

# The SUFFOLK JOURNAL



The heights by great men reached and kept  
Were not attained by sudden flight;

But they, while their companions slept,  
Were toiling upward in the night.



VOL. 2 NO. 4

BOSTON, MASSACHUSETTS

FEBRUARY 25, 1938

## IMPRESSIVE DEDICATORY EXERCISES HELD

### Mayor Tobin Names Suffolk Men For Important Posts

#### BILL MOTLEY AND JOE GRAHAM ARE HONORED BY NEW ADMINISTRATION

William Motley, former Suffolk Law School student, was appointed by Mayor Maurice J. Tobin as chairman of the Board of Street Commissioners of the City of Boston on January 28, 1938. His term extends to January 2, 1939.

Motley is a former city councillor and was prominent in Tobin's recent campaign for Mayor. A Republican, Motley, it is said, was instrumental in bringing into the city Henry S. Parkman, who was credited with bringing many Republican votes into Jim for Tobin.

Motley was formerly connected with the American Telephone and Telegraph Co. but resigned his position soon after the November election.

Another appointment announced by Mayor Tobin recently was the naming of Joseph P. Graham of Brighton, to the post of assistant corporation counsel in the city legal department. He is a graduate of Harvard Business School and Suffolk Law School.

#### SUFFOLK ALUMNS ELECTED

George S. Drew, Suffolk '27, Cambridge and Boston attorney of 21 Sterling Street, Somerville, was recently elected president of the Cambridge Bkg. Association.

Mr. Drew, employed as counsel for the New England Telephone and Telegraph Company, is 38 years old and married.

Sam George "Ray" Drew following in his father's footsteps is one of the most popular members of the class of '30. Ray has been an honor student for the past two years. He will graduate, with honors as president, just fifteen years after his father received his coveted LL.B.

#### LECTURE BUREAU

Alumni and other friends of Suffolk University will be pleased to learn that several members of the college and Law School faculties are available for addresses before clubs and civic organizations, as well as for high-school commencements. Further information may be secured from the Office of the Executive Secretary.



President Gleason L. Archer confers the honorary degree of Doctor of Letters upon Thomas Jefferson Houston, former Attorney General of the Commonwealth and for many years a devoted friend of Suffolk and Suffolk men.

(Left to right: President Archer, Dr. William Parkhurst Drake, Dr. Bancroft Beutler, President of Simmons College, Hon. Thomas J. Boston, Professor Arthur Warren Hanson, and Mrs. Edith Leidy Wolfard, Founder and Director of the Lecture School.)

### Colorful Academic Scenes On Suffolk's Day of Triumph

#### MANY NEW ENGLAND COL- LEGES AND UNIVERSITIES PARTICIPATE

By JAMES F. RAND

Amid academic pomp and ceremony, fraught with tradition, one thousand men and women led by prominent educators solemnly dedicated the new \$150,000 Suffolk University building on Sunday, February 21.

From the moment when the academic procession led by Thomas Jefferson Houston, President of the Board of Trustees since historic 1914, and Dr. Gleason Leonard Archer, President of the University, entered the crowded auditorium until the final recessional an hour and a half later, the whole ceremony was marked with reverence and solemnity.

#### "Dedicated to Ideal"

The keynote of the afternoon was found in Professor Arthur Warren Hanson's dedicatory address when he declared:

"Today, this new selected building of Suffolk University is dedicated to the ideal of President Archer that every man is entitled to the opportunity to grow that he is deserving of university training."

In the procession were delegates from over forty leading New England educational institutions, preceded by members of the faculties of the colleges and schools of Suffolk University and those who were to be the recipients of honorary degrees.

The dedicatory address was delivered by Professor Hanson of the Harvard Business School, an alumnus of Suffolk Law School, class of 1927, who explained the function of an evening university. "I feel confident," he declared, "that the leaders of this university have the vision, courage and perseverance to go forward imbued with a noble desire to serve effectively for years to come."

#### Dean Miller's Welcome

His address was preceded by those of Dean Donald W. Miller, chairman of Dedicatory Exercises, who welcomed the distinguished guests; Herbert S. Avery, delegate from Boston University, who delivered the greetings of other universities and colleges; Justice William H. Henchey of Woburn, who brought a message from the Governor; and President Gleason L. Archer, who acknowledged the greetings in the name of Suffolk University. Throughout the long program was found in the words of the many

### HYMN TO SUFFOLK

Words by EDWARD GUNN ARCHER

Mus. by Roy Harlow

Once more this day we meet  
where oft before.

Our Alpha Meter spend wide  
the door.

O! Opportunity to every man  
Suffolk we proudly speak of these  
where-ere we can.

We've heard how long ago your  
Founder knew  
That any student with ambition  
true

Thru faith and purpose firm in  
his design  
May reach the goal which thru  
his early dreams did shine.

Since Opportunity thou didst  
provide  
Grateful are thou that of thee, what  
e'er bestride.

Loyal to Suffolk thru all future  
days  
Honored we join thy vast Alumni  
in hymn of praise.

### "OF BLUE AND GOLD"...

In exhibition for the first time was the new Suffolk University Flag, carried in the academic procession. With the Suffolk University seal in blue on a golden background, it is an inspiring emblem for a great university.

First arrivals at the auditorium were two women who arrived promptly at two o'clock. But the real rush for seats came between three and three-thirty.

On exhibition in the Library during the reception was the original desk from which President Gleason L. Archer delivered the first lecture of the Law School in September, 1906. The lecture was given at his home in Rutherford and was the beginning of the Suffolk University of 1927.

The formidable array of microphones on the platform of the auditorium during the ceremonies was not for the purpose of broadcasting the program. Their real purpose was to record the dedication for posterity.

A guest at the dedication ceremony and afterwards, at the reception and tea held in the library, was Charles Morrill, a member of the Education Committee at the time of the Law School's first fight for recognition back in 1914. "He was a valiant fighter for the cause," said President Archer later.

The turnstiles in the library confused some of the guests, for some didn't know that one was for entrance and another for exit purposes.

Since by a coincidence the colors of Simmons College are like the colors of Suffolk University, blue and gold, the degree of Doctor Letters awarded to Bancroft Beutler, President of Simmons College, was of double significance. For his own institution has made it a practice never to award its own president an honorary degree.

(Continued on Page 3)

(Continued on Page 2)

## SUFFOLK SCRIBE VIEWS THE SPORTS

We were eating hamburgers and coffee in Joe's the other night, and the talk turned to sports as talk generally does, and the general opinion of the gathering was that old men are doing pretty well by themselves these days, although the youth movement has spread even to athletics.

"Why, look at Joe Melkus!" Joe the hamburger man said as he leaned over the counter and whisked an imaginary grease spot off the counter with his grease rag. "He's an old man as track athletes go, and yet he nearly beat Tom Lash down at the Garden a few weeks ago, and ran the best race of his career, which spreads over ten years or so."

"Yah, Joe, but look at Jimmie Braddock," the man in the green slouch hat piped in. "He couldn't stand the golf and had to quit because slouch hat piped in." He couldn't stand the golf and had to quit because slouch hat piped in. "He couldn't stand the golf and had to quit because slouch hat piped in."

"Yah, but don't you remember three years ago when he was ten old and then won the world's heavy weight title? And I suppose he was ten old when he took all Joe Louis could give and still was on his feet at the end of fifteen rounds. The thing that I like about Jim Braddock was that he knew when to quit and that's a lot more than some of these palookas know."

The little little man with the derby hat and the flower in his buttonhole, gulped down the last of his coffee, ordered some more and broke into the debate with this: "And speaking of old people loafing around and engaging in athletics, I didn't see any of you beaming Sonja Henke's age when she was down the Garden the other night and you paid \$2.75 a ticket to see her cavort on the ice."

"Well, who said she was so old?" we piped in, adjusting our Christmas ties and making sure that our hair was combed just right. The M.J.M. had a hamburger poised in his hand eating right, and didn't bother to answer for a moment. "I didn't say she was old. But still she's been skating for fourteen years and that makes her an old hand at the game, doesn't it?" She started skating when she was nine and when she was fifteen, she had won her first Olympic title. That was ten years ago."

"And say," Joe broke in, "speaking of hucks—" "Who said we were?" this from the guy with the slouch hat. "I did! and did you ever notice our brains?—You know, the team that's going to win the Stanley Cup this April. I wouldn't call some of them youngsters by any means. Take Eddie Shore for instance. He's been up for ten years now and I still say there isn't a better defenseman in the game." And how about Tim Thompson? The best goalie in the league—And?"

And now the whole room broke into a howl as everybody tried to add his favorite to the grand list of old men who are still sports celebrities. And your Suffolk Scribe stole away to Suffolk University around the corner and went to classes for an evening.

But later as we hunk in our thumbs in the straw hangers' paradise on our way rapid-transit-to-home-sweet-home, we couldn't help but add a few more oldsters to the list.

And we found it easy to do so without straying from the sports theme of wintery winter months.

Glenn Cunningham and Gene Venke. "The one-ten men" of the mill are meeting the thirties, the age when young men become suddenly old and they don't seem to show any signs of breaking up.

As we sat in the garden watching the B.A.A. meet, we thought and they don't seem to show any signs of breaking up.

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## EXTENDED BEST WISHES OF THE COMMONWEALTH



Judge William H. Henches, 21st Governor of the Commonwealth, at the Dedication Ceremonies.

## DEDICATION

(Continued from Page 1)

speakers the continuous reiteration that in Suffolk University is the solution of the problem of educating those who are forced by financial or other reasons to forego a day college education.

The program began a few minutes before three-thirty with "Kleine Nacht Musik" by Mozart played by Marshall's orchestra. Then the long academic procession filed slowly into the auditorium and to the stage.

Then with the invocation pronounced by newly elected Suffragan Archbishop Raymond Heron, the ceremonies opened out to close until an hour and one half later when the Rt. Rev. Augustine F. Hickey of St. Paul's Church, Cambridge, pronounced the benediction.

In between came the addresses of the day. Interposed with these were selections by the Metropolitan Chorus of seventy-five men under the direction of Roy Harlow, assistant to the president of the Yankee Network and instructor of radio technique in the College of Journalism. Particularly noteworthy among their selections was the "Hymn to Suffolk." With words written by Elizabeth Glenn Archer, wife of President Archer, to the stirring music of Roy Harlow's accompaniment, the singing of this number was one of the highlights of the afternoon.

As the program drew to its close, there came the awarding of the five honorary degrees. The awarding of the degree of Doctor of Letters to Thomas Boynton, President of the Board of Trustees, came as a personal triumph for Mr. Boynton, as it was received with tremendous acclaim by the audience. Another degree recipient was Mrs. Edith Lesley Wolfard, founder and director of the Lesley School of Cambridge, who was awarded the degree of Master of Arts. The degree of Doctor of Letters was awarded to Dr. Bancroft Hoopes, President of Simmons College; to Myron Eastburn, an alumnus of Suffolk Law School, '21, and a member of the faculty of M.I.T.; and to Arthur Warren Hanson of the Harvard Business School.

## Suffolk Players Announce Cancellation Of Second-Annual Drama Contest

Forced By Limited Entries To Abandon Competition This Year. Will Proceed With Other Plans.

Because of a limited entry list, and a complete switchboard from which lights all over the house may be controlled. Their most recent production, which played to a full house, was notable for two reasons. It was the first full length play produced by the group and marked the first time the new stage equipment had been used.

The February meeting of the Players, both in ticket sales and program advertising. The money will be used to defray club expenses and discharge the obligation to the University for the new working equipment.

The Players now have at their disposal a stage, completely equipped, rigged with a fly gallery.

From the auditorium, the academic procession marched to the library where a reception and tea was held with degree recipients, delegates, and invited guests present. Mrs. John Griffin of Weymouth presided at the tea.

The president's procession was led by Presidents Boynton and Archer and included Trustees Swift, Archer, Warner, Shepard, McNichols and Griffin; Messengers Hickey, Dean Miller, Mrs. Wolfard, Professor Avery, President Healy, Professor Hanson, Rev. Raymond A. Heron, and Professor Hickey.

In the receiving line were Thomas J. Boynton and Mrs. Boynton, President Archer and Mrs. Archer, Miss M. E. Edger, Newsroom Librarian, and Dean Miller.

While the reception and tea was in progress many of the guests were about the building inspecting the many new features which have been installed since the one building program began last April. Many pleased comments were heard on all sides.

The building was full of exhibits which attracted the eyes of the visitors. On the bulletin boards were exhibited copies of the "Suffolk Journal" and excerpts of some of the leading articles and features that have been published in the past year and a half.

The building was not finally emptied of visitors and guests until well after seven o'clock.

The auditorium had its first arrival shortly after ten o'clock and from then until three o'clock, guests slowly arrived. In the last half hour before the opening of the dedicatory exercises, the auditorium filled rapidly until the appearance of the three flag bearers heralding the start of the academic procession. The hall was well filled.

The academic procession was led by Suffolk University students, Adams, Sylvia and Roberts, bearing the flags of Suffolk University, the State of Massachusetts and the United States, respectively.

After the flag bearers came Professor William Loomis, university marshal carrying the large blue and gold university baton.

## What's The Answer?

(See Answer on Page 3)

CHARLES DIPROIO

Suffolk Law '38

1. Can a whale drown?

2. Why does a camel hump?

3. What language did Christ speak?

4. What animal is grown commercially by sowing seed in the ocean?

5. Do bananas grow upon trees?

6. Is the tomato a fruit or a vegetable?

7. Is there any lead in "lead pencil"?

8. What is the oldest political organization in the United States?

9. What does "Amen" mean?

10. If your uncle's sister is not your aunt, what relation does she bear to you?

(More to follow in next issue)

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### Dr. Hanson's Brilliant Address Features the Dedicatory Program Speaker Sets Up a lofty Ideal For Our Greater Suffolk University

### To His Own Alma Mater

"Since education is necessary for the individual and the community and all cannot go to the day college and university, we must rely some on the evening schools for a large part of this necessary work," declared Professor Arthur Watson Hanson, as he delivered the dedicatory address at the Suffolk University dedication exercises on Sunday, February sixth.

With this statement, his definition of the role that the evening university plays in modern life, Professor Hanson joined with three other speakers on the program in dedicating Suffolk University to the fulfillment of this task.

Joining Professor Hanson, who defined the "Function of An Evening University," in dedicatory speeches were Dean Donald W. Miller, general chairman of the dedication exercises; Herbert S. Avery of Boston University, representing the delegates of forty colleges and schools; Judge William Hensley of Woburn, representing Governor Harley, and President Gleason L. Archer.

Defining education as that which brings out the best that is within a man, Professor Hanson went on to show the reasons why we should try to develop the best that is within a man. Not only should we consider the man himself but also how he will benefit society.

He declared that in raising the general level of education, education is in no way with the principles laid down by the founders of democracy in the United States.

"Those who would deny as full an education as possible would deny themselves the opportunity of obtaining all the happiness to be derived from culture."

"A high level of education and general happiness is a necessity for a democracy which is a group governed by its own people. Unhappy individuals sometimes cast votes which give rise to the unhappy laws," Professor Hanson continued.

Referring to the labor situation, Professor Hanson declared that while it is the primary function of the labor unions to work out an approximation of justice between conflicting forces, nevertheless an important function, which too often is neglected, is the engaging by labor unions in "truly educational activities which are developing and foster efficient the natural powers of persons that more and better things are produced for the benefit and use of the community."

"When he had presented the goal of education in developing an individual as fully as possible for the good of the individual and society," Professor Hanson set forth that the public schools and the colleges and universities, which heretofore have been entrusted with this task, cannot and shall not attempt to do the whole job.

He pointed out the different handicaps which he in the way of modern youth in attempting to secure a college training in the daytime. He quoted President Cabot of Harvard who said in his annual report: "I think few who know the situation can doubt that the learned professions suffer because they have failed to recruit from all economic levels of society."

He followed with quotations from a recent magazine article by Fred

erst Hutchins of Chicago University who cited obstacles that have and are standing in the way of the poor boy and girl who wish to go to college. President Hutchins said that "One of the surprising facts in part that 'One of the surprising aspects of American society is its indifference to poor men's sons and daughters who give promise of leadership in the national life.'"

"Because of all of these persons and others too numerous for us to mention here, many American youths are denied the privilege of attending college or university, at least in the manner in which they would like to do so," emphasized Professor Hanson.

"The lucky endowed university is rightly prone to present its opportunity to those who appear most fit to make use of its great research facilities. The evening university may well center its attention on the next link in the chain of those to be educated, but always with the thought in mind that it may develop and develop real first-rank leaders among its students."

Professor Hanson asserted there is no logical reason why higher education must be carried on only by day evening universities "should be encouraged to do well that part of the task for which other colleges or universities are not primarily designed."

Scoring the institutions which regard evening classes as merely a sideline, the speaker declared that evening students are typically more mature, more interested, more conscientious, and much less of a disciplinary problem. He asserted that the institution which is founded for the specific purpose of training evening students should be better able to achieve the desired results.

He cited his experiences at Suffolk Law School, from which he graduated in 1927, to prove that mere ability to pay tuition was not the criterion by which students are allowed to remain. Desire and ability to profit from the work must be demonstrated reasonably soon to insure their retention on the school's rolls.

Although there is danger of over crowding the professions, Professor Hanson brought out that "none according to a workable price to pay for the free functioning of a democracy like ours and may be viewed as a form of healthy competition. It is the heritage of our youth that they be allowed the privilege of applying to positions of leadership."

The path should be made too exact for most students, he told his audience. But if a student has demonstrated that he can be of credit to his profession, he should be offered the training rather freely.

"Night students," he said, "receive little help from endowments, scholarships or other financial assistance," while frequently they pay the expense from their own earnings.

Referring to the recently organized Suffolk College of Business Administration, the speaker emphasized that the field of business should be harder to crowd than other fields. In bringing out that all cannot be captains of industry, but that all can do their work better, Professor Hanson pointed out that "we should strive to see that those who are willing and able

to carry out the necessary work are not crowded out by those who are not willing and able to do so."

He concluded with quotations from a recent magazine article by Fred



Professor Arthur Watson Hanson, Dickinson Fellow in Harvard University, delivers the Dedicatory Address.

The carrying of three flags, university, state and national, in the academic procession made history, although few seemed to be aware of the fact. This was the first time that flags had been carried in a Suffolk procession and, what is more important, was the first time the academic procession made history, although few seemed to be aware of the fact. This was the first time that flags had been carried in a Suffolk procession and, what is more important, was the first time the academic procession made history, although few seemed to be aware of the fact.

The photographers were having difficulty in shooting pictures of the degree ceremonies until President Archer noticed their plight and had the participants move over on the platform. Later, after the recessional, the degree participants posed in the library for the press.

Mrs. Benjamin Kubitus literally paid a flying visit to witness the dedication. A concert singer of Hollywood, Mrs. Kubitus flew from the West Coast arriving just in time for the ceremonies. On Monday morning she left for the West Coast again by plane. Her husband, professor of biology in the College of Liberal Arts.

Two press photographers, who shot the procession as it came down the aisle were maddened on the stage until they found their way out by a rear door.

Commendations are due to the various newspapers of Boston who cooperated with their publicity. Included are the "Globe," "Post-Herald," "Record," and especially the "Christian Science Monitor" whose story on Saturday, February 1, received wide notice.

Many of the robed dignitaries were glad to change their costumes for the color street clothes after the ceremonies were over. The auditorium was quite warm for those who wore robes.

Although the building was crowded with spectators and visitors and was considerably mused up after the exercises, everything was straightened out and cleaned up by the noon of the next day.

Many were heard praising the new building as they walked along the corridors inspecting the many new features.

Commendations are also due to the Service Boys who labored for over two months to prepare the building for the exercises. Headed by Ted Baker, superintendent of buildings, the following assisted: Fatsville Beveridge, Goulding, Connolly, Meiss, Russo, Farbach, and Millman.

### DEDICATION

(Continued from Page 2)

Behind the president's procession came the various faculties of the different colleges and schools of the University led by their marshals. They were the following: College of Liberal Arts, Dr. Currier; Law School, Professor Stinchfield; College of Journalism, Professor Eccles; and the College of Business Administration, Professor Angell.

Mayor John Lyons of Cambridge and Commissioner of Education, James G. Beardon were next, followed by the delegates of forty colleges and schools represented.

It took fully fifteen minutes for this procession to pass slowly down the aisle and be seated. The procession assembled in the upper stories of the building and entered the auditorium by the side door. Once the procession was seated the program began.

Other musical numbers sung by the Metropolitan Singers in addition to the "Hymn to Suffolk" were "The Lord's Prayer" by Malotte, Heron's invention, and "Morning Hymn" by Henschele, sung immediately after President Archer's acknowledgment of greetings.

The procession came into the auditorium accompanied by the orchestra's playing of the "War March of The Priests" by Mendelssohn and the recessional was accompanied by Meyerbeer's "Coronation March."

Thus, on the sixth day of February in the year of our Lord, nineteen hundred and thirty-eight, was Suffolk University on Beacon Hill dedicated to the cause of giving all the competent youth an education.

### ANSWERS

(To Quiz on Page 2)

1. Yes! It cannot breathe under water.
2. This lump consists of muscle, flesh, and fat which can be absorbed as nourishment when the camel is required to go a long time without food.
3. An axman.
4. The oyster.
5. No, upon herbs.
6. A fruit.
7. No, granite makes the mark.
8. The Democratic Party.
9. "Be it so," Hebrae.
10. She is your mother.

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## EDITORIALS

### We Are The Pioneers.

One hundred years ago a little wagon drove slowly out from the confines of the wooden stockade that enclosed the tiny village of New England and slowly rolled its ponderous wheels down the dirt road into the dark woods that enclosed the barren clearing on which the village stood.

A bearded man, rifle on his arm, guided the oxen along the rutted road. In the ox cart was his young wife, a child in her arms. They were on their way to a new land. What they would find there, what they would encounter before they arrived there they did not know but they were on their way. Today we call them pioneers for they were the people who settled the mighty Western lands of the great country.

As Suffolk University on February sixth dedicated itself solemnly to becoming a beacon of opportunity for the youth of New England who seek evening university training, it too was embarking on the pioneer trail.

Thirty-one years ago when President William A. Archer gathered a tiny group of law students around him in his boxwood home and there in that tiny room began the institution that became Suffolk Law School and is today, Suffolk University, it was a pioneering deed.

And the halo of pioneering has surrounded the entire history of Suffolk University. The method of teaching law in the Law School first devised by President Archer, and now winning the favor of many law schools of great prestige throughout the country, was so radical that it too was regarded a pioneering deed.

The story of the Law School is and will be chronicled in the pages of history. A year ago, hundreds of alumni met in common cause as they celebrated the thirtieth anniversary of the institution.

Even as the blessings of the Lord God went with the pioneers of the West, may the blessings of the Lord God go with that perennial pioneer—Suffolk University.

### For His Unselfish Devotion

Thomas Jefferson Beaton, widely known to the faculty for his long and honorable career here but not distinguished public service as Master of Insects, Assistant General of the Commonwealth and United States Senator for the district of Massachusetts. For more than a quarter of a century, the institution now known as Suffolk University, has been a large beneficiary of the unselfish devotion and leadership of Thomas Jefferson Beaton.

A hush came as Mr. Beaton arose to receive the citation and the highest sign of the honor was the degree of Doctor of Juris. Then, he was accorded an ovation, spontaneous and whole-hearted, as those gathered for the dedicatory exercises fully caught the emotional tone of the moment. Here was a veteran commander in Suffolk's legion receiving from his grateful command a sincere tribute on a great public occasion. His service to the University well merited the distinction. His fidelity to our Alma Mater over a long period matched only by his life-long devotion to the highest interests of this Commonwealth and Nation. No man has ever been more justly acclaimed for his sterling worth and unselfish devotion than was Hon. Thomas J. Beaton on that historic afternoon.

### A Word For Ourselves

In the January issue we printed an anonymous communication from a reader. We do not like to publish anonymous letters. We are not eager to have the harsh criticism contained in that particular letter circulated through the university, through the alumni ranks, and through the secondary schools and the colleges of New England. Yet, we published the letter despite what we doing could do in "face." And we had our own purpose in giving wings to the words of our critic. We had scarcely hoped that any reply would be forthcoming from student ranks. We are happy to print the reply that did issue, un-

## Sonnet to the Winter Woods

Below the pine, unadorned in the snow,  
Safe after the tracks of a woodland creature  
They busy trails in carpeted patterns,  
Converging at the fork that leads to the  
Bench, at its foot, the hazy  
Hill, ancient and free the snow appears  
Which tell of the winter's steady fall.  
E'en sparrow, bluejay, two, chickadee.

My crutching steps along the crystal trail,  
If winter woods have freshened their leaves  
Save Bushy tail recalling me of winter.  
Peculiarly by some profound note, as if  
And games treasures hiding moss and water  
To fear in hollow oak his castle gray.

Ah, winter woods, your breath has deepened  
Imparting fresh vitality and cheer.  
The distant moor above the trail is blue,  
To form a picture of the hills, once  
Where one may stroll alone, contented  
So, still the presence of The Artist here.

JANUARY 6, 1931

E. G. A.

### Meditation

Once I stood upon the bosom  
of a great hill. The mother-mountain  
embraced the hill, and sheltered it  
with her long arm-like ramparts.  
Suddenly the thought came to me  
that I was the only human being  
within sight of this great state. A  
great hill was my platform, and a  
mountain was my back-drop. I  
could stand, and no one would  
answer me, only my own voice  
mocking. I could proclaim myself  
king, and no one would question my  
word.

Supposing I were to make my  
way back down from my lofty  
stage, and upon reaching the ledge  
find no human soul there. Then  
suppose I would travel all night  
along deserted highways, and  
through populous towns and cities,  
until I reached my home in New  
York City. Here I would realize  
that I alone was the only living  
soul in the State, perhaps in the  
world. I would walk down the  
middle of Broadway, through Times  
Square, and find not a soul. It  
would be as if some Pied Piper of  
Hamelin had led everyone into the  
Holland tunnel.

I would walk into the banks, and  
fill my hat with money. But for  
what? There would be no clerk  
to take it in the stores. I would  
walk into the stores, and draw my  
self up to the very best. But for what?  
There would be no family or  
friends to admire my material  
splendor. I would walk into the  
Metropolitan Opera House, and sit  
in the front box. But for what?  
There would be no artist to entertain  
me. So once more I would  
walk in Times Square and sitting  
down on the curb. I would say, but  
for what? Man makes money and  
buys things, not for their own sake,  
but because of the pleasure,  
joy, and desire it raises in others.  
A king without any subjects would  
be a sorry king. A millionaire

### Up Mount Washington

The State of New Hampshire  
here among the confines of New  
England, lays claim to one of the  
most fascinating and beautiful  
mountain ranges of the world,  
namely, the White Mountains.  
Among the peaks of this range lie  
Mount Washington, the highest  
mountain of the east. To the lover  
of the mountain trails, Mount  
Washington is truly a paradise.  
Traversing over six thousand feet  
into the air, it is covered with many  
trails, approaching the summit  
from all sides.

One clear cold September morn-  
ing, a group of us were located at  
the eastern base of Mount Wash-  
ington. Ahead of us was the peak,  
silhouetted against the western sky.  
This was a real challenge to our  
mountain blood, so we decided that  
the day had come for our ascent of  
the mountain.

Several inviting trails originated  
near us, and we decided that the  
Huntington Ravine trail should be  
our route. This trail is known as  
the hardest and steepest on the  
mountain, and the fact challenged  
us more than ever.

Accordingly, four unprepared  
youths soon started up the trail.  
Not one of us dreamed of the climb  
that lay ahead of us. The first two

mile of tramping were compara-  
tively easy as it was only a gradual  
ascent through beautiful wood-  
lands. Now and then we could see  
the peak far ahead of us.

After we had gone through two  
miles of forests, the trees began to  
appear shorter. The air became  
considerably cooler. The trail  
became steeper with many loose  
rocks adding to its danger. Still  
we pushed on to the highest of  
spirits. Slowly the trees and  
shrubbery diminished, and soon we  
found ourselves standing on a mass  
of rock completely above the  
timberline. Now the atmosphere  
was actually cold and sweaters  
were in order. Directly ahead lay  
Huntington Ravine, the route  
looked to be almost perpendicular.  
The peak seemed more distant than  
ever. Now the trail was really  
treacherous as it jumped over  
rocks and ledges. Nevertheless, we  
were determined to go on to the  
summit.

Another half mile brought us  
directly at the foot of the ravine.  
It still appeared perpendicular.  
The trail was marked by white  
crosses painted on the rocks. Up  
the trail we went, resting every  
hundred feet. At times we traveled  
over smooth ledges meaning that a  
mis-step would be disastrous. After  
an hour and a half, we had gone  
over the worst, and now the summit  
house was only another mile ahead,  
with another walking in sight.

However, our troubles were not  
over. In the valleys to the west we  
could hear the rumble of thunder!  
Thunder storms are always at their  
worst in the mountains. We trav-  
eled on as fast as our weary legs  
would allow, which wasn't very  
fast. Now the clouds actually  
settled around us and it was im-  
possible to see twenty-five feet  
ahead.

An hour later a tired party of  
others stumbled into the summit  
house amid a veritable cloudburst.  
We had reached the peak after six  
years of hard climbing. We then  
indulged in a fine mountain dinner  
right then, after a short rest, headed  
down the mountain by the escalator  
trail.

### Congratulations!

We hope to have a feature article  
on our intercollegiate debating  
teams in the next issue of the  
JOURNAL. In the meantime, we  
want Professor Browning and his  
debaters to know that everybody  
here at Suffolk is as proud as can  
be about the victory over Emerson  
College of Ostrory in the recent  
debate of last Wednesday after-  
noon. Suffolk's first intercollegiate  
debating team.

The question was "Resolved, that  
the Several States Should Adopt  
the 17th Amendment or Single House  
Form of Legislature." Harvey  
Hosatt and James Sullivan, repre-  
sented Suffolk University against  
the affirmative. Philip Barron and  
Laurence Edson of Emerson had  
the negative.

The judges were the Hon. Jackson  
Holtz, Assistant United States  
District Attorney; the Hon. Charles  
A. Home, of the faculty of the  
Boston University Law School,  
former Assistant United States  
District Attorney; and Professor  
Edward Post, of the College of  
Business Administration of Boston  
University.

The verdict of the judges was  
unanimous for the affirmative.  
All speakers are to be com-  
mended highly. The efficient hand-  
ling of the debate by the staff of  
W. A. B. is thoroughly appreciated.

solicited, from a group of busy fellows, who happen to be leaders in  
scholarship and social standing here at Suffolk. While we do appreciate  
the defense that has been set up for us, we are rather inclined to con-  
tinue in our possession of the post for some months. Well, why?  
During the past year the JOURNAL has lost some very good staff  
writers. In no case has the loss been occasioned by discussion in the  
staff. Economic necessity, the increasingly rigid academic requirements  
and standards—these are the reasons why we have lost some of our  
most capable and reliable workers.

And it is worth publishing this paper. For instance, how can one  
man, a busy student, gather and edit some forty columns of copy at  
say, six hundred words to the column, and at the same time hope to  
keep his daily job and, in addition, pass his evening courses?

Think it over, fellows. Suffolk needs the JOURNAL. Newspaper  
training in moderation is a great experience. The work is here, and  
many pens and a few portables will make the work light.

### Library Lines

The Research Room of the University Library is now officially open. Many of the volumes loaned by President Archer from his personal library will be found here. Included among these are many valuable books on colonial history, a complete set of Massachusetts Reports, Census Lists, American Directories and other law books, not to mention the works of many famous authors. The research room is open to members of the graduate schools and the faculty.

Some new additions to the law section this month are: William on Contracts, Richards on the Law of Insurance, Wigmore on Evidence, Beale's Treatise of Law, Minor's Conflict of Laws, Wigmore on Evidence, Supplement to 2nd edition, Robert's Federal Exhibitions of Evidence, Walker's Letter on Bankruptcy and a loose leaf Bankruptcy Service to Practice Hall.

Also new are the American Nation Series (27 volumes on American history); Theodor E. Brownell and his Time by Bobbin; A First Course in Education by Beeler; An Introduction to Teaching and Learning by Voshak; An Introduction to Education and the Teaching Process, by Adams; and the Discovery of America and Old Virginia and her Neighbors, by Pike.

The Charter Granted by their Majesty King William and Queen Mary to the inhabitants of the Province of Mass. Bay in New England, Boston, N. E. also Art. and Laws of H. M. Province of the Mass. Bay in New England in Boston in New England.

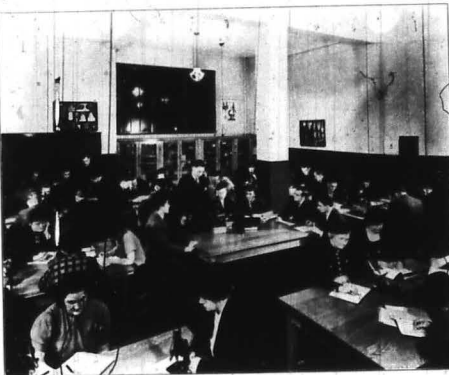
Of special interest to Suffolk's journalists is the Journalism course located under the balcony near the stair case. Here are filed newspaper clippings on all current topics, as well as articles on Science, Radio and so forth.

The magazine rack holds a brilliant array of trade periodicals and magazines. Those of special importance are: Boston Review, New York Herald Tribune, New York Times, Publisher's Auxiliary, Science News Letter, edited by Mr. Kubliavski; Springfield Republican, Survey of Current Business, Wall Street Journal, Accounting Review, American Advertising Agency, American Journal of Sociology, the Annals, the Annals, the Barrons, Commercial and Financial Chronicle, Current History, Educational Digest, Editor and Publisher, Journal of Educational Psychology, Journalism Quarterly, Research, Journalism Quarterly, Political Science Quarterly, the Quill, School and Society, School Life, School Review, Standard Rate and Data service, reports of banks and Govt. bulletins.

The check room is a new convenience recently installed in the library. Here students may check their coats and any parcels they do not wish to take in the library, thus giving the library a neater appearance, and the student a safe, clean place for their coats. The hat check girl need not be tipped.

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### Toiling Upward In The Night



Suffolk University Biology Students Earnwell at Work in One of the New University Laboratories

### SUFFOLK AUTHORS

#### MRS. ELIZABETH GLENN ARCHER

We talked with a charming, vivacious, late a few weeks ago. It and of course in the "Suffolk Journal." The title of her sole volume was the night of the dedicatory ceremonies and the scene was the library where the reception and tea were being held.

Although the room was crowded with people and there was the air of confusion all about us, she was as calm and unruffled as if she were in her own home.

As we talked, she graciously told us how she came to write the "Hymn to Suffolk" and many other poems of varying types. Mrs. Archer, for it was Elizabeth Glenn Archer, wife of Suffolk University's president, writes her poetry for "just the fun of it."

When she was asked to write the words to the music of Roy Starbuck, it was no task at all, she told us. It just seemed to come off her pen and seemed quite easy to find words to suit the music. From the moment she took up her pen until it was finished, a little more than two hours elapsed.

Although she seemed glad that she had been given the opportunity of writing this "Hymn to Suffolk," she seemed especially pleased with her "Remember Dawn," which appeared in the January "Suffolk Journal." It was her best piece, she believes.

Mrs. Archer often awakes in the morning with an inspiration and writes her poem right then. Once she finds an inspiration, she can do anything else until the poem is finished. She's strictly an amateur poetess although quite a few of her verses

have been published in newspapers locally, late a few weeks ago. It and of course in the "Suffolk Journal." The title of her sole volume was the night of the dedicatory ceremonies and the scene was the library where the reception and tea were being held.

We were glad of the opportunity to meet Mrs. Archer and to enjoy directly the graciousness that lives in her poetry.

Oh, what a web of fragrances,  
Of silences and stars and breath,  
This made you something at all,  
So beautiful as words.

This shape around me simple earth  
With golden shadowings,  
And even common things that touch  
To exorcism with awe.

They are as far as bloom and air,  
They share like one rose.

And I am rich she learned from her  
After beautiful clear air.

### VICTORY

If victory—involving no man's sorrow,  
No worthy soul's defeat—  
If high ambition for a golden morrow,  
And future hopes with confidence you borrow  
No'er thinking of retreat;  
If so intent upon your high endeavor,  
No slight or unseer can lay  
A stumbling block, but shall  
To open leaping gateways, which might sever  
You from your plan away—

It matters not how far and dimly showing  
The goal of heart's desire  
If still your purpose like a lamp is glowing  
With radiance the unknown road bestowing  
To lead you ever higher.

Already is your victory supplied  
Who in yourself believe,  
Because you stayed and never turned aside  
Nor glanced at other roads, more unsmooth and wide;  
Thus, triumph you achieve.

January 12, 1938

E. G. A.

### Communication

The editorial staff of the SUFFOLK JOURNAL wishes to express its appreciation to our readers for their interest in our current affairs in its columns. Letters of not more than 200 words are acceptable, but the writer must give his full name although a return address will be printed, if the writer desires. The following is an answer to Ann Olin's letter in the January SUFFOLK JOURNAL.

Dear Ann Olin:

We do not know what department of the University you are attempting to acquire an education in, but we hope you will be more successful in the future than you have been, apparently in the past.

Your highly constructive criticism of the Journal, in the January issue shows just about the extent of your brain and intelligence. One thing you did suggest is appropriate in your own case.

You stated that the students of the law school were a misinformed body. Such a statement shows your already warped mind has reached the same condition as a completely cooked pretzel. You are not only misinformed about facts as they exist at Suffolk, but, and this is the worst strike on your intelligence, you have failed to pick up even the slightest bit of authentic information in the semester you have been here.

In order to enlighten you, may we say that Suffolk Law School has been graduating men since 1906. These men have not merely attained a middle position of success but have reached the top. If you will but investigate you may learn of the judges, entered lawyers and men of high public office who have graduated from Suffolk. If the law school body is misinformed, as you say, how do you account for the continued success of its graduates?

Another thing that your weak mind naturally overlooked, is the fact that the condition of the paper, whether good or bad, reflects on you, personally, as it does each and every student at Suffolk.

There is nothing wrong with the Journal. The trouble is with the students such as yourself who do not appreciate the paper as a medium of communication among themselves. Articles written by students are always accepted by the staff. Of course, as in any worth while sheet, there is some censorship. If students would really turn in every bit of news they hear or see, the work of the staff would be greatly lightened. Do not forget that the students who edit the paper also have to work for a living.

Considering the time they have outside their bread-winning toil and studies, they publish one of the finest college papers. Please do not accept any word for this (though you might probably expect us to take yours). Go up into the library and compare it with student publications of other colleges and universities.

However, dear Ann, if you did by any chance criticize with the intention of helping the Journal, we would suggest that you devote your time to stirring up student interest in the paper and calling the attention of the students to the value of such a university publication.

Very truly yours,  
Students in no way connected with the staff

(Note: The "Journal thanks its champions!")

DEDICATORY ADDRESSES

(Continued from Page 3)

## Ye Editor Defends The Radio Thriller

### A Certain Suffolk Prof. Lends An Air Of Authority To The Defense

#### Do Our Readers Agree?

Those little boys who used to stand around the village railroad station on Thursday afternoons in the Nineties and the little boys who sit in the great big armchair while they listen to Dick Tracy et al. on the radio in 1938 are just brothers under the skin.

The new industry, back thirty years ago, the movie, was quick to note on this vulgar and what its you think, my dear reader, emerged to torment the parents? Yes, you are right. The serial stories of the like of the Perils of Pauline. And Thursday afternoons at 3:30 or at these of course followed the well-known dime-novel formula. And But no matter what the time, our brothers of the Nineties were right there to meet it.

"Like father, like son," the saying goes and manna and taps today are just the same as then, and parents back in the Nineties. 'Twas a time when parents placed a ban on the reading of dime novels. So the barn and the attic used to be mightily busy places a couple of afternoons a week. Of course, it here has always been a question in our mind as to whether or not papa and mamma didn't read the time novels, too. But well let that one pass.

And now in this year 1938, boys and girls still flock to their radios to hear the latest adventures of Dick Tracy, Don Winslow, et al, which are nothing more or less than dime novels given a modern touch and disseminated in play form.

The modern radio dime novel in short, has a number of exciting developments in each issue and always a rule that must never be broken—ends with the hero hanging by his thumbs, or something. And if that isn't the dime novel formula what is it?

The exposure line of this peculiar form of literature, drama or what you will, is just as sharply pointed as the horns that Dad, you old soul, has lost during the years he has been bothered by it.

Without revealing your age, how many of you remember when dime novels were at the height of their fame? This writer must confess that he got in on the tail when most of them had gone out of existence and the remainder had lost their original form.

As described before, they were short, seldom containing more than thirty pages and each one lead from the other just like the serial stories in the magazines which the grownups read. Authors with vivid Nick Carter.

The new industry, back thirty years ago, the movie, was quick to note on this vulgar and what its you think, my dear reader, emerged to torment the parents? Yes, you are right. The serial stories of the like of the Perils of Pauline. And Thursday afternoons at 3:30 or at these of course followed the well-known dime-novel formula. And But no matter what the time, our brothers of the Nineties were right there to meet it.

And even today they flourish, they getting into a neighborhood theatre on a Saturday afternoon, to see the truth of the above statement.

Today the modern counterpart is the radio serial which accented several concerns and others foster upon our younger generation. And here we can definitely prove that parents and older people do listen to these engrossing and complex dramas. For we listen to them our selves in spite of our extreme old age.

And right true to form, the familiar language of the Society for Prevention of Cruelty to Parents, or something like that, have raised their hands in horror and shrieked, "What will become of our children? What will happen with their minds being moulded by these tales of horror and wild escapade?"

My friends, we have an answer for them. Simply nothing. It is a well-established fact that neither's boys often go wrong. And who ever heard of a mother's boy reading dime novels?

One of our Suffolk University professors recently came up with a few remarks comparing the dime novel and the Dick Tracy, et al, radio skit. Said he, "One of the most sheltered boys in our neighborhood as his job was never allowed to play outside with us and who never read a dime novel in his life was the one of us who went wrong." And the stupidity of us that he got in on the tail when most of them had gone out of existence and the remainder had lost their original form.

So your parents who are fearing for your parents children's welfare because of the exciting children's dramas in the air today, just remember the days when you used to wait for the trapeze which would bring this week's installment of grownups read. Authors with vivid Nick Carter.

to assume high responsibility should have no artificial barriers placed in their way."

He saw in the Suffolk College of Liberal Arts a great opportunity for youth. Although it seems rather easy for youth to find vocational training for raising his income, the opportunity for obtaining training in the evening for living in a broader sense has not heretofore been generally available. In it the student may take courses as a well-planned whole. In closing, the speaker said, "I feel confident that the leaders of the University may go forward imbued with a noble desire to serve effectively for years to come."

#### Professor Avery's Greetings

In presenting the greetings of the universities, colleges and schools of learning, Professor Herbert S. Avery, delegate from Boston University representing the assembled delegates, paid tribute to President Archer, who thirty-five years ago, the speaker said, came to the portals of Boston University a young youth from the backwoods of Maine seeking educational opportunities. "Both Suffolk University and its fine building stand as a lasting monument to the cooperation with which you have advanced and developed those educational opportunities for which you came seeking at our portals," Professor Avery pointed out, turning to President Archer on the platform.

In closing, he said, "We, therefore, express to you now, Suffolk University, as our best wish, that you may, down through the years to come, constantly meet, with high courage, that challenge to furnish to all earnest seekers that high standard of education."

#### President Archer's Response

"Suffolk University, its trustees and the faculties of its schools and colleges extend to you, one and all, heartfelt appreciation of your gracious presence on this memorable occasion," responded President Archer to the greetings of Professor Avery.

The fact that the deliverer of the greetings from the other schools and colleges was one of the school's friends President Archer had when he entered college and remains his personal friend to this day, touched the speaker very deeply, he declared.

Now that a physical task has been completed that has been eighteen years in progress, "that

(Continued on Page 8)

## The Contributor's Corner

#### What Is Beauty?

"A thing of beauty is a joy forever." Quite true. But there is a deeper force that causes a beautiful object to agitate joyous emotions. This force is a vital theme that runs through the object. Using his beautiful object as a form, the artist has displayed the unexpressed thoughts and feelings of humanity. He has taken these intangible thoughts and feelings and transformed them into a concrete form. Now humanity can see those things it feels and thinks.

Thus the artist works as an electric transformer, metaphorically speaking. He harnesses the current of thought and feeling and transforms it to power—the power to arouse joyousness. He uses as his medium transformation a thing of beauty. Few people know what makes a thing beautiful. If we know what causes beauty, and realize that beauty is a form of expression of our own thoughts and feelings, we will appreciate the theory of true art. Therefore, let us discuss the technical points that go to make up beauty in one vehicle of expression—the painting.

Just what shall we look for to discover the technique of beauty? Usually the first thing that strikes an observer's eye is color. The personal choice of the majority is for yellow, brilliant and interesting colors. This trait suggests an extremely crude and gaudy nature. It is not the color of the points that brings about true beauty.

Color does not mean brightness alone, but means the relationship, quality, and suitability of colors when used together. An agreeable combination of hues and tints is called color harmony.

Light and shade are also strong links in effecting beauty. It must be remembered that in nature light

comes from a specific direction, for it has a definite source—the sun. Therefore, each nature object has a light and dark side. The lighter portion is of course that side which is nearer the sun.

Probably the most important phase of painting is perspective drawing. The correct use of perspective produces extremely satisfying and beautiful results. By means of perspective a perfectly flat piece of paper can appear to have a depth of many feet. One object in a painting will be the same distance from the eye as another, yet it will appear to be quite a distance to the rear. A panorama of a thousand miles can be painted on a postage stamp.

Impressionistic results in perspective can be obtained in many ways. By painting objects in the foreground darker or more intense than those in the background we obtain an illusion of depth. The effect of the atmosphere on objects produces an aerial perspective. And the effect obtained by drawing those lines above the eye downward and those below the eye upward produces linear perspective. By means of linear perspective objects lack on length, width, and depth. For a direct application of all these methods of perspective, I suggest you watch Walt Disney's movie, Snow White and the Seven Dwarfs. This trait suggests an extremely crude and gaudy nature. It is not the color of the points that brings about true beauty.

In addition to the technical points discussed, the correct use of values, composition, ideas, style and individuality are contributing factors in the production of a beautiful painting. But, remember, the one thing which makes a beautiful painting a historical masterpiece is the theme—the display of a noble revelation of the human soul.

—MARSHALL HAINC, '32  
College of Journalism

## Suffolk Scribe Views the Sports

(Continued from Page 2)

Time for school and again we were balancing on a stool down at Joe the Hamberger man's local emporium, the sole customer.

The mild little man with the derby finally arrived, swept in by a gust of cold air from Beacon Hill. "Say," he he, "did I ever tell you about my grandfather? Why at the age of eighty-six, he was still running and could beat the best of them. Why he could have given Paavo Nurmi a good handicap and—"

"Say," interrupting himself, "you know last night I clean plumb forgot to add Paavo Nurmi to our list of those who could compete for the best of them even when their hair was thinning at the top. Why—"

But we could see that he was ready for a full evening's reminiscing and we let him go. He was of six just time for school, and he was with him and left. We thought all through the first lecture, however, what would happen if we, decepted as we are, should decide to take up sports, but it seemed so horrible that we decided to leave it to others and concentrate on arriving out another column.

Agely yours,  
The Suffolk Scribe.

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## Recent Decisions

By KENNETH B. WILLIAMS

**Nickerson v. President and Fellows of Harvard College, 11 N.E. (2d) 144, Mass. A. S. (1937) 1537**

**Statute of Frauds—Contracts not to be performed within one year—Computing time.**

Action for breach of contract. The statute of frauds was pleaded and a verdict directed for the defendant. The plaintiff excepted. The evidence most favorable to the plaintiff was as follows:—

On March 9, 1931, the plaintiff made an oral agreement to work for the defendant for one year beginning when he should go to work. The plaintiff was to go to work "on a very short time, possibly a day or two." The plaintiff actually went to work on March 16, 1931. He was discharged on October 9, 1931. The plaintiff's exceptions to the directed verdict were sustained.

The court said in part: "The making of an agreement means, for the purpose of computing time, the day on which the agreement is made. The law reckons in days, not commonly in fractions of days, and an agreement made at six o'clock in the morning stands on the same footing with one made at eleven o'clock in the evening. The words 'from the making of the agreement' exclude the day on which it is made. The year begins with the following day, and ends at the close of the first anniversary of the day on which the agreement is made. . . . The plaintiff was not to begin work on the very day on which the agreement was made. But we think the defendant could have required him to begin work on the next day. Manifestly, the agreement could have been performed within one year from the making, therefore agreement is not within the statute of frauds, and no memorandum was required. We think that the direction of a verdict for the defendant was an error.

Exceptions sustained.

**Guassant v. Borek, 11 N.E. (2d) 595, Mass. A. S. (1937) 1651**

**Dissolution of Attachment—Bankruptcy—Composition with Creditors**

Action of contract in which an attachment was made of chattels which the sheriff continued to hold to the time of the decision. Pending the action, the defendant was declared bankrupt. He offered a composition which was confirmed by the court. The plaintiff proved her claim and received and accepted her dividend under the composition. She nevertheless, contended that she had the right to proceed against the attached property to satisfy the balance of the debt. In holding that the attachment was dissolved by the composition, the court said: "The lien of an attachment against an insolvent is lost if the defendant is adjudged bankrupt upon a petition filed within four months after the attachment, and the statute in direct part of the time, some avoid attachments upon the confirmation of the composition, the provisions that upon

confirmation of a composition the debts of the bankrupt shall be discharged . . . and that the title to his property shall revert to him . . . have led the courts to draw the inferences that all liens incident to the debts from which the bankrupt is discharged are also discharged, if less than four months old. . . . This we think is the law. . . ."

**Pittsley v. David, 11 N.E. (2d) 461, Mass. A. S. (1937) 1667**

**Repeal of Statute—Master and Servant—Husband and Wife**

On May 21, 1933, Pittsley was driving the car of his employer, the defendant. He was acting within the scope of his employment. His wife was riding with him. While going up a steep hill, Pittsley drove the car to the left of the middle of the road and across the white line. The car collided with an automobile driven by a third person, and Mrs. Pittsley was injured. She later died, and her administrator sued the defendant for the injuries sustained, basing the action upon a statute then in force permitting recovery for violation of the law of the road.

The first defense was that a wife could not recover from the master of her husband for injury caused by her husband's wrong. In holding that a wife has a right to maintain such an action, the court said: "There is no universal legal identity of husband and wife. The policy that gives the husband immunity from actions at law by the wife does not extend the immunity to his master."

The second defense raised was that the repeal by Mass. Acts of 1936, c. 49, of the statute permitting recovery for violation of the law of the road without proof of negligence, destroyed the cause of action. In holding this to be a good defense, the court said: "The civil action was purely the creature of the statute. What the statute gave it could take away, no vested rights being involved. There being no evidence of gross negligence, the plaintiff could not recover."

**Dufour v. Arruda, 11 N.E. (2d) 939, Mass. A. S. (1937) 1735**

**Automobile Insurance—Persons Covered**

On Sunday, Arruda loaned his truck to one Mendes. Arruda's father-in-law, to deliver milk water, at a picnic. Andrade, who was in Arruda's employ, and who frequently drove the truck for Mendes on Sunday with Arruda's consent, was present when the keys to the truck were given to Mendes. Nothing was said as to who was to drive the truck. Mendes and Andrade each drove it in the truck part of the time. Although the statute in direct part of the time, some avoid attachments upon the confirmation of the composition, the provisions that upon



It's True That Libraries Cannot Be Made. They Have to Grow. The Development of Our Library Will Keep Pace With That of the University.

to drive it. But as soon as Mendes was out of sight, Andrade started the truck, drove it upon a public highway, and injured the plaintiff. The plaintiff, having obtained a judgment against Andrade, brought an appeal in equity seeking to force Arruda's insurance company to pay the judgment.

The only question presented was whether Andrade was a "person responsible for the operation of the insured's motor vehicle which with his express or implied consent" so as to bring him within the class of persons covered by the compulsory motor vehicle insurance statute. In holding for the plaintiffs, the court said: "If we should look upon Mendes as the exclusive holder of the truck for the Sunday in question . . . it would be hard to find that Andrade became 'responsible' for the operation of the truck with the express or implied consent of Arruda, in the face of the express prohibition of Mendes. But Mendes appears to have taken the truck on the Sunday in question under the usual conditions which involve consent to its operation by Andrade as well as Mendes."

**Marcus v. Richardson, 11 N.E. (2d) 599, Mass. A. S. (1937) 1723**

**Res adjudicata—Guaranty**

The plaintiff sold hardware to Porter, and the defendants, Hurst and Richardson, guaranteed payment. Porter did not pay. The plaintiff sued defendants for the price of the hardware, declaring on an account annexed for the hardware sold and delivered. Richardson defaulted, but the trial court found for Hurst and entered judgment for the defendant. Later plaintiff sued the defendants to recover on the guaranty. Hurst contended that the matter was res adjudicata. The Superior Court so held, but the Supreme Court reversed, holding that the suit could be maintained. The first action was to recover for the hardware sold. The second suit was on the guaranty. There were distinct causes of action, and the judgment for Hurst on the first was not a bar to the second.

**Nardone v. United States, 58 S. Ct. 275, (United States Supreme Court—December 28, 1937)**

**Wire Tapping**

The defendant and others were convicted of smuggling alcohol, and conspiracy to smuggle and conceal it. A vital part of the evidence was obtained by intercepting messages by tapping telephone wires. The defendant contended that the admission of this evidence was a violation of section 605 of the Communications Act of 1934, (48 Stat. 1064), which provides in part that "no person not being authorized by the sender shall intercept any (interstate) communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person." The court held that the admission of evidence was a violation of the statute.

Mr. Justice Roberts said in part: "It is urged that a construction be given the section which would exclude federal agents since it is improbable Congress intended to hamper and impede activities of the government in the detection and punishment of crime. The answer is that the question is one of policy. Congress may have thought it less important that some offenders go untraced of justice than that officers should resort to method deemed inconsistent with ethical standards and destructive of personal liberty."

Mr. Justice Sutherland and Mr. Justice McReynolds dissented on the ground that "The decision . . . will necessarily have the effect of enabling the most depraved criminals to further their plans over the telephone, in the secure knowledge that even if their plans involve kidnapping and murder, their telephone conversations can never be intercepted by officers of the law and revealed in court."

Cruising the Corridors with T. E. J.

BOY O BOY! ... YIP YIP! ... Maybe that Mid Year Exam in Sales wasn't packed with dynamite!

Johnny Lincoln was recently accused of carrying on his class Presidential campaign in a really big way. The week after he announced his candidacy, a large bonfire burst of the Lincoln was installed in the Junior Lecture Hall.

HERE'S A SLUG! ... A new class of student has arisen in the Law School, that eminent department so long famous as a "Man's School".

THANK HEAVENS! ... We'll be rid of the nuisance of having Petition Blanks for class office candidacy being shoved into our faces every five minutes.

PRIVATE LIFE ... The original Ben Butler is a direct great great something or other of Bill's. And you oughta see the fell-a strut around in the brand new Chesterfield he biggest, broadest or well, we dunno the coat we mean.

MUSTY ... We must remind as a matter of courtesy. Last issue we declared that Sam Lushman had dubbed a very delinquent young Portian, "PULCHRITUDINOUS".

AND BY THE WAY ... Petition Blanks, who remarked most schemingly the other day, that he DOES have presented evidence to that effect.

THE JUNIORS HAVE ... thing in common with the boys at the Naval Academy. At the S. A. the midshipmen regard as their patron, the figure of the Indian Chief Tecumseh.

John "Rule Against Perpetuities" Adams, has earned himself a reputation for Fame. He's the one boy we know who really can't be sneezed upon in people of the Significance and Application of the Rule Against Perpetuities.

Dean Miller Presides ... "Dah, we do more than debate at the University building. This occasion is, in fact, a reaffirmation of the friendly spirit of co-operation that exists among the universities and colleges of New England."

Who? ... An owl, planning to visit his lady-love, put on all his best clothes, but on coming out of his hole saw that it was raining hard.

And then there's the one about the two girls working crosswords puzzles on the bus. "Why's the name of the dog star?" ask the blond "Bun-Tin-Tin, but he's gent."

Behind and Round ... Professor, I won't begin today's lecture until the room settles down. You're from the east? Go home and sleep 'till off, old man.

DEDICATORY ADDRESSES

(Continued from Page 6)

TO A BEAUTIFUL LADY ... In the deep of my dreamings Your face is like The bested lovebirds Of an autumn leaf.

TO A BEAUTIFUL LADY ... In the deep of my dreamings Your face is like The bested lovebirds Of an autumn leaf.

TRANSEXED ... There is expression On the rosy red, As tho its stem Were a sapling In the field.

MOONLIGHT TRYST ... Reclining you in the moonlight, I see not the swimming beam Nor do I hear the voice Of the nightingale.

NACHT SCHAUM ... I wonder If The Dreamer Were In the Embrace Of Dawn Eternal Stars and Dying Earth That I've Dreamed

FLAME ... Hall of me, And held of lamp I wish, deep, despairing flames, Shatter day.

Dine At ... DEFENSE LUNCH Next Door to School 30 BERNIE STREET R. H. Morgan, Prop.

The Poet's Corner

MANY-COLORED LAQUERS ... (Adapted from the poet Kitajiro (Sasaki, circa 1773))

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LAURENCE SIMCOCK ... The election is over; The votes have been passed; The victor is announced; The vanquished are cast; On the floor of the field Before the bitter blast Of laughter and satire, Of jeers and despair

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