into office December 19th.

The following letter was received from the Judge in answer to a communication from the Alumni Secretary:

Merrimac, Mass.,
December 14, 1928.

Alden M. Cleveland, Esq.,
Secretary, Suffolk Law Alumni Association.

Boston, Mass.

Dear Mr. Cleveland:

I thank you sincerely for your letter of congratulation and good wishes. It is indeed an added pleasure to me to be honored as the first Suffolk appointee as a Justice.

I also express my appreciation of your prompt action in behalf of my candidacy for the office, and I ask that you kindly convey to the Association my thanks for its endorsement, so quickly and splendidly given.

Very sincerely yours,
F. LESLIE VICCARO.

CASE SYSTEM REPUBLIQUED

December 9th Columbia University announced that the case system would thereafter be abolished in that law school. It was declared to be inadequate as a means of teaching the increasingly complex laws of the land.

REPORT OF DECEMBER MEETING

Alden M. Cleveland, Secretary

The December Business Meeting was called to order on the 6th, at 7.30 P. M., President Brennan presiding.

Report of the Secretary approved. Absent members. Classification as published in the November Alumni NEWS, were unanimously accepted.

Voted: To hold the next Meeting Business Meeting, January 10th, (Thursday), 7.30 P. M., to be merged into a “Cambridge Night,” with Raymond Fitzgerald, ’28, and his live Cambridge co-workers in charge.

Voted: Unanimously to recommend F. Leslie Viccaro, ’17, to appointment as Justice in the Amesbury Court; with Martin W. Powers, Wilmot R. Evans, and the Secretary to act as a committee in his behalf.

Adjournment of the Business Meeting was fixed at 8.45, when it merged as “Lowell Night.”

“LOWELL NIGHT” REPORT

A fine delegation from Lowell had already arrived earlier that evening, having been escorted through the school on class inspection. Everyone enjoyed a fine luncheon served by Edward A. Kollen, ’26, and had thus had an opportunity to renew many old friendships.

President Brennan, in opening the program, introduced as toastsmaster, Prof. George H. Spillane, superintendent, John Hancock Life Insurance Co., Lowell Division, who briefly related activities of Lowell Alumni, and then introduced Dean Gleason L. Archer, who extended a hearty welcome to guests and alumni.

John F. Cronin, clerk of the Supreme Judicial Court of Massachusetts, was the speaker of the evening. He gave a very interesting discourse on the history of the Massachusetts court, from colonial times to the present day.

Associate Justice James E. O’Donnell, former mayor of Lowell, and Edward M. Trull, clerk of the Lowell District Court, offered their personal felicitations as members of the Lowell delegation.

Judge Frederic A. Fisher, and Judge Arthur L. Eno, Junior Special Justice, both of the Lowell District Court, spoke, each relating reminiscences and humorous experiences pertaining to the practice of law.

Vocal selections by the Lowell Quartette added fine music to the success of the occasion. William L. Gookin and James P. Heron in making the personel of the quartette.

Attorneys Thomas A. Delmore and George H. Spillane were joint chairmen of the Lowell Committee and were ably assisted by Attorneys Arthur J. Brown and James P. Heron in making the evening a success. Other Lowell men present were: George E. Murphy, And Gene Lavoine, James Murphy, Stephen Flynn, George O’Connor, Redmond E. Welch, John McCabe, and James O’Hearn.

Long will “Lowell Night” be happily remembered!
SUFFOLK TO SUFFOLK
SERVICE BUREAU

The Alumni Office is ready to co-operate with publishers on recent decisions by the federal or state or national; on legal research; on legal correspondence; and to aid in such matters of law and business as may fall within its scope.

RECENT DECISIONS OF
UNITED STATES COURTS

Kenneth B. Williams

Bankruptcy — Voting on acceptance of offer. Miller's Apparel, Inc., v. H. Simmonoff & Son, Inc. (Decided by United States Circuit Court of Appeals, First Circuit, November 27, 1928.)

Miller's Apparel, Inc., was petitioned into bankruptcy on December 17, 1927. Before adjudication on January 18, 1928, the bankrupt offered a composition of twenty-five per cent and asked for a meeting of creditors to consider and act upon such proposition. A meeting of the creditors was ordered on February 14, 1928, and adjourned to the 17th, when a majority of the creditors in claim and amount accepted the composition.

The referee directed the clerk to prepare the report on composition for submission to the District Court. In addition to the usual custom the referee continued to accept and allow claims as they were filed. "When these additional claims were added to those already filed and allowed, it appeared that a majority in number and amount had not assented to the composition." Counsel for the alleged bankrupt was given several days' time in which to procure additional assets. He was unable to procure enough to constitute a majority of claims then filed and allowed. "So the referee refused to report the composition and recommended that the alleged bankrupt be adjudicated. The District Court adopted this recommendation and adjudication took place on April 23, 1928. The bankrupt appealed to this Court, and we reversed the decree of the District Court.

The Court said in part: "The question is whether composition proceedings are to be dealt with at a real meeting, duly called,—which would of course include any duly notified adjournments thereof,—or whether the referee (in practice, his clerks), may allow, ex parte, at no meeting, claims (if appearing to be formally correct), with votes thereon for or against a pending composition. Such seems to have been the practice in this district. We think it cannot be supported.

"Composition, whether before or after adjudication, while in some aspects a trade between a debtor and his creditors and outside bankruptcy in other aspects is strictly under the Bankruptcy Law.

"Offers of composition can be considered voting duly called under Section 12 (a). At such meeting every claimant is entitled to contest the right of any other claimant to prove the plan of composition, in order to vote on the proposed composition. In the essential nature of the case, the proceedings must be open and in the actual presence of the creditors of the scheduled creditors; otherwise the door is left wide open to many kinds of fraud. "Claimants straggling into the referee's office are not attending a meeting. Proceedings such as took place here in the acceptance of the offer, with the scheduled creditors neither actually or constructively present, were non coram judice. Thus to admit claimants to vote on their nature involving the right both of the debtor and of other claimants, is to proceed without due process of law. It is in effect an assumption of rights on which the debtor and all creditors have a right to be heard. "The order of adjudication must be vacated."

BANKRUPTCY — ALLOWANCE OF APPEALS

Ahlstrom v. Ferguson, Trustee. (Decided by United States Circuit Court of Appeals, First Circuit, November 27, 1928.)

The order appealed from was entered May 11, 1928, adjudging Ahlstrom in contempt of court for disobedience of orders. The order turned over a certain book of the bankrupt's and ordering him committed until further order of court. An appeal was taken to the District Court in due season and the transcript seasonably filed in the Court of Appeals. The trustee moved to dismiss the appeal on the ground that it had not been allowed by the Court of Appeals as required by Section 24 (b) of the Bankruptcy Act.

Prior to the Amendments of May 27, 1926, proceedings in bankruptcy (as distinguished from controversies arising in bankruptcy proceedings), were reviewed by the Appellate Court on a petition to revise, which was an original petition, allowable at its discretion. Since that time proceedings in bankruptcy are reviewed on an appeal which must be allowed by the Court of Appeals within the time the order complained of is entered.

In dismissing this case the Courts said in part: "Proceedings to punish for contempt should be tried in the trial court in which the proceedings are pending, unless among other reasons, it is decided by United States Circuit Court of Appeals for the First Circuit, that such petitions or applications presented to this court under Section 24 (b) of the District Court should be treated as petitions or applications to this court for leave to appeal and as presented for allowance or denunciation upon which the records were filed in this court; and as a part of its contention it says that the records were filed here within thirty days from the date of the respective orders from which appeals are sought.

We are of the opinion that the appeal petitions contained in the records and presented to and allowed by the District Court are not to be taken as applications to this court for leave to appeal under Section 24 (b), and that the mere filing of the record in the respective cases did not operate as an application to this court for leave to appeal; and as no application in either case has at any time been made to this court for leave to appeal it is required by Section 24 (b) of the Bankruptcy Act, as amended May 27, 1926, the motion to dismiss must be granted."

The Supreme Court in the recent decision of Taylor v. Voss, 271 U. S. 176, 180, 181, has undertaken to define what are controversies arising in bankruptcy proceedings and what are proceedings in bankruptcy:

"Controversies arising in bankruptcy proceedings referred to in Section 24 (a), include those matters arising in the course of a bankruptcy proceeding, which are not mere steps in the ordinary administration of the bankrupt estate, but present some question of inter se or otherwise, distinct and separable issues between the trustee and adverse claimants concerning the right and title to the bankrupt estate. In such 'controversies' the decrees of the court of bankruptcy may be reviewed by appeals which bring up the whole matter and open both the facts and the law for consideration."

On the other hand, the proceedings in bankruptcy referred to in Section 24 (b), are those matters of an administrative character, including questions between the bankrupt and his creditors, which are presented in the ordinary course of the administration of the bankrupt's estate. In such administrative matters — as to which the courts of bankruptcy proceed in a summary way in the final settlement and distribution of the estate, their orders are not to be reviewed by petitions for revision (prior to Act of May 27, 1926), which bring up questions of law only.

A PRECEDENT FOR LOWER COURTS SET BY THE U. S. SUPREME COURT

Out of 500 appeals filed, the United States Supreme Court disposed of more than 250 in the first three weeks of its annual term; thereby establishing a record. By reading briefs filed, the court eliminated fifty per cent of the cases on the docket by denying permission for review. In this time two opinions only were given. Probably not more than a hundred of the remaining cases will be disposed of in the remainder of the term.

In time two opinions only were given. Probably not more than a hundred of the remaining cases will be disposed of in the remainder of the term. Among the important decisions of national importance; namely, the O'Fallon Railroad Valuation Case which goes to the basic structure of valuation on which the Interstate Commerce Commission fixes freight rates; a decision lowering rates east and west to California which will lower the Great Lakes Cargo Coal Rate decision, involving the decision between northern and southern coal operators; several important tax decisions; the rate cases from Los Angeles, Philadelphia and Baltimore; and certain Shriners and (Continued Page 5, Col. 2)
SOME CHANGES ADVOCATED BY THE JUDICIAL COUNCIL OF MASSACHUSETTS

In its recent report to Governor Fuller the Judicial Council of the Commonwealth has suggested certain changes in the legal procedure, some of which are bound to come up for consideration at a future date. For instance, the Council recommends that all automobile accident cases be brought before the District Courts in order to eliminate present clogging of superior court dockets, and the unnecessary delay of many months before trial. Increase in entry fees in the Superior Court is another measure suggested. There would of course entail the change of the ad. damnum of the lower court.

Just condemnation was registered against the unethical contingent fee system followed by a few attorneys, with fees of fifty per cent or more reported in certain cases. In reducing the exorbitant fee problem the Council says:

"We suggest that there should be a rule, a statutory, providing that in cases of personal injuries no attorney shall deduct, whether by previous agreement or not, more than three and one-third per cent of the amount recovered by settlement or otherwise for compensation and expenses, except with the approval of the court, under special circumstances shown, on motion of the attorney after notice to the client."

The authorization of lower court judges to sit in misdemeanor cases in the Superior Court was recommended for legislation. Proposal for $1000 for expenses, except with the approval of the Governor and the Chief Justice of the Superior Court Municipal Court and two attorneys, to be selected by the Governor.

The purpose of this commission is to study the possibility of creating a circuit system in the District and Municipal Courts of Suffolk County, so that the justices of the courts will rotate and sit in the various districts for a period of time and alternate with each other presiding over the various courts. This system is now in practice in practically every other jurisdiction in this Commonwealth and in other states. Our Supreme Court is a circuit court, sitting at various times in the various counties. Our Superior Court is a circuit court and sits at various places at various intervals, and our Federal Courts are modelled on the same basis. It seems to be a wise procedure to change the scene of action and to change the controlling influences at reasonable times, in order that the principal of the Constitution—that there should be a fair and impartial—should be adhered to as near as may be. There is no doubt in the minds of those who understand the character of Suffolk County, that grave abuses have crept into the conduct and administration of the lower courts. In the various sections of Suffolk County, Unconsciously—political and personal influences have often been the deciding factors in deciding cases, and the evidence and the law has been often times ignored for these base considerations, where "cliques of court lawyers" have sprung up in the various sections who have monopolized the legal business in their respective district courts, to the decided disadvantage of other worth-while practitioners. Ugly rumors and wild charges have been passed from mouth to mouth as to collusion between court officials and certain aspects of the criminal law, and in fact the situation was serious enough to warrant an investigation by a previous district attorney of Suffolk County only a few years ago, which resulted in several indictments.

Our Supreme Court and our Superior Court are very happy to be free from such slanderous and damaging attacks, because the local atmosphere has not controlled their actions. If this system of a circuit has worked beneficially in the higher courts, it surely is absolutely essential and necessary for the impartial operation of the lower courts. No sensible man can advance another sound argument against it, in fact, the best argument for this proposed change is contained in the recent report of the Judicial Council, composed of eminent minds, judges, in former judges, and distinguished attorneys, who have recommended that the lower courts be given a greater share of responsibility in the congestion of the Superior Court, due in great measure to the great increase of suits filed in connection with automobile accidents. Such lower courts are to be given greater responsibility and greater duties, there should be some systematic program devised that civil litigation will be worked out on the broad, general policy of justice for all, and not with the view of punishing enemies and rewarding friends, and favoring those who belong to a certain clique, as unfortunately would be the situation if present conditions were allowed to exist. It is my firm intention to wage a vigorous fight before the Committee on Judiciary to bring about this change, and I am urging Suffolk men to give this matter their serious thought. It is an important bill and all those who are interested in upholding the fair name of our Massachusetts judges, even the judges of the lower courts themselves, should gladly welcome such a proposed change to preserve the proud record of our judiciary and to give each and every person who appears before any of our courts, whether, such as a district of municipal court, or the Supreme Judicial Court, the same treatment—justice and justice alone.

In closing, I trust the members will give this subject some consideration and I would be very glad to hear from them as to their views on this question. I wish to thank the members of the Alumni Association for their unfailing courtesy to me during my term as president of the organization. I wish to especially thank our very efficient secretary, Mr. C. E. Bagley, for his untiring efforts to make the Alumni the splendid success it is, and also to Dean Archer for his unfailing support of our program. It has been a year of great pleasure to me and I thank the members for the honor they have bestowed upon me. I wish them all a prosperous and Happy New Year and trust that the Alumni Association will also increase in numbers and influence during the current year.

Voluntary Subscriptions to Alumni NEWS

Nov. 21 to Dec. 21

papers! Thence to Portland, Maine, he came and after a long and weary walk, arrived in Boston, both there, and on the way, and played in selling papers!

Years sped, but memories of young life lingered. Through Suffolk Law School the young man went, an earnest, ardent student. In the founder of this institution, where the poor boy has a chance, he found a friend, with ideals and ideas for life. Into practice he plunged, and quickly catching his stride, stemmed the tide, to success.

To-day, he gives, THE NEWSBOYS’ FOUNDATION in memory of — his mother. Editor.

**SUFFOLK STATE SENATORS**

For the New Term

John P. Buckley, Boston.
Michael J. Ward, Boston.
Ernest C. Carr, Somerville.

**SUFFOLK STATE REPRESENTATIVES**

For the New Term

Arthur I. Burgess, Quincy.
Thomas H. Ormsby, Boston.
Thomas F. Carroll, Revere.
John P. Connolly, Boston.
Richard D. Crockwell, Medford.
Timothy J. Craig, Cambridge.
Arthur Goulart, New Bedford.
James E. Hagan, Somerville.
William H. Hearn, Boston.
Francis J. Hickey, Boston.
William J. Hickey, Boston.
Alfred W. Ingalls, Lynn.
John J. Irwin, Medford.
John A. Jones, Peabody.
Thomas S. Kennedy, Boston.
Thomas J. Lane, Lawrence.
John W. MacLeod, Chelsea.
John V. Mahoney, Boston.
Timothy J. McDonough, Boston.
George C. McMerriman, Cambridge.
Anthony A. McNulty, Medford.
Daniel F. Murphy, Lowell.
Ignatius J. O’Connor, Boston.
John J. Reardon, Boston.
Charles H. Slowley, Lowell.
James J. Twogli, Boston.

**SUPREME COURT PRECEDENT**

(Continued from Page 3)

Ku Klux Klan cases of importance in their respective sections.

Aside from its fine example of expediting justice by rendering prompt decisions, the Supreme Court gave proof positive that it would not permit appeals to delay justice when it announced in two cases which did not present Federal issues that “it reserved the right deciding whether those who brought the cases on appeal should be penalized.” Maximum penalty under this rule is ten per cent of the amount involved, and the purpose of the rule is to prevent appeals for the sake of delaying the carrying out of justice. At the same time, in the Interborough Rapid Transit Case the court ordered respective attorneys “to present shorter argument and still eliminate involved, technical legal matter,” in lieu of the intricate briefs which the court threw out. These are examples and rules worthy of the universal attention of bench and bar.

**PROCEEDINGS OF THE SECTION OF LEGAL EDUCATION OF AMERICAN BAR ASSOCIATION**

Together with the Proceedings of the American Bar Association Relating Thereto

(From December Issue, American Law School Review)

The meeting of the Section of Legal Education and Admissions to the Bar was held in the Italian Room of the Olympic Hotel, July 26, 1928, Seattle, Washington. The meeting took the form of a dinner at 7.00 P. M., followed by the regular business meeting. Mr. William Draper Lewis, chairman of the Section, presided. The following is the stenographic report of the proceedings after the dinner.

The first order of business is the reading of the minutes of the last annual meeting by Mr. Horack.

(The minutes of the meeting held at Cattalo, New York, in 1927 were read by Mr. H. C. Horack, of Iowa.)

Chairman Lewis: Gentlemen, you have heard the reading of the minutes. Do I hear a resolution of approval?

Mr. Justin Miller, of California: I move that the minutes be adopted as read.

Mr. W. A. Hayes, of Wisconsin: I second the motion.

Chairman Lewis: It has been moved and seconded that the minutes be adopted as read. All those in favor of the motion say "Aye." Those opposed say "No." They are in favor of the motion.

One of the duties of the chairman is to appoint a Nominating Committee of three members, none of whom shall be members of the Council, to make nominations of officers and members of the Council, and other nominations may be made from the floor. In accordance with this rule, the chairman will appoint the following Nominating Committee: Alexander Anderson, of Maryland; Charles H. Slowley, of California; Mr. F. N. Angellotti, of California; Mr. Forest C. Donnell, of Missouri.

It is the duty of those gentlemen to retire to a room back there, the room marked "Private," and they have gone over it, and taken all of the interesting things in it, and what is left they are willing to stand by, and it is in a sense an informal report.

As a matter of fact, of course, what has happened in the last year is (Continued on Page 7)
CHANGES IN THE CONSTITUTION AND BY-LAWS OF THE AMERICAN BAR ASSOCIATION—FEATING THE SECTION OF LEGAL EDUCATION

(From December Issue, American Law School Review)

The following is a transcript of the proceedings at the Metropolitan Theatre in Seattle, July 27, 1928, when Mr. Gleason L. Archer, of the Suffolk Law School, introduced amendments to the new Constitution and By-Laws of the American Bar Association. Mr. Gleason L. Archer, of Boston: I have a slight change that I would like to offer to Article XIII. Now I think we have—Chairman Long: Present the amendment.

Mr. Archer: It is substantially as follows: They will run along as it is printed until I come to certain parts:

"The Executive Committee may submit from time to time by referendum to the individual member of the Association, interpretations of the law involving the substance or the administration of the law."

And then I add:

"Or questions of policy of the Association."

And then to continue on with the original wording:

"Which in the opinion of the Committee are of immediate practical importance to the whole country."

And then:

"Or shall do so when so directed by vote of the members at any annual meeting."

Mr. Julius Henry Cohen, of New York: May I ask whether there is any objection by the Executive Committee?

AKNOWLEDGEMENTS

From John F. Cronin, Clerk of the Supreme Judicial Court, "Records of the Court of Assistants: Colony of the Massachusetts Bay, 1629-1804," a valuable and interesting history of judicial procedure in early Colonial days.

From Dean Archer, "The American Law School Review."

From Professor Hogan, "American Bar Association Journal."

From Professor Getchell, November, December, January, Supreme Judicial Court Calendar.

From Dean Archer, his latest book, "History of the Law,"—a concise and invaluable legal history written in a most fascinating style. In the background and as its scheme of continuity is the history of the peoples who framed the fundamentals of law, and the circumstances and dates when great laws came into force. Biographical sketches of leading law-givers, judges and law writers are also included. The development of the law through the ages to the present day is contained therein, written in clear and careful language which enhances its wondrous story of progress on the mind of the reader in an unforgettable manner.

Mr. Oscar C. Hull, of Michigan: No. Mr. Cohen: I understand that it is accepted by the committee, and I would like to suggest that we proceed with the adoption of the whole constitution, with the whole day to it, unless Mr. Archer feels that he must make an argument on something that is not needed.

Cries of "Question."

Chairman Long: The question is on the amendment suggested by Mr. Archer. Are you ready for the question? All those in favor of the amendment say "Aye." Contrary, "No." It is adopted.

Mr. Gleason L. Archer, of Boston: I have an immediate motion for Section 1 (Article XII of the By-Laws), which I would like to read.

Chairman Long: Let the Secretary read the proposed substitute for Section 1 as now drawn. The proposed amendment was then read by Secretary MacCracken as follows:

"Each Section shall meet at least once a year in connection with the Annual Meeting of the Association, and at least one general business meeting shall be held not later than the day preceding the opening day of the annual meeting of the Association. No meeting of a Section shall be held during the hours when a meeting of the Association is in session."

Mr. Julius Henry Cohen, of New York: May I ask whether that is acceptable to the committee?

Mr. Oscar C. Hull, of Michigan: It is.

(Cries of "Question.""

Chairman Long: All those in favor of the amendment presented by Mr. Archer say "Aye." Contrary, "No." Approved.

SUFFOLK LUNCHEON CLUB

One of Suffolk's enjoyable and profitable functions is its Lunccheon Club on the third Wednesday of each month. On December 19th a large group of Suffolk members met at the Lunccheon Club at Hotel Bellevue at 1.00 o'clock, President James H. Brennan presiding. About twenty of Suffolk's thirty officers is liable to arrest? Why is the director more liable than its president? Why are railroad depots personal property? When a party pleads statute of limitations when does opposite party plead at in abatement and when demur? Why does he demurr? After a writ is issued and property attached and defendant dies, how do you complete service? Is a summons left at the grave good? Why so? Why does the substitution of the United States prohibiting fornication not extend to adultery? Are you ready for the question? All those in favor of the amendment say "Aye." Contrary, "No." It is adopted.

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Legal Laughs for Legal Lights

Judge Frederick A. Fisher, guest and speaker at our recent "Lowell Night," there submitted the following questions, which proved of so great interest that we are permitted to publish them to our Alumni. We neither question their origin nor authenticity, but leave the laughs for our Editor:

1. When you obtain a judgment against a corporation which of its officers is liable to arrest? Why is the president more liable than its president?

2. Why are railroad depots personal property?

3. When a party pleads statute of limitations when does opposite party plead in abatement and when demur? Why does he demur specially?

4. After a writ is issued and property attached and defendant dies, how do you complete service? Is a summons left at the grave good? Why so?

5. Why does the substitution of the United States prohibiting fornication not extend to adultery?

6. Are you ready for the question? All those in favor of the amendment say "Aye." Contrary, "No." It is adopted.

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ALUMNI DIRECTORY

PURCHASERS

Nov. 21 to Dec. 21


LIBRARY FUND

(Names of Donors Written on Book Labels and Placed in Library Volumes as Contributors.)

LEGAL EDUCATION

(Continued from Page 5)

rather an important thing. You heard those resolutions passed. They were reported to the Association, and as a result the Committee on Law, Education, and the Executive Committee on the same subject have made a very liberal appropriation for the working of the Section, which has enabled us to establish a permanent headquarters for the work of the Section.

That having been done, it did seem to all of us on the Council that this meeting was entitled to know what the proceedings of the Council have been doing in the last year, and what their ideals are for the future work of the Council and of this Section. Therefore, you will take my address, which I shall have to read, most of it, at any rate, as an address, not of your chairman, but of the Council of the Section.

Mr. Lewis then read his address.

That finishes the main part of this address, but before sitting down I want to remark that it is contrary to our sense of fair play that the people who have been representing every school of the Bar Association. Our experience for the adoption of the standards is not in a position to furnish your committee with the facts and figures upon which your committee might base the educational standards. The facts as set forth in this report, any matters in our annual report, any of the matters touched on in the report, are open for discussion, and I hope we will have a good one.

Mr. Caesar L. Archer, of Massachusetts:

Mr. Chairman, there is one thing I wish to explain in the beginning of my address. You have most eloquently described the commercial law school, and I am Dean of a Law School. I wish to explain very briefly that the principles established in the same school for twenty-two years. I was the founder of that school. Fourteen years ago, under an act of the Massachusetts Legislature, the school was incorporated. I then conveyed the school by a deed of gift to the corporation. Since that time I have been a salaried employee as anyone else. Our school is incorporated, the same as is Harvard University, under act of the Legislature, and while I am not in a position to furnish your committee the financial condition there, I can assure you that half of my income goes into it, which we have financed a very splendid building. We have a very large school.

Figures show that the poor boy, except under unusual circumstances, is unable to secure the college training which the American Bar Association has recommended should be required as preliminary to law study.

Notice the words, "except under very unusual circumstances." A prominent educator said some time ago that if another Lincoln should arise, he would tell what he would do to him; they would send him back to splitting rails.

Now there is another section that I would like to call attention to: "With the exception of two or three sparsely settled states, there is a college within a radius of almost every young person in the United States.

Why should that statement go into a report supposed to influence the American public in the belief that everybody has an opportunity to go to college?

Gentlemen, I live near Harvard University, within fifteen minutes of Harvard University, and there are probably three thousand young people that could ride by and read the sign on the gate, but that is as near as they could get in on many cases. I have no ill feeling toward Harvard University. In fact, I am sending my son there to get college training.

There is one thing I would like to address myself to particularly at this time, and that is this question of the very strict, although of course he cannot shirk the duty of the support of his family.

But the fact is that in the great majority of colleges conditions have so changed within five years that the poor boy is crowded out. The average expense of a college year now ranges between $1,000 and $1,500. No boy from eighteen to twenty can hope to earn that much in a single year—at least, statistics in Massachusetts, compiled by the public employment bureau, so testify. How, then, can such a boy hope to save enough money to win a college scholarship? He cannot do it.

Then, too, there is the boy who becomes an orphan, or by reason of poverty is obliged to leave school and assume his share of the expenses of the family. Such a boy has no opportunity of college. Even if his tuition were given to him and his expenses paid, he could not go to college; he cannot shirk the duty of the support of his family.

Frequently I have men come to me and tell me this story: "I was the oldest in my family, and my father died before I graduated from high school. I kept my family together by working in school. I am over thirty years old. I am married..."
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PERSONAL MENTION

Congratulations to Kenneth Williams, '27, and to Orvis H. Saxby, '26, each, on the arrival of a stalwart Suffolk recruit! Suffolk's young army is increasing, even as the school increases!

Joseph Fine, '27, announces a double progress, the opening of new law offices at 364 Main Street, Fitchburg, and his election to the School Committee of that city.

Edward J. Bushell, '26, was elected to the School Committee of Malden.

Orvis H. Saxby, '26, is now Commander, Stoneham Post, (No. 115), American Legion.

We regret to learn of the death of John J. Riordan, '26, who lost his life in the St. Lawrence River while vacationing near Morrishurg, Ont. Mr. Riordan was a promising young attorney of Charlestown, where he had lived since boyhood, and was a much respected member of the community, as well as an active member of several local organizations and of the Suffolk Law Alumni Association.

Leonard J. Davidson, '28, announces the opening of his office for the general practice of law at 89 Federal Street, Boston.

Professor Warner, Attorney-General of the Commonwealth, was privileged in paying his respects to President Coolidge in December while in Washington, where he appeared before the Radio Commission in behalf of protestants against reallocation of wavelengths.

Early in December a verdict of $10,000 was won against the Boston Elevated by Bernard J. Killion, '10, before Judge Whiting, fourth session, in behalf of a client, John Walsh, of Salisbury.

Frank P. Fenton, '26, president of the Boston Central Labor Union, has been active in investigation of automobile insurance rates and proposed changes for 1929. In a letter to the Governor and to the Insurance Commission, early in December, he set forth some worth-while facts, in part as follows:

"... The records on file in the office of the Insurance Commissioner for the year 1927, the last full year for which records are available, show that the Liberty, American, Federal and Automobile Mutuals of this State returned to those policy holders who had insured their automobile liability in these companies a dividend or return of more than twenty per cent. The Lumbermen's Mutual, one of the largest carriers of automobile liability in this State, for the same year returned to their policy holders a dividend of twenty-five per cent. ... "Perhaps the English stockholders of the Employers' Liability who, in 1927 alone, received from their Boston office a remittance of $1,515,866 on their original investment of only $200,000, are dissatisfied with their profits. ... "The report of the Employers' Liability for the year 1927, the last yearly report available, shows that this alien-owned company derived an underwriting profit of $787,857 and an investment profit of $198,699, a total of $986,556 on their automobile liability insurance alone. ... "There are indeed many sound reasons for the statement that the present rate of auto insurance is excessive."
and have a family of my own. Do you think there is a chance for me to take my turn at education?"

Gentlemen, should I say to that man that his Legislature had assured himself on the altar of duty and did not secure two years in college during his youth, the door of opportunity is closed upon him forever.

That is what the Association of American Law Schools, speaking through the President of Legal Education, commands me to do. But I refuse to obey that command, and the great Commonwealth of Massachusetts from which I come takes that attitude also. Gentlemen, you may sneer at the low educational requirements of Massachusetts, but let me tell you this: Massachusetts learned a bitter lesson one hundred years ago. For forty years Massachusetts had a requirement of a college degree. By a rule of the Supreme Court an applicant was required to devote seven years in a law office, and, if a graduate of a college other than Harvard, he must study law an extra year.

This sounds incredible, but it is gospel truth. That is why the Massa­chusetts Legislature took from the Supreme Court and the Bar Association control of legal education. For forty years, until 1836, there was a college monopoly of legal education in Massachusetts. Some of her greatest judges and greatest lawyers have since entered the profession without college training.

Massachusetts recognizes to-day that the statement that any boy worth his salt can get a college education is far from the fact. We may as well face that fact also. Our problem should be how we may keep up our standards and at the same time provide means whereby the poor boy may qualify for college training.

I have no objection to two years of evening colleges. You have provided we first establish evening colleges in all great centers of population. Last year at Buffalo, those of you who attended, know how diligently we worked to secure the adoption of that resolution which was read. I would like to know at some time what this Section has been doing to encourage the establishment of evening colleges throughout the land. What has the Section done? Less than nothing.

First, they picked out a field agent to organize in every state forces to bring bar examiners, courts and Legis‐latures to an acceptance of the "two year in college" standard. They selected for that important post the Secretary of the American Law Schools. Did he say, "I cannot serve two masters," and resign from this highly partisan organization? He has continued as its Secretary. He is its Secretary to-night, carrying out its policies, and at the same time receiving a salary as a full-paid official of the Section on Legal Education of the American Bar Association.

I have the highest respect for Mr. Horack, his qualifications, neglected to say that he was Secretary of the Association of American Law Schools.

This morning I asked the Treasurer how much had been paid out of the Association funds toward the past year to the Section on Legal Education. He stated that, to the best of his recollection, approximately $15,000. Perhaps that accounts for the deficit of the Association, for you will remember that the report read this morning stated that upon a de­cision of the Association it was obliged to sell $15,000 of Liberty Bonds.

Now what do we find in the report of the Section on Legal Education:

"Organization work for securing the adoption of the American Bar Association standards by the states has been undertaken. The nature of this work has varied according to conditions. In many states the problem of securing adoption of the standards has been taken up directly by the state Bar As­sociation committees, looking toward approval by the profession as the first step toward adoption of the standards, while in some state committees representing the lawyers have been appointed, who will undertake the organizing of local forces, to the end that the matter may be fully and effectively presented, either for legislative adoption or put into effect by rule of court.

"Already eight states have adopted rules which comply with or approxi­mate the standards of the American Bar Association. These states are: Colorado, Illinois, Kansas, Montana, New York, Ohio, West Virginia, and Wisconsin. Wyoming indirectly ac­complishes a similar result by requir­ing certain attendance at an approved law school. A number of other states have, through the more rigid enforce­ment of existing rules, made substan­tial progress in raising the require­ments for admission to the bar.

"In ten states, where the standards have not yet been adopted, State Bar Association committees have been given as the first step toward urging their adoption."

"If we desire to read the whole thing, but there is no mention there of any attempt to establish evening colleges as the first step in enforcing this rule.

"Now, gentlemen, I know that you are anxious to get away. We have been trying for two years to have a meet­ing where we could discuss these things without denying you social pleasures, and without denying you the opportunity to go and hear dis­tinctly spoken speeches.

"I have one bit of information to re­lieve your mental tension, if you hap­pen to have any, over the Tunney–Heeney fight. I understand Tunney won in the eleventh round."

Chairman Lewis: I gave them that information, Mr. Archer.

A voice: That wasn't quite right.

The tenths.

Mr. Gleason L. Archer: It has been stated, gentlemen, that this movement began when the Elihu Root committee made its report. I want to call your attention, gentlemen, to the fact that William Draper Lewis, the chairman of our meeting to-night, in 1915, at the meeting of the Section on Legal Education, said:

"I have had a feeling for a long time that the morals of our profession as far as they can be handled under the present system of legal education, will never be satisfactory until we do what the medical profession has done. . . . The system which we should do is to see to it that every man, before coming to the bar, goes through a school and also to it that the law school for which he graduates is the right kind of a school."

John H. Wigmore, Dean of the North­western University Law School, at the same time said his method of elmina­tion was:

"The number of lawyers should be reduced by one-half. As a method of elimination for the future, a stricter requirement for preparation is a sensi­ble method, and a requirement of two years of college is a rational and bene­ficial measure for reducing here after the swamping mass of promine­se, semi-intelligence which now enters the bar.

Dean Richards, Dean of the Univer­sity of Wisconsin Law School, was the then president of the Association. His length and exhaustive address contained a number of significant pas­sages. Even then apparently the law school men had designs on the Section on Legal Education, as appears from the following:

"If the Section on Legal Education could be discontinued, it would offer a solution of the time problem that the Association would become the Section, with the right to submit to the Bar Association matters within its province. It would involve recognizing that the law teachers are a distinct body, dealing with questions vital to the efficiency and reputation of the bar. . . ."

He then referred to the plan adopted and followed by the medical schools, and set forth the material advantages to be derived by the law schools from following it.

"Medicine, in point of popularity a great rival to the law as a profession, had 55,213 students for the bar in 1890, but the number of schools had decreased from 150 to 108. The decrease in the number of schools and students is due in large part to the campaign of the American Medical Association for higher stand­ards, resulting in establishment of Boards of Medical Examiners and re­quirement that a candidate make his preparation in a standard school. The Boards of Examiners either classify medical schools, or accept the classification of the American Medical Associa­tion. Refusing to admit the examinees of graduate classes below the established standards. The result has been a weeding out of the weaker schools. This striking differ­ence in the treatment of the candid­ates for the two professions is due largely to the aggressiveness and unity of the medical profession in contrast with the indifference and actual hostility of a large sec­tion of the American Bar toward higher standards in legal education. . . . At the time this Association was organized the members reported 6,894 students, or a little over fifty-five per cent of all law school students. In

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fifteen years the number of students has increased seventy-five per cent. In 1916 members of this Association reported 5,862 students, an increase of twenty-five per cent. Non-members report 7,611, or one hundred thirty-three per cent, so that at the present time this Association represents but thirty-nine per cent of all law students, instead of fifty-five per cent, as in 1900.

He also said that the Association of Medical Schools set out to accomplish certain purposes, and this was the subject of the speech of three successive presidents. I have studied the record, and have found that for the members here of the Association of American Law Schools, it is all law students, instead of fifty-five per cent, as in 1900.

Now that was held up as a shining example for the law school men to follow. Then in 1917 the American Bar Association attempted to get the American Bar Association to appoint a committee on legal education, and the Council on Medical Education had put over this other program, and they prevailed upon the American Bar Association to appoint a Council on Legal Education, a council of five, and, when those names were announced, those five excluded themselves and those who were to make an impartial survey of the law schools of the country, we find the names of Dean Richards, Dean Pound, of the Harvard Law School; Dean Wigmore, of Northwestern; Dean Bates, of Michigan; and those others who had forgotten the other, but he was a law school.

That was the Council that was to have charge of the survey and of separating the goats from the sheep. Of course, that was putting our schools among the goats.

But, of course, they were to make an impartial survey. They were to go out and do exactly what the medical schools did. During the following year, the American Bar Association evidently got uneasy about that situation, and friction started, and they refused an appropriation for them in 1918, and then in 1919 they drew up a revision of the constitution and by-laws similar to what we have today. That brought it to the point a special committee to examine into the work of the Association of Law Schools and to report to the next Bar Association. They appointed Elihu Root as chairman, and gave him power to appoint his associates. It happens that in the records I have found a speech made by Elihu Root five years before he was appointed on that committee, in which he himselfed up squarely with that program. Perhaps they knew that, and perhaps they did not.

Now it was proclaimed to the country that an epoch-making investigation was being conducted that was going to change the whole aspect of law school education. The attention of the country was focused upon that committee and its deliberations, and when it made its report it was exactly the thing that was advocated in 1915 by Dean Richards, in 1916 by the next president, and those who were the next one.

Now, since that time, we have not had a chance to be heard.

Chairman Lewis: Mr. Gleason L. Archer, may I say that I think the members of the Council owe you really almost a vote of thanks for the general trend of your remarks. I think you have given us a good symposium, giving the exact chance which you just mentioned, when those here who differ from you may reply. At the present time, there is no rule limiting the amount of debate here at all, but I know that your courtesy to everybody else that might want to say a few words would permit them to do so, but we must go on to the election. I can assure you of this, Mr. Archer, that for the members here of the Council who remain next year after the election, and are not affected by this election, I can tell you that you have given us a most excellent suggestion as to how opportunity is enjoyed,

Mr. Gleason L. Archer: That is all I have been trying to get for several years:

Chairman Lewis: May I say that those who do not agree with the way in which you have compiled your recent facts should also have an opportunity. Now, we do not want that opportunity to-night, but I am sure we will have a merry old time, if I may express it, a year from now.

Mr. Gleason L. Archer: May I make one last suggestion? If the meeting next year at nine o'clock in the morning and give us all day.

Chairman Lewis: That will be taken and given serious consideration.

Mr. Edward T. Lee, of Illinois: Mr. Chairman, I have a little to say that may be something. I know that the hour is late, and you are all anxious to leave and go to the address of Mr. Justice Stone, and I am going to tell you that I am a short horse and soon curried on this occasion, but I feel I ought to say a few words.

Two years ago I would not have dreamed that the things would have come to pass in this Section and in the American Bar Association that have taken place to-night. I know full well, even better than my friend Archer, of the conspiracy in which this whole business that we are dealing with to-night was hatched. But I was at that time, by request, as a looker-on, the meeting of the American Law School Association, and later in the evening as a member of the American Bar Association, and in that afternoon meeting of the American Law School Association when we considered some business, another member, no less than the honored chairman of this Section to-night, arose and said: "You know, we were not intended to have any business at this Section. We are going to do that at our regular meeting in December; but it was necessary that we have delegates from our law schools present at this meeting, in order that we might have their expenses paid while attending a meeting of a Section of Legal Education."

That evening the Section met, and three or four outsiders like myself were present, and about sixty paid delegates from the American Law School Association were present, and they elected me as chairman, after being assured that he would accept the position. That was all I care to say about the origin of this movement.

Mr. William G. Hale, of Missouri: May I interrupt just a moment. I hope no one will leave. We are going to adjourn in a few minutes in time to get to the meeting.

Mr. William G. Hale, of Missouri: May I arise to a point of order.

Chairman Lewis: There is a discussion of the annual address, and I said that I would have great leniency, I have therefore been, as you realize, tolerant. The history of the adoption of the standards appears very interesting, and I should like to have opportunity to publicly reply to the statements made. But why not make those statements next year, when everybody will be given an opportunity?

Mr. William G. Hale, of Missouri: He is not arguing a proposition to which opportunity will be given to anybody to reply.

Chairman Lewis: I think he is entirely within his rights.

Mr. Edward Lee: May I enlighten the gentleman who is a matter of record and was printed in 1921. If he has not a copy of this (Continued on Page 13)
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matter, I shall be glad of the oppor­
tunity to furnish a printed copy.
Chairman Lewis: Mr. Lee, I am go­ing
to say that there is one gentleman
who wants to make a reply to your
remarks, and I think I am going to
call on one gentleman to make a
single statement, which I think is due
to the gentleman here in regard to
your remarks afterwards.
Mr. Lee, of Illinois: I shall be glad of the oppor­
tunity to furnish a printed copy.
Chairman Lewis: All new business
comes after the election of officers
and after the discussion of the annual
address.
Mr. Lee, of Illinois: I will arise at
that time to offer a piece of business.
Mr. William A. Hayes, of Wiscon­
sin: Mr. Archer made the point that
Mr. Horack, the advisor of the Sec­
tion, retains his position as secretary
of the Law School Association. That
is true, but that position pays no
salary, and the Section is supposed to
co-operate with the American Law
School Association.
A full and complete answer is this: At
the first meeting after Mr. Horack
was elected the advisor of the Section,
himself brought that matter up
and said that he thought he ought to resign. At the express request of the
gentlemen of the Council who have
no connection with law schools or
the Law School Association, Mr. Horack
was advised and requested to retain
the other position and to remain in
both for the time being.
Now, the other thing, Mr. Lee, I may have
a question or two. You know a trial
lawyer will claim a single moment,
even when his time is up. A fact is
the most persuasive thing in the
solution of every problem. One
time, but No. 3, I think, should be
modified, so that applicants may now
make up outside of college to show
that they have the equivalent, under
the new constitution it was not
necessary to present a nominee lor
Treasurer.
Mr. William G. Hale, of Missouri:
I second the motion.
Chairman Lewis: All those in favor
of the motion say, aye; contrary, no.
The motion is carried. The Secretary
will please cast the ballot.
Mr. Edward T. Lee, of Illinois: I am one of those who are sorry that we
did not have this meeting for Tues­
day, so that we could have had time
to discuss the resolution. In fact,
I took it upon myself to write to the
Bar Association Journal to see if the
meeting could not be held on Tuesday.
The editor of the Journal sent that
letter on to Mr. Horack, and, when
I complained about it, he said he was
not printing anything in the Journal
that would cause trouble. We are hav­
ing some trouble. I tried to avert the
trouble we are having to-night. It is
just the same as if I was dumped into
the street by a man who knocked off,
and when I picked up my hat the man
who bumped into me would say, "You
are blocking traffic." I might have
my foot stepped on when getting on a
car, and the man who stepped on my
foot would say, "You are disturbing
the peace." I am sorry that the dis­
tinguished editor of the Journal has
gone, but I was sincere in that matter,
and—
Chairman Lewis: Mr. Lee, have you
a resolution to offer?
Mr. Lee: I have.
Chairman Lewis: Please offer the
resolution, and then speak on it.
Mr. Lee: I am through about the
resolution of 1921.
Chairman LaLwiss: Please offer the
resolution, and then explain.
Mr. Lee: The resolution is that the
recommendation marked (c) "It shall
provide an adequate library available
for the use of the students," be
amended so as to read: "It shall pro­
vide an adequate library available
for the use of the students, either
owned by the school or made available
to the use of the students, public or
other law library of the city."
That is what I ask to have incorp­
ated as a part of a new rule.
Chairman Lewis: Mr. Lee, is that
an amendment to the standards of the
American Bar Association?
Chairman Lewis: I owe you, Mr.
Chairman, an apology for my late­
ess. We were in a meeting of the
Council of the Section last night
and I did not realize the time.
Chairman Saner: Understanding
the harmony that always goes with
this committee, we can appreciate
your lateness.
Dr. William Draper Lewis, of Penn­
sylvania: Mr. Chairman and Members
of the Association: I owe you, Mr.
Chairman, an apology for my late­
ess. We were in a meeting of the
Council of the Section last night
and I did not realize the time.
Chairman Saner: Understanding
the harmony that always goes with
this committee, we can appreciate
your lateness.
Dr. William Draper Lewis, of Penn­sylvania: In 1921 the Association, in
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LEGAL EDUCATION

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adopting the standards of legal Education, imposed a very heavy duty on your Council of Legal Education. The conclusion that many other things, the duty of publishing from time to time a list of those law schools which did, and those law schools which did not comply with the standards. I don’t know whether there are many who appreciate the tremendous amount of work involved in making an expenditure which has been made an expenditure which has been made.

Now, your Executive Committee is doing, and in your several states. We are under also more than that mandate. The obligation to do what we believe to be the best interest of the profession, and upon those seeking admission to the bar. These questions asked concerning the effect of the enforcement of the standards, both upon the public and the profession, and upon those seeking admission to the bar. These questions have covered a wide range of subjects, such as the effect of the

SUFFOLK ALUMNI NEWS

(citation believes its work in regard to legal educational conditions in the country should be. In the first place, we are under a mandate from this Association to promote the adoption of the standards of the Association. But we are under also more than that mandate. The obligation to do what we believe to be the best interest of the profession, and upon those seeking admission to the bar. These questions asked concerning the effect of the enforcement of the standards, both upon the public and the profession, and upon those seeking admission to the bar. These questions have covered a wide range of subjects, such as the effect of the

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A GOOD JUDGE

presiding in a High Court has passed this sentence upon us.

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LEGAL EDUCATION
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standards upon the supply of lawyers, the distribution between urban and rural communities, a comparison between the educational requirements in law and medicine, and other similar studies. However, the question most frequently raised concern the present-day opportunities for securing an education and the effect of the enforcement of the American Bar Association standards upon the boy who is self-supporting.

Information concerning self-help by students has been gathered from sixty universities or colleges with which approved law schools are connected. In some cases exact figures were available, while in others careful estimates have been furnished. Essentially the same situation has been found in practically all schools, whether located in large cities or in small towns. These figures show that approximately ten per cent of the students now attending college are entirely self-supporting, while about forty per cent are providing the major portion of their support from their college. These figures show that the poor boy, except under very unusual circumstances, is able to secure the college training which the American Bar Association has recommended should be required as preliminary to law study.

The number of institutions in the United States now giving two years or more of college work is about one thousand. Junior colleges are being established in many parts of the country in connection with the public school system, making the preliminary education available to students at small cost. With the exception of two or three sparsely settled states, there is a college within a few hours' ride of almost every young person in the United States.

In order to make provision for unusual cases the American Bar Association adopted a resolution recommending that a student, though he has not attended an accredited institution of learning, be permitted to add to himself any usefulness he has secured elsewhere the training equivalent to two years of work in a college. A provision has also been made for the man of mature years who desires to enter the legal profession, although he has had no college work. The Council permits approved schools to accept a limited number of such men as special students, provided they give evidence of such capacity and experience as would seem to fit them for the study of law.

The Council has held two meetings since the last annual meeting of the American Bar Association, one at Chicago, in December, 1927, and the other at Washington, D. C., in April, 1928. Mr. Walter F. Dodd, representing the Committee on Bar Association Delegates, has been present at both sessions, and it is hoped that through close co-operation of this Conference and the Section of Legal Education and Admissions to the Bar needless duplication of effort may be avoided and each organization lend effective aid to the work of the other.

Respectfully submitted,
William Draper Lewis, Chairman.

William A. Hayes, Vice-Chairman.
John B. Sanborn, Secretary.
Andrew K. Dana, Jr.
Theodore F. Green.
Monte M. Lemann.
Orrin K. Murray.
Guy A. Thompson.
George H. Smith.
John Kirkland Clark.
Oscar Hallatt.

Mr. Edward T. Lee, of Illinois: Mr. Chairman and Members of the American Bar Association, who are present: I am addressing perhaps five per cent of the American Bar Association, and my first suggestion is, What weight among the lawyers of this country do you give to the recommendation or an action of five per cent of the American Bar Association carry?

Mr. Jacob Mark Lashly, of Missouri: Mr. Chairman, would you permit a point of order?

Chairman Saner: What is the point?

Mr. Lashly: The chairman of the Legal Education Section made no motion. There is no motion, I think, before the chairman.

Chairman Saner: I am informed that there is no motion before the house. I thought there was.

Mr. James H. Brennan, of Massachusetts: I move you, sir, that the gentleman from Illinois be given the privilege of this platform for a short time to members for the purpose of fair play and free discussion.

Mr. Gleason L. Archer, of Massachusetts: I second the motion.

Chairman Saner: Before ruling on the point of order, in deference to the house, it might be well to put that motion in the form of giving the gentleman ten minutes to discuss this question, if he so desires, and the house desires to hear him.

Mr. W. F. Mason, of South Dakota: What question, Mr. Chairman? I protest against giving any man ten minutes to talk to the state of the Union.

Mr. J. W. Redden, of Seattle: I would like to know, since we have heard the chairman on Legal Education, what are we to do with the report? Are we going to debate on the expenses of this report?

Chairman Saner: It is stated—the chair thought a motion had been made, but it was stated no motion was made. The motion before the house is: Do you want to hear from Mr. Lee?

Mr. Merrill Moores, of Indiana: I make the point of order on the motion that it requires, not a majority under the ordinary rules of parliamentary law, but unanimous consent, for a member to proceed out of order, and I make that point, and I object.

Mr. James H. Brennan, of Massachusetts: Mr. Chairman, I would like to say—

Chairman Saner: The chair will rule upon Mr. Moore's point of order, and will sustain it.

Mr. James H. Brennan, of Massachusetts: Mr. Chairman, I made a motion, which has not yet been acted upon, either by the conference or by the assembly. Mr. Chairman, I stand here in the interest of common sense and fair play. This is an organization of lawyers, and not an organization of comedians. We are not all Will Rogers. I do not believe this organization is gaining anything by shutting off free speech in this assembly. There is a report made by Dean Lewis, or Mr. Lewis, in which he very cleverly did not make any motion, but I believe that we are a deliberative assembly, and that we ought to hear from the other side of the story, that we are not lawyers, if we do not hear both sides of the story. I believe that any man who comes from Chicago to Seattle to address the convention of lawyers should at least by common decency and common courtesy, in spite of the Will Rogers here, be given that opportunity. I therefore press my motion.

Mr. W. F. Mason, of South Dakota: I would like to point out that this motion is out of order, because it is simply a motion to give this man time to talk.

Mr. A. E. Armstrong, of New Jersey: I call for the regular order.

Chairman Saner: The regular order of business having been called for, the chair will declare further discussion at this time out of order.

NEW CLASS ROOM METHODS AT SUFFOLK

It will be interesting to our many graduates to know that new class room methods are being inaugurated at Suffolk. Henceforth, all examination papers must have studied text assignments previous to class work, which will be given over to a discussion of texts and cases, instead of reading of text, and review, as previously. This means a distinct development of outside study requirements and will eliminate too much dependency on class room instruction alone, for learning law.