

# 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."  
—Longfellow

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MARCH 19, 1940

## COLLEGE DEPARTMENTS OFFER SCHOLARSHIP AID

### Will Give Competitive Exams To High School Grads of '40

Applies To All New England High Schools;  
Full Tuition For Six Best Students; Half Tuition To Next Twenty-four; Tests in English, History

President Gleason L. Archer, in a circular letter released on January 18, 1940 addressed himself to the ambitious boys and girls, who will constitute the 1940 graduating class of New England's high schools, in order to present them with his plan for competitive scholarship examinations to be held at Suffolk University on August 1, 1940.

In this complex civilization nearly everybody needs college training. The lawyer, the doctor, the accountant, the business executive, the chemist, the electrical engineer, the radio or television expert, the mechanical engineer, the physicist, the biologist, the social scientist, and the philosopher, each of them needs college training.

If you are not able to send your child to college, it is exceedingly fortunate. If, however, the department has had your family, then you must take a hand in the matter.

You can get a job, with a Scholarship, or both, and go to college at Suffolk University.

### "Sports Hop" Draws Record Crowd

Agnes Bernier, Attractive Sister of Suffolk Coed Is Sports Queen

Music, sports and merry making were the keynote of the Sports Hop on March 2nd, when over 100 Suffolk University students and their friends danced to the tunes of Jackman's recordings in the Recreation Hall on the second floor.

For several weeks committees representing the tennis team and the men's and women's basketball teams had been actively working to make this first annual Winter Sports Dance special as well as a financial success. Their efforts were amply rewarded by the gratifying attendance of students from all departments. The largest number ever to come to a function of the university was on hand.

Agnes Bernier, a sister of Elizabeth Bernier, Arts '41, was administered with a gold link bracelet bearing the Suffolk University seal.

Favorite Dedications

The secretary had had been called on to deliver a toast. Her toast was: "Dear Basketball Coach, Captain H. E. Brown, Arts '41, Paul High, Rhode Island, and many others. Special commendation should be given to the following: Chairman of Timothy Luchman, Journalism '42, and English with honor, Pre legal '41."

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much to arouse student interest, particularly when the announcement was made that a Sports Queen would be chosen from among the guests. During the evening Paul Rich, Lang '41, presented their man, and the Board of Judges circulated through the crowd, appearing and weighing the various kinds of frocked dresses, only only dimly apparent under the colored lights.

Announcement of the winners of the contest would be delayed until toward the end of the evening so that a new photograph might be taken and then the outstanding event—Agnes Bernier, as queen of the Sports Hop, was crowned and led around the applause of the entire crowd. The attractive and elegant Agnes Bernier, a sister of Elizabeth Bernier, Arts '41, was administered with a gold link bracelet bearing the Suffolk University seal.

**COLLEGE OF JOURNALISM**  
The purpose of our College of Journalism is to enable students to qualify for a highly competitive professional field. To this end specialists are employed, veteran teachers, in academic subjects, active journalists in all others.

**Liberal Arts Courses—68 semester hours**  
English, History, Science, Social Arts, Psychology and Languages.  
By professors and instructors who teach at Harvard, M.I.T., Tufts College, and other leading schools of instruction.

**Professional Courses—31 semester hours**  
Editorial and News-writing by outstanding editors, reporters, feature writers. Administrative, Circulation, Promotion and the like by experts in each field. All evening, however and leading by outstanding leaders in the industry.

**Length of Course**  
Four years for 122 semester hours for high school graduates or three years for students who have completed one or two college courses in two and one-half years.

**Degree**  
Bachelor of Science in Journalism (B.S. in J.)

**Tuition**  
\$100 a year. A 4th University fee and of Summer courses a literature fee. Registration fee \$5.

**Hours**  
9:30 A.M. to 4:30 P.M. to 9:30 P.M. (except days on even days a week. Laboratory courses Wednesday.)

**University Building**  
On Beacon Hill across the street from the wing of State House. Spacious, fireproof, splendidly equipped. Electronically ventilated library, lecture halls and auditorium. All transportation centers within easy walking distance.

### Suffolk Graduate School of Law

Practice Court Teaches Young Lawyers Trial Routine

On January 29, 1940 the Graduate School of Law of Suffolk University launched a new experiment—a Practice Court designed to teach young lawyers the routine and technique of court trial.

Three graduates of the Law School in the class of 1936 who have been practicing for nearly twenty-two years are leading experts in the movement. Professor John N. O'Donnell has charge of the preparation of cases, the selection of counsel and the witnesses, while Judge Edward T. Simonson of the Marlborough District Court and Professor John E. Huxley of the Law School faculty take turns as presiding justice. Start after start to the rules of court now in effect in the different courts of the commonwealth will be modeled in the cases which began with District and Municipal Court practice and will continue through Superior and Supreme Court on time.

Lawyers who have been practicing for years are enthusiastic over the practice department subjects as

(Continued on page 2)

### DR. GREER LECTURES ON CONTEMPORARY HISTORY

A very timely and significant course on Contemporary History began on January 29th. Dr. Donald M. Greer, formerly of the faculty of M.I.T. but now on a research assignment under a Guggenheim Fellowship in the professorial chair.

Dr. Greer is the author of eight books on European history and has been doing much research on the continent. He returned to the United States the other day with the present European war with much first-hand information and fresh trends which should enrich his lectures especially valuable.

### ILLUSTRATED LECTURE FOR LAW STUDENTS

Through the cooperation of Commissioner Joseph P. Conroy of the Boston Police Department, over 100 law school students were privileged to hear an illustrated lecture by Officer Edward L. Ruby on "The Scientific Use of Photography in the Detection of Crime" on January 19th in Hall 12. Many had heard this lecture when it was given for the first time last year and look advantage of this second opportunity to hear and see how the police department subjects as

(Continued on page 2)

### Elect Co-ed, Journalism '44

Margaret K. Brown, First Girl in Student Council

The first associate membership of the Student Council became a thing of the past with the election on February 10th of Margaret K. Brown, co-ed in the 1944 evening class of Journalism, to membership in the Council. Although there were several candidates for election, Miss Brown was the only one who took advantage of the opportunity to seek and obtain the approval of her classmates at the time of the primaries on the above date.

The framers of the Student Council constitution purposely excluded the eligibility section of that future membership would be open to both men and women.

At the opening of school last September there were 37 women registered in the College as students against 107 men. In other words the proportion was 1 to 3. There were Von Wellstein, Paul Thorne and Robert Chryliss, Prof. John J. Murray, Suffolk '29, formerly on the faculty of the College of Business Administration of Boston University.

(Continued on page 2)

### Suffolk Debaters vs. B. U.

Archer Debating Society Upholds Affirmative in Argument on Isolation

On Friday evening, February 16, 1940, the walls of the University Auditorium resounded for the first time in two years, to the convincing words and heated arguments of the Suffolk University Debating Team from the Gleason L. Archer Debating Society of the Suffolk University. The Freshman Debating Team from Boston University, the question debated was: Resolved that the United States should engage in a strict economic policy toward all belligerents, engaged in civil or military strife, outside the western hemisphere. The affirmative side was upheld by the Suffolk team which consisted of E. P. Howe, 41, Charles Bernard, Lenhoff, 41, Charles Nichols, 41, and C. P. Ford, 41, all sophomores.

The Boston University team was represented by Robert Von Wellstein, Paul Thorne and Robert Chryliss, Prof. John J. Murray, Suffolk '29, formerly on the faculty of the College of Business Administration of Boston University.

(Continued on page 5)

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# Recent Decisions

By KENNETH WILLIAMS  
Professor of Law, Suffolk University  
Law School

Muller v. Boston Casualty Co. 21 N. E. (2d) 514, Mass. A. S. (1939) 514.

### Accident Insurance—Notice of Death—Right to Perform Autopsies

Insured died about 1:30 P.M. on August 29, 1932, as the result of a fall. Shortly before six o'clock one Larzer, the district manager of defendant at Fall River, and the agent who wrote the policy, called the beneficiary's son and asked how death occurred. The son told Larzer that he moved fell from a tree and that an autopsy would be performed that night about one o'clock at the Hathaway Funeral Home in Fall River. The patient's exhumation was held on September 1st and an autopsy was performed that evening. The body was cremated in Boston on September 1st. The policy required immediate notice of death to the company in Boston within ten days. It further gave the company the right to inspect the body and perform an autopsy. Defendant's treasurer testified that he received a letter from the company asking that information the company that something had happened to insured. An exhumation was ordered and defendant caused an investigation to be made some time between August 29th and September 1st.

Commonwealth v. Heffner 21 N. E. (2d) 506, Mass. A. S. (1939) 507.

### Literature—Theatre—Bank Notes

Defendant was manager of a touring party theatre which operated an advertising scheme called "Bank Note". Prizes were given away to persons who had correctly attended the theatre and registered and whose numbers were drawn and announced by defendant from the stage on Bank Night. It was not necessary to attend on the night when the number number was drawn, but the winner had to appear at the platform within three months from the time his name was called. In the day specified in the complaint, one Heffner was announced by defendant as a winner. He had attended a show some time before but defendant had quite recently been in a parking space outside the theatre for the purpose of awaiting the result of the drawing. He attended without paying admission and increased the prize. The evidence showed that there was a much larger attendance on "Bank Night" than on other nights. Defendant had admitted under the cross-examination that a number of winners were partly because the theatre was not really open for business making a "pretence". There was evidence that she had been at all the drawings but that some winners were attracted into the theatre by the dark with whom "Bank Night" had been held. She usually traveled. That two or three shows were carrying letters from the rest of the show. She was putting letters on the counter and the other as the show closed. She testified that she checked the "banked off" outside boxes before dropping them down. The fund and information on the night were left when they left.

Henns v. Broadway Fruit Market, Inc. 21 N. E. (2d) 510, Mass. A. S. (1939) 511.

### Invites—Duty Owed Customers—Evidence—Failure to Call Employee

Plaintiff was injured when she slipped and fell on a letter box on the steps of defendant's store when she was present for the purpose of making a purchase. There was evidence that she had been at all the drawings but that some winners were attracted into the theatre by the dark with whom "Bank Night" had been held. She usually traveled. That two or three shows were carrying letters from the rest of the show. She was putting letters on the counter and the other as the show closed. She testified that she checked the "banked off" outside boxes before dropping them down. The fund and information on the night were left when they left.

The court further pointed out that it is reasonable to rule that a "Bank Night" might not be legally reported and that such case would have to be considered on its particular facts.

Maher v. Boston & Albany Railroad Co. 21 N. E. (2d) 513, Mass. A. S. (1939) 513.

### Common Carriers of Passengers—Negligence—Operation of Trains

Plaintiff's substitute died as a result of injuries sustained when he fell from a train of defendant railroad, on which he was a passenger. Defendant's witnesses, which were the only evidence as to how the accident happened, were in substance that as he was passing from one car to another, the car started or moved through an open door to the ground beside the track. A verdict was directed for the defendant. Plaintiff's exceptions were overruled.

It is a matter of common knowledge that pits and furrows are frequently encountered in the open part of tracks and they do not seem to be inoperative or void unless they are so deep or wide as to be a serious impediment to the movement of the train. The question of whether or not a defect of this kind is a matter of fact to be determined by the jury. The defendant offered evidence that the defendant was in the habit of inspecting the tracks and that it was the duty of the defendant to keep the tracks in good condition. The defendant also offered evidence that it was the duty of the defendant to keep the tracks in good condition. The defendant also offered evidence that it was the duty of the defendant to keep the tracks in good condition.

Quilley v. MacFarland 21 N. E. (2d) 512, Mass. A. S. (1939) 512.

### Animals—Damages—Statute—Changes as Affecting Existing Causes of Action—Burden of Proof

On September 19, 1933, defendant's dog bit plaintiff. At that time Massachusetts statute permitted recovery of double the amount of damages sustained. The statute of 1933, effective January 1, 1935, the law was changed to permit recovery of "damages" merely. Thereafter the law was amended. Plaintiff was not notified of the statute in force when the attack occurred. The right to double damages was affected by the change in the statute, but the burden of proving the existence of a legislative intent to make the statute retroactive is on the party asserting it. The statute provided for recovery of double the amount of damages sustained by persons who had been injured by dogs before the change in the law. The statute provided for recovery of double the amount of damages sustained by persons who had been injured by dogs before the change in the law. The statute provided for recovery of double the amount of damages sustained by persons who had been injured by dogs before the change in the law.

Waring v. Albany, The dog was not notified of the statute in force when the attack occurred.

"THE BENCH AND BAR OF OTHER LANDS" By WILLIAM L. BURDICK, Ph.D., LL.M., Metropolitan Law Book Co., Inc. \$2.00

The character of a government can be tested in no better way than by a study of its courts of law. While these words appear on the last page of Professor Burdick's book, they might well have been used as a text. The reader, as he follows the author, will find that the author, a student of history, politics, law, and law schools, is constantly impressed by the importance of courts in government. The world, the quality of government being on a level with that of the courts. It is made apparent that there is no independent judiciary freedom and justice do not exist. With profound insight, the author points out that when courts express the will of the chief executive, people are living under a dictatorship, no matter what the government may be called.

The courts of England, France, Italy, Germany, Russia, Egypt, Palestine, India, China and Japan are presented in picture. The author writes entertainingly of the many trials which he witnessed. Not in this book the result of mere casual visits paid. The author depicts much more to fundamental laws and to procedure in all the courts of the countries where he discusses the selection and quality of judges, the abilities and training of lawyers, and the requirements for admission to practice.

More than a field of the book is devoted to the treatment of the bench and bar of England. In this country has largely been left in Britain in the matter of court procedure is evident.

The history and world wide in the field of the law are also in the history of Napoleon spoke prophetically when he said his judges would be remembered after his deeds on the field of battle were forgotten. The influence of his codification of the law is shown not only in Europe but in far away China and Japan. While the book is still in parts, particularly in the description of buildings, the author has produced an authoritative history of the world's judicial systems, past and present. One is likely to find the chapters on Russia and India of greatest interest, but will probably be most impressed by the remarkable progress made by Japan in improving its judicial system during the past fifty years.

There is a book which every judge, lawyer, and student of law or government can read with profit and having read keep it handy for reference and reading.

GRADUATE SCHOOL—(Continued from page 1)

The course and are attending it as members of the Bar, for some lawyers of long experience grew rich only in court rooms. The sessions are held on Monday from 6:00 to 9:00 P.M. and every session finds more and more of the "old grads" in attendance.

FOOD LIFTED—(Continued from page 1)

Temporarily Mass. Brown's law "evens" may be made to make it more than a mere above the rear from 16 mark, but another year may see a better record represented in the next test will come at the polls next October.

### SCHOLARSHIPS—(Continued from page 1)

The Trustees of Suffolk University voted last year to inaugurate general scholarships for New England graduates of day high schools who would otherwise be unable to attend college. The democratic principle of open competition in subjects taught in all high schools will be observed.

Any 1940 graduate of an approved New England day high school, certified by such school as worthy of scholarship aid, will be eligible to compete. In making the award the Board of Judges will consider the excellence of the examination paper, the applicant's high school transcript, character references and financial status. Whether a candidate desires a full college course or preparation for a profession is immaterial.

Thirty scholarships will be awarded. Six full tuition scholarships (\$160) to each of the six highest in rank and twenty-four half tuition scholarships (\$80) to each of the next twenty-four in rank. These will be equally divided between winners in English and in History.

The English Examination will be in four parts: (1) Spelling, (2) Vocabulary, (3) Grammar, (4) Literature.

The History Examination will be in three parts: (1) Ancient History, (2) English History, (3) American History. Candidates may select the portion of the examination which they prefer to take.

Examinations will be held on August 1st, in the Suffolk University building. Examination will be held at 9:30 A.M. The History examinations will be held at 1:00 P.M. Each examination will be two hours in length.

Signs will be posted in the University building giving location and number of rooms. Examination materials will be supplied. Bring your own pencils, but preferably pen and ink.

The Suffolk University building is on Beacon Hill across the street from the rear of the State House. Five-minute walk from the North Station (Standford Street to Temple Street); from South Station (Park Street Subway—Park Street through right wing of State House and across the Plaza to the University Building). Ten-minute walk from Park Square (Tremont Street to Park Street and through right wing of State House). Fifteen-minute walk from South Station (Summer Street to Winter Street to Park Street and through right wing of State House).

Assistant Professor Donald Theodore Hodson, English Department, Suffolk University, College of Liberal Arts is chairman of the Examining Committee.

### ILLUSTRATED LECTURES—(Continued from page 1)

These photographic data which could be classified as legal evidence. There are two other illustrated lectures which the Boston Police Department is prepared to offer, one on "Ballistics" and the other on "Narcotics." If a sufficient number of law students should be interested in hearing one or both of these lectures, the Coordinator of Student Activities will be glad to make arrangements to obtain them.

### CHARITY

Patrick L. H. Groff, L. 41 Tier, Buld. 1, got an '83 in 'Carriers'. H. J. approaching quietly from the rear) "Humph, probably thirty of that was charity."

### SUFFOLK ON THE AIR

A series of radio addresses by Suffolk's President, Gleason L. Archer, over stations WHZ, WHEA in Boston on December 2nd and closed on the last Sunday in January of this year. The apparent continuity of these broadcasts, however, was interrupted early in the beginning by a prolonged discussion resulting from a dispute over the newly adopted code of the National Association of Broadcasters which in turn made necessary a slight change in President Archer's program. In discussing the problems of youth he emphasized the role and function of the radio, and in his statements which under the code cannot be permitted in broadcasts unless both sides are represented in a forum. He succeeded in advancing his views fully and completely but the series proved also colorful and exciting. Just what his views are, is known by everybody who has followed President Archer's struggle for recognition, the first building program, the growth of the unique school on Boston Hill, and the final success which established Suffolk University as the leading institution of its kind.

**Student Loan Fund**  
Few educators are as well qualified as our President to speak for the needs of ambitious young people. For thirty three years he has demonstrated the soundness of his convictions. The human appeal and the lively interest inherent in the life stories of brilliant students radiate provided the striking proof for the validity of the President's argument. The climax of the fund was reached on January 22nd.

The establishment of a student loan fund which in the future will enable the University to grant temporary assistance to needy students.

This is a chain of thought that would lead to a new era of administration of relief and old age assistance. The President's initiative in the "for action man" was followed by making a positive financial assistance to needy students for those who were willing to toil for an education, to "go through" under all circumstances.

**"Controversial Issues"**  
In December of 1939, President Archer discussed the code provisions affecting the broadcasting of controversial opinions and declared that unfortunately this very excellent code came several years late and contained "bureaucratic and destructive issues for years past have been whispered and peddled and shouted from public platforms and radio sets all over the nation but, if of any use, was a voice to confront them with the sturdy philosophy of government that brought progress and authority to a great nation, he may possibly be starting a controversy."

**Freedom of Speech**  
A week later a surprised radio audience was informed that there had been a "lively session at WHZ last Sunday." The official in charge since more had refused to approve the broadcast on charges that it was controversial. President Archer had refused to change it. He had, moreover, obtained the satisfaction of having been authorized to give radio citizenship freely in a later period in which he concluded his legal argument with state officials. He said that the people of a state or nation adopt a constitution and establish their government by

der it, and especially when they continue to adhere to the same for more than a century and a half, no fair and honest exposition of the constitution, the frame of government, or the philosophy of government thus firmly established, can be deemed controversial. Arch "I believe that for a radio speaker to explain those principles to the voters is to exercise a right guaranteed to him by the Bill of Rights of Massachusetts as well as by the Federal Constitution."

**Educational Opportunities**  
Thereafter the President left the field of mere theoretical discussion and attempted by using numerous cases of Suffolk graduates who had achieved outstanding success in their professions and in public life, to prove his point that the younger people "do not have to look forward to the N.Y.A. in youth, to W.P.A. in maturity and to the old in old age, but in the contrary seek to earn a decent living, have decent homes, and enjoy the fruits of their own labor. Talent and even genius emerges from the multitude if opportunity is given it. It has been the high privilege at Suffolk University to provide the open door of educational opportunity for those who stand most in need of it, young people who must carve their own careers in life."

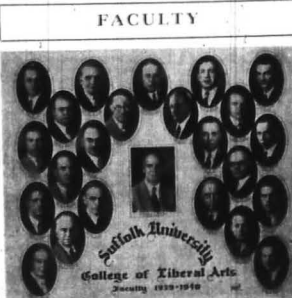
"Today," President Archer continued, "Suffolk University is rendering a new type of service to the young people of New England. It gives me a genuine thrill to see scores of students passing in and out of our classrooms, bringing in new groups in the corridors to discuss tests and examinations, to debate problems that have never had a place in school, and to have their points of interest for later study."

Not only social life and athletics are popular at Suffolk. The University has debating clubs, foreign language clubs, a dramatic society, tennis and basketball teams, and a student council in which all classes in each of the four undergraduate departments are represented.

**Appeal to the Public**  
Announcement of the creation of the new Student Loan Fund late in January again proved that the high ideal carried on in the tradition of Suffolk University gains more and more the support of the general public. Thus President Archer, by means of the annual Alumni Ball to be held in April will be dedicating the Loan Fund, could already acknowledge receipt of a first contribution from a kinship that ought to be sure it was but one dollar, and even so probably signified a great sacrifice. What really mattered, however, was the spirit in which she wrote: "The student loan fund I wonder if one could be established by strictly voluntary contributions of one dollar or more. If this could be done, how well might it save the day for some child, haunted with the dream of college education."

President Archer remarked later that this was one of the most heartwarming incidents in his ten years of radio broadcasting. He closed with an appeal to the generosity of his listeners and expressed his earnest hope that others may come forward with that the needed fund may take shape in the next future.

Incidentally President Archer had personally judged J.H.R. to be the Loan Fund.



Faculty photographs from the 1939-1940 Bulletin

The educational experiment in the three colleges, Liberal Arts, Education and Business Administration, was placed on day university standards.

**Examinations**  
The examinations in the Liberal Arts, Education and Business Administration departments were held on the same day as the examinations in the other departments. The examinations were held in the afternoon and the results were announced in the evening.

**Sports**  
The sports season at Suffolk University was a successful one. The basketball team won the championship of the Eastern Massachusetts League. The football team also had a successful season.

**Faculty**  
The faculty of Suffolk University is composed of highly qualified and experienced educators. The faculty members are dedicated to the highest standards of scholarship and instruction.

### THE JUSTINIAN SOCIETY

By F. HARVEY HOWATT  
During their Senior Review certain members of the Law School Class of 1938 evidenced a desire to continue the friendships and acquaintances acquired during undergraduate years. The class officers called a Fall Meeting at the University Club which was well attended and the men were so enthusiastic about holding regular meetings that plans were formulated for what is now the Justinian Society.

**Meetings**  
The Justinian Society is now in process of incorporating under Chapter No. 150 of the General Laws. Its purpose is to provide in part for its by-laws are: "To conduct meetings, social or otherwise, in order that the spirit of co-operation between the members of this group and the contacts which result herefrom may be developed, fostered and perpetuated." Stated meetings are held the third Tuesday of January, March, May, Sept. and Nov. Special meetings are provided for and on August 19th last an outing and get-together was held at the former estate of John F. O'Neil, Jr. at Nantasket Beach. The quality of John's entertainment and refreshments was such that the outing was a great success and a good time had by all.

The meetings, regularly held at the University Club, are not precluded by the busy schedule. Arrangements have been made to have special speakers address the group from time to time. At each meeting several members are appointed to prepare talks on recent developments reported in the Mass. Advocate, to be discussed at the next meeting.

At the November meeting James A. Sullivan, Esq. and Sidney Berk, Esq., prepared papers which were discussed at length and all present thoughtfully enjoyed and appreciated their efforts.

**Lectures on Income Tax**  
Prof. John N. O'Donohue, of Suffolk University, Graduate School of Law, as guest speaker at the Jan. 16th meeting, gave a very comprehensive lecture on the Federal Income Tax returns. This lecture was of particular interest because of the tax returns coming up just at this time. Each man carried away real evidence of having obtained something from this lecture as Prof. O'Donohue passed out blank return forms which were filled in during the lecture so when the speaker finished each member had a complete example of a typical return. This instructive lecture was thoroughly appreciated by the members and the speaker will be remembered the enthusiastic applause accorded him.

The present officers of the Justinian Society are F. Harvey Howatt, President; Arthur H. Flaherty, Treasurer; and J. Laurence Doyle, Secretary. One of the most heartening things to those who have been instrumental in arranging these meetings is the real enthusiasm and wholehearted support given by the entire group. The meetings are largely attended by men from outside Metropolitan Boston, thus becoming personally acquainted. Many have had contacts that are mutually beneficial. The same spirit of good fellowship and co-operation that pervaded the Class of 1938 during their undergraduate years at Suffolk University is carried on in the Justinian Society.



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### EDITORIAL STAFF

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- ROBERT L. HARRISS, L. J. '34 Sports
- CAROLYN SALLEY, C. J. '34 Poetry
- ARROLL ROBERTS, C. J. '34 Books
- VIRGINIA SANDRICH, C. J. '32 News
- MARY H. YOUNG, Alumni Notes

## EDITORIAL

### Examinations

Professor Demerath discussed the other day in his Sociology class at Suffolk the case history of a M. I. T. student who occupied medical, psychological attention as the result of a nervous breakdown caused by too great an effort to achieve superior results in his studies. (Miss McCann, on the other hand, seems in her article "What is the College for?" the inclination of certain groups for the "repression" grade, an attitude which is rampant in the belief that it is specially reserved to do more work in any course than is necessary to get by, to meet the minimum requirement.)

Now there are two extremes and, of course, they contradict each other. But the Golden Middle Road, a notion which I believe, is the one reasonable answer for the whole complex of questions pertaining to the importance of scholastic records, is suggested in the statement made by Owen D. Young during a commencement Address at St. Lawrence University, when he said that more, after college had examined them, the boys and girls were going out into the world to be examined by it.

What does this mean? At a first glance, hardly anything else than more examinations, and not of these. But there is a system to it. The one who understands this system will find that one has good days when his mind works at its best, and bad days when ideas become butterflies which escape freely from the firm net of memory. He will become familiar with the strange fact that sometimes the questions that upon the field exactly in which one was best prepared, while at other occasions, Fortuna takes a holiday and examinations, with an ingenious device, seem to hit upon things one doesn't know.

Having come to this conclusion he will start along steadily, study for the sake of studying, and study hard in order to increase his knowledge because of genuine interest rather than for accumulation in competitive scholarship.

That's "crème," therefore, for your exams with only the idea before your mind to get good grades. You'll get them anyway, and so you go along, because someone would have intervened.

Eventually, you will confront the other fellow who got an "A" because he crammed for 48 continuous hours to pass that Psych test or see, think, see what have you, slipped into the examination room in a frame and out of it with the determination to forget all about it.

Please understand the right. It is not mean to discourage anyone who wishes to achieve outstanding grades. If he has the stuff it takes. In a way they are very important. But not so important in all instances as you really deserve them. Give yourself a little extra-examination. Look at yourself in the mirror of self-criticism.

If you don't, that other examination, the one life has prepared for you, will pass a flip. You'll think. And life has but little time for "make ups."

And now get down to business, your final will be here soon.

### Copley Theatre

During its brief tenure as the Copley Theatre, the Alno (Tony Helms) resented stock company achieved a type of success, notable in that it was a success, very unusual in their phase of the company's industrial effort to revive the stock theater. In spite of glowing notices, however, the company failed to attract a substantial clientele, and on Saturday, December 16th, after a performance of Maxwell Anderson's "Masters," the doors of the Copley were finally closed.

As far as the manager, but enthusiastic audience was concerned, "Masters" had been played successfully, as had "Pygmalion" and "Royal Family," but it seems that not yet had means long expiring without money, at least in the theater, and so it proved true at the Copley.

There are several factors which might be held responsible for the general public's lack of interest in the Helms' enterprise. One factor was that during its brief tenure, there were some days of the first week, Helms had had his, but in the company by the potentialities. Another factor, more in appearance perhaps, but contributing nevertheless, to the little company's closure, was the actual location of the theater itself.

Tucked away in the heart of the Back Bay district, the Copley is not easily accessible to down town Bostonians. In the case of the Helms'

### Letters to the Editor

I.S. '31 sent me the following good natured reply to my annotations to his poems published in the December issue of the Journal. My eyes were opened, Ed, surprised to find my point unrecognized in that cheery tale of weepy woe I had with you not long ago. Could you not, quite correlate As a collective name for the elements three? The Berke' and the Sad and the Mourn'?

And that word "Wahn" (the first name), Don't Mean more than a rhyme for "wasn't"?

That habit of narrow, post of tear Is the Holly Morn's sonneteer.

Next, Ed, look close and I believe The original's point you might perceive. Where you called aloud for a voluntee.

To believe you got the matter clear Now just in case your memory's slipped, I'll repeat again to my manuscript And under the caption "Memory" Thus is what you ought to see. My double space with no indent

COHESION BREAKERS  
Exhausted and a little free,  
They pass from sight too speedily,  
But the allusion to the source  
And substance of their beauty,  
A short life, and a merry one  
They live beneath the sun.

They're feathering, plumes of the  
we  
Pique-windily reached, then in  
stately  
They breathe out with soft  
grace,  
Like many's changes in a day  
With loving, make and side by  
side.

Roll back their face but we're  
riddle.  
New changes constantly appear  
To show about while in the  
sway.  
Receipts, the best, gather force  
To tip their steady course.  
They touch and sand to as they  
seach.

They feel the sand beach -  
E. E. H.

LOVES OWN SWEET HAND  
Lovely own sweet hand hath  
reposed its place,  
To lay its palm upon the face  
And golden fingers, strong and  
slim.

Have finished thy heart with  
that of Him,  
Whole being ease and thought  
dissolve,  
Hath led as though life, strong  
and slim.

As one had been this in his  
grayer  
Suchly pure and untroubled  
E. E. H.

company even the prospect of competent, well executed dramatic was not sufficient to induce a large audience to make the trip. A play such as "Winter," worthy at first of the value of independent interest, found only a medium sized audience.

Lastly, the fundamental yet most unfortunate factor which played a part in the company's defeat was that vague force defined as public opinion.

The conversation with which Boston offers views new enterprises was, undoubtedly, functioning against. Perhaps a moment more also were then in being realized, Boston was indifferent.

### PRESIDENT ARCHER'S COLUMN



### STUDENTS' LOAN FUND

A definite program is under way for the raising of a student loan fund, to go into operation next year. The growth of the University especially in its college branches has emphasized the need for some means of aiding boys and girls who are making a brave struggle to earn their own expenses. Sudden emergencies such as illness or the necessity of special expenditures sometimes disrupt the most prudently planned budget. The necessity of dental work or the need of glasses are common causes of interruption of school work. Every year students in the Law School research and investigation reveals that the cause are financial. While the University has carried and is carrying many students slightly in arrears on tuition this cannot be permitted for any length of time.

The plan is to have a revolving fund from which temporary loans can be made to students in need. Such loans are to be repaid with interest in order that the fund may remain intact and thus aid a succession of students. In view of the fact that time must elapse between loan and repayment it will be necessary to have a fairly large fund if we are to meet the needs of our students each year. It seems advisable to have a practicing banker as Treasurer of the Loan Fund. Thomas F. McNichols, Manager of the West End Branch of the First National Bank and a Trustee of Suffolk University has consented to act.

The Loan Committee will investigate with care every request for student loans and strive to aid those who are in greatest need who show promise of meeting by education in their chosen field.

All gifts to the Student Loan Fund will be acknowledged by the Committee and also through the columns of Suffolk Journal.

### ALUMNI ASSISTANCE NEEDED

The Library has recently received a copy of the "Suffolk Law School Register," vol. 1, No. 1, (Christmas, 1929). This magazine was formerly published by the students of Suffolk Law School. The Library would like to have a complete file of the "Suffolk Law School Register," "The Jurist" and "The Alpinus News," and any other early school publications. We should appreciate it if former students who have copies would be kind enough to present them to the Library or give us information as to where we can locate them. Permanent files of all school publications should be kept in the Library, where they will always be accessible to students and alumni.

### FROM AN EXAMINATION:

"... the declaration of a deceased person to be admissible as evidence must have been made before death."



A dissertation on a well-known collegiate institution:

PINNING

By BOB HASKINS

Recently there appeared in our little town the old friend, the pinning machine. It is a machine that has been used for many years by the boys of the town. It is a machine that has been used for many years by the boys of the town. It is a machine that has been used for many years by the boys of the town.

Norman A. Hamilton-Moss, Editor, Suffolk Journal, is the author of this dissertation. It is a dissertation on a well-known collegiate institution. It is a dissertation on a well-known collegiate institution. It is a dissertation on a well-known collegiate institution.

CARTOONS AND CARICATURES

By DICK HUBMAN

Political and social caricatures have been a part of the life of the people since the beginning of time. They are a part of the life of the people since the beginning of time. They are a part of the life of the people since the beginning of time.

Cartoons and caricatures are a part of the life of the people. They are a part of the life of the people. They are a part of the life of the people. They are a part of the life of the people.

IN THE SPOILS

By MARY DUDLEY

When I have written this job, I have written this job. I have written this job. I have written this job. I have written this job. I have written this job. I have written this job.

From the day to the day, the spoils of the day. From the day to the day, the spoils of the day. From the day to the day, the spoils of the day. From the day to the day, the spoils of the day.

THE BUZZARD OF 1940. The buzzard of 1940. The buzzard of 1940. The buzzard of 1940. The buzzard of 1940. The buzzard of 1940. The buzzard of 1940.

Library Lines

At Suffolk University we have a library. At Suffolk University we have a library. At Suffolk University we have a library. At Suffolk University we have a library. At Suffolk University we have a library.

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ANNOUNCEMENT. The Suffolk Journal is pleased to announce that it has been selected as the official newspaper of the Suffolk County Board of Supervisors.

### Massachusetts State Board of Conciliation and Arbitration

By MAX ROSENBLATT

(Class of 1927)

Labor Relations Adjutant Commonwealth of Massachusetts

Appointed August 7, 1938, Mr. Rosenblatt has been a member of the city government of Malden since 1931 and has recently been re-elected to the Board of Aldermen.

Labor and capital are the most important factors in the complex operations of community life. These representing capital have in the past fought hard against any change in the system where the employer was the only power that created the rights and judged the rights of his employees. On the other hand those representing the employees have fought and are still fighting to bring about a change of the system so that the employees might assert for themselves, the conditions, relative wages, hours and working conditions.

An Act of the Legislature The Commonwealth of Massachusetts has always been a pioneer state in protecting the rights of its citizens. In June, 1906, the Legislature passed an act which created the Board of Conciliation and Arbitration. The purpose and intent of this act is aptly stated by the members of the Board in the following language:

"Arbitration, as a means of settling differences between employers and their employees, and preventing to some extent strikes and lockouts, has for a long time met with favor as the basis of industrial stability of production arising from the interests involved in our time of labor and capital. "By the action of the members of the Commonwealth expressed in a significant measure they believe that the welfare of the whole community is involved in the settlement of controversies that make our great industries and their foundations. In case of disagreement between an employer and any considerable number of workmen, the loss of the State produces an industrial condition specially constituted to pass upon such questions and without expense to the parties. "These words are as true today as when first written in the year 1906. The law relating to the Board of Conciliation and Arbitration is in our General Laws (Ter Ed.) Chapter 150.

State Board of Administration This Board is a division in the Department of Labor and Industries. It consists of three commissioners in whom are vested the sole power of making rules and regulations in running the division together with the sole right of making decisions in adjudication cases. The personnel of the Board is made up in the following manner: one man is chosen from the employers' group; another is chosen from the union group and the third one is chosen to represent the general public. These men serve for a period of three years. The Board must act at the request of either employer or employees in labor difficulties.

In the event of a dispute the employer, or the employees' representative, would notify the Board either orally or in writing that there is threatened labor trouble and the Board will immediately get in touch with the proper parties. They will be requested to appear before the Board at an early date, fixed by the Board, for a conference, which in reality is a mediation hearing. In many instances

strikes are averted through mediation. In the event that mediation is unsuccessful, then the Board will ask the parties to arbitrate their dispute either before the State Board of Arbitration or such other board as both parties may agree upon.

To avert the parties do not appear when requested to do so, then the Board has power to compel each party to appear before it on a certain day. Failure to comply would subject such party to contempt proceedings before our courts. The Board has the power to subpoena such books of record as it deems necessary in order to assist them in a hearing that may be before them.

Questions That May Arise There are many disputes that arise between employers and employees that involve the terms of a contract between the parties, as for example, whether there shall be a preferential shop to a preferred shop, or an open shop, whether there shall be seniority among the employees, whether there shall be a check-off system, whether holidays shall be paid for, whether vacation with pay shall be granted, whether there shall be an increase in wages granted, and how many hours shall constitute a work week, whether or not overtime shall be paid after certain hours and a great many other questions that may arise.

In most of the legal profession I would like to make a suggestion, that when you approach a labor problem, then try to solve it as a practical matter, rather than attempting to stand upon some technical legal rights. This right will of course always continue to exist. If there is not a quick solution to the lines trouble, let the one to whom the client, whether it be the employer or employees, will let the one to whom the procedure before the Board is informal. Negotial rules of evidence prevail. The intention is to let each side tell its grievances in its own manner.

Business Are Binding The Board of Conciliation and Arbitration does not make a decision on matters of Conciliation. The Board does make a decision in matters of arbitration, and this decision is binding on the parties for a period not less than six months and in larger period is agreed upon by the parties.

Arbitration is brought about when both parties agree to the binding in dispute. The parties then present their evidence which is taken down verbatim in an official stenographer. The Board then reviews the evidence. Then a vote is taken by the three commissioners, and every decision must have at least two votes in order to be valid.

The Board is very careful and thorough in analyzing the evidence. Because there is no appeal from the Board, once its decision is final and binding for a period of at least six months as before indicated.

### Does College Interfere with Education?

By VIRGINIA SANBORN

Recently I ran into a friend who read, had attended college. He formulated for me the question how he was getting on in college. He said, "I found it interfered with my getting an education." Further questioning revealed that he had entered the university with one simple desire—to absorb education; he soon became so involved in producing outside themes, "preparing" for tests, and attending lectures, that he had no time to do the intensive reading, and thinking, which he had read, which he considered a necessary supplement to routine requirements of the course. "So I decided to stay home and read for myself," he concluded. To those of us who are attending college with some idea other than increasing our earning powers, the conclusion of this young man is of vital significance. Are we wasting our time? Is our college life cluttered up with fifty pages of text and one hundred pages of that read within a stipulated time with two or three research papers continually pressing upon us, that must read them all hastily and automatically, leaving no time for reflection, or what we have read, whether to make an interest out of our lives? Could we better acquire the learning and culture to seek by having a stack of text books and reading them at our leisure?

Advantages of College Training Increasing the fact that no book ever does read and no book ever does think he would one can still point out small, but important, advantages.

A certain company with eight hundred employees had a labor dispute involving the discharge of four girls. The Board brought the parties together through mediation and when that failed it asked the parties to arbitrate the question of the mentalness of the discharge. The union agreed, the company did not agree. The Board then advised the parties what might result if the strike took place. Because of giving the answer, the company asked the Government to remove the entire text.

The Government would not do, but suggested to the company that it take the advice of the Board and avert trouble. The company did not heed the Government's suggestion, and the strike followed. During the strike there was a great danger of loss of business, which eventually went to the company's competitor. The tax rate of that town went up over \$1200 per thousand because of the cost of relieving the strike. It was eventually settled by the company agreeing to substitute the four girls. This final determination was what the Board originally recommended and had it been followed a great deal of money could have been saved in lost from the various matters that come before the Board of Conciliation and Arbitration. Suffice it to say that through this medium there is a minimum of great suffering. Business are given greater security against interruption in working schedules. Workers are saved from meaningless strikes, and, therefore, have the payrolls protected.

The most important job at present is to establish a better understanding between wage-workers and their employers.

college training over self-education. The curriculum is comprehensive, well-balanced course of study, as well as the specific training for the profession he wishes to follow. Text-books are selected with better knowledge and judgment of their value than the independent student would employ. And in theory lectures supplement, simplify, direct, explain (when necessary) the material in the tests. As to whether this is actually the case in all instances I am dubious; but it seems as though there could be few professors who would not have something individual and worthwhile to contribute from their own personality, experience, intimate contact with their subjects. If they haven't, and merely repeat paper-like a few facts gleaned from another text which they have read and the student hasn't, then they have no business teaching in a university. Given these conditions, plus the general academic atmosphere to which the student is exposed, it is advisable that college is more conducive to acquiring an education than any other process a would-be scholar might employ. How is it, then, that so many fail to get any where near so much knowledge as they feel they should? The difficulty must be traceable to some misadjustment on the part of the student. We will try to determine the source of this misadjustment.

The Aims of Education The most frequent problem is the quantity in the part of the student as to just why he has come to college in the first place. We are assuming that he desires, as common to that most conservative of all formulated, ill-defined in his mind. He is not in the first library, exactly of what constitutes an "education." He perhaps feels, in a measure, a knowledge of the fundamentals of a variety of academic subjects. He is sure of his English, his science, his history, his philosophy, and his history. Some feel that chemistry and physics are one of the greatest of the literature and philosophy courses, which he wishes to devote all his time to them. Unless he becomes aware of his tendency to ward certain branches of learning, which he may expect future progress with an intelligent career, he will continue to be bound up in a lot of unselective, haphazard, and the Journal of Courses throughout his college. Modern History.

Of particular interest to the Law student is the recent subscription to the Boston University Law Library. The pamphlet material may not be calculated because of its rather fragile character but may be used freely in the library. Because of its broader knowledge and understanding of its contents, the material of the library assistants is required in obtaining material from the vertical file.

Library Staff Gives Assistance Since the reference section was first started, it has grown steadily and has undergone many changes. With its growth, its use has also become greater, and its staff has become more acquainted with its stores of knowledge.

Any of the library assistants will be glad to answer any questions which may require, in this section as well as in any other.

ETHEL E. JENNEY

ate position, or, if necessary, drop entirely. The most significant fact to bear in mind, however—one which the previous examples indicate—is that the student should at all times be thoroughly aware of his aims. He should keep it closely defined, should be willing to make sacrifices for it, and eliminate all activities which interfere with its attainment. He should take stock of himself frequently, to see that he is not becoming distracted. If this can be done, a student will find that nothing can interfere with his obtaining a maximum of education and satisfaction from his college life.

THE REFERENCE SECTION In an attempt to bring more of its material to our student's attention, the Library has set apart a section of the Reading Room for reference and special research work. Included in this section are books which deal in a general manner with special subjects as well as such well known reference books as the Encyclopaedia Britannica, the Wiley's Who in America, and the World Almanac.

In order to differentiate the reference books from the other books in the library a small gold star is placed at the top of each book. These stars are also found on the cards in the catalog so that one may immediately notice that the book represented by that card is a reference book and to be found in the reference section. Because of their almost constant use, the books included in the reference section are not allowed to circulate, but must be kept in the library so that they may be available to all students.

The reference section also includes such interesting and valuable material housed in a series of vertical files. For these files the staff has collected many pamphlets and other materials, not in book form, covering a great many subjects. The Library has recently acquired a quantity of pamphlets in Italy and the Fascist era, including the latest material published. This pamphlet collection is one of the greatest of a vertical file, for it enables one to obtain material which may not yet be published in book form.

Beginning in January of this year, the library subscribed to a number of new periodicals among which may be mentioned Fortune, the Atlantic Monthly, Foreign Affairs, the Federal Register, Propaganda Analysis, Current Contents, and the Journal of Courses throughout his college. Modern History.

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