

Journal No 3.

Gleason L. Archer

20 Berne St

Boston, Mass.

February 14, 1932

I begin this Journal in the midst of the most critical battle of my lifetime. For many years I have been combatting the iniquity of the College Monopoly scheme. While I have perhaps checked them somewhat in the American Bar Association yet the socialites who attend conventions cannot be shamed into doing their duty to the ninety six percent of the youth of our land to whom college is impossible. The juggernaut of monopoly has therefore rolled onward. They have captured state after state and now we find that they have sneaked into Massachusetts.

Injustice, intolerance and ruthless disregard of human rights has found lodgment in our Board of Bar Examiners. They have struck savage blows at evening law school by heartlessly flunking men who work for a living while studying law.

But for two weeks over the radio I have appealed to the electorate of Massachusetts. I shall soon know whether the response of the common people will be similar to the response of the lawyers who attend conventions. I am hoping and praying that the

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good Lord will see fit to let the fire that I have kindled in Massachusetts spread out until it purges the land of this iniquity that so greatly threatens human liberty.

I talked with John V. Mahoney, graduate of Suffolk and my chief reliance on the Committee on Judiciary. He thinks the votes will be our way and he expects the decision will be made tomorrow. God grant it may be so. —

When I began the second journal my family were very different from what they are today. It makes me feel quite ancient to see the baby of the family a six foot man. Gleason is the only one at home now. Marvian is a junior in Colby College in Waterville, Me., and Allan is taking graduate work at Ann Arbor, Michigan.

Allan at twenty four is a very satisfactory specimen of young manhood. His high ideals, his studious and regular habits and his general dependability make his parents very happy. He is a trifle over six feet tall and weighs

170 pounds. Gleason is even taller and at the youthful age of fifteen weighs 16 pounds.

It is a matter of pride to us that all three children are studious and splendid young people. Marian is tall and slender, dark brown hair, brown eyes and a fine expressive countenance with all of the good looks that it is safe for a girl to have. She is generous, tender hearted and always trying to help out the less fortunate - just like her mother in that respect. Education comes harder to her than to her brothers but she has occasions of courage and stick-to-itiveness, so she has carried her college burdens with credit to herself.

Allan won his AB from Harvard last June. He was a brilliant student in all respects except in Mathematics. For the past three years he has been deeply engrossed in biology, especially in the field of Molluscs. He was expecting to enter the Harvard graduate school to study for a Ph.D. last September but they refuse to admit him until he had done graduate work elsewhere - high and mighty Harvard. It was too late to get into Univ. of Michigan at that time so Allan studied law at Suffolk nights and worked in the Museum of Comparative Biology



at Harvard (for nothing) during the days. I am very proud of the fact that son made a very high record during the first semester showing that he has a fine legal mind. Of course it is a great disappointment to me not to have him follow me into the law but I have known for three years that his heart was set on "snails", in which field he has already distinguished himself, so I have let him make his decision, insisting only that he study law enough to be able to make an intelligent choice.

Gleason Jr is in all respects a most rewarding youngster. His mother has always glowed in his good looks, a fact that he has faced unflinchingly all his life and best of all without himself developing any apparent personal vanity. The relation between him and his mother has been one of the most beautiful mother and son companionships that I have ever known. She is a woman of strong character, of positive viewpoints and brilliant mind. A son brought up by such a doting mother might easily have become a thin shadow of her personality. Not so Gleason. His vigorous and brilliant mind has flowered without any dwarfing

10.45 PM February 15, 1932

An exceedingly busy day. There was to be an executive meeting of Judiciary this forenoon as it was necessary for me to prepare some material for Mr Mahoney (John V) of the committee before 10:30. While I was at work in the office Catherine was busy with the morning mail. I soon learned from her shocked exclamation that a lengthy report had come for me from the auditing committee of the Trustees that was of such a nature as to arouse her indignation and disgust. However I could not take the time to read it because the legislative fight was at a critical stage. Well, I saw Mr Mahoney over at the State House and gave him the ammunition. I no sooner gotten that behind me than it was time for my eleven o'clock lunch. The printer had sent in the brief (in galley) that I was to send to members of the Legislature. It was necessary to toil over that until 3 PM and then to hold an extended conference with the printer (with H Chapple.)

It was almost supper time before I could square away for action on the letter from the trustee I have previously referred to the quarrel in the

board originating with Mr O'Connell and resulting in refusal to approve my treasury accounts. Pride the public accountant was engaged to audit the books. So now the "auditing committee" were giving me orders. They ordered the faculty to be reduced in numbers, part of the staff to be discharged and all salaries to be reduced about one half, including my own but expressly providing that the trustees should each receive \$2000 a year.

It was over this matter that the controversy started last fall for I had suggested that the trustees who had never rendered any services except to attend meeting occasionally receive a small sum as a part of a program of retrenchment.

So this evening I have penned a warlike rejoinder, in which I picture things as they are. I have declared that I am prepared to defend legally every payment I have ever made as Treasurer except the illegal demands of the trustees which I term a "raid on the

treasury." I point out that neither charter, constitution or by laws countenance any such a thing as an executive committee and that the charter expressly declares that all payments from tuition receipts must be for educational purposes.

We are to hold a meeting ~~tomorrow~~ <sup>wednesday</sup> night. That it will be a battle royal is a foregone conclusion. I am fighting for the existence of Suffolk Law School, not only against enemies without but also against foes within our own ranks. I have long known that O'Connell and Swift had their heads together but I am disappointed that Evans and Boynton have gone over to their camp. Thank God I have Heran and Mr Frost on the board of trustees.

This I am resolved that any illegal attempts to oust me from my intrenched position as treasurer and dean will be resisted to the limit of the law.

Tuesday Feb 16, 1932.

One of my chief employments today has been preparation for the great battle of tomorrow evening. This forenoon I had a long conference with attorney general Warner to see if the atty. gen could not lawfully intervene in the matter of a board of trustees of an educational institution

who voted themselves salaries without rendering services to the institution. He was very much amazed at the story but uncertain of the law on the points.

Later when I examined our by laws I found provisions that made me shout with joy. When I drew those by laws many years ago I builded better than I knew. Their very wording is our salvation now. The Treasurer is named as the business manager of the school with full authority to fix all salaries and to hire and fire. The auditing committee have therefore no authority to make any such recommendations as they have made. A change of by laws will be necessary, but glory be, it is provided in the by-laws that they can be amended only by a two thirds vote. Two thirds means five - and they have only four votes at most.

So I am entrenched until next June and before that time I will be in a much better position to handle Joseph F. O'Connell's attacks. Reports from the Legislature are very encouraging. I feel sure that we

were apparently winning the rash fight.

I then stated that it was a case of now or never and that when I found the trustees indisposed to take any action I decided that it was up to me as it usually was when any risks were to be run or any battles to be fought. Whereupon Mr O'Connell came charging into the discussion. He resented my statement and challenged me to tell when I had been left to bear the burden etc.

Of course I cited a number of incidents such as when I bought 45 Mt Vernon St for the school, when we built the school building etc. Well, things got warmed up by this time, which suited me well for I knew that in my prepared speech I had a few barbs to cast and it seemed better to have the whales wide awake than to have them taken entirely unawares.

After this had died down there was an embarrassed silence until I said: "well, gentlemen, you have been holding a lot of secret meetings, suppose you come into the open."

Again Mr O'Connell resented my remark

was affronted that I should accuse them of secret meetings but Mr Swift suggested that perhaps I meant the meetings referred to in the report of the auditing committee.

This was Mr Evans cue for bringing out the report. This report by the way was the most astounding and bare handed scheme ever concocted by lawyers. If adopted it would have ruined the school. It proposed cutting the expenses of the staff from \$25,000 a year to \$10,000 cutting my salary in half or less. Cutting Hiram's salary and reducing Catharine's salary about two thirds.

The four conspirators thought they had us in their power. They were four to two. Before coming they had prepared a letter accusing me of having defied their wishes and announcing that the time had come for the trustees to take full charge of the school. This letter did not reach me until afterward but they gave Hiram a copy of it at the time.

Well, the motion was made and seconded to adopt the report. That was

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the moment for which I had waited. It was probably the most dramatic crisis in the life of the institution.

"Before this question is put to vote," I spoke up. "I have something to say about it."

Mr Boynton allowed that remarks were in order, so I opened up. With a carefully prepared manuscript of 17 pages I discussed the situation with a frankness that quite took their breath away. At times O'Connell paced the floor, waved his arms and raged particularly when I disclosed to his companions how he had double crossed them by demanding pay for services at the bar association conventions when they had received merely their expense money. I read off a list of checks totalling over \$3000 that he had virtually extorted.

My first bombshell was that when I gave the school to the corporation it was upon the express condition that it be maintained as an educational institution. I asserted that under the law if the corporation ceased to function as a school the property would revert to me. I pointed out that if the motion were passed it would cause the



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school to close ~~the~~ <sup>its</sup> doors and I should claim the property. This hit them a terrific wallop.

Then I pointed out that the auditing committee had grossly exceeded its authority for under the by laws the Treasurer was the Business Manager of the school with no strings attached. He had the right to fix the salaries of the Dean and Faculty.

Then I waded into their recommendations and set them to tatters that the "auditing committee" could not even argue in behalf of their brain child. One of the most telling shots was when I suggested that Mr Evans as President of the Five Cents Savings Bank might properly resent and disregard any schemes that Mr Boynton H/ A and myself, knowing nothing of banking, might suggest for the improvement of his institution.

But when I asked if after the great run on his bank recently he <sup>had</sup> fired half of his help he could see the absurdity of his suggestion.

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that Suffolk Law School should take any such action in the present crisis.

The last end of the meeting gave me perhaps my most telling shot. Mr O'Connell was anxious to fire the last salvo so he demanded why I had defied the trustees by paying off the balance of the mortgage. I replied that no action had been taken by the trustees on the matter and when the run on the Exchange Trust Company was ~~at~~ beginning I realized that school funds were in grave peril. If the bank should close with our second quarter's tuition in its possession it would be a great calamity. A delay even of ~~min~~ minutes was dangerous so I had called on the telephone our financier member Mr Eva and <sup>had</sup> asked his advice about checking for as much as possible on our existing obligations. He had agreed that the \$10,000 balance should be paid.

I did not realize at the time why Mr Eva was so upset by that statement. "Yes - yes you did call me about the Exchange Trust," he admitted, "but I thought you were talking about some notes." I thereupon assured him that I specifically mentioned the Suffolk Savings Bank mortgage.

well, this completely demolished the case that they had condemned me on so the four guardsmen who had come to the school building to take over complete management of the school laid aside their weapons and departed leaving me in undisturbed possession of my proper job.

When I went down stairs and found the special delivery letter from Evans I burst out with joy to think what an awful wallop I had unintentionally administered to Evans and the others.

The amazing feature of the whole is why lawyers could permit themselves to get into such a false position. The slightest investigation would have prevented them from making any such foolish recommendations and certainly, from delivering an ultimatum based upon two absolutely erroneous charges.

Feb 25, 1932

My usual trip to New York City occurred on schedule Friday night. I spent a busy forenoon in the city - conferences at NBC office at 711 Fifth Ave., at Radio Digest headquarters in the Graybar Bldg and finally at the Century Co. at 353 Fox Ave. where I had an agreeable chat with Barry Benefield one of the editorial staff.

At Hotel Victoria my treatment has always been very satisfactory. The hotel is quite like home since I have been a weekly visitor for two years. They give me the same room week after week (Room 1903) The new tea room is open and under very high class management, so I shall no longer be obliged to go out for my meals. My reputation as a radio celebrity makes the eager to please me and to retain my patronage. They introduced their staff - the manager, her private secretary a blonde german lass named ~~W~~Witrich and the head waitress a Miss McLean. The waitress who attended my table was one of the staff of girls who had worked in the previous establishment. The same was true of the cashier.

After my broadcast Saturday evening I took the State of Maine Express for Waterville to visit daughter Marian over the week end. After leaving Portland I was in a day coach and the unaccustomed glare of sunshine on snowy landscape was quite painful to me and gave me a headache. But daughter and I went to church together - a Methodist

church of which Harold Metzner is pastor. It is our custom to take him with us to dinner at the hotel (Elmwood). We followed the custom. He is an interesting chap, a bachelor of thirty five or so, skimming from much talking I suppose.

Marian and I had a very happy visit together. Home news and college news exchanged in full measure. We devoted time to walks, reading Ibsen's "Wild Duck" and other innocent diversions not to overlook meals together at the Elmwood. Her roommate Avis Merritt, a very high class girl, accompanied us to Dr. Bessie's home where we listened to the broadcast from WBZ at 6:15 Sunday night. Gleason was substituting for me and although static interfered more or less I could see that he was doing a fine piece of work. Avis dined with us at the hotel.

I returned to Boston on the "Flying Yankee" Monday afternoon (Washington's Birthday) and succeeded in doing a good deal of work on a speech I am to give tonight before the Dorchester Historical Society. My topic is "The Education of Abraham Lincoln". The trip was pleasant and uneventful except

for a series of calamities that befell a young lady from Bangor, a fellow passenger on the Pullman coach. A sudden lurch of the train threw the conductor, large and plump, sprawling all over her but that was only the beginning for several others including a very heavy old lady fell into that embarrassed young lady's chair. Condolences were in order from others she had already overheard the "news butcher" talking with me about my radio broadcasts so she knew who I was and was especially interested because I was a former resident of Eastern Maine. She wears the prosaic name of Smith but has worked for years as a lawyer's secretary, but now engaged in social work in New York City. She has a sister living in that city, wife of a well known throat specialist.

When I reached Boston I found Clinton and Marjorie Osgood visiting us. Mother Snyder had returned also after two weeks with the Osgoods in New Hampshire.

Tuesday and Wednesday were busy days. I finished my speech and also prepared two broadcasts, the second of which I completed today. Tonight I went to Rochester and spoke before the Historical Society. Although my speech was half an hour long the President expressed regret at its brevity and so they kept me talking for another half hour. A most enthusiastic meeting.

I note that I have overlooked our mid year

graduation that occurred last night. Mr Boynton and I did the honors and it went off very well. It was a private affair with fifteen graduates. Mr Boynton was very friendly. Mr Evans and Mr Swift have each written friendly letters so I guess the clouds have blown over.

Monday Feb 29, 1932

Well, at last the bills have emerged from the committee and unfavorably for my contentions. Leave to withdraw has been voted in both cases and the bills have been taken into the Senate. Quite obviously it was a trick play. They took the vote when many of our friends were absent. The Bar Examiners have been working on Batesman and Senator Davis.

They have promised to employ older men (so Senator Davis declared) and also <sup>not</sup> to discriminate.

News came to me after one o'clock this afternoon when Representative John V. Mahoney telephoned; He was indignant and full of / fright. The shock of the double crossing hit me quite a wallop but I immediately got into action. I succeeded in seeing

Speaker Sattinshall and many representatives but of course the real fight must come in the senate. I finally succeeded in seeing some of the senators whom I needed. As the afternoon advanced it became apparent that the case was not as hopeless in the senate as it appeared. We already have about twelve or thirteen votes out of a necessary ~~seven~~ one.

I taught the 10 AM division of the services to but of course had no time to do anything but organize battle thereafter. I visited the class and got all the boys pepped up so I think we will have something doing at the Eta House. At 8:30 I went down to the Hendricks club for a conference with Martin M. Lomasney, the veteran - many a bar examination battle in the legislature. He has been my adviser all along and I have invariably found his suggestions valuable. He is hopeful of victory.

Tuesday 5:30 AM March 1, 1932

Up and at work but with a bad headache. My campaign for today will be devoted to corraling votes in the senate and in arranging for a postponement of action on the adverse reports until Wednesday - Thursday. My chief reliance for debate in the senate are senators Wren & Shanahan (a graduate



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Suffolk) James J. Twobing (a former student and father of a Suffolk graduate) Joseph Finnegan and perhaps Joseph Cotton. But of course there is no forecasting what may develop in any legislative contest.

10:30 PM

My headache continued nearly all day but cleared up along toward night. An exceedingly busy day at the State House. I have succeeded in converting enough senators to be able to make a very formidable showing - twenty now on my list out of forty in all. I do not flatter myself that all of them would come through in a fight however, for even senators are timid.

Fortunately there was a big fight on over the so called "yellow dog contracts" so our bills were not reached today. One of the senators I have converted is Senator Frank Hurley of the committee on Judiciary. He would like to have the bills recommitted but was unable to persuade Senator Davis, the chairman of Judiciary to consent to it.

So I have worked out a plan. I will send

a letter to each senator tomorrow morning asking for recommitment on the ground that I have been collecting affidavits, letters etc from victims of the Bar Examiners and have been promised repeatedly that I should have an opportunity to present these to the committee before final action. Senator Davis "misunderstood" (?) my brief to be the evidence which I desired to present.

This gives me a corking opening - so, tomorrow will tell the story.

I am satisfied that if I can get it back into the committee, we can overturn the Davis crowd and get a favorable report. Here's hoping!

Wednesday March 2, 1932

Up at 4:30 and at work on a new draft of the letter to the senate. It is a much better document than that <sup>prepared</sup> ~~of~~ last night. It may be that our enemies, by rushing the bills into the senate for slaughter, have committed a fatal error which I can now take advantage of in a very effective manner. It certainly gives me an excuse for getting the whole story before the senate as I could not otherwise do

done.

9:30 P.M.

Well, the letter accomplished about as much as I could have hoped. It placed Senator Davis in a very awkward position. The fact that he had promised an opportunity to present evidence could not be denied. So when a motion was offered to recommit the measure the best he could do was to agree to see his colleagues about recommitting it and that means a delay until next Tuesday. By that time we ought to have the entire senate polled on these measures. Twenty two senators have already signified their intention to favor House 441, although some are offered to House 1053.

622. Report of the joint committee on the Judiciary, leave to withdraw, on the petition (accompanied by bill, House, No. 441) of John J. Irwin for legislation to regulate the correction of answers in examinations conducted by the Board of Bar Examiners. [Davis.] [Representatives Kirkpatrick of Holyoke, Lane of Lawrence and Mahoney of Boston dissent.]

624. Report of the joint committee on the Judiciary, leave to withdraw, on the petition (accompanied by bill, House, No. 1053) of Arthur V. Sullivan for legislation relative to the personnel of the Board of Bar Examiners. [Davis.] [Representatives Lane of Lawrence and Mahoney of Boston dissent.]

The Senate reports  
Of the joint committee on the Judiciary, leave to withdraw, on  
the petition (accompanied by bill, House, No. 411) of John J.  
Bar examina-  
tion papers,  
correction.

WEDNESDAY, MARCH 2, 1932.

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Irwin for legislation to regulate the correction of answers in  
examinations conducted by the Board of Bar Examiners; and

Of the same committee, leave to withdraw, on the petition  
(accompanied by bill, House, No. 1053) of Arthur V. Sullivan  
for legislation relative to the personnel of the Board of Bar Ex-  
aminers;  
Board of Bar  
Examiners, —  
personnel.

Were severally considered; and, pending the question, in each  
instance, on accepting the report, the further consideration thereof  
was postponed until the following Tuesday, on motion, in each  
instance, of Mr. Davis.

February 3, 1932.

Glorious! prospects are very much brighter  
each day. We now have twenty five senate  
listed and I am renewing my contacts with  
Senators Davis and apparently making  
progress toward a compromise or rather  
toward a method of saving his face in the  
awkward dilemma in which he is now  
placed. An agreeably altered attitude is  
observable in the senate and in fact in  
the House itself.

I heard a rumor today that the Boston Bar  
association was planning to take the air  
to discuss the Bar Exam muddle. If they  
do it will give me a chance to voice a  
few more important truths over the Radio.  
By the way there is a well authenticated

report that the National Broadcasting Company is acquiring WBZ-WBZA as their New England outlet.

Mar 4, 1932

Well, it is ten thirty PM and I shall leave for New York shortly. Another week has passed and what a week it has been! Every battle in the Legislature is bound to be full of surprises and thrilling moments and this one is bound to be unusually so. Representative Bateman and Senator Davis are the servants of the Bar Association and every possible strategy will be tried.

Whether I shall be able to win in the senate next week is entirely uncertain despite the senatorial pledges. Last minute considerations are sure to influence the vote.

Henry Sudding told me tonight that the Nutter crowd were plotting desperately. He declared that the scheme to go on the radio to attack me had apparently been abandoned. They are very bitter and will not stop at anything. Well, I expected it and have counted the

Freshman at Suffolk) some information and had told him that I should discuss the R.P. situation

After the broadcast I waited for Mr + Mrs Clark and we had supper together after their program was over. Mrs Clark sings in the Westinghouse Sentinels program. They had been considerably upset over the NBC situation but I think my report helped them to a belief that all will be well for them.

Monday March 7, 1932

I talked with Judge Frankland Miles, a Suffolk graduate and a great friend of Pres. Gaster Bacon of the Senate, this morning over the telephone and he promised to do what he could to get Senator Bacon to see the side of the working man in this controversy. Later in the forenoon I talked with Amos L Taylor, Chairman of the Republican State Committee and found him quite sympathetic. I pointed out to him the woes that might result to the Republican Party from an attempt to shield the Board of Bar Examiners. We would go out on an Initiative petition and the thing would become a campaign issue in the fall.

This afternoon I saw Senator Davis for a

moment and learned that his committee will hold a meeting tomorrow morning to decide whether they wish bills recommitted. So after that I go busy trying to line up our friends of the committee for tomorrow.

It is a toss-up tonight what action the committee will take but we have pledges from enough senators to put it over - if they stick.

Tuesday March 8, 1932

Thank God, we have won our first great objective! The committee voted today to reopen the question and give me a chance to be heard in executive session on next Tuesday at 10:30 AM. Hitchcock will be there so it will be a joint debate. Perhaps I won't do a thing to that little tyrant when I get him before the committee.

The students are filled with rejoicing. The last effort on my part before the meeting of the Senate today was to write a letter to accompany my analysis of the bar bills now pending.

On Sunday I was injured by a taxi that rammed machine I was entering just as my head and shoulder inside the car. I was thrown against the door frame and my wrist watch was broken.

Sunday, March 13, 1932

On Friday I was seized with a painful malady - <sup>no doubt the aftermath of my accident in the taxi Sunday</sup> a "stitch" in my right shoulder. I went at once to Dr. Robert Gordon, Osteopath and received the strenuous treatment that is to be expected of osteopaths. He also gave me about half an hour of diathermy - an electrical treatment. Notwithstanding this treatment I grew worse and when I reached New York Saturday morning I had a great deal of difficulty in getting out of my berth or of dressing myself.

At the Hotel Victoria I tried in vain to secure the services of the hotel doctor but inasmuch as I desired merely to be "taped" so that the pain might be reduced the nurse officiated. She was a very efficient party and when my back was covered with tape she suggested electrical treatment by infra red rays. Not having very much faith I submitted to treatment and the results were fully up to my expectations.

My broadcast last night went over well. This morning when I arrived in Boston I was in bad shape but improved during the day. A special speech on bar exam abuses had to be prepared. The broadcast went over well. In accordance with the Sunday night custom I took supper with John and



Billy Clark in the cafeteria of the hotel "Bradford".

Two weeks ago (Feb 27<sup>th</sup>) I had some pictures taken for the Radio Digest. The staff photographer Mr Jackson did a very good job indeed. I selected three of the best ones and now have some copies.

Tuesday, March 15, 1932

Well, I met Chairman Hitchcock in joint debate before the Committee on Judiciary in executive session today. I had experienced great difficulty in preparing my speech because the constant pain in my shoulder and back made it very difficult to concentrate my thoughts. But the speech went over well and I certainly put Mr Hitchcock into a bad situation. His explanations were almost as lame as my shoulder has been for a week.

The result is still in doubt but I feel sure that some of those who were bitterly partisan have been made to see that the bar examiners have been up to strange capers that are very hard to justify.

I have plans for tomorrow - a possible battle in the Senate, and an attempt to

averages of every other school. The Examiners issued a lengthy analysis of the results and strive to "propogand" as much as possible to overcome my radio attacks upon them. But the result is such a vindication of my charges that I am greatly encouraged.

Monday March 21, 1931.

I worked until 11:30 PM Saturday preparing a last great blast for Sunday night. Then I worked all day Sunday, revising it in light of the bar exam records. Having rewritten it several times I was in such a state of headache and weariness that before going to the studio I was obliged to take two Salicon tablets.

But when I got before the microphone I was in good fighting trim. Elizabeth says that it was the most dramatic and effective broadcast she ever heard me deliver. All day today I have received congratulations. Some of the Senators have asked for copies of the speech, so I have had it mimeographed and all senators will get it tomorrow.

I have also prepared some very effective statistics for use in the fight tomorrow.

The outlook is good. Judge Frankland Miles reported to me tonight that President Gaspar Bacon is with me in the contest, which is a great help.

Daughter Marian is home from college and is taking great interest in proceedings. She accompanied me to the studio yesterday. Dr Robert Gordon met us there by appointment and he and Marian sat outside and watched me perform. They rushed in to congratulate me when the broadcast is over. When Marian reached out her hand to "shake" with me she received a great surprise for I was so charged with electricity that a spark jumped from my fingers to hers ~~that~~<sup>and</sup> caused her to recoil in dismay. When Dr Gordon I had managed to scuff my feet on the thick carpet and be ready to give him a shock also. I had long known of this shock giving phenomenon of ~~the~~ broadcasting studios but this was the first time that I had intentionally or unintentionally tried it out. Dr Gordon spent the evening with us.

Tuesday March 22, 1932

Telephoned to Senator Cotton this morning and found him full of enthusiasm for the Irwin bill. I asked him to speak for it. He replied "I am not so much of a speaker as I am a worker". He agreed however to consider the matter so later in the forenoon I gave him some notes to be used in debate, little dreaming of treachery from his quarter.

One of my activities was to telephone to Pres. Bacon and make an appointment to see him at his office in the State House. The first disturbing note was sounded by Senator Moran who had been quite friendly up to today but who seemed to be on the offside. My conference with President Bacon was more extended than I had anticipated for I found him nearly to rule the Finnegan bill out on the technicality that it was broader than the provision on the Sullivan bill which it was intended to supersede.

Then came the senate session - and the fight. Senator Hurley moved to substitute the bill for the committee report and made a fairly effective speech. Then Senator Finnegan cut loose with a splendid argument. Senator Davis spoke at length but it was hard for him to

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say much that was convincing. Senator James Warren, Senator Monahan and Senator Finnegan added arguments to the side for which we are fighting. Senator Mackay declared himself in favor of half the bill but opposed to including any reflections upon the integrity of the bar examiners.

Well, the vote was taken <sup>on House 441</sup> and seemed to be tied at 18 to 18. Then in came two senators and recorded themselves against us so it ended 18 to 20 - substitution was lost. But to my surprise Senators Cotton and Moran voted against us. Moyses of Waltham, Judd, Hollis and Johnston were others who ran into the other camp when the Republicans cracked the whip.

Of course I was disappointed at the result but gratified at the splendid showing. Then when I was talking with Senator Finnegan and a group out came Senator Cotton. I nailed him then and there by requesting information as to his reason for going back on his promise. He made a lame excuse that

TUESDAY, MARCH 22, 1932.

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*Report Ordered Printed.*

*Voted,* That the report of the committee on Constitutional Law on the message from His Excellency the Governor (Senate, No. 298) transmitting, in accordance with the request of the Department of State, a certified copy of a Resolution of Congress, entitled "Joint Resolution proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress", be printed as a Senate document (see Senate, No. 321).

Report on amendment to Constitution of the United States, — printing.

November 7, 1933

*Order Adopted.*

Mr. Wragg offered the following order; and, under the joint rule, it was referred to the committees on Rules of the two branches, acting concurrently, to wit: —

*Ordered,* That the committee on Municipal Finance be authorized to visit in the discharge of their duties, the city of Boston on or before March 31.

Committee on Municipal Finance, — travel.

Subsequently, Mr. Wragg, for the said committees on Rules, reported that the order ought to be adopted; and it was considered forthwith, under a suspension of the rule, moved by Mr. Fish, and adopted.

Sent down for concurrence.

PAPERS FROM THE HOUSE.

Bills

Making appropriations for the maintenance of departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements, and for certain permanent improvements (House, No. 1250, amended) (the same having been considered jointly, under authority of Joint Rule 1, by the committees on Ways and Means of the two branches);

General appropriation bill.

(Changing the designation of lodging houses to rooming houses (House, No. 1264, amended, — on the petition of Francis D. Dailey and Timothy J. Costello, accompanied by bill, House, No. 519) (Senator Cotton dissenting);

Lodging houses, — change of designation.

Granting certain immunities and privileges to police officers when acting in other municipalities (House, No. 1273, — on the petition of James M. Curley, mayor of Boston, accompanied by bill, House, No. 346); and

Police departments, — aid to other municipalities.

Dissolving certain corporations (House, No. 1275, — on the recommendations of the Commissioner of Corporations and Taxation, House, No. 111, in part, see House, No. 112);

Certain corporations, — dissolution.

Were severally read and placed in the Orders of the Day for the next session for a second reading.

Reports

Of the committee on Cities, leave to withdraw, on the petition (accompanied by bill, House, No. 1108) of Oliver B. DiCecca and others for legislation to provide for the establishment of primary municipal elections in the city of Melrose;

Melrose, — primary elections.

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Theatre tickets, etc., — excise tax.

Of the committee on Taxation, leave to withdraw:  
On the petition (accompanied by bill, Senate, No. 207) of Maurice J. Laberge and another for the imposition of an excise tax on admission tickets to certain theatres and other places of amusement or entertainment;

Old age assistance, — head tax.

On the petition (accompanied by bill, House, No. 334) of John Malcolm Macaulay for the assessment of a head tax on male and female inhabitants above the age of twenty for the purpose of providing adequate assistance for certain deserving citizens;

Unpaid taxes, — collection.

On the petition (accompanied by bill, House, No. 412) of James M. Curley, mayor of Boston, relative to the collection of unpaid taxes in cases where property is taken by right of eminent domain;

Poll taxes, — assessment and collection.

On the petition (accompanied by bill, House, No. 812) of the Massachusetts Tax Association for legislation regulating the method of assessment and collection of poll-taxes and fixing the rate thereof; and

Gas, electric, telephone and telegraph companies, — taxation.

On the petition (accompanied by bill, House, No. 1008) of John J. Reardon for payment of an additional tax by gas, electric, telephone and telegraph companies; and

Gasoline sales, — increased tax.

Of the same committee, reference to the next annual session, on the petition (accompanied by bill, House, No. 469) of James M. Curley, mayor of Boston, for an increased tax on sales of gasoline and relative to the distribution of the proceeds thereof;

Were severally read and placed in the Orders of the Day for the next session.

Boston Elevated Railway Company, — Chelsea Division.

A House petition (accompanied by bill, House, No. 1274) of John W. MacLeod and William H. Melley that the Boston Elevated Railway Company be authorized to acquire the Chelsea Division of the Eastern Massachusetts Street Railway Company, — was referred, in concurrence, under a suspension of Joint Rule 9, to the committee on Metropolitan Affairs.

Engrossed Bills.

The following engrossed bills (all of which originated in the House) were severally passed to be enacted and were signed by the President, to wit: —

Bills passed to be enacted.

To regulate the storage, transportation and distribution of gas; Relative to the holding of inquests in case of deaths by violence and otherwise; and

Repealing certain statutory provisions for liens for expenses incurred in removing abandoned hulks or wrecks lying along the waterfront of East Boston and in Chelsea Creek.

Orders of the Day.

The Orders of the Day were taken up.

Bar examination papers, — correction.

The Senate Report of the joint committee on the Judiciary, leave to withdraw, on the petition (accompanied by bill, House, No. 441) of John J. Irwin for legislation to regulate the correction of answers in examinations conducted by the Board of Bar Examiners, — was considered, the question being on accepting it.

he still favored forbidding the farming out of papers.

"Well then" I retorted, "if we strike out all except the provision as to farming out the papers you will vote for that tomorrow?"

He was in a tight place, so he tried to evade the issue by declaring he would vote for reconsideration. Then when I tried to pin him down before witnesses he declined to state whether he would vote for it or not. Later Senator Finnegan saw Mackay and got his promise that he will vote with us on reconsideration and for the amended bill.

So there is still hope of winning a partial victory tomorrow.

This evening I talked to the seniors and got them on the war path. I also conferred with Martin Lomasney. He will go up to the state House tomorrow and help.

Wednesday, March 23, 1932

Glory be! we won in the senate today!  
It is almost too good to be true.

I devoted quite a bit of my time today to work on a speech for tomorrow night but since I got up at 3 AM it was possible also to write a letter to be sent out as a



NATIONAL SOCIETY OF PURITAN DESCENDANTS

CHARTERED BY THE GOVERNMENT OF MASSACHUSETTS

TWENTY BEACON STREET  
BOSTON, MASSACHUSETTS

September 7, 1933

Mr. Gleason L. Archer  
Dean Suffolk Law School  
20 Dorne Street  
Boston, Massachusetts

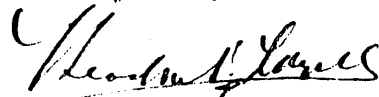
Dear Dean Archer:

It is a pleasure to advise you that at a recent meeting of the Board of Governors of the National Society of Puritan Descendants, you were elected to Honorary Life Membership, and that your qualifications have been duly verified and approved by right of descent from Thomas Makepeace, Puritan Colonist, of Boston, 1637.

It is your privilege to select the Puritan Ancestor from whom you prefer to have your lineage shown in the forthcoming Puritan Registry, and if our selection of the Makepeace line does not meet your wishes, the change can readily be made.

The writer was one of the delegates to the Thirteenth General Congress of the Society of Mayflower Descendants, and is glad of this opportunity to extend his congratulations on your selection for the office of Counsellor General.

Very truly yours,



Theodore S. Lazell,  
Historian

TSL:FJ

pulling call to those who flunked the recent exam - asking them to get after their senator and representative and convince them of the wisdom of heeding the call of justice.

My first excursion to the state House was devoid of results but along toward time for the senate to convene I met a militant Swede, who is a loyal supporter in the House I sicked him onto senator George Nelson who had voted against us yesterday and he certainly went after him.

I tried to persuade Senators Moran, Hollis and one or two others to change their vote in view of our willingness to strike out the last part of Bill 441. They refused to change. Senator Cockett who had been absent arrived and I promptly added him to our list of votes for the day.

Senator Ward succeeded in getting Senator Bray to vote with us and Senator Finnegan had already tied Senator Mackey up.

There was quite some excitement about the strategy and the manoeuvres that preceded the final vote. Suffice it to say we won on reconsideration and also on the vote to pass the amended bill.

This does not mean that we are safe but it does mean that we are now in a strong position - on the road to eventual victory. The bill will be up for a second reading tomorrow.

March 24, 1932

Am getting very little sleep these nights largely because of the torn ligament in my shoulder. Yesterday I awakened at 3 AM and today at 4 o'clock all because of the pain in my shoulder. My Washington address tomorrow night therefore owes its existence to sleepless nights.

This morning my shoulder became so bad that I called the Checker Taxi people and suggested that they have my shoulder X-rayed. This was accomplished before noon. Then I received news that very lively lobbying was going on over the bus Exam bill and that there was grave danger of defeat today. Knowing that Senator Davis was likely to bring in the letter from the Chief Justice I secured all necessary

[45 minute]

## Boston Chapter

SONS OF THE AMERICAN REVOLUTION



## COMPATRIOT:

The 232nd Regular Meeting of the Chapter, including a celebration of the two hundredth anniversary of the birth of

**GEORGE WASHINGTON**

will be held on

**Friday Ev'ng, March 25, 1932**

AT THE

**Women's Republican Club, 46 Beacon Street  
— Boston —**

dinner being served at 6.30 p.m., at ~~\$1.50~~ per plate

The Chapter has been quite fortunate in obtaining as its speaker for the evening

**GLEASON L. ARCHER, L.L.D.**

Dean of Suffolk Law School, — his subject being

**“Washington in the Revolution”**

Dean Archer's talks over the National Broadcasting Company network have captured a world-wide audience, numbered in millions, throughout the English-speaking world. He has the largest hookup of any non-advertising speaking program now on the air.

The President hopes for a good attendance, to honor the distinguished gentleman who will address the Chapter, and urges the members to endeavor to bring such as may be eligible to membership in the State Society and Boston Chapter

For the Chapter

GILBERT C. BROWN, Jr., *President*

CHARLES C. LITTLEFIELD, *Sec'y-Treas'r*

Boston, March 16, 1932

March 27, 1932

My New York trip was made without unusual incident. I retrieved my MSS ("With Ax and Musket") from Mrs Stoddard, had conferences at NBC and also visited the Radio Digest office. The article about John Clark will be postponed until May. Mr Brown suggested that I try to get Senator Fess to write his views on the Radio problem for a future issue of the magazine.

My radio talk of this evening over WBZ had about eight minutes of strong argument for our cause for the Massachusetts and Boston bar associations have joined battle and there is likely to be lively doings during the coming week.

March 29, 1932.

Well, there are lively doings all right. Yesterday the bill was held in the Committee on Bills in 3rd reading - a favorite scheme of delay. But Sunday, Monday and today the newspapers by news articles and editorials have been playing up the bar association contention that bar examinations are properly within the domain of the courts and not within the power of the legislature to regulate.

Yesterday in the Senate Davis offered an order to request the opinion of the Supreme Court on this point. Senator Finnegan fought desperately against

SUFFOLK UNIVERSITY  
BOSTON

is, Senator Hurley assisted also but the other crowd had corralled the votes so we were beaten. But it will be up for reconsideration today

Yesterday <sup>(after 4 PM)</sup> afternoon and evening prepared a brief showing that the law is conclusively on our side but whether it will shake the control of the Republican steam roller in the senate remains to be seen.

April 1, 1932

Last night I learned a curious fact. In the 1 1/2 edition of the Boston American for Wednesday there was a splendid editorial on the Bar Exam question (see next page) but for some strange reason it was taken bodily from the paper and did not appear in the later editions. I at once suspected dirty work on the part of the "interests"

This morning it occurred to me that if I could secure the whole hearted support of the American in this fight it would help mightily. So I went to City Hall to see Mayor Curley whom I knew to be very strong with W.R. Hurst the owner of the American. I laid the

What the Hearst  
Papers Advocate

No. 8

Five-billion-dollar Federal loan  
for public works and to re-  
lieve employment.

## Bar Examinations

### What Is Wrong With Bay State System?

It is high time that the state government of Massachusetts resolved to find out what is wrong with our process of examining and admitting candidates for the bar.

Of 693 young men and women who applied for admission this year, only 130 have been recommended for the right to set themselves up in their chosen profession of practice of the law. See the tragedy underlying all this!

These young men and women are ambitious. They invest several thousand dollars of money and three or four years of their lives to qualify themselves. Yet nearly five out of every six of them are disqualified. They must begin anew, or confess themselves and their training to have been failures under the standards established by the board of bar examiners.

Chairman William H. Hitchcock concedes that "a storm of public protest" has settled upon the board. He says the situation is regrettable and the problem grave. He does not choose to blame either the law schools or the ambitious young men and women who aspire to become lawyers. He believes the board is merely upholding the standards which the state sees fit to impose in order that the public may be protected from unfit or unworthy practitioners. He suggests that Governor Ely or a state commission investigate the problem and find a satisfactory way out.

Dean Gleason L. Archer of the Suffolk Law School, who can be relied upon to fight intelligently for his rights, denounces the board for its alleged prejudice against the evening schools, where the sons and daughters of the poor and humble derive their law education. He declares that the board has farmed out the work of examination of applicants to novices just out of school themselves and saturated with the prejudice and snobbishness of youth. The records abundantly show, according to Dean Archer, that the graduates of these schools who possess neither wealth nor social prestige have been made the victims of this prejudice.

Dean Archer asserts that unfairness exists. Chairman Hitchcock concedes that dissatisfaction exists. Well, let's have the investigation. Perhaps this one can amount to something. The young men and women of today have enough problems confronting them without blighting the hopes of those who are eager to make something out of themselves.

plan before him, pointing out the political dynamite involved in the controversy. The Mayor at once saw the point. He telephoned to Editor W. Sweeney, the manager of the paper and made an appointment for me. I at

once went to see the gentlemen and had little difficulty in stirring his interest. He promised to read the various pamphlets that I left with him. Tonight in a telephone call he expressed himself as heartily in favor of action, 'glory be!'

Saturday April 2, 1932

A busy day in the country working on my trout pond and the brook from the spring. Clifford Smith is working for me after about ten weeks of loafing. I had formerly employed him continuously for about six months but fired him in January because I found that he was soldiering on me. At that time I told him that I would never employ him again when I was not around to check up on his progress. He has evidently learned his lesson for he is giving me excellent service.

On the way back I called at my Milton houses and talked with Mr. Clark (father of John L. Clark of WBZ) about the problem of drainage which is quite troublesome especially at the house where the Clarks live.



When I reached the school at 5 PM I found that the assistant Editor of the Boston American had been trying very hard to reach me by telephone. Scouting good news I at once got in touch with the gentleman, whose name is Malloy. He gave me the glad tidings that the American was coming into the fight with both feet. I am to write a special story for them each day next week - a story of eight hundred words or so.

The importance of this development can scarcely be overestimated. Inasmuch as the fight is national in its scope and the Hearst papers cover the continent the entrance of one of them into the fight may well lead to the overthrow of the whole iniquitous movement.

Sunday April 3, 1932

This was certainly a busy day. I wrote and rewrote about five times the first article in my expose of the board of bar examiners. My broadcast for this evening was also only partly written so that had to be finished. By the time I had typed my article for the American (I am a one fingered operator you see) it was

almost time to go to the studio. The walk across the common was pleasant for the spring evening was at its best and I was able to wear my light overcoat.

Recently I have had but thirteen minutes for my broadcast, so today I prepared a speech that would occupy exactly that time. Imagine my embarrassment therefore when I was given the full period! But I managed to put a good deal of impressiveness in my broadcast against the Boston Bar Association so that I consciously used extra time. A few extra sentences here and there and lo I finished exactly on time.

After a pleasant supper in the cafeteria with John and Polly Clark I went to the office of the American and delivered the copy for tomorrow's article. Then I returned home and have just completed the second article in the series. It is now midnight - so to bed!

April 5, 1932

well, two of my special articles have already appeared in the American and I am to have four more this week. This means that I am kept very busy indeed. I went to the country yesterday afternoon and stayed at the cabin overnight so I could have the trout delivered this morning.

Mr. Mickerson brought them at about 9:30 AM. They are a fine lot - 250 of them. They cost \$55.

April 7, 1932

well, the Supreme Court is still withholding judgment on the questions propounded by the Senate. I am somewhat concerned lest they delay until the passage of our bills becomes doubtful in the present session of the Legislature. Knowing that the bar associations would gladly have this delay occur I endeavored to work a bit of strategy on them today.

A bill is pending in the Senate - up for action today - in which the bar associations are seeking legislation to prevent unlawful practice of law by Banks and Trust Companies.

So I suggested to Senator Funnigan that he object to action on the bill on the ground that the Supreme Court was now considering the right of the legislature to pass upon matters pertaining to the practice of law - that he move to lay the bill on the table until we hear from the Supreme Court.

~~He~~ I caught the senator just as he was going into the chamber with blood in his eye to slaughter the bill as the pet offspring of the bar associations but when I explained my scheme he chortled with joy at the idea and vowed he would do. If he has succeeded it will be the richest joke of the season because the bar associations were responsible for the order for an advisory opinion that caused the tabling of our bill. If this is tabled for the same reason it will make them furious.

They will no longer be in a position to urge delay on the Supreme Court for their own child will

be imperilled by that same delay.

Well, here's hoping that ~~the~~ Senator Finnegan was able to do the trick.

Today I have been toiling on my May Broadcasts for NBE and have written two and a half - which is a record. I finished the special article for the American yesterday.

Song Gleason and his associates debated compulsory Unemployment Insurance with the girls High School and got beaten. They had the affirmative and the girls used their former negative arguments on them with deadly effect.

April 16, 1932

I am writing this in my room at the Hotel Victoria in New York City. Nothing very important has happened since the last item recorded above. The Supreme Judicial Court is still withholding a decision of the request from the senate. The plan that advocated for holding up the bar association bill was not put into effect because there was such a close contest on it anyway that the lawyers in the senate who are with us in the other fight dared not endanger the bill by such a move. We console ourselves with the fact that we

can use it as an argument showing the hollowness of the bar association contention that the legislature has no authority to regulate who shall or shall not practice law - they themselves come to the legislature for relief instead of applying to the courts.

I neglected to make record of the fact that on March 30<sup>th</sup> or thereabouts, when reference of the matter to the Supreme Court became a certainty I went to Judge Edward P. Pierce of that court and gave him a copy of my brief in order that the bar association propaganda might not go unanswered. The judge promised to give it careful attention.

Yesterday or day before I met him on Beacon street and during our brief conversation I asked him when they were likely to give us a decision. He replied "I don't know. We seem to be having a difference of opinion." From his words and expression, the twinkle in his eye, I have an idea that perhaps my brief is having some effect. There was surely an expectation on the part of the bar association faction that they would get a favorable decision. But my version of the law (which I believe to be inescapable logic) ~~will~~ would defeat the bar association

contention.

The annual Alumni Prom was held Thursday night which meant a third night of late hours for me. On Tuesday night we gave a farewell reception to Rev Harry B. Hill and I was drafted as spokesman for the trustees of the church. Then on Wednesday evening the annual election of the officers of the Park Street Club was held. I was elected President and of course was called upon for a speech. The club is the second oldest debating society in the country and more than forty years old. I intend to do what I can during the coming year to build up its membership and to revive its former reputation as a parliamentary training school.

April 19, 1932

In Washington DC at Cherry Blossom Time and to get a senator for commencement. My New York broadcast of Saturday night went over well. I was very tired Sunday morning but Dr E O Fish called me by telephone and made a special request that I act for the board of trustees in welcoming the new minister Dr Stroud and take him to dinner.

It seemed to be up to me so I attended the morning service - a tough time to keep awake

because of weariness and lack of sleep. But it was a very interesting sermon which helped. Elizabeth and I entertained Dr Stroud, his wife and daughter at luncheon taking them to the Bellevue. They are fine people. Mr Stroud and I indulged in a story telling contest which subverted our lunch period.

In my Sunday night broadcast I put over three or four minutes of effective propaganda in re. bar examination fight. The usual cafeteria supper with John and Polly Clark followed the Westinghouse program. For sometime we have been talking of the Clarks' buying one of the houses in Milton. We worked out the details for the transaction. I am also planning to let ~~John's~~ father (Wm J Clark) act as my agent in caring for the property and in selling the houses.

By the way, I have had so much trouble with the brook that crosses the premises that I have decided to pipe it down the street. After about one hundred dollars worth of excavation



If a check I am turning the balance the job over to Leo J Mulhern a contractor at \$900.

My mission in Washington has been eminently successful. My good friend Senator Fess introduced me to Senator Barkley of Kentucky (who is to be the key note speaker at the Democrat National Convention this year) and urged him to go to Boston for us. While I had rather a hard time to persuade the senator to agree yet in the end he gave me an affirmative answer.

The big development of the day arose from a conversation that I had with Senator Fess concerning the Prohibition question. I expressed a fear that we may have to join in an effort to repeal the 18<sup>th</sup> Amendment in order to escape from chaos - the utter impossibility of enforcing the law being now so obvious. The senator then confided to me a very great secret. He and President Hoover favored amending the 18<sup>th</sup> Amendment by limiting its application to dry states, giving the wet states a right to regulate the traffic within their own borders but preventing them from shipping liquor into dry territory.

This plan impressed me so favorably that I declared at once that it was the most states-

60  
approval. I insert herewith the actual copy which he really approved but did not mark in any way.

After my successful interviews I treated myself to a ride around the Tidal Basin to see the cherry blossoms - taxi fares are almost nothing in Washington. It cost only 60 cents and it was a wonderful trip. The Fess plan was on my mind so when I had lunched at the Commodore I sat down to write a letter to Phillips Corbin asking advice as to how the thing could be staged.

As I wrote it flashed over me that this was too great an opportunity for public service to be put to the hazard of a mere letter - I had better go to New York on my way home. So I went to the Railroad Station and exchanged my Pullman reservations. It was then time for the Senate to be in session so I went to the Capitol to tell Senator Fess of my new idea and also to suggest that the plan needed another clause "giving to states not choosing to adhere to the 18<sup>th</sup> Amendment the right legally to control the liquor traffic within their borders, notwithstanding the 18<sup>th</sup> Amendment or acts."

Congress for the improvement thereof.  
 Senator Fess agreed to this.

While in the Senate lobby I met Senator  
 J. Ham Lewis of Illinois who was very  
 cordial. I also saw Senator Hale of  
 Maine who rushed up to me in the  
 most surprising outburst of friendliness.  
 He caught me by both arms and held  
 onto them for five minutes while  
 he told me how ashamed he was for  
 not having written to me acknowledging  
 the receipt of the old ring play songs  
 that I had sent him (at his urgent  
 request) last fall. When we had reminisced  
 I left the building, having seen several  
 Boston people whom I knew.

April 20, 1932

It was fortunate that I came to New  
 York for quite a lot of discussion  
 was necessary to work out a plan for  
 broadcasting the new idea. Thanks to  
 the breadth of vision of John W. Elwood we have  
 a grand scheme for staging a series of  
 talks on "What I would do with the 18<sup>th</sup>  
 Amendment" in order to focus public  
 attention on the matter and get people

listening in. before I spring the Fess plan. My talk would be about the fourth in the series. Mr Elwood suggests Bishop Cannon Nicholas Murray Butler, and Clarence True Wilson to precede me and then to have a prominent Republican and a prominent Democrat fall in line for the (Fess) Archer Plan with possible congressional recognition.

The time is so short that I suggested we go to Washington and discuss it with Senator Fess. Mr Elwood was enthusiastic over the scheme. I got the senator by long distance phone and told him of the new plan. He blew up at the idea of Butler or any fanatical web being in the series. When I suggested a conference in which Mr Elwood would participate he refused point blank to go into a conference <sup>and</sup> ~~he~~ declared that he would talk with no one but me.

"I explained to you yesterday" he declared "that I can talk freely to you because I trust you. I am turning the whole matter over to you but my name must be kept out of it."

But he agreed to take dinner with me and finally consented that if it were private and secret Mr Elwood might be present. So we

set the date for Monday night in Washington. Mr. Shwood is quite elated. We will stop at the "Mayflower".

April 21, 1932

Well, the staggering news came out yesterday afternoon that the Supreme Court had declared the bar Exam bill unconstitutional. I went to the state House immediately after the senate had adjourned and succeeded in seeing the original opinion. It was quite lengthy as will be seen from the copy annexed. But the court was obliged to admit that the legislature has a right to create a board of bar examiners which leaves a part of their defenses open. We may be able to abolish the board and in that way cure the trouble. That cannot be done this year.

A very dolful bunch of students are to be seen in the corridors. This thing has certainly hit us a very hard blow.

A letter reached me yesterday from Mackinnon & Fly, the former publisher

# JOURNAL OF THE SENATE.

THURSDAY, April 21, 1932.

Met according to adjournment.

Prayer was offered by the Chaplain.

*Communication from the Honorable the Justices of the Supreme Judicial Court.*

*To The Honorable the Senate of the Commonwealth of Massachusetts:*

The Justices of the Supreme Judicial Court respectfully submit these answers to the questions contained in an order adopted March 31, 1932, and transmitted to them on the same day, a copy whereof is hereto annexed.

Opinions of the Justices of the Supreme Judicial Court, — bar examination papers.

The questions pertain to a pending bill entitled "An Act to regulate the Correction of Answers to Bar Examination Questions." The substance of the bill is an amendment to G. L. c. 221, § 36, respecting the board of bar examiners, to the effect that the marking of examination papers of applicants for admission to the bar by any person not a member of the board is prohibited. The questions are directed to the point whether such bill if enacted would be an unconstitutional interference with the functions of the judicial department of government. It has not been determined in any decision of the Supreme Judicial Court where the ultimate power rests as to admission to the bar under the Constitution. The opinion in *Robinson's Case*, 131 Mass. 376, refers both to statutes and to action by the judiciary, there being no conflict between the two. There is nothing bearing on the point in *Ames v. Gilman*, 10 Met. 239, *Bishop v. Hall*, 9 Gray, 430, or *Bergeron, petitioner*, 220 Mass. 472.

By art. 30 of the Declaration of Rights of the Constitution, the government of the Commonwealth is divided into three departments and it is provided that "the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men." By art. 29 the independence of the judicial department is declared to be essential to "an impartial interpretation of the laws, and administration of justice." There is no provision in the Constitution referring in terms to the admission of attorneys to practice in the courts. The Constitution thus separates with singular precision and unmistakable clarity the sovereign power of the State into three departments. It creates each supreme in its respective field. It allots the legislative power to the General Court. With equal impressiveness of words it assigns judicial power to the courts.

It is indispensable to the administration of justice and the interpretation of the laws that there be members of the bar of sufficient ability, adequate learning and sound moral character.

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Opinions of the  
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tion papers.

This arises from the need of enlightened assistance to the honest, and restraining authority over the knavish, litigant. It is highly important, also, that the public be protected from incompetent and vicious practitioners, whose opportunity for doing mischief is wide. It was said by Cardozo, C.J., in *People ex rel. Karlin v. Culkin*, 248 N. Y. 465, 470-471: "Membership in the bar is a privilege burdened with conditions." One is admitted to the bar "for something more than private gain." He becomes "an officer of the court, and, like the court itself, an instrument or agency to advance the ends of justice. His co-operation with the court" is due "whenever justice would be imperilled if co-operation was withheld." Without such attorneys at law the judicial department of government would be hampered in the performance of its duties. That has been the history of attorneys under the common law, both in this country and in England. Admission to practice as an attorney at law is almost without exception conceded to be a judicial function. Petition to that end is filed in court, as are other proceedings invoking judicial action. Admission to the bar is accomplished and made open and notorious by a decision of the court entered upon its records. The establishment by the Constitution of the judicial department conferred authority necessary to the exercise of its powers as a co-ordinate department of government. It is an inherent power of such a department of government ultimately to determine the qualifications of those to be admitted to practice in its courts, for assisting in its work, and to protect itself in this respect from the unfit, those lacking in sufficient learning, and those not possessing good moral character. Chief Justice Taney stated succinctly and with finality in *Ex parte Secombe*, 19 How. 9, 13: "it has been well settled, by the rules and practice of common-law courts, that it rests exclusively with the court to determine who is qualified to become one of its officers, as an attorney and counsellor, and for what cause he ought to be removed."

There is nothing in the Constitution, either in terms or by implication, to indicate an intent that the power of the judiciary over the admission of persons to become attorneys is subject to legislative control. The grant of legislative competency to the General Court is in broad language (c. 1 of the Constitution, and especially c. 1, § 1, art. 4). But it is subject to the impressive limitations of art. 30 of the Declaration of Rights already quoted. It does not embrace the power to override the judicial department of government as to the qualifications of those to be admitted to practice law. The inherent jurisdiction of the judicial department of government over attorneys at law is illustrated in several of our decisions to the effect that power to remove an attorney for misconduct, malpractice, or deficiency in character, although recognized by statute (G. L. c. 221, § 40, as amended by St. 1924, c. 134), is nevertheless inherent and exists without a statute. *Randall, petitioner*, 11 Allen, 472. *Matter of Carver*, 224 Mass. 169, 172, and cases cited. *Matter of Ulmer*, 268 Mass. 373, 397, and cases cited. No sound distinction can be drawn with respect to attorneys at law between the power to admit and the power to remove under the terms of the Constitution.

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Numerous statutes have been passed making provision in aid of the judicial department in reaching a proper selection of those qualified for admission as attorneys to practice in the courts. It is not necessary to review them in detail. Like many other statutes, they have been enacted to enable the courts to perform their duties. They have been enacted, also, in the exercise of the police power to protect the public from those lacking in ability, falling short in learning, or deficient in moral qualities, and thus incapable of maintaining the high standard of conduct justly to be expected of members of the bar. No statute can control the judicial department in the performance of its duty to decide who shall enjoy the privilege of practicing law. Statutes hitherto enacted have been followed as the basis of its action. No contentions have arisen in the courts concerning their validity. Statutes respecting admissions to the bar, which afford appropriate instrumentalities for the ascertainment of qualifications of applicants, are no encroachment on the judicial department. They are convenient, if not essential, to enable the judicial department properly to perform this duty. The establishment, in 1897, of a State board of bar examiners, in place of the county boards previously existing, is an example. Statutes of that nature are valid provided they do not infringe on the right of the judicial department to determine who shall exercise the privilege of practicing in the courts and under what circumstances and with what qualifications persons shall be admitted to that end. When and so far as statutes specify qualifications and accomplishments, they will be regarded as fixing the minimum and not as setting bounds beyond which the judicial department cannot go. Such specifications will be regarded as limitations, not upon the judicial department but upon individuals seeking admission to the bar. There is no power in the General Court to compel the judicial department to admit as attorneys those deemed by it to be unfit to exercise the prerogatives and to perform the duties of an attorney at law.

Opinions of the Justices of the Supreme Judicial Court, bar examination papers.

These conclusions in our opinion flow irresistibly from the provisions of the Constitution.

These conclusions are in accord with principles declared in substance by the great majority of courts in this country, many decisions of which are collected in a footnote.\*

The pending bill is in amendment of a part of the statutes mainly designed to aid the judicial department in the performance of its duty as to the admission of attorneys at law to practice in the courts. The pending bill, in form prohibitory, is also mandatory. It in substance requires that, if written examinations are held for ascertaining the fitness of applicants for admission to the bar, the marking of such examination papers must be done by members of the board of bar examiners. It is an explicit direction as to a means of finding out the qualifications of petitioners for admission to the bar. It does not state qualifications or prescribe

\* *In re Bailey*, 30 Ariz. 407, 412-413. *In re Day*, 181 Ill. 73, 82, 94. *People v. Peoples Stock Yards Bank*, 341 Ill. 462, 470. *Olmsted's Case*, 202 Penn. St. 96, 103-104. *In re Leach*, 134 Ind. 665, 671. *Hanson v. Grattan*, 84 Kans. 843, 845. *In re Branch*, 41 Vroom, 537, 574-575. *In re Application of K.* 88 N. J. L. 157. *In re Bruen*, 102 Wash. 472, 476. *In re Application for License to Practice Law*, 67 W. Va. 213, 218. *Dunfooth v. Ryan*, 23 S. D. 43, 47. *In re Platz*, 42 Utah, 430, 443-444. *State v. Cannon*, 240 N. W. 11. (Wis.) 441. *Ex parte Garland*, 4 Wall. 333, 378-379. *Brydonjack v. State Bar*, 208 Cal. 430, 443-444. *Contra*, *In re Applicants for License to Practice Law*, 143 N. C. 1; *Matter of Cooper*, 22 N. Y. 67; but compare *People ex rel. Karlin v. Calkin*, 248 N. Y. 465, 477.

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Opinions of the Justices of the Supreme Judicial Court, — bar examination papers.

conduct without which one may not become such petitioner; it does not even apply to such petitioners. It is not a mere limitation upon the powers of an instrumentality created by the Legislature to assist the court. It deals solely with the exercise of the judicial function, namely, discovery of the fact whether each applicant is sufficiently learned in the law to be admitted to practice as an attorney at law. The provisions of the pending bill fall within the same class as would proposed statutes fixing the passing marks for admission to the bar, the branches of law on which applicants should be examined, the number of questions to be asked, the length of time to be devoted to examinations, the tests of moral character to be adopted and the means for meeting those tests, and other like matters. If subjects similar to these were held to be within legislative cognizance, it would be vain to say that final power over admission to the bar was within the control of the judicial department of government. Whether the examinations of applicants for admission to the bar shall be wholly written, or wholly oral, or partly written and partly oral, is a matter for final determination by the judicial department. So, also, is the relative weight to be attributed to the results of written and oral examinations. If the judicial department decides that the marking of the written examinations may be performed by competent persons not members of the board but acting under the direction of such members, that pertains directly to the ascertainment of the qualifications of applicants. It is a definite attribute of the judicial department and not an immaterial incident. The pending bill is different in its fundamental conception from many statutes indubitably valid, wherein practice and procedure both civil and criminal, rules of evidence, and substantive provisions of law have been altered. Statutes of that nature fall within the classification of wholesome and reasonable laws within the grant of power to the General Court to enact under the Constitution, and do not impinge upon the powers allotted to the judicial department. They are distinguishable in essential features from the pending bill, which directly affects the capacity of the judicial department to function.

We therefore answer questions 1 and 2 of the order in the affirmative. It seems unnecessary to make further answer to question 3.

We think that the Honorable Senate ought to be informed that before the adoption of the present plan of employing assistants to aid the bar examiners in marking examination papers, it was approved by the justices of the Supreme Judicial Court. The pending bill has been considered under the heavy sense of constitutional duty to advise the Honorable Senate.

- ARTHUR P. RUGG.
- JOHN C. CROSBY.
- EDWARD P. PIERCE.
- WILLIAM CUSHING WAIT.
- GEORGE A. SANDERSON.
- FRED T. FIELD.
- CHARLES H. DONAHUE.

APRIL 20, 1932.

The communication was read, ordered to be printed (see Senate, No. 370) and placed on file.

of Plain Talk announcing a new publication Mr MacKinnon wrote "I have been listening to your radio talks and it occurs to me that you might write an article for our first issue on some phase of the legal profession that would be of interest to lawyers generally.

I have written to them saying that I would be glad to give them a detailed story of the law school conspiracy, also suggesting a conference in New York Saturday.

April 23, 1932.

I have had a most interesting series of conferences today. At the Radio Digest Office I talked with Mr Brown about my <sup>possible</sup> visit to Washington and made some plans with him about how I could be of assistance in talking up the Magazine to Mr Shwood and the National Broadcasting Company.

At NBC I saw Mr Carlin and then had a conference with Mr Shwood making our final arrangements for the trip to Washington. I am to stay here in New York until tomorrow night when we will take the midnight train for Washington. We also discussed the matter of Columbia Broadcasting Systems <sup>unauthorized</sup> use of my name in a fictitious trial in the "Myrt & Marge" skit. Dear

I received a long distance call from Boston Catharine was on the phone with the heavy tidings that the Exchange Trust Company had been closed by the Bank Commissioner. It struck me almost speechless for I knew that nearly thirty thousand dollars of school fund were tied up as well as my own checking account.

"Well, we are wiped out I guess" was my first comment after I had learned the details. But after I left the phone it seemed to me that I had not given much comfort to my disheartened and alarmed lieutenants in Boston so I sent Catharine a telegram. "Cheer. Closing of bank will not seriously handicap. I have a plan for summer financing."

I then phoned to Senator Fess about the plan for dinner at 6 P.M. Mr Elwood had already talked by phone with a Mr Russell, a vice President of N.B.C., so the latter joined us at lunch. Russell is an interesting chap and it no doubt did me a world of good to have these brilliant companions discussing N.B.C. problems, politics &c.

I learned that the Al Smith campaign in Massachusetts and ~~and~~ in some other

States was really intended to enable the leaders to stop Franklin Roosevelt in order to put in a man like Owen D. Young. In fact Young was their choice.

Not long after ~~their~~ <sup>Mr. Russell's</sup> departure Senator Fess called me by phone in great agitation, saying that our secret had leaked out and that he could not keep his ~~touch~~ dinner engagement. He had stoutly denied having any plan but the newspaper men were besierging him and would discover all perhaps if he came to the hotel.

While I was flabbergasted at the leak I could find no explanation except that some one had heard us talking over the phone. I urged the importance of an immediate conference, so the senator asked us to come to the senate lobby.

Mr Elwood was somewhat disgusted at this turn of affairs. We arrived at the Capitol in due course, went to the senate lobby and sent word to Senator Fess. A page soon escorted us into the senate reception room. After some delay Senator Fess came out. He met Mr Elwood and then escorted us into the office of the Sergeant at Arms. We sat on a sofa - the senator between us - and discussed the matter. The idea of a series of talks expressing

differing views had been pretty much demolished in our talk with Vice President Russell (NBC) who is familiar with leaders on Capitol Hill. He had declared that none of them dared come out in the open. Our talk with Senator Fess confirmed this.

So we decided that my talk should be first in order. I suggested Sen. Borah as a follow-up talker. Senator Fess thought this might work out. I read to him the bulk of my proposed broadcast, which he approved most heartily.

We returned to the reception room to await Senator Borah.

Mr Elwood said to me "Doesn't it make you sick!" Knowing that he was referring to the secrecy and timidity of the leaders I replied. "Oh no. I have seen too much of that."

Senator Borah was cordial. I told him of the plan and then said "I wish you would discuss it over the radio, following my talk but of course I shouldn't want you to pass the daylight out of it."

He grinned broadly but expressed some doubts about any compromise in the matter

He promised to think it over. But I came away with little hope of any help of the sort hoped for. Senator Fess expressed desire to put the plan into the Republican Platform and seemed anxious to get it before the public - send up a trial balloon as it were.

Mr Elwood and I agreed that it would be better for me to use my regular broadcast period for May 14<sup>th</sup>. Our business concluded I returned to Boston on the Federal Express this morning - so here I am to work out the sorry mess of the bank's failure.

We are in a desperate plight. In the regular school account we have over \$26,000. and in the Building Fund enough to raise the total of tied up assets to around \$28,000. The only way I see to handle the situation is to place a mortgage on the school building and replace the funds in that way.

So far as I am concerned I have over \$1800 in the commercial department and a small amount in the savings department. But having signed an accommodation note for Alden Cleveland of four thousand dollars, this note being held by the bank, will naturally fall due and have to be

Recharge  
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paid.

April 29, 1932

We held a meeting of the Board of Trustees <sup>today</sup> to consider the present emergency. The Board were very agreeable and found no fault with my conduct in leaving the money in the Exchange Trust Co. Mr O'Connell got caught in the bank failure. Mr Evans should have known of the imminent possibility of failure but even he had not realized the danger.

They accepted unanimously my recommendation that we borrow \$30,000 <sup>from</sup> of the Suffolk Savings Bank and give the bank a mortgage on the school building.

April 30, 1932

Another conference with Mr MacKinnon in regard to the articles for the new magazine. Having prepared during the week my first contribution, I read it to him. His reactions were very favorable.

Mr Elwood was absent from his office today no doubt at his summer home enjoying the spring sunshine. Mr Carlin and Sheets Miller were

much interested in my account of the lion that went on rampage in station WBZ last Thursday evening. Les, the 800 pound Nubian lion on exhibition in Boston was taken to the station in a publicity stunt to have its roar broadcast. Well they got all the roars they wanted, also screams and crashes that were not bargained for. The lion got out of control and created reign of terror, leaping through the control room window and scaring a room full of sightseers nearly out of their wits. He was then gotten by his trainer back into the main studio but shortly bolted from that by leaping through <sup>one of</sup> the plate glass windows into the corridor, creating pandemonium among the eight seers and chasing George Harder the publicity man down the corridor at a mile a minute clip. Harder escaped into studio A. The lion went on into a small studio where he was captured and caged.

May 1, 1932

In getting ready for my WBZ broadcast today I wished to say something about the origin of the Massachusetts Supreme Court. After an unfruitful search in all my sources of information I happened to think of three old books that had been given me by a radio fan. To my joy



I found them to be early statutes of Mass. beginning in 1780 immediately after the adoption of the constitution. This was a really thrilling experience for in tracing the ~~and~~ development of the government under the constitution I found the very statute by which the court was created. It was enacted July 3, 1782, thus disposing of the arrogant claim of Chief Justice Rugg that his court is co-equal with the legislature.

Waterville, Me May 8, 1932

Elizabeth and I took advantage of my holiday from NBC to drive to No. Whitefield with the Wemple's Friday. We left Boston at 1 PM and reached our destination at 8:30, having made two pauses en route. The weather was delightful and the trip very pleasant except that E. got car sick from riding in the back seat and was obliged to undergo a period of distress. A change to the front seat with me cured her trouble.

Yesterday we spent on the Wemple farm. I did some pruning of his orchard. We went for hikes over the place. I also went on a "wild-goose chase" with Paul McDonald, a local young man who was sure he could take

me to a trout brook. We found the brook all right. There were wonderful trout pools, but never a trout. I did manage to make it seem like a real trout expedition breaking through a treacherous sump of brush and getting both feet wet - quite ruining the appearance of my best shoes.

The balance of the day I worked on an article for the new magazine "Brass Luck". Last evening we drove to Waterville and put up at the Elmwood. Daughter came to join us and we are having a lovely visit. Dean Rinnals had invited me to speak to the Colby girls in Chapel tomorrow morning. I had brought along some historical speeches but Marian told me that the girls were fed up on history so I must prepare a special ~~historical~~ speech.

~~Last evening I wrote~~

We went to church this morning and heard Rev Harold Melynes preach a very good sermon (but alas! he preached a purple one tonight) and then had him take dinner with us at the Hotel Elmwood. In the afternoon we went for a ride to Belgrade Lakes. Marian invited four or five of her college girl chums to ride with us. We tried

various times to locate some Mayflowers in which I was finally successful. The trip was climaxed by a stop at a very excellent ice cream parlor, much patronized by college people.

This evening I wrote my speech for use at chapel tomorrow.

Reverie, May 10, 1932.

My experience in speaking at the College chapel was very pleasant. I spoke on engagements to marry, with a good deal of humor and human interest stuff, so the girls were very attentive and quite hilarious at every place where a laugh was proper. We returned yesterday afternoon, making the surprisingly good time of driving from Augusta to Boston in five hours 1:30 to 6:30 P.M.

I came to Norwell via Milton and reached Weymouth so late that it seemed best to go into the cafeteria for supper rather than get it here at the camp. The weather continues fair although rather chilly. Tomorrow I hope to do some planting.

It was somewhat disturbing to see in

An evening paper that the US minister to Sweden has just put out a part of my Prohibition plan that I am to broadcast Saturday evening. Whether it will spoil the publicity value of my announcement very much is uncertain but the chances are that it will.

Reverie, May 11, 1932.

Bill Smith finished the plowing of the garden and I set out a lot of raspberry bushes as well as doing a good deal of work in the cellar - carting out rotten apples. A long distance telephone call from NBC publicity department this afternoon to discuss publicity. I called attention to the newspaper accounts of the plan of the minister to Sweden and asked if that would alter the situation, leaving the matter entirely in their hands.

May 12, 1932

A nice telegram from John W. Elwood this morning reading as follows: "Think your talk excellent and that you should use it without any changes." Am having some trouble with the Bank Commission over the Cleveland note. I am asking

to have my balance in the checking account allowed as set off. A lawyer named Fagan acting for the closed bank denies my right. I am insisting that the law is in my favor. Today I was in conference with the two. They suggested that they would accept the \$2200 or so on account but I replied "No sir. Not one penny on account. If I am to borrow money it will be to settle in full now. If you sue me it will be <sup>a long time</sup> ~~years~~ before we can get a Supreme Court decision, so you will do well to consider whether you are doing the best thing for your closed bank."

May 15, 1932

Yesterday in New York City I found that the NBC people were well pleased with the reaction to advance publicity on my Prohibition speech they had sent out quite a bit concerning it.

I had a conference with Mr. Fly of "MacKinnon and Fly" on the new series of articles and left the second of the series. "Brass Tacks" will appear about ~~June 1st~~. In the afternoon a lawyer named Kaye, a counsel for the Columbia Broadcasting System

on the controversy over the unauthorized use of my name in the "Myst + Marge" skit. Of course we didn't get very far, he trying to persuade me that no injury had been done to me by the affair.

My trip to the NBC building as it neared time for my evening broadcast was quite exciting. As I approached Fifth Avenue which I am obliged to cross I saw to my dismay that the "Beer Parade" was in full swing and that each sidewalk was jammed with spectators. Fearing that I might otherwise be unable to give my broadcast I pushed my way through the mob and got into the street. The parade was coming from the direction of Central Park so I countermarched along the sidewalk-curb, got across to the other curb and thus kept on until I reached NBC building. The good natured giant who wears NBC livery saw me and helped me break through the crowd. So I arrived at 711 Fifth Ave in good season.

They put ~~me~~ in Studio A, 13<sup>th</sup> floor, instead of my usual place, the speakers studio. Mr. Cross was my announcer. The speech went over well. When I got through

I was summoned to the executive office and asked to sign the "book of fame" in which are recorded the celebrities that have appeared in the NBC studios. "Grand Duchesse Marie" of Russia, Helen Hills Moody (with her cartoon or caricature of herself) were conspicuous signatures but there was a long list of notables. My examination of the book after signing it was interrupted by a long distance telephone call from a Judge Peter B. Mulholland of Johnston, Ohio who wanted to get a copy of my speech in order to reply to it.

This evening I gave my usual WBZ broadcast on "Heroic Days of Plymouth Colony." The Boston Herald just called me saying that the Toronto (Can) globe(?) had just wired them for full details of my Prohibition speech.

May 18, 1932

Contrary to expectation my recent broadcast has not stirred up anything like the expected clamor. The great bulk of mail has been highly complimentary but a few fans have written in to denounce me for an alleged surrender to the wets.

Whereas some rabid wets have insisted that it is a scheme to save prohibition. I have heard nothing at all from Senator Fres but to tell the truth I did not expect that he ~~would~~ would dare, under present circumstances, to commit himself at all.

May 19, 1932

A meeting of the Alumni Association was held this evening to make plans for a banquet in honor of Frank J. Donahue who was last week appointed to the Superior Court bench - the first evening law school graduate, so far as I know to have attained that honor in Massachusetts.

Judge Donahue graduated from Suffolk Law School in the class of 1921. He was at that time a member of the "Industrial Accident Board" and then or formerly chairman of that important tribunal. He was a member of our law school faculty for years. In the past four years or so he has been chairman of the Democratic State Committee where he has demonstrated great ability as an organizer, conducting many spectacular battles for democracy!



It was decided at the Alumni meeting to hold the banquet on the evening of June 8<sup>th</sup> at the Copley Plaza. I was asked to invite as special guests and speakers Ex Governor Smith of New York, Gov. Ely of Massachusetts, Senators Walsh and Coolidge of Massachusetts. I have just sent night letters to the senators but will call upon "Al" Smith personally tomorrow.

The alumni are quite confident that so warm hearted and popular a man as Governor Smith grateful as he should be to Massachusetts and to Frank Donahue cannot fail to respond to this invitation. Smith was completely out of the picture so far as the Presidential contest for the present year is concerned until Donahue, Walsh and Ely made the great fight in Massachusetts. Every delegate at large and every regular delegate pledged to Smith won in Massachusetts.

By the way the rivalry between Smith and Governor Roosevelt achieved somewhat of a humorous slant not long ago when a comparison of their speeches made a few days apart showed that in discussi

the tariff they had used identical thoughts and identical language. It was then admitted that the same "ghost writer" had written both speeches. Smith has no doubt now employed a new speech writer for he made a very unusual speech a few days ago. He endorsed Hearst's sales tax idea as though it were his own. He talked almost as conservatively as the house of Morgan.

New York City, May 20, 1932

I was surely treated to a surprise this morning when I interviewed "Al" Smith. His office is on the 3<sup>rd</sup> floor of the Empire State Building. His secretary, rather a plain girl with a few freckles on her face but friendly and obliging told me that if I would wait in the reception room that the ex-governor would be in shortly and she would try to arrange an interview.

I told her my mission, of the proposed banquet to Judge Donahue, who he was and so on. Shortly after that she came out and told me that Smith would see me. She ushered me into a large office. Behind a desk

sat a florid man of apparently sixty years of age. He was studying some papers as I crossed the office to his desk. Great Scott! was this the glamorous "Ad" Smith? Not a single feature could I see that suggested newspaper or magazine likenesses of the man, but then I was looking down upon him and his head was thrown forward. The thought was forming in my mind that I was being sent to the wrong man when he looked up and I saw that it was indeed Smith.

His greeting was decidedly chilly and his manner pompous. I don't think he would have offered to shake hands in greeting if I had not advanced to greet him as I would any public man.

Chief Justice Hughes, for instance, despite his reputation for aloofness once gave me a very charming reception, rising, shaking hands and smiling. Nearly every prominent man that I have met has responded in some such way.

But Smith was different. He didn't rise, he didn't smile and he shook hands as though ~~it~~ it were something I had

wished on him.

When I politely expressed my gratification at meeting him he gave me a solemn look as though waiting for me to state my business and get out. So I began to tell him how his able lieutenant in Massachusetts the chairman of the Democrat State Committee had been appointed to the Superior Court.

There was not a flicker of warmth or appreciation in his face. The thought flashed upon me that here was <sup>one of</sup> the most hard boiled and cynical ~~faces~~ <sup>men</sup> (rather good looking and distinguished) that I had ever encountered among politicians. But I went on to explain that Donahue was ~~one of~~ the first evening law school graduates to be appointed to the Superior Court. Smith interrupted me somewhat impatiently.

"Let's get to the point. You want me to speak at some dinner. Well, I can't do it."

"I realize that you are too busy a man, Governor Smith to go to ordinary dinners but I thought in view of the magnificent campaign that Mr Donahue has just conducted for you - at the psychological

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moment in the present contest that you might honor him and Massachusetts by coming to this banquet."

Smith waved his arm and spoke in a half snarl

"No, no I can't let that enter in. If I spoke for everyone who has done something for me I'd be dead. The Democrat convention coming on! Why I can't even go over here to Jersey to speak - No no right here in New York City - have to cut it all out."

I was somewhat speechless at this sentiment. If he could not see any difference between Massachusetts and those states that had done practically nothing to further his candidacy I certainly did not care to argue the matter.

Still talking Smith produced a small box from his desk extracted a cellophane wrapped ~~cigar~~ <sup>cigar</sup>, and bit the top it open and bit off the end of the cigar. I think he lighted it.

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"Well, Governor," I said "I shall <sup>not</sup> attempt to persuade you against your judgment. You know your circumstances better than anybody else but there will be a great deal of disappointment among Mr Donahue's friends -"

Smith talked some more in a high voice almost belligerent over his lack of time. Seeking to gain something from the interview I said:

"Well, Governor, you will of course write us a letter of congratulation to be read at the dinner."

To this he agreed and we made some progress as to its nature, the final understanding being that I would write to him in a few days calling his attention to the essential facts and he would write to me expressing regrets and congratulations.

He did not offer to shake hands when I left but cigar clenched in his teeth turned to his work again. So I came away saying to myself - "and this cold blooded, pompous fish is Al Smith." Considering my preconceived notions of the

man I certainly never encountered a greater disappointment.

Of course there may be more to this matter than we realize. It has freely been declared that Smith was used as a football in the recent contest and that no one had any idea of doing what they did in genuine desire to advance his candidacy for the Presidential nomination. He may be sore and resentful at Massachusetts and turn sullen and "high hat" in the manner described.

This afternoon I visited the Fox Films Corp. with my book "Mayflower Heroes" in an effort to induce them to dramatize its more interesting phases for the talking pictures. In the interview however I learned that the former president, a man named Clark who had favored school movies, had no great success with the idea and that the policy had been abandoned.

Phillips Currier at NBC gave me the name of a Mr. Cutting, contact man of their organization with the Pathe News, who might be able to assist me in my effort to interest the Pathe people in the matter. I will see him tomorrow.

Feeling more like the "tired business" man than ever after my numerous conferences at NBC.

and elsewhere I meandered down to Times square and took in a short movie until supper time and then after that a stage show of movie celebrities at the Paramount Theatre. But the most interesting show of the day was quite unexpectedly thrust upon me after I returned to the hotel - and the show was one from real life in the hotel across the way.

Two very modern and sophisticated young ladies called upon a man who roomed on the ~~second~~ eighteenth floor (I should judge) of the Taft. One of them was to play the part of chaperone. The shade was left up - for proprieties sake I suppose, but it was not long before a petting party of unmistakable reality was in progress. But the funny part was that the young lady chaperone pretended to read a newspaper - holding it up so that the amorous pair would feel quite free to act natural. They did without a doubt, reclining on the bed in the room.

Their obvious attempts to fool the chaperone and her obvious attempts to keep them from knowing that she was observing and enjoying their amorous antics was very funny. Kisses and embraces and all the manlings they dared



to give each other increased in intensity until the chaperone got tired of holding her to newspaper screen - so then the party broke up.

A hot night in New York City. Before going to bed I went up to the roof garden of the hotel from which can be seen the gorgeous spectacle of the lighted city with its skyscrapers on every side - the long avenues of lights - the level plain of lights along the Hudson - a faint glow of faint illumination as far as the eye could reach.

May 21, 1932 New York City

The Radio Digest has worked out a new publicity scheme for my talks as printed in their pages. Beginning with the July number they will have the NBC artists bureau take a picture of one of the incidents described, using some of their talent as actors. In the July number we have decided that a picture of the man who was obliged to seduce the lumination of carry his sweetheart bodily from his carriage to her own door after having beaten her to his hip flask (later refusing to marry her) would be a good subject for an illustration.

The matter was arranged and they will take the pictures next week.

The most important development of the day, and perhaps for a long time, was my interview with Mr. Cutting of the NBC Artists' Bureau in regard to "Mayflower Heroes." He is very enthusiastic over the idea of using the history series in what are known as "movie shorts", in which I would be the narrator of the story which would be thrown on the screen. He asked me how many ~~series~~ plots for movies I could furnish and I told him anywhere from fifty to one hundred.

This idea appeals to me very much for it would open the way to educational movies of abiding value. It would also enlarge my own field of service as well as provide a new source of income at a time when it is sorely needed. The school is facing lean days and my own salary may be very greatly reduced next year.

I sometimes wonder at the marvelous way in which I have been led from one headland of opportunity to another. In radio work, giving my services in a seemingly unending and unprofitable fashion, has nevertheless developed into a ~~major~~ rich and glorious

experience. The future of Suffolk Law School may yet be largely dependent upon my contacts in radio and my widespread reputation as a broadcaster.

May 22, 1932

Sixteen years ago today Gleason Jr. came to bless our home - and what a blessing he has been. No proud parents ever had greater reason for pride in their child than Elizabeth and I have in him. We celebrated the day by taking him to dine at the Bellevue - the three of us.

May 26, 1932

I was not a little surprised to receive a letter from Alfred E. Smith last night in which he made the following comment on my prohibition broadcast <sup>a copy of</sup> which I had left with him last week.

"Thank you for sending me the copy of your radio address entitled 'A Legal Way out of Prohibition Muddle'. Your proposal to leave the Eighteenth Amendment in force for such states as wish to take advantage of it while allowing other states to operate outside of it is an interesting one. It is similar to a proposal that was discussed at a meeting of the National Democratic Committee a year ago."

After long and vexatious delays I have finally signed the papers for the mortgage on the school building. The Suffolke Savings Bank have issued their check for \$30,000 and I have deposited it to the school account in the First National Bank. The outlook for the future of the school is rather bleak - not so much from the depression but from the obvious intent of the Supreme Judicial Court to line up squarely with the University scheme to close out all evening law schools.

I have previously indicated my belief that the court was entirely wrong in its recent advisory opinion but the mischief is that the court has the last word. It is final authority unless some way can be devised by which the U.S. Supreme Court can be invoked to settle the dispute of authority. That would require a very long time even if successful. A headstrong and wilful court might easily override the rights of the people. Thus the entire movement is at a most critical and perplexing stage. The cause of equality of

opportunity in education is in the gravest danger that it has been for a full century in Massachusetts.

We held a faculty meeting at 3:30 PM today to pass upon candidates for graduation. It was very well attended and the results were satisfactory. Catherine was present with complete information concerning each candidate. Members of the faculty would bring up some name and Catherine would reply "four conditions" or "five conditions" as the case might be for nearly every such case was quite hopeless. This procedure saved me a good deal of effort.

The class of 1917 held its fifteenth anniversary celebration tonight and I was their guest of honor. It was a very delightful affair, except for the distressingly large percentage of the graduates who were drinking. Joseph A. Parks, the president sat beside me and he and I with one or two others were the only ones who refused to indulge.

New York City. May 27, 1932

I came to New York a day early in order to hold conferences concerning my "Mayflower Heroes." My first objective was NBC where I visited the Press Relations Department and also Mr Elwood's office. Mr E was not in but his secretary was very cordial. From there I went to the Century Company office for a conference with Miss Nolan, the editor of Juvenile books.

The most significant conference of the day was with Charles E Moyer of "Inspiration Pictures" a subsidiary of the great Hollywood combinations. Moyer has been manager of Mary Pickford and others of the Famous Players. To my surprise and pleasure I found that for a long time he has been following my broadcasts. In Hollywood New York City or wherever he might be on Saturday nights he has generally managed to tune in on my program.

I had expected a brief conference but it lengthened to three hours. Mr Moyer is enthusiastic about making a series of movie shorts out of the book "Mayflower Heroes". He will see the chief, Walter Camp, within a few days and let me know the result. I may have to go to New York for a conference.

May 28, 1932

Well, I gave the last broadcast in the present series ("Laws that Safeguard Society") tonight having made my farewell calls at NBC during the day. In connection with my broadcast tonight I gave a little talk on the necessity of writing letters if the listener approved a given type of program, pointing out that it is from "fan letters" that the broadcasting people are able to determine whether a program is successful or not. I also propounded the theory that the reason for the great preponderance of jazz and crooning on present day radio programs is due to the fact that <sup>the emotion of the</sup> lovers of jazz and crooning are easily stirred and they write letters galore - thus making it appear that this is the only kind of entertainment that the public banks for. The intellectual type of listener is less emotional - does not write letters. The moral of my talk was that those who enjoy lectures or serious programs better themselves if they wish to keep such programs on the air at all. I shall be interested in the result of this appeal.

June 3, 1909

I drove from Boston to Livermore Falls in record time. I left Boston at 6:35 A.M. and arrived in Livermore Falls at 10:40 a distance of 171 miles. My first act upon arriving in the village was to call the school by long distance telephone to find out if there were any important messages or mail. When I mentioned mail, Catharine replied - "Important mail - I should say there was! You have a two page letter from Rudy Vallee. He has seen your book 'Laws that Safeguard Society' and is asking your advice about studying law."

Rudy Vallee, by the way is the idol of all the girls because of his soulful (?) crooning over the radio. He earns fabulous sums at it but I presume he is wise enough to realize that crooning cannot last as an occupation for the public is already quite fed up on this type of entertainment.

I drove into the country to my sister's home. Her husband Roger Gordon is a farmer of sterling character but not over prosperous in these hard times. Maudie has a 20 yr. old daughter Gladys Young (by her first husband) who is living at home. Gladys



has a bean, Edward Safford, a young farmer and it looks like a match.

We sent up for Uncle Leonard and we are planning (Maude I and Uncle) to drive through to Great Pond in the morning.

Saturday night - June

I am in Bangor (at the Bangor House) after a strenuous day. We started in good season this morning and headed for Waterville (via Winthrop). In Augusta we stopped while I got a shave and we later called on Frank E. Mace. His wife is a very gracious lady. Sometime over a year ago they entertained me over-night when I came to Augusta to speak.

After leaving Mace's we crossed the river to Chelsea for a brief call at Aunt Lettie's home. Fortunately we found her just getting out of the family automobile after a trip to town. Uncle Will returned with his farm wagon from the field. Young Willie was there also. Aunt Lettie is somewhat more aged in appearance than Uncle Leonard (her older brother) but she is probably more vigorous.

mentally than he is for the poor old fellow now 72 is slipping mentally. He recently resigned his pastorate in Dryden after more than 20 years of service in that locality.

It should be mentioned in passing that Uncle preserves his sweet temper, his high ideals and his childlike faith in humanity. But his memory is like a sieve - he ~~loses~~ loses facts about as fast as they are given to him. One has to be patient in dealing with him. He needs to be told over and over where we are going and what our plans are. Another thing - he is very talkative and in his desire to entertain he is quite likely to tell the same story several times in the course of the day.

We reached ~~Bangs~~ Waterville in time to take lunch at the Elmwood, having dear daughter Marian with us. She arrived somewhat late at the Hotel, having been out when I telephoned to the dormitory. But she came breezing in - all in white and glowing from a recent game of tennis. She is a very distinguished looking maiden, with shining brown eyes, dark hair and a finely modeled face. She reminds me a good deal of her mother.

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at the same age but she has the Archer characteristics very strongly alas - tall and slim and more graceful than any Archer I ever knew.

Well, we left Marian and went on to Bangor. After stocking up with food supplies we pushed on to Great Pond On Chick Hill alas! I had a flat tire (~~left~~<sup>right</sup> rear shoe) and I nearly wilted changing it for the weather was exceedingly hot. Perspiration dripped from my face during the process.

At Great Pond we found Harold and his family at home. Ruby has a new baby Harold Jr. now three weeks old - a fine black hair little chap. The three year old Elizabeth is a very charming and intelligent child. Aunt Maude told her that she had a daughter but she was now bigger than her mother. Little Elizabeth evidently felt this to be some reflection upon her own size for she said very earnestly "well, I can grow". Later when we were at the table and she saw Uncle Leonard give thanks in true ministerial fashion little Elizabeth turned to her mother and said. "He wa

saying something good."

I visited John & Haynes, once my employer but always my friend. He is now eighty two or more but I fear on his death bed. He is very emaciated and feeble but was quite overjoyed to see me as he was Uncle Leonard. His wife Alta (Laughlin) Haynes is taking the best of care of him despite the fact that John has been a very cranky and belligerent helpmate for years.

Harold's health is very uncertain. He has had the gripe - two hemorrhages and an apparent revival of T.B. but he says the report on his sputum was negative. He has made great changes in the old house for it is now equipped with electricity (a Delsco system in the cellar) and has the usual electrical conveniences - the only house in Great Pond to have it. He has one of the McMurich boys helping him with the farming.

I returned to Bangs for the night and will go to Great Pond again tomorrow. Uncle Leonard and Manda are at the old home tonight.

Monday June 6. 1932

I am at the Elmwood in Waterville. It is afternoon. Uncle Leonard and Maud have left for Lewiston by Bus. Marian is taking an examination so I am left to my own devices for the next few hours.

Yesterday was an eventful day - or at least an arduous day for me! I took Aunt Dana with me to Great Pond. We made quite a round of visits - to the cemetery, to various houses as well as visiting with neighbors who called.

In the late afternoon we started for Bangor but stopped at <sup>the</sup> Leonard Williams place in Clifton where we remained for more than an hour and a half - long enough to hear Gleason's broadcast from Boston at 6:15 P.M.

June 8, 1932

Marian and I returned to Boston yesterday afternoon, having had the unusual experience of passing through several brisk showers but having sunshine most of the way. Catherine has made excellent progress in tabulating senior records so that we are now in position to hold our final faculty meetings to vote degrees.

SUFFOLK UNIVERSITY  
BOSTON  
ARCHIVES

June 16, 1932

We held our commencement exercises yesterday with Senator Barkley as orator of the evening. He made a fine address. We had a large attendance and the speech was broadcast over WBZ. John Clark and his wife were present so the staff at WBZ were well represented.

I wrote a cordial letter to Rudy Vallee telling him of my interest in his idea of studying law and also that I was sending him a complimentary copy of my text book on Criminal Law. This letter was forwarded to him in Chicago and he promptly responded telling me of his plans for the balance of the month and expressing the hope of meeting in New York City. I am planning to go to New York for conferences in about ten days so will see Rudy at that time.

June 30, 1932

New York City. - I was very favorably impressed by Rudy Vallee in our meeting last night. I was his guest at dinner or rather we were both guests of a lawyer named Bloom who took us to an exclusive Bohemian joint which he proudly informed me was a speakeasy. There was quite a gathering

of theatrical folk there when we entered. I was introduced all around for Rudy is a great favorite and they greeted him with warmth. When they asked what we would drink I shot back at them "Oh we don't drink". Mr. Vallee seconded my statement and he and I drank water - probably the only two in the place to do it.

When dinner was over Mr. Vallee and I took a cab to go after his wife who was visiting the Howard Chandler Christies. On the way he made a surprising suggestion, viz: that if the Fleischman Hour program as at present outlined should prove a fizzle that I come on as guest speaker. At first I was somewhat averse to the idea of going onto yeast program and so expressed myself. While he was absent in the apartment building I did some cogitating and decided that since yeast is a household necessity it was after all an honest and worthy program. So I told Mr. Vallee when he returned with his wife that I was more favorably inclined to the idea. He agreed to push it if the opportunity should arise.

Mrs Vallee is a petite brunette as might have been expected considering the fact that Rudy himself is a blonde, tall and athletic (of the ~~the~~ Slim Lindbergh type) It is easy to see that the young people are very much in love having been married in July, 1931. Mrs Vallee left us at the theatre ~~theatre~~ (Paramount) on Broadway and went on home.

Mr Vallee took me to his dressing room and we began our relations as teacher and pupil. While Rudy applied yellow grease paint to his countenance he was undergoing his first real quiz in Criminal Law. We covered the first chapter in my text book during the evening - but what an evening. We worked in his dressing room - in the theatre basement - in the backstage even while the talking pictures were roaring and shouting - even while chorus girls with little worth mentioning adorning their middles cavorted around us in their limbering up exercises.

My new pupil, with a power of concentration that amazed me, continued his studies apparently oblivious to what was going on. It is no doubt this very power of concentration that has enabled this ~~and~~ remarkable young man to achieve the success that he has won.



When his turn before the footlights came he was instantly transformed from the serious student of law to the debonair and musical "Rudy" of the stage and screen. He is an actor of ability as was evidenced by his impersonation of Maurice Chevalier as a part of his show - it was no mere imitation but a very lifelike portrayal.

Another development of the past two days that pleases me greatly is the fact that Charles E. Moyer, former manager of Mary Pickford, Douglas Fairbanks, Charlie Chaplin and others seems to have taken quite a fancy to me and has given me a great part of his time Wednesday, Thursday and today. He is quite keen over a play that I have been working on during the past week - "The guilt of Stephen Boorn." I read it to him Wednesday, and he has made me some very valuable suggestions. His experience in playwriting will be very valuable to me.

Mr Moyer has also worked out a

scheme for syndicating short daily talks on law. <sup>This morning</sup> yesterday he asked me to prepare six articles of about 600 words each. I have already written two both of which he very heartily approves.

This noon I went to the Paramount Theatre and Mr. Vallee and I had our pictures taken together - teacher and pupil with the Criminal Law book between us. Mr. Moyer and I visited NBC several times - in conference with the artists bureau. He is received with great respect everywhere.

Many providential things have happened to me in my lifetime - things altogether beyond my deserving but tending always to further the cause for which I have striven. It may well be in future days that I shall look back upon my meeting with Charles E. Moyer and Rudy Vallee (both of whom have come to me through my radio work) as events of first magnitude. If through radio or the medium of talking pictures I can accomplish a stroke for the cause of democracy in education then all my efforts will have been well rewarded.

Certainly the future for evening law schools

looks very black just now. I cannot believe that God will permit the sons of the humble to be excluded from the great profession of law, so I shall continue to bombard the enemy camp.

One thing of great importance happened today. The new magazine Brass Tacks came out and the first article from my pen exposing the iniquity of the College monopoly scheme was one of its leading features. The great need of a fearless, independent magazine of national circulation to spread this story abroad has been apparent ever since the victorious march of the monopoly crowd began ten years ago.

July 7, 1932. New York City.

Last week I spent three days in this city and this week it is two days. I have revised my new play "The guilt of Stephen Boorn" but owing to the fact that I gave the girls Saturday as a holiday (a three day week send) it was impossible to get it typed in time to bring it with me to New York. I did bring a second book made up of excerpts from four letters for Mr. Moyers use. He has been unable to see the newspaper syndicate men that he

had planned due to the fact that they ~~have~~ <sup>have</sup> been absent over the holiday. He has been with me a good part of both days and we have discussed many things.

On Wednesday night while in conversation with Rudy Valle (while giving him another law session) I mentioned to him an idea we have been working on of a "talkie" short in which I give a typical broadcast and have the illustration dramatized. This appealed to the young man very much and he at once tried to reach Boris Morros, the production man for the great Paramount Publix theatres (largest organization of its kind in America - so Mr. Moyer informs me) He did not reach him then but did the next day and reported to me that Morros was interested. He suggested that I make an appointment, which I did for Monday July 11, 1932

July 11, 1932 New York City.  
 Yesterday when I came in to broadcast at WBZ I saw Mr. Clark's secretary Paulyna O'Brien and she gave me the dismal news that another slash had been ordered at the station and that John Clark had been obliged to dismiss her. The fact that John values her so highly and that she is

the chief support of a family of seven shows in what she's financially. Her appeal for assistance in getting work either in Boston or New York received my sympathy and promise to do my best.

Having an appointment for today with Boris Morros of the Paramount-Public organization I came over on the own. Charles Moyer was on hand early in the day to bring me very encouraging news of his efforts with the newspaper syndicate men. The president of the Thompson Feature Service is sold to the idea and is on a trip in which he will sound out the newspapers in the larger cities.

Then occurred somewhat of a coincidence. Miss O'Brien had asked me what I was doing with my fan mail. Although I had assured her that I needed no help in that quarter yet the idea of finding temporary work for her led me during a sleepless night on the train to evolve the idea of proposing to Moyer that we syndicate the proposed law articles ourselves. The coincidence was that Moyer had arrived at the same idea.

"Thompson service will cover only the big cities. Suppose you and I go into business for ourselves."

and cover all the newspapers where your talks have been heard? We <sup>will</sup> form a syndicate of our own. Make it a regular business - get other artists to write for us too and we share 50-50."

I agreed that the idea sounded feasible and we discussed it at length. Then we went into my talkie-short "Honeymooning with a Madman" which I had worked out in order to have something to show Boris Moros. He liked it but suggested that I be ready with other titles in case Moros asked if I could do more.

I telephoned Rudy Vallee, now playing in Brooklyn but found that he was tied up for this evening. Mr. Moyer and I went to meet Boris Moros at Paramount at 5 P.M. He is a big featured twinkly eyed Russian and we got along famously. I had already arranged with NBC for certain open dates so that Moros could choose a time tomorrow when he could listen to my radio voice. We have set the time for 1 P.M. tomorrow.

Moros asked ~~the~~ if the short I had with me was my best one. I told him that it was the only one ~~that~~ that I had written but could prepare similar ones on any

topic has preferred. He declared that sensational ones were best - action stories of gripping nature.

Instead of going to the theatre to see a crime film as Mr Moyer advised I have been busy all the evening working on another short for Monos. I am calling it "shorting it out with burglars."

Tuesday July 12, 1932

Arose early this morning and finished the dramatization of the burglar talkie. Moyer was on hand early. He was very enthusiastic over it but suggested some changes in the low talk - too highbrow, he said. Mr Moyer by the way is not only a college graduate but he attended a school for playwrights and has since had about twenty years of experience as dramatic critic, manager of Fairbanks, Profford, Chaplin and other film stars. He helped organize the big Paramount film company. He has had a good deal of literary experience for the big magazines. He was worked with Anita Loos and other playwrights. Hence his advice is valuable and his commendation of a scenario means a good

deal.

I hunted up a public stenographer and had the script typed. Then I learned that Morros would be unable to meet us and wished to postpone the audition until tomorrow. Mr. Moyer and I spent the day together. I worked out a financial plan for our business relations. When acting as my agent in selling scenarios etc he is to receive 25% of the selling price. In the newspaper syndicate on my material he is to have 40% of net - I to have 60% of net. For work of other artists (where he will do the bulk of the labor) Moyer to receive 60% of the net and I 40%. This pleased him very much, ~~and~~ so I put it into legal form (Moyer himself was once a lawyer).

By the way Rudy Vallee could not be with me for a lesson in Brooklyn last night so he made an appointment for me to dine with him and his wife at their apartment at 5:30 P.M. Mrs. Vallee was a most gracious hostess entertaining me in their luxurious living room until Rudy got home. To be sure she did for me a high ball or a cocktail, whichever I preferred.



but since I preferred neither and told her very diplomatically of my old fashioned views there was no further evidence of liquor even in conversation. Mrs Vallee was quite oriental in appearance - skin tanned an olive brown. She paints her brows and darkens around her eyes. She wore pyjamas of a rich red throughout my stay. There was one other guest - a music publisher.

Rudy was very cordial - a most charming fellow. Dinner was superb. He and his wife took us through their apartment - their air cooled bed room, guest room etc.

The young man is so much in love with his wife and she with him that it is a real pleasure to see them together. Mrs Vallee had been off on a long motor trip and was quite exhausted - a fact that concerned Rudy himself for she was obliged to leave us before dinner was over. He told me later that she lost her dinner in a distressing manner but she bade us goodbye just as though nothing had happened.

After returning from the Vallee apartments, being sent back in Rudy's swell sport motor with his private chauffeur, I went to work on a new scenario. This is based upon

a murder mystery the facts of which were supplied me by Mr. Moyer. This involved the murder of an old woman, a wealthy eccentric who owned a variety store. Her nephew, who was entirely innocent was tried and found guilty of murder by the mistaken acceptance of circumstantial evidence cunningly contrived by the real criminal. In the actual case the young man was executed for his supposed crime and was only after it was too late that the authorities discovered his innocence - and caught the real murderer.

July 13, 1932

Worked for some time this morning on the scenario having it nearly complete when Mr. Moyer reached my room. My departures from the actual story (because I refused to follow the horrible miscarriage of justice, choosing rather to give it a happy ending) at first troubled Mr. Moyer. In fact I became convinced during our discussion that the solution of the mystery would need to be recast. So I abandoned the story for the day.

My appointment with Boris Morros and his expert listeners, or rather critics, from Paramount was scheduled for 1 P.M. Mabelle

had told me of a more important official than Morros - Lew Diamond who had just returned from the coast and said he would have him call me at sometime for an appointment.

I was in my room in waiting until time to go to NBC building but no call from Mr Diamond. Mr Morros was nearly half an hour late. Fortunately they had given me the studio for an hour (Studio F 14 $\frac{1}{2}$  floor) so we went into the place for an audition. Moyer, Boros and his companion sat in the control room and I read my scenario entitled "Shooting it out with Bunglers."

I think I did a good job on it and certainly my audience of three got quite a kick out of it. Morros came out with a broad smile and began to talk animatedly about the possibility of dramatizing current murder cases. I explained the danger of discussing pending cases in this way. The net result of our visit was that Morros seemed pleased with the first two "shorts" but asked for

the third one which Mr Meyer had assured him would be the best of all.

Mr Meyer and I then went to his office at "Inspiration Pictures" and signed the papers for our arrangement - "Meyer Feature Service" and all. He returned with me to my room and remained until supper time.

After supper I toiled over the scenario and made a great improvement in it. ~~Mr Meyer~~ I called Mr Valle at 6:30 and told him that Diamond had not reached me. I gave him a report on the audition. He promised to phone to Mr Diamond and to call me before the evening was over. It was not until after 10 PM that the call came. But it came. Rudy is a real man for he never makes empty promises. He told me that he had had a hard time to reach ~~Mr~~ Diamond but had now made an appointment for tomorrow morning at 10 A.M.

I sent a night letter to Catharine so that she would understand the reason for the extra day in New York City.

July 14, 1932

I am writing this aboard the "S.S. New York" en route for Boston. Early this morning I had the public stenographer Miss Margaret Flynn, get busy on my new scenario (she having written the other one two days ago). Charles Meyer was on deck early. We get on famously together. He had some appointments at his office but expected to go to see Mr Diamond in the forenoon.

Mr Diamond did not call at 10 AM so a few minutes later I called him and he made an appointment for three o'clock. But when the scenario was typed I took it over to Boris Morros and had a very pleasant chat with him. He told me that he was very interested in my talk at NABC yesterday and that I had a "good voice". Then I suggested that I would make a special talkie short of any spectacular trial that they desired - not by using the actual case but an old case sufficiently like it to include the same human elements - facts sufficiently similar to

intrigue the interest of the public. The idea registered with him.

At 1 PM I had another telephone talk with Rudy Vallee - he calling me to find out how things were going. At 3 PM we (Mr. Moyer and I) met Mr. Diamond at the Paramount building. Diamond is a slim man - of medium build - perhaps 35 years old - sun tanned from California glare, having just visited there. He is a very intelligent and likeable fellow, just as Rudy told me he was. Diamond, by the way, praises Rudy to the skies.

He seemed greatly interested in my idea and listened with great apparent interest to my reading of the new scenario. He said that one reel <sup>shots</sup> should not be more than nine or ten minutes in length. He intimated that if I was willing to hold the plan open for Paramount until next winter that there was a good chance of our making connections.

Well, this extended stay in New York City has been very fruitful of results. The contacts at Paramount, thanks to the splendid zeal in my behalf of Rudy Vallee, have perhaps paved the way to ~~a~~ limitless possibilities. Mr. Moyer also is a tower of strength in this same

live because with him in New York to "boost my stock" I am sure to have everything done to advance the cause. Others might take an interest in securing a market for my ware but it would not mean so much to them personally. Mr. Moyer however knows that in order to advance his own interests he must sell me to the public. I am his only client at present for he has asked to be released from Inspiration Pictures and from all hold-over connections with Hollywood, all which are at present mere options on his services if the film industry should revive. He sees, as I do, that if he can establish a feature service and have a permanent organization in New York it will mean a great deal financially.

Some of the syndicates are making barrel of money on a very few clients. They get 5% of the receipts and a really successful "draw card" like Bobby Jones, the golfer, gets an aggregate of several thousand dollars a week from a large variety of newspapers. But many of these chaps exhaust their material in a very short time, whereas the law is such a vast treasure house that it is inexhaustible.

My special way of writing it up seems to make a hit with those who should know what will sell. For instance the President of the Thompson Features Service is now on the road with the six law squibs that I wrote ten days ago. He is very enthusiastic over them. If he sells them to newspapers in the large cities there is no reason why we cannot sell them to the small newspapers all over the country.

Moyer is to have the sextet put into printed form and sent out to a large number of newspapers within the next week or so. In the meantime I will tackle the Sunday feature idea and see what I can do with it because some newspapers will take Sunday features that might not consider the daily articles at all.

Thus I am facing a new era of life. It may not develop into such great possibilities as now appears likely but the good Lord has blessed me so often, beyond my deserts, that I am hoping that He has a wider field of service in store for me. To educate a nation in legal principles is far greater service than to operate a mere local school.



aboard S S Boston" August 18, 1932

Troubled with insomnia I may as well try to write up my journal as to lie awake wasting time.

Much has happened since last I wrote in this book. Rudy came to Boston during the last week in July. True to his promise he paid a formal visit to the school (the only publicity stunt in Boston) and signed up for a law course. This occurred on Monday July 25<sup>th</sup> and was a memorable occasion. Photographer galore in ~~my~~ my office Charles Meyer had been largely instrumental in working out the publicity features and he came on to Boston and was present at the ceremony.

After the newsmen departed Rudy and I staged a movie in front of the building (Marian was the photographer) and we went to the opening of the new "sidewalk cafe" at the Hotel Brunswick where we were photographed some more.

I managed to give Rudy some law lessons in Boston. On Wednesday he visited me again at the

and I took him to lunch at "Thompsons."

The more I see of the young man the better I like him. His sincerity and earnestness is very gratifying to me. His intelligent grasp of legal principles is also a delight.

Our new venture - a summer school in law - which is largely the brain child of that very wide awake young lady Catharine C. Carahan is now finishing after a most successful season. Its purpose is to give ~~to~~ Juniors and Sophomores who failed in one or two courses a chance to make up their conditions ~~for~~ and thus enter the new year free and clear. In this time when finances are at 'em low an ~~alt~~ the income from the summer school has been very timely indeed.

Registrations have held up in a surprising manner being at present about seventy five percent of last year's figures in spite of the depression and the depressing results of last winter's campaign against the bar examiners.

One of the interesting developments of

recent weeks is that Arthur L. Nason of Haverhill, former senator is running against Senator Davis. Naturally I am supporting ~~that~~ Nason financially in his campaign and shall do as much personal work as possible. If we can tick our Arch Enemy in his own district it will put the fear of reprisal into the hearts of others who favor College Monopoly of Legal Education.

The August issue of "Brass Tacks" carries my feature article on the iniquitous movement and I hope good will come of its publication. Two weeks ago I visited New York and stirred up the radio situation.

Both Phillips Carlin and John W. Elwood told me that my talks were to resume in the Fall. Rudy endeavored ~~to~~ at that time to get me an audition with J. Walter Thompson advertising agency who handle the big commercial accounts.

Mr. John Reber, vice president, was away on his vacation. But this

time he was in New York. Today we staged the dramatic skit "He married a Kleptomaniac". Rudy took the part of Joseph Kent. Evelyn Langfeldt, his secretary, took the part of Mrs Kent. And say! It made a hit with Mr Reber. I found out later that Mr Reber's young son is an ardent "cheer fan" and that Mr Reber himself has listened on every possible occasion. He told me that he had heard at least half of the entire series. So I am in high favor with the man who handles the radio accounts that are worth while.

This afternoon, ~~and~~ I had an hour's conference with Mr Tutbill at NBC and he is greatly enthused over my possibilities in the field of commercial programs. He is keen for trying to get the New York Life Insurance Company to sponsor the program. He thought I ought to get at least \$500. a week to start off with with a rising scale after three months. This sounds good.

Catharine has been away on the  
briny deep for two weeks. She and  
Caddie Mackey with an Italian  
girl named Marie something  
took the North Cape cruise - St Lawrence  
to Quebec and then swung  
around to Bermuda. She should  
have arrived in New York today  
at about the time my boat left  
for Boston. She has been greatly  
overworked during the past year  
and was sorely in need of a  
restful vacation. I hope that she  
has found exactly the type of  
vacation that would build up  
her strength.

Affairs in Norwell have gone  
very well this summer. Mother  
Snyder has been very poorly but  
the rest of the family have enjoyed  
good health except for the fact  
that Elizabeth wrenched her back  
and was very lame for several  
weeks. Marian has been home  
all summer. Gleason has his  
new car and is a very good  
chauffeur. In fact with two

cars at home all the time the family are well supplied with rides even when I am away. Mariam is working on her thesis and making good progress.

Allan has returned from the Southern trip, and reports a successful affair. Mr. Clench was with him.

Labor Day, Sept 5, 1932

In Boston with the usual distemper at this time of year - Hay Fever. The family are in Norwell. Poor Marian has had hard luck with "yellow jackets" lately. Two weeks ago she went down to the trout pond when Rev Mark Dawber and his wife and son were with us - and she got stung on the ankle. The result was very painful and lasted for ten days or so. When I was down for the afternoon on Saturday she went with me to feed the trout. When we were returning she got stung on each ankle - so the siege is on all over again. My but she is a plucky girl - not a whimper or voicing of vain regrets. We went to the house and treated the stings (having applied mud immediately) but yesterday she was unable to walk - going around on hands and knees and very brave and cheerful.

I will go down next Saturday and move the family to Boston - having brought up a car load last Saturday.

Mother Snyder's condition has been giving us a great deal of alarm. Having been with Marian Osgood for several weeks she came down a week ago yesterday. Marian and Clinton returned to Manchester. She had not been in Boston for two days however before she began to have spells of great debility accompanied by melancholia, desire to die, fear that she was going insane and so on. Father Snyder and I did what we could to assist her to a more cheerful outlook. I called Dr. Prior who prescribed a tonic but she refused to take it because it was bitter. So I finally telephoned to Marian Osgood and she is here now. Last night I had a talk with Dr. Prior and he says that her trouble is debility resulting from impoverished blood. He gave me the name of a liver-iron, etc tonic which I got for her and persuaded her to take last night. Today she is much better.

No favorable developments in Mr. Mayers' efforts to start a newspaper syndicate based upon my law talks, nor is there any sign from those who are working to get me a commercial sponsor. However I feel very sure that with Rudy's help there will be something doing before long.

By the way Rudy's marriage has gone smash! His wife has gone & Rems for a divorce, complaining of a clash of temperments, that Rudy's working hours make married life impossible, etc. but affirming that "he is a great guy". I can see now that a remark made by the young man last July (12th) when I dined at his house was very significant. A music publisher was the only other guest at dinner. He mentioned some actor-friend of theirs who had just married and they expressed wonder whether his wife would travel with him. Mr. Valle declared with strong emphasis that it was "a wife's job to make her husband happy, to accommodate herself to his needs by personally looking after him whenever his work called him." This



impressed me at the time as a mere  
 cave-manish sentiment of a tremendously  
 popular young man. I now see that  
 it was a hotly debated question in Rudy's  
 home for his wife would not travel  
 about with him.

Another remark made to me when we  
 were walking down Tremont Street together  
 also fits into story of domestic unhappiness.  
 Rudy declared that it was very hard to  
 be separated from his wife so much.  
 In fact I believe one of his reasons for  
 studying law is to get out of a business  
 that prevents him from living a normal  
 domestic life.

Sept 20, 1932

Well, school has opened for the year  
 with a considerably reduced attendance  
 which of course spells trouble financially  
 this year. Last year we had as few  
 students as we could have and pay our  
 bills. But I doubt if we will have one  
 thousand for a grand total this year  
 as against 1400 last year. I am teaching  
 Tats again, giving the Freshman their  
 first experience in serious study of

law. Yesterday I took the 10 AM and the 7:30 PM lectures.

A new and unexpected development in my radio affairs occurred last week. About a week ago today I received a phone call from LeRoy Harlow the manager of the Yankee Network that was quite astounding. He said: Dear Archer I called up to ask if you could be induced to accept a commercial sponsorship over the Yankee Network? The sponsor is one of the finest in New England.

I replied that it sounded very interesting and that I would like to talk with him about. We made a date for 3 PM. Then I got John W Elwood over the long distance telephone and told him about it. He was somewhat disturbed at the idea and said that it might prevent me going back on the chain. I assured him that I had no intention of deserting my friends and would not accept the offer unless we could make amicable arrangements at NBC. I pointed out that the Yankee Network were interested in my history talks only. The upshot of

our conversation was that I should stall for time by setting my price high.

That afternoon I met Mr Harlow and discussed the matter with him. I told him frankly that I did not desire him to tell me who his client ~~was~~ <sup>might</sup> be because WBZ people were also looking for a client for me and if they should happen to run into the same one I should not care to have it suspected that I had double-crossed him. He replied that it was one of the leading banking institutions in the east. It had never advertised by radio but might do so if it could sponsor my history talks. I explained to him the situation with NBC and WBZ but assured him that if I could iron out the matter so that I could give law over NBC with WBZ as the New England outlet and they were willing to release my history program for the Yankee Network I would gladly work for him if the price were right. He mentioned \$150. a talk as a preliminary offer. I countered by an offer of \$200. per talk for 1<sup>st</sup> three months, \$225. for second three months with \$250.

thenceforth until July 1st 1933.

Desiring to get the advice of a practical chap like Rudy Vallee I got in touch with the young man last Thursday at the Statler, for Rudy was to broadcast from Boston last week. He invited me to lunch with him and we had a very pleasant hour together. By the way we lunched at the plebeian Waldorf in the WEEI building. His wife has decided to call off the divorce and Rudy told me all about his domestic hopes and fears. He has fears even yet, and so ~~long~~ <sup>long</sup> as far as his domestic future is concerned.

Rudy favors my accepting a sponsorship but thinks I have set the price too low. Tonight I shall go to New York for Wednesday and Thursday during which time I can stir up the matter at NBC.

Sept 23, 1932

My New York trip was eventful. I had a conference with Phillips Carlin and won him over to the idea of using my history material for the Yankee Network. A latter conference with John Edward had

an equally favorable ending, which relieves me greatly. I saw Rudy for a few minutes Thursday noon and reported progress.

One development of the trip that pleases me was a phone call from Mr Seeba the commercial manager of the Columbia Broadcasting System. John Shepard had written to him about me and urged that Columbia get me on their chain if possible. I had a very encouraging talk with Mr Seebach. Perhaps I should mention also that at NBC Artists Bureau I received some encouragement, but it may not mean a thing.

Today I called up Mr Harlow and told him that NBC had agreed to my giving history talks for the Yankee network.

Oct 14, 1932

No developments at all in the Yankee network offer. Harlow says they are still hopeful but that great bodies now slowly. This is the week of the American Bar Association meeting. Sunday night H. J., George Hogan and I went to

Washington D.C. for the convention. A most amusing thing happened as our train was about to leave Boston. I was seated in my Pullman compartment, not knowing who my seat mate might be when in came W H Hitchcock, chairman of the Board of Bar examiners. We shook hands and laughed uproariously to think that fate should have thus brought us together. We talked for two hours, H J A and George Hogan joining us. In fact I think I got across to Mr H. some ideas on bar exams that may hereafter be helpful to us.

Hitchcock was listed to make a speech to the bar examiners group in which he was to tell "Recent Bar Exam History in Massachusetts". I was present and when Mr H. prefaced his remarks by telling of our meeting on the train and being "buddies" together it created a good deal of merriment. He told the story of the legislative fight very fairly and in explaining how I had succeeded in overturning the adverse committee report he declared "our friend is most persuasive".

A great and unexpected victory for justice and fair play was scored at the meeting of the Section of Legal Education, ever since the last convention. Sheproth et al have been flooding the country with propaganda

to the effect that the legal profession is greatly overcrowded. The topic for discussion at the ~~next~~ meeting this year was "Overcrowding the Legal Profession" and what should be done about it. The first speaker was to be Dean Smith of Columbia Law School. In talking with this gentleman in the forenoon of the day of the meeting (Oct 11) I learned to my great delight that he had disregarded propoganda and made an elaborate investigation. He had found, as I had, that if Shafroth had used his figures honestly he would have pointed out that according to census reports there were in 1930 fifteen percent less lawyers in the USA than there were in 1900. I was therefore prepared for the speech that he delivered in the afternoon. But Strawn, Shafroth and the others were so filled with amazement and chagrin that it was very amusing to watch their changing expressions. Dean Smith quite completely demolished the laboriously erected structure of propoganda.

Asst Sec of State James Grafton Rogers, a former law school dean, the second speaker, followed much the same line as the first. The third speaker a Judge Clark of New Jersey

had prepared an address on what to do about the alleged overcrowding of the bar. After what had been said he confessed that his own speech, prepared upon the assumption that the Shafroth propaganda were true, was now quite valueless. When the matter was thrown open to the house for discussion Dean Lee of John Marshall Law School, of Chicago, got the floor but said very little of importance. I was the second speaker. I began by remarking that I had never expected to live to see the day when I could endorse 100% of what was said by the official speakers for the section but that I now endorsed and commended the preceding speakers. This called forth laughter and applause from the crowded hall.

Then I waded into Shafroth's propaganda and reemphasized the falsity of his conclusions. But I had two special surprises for them. I called attention to the fact that leaders of the bar were themselves responsible for the luring of young men into the profession by the exorbitant fees that they charged and concerning which they get much newspaper publicity. I cited the case of a group of <sup>Massachusetts</sup> lawyers who recovered \$400,000 in a suit for a corporation but charged \$275,000 for their fees. The newspapers were full of the



the story but no one could protest to the bar association since the leader of the raid was chairman of the grievance committee of the <sup>local</sup> bar association. But worse still, the courts approved of the outrageous fees.

Then I called attention to the fact that we had heard much oratory for ten years to the effect that if every lawyer had college training there would be no corruption in the legal profession for every lawyer would be highly ethical and so on. Then I proceeded to ~~show them that~~ call the roll of the notable disbarments in recent years in Massachusetts, Ex Governor Bates with three college degrees, Atty Gen Reading, Dist Attorneys Pelletier, Tufts, <sup>and</sup> Cochrane. Out of 46 ~~names~~ lawyers disbarred or suspended between 1902 and 1928, 30 were from one University and nine from another.

I came home from the convention early because the first meeting of Park Street Club of which I am President was to be held on October 13<sup>th</sup>. The meeting occurred last night. It was a great success. A good sized attendance

and a lively debate on club policies were features of the evening. The club had fallen into a rut and the old guard were well satisfied with the rut but I am stirring them up. The final vote was a victory for me - the club will expand.

Oct 25, 1932

Elizabeth and I have made our usual trip to Maine which means visiting the Wemphes at Jefferson and then spending two days with Marian in Waterville. The weather was delightful. Prof Wemple has made many improvements in his country home and it is a grand place to visit. Saturday was the day for the Colby - Bowdoin football game. I did not care to go but Marian and I enjoyed the game. Colby won 23-0, which of course made all Waterville delirious with joy.

In one way this trip was quite providential. Marian confided to her mother that smoking cigarettes had become universal ~~at~~ among the girls at the college and that they had destroyed all her arguments against it. To show her "hardness of mind" she had bought a package and had smoked nine of them. This news upset me terribly because I knew that it would mean a cigarette addict in Marian and I have such an aversion to

the odor of cigarettes that it would destroy the chummy and happy relations between us and render her an outcast in her own home - the boys and their mother abhorring the idea of a smoker in a family that, on both sides, has been free from nicotine for three generations. After a sleepless night I arose early and wrote Marian a long letter setting forth the facts so far as the family was concerned. I also pointed out that nicotine is absorbed into the blood in the same way that oxygen is and that the vile odor permeates every tissue and cell of the body - that a girl cannot prevent herself from smelling of tobacco since the odor is continually being given off by the skin. The result of my letter was that Marian promised to give up the idea of smoking at once and for good.

We had a happy time for the balance of the visit.

Ralph Courser is visiting us for a few days.

November 7, 1932

Many things have happened since I last wrote in this book. I labored very diligently preparing broadcasts until Saturday October 29<sup>th</sup> which was my birthday (52<sup>nd</sup>). On that day I went to the country, expecting guests later in the day. John L. Clark, his wife and son arrived at about 3 PM. We were planning a trout supper but when we went to the pond we found that some miscreant had broken in and fished out the remainder of my lot. On the day before I was there with Ralph Courner and we caught a goodly mess, both for ourselves and for the house. Well, we had steaks instead of trout.

Last Tuesday night I went to New York to make final arrangements for the new series of broadcasts. The change from the Red Network to the Blue had troubled me a good deal because I feared that on the smaller network I would fare badly. To my surprise and pleasure I found that thirty eight stations had signed up prior to November 2<sup>nd</sup>. Upon analysis I discovered that sixteen of them had ~~been~~ carried my talks before - in other words had followed me from the Red into the Blue. The result

was apparently quite amazing to the officials at N.B.C. There is a marked change in their attitude toward me as a commercial possibility. In fact they have assigned a special man to my case - Donald Shaw, who happens to be a fraternity brother of mine - Theta Delta Chi. We had a conference Thursday (Chas E Moyer was there with me) and Mr Shaw was given full information to guide him in his dealings with clients. We made a luncheon engagement for next Friday. He suggested that it would help matters if Rudy Vallee sat in with us and inasmuch as I had a dinner engagement at Rudy's home for that evening I agreed to invite him.

Leaving NBC I went to Alfred L Reed's office at the Carnegie Foundation (522 Fifth Ave) where I had a very satisfactory conference on the progress of the evening law school fight. Mr Reed is still the champion of the right of the poor boy to an education in evening hours. As we were leaving I met Mrs Reed and we made the mutual discovery that we are descendants of the Williams family of Mayflower stock which amused Mr Reed very much. He said

"Say if it should prove that you are a

SUFFOLK UNIVERSITY  
BOSTON

cousin to my wife, I might lose my job."

"My dinner engagement was for 6:15 at the Valle apartment at 55 Central Park West. Perhaps I should state that on the previous day I had visited with Rudy at the close of his rehearsal at the Times Square studios of NBC. I met his guest artist, a celebrated actress Lenore Urie. Rudy had then said that if he could arrange to get home Thursday evening for dinner he wished me to be his guest at dinner. So on Thursday noon he telephoned me at my hotel giving me the invitation.

I arrived at the apartments on time. Mrs Valle was looking better than when I last saw her. She had less paint and more health in evidence. This time she was dressed in black pygamas and they were more like conventional clothing in appearance than the red ones in which she was attired when I last dined there.

The dinner was delicious. Rudy was gracious and in high spirits. He tells me he is reducing for he has gained more in his waist line than he likes. The idea of a conference with the NBC officials pleased him, for he has had experience with their artists bureau and thinks they need waking up. He is the very lad that can do it and I

look forward to the meeting with pleasure for Mr Elwood will also be in the party, as I will point out in a moment.

I went to the studio with Rudy and we found Harold Brown, <sup>(Editor, Radio Digest)</sup> awaiting us at the stage door. The place was packed with the usual good crowd that attend the Fleischman Hour broadcasts but Mr Brown and I secured excellent seats down front.

Upon my return to Boston Friday morning I found many duties awaiting me. I wrote to John Elwood, telling him of my new radio line up and also of the luncheon conference. I expressed the ~~to~~ wish that he might sit in with us. Strangely enough Saturday morning a lengthy telegram arrived from Mr Elwood telling me that he had seen Mr Shaw and hoped that I would not make any radio commitments or speaking engagements until I saw him. He invited me to lunch with him Friday next.

The Yankee network matter still shudders for Linus Travers is so busy with other

matters (he is Yankee's sales agent) that I fear he is neglecting it. I had a conference with Roy Harlow the manager of the Yankee Network at noontime. He is very eager to close matters but has to wait for Travers.

An interesting development that awaited me on my return Friday morning was a letter from Henry Minott the New England manager of the United Press Associations (1300 newspapers) inviting me to write a brief story of the first Thanksgiving that could be sent out as an inspirational feature for his client papers. Although there is no money in it, it is a great honor and great opportunity so I at once agreed to do it. Mr Minott is a radio listener to my historical talks.

Saturday and a part of Sunday, were devoted to the task of writing the article. After about six rewritings I got it into shape that suits me. This morning I gave it to Mr Minott. He is greatly pleased with it and will have it put into type at once.

Well, tomorrow is election. Indications are that Franklin D. Roosevelt will be elected President. Hoover has made a very hard fight for the last month and has undoubtedly made gains but not enough to overtake Roosevelt. I



favored Roosevelt from the first but was afraid for a time that he might endorse the Soldier's Bonus, in which event I should have voted for Hoover. But he came out against the Bonus.

We are in a dreadful mess nationally - staggering burdens of taxation and the country prostrate industrially. In fact we have become so paternalistic as a government (commissions for this that and the other thing - bureaus that are frightfully expensive) that unless something is done and done soon to cut the expense of government we will face revolution.

Roosevelt promises drastic reforms in respect and a cutting of 25% in Federal expenses. Of course I am not gullible enough to believe that he will accomplish it but I see no hope under commission-loving Hoover.

The school is of course vitally interested in the local fight. We need a strong legislature of men who will curb the tendency to deny equal rights to every student. I have been making a special effort to defeat Davis of Haverhill, the senator who led the fight to prevent

interference with the farming out of bar exam papers. I assisted former Senator Arthur L. Nason in his fight for the nomination against Davis in the Republican primaries. Nason made a good fight but lost. The Democrat winner in the primaries was Rott J. McNamara. He came to see me and we agreed to work for Davis's defeat. I have since written a letter for McNamara's use. I also spoke over the radio (as a part of my regular broadcast Sunday) in which I laid Davis out in his proper colors. They tell me the fight will be close in the 4<sup>th</sup> Essex district.

So far as the state ticket is concerned, it is apparently nip and tuck. Sly has made a fairly good governor but he is so connected with the power interests through his law firm that he is a vulnerable candidate.

The local resentment against Roosevelt by the Al Smith Democrats of Massachusetts was a serious problem until within two weeks. I think however that it has changed greatly since Smith himself took the stump for Roosevelt, but not enough to take Massachusetts out of the Hoover column. So much for prophesy. Tomorrow will tell the story!

Nov 9, 1932

Well, the election of 1932 has passed into history as one of the greatest Democratic landslides ever witnessed in America. One could feel sorry for President Hoover. Roosevelt buried him as completely as he <sup>(Hoover)</sup> buried Al Smith four years ago. The depression was of course chiefly responsible but the President himself was no doubt responsible for some of his unpopularity. When he went into office he did so with as clear a mandate from the people to suppress the Eighteenth Amendment as could have been desired for the campaign of Governor Smith was fought on that issue. Yet Hoover appointed a commission to study and report. After long delay the ten members rendered eleven reports - one for the committee and ten minority reports. This furnished unlimited material for wet propaganda and sounded the doom of the amendment.

In this campaign we found both parties wet - the Democrats for open repeal of the amendment and the

Republicans for repeal in camouflaged form. This was a special cause of the explosion of the Hoover balloon. The super-man was so addicted to commissions to help him make up his mind that the people lost patience. Then in the campaign he made several mistakes. One was long dreary speeches - an hour or more in length whereas Roosevelt spoke much more succinctly and had a more pleasing microphone personality. Then again Hoover openly attacked Roosevelt which was in bad taste. The third mistake was to preach a doctrine of fear - telling the people that the election of his opponent would destroy the American system of government.

Early last evening the election returns began to tell of frightful disasters to Republicans in all parts of the nation. Senators who had long been leaders in Washington were being defeated at the polls. Even Massachusetts rejected Hoover. All day today it seemed that the entire state ticket of the Democrats had been swept into office tonight.

however, it appears that we have a Republican Lieutenant Governor, Secretary of State and Attorney General. Of course I am disappointed that that Bacon won the Lieutenant Governorship and that Senator Davis squeezed by with a slender margin of 500 votes or so but on the whole it was a favorable outcome for us.

Tonight we held a very successful meeting of Park Street Club. Gleason was voted in as a member - likewise other members. Professors George A Douglas of Suffolk and F Morse Wemple of the N.E. Conservatory of Music, Alden M Cleveland; John L. Clark, Program Director of W B Z - W B Z A; and Morris Shapiro Esq were proposed for membership by me. The club debated the Soldier's Bonus. The newly inaugurated dinner was a great success.

I saw in the paper tonight that Dr A J Conrad of Park Street Church, 76 yrs old, had taken out a license to marry Miss Jean Livingston, 27 yrs of age, and had secured a waiver of the five day law so I presume the couple were married last night. I am glad he has taken this action instead of waiting until June as was announced last September when this December

May romance was first announced. Since then there has been violent dissensions among the good sisters of Dr Conrad's congregation. The poor old birds think that they have been defrauded or something when their aged leader takes unto himself a fair young chicken. If the girl can stand it she will of course make the lousome old man very happy and by the time she repents of her bargain nature will come to her aid by making her a rich widow. So after all it is their affair.

Oh, I forgot to say that for several days I have been struggling with a severe cold but am apparently winning the contest which is quite important in view of my opening broadcast over the big network on Saturday.

Nov 16, 1932

My trip to New York last week was eventful. On Friday I met Mr Shaw at NBC for a preliminary conference which later adjourned to the Hotel Victoria where I lunched with him, Rudy Vallee and Chas Moyer. Rudy was enthusiastic and helpful in his part of the conference. Mr Shaw believes he has a prospective client in "Chase-Harris Forbes" and will see them about it before my next visit (Friday, November 18). Of course it is no easy matter to persuade a big company to

pay real money for the sponsorship of a radio program so I shall not balk on it. When the contract is signed will be time enough to rejoice. Some embarrassment has arisen over Moyers relations as agent in other matters and I feel that perhaps NBC is a bit sensitive over his being mixed up with me at all. So I am trying to iron the matter out in a way to be fair to him and to me.

The broadcast went over splendidly and I am gratified at the returns that have come in already. One pleasing development is that the "Radio guide" a weekly magazine in Chicago has asked for the privilege of featuring my talks each week. NBC is pleased at the idea so I have sent copies of talks for 1st three weeks to the magazine.

Nov 20, 1932

Another week has passed. I was in New York City Friday and Saturday. Mr. Shaw made an appointment for me with Bertha Brainer one of NBC's most brainy officials. She was very gracious and very much interested in the possibilities of my program as a commercial feature. She asked for copies of the

scripts of dramatic skits and promised to give them a thorough study, telling me however that the dialog parts would probably have to be written by one of NBC's technical staff.

I had a nice visit with John Elwood. During the course of our conversation he told me that in his judgment I was doing one of the very best bits of broadcasting now on the air. We have a luncheon engagement for next Friday. Donald Shaw asked me to see him again on Saturday morning.

When I arrived for the conference with Shaw he was upstairs at Miss Brainerd's office and I later learned they were discussing my program. He said she was enthusiastic over the skits but felt that they would have to be rewritten. He introduced this by saying "we may have to fight with you over it," but I assured him that I would gladly turn the story parts over to NBC.

He assured me that if I would prepare some broadcasts as samples on Insurance and Investments he was sure he could land a client. One thing that pleased me was when he said "you have a positively uncanny ability to translate a technical



and intricate subject into words that the ordinary person can understand."

My broadcast over the network went over unusually well. I now have forty stations in the printed listing.

Nov 21, 1932

This morning had typed an article intended as a broadcast on insurance. I believe it will be a most effective sales argument for Mr. Shaw. Before sending it out I took the precaution to submit it to the New England representatives of the New York Life Insurance Company. They gave me some valuable hints on how the policy paid to the widow might be even more valuable than I had pictured it. Sent article by special delivery to Shaw and Miss Brammer.

Late this afternoon John Clark called to tell me that NBC was in a great stew over the fact that Columbia had stolen a march on them and secured exclusive privilege of broadcasting the Brown-Colgate game on Thursday. They thought perhaps I might know some

prominent Brown graduates. I dry a list of trustees of Brown - New York bankers and others - also some in Massachusetts to be worked on.

Nov 28, 1932.

The Brown-Colgate game was broadcast by NBC as well as Columbia!

My expected conference and luncheon with Mr Elwood and Mr Shaw was a complete fizzle because Elwood was unable to get to town and Mr Shaw was tied up in conferences, program meetings and the like. So I devoted a good part of Friday and Saturday to writing history. For the first time that I have been in New York City I deserted the Victoria, because they were painting on my floor and the turpentine odor was terrible. I went to the loft.

My hopes of a sponsor are considerably lessened by the events of my last trip to New York. NBC does not seem to be very efficient in this respect. One idea that came to me while in New York may or may not prove of value hereafter. I have a large mailing list of radio fans. Many have requested copies of the talks so I am going to offer them a weekly service - mimeographed copies of the

lectures - offering five weeks for a dollar which will cover postage and labor. If a goodly number subscribe there will be some profit in it. So we are getting out the announcements, to be mailed out tomorrow. It will be interesting to see whether we break even on the venture.

Daughter Marian is home for her vacation of five days from college. She returns to Waterville tomorrow. We have had a happy visit with her although I have been too busy to be with her very much. Mother Snyder continues in very ill health - a nurse with her all the time and Elizabeth called upon to read to her and comfort her for hours every day. The way that my dear wife bears up under this burden is worthy of all admiration for her mother is now very childish and melancholy. She has anemia and a sort of curvature of the spine that seems to increase in severity every month.

School is progressing as well as could be expected - in fact better than could be expected due to Catherine's genius for collecting tuition from the students. Seizing upon the excuse of hard times many students were delinquent

in the payments - borrowing tickets from those who had paid who in turn called at Catharine's office for tickets on the plea that they had forgotten or mislaid their own.

The young lady made a survey and discovered that men were in regular attendance who had paid no tuition at all. She got my permission to abolish the giving out of free tickets and now charges a fine of 20 cents to all who apply for extra tickets (having paid their tuition) and it is working wonders. Men can no longer borrow tickets and they come across with weekly payments.

Dec 1, 1932

Not a word from NBC as to a commercial sponsor and no explanation from Donald Shaw of his failure to meet me at luncheon or for the expected conference on Friday last. He has evidently been given charge of a department and left my case because it is easier to make a record of sales along conventional lines. At any rate I am very much fed up on the delays and inefficiency of NBC's sales staff. For seven months I have been waiting and am now apparently no nearer having a commercial sponsor than I was last May. With the school facing a great ~~deficit~~ deficit and my salary cut

I certainly need to earn money.

A development at WBZ-WBZA troubles me considerably. NBC came through with a commercial program for 6-15 PM ~~for~~ <sup>five</sup> days a week that displaces the Christian Science monitor (a commercial account) and shifts them to 6:30. The monitor insists upon having my 6:30 period on Saturday but could have 6:15 PM to 6:30 on that day. John Clark is trying hard to persuade them to yield. The result is in doubt but if they prevail that cuts my law talks off from New England entirely. I also received word from WBZ-WBZA that a commercial account would crowd me out of the 7 PM spot to 4 PM on Sundays for my history talks

— Evening —

A very busy and gloomy day. We finished the heavy task of mailing out about 4500 circular letters concerning the proposed mailing service for my radio lectures. On the last mail today arrived the first return - from a man in Philadelphia and he subscribed not for five weeks but for less! It is of course a pleasing development but does not necessarily

indicate success of the venture. Catharine is the Director of the "Radio Bureau" as will be seen from the following:

LAWS THAT SAFEGUARD SOCIETY

(Blue Network, NBC - Saturdays 6:30 P.M. Eastern Standard Time)

Dean Gleason L. Archer's internationally popular law talks are back on the air, after several months of vacation. Yielding to the unprecedented demand for authoritative and immediate copies of the new series Dean Archer has consented to the formation of a "Radio Bureau" on the following conditions.

- First: That each talk will be mimeographed and mailed to subscribers not later than the Monday after its delivery on the air.
- Second: That the cost of weekly service to subscribers be set at the lowest figure consistent with the expense of stencils and labor, paper and supplies, mailing service and postage.

Sunday December 4, 1932

Developments of the past two days go to prove that in the blackest hour hope is not entirely beyond reach. Friday morning I turned for diversion to my history writing but in the late afternoon I decided to go in person to WBZ-WBZA in order to know exactly what to expect on the chair broadcasts. I knew that John Clark had been working valiantly to save my period. When I arrived however there was a heavy conference on and John could not be seen. His assistant Gordon Swan gave me the joyful news that the Christian Science Monitor had agreed to waive ~~their~~<sup>its</sup> claim to my period 6.30 P.M. which was the first break in the clouds. My history broadcast would have to go on at 4 P.M. however, the hour of Father Coughlan's very popular talks to which all good Catholics listen religiously. While at the station I thought I would see Mr. Ross the commercial factotum. He was expected every minute so I sat down to wait. Noticing "Radio Art" on his desk I picked it up to kill time. While glancing through its gossip columns I was surprised to see my name and a cooking story concerning me. There is some exaggeration in the

yarn, particularly in the statement that I am called to Washington to assist the great and mighty which has happened only once - the Prohibition muddle. At any rate my friend Brown (under a nom de plume) has done a handsome and unexpected thing - I append a copy of the article

## ◀ Radio Village ▶

By Robert L. Kent

GLEASON L. ARCHER, the indefatigable dean of Suffolk Law School, Boston, is a man of the most extraordinary energy. He knows everybody and goes everywhere. We met him at the stage entrance of the Times Square Studio the other night. He came dashing up with Rudy Vallee. They roam around together a great deal when they are in the same town. He comes down to New York from Boston to broadcast on Saturdays. His "Laws that Safeguard Society" have a great pull. He has been putting them on for two years over WEA. They switched networks on him this month and thought he would probably only carry a dozen stations. But as soon as the Blue stations heard about it they wired in one after another until 38 had signed up for the first of the new series.

Besides doing his NBC coast-to-coast broadcasting Dean Archer talks at frequent intervals over various of the Boston stations. He also actively supervises and lectures at his school. Between times he goes before assorted legal bodies and denounces the legal trust. Sometimes he scoots across the continent to say a few words to assemblies of lawyers. Leaders of Congress frequently ask him to visit Washington for consultation in regard to proposed legislative matters. He spends his late hours writing books, especially interesting history books for children, which are published by the Century Company. He also has written over twenty law books. At other idle moments he works at a series of movie shorts wherein he dramatizes some of the absorbing court cases he cites in his lectures over the air. Dean Archer is a New England giant in stature and mentality. He never gets tired. He is perpetually young.

Alas! I do get tired despite the printed statement and especially tired of the delays in this business of a commercial sponsor. Well, I couldn't wait for Ross any longer so returned to my tasks at the school. There was no word even on the last mail before leaving for New York from the silent



Shaw, despite my letter of Sunday and his discourtesy of Friday and Saturday of last week.

Not having heard the final word from the Yankee Network I resolved to swallow my pride and call LeRoy Harlow the director. By good fortune I got him on the phone before he left his office. He was most cordial and congratulated me upon the way my history talks were "going over". Best of all he told me that Linus Travers had reported that the client was still decidedly interested but was postponing action until after the holidays. This was a bit of cheer just when I needed it most.

When I left Friday night we had received only two paid subscriptions to the mailing service. When I returned this morning I found a note from Catharine saying that six others came in Saturday morning. A small beginning but at least a beginning.

~~What~~ Dr Gordon gave me one of his man-handling osteopathic treatments after 4 P.M. so when I took the train I was decidedly weary. The porter asked when he should call me, to which I replied that I never needed

to be called. When we reached New York City I was wide awake the moment the train stopped in the grand Central. The porter was quite astounded for he said "Man! your alarm clock was so nuff working just as yo said it would."

Charles Meyer, coughing and flushed from the cold and flu that has afflicted him for the past month came to see me before I left <sup>(Victoria)</sup> the hotel to go to NBC. I was glad to have an excuse for a brief visit with his germs.

On the way over to NBC, I called at Rudy Valle's office for a moment finding Mrs. Diven, his publicity director or fan mail answerer, there. Rudy was over in Brooklyn where he is playing at the Paramount. They are pleased at the article I wrote for the fan paper "Rudy Meets".

When I arrived at NBC Shaw was too busy to see me immediately, so after I had waited as long as I thought proper it seemed wise to strike for a higher authority.

At my request the girl at the 3rd floor desk called Mr. Elwood's office and to my surprise and delight he was in and asked to have me come up. In response to his cordial greeting I told him that I was trying to find out what had "torpedoed" my sponsorship hopes. When I had recited my treatment by Shaw

Elwood, like the good friend that he is, at once called Shaw on the telephone and asked him for information as to my case, telling him that he was especially interested in getting me a commercial sponsor and wished to be kept informed of every development. After a somewhat lengthy conversation he told me that Shaw has three prospects and that he had really been working on my case. A luncheon has been arranged for Wednesday at which Mr Elwood will endeavor to help Shaw land the most promising customer.

Mr Elwood was greatly pleased at a letter which I received a few days ago from the Univ. of Wisconsin asking my advice on Radio broadcasting. He was likewise exuberant over my listing of stations and especially the map showing the distribution of stations.

"I guess you have them all," he said but I called his attention to the fact that KDKA of Pittsburgh is not on the list. Whereupon he called a stenographer and ~~wrote~~ dictated a letter urging that station to come in. While in Mr Elwood's office

I seized the opportunity to discuss John Clark and WBZ. Mr. Elwood seemed much impressed by what I told him and intimated that after the holidays he would come to Boston for several days and make a personal survey of the situation.

My broadcast last night went over especially well. This morning when I stepped off the train in Boston a plump darky Redcap took my bags and gave me a glowing recital of how he and his wife listened in and at the close she said to him "So you see, you don't get nothing!" This was with reference to a story in my broadcast of how a poor man married a rich wife and was then unable to prove an ante nuptial agreement for a share of her property.

Monday. Dec 5, 1932

The returns from our circular letter of last week are very meagre up to date - a dozen or so, which doesn't look as though our mailing service would be very strenuous. There is somewhat of a response to my statement of Saturday night that the mailing service is in operation but of course times are very hard and many people

are unable to spend money. Many others are willing to listen but have no interest beyond the entertainment thus afforded. Radio listeners are so used to handouts that to pay for anything is very ~~bad~~ distasteful medicine.

Tuesday, Dec 6, 1932

A very interesting development today!  
 At about 11 A.M. Walter Myers of WBZ telephoned to me that Edw C Stone of the Employers Liability Corporation had just returned from Europe and was now in New York. He had telephoned <sup>Arthur D.</sup> Mr. Grose of his Boston office to get all the facts concerning the radio history of Dean Archer. Myers invited me to be his guest at the dinner of the Advertisers Club at 12:30 at which time I could meet Mr. Grose.

Well, we met and did not separate until 4 P.M. I certainly have Grose most favorably disposed toward me. If the rest of the story develops as well this may be a momentous day for me.

More subscriptions for the radio talks so that we now have twenty one on the mailing list.

Thursday, Dec 8, 1932

It seems almost too good to be true but a telegram from Donald Shaw arrived a little after 6 PM asking me to come to New York City at once for an important engagement tomorrow. John Elwood had promised me last week (see page 164) that he and Shaw would lunch with a prospect on Wednesday. Evidently the luncheon was postponed until today because shortly after noon today I received a telegram from him reading thus

PATRONS ARE REQUESTED TO FAVOR THE COMPANY BY CRITICISM AND SUGGESTION CONCERNING ITS SERVICE

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable sign above or preceding the address.

# WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

1201 S

SIGNS

- DL = Day Letter
- NM = Night Message
- NL = Night Letter
- LCO = Deferred Cable
- NLT = Cable Night Letter
- WLT = Week-End Letter

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown on all messages, is STANDARD TIME.

Received at Western Union Building, 218 Congress St., Boston, Mass.

NC7 07 12=HO NEWYORK NY 8 1146A

1932 DEC 8 AM 11 58

DEAN GLEASON ARCHER, SUFFOLK LAW SCHOOL

20 DERNE ST BSN

MINUTES IN TRANSIT	
FULL-RATE	DAY LETTER

ARE HAVING LUNCHEON TODAY WITH MR FRANK ARNOLD AND MR SHAW

REGARDS=

JOHN W ELWOOD.

Evidently they hunched to some purpose for Mr Shaw's telegram seems to be the direct sequel of the conference. Because some word of this sort has been so long hoped for but never realized that I insert it herewith.

PATRONS ARE REQUESTED TO FAVOR THE COMPANY BY CRITICISM AND SUGGESTION CONCERNING ITS SERVICE

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Received at Western Union Building, 218 Congress St., Boston, Mass.

1932 DEC 8 PM 5 40

NB885 13=HO NEWYORK NY 8 529P

DEAN GLEASON L ARCHER, SUFFOLK LAW SCHOOL=  
20 DERNE ST BSN=

MINUTES IN TRANSIT	
FULL-RATE	DAY LETTER

PLEASE BE IN NEWYORK TOMORROW MORNING IF POSSIBLE HAVE  
IMPORTANT ENGAGEMENT FOR YOU=

DONALD S SHAW.

I am not counting chickens or rejoicing over anything but the opportunity to meet a live sponsor face to face. If I cannot make him see the value of my work from the radio angle then I do not

deserve to be on the air except as an amateur.  
So here is for the new day and my longed  
for chance to make the grade.

Friday, Dec. 9, 1932

In New York City. Well, I held my conference  
with the gentleman, Frank A. Arnold, Vice President  
Albert Frank - Guenther Law, Advertising Agency but  
I have no great hopes of immediate action on his  
part. Mr Arnold is a man of about 65 I should  
judge and he evidently has valuable clients in  
Wall Street. We lunched together at the Victoria  
and discussed matters at length. He thinks that  
the New York Life would be a valuable prospect  
but says that he would not be able to reach  
them because they are not clients of his  
agency. He says that he has a client that  
would no doubt put me on at W.O.R. when  
I am in New York for my other program, but I  
am not very keen about it. I cannot afford to  
go on a mere local program at small compensation  
nor have too many irons in the fire. Frankly I  
am disappointed at the result of this con-  
ference for it seems to me that NBC is  
merely turning my case over to a private  
agency that does not have the type of client  
that I need.



In the late afternoon I had a brief and pleasant meeting with Rudy Vallee at his office at which I called on my way over to NBC. He was to see Lew Diamond at Paramount - Publix and said he would remind Diamond of the movie shorts that we discussed last summer.

I was unable to see Donald Shaw at NBC because he was tied up in some conference but Mr Elwood was in and we had a very pleasant chat. As usual he said some very nice things about my broadcasting and expressed great interest in the Employers' Liability overtures. He told me that he was coming to Boston Sunday night for a conference with E A Filene who has established a fund for educational purposes ~~to~~ and has expressed his interest in radio - in fact has an appointment for Mr Elwood to visit at his home. Mr. Elwood declared that while in Boston he would be glad to meet Mr Stone of the Employers' Liability and endeavor to do some high pressure salesmanship in my behalf.

December 13, 1932

Well, Mr Elwood is in Boston. He telephoned me last night and we made some tentative arrangements for a luncheon today. Mr Myers will endeavor to get Mr Stone into the party.

I received a wire from Donald Shaw last evening in which he asked me to report in New York Friday morning because he had something important on hand. In fact he urged me not to commit myself to anything until I saw him. This sounds good but of course you never can tell. I do hope it is a real client this time and not a mere advertising agency man.

Drat it! I have another cold - have had about three head colds in succession during the past month.

DEC 15, 1932

That cold has all but got me down. I have been to Dr. Reardon the specialist twice for throat and nose. Dr. Prior has been dosing me with drugs for two days but I have had a most miserable time of it. It is now 10 PM and I leave shortly for New York but my nose is inclined to drip and to act as though the cold was new instead of two days old. I am sorry that it is necessary to go to New York with such a cold. I am due for a conference with Mr. Arnold tomorrow morning. By the way a letter from Arnold explains the telegram from Shaw. Arnold says "I am pleased to find some interest among our mail

street clients and I am hoping it may result in a connection agreeable to us both."

He asked me also to get some letters from people whose names would carry weight with his clients - President of the Boston Chamber of Commerce and a professor at Technology. I have gotten the letters. Professor Spofford of Jay, Spofford & Thordike was very gracious. I also have a fine letter from Attorney General Joseph E. Warren and from Mayor Curley. I have also dug up a lot of fine letters from lawyers and judges that should set their minds to rest on how the profession regards the talks.

NY City Friday - Dec 16, 1932

My conference with Frank Arnold today was somewhat more encouraging than that of last week. He has a client the Chase Harris Forbes group that desire more information concerning the reactions of the legal profession to my law talks. I was somewhat dismayed, however, to learn that Arnold thought that \$250 a talk would be a fair figure. I told him that I would not be greatly interested in such a proposition - that I felt it would be setting my services so much lower than the "idiotic

comedians who pull down \$5,500 or more for a broadcast that the bankers would think I wasn't worth hiring. I pointed out that I have no competitors in my field and have built up a reputation as a broadcaster over three years of very successful experience. To expect me to begin where an unknown might be obliged to start was not my idea at all.

Later in the day I talked with Phil Carlin and persuaded him that \$500. should be the minimum but of course the matter of price is something to be considered with great care.

NY City. Saturday Dec 17, 1932.

Groggy from grippe or flu or whatever ails me I have carried on successfully. Went to bed quite early last night and while I had some difficulty in sleeping I had equal difficulty in getting up this morning. A brief conference with Moyer who believes that the Herald Tribune is interested in a series of articles on divorce from my pen, preceded my trip to NBC for a conference with Mr Elwood. The latter's secretary had called asking me to be over there at 10:30. Mr E. came into the building just as I arrived so we went to his office together. We discussed price and he revised his original ideas on the subject. We finally decided to stall Mr Arnold off on price until we could give him more thought. After my return to the Victoria

I set to work on the rough draft of a letter and while analyzing the situation on paper have almost arrived at a conclusion that I cannot afford to work for the Chase Bank at any price. This conclusion was ~~not~~ influenced somewhat by a speech made in the US Senate yesterday by Senator Huey P. Long in discussing the proposed plebiscite in the Philippines: "The ballot box better be put under the dome of the Chase National Bank, the House of Morgan and Kuhn Loeb & Co than send it 10,000 miles away." I did not realize that the Chase National Bank was a stronghold of the "Interests" but Huey has identified it for me in the nick of time. Perhaps I had better boost my price to \$1,000 a talk and take a chance on scaring them away. Anyway this would not be an exorbitant figure because I am a legal expert and am obliged to devote a good deal of valuable time to research and composition.

Wednesday, Dec 21, 1932

On Monday I wrote to Mr. Allen setting forth my reasons for a substantial fee if I were to undertake the job of broadcasting under the auspices of the Chase National Bank. Instead of stating a definite price however I merely threw out the suggestion that Rudy Vallee made to me some time ago - namely, that I should have at least

\$1500. for each broadcast.

This morning a letter from Mr Arnold arrived in which he asked me to fix a definite price but there were no expostulations nor pleadings to reduce my figures implied by the Rudy Valle estimate. This in itself is hopeful. So I sent him a special delivery letter in which I set forth additional reasons why the broadcasts should net me at least \$1000. per. I ended with a suggestion that he ask \$1500 but if he saw difficulty was authorized to reduce the amount but not below where it would net me \$1000. per.

A letter from Mr Instill of the Artists Bureau also arrived <sup>this PM</sup> in which he asked me to see him Friday. But I explained that I have no broadcast this week and that I had already set a figure in my letter to Mr Arnold so perhaps that would answer the purpose without the special trip to New York this week.

My ~~cold~~ <sup>cold</sup> has hung on - is hanging on like the old man of the sea but tonight I resolved to fast until the blessed distemper gives up the fight. Hiram

has just cured a cold that way.

Today I had an air filtering machine installed in my room, the windows having been weatherstuffed last Monday.

Friday Morning - Dec 23, 1932

The air filtering device is working very well and will no doubt prevent the distressing accumulation of soot and ashes that has been coming into my bedroom and study. It was really dangerous to health to breathe it night and day. Speaking of health my cold, flu or whatever it is, has responded a bit to the fasting treatment or rather fruit diet but I am still an invalid.

The sponsorship matter rests as it did with no further word from New York. If I do hear favorably it will be an immense relief but I am so used to disappointment that I have a feeling that my chances are not materially affected by the price charged. At a ridiculously low price the game would not be worth the candle but at the price I have set it would be decidedly worthwhile.

Sunday, Dec 25, 1932

Christmas found the entire family at home. Allan came home a week ago, all the way from Ann Arbor by bus. It was somewhat of an endurance test I fear but the saving of money was very considerable \$16.10 as compared with \$70. or so by train. We were

gratified that he thought enough of home ties to come home for the holidays in any such inconvenient way. Marian came down from Waterville, a week ago Friday. My gold had improved enough so that I dared go to church with the family - at Park Street.

I sat in the far end of the pew where I could see my splendid family. Elizabeth, so youthful in appearance that she looks almost like an older sister, was sitting between me and Gleason J. Marian was very charming in her Christmas outfit sitting between her big brothers.

Allan has ~~the~~ a reddish mustache which he crops and shaves down almost to the lips - so it forms an enlarged eyebrow over his generous mouth. Such is the present style among young men, but I must say that it is much less becoming than one he raised a year or two ago which covered the entire space from nose to lips. Allan is a fine looking intellectual, a bit down and stooped. His eyebrows are dark and shaggy so that <sup>with his glasses</sup> he has a Kipling-like appearance.

Marian is tall and slender with dark eyes, somewhat aslant, that give



her almost an oriental type of comeliness. College has given her poise. She is very graceful. There is one rather lackadaisical young man who seems to be the nearest approach to a regular "boy friend" named Gerald Foley. He and his mother and another young man of the family, were her to dinner today. But I have no idea that a romance will progress far because Foley does not act to me at all like a chap who is in love. For three years he has been paying some attentions but since he almost never writes to her and calls on her once in a dogs age there is no very marked evidence of being in love. He certainly doesn't act the way I did when I fell in love with her mother - letters every day when we were separated and a great nuisance to her when I visited at her home for I just naturally followed her around the house.

Gleason looks taller than ever when I see him with Allan and Marion. He is a fine lad and we are very proud of him.

Yesterday I found an essay - "A manuscript from life", written in 1914 on Christmas Day. It was a minute by minute chronicle of events - baby Marian in my study "taking a nap" in a wide awake fashion and the rest of the family in characteristic moods. This

I read to the family causing much merriment thereby.

Today we had as company three Theologs so with five Archers it made a goodly party. In the afternoon we went to Nowell for a ride and incidentally to get some apples all of which was accomplished in due course with a return to Boston at 5 P.M. The old Stearns Knight behaved admirably. One of the Theologs sat in front with me while two sat in back with Marian.

I see that I have neglected to state the cause for the quite maraculous cure of my cold. For more than three weeks I had battled with the distemper - two trips to Dr. Reardon the throat specialist and medicine from Dr. Prior. But in spite of all my nose continued to drip, my throat to be raw and choked up with catarrhal croup. Then I tried Hill's Ascaro-quinine. No results. Bronchitis or pneumonia seemed imminent. I finally concluded that food was bad for me, merely furnishing fuel for germs to thrive in. So I went on a fast - using fruit juices and tomato juice - for three days. Still no improve-

ment. I was growing weaker and my nose behaved as though I had a brand new cold. On the third day which was Saturday I was so desperate and so discouraged that I decided to cut out all nourishment. It occurred to me that the remedy used by my great grandfather Simon Williams of Great Pond was worth trying. I therefore settled down to a glass of cold water every fifteen minutes. I kept this up for three hours. Then I took a walk and the farther I walked the more alluring became the idea that a piece of steak would taste good. I knew that was a good sign so did not discourage the idea. In fact I bought a slice of rump steak and Saturday evening cooked myself a piece of it. By this time a distinct improvement in my cold was manifest. Sunday morning I was able to go to church and in the afternoon to broadcast. Today I am able to drive to the country.

Tuesday, Dec 26, 1932

I have had the girls typing a "log book" of my radio lectures which I laboriously compiled during my three days of fasting. It covers every station over which I have broadcast law or history, giving the

of each as checked from NBC weekly records in my scrap books. It makes a very imposing array. Over a total of 61 stations on the Red Network I have a grand total of 2729 broadcasts over the Westinghouse (WBZ-WBZA)

274	"
3003	

Blue Network - Nov 14 - Dec 17

200
3203

There was a total of 78 stations because many stations formerly with me on the Red network (23 of them) came with me onto the Blue. I am planning to use this as ammunition for my New York campaign. I go to New York tonight for two days.

New York, Dec 29, 1932

Arrived early yesterday morning at Hotel Victoria and found a letter from Mr Arnold asking me to call him early. This I did and we made a date for 12.45 M to lunch at the Victoria. I also called Mr Tuttle of the Artists' Bureau and he accepted an invitation to dine with us. At the last minute however he was unable to get away.

I had been very industriously tabulating an index of important stations with the numbers of broadcasts in order to create

a picture (by statistics) showing where my radio audience is thickest. I had a set made up for Mr Arnold, which he seemed very glad to get.

He and I had a long discussion of the matter of price for my services and he quite convinced me that I could not hope to get anything like a thousand dollars a talk. He pointed out that my services must be sold as an entertainer and not as a legal expert which after all is sound logic. After we had lunched we went to NBC by taxi (raining dreadfully at the time) and then parted.

I discovered to my pleasure that a new station ~~the~~ KSO had come onto the network. Mr Tuttle was very pleasant and when he found that I had the copies of my proposed movie shorts he took me to Harold Kemp who has this type of matter in charge. Kemp read two of them "Right to Kill a Fleeting Burglar" and "He Married a Kleptomaniac" - both of which he pronounced good and agreed to take to Warner Brothers. He will have a report for me in about a week.

While Kemp was reading the scripts I had a disturbing thought about the Wall Street proposition! It is quite evident

would be the hardest possible clients because the depression has made all of Wall Street firms so unpopular. The prostration of business would prevent people from patronizing them, so that my very best service might not produce a single ripple in their pool. This would mean disaster to me as a broadcaster.

~~The~~ After leaving NBC I went to Rudy Valle's office, in part to thank him for the very useful Christmas present (a 22 yr calendar - a revolving dial with a triangular opening that upon being revolved discloses every week of each month from 1920 to 1942) and in part to ask his advice. Rudy thought it was somewhat risky but that if I had a reasonable guaranty of time it might be worth trying - if my compensation was adequate. He admitted that there had been a great slump in prices paid.

This morning I talked with Mr Arnold again and he assured me that if we did business he would surely safeguard my rights by a long term contract. There the matter stands.

I have invited Harold Brown to go with me to Fleischman Broadcast tonight and to a movie afterward. He has accepted.

December 30, 1932

Returned to Boston on the morning train. When Editor Brown called at the hotel last evening he told me that he had two tickets to the grand opening of "Radio City" - the Roxy Theatre and would like to have me go with him. So we compromised by going to the opening period of Rudy Vallee's broadcast and then hurrying over to Radio City.

The latter place was a scene of great bustle and pomp. The Rockefellers and the great and mighty were there. In fact it was considered a great honor to be in the place on opening night. Tickets in the hands of speculators were reported to be selling at fabulous prices - as high as \$75. a pair. Well, our tickets, second balcony centre were excellent and cost nothing.

The theatre was gorgeous in the extreme but the show was <sup>but</sup> a show after all. In fact the feature picture got started so late that I was obliged to leave before the affair was over - a very close call in reaching my train at that.

Mr Arnold had requested me to find someone who knows John R Macomber, Chairman of the Executive Committee of Chase Harris Forbes and have them write to him about my broadcasts. I happened to remember that Sheridan Thorpe, a Suffolk graduate is Vice President of the Boston Branch, so I went down to see him. To my surprise he told me that Macomber was in town and he would gladly speak to him. Later in the day he told me that Macomber had assured him that he was at all favorable to radio advertising but if anything should develop would be glad to let me know.

This news torpedoed Mr Arnold's plan without much question because Mr M. is the controlling figure in the bank at present. So I am wiping that prospect off the map.

Today also I learned from Roy Harlow that the sponsorship of my history broadcasts by the First National Bank was definitely off. Thus another hope goes a glimmering. Harlow assured me however that he was keenly interested in the broadcasts and that the Yankee Network was ~~at~~ actively seeking



a sponsor in other directions. Since I have heard nothing at all from the Employer's Liability Company it looks as though six months of effort to secure a sponsor had ended right where it began.

I have spent time and money in the chase but then it was a case of nothing ventured nothing won. I am not sorry that I made the attempt for I can <sup>now</sup> settle down to the task of improving the quality of my radio output, with more time in Boston and less interruption of school duties.

I am somewhat worried over Catharine's health for she has been losing weight lately. She is so conscientious and takes her school duties so seriously that it taxes her nervous energy beyond reason.

Saturday Dec 31, 1932

I worked all morning long on Treasury accounts but this noontime took the family, Elizabeth and the three children to dinner and then to a show at the Lancaster Theatre. We saw Joe E. Brown in a screamingly funny movie named "You Said a Mouthful". I had seen it before but it is such a wholesome play I was willing to see it again in order that

we might have something that all would enjoy.

Allan goes back to college tomorrow and Marian on Monday so we will soon be reduced to three once more. It has been very pleasant to have the whole family at home. We cannot hope for many more such reunions for Allan will be working in Philadelphia within a year or so.

Sunday January 1<sup>st</sup> 1933.

Well, the old year is over and the new year has begun. What it holds for the people of the world no man can foresee. Few of us thought one year ago that the great industrial depression with its tragic phases of unemployment and distress could last the year through - yet it is still with us. Distress is more widespread and profound because in a year's time the world has eaten up a good bit of its reserves of wealth. Yet at the same time there are signs of revival in certain fields of industry. We know that a revival of industry must come sooner or later and we hope and pray that it will come this year - 1933.

My own prosperity has suffered grievously in the past twelve months. The school has for years been facing a steady decline in attendance but the past year was the first <sup>for many years</sup> in which income and running expenses have jostled each other. This rendered necessary a cut in my salary. But this year we have promise of a considerable deficit and my salary has been still further curtailed in an effort to balance the budget.

The most distressing phase of all however has been the alarming condition of the real estate

market. Rents have shrunk terribly and many vacancies have occurred in my twelve houses in Arlington. The six-~~room~~ apartment building in Albeton ~~on~~ which I was unwise enough to take over for an unpaid second mortgage proved such a burden that I was finally obliged to give the property away, losing four or five thousand dollars in the process. This is merely a sample of what is happening. Banks that hold mortgages on my houses are insisting upon large payments on the principal despite the fact that rents are so unproductive. Thus I am facing a year of great perplexity and hardship but the good Lord has helped me in former dilemmas and I would be mean spirited indeed to doubt Him now.

The new year began clear and cold - about 8 above zero. Allan started for Ann Arbor on the bus this morning. Marian will leave tomorrow for Waterville. Since the first day of January is a holiday and we have an unfortunate habit of refusing to permit a Sunday and a holiday

to coincide then it will be necessary to observe tomorrow as the 1<sup>st</sup> of January. School duties will therefore stand over until Tuesday.

In preparing for my broadcast of today I decided to enlarge somewhat upon the story of Peckno's great exploit in his encounter with Captain Harlow the kidnapper. The result was that I completely rewrote the story of the flight with the stolen long boat and the battle on the beach so that I made about ten pages of thrilling yarn out of what had formerly been contained in two pages. My broadcast (at WBZ) came at 4:15 today. I have reason to believe that it went over well.

My present plans are to carry on with my broadcasting both in law and history but I have no real hope that I will find a commercial sponsor. But fortunately for me I have a comfortable savings bank reserve fund upon which we can rely if necessary to tide us over until more prosperous times - more than \$40,000 in cash.

My assets in school bonds and in real estate may properly be termed "frozen assets" just now and as for my stocks it would be

folly to sell any of them in the present depressed market. So modest expenditures and careful managements of school and personal expenditures will mark my conduct for the next few months.

Jan 4, 1933

Two busy days have elapsed. Since recovering from my cold - and possibly because of the rest over the week end - I have been able to accomplish a great deal of work without feeling headachy or used up in the least.

I have been paying up a quiet of bills and making a careful survey of the expenses that may be expected for the balance of the year. By extremely careful management I should be able to keep the deficit down to a modest figure but a deficit seems to be inevitable. Another thing is ~~is~~ certain. Next year I must make very drastic changes in order to balance a budget on the greatly reduced income. While we will probably have a total of \$95,000 or so this year I feel quite sure that \$70,000 will be a reasonable figure for next year.

This means that we must cut down in all directions - getting back to the simplicity of old days so far as it can be accomplished with our mammoth plant.

A letter from Frank Arnold today indicates that he still has hope of doing something with Chase National Bank. The fact that Aldrich, one of the Rockefeller clan, is the new President does look a bit more propitious. Well, I certainly wish him luck in his endeavors.

Thursday, January 5, 1933

The nation was profoundly shocked this afternoon at the news of the sudden death of ex-President Calvin Coolidge which occurred in Northampton Mass today at about noontime. Mr Coolidge dropped dead from heart disease, apparently with no preliminary warning. He had suffered from hay fever as usual this past summer and recently had been troubled by indigestion but not sufficient to cause him to ~~consult~~ <sup>consult</sup> a doctor. He was only 60 years old and the nation will suffer from his death because he might have rendered much service in the trying days of the near future.

**The Question**

**Resolved:** "That the United States Government Unconditionally Cancel All International Debts Contracted During the World War Prior to the Signing of the Armistice."

William B. Snow, *Chairman*  
Assistant Superintendent Boston Public Schools

**Affirmative**

BROWN, 1936

William Thompson, Jr.  
Alvin Sizer  
Theodore Tannenwald  
Frank Handy, *Alternate*

**Negative**

BOSTON LATIN

John F. Donelan  
Gleason L. Archer, Jr. —  
Joseph M. Foley  
Hubert H. Nexon, *Alternate*

**Rebuttal**

DECISION OF THE JUDGES

**Judges**

Hon. John J. Burns  
Justice Superior Court

Andrew P. Lane  
Traffic Manager Great Northern Paper Co.

Roy J. Heffernan, M. D.

Brown University Freshmen

v  
Boston Latin School

January 6, 1933

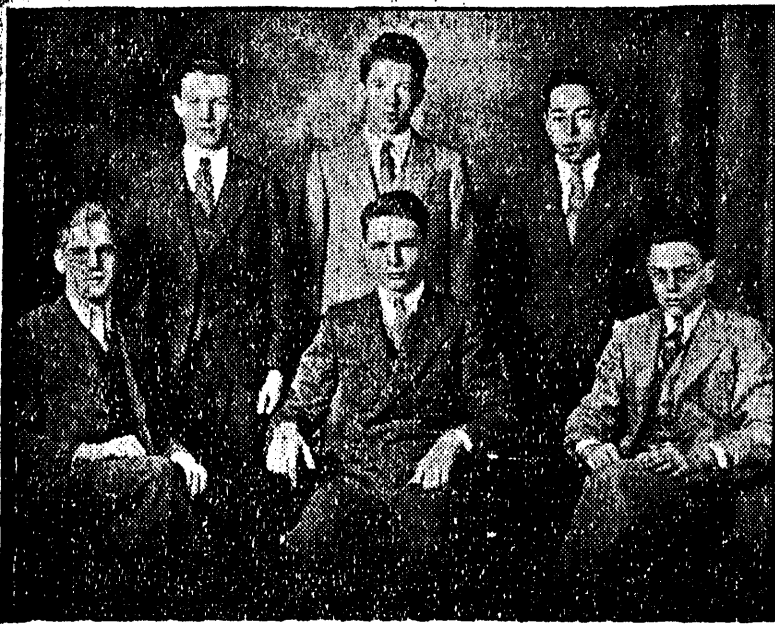
Jan 8, 1933

I am so puffed up with fatherly pride over the star performance of my namesake in the above debate that I have not been entirely normal since. Gleason surprised me last year by winning a place on the famous Latin School debating team and still more by assisting in winning the ~~at~~ debates with Brown and Harvard freshman teams. On Friday night however he displayed a new power as an orator that amazed and delighted me. His speech was unquestionably the most effective of all. His gestures were

Brow  
Frida  
Unite  
armi  
Smitt



# Will Debate Debt Question



Members of the Boston Latin school debating team who will meet the Brown University '36 team at the High School of Commerce assembly hall Friday night, taking the negative side of the subject: Resolved, that the United States unconditionally cancel all war debts contracted prior to the armistice. Standing, left to right, John F. Donelan, John Nolan, Morris Smith. Seated, Gleason L. Archer, Joseph M. Foley and Hubert Nexon.

aid to his argument. dramatic and a clear to drive home his point very size is an aid to

aid me greatly was woked up to him as the in won by the humor was descending from had Gleason's hand very earned that it was a gotten acquainted in nation tryouts and ha for him.

me and such a prom

mother! Although she had to cut prayer meeting to do it she was filled with rejoicing all the way home. We three came back in a taxi and I then got my bags from the office and hurried to South Station for my train to New York

The visit to the big city was devoid of noteworthy incidents. I saw Phillips Cui and told him that WBZ-WBZA had been freed off the chain by program changes indirectly originating at WB and asked if there was any objection

2  
5  
6



natural and effective aids to his argument. He has a keen sense of the dramatic and a clear head that enables him to drive home his points with telling effect. His very size is an aid to him on the platform.

One incident that pleased me greatly was when a schoolmate of his rushed up to him as the victorious team (Latin won by the unanimous decision of the judges) was descending from the platform and pumped Gleason's hand vigorously. We afterward learned that it was a Freshman who had gotten acquainted with Gleason at the declamation tryouts and has a great admiration for him.

Elizabeth was with me and such a proud mother! Although she had to cut prayer meeting to do it she was filled with rejoicing all the way home. We three came back in a taxi and I then got my bags from the office and hurried to the South Station for my train to New York.

The visit to the big city was devoid of noteworthy incidents. I saw Phillips Corbin and told him that WBZ-WBZA had been freed off the chain by program changes indirectly originating at NBC and asked if there was any objection.

eat

By Sa



to Mr Clark's plan of having me broadcast the talks on Thursdays after they had gone out over the chain. He agreed that the plan was OK. Upon his inquiry as to the size of my hookup at present I told him forty or so. Whereupon he replied, "That is too many! You have built up a valuable spot and some commercial account will grab it."

There is probably truth in that warning. By the way the latest weekly listing shows that I have the longest hookup on the Blue Network for Saturday evenings. My broadcast Saturday night was a complete success. The same was true of my history broadcast of today over WBZ.

I am writing a speech on Benjamin Franklin to be given on January 17<sup>th</sup>

Jan 19, 1933

The "flu" is very prevalent here and everywhere in New England just now. Elizabeth has been having quite a battle with it. She was very sick last Friday night after I went to New York and again on Sunday night. On Monday I persuaded her to take a bottle of citrate of magnesia which helped

to clear away the worst symptoms. We have felt that she was all over it but tonight she is so bad off with cramps and indigestion that I have called Dr. Timothy J. Goulding Goulding who treated her years ago for a similar trouble.

The doctor has been here and declares that Estable is with the gall bladder which is a far more serious matter than I had supposed. It is fortunate that we called him thus early in the case for with proper treatment and due regard to diet she should be able to avoid serious trouble.

Marian reports an alarming prevalence of flu in Waterville. The schools are closed and it may be that College will have to close. Several of the professors are sick abed and many of the students are laid up. I have written to Marian suggesting various precautions.

Tonight I gave the first mid-week broadcast on "Laws That Safeguard Society." I was crowded somewhat on time and also had a "frog in my throat" for a time. However I feel that I did a reasonably good piece of work.

Jan. 20, 1933

A letter arrived this morning from Frank Arnold in which he says that he had a conference with the Chase Bank group yesterday

which was most encouraging. He expresses a belief that there a prospect of getting my talks sponsored. Here's hoping.

Yesterday ~~there~~ came a ray of hope for the letting of 54 Hancock Street which has been on my hands tenantless since last spring. A proposal has long held fire for the Army and Navy Club to rent the building but there is now a definite move to do something. There is also a nibble from a person who desires it for a high class tea-room and residence.

Registrations for the mid year class are coming in meagly as I had expected but coming nevertheless. Some former students also are returning.

Yesterday I had a visit from Philip Samuels, who was a student with me from 1908 to 1910. On the previous day he had sent me a weird book which he had written and published. The poor chap had developed a religious mania and now believes himself to be the Messiah. He also thinks that he wrote Shakespeare's plays while on earth.

in the person of Francis Bacon. The book is surely one of the strangest ever published, for he ~~tries~~ endeavors to prove by his special brand of logic all of his absurd claims.

I endeavored to reason with him a bit but it was quite useless. He regards those who cannot agree with him as lacking <sup>in</sup> mentality or in willingness to see reason. Catherine and Brian were quite alarmed that I dared enter into a discussion with him. Brian thought that I ought to ask the police to look after him but the poor chap's delusion seems harmless enough and I should be loathe to cause his incarceration unless he actually becomes dangerous. As it is I have agreed to study his philosophy when I can find time and he to wait until then for an opinion on his book.

Feb 8, 1933

I was agreeably surprised today to receive a letter from Miss Bryant (Carroll A. Bryant) who was secretary and assistant to Phillips Corbin for the first year and a half of my association with the National Broadcasting Company. It was necessary for me to file with her <sup>at that time</sup> all advance copies of

broadcasts. She was a keen and efficient critic and her suggestions were of great value to me. At one time when there was danger that my program might be crowded off the air she went to bat for me and demonstrated how the program schedule might be so adjusted as to save laws that Safeguard Society. Miss Bryant had a nervous breakdown a year ago last summer and since then a very stolid party who is a mere receiving clerk and stenographer receives the manuscripts. Having lost sight of the lady for eighteen months it is good to know that she has made a sort of comeback. After building up her strength a bit she went to work for the Equitable Life Assurance Society at Radio Promotion work.

"The illness of a sister," she writes, "necessitated my resignation from the Equitable. At the moment I am working on a promotion job at Columbia University, but like all such it will soon end."

The real reason for writing to me was obviously this latter fact for she continues: "It will be sometime before ABC has an opening and since my other contracts have nothing, I am wondering

if you have any contacts here which might be profitable to me." I have written to her that I will look her up at her hotel Friday.

The second Semester is now in full swing and if no more calamities befall us it may be that the deficit can be combatted with a reasonable degree of success. Allene and Marian continue to write cheerful letters except that the bank situation in Michigan is bad and I am afraid son may have troubles.

The Roosevelt administration and who will compose its official family has first place in the public mind these days. It is generally believed that my good friend Mayor Curley is likely to land a cabinet position but there is no agreement as to what office he will hold. Job seekers are in a quandary whether Senator ~~Walsh~~ Walsh or Mayor Curley (political rivals) are the proper avenues of approach to the president-elect.

The Massachusetts legislature is all fussed up over the beer bill and also have proposals before the session calling for wide open gambling. A spirit of recklessness seems to be in the air.



Feb 12, 1933.

My call upon Miss Bryant was exceedingly interesting from various angles. The girl has turned gray haired since I saw her a year and a half ago. Apparently, she has faced some horrible ordeal but has bravely carried on. She is now working at the Academy of Political Science of Columbia University as secretary to the director, Ethel Warren or Warner if I remember correctly. Evidently the boss is a tyrant who drives his staff with erratic severity. At any rate Miss B. is in a very nervous and worn out condition - a tragic figure, for she has a sister to support. She tells me that she worked this summer with Francis W. Jacob who used to be a student in Suffolk many years ago. Jacob told her that I had no use for him, but strangely enough there is no record of my having disciplined or expelled him from Suffolk. No doubt there is a romance in the case. I have written to the young lady telling her of my findings.

The visit had its unusual angles and demonstrates that human beings are enigmas even to their friends. Having seen Miss Bryant every week for a year and a half and having observed

SUFFOLK UNIVERSITY  
BOSTON

her unusual executive ability, two or three telephones running at once, talking over long distance with Chicago, <sup>San Francisco</sup> or <sup>San Francisco</sup> or San Francisco, and still having chance for a gay exchange of repartee with me or a grave comment on this and that national problem, I had not suspected the warm human soul of the girl.

But in her little apartment, ~~totally~~ artistic and individual as its owner, she was quite another creature. Propped up in pillows, resting after a nerve wracking day - and alas! smoking cigarettes to make her nerves even more frizzled - she poured out to me such a flood of confidences (as though I were a "father confessor") that I saw her in a totally new light. The bravery and gallant spirit of so tiny a lady - ninety pounds of Yankee grit and courage - impressed me greatly. But it alarms me also. She became almost hysterical and exhibited unmistakable signs of one who is approaching nerve exhaustion.

~~Consequently~~ I was positively startled when I suddenly discovered that it was eleven o'clock and that I had kept her up so late. My apologies however were gaily waived aside. "It has done me so much good," she said. "We speak the same language - the language of New England." Her danger and her need of a job

lingered in my mind on the way back to Boston and so I have evolved a plan by which it may be possible to help her and at the same time to benefit myself. She knows the technique of radio as probably no other woman in America. That she has vision and ability is unquestioned. I have just written to her of my projected Life Insurance Broadcasts of a dramatic nature and have suggested that she assist me on Friday evenings in working out plans for a series of radio skits.

Feb 19, 1933

While in New York I called upon Miss Bryant to discuss the matter of radio sponsorships. While she was friendly enough yet she declared that because of her former connections in radio she felt that it would be a bit indelicate for her to try to engage in promotion work. In addition to that she was carrying so exacting a program at the Academy of Political Science that she had no opportunity to do any scouting around. She therefore returned a check for \$10. that I had sent her for expenses of taxicabs etc. Because she had done so much in continuity work on the radio I left with her one of my proposed radio dramas.

for her criticism and suggestions.

My broadcast last night went as usual and the history broadcast of this afternoon was up to standard. I am working on the history of Massachusetts Bay and especially am just now discussing the Jorges attempts of 1622 to establish colonies in New England.

The national situation is very grave indeed. The last weeks of the Hoover administration are filled with ominous forebodings. No one knows what Franklin D. Roosevelt will do nor how his attempts will affect the country. The stockmarket is distressingly low with stocks at ruinous prices, if one were to sell his holdings. How sad it is that an administration that came into power in a great era of prosperity, with bold promises of the abolishment of poverty, should have fallen into such an era of world-wide depression and misery.

In working over my income tax schedules I am shocked to discover that my Arlington real estate has cost me ~~over~~ over seven thousand dollars more than rent receipts for 1932 - this of course figuring payments on principal. The mischief of the situation is that the 1<sup>st</sup> mortgages on the houses have matured and the banks are making heavy demands for amortization

with threats of foreclosure.

It is very clear that I must do something to supplement my income because the slump in attendance at the school is so severe that my salary must be cut sharply - an inconvenient course when my life insurance premiums <sup>alone</sup> require nearly \$10,000 a year. Last summer I tried my best, with the help of Charles Moyer, to market some of my popular law discussions by syndicating them - all to no avail.

Perhaps the life insurance dramatizations may help us a bit. Frank Arnold has not been able to secure a banking sponsorship for my talks and under present unsettled conditions there is little prospect of success in that direction. Yes, life insurance is the one stable enterprise and radio is a growing avenue of advertising. The fact that Miss Bryant worked for nine months with the Equitable Life Ins Co in an endeavor to harness their advertising to radio gives her unique value to me in this connection.

New York City March 4<sup>th</sup> 1933

Well, I have heard the new president inaugurated - lying here in my hotel room, with the loud speaker on during the long period. Roosevelt's

speech was positively inspiring in its manliness and grasp. I was so impressed by it that I prepared a brief statement as a preword to my broadcast of tonight and thus was able to voice my endorsement of the administration to my listeners in all parts of the nation.

How unfortunate it is that the very able Senator Thomas J. Walsh of Montana, whom Roosevelt had appointed Attorney General, should have died on the way to Washington. He was recently married to a wealthy Cuban widow and the newlyweds were on the way to Washington when the senator died of heart failure!

Whether the bankers are staging a demonstration against the feared radicalism of the new administration or whether the movement is spontaneous is not quite certain but distressing things have been happening. Banks in Michigan have closed recently and many banks in various places are having heavy withdrawals if not actual runs. People are calling for gold as never before. This is a problem with which the new administration must grapple.

Miss Bryant has given me quite a list of advertising people who have ~~other~~ insurance connections, as well as Insurance officials who might be interested in my program of

radio skits for insurance. Her technical knowledge and experience are already proving of great value. My original scripts ~~were~~ were very inadequate and I am rewriting them and enlarging upon them. Miss Bryant's physical condition alarms me, however, for it seems too bad to cause her to work one evening a week when her days are so exhausting. Friday evening seems to be the only available time for her and for me. I am paying her \$5. a week for the thought and effort, as well as the time Friday evening - an absurdly low price but she will not accept more. In fact I have some difficulty in persuading her to accept ~~it~~ even that so have resorted to the expedient of \$5. gold pieces - and gold is so beautiful that she cannot refuse the "tip". Of course I am talking to her about the folly of cigarettes - injury to her nerves, etc. She admits the force of my arguments but there is no appreciable difference in her habit. Girls are funny anyway!

One thing that distresses me greatly: Miss B is trying to help an invalid sister and also an invalid brother, all on \$30. a week which is only a bit more than necessary living expenses in New York <sup>city</sup>. She has not

replenished her wardrobe apparently for a long time, since she <sup>now</sup> wears the same gowns that she wore at U.B.C. How long she can carry on at the present rate is uncertain, for Ethel Warner, the director of the Academy, is apparently a half-insane slave driver.

March 19, 1933

Things have happened too fast ~~in~~ the national arena to keep track of them. The bank holiday has certainly brought about a condition that reminds one of war time. Fortunately for <sup>at the school</sup> us, Catharine had not deposited the cash receipts and we are able to carry on without distress but the inability of the students to secure cash except in limited amounts is sure to have its effect upon us shortly.

My own affairs are at a standstill so far as sponsorship is concerned. Miss Bryant left her appointment to work on the radio skits ~~Friday~~ <sup>Saturday</sup> evening (I had arranged to discuss matters between acts of Katherine Cornell's "Alien Corn" which has just opened in New York); I arrived at the theatre late and found her in tears - a most dejected and pathetic figure. She told me that she had just learned of the death of her dearest friend. Naturally I did not feel that it was the proper time to discuss radio skits. The play was well



acted. Since it was the only time I have ever taken a lady (except my wife or daughter) to a theatre and did so in this case only because I was seeking to divert her mind from her troubles it was not a very auspicious evening. Obviously the girl needs rest immediately. I have advised her to quit the Academy and nothing but sleep and remain quietly in her room for a week or so. Have offered to give her employment for a month at her regular wage and let her work on the Insurance sponsored

March 27, 1933.

My well meant attempts to assist Miss Bryant have evidently been misunderstood or else she so far mistrusts her own ability as <sup>to</sup> lead her to doubt the wisdom of undertaking it. When I last visited New York she had been in a darkened room for a number of days, having left her job at the Academy because of eye trouble and headache, but she positively refuses to accept employment from me - scorning it as "charity," etc. yet she has on a small reserve, ~~the~~ balance of a loan from insurance policy. I tell her that she is in no condition to look for another job or to do ordinary office work but that she could use her knowledge of radio technique to assist me in

preparing the scripts, at the same time resting and building up her strength for an executive position in radio or its allied activities. She was very unreasonably and unjust - almost unbalanced in her mental state. So I have written to her and given her assurance that I will not bother her any more with my radio problems nor see her again but would be glad to make her a loan that will tide her over until she is in condition to return to work and has a job to her liking.

Life is so very perplexing just now. Somehow everything has gone wrong with me. The school is on the edge of disaster. My real estate investments ~~were~~ have turned out to be frightfully unwise - my stocks are worth about a third what I paid for them and the stockmarket is going down - down - down. The only thing that has remained constant is my life insurance expense - and that is a heavy burden indeed. Elizabeth's health worries me for the doctor (J F Goulding) told me that her tendency to bleed so much in her "change of life" was somewhat indicative of cancer or tumor.

February 7, 1934.

Elizabeth is in the Faulkner Hospital for observation, with a possible operation imminent. While she has appeared very well for months - in fact quite blooming yet the trouble the doctor warned her of (page 197) more than a year ago has continued to trouble her, yet she has hardly (and perhaps unwisely) kept it to herself. Friday morning Feb 2nd at an early hour she came to my room with a handful of letters that she had written <sup>during the night</sup> to be given to the persons addressed in case of her death and informed me that her hemorrhages had increased <sup>much</sup> so <sup>of</sup> late - an especially bad one that night - that she was convinced that an operation was necessary.

Had I known of her exact condition earlier I would certainly have insisted upon medical attention. Her mother has been at the point of death, or so it has seemed, for months and Elizabeth has felt that she ought to be nearby at all times. But even she realized that the time had come when she must give up and seek surgical relief. Her preference was for the Faulkner Hospital because it was at this place that a dear friend of hers, Mrs George E Robinson, had been operated upon successfully for tumors etc. Last

Spring. So I called the surgeon Dr Brodenick and made the necessary arrangements for her to enter Faulkner for observation, etc. When I visited her last evening she was very cozily situated and quite comfortable in body and mind. Surely the good Lord will not let any evil befall her!

Daughter Marion graduated from Colby in a blaze of glory last June, with her proud parents in attendance. We brought her home and tried our best to cause her to gain in weight. Home cooking did not have the desired result, so at the advice of friends I sent her to the New England Sanatorium. She stayed there about two weeks and lost weight as well as confidence in the place. The next move was to take her to a specialist recommended by Miss Bryant, Dr Arthur W Allen. He declared that there was nothing organically wrong with Marion and expressed his belief that she could accomplish naturally more than doctors or hospitals could do for her. The result has more than justified his prediction. She is now several pounds heavier than last summer and is running the bookstore at the school while studying law at Suffolk. Incidentally she is making an excellent record in her studies, despite the fact that swains galore

are paying her attentions. The leading figure just now is Nathan B Stone J.-J, New Haven (Yankee not Jewish Stone).

Allan won his master's degree at Michigan and is continuing to labor for a Ph.D. at the same institution. Gleason is now a Senior at Boston Latin School president of the Debating Club and a star performer generally. We are very proud of him.

I am still broadcasting history but am not on the network this year. Unless I can get a sponsor who will pay me adequately for my work I will use my time in other ways. The school suffered about the slump that I forecasted a year ago but there is one encouraging fact - the Freshman class is larger than <sup>that of</sup> last year. I am teaching regularly and devoting a great deal of time to the school. We have reduced our staff considerably.

Catherine, Margaret and Dorothy M are the survivors in the office staff, HJA and Kenneth in the Review Department. We have gotten rid of some of our less efficient teachers and have strengthened the school in many respects.

My financial condition is more favorable than last year simply because I have taken heavy losses and <sup>have</sup> made readjustments. My Arlington real estate was such a burden that I decided early in April to rid myself of it at all costs. It would have been injurious to my credit <sup>have</sup> to ~~permitted~~ a lot of foreclosures against me so with the advice of John J. Martin, former President of Exchange Trust Company I turned it all <sup>(except 118 Lake St)</sup> over to a real estate man, Rodney W. Long of Cambridge. He paid me one half of the net proceeds which ~~was~~ <sup>proved</sup> insignificant but it saved me worry and expense.

In August I sold the Norwell Bungalow to Catharine. Since she has been such a loyal and devoted assistant for so many years I let her have it for \$1500 (\$1000 cash and \$500 in U.S. Steel bonds, which cost her \$1100 or so). My idea was to realize a fair price on it by investing the \$1000 in good stocks at the ~~low~~ prices then prevailing and <sup>to</sup> hold the same until the market rises to a proper level. I bought 100 Commonwealth & Southern @  $3\frac{3}{8}$ ; 100 Cont. Motor at  $2\frac{1}{8}$  and 100 Curtis & Wright at  $3\frac{1}{2}$ . At present the stock is just recovering from a period of stagnation. Early in November I rented 59 Hancock Street

so that load will be off my shoulders hereafter  
 In July I made my first sale of stocks  
 50 Commercial Solvents which I purchased  
 Sept 6 1932 at  $11\frac{1}{8}$  but sold for 37+ at a net  
 profit of  $1302\frac{25}{100}$ . ~~Was~~ On Jan 30<sup>th</sup> 1934 I sold  
 50 shares of General Motors (purchased at 18, sold at  $40\frac{3}{8}$ )  
 for a net profit of \$1050.- and 100 shares of Chicago  
 M + St Paul at a net profit of \$290, so the  
 returns thus far have been decidedly encour-  
 aging. I reinvested a portion of the recent  
 sales in ~~to~~ seven stocks at a low price  
 and in three market days <sup>since the</sup> the stuff has  
 increased more than \$200. in value.

In the last entry in ~~April~~ <sup>March</sup> I mentioned  
 the fact that I had offered Miss Bryant  
 a loan. The unexpected result of the offer  
 was that although she refused the loan  
 she nevertheless sent for me to call on  
 her. At this interview held on March 31<sup>st</sup>  
 she gave me a complete explanation of  
 her extraordinary conduct.

It seems that during the previous summer  
 a schoolgirl romance had bloomed again  
 for her. The lover who had treated her so  
 cruelly when she was only in her teens  
 by going away to war and returning  
 from Europe with a wife had spent the

summer of 1932 in Maine. He ~~had~~ was now a widower and a professor of law in a mid-western law school. Miss Bryant was home for the summer and this scoundrel paid ardent court to her. She had resisted him in a book he was revising and during the process had fallen for his line so completely that she had expected to be married <sup>to him</sup> at Christmas time. After his return to his school and her return to New York their correspondence, ardent at first, became one-sided. At about Christmas time he finally wrote her with brutal frankness that he was not worthy of her and did not intend to marry at all. He intimated that he would like to have her as his mistress and she retorted with scorn, telling him that so far as she was concerned he was dead to her and that she never cared to hear from him again.

The anguish and humiliation of the affair had nearly driven her insane. Then on the very afternoon <sup>of the night</sup> when she was to go to the theatre with me she had received an announcement of her false lover's marriage to another woman. He had sent her roses and a letter of pleading to be forgiven. She told me that the shock of this development might have caused her to commit suicide except that her theatre



Engagement had dragged her out of her room, to walk the long distance to Times Square. She had been so thoroughly disillusioned with men that she had misjudged my motives. The fact that I was willing to help her and not to see her again was <sup>so</sup> marvelous in her eyes that she would gladly work for me if I cared to employ her.

The upshot of the matter was that I got her a typewriter (a Royal Portable) on April 4<sup>th</sup> and set her to work typing my scripts. But her first week of work was very unhelpful for the inevitable reaction from the long nerve strain had set in. A splitting headache that kept her awake nights suggested a serious condition. I suspected wrong glasses, ~~and~~ I also discovered that a pain at the base of <sup>the</sup> brain was caused by, or at least accompanied by an extreme congestion of the muscles of the neck. So I told her of my own experience with osteopathy as a cure.

This soon worked a marked improvement. <sup>she left off cigarettes which was no doubt a help to her health</sup> in her condition. Elizabeth invited her to visit us in Boston and while here she was induced to go to my oculist who discovered that she had been.

wearing glasses that aggravated her eye troubles instead of relieving them. Miss Bryant had no sooner returned to New York than she was able to make some very valuable radio contacts for me with "Allied Productions" - a matter that is still holding fire. Their plan was to syndicate electrical transcriptions of my talks.

In July while Marian and I were taking the North Cape-Bermuda cruise and we had so much room at the house in Nowell Elizabeth again invited Carrolla to visit us. E. had another friend come to stay with us and we four had some very jolly ~~part~~ picnic and fishing parties. The country air seemed to do Carrolla so much good that we urged her to accept the job of superintending the alterations of a marvelous old house in West Duxbury. Our architect friend had laid out the plans and someone was needed to live on the job and see that the workmen carried out the plans.

Carrolla had many misgivings about it but was finally persuaded. She purchased the drapes, <sup>rugs, padding</sup> and all such things at bargain prices in New York. We went to the factory and

and she selected colonial reproductions, appropriate for every room in the house. Strangely enough she had for years made a hobby of studying colonial interiors and was so well versed in this line that the manager of the furniture sales department expressed his amazement at her knowledge. Thus we were able to order at a very great saving (I got wholesale rates before the NRA code went into effect) complete equipment for the house.

If I had realized all the trouble <sup>that</sup> was getting the poor girl into before the job began we would never have dared undertake it. The contractor was an artist in his way but utterly incompetent as a manager and coordinator of effort. The house was promised to be complete in five weeks but it turned out to be twelve weeks, all of which time poor Carrolle had to camp out. The furniture came and had to be stored in the barn. The heat was not installed until cold weather.

But there is an end even to such exasperations and the finished job

is an everlasting monument to endurance and fortitude. Quite naturally after she had endured so much annoyance and tribulation I offered Miss Carrolle the house as a home as long as she cared to live there. She is now so much in love with the place that her days are spent very happily there. She weighed but 90 pounds when I rescued her in New York but she now weighs about 110 and (She has not smoked a cigarette since last March!!) is quite transformed in appearance with a pedigreed Irish Terrier <sup>Michael by name</sup> and a twenty-two rifle to protect her she lives there quite alone, except for three next-door children who adore her. She is working for me part-time, ~~co~~ typing my history MSS and other material such as speeches. A life long ambition to have enough leisure to write children's stories is now being realized. She is virtually working for her board and clothes for I provide a checking account to cover her needs but do not pay her a salary. We are still working on sponsorship ideas but have no very glowing prospects at present. She tells me that she was never so happy before, so West Duxbury evidently agrees with her.

She is a virtual angel of mercy to some of her unfortunate neighbors and the children of the neighborhood think she is about right. Thus the experiment has turned out very fortunately. I go to the house every week for a session of literary work and on fair days work in the orchard. I forgot to mention that there are three and a half acres of land with the house and barn. An orchard of excellent quality which sorely needs pruning is another asset of the place. \_\_\_\_\_

Last evening on my way back from Suxbury. I called at the hospital and found Elizabeth very cheerful and well cared for. This afternoon I took Marian and Gleason out to see her. We picked up her aunt Flora and cousin Florence Simmons. I was looking rather tired and admitted that she had been reading too much. I have recently given Marian a small radio of excellent quality so when we suggested that this be installed in the hospital room Elizabeth welcomed the suggestion. In spite of the snow

storm that has been raging all day I made a second trip to the hospital (it is six miles away in Jamaica Plain) and had the satisfaction of ~~seeing~~ <sup>installing</sup> it in the dear girls room.

After returning home I called Dr Broderick and he informed me that E has some fibroid growth in the walls of the uterus but <sup>that</sup> he cannot yet tell whether it is cancerous or not. We will hope and pray that it is only a fibroid tumor.

Feb 5, 1934

After the close of my lecture tonight (Catharine having had my car sent up to the school) I drove out to the hospital. Marian went with me. We found Elizabeth very comfortable and full of courage for the ordeal of Wednesday morning. She is to be operated on and our fears are well grounded for the consultation of surgeons today declare that she has a cancer of the womb. They will remove that organ and hope thus to arrest the horrible disease. I am not sure that Elizabeth realizes the dread nature of her malady. George was at the hospital today and cheered her with his optimism. The nurses are very nice to her and call her "The Duchess", which after all describes her very well with her gray fluffy hair and serene countenance.

10:30 AM Tuesday Feb 6, 1934.

Mother Snyder died very peacefully at about 8 o'clock this morning and I have been very busy telephoning, sending telegrams and arranging for an undertaker. She was a very good mother to me for twenty eight years and Father Snyder also has been wonderful. It is therefore a satisfaction to be able to stand by in this crisis. Father Snyder is bearing up very well and does not manifest any of the infirmities of age that one might ~~expect~~ expect in a man of his years.

After my lecture on "Introduction to the Study of Law" (12 to 1 PM) I went out to the hospital and took Marian and Cousin Florence along. Elizabeth was in good spirits but we were careful not to drop a word of her mother's death. Before leaving the hospital I found out that the operation will occur at 8:15 tomorrow morning. How I dread it for I know so well what it means!

10:20 PM

My head is buzzing tonight with the first real sick-headache that I can remember for years. The tragic events of the day and my anxiety over Elizabeth's ordeal for tomorrow has completely unsettled my digestive system. Every

little while. I realize with a shudder how helpless I am to safeguard the mother of my dear children from going into the valley of the shadow alone for after all no one can stand between the cruel strokes of nature and its victims. The grim battle with death that I waged nearly seven years ago is too vivid a memory to be soon forgotten.

While romance long ago became an old story between us as, alas! it has a way of doing with couples who are each intent upon separate and absorbing duties, yet when ~~her~~ hour of need ~~falls~~ comes to pass it finds me engulfed with anxiety in her behalf. But all I can do is pray to God that he may be very merciful to her in this great crisis.

Faulkner Hospital Feb 7, 1934 9:30 AM

I am waiting in Elizabeth's room and have been for half an hour - anxiously waiting for her to be brought down from the operating room. She was taken up at 8 o'clock. Bernice Acker telephoned to me at about 6:30 this morning saying that she would be glad to go to the operating room and stand by while the operation was in progress. She is a very competent nurse and night superintendent of Palmer Memorial Hospital. It is a great comfort to have her with my poor girl in this ordeal. Susie and Edwood, with Bernice



called at my office last evening and that is how Bernice learned of the impending operation.

Last night after a day of great distress and anxiety and many prayers I had a strange experience of a sudden assurance that all would be well today - that the issue rested in higher hands, so I slept quite well.

Mother Snyder's funeral will occur at 9 o'clock tomorrow morning. We have tried to keep all knowledge of her death from Elizabeth until after the operation, and I hope we have succeeded for it would have been a shock to her even though we have long been expecting the event. It is very cold today, about 7 above but nothing like the extreme cold of recent weeks. One day it was 16 below zero all day long on our roof, at the school. We have had quite a bit of snow. In fact it has been an old fashioned winter.

10 AM

At last, thank God! the ordeal is over and Elizabeth is back in the room with Bernice working over her to keep her from choking in the etherized condition that she is in. Bernice says that they removed the womb but that the growth is more like a fibroid tumor than a cancer. Her appendix also was removed for there was evidence of

previous trouble. Dr. Young operated with a Dr. Balch assisting. Dr. Broderick was present in the room. It is surely a relief to know that the crisis has passed and that it is now only a <sup>process</sup> ~~phase~~ of nature's response to its own problem of healing.

Feb 21, 1934

Elizabeth's recovery from the operation has been almost miraculous. While she was very ill for the first three days yet since then she has been very comfortable. We were expecting to bring her home today but a blizzard of unprecedented severity descended upon this section yesterday and all traffic is more or less paralyzed. She phoned home from the hospital yesterday asking me not to try to get her until after the snow and ice is cleared away. The place where the hospital is situated is very treacherous in icy weather.

I am to be the speaker for the Massachusetts Soc Sons of the American Revolution at their Washington Birthday banquet tomorrow at the City Club. My topic is "How the Boy Washington delivered a nation's ultimatum".

March 19, 1937

Following more or less of a hunch today I called up Roy Harlow the manager of the Yankee Network and made an appointment to see him at 2:30 P.M. to discuss the possibility of a commercial sponsorship over his stations. Mr. Harlow was very cordial. He at once called in his sales staff and we held an animated conference. Lino Travers and a man named Phelan seem to be the live wires. In the course of our conversation ~~Mr. Phelan~~ <sup>Mr. Travers</sup> mentioned an insurance contact that was considering trying out local broadcasting and asked me for suggestions. I at once thought of the Life Insurance dramas that Carrolla and I worked out last spring. Mr. Travers was interested and asked me to send samples at once to the Scott Howe Bowen agency in New York.

Mr. Phelan also told me in a state secret that Fox Furriers were planning to broadcast the high lights of the coming Miller murder trial. He suggested that I act as the legal light in putting it on the air. The suggestion seemed very absurd at first but I agreed to study the matter and report tomorrow.

When I returned to the school I found that I had no copies of the radio dramas except a carbon of the first episode. I wrote to the agency, sending the sample and promising to forward more if so desired. There I phoned to Corolla in West Duxbury and found that she had a complete set so I asked her to type some other sets for me.

March 20, 1934.

The Miller trial idea is not so impossible after all. It occurred to me last night that if they would run a series of broadcasts on murder trials beginning with the Tucker case I would be willing to handle it as an educational feature. After my last lecture last night I started to write a sample scenario. This morning I worked diligently upon it and this afternoon took my MSS down for a conference with Phelan and Savas. They liked it very much but their client is in New York. Inasmuch as the first skit had to do with finding of the body, etc. it was suggested that I prepare another in which the trial would appear in action. This I promised to do and have labored mightily upon its planning to go to Duxbury to work on the

farm tomorrow if weather permits  
but to have Carrolla collaborate with  
me on the skit and type it for me.

March 23, 1934.

I spent a good part of Wednesday on the radio  
version of ~~an~~ a dramatic episode of the Tucker  
trial and yesterday forenoon Miss Bryant typed  
it for me. She had already completed the typing  
of extra copies of the six Insurance dramas.  
Today I took the Tucker drama to Linus Travers  
but will probably get no ~~word~~ word concerning  
the plan until Monday for the client is still  
away. Shortly after I returned to the office a  
phone call from Mr Travers announced that  
he had just received a telegram from the  
Bowen agency in New York asking him to  
have me send the other Insurance dramas  
immediately. This is certainly discouraging.  
I sent the scripts along.

March 25, 1934

Yesterday as Elizabeth and I were about to start  
for the country a very disconcerting thing occurred.  
I could not find the MSS of my radio talk for  
today. We hunted high and low, Study and office  
but not a sign of the missing twenty pages that

I had brought back from WBZ last Sunday. So I was obliged to buckle down to the lack of writing enough new material to tide me over. This I managed to do in time for the broadcast. It was the first time in four and a half years that I have been caught in any such dilemma.

~~Monday~~ <sup>Tuesday</sup> night I speak in Dorchester on "the voyage of the Winthrop fleet" which reminds me that I have neglected to mention in this journal some other recent speaking engagements. On I spoke before the Kiwanis club of Quincy on "Thomas Morton of Merrymount." An embarrassing number of invitations to speak before religious and patriotic organizations are coming in these days.

March 27, 1934

Well, I have at last had the experience of sitting at a desk with a commercial sponsor Henry Yozell of Scott Turners (Liberty 8 216) and discussing plans and prices. This does not mean anything perhaps but this much I know. The Scott people are keen to put on the Millen trial and they want me to do it but the cost may make them back away from it. I was working in the orchard at Nowell when the Yankee Network people (Chas & Phelan) tried to reach me at the office. Ray tried to relay

the message to me but I could not hear the phone, so she called Carrolla and the latter did a Paul Revere and came over to tell me to call Thelan. I did so and made an appointment for three o'clock. When I reached the office there was barely time to prepare for the interview.

Mr. Yozell is a short thickset man of an agreeable Jewish type and evidently quite keen as an advertising man. When we had discussed the matter from various angles and the time came to state my price I told him that I would put on a half hour program based upon the Luckin trial or some other already in print for \$200 a time or a current trial at \$300 a broadcast. He didn't bat an eyelash but he did say that it was going to cost a lot of money and he would have to think it over.

It was agreed that if I went into the matter Miss Bryant should act as an assistant. I set a figure for her services at \$50 a day. Mr. Thelan thinks that both figures (mine and Carrolla's) are very reasonable.

March 30, 1934.

Well, here it is Friday morning and no word from Mr. Jozell of Scott Surriers which leads me to believe that the expense of putting on the program has scared them out of the idea. Mr. Phelan of the Yankee Network was endeavoring to see him yesterday about it, with an assurance that he would let me know.

My history program which for ~~some~~ some time has been shaved down to ten minutes because of the encroachment of a commercial broadcast has now been restored to its fifteen minute time 4:15 - 4:30 on Sunday afternoons. That hour will soon have less value to me because so many people <sup>will be</sup> ~~are~~ out in automobiles on fair days.

April 14, 1934

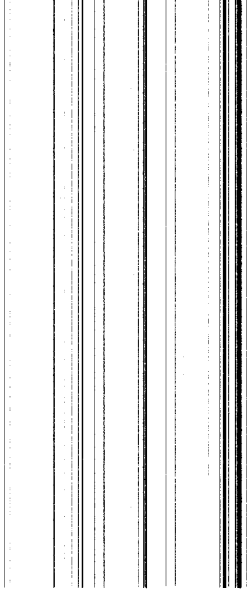
The last entry concerning the ~~Scott Surriers~~ <sup>Scott Surriers</sup> ~~program~~ <sup>program</sup> needs further explanation. It was as I surmised a mere dream on the part of Jozell who fancied that he could put the program over at very little expense but when he found that it would cost money he awoke with a start.

While working today on my trout pond in Nowell I received word from Catharine that a very important letter had arrived from the Board of Bar Examiners announcing a



law in his system to know what the  
Supreme Court apparently does not.

I am just back from a three day  
sojourn in the country. Planted potatoes  
and some corn on Tuesday, but spent  
yesterday and today at work on the  
front porch, and building a piazza floor  
at the cabin.



NATIONAL SOCIETY OF PURITAN DESCENDANTS

CHARTERED BY THE COMMONWEALTH OF MASSACHUSETTS

TWENTY BEACON STREET  
BOSTON, MASSACHUSETTS

September 7, 1933

Mr. Gleason L. Archer  
Dean Suffolk Law School  
20 Dorne Street  
Boston, Massachusetts

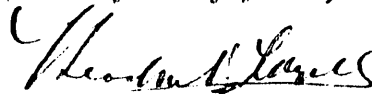
Dear Dean Archer:

It is a pleasure to advise you that at a recent meeting of the Board of Governors of the National Society of Puritan Descendants, you were elected to Honorary Life Membership, and that your qualifications have been duly verified and approved by right of descent from Thomas Makepeace, Puritan Colonist, of Boston, 1637.

It is your privilege to select the Puritan Ancestor from whom you prefer to have your lineage shown in the forthcoming Puritan Registry, and if our selection of the Makepeace line does not meet your wishes, the change can readily be made.

The writer was one of the delegates to the Thirteenth General Congress of the Society of Mayflower Descendants, and is glad of this opportunity to extend his congratulations on your selection for the office of Counsellor General.

Very truly yours,



Theodore S. Lazell,  
Historian

TSL:EM

SUFFOLK UNIVERSITY  
BOSTON  
ARCHIVES

February 28, 1933.

Major Roger B. Hull, Managing Director,  
National Assn. of Life Underwriters,  
11 West 42nd Street,  
New York City, New York.

Dear Major Hull:

I have worked out a plan for a new type of radio broadcast built around the general theme of life insurance, and because you are in touch with insurance conditions all over the country I should like very much to discuss this plan with you.

Perhaps you are aware that for the past three years I have been giving for the National Broadcasting Company a popular series of talks on "Laws that Safeguard Society". Beginning with a small coast-to-coast network the hookup has increased to more than forty radio stations. My radio audience is numbered in millions and is found in all States of the Union.

The idea I have in mind is to present stories of gripping human interest in which life insurance operates to save victims from dire calamity. I would present it not as ballyhoo for any particular insurance company, but as a sincere attempt to awaken people in general to the desirability of safeguarding widows and children, business enterprises, institutions, and the like, by means of life insurance. (The sincerity of my belief in life insurance is attested by the fact that my own life is insured for more than half a million dollars).

I believe that I am in a position to put over a program of outstanding importance. While I would handle the lecture feature and act as narrator in unfolding portions of the story, the dramatic incidents would be given by experienced actors. Music would be used as trimmings or in transition from lecture to dramatic skits or vice versa. I am sure that a program could be developed that would rival in public interest the "March of Time" and put across the Insurance Idea in a much more effective and far reaching manner than would otherwise be possible.

With a program so national in scope that it would apply to all insurance companies, I am naturally desirous of having the reaction of your organization which is continually

Major Roger B. Bull

-2-

February 23, 1933.

dealing with national problems rather than the merely local.

I come to New York each week end to broadcast over the Blue Network of the National Broadcasting Company. This week I shall reach New York at about 2:15 P.M. Friday and be in town from then until Saturday night. Should you be able to see me Friday afternoon or Saturday I would be glad to show you a sample broadcast or two on the Insurance Idea. At any rate I will take the liberty of calling your office around 2:30 P.M. Friday to see if and when you would be available for a conference.

Cordially,

GLA/D

Gleason L. Archer.

THE ARCHER PRESS  
CORPORATION

B. A. MACKINNON & H. K. FLY  
PUBLISHERS

450 SIXTH AVENUE, NEW YORK  
At Eleventh Street ALgonquin 4-1048

April 19, 1932

Dr. Gleason L. Archer  
Suffolk Law School  
Boston, Mass.

Dear Dr. Archer:

You will probably remember me as the publisher of "Plain Talk". After G. D. Eaton died we folded that up and finally sold the name to a man in Washington who is publishing a magazine under that title.

I am planning to get out a publication which will have the courage and intestinal stamina of the original "Plain Talk". A forth-right publication that does not call a hoe an agricultural implement, and at the same time a publication that is not red radical or impractical in its suggestions.

I have been listening to your radio talks and it occurs to me that you might write an article for our first issue on some phase of the legal profession that would be of interest to lawyers generally. Your talk last Sunday on Breach of Promise was very interesting. I thought possibly you were going to launch into a dissertation on what a racket breach of promise has become under the influence of many designing women, but you stuck to your case record, which I suppose was as far as the radio would let you go.

No doubt you have some article that you would like to write where there wouldn't be any strings on what you say. Suppose you drop me a line indicating one or two articles and then you can go ahead. I would like to get the article very quickly as I want to get the magazine on the stands all over the United States not later than May 13, so we have to speed it up.

Very truly yours,



BAM:HG

*ans Apr 21*

PAID, TUESDAY, FEBRUARY 5, 1935

# FIX RATES SITTING IN JUDGMENT ON GAS AND LIGHT RATES

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Gov. Curley, second from right, addressing utilities hearing yesterday at the State House. Left to right—Charles F. Hurley, state treasurer; Thomas H. Buckley, state auditor; Paul A. Dever, attorney-general; Gov. Curley, and Dean Gleason, L. Archer of Suffolk law school.

## COUNCIL PROPOSES

### Members of Council

#### Drawn for Jury Duty

To the surprise and amusement of members of the Boston city council, one of their own group was drawn for jury duty yesterday afternoon. The council performed its monthly task of drawing the names of jurors for the year in Suffolk superior court. Councilman George W. Roberts was selected of a long list of jurymen drawn from slips of paper drawn at random from a large wooden drum, when he came to the name James F. Finley, 211 Cornhill street, Roxbury. Finley, who represents ward 29, in the council, is called for jury service in the superior criminal court in March.

### PAIR GET THREE PERMITS TO WED

City Clerk of Burlington, Vt., Twice Called on to Replace Lost Licenses

NOV. 19, Vt., Feb. 4—After months for the degra...

Flower Show of the Newton Centre Garden Club on September 28. The cart was decorated by Mrs. Austin Denon. Mrs. E. A. Andrews, Mrs. Louis E. Phaneuf, Mrs. Gustav R.

arrangement of flowers in a pitcher, won by Mrs. Fredrick Rising; the third, an arrangement of vines in a bottle, won by

of both for a table decoration, won by Mrs. Frederick Rising.

**PROF. AND MRS. H. H. POWERS OBSERVE GOLDEN WEDDING ANNIVERSARY**

Professor and Mrs. Harry H. Powers of 82 Church street, Newton observed their golden wedding anniversary on Tuesday, October 4. The observance was informal, no invitations having been sent out. About 150 friends visited them at their home on Tuesday afternoon and evening and they were the recipients of numerous gifts, including a profusion of flowers. Mr. Powers was born at Hebron, Wisconsin 73 years ago. He graduated from the University of Wisconsin in 1882 and in October of that year was married to Mary J. Montague of Oconomowoc, Wisconsin who was a graduate of Ripon College. She is a year his junior in age.

Professor Powers taught at Oberlin and Smith Colleges and at Leland Stanford and Cornell Universities. Thirty years ago he came to Newton and started the Bureau of University Travel, the pioneer in its field, and combining travel with education. The Bureau owned the yacht "Athena" which carried its tourists on trips to Mediterranean and Oriental countries until this boat was sunk by the Germans early in the World War. Prof. Powers also instituted the "University Prints," reproductions of classic subjects. Mr. and Mrs. Powers have one son, Joseph H. Powers of Grassmere street, Newton.

**VILLAGE PLAYERS OPEN OCTOBER 19**

The October monthly meeting of the Village Players has been changed to Wednesday evening, October 19. The Play-Reading Class will meet on the last Monday of each month throughout the season, beginning October 31 at 7:30 p. m.



**Kivans Club**

Tracing Communism and its repeated failures thru the ages, Dean Gleason L. Archer at the regular meeting of the Newton Kivans Club, Tuesday, October 4th, held a record attendance in the grip of a most interesting exposition.

Dean Archer who has had a remarkable career as an educator in the legal field, demonstrated his versatility in a most scholarly fashion and convinced his listeners beyond all possible question of the futility of communistic government.

Dean Archer was introduced by George L. White. Prior to the main address various reports were heard on the recent Kivans Convention held at Poland Springs. The untiring efforts of President Charles A. Mahoney in the interest of the Newton Club were related by his fellow delegate, Thomas L. Ryan.

The work of other members at the convention, notably Dr. Paul, Bill Pike, Tom Ryan and Messrs. Rigs, Gibson and Hutchings Bellinger, was also summarized. The speaker at next week's meeting has been announced as Rev. Louis J. Gallagher, S. J., President of Boston College.

**PARAMOUNT THEATRE**

Fannie Hurst's most absorbing story comes to the screen Sunday for three

away from the New York City police station late in the afternoon. John Trisham, 14, home of a

They were

Needham

TON GRANT

open



... in English; John White of East Weymouth, a graduate of Colby College and with prior teaching experience in Maine, at Harvard, in Weymouth schools, as an assistant professor of Education. Dr. Chase Kimball of Milford, a graduate of Yale and Tufts' Law School and Diploma with earlier teaching at the University of Denver, Boston University and the University of Vermont, an assistant professor of Economics; Peter B. Debe, Jr., of Bowdoin, a graduate of Bowdoin and Harvard who formerly taught at Bowdoin and Tufts, as a professor of Modern Languages; John L. Sullivan of Weymouth, holder of bachelor and master degrees from Colby College, as assistant Professor of Sociology, and Mary P. Woods Hole, graduate of Bowdoin and the University of Vermont with teaching and research background, as instructor of the latter, as instructor of Frederick A. McDermott of the University Law School and the appointment of Elias of Lawrence as professor of law. Prof. Debe's courses will be principally in the fields of criminal law and international relations, is a graduate of Bowdoin Academy, Yale and the University Law School. Debe is a member of the State Planning Board and a clerk pro tem of the District Court.

**IN THE  
Yearbook  
staff**

It was only a short step from an awakening social conscience to a growing sympathy toward those citizens who were trying to influence their government directly.

... there were several reasons for her recent move back to the Hub. "But one of the most important," she adds, "was the chance to participate in the current political campaigns." A precinct worker for Independent Senatorial candidate Professor H. Stuart Hughes, Nancy smiles when she recalls her political theories while she was an English major at S. U. "I was a conservative Republican, when I thought about politics at all. But mainly, of necessity, I was interested in studying and in school affairs. A new book about Joseph Conrad was far more exciting to me than a big primary vote. Like so many others, I just didn't care."

Nancy credits her move to New York with jolting her out of her Ivory Tower. "Beacon Hill is a lovely, isolated little world. But it's not typical of most people's reality. You don't see much of life's variety here — or at least not enough to make you think."

New York was very different. "People and their problems are forced on you there — you can't escape them, in the subways, on the streets, all over. And every kind of person is there — you begin to wonder, 'What are these people like?' You get a much greater awareness of class, of race, of economic status."

"And, because you are not rich or famous, you feel much more 'average' — much more a 'little person,' one of the crowd. You begin to care what your elected representatives do because you want them to act wisely. You begin to realize how vulnerable you are."

Her words to those currently in the Ivory Tower of student life are to "stay there until you earn your degree — not just to have the degree, but also to grow."

Eventually, however, she advises a plunge into the outside world — the water, especially at campaign time, is just fine.

Nancy Pierce

Concerned enough to join the Committee for a Sane Nuclear Policy, Nancy soon discovered Stuart Hughes. "He spoke on television with Herman Kahn, who thinks that 'normal and happy lives' would be possible for the survivors of a nuclear war. I don't — and neither does Mr. Hughes. As Mr. Hughes spoke, I felt that for the first time in my life I was hearing sane and logical thinking instead of propaganda. At that moment — last May — I became a Hughes supporter."

Nancy looks forward to being occupied in the coming months both as a free-lance editor and as a volunteer for the Hughes-Independent cause, which she promises will continue beyond November.

"I acquired the basic tools for editing — the habit of close reading and a general ability to tell good writing from bad — from the S. U. English Department," she says. "I gained the one thing necessary for political action — an aroused conscience — from my residence in New York."



English; John White of East Weymouth, a graduate of Colby College and with prior teaching experience in Maine, at Harvard, in Weymouth schools, as an assistant professor of Education; Dr. Chase Kimball of Middlebury College, a graduate of Yale and Tufts' School of Law and Diplomacy with earlier teaching at the University of Denver, Boston University and the University of Vermont, an assistant professor of Economics; Peter B. Debe, Jr. of Bowdoin, a graduate of Bowdoin and Harvard who formerly taught at Bowdoin and Tufts, as an assistant professor of Modern History; John L. Sullivan of Weymouth, holder of bachelor and master degrees from Bowdoin College, as assistant professor of Sociology, and Mary P. Woods Hole, graduate of the University of New Hampshire with teaching and research background, as instructor of the latter, as instructor of Frederick A. McDermott of the University Law School, the appointment of Elias of Lawrence as professor of law. Prof. courses will be principal fields of criminal law relations, is a graduate of the Academy, Yale and University Law School. Attorney, a member of the Planning Board and clerk pro tem of the district Court.

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Eventually, however, she advises a plunge into the outside world — the water, especially at campaign time, is just fine.

White of East Weymouth, a graduate of Colby College and Harvard with prior teaching experience in Maine, at Harvard, in Weymouth schools, as an assistant professor of Education. Dr. Chase Kimball of Milford, an assistant professor of Economics; Peter B. Debe, Jr., a graduate of Bowdoin and Harvard who formerly at Bowdoin and Tufts, as professor of Modern Languages; John L. Sullivan of Weymouth, holder of and master degrees from College, as assistant Professor of Sociology, and Mary P. Woods Hole, graduate and the University of Hampshire with teaching and research background, as instructor in the latter, as instructor in Frederick A. McDermott University Law School the appointment of Elias of Lawrence as professor of law. Prof. courses will be principal fields of criminal law relations, is a graduate of the University of Cambridge Academy, Yale and University Law School. attorney, a member of the Planning Board clerk pro tem of the district Court.

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New York was very different. "People and their problems are forced on you there — you can't escape them, in the subways, on the streets, all over. And every kind of person is there — you begin to wonder, 'What are these people like?' You get a much greater awareness of class, of race, of economic status.

Nancy credits her move to New York with jolting her out of her Ivory Tower. "Beacon Hill is a lovely, isolated little world. But it's not typical of most people's reality. You don't see much of life's variety here — or at least not enough to make you think."

Nancy smiles when she recalls her political theories while she was an English major at S. U. "I was a conservative Republican, when I thought about politics at all. But mainly, of necessity, I was interested in studying and in school affairs. A new book about Joseph Conrad was far more exciting to me than a big primary vote. Like so many others, I just didn't care."

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