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The Alumni Association is going to put over a big Commencement Week program for them.

We appreciate them. Let’s show them how much we think of them! Let’s make Commencement Week an event in keeping with their day of triumph and congratulations.

Here’s your chance to meet the old crowd again around the festive board.

Here’s your chance to drop legal cares for a while and join in the brilliant merrymaking that Commencement Week offers.

Here’s your chance to roll back the years and feel again that old-time school spirit.

Here’s your chance to help us make Commencement Week the biggest and most colorful occasion Suffolk has ever known.

We want every Suffolk man with us Commencement Week. The Dean will be there. Senator Simeon D. Fess, of Ohio, will be there. The Trustees will be there, the Faculty will be there. We want you there.

Attend the Alumni Banquet at the Elks’ Hotel, on Saturday, June 14th, at 6 P. M.

Attend the Alumni Prom and Reception to the Class of 1930 at the Elks’ Hotel Ballroom, on Monday, June 16th, at 8 P. M.

Attend the Class Day Exercises at the School on the afternoon of Tuesday, June 17th, at 1 P. M.

Attend the Graduation Exercises at Tremont Temple on the evening of Tuesday, June 17th, at 8 P. M.

Alumni, pay 1930 dues NOW! Banquet tickets will be sent to all paid-up members.
ANNUAL ALUMNI BANQUET

Eliot Hotel—June 14—Saturday—Six O’clock

All Graduates of the Senior Class will attend as guests of the school.

All members of the Alumni Association will receive their tickets, gratis, as usual.

Grades who are not members, undergraduates and gentlemen friends may obtain reservations from the Secretary at $2.50 per plate.

A fine program of music has been provided. Guests and speakers will be Honorable Justices of the Superior and Municipal Courts: Dean Archer, for the school; Mr. Boynton for the Trustees as President; Mr. Glynn, President of the graduating class, for Seniors; Mr. Spillane, for the Alumni Association; and the Presidents of local Suffolk clubs.

ANNUAL OUTING

SUFFOLK LAW ALUMNI ASSOCIATION

On the Banks of the Merrimack River, Tyngsboro, Mass.

Martin Luther Picnic Grounds

THURSDAY, JULY 24TH

Details will be announced at the banquet, June 14th.

The Alumni Club House will be closed during August.

The Secretary may be reached by phone on matters of importance at Marshall 3567.

SUFFOLK PERSONALITIES

On February 20th, 1930, Suffolk Law School conferred the honorary degree of Bachelor of Laws on one of her most illustrious sons, Bernard Joseph Kil llon, who graduated from Suffolk with the class of 1910 before the school was granted the right to bestow this honor.

In the short space of nineteen years of practice, Mr. Kil llon has established a reputation for himself as one of the most brilliant lawyers before the Massachusetts Bar. His unimpeachable character and fairness with litigants before the bar of justice have gained for him the respect and admiration of both judiciary and members of the bar throughout the State.

Mr. Kil llon was born in Peabody, Massachusetts, on July 28th, 1884. He received his early education in the Salem public schools and Salem High School. Prior to entering Suffolk Law School, Mr. Kil llon received one year of preliminary legal training in Salem under the tutelage of Mr. A. A. Walk ley. Upon his promotion to District Superintendent with the John Hancock Mutual Life Insurance Company he was able to fulfill his long cherished ambition to study law. He enrolled at Suffolk Law School in the Fall of 1907, and on February 11th, 1911, was admitted to the Massachusetts Bar, immediately opening an office for the general practice of law.

Five years later on April 3, 1916, he was admitted to practice before the Federal Court, and had the honor of being the first attorney from Suffolk Law School to try a case before the United States Supreme Court.

Since that notable event, Mr. Kil llon has served as senior counsel in many important criminal cases, being assigned as defense attorney in five homicide cases, the principal one being the famous "Comeau Murder Trial" in 1926 in which he defended Stanley Toothaker. In 1925 he represented Green, of "Green & Co," in fraud suits involving $14,000,000.

Although Attorney Kil llon never sought or held public office, he was a member of the Democratic State Committee during 1924 and 1925, serving the party well in National and State elections. He is also a member of the American and Massachusetts Bar Associations, Suffolk Law Alumni Association, and is active in church and fraternities circles.

In 1928 he married Dorothy Agatt. They have four children, three boys and a girl, all residing at 41 Naples Road, Brookline, Mass.

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DR. STALEY ANNOUNCES

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CONVERSION OF ARTICLES SOLD ON CONDITIONAL SALE

Morrison v. Segal, 1930 Adv. Sh. 329, held that a statute for conversion of three ranges sold by plaintiffs on conditional sale, properly recorded, to defendants' mortgagee. After foreclosure, the defendant asked the plaintiff to sign an agreement. The plaintiff's attorney mailed to the defendants, who had purchased the property at the foreclosure sale, that unless the balance due on the ranges was sent to him, he would immediately take steps to protect his clients' interest. The defendants' attorney replied: "My contention is that your client has no right to the stoves as against my client." The defendants claimed that there was no evidence of any conversion. In affirming a finding for the plaintiffs, the full court said that the statement by defendants' counsel in his letter that the plaintiffs had no right to the stoves as against his client could be found to be the same in illegal effect as though the defendants themselves had made the statement, and that such a statement could be found to be such an exercise of dominion as to amount to a conversion.

DEPENDENCY

Petersen's Case, 1930 Adv. Sh. 337. Employee, who received a fatal injury arising out of and in the course of his employment, left a mother and stepfather and several brothers and sisters. Claimant was not related to employee, but she and her husband had, some years before employee's death, cared for and educated him. Sometime before the injury, claimant's husband died and employee went to live in a boarding house. Sometime after claimant became the head of it, and was sole support of the claimant. Shortly thereafter, claimant and employee went to live with the stepfather, and claimant's stepbrother became the head of it, and was sole support of the claimant. Shortly thereafter, claimant and employee went to live with claimant's stepbrother. The question of dependency on the full court, held that claimant was a member of employee's family and that the circumstance that they lived in a boarding house did not require a finding that she was not such member of his family.

FALSE LABEL

In Commonwealth v. National Traction Co., 1930 Adv. Sh. 377, a complaint under a statute requiring the manufacturer of bedding to show by a label whether or not the filling is of material which has previously been used, it was shown that the defendant, who labelled its mattresses as "manufactured of new material," had actually used material which had not been used by anyone else. Of the pieces of cloth which the material for clothing had been cut, and the cloth, was used to upholster a vestment of a certain order on the ground that the material used as filling was not "new" under the statute, which defines "new" cloth. The statute has not been used as a part or portion of any other manufactured article or used for any other purpose.

INJURY NOT ARISING OUT OF THE EMPLOYMENT

In Breault's Case, 1930 Adv. Sh. 355, the Industrial Accident Board found that upon the evidence the employee, a painter, received a personal injury arising out of and in the course of his employment and lead poisoning, and that the date of the injury was July 18, 1928, the date upon which he was last able to work. The evidence indicated that the employee had been suffering from the effects of lead poisoning over a period of years. There was no evidence in the record before the full court that any substance used by the employee while in the employment of the subscriber contained lead. The court held that the Board were justified in finding that the injury was due to lead poisoning, but not in finding the date of injury as July 18, 1928. The court said that "it is elementary that the evidence must prove that the accident arose out of, as well as in the course of, the employment." There was no evidence of the injury and the nature of the employment. Decree for employee reversed; decree to be entered for insurer.

CHARITABLE CORPORATION

In Emnan v. Trustees of Boston University, 1930 Adv. Sh. 409, it was held that evidence that defendant, a charitable corporation, was the holder of a policy of insurance to indemnify it against loss caused by accidents originating from snow and ice was inadmissible to prove that because of it the defendant was deprived of the exemptions from liability which charitable corporations enjoy, the court saying: "The basis on which the defendant's legal responsibility for torts rests would not be changed by its entering into a contract with an insurance company by which the latter for a consideration and within specified limits undertakes to assume responsibility for accidents resulting from accidents for which the defendant might be found to be liable, even though thereby to a certain extent the diversion of the funds of the defendant to that purpose might be avoided."

ATTORNEY-AT-LAW

In Precious v. O'Rourke, 1930 Adv. Sh. 431, it was held that it is not within the general powers of an attorney to settle his employer's cause of action by entering into a compromise agreement for judgment and satisfaction, and that no settlement can be entered without the client's approval. The Eastern Underwriter says, "Unlike any other policy form now available . . . gives family a living income for twenty years, and death benefit of full amount of insurance after expiration of that period, for about one-half of cost of usual forms."

LIABILITY TO INVITEE OF EMPLOYEE

In Broitman v. Silver, 1930 Adv. Sh. 129, it was held that the owner of a truck is not liable in damages for injuries caused by the negligence of the defendant's driver and sustained by plaintiff, who had been invited, by defendant's driver and by defendant's son (who was an employee of defendant), to ride on the truck and assist the driver, the court saying that it was without the real or apparent scope of the driver's or the son's employment to permit the plaintiff to ride, there being no evidence that defendant authorized or ratified the act of her driver and son and no emergency existed requiring additional assistance.

NEGIGENCE

In Perlman v. Burrows, 1930 Adv. Sh. 259, where plaintiff, while walking on the sidewalk, was struck by a flying eye by a splinter which flew from the rim of an automobile wheel which defendant was striking with a hammer in order to loosen it for the purpose of repairing it, and from which sparks had been flying for several minutes, a finding for plaintiff was upheld on the ground that the jury was justified in finding that defendant failed to exercise due care, and could have found that the accident was a probable consequence against which the defendant should have taken pre­caution.

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WORKMEN'S COMPENSATION—MARITIME EMPLOYMENT

John Baizley Iron Works v. Span, 50 S. Ct. 291. Abraham Span was an employee of the John Baizley Iron Works which was engaged in making repairs to the steamship "Bald Hill," lying in navigable waters at Philadelphia. While painting angle irons in the engine room, sparks from an acetylene torch being used by a fellow employee working near entered Span's eyes, causing severe injuries. Span attempted to recover under the State Workmen's Compensation Act. Recovery was allowed in the state court on the ground that the work he was doing was connected with the navigation of the ship. The United States Supreme Court reversed the decision of the state court on the ground that "repairing a complete ship lying in navigable waters has a direct and intimate connection with navigation and commerce, and to permit application of the state law would work no material prejudice to the essential features of the general maritime laws.

The United States Supreme Court reversed the decision of the State court on the ground that "repairing a complete ship lying in navigable waters has a direct and intimate connection with navigation and commerce, and to permit application of the state law would work no material prejudice to the essential features of the general maritime laws."

WAR RISK INSURANCE

United States v. Worley, 50 S. Ct. 291. On October 6, 1917, while serving in the United States Army Worley obtained insurance for $10,000 payable in the event of death or total permanent disability at the rate of $57.50 per month. He presented a claim to the Veterans' Bureau for permanent total disability from the date of his discharge from the army on March 18, 1918. His claim was rejected December 29, 1926. He died January 7, 1927. His mother brought action against Worley's estate. The United States Supreme Court affirmed the judgment of the lower court on the ground that the claimant had no direct or indirect interest in the estate of the deceased and that the United States District Court had no jurisdiction. The United States Supreme Court affirmed the decision of the lower court on the ground that the lower court had no jurisdiction.

NAVIGABLE WATERS—DIVERSION

Wisconsin et al. v. Illinois et al., 50 S. Ct. 295. The Supreme Court in this case which has been before it twice previously finds that the Sanitary District of Chicago must curtail its diversion of water from Lake Michigan in accordance with the master's report. The court declined to consider the recent rise in the level of the lake on the ground that the speculative duration of the rise a wrong had been done to the other states using the waters of the lake which has to be righted.

The amount of water now being diverted is approximately 8,500 cubic feet per second. The decree of the lower court limits the amount which may be taken after July 1, 1930, to 5,500 cubic feet per second; after December 31, 1935, to 5,000 cubic feet per second; and after December 31, 1938, to 1,500 cubic feet or less per second.

RECENT DECISIONS OF UNITED STATES COURTS

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It is not at all uncommon for young lawyers to be somewhat timid as they are approaching trial. For a man new to this important phase of legal work, this is not at all surprising. At times they come to me, and often request that their cases be sent out to one of the smaller courtrooms, where the number of spectators assembled is less. They are fearful that their timidity may be noticeable, and they are more at ease when but a few witness their deliberations. In the two larger sessions, called the "list sessions," the lists are called each morning and cases are tried as well as sent out to other sessions. In the "list sessions" quite a crowd is invariably present, waiting for the cases in which they are interested, and in the meanwhile listening to others. To escape this large assemblage and try before a smaller audience is one of the requests often made, and granted whenever possible. The Municipal Court is where the neophyte usually makes his bow as a trial lawyer—here he serves his apprenticeship.

In the several years that I have been about the Courts, I have seen many young lawyers making their trial debut. One day I told the presiding judge that the young attorney before him was trying his first case. The judge’s only comment was this: "Yes, I thought so." All these young lawyers, however, are by no means hesitant or timid.

The temperament of the man generally displays itself. For instance, one day a new lawyer addressed the court in a most nonchalant manner, as if he were to the manor born. In fact, he remained seated while addressing the court. The judge, apparently a little annoyed at this lack of good manners, leaned over the bench and asked: "Young man, where are your legs?"

To the bashful young advocate, expressing his fears, I like to tell the story of Lord Erskine, one of England’s great legal luminaries. This man rose to the highest place in the judicial life of that country. When he made his first appearance at the bar his agitation nearly overcame him, and he was just about to sit down a failure when, he says, "I thought I felt my little children tugging at my gown, and the idea roused me to an effort of which I did not think myself capable."

No lawyer, young or old, should attempt to try a case without being properly prepared. He should be thoroughly acquainted with all the facts in the case, and know the law applicable thereto. As no building will stand up without a sound foundation, so no lawyer will ever rise to a worthwhile position who does not labor diligently so to build his case that, with his presentation of it, too, will be able to stand up. The preliminary work, like the foundation of the building, is there. It is easy

(Continued Page 8)
Tucker on Massachusetts Wills with Forms

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(“His Largest Fee,” from Page 6)

enough for the judge to ascertain without much difficulty whether or not those before him are well or poorly equipped.

Some lawyers imagine that the judge knows all the law. This is an error. That he knows great deal about the law may be taken for granted. The lawyer who appears before him ought to know the law about the particular case which he is trying so as to be prepared to give the decisions supporting his contentions, if called for, without hesitation. The lawyer who is not careful in the preparation of his case is not fair to his client, the court, or himself. And it is pretty safe to say that such a lawyer will never be a success.

It matters not whether the case involves much or little. The client is always anxious to win, and the lawyer ought to be equally anxious about the outcome. The young lawyer in his first years is entrusted as a rule with small cases, those where not a great deal of money is to be removed you would be a little concerned about the surgeon engaged. By observing your father and brothers that she remembered her kindness and promised to return and pay him when she could. She merely had seen his name lawyer, and incidentally, potato peeler; she merely had seen his name on the door and knew it was a trifling matter, and he was able to tell me except to say that it was about a sum of money. What would you have done under like circumstances? This is what Mr. Blume did: “Sit down, madam, do not mind about not having any money. What can I do for you?”

And so a conversation went on, the nature of which Mr. Blume did not tell me except to say that it was about a trifling matter, and he was able to set her right in a very brief time. In leaving, she expressed her appreciation of the kindness shown her and promised to return and pay him when she was able. A short time later this woman’s uncle died. He was an old man, a bachelor, a miser, and left a lot of money. After the funeral, this woman, with her lawyer friend always in mind, remarked to her brothers that she thought they would need a lawyer. They all agreed that a lawyer must be employed because they were heirs now and knew little or nothing about their uncle’s affairs.

As a result of this little conference a lawyer’s kindness was related. And so this woman called again on Mr. Blume to tell him of her uncle’s decease and that she and her brothers wanted him to take charge and represent them. The estate was a very large one. Mr. Blume told me that in all his years of practice, and he practiced long and successfully, his largest fee in this particular case was the largest he had ever received, and everybody was satisfied.
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PERSONAL MENTION

Robert C. M. Muleahy, '22, graduate of Dartmouth and of Harvard College of Business Administration, is Deputy Income Tax Assessor for the Commonwealth, at 40 Court Street.

Peter C. Borre, '16, who is enjoying a very successful practice in both State and Federal courts, with office at 53 State Street, spent two years as a special at Harvard in 1920-21, later, attended Princeton University School of Aeronautics where he obtained his pilot license, and then gained a captaincy in the Air Corps of the United States Army.

Sidney Rosenberg, '25, also of 53 State Street, has since graduation pursued further study for three years at Harvard University Summer School. He is active in the Boston Lodge of Elks, Liberty Lodge, Knights of Pythias, and a Director of the Suffolk Trust, Inc.

Frank D. McCarthy, '18, 53 State Street, has served as Selectman of Medfield since 1920, and as Moderator and Town Counsel since 1926.

Bernard L. Palme, '17, 40 Court Street, with A. B., from Amherst, is State Income Tax Assessor in charge of Domicil Cases.

Lawrence P. McHugh and Ahner R. Sisson, both of 28, have formed a partnership for the practice of law under the firm name of McGhie & Sisson, with offices in Barristers Hall, Boston.

From the pen of Harry E. Burroughs, '15, the "Tale of a Vanished Land" comes, replete with memories of a childhood in Old Russia, a strange story of a strange land, full of fascination and interest to the reader, and of such a type as will place it among the foremost books of the day. As attorney, philanthropist and author, Mr. Burrough has become widely known. His splendid work for the newsboys of Boston through the Newsboys' Foundation on Somerset Street, has made him a leader in original ideas and ideals for the instruction and inspiration of youth.

(School Notes, from Page 6)
in his Junior Year for excellence in his scholastic record. He won Phi Beta Kappa honors at Colby College.

Thomas E. Walker, of Brockton, will deliver the Salutatory of the Class of 1930, having maintained during his four-year course a general scholastic average of 88.4%. He is a graduate of the Brookfield High School in the Class of 1901. He is at present on the editorial staff of the Brockton Enterprise.

Mr. Walker was awarded the Archer Scholarship for having maintained second highest honors in his Freshman Class and a special scholarship at the completion of his Junior year for excellence in his general scholastic average. He also won the Bradley Prize in his Junior year for having maintained the highest average in the subject of Constitutional Law.

The following are the next twelve highest men in the Class of 1930:
Karl W. Baker, of Belmont .88 19/48%
Charles A. Cusick, of Dorchester .88 5/48%
Joseph P. Cummiskey, of Medford .85 31/48%
Frank S. Dewey, of W. Somerville .84 7%
Philip Hurwitz, of Salem .84 35/48%
William F. Walls, of Chelsea .84 11/16%
Moses Shyavitz, of Haverhill .84 7/16%
Gershom D. Hall, of Belmont .84 19/48%
Charles J. Curran, of Brookline .84 7/24%
John P. Hooban, of Chestnut Hill .84 1/16%
Leon Abram, of Roxbury .84 1/48%
Joseph J. Sonigan, Jr., of Peabody .83 23/24%

There are 102 members of the House of Representatives who hold college or law school degrees and 138 who hold none. Many of those who hold college degrees also hold law school degrees. Some hold degrees from several colleges. These degrees are represented as follows: Harvard, seventeen; B. U., fifteen; Suffolk, eleven; Boston College, seven; Boston University, five; Tufts, four; M. I. T., four; Northeastern, four; Holy Cross, three; Mass. Agricultural, three; Dartmouth, three; Amherst, two; George-town University, two; Wellesley, two; and the colleges represented by one member make up the rest.

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