1935

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VOLUME 240
HAIGIS DELIVERS AN INDICTMENT

Regardless of party affiliation, most taxpayers will agree with Mr. Haigis' statement, made at Orange Tuesday night, that the current administration is "the most extravagant and inefficient in Massachusetts history."

That Governor Curley has deliberately set out to go his mentor, President Roosevelt, one better in making political capital out of human misery, and that he has notoriously neglected to disburse funds placed at his command by a too-suppliant legislature in accordance with need, but rather by rule of political support accorded or expected is a known fact.

Haigis' own record as state treasurer and lieutenant governor gives weight to his statement that straight thinking is the thing most needed in state government today. Here in his own neighborhood, the Greenfield candidate to represent the Republican party in the gubernatorial race will be accorded maximum support, of course.

But it is his policy of honesty in government, his proven desire to cooperate with those who pay the bills, his antithesis to everything that bears the name Curley, rather than his party affiliation that will make him a favored candidate in nearly every section of the state.

It is a noteworthy fact that not only the best youth of Orange but civic, political and industrial leaders of the town constituted his audience Tuesday night. But the mass of Orange people, like the majority of honest folk in other places will deliver a tremendous ballot to the Greenfield newspaperman who, they know, will administer their affairs from the state house as he would from his desk in the bank of which he is president.

1936 LEGISLATURE MAY GROW INTO MORAL REFORM ACTIVITY

If Church Groups Organize

by Arthur W. Woodman
(Daily News Staff Writer)

STATE HOUSE, Boston, Dec. 18
—The tempo of the times indicate the 1936 session of the legislature may be torn between moral issues, and the weighty discussion of a revision in state policies concerning unchecked expenditures.

Liquor, racing, petty gambling and probably Sunday sports may come out of what appears to be a definite move on the part of religious and reformer groups to return Massachusetts to the column of puritanical conduct.

Liquor, more than any one item is slated for bitter battle, as local option again looms throughout the commonwealth, with prohibition units moving unhindered toward their goal for restoration of the Baby Volstead act.

Athol Votes Wet

In 1932 with the frenzy for "tax producing legislation" facing bewildered voters, the town of Athol went wet—but today the expression throughout the state is that of universal disapproval of current conditions.

No doubt exists in the minds of early legislative visitors to the state capitol, but that the trend of the coming vote on local option will find many towns and several cities reverting to the dry column.

Horse and dog racing under the pari-mutual system of betting has already been under fire, and more can be expected in the coming convention of the legislature.

Figures submitted to the Governor by the state racing commission for the past season, while showing that the state received in taxes $1,000,000 over and above the half million estimate, shows conclusively that for every attendant at Massachusetts race tracks, the loss was $3.

Merchants and tradesmen have reported suffering a loss through the operation of Bay State race tracks and the movement inaugurated by the Puritan league is gaining headway each week, until the 1936 vote on dogs at present looks hopeless for the future of the greyhound fancies.
Seek Race Abolition

At the same time, the legislature will have measures before it seeking out and out abolition of the racing privileges granted by the electorate. Senator William F. McCarthy of Lowell has a petition before the Senate requesting the General court to nullify the vote of the people.

More than likely it will be the reference of the matter to the voters which will wipe out the racing in most counties except Suffolk. The Suffolk Downs management may compliment themselves on locating in the most liberal county in the state, thus protecting their investment to a degree.

Beano, Bingo and other chance games will be under heavy fire in the coming battle on the hill.

Churches, while sponsoring these games in a minority of cases, appear upset at the widespread growth of beano parties, and no legislator can well afford to spurn the wishes of the religious groups as evidenced by the shift of votes in the House of Representatives last session after William, Cardinal O'Connell attacked liberals for approving the state lottery plan.

Lastly, there may be some effort made to curb the Sunday sports program — although no great hope is held for much progress along these lines.

Summed up, the legislature is going to find itself much in the role of a reformer organization, confronted with the problem of restoring puritanical customs in the Bay State.

What will actually happen, depends upon the activity of church groups. Their unification within the next few weeks on major issues of moral welfare appear to be the only item now to be taken into account.

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Incoming Legislature Faces Important Issues

Efforts To Boost State Income Tax And Repeal Teacher's Oath Bill Loom As Biggest Battles.

By GENE LOHICK
International News Service Staff Correspondent

BOSTON, Dec. 19 (INS)—Efforts to boost the State income tax revenue and to repeal the controversial Teachers' Oath Law loomed today as the biggest battles confronting the incoming Legislature.

The session appears destined to be as hectic as any in the long history beneath the gilded dome.

Proposals facing the solons on Beacon Hill would place 200,000 new contributors to State tax totals, through the reduction of exemptions and a shift of the tax on manufacturing machinery to inventories on stocks of non-manufacturing concerns.

The jobs of half the representatives and senators will be at stake when the 1936 session opens two weeks hence. Governor James M. Curley announced his annual message will sound a tocsin for a new struggle to slash the Legislature in half and to provide for biennial sessions.

Here is a brief resume of the outstanding problems facing the Legislature—The "Second Annual Session of the 149th General Court of the Commonwealth of Massachusetts"—some of which may be written into the statutes, and others snowed under in the battle of ballots either in House or Senate:

- Reduce State income tax exemptions for unmarried persons from $2,000 to $1,400 and the exemption for husband and wife from $2,500 to $1,900.
- Revise compulsory automobile insurance law, with respect to the recent Supreme Court decision which stated it was not necessary to show gross negligence to collect from an automobile owner if injuries are suffered in his car.
- Eliminate the Executive Council, to be recommended in the proposals for legislation in the message of Governor Curley.
- Ouster of Mayor Frederick W. Mansfield. Senator Joseph A. Langone, Jr., filed a bill providing for a referendum to be held next March.
- Increase the income to the State from horse and dog racing by boosting the "take" from 3½ to 5 per cent on horses and from 3½ to 10 per cent on the whippets.
- Abolish capital punishment, a continuation of the long fight of opponents of the electric chair.
- Extend the 48-hour work week now in effect in State institutions to County institutions.
- Place the State Police Constabulary under civil service.
- Raze the old State's Prison at Charlestown, either construct a new institution on the present site or in some other location.
- Lower the age limit for State welfare recipients from 70 to 65.
- Broaden and clarify statutes prohibiting illegal practice of law.
- Liberalize laws pertaining to labor.
- Prevent employment by the State of married women whose husbands hold jobs which could amply support both.

A total of 250 bills has been filed to date—205 in the House, sixty less than last year on this date, and 48 in the Senate, the deadline for filing bills is 1 p. m., January 11th.
REARDON SWORN IN AS COMMISSIONER

NEW YEAR'S DAY, Dec. 19 (INS) — The Teachers' Oath Law must be upheld and the standing of schools of the state maintained, James G. Reardon, 25, said today as he took the oath of office as Commissioner of Education.

The ex-Medway farmer, Boston College student, the youngest educator ever to hold the state commissionship and former superintendent of schools in Adams, received the oath of office surrounded by 100 relatives and friends from Governor James M. Curley, who appointed him after the quick rejection by the Executive Council of Dr. Payson Smith.

Dr. Smith was not present.

BOSTON, Dec. 19 (INS) — Dr. Payson Smith, was ousted as state commissioner of education after almost two decades of service, and a dark horse among those mentioned to succeed him was appointed and confirmed.

After months of continuous agitation from teachers to reappoint Dr. Smith, who is 63, Governor James M. Curley submitted his name to the executive council, which rejected the nomination, 5 to 4.

Smith served as state superintendent of schools in Maine before coming to Massachusetts.

The governor immediately offered the name of James O. Reardon, 36—year—old superintendent of schools in Adams, and the council just as quickly confirmed him as commissioner. The vote was 6 to 3, strictly on party lines.

Among numerous candidates mentioned as possibly successors to Dr. Smith, Reardon has received no special notice or support until last night, when a majority of directors of the Massachusetts Teachers' Federation endorsed him. A minority favored Dr. Smith's retention.

Reardon styled himself a "100 per cent supporter" of the controversial state teachers' oath act, while Dr. Smith originally opposed it. How much weight was attached by the councillors to these attitudes of the respective candidates, however, was not immediately apparent.

Reardon's term of office is five years and his salary $9,000.

While rejecting Dr. Smith's reappointment, the council confirmed reappointment of two other state officials appointed before Governor Curley was elected.

One was Henry F. Long, state commissioner of taxation and corporations, in public service for many years. He was reappointed for a term of three years, at a salary of $7,500.
**TRANSCRIPT**


DEC 1, 1935

**Reardan Assumes Office; Sworn In By Gov. Curley**

Promises to Uphold High Standards of Education Which Have Made State Conspicuous—Says as Long as Teachers' Oath Law Remains on Books it Should be Observed—Governor Says He is Confident Appointed Will Discharge Trust—Kiley Also sworn in—Press Disregard—As Among Those Opposed to Replacement of Dr. Payson Smith—Councillor Shuster and Rep. Bowker Incensed—Educators Express Regret That Smith is Through.

(Special to the Transcript)

Boston, Dec. 19—Promising to uphold the high standards of education which have made Massachusetts conspicuous, James G. Reardan of Adams today took oath of office from Gov. Curley in the executive chamber and became Commissioner of Education.

He said, "My interests from now on will be to uphold the high standards which have made Massachusetts conspicuous in the field of education. I shall be ready to do everything in my power to further adult education, to maintain and if possible improve the standing of state schools, and do everything possible to secure employment for the young men and women citizens of Massachusetts who are qualified for teaching positions."

In this, he said he preferred to make no announcement until he had had opportunity to become more familiar with the problems now under consideration in the state department of education.

"Regarding the oath—at the present, the law of the state is that teachers take an oath at the time of entering the division of education, in the presence of the Governor. It is made by the general court."

Gov. Curley was in the executive chamber when Reardan was sworn in, and stepped forward after the oath was taken to deliver the following address:

"Mr. Reardan took the oath in the presence of Mrs. Reardan, other members of his family, Principal Philip B. Sayles of the Adams high school, William J. McConnell, member of the Adams high school faculty, and Mrs. McConnell, and other friends.

Kiley Also Sworn In

Gov. Curley also administered the oath of office to Attorney Daniel K. Kiley as clerk of the Adams district court. Among those present to see Mr. Kiley sworn in were his father and cousin, Miss Katharine Quirk of North Adams.

On the vote for Dr. Payson Smith's renomination as commissioner of education yesterday, Lieut. Gov. Joseph L. Hurley, joined the Republican members of the executive council in voting to retain the veteran commissioner who has been in office 20 years. However, when Curley submitted Reardan's name after Smith's had been rejected, Hurley voted for his confirmation.

**Plunkett In Opposition**

The Boston Herald today states that among those who protested the removal of Commissioner Smith was Senator Theodore R. Plunkett of Adams, adding that Plunkett's protests were significant because he is a resident of the town where Reardan is superintendent of schools.

Gov. Curley has stated that he is not undecided about reappointing or replacing Raymond J. Kenney as director of the division of fisheries and game; Arthur T. Lyman as commissioner of correction and Major George J. Cronin as state purchasing agent.

The maneuver of the Governor's council by which Mr. Reardan was made Commissioner of Education after Dr. Payson Smith had failed of confirmation was vigorously assailed last night by Councilor Winfield A. Shuster and Representative Philip G. Bowker as a "prearranged plan of the Governor to save his face."

Both Bowker and Schuster called the action of the Governor in first submitting the name of Smith a "mere gesture." Smith, with Lieut. Gov. Joseph L. Hurley voting in his favor, was rejected, five to four. Reardan's name was then submitted and, with Lieut. Gov. Hurley voting for him, he was confirmed, six to three.

While the ousting of Smith, who held the important post for 19 years, was attacked, praise greeted the reappointment of Commissioners of Public Safety Paul G. Kirk and Commissioner of Corporations and Taxation Henry F. Long, whose terms expire Dec. 1.

Democrats in Caucus

Persons close to the Governor said he intended to renominate Dr. Smith right along and did so notwithstanding information given to him at a caucus of the Democratic Councilors that they would reject the nomination. It is understood the Governor made little effort to have Dr. Smith confirmed.

The Democrats were in caucus for an hour and a half before going into regular session to vote down Smith. In the brief interval while they were entering the Council chamber, Gov. Curley announced to the press that he would nominate Dr. Smith.

"If, however," said the Governor, "the Council should act favorably on Dr. Smith, I shall submit the name of James G. Reardan." After voting down the Smith appointment the Council then voted to suspend the rules. With Lieut. Gov. Hurley out of the room the vote was passed, 5 to 3. Ordinarily a nomination is put over for a week. Suspension of the rules made it possible for the Council to act at once on the Reardan appointment.

"I conferred with the Democratic members of the Council concerning the Smith appointment before the Council session," said Gov. Curley, "and, with the exception of the Lieutenant Governor, they were all opposed to him."

Schuster's Views

Councillor Shuster's statement:

"As I see it, the whole thing was cut and dried. The vote of the directors of the Massachusetts Federation of Teachers favoring Reardan seems to have been engineered by the Governor. The sending of Smith's name was nothing more than a gesture of the Governor to save his face. Analysis shows that the submission of the name meant nothing."

"The despicable methods of Gov. Curley are now only too apparent," said Bowker. "His back-door tactics in the case of Dr. Smith should not be overlooked. First, through his henchmen he maneuvered a vote through the directors of the Massachusetts Federation of Teachers to support Reardan for the position."

(p. 267)
"This morning he held a caucus of the Democratic members of the council behind closed doors. The council then met and the governor submitted Dr. Smith's name for reappointment. A vote of 8 to 4 rejected Smith. The governor, according to a pre-arranged plan, then put in Reardon's name and he was confirmed, 6 to 3.

"What a bluff on the part of the Governor! Does he think for one minute the public cannot see through this? By trying to save his own face and put his councilors on the spot the Governor has stooped to tactics of the lowest sort and has only shown himself up."

**Milked Cows as Boy**

In Medway people who have known the Reardans for many years were overjoyed last night to hear that James Gerard Reardon, better known as "Roddy," had been made commissioner of education.

They recalled his school days when he helped his father, William H. Reardon, milk the cows before and after school, a custom he followed even while commuting to Boston every day to attend Boston College, where he graduated in the class of 1923.

His father, although 80, worked every day at his bench in a local mill, and says he is never going to retire. He got the news of his son's appointment yesterday and still did not quit his work.

**Liked School**

His mother, Mrs. Mary Agnes (McGinnis) Reardon was also overjoyed when she heard the news. The new commissioner is the youngest of four brothers. He has no sisters. He will be 36 July 22. His father and mother were born in Medway and are the oldest married couple in town. They celebrate their golden wedding next year.

"Never," said his mother, "did he ever have any trouble in school. School was his delight."

One of his brothers, John H. Reardon, is manager of the local woollen mill. Another brother, William A. Reardon, is an inspector in the State Motor Vehicles Department. A third brother is a railroad representative in Boston.

**Reaction at Smith College**

Northampton, Dec 19—The following was the reaction of educators at Smith college to the appointment of James G. Reardon, superintendent of schools at Adams, to displace Dr. Payson Smith as state commissioner of education:

President William A. Neilson: The failure to reappoint Dr. Payson Smith is, in my opinion, a calamity for the interests of education in Massachusetts. His service has not only been long and faithful but highly intelligent. It is extremely unfortunate that for reasons which one can only suppose to be political, the commonwealth should be deprived of services of so great value as those of Dr. Smith."

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**Education Head and Family**

The above photo of James G. Reardon of Adams, who today succeeded Dr. Payson Smith as state commissioner of education, Mrs. Reardon and their children was posed especially for the Transcript in Gus Smith's studio in Adams yesterday afternoon. Standing with Mrs. Reardon is Susan, three years of age. Seated are Cynthia, seven, and James G., Jr., five. Commissioner Reardon is holding Rosemary, one year of age. Mrs. Reardon, who is a daughter of Judge Hubert O. Thordike of Brockton, is also a niece of Judge R. O. Harris, former United States district attorney for Massachusetts, a granddaughter of Judge R. W. Harris, former congressman, and a direct descendant of Harrison Gray Otis, Sally Foster and Captain Miles Standish of the Plymouth colony.

Prof. S. Ralph Harlow of department of religion and biblical literature: "No political act in my years of experience as a teacher has so undermined respect for the state as has the teachers' oath bill. The teachers of this state have been almost a unit in endorsing Payson Smith as commissioner of education, partly because he was courageous enough to oppose the present administration's attacks on the teachers."
A Shadow, and An Opportunity

The most surprising thing about the change that was made yesterday in the direction of the state's educational system was the astonishing performance by which it was accomplished. How any man as admittedly clever as Governor Curley could have assumed that the public would swallow at its face value the utterly superfluous and preposterous pantomime that he staged for its benefit is beyond our comprehension.

Can anybody, we wonder, really believe that the unanimous desertion of Governor Curley's leadership by the Democratic majority in his council yesterday, extending even to his own recently hand-picked members whose appointment gave him personal control of that body, was entirely spontaneous and took the governor completely by surprise? Can anybody, we wonder, really believe that the governor and his council majority discussed nothing but the weather in their ninety-minute conference preceding the performance?

It was, of course, supposed to cover up the fact that Mr. Curley was the first Massachusetts governor to carry purely partisan politics into the Massachusetts educational system. Dr. Smith, the man who was displaced in this elaborate bit of play-acting, had filled the office for nineteen years, under a long line of governors, both Republican and Democratic, all of whom, in consistently re-appointing him, had manifestly accepted without question the tradition that this particular post should be exempted from the customary operation of the political system.

It may turn out that, regardless of the wholly farcical and inexusable method of its execution, the substitution of a young and energetic man for one who has aged in the public service, will prove to be a good thing. Mr. Reardon, in the short time that he has been our neighbor, has made a pleasant impression on everyone he has come in contact with, bearing out the reputation he had already established elsewhere. From a purely local standpoint, his appointment may well carry an element of distinct and legitimate advantage, in that his sojourn among us, brief as it has been, has perhaps given him an insight into, and an appreciation of, Western Massachusetts conditions and values which have not hitherto been conspicuous on Beacon Hill.

Mr. Reardon, for example, has had an opportunity—although we wish it might have been a longer one—to see for himself just what the specialized service of the local Teachers' College means to this whole section.

It is too bad that he enters upon his new office under the shadow of the circumstances to which we have alluded. But those very circumstances constitute a challenge which we sincerely hope he will meet. By all precedents, Mr. Curley, either as governor or in some subsequent connection, will sooner or later ask Mr. Reardon for his pay, in the form of special favors to himself or his friends. When that time comes, Mr. Reardon will have his opportunity to dispel any question as to his own attitude toward the true responsibilities of his new office. And in successfully meeting that test, he will enter upon the greater opportunity to establish for himself a career of distinguished service in his chosen field.
Curley to Release Scores of Prisoners During Week

BOSTON, Dec. 18—(AP)—Scores of inmates in Massachusetts penal institutions, including two serving life sentences for murder, were glad of the news of their pending release by Christmas.

Gov. James M. Curley announced that 300 prisoners serving sentences for drunkenness at the state farm would be released on parole during a five-day period ending Christmas Day.

On the other hand, Richard Olney, chairman of the board of paroles, set the figure at "a little more than 100," "many of whom," he added, "would have been freed at that time anyway."

The gates of the women's reformatory at Sherborn would be opened for 20 women there, Gov. Curley said, and the state board of paroles, he added, has authorized the release of 15 serving sentences at Concord by Christmas and 14 more by Jan. 31, he added.

Announcement of the Christmas "gift" paroles was made prior to the meeting of the council at which the Governor recommended clemency for five prisoners through commutation of their sentences to make them eligible for parole.

Action on the Governor's commutation recommendations was deferred by the council until a special session next Monday.

One of the lifers is Samuel Powers of Westfield, imprisoned since 1914 for the murder of his wife. Curley asked the council to commute his sentence to 20 years, making him eligible for parole.

The other is Wojciech Birusz of Salem, sentenced in 1920 for murdering Mary B. Laviole. Commutation of the sentence to 20 years was asked for Birusz to make him eligible for parole with the understanding he be deported to Poland, his native country.

The three other prisoners for whom commutation was asked included Henry A. Gardner of Worcester, sentenced in 1932 to 10 to 12 years for burning a building. The governor requested a reduction to four to 12 years.

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Here is a brief resume of the outstanding problems facing the legislature—the "second annual session of the 149th General Court of the Commonwealth of Massachusetts"—some of which may be written into the statutes, and others snowed under in the battle of ballots either in House or Senate:

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Eliminate the Executive Council, to be recommended in the proposals for legislation in the message of Governor Curley.

Ouster of Mayor Frederick W. Mansfield, Senator Joseph A. Langone, Jr., filed a bill providing for a referendum to be held next March.

Increase the income to the State from horse and dog racing by boosting the "take" from 3% to 5% on horses and from 3 1/2 to 10% on the whippets.

Abolish capital punishment, a continuation of the long fight of opponents of the electric chair.

Extend the 48-hour work week now in effect in state institutions to County institutions.

Place the State police constabulary under civil service.

Raze the old State's Prison at Charlestown, either construct a new institution on the present site or in some other location.

Lower the age limit for State welfare recipients from 70 to 65.

Broaden and clarify statutes prohibiting illegal practice of law.

Liberalize laws pertaining to labor. Prevent employment by the State of married women whose husbands hold jobs which could amply support both.

A total of 250 bills has been filed to date—202 in the House, 60 less than last year on this date, and 48 in the Senate, the deadline for filing bills is 1 p.m., January 11.
SMITH APPOINTED
BUT TURNED DOWN;
REARDON GETS JOB

Education Commissioner for Many Years Is Ousted

(Special to the Times)

STATE HOUSE, Boston, Dec. 19—By a master stroke Governor James M. Curley yesterday secured confirmation of James G. Reardon, Adams superintendent of schools, as commissioner of education.

Over the protests of Councillors Winfield A. Schuster, Frank A. Brooks, Joseph B. Grossman, and Lieutenant Governor Hurley, Democratic Councillors turned down confirmation of Dr. Payson Smith whose name Governor Curley had submitted for reappointment.

Lieutenant Governor Hurley joined with Republican members in approval of the Smith appointment, but aligned himself with the Democratic membership in approving the nomination of Reardon.

With Democratic members Daniel H. Coakley, James J. Brennan, William G. Hennessy, Phillip J. Russell, Morton H. Burdick and Lieutenant Governor Joseph L. Hurley, the Republican membership was swamped as the Reardon confirmation was rushed through after the Smith proposal was rejected.

Prior to the session of the Council Governor Curley conferred for more than an hour and a half with the Democratic membership at which followed the session and the ostensible move to sidetrack Smith and assure Reardon of approval.

CHRISTMAS TO BRING PRISONERS FREEDOM

BOSTON, Dec. 18—(AP) Scores of inmates in Massachusetts penal institutions, including two serving life sentences for murder, were gladdened tonight by news of their expected release by Christmas.

Governor James M. Curley announced that 200 persons serving sentences for drunkenness at the State Farm alone would be paroled next week.

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The gates of the women's reformatory at Sherborn will be opened for 20 women Governor Curley said and the State Board of Parole, he added, has authorized the release of 15 serving sentences at Concord by Christmas and 14 more by Jan. 31.

STOUGHTON
COURT CLERK
REAPPOINTED

STOUGHTON, Dec. 19.—Last night and to-day Albert A. Ward, clerk of the District court of Southern Norfolk, has been receiving congratulations from officers, lawyers and other residents of this and the other towns in the district, including Avon, Canton and Sharon, upon his reappointment yesterday by Gov. Curley for a five-year term. The governor's council confirmed the appointment yesterday afternoon. The appointment came as a reward for faithful and efficient services.
BROCKTON Teachers 324-10 for Smith

Adams Man, Only 35, State Commissioner of Education.

BOSTON, Dec. 19.—(UP)—James Gerrard (Roddy) Reardon, 35-year-old small-town school superintendent, today took the oath as State education commissioner—one of the youngest men in the United States to hold such an office.

The oath was administered by Gov. James M. Curley, whose appointment of Reardon Wednesday brought stinging rebukes from republican and democratic newspapers alike. Both Curley and Reardon are democrats.

Press attacks were directed not at Reardon personally but at the manner in which his appointment was put through the executive council. Curley first announced he would reappoint Commissioner Payson Smith but added that if the council, which is Curley-controlled, should reject Smith, he would appoint Reardon.

By a vote of five to four the council rejected Smith, and then, by a vote of six to two, confirmed Reardon.

Smith was serving his 20th year as commissioner.

Representative editorial comment: Boston Post (independent-democratic)—"... Why was it necessary to go through all this hypocritical fiasco pocus to land him (Reardon) in office? ... The whole business reeks with political chicanery of a sort unusual in Massachusetts. Our citizens are getting a liberal education into the wiles of politics these days."

Boston Herald (republican)—"... Disgraceful as the removal itself was, the methods employed were just as bad. The governor is utterly childish if he has the notion that this self-serving action will deceive anybody, even the most gullible. The whole episode marks a new low in the administration of the affairs of this commonwealth."

Meanwhile the ousted Smith hinted he might issue a statement later.

Reardon's promotion from a $3600-a-year job as superintendent of schools in the Berkshire county town of Adams to the $9000-a-year commissionership, which carries a five-year term, comes only 12 years after his graduation from Boston College.

He was born July 22, 1900, at Medway, where his parents, William and Mary Reardon, 79 and 78 years old respectively, still live. The first couple to be married at St. Joseph's church, Medway, they will celebrate their golden wedding anniversary next Sept. 16.

After attending the public schools, young Reardon entered Boston College. He used to get up at 5 A.M. daily so he could milk the cows before going to classes.

During the World war he was a member of the U.S. army. Being graduated from Boston College in 1923, he studied at Boston and Harvard Universities before taking his master's degree. Thereafter he served successfully as assistant principal and principal of East Bridgewater High school and superintendent of schools in that town. While teaching there he coached the football team.

It was while in East Bridgewater that he married the former Anita Thorndike, daughter of the late Judge H. C. Thorndike.

Last June Reardon became school superintendent at Adams.

A football player while at Boston College, Reardon is a husky, full-faced Adams to the $9000-a-year commissionership, which carries a five-year term, comes only 12 years after his graduation from Boston College.

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Ronald F. Holt, president of the Brockton Teachers Association, gave a portion of the telegram to the Enterprise as follows:

"The Brockton Teachers Association regrets the action of the board of directors of the Massachusetts Teachers Federation in rescinding the vote of confidence extended to Dr. Payson Smith. This association feels there has been misrepresentation of the true feelings of the teachers of Massachusetts. A poll taken of the teachers of Brockton indicated 324 teachers in favor of Dr. Payson Smith and 10 opposed."

Statement by Scully.

Supt. of Schools Scully issued a brief statement today, paying tribute to Dr. Smith, who he said was one of the outstanding educators in the United States. His statement follows:

"It is with regret that I view the passing of Dr. Payson Smith as commissioner of education in this State. He was one of the outstanding educators in the United States and did a great job for the 20 years or so that he served as commissioner of education. Superintendents of schools throughout the State in general held him in the highest regard and also regret that he no longer will be educational head in this State."

Known in District.

Mr. Reardon, new commissioner of education, is well known in Brockton and throughout the district, having been connected with the schools of East Bridgewater as a teacher and later superintendent.

He came to East Bridgewater from Medway, a graduate of Boston College and did graduate work at Harvard University. He came to East Bridgewater in 1925 as a teacher and taught for three years. With the retirement of Edgar H. Grout as superintendent he was named as his successor and held that position until last June, when he accepted an offer to become superintendent of schools in Adams.

His appointment to this Adams post was exceptionally gratifying to him as he was selected from a field of four or more candidates who were considered among the best in the State. While in East Bridgewater he married Miss Anita Thorndike, daughter of the late Judge and Mrs. Herbert C. Thorndike of that town.

They have four children, Cynthia, James G., Jr., Susan and Rosemary.

During his years in East Bridgewater he was active in the Plymouth County Teachers Association and held several offices and was also active in the High School Principals' Association. Prior to his leaving East Bridgewater for his new duties in Adams he was given a testimonial banquet and presented an engraved wrist watch.

Mr. Reardon spoke before the Brockton Kiwanis Club last July, being presented by James H. Burke, programme chairman for that meeting. He joined the Robert Emmet Club of Brockton several months ago. Speaking for the Brockton Grade Teachers' Club in regard to the appointment of James G. Reardon as commissioner of education in this State, Miss Dorothea Flood, president of that group, pledges co-operation to him. Her statement:

"No one denies that Dr. Payson Smith, while commissioner of education, improved the educational conditions in Massachusetts and will be a distinct loss to the educational system. Since Mr. Reardon has been appointed we shall co-operate with him."

Press Clipping Service

2 Park Square
Boston Mass.

Enterprise
Brockton, Mass.

DEC 19 1935

Mr. Curley Plays Politics.

AMES G. REARDAN, superintendent of schools at Adams, formerly of East Bridgewater, is the new State commissioner of education, succeeding Dr. Payson Smith, who served 19 years. Dr. Smith's reputation as an educator is national. Mr. Reardon is virtually unknown, has filled no important administrative position and has yet to prove his ability and fitness. His appointment and immediate confirmation by the governor's council were political moves.

Gov. Curley first submitted the name of Dr. Smith. It is common knowledge, however, that he did not wish to retain the commissioner and was not unreceptive to organized opposition. On Nov. 16, before the organized opposition developed, the directors of the Massachusetts Teachers' Federation commended Dr. Smith's notable service—and refrained from word or gesture savoring of pressure.

More recent indorsement of Mr. Reardon by a majority of the directors, 10 opposed to this action and outspoken in declaring it was political exploitation of the organization, was in no sense what it purported to be—the sentiment of 21,000 Massachusetts teachers.

Mr. Curley knew before he submitted Dr. Smith's name the appointment would not be confirmed by his council, as his subsequent action proved, for had he desired to continue Dr. Smith in office he would have declined to make another nomination.
Curley Causes Confusion

For some months now the Republicans have been all hot and bothered in connection with the 1936 gubernatorial nomination. The cry has been: "Beat Curley." Potential candidates were dissected mercilessly with a view to finding out if they could conceivably hold their own on the stump. Those who feared the Governor the most liked Saltonstall's chances least. Someone like ex-Governor Fuller or Robert T. Bushnell looked like a better bet. Haigs, though not renowned as a scramper, at least would not be as vulnerable as the Speaker. Joseph Warner would have done well a decade or so ago when the Democrats provided far less opposition of a serious nature. Sending Warner out after Curley, however, would be too much like asking a lamb to chew up a lion.

Then, just as the G. O. P. strategy was being perfected, Governor Curley upsets the apple-cart with the announcement that he has decided, all by himself, that he will be the United States Senator. Rather tough on the Hon. Marcus Coolidge, who had not been told that his seat was practically vacant. I cannot quite understand why the Governor neglected to tip him off. Of course, the voters will go through the formality of an election next November, but it will amount to nothing more than a ratification of Mr. Curley's modest decision. After all, there would be some unkind souls who would murmur something about distance lending enchantment.

Personally, I am getting a bit cynical as I endeavor to follow the gyrations of our professional politicians. Some of them have learned to change their minds more rapidly and frequently than a woman changes her clothes. In other words, it occurs to me that maybe sort of thing Governor is playing possum and trying to out-maneuver the Republicans. If they could be convinced that he was really headed for the Senate, they might nominate someone for Governor whom Mr. Curley could defeat handily (I am referring, of course, to the pre-primary convention). At that point, the Governor would suddenly discover that the welfare of the State, and possibly the nation itself, demanded that he should reverse himself once more and allow himself to be re-elected Governor. Then the Republicans would be forced to shift their strategy a second time.

Well, let's watch the proceedings closely during the coming weeks. There will almost surely be some important developments early in the New Year. For example, the Jay Benton boom, which was chopped off at his fiftieth birthday dinner not long ago, may be hauled out into the open, regardless of Mr. Benton's wishes. Then there is the speculation about a possible Bushnell-Schuster ticket. This grew out of the handling of the Republican Club rally at the Stater a few weeks ago. The red-headed councillor got a special break and cashed in pronto. Schuster is making quite a swing around the circuit, talking to women's clubs and tearing the Governor limb from limb. I am told that he is doing a pretty good job. Robert M. Washburn, however, poked considerable fun at Schuster in his weekly column and suggested quite pointedly that the latter's constant criticism of Saltonstall's candidacy would be more appropriate and fitting from some other source.

Also, do not lose sight of the fact that Gaspar Bacon is in our midst again. Surely he cannot be counted out of the picture completely. He may not feel free to contest for any office himself, but he still has thousands of friends. Again, there is Henry Parkman, a constant threat on the horizon. He may not look as fierce as Bob Bushnell, but he packs the same punch. Chris Herter and George Tarbell are probably too useful and necessary in the Legislature to be considered for a place on the State ticket; the same holds true of Albert F. Bigelow, the tireless chairman of ways and means.

Finally, we have the most intriguing figure of all, former Governor Alvan T. Fuller of Malden and Rye Beach, New Hampshire. One of the more lurid Boston papers has been playing him up lately and suggesting that he may be planning to encourage Mr. Curley to run for the Senate on the Democratic side while he takes care of the gubernatorial nomination for the G. O. P. You may be very sure that Governor Curley would welcome any proposition which would remove Fuller from his path. He has not forgotten the humiliating defeat which the automotive expert pinned on him in the fall of 1924. Personally, I think that it is quite possible that the threat of a Fuller candidacy for Governor which implies Mr. Curley Washingtonwards.

P. W. C.
Press Clipping Service
2 Park Square
BOSTON MASS.

ITEM
Clinton, Mass.

DEC 1 9 1935

LEGISLATIVE
PROGRAM OF '36

Efforts to Be Made to
Boost State Income Tax

DEADLINE FOR
BILLS JAN. 11

By GENE LORICK
International News Service Staff
Correspondent

Boston, Dec. 19 (INS)—Efforts to boost the State Income Tax revenue and to repeal the controversial Teachers' Oath Law doomed, today, as the biggest battles confronting the incoming Legislature.

The session appears destined to be as hectic as any in history.

Proposals facing the solons would place 200,000 new contributors to State tax totals, through the reduction of exemptions and a shift of the tax on manufacturing machinery to inventories on stocks of non-manufacturing concerns.

The jobs of half the Representatives and Senators will be at stake when the session opens. Governor James M. Curley announced his annual message will sound a tocsin for a new struggle to slash the Legislature in half and to provide for biennial sessions.

Here is a brief resume of the outstanding problems that will face the Legislature, some of which may be written into the statutes, and others snowed under in the battle of ballots, either in House or Senate:

Reduce State income tax exemptions for unmarried persons from $2,000 to $1,400 and the exemption for husband and wife from $2,500 to $1,900.

Revise Compulsory Automobile Insurance law, with respect to the recent Supreme Court decision, which stated it was not necessary to show gross negligence to collect from an automobile owner if injuries are suffered in his car.

Eliminate the Executive Council.

Ouster of Mayor Frederick W. Mansfield of Boston. Senator Joseph A. Langone, Jr., has filed a bill providing for a referendum to be held next March.

Increase the income to the State from horse and dog racing by boosting the "take" from 3 1/2 to 5 per cent on horses and from 3 1/2 to 10 per cent on the whippets.

Abolish capital punishment -- a continuation of the long fight of opponents of the electric chair.

Extend the 48-hour work week, now in effect in State institutions, to County institutions.

Place the State Police constabulary under civil service.

Raze the old State's prison at Charlestown, either construct a new institution on the present site, or in some other location.

Lower the age limit for State welfare recipients from 70 to 65.

Broaden and clarify statutes prohibiting the illegal practice of law.

Liberalize laws pertaining to labor.

Prevent employment, by the State, of married women whose husbands hold jobs which could amply support both.

Two hundred and fifty bills have been filed -- 202 in the House, 60 less than last year, on this date, and 48 in the Senate. The deadline for filing bills is 1 p.m., Jan. 11.

Press Clipping Service
2 Park Square
BOSTON MASS.

HERALD
Everett, Mass.

DEC 1 9 1935

PRIEST DEMANDS OPENING

The delay in opening the Chelsea drawbridge is resulting in tremendous jams of traffic in South Everett during the morning and evening rush hours.

A Chelsea priest, Very Rev Cyprian Adamski, OMC, pastor of St. Stanislaus church, will lead in the movement to bring pressure upon authorities to quit promising and open the bridge.

Fr. Adamski made a personal visit to the bridge last week and stated in an interview that from all appearances the work is being delayed. He said he had sufficient reasons to believe that the promise of its being opened this week was just another promise and that if the bridge were opened the South draw will be closed.

The priest who has interested himself in the protest, is doing so purely from an unselfish motive. A large percentage of his parishioners reside in that section and the closing of the bridge has worked many hardships on them. It has resulted in loss of tenants and business in that section.

"It is a shame the way that officials have treated the people of Chelsea and the North Shore," said Fr. Adamski. "They have failed to make any real effort to open the bridge. All they have done is to make a lot of promises and then offer excuses. The time and money said to be involved in the work on the bridge should have been sufficient to do it in a much shorter time."

I am going to personally take up the fight of the people in my district. I plan to appeal to Mayor Mansfield of Boston and if necessary to Gov. James M. Curley. There is no reason why the people of Chelsea should tolerate existing conditions any longer. We want action and no more promises. I visited the bridge this week and from all appearances there has been but little progress made in the repair work."
That the Herald never did believe in civil service and now it believes in it even less in this state.

That the Everett High School will do its usual worthwhile job in caring for hundreds of poor people who otherwise would have no Christmas dinner.

That the council did a good job in defeating the order for a $30 week "coordinator" for the WPA.

That the shortage in the city collector's office has been definitely fixed at $3567. Now the question arises who, if anybody, will pay it back into the till.

That the judge who recommended fewer children to those on welfare is being violently condemned by many people. The judge may have been thinking of the taxpayer who has to deny his own children to support the welfare children.

That the Wakefield Item says: "Even a taxpayer has the right to say how many guests he shall entertain."

That what the Republican party needs is more GOP babies.

That a Townsend third party appears to be in the making. If either of the leading parties endorsed this scheme it would be the same as committing suicide.

That the whole idea is the cruelest hoax ever committed on the needy aged.

That Gov Curley and Mayor Mansfield are having a pretty fight, the repercussions of which will be noted in the next election.

That the Herald wishes its readers a very Merry Christmas.

That scores of stores are decorated for the holiday and many residences already display window lights and gaily decorated trees.

That Herbert Hoover, ex-president, has his fighting blood up and is calling a spade a spade.

That this week's Herald contains many suggestions for Christmas gifts.

That Mayor-Elect Lewis has decreed that members of the city council hiring tuxedos for the inaugural must pay for them out of their own pockets, something they have not done of late although collecting a salary.

That Massachusetts gets only $1 back for every $18 it pays the Federal government. Southern states find it the other way around.

That Gov Curley is on the way out, although he may not know it.

That the appointment of a commissioner of education smells like one of those things that get killed so often on the highways.

That business is booming. The national debt has reached a new high record.

That whether the governor's council should be abolished or not is a question to be debated but that most of the present members of that body should be abolished admits of no argument.

That the usual substantial contributions to the "shoe and stocking" fund was made at today's luncheon of the Everett Rotary Club.

That considering the fact that Commissioner of Taxation Henry F. Long is nationally known as a most outstanding official, it is a ten days wonder that he was reappointed by Gov Curley.

That there are still 2300 on the payroll of the NRA Washington office, although that brain trust bubble was burst by the supreme court months ago.

That there are certain advantages in a one year term for governor.

That the latest government projects are the proposed widening of Shirley Gut. If it is done there will probably be sidewalks built on either side.

That the appointment of a commissioner of education puts the "in's and the out's." This smooth person, who often concocted schemes to belittle the American Federation of Labor which, however, survived his Black-stonian onslaughts, would not be expressing himself thus had he received the Democratic, or the Republican nomination, for Governor of Massachusetts.

Instead, he would have humbly proclaimed himself the saviour of whichever of those two parties might have unconsciously nominated him. It is amusing to those who know the facts, to read the political columnist observations of one of Hearst's papers of how reluctant (?) Goodwin was to accept his job as Motor Vehicle Registrar from Curley. No one, better than Goodwin himself, knows that a bargain was made and sealed as a reward for his political perfidy.

Goodwin forgets that he thought the Republican party was good enough for him when it elected him a Councilman and a Representative from East Boston, some years ago. Mr. Goodwin, so it is alleged, has reached the heights of unethical acumen in advocating the Townsend Plan, which out socializes Socialism itself.
Mrs. Irene B. Pease, who resigned, is the usual 45 percent toward the project. Barnstable, which wants to build a sewerage system in Hyannis, has a PWA tender of $104,000. Both of these must be accepted by the towns, and the remaining sums necessary to do the jobs must be appropriated.

Hyannis also expects to get about $40,000 for improvement of the airport it voted to buy if it gets the $40,000. This sum has been promised by officials who have the approval power. Hyannis State Teachers' College has just got $233,650 for building a recreation field and arboretum. And last, as well as largest, Governor Curley announced last week that $300,000 WPA money had been made available to begin work cutting out roads in the new National Guard Camp site in Bourne, Falmouth and Sandwich.

In Falmouth Harry Waterman, ERA administrator, has not succeeded to WPA responsibilities. George N. Holden of the Welfare office explained that certification and assignment of WPA men is done from an office in Hyannis which is under direction of Robert F. Cross, the regional administrator with headquarters in Fall River.

According to the regulations announced, only men who were on ERA or Welfare lists between May 1 and October 31 are eligible for WPA jobs. It is the assumption of officials here that if this supply of men is exhausted, there will be an opportunity for new registration. Mr. Holden has no accurate check on the number of eligible Falmouth men who are now working. He does say that if the WPA projects which have been filed are accepted, Falmouth will have more men working this winter than last. There should be plenty of Falmouth eligibles to supply the first needs of the camp. Men who have had jobs at the canal are anxious to get on projects nearer home because of the cost of transportation to Bourne.

County Affairs

By DON TRAYSEE

Miss Gladys E. Felton of Westboro has been appointed Assistant County Club agent for the Cape Cod Extension Service, according to announcement by County Agent Bertram Tomlinson. She was chosen by the Board of Trustees to succeed Mrs. Irene B. Pease, who resigned, effective Dec. 31, to return to her home at Wilbraham. Miss Felton will begin her new duties Dec. 26, being in charge of Home Economics 4-H clubs in Barnstable county.

At present a teacher in Westboro high school, Miss Felton is a graduate of Hudson high school and Framingham State Teachers College. She begins her new work with a fine background of technical training as a demonstrator of cooking ware, dietitian and cook, and home economics teacher. She has been a 4-H club member since she was 12, being winner of a trip to Camp Parley in 1925, to the National club congress in 1926. She has also attended the State 4-H camp at Amherst for 5 years, has been an all-star member since 1930, and all-star delegate to R. I. State camp in 1935.

County Agent Tomlinson has also announced appointment of James P. Edney as substitute club agent to take the place of Carl A. Fraser for six months. Mr. Fraser was awarded a leave of absence for that period to attend State College to work for a masters degree. Mr. Edney, a native of Acton, has been in charge of the canteen at the State farm. He has a long experience in club work.

The flow of Federal funds to Cape Cod, now large, will much larger if several big projects now approved, actually get underway. Harwich, which wants to build a municipal water supply system, has approval of a PWA grant of $117,000, which is the usual 45 percent toward the project. Barnstable, which wants to
Mayor James M. Curley, whose appointment of James G. Reardon yesterday brought stinging rebukes from Republican newspapers, today took the oath as State Commissioner of Education—once of the youngest men in the United States to hold such an office.

The oath was administered by the Council, which is Curley-controlled, at the last meeting of the Council, who also said Mr. Hurley voted in favor of the appointment of James G. Reardon of Adams to Mr. Smith's post.

Hurley Cast His Vote First For Smith, Then Gave Reardon Support

Early reports of the Executive Council meeting in the State House yesterday were that Lieutenant Governor Hurley voted against confirming the reappointment of former State Commissioner of Education Payson Smith. Later, however, Governor Curley announced that former Mayor had voted to retain Mr. Smith, but five other Democrats, including Councillor Philip J. Russell of this city, opposed confirmation.

The Governor's announcement was confirmed by William J. Read, secretary of the Executive Council, who also said Mr. Hurley voted in favor of the appointment of James G. Reardon of Adams to Mr. Smith's post.

BOSTON, Dec. 19, (UP)—James Gerard (Roddy) Reardon, 35-year-old small-town school superintendent, today took the oath as State Education Commissioner—one of the youngest men in the United States to hold such an office.

The oath was administered by the Council, which is Curley-controlled, at the last meeting of the Council, who also said Mr. Hurley voted in favor of the appointment of James G. Reardon of Adams to Mr. Smith's post.

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State Legislature Appears Headed For Hectic Session

Proposals Facing Solons on Beacon Hill Would Add 200,000 New Contributors to State Tax Totals

By GENE LORICK
International News Service Staff correspondent

BOSTON, Dec. 19 (INS)—Efforts to boost the State income tax revenue and to repeal the controversial teachers' oath law, loomed today as the biggest battles confronting the incoming Massachusetts Legislature.

The session appears destined to be as hectic as any in the long history beneath the Gilded Dome.

Proposals facing the solons on Beacon Hill would place 200,000 new contributors to state tax totals. Through the reduction of exemptions and a shift of the tax on manufacturing machinery to inventories or stocks of non-manufacturing concerns.

The jobs of half the representatives and senators will be at stake when the 1936 session opens two weeks hence. Governor James M. Curley has announced his annual message will sound a tocsin for a new struggle to slash the Legislature in half and to provide for biennial sessions.

Here is a brief resume of the outstanding problems facing the legislature the "second annual session of the 149th General Court of the Commonwealth of Massachusetts"—some of which may be written into the statutes, and others snowed under in the battle of ballots either in House or Senate:

- Increase the income to the State from horse and dog racing by boosting the "take" from 3 1/2 to 5 per cent on horses and from 3 1/2 to 10 per cent on the wippets.
- Abolish capital punishment, a continuation of the long fight of opponents of the electric chair.
- Lower the age limit for State welfare recipients from 70 to 65.
- Extend the 48-hour work week now in effect in state institutions to county institutions.
- Place the State Police Constabulary under Civil Service.
- Raze the old State's Prison at Charlestown, either construct a new institution on the present site or in some other location.
- Prevent employment by the state of married women whose husbands hold jobs which could amply support both.
- Eliminate the Executive council, to be recommended in the proposals for legislation in the message of Governor Curley.
- Ouster of Mayor Frederick W. Mansfield. Senator Joseph A. Targone, Jr., filed a bill providing for a referendum to be held next March.
Political Grab Bag
—By Thomas K. Brindley—
Weekly Stock Company Offering at State House Not Up to Par as Director Attempts Drama That Proves to Be Old Plot Dressed Up.

Curley & Co. offered another of its weekly shows at the State House yesterday afternoon with a Statewide audience that didn't think much of the performance but did get a laugh out of the amateurish manner in which one scene was offered.

The director of the show played a leading role in that scene which was entitled, "I Think I'm Fooling the Public," or "How to Nominate a Man and Be Sure He Will Not Win."

The victim in this particular scene was Payson Smith, who has been Commissioner of Education in Massachusetts since the regime of former Governor Samuel McCall. He was up for reappointment. Political writers have been commenting upon this event for weeks and the public looked for a real big time offering.

What they got was pretty wretched. The acting was poor and the finale lacked pep, being nothing more than a rehash of an offering staged several weeks ago.

Followers of Curley & Co.'s Wednesday matinees will remember the offering entitled: "Kilroy & Driscoll," or "Sure I'll Nominate You So Long As I Know You Haven't Got the Votes for Confirmation."

Mr. Curley staged that with his local aides—Joseph Leo Hurley and Philip J. Russell, Lieutenant Governor and Executive Councillor, respectively—playing dual roles.

They had to vote first for Mr. Kilroy knowing full well the other seven Councillors would oppose his appointment, then they had to join hands with their political brethren and confirm Mr. Driscoll's appointment.

The nomination of Mr. Driscoll put him in that select circle of political actors who can play dual roles—and collect for both if they are so disposed.

In addition to taking a spot in the local political show as Clerk of Court, Mr. Driscoll has a part-time routine at the State House as a Representative.

This week's show might have occasioned more interest had it not been for the Kilroy-Driscoll drama.

Yesterday, the Governor opened the performance by submitting to the Council as Commissioner of Education the name of Dr. Smith. He tried to build up dramatic interest by announcing to the political scribes beforehand that he was going to reappoint the Commissioner.

They ran for the press room and sent the word out to the Statewide audience which sits in at the Wednesday matinees.

But hardly had they got the news off before the next scene was played.

The Governor was in that, too. He told the same scribes—they are in the weekly show as sort of extras—that if Mr. Smith wasn't confirmed, the name of James G. Reardon would be submitted to the Council.

That spoiled the whole plot.
As soon as the audience got wind of that, it knew what was going to happen.

It was like walking into a theater just as the mystery picture you came to see was ending and the whole story was revealed.

The Governor might just as well have told the newspapermen to advise the audience to go home, for the plot was uncovered.

Saying he was going to name Mr. Reardon if Mr. Smith failed of appointment was just like gathering the scribblers about him and announcing:

"James G. Reardon will be the next State Commissioner of Education. He'll start on the payroll tomorrow at $9,000 a year. It is all taken care of, and while there may be a few formalities that will keep the outsiders guessing, you'll know it's just part of the show, so file your stories and go out for lunch. That's where we're going."

But the Governor, since the dictograph "mystery," has an eye for the drama, and he was apparently trying his hand at staging another one yesterday.

He spoiled the show himself.

Instead of a drama of intense political interest, it fell into the category of another comedy in Curley & Co.'s long list of ludicrous offerings.

The Lieutenant Governor had a little different role than usual yesterday. It appeared to be fashioned with an eye to possible gubernatorial honors and keeping opposing factions on his side.

One scene showed him voting to confirm the Smith appointment. He was in the same part of the stage as the Republican Councillors for that scene. But when the spotlight came on again, he had shifted over to his usual position at the head of the Democratic array and was voting with them to confirm Mr. Reardon.

Observers figured the idea was to get votes from people who were with both men instead of alienating the ballots of those with one or another of the candidates.

The other local actor in the show, Councillor Russell, played his usual part. He has only a few lines. They are all the same. The Governor proposes and he says yes. It's quite simple and keeps him in the front line of the chorus.

Fall River observers did enjoy a little mystery scene in yesterday's show. It concerned the appointment of one John E. Sullivan as deputy pilot commissioner for the Fourth Massachusetts District.

The reporters at the State House simply made a note that John Sullivan had been named to the position. Then came the hunt for the right John Sullivan.

But those who have studied what little initiative the local political actors have shown this year didn't have to hunt long. They simply put two and two together.

They made note of the fact that Lieutenant Governor Hurley has the say in local political assignments from the State House. They remembered he has a law office in the Granite Block. They looked over the names of others situated in that building and presto! they found that one John E. Sullivan was attached to the company which operates the building.

There was no need of going further.

The deputy pilot commissioner now steers the course of men who earn their living on the bridges of ships—from an office in the Granite Block.
Many Christmas Pardons Planned

Christmas pardons and paroles, scheduled to be given 254 inmates of prisons, reformatories and the State Farm, will become effective within a few days. Two life term prisoners and 20 women inmates of reformatories are included in the list.

Additional inmates of the Concord Reformatory will be released before the end of the year, upon recommendation of the State Board of Paroles, Governor Curley announced.

EXTRA!
Commissioner Reardon Takes Oath to Succeed Dr. Smith
Youngest Educator to Hold Place At Head of Education in State Greeted By Family and Friends

BOSTON, Dec. 19 (INS)—The Teacher's Oath law must be upheld and the standing of the schools of the state maintained, James G. Reardon, 35, said today as he took the oath of office as Commissioner of Education.

The ex-Medway farm-boy, Boston college student, the youngest educator ever to hold the state commissionership and former superintendent of schools in Adams, received the oath of office surrounded by 100 relatives and friends from Gov. James M. Curley, who appointed him after the quick rejection by the Executive Council of Dr. Payson Smith. Dr. Smith was not present.
Medway Happy Over Favorite Son Being Named Commissioner

HOMETOWN CITIZENS FELICITATE JAMES REARDON AT PARENTS' HOME

Is Named Commissioner Of Education To Succeed Payson Smith

(Special to The Franklin Sentinel)

MEDWAY, Dec. 18 — "Roddy" Reardon came home tonight, 12 years out of Boston College, as the youngest Commissioner of Education the state—possibly the country—has ever had. Hurrying over the road from Adams, the 35-year-old successor to Dr. Payson Smith, returned to the Colonial homestead on Village street—where his parents have lived all their married life—to find the house filled with admiring, enthusiastic friends.

"Commissioner James Gerrard Reardon is here," they shouted gleefully. "Welcome home, commissioner."

Here, in the quiet town where the Reardons have lived for several generations, he used to arise at five in the morning to milk the cows and do the chores before he went to his classes at Boston College.

"'Roddy' wanted an education and he was willing to work hard for it," his friends said.

They came from Belmont and West Roxbury and Arlington and half a dozen other cities and towns to greet the new commissioner tonight. He didn’t reach his old home until nearly midnight, but his reception was none the less enthusiastic.

Worn by the flood of phone calls and the constant stream of visitors, the new commissioner’s 80-year-old father and 78-year-old mother had retired to await his homecoming. Every morning the father, William H. Reardon, goes at 7 A.M. to operate his finishing machine at the Fahyan Woolen Mills here.

The mother, Mary Agnes (McGinniss) Reardon, is in remarkably good health. She, too, comes from a family long resident in Medway.

One of the commissioner’s three brothers, William A. Reardon, a motor vehicles inspector attached to the Framingham branch registry, also lives at the Village street home.

The other brothers are John, New England manager of the Fabyan Mills, who lives in Medway, and Lawrence J., New England manager of the National Carloading Corporation, who lives in Millis. The new commissioner is the baby of the family.

Commissioner Reardon’s wife and four children are now in Adams—where the commissioner became superintendent of schools last September. Just as soon as he can arrange it, Commissioner Reardon and his family will come here to live at the homestead.

"The door will always be open here—and so will the door on Beacon Hill," he said tonight after his arrival. He preferred to make no discussion of his policies until after he has assumed office.

Mr. Reardon will be sworn in by Governor Curley at 11:30 o’clock tomorrow at the State House. At 11 A.M. friends will gather in the Hotel Bellevue for an informal reception.

Gov. Curley Would Free Four Killers At State Prison

Authorizes Release of 200 State Farm, 20 Women Inmates

BOSTON—Gov. Curley yesterday recommended the extension of executive clemency to four killers and one confessed pyromaniac now serving long term sentences at state prison. The executive council will meet in special session Monday to consider granting them commutations which will make them eligible for immediate parole.

The governor also announced that he has authorized the department of correction to release 200 state farm inmates, mostly habitual drunkards, and 20 women’s reformatory inmates before Christmas.

The state board of parole, at his direction, also will release 13 first offenders from the reformatory at Concord with the release of 14 others to be ordered before Jan. 31.

The state prison convicts for whom he has recommended sentence commutations are Samuel Powers of Westfield and Wojciech Birosz of Salem, lifers; and William Hooper of Lynn, Henry A. Gardner of Worcester and Thomas J. Panetta of Cambridge.

Curley’s recommendation that the state prison sentence of Henry A. Gardner, convicted of setting the fires which destroyed All Saints’ Episcopal church and damaged Pleasant Street church in January, 1922, be commuted to make the convict eligible for immediate parole, met with sharp and immediate opposition last night.

Last night the Pleasant Street Baptist church of Worcester, following its regular weekly prayer meeting, adopted a sharply worded resolution of protest, copies of which will be sent to the governor and to Councilor Winfield A. Schuster. Gardner has not yet had "sufficient time for adequate punishment," the resolve said.
COUNCIL OUSTS PAYSON SMITH AS COMMISSIONER OF EDUCATION

Democratic Members Confirm Curley's Nomination of James G. Reardon of Adams, 6 to 3; Kirk and Long Hold Jobs

BOSTON, Dec. 19—James G. Reardon, 36, superintendent of schools in Adams and boasting that he is "one thousand per cent for the teachers' oath bill," is the new state commissioner of education. He was confirmed by the council yesterday, 6 to 3, after Governor Curley had made the gesture of submitting the name of Dr. Payson Smith who has held the position since 1916. Lieutenant Governor Hurley had the distinction of voting for the confirmation of both men.

The council did not meet until after the governor, Lieutenant governor and the five Democratic councilors had a conference that lasted an hour and twenty minutes.

The position carried a salary of $9000 annually and the appointment is for five years. Mr. Reardon was expected to be in Boston today and take the oath of office. He is a graduate of Boston college.

The rejection of Dr. Smith was in spite of state-wide protests from educators and private citizens as well as organizations outside the educational interests of the state. One of the individual protestants at the rejection of Dr. Smith was Senator Theodore R. Plunkett of Adams, who has supported many of the governor's proposals. His home is in the town where the new state commissioner has been superintendent.


The council again voted to defer action on the Governor's pending nomination of Howard H. Murphy of Osterville to succeed Edgar L. Gillett of Canton as state commissioner of agriculture.

No action was taken by the Governor on the expired tenures of Raymond J. Kenney of Belmont, state director of fisheries and game; Arthur T. Lyman of Westwood, state commissioner of correction; Brig. Gen. Richard K. Hale, associate commissioner of public works, and Maj. George J. Cronin of Boston, state purchasing agent.

Numerous other nominations were submitted.

GOV. CURLEY CHAFES AT FEDERAL DELAY

Wants Money for Cape N. G. Camp Right Off—Threatens to Give Government Blast

Gov. Curley, according to a recent despatch was real peeved because the Federal government had not come through with the money promised for building the National Guard camp on the Cape.

He was quoted as saying that the money had been promised and if it was not received the Federal people would hear a blast from him.
REARDON GETS
STATE
EDUCATION POST
APPOINTED AFTER
CURLEY'S COUNCIL
REJECTS SMITH

Naming of Adams Superintendent of Schools
Confirmed as Are the Reappointments of
Tax Commissioner Long and Commissioner
of Public Safety Kirk.

BOSTON, Dec. 18—James G. Reardon, superintendent of schools in Adams, is the new commissioner of education in Massachusetts. His nomination, presented by Gov. James Curley this afternoon, was confirmed by the Governor's Council, 6-3. The three Republican members of the council voted against him, the six Democratic members for him.

Gov. Curley first submitted the name of Payson Smith to the council, which voted against him, 5 to 4. Smith getting the three Republican votes and that of Lieut. Gov. Hurley.

All nominations submitted by Gov. Curley, including those of Henry S. Long, commissioner of taxation, and Paul B. Kirk, commissioner of public safety, were approved by the council.

BOSTON, Dec. 18—Ranks of the Massachusetts Teachers' Federation were split today on the choice of a candidate for State Education Commissioner.

A majority of the board of directors last night endorsed James G. Reardon, Adams superintendent of schools, for the post.

The minority seeks reappointment of Commissioner Payson Smith.

Supporters of Reardon charged pressure had been brought by school superintendents in an effort to force endorsement of Smith. The Superintendents' Association already has announced support of the present commissioner.

The minority countered with charges that the movement to endorse Reardon, a Boston College graduate and former superintendent at East Bridgewater, was dictated by Governor Curley.

The vote supporting Reardon was 12 to 8. John L. Davoren, president
of the Teachers' Civic League of Massachusetts, led the fight for Reardon, while opposition was headed by Mrs. Grace I. Woodbury of Melrose, Federation president. The Federation membership numbers 21,000.

BOSTON, Dec. 18—Robert J. Watt, secretary treasurer of the American Federation of Labor, discussing the quoted statement of James G. Reardon, superintendent of schools of Adams, and a candidate for the position of state commissioner of education, that he is in favor of the teachers' oath bill, said today: "If Mr. Reardon is quoted correctly as saying that he is one thousand per cent for the teachers' oath, that statement alone should disqualify him as commissioner of education of Massachusetts. Massachusetts was the birthplace of American liberty and it should not be made its graveyard.

"People who believe in the teachers' oath are believers in the Communistic method of teaching which is regimenting of school children by the regimentation of their school teachers. If a man who believes in this form of teaching is appointed, the walls of Faneuil Hall will begin to tumble on end."

Press Clipping Service
2 Park Square
Boston Mass.

Transcript
Holyoke, Mass.

BOSTON, Dec. 18—City of Boston investigators today scanned record of two closed banks in an effort to obtain evidence against former City Treasurer Edmund L. Dolan and six others accused of irregularities involving $250,000 in bond transactions.

The records are from the Exchange National Bank and the Federal National Bank. A request for information has been made at the bond department of a third bank.

Meanwhile, all was quiet on the Curley-Mansfield front. Neither Governor Surley, who as Mayor appointed Dolan, nor Mayor Frederick W. Mansfield, instigator of the suit, commented further.

Special Corporation Counsel George R. Farnum announced he would ask the State Supreme Court to expedite a hearing before a master on the bill of equity filed by the city yesterday, in an effort to recover allegedly illegal profits said to have been made by Dolan and his associates while Dolan was treasurer.

Press Clipping Service
2 Park Square
Boston Mass.

Transcript
Holyoke, Mass.

TEMPORARY QUARTERS FOR REGISTRY BRANCH SECURED

They Will Be In Lincoln Building — Inspector Foran to Be in Charge.

Temporary quarters for the local motor vehicles branch office obtained for this city by Mayor-elect William P. Yoerg will be located at 104 Suffolk street in the Lincoln building and will open at 9 Friday morning. Immediate opening of the office will prove a boon to local motorists at this time, who will be saved the trouble of going to Springfield or Northampton, as in former years, to obtain their registration plates for the new year.

Mayor-elect Yoerg and Secretary Rudolph J. Laporte of the Tri-County Automobile club returned last night from Boston, where final arrangements for opening the local branch office were concluded with Registrar of Motor Vehicles Frank A. Goodwin.

State Highway Inspector Harry Foran will be in charge of the temporary office.

The rush for 1936 plates is already on. Approximately 8,500 cars were registered in this city during the year, but not all of the owners apply for plates immediately, many putting their machines up until the spring. Those who do put their cars on the road January 1 have to go out of town for their plates or else pay a 50-cent service charge to individuals who do the work for insurance companies and others.

Provision for a permanent office in this city will be made next year in the state budget, Gov. Curley has assured Mr. Yoerg, and it will be necessary to introduce a bill in the Legislature creating the branch office here.

Mayor-elect Yoerg in his visit to Boston yesterday also conferred with William F. Callahan, chairman of the state department of public works, Charles R. Gilley, chief clerk, Attorney General Dever and Secretary of State Frederic W. Cook.
REARDON MADE COMMISSIONER IN PLACE OF SMITH

36-Year-Old Boston College Graduate Succeeds Veteran Educator—
Long and Kirk Returned

BOSTON (P)—A 36-year-old Boston college graduate, James G. Reardon, succeeded Dr. Payson Smith as state commissioner of education today.

Reardon was nominated and confirmed 6-3 by the executive council yesterday after the council had rejected Gov. James M. Curley's renomination of Dr. Smith, 3-4. He will receive $9000 per year.

On the vote for Dr. Smith's renomination Lt. Gov. Joseph L. Hurley joined the Republican members in voting to retain the veteran commissioner of 20 years standing. However, when Curley then submitted Reardon's name, Hurley voted for his confirmation.

Reardon, superintendent of schools at Adams, has called himself a "100 percent supporter" of the teacher's oath law. Dr. Smith originally opposed it.

The council reappointed Henry F. Long as state commissioner of taxation and corporations and Paul G. Kirk as commissioner of public safety. Action was deferred on the appointment of Howard H. Murphy, of Osterville, as commissioner of agriculture.

Curley said he was undecided about reappointing or replacing Raymond J. Kenney as director of the division of fisheries and game, Arthur T. Lyman as commissioner of correction and Maj. George J. Cronin as state purchasing agent.

The terms of Kenney and Lyman expired Dec. 1 and Cronin's term ended Dec. 13.

OATH GIVEN NEW EDUCATION HEAD

BOSTON, Dec. 19 (P)—James G. Reardon, 36, superintendent of schools in Adams, was sworn in today by Governor James M. Curley as Massachusetts' Commissioner of Education.

The young educator, whose nomination was confirmed yesterday by the executive council after that body declined to approve the reappointment of Dr. Payson Smith, took the oath of office in the executive chambers in the presence of relatives and friends.

In brief remarks, after he administered the oath, Governor Curley told the new commissioner he was certain Reardon was well qualified to fill the office.

MANY PRISONERS TO GET PARDONS

BOSTON, Dec. 18 (P)—Scores of inmates in Massachusetts penal institutions, including two serving life sentences for murder, were gladdened tonight by news of their pending release by Christmas.

Gov. James M. Curley announced that 200 prisoners serving sentences for drunkenness at the state farm would be released on parole during a five-day period ending Christmas Day.

On the other hand, Richard Olney, chairman of the board of paroles, set the figure at "a little more than 100," "many of whom," he added, "would have been freed at that time anyway." The gates of the women's reformatory at Sherborn would be opened for 20 women there, Gov. Curley said, and the state board of paroles, he added, has authorized the release of 15 serving sentences at Concord by Christmas and 14 more by Jan. 31, he added.

Announcement of the Christmas "gift" paroles was made prior to the meeting of the council at which the governor recommended clemency for five prisoners through commutation of their sentences to make them eligible for parole.

Action on the governor's commutation recommendations was deferred by the council until a special session next Monday.

One of the lifers is Samuel Powers of Westfield, imprisoned since 1914 for the murder of his wife. Curley asked the council to commute his sentence to 20 years, making him eligible for parole.

The other is Wojciech Birusz of Salem, sentenced in 1920 for murdering Mary E. Lavoie. Commutation of the sentence to 20 years was asked for Birusz to make him eligible for parole with the understanding he be deported to Poland, his native country.

The three other prisoners for whom commutation was asked included Henry A. Gardner of Worcester, sentenced in 1932 to 10 to 12 years for burning a building. The governor requested a reduction to four to twelve years.
DR. PAYSON SMITH LOSES HIS EDUCATIONAL POST

Is Deposed By Gov. Curley After 20 Years as Commissioner of Education in Mass.—James E. Reardon Succeeds Him

BOSTON, Dec. 18 (AP)—In five minutes today, Dr. Payson Smith was ousted as state commissioner of education after almost two decades of service, and a dark horse among those mentioned to succeed him was appointed and confirmed.

After months of continuous agitation from teachers to reappoint Dr. Smith, who is 63, Governor James M. Curley submitted his name to the executive council, which rejected the nomination, 5 to 4.

Many of those mentioned to succeed Dr. Smith, Reardon, has received no special notice or support until last night, when a majority of directors of the Massachusetts Teachers' Federation endorsed him. A minority favored Dr. Smith's retention.

Reardon styled himself a "100 per cent supporter" of the controversial state teachers' oath act, while Dr. Smith originally opposed it. How much weight was attached by the councillors to these attitudes of the respective candidates, however, was not immediately apparent.

Reardon's term of office is five years and his salary $9,000.

While rejecting Dr. Smith's reappointment, the council confirmed reappointment of two other state officials appointed before Governor Curley was elected.

One was Henry F. Long, state commissioner of taxation and corporations, in public service for many years. He was reappointed for a term of three years, at a salary of $7,500.

Another was Paul G. Kirk, 31-year-old commissioner of public safety, appointed by Governor Curley's predecessor, Joseph B. Ely. He will serve five years at $6,000 annually.

Governor Curley, explaining the council's vote on the Smith reappointment, said:

"I conferred with the Democratic members of the council concerning the Smith appointment before the council session, and with the exception of the lieutenant governor, they were all opposed to Mr. Smith."

Reardon, a Boston College graduate in 1923 and an American Legionnaire, studied also at Harvard and Boston universities.

He has been superintendent at Adams for a year, going there after serving in the same capacity at East Bridgewater for eight years.

He also had taught at East Bridgewater high school, and was principal for a year.

The council today deferred again action on the governor's appointment of Howard H. Murphy of Osterville as commissioner of agriculture.
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After months of continuous agitation from teachers to reappoint Dr. Smith, who is 65, Governor James M. Curley submitted his name to the executive council, which rejected the nomination, 5 to 4.

The governor immediately offered the name of James G. Reardon, 36-year-old superintendent of schools in Adams, and the council just as quickly confirmed him as commissioner. The vote was 6 to 3, strictly on party lines.

Among numerous candidates mentioned as possibly successors to Dr. Smith, Reardon has received no special notice or support until last night, when a majority of directors of the Massachusetts Teachers' Federation endorsed him. A minority favored Dr. Smith's retention.

Reardon, a Boston College graduate in 1923 and an American Legionnaire, studied also at Harvard and Boston universities.

He has been superintendent at Adams for a year, going there after serving in the same capacity at East Bridgewater for eight years. He also had taught at East Bridgewater high school, and was principal for a year.

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As We See It

THE NEW TERROR

Now watch the peanut dodgers. Every politician, being afraid of his own political shadow, will throw the ominous cloud of the Townsend plan now gradually darkening the prospects of some of those who have stood by the guns of antique party affiliation and shut their eyes to the inevitable changes since we have, as a nation, arrived at the conclusion that the world not only owes us a living, but the world must collect it for us.

There was an election in Michigan on Tuesday. Now watch the throng of political office seekers jump upon the Townsend band wagon. It has been proven popular. The ayowed Townsendite candidate swamped all his opponents by a two to one margin. It demonstrates that even the New Deal "give everything away" policy is not so popular as the Townsend plan. People evidently can see that there will be a time when there will be nothing to give away and the Roosevelt brain trust will be stumped.

The eleventh hour for Christmas shopping is rapidly approaching. Have you made those purchases yet? Just get busy and hustle along. You will be doubly pleased when the last present is purchased. Remember, you know your friends will be pleased.

WHY SWAP HORSES?

When you have a good horse, it is a mighty poor policy to trade it for one of doubtful value. That has been the policy in swapping horses ever since trading was invented. That appears to be the policy Governor Curley should adopt in the selection of the state Commissioner of Education. Apparently the Governor does not desire to retain Payson Smith, who has proven his ability and appears to be the right man in the right place. In the construction of his political machine, the Governor appears not to find Mr. Smith one of the constructive elements. Despite the fact that the present commissioner is perfectly satisfactory and there is not a single thing against him, the Governor intends to oust him.

Governor Curley is not making friends or political headway in his construction of an invincible political machine. He does not appear to possess the political acumen of Huey Long, that is those who believe the former Louisiana king fish is the model. Above all else, the Governor should not monkey with education at this perilous time. The state knows Mr. Smith is safe, let us hesitate before swapping horses in the middle of the river of doubt.

THE NEXT CONGRESS

There is some industrious scratching of heads in Washington right now. It must be remembered that when Huey Long—now, to some, conveniently dead—was waging his battle for the "share the wealth" doctrine, it proved its popularity and the Louisiana senator was receiving invitations to visit every section of the country to explain it. That threw a scare into the powers at Washington so completely that several acres of soap were scratched trying to discover a counter-irritant.

The administration "brain trust" copied it to perfection in the "social security scheme" and sought to pass that along to the country as the Long cure-all. The trouble with the social security scheme is that it offers no security to anyone except the thousands of officials at Washington who will take care of the funds as they come in, and the subsequent congresses that will find ways of chiseling the funds out of the "security box" for other purposes. When the money for the so-called social security scheme begins to pile up in Washington, the eyes of the politicians will stick out like those of a frog and they will start right in devising ways and means of getting their hands upon it. That has been the experience of the past.

The election in Michigan has been an awakener to the party politicians that a thunder storm is approaching and no one can tell who the lightning will hit. So, the lightning arresters will now be adjusted.

Governor Curley is not making friends or political headway in his construction of an invincible political machine. He does not appear to possess the political acumen of Huey Long, that is those who believe the former Louisiana king fish is the model. Above all else, the Governor should not monkey with education at this perilous time. The state knows Mr. Smith is safe, let us hesitate before swapping horses in the middle of the river of doubt.
At 35 Becomes Education Chief
James Gerrard Reardon Takes Oath of Office As Commissioner of Education For the State

By ALLEN MARTIN
BOSTON, Dec. 19. (UP)—James Gerrard (Roddy) Reardon, 35-year-old small-town school superintendent, today took the oath as state education commissioner—one of the youngest men in the United States to hold such an office.

The oath was administered by Gov. James M. Curley, whose appointment of Reardon yesterday brought singing rebukes from Republican and Democratic newspapers alike. Rother Curley and Reardon are Democrats.

Press attacks were directed not at Reardon personally, but at the manner in which his appointment was put through the executive council. Curley first announced he would reappoint Commissioner Payson Smith, but added that if the council, which is Curley-controlled, should reject Smith, he would appoint Reardon.

By a vote of 5 to 4 the council rejected Smith, and then, by a vote of 6 to 3, confirmed Reardon.

Curley to Release Scores of Prisoners
Two Lifers Among Those to Be Liberated by Christmas
Parole 200 Serving Sentences for Drunkenness; Release 20 Women from Sherborn

Boston, Dec. 18—(R)—Scores of inmates in Massachusetts penal institutions, including two serving life sentences for murder, were gladdened tonight by news of their pending release by Christmas.

Governor Curley announced that 200 prisoners serving sentences for drunkenness at the State farm would be released on parole during a five-day period ending Christmas day.

On the other hand, Richard Olney, Chairman of the Board of Paroles, set the figure at "a little more than 100," "many of whom," he added, "would have been freed at that time anyway."

The gates of the Women's Reformatory at Sherborn would be opened for 20 women then, Governor Curley said, and the State Board of Paroles, he added, has authorized the release of 16 serving sentences at Concord by Christmas and 14 more by Jan. 31, he added.

Announcement of the Christmas "gift" paroles was made prior to the meeting of the Council at which the Governor recommended clemency for five prisoners through commutation of their sentences to make them eligible for parole.

Action on the Governor's commutation recommendations was deferred by the Council until a special session next Monday.

One of the lifers is Samuel Powers of Westfield, imprisoned since 1914 for the murder of his wife. Curley asked the Council to commute his sentence to 20 years, making him eligible for parole.

The other is Wojciech Birus of Salem, sentenced in 1920 for murdering Mary B. Lavole. Commutation of the sentence to 20 years was asked for Birus to make him eligible for parole with the understanding he be deported to Poland, his native country.

The three other prisoners for whom commutation was asked included Henry A. Gardner of Worcester, sentenced in 1922 to 10 to 12 years for burning a building. The Governor requested a reduction to four to 12 years.
Dr. Payson Smith’s Rejection And Reardon’s Confirmation Termed ‘Political Maneuvers’

BOSTON, Dec. 19—Bitter resentment over Gov. Curley’s appointment of James A. Reardon as State Commissioner of Education to succeed Dr. Payson Smith, and the subsequent so-called “political manauvers” of his Council, in immediately confirming the appointment under rules suspension, was evidenced yesterday on Capitol Hill. Councilman Winfield A. Schuster and Rep. Philip G. Bowker bitterly attacked the action of the Governor and his Executive Council and termed the proceedings as a “Pre-arranged plan of the Governor to save his face.”

Dr. Smith, who had been the Commissioner of Education for 10 years, had the moral and actual support of the leading educational men of the state and also from other parts of the country. He was reappointed by the Governor, it was declared, as a “mere gesture,” with a probable cut-and-dried plan to oust him once the appointment was submitted to the Executive Council. It did not take long for the Governor to realize this, and informed sources allowed that the Governor did little to have the appointment confirmed. He had the moral and actual support of the Democratic Council behind closed doors. The Council met and the Governor submitted Dr. Smith’s name for re-appointment. A vote of 5 to 4 rejected Smith. The Governor, according to a pre-arranged plan, then put in Reardon’s name and he was confirmed, 6 to 3.

“The despicable methods of Gov. Curley are now only too apparent,” said Bowker. “His back-door tactics in the case of Dr. Smith should not be overlooked. First, through his henchmen he maneuvered a vote through the directors of the Massachusetts Federation of Teachers to support Reardon for the position. Yesterday morning he held a caucus of the Democratic members of the Council behind closed doors. The Council then met and the Governor submitted Dr. Smith’s name for re-appointment. A vote of 5 to 4 rejected Smith. The Governor, according to a pre-arranged plan, then put in Reardon’s name and he was confirmed, 6 to 3.

“What a bluff on the part of the Governor! Does he think for one minute the public cannot see through this? By trying to save his own face and put his Councilors on the spot the Governor has stooped to tactics of the lowest sort and has only shown himself up.”

Robert J. Watt, secretary of the Massachusetts Federation of Labor, was another who attacked the appointment and confirmation of Reardon and did so by saying:

“If Mr. Reardon is quoted correctly in saying that he is 100 percent behind the teachers’ oath law,” said Watt, “that statement alone should disqualify him as commissioner of education.

“Massachusetts was the birthplace of American liberty and should not be made its graveyard. People who believe in the teachers’ oath are believers in the communistic method of teaching, which is regimenting of school children by regimentation of their teachers.

“If a man who believes in this form of teaching is appointed, the walls of Faneuil Hall will begin to tumble in.”
Blue Ribbon Winners

Dizzy and Shorty, gray geldings from the Brookline stables of H. P. Hood & Sons, took first honors as the best pair of draft horses in the Horse Show of the 110th Cavalry, held in Commonwealth Armory, Boston, Thursday, Dec. 5th, before a brilliant audience, which included Gov. Curley and Gov. Brann of Maine.

Press Clipping Service
2 Park Square
BOSTON MASS.

COURIER-CITIZEN
Lowell, Mass.

SCORES OF CONVICTS OUT FOR CHRISTMAS
Many on Parole for Five Days
—Two Lifers' Sentences to Be Commuted.

BOSTON, Dec. 18. (P).—Scores of inmates in Massachusetts penal institutions, including two serving life sentences for murder, were gladened tonight by news of their pending release by Christmas.

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The three other prisoners for whom commutation was asked included Henry A. Gardner of Worcester, sentenced in 1932 to 10 to 12 years for burning a building. The governor requested a reduction to four to 12 years.
Payson Smith May
Hand Curley Broadside
Ousted School Head’s Successor Is Inducted

J. G. REARDON
YOUNGEST MAN
TO HOLD POST

BOSTON, Dec. 19 (INS) — James G. Reardon, youngest man ever appointed to the position of state commissioner of education, takes the oath of office today, less than 24 hours after his appointment.

Reardon, 35, was confirmed by the governor’s executive council yesterday after it rejected the appointment of Dr. Payson Smith, commissioner since 1916.

Dr. Smith made no statement but friends were said to be preparing a criticism of Governor James M. Curley and the council.

Reardon, superintendent of Adams schools since September, said he had “some very definite ideas about the new duties,” but refused to go into further detail.

REARDON SWORN IN AS STATE’S EDUCATION HEAD

Small Town School Superintendent Succeeds Payson Smith.

BY ALLEN MARTIN
United Press Staff Correspondent.

BOSTON, Dec. 19 (UPI) — James Gerrard (Robby) Reardon, 35-year-old small-town school superintendent, today took the oath as state education commissioner—one of the youngest men in the United States to hold such an office.

The oath was administered by Governor James M. Curley, whose appointment of Reardon yesterday brought stinging rebukes from Republican and Democratic newspapers alike. Both Curley and Reardon are Democrats.

Press attacks were directed not at Reardon personally but at the manner in which his appointment was put through the Executive Council. Curley first announced he would reappoint Commissioner Payson Smith, but added that if the Council, which is Curley-controlled, should reject Smith, he would appoint Reardon.

By a vote of 5 to 4 the Council rejected Smith, and then, by a vote of 6 to 3, confirmed Reardon. Smith was serving his 20th year as commissioner.

Representative editorial comment:

Boston Post (independent-Democratic) — "... Why was it necessary to go through all this hypocrite hocus pocus to land him (Reardon) in office? ... The whole business reeks with political chicanery of a sort unusual in Massachusetts. Our citizens are getting a liberal education into the wiles of politics these days."

Boston Herald (Republican) — "... Disgraceful as the removal itself was, the methods employed were just as bad. ... The governor is utterly childish if he has the notion that this self-sev'ning action will deceive anybody, even the most gullible. ... The whole episode marks a new low in the administration of the affairs of this commonwealth."

Meanwhile, the ousted Smith hinted he might issue a statement later. Reardon’s promotion from a $3600-a-year job as superintendent of schools in the Berkshire county town of Adams to the $9000-a-year...
PAYSON SMITH VOTED OUT BY STATE COUNCIL

Name of Commissioner of Education, Sent in by Curley, Rejected—Adams Superintendent Later Chosen to Post.

REARDON DARK HORSE IN RACE

Long, Head of Taxation Department, and Kirk, Safety Executive, Reappointed and Confirmed—Action on Howard Murphy Again Deferred.

BOSTON, Dec. 18.—In five minutes today, Dr. Payson Smith was ousted as state commissioner of education after almost two decades of service, and a dark horse among those mentioned to succeed him was appointed and confirmed.

Smith Rejected, 5 to 4.

After months of continuous agitation from teachers to reappoint Dr. Smith, who is 63 years old, Governor James M. Curley submitted his name to the Executive Council, which rejected the nomination, 5 to 4.

The governor immediately offered the name of James G. Reardon, 36-year-old superintendent of schools in Adams, and the Council just as quickly confirmed him as commissioner.

The vote was 6 to 3, strictly on party lines.

Among numerous candidates mentioned as possibly successors to Dr. Smith, Reardon has received no special notice or support until last night, when a majority of directors of the Massachusetts Teachers' Federation endorsed him as a minority favored Dr. Smith's retention.

Reardon Backs Oath.

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Reardon's term of office is five years and his salary $9000.

While rejecting Dr. Smith's reappointment, the Council confirmed reappointment of two other state officials appointed before Governor Curley was elected.

Kirk, Long Confirmed.

One was Henry F. Long, state commissioner of taxation and corporations, in public service for many years. He was reappointed for a term of three years, at a salary of $7500.

Another was Paul G. Kirk, 31-year-old commissioner of public safety, appointed by Governor Curley's predecessor, Joseph B. Ely. He will serve five years at $6000 annually.

Governor Curley, explaining the Council's vote on the Smith reappointment, said:

"I conferred with the Democratic members of the Council concerning the Smith appointment before the Council session, and with the exception of the lieutenant governor, they were all opposed to Mr. Smith."

Reardon a Legionnaire.

Reardon, a Boston college graduate in 1923 and an American Legionnaire, studied also at Harvard and Boston universities.

He had been superintendent at Adams for a year, going there after serving in the same capacity at East Bridgewater for eight years. He also had taught at East Bridgewater high school, and was principal for a year.

The Council today deferred again action on the governor's appointment of Howard H. Murphy of Chesterville as commissioner of agriculture.
very obviously if somewhat crudely, in an effort to pin a Republican tag on Mr. Cluin, it was even rumored today that one violent enemy of Mr. Cluin had gone so far as to send copies of the most recent photographic attack to the governor's office.

As a Democratic paper, the LEADER fought for Mr. Cluin's appointment and convinced Governor Curley that he was the proper man for the position. Nothing that has happened in the last few months has served to change the LEADER's opinion in this respect. He is a Democrat of the highest type, true to the courageous ideals of that party. More important, he has been faithful to his oath of office. It is this very fidelity which has won for him the hatred of repudiated elements of his own party.

Governor Curley has been in public life long enough and has had enough experience with human nature not to be hoodwinked by the cheap efforts to discredit Mr. Cluin. We have had too little courage at City Hall in the past few years. Mr. Cluin's advent into the building came like a refreshing breeze on a stifling day. If you admire "guts" in a public servant, you will write to Governor Curley at once and give him the true picture of what has happened in Lowell in the last few months. Meanwhile His Excellency is to be congratulated in keeping his hands off a situation that the Finance department is well qualified to handle alone.

That is gratifying news that came out of Boston today to the effect that a WPA payroll of some $13,000 will be paid to approximately 600 Lowell residents tomorrow, just in time for the Christmas holiday season. Some of the WPA employees have been without pay for four or five weeks, thanks to the usual ineffectiveness which surrounds governmental projects. The local welfare office has been stormed by men unable to get the money which they justly earned. It is to be hoped that there will be no further delays or confusion.

The payment of the final dividend in the savings department of the Lowell Trust Co. serves to make one wonder if there was any real necessity for closing the bank in the first place. Few closed banks have been able to pay 100 cents on the dollar and any of these institutions in the short time in which the Trust Co. has done it under the guidance of Liquidating Agent Joseph F. Garigan. The bank's assets must have been in fairly good condition. Had the banking laws which now prevail been in effect when the Trust Co. closed, it is doubtful if there would have been any surrender to the hysteria of the moment.

Because Mr. Cluin acted courageously and honestly and for the best interests of the taxpayers of Lowell in the recent investigation of Street department payrolls, he has been accused in some circles of having Republican leanings, although he is a registered Democrat. Cartoons and more recently insidious photographs have been employed in certain sections of the local press.
MAY PARDON LYNNER FOR CHRISTMAS

William A. Hooper Killed Full-Blooded Indian to Avenge Sister's Honor.

William A. Hooper of Lynn and Glastonbury, Conn., serving six to ten years in State prison for killing William Lewis, 35, a full-blooded Indian, for allegedly betraying Hooper's sister, Marion, may received a real Christmas present in the form of an absolute pardon or at least his liberty on parole.

Present plans of the parole board and of the governor indicate that a pardon may be forthcoming. The alternative plan is that the six to ten years sentence may be commuted by cutting it in half. In the latter event parole will be possible as parole can be granted because Hooper will have served the necessary two-thirds of the minimum which then would be reduced from six to three years.

Hooper was sentenced by Judge Frederick W. Fosdick at Salem Superior court in early 1933, after Judge Fosdick declared, "No jury on earth would ever find this youth guilty of first degree murder or even of second degree murder."

Beaten to Death

Young Hooper, who was living in Glastonbury, Conn., came to Lynn, the town for a special purpose of killing Lewey, who was the father of a family of children, and of arrangement, met Lewey at Lynn, near not far from the State Bathhouse, just over the line in Nahant. The interview had for its climax the killing of Lewey which Hooper admitted he had accomplished by beating him to death with a hammer.

HENNESSEY OPPOSES SMITH REAPPOINTMENT

William G. Hennessy of Lynn joined with four other members of the governor's executive council Wednesday afternoon, in rejecting the appointment of Lt. Payson Smith as state commissioner of education and in approving the appointment of James G. Reardon, superintendent of schools at Adams, as Smith's successor.

When the name of Dr. Smith was submitted for confirmation, Councilor Hennessy and four other Democrats, Daniel H. Coakley, James J. Brennan, Phillip J. Russell, and Morton H. Burdick, voted against confirmation. Lieutenant-Governor Hurley and the Republican councillors, Frank A. Brooks, Winfield A. Schuster and Joseph B. Grossman, favored confirmation.

After Governor James M. Curley had immediately submitted the name of Superintendent Reardon, the latter was confirmed by a 6 to 3 voice vote with the lieutenant-governor favoring the appointment. "Educators in many sections of the state had urged the reappointment of Dr. Smith."

Lynner, the new commissioner, a graduate of Boston College, is well known to Greater Lynn school officials. He served as superintendent of schools at East Bridgewater before assuming his post at Adams.

URS SUCCEDE TO PAYSON SMITH

Governor's Council Confirms Adams Supt. of Schools Educational Commissioner.

BOSTON, Dec. 19, 1935.—A 36-year-old Boston college graduate, James G. Reardon, succeeded Dr. Payson Smith as State commissioner of education today.

Reardon was nominated and confirmed 6-3 by the executive council yesterday after the council had rejected Gov. James M. Curry's re-nomination of Dr. Smith 5-4. He will receive $9000 per year.

On the vote for Dr. Smith's re-nomination Lt. Gov. Joseph L. Hurley joined the Republican members in voting to retain the veteran commissioner of 20 years standing. However, when Curley then submitted Reardon's name, Hurley voted for his confirmation.

Supports Oath Law

Reardon, superintendent of schools at Adams, has called himself a "100 per cent supporter" of the teachers' oath law. Dr. Smith originally opposed it.

The council re-appointed Henry F. Long as State commissioner of taxation and corporations and Paul G. Krik as commissioner of public safety. Action was deferred on the appointment of Howard H. Murphy of Osterville as commissioner of agriculture.

Curley said he was undecided about reappointing or replacing Raymond J. Kenney as director of the division of fisheries and game; Arthur T. Lyman as commissioner of correction and Maj. George J. Cronin as State purchasing agent. The terms of Kenney and Lyman expired Dec. 1 and Cronin's term ended Dec. 13.
Solons Face Hectic Session With Many Bills on Slate

STATE INCOME TAX BOOST, OATH REPEAL ON LONG LIST

Governor to Ask Cut in Number of Representatives in Message—To Ask Extension of 48-Hour Week

By GENE LORICK
International News Service Staff Correspondent

BOSTON, Dec. 19.—Efforts to boost the state income tax revenue and to repeal the controversial teachers' oath law loomed today as the biggest battles confronting the incoming legislature.

The session appears destined to be as hectic as any in the long history beneath the gilded dome.

Proposals facing the solons on Beacon Hill would place 200,000 new contributors to state tax totals, through the reduction of exemptions and a shift of the tax on manufacturing machinery to inventories on stocks of non-manufacturing concerns.

The jobs of half the representatives and senators will be at stake when the 1936 session opens two weeks hence. Gov. Curley announced his annual message will sound a tocsin for a new struggle to slash the legislature in half and to provide for biennial sessions.

Here is a brief resume of the outstanding problems facing the legislature—the "second annual session of the 149th General Court of the Commonwealth of Massachusetts"—some of which may be written into the statutes, and others scored under in the battle or ballots either in house or senate.

Reduce state income tax exemptions for unmarried persons from $2,000 to $1,400 and the exemption for husband and wife from $3,500 to $1,900.

Revise compulsory automobile insurance law, with respect to the recent Supreme Court decision which stated it was not necessary to show gross negligence to collect from an automobile owner if injuries are suffered in his car.

Eliminate the executive council, to be recommended in the proposals for legislation in the message of Gov. Curley.

Ouster of Mayor Frederick W. Mansfield. Senator Joseph A. Langone, Jr., filed a bill providing for a referendum to be held next March.

Increase the income to the state from horse and dog racing by boosting the "take" from 3 1-2 to 6 per cent on horses and from 3 1-2 to 5 per cent on the whippets.

Abolish capital punishment, a continuation of the long fight of opponents of the electric chair.

Extend the 48-hour work week now in effect in state institutions to county institutions.

Place the State Police constabulary under civil service.

Name the old State's prison at Charlestown, either construct a new institution on the present site or in some other location.

Lower the age limit for State Welfare recipients from 70 to 65.

Broaden and clarify statutes prohibiting illegal practice of law.

Liberalize laws pertaining to labor.

Prevent employment by the state of married women whose husbands hold jobs which could amply support both.

A total of 250 bills has been filed to date—89 in the House, 40 less than last year on this date, and 48 in the Senate. The deadline for some bills is 1 p.m., Jan. 11.
SMITH SILENT ON REARDON APPOINTMENT

New Commissioner of Education Took Oath Today

BOSTON, Dec. 19.—James G. Reardon, youngest man ever appointed to the position of state commissioner of education, took the oath of office today, less than 24 hours after his appointment.

Reardon, 35, was confirmed by the governor's executive council yesterday, 6 to 3, after it rejected the appointment of Dr. Payson Smith, commissioner since 1916, by a vote of 5 to 4.

Prior to the council session the governor conferred privately with Lt.-Gov. Hurley and the five Democratic councillors for 80 minutes.

On the roll calls in the council, Councillors Winfield A. Schuster of Quincy and Frank A. Brooks of Watertown, Republicans, voted to confirm Smith and to reject Reardon. Lt.-Gov. Hurley voted to confirm Smith and subsequently voted to confirm Reardon.


The appointment of education commissioner is for a term of five years at an annual salary of $9,000 the second highest salary in the state service except for the judiciary.

Dr. Smith today made no statement when asked to be preparing a criticism of Gov. Curley and the council. The council also confirmed: Lt.-Col. Paul G. Kirk, reappointed commissioner of corporations and taxation for five years at $6,000 a year.

Henry Long, reappointed commissioner of public safety for five years at $6,000 a year.

Reardon, superintendent of Adams schools since September, said he had "some very definite ideas about the new duties," but refused to go into further detail.

The new commissioner spent his boyhood in Medway, where his 60-year-old father works at a mill bench today. During his school days and until he was graduated from Boston College, Reardon was known as the "cow-milking" student. Every day before and after school the youth milked the cows for his father.

After graduation from Boston College in 1916, Reardon began teaching in East Bridgewater. Later he became principal of the school and then superintendent. He was superintendent of East Bridgewater schools until he took the Adams position.

The Dolan Case

THE ACTION of the city of Boston in bringing suit against its former treasurer, Mr. Dolan, for the recovery of large sums he is alleged to have made by the irregular purchase and sale of securities for fund accounts, bids fair to start currents that will have far-reaching political effects in the Commonwealth. The suit is as political in its implications as the famous Seabury Investigation in New York. The offense—if one was actually committed—was hardly a personal one; but was the fruit of the entire political set-up in Boston five years ago.

And it becomes of more than local significance since the chief of that set-up, the former Mayor of Boston is now the Governor of the State and the dominant figure in the Democratic party. Mayor Mansfield makes no secret of the fact that he expects to involve others besides Mr. Dolan in the revelations he hopes to make in court. The Governor by his prompt defiance of the Mayor shows that he knows very well that he is in the zone of Mr. Mansfield's fire. The feud, for so it may safely be called, between these two prominent Democrats is capable of having a very marked effect on the fortunes of any Democrats who run for high office next November. What that effect will amount to will be determined by the court proceedings in the Dolan case. On the outcome of this case not only the defendant's reputation but the political future of more than one distinguished Democrat may depend.
Atty D J Lucey Named Public Administrator
Atty D J Lucey of 208 Main st, son of the late Jere Lacey and brother of Rev F J Lucey, and Postman J J Lucey, was named a public administrator for Middlesex County yesterday by Gov Curley and confirmed immediately by the Council. He succeeds Nicholas A Lounes of Newton. The appointment is for five years. A public administrator handles the estates of people who die with no relatives and who have not named anyone to handle their property by will.

Governor Curley Fails To Reappoint Dr F W Gay Associate Medical Examiner
Governor Curley failed to reappoint Dr F W Gay associate medical examiner for Malden, Medford, Everett and Somerville yesterday when he named Dr Andrew D Guthrie, Medford eye, ear, throat and nose specialist and member of Medford Rotary. Dr Gay has held the office fourteen years, having been first appointed by Governor Channing H Cox. During nearly half of that time the late Dr Thos M Durell of Somerville who was medical examiner, was ill and Dr Gay performed all of the work.

Few surgeons in the employ of the Commonwealth have had a better record.

LORDY RADON GIVEN HOME WELCOME
Medway, Dec 19—"Lordly" Reardon came home last night, 12 years out of Boston college, as the youngest commissioner of education the state—and possibly the country—has ever had.

Hurrying over the road from Adams, the 35-year-old successor to Dr. Payson Smith, returned to the colonial homestead on Village street, where his parents have lived all their married life, to find the house filled with admiring, enthusiastic friends.

They came from Belmont and West Roxbury and Arlington and half a dozen other cities and towns to greet the new commissioner. He couldn't reach his old home until nearly midnight, but his reception was none the less enthusiastic.

Worn by the flood of phone calls and the constant stream of visitors, the new commissioner's 80-year-old father and 78-year-old mother had retired to await his homecoming. Every morning the father, William H. Reardon, goes to 7 A.M. to operate his finishing loom at the Fabyan Woollen Mills here. He has done this for 20 years, carrying a lunch with him weeks hence. Governor James M. Curley announced his annual address to the legislature on Beacon hill would place 200,000 new contributors to state tax rolls, through the reduction of exemptions and a shift of the tax on manufacturing machinery to inventories on stocks of non-manufacturing concerns.

The jobs of half the representatives and senators will be at stake when the 1936 session opens two weeks hence. Governor James M. Curley announced his annual message would sound a tocsin for a new struggle to slash the legislature in half and to provide for biennial sessions.

Here is a brief resume of the outstanding problems facing the legislature—the "second annual session of the 149th General Court of the Commonwealth of Massachusetts"—some of which may be written into the statutes, and others snowed under in the battle of ballots either in House or Senate.

Reduce state income tax exemptions for unmarried persons from $2000 to $1400 and the exemption for husband and wife from $2500 to $1900.

Revise compulsory automobile insurance law, with respect to the recent Supreme court decision which stated it was not necessary to show gross negligence to collect from an automobile owner if injuries are suffered in his car.

Eliminate the executive council, to be recommended in the proposals for legislation in the message of Governor Curley.

CONTINUED

HOLIDAY PAROLES
Boston, Dec 19, (AP)—Plans for Christmas and New Year paroles for 254 inmates of prisons, reformatories and the state farm were announced by Governor James M. Curley. Two life term prisoners and 20 women, reformatory inmates, were included in the list.
A total of 250 bills has been filed to date—202 in the House, sixty less than last year on this date, and 48 in the Senate. The deadline for filing bills is 1 p.m., January 11.

Ouster of Mayor Frederick W. Mansfield. Senator Joseph A. Langone, Jr., filed a bill providing for a referendum to be held next March.

Increase the income to the state from horse and dog racing by boosting the “take” from 3-1-2 to 5 per cent on horses and from 8-2-3 to 10 per cent on the whippets. Abolish capital punishment. A continuation of the long fight of opponents of the electric chair.

Extend the 48-hour work week now in effect in state institutions to county institutions.

Place the state police constabulary under civil service.

Raze the old state’s prison at Charlestown. Either construct a new institution on the present site or in some other location.

Lower the age limit for state welfare recipients from 70 to 65.

Broaden and clarify statutes prohibiting illegal practice of law.

Liberalize laws pertaining to labor.

Prevent employment by the state of married women whose husbands hold jobs which could amply support both.

A total of 250 bills has been filed to date—202 in the House, sixty less than last year on this date, and 48 in the Senate. The deadline for filing bills is 1 p.m., January 11.

The political “chess-playing” of Governor Curley in his latest behind-the-scenes action at the State House proves that Dr. Payson Smith never had a chance to retain his post as state commissioner of education.

Governor Curley, for nearly three weeks, stalled off his action in ousting Dr. Smith and handing his three-year job to James G. Reardon, Superintendent of Schools in Adams, Boston College graduate, and member of the Knights of Columbus.

While the Governor was withholding action he gave indications that he favored retention of Dr. Smith, who is considered an outstanding leader in his field. Even to close friends he presented that intimation.

Curley’s Strategy

Governor Curley may believe his strategy yesterday cloaked his action so that the man in the street was made to believe he tried to appoint Dr. Smith but the Council blocked him. But it would be difficult to find any man in the street today accepts this ingenious view.

The Governor himself, brazenly gave it away, when he said, “If the Council refuses to confirm Dr. Smith, I will appoint Mr. Reardon.”

This statement, coming only a minute or two after Curley had been closeted with the six Democratic Council members for nearly an hour and a half, made the situation obvious. Governor Curley’s packed Council had its instructions and carried them out.

Hurley for Smith

Surprising though it may be, the only Democrat in the Council who refused to blacklist Dr. Smith was Lieut. Gov. Joseph L. Hurley. The Lieutenant Governor, for the second time since he announced that he would seek the Democratic gubernatorial nomination, failed to support a Curley action.

Lieutenant Governor Hurley, of course desires the support of the Curley Democrats in the pre-primary convention. Yet he has voted against appointment of Thomas H. Green as State Commissioner of Civil Service and in favor of Smith, although later he voted to confirm Reardon. Unless there was some previous understanding between him and Mr. Curley, the first two votes can be interpreted as partial breaks with the Governor.

Teachers Federation

Another angle on the Reardon situation came early, when the board of directors of the Massachusetts Teachers Federation voted 12 to 8 in favor of Mr. Reardon as commissioner of education, in place of Dr. Smith. This vote came on the heels of votes in other educational organizations favoring Dr. Smith.

The story, heard about the State House is that Governor Curley told Mr. Reardon that if he obtained the indorsement of the federation he would be appointed. He got it and the appointment.

The vote of the board of directors, while official, does not necessarily mean, however, that the entire teachers federation, or even a majority of it, approves of Mr. Reardon as the education commissioner.

Opposition Grows

It is doubtful whether the Governor’s little plan aided him politically. The move caters to a certain powerful religious group, which has been after Dr. Smith’s scalp, a group which has invariably supported Curley in the past.

The move is certain to build up among the more conservative element and among the supporters of good government a greater opposition to the Governor than ever. This, coupled with his move in regards to previous appointments and other Beacon Hill actions, is not doing him any good.

The Governor may believe he is so strong politically that no matter what he does he will be victorious in the 1936 campaign. Other politicians, even those close to the Governor, are not so certain.

Many believe the Governor is on the toboggan of public favor, and that unless he does something drastic to stop his swift descent, the toboggan will not run up hill.

Labor Watches

Labor is certain to watch Mr. Reardon’s every move. The Massachusetts State Federation of Labor is eager to win their fight this year to increase the compulsory school age from 14 to 16 years. With Payson Smith’s support they gained several points during the 1935 session, although in the end they were again defeated.

Labor will keep track of Mr. Reardon’s stand on this measure and undoubtedly will make things uncomfortable for him, if he fails to support it.

As for Dr. Smith, labor is sorry to see him go, although unlike his opponents, it contends that Dr. Smith was not a faddist. Robert J. Watt, the federation secretary, declared Dr. Smith was actually a conservative and a high type public official, the very kind of person needed for the job.

Mr. Watt pointed out that Dr. Smith has not favored all labor’s proposals, but that under him the Massachusetts school system has progressed steadily.

Edward M. Morey
Foley to Hand Schools Case To Grand Jury

Evidence of Alleged Graft to Go Before Special Session Next Week

Boston Today—also sees—Reardon go into office as protests mount on three grounds—State census show gain in population—Statistician say professors are no better than typical man in buying shirts—Cambridge housing project proceed despite council refusal to close streets for construction.

Schools—Teacher Case Goes to the Grand Jury

Acting with surprising suddenness District Attorney William J. Foley today asked for a special session of the Grand Jury to meet Monday and hear evidence gathered in the School Committee case. This involves alleged sale of teachers jobs and contracts for school supplies and buildings.

Two members of the School Committee who were interviewed by the District Attorney today will testify before the Grand Jury, Mr. Foley disclosed. Nature of their testimony was not revealed, but it was understood to revolve around allegations that two men, operating from the office of a School Committee member, tried to collect amounts ranging from $50 to $7500 from teachers who wished to make sure of their positions or promotions, and offered school contracts for considerations.

A new aspect of the same allegations was revealed today when the District Attorney said that an architect had reported he was approached concerning payment for an order for plans for a school building.

Three members appeared separately to talk with the District Attorney today. They were Frederick H. Sullivan, Maurice J. Tobin and Dr. Charles E. Mackey, chairman.

The fourth member, Joseph V. Lyons, is out of the city, but sent word he would see Foley tomorrow. In addition to the School Committee members, City Councillor Robert Gardner Wilson talked with the District Attorney.

The conversations were surrounded with secrecy. The only statement issued was made by Dr. Mackey just after he appeared at the courthouse with his sister, Miss Genevieve Mackey, a school teacher. He expressed confidence in the integrity of the School Committee.

Reardon—Inducted In Office as Protests Grow

While clouds of protests gathered in various parts of the State, Governor Curley today administered the oath of office to James G. Reardon, installing him as Commissioner of Education. Following the simple ceremony which took place in the executive chambers, the Governor congratulated Mr. Reardon, saying he appreciated the circumstance that his education and training was equal to that of Dr. Payson Smith, whom Mr. Reardon succeeds.

Protests were based chiefly on three grounds:
1. That it was unjust to displace Dr. Smith who has guided the Commonwealth’s schools to a high position of regard during his nearly 20 years incumbency.
2. That the appointment appeared to be due to pressure from a religious group.
3. Reardon’s stand in favor of the teacher’s oath.

Repeating to criticism from Robert J. Watt, secretary of the Massachusetts Federation of Labor, and others relative to his oath position, Mr. Reardon, immediately after his induction of office today, issued a statement plainly indicating he will insist on all teachers taking the oath without delay.

This attitude was in direct contradiction to Dr. Smith’s policy of granting every consideration to those hesitating over the oath.

Characterizing the appointment of Mr. Reardon as “a most contemptible act on the part of the Curley Administration,” Dr. A. Z. Conrad, pastor of the Park Street Church, today registered himself as opposed to the change. “The removal,” he said, “of Payson Smith is an exemplification, part and parcel, of Curley politics.”

Disclosing that he had no plans for the immediate future, Dr. Smith today vacated the office in the State House he had used since 1917. Less than 24 hours after his reappointment had been refused he found another man occupying his position.

In rejecting Dr. Payson Smith in favor of James G. Reardon as Massachusetts Commissioner of Education, Gov. James M. Curley seems to be intent on showing that as his power grows his political maneuvers become increasingly patent.

“If the Council refuses to confirm Dr. Smith, I will appoint Mr. Reardon,” said the Governor yesterday when he reappointed the man who has served Massachusetts so excellently for eighteen years.

Strangely enough, the Council accepted the invitation—or order—and turned down Dr. Smith! And then, of course, the Governor had to keep his word; he appointed Mr. Reardon. What effect this hocus-pocus was intended to produce upon the open-mouthed spectators, it is hard to imagine. Surely the Governor does not expect Massachusetts citizens to believe that a Curley-controlled Council performs except when the Governor cracks the whip.

A short time ago, when Massachusetts was said to be following in the wake of Louisiana, a large group of people protested indignantly that “Such a thing can’t happen in Massachusetts.” The fact remains that it is happening. The Governor has gained control of the Council; has caused $13,000,000 to be placed at his disposal for patronage purposes; has so far held almost complete control of the Legislature.

In this light, the ousting of Dr. Smith, in itself an injury to the schools and in its manner an insult to the intelligence of citizens, is also a step along the path to dictatorship in Massachusetts.
Press Clipping Service
2 Park Square
BOSTON MASS.

GAZETTE
Northampton, Mass.

DEC 19 1935

RECORD FAILURE TO
RE-APPOINT SMITH

Members of Smith Faculty
Comment on Action by
Governor Curley

Dr. William Aitan Neilson,
president of Smith college, and
members of the faculty, last
night joined with other educa-
tors in the western end of the
state in protesting against the
failure to re-name Dr. Payson
Smith as commissioner of educa-
tion for Massachusetts. The con-
sensus is that Massachusetts has
suffered an irreparable loss and
that the welfare of children has
been sacrificed to politics.

Though few commented direct-
ly on the appointment of James
G. Reardon of Adams as Dr.
Smith's successor, they voiced re-
gret that a supporter of the tea-
ers' oath bill which has met with
opposition by teachers in all
parts of the state should head
the department of education.

The following was the reaction
of educators at Smith college to
the appointment of Reardon, to
displace Dr. Smith as state com-
misssioner of education:

President William A. Neilson:
"The failure to reappoint Dr.
Payson Smith is, in my opinion,
a calamity for the interests of
education in Massachusetts. His
service has not only been long
and faithful but highly intelli-
gent. It is extremely unfortunate
that for reasons which one can
only suppose to be political, the
commonwealth should be de-
prived of services of so great
value as those of Dr. Smith."

Prof. S. Ralph Harlow of the
department of religion and Bib-
lical literature. "No political act in
my years of experience as a
teacher has had a more under-
done respect for the state as has the
teachers' oath bill. The teachers of
this state have been almost a
unit in indorsing Payson Smith
as commissioner of education,
partly because he was coura-
gage enough to oppose the pre-
ent administration's attacks on
the teachers."

"Gov. Curley has put in his
place a man supporting patriotism
by compulsion. Unfortunately,
little else could have been ex-
pected. The teachers, however,
in this state outnumber by a good
majority the members of the
American Legion. The fight to
repeal this undemocratic piece
of legislation will continue in
spite of the appointment of a
commissioner who favors it."

Harold W. Faulkner, of the de-
partment of history, expressed
disappointment in the appoint-
ment of Mr. Reardon: "If the re-
cent statement of Robert J.
Watt, secretary-treasurer of the
State Federation of Labor,
that the new commissioner is 100
per cent in favor of the teach-
ers' oath bill, is true, then I agree
with him that this alone should
disqualify him for the post of
commissioner of education."

Elliott M. Grant, of the French
department, stated: "The ap-
pointment is most unfortunate if
Mr. Reardon is in support of the
teachers' oath bill."

GAZETTE
Northampton, Mass.

DEC 19 1935

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EDUCATION DEPT

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TELEGRAM
Nashua, N. H.
DEC 19 1935

TOWNSEND
CHIEF SEES
CURLEY "OUT"

Won't Get By Bay
State Primary Says
Hawks

BOSTON, Dec. 19 (AP)—The Bos-
ton Traveler, in a copyrighted
story, says Charles M. Hawks,
Massachusetts, manager of the
Townsend Pension-Plan club, pre-
generated Governor James M. Curley
would not be nominated for the U-
S. Senate, "We have 30,000 regist-
ertownsend club members in Massa-
xachusetts," the Traveler quotes him as saying, "and we
have ten times that many signers
of pledges. That makes 300,000
voters."

Referring to Curley's avowed
plan of running for the senate, the
paper quotes Hawks as saying:
"Curley won't get by the primar-
ies. Every time he goes on the air
and talks for Roosevelt's pauper
pension plan, he fails himself. A
year ago we had 45 clubs in Mas-
sachusetts and now we have 154
clubs."

"I believe Mr. Roosevelt's New
Deal will be repudiated by a tre-
mendous degree in this state."
MANY OUTSTANDING PROBLEMS ARE FACING INCOMING LEGISLATURE

Next Session of General Court Expected to Be as Hectic as Any in History

BY GENE LORICK
INS Staff Correspondent

Boston, Dec. 19, (INS)—Efforts to boost the state income tax revenue and to repeal the controversial teachers' oath loomed today as the biggest battles confronting the incoming legislature. The session appears destined to be as hectic as any in the long history beneath the gilded dome.

Proposals facing the solons on Beacon Hill would place 200,000 new contributors to state tax totals, through the reduction of exemptions and a shift of the tax on manufacturing machinery to inventories on non-manufacturing concerns.

The jobs of half the representatives and senators will be at stake when the 1936 session opens two weeks hence. Governor James M. Curley announced his annual message will sound a tocsin for a new struggle to slash the legislature in half and to provide for biennial sessions.

Here is a brief resume of the outstanding problems facing the legislature—"the second annual session of the 149th General Court of the Commonwealth of Massachusetts"—some of which may be written into the statutes, and others snowed under in the battle of ballots either in House or Senate:

- Reduce state income tax exemptions for unmarried persons from $2500 to $1450 and the exemption for husband and wife from $3500 to $1900.
- Revise compulsory automobile insurance law, with respect to the recent supreme court decision which stated it was not necessary to show gross negligence to convict from an automobile owners if injuries are suffered in his car.
- Eliminate the executive council, to be recommended in the proposals for legislation in the message of Governor Curley.
- Ouster of Mayor Frederick W. Mansfield. Senator Joseph A. Lane, Jr., filed a bill providing for a referendum to be held next March.
- Increase the income to the state from horse and dog racing by boosting the "take" from 3 1-2 to 5 percent on horses and from 3 1-2 to 10 percent on the whippets.
- Abolish capital punishment, a continuation of the long fight of opponents of the electric chair.
- Extend the 48-hour work week now in effect in state institutions to county institutions.
- Place the state police constabulary under civil service.
- Raze the old state's prison at Charlestown, either construct a new institution on the present site or in some other location.
- Lower the age limit for state welfare recipients from 70 to 65.
- Broaden and clarify statutes prohibiting illegal practice of law.
- Liberalize laws pertaining to labor.
- Prevent employment by the state of married women whose husbands hold jobs which could amply support both.

A total of 250 bills has been filed to date—202 in the House, 60 less than last year on this date, and 48 in the Senate. The deadline for filing bills is 1 p.m. January 11.
State of Massachusetts to Bill Government for Civil War Debt

Boston, Dec. 19 (UP)—Massachusetts moved today to collect from the federal government a Civil war debt purportedly incurred at President Abraham Lincoln's request.

It is claimed that during the Civil war the state spent $233,886.82 at Lincoln's request to protect its harbors and fortify the coast.

The state executive committee paved the way for the unusual claim by authorizing Francis R. Mullin, Boston attorney, to seek congressional legislation which would permit him, as agent for Massachusetts, to prosecute its claim.

Mullin reported to Governor James M. Curley that the state had a sound claim and that he would be glad to take the necessary steps to recover the amount—10 per cent of what he finally collects from Uncle Sam.

The action, it appears, is not without precedent. Neither is the fee. In fact, according to Mullin, Massachusetts tried to cash in on the claim more than 25 years ago during the administration of Governor Eben S. Draper but was unsuccessful because there was no existing legislation making the recovery possible.

But it was successful in another and larger claim, Mullin said. For state troops furnished during the Civil war, he said, one Frank W. Hackett collected $866,339 from the federal government—at 10 per cent.

Unbecoming

Governor Curley would appear in a much better light if he had openly assumed his share of responsibility for the appointment of a new Commissioner of Education to succeed Payson Smith, instead of trying to make it appear that he was for Smith, but the Council would not confirm his nomination. That, of course, is what the record shows, but no one will be fooled by it. The Council, which Mr. Curley went to any amount of trouble to make over from a Republican body into a Democratic one that would go along with him, would have confirmed Mr. Smith if the majority members had not known that they were expected to help the Governor by not confirming him. If Mr. Curley wanted Mr. Reardon appointed—and he was within his rights in making a change—the straightforward course would have been to nominate him, instead of trying to make it appear that his own Councillors overrode his wishes.
REARDON TAKES
STATE OFFICE;
SMITH OUSTED

Council Maneuver Assailed
as Adams Man Gets
Education Post

PROTESTS ARE MADE

Long and Kirk Retained in
Jobs; Delay Vote
on Murphy

NEw Bedford, Mass.
Dec. 19 1935

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HENRY F. LONG

Paul G. Kirk

RETAIN OFFICES

Prior to the Council session the
Governor conferred privately with
Lieutenant Governor Hurley and
the five Democratic councillors
for 80 minutes. Within 15 minutes
after this prolonged conference
rules had been suspended to ar-
range for the rejection of Smith's
nomination and Reardon's con-
firma

On the rollcall in the Council,
Councilor Schuster of Douglas, Jo-
seph B. Grossman of Quincy and
Frank A. Brooks of Watertown,
Republicans, voted to confirm
Smith and to reject Reardon. Lieu-
tenant Governor Hurley voted to
confirm Smith and subsequently
voted to confirm Reardon.

Councilors Daniel H. Coakley of
Boston, James J. Brennan of Som-
erville, William G. Hennessy of
Low, Philip J. Russell of Fall
River and Morton H. Burdick of
West Springfield, Democrats, voted
to reject Smith's nomination and
to confirm Reardon's nomination.

The appointment of Education
Commissioner is for a term of
five years at an annual salary of
$9,000, the second highest salary
in the State service except for the
judiciary. The department salary in
excess of this is the $10-
000 paid the Commissioner of
Mental Diseases.

Dr. Smith had no comment to
make on the procedure which re-
sulted in his ouster after having
served continuously as the head
of the department of education
since 1916, when he was originally
appointed by the late Governor
Samuel W. McCall. He was re-
appointed successively by Gover-
nors Coolidge, Fuller and Allen.

Numerous Protests

Numerous protests, however,
were registered by educators and
spokesmen for various civic or-
ganizations, not against the ap-
pointment of Reardon but against
the removal of Dr. Smith, whose
term expired Dec. 1.

Among leaders in civic and educa-
tional organizations expressing
disappointment that Dr. Smith
had been dropped were Willard
Atwell, President of the Massa-
chusetts School Superintendents' As-
 sociation; Joseph Lee, President
of the Massachusetts Civic League;
Mrs. Paul H. Kelsey, President of
 the Massachusetts Parent-Teach-
ers' Association; James A. Chal-
ners, Fitchburg, President of the
Massachusetts High School Prin-
cipals' Association.

Plunkett Protests

Objection to the appointment
was made by Senator Theodore R.
Plunkett, a Republican, who sup-
ported the Governor's policies in
the Legislature. Plunkett's pro-
test was significant because he is
a resident of the town where Rear-
don now serves as superintendent
of schools.

Reardon was not sworn Into
office yesterday by the Governor
because he was in Adams. Re-
ardon was born in Medway
July 22, 1900. He attended the
grammar and high schools there
before matriculating at Boston
College from which he was grad-
uated in 1923. In his freshman
year he served in the R.O.T.C.
unit. He received his master's
degree from Boston College and
pursued additional courses at Har-
vard.

He served as principal of a
school in East Bridgewater and
also taught in the town's high
school for a year before being ap-
apointed superintendent of an
office he filled for eight years.
He resigned last Spring and was
appointed superintendent at Adams
in September.

While teaching at East Bridge-
water he married Anita Thornbrike,
daughter of the late Judge Herbert C. Thorndike of the Brockton district court. They have four children, two of whom attend school in Adams. His parents, Mr. and Mrs. William H. Reardon, live in Medway. He has three brothers, Lawrence J., John H. and William A. Reardon. He is a member of the American Legion and the Knights of Columbus.

Protest from Watt
The only protest against his nomination made by anyone associated with the Curley Administration came from Robert J. Watt, member of the State Unemployment Compensation Commission. His statement follows:

"If Mr. Reardon is quoted correctly in saying that he is 100 per cent for the teachers' oath, that statement alone should disqualify him as commissioner. Massachusetts was the birthplace of American liberty and it should not be its graveyard.

"People who believe in the teachers' oath are believers in the communistic method of teaching, which is regimenting of school children by the regimentation of their school teachers. If a man who believes in this form of teaching is appointed the walls of Fanueil Hall will begin to tumble."

The Council put over for a third time the confirmation of Howard H. Murphy of Osterville as Commissioner of Agriculture, but confirmed A. J. Lawlor of Lawrence as a member of the State Board of Pharmacy in place of William Hardie of Fall River.

Others confirmed by the Council:

Orville S. Pinkham, Watertown, Pilot Commissioner, District 1; Frank H. Peterson, Medford, Pilot Commissioner, District 1; John Sullivan, Fall River, Deputy Pilot Commissioner, District 4, to succeed D. Gardner O'Keefe; James S. McCusde, New Bedford, Deputy Pilot Commissioner, District 3, to succeed Manuel P. Marshall; Daniel Lucey, Maiden, Public Administrator to succeed Nicholas A. Louis; Daniel E. Kelley, Adams, Clerk of 4th District Court of Berkshire, to succeed Edwin K. McPeck; Andrew D. Guthrie, Medford, Associate Medical Examiner, 2nd Middlesex District, to succeed Fritz W. Gay; Arthur J. O'Neil, Quincy, stenographer in Executive Department.

Reardon, Oath Law Friend, Becomes Education Chief

Council Confirms Him After Downing Smith Nomination

BOSTON, Dec. 18 (AP) — In five minutes today, Dr. Payson Smith was ousted as state commissioner of education after almost two decades of service, and a dark horse among those mentioned to succeed him was appointed and confirmed.

After months of continuous agitation from teachers to reappoint Dr. Smith, who is 63, Governor James M. Curley submitted his name to the Executive Council, which rejected the nomination, five to four.

The governor immediately offered the name of James G. Reardon, 36-year-old superintendent of schools in Adams, and the council, just as quickly confirmed him as commissioner. The vote was six to three, strictly on party lines. Among numerous candidates mentioned as possibly successors to Dr. Smith, Reardon had received no special notice or support until last night, when a majority of directors of the Massachusetts Teachers' Federation endorsed him. A minority favored Dr. Smith's retention.

Reardon styled himself a "100 percent supporter" of the controversial state 'teachers' oath act, while Dr. Smith originally opposed it. How much weight was attached by the councillors to these attitudes of the respective candidates, however, was not immediately apparent.

Reardon's term of office is five years and his salary $9,000.

While rejecting Dr. Smith's reappointment, the council confirmed reappointment of two other state officials appointed before Governor Curley was elected.

One was Henry F. Long, state commissioner of taxation and corporations, in public service for many years, who was reappointed for a term of three years, at a salary of $7,500.

Another was Paul G. Kirk, 31-year-old commissioner of public safety, appointed by Governor Curley's predecessor, Joseph B. Ely. He will serve five years at $6,000 annually.

Governor Curley, explaining the council's action on the Smith reappointment, said:

"I conferred with the Democratic members of the council concerning the Smith appointment before the council session, and with the exception of the lieutenant-governor, they were all opposed to Mr. Smith."

Reardon, a Boston College graduate in 1933 and an American Legionnaire, studied also at Harvard and Boston Universities. He has been superintendent at Adams for a year, going there after serving in the same capacity at East Bridgewater for eight years. He also had taught at East Bridgewater High School, and was principal for a year.

The council today deferred again action on the governor's appointment of Howard H. Murphy of Osterville as commissioner of agriculture.
OATH, TAX BILLS PROMISE FIGHT IN LEGISLATURE

Biennial Session, Slash in Solons' Ranks Proposed

250 BILLS ARE ON FILE
Governor to Ask Executive Council Abolished in Coming Session

Boston, Dec. 18 (AP)—Scores of inmates in Massachusetts penal institutions, including two serving life sentences for murder, were gladdened tonight by news of their pending release by Christmas.

Gov. James M. Curley announced that 200 prisoners serving sentences for drunkenness at the State Farm would be released on parole during a five-day period Christmas day.

On the other hand, Richard Olney, Chairman of the Board of Paroles, set the figure at "a little more than 100," "many of whom," he added, "would have been freed at that time anyway."

The gates of the Women's Reformatory at Sherborn would be opened for 20 women, Governor Curley said, and the State Board of Paroles, he added, has authorized the release of 15 serving sentences Jan. 1, he added.

Announcement of the Christmas "gift" paroles was made prior to the meeting of the Council at which the governor recommended clemency for five prisoners through commutation of their sentences to make them eligible for parole.

Action on the governor's commutation recommendations was deferred by the Council until a special session next Monday.

One of the lifers is Samuel Powers of Westfield, imprisoned since 1914 for the murder of his wife. Curley asked the Council to commute his sentence to 20 years, making him eligible for parole.

The other is Wojciech Birus of Salem, sentenced in 1920 for murdering Mary B. Lavole. Commutation of the sentence to 20 years was asked for Birus to make him eligible for parole with the understanding he be deported to Poland, his native country.

The three other prisoners for whom commutation was asked included Henry A. Gardner of Worcester, sentenced in 1892 to 10 to 12 years for burning a building. The governor requested a reduction to four to 12 years.
Circumstances attending the ousting of Payson Smith as Massachusetts Commissioner of Education, which took place in the Governor's Council yesterday, recall to New Bedford people the manner in which the late William E. Hatch, predecessor of Allen P. Keith, as superintendent of schools, was dropped. Mayor William J. Bullock, ex-officio chairman of the School Board, who was reported to have been active in the movement to remove Mr. Hatch, was present at the board meeting; and when the roll was about to be called on a motion for the superintendent's re-election, he directed the clerk to call his name last, instead of first, as was the usual procedure. By the time the mayor's name was reached, the count showed that Mr. Hatch was defeated beyond question; and Mayor Bullock voted in his favor.

At yesterday's meeting of the Council, Governor Curley reappointed Dr. Smith as commissioner of education, although the report was current in Boston yesterday that the appointment of James G. Reardon was expected to be announced by the governor within a few days; and on Tuesday night, at a meeting of the directors of the Massachusetts Teachers' Federation, one of the members introduced a resolution favoring the appointment of James G. Reardon, and told the other directors that Governor Curley would regard the endorsement favorably.

At the Council meeting yesterday afternoon, the six Democratic members voted to reject Dr. Smith's appointment, with three Republicans recorded in favor of Dr. Smith. The governor immediately appointed Mr. Reardon, and the appointment was confirmed by the same party vote. The new appointee is superintendent of schools in Adams, Mass.

The Council's action climaxes a bitter fight in the Teachers' Federation. In recommending Mr. Reardon's appointment Tuesday night, on the ground that "the teachers of the Commonwealth are vitally interested in the appointment of a commissioner who will best serve the interest of education in this state," the directors of the Federation adopted a resolution which alleged that a recent endorsement of Dr. Smith was the work of the president and secretary of the Federation "purporting to represent 21,000 members."

A minority report was presented, charging that Mr. Reardon's endorsement was the result of electioneering by certain members of the board, and stating that the signers did not wish the members of the Federation to think they had "stooped to such unethical methods as to endorse a person for a position that is not already vacant."
Another Jolt
To Curleyism

Winfield A. Schuster, appointed a member of the governor’s council by Governor Ely at the age of 26, a former student at Worcester academy, Harvard and Brown universities, was the Monday night speaker at the meeting of the Kiwanis club. While at Brown Mr. Schuster was a member of the varsity baseball team and later organized and managed one of the best semi-professional baseball teams in the state. He is at present the head of several large textile concerns but takes time off to be an energetic member of the governor’s council.

Without attempting to be partisan or offending anyone’s political beliefs, Mr. Schuster handed a broadside to the administration under Gov. James Curley. He went into some detail with regard to Curley’s dismissals and appointments, the turning out of tried and trusted officials who had served the Commonwealth faithfully and efficiently for many years to be an energetic member of the governor’s council.

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Reardon's Statement

"My interests from now on will be to uphold the high standards which have made Massachusetts conspicuous in the field of education. I shall be ready to do everything in my power to further adult education, to maintain and, if possible, improve the standing of schools, and to do everything possible to secure employment for the young men and women citizens of Massachusetts who are qualified for teaching positions. As to any specific program, I prefer to make no announcement until I have had opportunity to become more familiar with the problems now under consideration in the State Department of Education.

"Regarding the oath, at the present time, there is no question about the duty of any educator who is a law abiding citizen. Those citizens who feel that the oath is not necessary, can have recourse to the constitutional method of changing the law."

Oath Justified

"Concerning the necessity of this law at present, that depends on the facts which seemed to justify the General Court in passing this law and the ability as well as the willingness of educational authorities to handle the situation without the aid of special legislation. Concerning the observance of the law itself, I can see no objection to any educator taking an oath which obligates him only to the performance of what is a clear duty—an oath similar, in most respects to that taken by lawyers and by many public officials in the State."

The Commissioner said he would have no further statement to make at this time. Among those to greet him was Representative Thomas Dorgan of Dorchester, who filed the teachers' oath bill adopted by the Legislature.

No One Indispensable

The Governor took a fling at Smith and the Smith supporters when at the Reardon ceremonies he said, referring to Smith, "no one is indispensable." Turning to Reardon the Governor said, "I appreciate that the education of your predecessor was no greater than yours. If we all were to drop dead tomorrow other men and women would take our places who are even better qualified to take over the work than we ever could be. This applies to the Education Department as well as any other place. You have a real opportunity and I am confident that you will discharge it. I repeat, that we sometimes ourselves think we are indispensable. I repeat that there is no one, who is absolutely indispensable."

Although Smith supporters, including hundreds of teachers and school superintendents, are rasing at the outing from office of their idol, Smith has yet made no statement concerning Curley's action. He may make a statement later.
Most reasonable people thought, that with all Governor Curley's political machinations, he would have the decency, not to say the rationality, to keep the educational system out of politics. The delay in action on filling the post of Commissioner of Education, after many a non-partisan group had petitioned the Governor for the reappointment of Dr. Payson Smith, had caused many people to think that, after all, better judgment was coming to the fore in the Governor's mind. But not at all. Out goes Mr. Smith, a non-political educational leader with a rational reputation, and into office comes a purely political appointee. This is not to say that Mr. Reardon does not have qualifications for the job. That remains to be seen. But it is known that whatever educational qualifications he may have, more important he has political qualifications.

One might have had a little more respect for the Governor if he had said plainly and openly, "Dr. Smith is an appointment of another administration and thus can do me no possible good politically. Therefore, self-preservation being the first law, I feel I should throw him out. I am sorry but that is the way the game is played." But he didn't do that. With disgusting sham, the Governor personally submitted the name of Dr. Smith to the Council. And was his face red when that body turned him down. He is laughing in embarrassment and hurt pride yet.

And imagine the Governor's surprise and astonishment when a member of his Council introduced and voted favorably on Mr. Reardon. It must have been a bombshell for good old Jim, bless his heart.

And behind it all, the people of this Commonwealth have to thank a political gentleman by the name of Joshua Arthur Baker, now of the Superior Court bench. It will take a good many years for the people to forget that deal and what it is doing to the cause of good government in Massachusetts.

F. T. Openshaw is Confirmed As Deputy Tax Assessor

SERVES IN INCOME TAX DEPARTMENT

Executive Council Names James G. Reardon to Education Post

(Special to the Providence Journal)

State House, Boston, Mass., Dec. 18.

The Executive Council today approved the appointment by Tax Commissioner Henry F. Long of Frederick T. Openshaw, 344 Sprague street, Fall River, as a deputy tax assessor in the State Income Tax Division. Openshaw, who is commander of the State Department of the Veterans of Foreign Wars, is one of three new deputy tax assessors appointed by Commissioner Long.

Governor James M. Curley appointed and the Executive Council confirmed John Sullivan of Fall River as deputy pilot commissioner, District No. 4. He succeeds D. Gardiner O'Reefe.

By record vote, six to three, along straight party lines, the Executive Council confirmed Governor Curley's reappointment of Augustine J. Lawlor of Lawrence as a member of the Board of Registration in Pharmacy, succeeding William Lardie of Fall River. Governor Curley submitted the Lawlor appointment to the council Nov. 27, but it was held over by that body until today. It is understood the reason for the delay was the receipt of a communication by the Executive Council that Lawlor had not been in business a sufficient number of years to qualify him as a member of the board. The council, however, confirmed Lawlor today and he took the oath of office immediately before Governor Curley.

Fall River Man Whose Appointment as Deputy Tax Assessor is Confirmed

By roll call vote, five to four, with Lieutenant Governor Joseph L. Hurley voting with the three Republicans, the Executive Council today refused to confirm Governor Curley's reappointment of Payson Smith as Commissioner of Education. The Lieutenant Governor voted with his Democratic colleagues to confirm James G. Reardon of Adams by record vote six to three to the education post. The salary is $9000 a year for a term of five years.
CURLEY'S COUNCIL OUSTS DR. SMITH

Names of J. G. Reardon to Be Education Commissioner in Massachusetts.

VOTE IS ON PARTY LINES

Action Follows Months of Continuous Agitation to Rename Veteran Education Chief

Boston, Dec. 18—(AP)—In five minutes today, Dr. Payson Smith was ousted as State Commissioner of Education after almost two decades of service and a dark horse among those mentioned to succeed him was appointed and confirmed.

After months of continuous agitation from teachers to reappoint Dr. Smith, who is 63, Governor James M. Curley submitted his name to the executive council. It was rejected 5 to 4.

The Governor immediately offered the name of James G. Reardon, 36-year-old superintendent of schools in Adams, and the council just as quickly confirmed him as commissioner. The vote was 6 to 3, strictly on party lines.

Among numerous candidates mentioned as possible successors to Dr. Smith, Reardon had received no special notice or support until last night, when a majority of directors of the Massachusetts Teachers' Federation endorsed him. A minority favored Dr. Smith's retention.

Supports Oath Act

Reardon styled himself a "100 per cent supporter" of the controversial Massachusetts Teachers' Oath Act, while Dr. Smith originally opposed it.

Reardon's term of office is five years and his salary $9000.

While rejecting Dr. Smith's reappointment, the council did confirm reappointment of two other State officials named before Governor Curley was elected.

One was Henry F. Long, State Commissioner of Taxation and Corporations, in public service for many years. He was reappointed for a term of three years, at a salary of $7500.

Another was Paul G. Kirk, 31-year-old Commissioner of Public Safety, appointed by Governor Curley's predecessor, Joseph B. Ely. He will serve five years at $6000 annually.

Reardon, a Legionnaire, was graduated in 1923 from Boston College and studied later at Harvard and Boston Universities. He has been superintendent at Adams for a year, going there after serving in the same capacity at East Bridgewater for eight years. He also had taught at East Bridgewater high school, and was principal for a year.

The vote was 6 to 3, strictly on party lines. The council again deferred action on the Governor's appointment of Howard H. Murphy of Osterville as Commissioner of Agriculture.

Dr. Payson Smith Ousted As Head Of Bay State Schools

Reardon Is Appointed To Post Of Former Maine Superintendent

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After months of continuous agitation from teachers to reappoint Dr. Smith, who is 63, Governor James M. Curley submitted his name to the executive council. It was rejected 5 to 4.

Smith's term of office is five years and his salary $9000.

Governor Curley, explaining the council's vote on the Smith reappointment, said:

"I conferred with the Democratic members of the council concerning the Smith appointment before the council session, and with the exception of the lieutenant governor, they were all opposed to Mr. Smith.

"Reardon, a Boston College graduate in 1923 and an American Legionnaire, studied also at Harvard and Boston universities. He has been superintendent at Adams for a year, going there after serving in the same capacity at East Bridgewater for eight years. He also had taught at East Bridgewater High School, and was principal for a year.
Gov. Curley wins court action to oust Smith

If, however, said the Governor, the Council should not take favorable action on Dr. Smith, I shall submit the name of James G. Reardon.

The Governor at the Council Meeting yesterday announced to the press that he would renominate Commissioner Smith. Whereupon the Democratic Council members voted to reject him.

This is an annual event on the calendar of the local club which is reputed as being the oldest Club in America.

Press Clipping Service
2 Park Square
BOSTON MASS.

Governor Wants Time To Study Transit Merger

The consolidation of the Chelsea division of the Eastern Massachusetts Street Railway company with the Boston Elevated was taken under advisement by the Public Utilities commission more than a month ago. The details of the plan were being discussed for months before.

On this consolidation, depends Revere's hoped-for 10 cent fare to all parts of Boston, and the granting of permission by the commission is the last step to the effecting of the merger.

Yet, the Governor feels that he needs more time in which to study the matter, as is revealed by the following communication from Mayor O'Brien:

In reference to the consolidation of the Eastern Massachusetts Street Railway company, Chelsea division, and the Boston Elevated Railway company, I beg to make the following statement, so as to inform you, the citizens of Revere, as to just what has happened; and what you might expect in the near future in regard to your wishes in this matter.

On Wednesday, November 13, we appeared before the Department of Public Utilities, and there presented our case, which according to the Acts of 1932, under which we are operating in the so-called consolidation, was the last step that we had to take in order to bring about this consolidation. After the hearing was concluded, the Commission of the Department of Public Utilities took it under advisement, and we have been expecting them to make a decision momentarily. Upon inquiry as to the delay in making their decision, we find that the Governor and his councillors have asked for further time to study the matter.

I feel sure that these public officials of the Commonwealth of Massachusetts will do nothing to interfere with the struggle of our people for better transportation lasting over a quarter of a century for this reason it is only right and proper that we give them a reasonable time in which to make known their decision.

All I can ask you to do is to be patient and wait, and rest assured that, if necessary, we are ready and in a position to further press the consolidation, which we know will be of tremendous benefit to our city.

(Signed) JAMES M. O'BRIEN
Mayor of Revere.
THE EDITOR'S VIEWPOINT—L. R. H.
Contributions and Comment Welcomed

REVERE THE GOAT

"—the Governor and his councillors have asked for further time to study the matter."

This was Mayor O'Brien's finding this week when he went to ask what was delaying the Public Utilities commission—why the commission, after entertaining the matter for several weeks, had not granted permission for the merging of the Chelsea division of the Eastern Massachusetts Street Railway company and the Boston Elevated.

This merging will mean a 10¢ fare for Revere people to all parts of Boston. While the Governor "studies" the matter, Revere people shiver in the cold in Chelsea square, wait around at Haymarket, and pay 20 cents before they arrive at their Boston destinations.

"Study the matter? Is not 35 years, during which Revere has been agitating for a break, not long enough time in which to "study the matter"?"

J-H-W, Jr.

ONE OF THE GREATEST CRIMES

One of the greatest crimes committed in recent years by the politicians of the State of Massachusetts is the way in which the people of Revere and Chelsea have been "tossed around" on the subject of the draw bridge over the Mystic river leading into Boston. It took a Catholic Polish priest of Chelsea to start agitation for action—real action as to why this drawbridge is still closed to traffic, that he take a ride over the really beautiful, spacious General Edwards bridge at the Point of Pines. It will give you an inkling of what could have been done regarding the antique bridge which the mayor of Boston, Frederick W. Mansfield took one look at and ordered closed. Ordering a bridge closed is easy but finding a way for working men and women to get to and from their work with the minimum of trouble and expense is the hard part. Why not give Revere and Chelsea people some of these funds for hospitals and charities. American money should be kept at home. Why, if lotteries are legalized here and the State got a portion of the money contributed, taxation could be lessened. As it is now, the tax burden keeps mounting.

"Lotteries have been running wild in this State, but they have been in the hands of racketeers. I think that they need some supervision and our organization is designed to furnish information to the citizens of the State. We will furnish that information, good and bad, about lotteries and let the people decide."

My candid opinion is that a keener interest should be taken by everyone, who realizes the extent of gambling and the magnitude of the moral and financial cost, to cooperate with-law-enforcement agencies in their efforts to stop this terrible drain on the purse of a something-for-nothing mad people.

Experience proves that legalized horse and dog race betting has resulted in a host of new illegal "rack-ets," which have needed the "bookies'" millions, and brought the state nothing. Let there be an organized movement to show the "suckers" the foolishness of trying to beat professional gamblers, and to assist in enforcement of present laws against lotteries, rather than to further "let down the bars."

J-H-W, Jr.
Press Clipping Service  
2 Park Square  
BOSTON MASS.

NEWS  
Salem, Mass.  
DEC 19 1935

Democrats Hit  
By Mayor Bates  
And Sen. Parkman

Salem Executive Tells Wenham Audience Relief Funds  
Spent for Political Purposes; See Return G. O. P.

Wenham, Dec 19—"No one objects to the expenditures of government funds for the relief of suffering, but the people of Massachusetts have little use for the blanket appropriation of millions of dollars, the greater part of which is being spent for political purposes," declared Mayor George J. Bates of Salem before some 200 members of the Hamilton-Wenham Republican club gathered for the annual Ladies' Night of that organization held in the Wenham Town Hall last evening.

"The future is dark enough in this state with industries moving to other localities and shutting down through inability to cope with the tremendous odds of today, and the problem of unemployment is serious enough without having a group in control on Beacon Hill who are pursuing a policy of reckless extravagance, mortgaging the future not for permanent improvements, but to meet current expenses," stated the Mayor, who gave a long list of figures to show the tremendous increase in relief costs in Massachusetts during a decade when industrial payrolls, the lifeblood of this section, were steadily being curtailed, thereby throwing The Additional Burden upon the real estate owner.

"The present leaders on Beacon Hill, in an effort to cover their wild spending orgy, are utilizing every possible means of revenue. Chief among these is the gas tax, a fund which has in the past been of great assistance to the local communities. The loss of which will necessitate additional burdens for the cities and towns. These, when piled upon the additions in the direct state tax levy upon the cities and towns will come an appreciable increase in local tax rates in the years that lie ahead.

The only hope for the future lies in a return to a policy of conservative expenditure and a "pay as you go" program—that sound Yankee philosophy that carried this state through its strong financial position during a long line of Republican governors, and which was instrumental in cutting the public debt from 40 millions in 1918 to 10 millions in 1930. 
"Relief is distinctly a local problem, and should be met as such," declared Mayor Bates in closing, and he cited numerous examples to show how the tangled skein of government red tape under the present relief set-up was depriving worthy men of jobs and giving preference to persons much less entitled to assistance.

"It is nothing new for the electorate of this country to turn to the Republican party to save it from the ravages of extravagance and maladjustment brought on by the Democrats," declared Senator Henry Parkman of Boston, the first speaker on the evening program. 
"Furthermore, it is not unusual for the leading opposition to national policies to originate in Massachusetts and in Essex county," he added, and to prove this statement, the prominent Bostonian read excerpts from historical documents to show how in the time of Thomas Jefferson, 
the citizens of this locality vigorously opposed to the point of threatened secession, the Embargo Acts of 1814 which were stifling the life and industry of local merchants and ship owners.

Between those days and the present situation there is a striking parallel, and the results shown in the recent elections and in the Literary Digest poll show that the militant spirit and independence of New England is once again asserting itself.

Of the state government, the Senator merely prophesied that Current was fast setting itself off by its own osillence in national politics, however, there is still a bitter fight ahead for those who believe in sound economics and good government.

"Yet because of the faiHlessness of the New Deal policies which seek to create a scarcity both in agriculture and in manufactured products in the face of extreme want, and to force prices artificially upward at a time when purchasing power is at a low ebb, there is a slow, but constantly increasing opposition arising from the thinking voters of the nation.

"When President Roosevelt in the early days of his terms declared in his customary disarming manner that he was beginning an experiment and would be the first to abandon his policies that proved unworkable, he was making another promise he would not keep. So far the administration has gone with these Experimental Plans by now that it can not turn back, and it must go to the voters next fall pledged to support a continuance of these measures.

"As the country gradually comes to a realization of the simple arithmetical truths that make the whole reasoning behind the New Deal fundamentally unsound, and that the only true path to recovery is through the adoption of a direct opposite policy, then will the party of conservatism be returned to control, declared Senator Parkman. He then quoted figures to show the extent to which the New Deal with its daily expenditures running approximately 10 million dollars in excess of its daily revenues was heading for disaster—disaster that would be forestalled by utilizing the nation's credit to the utmost and by reverting to printing press money, but increasingly severe the longer it was held off by such means.

"A sound program calling for a balanced budget, and the adoption of policies stressing increased consumption rather than artificial curtailment must be Republicanism's answer to condition existing in Washington today. Such a program will determine the campaign and election in the year that lies ahead," declared Senator Parkman in closing.

Selectman Samuel S Conary of Wenham, president of the Hamilton-Wenham Republican club introduced the speakers at last evening's meeting, and a feature of the program was the fine musical numbers furnished by Lewis's Moonlight Hawaiians.

Salem Murderer May Get Freedom From Gov. Council

(Special to The News)

State House, Boston, Dec 18—Gov. James M. Curley today announced that he would request the executive council for commutation of the life sentence of William Biros of Salem. The latter was sentenced in Essex County superior court in Salem on April 20, 1920, for the murder of Mary Blanche Lavoie. Gov. Curley said he would ask the council to commute the sentence to 20 years, with the understanding that Biros would be deported to Poland, his birthplace, upon release.

Biros was arrested Dec. 13, 1918, by Officer John C. Murphy, for the second degree murder of Miss Lavoie. At that time he was 29 years of age. Miss Lavoie spurned his attentions and he shot her as she walked along Hawthorne boulevard. The girl had been to a dance.

WILLIAM BIROS  
Who May Get Freedom
Reardon Succeeds Payson Smith as Education Comr.

Superintendent of Schools in Adams Confirmed by the Executive Council After Smith Was Turned Down

Boston, Dec. 19 (AP)—A 36-year-old Boston college graduate, James G. Reardon, succeeded Dr. Payson Smith as state commissioner of education today. Reardon was nominated and confirmed 6-3 by the executive council yesterday after the council had rejected Gov. James M. Curley's renomination of Dr. Smith 3-4. He will receive $9,000 per year. On the vote of Dr. Smith's renomination Lieut.-Gov. Joseph L. Hurley joined the Republican members in voting to retain the veteran commissioner of 20 years' standing. However, when Curley then submitted Reardon's name, Hurley voted for his confirmation. Reardon, superintendent of schools at Adams, has called himself a "100 per cent, supporter" of the teacher's oath law. Dr. Smith's nomination was rejected, 5-4, at the voting of the Governor's Council yesterday. Mr. Reardon then was confirmed, 6-3, with Lieut.-Gov. Joseph L. Hurley voting for him. Councilor Winfield A. Schuster and Rep. Philip G. Bowker were especially vigorous in their attacks on the confirmation yesterday. Mr. Schuster asserted "the whole thing was cut and dried." He said the vote of the Massachusetts Teachers' Federation, favoring Mr. Reardon, had been engineered by the Governor and the nomination of Mr. Smith meant nothing. Rep. Bowker described the attempt of Gov. Curley to have Dr. Smith approved as a "bluff." He said the Governor, by trying to save his face has stooped to tactics of the lowest sort and has only shown himself up.

Councilor Winfield A. Schuster and Rep. Philip G. Bowker were especially vigorous in their attacks on the confirmation yesterday.

The resignation of Mayor Frederick W. Mansfield (above), as mayor of Boston, was demanded by Governor James M. Curley, in a furious dispute over the conduct of the Massachusetts metropolis' affairs. Curley charged Mansfield with incompetence, while Mansfield attributed his difficulties to the debt accumulated while Curley was mayor.
Teachers Denounce
Dropping Smith, as Blow to Education

RESULT OF DEAL
BETWEEN CURLEY
AND COUNCILORS

So Observers Declare — Action Thought Arranged at Earlier Meeting

LONG AND KIRK
ARE REAPPOINTED

Corporttions and Public

From Our Special Reporter.

Boston, Dec. 18—That James G. Reardon, formerly superintendent of the Adams schools, is the new commissioner of education for Massachusetts, as the result of deals between Gov Curley and the executive councilors of his party, is the generally accepted belief in “wise” circles tonight.

This was the outstanding development of today's council meeting, the defeat of Dr Payson Smith, whom he was reappointed by the governor, and the immediate submission of Reardon’s name, which was confirmed under suspension of rules by vote of 6 to 3, on straight party lines. Dr Smith had been rejected by vote of 5 to 4, Lieut-Gov Joseph L. Hurley voting with the three Republicans for his confirmation.

No Comment From Smith

Dr Smith said tonight that he had no comment to make at present on the proceedings of the council this afternoon.

Gov Curley, explaining the council's vote on the Smith reappointment, said: “I conferred with the Democratic members of the council concerning the Smith appointment before the council session, and with the exception of the lieutenant-governor, they were all opposed to Mr Smith.”

Henry F. Long was reappointed state commissioner of corporations and taxation and Col Paul G. Kirke was reappointed state commissioner of public safety, and both were confirmed unanimously.

Gov Curley announced that Correction Commissioner Arthur T. Lyman had authorized the release of farm inmates, all of them incarcerated for drunkenness. He also plans to free 20 women from Sherborn women's reformatory.

Albert Ward of Clinton, reappointed clerk of the district court at Stoughton, who was confirmed.

The “lifers” recommended for executive clemency by the governor today are: Samuel Powers of Westfield, sentenced to life imprisonment in Hampden superior court at Springfield on February 29, 1914, for murder of his wife, the recommendation being to commute the sentence to one of 20 years.

Wojciech Birusz of Salem, sentenced in Essex superior court April 26, 1920, to life for murder of Mary B. Lavole, the recommendation being to commute the sentence to one of 20 years, with the understanding he will be deported to his native Poland.

The other three concerned in the governor's clemency recommendations are:

Henry A. Gardner of Worcester, sentenced in Worcester superior court February 27, 1922 to 10 to 12 years for burning a building, the recommendation, for commutation of sentence to one of four to 12 years.

Thomas J. Panetta of Cambridge, sentenced in Middlesex superior court June 19, 1929 to serve 12 to 20 years for manslaughter, upon being convicted of shooting Dominick Somerell. Governor recommended commutation of sentence to one of seven to 10 years.

Further, the state board of parole will release 15 first offenders from Concord reformatory, and 14 more will be freed before January 31. Custom forbids publication of their names.

The governor asked the executive council to extend clemency to five other prisoners, two of them “lifers,” by commuting their sentences, which would make them eligible for parole. The council referred them to its pardons committee which will act on them at a meeting at 10 Monday, after which the council will hold a special session to act.

Other appointments made today were: Daniel J. Kiloy of Adams, as clerk of the Adams district court, vice Edwin K. McPeck of Adams; Thomas J. Panetta of Cambridge, as clerk of the Adams district court, vice Edwin K. McPeck of Adams; Henry F. Long was reappointed state commissioner of corporations and taxation and Col Paul G. Kirk was reappointed state commissioner of public safety, and both were confirmed unanimously.

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Salaries
Commissioner Kirk took oath of office from the governor at once. His salary is $6000 a year and his appointment for a term of five years.

The salary of the commissioner of education is $9000 a year and term of office is five years. Dr. Smith was elected commissioner of education on the state board of education in 1916 during the term of Samuel W. McCall as governor. When the state departments were organized four years later, the appointment as educational commissioner was given to the governor and council and he had been reappointed and confirmed ever since. The salary of the tax commissioner is $7000 and the term of office is three years.

Gov. Curley announced, before the council convened, that he would reappoint Mrs. W. Smith, and that if the council rejected him he would submit Reardon's name. Inasmuch as he did confer with Democratic councilors prior to the meeting, and it was made known later that the five members had told him they would not vote for Smith's confirmation, the nomination was submitted with the knowledge that it would be rejected and that Reardon would be nominated and confirmed.

The council also approved appointments of increases during the term of income tax, reputedly made by Commissioner Long. They are:
- Festus M. Flaherty of Boston, Frederick T. Openshaw of Fall River, and John F. Kelley of Medford, all confirmed, 6 to 3.

After the council session, the governor administered the oath to Augustine J. Lawlor of Lawrence, who was confirmed today as member of the board of registration in pharmacy having served as a member of the Hardie of Fall River, for whose retention a fight had been made.

The governor's appointment of Howard Haines Murphy of Osterville to be state commissioner of agriculture, to succeed Edgar H. Gillett of Canton, formerly of Westfield was tabled for the third time, to take place next week.

Other appointments made today included pilot commissioners in several areas, several minor appointments and Arthur J. O'Neill of Quincy asstenographer in the executive department.

After Civil War Claim
Francis R. Mullin, Boston attorney, was authorized by the council to act in his capacity as agent of the commonwealth to prosecute its claim of $233,885 to the federal government for money which Massachusetts spent at the request of the President during the Civil War in protecting harbors and fortifying the coast. He was authorized by the council to act in his capacity as agent of the commonwealth to prosecute its claim of $233,885 to the federal government for money which Massachusetts spent at the request of the President during the Civil War in protecting harbors and fortifying the coast.

COUNCILORS BROOKS AND SCHUSTER VOTED AGAINST THIS AUTHORIZATION.

The council also approved appointments of three new deputy income tax assessors in the state division of income tax, reputedly made by Commissioner Long. They are:...
MANY EDUCATORS
OF CITY AND AREA
ATTACK SITUATION

Neilson, Granrud, Glickman, McGown and Others Hit
Act of Governor, Council

ILL FEELING NOT AIMED
AT NEW COMMISSIONER

But All Assail Failure to Re-
appoint Dr Smith, See
Children's Welfare Wan-
tonply Sacrificed

Educators throughout Western
Massachusetts last night protested
vigorously against the failure to re-
appoint Dr Payson Smith commis-
sioner of education. Leaders in
schools and colleges expressed keen
regret that the state interest in
education had been lost the services of so competent
an administrator as Dr Smith and
displeasure that his successor should
be one known to be a supporter of
the teachers' oath law.

The public demands teachers who
are well educated, he said, yet we
must not deny them the right to
think and to have opinions on
questions with which they are concerned
within the schools and without.

It is recalled that Dr Baker, speak-
ing before the Women's club at Stock-
bridge last May, pointed out
that "there is no group more loyal to,
the Constitution of the United States or
to the principles on which our govern-
ment was founded than the teach-
ers of our public schools. Yet when
a teacher in a public school or in a col-
lege dares to exercise the right, seem-
tingly guaranteed by the Constitution,
of freedom of conscience, of freedom
of speech, of freedom of petition, there
are individuals and organizations that
immediately rise up and charge this
individual with being either a radical
or a Communist. There is grave dan-
ger lest individuals and organizations
that immediately rise up and charge
this individual with being either a
radical or a Communist. There is
great danger lest individuals and organiza-
tions that immediately rise up and charge
the teacher's oath law.

TEACHERS DENOUNCE
DROPPING SMITH, AS
BLOW TO EDUCATION

(Continued from First Page)

Here it indicates that a change is
needed here, so that the gov-
ernor's council may be cleaned
up, and a government for the people
and against them.

Such a state of affairs takes us back
to the Middle Ages. Dr C. S. McGown,
president of American International college
and a veteran member of the Spring-
field school committee, said that the
state is losing a great man in Dr
Smith. "I am so disappointed. He is an
outstanding individual in his work.
He has been an inspiration to all
principals and officers who have to work
with him. He is worthy of the respect of all
people.

Reaction at Massachusetts State
college to the failure of the state
appellative powers to return state
Commissioner of Education Dr Pay-
son Smith to office was one of deep
disappointment. It expressed itself
in two forms, regret that the state
had lost the services of so competent
an administrator as Dr Smith and
displeasure that his successor should
be one known to be a supporter of
the teachers' oath law.

In a radio speech given over sta-
tion WMAS this morning President
Hugh P. Baker of State college,
speaking of the danger of regimenta-
tion in education, pointed out that
Americans are severely critic-
ing the extreme nationalism that
have led to group of American citizens
in European countries, yet these
same people overlook the danger of regimentation that threatens
all forms of education in the
schools and colleges of this country.

If the schools and colleges are
actively to lead the challenge of the
times, Dr Baker said, the public
must see that they are not forced
into extreme regimentation. He
called for the support of the funda-
mentals for which the fathers of
the country fought and which are basic
in our form of government.

The public demands teachers who
are well educated, he said, yet we
must not deny them the right to
think and to have opinions on
questions with which they are concerned
within the schools and without.

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ing before the Women's club at Stock-
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a teacher in a public school or in a col-
lege dares to exercise the right, seem-
tingly guaranteed by the Constitution,
of freedom of conscience, of freedom
of speech, of freedom of petition, there
are individuals and organizations that
immediately rise up and charge this
individual with being either a radical
or a Communist. There is grave dan-
ger lest individuals and organizations
that immediately rise up and charge
the teacher's oath law.
Whiting's Boston Letter

By E. E. Whiting

Boston, Dec. 18—Politics, censorship—politics; a collapse of plain-food opera; new books in the free-library library; some lectures on this and that; a bit of crime; and some talk of gambling, morals, taste—an average weekly grist in this capital city.

It is a curious spectacle which the political scene offers hereabouts. When the governor of the state thinks and says that the mayor of the city should resign, and when the mayor thinks and says that on the contrary it is the governor who should resign; when there is raging talk about graft in the matter of school-teacher appointments—or at least an attempt, or again at least, an allegation that there was something of the kind—all these manifestations indicate a pretty low ebb of political welfare.

Into whatever merits there may be in the controversy between the governor and the mayor we need not enter; nor do we wish to. It would be a thankless task. What must impress even the most casual observer, for these Boston Democrats have a habit of brisk and bitter quarrels. The easygoing mayor was something of the kind—half these manifestations indicate a pretty low ebb of political welfare. So too, at least, it appears.

The old-timer turned a bored face toward the upstart, and said:—

"Ach, I coming through unscathed, he was as it related to a possible decline of the birth rate rather pessimistically. Ford Hall forum of the 'Peek discussed the lavish expenditures of other agencies. The archbishop's topics were the Library of Congress and the count is accurate: Harvard's is of 3.689,429. That appears to be a growing call for biennial sessions of the Legislature, and in the governor's reiterated demand for a Legislature containing only half the present number.

The governor this week said that it was difficult to reduce the cost of government when each year the public demands more and more; and that is a pertinent observation. We hear so much stress laid on the alleged extravagance of legislative bodies and the lavish expenditures of other agencies of our government that we are likely to forget that a considerable share of the blame for high-cost government lies on the shoulders of all of us, who ask from government a great deal more than we used to a decade and more ago. We must have better streets, they must be better cared for; the collection of taxes and refuse must be more expeditiously and expensively carried forward; we must have bigger and better schools; we feel the need for more free parks; we must run our libraries on a more liberal basis; we must have free concerts in the summer time; our beaches must be generously maintained—and so on, all along the line.

Inasmuch as government has no money except that which it takes from all of us, it follows naturally that the more we force government to spend for our safety, our convenience, our comfort, and our entertainment, the heavier must be the burden of its cost upon us all. It may often be true that legislative or executive or administrative waste money, and that the machinery of government may be extravagant and may spend money needlessly, but that is by no means always the story. The people themselves—all of us—are continuously to blame for a large portion of the cost of government.

Whether we would be better served by a smaller Legislature, and whether we would be better served by biennial instead of annual legislative sessions, are matters open to discussion. There are many of us who feel that we would rather be inefficiently governed under a free democracy than efficiently governed under a dictatorship. Democracies, are never efficient; nor can they be; but they are very human, and that is why we prefer them.

An interesting experiment has been carried on here under the federal government's inspiration, in the form of the Boston Civic Opera chorus and orchestra—first under the WPA, and later under the WPA. Now the activities of this musical effort have been clipped, the director has resigned, and it looks as if a quick effort were on its rapid way toward dissolution; which is too bad. It looked for a time as though we might see developed here a permanent civic opera establishment, but it now appears not likely that anything of the sort will come to pass.

On the brighter side of the weekly ledger, we may take note of the annual report of the Harvard university librarian, which have been added during the year past, bringing the number of books in that vast library to the considerable total of 4,042,300. This is a step toward permanent economies in the improving of this musical effort. The archbishop lies on the shoulders of all of us, and may be deep-rooted and intense.
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NEWS
Springfield, Mass.
DEC 19 1935

State Income Tax Revenue Increase, Repeal of Oath Law Loom as Big Battles

Incoming State Legislature Faces Hectic Session; Curley Will Seek to Slash in Half Number of Solons And to Provide for Biennial Sessions; Ouster of Mansfield Provided in Bill

Boston, Dec. 19—Efforts to boost the state income tax revenue and to repeal the controversial teachers' oath law loomed today as the biggest battles confronting the incoming Legislature.

The session appears destined to be as hectic as any in the long history beneath the gilded dome. Proposals facing the solons on Beacon Hill would place 260,000 new contributors to state tax totals, through the reduction of exemptions and a shift of the tax on manufacturing machinery to inventories on stocks of non-manufacturing concerns.

The jobs of half the representatives and senators will be at stake when the 1936 session opens two weeks hence. Gov. James M. Curley announced his annual message Monday and sound a tocsin for a new struggle to slash the Legislature in half and to provide for biennial sessions.

Here is a brief resume of the outstanding problems facing the Legislature—the "second annual session of the 149th general court of the commonwealth of Massachusetts"—some of which may be written into the statutes, and others snowed under in the battle of baloits either in the House or Senate:

Proposals increasing the income to the state treasury:

1. Increase the income to the state of Massachusetts in 1936 by increasing the "take" from horse and dog racing by boosting the "take" from 3 1/2 to 6 per cent on horses and from 3 1/4 to 10 per cent on the whippets.

2. Abolish capital punishment, a continuation of the long fight of opponents of the electric chair.

3. Extend the 45-hour work week now in effect in state institutions to county institutions.

4. Place the state police constabulary under the control of the commonwealth of Massachusetts and to provide for biennial sessions.

5. Ouster of Mayor Frederick W. Mansfield, Jr., in a referendum to be held next March.

6. Current the income to the state from horse and dog racing by boosting the "take" from horse and dog racing to 6 per cent on horses and from 3 1/4 to 10 per cent on the whippets.

7. Abolish capital punishment.

8. Liberalize laws pertaining to workmen compensation act.

9. Prevent employment by the state of married women whose husbands hold jobs which could amply support both.

10. A total of 250 bills has been filed in the House, 10 per cent less than last year on this date.

11. A total of 250 bills has been filed in the Senate, 10 per cent less than last year on this date.

12. The deadline for filing bills is 1 p.m., January 11.
REARDON GETS COMMISSIONER OF EDUCATION JOB

Adams School Superintendent Is New State Head

Suceeds Smith

JAMES D. REARDON

Is Confirmed, 6 to 3, by Executive Council After Dr. Payson Smith Is Rejected, 5 to 4

NEW OFFICIAL BACKS OATH FOR TEACHERS

Is "100 Per Cent Supporter" of Curley Idea; Kirk and Tax Commissioner Long Keep Posts

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UNION
Springfield, Mass.

DEC 19 1935

SUCCEEDS SMITH

Later the State departments were reorganized, and the office was made an appointive one.

Reardon, a Legionnaire, was graduated in 1923 from Boston College and studied later at Harvard and Boston Universities.

He has been superintendent at Adams for a year, going there after serving in the same capacity at East Bridgewater for eight years. He also had taught at East Bridgewater High School, and was principal for a year.

The Council again deferred action on the Governor's appointment of Howard H. Murphy of Osterville as Commissioner of Agriculture.

Gov. Curley had said he did not decide on reappointing or replacing Raymond J. Kenney, as director of the division of fisheries and game; Arthur T. Lyman, as commissioner of corrections; or Maj. George J. Cronin as state purchasing agent. The terms of Kenney and Lyman expired Dec. 1 and Cronin's term ended Dec. 15.

Appointed in Adams
On June 15

ADAMS, Dec. 18—James G. Reardon, 35, a native of Medway, was appointed superintendent of schools in Adams on June 15 for a three years term. He succeeded Henry L. Ceci, who had resigned about a month previous. Mr. Reardon, a son of Mr. and Mrs. W. H. Reardon of Medway, was graduated from Boston College in 1923, and while there was a high student and a member of the varsity football team. He has degrees of A. B. and A. M. and has done graduate work at Boston College, Boston University and Harvard University. He is a veteran of the World War.

Tutored in Greek

After receiving his bachelor's degree at Boston College in 1923 he tutored in Greek at that institution for a time and then became assistant principal of East Bridgewater High School. Later he was made principal of that school and subsequently superintendent at East Bridgewater. Just before he was selected for the Adams position he was voted another three years' term in East Bridgewater as officials there attempted to persuade him to stay.

Mr. Reardon came to Adams highly recommended by educators and educational associations in all parts of New England. Two years ago when Mr. Ceci was elected superintendent, Mr. Reardon was second in line. His selection this year was by a two to one vote of the Adams School Board. While teaching in East Bridgewater, Mr. Reardon was married to the former Anita Thorndike, daughter of the late Judge Hubert G. Thordike of Brockton, life-long Democrat. They have four children, Cynthia, seven, James, three, and Rosemary, one. The Reardons live on B St., Adams.

Reardon is a member of St. Thomas Church, Adams, and of the American Legion and Knights of Columbus. He also holds membership in pillar of the Muscular Dystrophy honor society, and is a past president of the Plymouth County Teachers' Association. He also is a member of the New England Superintendents' Association, the Massachusetts' Superintendents' Association, the National Science and National Mathematics groups, the University Club, South Shore Schoolmen's Club and the Hibernian Club and Eunet Club.

He served as director of the Public Health Nursing Association in Bridgewater and was also chairman of the Christmas seal committee, the transportation and school nurse committee, and the Society for the Prevention of Cruelty to Children in that town.
Has Many Friends. Since moving to Adams, Mr. Reardon has made a host of friends and is especially highly regarded by the teachers under his jurisdiction and by members of the various Parent-Teacher Associations in the town. He has been in constant demand as a speaker at public gatherings not only in Adams but throughout the county and on last Sunday night was the guest speaker at the annual memorial services of Adams Lodge of Elks.

Since it first became known that he was considered a candidate for the commissionership, Mr. Reardon has received hundreds of unsolicited endorsements from educational groups, public officials, and private citizens in all parts of the State and especially from the East Bridgewater school district. His appointment will be warmly received in Adams, despite the fact that the school officials and townpeople feel that they are losing an able administrator.

CURLEY GIVES REARDON OATH; DEFENDS ACTION.

"No One Is Indispensable," He Says in Defense of Removal of Dr. Payson Smith.

"As to any specific program, I prefer to wait until the new board of education has had an opportunity to become more familiar with the problems now under consideration in the State Department of Education.

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"Concerning the oath, I believe Mr. Roosevelt's New Deal is no one who is absolutely indispensable."

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EVENING UNION
Springfield, Mass.

BOSTON, Dec. 19 — Declaring "no one is indispensable" as a defense for ousting Dr. Payson Smith yesterday as State Commissioner of Education after 20 years of service and over the protests of leading educators, Gov. James M. Curley today declared, "that I wish you every success in the office to which you have been appointed. I have appreciation that the education and training of your predecessor was no greater than yours. If any were to drop dead tomorrow and others rising to our places who are even better qualified than we ever could be, this applies to the Education Department as well as any other place. You have a real responsibility and I am confident you will discharge it." Smith Thanks Supporters. "I want, also, to speak of the invaluable support of the Members of the State Board of Education, and I have made every effort to discharge its duties in a manner consistent with the high standards which have been set by the General Court of Massachusetts and by the General Court of the State of Massachusetts."
Governor Curley Tells Reardon 'Education of Your Predecessor No Greater Than Yours'; Declares 'There Is No One Who Is Absolutely Indispensable'

**Advisory Education Board Meeting This Afternoon to Act on Payson Smith Ouster**

Special to The Daily News
Boston, Dec. 19—Gov. Curley this morning administered oath of office to James G. Reardon of Adams as the new state commissioner of education, it became known that a meeting of the advisory board of education has been quietly called at the Hotel Somerset in this city for this afternoon to take what action seems necessary relative to the displacement yesterday by the governor of Dr. Payson Smith from the commissionership. The advisory board meeting was supposed to be kept quiet, but news of it leaked out.

The commissioner is chairman of this board but will not be invited to the meeting. On this board also are Miss Mary E. Murray of Cambridge, a recent appointee of the governor, who used her to displace a sister of Mayor F. W. Mansfield of Boston, whose term had expired; Miss Anna M. Power of Worcester, recently re-appointed by Gov. Curley; Walter C. McDuffee of Springfield, Henry B. Sawyer of Boston, A. Lincoln Fleen of Boston and Thomas H. Sullivan of Millbury.

What action will be taken was not predicted, but it is anticipated one or more resignations may result in protest of the move yesterday in the executive council that brought about Reardon's appointment and confirmation.

**Hopes to Collect Civil War Expense**

Boston Attorney Authorized by Council to Recover From Government

BOSTON, Dec. 18 (AP)—Echoes of a forlorn hope crept into the Executive Council meeting today when a Boston attorney was authorized to take steps to recover money spent during the Civil War at the request of the Federal Government.

Francis R. Mullin, attorney, was empowered by the council to try to collect from the United States $233,885.82 which the Commonwealth expended at the request of President Lincoln in fortifying its coast.

Mullin reported to Gov. James M. Curley that he saw a chance for recovery and, if authorized, would go after the debt on the understanding he would keep 10 per cent of all he obtained.

As a first step Mullin must induce Congress to pass legislation to make recovery possible.
Teachers Indorse Reardon
At Boston After ‘Fight’

State Teachers' Federation Directors, Representing 21,000 Members, Act Night Before New Education Commissioner Appointed—Minority Report Submitted as Well

Final Vote Is 12-10

Boston, Dec. 18—James G. Reardon, last night's meeting of the federation, was appointed yesterday morning by the governor as commissioner of education, the organization's most important officer. The Reardon forces were led by John L. Davaren of Milford, while the directors of the federation were indorsed by Mrs. Grace I. Woodbury of Melrose, representing Mrs. Grace I. Woodbury as commissioner of education. The Reardon forces were led by John L. Davaren of Milford, while the directors of the federation were indorsed by Mrs. Grace I. Woodbury of Melrose, representing Mrs. Grace I. Woodbury as commissioner of education.

After the meeting several members, Secretary Hugh Nixon of Adams, Mass., as the commissioner of education.

And that a copy of this resolution be forwarded by the secretary without delay to his excellency, James M. Curley, governor of the commonwealth.

Minority’s Statement

The minority report, signed by Grace I. Woodbury, Annie C. Woodland, William J. Saunders, N. E. Willard, John C. Davis, Arthur P. Irving, Lillian M. McLeod, Russell Smith, Joseph H. Burgess and Martin F. O’Connor, called for a special meeting ot the board of directors at Ford hall and was not publicly announced in advance.

On November 16, 1935, the board of directors of the Massachusetts Teachers' federation, in meeting assembled, adopted a resolution, which was presented to Gov. Curley personally by a committee made up of Mrs. Woodbury, Martin F. O'Connor, Annie C. Woodland, Harry A. Boyle, Miss McDonald and Dwight S. Davis.

On December 14 a request in writing was received, signed by five members calling for a special meeting of the board of directors for the purpose of taking action on the appointment of a candidate for the position of commissioner of education. This request was signed by Martin F. O’Connor, Martin H. Casey, Miss Cutler and Miss McDonald.

As a result of this meeting and as a result of electioneering on the part of certain members of the Massachusetts Teachers' federation, I have stopped to such unethical methods as to induce a person to hold a position that is not already vacant. We did not vote to indorse James G. Reardon for the office of commissioner of education and regret exceedingly that the 21,000 teachers of Massachusetts have been placed in such an unfavorable light by action of a majority of the board.

The appointed places at the head of the federation board of directors for the executive of the federation was held by Miss McDonald, Miss Cutler and Miss McDonald, Miss Cutler and Miss McDonald. Miss McDonald—requested a special meeting of the board for the purpose of inquiring into the qualifications of the candidates for the office of commissioner. The special meeting was called for last night.

Text of Resolution

After an hour and a half of bitter arguments the following resolution was adopted:

Whereas, the president and secretary of the Massachusetts Teachers' federation, purporting to represent 21,000 members, recently indorsed the appointment of Payson Smith as commissioner of education, and

Whereas the teachers of the commonwealth are vitally interested in the appointment of a commissioner who will promote the interest of education in this state, therefore be it resolved, that this board of directors record itself as recommending the appointment of Supt. James G. Rear-
BOSTON MASS.  

REPUBLICAN  
Springfield, Mass.  

DEC 19 1935  

More Dream Ships  
Paul Chapman, formerly in financial control of the United States lines, Inc., is evidently not as great a naval architect as our own Gov. Curley. For the ships of 1250 feet in length, against about 1020 for the Normandie and Queen Mary, which he has proposed, are spoken of as costing a mere $50,000,000 apiece. The governor's nobler dream ships of some months ago were to cost $100,000,000 each.

Mr. Chapman was without shipping experience, one believes, until he made his financial adventure with the United States lines. It is significant that the ship for which that company, under new control, is reported to have just signed a contract is to be a cabin liner of moderate size, closely similar to the popular Washington and Manhattan, and is to cost about $11,500,000. The doubt that the Normandie and Queen Mary will ever pay their way has lately been increased by the fact that the Normandie, costing over $50,000,000 has been laid up for four months. This period is to be taken advantage of to reduce, if possible, the ship's excessive vibration. But it is also stated that even if that defect had not developed, the ship would still have been laid up for the winter months owing to the meager demands for accommodations.

It is easy to get a bill of any kind introduced in Congress by asking some obliging representative to have his secretary drop it in a capacious wire basket. It is even easier to propose a gigantic ship. Anybody can do it. But it is quite a job to get a bill made into a law by being passed by the House and Senate and then signed by the President. In view, however, of the rather numerous laws which, after all, do manage to get passed and the very few merchant ships which, to the lament of patriots, get themselves built, in this country, it seems an even bigger job to get a Chapman or a Curley dream ship made into steel.

BOSTON MASS.  

REPUBLICAN  
Springfield, Mass.  

DEC 19 1935  

NEW COURT CLERK NATIVE OF ADAMS  
Adams, Dec. 18—Atty Daniel E. Kiley, approved today by the governor's council as clerk of the local district court to succeed Atty Edwin E. McPeck, native and lifelong resident of the town. He is a son of Mr. and Mrs. Daniel E. Kiley, the former a restaurant proprietor.

DANIEL E. KILEY  

and while at the Adams high school featured as a football player. He attended St. Michael's college at Winnipeg, Vt., and transferred to George-town, graduating from the law school in 1930. After being admitted to the District of Columbia bar, he practiced law at Washington, D. C., and returned to Adams, studying in the office of Atty. Thomas F. Cassidy at Pittsfield. Atty Kiley was one of the first men in Adams to show his friendship for Gov. Curley and he organized a Curley club in this vicinity. He makes his home with his parents on Myrtle street and has two sisters, Miss Margaret Kiley, a teacher at the Adams high school and Miss Mary Kiley, a teacher at Plunkett Junior High school.

BOSTON MASS.  

UNION  
Springfield, Mass.  

DEC 19 1935  

WESTFIELD WIFE KILLER TO GET HIS FREEDOM  
Samuel Powers, sentenced in 1914 for Murder, to Be Among Number to Get Clemency.

(Special to The Springfield Union)  
BOSTON. Dec. 18.—Two murderers, two men convicted of manslaughter and one sentenced for arson will be extended executive clemency by the governor. The State Board of Parole will release 13 first offenders and the Commissioner of Correction will release 21 others. The governor will ask the Executive Council to commute sentence and make eligible for parole are Samuel Powers of Westfield. Powers was sentenced to life imprisonment in Hampden Superior Court, Feb. 20, 1914 for the murder of his wife. In his case the Council will be asked to commute the sentence to one of 20 years. The other lifer is Wojciech Birusz of Salem. He was sentenced in Essex Superior Court April 20, 1920 for a life sentence for the murder of Mary Lavoie. In his case the Governor will ask the Council to commute sentence to one of 20 years with the understanding that Birusz will be deported to Poland, his birthplace.

The other three concerned in the Governor's recommendation for clemency are: William Hooper of Lynn, sentenced in 1923 to seven years; Thomas J. Panetta of Cambridge, sentenced in 1925 to seven years; and Henry A. Gardner of Worcester, sentenced in 1932 to serve 10 to 20 years for manslaughter. The Governor will ask the sentence to be commuted to one of from four to 12 years.

The State Board of Parole will release 15 first offenders now at the Concord Reformatory and 14 more will be released before Jan. 31.

The Commissioner of Correction has authorized the release of 200 inmates of the State Farm for Christmas, practically all of whom were committed for drunkenness. At the same time 20 women now at the Woman's Reformatory will be released.
REARDON TAKES OATH OF OFFICE AS EDUCATIONAL COMMISSIONER
One of Youngest Men in Country to Hold Such an Office

Boston, Dec. 19—James Gerard Reardon, 35-year-old small-town school superintendent, today took the oath as State Education commissioner—one of the youngest men in the United States to hold such an office.

The oath was administered by Gov. James M. Curley, whose appointment was put through the executive council. Curley, who is Democratic, will appoint Reardon personally but at the recommendation of the general court.

Dr. Smith, upon leaving his post as Commissioner of Education, this department has become a free agency. Reardon, in office for only six months, brought a new and vigorous approach to education. He has emphasized the importance of physical education and has sought to improve the quality of instruction.

In his address to the teachers, Reardon said: "The teacher’s oath law must be adhered to and the standing of schools of the state maintained." He also called for greater cooperation between the press and the schools.

ADAMS, Dec. 18—Atty. Daniel Riley, appointed court clerk today, is the son of Mr. and Mrs. Daniel E. Riley, Sr., and was born in North Adams, but has lived practically all of his life in Adams. He was graduated from Williamstown High School in 1923. He was a star football and baseball player in high school. He attended St. Michael's College for two years and then transferred to George Washington University. He was admitted to the District of Columbia bar the week after graduation and practised law in the city of Attleboro.

Mr. Riley was one of the first men in Adams to declare for Gov. Curley and besides having an active part in forming the Curley club in Adams, of which he was secretary, he also organized a Curley Club in Savoy. He was a candidate for the Democratic nomination for representative in the second Berkshire district, composed of the towns of Adams, Savoy, Cheshire and Williamstown. He also sought the nomination again last year but was defeated, although he carried Adams.

Mr. Riley makes his home with his parents on Myrtle St. He has two sisters, Miss Margaret Riley, a teacher in Adams High School, and Miss Mary Riley, the teacher in Plunkett Junior High School. His father is one of the best known restaurant owners in Berkshire County and has always been a supporter of and substantial contributor to the Democratic party.
**Governor Has Shown Himself Up, Says Bowker**

From Our Special Reporter

Boston, Dec. 18.—The action of the council this afternoon in rejecting Dr Payson Smith's reapppointment as state commissioner of education, and the subsequent submission of James G. Reardon of Adams for the job, and his confirmation, brought the following statement from Gov Curley to the editor, Representative Phillip G. Bowker of Brookline:

"The despicable methods of Gov Curley are now only too apparent. His backdoor tactics in the case of Dr Payson Smith should not be overlooked. First, through his henchmen, he maneuvered a vote through the directors of the Massachusetts Federation of Teachers to support James G. Reardon for the position of commissioner of education. This morning he held a caucus of the Democratic members of the council behind closed doors. The council then met and the governor submitted Dr Smith's name for reappointment. A vote of 5 to 4 rejected Dr Smith. The governor, according to the prearranged plan, then put in Mr Reardon's name, which the council confirmed by a vote of 6 to 3."

"How is it that the Democratic members of the council apparently dared to oppose the governor in the voting on Dr Smith? What a blight on the part of the governor. Does he think for one minute the public cannot see through this? By trying to save his own face and put his colleagues on the spot, the governor has stooped to tactics of the lowest sort and has only shown himself up?"

**Says Reardon's Statement Should Disqualify Him**

From Our Special Reporter

Boston, Dec. 18.—Discussing the quoted statement of James G. Reardon, superintendent of schools of Adams and a candidate for position of state commissioner of education, that he is in favor of the teachers' oath law, Robert Watt, secretary-treasurer of the state Federation of Labor, said today prior to the council meeting:

"If Mr Reardon is quoted correctly in saying that he is 100 per cent for the teachers' oath, that statement alone should disqualify him as commissioner of education in Massachusetts."

"Massachusetts was the birthplace of American liberty and it should not be made its graveyard. People who believe in the teachers' oath are believers in the communistic method of teaching—which is regimenting of school children by the regimentation of their schoolteachers.

"If a man who believes in this form of teaching which is appointed the walls of Faneuil hall will begin to tumble."
strong demand of educational authorities, teachers and others throughout the Commonwealth for the reappointment of so experienced and highly qualified a Commissioner of Education as Dr. Payson Smith was no match for the desire and purpose of Governor Curley to appoint someone else. There are conditions in which a public trust is no match for a political plum.

The Governor, who has further political ambitions, realizes the political dangers of flying too boldly and too openly in the face of the demand for Dr. Smith's reappointment. Thus apparently the course of procedure had to be discreetly camouflaged though, we fear, the process was rather too transparent for a desired public deception.

As might reasonably have been expected, the process was rather too transparent for a desired public deception.

But it somewhat devious in methods, the result is perfectly logical politically. The people of the State voted for Governor Curley. He is Governor and thus has been given the authority to carry out his own political ideas. That he has such ideas has already been demonstrated. The results are as might reasonably be expected.

Results as Expected

As might reasonably have been expected, the strong demand of educational authorities, teachers and others throughout the Commonwealth for the reappointment of so experienced and highly qualified a Commissioner of Education as Dr. Payson Smith was no match for the desire and purpose of Governor Curley to appoint someone else. There are conditions in which a public trust is no match for a political plum.

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Naturally the problem was to do something while seeming to favor not doing it. At the proper time which was Tuesday a majority of the members of the board of directors of the Massachusetts Teachers' Federation voted to recommend to Governor Curley the appointment of James O. Reardon, school superintendent of Adams as Commissioner. According to the reports of the proceedings the member of the board who introduced the resolution for this recommendation frankly informed the other members that the Governor "expected" this action. Any evidence that the Governor expected anything else is unfortunately lacking.

The next day, or yesterday, came the regular meeting of the Governor's Council, now, by the aid of a former member graciously promoted to the Superior Court bench, in full control of the Governor, who prior to the meeting had a secret conference with the Democratic members. If the Governor expressed a political or other desire to reappoint Dr. Smith he must have had amazingly poor luck with the Democratic members.

To the Council the Governor announced the reappointment of Dr. Smith with the reservation that, if the Council failed to confirm he would name Mr. Reardon of Adams. The Council apparently behaved as expected. Dr. Smith's reappointment lacked confirmation by a party vote with a single exception—the vote of Lieutenant Governor Hurley who did not have to vote and whose vote in the circumstances conventionally made no difference with the result.

Upon Governor Curley's request, without any recorded manifestations of deep sorrow, named Mr. Reardon. Last delay in action might breed too many unpleasant reactions and perhaps mar a false accomplishment, the appointment was immediately confirmed under suspension of the rules.

Thus for the credulous Governor Curley expressed a desire to reappoint Dr. Smith and
A Political Appointment

Thoughtful people in Massachusetts know that politics would be a dwindling business if there were no political spoils and no promises and stratagems having to do with appointment of certain persons to public offices. These thoughtful people desire, however, that political manipulation should stop short of the courts and the schools. They desire, too, that numerous administrative jobs should be regarded as beyond political intrigue so long as the incumbents are doing their duty efficiently, without regard to the demands of politicians in either party. In short, public administration, to be effective, must hold the promise of reasonable continuity in office.

Gov Curley caused no little mental distress throughout the state by giving a judicial appointment to a member of the executive council who had made it possible for him to convert a Republican majority in that body into a Democratic majority. The governor now puts a man of his own choosing into the office of state commissioner of education, although the best opinion of the citizens, freely expressed again and again, sought the retention of a commissioner who had given able, impartial and nonpolitical service.

The man chosen by the governor, James D. Reardon of Adams, is an experienced school official and is apparently qualified by ability for the office of state commissioner. Objection to the appointment rests largely on the fact that an office which should be considered as beyond the penetration of politics has been seized by Gov Curley for a political appointment. The political character of the proceedings is the more emphasized by the governor’s solemn face of first submitting the name of the present incumbent, Dr Payson Smith, with full knowledge that it would not be confirmed. It is shown further in the tactics used by the governor, or other political agents, to obtain an indorsement of Mr Reardon from a majority of the directors of the Massachusetts Teachers’ federation. However, it will remain for teachers and school officials who are members of the federation to express their resentment against any actions of that body’s officials. In New York city, one teachers’ organization has lately been split by the aggressive activities of a radical group, and if members of the Massachusetts Teachers’ federation do not like the conduct of their directors they can elect a new board or withdraw from membership.

There is a substantial number of citizens who like to have public offices filled with the minimum reference to politics and who especially desire that incumbents who have “made good” shall be retained through different administrations as long as they are capable of rendering the best service. Gov Curley has endeavored to conciliate this group, which should be an ever-growing one, by reappointing Henry F. Long as commissioner of corporations and taxation. It had at first been hoped that Mr Curley would think these believers in good government worthy of a second concession in the office of the state commissioner of education, especially as numerous nonpartisan organizations had openly expressed a desire for the continuation of Mr Smith’s service. Gov Curley thought otherwise, however, and another office has been placed within the range of political manipulation.

Gov. Curley Is Accused of Political Trickery in the Affair

BOSTON, Dec. 19.—The maneuver of the Governor’s Council yesterday by which James G. Reardon of Adams was made State Commissioner of Education after Dr. Payson Smith had failed of confirmation was viciously assailed last night by Councilor Winfield A. Schuster and Representative Philip G. Bowker as a “pre-arranged plan of the Governor to save his face.” Both Bowker and Schuster called the action of the Governor in first submitting the name of Smith a “mere gesture.” Smith with Lieut. Gov. Joseph L. Hurley voting in his favor, was rejected, five to four. Reardon’s name was then submitted and, with Lieut. Gov. Hurley voting for him, he was confirmed, six to three.

While the ousting of Smith, who held the important post for 19 years, was attacked, praise greeted the re-appointment of Commissioner of Public Safety Paul G. Kirk and Commissioner of Corporations and Taxation Henry F. Long, whose terms expired Dec. 1.

Persons close to the Governor said he intended to re-nominate Dr. Smith right along and did so notwithstanding information given to him at a caucus of the Democratic Councilors that they would reject the nomination. It is understood the Governor made little effort to have Dr. Smith confirmed.

The Democrats were in caucus for an hour and a half going into regular session to vote down Smith. In the brief interval while they were entering the Council chamber, Gov. Curley announced to the press that he would nominate Dr. Smith.

“If, however,” said the Governor, “the Council should not take favorable action on Dr. Smith, I shall submit the name of James G. Reardon.”

After voting down the Smith appointment the Council then voted to suspend the rules. With Lieut. Gov. Hurley out of the room the vote was passed, 5 to 3. Ordinarily a nomination is put over for a week. Suspen-
Payson Smith
Fired as Head
Mass. Schools

Ex-Maine Commissioner
Has Been in Massachusetts
For Two Decades

James Reardon Is Successor

BOSTON, Dec. 18.—In five minutes today, Dr. Payson Smith, was ousted as state commissioner of education after almost twenty years of service, and a dark horse among those mentioned to succeed him was appointed as reconfirmed. After months of continuous agitation from teachers to reappoint Dr. Smith, who is 63, Governor Charles E. Reardon submitted his name to the executive council, which rejected the nomination, 5 to 4.

Smith served as state superintendent of schools in Maine before coming to Massachusetts. Reardon has received no special notice or support until last week, when a majority of directors of the Massachusetts Teachers' Federation endorsed him. A minority of the council's vote on the Smith appointment, 10213 and an American Legionnaire, studied also at Harvard and Boston Universities.

He has been superintendent at Adams for a year, going there after serving in the same capacity at East Bridgewater for eight years. He also had taught at East Bridgewater high school, and was principal for a year.

Reardon, a Boston college graduate in 1923 and an American Legionnaire, studied also at Harvard and Boston Universities.

He has been superintendent at Adams for a year, going there after serving in the same capacity at East Bridgewater for eight years. He also had taught at East Bridgewater high school, and was principal for a year.

The council today deferred again action on the governor's appointment of Howard H. Murphy of Osterville as commissioner of agriculture.

officials appointed before Governor Curley's predecessor, Joseph B. Ely. He will serve five years at $6,000 annually.

Governor Curley, explaining the council's vote on the Smith reappointment, said:

"I confessed with the Democratic members of the council concerning the Smith appointment before the council session, and with the exception of the lieutenant governor, they were all opposed to Mr. Smith."

Reardon, a Boston college graduate in 1923 and an American Legionnaire, studied also at Harvard and Boston Universities.

He has been superintendent at Adams for a year, going there after serving in the same capacity at East Bridgewater for eight years. He also had taught at East Bridgewater high school, and was principal for a year.

The council today deferred again action on the governor's appointment of Howard H. Murphy of Osterville as commissioner of agriculture.
Some of the WPA workers received their checks yesterday about 2 o'clock, but most of them did not get any pay, and the commissary department was a busy place during the day. It was reported around yesterday that men on some of the jobs were talking of quitting the work until they were paid, but this would be a mistake as government is good pay and all will receive their pay in time, although this is a poor season of the year to hold up checks.

Lieut. Col. Paul Kirk, Commissioner of Public Safety in Massachusetts who was named again yesterday by Governor Curley for a five-year term will get quite a greeting from the members of the Winchester Post, American Legion and their guests as he appears tonight at the monthly meeting of the post as its guest speaker.

Officer James Donaghey was obliged to go to the Mill Pond yesterday afternoon, and order boys off the dangerous ice. The boys were

From The Editor's Desk
Gov Curley has announced that he will repeat the recommendations of his inaugural message last year which called for biennial sessions of the Legislature, a reduction of 50 per cent in the present legislative membership and abolition of the governor's council. These changes, the governor states, would save $1,000,000 annually.

A great many people agree with the governor but it is doubtful if any or all of the recommendations will be enacted any more than they were last year. Such recommendations involve a great change from the methods of the past, and aside from the personal element, which some legislators are charged with having, such drastic changes should be considered carefully before being adopted in order to determine the consequences.

Curley as Candidate
(From The Boston Transcript)
Not the least interesting quality possessed by Mr Curley's announcement of his senatorial candidacy is the bland assumption of certain success. He has made up his mind, he says, to go to the United States Senate to be part of the movement to change economic conditions for the benefit of the people of this country. The aim, of course, is commendable enough but it is just possible that the governor will later discover that he has spoken out of turn and that the people of the state, as represented first by Democrats voting in the primaries and second by the total electorate voting in the election, have different ideas on the subject. For one thing they may not want the kind of change in economic conditions which Mr Curley supports; or, if they do want it, they may prefer to have somebody else act as the instrument of execution.

All in all, there is no occasion for Republicans to be alarmed by Mr Curley's decision to seek higher honors. He is not so strong as he was in 1934. Neither is the man whose name he invoked so often in that contest and on whose shoulders he really rode into office. Mr Curley can be beaten. If the election were to be held tomorrow, we are confident he would be beaten.

The Carnegie Example
(From The New York Herald Tribune)
Perhaps the most extraordinary legacy given to memories by the centennial of Andrew Carnegie's birthday was the extraordinary variety of his interests and gifts. In the public mind it is the scores of libraries which have become identified with the name. The amiable weakness for seeing his name carved in stone on a building has served, oddly enough, to push into the background many of the other fine gifts, the creations of a true generosity and a bold imagination.

Immortality is a willful jade, in short. She selects what appeals to her for public preservation, and neither organization nor the mere power of money can alter her decisions. Among the many different gifts, from the Peace Palace at The Hague to beloved Carnegie Hall in this city, it is undoubtedly the vast funds granted to education, both toward the betterment of the lot of the professor and, even more significant toward the advancement of research and learning, which best deserve to be Andrew Carnegie's monument. If the present celebration does nothing else than to remind the public of these great donations it will have justified itself.
In Tents on Cape Cod

Boston, Dec. 19—If Gov. Curley’s request for a $2,000,000 federal allotment for construction of a national guard camp at Bourne falls through, members of the Massachusetts national guard will have an opportunity to live in tents and enjoy the rigors of outdoor military life next summer.

Determined to make some use of the land, which the state has purchased, the adjutant-general’s office already has made plans to move the first contingent to the camp in June, even if no barracks have been constructed, it was announced. National guard officials said it might be impossible to move the heavy artillery to Bourne next year, especially if no barracks were ready.

Predicts Curley Will Not Be Nominated

BOSTON, Dec. 19 (AP)—The Boston Traveler, in a copyrighted story, says Charles M. Hawks, Massachusetts’ manager of the Townsend Pension Plan Club, predicted Gov. James M. Curley would not be nominated for the U.S. Senate.

“We have 30,000 registered Townsend Club members in Massachusetts.” The Traveler quotes him as saying, “and we have 10 times that many signers of pledges. That makes 300,000 votes.”

Referring to Curley’s avowed plan of running for the Senate, the paper quotes Hawks as saying: “Curley won’t get by the primaries. Every time he goes on the air and talks for Roosevelt’s pauper-pension plan, he loses himself. A year ago we had 45 clubs in Massachusetts and now we have 154 clubs.”

“I believe Mr. Roosevelt’s New Deal will be repudiated by a tremendous decree in this State.”
Huey Long, Gov. Curley--An Analogy

(By W. E. Mullins, in Boston Sunday Herald)

The Huey Long theme is somewhat shopworn as a political topic, yet there is a striking analogy in many respects between the public careers of the late Louisiana senator and Gov. Curley's public career as he outlined it in retrospect last week.

The Kingfish first became Governor of his state, transformed the Democratic party there into a personal machine and used the great power of his office to get himself, his party and a bulwark of Democracy, an army of the unemployed, can sway thousands.

The Governor's appeal for election will be made with an issue based on social security. As he promised, is demonstrated every morning in the week by the crowds who assemble outside his home to appeal for work and wages.

The prospect is not bright that anyone can persuade the great masses of the people that his promises for social security can no more be redeemed than have been his recent promises to provide work and wages for the jobless.

He has failed to provide work and wages in abundance, as he promised, but demonstrated by his number of exemptions and a shift of the social security to give his Republican opponent an idea of the sort of campaign he must wage.

Add to these unfortunate those nearby who do not go to the Jamaicaway and those in every city in the commonwealth lacking the opportunity to journey there who do see the Governor, and one has only an idea of the extent of his failure and an explanation of why he has begun to crack under the strain of hopelessness as to what he now decides he must escape.

It is probably true that no Governor could have solved the unemployment problem; but it is also true as he himself promised he would solve it. Work and wages, worn threadbare last year, can be cloaked next year in terms of social security to give his Republican opponent an idea of the sort of campaign he must wage.

The Governor's declaration that he proposes to go to the Senate, while not accepted generally as genuine in his own party, has resulted in creating an attitude of indifference toward the contest for the governorship. Its importance is not so great as it was.

In the contest for Senate Mr. Curley will be opposed probably by Mayor Sinclair Weeks of Newton or Representative Henry Cabot Lodge, Jr., of Beverly. Without casting any reflections on the various men seeking the Republican nomination for Governor, this shift on Mr. Curley's part means that he will be given a more vigorous opposition, because either Weeks or Lodge is equipped to make a stand-up fight.

If the Governor has a better campaign issue as a candidate for senator, he also will have a sturdier opponent. The opponent, however, should be prepared to discuss the Townsend plan, old age pensions, a 30-hour work-week, unemployment insurance, and—possibly—work and wages again.
More Racing Income

Increase the income to the state by boosting the "take" from 3½ per cent to 6 per cent on horses and from 3¼ to 10 per cent on dogs.

Abolish capital punishment, a continuation of the long fight of opponents of the electric chair.

Extend the 48-hour work week, in effect in state institutions, to county institutions.

Place the State Police Constabulary under Civil Service.

Raze the old State's Prison at Charlestown and construct a new institution on the present site or in some other location.

Lower the age limit for state welfare recipients from 70 to 65.

Broaden and clarify statutes prohibiting illegal practice of law.

Liberalize laws pertaining to labor.

Prevent employment by the state of married women whose husbands hold jobs which could amply support both.

A total of 250 bills has been filed to date—202 in the House, 60 fewer than last year on this date, and 48 in the Senate. The deadline for filing bills is 1 p.m. Jan. 11.

TELEGRAM


A Hurley for the Republican Ticket

Massachusetts Republicans are so engrossed in the choice of the head of next year's state ticket—and an engrossing question it is!—that there is reason to fear they are not giving enough attention to the less conspicuous offices. And yet the quality of the nominees for the less conspicuous offices can make or break the ticket on election day. This is so well understood that the point need not be labored.

In making up next year's slate, the Republicans of Massachusetts would be well-advised, it seems to us, to consider the claims of William E. Hurley to the nomination for State Treasurer and Receiver-General. Not that Mr. Hurley is putting forth claims in his own behalf; we are not aware of his desires in the matter. What interests us is the opportunity which his presence on the ticket would give the Republican party to capitalize one of the most outrageous bits of spoils-grabbing that we know of. And besides Mr. Hurley is admirably fitted for the state treasurership.

William E. Hurley—a Republican Hurley, by the way—was the Boston postmaster up to a short time ago. He was a career man, having started as a letter-carrier back in 1898. After service as a postal inspector, he became assistant postmaster in 1915, holding the place until 1921 when President Hoover advanced him to the postmastership in succession to Colonel Gow. His promotion met with universal approval, and particularly the approval of Boston businessmen. His administration came up to expectations.

But President Roosevelt and Postmaster-General Farley have refused to reappoint him. More than that, they so maneuvered that he is now out of a job, his long career in the postal service gone for nothing. And they refused to reappoint him despite the appeals of Senator Walsh, despite the appeals of Boston businessmen, and despite the unanimous appeals of the Boston press. Senator Walsh, it may be remembered, came in for bitter denunciation from the Democratic spoilsmen because he had the temerity to urge the reappointment of the Republican Mr. Hurley on the sole ground of merit.

Nor did the spoils-grabbers live up even to the rules of their own game. At the head of the eligible list to succeed Mr. Hurley stood General Charles H. Cole, twice the nominee of the Democratic party for Governor of the Commonwealth. Unfeelingly he was passed over, and former Congressman Tague, reputedly sponsored by Governor Curley, was given the place.

The deed, however, was not perpetrated without a preliminary prolonged spell of nervous hesitation on the part of the President and his Postmaster-General.

This scandalous episode has elicited protests from far beyond the borders of Boston. It has been commented upon by newspapers throughout the country as an example of what the brazen application of the spoils system can do towards breaking down efficiency and morale in government service. It furnishes a revealing glimpse into the methods which are being employed by the spoilsmen of the Roosevelt Administration.

The more people in Massachusetts who understand the facts in this case, the greater the chance of the Republicans to triumph in the state next year. It is difficult to think of a more effective way of spreading such an understanding than to have William E. Hurley on the Republican state ticket.
HEARING MONDAY ON GARDNER CASE

CURLEY HEEDS PROTESTS ON COMMUTATION

Asks Council Committee to Sit That Day to Hear Any Who Oppose Pardon for "Firebug"

WORCESTER POLITICS ALLEGED IN MOVE

BOSTON, Dec. 19.—A public hearing in connection with protests from Worcester regarding recommended commutation of sentence of Henry A. Gardner was ordered late this afternoon by Lieut. Gov. Joseph L. Hurley, chairman of the Pardons Committee. It will be Monday at 10 a.m. in the Council chamber, State House.

By CLINTON F. ROWE, Gazette State House Reporter

BOSTON, Dec. 19.—Heeding protests from Worcester against commutation of sentence which he recommended for Henry A. Gardner, convicted on charges of setting fire to All Saints' Church and Pleasant-Street Baptist Church, Governor Curley today asked the Pardons Committee of the Governor's Council to conduct a hearing Monday at 10 a.m. for anyone desiring to protest the recommendation. The committee complied.

The Governor made this announcement in a statement which he issued after learning of the wave of protest that swept Worcester following news that he had recommended that Gardner's 10-to-12-year sentence be commuted to 4 to 12 years, making him eligible for parole.

In his statement the Governor referred to the Christmas season and asserted that all officials connected with the penal department and with corrections were unanimous in recommending clemency for Gardner.

Curley Statement

The Governor said the protest made by certain church dignitaries of Worcester against recommendation for commutation of sentence in the case of Henry A. Gardner from 10 to 12 years to four to 12 years, of which sentence he has served four years, and, in the event of parole would have an opportunity to spend Christmas Day for the first time in four years with his family and relatives, has been of such character that I have decided to refer protests to the committee on pardons of the Governor's Council which meets two days prior to Christmas, on Monday, Dec. 23, at 10 a.m. in the Council Chamber, State House, Boston.

"My approval of commutation in this case was based, so far as I have recommended that Gardner's 10-to-12-year sentence be commuted to 4 to 12 years, making him eligible for parole.

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Curley Statement

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"My approval of commutation in this case was based, so far as I have
and that unquestionably he was
years, that it was his first offense
the offense was committed, being
hat the man had served four
all that it conveys, then there is
no way to justify granting of par-
dons or commutations to any of-
on pardons of the Governor's Coun-
will accept any recom-
rganization of the Governor's Coun-
will meet to
"After studying the case I can
reason what I should vote for commuta-
t the Governor's sentence," he
There appears to be nothing to
on the Pardons Committee report.
In the continued absence of word
from the Governor's office as to the
identity of those who instigated the
move for a parole for Henry A.
Gardner, there were reports in Wor-
cester today that local "politics"
was concerned. These rumors grew
out of talk that relatives of Gard-
er were active in behalf of Demo-
cratic candidates in the recent
city campaign.
Persons versed in political lore
said the move to free Gardner real-
lly had its beginning last Summer.
when certain contacts were sug-
gested, but the matter was
ferred because Gardner then had
been too recently sentenced for con-
flatedly starting the fire hun-
dred thousand dollar fire in All
Saints' Church, attempting to fire
Pleasant Street Baptist Church and
setting ablaze several other build-
ings on the West Side. They say
the plan was set aside for the time
being, but it gained new headway
this Fall.
The prescribed procedure when
a petition for a parole is received by the Governor is for the chief
executive to forward the petition
to the Board of Parole, which con-
ducts a public hearing on the ques-
tion. Then after the pros and cons
are heard the prisoner is brought
before the board to voice reasons
why he should be freed. The Parole
Board then makes its recommenda-
tions to the Governor's Council
and that body may accept or re-
ject the suggestion.
That no attempt had been made
locally to ascertain the disposition of
the prisoner on the police in
of either view of the police in
was established today. This is contrary to custom in such
matters. Officials of All Saints'
Church and Pleasant Street Bap-
tist Church said they had no knowl-
dge of the proposal before they
read of it in The Evening Gaz-
nette last night. Police said they had
no prior knowledge of the plan to
free Gardner.
Action Rushed Here
Meaning its today opposition to
the proposal was gaining momen-
tum in Worcester. Officials of
Pleasant Street Baptist Church were furthering their plans to forti-
fy a resolution drafted last night
opposing the proposed by having
representatives contact the Par-
onds Committee of the Governor's
Council before that body meets
Monday morning to consider the
Gardner case and others.
Individually officials of All Saints'
Church either voiced opposition to
the proposal or suggested that at
least the matter be viewed from the
standpoint of community welfare
before any pardon is granted. W.
Emory Wardwell, treasurer of the
council, said he emphatically op-
objected to the sentence of Gardner. Rev. Richard
G. Preston, rector, said the matter
was primarily one of community
protection and added that "a con-
formed pyromaniac, liable to repeat
his act, would be a menace to the
community and not to any particu-
lar individual or church." He said
if the release of the prisoner is be-
fore there ought to be an end to the
idea and conviction that he will not
likely to commit such a crime
again.
It was recalled today that the
question of length of sentence for
Gardner was vigorously fought be-
tween former District Attorney Ed-
win G. Norman, who prosecuted
Gardner, and the late Charles P.
Campbell, who defended him. Mr.
Campbell sought to have the sen-
tence set at five to seven years, and
the matter was furthered because
Gardner then had had

command, until he had more
mum term.

Official Worcester has declined
comment on the matter pending
the sentence of Gardner. Sen.
John S. Sullivan said he had no
part in the move to free Gardner.
Mr. Norman said he would with-
stand the remark, but he had no
mum term.

Other Fires Charged
Deputy Fire Chief Fred S. Tay-
lor, who fought the Gardner fires,
said he would favor leniency if it
were established that Gardner had
quit the drinking which caused
him to set the fires.
Gardner's incendiarism threw
the city into a state of fear in the
latter part of 1933 and early in
1934. In addition to the fire at All
Saints' Church and Pleasant Street
Baptist Church he was charged
with having fired the home of Rev.
Joseph Rogers at 13 Ashland
street and buildings on Fruit and
Chatham streets.
He was arrested by Patrolman Er-
nest J. Rose of Station 1 Jan. 25,
when he was seen standing near a
fire-alarm box at Pleasant
and West streets and acting
suspect. He was questioned
length, finally admitting setting the
small fires and then finally broke
the watch and confessed to the
All Saints Church incendiarism.
He was tested for sanity at Worcester
State Hospital, found sane, tried
and sentenced in February.
Gardner had a married little more
than six months when he was con-
victed. His wife obtained a divorce
and custody of their child, born after
he was sentenced, after a hear-
ing before Probate Court here June
23, 1934.
Result of Gardner’s Incendiarism

What was left in the early morning of that cold day in January, 1932, after Henry A. Gardner (inset at left) the torch to the imposing All Saints’ Church structure. The picture shows the main body of the church a mass of cha
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TELEGRAM

CHURCH FIGHTS CURLEY FIREBUG PAROLE

PLEASANT ST. BAPTISTS RAP GARDNER CASE

Adopt Resolution Against Governor's Move to Cut Sentence

'UNPUNISHED,' CLAIM All Saints' Official Also Opposes Plan; Formal Action Pending

Governor Curley's recommendation that the state prison sentence of Henry A. Gardner, 32, of Worcester, convicted of setting the fires which destroyed All Saints' Episcopal Church and damaged Pleasant Street Baptist Church in January, 1932, be commuted to 12 years, was met with sharp and immediate opposition last night.

Last night Pleasant Street Baptist Church, following its regular weekly prayer meeting, adopted a sharply worded resolution of protest, copies of which will be sent to the Governor and to Councilor Winfield A. Schuster. Gardner has not yet had "sufficient time for adequate punishment," the resolve said.

The Governor recommended that the 10 to 12 year sentence imposed on Gardner on five counts of incendiariism be lessened to four to 12 years.

The resolution:

"Pleasant Street Baptist Church protests the plan to commute this man's sentence, on the grounds that sufficient time for adequate punishment has not been served as yet.

The church protests a parole for this man, Henry A. Gardner, and we feel that it is not for the best interests of our community for the prisoner to have his liberty at this time."

Before the meeting, Rev. Lester C. Holmes, pastor of the church, said: "I am decidedly against the commutation of Gardner's sentence. He is too dangerous a man to have around. I will protest any effort to commute the sentence."

Other members of the parish spoke in similar vein.

No delegations have been named, but it was apparent that influential members of both the All Saints' and the Pleasant Street Baptist parishes would either appear or have representatives contact the Pardons Committee when it meets Monday morning.

Decision Monday

Monday noon the full Council will meet to act on whatever recommendation its Pardons committee makes.

The Governor declared that the announcement of his recommendations for Gardner, and other commutations, was premature; and the Governor's aides would not allow the folders in the cases to be examined. These folders carry the court and prison records and the names of those sponsoring and representing the convicts.

Senator John S. Sullivan said last night that he had no part in the move to obtain a commutation of the sentence. He said he obtained his first information that such a recommendation had been made by Governor Curley from the newspapers.

The proposed executive clemency for Gardner was made public by John H. Backus, assistant secre-
Background of Case

Patrolman Ernest J. Rose of Station 1 arrested Gardner five days after the All Saints' Church fire as Gardner was standing near a fire alarm box at Pleasant and West streets. Gardner at that time made his home in 3 West street.

The trial before a Superior Court jury lasted a week and he was found guilty on Feb. 20, 1932, and sentenced by Judge Raoul H. Beaudreau on Feb. 27, 1932. He had been found sane by alienists at Worcester State Hospital.

The government presented a purported confession by Gardner as its most important factor in the case, Gardner later denied making the confession, but it was admitted as part of the evidence.

The crimes charged to Gardner were all in the West Side district, where he made his home. In addition to the two church fires, police claimed that Gardner set fire to the piazza of the home occupied by Rev. Joseph Rogers, then assistant rector of All Saints' Church. The building was at 13 Ashland street, near the church. In addition, the police charged Gardner with the fire at Fruit street where a score of persons were endangered. Another fire on Chatham street was attributed to him.

All the fires occurred either late at night or in the early morning. Police at the time quoted Gardner as saying that he drank heavily in speakeasies before the fires.

Scores Expect Early Release

BOSTON, Dec. 18 (AP)—Scores of inmates in Massachusetts penal institutions, including two serving life sentences for murder, were gladdened tonight by news of their expected release by Christmas.

Governor Curley announced that two hundred persons serving sentences for drunkenness at the State Farm alone would be paroled next week.

On the other hand, Richard Olney, chairman of the Board of Paroles, set the State Farm figure at "a little more than one hundred," many of whom, he added "would have been freed at that time anyway."

The gates of the women's reformatory at Sherborn will be opened for 20 women Governor Curley said, and the State Board of Parole, he added, has authorized the release of 15 serving sentences at Concord by Christmas and 14 more by Jan. 31.

Announcement of the Christmas "gift" paroles was made prior to the meeting of his executive council at which the Governor recommended clemency for five inmates of the State Prison through commutation of their sentences to make them eligible for parole.

Action on the Governor's recommendation was deferred by the council until a special session next Monday.

One of the lifers is Samuel Powers of Westfield, imprisoned since 1914 for the murder of his wife.

The other is Wojeiech Birusz of Salem, sentenced in 1920 for murdering Mary B. Lavoie. It was understood he would be deported to Poland.

The commutations of sentences recommended by Governor Curley were, besides Gardner's:

Samuel Powers of Westfield, sentenced to life imprisonment, Feb. 20, 1914, in Hampden Superior Court for wife murder. Recommends commutation of sentence to one of 20 years.

Wojeiech Birusz of Salem, sentenced to life imprisonment in Essex Superior Court, April 20, 1920, for murder of Mary Lavoie. Recommends commutation of sentence to one of 20 years, with the understanding Birusz will be deported to Poland.

HENRY A. GARDNER
Curley Defends Gardner Pardon

Claims All Penal and Corrections Officials Favored Commutation of Gardner’s Sentence

(State House, Boston, Dec. 19.—Although pointing out that his approval of commutation was based on the unanimous recommendation of “every official connected with the penal department and with corrections,” Gov. James M. Curley today announced he had requested the pardons committee of the Executive Council to give a hearing at 10 a.m. Monday to any persons desiring to protest against the proposed clemency for Harry A. Gardner of Worcester, who is now serving a 10 to 12 years sentence for maliciously burning a building.

Statement

Curley supported the recommendation he sent to the Council yesterday, for commutation of Gardner’s 10 to 12 year sentence to four to 12 years, making him eligible for parole immediately.

The Governor’s announcement is contained in the following statement which he issued after published reports of protests filed by Worcester clergymen and parishioners had been called to his attention:

“The protest made by certain church dignitaries of Worcester against the recommendation for commutation of sentence in the case of Henry A. Gardner from 10 to 12 years to 4 to 12 years of which sentence he has served four years, and, in the event of parole, would have an opportunity to spend Christmas Day for the first time in four years with his family and relatives, has been of such character that I have decided to refer the protest to the committee on pardons of the Governor’s Council which meets two days prior to Christmas, on Monday, Dec. 23, at 10 a.m. at the council chamber, State House, Boston.

“My approval of the commutation in this case was based upon the fact that it was one of the few cases where every official connected with the penal department and with corrections were unanimous in their approval of the commutation of sentence. A recommendation having been approved by commissioner of corrections, Mr. Lyman, chairman of the parole board, Richard Oney, Mathew W. Bullock and P. Emmett Gavin, also by Warden Francis J. W. Lannigan and Supt. Maurice Winslow of the state prison colony.

“The recommendation in this case was based, so far as I have been able to ascertain, on the fact that the man had served four years, that it was his first offense, and that unquestionably he was not in his right mind at the time the offense was committed, being under the influence of liquor. If a protest is justified in this case, then there is no way to justify granting pardons or commutations to any offender.

“I am quite sure that the committee on pardons of the Governor’s Council will accept my recommendation and grant a hearing to those who have voiced a protest and any individual desiring to appear in objection to approval by the pardon committee of the Governor’s Council to the granting of same is at liberty to be present at the hearing of that body to be held in the council chamber, Monday at 10 a.m.”

Brooks Is Opposed to Commuting Sentence

(State House, Boston, Dec. 19—Councilor Frank A. Brooks of Watertown declared today, “I have examined carefully the folder in the Gardner case and can find absolutely no reason whatever why I should vote for the recommended commutation of sentence.”

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Under Fire

The resignation of Mayor Frederick W. Mansfield (above), as mayor of Boston, was demanded by Gov. James M. Curley, in a furious dispute over the conduct of the Massachusetts metropolis’ affairs. Curley charged Mansfield with incompetence, while Mansfield attributed his difficulties to the debt accumulated while Curley was mayor.
SMITH REJECTION CAUSES RUMBLINGS
State Advisory Board of Education Said to Object

By Gazette State House Reporter
BOSTON, Dec. 19.—Rumblings of dissatisfaction were reported today in the wake of the replacement yesterday by Governor Curley of Commissioner of Education Payson Smith, who was succeeded by James G. Reardon, superintendent of the Adams Schools.

It was reported that dissatisfaction over the change exists in the State Advisory Board of Education and that the members of the board, or some of them, would meet to discuss the matter.

According to reports, there were threats that resignations from the board might result in Smith's replacement under confirmation of the Governor's Council yesterday of Reardon.

"I had rather not be quoted about the matter," said one member of the board. "I wouldn't want to say there wouldn't be a meeting. You can't tell what might happen in the next 10 or 12 hours. I am only one member of the board."

By Anna Power of Worcester, a member of the advisory board, said today she had no knowledge of any meeting or of the reported movement.

The Governor first sent in the name of Commissioner Smith for reappointment, with the announcement that if he were not confirmed that the name of Reardon would be submitted.

Afterward, he said that at a conference with the six Democratic council members that only Lieut. Gov. Joseph L. Hurley favored retaining Smith.

Although voting to retain Smith, the Lieutenant Governor voted to confirm Reardon after the Smith appointment had been rejected.

As Kirk Took Office

Governor Curley administering the oath of office again to Commissioner of Public Safety Paul G. Kirk.
Schuster Probes Gardner Record

Church Officials Protest Parole Plan of Gov. Curley

Winfred A. Schuster of East Douglas, member of the Governor's Council, said today that he is to make a personal investigation into the record of Henry A. Gardner, 32, convicted firebug, of this city, who Gov. James M. Curley said yesterday he is considering the recommendation of the Governor into Gardner's whole record, and that making public of his reported alibi, and an explanation that for two weeks before the several fires he is claimed to have set that he had been drinking heavily.

Gardner is married, and at the time of his conviction was father of a baby a few months old.

W. Emory Wardwell, a vestryman, at All Saints' Church, says that he is emphatically against the commutation action recommended by the Governor. It has been intimated that formal action in the matter may be taken at the next meeting of the vestrymen.

The resolution by the members of the Pleasant Street Baptist Church as adopted and forwarded to the Governor and Mr. Schuster reads as follows:

"Pleasant Street Baptist Church protests the plan to commute this man's sentence, on the grounds that sufficient time for adequate punishment has not been served as yet. The church protests a parole for this man, Henry A. Gardner, and we feel that it is not for the best interests of our community for the prisoner to have his liberty at this time."

There were indications that the church may be represented at the meeting of the Governor's parole committee of the executive council on Monday.

Last night the Governor announced that making public of his reported parole plans to have Gardner's sentence commuted were premature. His office refused to divulge for the time being at least, those sponsoring the move.

Former Dist. Atty. Edwin G. Norman, who prosecuted the Gardner case, said that he desires to express no opinion in the matter now. He said that there may be circumstances about Gardner's case at the present of which he may not be aware.

Lieut. Robert E. Molt of the State Police, fire marshal, has declined to comment, while Deputy Chief Fred E. Taylor of the fire department, says that perhaps Gardner has overcome a desire to drink and the freakishness of wanting, when he is drinking, to set fires.

Claims Case Is One of Community Protection

Gov. Curley announced today that about 200 prisoners serving sentences at the Bridgewater State Farm for drunkenness charges will be freed by him next week. Richard Olney, chairman of the Board of Paroles, formerly of this city, said that the number of men to be freed is a few more than 100 and that these men would have been freed anyway.

It is the plan of the Governor to have 20 women at the Women's Reformatory at Sherborn released, and in this case was based upon the fact that it was one of the few cases where

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Wild Rumor Denied By Adjutant-General

Adjutant General William J. Ross of Worcester this afternoon at the State House denied a rumor that he was in back of the move to have Gardner's sentence commuted.

"I've heard a lot of wild rumors," said the general, "but that is the wildest one I've heard. I have nothing at all to do with that department and naturally I would not know anything about it."

Reference to "that department" by the general meant the Parole Board.

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Reardon Takes Oath
As State Commissioner

BOSTON, Dec. 19 (AP)—James G. Reardon, 36, superintendent of schools in Adams, was sworn in today by Gov. James M. Curley as Massachusetts commissioner of education.

The young educator, whose nomination was confirmed yesterday by the Executive Council after that body declined to approve the reappointment of Dr. Payson Smith, took the oath of office as the new commissioner in the presence of relatives and friends.

In brief remarks, after he administered the oath, Gov. Curley told the new commissioner he was certain Reardon was well qualified to fill the office.
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TELEGRAM  

DEC 19 1935  

REARDON GETS  
SMITH'S BERTH  

Stiff Governor's Council  
Fight For Education  
Head Futile  

NO MURPHY ACTION  

Curley 'Hasn't Decided' on  
Fate of Corrections  
And Game Chiefs  

By CLINTON P. ROWE  
Telegram State House Reporter  
BOSTON, Dec. 18. -- A "dark horse" was appointed and confirmed as State Commissioner of Education today after a stiff fight in the Governor's Council which had failed to keep in office Dr. Payson Smith, whose retention had been demanded widely for months by educational and leaders' groups.  
  
James G. Reardon, superintendent of the public schools in Adams, was appointed and confirmed 6 to 3, straight party lines, by the council after Smith's appointment had been rejected 5 to 4, with Lieutenant Governor Hurley voting to confirm.  
  
Reardon, 35 years old, has styled himself a "100 per cent supporter of the teachers' oath"; Doctor Smith, ousted after two decades of state service, originally opposed the oath. What weight their oath stands bore with the council was not immediately apparent.  
  
Reardon's term is five years, his salary nine thousand dollars.  
  
The holdover appointments of Commissioner of Public safety Paul G. Kirk and Tax Commissioner Henry F. Long were sent to the Council by Governor Curley. Both were unanimously confirmed. "The Governor indicated he would reappoint Commissioner Long, but had withheld comment on Commissioner Kirk, for whose job many of the faithful had clamored. Kirk packs support of such character as to assure his reappointment, although it is said he made few, if any, overtures.  
  
For a second time action was refused by the Council on the Governor's appointment of Howard H. Murphy of Osterville, "dirt farmer" and holder of a mail carrying contract. Murphy's appointment to succeed Edgar L. Gillett and one of the several in the Governor's sweep of major appointive offices, has been widely opposed by farmer interests.  
  
Governor Curley said he had not decided on reappointing or replacing Raymond J. Kenney as director of the Division of Fisheries and Game; Arthur T. Lyman as commissioner of corrections or Major George J. Cronin as state purchasing agent. "The terms of Kenney and Lyman expired Dec. 1 and Cronin's term ended Dec. 13.  

Only Hurley Opposed  

After the Council meeting, the Governor said that a conference he held with Democratic members disclosed only Lieut. Gov. Hurley opposed to rejecting Smith's reappointment, subject of an extended campaign of retention for several weeks. The conference lasted an hour and a half.  

The Republican members, Councilors Winfield A. Schuster of East Douglas, Joseph B. Groome of Quiney, with Mr. Hurley, voted to confirm Smith. The three Republicans voted against Reardon's confirmation.  

Second Differences  

It was the second time that Lieut. Gov. Hurley had opposed a Curley appointment. The first occasion was when he voted against Thomas H. Green, Boston city councilor named by the Governor to succeed James M. Hurley of Marlboro as civil service commissioner. That vote was recorded after Mr. Hurley had announced his candidacy for the Democratic nomination. Governor Curley, following Curley's announcement he would run for the Senate.  

The Governor several days ago termed Long an "efficient state officer." Long began his state service as private secretary to Gov. Calvin Coolidge. There had been no indication concerning Kirk's reappointment, but it was reported the subject of some behind the scenes maneuvering in view of his affiliations, with advice to the Governor centering on reappointment.  

The fight over Commissioner Smith, first appointed in 1916, has been a bitter one. At the first intimation of his replacement, Massachusetts school superintendents formally opposed it and began a state-wide fight for his retention. Supt. Patrick A. Campbell of the Boston School Department, apparently selected for the job, said he didn't want it and was said to have favored Smith, thereby stirring up something.  

Belisle Declined  

Reports were current today that the Governor had offered the position to Hector Belisle, formerly of Worcester and now superintendent of the Fall River schools, and that Belisle had declined it. Mentioned several days as a possible appointee, Reardon came into prominence only last night when officials of the Massachusetts Teachers' Federation announced they had endorsed him. The announcement came as a blow against Reardon by Robert T. Watt, secretary of the Massachusetts Federation of Teachers to support James G. Reardon of Adams for the position of commissioner of education.  

This morning he held a caucus of the Democratic members of the council behind closed doors. The council then met and the Governor submitted Dr. Smith's name, which the council confirmed by a vote of 5 to 4.  

How is it that the Democratic members of the council apparently dared to oppose the Governor in the voting on Dr. Smith? What a bluff on the part of the Governor.
Reardon Believes in Practical Arts

Special to the Telegram

Adams, Dec. 15—James G. Reardon, 33, superintendent of schools in Adams since last June, who was made state commissioner of education today is a native of Medway, the son of Mr. and Mrs. W. H. Reardon of Medway. He was superintendent of schools in East Bridgewater for nine years before accepting the Adams position.

Mr. Reardon was graduated in 1923 from Boston College where he was a member of the varsity football team and an honor student. He holds degrees of A.B. and A.M. and has done graduate work at Boston College, Harvard and Brown. During the World War he was a member of the R. O. T. C. and is now an active member of the American Legion at present in West Bridgewater.

Mr. Reardon is a member of St. Thomas' Church and Adams Council of Knights of Columbus. He holds membership in the Phi Gamma Mu, national honor society, the New England and Massachusetts Superintendents' Associations, University Club at Boston, and South Shore Schoolman's Club.

Mr. Reardon is a firm believer in closer relationship between the teachers and parents and has been instrumental in forming parent-teacher associations in Adams.

Placement Office Hasn't Placed a Man, But Is Still Hopeful

NEARLY 4000 APPLIED

Garvey and Mannix Still Hold Posts Waiting Jobs 'In Making'

By CARL W. ERICKSON

Telegram Staff Reporter

The word "fiasco" has apparently been scribbled across another "work and wages" plan.

This time it is the distribution of jobs on Governor Curley's thirteen million dollar work program through the placement office set up in Worcester almost three months ago.

Since its opening one week before the city primaries, Oct. 8, between thirty-five hundred and four thousand men have applied at the office for jobs, but not one has been put to work.

Garvey 'Hopeful'

Daniel J. Garvey, head of the bureau, located at 69 Mechanic Street, was still hopeful yesterday that there would be jobs to give out, but admitted he did not know when or how many.

"I have been given to understand," he said, "that there are some sidewalk jobs in the making and are expecting instructions as to any day to assign men to this work. Other than that, we are still accepting applications."

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BOSTON MASS.

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Curley Jobs Here 'Fiasco'

Much political significance was attached to the opening of the office, timed to come one week before the primaries in which Mayor Mahoney and Rev. Edward J. Kelly were sparring for the Democratic mayoralty nomination.

Mr. Garvey was named top ranking man at the intercession of Representative Kelley after Coghill, the head of the Employment Bureau, was to be the final authority.
REARDON SCORES
SCHOOL REDS

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REARDON SCORES
SCHOOL REDS

Governor Greets Education Head and Wife

After swearing in James G. Reardon of Adams as new state commissioner of education, Governor Curley congratulates the appointee and Mrs. Reardon, who was present at the oath-administering ceremony. So declared James G. Reardon of Adams today after he had been sworn in by Governor Curley as State Commissioner of Education.

CURLEY HITS AT CRITICS

"Communism has no place in the public schools of this country and I will do everything within my power to eradicate it in Massachusetts whenever it rears its head."

Educator
To Insist
On 'Oath'

"If any radicalism is taught in the schools of Massachusetts and is brought to my attention I will do everything in my power to eliminate it."

He added:
"I am not going to campaign against radicalism in the schools of Massachusetts, but if it exists, it will be eliminated."
With reference to the teachers' oath, he said: "I am in favor of any laws on the statute books and believe if they are there they should be enforced.

"Duty of Educator"

"The general court has decided that at present the teachers' oath is necessary. As long as the law made by the general court exists, there is no question about the duty of any educator who is a law-abiding citizen.

"Those citizens who feel that the law is not necessary can have recourse to the constitutional method of changing the law.

"My interests from now on," he added, "will be to uphold the high standards which have made Massachusetts conspicuous in the field of education."

In thanking all who have cooperated with him Payson Smith, the outgoing commissioner, said: "I've taken great pride and satisfaction in the office of commissioner of education and I have made every effort to discharge my duties in a manner consistent with the high traditions of the office."

Following the simple ceremony of swearing in the new commissioner Governor Curley said: "I have appreciation that the education and training of your predecessor, who came here from a neighboring state to accept the position, was no greater than yours.

"Let me say that no man is absolutely indispensable. Those people who consider the retirement of an important official a calamity are making the greatest mistake.

"Let me say that if we should drop dead tomorrow there would be a group of men and women ready to take our places and qualified to discharge our duties.

"I am quite sure this applies to the host of education,"

Word Passed

"You have a great responsibility, but I am sure you will measure up to it."

The resignation of Commissioner Payson Smith, was banned earlier. A call for a secret meeting of the board at Hotel Somerset tonight was issued today.

The advisory board is unpaid. It consists of Miss Mary E. Murray of Cambridge, Mrs. John Power of Worcester, Walter V. McDuffle of Springfield, Henry B. Sawyer, a Boston business man, and A. Lincoln Flene, Boston merchant. Miss Murray is the most recent member of the board. Governor Curley named her to this position several weeks ago upon the expiration of the term of Grace S. Mansfield, sister of the mayor.

The meeting of the board is entirely unofficial, it is pointed out, and word was passed yesterday by the secretary of one of the older board members.

Probably the youngest man ever to hold the job in the history of the state, Reardon, 35, superintendent of schools in Adams since last September, was confirmed by the governor's council after rejecting the reappointment of Dr. Smith.

After the swearing-in ceremonies, Reardon will be tendered an informal reception in the Hotel Bellevue.

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Barry Requests Removal of El

Request that Governor Curley include the question of removal of the Elevated structure in Charlestown in his annual message to the Legislature was contained in a letter sent by Representative Thomas E. Barry of East Boston.

SAFETY COMMISSIONER TAKES OATH—Paul G. Kirk, reappointed head of the state department of public safety, is sworn in by Governor Curley in a simple ceremony at the State House. Commissioner Kirk is ex-officio head of the Massachusetts state police.
Warning of the "possibility of riots and bloodshed" unless WPA workers here are paid before Christmas, Governor Curley today sent an urgent appeal to National WPA Administrator Harry Hopkins.

Governor Curley laid the blame for the critical situation here directly to "the official in charge" whose administration he termed "an abject failure."

State WPA administrator of Massachusetts is Arthur G. Rotch, who has drawn the fire of Governor Curley on sidewalk projects and other programs.

CURLEY MAKES REPLY

Governor Curley's appeal to Hopkins followed a long-distance telephone conversation with Postmaster-General James A. Farley, who promised to bring the matter to the attention of President Roosevelt.

The letter to Hopkins read:

"There is a possibility of riots and bloodshed unless persons employed under the WPA here receive their wages prior to Christmas.

"I beg to direct your attention more particularly to the case of women and men, citizens of Lowell, to the number of 3000, who have received no pay since November 21 and who are naturally resentful and whose resentment may find expression in some stronger form than verbal protest.

"What is true in the case of Lowell is true in the case of Wakefield where the employees have not been paid for five weeks, and in many other cities and towns the same condition prevails.

"ABJECT FAILURE"

"The fault does not lie altogether in the system, but, rather, it does lie directly with the official in charge whose administration of the office may be summed up in a single phrase—abject failure.

Other details on page 15.

The attempt to excuse the failure to so conduct the activities of the department as to meet obligations of this character upon the ground of the enormity of the task is stupid for the reason that a sufficient number of competent clerical help is always available."

Informed of the governor's action, Administrator Arthur G. Rotch denied that his administration had been a failure and declared it had been a success except for some delays in payrolls which we freely admit.

ROTCH MAKES REPLY

Rotch said:

"I was charged with the responsibility of putting 115,700 men to work by December 1. I have exceeded this quota by putting 120,000 men to work.

"All workers will be paid by next Tuesday for work completed up to Friday noon.

"There is a delay in payment of five days always due to the Federal system of paying."

Previously, Administrator Rotch had declared all State WPA workers would receive checks by tomorrow evening.

SOMERVILLE DOLES FOOD

Similar conditions prevailed today in other communities.

In Somerville, food slips were issued to 150 workers, unpaid for four weeks, after they had staged a protest march on City Hall.

Starvation conditions for hundreds of WPA workers in Everett were prevented today by special emergency measures adopted by the board of aldermen to allow transfer of funds to the welfare department.

Meanwhile, at Boston headquarters it was announced that the 57 workers laid off in Everett would be absorbed into other projects.

Everett officials, however, reports
they had received no definite instructions.

In Lowell, city welfare officials announced that $10,000 had been spent to tide over the 3000 unpaid WPA workers and that only an emergency appropriation of $10,500 passed last night prevented the closing of the welfare department for lack of funds.

THE SENATOR SAYS:--

Longhaired Boys Not So Pleased With Reardon

He's Strong for Teachers' Oath; Bates Economy Makes Hit in Salem

THE SENATOR:

He sees all and knows all that's going on in Massachusetts politics and most of it he finds amusing or amazing, often both. Best of all, he tells about it.

Meet him below and listen in with him regularly in the Boston Evening American and Boston Sunday Advertiser.

The Senator comes in looking like the last frayed aster of a bleak autumn.

"I feel like a musty, Timmy," says The Senator, "and do not tell me that is the way I look. And do not ask me whether Governor Jim would have sent Payson Smith's name into the Council 'if.' All I know is that Payson can now devote all his time listening to the long-haired boys who are opposing the teachers' oath bill."

The Senator dips his snogger into the musty glass, takes a deep breath and nearly falls apart.

Just at this moment a very phoney Santa Claus comes through the door. His outfit is only a red hat and a set of beer-stained whiskers that are hung on his ears with a string, and he looks about as much like Santa Claus as Joe Langone. He is one of those street corner Santa Claus pedlars with a line of trick toys, and what he has is a lot of little tin mice that you wind up and they go.

The phoney Santa Claus puts one of the little trick mice on the bar and it goes round and round, squeaking a little squeak.
"Take it away," says Timmy, "it will eat up all the cheese from the free lunch."

One Beer for the Rodent

"Timmy," says The Senator. "That gives me an idea. I will swap the beer for the mechanical rodent."

"Done," says the phoney Santa Claus, like that.

So The Senator gets the mouse and the Santa Claus gets the beer and when the Santa Claus has gone, The Senator says:

"Timmy, this a great idea for a practical joke. We will wind up the trick mouse and hide him in the bowl of cole slaw and when some unsuspecting customer loosens him up, he will pop out. What do you say?"

Timmy says it is okay because he has been trying to get rid of the cole slaw since April, so The Senator winds up the little trick mouse and backs him into the cole slaw and the stage is set for the big practical joke.

"Going on from there," says The Senator, "I am glad to see that the new commissioner of education, James G. Reardon, is all for the teachers' oath. And if you ask me, I will wager that Bobby Watt worked himself up for a dressing down when he let loose his blast against Reardon and the oath. This would have been all right a while back when Bobby was acting only in the capacity of a legislative agent, but now he is a state official by virtue of Governor Jim appointing him to the unemployment compensation commission and a great many people figure he made a grave error by not keeping his nose in that affair. It is all very well for Bobby to go around putting the blast on Gaspar Bacon, but nobody would say that Gaspar and Governor Jim are like that . . . Another musty, Timmy."

The Senator puts his snogger into his own immediate affair for a moment, then continues:

Bates Is Candidate

"Latest candidate for the Republican state ticket is Salem's perennial mayor, George Bates, who is making a big hit with the taxpayers by rapping municipal extravagance and keeping his own expenditures down to the bone.

"I am glad to see Governor Jim has spiked the rumor that he considered removing Supreme Court justices because this was a nasty rumor started by a few who would like to put Governor Jim on a spot."

"And speaking of judges, I hear if there is a vacancy at any time in the Middlesex district, the man you will see appointed is Henry C. Rowland of Arlington, now counsel for the state bank examiner."

The Senator palms a cracker and spears a square of kippered fish.

"This reminds me," says The Senator, "that in the rush yesterday, the failure to reappoint Ray Kenney as fish and game commissioner was generally overlooked. There are more candidates for that job than there are walking bed-sheets in Ethiopia."

Well, sir, it is just at this point that The Senator, thinking to top off his sandwich, dips into the bowl of cole slaw. And out jumps the little trick mouse, another mouse which is alive, and the ship's cat. They all land in The Senator's musty.

"Senator," says Timmy, "this is more than I can stand and I am closing the joint for the night."
With Christmas on the brain, I have been learning things that I didn’t know before. About Christmas, I mean. And I have actually looked things up in books, just so you, dear readers, may know more about the origin of your lovely Christmas customs.

The Christmas tree, for instance, was one of the things that the early Christian missionaries displayed at Christmas time to attract and convert the barbarians. (I’ll bet they weren’t as well lighted as OUR trees.)

The decking of homes and churches with holly and mistletoe (which we don’t do so much any more, do we?) is a custom as old as the Druidic worship. Mistletoe was regarded as sacred by the Druids, the priests of ancient Britain and Gaul. But the origin of the quaint custom of kissing under the mistletoe is quite, quite lost. (At least, I couldn’t find it.)

**Yule Log Is Survival Of Sun Worship**

The yule-log survives from our sun-worshiping ancestors, and the burning of it was meant to typify the return of the warmth of spring and summer.

The Christmas carols, which grew out of the Nativity hymns of the early Christians, were at one time prohibited by the clergy, and in 1642 the Puritans abolished them completely.

As for Santa Claus, St. Nicholas, Kris Kringle, or what you will—he was a saint of the primitive church and the especial friend of the children.

Tradition has it that in his lifetime, he was in the habit of throwing presents in at the windows of children while they slept on Christmas Eve. And poor young maidens received purses of money from him which they treasured as a portion of their dowries.

**Sunday School Teacher Makes a Faux Pas**

If this isn’t true, we refuse to be responsible, for it was sent in by Mrs. J. W. of Winchester.

A Sunday school teacher of her acquaintance was about to get off a street car just as a gentleman whom he thought she recognized as the parent of one of her pupils got on.

“Good morning,” she said, with a cheery smile.

Instantly she realized, by the quizzical expression on the man’s face, that she had made a mistake, so she attempted to correct it.

“Oh, pardon me,” she said, “I thought you were the father of one of my children.”

This was an entirely new kind of Santa Claus and I, for one, have never seen another quite like him. He was, in brief, intoxicated. In fact, he was very much so (but don’t tell the children), and he was having a fine time, last Saturday afternoon, dancing and singing through the streets of Roxbury surrounded by a crowd of admiring children, who thought him quite wonderful with his white whiskers and his very jolly red nose.

**Roxbury Policeman Jeered For Arresting Santa Claus**

Now we have the “policeman’s dilemma”—for a policeman saw, and knew not what to do. How could he disillusion so many children by calling the police wagon—but then, again, how could he allow this sort of thing to go on? Finally, his sense of duty got the upper hand, and he DID call the wagon and hustled Santa Claus into it.

He may be sorry for that, now, for children have made his life pretty miserable. Every day, as he walks his beat, they hoot and jeer and throw stones at him. They’ll get even with him yet for arresting Santa Claus.

**HEARD ABOUT TOWN**—Stan’ton White, former city censor and kin by marriage to Governor Curley, now has a position with the New Haven Railroad... Rumor has it that President Roosevelt sent a round-trip ticket to Washington to his son, Franklin, at Harvard—just to make sure that Franklin wouldn’t drive home for the holidays... The fresh air fans in New York have insisted that the tops of the buses remain uncovered all through the winter... “Boston night!” in Philadelphia, in honor of Al Fraser of the Boston American and Jimmy Foxx. They were at the Hotel Walton last Saturday night following their broadcast, and Mickey Alpert announced: “Ladies and gentlemen, this is the Mayfair in Boston—and may this night be christened ‘Boston night’...”
CURLEY SCORES SCHOOL BOARD

Members To Meet in Secret

REARDON GIVEN OATH OF OFFICE

A pointed rebuke to those who considered the retirement of an important official a calamity was given today by Governor Curley after he had sworn in James G. Reardon to succeed Dr. Payson Smith as Commissioner of Education.

Addressing the new commissioner following the simple ceremony, the Governor said:

"I have appreciation that the education and training of your predecessor, who came here from a neighboring state to accept the position, was no greater than yours."

"Let me say that no man is absolutely indispensable. Those people who consider the retirement of an important official a calamity are making the greatest mistake."

"Let me say that if you should drop dead tomorrow there would be a group of men and women ready to take our places and qualify to discharge our duties."

"I am quite sure this applies to the board of education."

With his wife at the Bellevue Hotel, just before going to the State House to be sworn in as new commissioner of education, is James G. Reardon of Adams. He replaces former Commissioner Payson Smith.

Word Passed

"You have a great responsibility, but I am sure you will measure up to it."

That resignations from the advisory board to the State Department of Education may result from the ousting of Commissioner Payson Smith, was banned earlier.

A call for a secret meeting of the board at Hotel Somerset tonight was issued today.

The advisory board is unpaid. It consists of Miss Mary E. Murray of Cambridge, Mrs. John Power of...
the Board of Parole has authorized
release of 33 inmates at Concord Re-

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"War Brewing"

Russell in Blast
At Archbishop

FALL RIVER COUNCILOR
CHARGES PROPAGANDA

Joining in the protest that has been aroused since the British
prelate's arrival here, Governor's Councilor Philip J. Russell,
of Fall River, today linked the mission of the Archbishop of York to
British propaganda aimed to ally America with Great Britain in the
war now brewing in Europe.

Hinting that the British pre-
late is playing his role in this
propaganda, Russell, in a state-
ment to the Boston Evening
American, declared that Eng-
land has guardedly made it
known that she wants the Unit-
ed States in the next war.

"And Great Britain's corps of
diplomats and propaganda ex-
erts are trained to see that
Great Britain gets that which
she desires," Russell declared.

Rather than continue to express
his ideas that America should join
the League of Nations in sanctions
against Italy, Russell suggested
that the archbishop visit some of
the historic Revolutionary spots
around Greater Boston and realize
that if propaganda is his mission
he might feel the true American
spirit at those spots and realize that
his mission is in vain.

Sees Conflict

Inconsistency in the prelate's
stand was pointed out by Russell,
who asserted that his views con-
flit more or less with the prac-
tices of the Christian church
which preaches a doctrine of peace
rather than conquest.

"We in America have had a
great deal of opportunity to view
the disastrous effects which re-
sult through hearing such propa-
ganda," Russell's statement con-

Wars of Conquest

Discussing the Archbishop's state-
ments that England has never been
the aggressor nation, Russell pointed
out that the view is based on the wars of conquest in India,
Africa, Egypt and Ireland, where
the "graves of men who have
fought in defending their nations.
"Indeed we need not delve into
European history—nor need we
tour Europe or Asia or Africa for
proof of England's role of ag-
gressor during the past century
and a half.

"But British propaganda, it
seems, is ripe in the United
States. And the source of the last-
est story of disrespect and even
insult to the American flag is
probably the same that conceived
the devastating 'Lusitania Coup'.

Worcester, Walter V. McDuffie of
Springfield, Henry B. Sawyer, a
Boston business man, and A. Lin-
colin Filene, Boston merchant.

Miss Murray is the most recent
member of the board. Governor
Curley named her to this position
several weeks ago upon the ex-
piration of the term of Grace S.
Mansfield, sister of the mayor.

Probably the youngest man ever
to hold the job in the history of
the state, Reardon, 35, superin-
tendent of schools in Adams since
last September, was confirmed by
the governor's council after re-
jecting the reappointment of Dr.
Smith.

Reappointments of Commissioner
of Public Safety Paul G. Kirk and
Commissioner of Corporations and
Taxation Henry F. Long, whose
terms expired December 1, were
also confirmed by the council.

On a recommendation by the
governor, the council also approved
payment on a basis of 10 per cent
commission to Francis R. Mullins,
of Winchester, as he is successful in
collecting $233,885 said to be due
the state from the Federal govern-
ment for a Civil War expenditures.
"It reeks of the same greed-diseased brain. And doubtless this story is only one of the many, and mild among them, that we will hear and read in the months to come.

"France wants the United States in the war which is brewing in Europe. And Great Britain's corps of diplomats and propaganda experts are trained to see that Great Britain gets what she desires."

"The Sir Samuel Hoares, the Anthony Edens and the Archbishops of York are working for and therefore in the interest of Great Britain, but Washington and Jefferson were interested only in America, the United States and its interests and happily the people still realize this.

"As witness of that, I might refer to our glorious victory last January in defeating the ratification of our entrance into the World Court and the League of Nations.

"Let us, therefore, not mince words any longer with the propagandists and the plotters, whether they be British agents, archbishops or recruiting officers, or whether they be those holding high positions of state in our government.

"Pride in Curley

"Let us remind them that while we Americans cannot deny our Woodrow Wilsons, our Norman Davises and our Secretary of State, still we point with pride to our Bosans, our Nyes, and our Curleys, that while Cambridge, across the bridge from Boston, houses Harvard University, still they must remember that Boston harbor was the scene of the Boston Tea Party.

"In other words, perhaps there is a side to Americans which they have forgotten exist. Let us hope for their own sake that they do not take our patience for too great a length.

"The Archbishops, the Most Rev. and Bishop of New York, William Temple, arrived here Tuesday for a series of lectures. Today he will be guest of honor at a luncheon given to him by President James B. Conant of Harvard. He and his wife leave December 23 for Providence.

Hibernians Denounce

Archbishop's League Plea

San Francisco, Dec. 19 (U.S.)—A stinging rebuke was administered here by the Ancient Order of Hibernians, comprising thousands of Californians of Irish extraction, to the Revolutionary Temple, Archbishop of York.

"Archbishop York is in this country endeavoring to swing American public opinion behind England's Ethiopian policy by resurrecting the oft-repudiated proposal for United States membership in the League of Nations.

"In indignant terms, the Hibernians denounced his activities as "gratuitous and unasked interference" in American foreign policy.

Jurist Warns Britain Is Up to Old Trick in U.S.

New York, Dec. 19—A bitter denunciation of British diplomacy which has sought to "sway the actions of America through her old tricks of propaganda" was made by former Supreme Court Justice Daniel F. Cohalan in an address before business and professional men in the Hotel Astor.

"Of the lecture tours of the Rev. William Temple, archbishop of York, and Sir Norman Angell, in which they have defended the League of Nations, Judge Cohalan said:

"We have been urged by distinguished visitors, clerical and otherwise, not to stand idly by. We have been deluged with editorial and inspired news items." He chided "pacifists and Anglophobes" who resent the fact that America did not take the advantage of an opportunity of coming to the assistance of England when she spoke the word.

"In the matter of the sanctions originated elsewhere than in America, the United States and Jefferson were interested only in the welfare of his own country, led the way in the procession which England was so anxious to have started. He called upon the business men of the United States to stop doing business with Italy—and with Ethiopia."
GOV CURLEY SHAKING HANDS WITH JAMES G. REARDON AFTER SWEARING HIM IN AS COMMISSIONER OF EDUCATION. IN THE CENTER IS MRS REARDON

CURLEY LAUDS NEW OFFICIAL
Governor Raps Those Who Oppose Change

James G. Reardon, 36-year-old school superintendent of Adams, was sworn in by Gov James M. Curley today as Commissioner of Education to succeed Dr Payson Smith, who had held the post 20 years.

Statement by Reardon
Approximately 100 friends and supporters of the new commissioner of education crowded into the Governor's office. His predecessor, Payson Smith, was not present. After the oath had been administered, Commissioner Reardon and his wife posed with the Governor for pictures.

A few moments later, Commissioner Reardon issued a statement in which he said that his "interests from now on will be to uphold the high standards which have made Massachusetts conspicuous in the field of education."

The rest of his statement follows:
"I shall be ready to do everything in my power to further adult education, to maintain and, if possible, improve..."
prove the standing of state schools, and to do everything possible to secure employment for the young men and women citizens of Massachusetts who are qualified for teaching positions.

As to any specific program, I prefer to make no announcement until I have had opportunity to become more familiar with the problems now under consideration in the State Department of Education.

Reference to Oath Law

"Regarding the oath—at the present the law of the state is that the teachers should take this oath. The General Court of Massachusetts has declared that at present such an oath is necessary. As long as the law made by the General Court exists, there is no question about the duty of any educator who is a law-abiding citizen. Those citizens who feel that the oath is not necessary, can have recourse to the constitutional method of changing the law.

"Concerning the necessity of this law at present, that depends on the facts which seemed to justify the General Court in passing this law, and the ability as well as the willingness of educational authorities to handle the situation without the aid of special legislation.

"Concerning the observance of the law itself, I can see no objection to any educator taking an oath which obligates him only to the performance of what is a clear duty—an oath similar in most respects to that taken by lawyers and by many public officials who have received state appointments.

"Among those who gathered around the new commissioner after he had taken his oath of office to congratulate him was Representative Thomas A. Dorgan, the author of the much-disputed teachers' oath law.

Dr Smith's Statement

On retiring from the office of State Commissioner of Education today, Dr Payson Smith gave out the following statement:

"I want to express my deep appreciation to the thousands of school officials, teachers and citizens who gave to me and to the Department of Education their support during the years in which I have been in their service and in that of the children of this state, the Commonwealth, and for the continued confidence that has been shown me in recent months.

"I want also to speak of the invaluable service that the press of the state has rendered in acquainting the public with the work and activities of the department and in its sincere and wholesome criticism of its policies.

"I have taken great pride and satisfaction in the office of Commissioner of Education, and I have made every effort to discharge its duties in a manner consistent with its high traditions. In that effort I have had at all times the invaluable support of the members of the State Board of Education, of my associates on my staff, and in the institutions associated with the Department of Education.

"Several large bouquets were presented State Tax Commissioner Henry F. Long today to express the satisfaction of the donors on his reappointment and confirmation as commissioner yesterday. The flowers came from employees of the department and individuals.

WOMEN PROTEST SPEED IN CONFIRMING REARDON

Failing this morning to locate Lieut Gov Joseph Hurley, Mrs Helen G. Holch of Boston, legislative chairman, and Mrs Edward K. Nash of Weston, chairman of the Civil Service committee of the League of Women Voters, will this afternoon attempt to arrange an appointment for the purpose of learning why "it was necessary to confirm James G. Reardon as Commissioner of Education under suspension of the rules."

In connection with the visit of this committee to the State House, Mrs Richard H. Fields of Weston, president of the league, issued the following statement: "The Massachusetts League of Women Voters feels strongly that in a matter of such importance to the public and the public school system it is necessary that a new Commissioner of Education be appointed with the approval of the public and of the State Department of Education."
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Reardon Talking to Parents

NEW STATE COMMISSIONER OF EDUCATION PHOTOGRAPHED
AT MEDWAY JUST BEFORE MIDNIGHT

Here, in the quiet town where the Reardons have lived for several generations, he used to arise at 5 in the morning to milk the cows and do the chores before he went to his classes at Boston College.

"'Roddy' wanted an education and he was willing to work hard for it," his friends said.

They came from Belmont and West Roxbury and Arlington and half a dozen other cities and towns to greet the new commissioner tonight. He didn't reach his old home until nearly midnight, but his reception was none the less enthusiastic.

Worn by the flood of phone calls and the constant stream of visitors, the new commissioner's 80-year-old father and 78-year-old mother had retired to await his homecoming. Every morning the father, William H. Reardon, goes at 7 a.m. to operate his finishing loom at the Fabyan Woollen Mills here. He has done this for 40 years, carrying a lunch with him and working a full eight hours. On the side, to pass away the evenings, the elder Reardon conducts an insurance business.

The mother, Mary Agnes (McGinnis) Reardon, is in remarkably good health. She, too, comes from a family long resident in Medway.

With them lives a brother of Mr. Reardon, Dennis, aged 94. A veteran of the Civil War, he recites the Gettysburg address each year at the G. A. R. exercises on Memorial Day—and entirely from memory, too. One of the commissioner's three brothers, William A. Reardon, a motor vehicles inspector attached to the Framingham branch registry, also lives at the Village-st home.

The other brothers are John, New England manager of the Fabyan Mills, who lives in Medway, and Lawrence J., New England manager of the National Carloading Corporation, who lives in Millis. The new commissioner is the baby of the family.

Commissioner Reardon's wife and four children are now in Adams—where the commissioner became superintendent of schools last September. Just as soon as he can arrange it, Commissioner Reardon and his family will come here to live at the homestead.

"The door will always be open here—and so will the door on Beacon Hill," he said tonight after his arrival. He preferred to make no discussion of his policies until after he has assumed office.

Mr Reardon will be sworn in by Gov Curley at 11:30 o'clock tomorrow at the State House. At 11 a.m. friends will gather in the Hotel Belle Vue for an informal reception.

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GOV CURLEY TO SPEAK
AT DINNER TO DOWNES

Gov Curley will be the principal speaker at the testimonial dinner to be tendered Harry Downes, Boston College football coach, at the Hotel Lenox tomorrow night.

Behind the testimonial are several coaches and gridiron personalities, including many members of the Gridiron Club of New England. Fred Ostergren, Arlington High coach, is chairman and Edward M. Gallagher Jr, a classmate of Downes at B. C. and secretary to James Roosevelt, will act as toastmaster. The opening kickoff is scheduled for 8:30.

Other speakers include Dr Eddie Anderson of Holy Cross, Coach Pat Hanley of B. U., Coach Al McCoy of Northeastern, Capt-Elect Alex Pazenny of B. C., Rev Louis J. Gallagher, S. J., president of B. C.; Rev Patrick J. Cummings, S. J., faculty director of athletics at the Heights; Graduate Manager John P. Curley, School Committee man Henry J. Smith, B. C. '22, and the sporting editors of Boston newspapers.

James Golden of Arlington is secretary of the committee and Arthur Barry of Peabody treasurer.
Smith Not to See Successor Sworn In

WILL NOT GO TO STATE HOUSE
Ousted Commissioner May Issue Statement Later

Payson Smith, replaced as commissioner of education by James G. Reardon, said over the telephone this morning that he would not be present at the State House when his successor in office, James G. Reardon, is sworn in today. Mr Smith had no comment to make on the action taken yesterday by the Governor and Council, but said he might have a statement later in the day.

CURLEY SIGNS FOUR PROJECTS
Construction Items Will Cost $1,769,000

Gov Curley today signed four Emergency Finance Board projects calling for the expenditure of $1,769,000.
The largest item was $725,000 for additions and alterations to the Middlesex County Hospital in Lexington and Waltham. The other three items were:
New High School construction in Andover, $350,000,
Nurses' Home at the Norfolk Hospital, $100,000,
High School at Swampscott, $400,000.
Schuster and Bowker See Move To Save Gov Curley’s Face

The maneuver of the Governor’s Council yesterday by which James G. Reardon of Adams was made State Commissioner of Education after Dr Payson Smith had failed of confirmation was vigorously assailed last night by Councillor Winfield A. Schuster and Representative Philip G. Bowker as a “prearranged plan of the Governor to save his face.”

Both Bowker and Schuster called the action of the Governor in first submitting the name of Smith a “mere gesture.” Smith, with Lieut Gov Joseph L. Hurley voting in his favor, was rejected, five to four. Reardon’s name was then submitted and, with Lieut Gov Hurley voting for him, he was confirmed, six to three.

While the ousting of Smith, who held the important post for 19 years, was attacked, praise greeted the reappointment of Commissioner of Public Safety Paul G. Kirk and Commissioner of Corporations and Taxation Henry F. Long, whose terms expired Dec 1.

Democrats in Caucus

Persons close to the Governor said he intended to renominate Dr Smith right along and did so notwithstanding information given to him at a caucus of the Democratic Councillors that they would reject the nomination. It is understood the Governor made little effort to have Dr Smith confirmed.

The Democrats were in caucus for an hour and a half before going into the regular session to vote down Smith. In the brief interval while they were conferring in the Council chamber, Gov Curley announced to the press that he would nominate Dr Smith.

“Schuster’s Views

Councilor Schuster’s statement: “As I see it, the whole thing was cut and dried. The vote of the directors of the Massachusetts Federation of Teachers favoring Reardon seems to have been engineered by the Governor. The sending of Smith’s name was nothing more than a gesture of the Governor to save his face. Analysis shows that the submission of the name meant nothing.”

“The despicable methods of Gov Curley are now only too apparent,” said Bowker. “His back-door tactics in the case of Dr Smith should not be overlooked. First, through his henchmen he maneuvered a vote through the directors of the Massachusetts Federation of Teachers to support Reardon for the position. This morning he held a caucus of the Democratic members of the Council behind closed doors. The Council then met, and Governor submitted Dr Smith’s name for reappointment. A vote of 5 to 4 reappointed Dr Smith, although, according to a prearranged plan, then put in Reardon’s name and he was confirmed, 6 to 3.”

“What a bluff on the part of the Governor! Does he think for one moment the public cannot see through this? By trying to save his own face and put his Councillors on the spot the Governor has stooped to tactics of the lowest sort and has only shown himself up.”

Watt Assails Reardon

Robert J. Watt, legislative secretary of the Massachusetts Federation of Labor, also attacked Reardon’s appointment.

“If Mr Reardon is quoted correctly in saying that he is 1000 percent behind the teachers’ oath law,” said Watt, “that statement alone may disqualify him as Commissioner of Education. The teachers are believers in the conservative method of teaching, which is regimenting the school children by regimentation of their teachers.”

“If a man who believes in this form of teaching is appointed, the walls of Faneuil Hall will begin to tumble in.”

Gov Curley said he had not yet decided what to do in the cases of Arthur T. Lyman, Commissioner of Correction, Reardon appointment; Raymond J. Kenney, director of fisheries and game, and Maj George J. Cronin, state purchasing agent. The terms of all three have expired.

The Council put over for a third time the confirmation of Howard H. Murphy of Osterville as Commissioner of Agriculture, but confirmed A. J. Lawlor of Lawrence as a member of the State Board of Pharmacy in place of William Hardie of Fall River.

Others confirmed by the Council:

- George J. Cronin, state purchasing agent, to succeed Nicholas J. Hagan.
- 6 to 3. Concluded.

Long Names Deputies

Appointment of three new deputy income tax assessors by Tax Commissioner Long was approved by the Council. They are Festus M. Fishery of Boston, Frederick T. Opreshaw of Fall River, and John F. Kelley, Medford.

A contract to Merritt, Chapman & Scott Corporation of New London for reconstruction of the New London and Commonwealth Pier 5 was approved by the Council at a cost of $717,940. With Councilors Brooks and Schuster dissenting, Francis R. Mullin, Boston lawyer, was authorized by the Council to take steps on a 10 percent contingent fee basis to collect $3,342,923 owed this state by the Federal Government for money spent at the request of the President during the Civil War in protecting harbors and fortifying the coast. Councilor Brooks maintained the Attorney General should collect the money.

Transfer of $3,382,03 from the extraordinary fund to cover a shortage in the Charlestown bank liquidation was completed, it was said. Councilor Brooks in opposing the transfer, declared it a legislative matter to appropriate money to cover the shortage.
BOSTON ARGUES AGAINST INCREASE IN GAS RATES

Says Company's Valuation $20,000,000 Too High—Concern Tells of Falling Profits

Final arguments yesterday on the Boston Consolidated Gas Company's petition to raise its rates found the company pleading that its earnings will be under 3 percent this year, while the city of Boston, in opposition to a rate increase, declared that the company's valuation is $20,000,000 more than a fair value for rate purposes.

Arguing before the Public Utilities Commission, Counsel Robert H. Holt for the gas company insisted that the concern is entitled to larger returns than it is now getting and must be permitted to earn more to attract new capital.

Lewis Weinstein, assistant corporation counsel of Boston, representing Mayor Mansfield, held that the company's earnings are sufficient, that its capitalization is "ridiculously high" and that the increase in rate to the small customer is a "concealed service charge" which he held has been outlawed by legislation.

Queried by Grant

Richard D. Grant, new utilities commissioner, recently appointed to Grant, challenged Holt on the company's capitalization, particularly as to an item of $5,759,000 of "going concern value" which Holt explained represented "good will or what it has cost to get customers."

"No," said Holt. "The unfortunate fact is that much of the business has been done at a loss. The prices on the first 300 cubic feet a month are substantially less than the cost of serving such customers."

Saving to Some

The new rates will increase the cost of gas to the small customers, who, Holt's figures showed, do not pay their way. To large customers, using more than 4000 cubic feet a month, the new schedule means a saving.

The new schedule provides lower prices for only two classes of customers, house heating and industrial. In both cases, Holt explained, the company finds a reduction necessary to meet competition. "The company is justified in selling at a low figure in these competitive classes if it gets more than the cost of the gas and has something to use toward general expenses," he argued.

"That same argument might be applied to the household customers," Webber said. "That is true to some extent," Holt said. "But we can't treat the main body of customers on that basis and stay in business."

"The result of the rate will not be known until it is tried," he said. "But it will not be excessive on any group of customers and it will not be discriminatory as between groups. So long as the rate is not excessive or discriminatory, the form of the rate should be left to the judgment of management. The final question is whether you accept the judgment of the company's experts or that of the experts for the city, who never had a single day's experience of gas company management."

"Are you going to say that an increase of 2 cents a day is not to be allowed to save the gas company? Are you going to say, when many kinds of businesses are being allowed, even encouraged, by the Government to raise prices, that the gas company cannot make an increase that is "if it is to stay in business"?

Most customers, Holt argued, would not notice the increase "except for the publicity attending a change in rates."

"The community does not want to see the gas company follow the fate of the Boston Elevated when it was denied a fair rate," he concluded.

Earnings Off Sharply

The company's figures showed that the use of gas has been declining, the number of customers has decreased, and the earnings have fallen off sharply in the last few years. Where the average cubic in 1930 was 2341 cubic feet a month, the average customer last year used only 2341 cubic feet a month. The decline in volume of sales this year, an average use per customer per month has been about 8 percent since 1930. The company's earnings have declined from 8 percent in 1932 to 3.7 percent last year and an estimate based on 11 months this year, of 3 percent, on the capital stock of $48,072,000. On a gross income from gas in 1934 of $10,734,141, the company's net return was figured at $1,619,564. For the 11 months of 1935 the net income has been $1,285,202, Holt stated.

The new rates would give a return of 5 percent, he said, on present sales. The company contends that a 7½ percent yield is necessary to attract new capital. The new rates will still fall $1,000,000 a year short of the return. Holt said: "A step-down rate is effective after the first 1000 cubic feet a month. Even at the increase asked, customers using under 300 cubic feet will still be served at less than cost to the company, Holt argued. The new schedule, he figured, would give $650,000 a year more net income than the present schedule. This would be a 50 percent increase in net income over 1935.

Protest by City

The city's protest, as voiced by attorney Weinstein, is, essentially, that the company needs, that its increases on small customers are significantly high and that its capitalization cannot be justified. The increase to the 100 cubic feet customer from the present 60 cents to the new rate of $1 and for the 500 cubic feet customer from $1 to the new rate of $1.60 he called a serious increase for large families living on $12 or $15 a week. Weinstein figured that 80 percent of all customers will find their gas bills higher under the proposed rates. The company, he argued, will be discriminated against in the result of increasing rates.

Weinstein centered his attack upon the company's capitalization. He declared that the property is worn out, that the actual value, because of depreciation, of far less than that figure. He declared duplication of mains accounts and that the property is worth the amount of $17,000,000 which the capitalization figures do not show because of inadequate depreciation records.

Gas mains, which represent more than $13,000,000 of capital on the company's books, he said, have an actual value, because of depreciation, of far less than that figure. He declared duplication of mains accounts for $750,000, represented the duplication of the 14 original companies into the present company, and that $750,000 of that amount is unnecessary duplication of mains accounts.

He attacked particularly the $2,411,320 valuation of the water gas property, which he said was used only for one day's supply in 1933, and for only five days' supply in 1934. He wanted to write off $2,301,903 of the water gas plant's valuation, or more than 80 percent of it, charging it is practically unused and valueless since the company began using coal gas. The change from the use of...
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DEC 19 1935

Worcester Body Opposes Freeing Man Who Fired Edifice

WORCESTER, Dec. 19—Strong protest against the commutation of sentence of Henry A. Gardner, 32, of Worcester, convicted of setting the fires which destroyed All Saints' Episcopal church and damaged Pleasant Street Baptist church in January, 1932, is expected from membership of both churches. Pleasant Street Baptist church has already adopted a sharply worded resolution of protest, copies of which will be sent to Gov. Curley and Councillor Winfield A. Schuster.

The commutation was recommended by the Governor to make the convict eligible for immediate parole. Gardner is among those mentioned for Christmas pardons.

The recommendation is expected to be placed before the Governor's Council Monday morning for consideration by the pardon committee of the council.

Public officials, generally, were unwilling to discuss the Gardner case. Chief of Police Thomas F. Foley and Supt. of Detectives William F. Finnigan withheld comment, as did Lieut. Robert E. Molt, in charge of arson cases under the state fire marshal.

Deputy Fire Chief Fred S. Taylor, who fought the blaze which Gardner was found guilty of setting, was favorable to the commutation, however, under certain conditions.

"If the man has cleared up his recklessness, I believe he is entitled to freedom," he said.

Moderator H. C. Dunn of the Pleasant street Baptist church, past president of the Board of Deacons, said: "I am decidedly against the commutation of Gardner's sentence. He is too dangerous a man to have around. I will protest any effort to commute the sentence."

W. Emory Wardwell, a vestryman and treasurer of All Saints' church, declared he was emphatically against the commutation of the Gardner sentence and that he was opposed to parole, although formal action by the church will await the next meeting of the vestrymen.

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FALMOUTH, Dec 18—Although a tract of land recently purchased by
the Commonwealth in Bourne, Falmouth and Sandwich.

Gov Curley announced last week that an allotment of $300,000 had
been received from the Federal Gov-
ment for beginning Guard camp
work, and that it would get under-
way today. The plan is to clear off
an area sufficient to make the site
usable for tents so that the 20th
National Guard troops can use it for
the first time next Summer. New roads
must be cut in to the camp site.

Only a party of surveyors and
helpers about 30 in number, could
be found this afternoon on the area
brushing out roads to the 12,000 acre
site.

It is believed here some hitch oc-
curred in getting authorization to
spend Federal funds. Some contend
that the work may be held up be-
cause there is no sufficient labor
supply available.

Under rules governing W. P. A.
allocations such as advanced to begin
work on the National Guard camp,
only unemployed men on relief rolls
in this particular area may be hand-
ed jobs. If all such men available al-
day have work, it is possible the
project may be delayed until others
are completed.

At Bourne town hall it was stated
today all registered relief applicants
able bodied men, were already at
work. Neither Plymouth, Barnstable
nor Mashpee has received requests
for W. P. A. workers, officials re-
ported.

Just a Rumor

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Sure of Acceptance

"I am quite sure that the commit-
tee on pardons of the Governor's
Council will accept my recommenda-
tion and grant a hearing to those
who have voiced a protest, and any in-
dividual desiring to appear in ob-
jection to approval by the pardon
committee of the Governor's Coun-
el to the granting of same, is at lib-
erty to be present at the session of
that body in the Council Chamber on
Monday morning at 10."

Shortly after the Governor had
made this announcement, Councilor
Frank A. Brooks of Watertown, a
member of the Council's Committee
on Pardons, issued a statement to the
press saying he had examined care-
fully the folder in the Gardner case
and can find absolutely no reason
whatever why I should vote for the
recommended commutation of sen-
tence.

Other members of the Pardons
committee of the Council include
Councilors Daniel H. Conkley, Joseph B.
Grossman and James L. Brennan.

W. P. A. Help Missing
At Cape Camp Site

Surveyors Alone Are Found
Working at Falmouth

Working at Falmouth

Press Clipping Service
2 Park Square
Boston, Mass.
BARRY ASKS GOVERNOR'S AID FOR "L" TRACKS REMOVAL

In a letter to Gov. Curley yesterday, Representative E. Barry of East Boston urged the Governor to include in his annual message to the Legislature the importance of the removal of the Elevated structures in Charlestown. The letter: "May I respectfully urge that Your Excellency take whatever steps may be necessary to reach a successful conclusion in the matter of the removal of the Elevated structures in the Charlestown district of the city of Boston. "It is not, of course, within my province to advise Your Excellency, but I respectfully urge the incorporation of this matter in your inaugural address to the Legislature, and you may rest assured that my undivided support will be given to whatever Your Excellency may advise in this matter."

CURLEY SEEKS COMMUTATIONS

Urges Clemency for Four Lifers and Worcester Pyromaniac

Gov. Curley yesterday recommended the extension of executive clemency to four killers and one confessed pyromaniac now serving long term sentences at state prison. The executive council will meet in special session Monday to consider granting them commutations which will make them eligible for immediate parole.

The Governor also announced that he has authorized the department of correction to release 200 state farm inmates and 20 women's reformatory inmates before Christmas. Most of them were committed for drunkenness.

The state parole board, at his direction, also will release 15 first offenders from the reformatory at Concord with the release of 14 others to be ordered before Jan. 31.

REIGN OF TERROR

The prison convicts for whom he has recommended sentence commutations are Samuel Powers of Westfield and Wojciech Biros of Salem, lifers; and William Hooper of Lynn, Henry A. Gardner of Worcester and Thomas J. Panetta of Cambridge.

The arrest of Gardner early in 1932 brought an end to a reign of terror that had existed in Worcester following a long series of serious fires, one of which resulted in the destruction of the All Saints Episcopal Church at a loss of $250,000. He has served less than three years of a 10 to 12-year sentence imposed after he was found guilty on six counts of arson. Police attributed the setting of 35 fires to him.

He was a self-confessed 'lilp' man in a speakeasy and pyromaniac. Pressed to account for his actions, he said, "I can't help it. It's just an overpowering impulse which comes over me." Police said he had been drinking when he was arrested and explained, "I always take a few before setting out on an incendiary mission. His arrest resulted in leaving public buildings unguarded in the night time after a long period of vigilance.

Among the fires he confessed to starting were the All Saints Episcopal Church and the Pleasant Street Baptist Church in the same neighborhood.

KILLED HIS WIFE

Powers, a Negro, has served nearly 21 years of a life sentence imposed for the murder of his wife by choking.

Biros, alias Biro, alias Birus, has served 16 years of a life sentence for the murder of 17-year-old Mary Blanche Lavoie at Salem in 1918. He shot her to death as she was leaving a Salem dance hall. He had been employed with the young woman at the Naumkeag mills.

His plea for commutation of sentence was rejected by former Gov. Ely in 1934 after he had been given a hearing before the state parole board. He was defended in superior court by William H. McSweeney, now the senator from Salem.

Panetta has served nearly six years of a 12 to 20 year term for the murder of Dominic Simonetti.

Hooper beat William J. Lewey to death at Nahant nearly three years ago and gave himself up to police. The victim, a married man, was accused of paying attention to Hooper's 17-year-old sister, who was at the time confined to a Swampscott maternity home.
KIRK AND LONG
STAY IN OFFICE

Council Defers Action on
Murphy to Be Agriculture Head

NO NOMINATIONS
FOR 4 VACANCIES

Under suspension of rules the executive council yesterday con-

The council again voted to defer action on the Governor's pending nominations of Howard H. Murphy of Osterville to succeed Edgar L. Gillett of Canton as state commissioner of agriculture.

No action was taken by the Governor on the expired tenures of Raymond J. Kenney of Belmont, state commissioner of correction; Brig.-Gen. Richard K. Hale, associate commissioner of public safety and of Henry F. Long of Topsfield to continue in office as state commissioner of agriculture.

The council approved Commis-

sioner Long's appointments of Festus M. Flaherty of Boston, Frederick T. Openshaw of Fall River and John F. Kelley of Medford to be deputy income tax assessors. The three Republican councillors voted against approval.

Councillors Schuster and Brooks also voted against authorizing the executive appointment of Francis R. Mullin of Winchester as agent for Massachusetts in pressing a claim against the federal government for $233,885 for compensation for expenditures during the civil war in protecting harbors and coast fortifications.

The council also approved a transfer of $8,282 from the extraordinary fund to cover a shortage in the trustee fund at state prison which consists of bank deposits of prison inmates. The shortage resulted from the closing of the Charlestown Trust Company where the funds of the inmates had been invested.

The council approved the public works contract awarded to Merritt, Chapman and Scott Corp. of New London for the reconstruction of platforms at Commonwealth prer on a bid of $717,940.

EDUCATIONAL LEADERS DISAPPOINTED
By Ousting of Dr. Payson Smith

Leaders of many civic and educational organizations, which for several months had been urging the reappointment of Dr. Payson Smith as commissioner of education, last night expressed disappointment that Dr. Smith had been dropped.

Some of the comments follow:

Willard A. Atwell, president of the Massachusetts School Superintendents' Association—"I believe it was a serious mistake not to retain the present commissioner of education."

Mrs. Grace I. Woodbury, president of the Massachusetts Teachers' Federation—"Twelve of the directors of the Massachusetts Teachers' Federation at a meeting Tuesday night voted their approval of Mr. Reardon's appointment. But eight voted against appointment, two sent telegrams of protest against the vote and three were absent and unrecorded. As far as I know, the vote of Mr. Reardon was never presented to the teachers of Massachusetts."

Joseph Lee, president of the Massachusetts Principals' Association—"The matter of the appointment of a commissioner of education is one for the Governor and council to decide. I know nothing about the qualifications of Mr. Reardon, but since he has been duly appointed we will cooperate with him in every way."

"Terrible, terrible. The 22,000 members of our association have for the past two months been sending hundreds of letters and telegrams to Curley, begging him to reappoint Dr. Smith. He was the perfect man for the job. But that other man on Beacon Hill doesn't mean to do the right thing. He's only looking for votes and looking out for himself."

"His failure to reappoint Dr. Smith is the silliest thing I ever heard of. There stands one man against all the people who have spent their entire lives fighting and working for better education in Massachusetts. One man for himself. These are pretty discouraging times, but we stand back of our original determination in favor of Dr. Smith. I hope that this final act will be the finish of Mr. Curley."

James A. Chalmers of Fitchburg, president Massachusetts High School Principals' Association—"The matter of the appointment of a commissioner of education is one for the Governor and council to decide. I know nothing about the qualifications of Mr. Reardon, but since he has been duly appointed we will cooperate with him in every way."

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SMITH’S REMOVAL ANGERS EDUCATORS

REARDON TAKES OVER SCHOOL OFFICE TODAY

Adams Superintendent
Confirmed by Straight Democratic Vote

PLUNKETT, WATT JOIN IN PROTEST

Appointment Is for Five-Year Term at Annual Salary of $9000

By W. E. MULLINS

James G. Reardon, 36-year-old Boston College graduate and superintendent of schools in the town of Adams, will take the oath of office today as state commissioner of education amid widespread indignation among educators at the removal of Commissioner Payson Smith of Brookline after 20 years of service as head of this department.

Dr. Smith’s long tenure was brought to an abrupt end yesterday afternoon, when the executive council by a vote of 6 to 3 confirmed Gov. Curley’s nomination of Reardon for the post after the council had rejected the Governor’s previous nomination of Dr. Smith by a vote of 5 to 4.

At noon the Governor announced that he would submit Dr. Smith’s reappointment to the council, but that Reardon’s nomination would be submitted in the event Dr. Smith was denied confirmation.

LONG CONFERENCE

Prior to the council session the Governor conferred privately with Lt.-Gov. Hurley and the five Democratic councillors for 80 minutes. Within 15 minutes after this prolonged conference rules had been suspended to arrange for the rejection of Smith’s nomination and Reardon’s confirmation.

On the rollcalls in the council, Councillors Winfield A. Schuster of Douglas, Joseph B. Grossman of Quincy and Frank A. Brooks of Watertown, Republicans, voted to confirm Smith and to reject Reardon. Lt.-Gov. Hurley voted to confirm Smith and subsequently voted to confirm Reardon.

Councillors Daniel H. Coakley of Boston, James J. Brennan of Somerville, William G. Hennessey of Lynn, Philip J. Russell of Fall River and Morton H. Burdick of West Springfield, Democrats, voted to reject Smith’s nomination and to confirm Reardon’s nomination.

The appointment of education commissioner is for a term of five years at an annual salary of $9000, the second highest salary in the state service except for the judiciary.

Dr. Smith had no comment to make on the procedure which resulted in his ouster after having served continuously as the head of the department of education since 1916, when he was originally appointed by the late Gov. Samuel W. McCall. He was reappointed successfully by Govs. Coolidge, Fuller and Allen.

Numerous protests, however, were registered by educators and spokesmen for various civic organizations, not against the appointment of Reardon, but against the removal of Dr. Smith, whose term expired Dec. 1.

PLUNKETT PROTESTS

Objection to the appointment was made by Senator Theodore R. Plunkett, a Republican, who supported the Governor’s policies in the Legislature. Plunkett’s protest was significant because he is a resident of the town where Reardon now serves as superintendent of schools.

Reardon was not sworn into office yesterday by the Governor because he was in Adams. He is expected to be at the State House some time this morning to assume his new duties.
was born in Medway July 11, attended the grammar schools there before going to Boston College from which he graduated in 1923. In his senior year he served in the T. C. unit. He received a degree from Boston College in 1923 and did additional courses.

He has been principal of a school for five years and has taught high school for a year. He is the only principal he has known. He resigned last spring with the superintendent of schools in Medway in a school to which he has been assigned.

He has four children, two in Adams, one in Medway, and one in Brockton.

He is an American Legion and Columbus member.

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HERALD
Boston, Mass.

THURSDAY, DECEMBER 19, 1935

BRUTALITY ON BEACON HILL

The Commonwealth has become so accustomed recently to hang its head in shame at the flagrant disregard on Beacon Hill of wholesome old principles and upright old practices that it expects additional outrages as a matter of course for another year. Nevertheless, the whole community will be shocked by the heartless ousting of Dr. Payson Smith, commissioner of education, and the immediate appointment and confirmation of his successor.

We lose a liberal, high-minded, conscientious, capable gentleman, who has served us admirably for twenty years without any thought of race, religion, partisan politics or anything except the good of the Commonwealth.

He has had the confidence and respect of every Governor but Mr. Curley. He has made the department of education one of the finest in the country, and a model for our sister states. Practically all the school superintendents in Massachusetts, with the conspicuous exception of the Adams man who replaces him, not only endorsed him but pleaded that he should have another term. Our own superintendent of schools, Patrick T. Campbell, was foremost in the vain effort to persuade the Governor to go the way of decency.

The peremptory removal of Commissioner Smith was obviously due to cheap, shoddy politics on the part of the Governor and of a Council majority which he dominates whenever he cares to. No other valid explanation of the proceedings of yesterday can be offered. In his blind rage at Republicans and at all others who refuse to do his bidding, the Governor is running amuck without concern for the damage which he is inflicting on the Commonwealth.

And how cowardly his tactics were! Disgraceful as the removal itself was, the methods employed were just as bad. The Governor went in mock seriousness through the empty formality of first presenting the name of Commissioner Smith, well knowing that by prearrangement the Council would refuse to confirm. The Governor is utterly childish if he has the notion that this self-serving action will deceive anybody, even the most gullible. He aggravated his gross offence by his transparent attempt to set up an alibi in advance.

The whole episode marks a new low in the administration of the affairs of this Commonwealth. One more charge has been added to the long list on which the unpacked jury of the people will vote when they go to the polls next year.
SMITH'S REMOVAL ANGRERS EDUCATORS

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By W. E. MULLINS

James G. Reardon, 36-year-old Boston College graduate and superintendent of schools in the town of Adams, will take the oath of office today as state commissioner of education amid widespread indignation among educators at the removal of Commissioner Payson Smith of Brookline after 20 years of service as head of this department.

Dr. Smith's long tenure was brought to an abrupt end yesterday afternoon, when the executive council by a vote of 6 to 3 confirmed Gov. Curley's nomination of Reardon for the post after the council had rejected the Governor's previous nomination of Dr. Smith by a vote of 5 to 4.

At noon the Governor announced that he would submit Dr. Smith's reappointment to the council, but that Reardon's nomination would be submitted in the event Dr. Smith was denied confirmation.

LONG CONFERENCE

Prior to the council session the Governor conferred privately with Lt.-Gov. Hurley and the five Democratic councillors for 80 minutes. Within 15 minutes after this prolonged conference rules had been suspended to arrange for the rejection of Smith's nomination and Reardon's confirmation.

On the rollcalls in the council, Councillors Winfield A. Schuster of Douglas, Joseph B. Grossman of Quincy and Frank A. Brooks of Watertown, Republicans, voted to confirm Smith and to reject Reardon. Lt.-Gov. Hurley voted to confirm Smith and subsequently voted to confirm Reardon.

Councillors Daniel H. Coakley of Boston, James J. Brennan of Somerville, William G. Hennessey of Lynn, Philip J. Russell of Fall River and Morton H. Burdick of West Springfield, Democrats, voted to reject Smith's nomination and to confirm Reardon's nomination.

The appointment of education commissioner is for a term of five years at an annual salary of $9000, the second highest salary in the state service except for the judiciary. The only department salary in excess of this is the $10,000 paid the commissioner of mental diseases.

Dr. Smith had no comment to make on the procedure which resulted in his ouster after having served continuously as the head of the department of education since 1916, when he was originally appointed by the late Gov. Samuel W. McCall. He was reappointed successfully by Govs. Coolidge, Fuller and Allen.

Numerous protests, however, were registered by educators and spokesmen for various civic organizations, not against the appointment of Reardon, but against the removal of Dr. Smith, whose term expired Dec. 1.

PLUNKETT PROTESTS

Objection to the appointment was made by Senator Theodore R. Plunkett, a Republican, who supported the Governor's policies in the Legislature. Plunkett's protest was significant because he is a resident of the town where Reardon now serves as superintendent of schools.

Reardon was not sworn into office yesterday by the Governor because he was in Adams. He is expected to be at the State House some time this morning to assume his new duties.
Reardon was born in Medway July 22, 1900. He attended the grammar and high schools there before matriculating at Boston College from which he was graduated in 1923. In his freshman year he served in the B. C. O. R. T. C. unit. He received his master's degree from Boston College and pursued additional courses at Harvard.

He served as principal of a school in East Bridgewater and also taught in the town's high school for a year before being appointed superintendent of schools, an office he filled for eight years. He resigned last spring and was appointed superintendent at Adams in September.

While teaching at East Bridgewater he married Anita Thorndike, daughter of late Judge Herbert C. Thorndike of the Brockton district court. They have four children, two of whom attend school in Adams.

His parents, Mr. and Mrs. William H. Reardon, live in Medway. He has three brothers, Lawrence J., John H. and William A. Reardon. He is a member of the American Legion and the Knights of Columbus.

Press Clipping Service
2 Park Square
Boston Mass.

Herald
Boston, Mass.

Dec 19 1935

BRUTALITY ON BEACON HILL

The Commonwealth has become so accustomed recently to hanging its head in shame at the flagrant disregard on Beacon Hill of wholesome old principles and upright old practices that it expects additional outrages as a matter of course for another year. Nevertheless, the whole community will be shocked by the heartless ousting of Dr. Payson Smith, commissioner of education, and the immediate appointment and confirmation of his successor.

We lose a liberal, high-minded, conscientious, capable gentleman, who has served us admirably for twenty years without any thought of race, religion, partisan politics or anything except the good of the Commonwealth.

He has had the confidence and respect of every Governor but Mr. Curley. He has made the department of education one of the finest in the country, and a model for our sister states. Practically all the school superintendents in Massachusetts, with the conspicuous exception of the Adams man who replaces him, not only endorsed him but pleaded that he should have another term. Our own superintendent of schools, Patrick T. Campbell, was foremost in the vain effort to persuade the Governor to go the way of decency.

The peremptory removal of Commissioner Smith was obviously due to cheap, shoddy politics on the part of the Governor and of a Council majority which he dominates whenever he cares to. No other valid explanation of the proceedings of yesterday can be offered. In his blind rage at Republicans and at all others who refuse to do his bidding, the Governor is running amuck without concern for the damage which he is inflicting on the Commonwealth.

And how cowardly his tactics were! Disgraceful as the removal itself was, the methods employed were just as bad. The Governor went in mock seriousness through the empty formality of first presenting the name of Commissioner Smith, well knowing that by prearrangement the Council would refuse to confirm. The Governor is utterly childish if he has the notion that this self-serving action will deceive anybody, even the most gullible. He aggravated his gross offence by his transparent attempt to set up an alibi in advance.

The whole episode marks a new low in the administration of the affairs of this Commonwealth. One more charge has been added to the long list on which the un-packed jury of the people will vote when they go to the polls next year.
FRIENDS OF SMITH IRED BY REMOVAL

Planning Statement in Criticism of the Governor

Although Payson Smith, commissioner of education since 1916, last night declined to make any statement "at present," many of his friends are said to be preparing a statement criticizing the Governor and Council for replacing him yesterday, and giving the position to James G. Reardon, superintendent of schools at Adams.

The new commissioner was expected to assume his office at once, but he did not come into Boston until last evening, and he will be sworn in by Governor Curley today.

Friends of Commissioner Smith are understood to have urged Governor Curley yesterday morning to submit his name at once. The Governor told the Smith supporters that he would be willing to submit the name, but that after a conference with members of the Council he found that all of the Democrats, with the exception of Lieutenant-Governor Joseph L. Hurley, were opposed to his reappointment.

They urged that the appointment be submitted in any event, apparently believing that a majority of the Council would vote for his confirmation.

Beaten by 5 to 4

When the name of Mr. Smith came up for consideration on the question of confirmation, Mr. Hurley joined with the Republican Councilors—Frank A. Brooks, Winfield A. Schuster and Joseph B. Grossman—in favor of confirmation, but the five Democratic Councilors—Daniel H. Cockley, William G. Hennessey, James J. Brennan, Philip J. Russell and Morton H. Barlock—voted against confirmation.

With the Smith appointment rejected, the Governor immediately submitted the name of Mr. Reardon, and it was confirmed, 6 to 2. Lieutenant-Governor Hurley voted with his Democratic colleagues on the roll-call.

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MOTHER AND WIFE CONGRATULATE REARDON

Mrs. William H. Reardon, left, arose at midnight last night to greet her son, the new State commissioner of education, who is seen with her and his wife, Mrs. Anita Thordike Reardon, in the living room of the Reardon home in Medway.

Has Definite Ideas

Commissioner Reardon, at the home of his parents early this morning, said he had "some very definite ideas about his duties," but that he would not make them public until the swearing-in at the State House today.

Commissioner Reardon and his wife left Adams by automobile at 8 o'clock last night, making stops at Holyoke and at Springfield, where they visited the Rev. Father Charles Duffy, who is ill in a hospital there. They reached the Medway home at midnight, to be greeted by a group of friends and relatives.

The commissioner's mother had read the report of his appointment at her usual time, 9 o'clock, but dressed to come down and greet her son in the living room. Tears of joy were in her eyes. Because of her feeble health, she will not be able to take part in the ceremony at the State House at 11:30 today. The commissioner's father was uncertain about being on the job as usual at the mill this morning.

Milked Cows as Boy

In Medway people who have known the Reardons for many years were overjoyed last night to hear that James Gerard Reardon, better known as "Hoddy," had been made commissioner of education for Massachusetts.

They recalled his school days when he helped his father, William H. Reardon, milk the cows before and after school, a custom he followed even while commuting to Boston every day to attend Boston College, where he graduated in the class of 1925.

His father, although 80, works every day at his bench in a local mill, and says he is never going to retire. He got the news of his son's appointment yesterday and still did not quit his work.

School His Delight

His mother, Mrs. Mary Agnes (McGinnis) Reardon was also overjoyed when she heard the news. The new commissioner is the youngest of four brothers. He has no sisters. He will be 36 July 22. His father and mother were born in Medway and are the oldest married couple in town. They celebrate their golden wedding next year. "Never," said his mother, "did he ever have any trouble in school. School was his delight."

One of his brothers, John H. Reardon, is manager of the local woolen mill. Another brother, William A. Reardon, is an inspector in the State Motor Vehicles Department, A third brother is a railroad representative in Boston.

James was graduated from Medway High School in 1919. After he graduated from Boston College he took a position teaching in East Bridgewater and became principal of the school and later superintendent of schools. From here he went to Adams as superintendent of schools.

The new commissioner married the former Miss Anita Thordike of Brockton and they have four children, Cynthia, 6; James, 4; Susan, 3, and Rosemary, 1.

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Governor's previous nomination

The council had rejected the Governor's previous nomination.
FREEDOM TO 240 IN JAIL NOW LIKELY

Governor and Council Act Monday; Young Firebug on List

WILLIAM HOOPER
On Governor’s Christmas pardon list.

Christmas will see the largest number of prisoners released from Massachusetts penal institutions in the history of the State. Five long termers from Charlestown will come before the Governor and Council at 10 a.m. Monday morning for action. At noon their pleas will be heard.

200 AT BRIDGEWATER
Aside from this 200 inmates of Bridgewater State Farm, most of whom are classified officially as “being there for drunkenness,” will be freed. They need no consent of the Governor. At the women’s reformatory at Sherborn 20 women will be released and from the Concord reformatory 15 first-offenders. This makes a record for Massachusetts for any pardon period. A grand total of 240 prisoners in all are listed. Prior to this 75 was the maximum, for instance, for Bridgewater releases, according to a member of the Parole Board. Inmates of Concord and Sherborn were pardoned in two’s and three’s.

It was also interesting to note that of the five Charlestown prisoners up for pardon four of them were incarcerated for crimes of passion. The fifth was convicted of setting fire and burning a Worcester church, and his pyromaniac activities cost that city more than $100,000. He has done less than two years.

At the same time there was among the pardons one for a young man whose sentencing to State prison the judge seemed to regret, as he carried out his mandate. That was the case of William A. Hooper of Lynn. When he was sentenced in 1933 Judge Frederick W. Fredrick had some pertinent things to say about his case.

“No jury on earth,” said the judge in passing sentence, “would ever find this youth guilty of first degree murder, or even of second degree murder.”

Hooper had killed—with a machinist’s hammer—William Lewey, 35, father of several children and a full-blood Micmac Indian, of having relations with Hooper’s young sister, Marlon. He struck and killed him on the sands between Nahant and Little Nahant. Lewey was a war veteran and had been living in the Hooper household in Lynn. Young Hooper was living in Glastonbury, Conn., and returned to Lynn for the purpose of meeting Lewey, he admitted, after friends had written him about the affair between his sister and the Indian.

Killed His Wife
Daniel Powers of Westfield, another lifer, is to be considered for pardon by the Governor. He killed his wife over another man. On Feb. 20, 1914, they sent him away.

Next on the Governor’s list comes Stephen Biros of Salem. Here, too, was a crime of passion. Biros had been keeping company with Marie H. Lavalle. They had a quarrel. She went to a dance and when she left the dance hall Biros shot her. He has always claimed that he was set upon by thugs and his gun went off by accident.

Thomas J. Panetta of Concord avenue, Cambridge, went to prison for the murder of Dominic Simonetti, alias of Cambridge. Thomas was keeping company with a 15-year-old girl with the approval of her parents. Dominic, much older, cut in. Dominic was killed.

In Worcester, however, the consideration for pardons is not well received. Here was Henry A. Gardner being released for the worst confession of firebugging in the history of the city. All Saints Church burned to the ground, the matter of $100,000 worth of property destroyed. He was given 12 years.

In Worcester made a great deal of this pardon considered yesterday. Gardner comes from a well known county family.

VOTE FOR $233,885
Councillors Sanction Lawyer for Civil War Debt

On recommendation of Governor Curley, the Executive Council yesterday approved payment on a basis of a 10 per cent commission to Francis R. Mullin of Winchester if he is successful in collecting $233,885.82 said to be due the State from the federal government for money expended during the Civil War.

Payment of money cannot be made until legislation is secured in Washington. The money was spent by the State at the request of President Lincoln in protecting harbors and fortifying the coast.

SEES SOUND CLAIM
Governor Curley referred the matter to the Council on a statement of Attorney Mullin that he believes the State has a sound claim to the money, but previous efforts to collect it, during the administration of former Governor Eben S. Draper, were unsuccessful because legislation was necessary. The Governor told the Council that Mr. Mullin will undertake to secure the necessary action by Congress.

Transfer of $52,522.05 from the extraordinary fund under the control of the Governor and Council to trustees funds at the State prison was voted by the Council, also on recommendation of the Governor.

This transfer resulted from the fact that so-called trustee funds which are made up of funds belonging to inmates had been deposited in the closed Charlestown Trust Company. With the closing of the bank the shortage in the funds was approximately $11,000, but in the liquidation of the bank dividends have been paid which bring the balance due down to the amount trans-
Appointment was confirmed under suspension of the rules. The council again postponed for another week action on the confirmation of Howard Haynes Murphy of Osterville for commissioner of agriculture.

Augustine J. Lawlor of Lawrence was confirmed as a member of the State Board of Registration in Pharmacy. He succeeds William Hardie of Fall River, retired yesterday. As future dividends are paid in the liquidation of the bank payments will be returned to the extraordinary fund.

Councillors Frank A. Brooks and Winfield A. Schuster voted against approving the plan of Attorney Mullin for collection of the Civil war money, and Councillor Brooks voted against transfer of the prison money, contending that, in his opinion, that was a matter which should be taken care of by legislation at the coming session.

Cling to Party Lines

Along straight party lines, by a vote of 6 to 3, the Council approved appointment of three new deputy income tax assessors. Councillors Brooks, Schuster and Joseph B. Grossman voted against the appointments. The men were appointed by Henry F. Long, tax commissioner, as follows: Festus M. Flaherty, 40 Asset street, Boston; Frederick T. Openshaw, 244 Sprague street, Fall River, and John F. Reaney, 32 Ridgeway road, Medford.

Mr. Long was reappointed tax commissioner and his appointment was confirmed under suspension of the rules without opposition.

Paul G. Kirk was reappointed commissioner of public safety and he also received unanimous confirmation in the council. He was sworn in for another five-year term yesterday afternoon.

Daniel E. Kiley of Adams was appointed clerk of the Fourth District Court of Berkshire in place of Edwin K. McPeck.

Andrew D. Guthrie of Medford was named assistant medical examiner of the Second Middlesex District, in place of Fritz W. Gay. Clerk Albert A. Ward of Newton was given a reappointment as clerk of the District Court of Southern Norfolk and his appointment was confirmed under suspension of the rules without opposition.

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WHERE DONNELLYS WILL LIVE

In an apartment on the sixth floor front at 250 Beacon street, Edward C. Donnelly and his bride, the former Mary Curley, will make their home. The six-room suite will be furnished ready for occupancy the first of the year. The lease was taken yesterday.

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**WHY?**

If James C. Reardon was the man for the post of Commissioner of Education and, for all the Post knows, he may be most admirably equipped for the position, why was it necessary to go through all this hypocritc hocus pocus to land him in office.

Was it necessary to call a hasty meeting of the directors of the Massachusetts Federation of Teachers and jam through an endorsement against the violent protests of the minority? Was it necessary for the Governor to give the public the idea that he wanted to reappoint Commissioner Smith and did so only to have the Council balk on him and refuse to confirm Mr. Smith? Hardly, considering the whole farce comedy was arranged in advance.

The whole business reeks with political chicanery of a sort unusual in Massachusetts.

Our citizens are getting a liberal education into the wiles of politics these days.
HUNTING DEATH
IS UNDER PROBE
Nantucket, Dec. 18—With foul play suspected, state police announced today an inquest will be held Jan. 8 here into the death of George Sylvia, 25, whose shooting on the second day of the hunting season caused the selectmen to request Gov. Curley to bring it to an end. Police said a preliminary investigation will take place in New Bedford on Friday. Sylvia, who left a widow and four young children, was guiding a party of four hunters when he was shot to death by some unidentified person.

REARDON NEW SCHOOL HEAD
Increasing political speculation regarding three important state commissionerships ended suddenly yesterday when, in surprise moves, Gov. Curley appointed and the executive council confirmed the following:

James G. Reardon, superintendent of schools at Adams, to be Commissioner of Education for five years at $6000 a year, succeeding Dr. Payson Smith, commissioner since 1916.

Lieut.-Col. Paul G. Kirk, reappointed commissioner of public safety for five years at $8000 a year.

Henry F. Long, reappointed commissioner of corporations and taxation for three years at $7500 a year.

Gov. Curley first reappointed Commissioner Smith at the time he reappointed Kirk and Long. He said that if the Executive Council failed to confirm Dr. Smith he would name Reardon to the commissionership.

ALL GOOD MEN
The appointment by Governor Curley yesterday and confirmation by the Executive Council of James G. Reardon, Superintendent of Schools at Adams, to be State Commissioner of Education, put into this important office a man who, the Daily Record believes, exemplifies one of the most vital requirements in our educational system—uncompromising Americanism.

Mr. Reardon is firmly against the spread of Socialism and Communism among our school children. He believes and has openly stated that teachers who spread this type of propaganda should be driven from our schools.

Holding these views, Mr. Reardon has declared himself as:

“One thousand per cent in favor of the Teachers’ Oath law.”

These opinions firmly interlock. It is logical that an educator who stands four-square against radical and Communistic propaganda in our schools should endorse the pledges of allegiance to our federal and state Constitutions which are required by the Teachers’ Oath law.

Mr. Reardon has been endorsed for the Commissionership by a majority of the directors of the Massachusetts Teachers’ Federation, representing 21,000 teachers.

He has become a career man in the educational field, although it is only a few years since he was graduated from Boston College. High school teacher, then principal, then superintendent, he now moves up to a state administrative post where his abilities and sound views will have broader opportunities.

The reappointment yesterday of Paul G. Kirk as State Commissioner of Public Safety will be approved by the public and will be particularly gratifying to his host of friends. During the 14 months he has been at the head of the Department of Public Safety and in control of its police and detective units Colonel Kirk has conducted his office efficiently and has kept high the morale of his large staff of subordinates.

An expert in taxation is continued in office by the reappointment of Henry F. Long as Commissioner of Corporations and Taxation. He was first placed in that difficult post by the late Calvin Coolidge 15 years ago this week. He is widely known for his detailed knowledge of the intricacies of taxation. In reappointing him Governor Curley has continued a valuable man in the service of the state.
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Henry F. Long, reappointed commissioner of corporations and taxation for three years at $7500 a year.

Mr. Reardon was graduated from Boston College in 1929, receiving his Master's degree there a year later. He also studied at Harvard and Boston University.

He taught in East Bridgewater High school, was principal of the school for a year and then became superintendent of schools. A year ago he was appointed school superintendent at Adams.

The reappointment of Col. Kirk as Safety Commissioner was unanimously confirmed and he took the oath of office before the Governor left the State House.

The reappointment of Commissioner Smith was rejected by a vote of five to four. It was later revealed that Lt-Gov. Joseph L. Hurley had split with the other Council Democrats. He voted for Smith with the three Republican Councillors, Grossman, Schuster and Brooks.

The Governor promptly named Reardon for Commissioner of Education. He was confirmed by a straight party vote, six to three.

Governor asked that the life sentence of Samuel Powers of Westfield be commuted to 20 years, making him eligible for parole. He was sentenced from Hampden Superior Court, Feb. 20, 1914, for murder of his wife.

Wojelech Birusz, sentenced to life from Salem for the slaying of his sweetheart, Mary B. Lavoie, after a dance, in April, 1920, was also recommended for parole by commutation of his sentence to one to 20 years, with the understanding that he will be deported to his native Poland.

William A. Hooper of Lynn, who beat to death William Lewey, Nantucket Indian, after a quarrel over his sister, would have his six-year sentence commuted to one of three years under the Governor's recommendation. He has been in State prison since March 24, 1933.

The Governor recommended that the 10-year sentence of Henry A. Gardner, convicted in February, 1932, of burning a building in Worcester, be commuted to one of from 4 to 12 years.

Thomas J. Panetta of Cambridge, sentenced in June, 1929, for 12 to 20 years for slaying Dominick Simonetta in a fight over a girl, would have his term commuted to 7 to 20 years.
GOV CURLEY AT GARDEN BOUT

By S. J. MAHONEY

Governor Curley will be at the ringside tomorrow night at the Boston Garden, when Tony Shucco of the North End defends his two titles, the light heavyweight and heavyweight, when he faces Al McCoy, recent conqueror of Bob Olin, former light heavyweight champion of the world.

His Excellency will be host to a party of friends who are anxious to see the title battle that has been arranged to take place at the Garden for the Boston American Christmas Basket Fund. Yesterday he ordered 30 tickets.

The route is 12 rounds and there is considerable speculation on the outcome.

EXPECT SHUCCO TO WIN

Many feel that Shucco will out-smart the hard-hitting Waterville boy in the dozen sessions that they will travel.

Interest fairly soars in the match. Reservations have been made by many out of town folks, and Maine cities and towns will be well represented.

One can obtain a fair idea of the interest in the Pine Tree State by one order from Portland, Me.

Chick Hayes, who has been staking bouts there, called Dave Arata yesterday and requested that the genial Dave set aside 150 of his best tickets for Portland friends.

Dave promptly attended to the matter, and the Forest City men will not have to hang on to the line as a result of Hayes' telephone order.

Shucco and McCoy will finish training today. Both are in excellent condition, and their trainers and handlers report they are eager to go.

ROBERT REAL THORN

It looks as if Yvon Robert, the Canadian wrestler, will become a real thorn for Dan O'Mahoney, the heavyweight champion of the world.

He has money posted to back his claim to the title, and this is significant, in as much as few grapplers or boxers are willing to post their own currency these days.

Robert was here three years ago, but he was given the chill after he won from Pat McGill. He engaged in a few other matches, and won them.

Then the rank and file of wrestlers decried that he was a good fellow to steer away from.
Governor Curley will be at the ringside tomorrow night at the Boston Garden, when Tony Shucco of the North End defends his two titles, the light heavyweight and heavyweight, when he faces Al McCoy, recent conqueror of Bob Olin, former light heavyweight champion of the world.

His Excellency will be host to a party of friends who are anxious to see the title battle that has been arranged to take place at the Garden for the Boston American Christmas Basket Fund. Yesterday he ordered 50 tickets.

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Reardon Takes Oath as Head of Education

"If Men Drop Out, Others Better Qualified," Fill Places, Says Curley

In swearing in James G. Reardon as commissioner of education, Governor James M. Curley, alluding to displacing former commissioner, Dr. Payson Smith, said:

"No one is absolutely indispensable," he said. "When we go off this stage others more competent will take our places and the retirement of one man is not the calamity it seems."

Governor Curley told Mr. Reardon that his predecessor, Mr. Smith, had training that was no greater than his successor's. "If men drop out, there are others better qualified to take their places, and I am sure that will apply to the board of education," he said.

The governor also commented on the fact that Mr. Reardon's predecessor had come from a neighboring State to assume his duties in Massachusetts. Dr. Payson Smith, on leaving his post as commissioner of education, expressed to the thousands of school officials, teachers and citizens his deep appreciation of their support through the nineteen years he held office.

The retiring commissioner declared also that the press has been of invaluable service in acquainting the public with the work and activities of the office and in sincere and wholesome criticism of its policies.

"I have taken great pride and satisfaction in the office of commissioner of education, and I have made every effort to discharge its duties in a manner consistent with its high traditions. In that effort, I have had at all times the invaluable support of the members of the State board of education, of my associates on the staff, and in the associated institutions," Dr. Smith said.

The subversive influences against which the teachers' oath law was enacted could have been corrected without the necessity of using the instrument of law, Commissioner Reardon believes. When the Board of Education heard of radicalism and subversive teachings, it could have put an end to them, he added.

"Communism has no place in the school system," he said, "and I will do everything I can to eradicate radicalism." He was not prepared to say whether he would cause changes to be made in the conduct of the department, saying "I will wait until I am more conversant with it."

At the ceremonies in the governor's office, the new commissioner received his friends in the rooms of the Board of Education, Dr. Smith was not present.

The new commissioner was born in Medway, and graduated from Boston College in 1923. His wife, the former Anita Thorndike, is a daughter of Judge Herbert C. Thorndike of Brockton. They have four children, Cynthia Ann, seven; James G., five; Susan, three, and Rosemary, one.
Low Political Maneuver

"The Governor's Council," Mr. Curley said in his inaugural address, "is a relic of the days of royalty... created... for social aggrandizement of favorites of the ruling power." Certainly the governor has done everything he could, since taking office, to revive the royal relic and surround it with every attribute of oligarchic control. The balance of votes in the Council as elected by the will of the people has been completely upset through executive appointments giving the governor an unquestionable majority whenever he wishes it.

Under these circumstances, the governor's momentary reappointment of Dr. Payson Smith as commissioner of education, and its immediate rejection by the Council, must be considered in the nature of a maneuver or device—"a relic of the days of royalty" and an unworthy relic at that. How clearly this is true, and how wide is the resentment felt against such tactics, the Boston Post shows in an able editorial article published today. If James G. Reardon was the man for the post of Commissioner of Education and, for all the Post knows, he may be most admirably equipped for the position, why was it necessary to go through all this hypocritic hocus pocus to land him in office?... The whole business reeks with political chicanery of a sort unusual in Massachusetts. Our citizens are getting a liberal education into the wiles of politics these days.

It seems a double pity that "education" of this sort should come in respect to the high commissionership of the State Department of Education itself. Here is a post which, above all, should stand free from politics. The children of Massachusetts should not be taught that political wiles entangle the appointment even of the State commissioner sworn to protect the good interest of the schools against just such influences. If a lower standard is now to be recognized, no one need wonder if many more scandals occur, such as the "school racket" now being investigated by the district attorney for Suffolk county.

There are strong grounds for commendation of Governor Curley's reappointment of Henry F. Long as commissioner of corporations and taxation and of Paul G. Kirk as commissioner of public safety. We gladly commend these acts of the governor, but it is impossible to dilate upon them at this time when, to terminate the service of a great and worthy State commissioner of education, the Executive Council has operated in so cold-blooded a manner.

Fortunately, the people of Massachusetts will recognize this trick as the brutal political maneuver which it is. How can anybody possibly be fooled by a transparent attempt to play both ends and middle? It represents the lowest-water mark of a low administration.

Press Clipping Service
2 Park Square
Boston Mass.

Urges Hearing on Worcester Burning Case

Curley Acts on Getting Strong Protest Against Letting Gardner Out of Prison

Responding to the protest of Worcester clergymen and other citizens against his proposed Christmas pardon of Harry A. Gardner of Worcester, Governor James M. Curley announced today that he has asked the pardon committee of the Executive Council to grant a hearing at 10 A.M., Monday, to all persons desiring to make objection to the release of Gardner who is serving a State prison sentence of from ten to twelve years for maliciously burning a building.

"The protest, made by certain church dignitaries of Worcester against the recommendation for commutation of sentence in the case of Gardner from ten to twelve years to four to twelve years of which he has served four years, and in event of parole would have an opportunity to spend Christmas Day for the first time in four years with his family and relatives, has been of such character that I have decided to refer the protest to the committee on pardons of the Governor's Council," the governor said.

"My approval of the commutation in this case was based on the fact that it was one of the few cases where every official connected with the Penal Department and with Corrections was unanimous in approval of the commutation; a recommendation having been approved by Arthur T. Lyman, commissioner of correction; Richard Oney, chairman; Matthew W. Bullock and P. Emmett Gavin of the parole board; and also by Warden Francis J. Lannigan and Superintendent Maurice Winslow of the State prison colony.

"The recommendation in this case was based, so far as I have been able to ascertain, on the fact that the man had served four years, that it was his first offense, and that unquestionably he was not in his right mind at the time the offense was committed, being under the influence of liquor. If a protest is justified in this case by those men who teach the doctrines of forgiveness and they are influenced in their views even in the shadow of Christmas and all it conveys, there is no way to justify granting pardons or commutations to any offender. "I am quite sure that the committee on pardons of the Governor's Council will accept my recommendation and grant a hearing to those who have voiced a pro-
TOWNSENDITES IN WAR ON CURLEY

TOWNSENDITES ARE OUT AFTER CURLEY SCALP

State Leader for Plan
Claims 300,000 Votes

By SARA WHITE

Three hundred thousand Massachusetts Townsendites are "going after James M. Curley's hide," promised Charles M. Hawks, state manager of the Townsend clubs today.

"We have 30,000 registered Townsend Club members in Massachusetts. We have 10 times that many signers of Townsend Plan petitions. That makes 300,000 voters. Every one of those 300,000 will be a campaign manager in his district.

WON'T GET BY PRIMARIES

"Curley won't get by the primaries!" boomed the dynamic Californian, father of Flier Capt. Frank Hawks and long-time friend of Dr. Townsend.

"Every time Curley goes on the air and talks for Roosevelt's pauper pension plan he licks himself. This office?"—he looked around the pleasant state headquarters on Boylston street and bit into his cigar. "We won't have to do a thing. Our members will take care of that!"

"We have so far educated the thinking people of the state of Massachusetts," went on the rotund, bald former real estate broker, "that I believe Mr. Roosevelt's..."
TRAVELER
Boston, Mass.

Press Clipping Service
2 Park Square
Boston Mass.

STORM OVER APPOINTMENT TO SUCCEED DR. SMITH

REARDON TAKES OATH TODAY

Increases

Storm Over Appointment to Succeed Dr. Smith

While the indignation of educators today on all sides because of the dropping of Dr. Payson Smith as commissioner of education, James G. Rear of, 36, superintendent of schools in Adams, came to Boston to take the oath of office as successor of Dr. Smith.

Reardon was nominated and confirmed yesterday by the executive council in a seesaw manoeuvre. After an 80-minute conference with Democratic members of the council, Dr. Smith’s name was submitted for reappointment. It was promptly rejected by the Democratic majority of the council. As quickly, Reardon’s nomination, which received a few minutes later, was confirmed.

The rejection of Dr. Smith immediately drew the fire of public educators and leaders of teachers and Parent-Teachers Associations. Thousands of telegrams and resolutions from groups in all parts of the State have been sent to the Governor asking for the reappointment of Dr. Smith.

Mrs. Paul H. Kelsoy, president of the Massachusetts Parent-Teachers Association, called the act, “Terrible, terrible.” She termed the Governor’s failure to reappoint Dr. Smith “the silliest thing I ever heard of,” and concluded, “I hope that this final act will be the finish of Mr. Curley.”

William B. Atwell of Wakefield, president of the Massachusetts School Superintendents’ Association, said it was a serious mistake not to retain Dr. Smith. Joseph. Lee, president of the Massachusetts Civic League, termed it “deplorable.” Mrs. Grace L. Woodbury of Melrose, president of the Massachusetts Teachers’ Federation, said that, as far as she knew, Reardon’s name had never been presented to the teachers of Massachusetts.

Reardon, a graduate of Boston College, has done graduate work at Boston University and Harvard University. He taught in Groton at Boston College and then became a teacher in East Bridgewater.

Subsequently he became principal of the East Bridgewater High School and when the office of superintendent became vacant he was put in that place. Last June he became superintendent of schools in Adams.

While teaching in East Bridgewater Reardon married Anita Thorn-dike, a daughter of the late Judge Hubert G. Thorneide. They have four children. Cynthia, 7; Janes G., Jr., 5; Susan Thorn-dike, 3, and Rosemary, 1.
Gov. Curley administering the oath of office today at the State House to James G. Reardon while the wife of the new state commissioner of education (in centre) looks on with approval.

Dr. Conrad Calls Ousting of Smith 'Most Contemptible Act in Entire Curley Administration'

As Dr. Payson Smith, ousted commissioner of education, was expressing his thanks to those who stood by him today, the Rev. A. Z. Conrad, pastor of Park Street Church, criticized the replacement of Smith as “the most contemptible act in the entire Curley administration.”

CRITICIZE HASTE

Officials of the League of Women Voters vigorously criticized the haste with which Smith was ousted and his successor confirmed.

Dr. Conrad said:

“The appointment of James G. Reardon as commissioner of education is the most contemptible act in the entire Curley administration.”

Criticism of the speed with which Smith was removed and his replacement confirmed by the executive council.

Dr. Payson Smith is an exemplification, part and parcel, of Curley politics. I have received a number of requests from citizens of Massachusetts to start a petition for the removal of Mr. Reardon. However, it is too late to act now. It should have been done weeks ago in anticipation of Curley methods.

Dr. Smith’s statement follows:

“I want to express my deep appreciation to the thousands of school officials, teachers and citizens who have given to me and to the department of education their support through the years in which I have been in their service and in that of the children of the commonwealth, and for the continued confidence that has been shown me in recent months. I want also to speak of the invaluable service that the press of the state has rendered in acquainting the public with the work and activities of the department and in its sincere and wholesome criticism of its policies.”

“I have taken great pride and satisfaction in the office of commissioner of education, and I have made every effort to discharge its duties in a manner consistent with its high traditions. In that effort I have had at all times the invaluable support of the members of the state board of education, of my associates on my staff, and in the institutions associated with the department of education.”

Striving to learn why the executive council deemed it necessary to suspend the rules and confirm Reardon, yesterday, two officers of the Massachusetts League of Women Voters called on Lt-Gov. Hurley at the State House today, but were unable to meet him. The women, Mrs. Helen G. Rotch, legislative chairman, and Mrs. Edward K. Nash, chairman of the state legislative committee on civil service, both of the league, made tentative arrangements to see the Lieutenant-Governor tomorrow. The wish to ask him but one question:

“Why was it deemed necessary to confirm Mr. Reardon under a suspension of the rules.”

At the same time today, Mrs. Richard H. Field, president of the league, issued a statement accusing the council of denying the public a chance to discuss the appointment and qualifications of Reardon.

MRS. FIELD'S STATEMENT

“The Massachusetts League of Women Voters feels strongly that, in the case of so important a state matter as the appointment of a new commissioner of education, the public should most certainly have been given the opportunity to discuss the qualifications of the appointee and to express its opinion. This opportunity is traditionally afforded the public by the customary period—usually a week and sometimes more—between the governor’s appointment and its consideration by the council. By means of suspending the rules and acting instantaneously on Mr. Reardon’s appointment the council permitted the public no chance whatever of discussing the appointment and Mr. Reardon’s qualifications. The league is eager to learn from Lt. Gov. Hurley the reason which led to a suspension of the rules in this important matter.

“Further than this the league wishes to draw attention to the fact that Dr. Payson Smith, whose reappointment as education commissioner the council refused to confirm, has furnished Massachusetts with such extraordinary ability, intelligence and devotion that he has become not only a major figure in the states, but a major figure throughout America as well. His regime as commissioner has made Massachusetts one of the most envied states educationally in the Union. It is with the greatest regret that the league sees Dr. Smith, after 20 years of such magnificent service, rejected in such a summary manner.”
Watched His Son Take Oath of Office

James G. Reardon of Adams took office today as commissioner of education as Gov. Curley three times told him to remember that “no man is indispensable.” This was interpreted as meaning that Dr. Payson Smith, whom Reardon succeeds, was not considered “indispensable.”

STANDS BY TEACHERS’ OATH

The new commissioner then issued a brief prepared statement promising to uphold the high educational standards of the state and calling for observance of the teachers’ oath law.

The Governor’s office was crowded to overflowing today as Reardon, with his wife at his side, appeared to take the several oaths of office before the Governor.

Gov. Curley, while not mentioning the protests that had been received against his action in appointing Reardon yesterday to replace Dr. Payson Smith, recognized these protests as he swore in the new commissioner.

After the oaths had been taken the Governor said:

“I want to say I wish you every success in the office to which you have been appointed. I have appreciation that the education and training of your predecessor was no greater than yours. If we all were to drop dead tomorrow there would be other men and women springing up to take our places who would be better qualified than we ever could be. This applies to the education department as well as to any other place.

“You have a great responsibility and I am confident you will discharge it.

“That is the truest thing ever said. We kid ourselves that we are indispensable.”

A few minutes later as he was posing with the new commissioner and his wife for photographs, the Governor said: “I just want to repeat that no one is absolutely indispensable.”

TAKES OVER NEW DUTIES

Reardon thanked the Governor briefly and then went to the department of education on the second floor of the State House to take over his new duties.

As he left the Governor’s office he handed his prepared statement to newspaper men and asked to be excused from saying anything further at the time.

The statement said:

“My interests from now on will be to uphold the high standards which have made Massachusetts conspicuous in the field of education. I shall be ready to do everything in my power to further adult education, to maintain and, if possible, improve the standing of state schools, and to do everything possible to secure employment for the young men and women citizens of Massachusetts who are qualified for teaching positions. As to any specific program, I prefer to make no announcement until I have had an opportunity to become more familiar with the problems now under consideration in the state department of education.

MUST ABIDE BY OATH

“At the present, the law of the state is that the teachers should take this oath: The General Court of Massachusetts has decided that at present such an oath is necessary. As long as the law made by the General Court exists, there is no question about the duty of any educator who is a law-abiding citizen. Those citizens who feel that the oath is not necessary can have recourse to the constitutional method of changing the law. Concerning the necessity of this law at present, that depends on the facts which seemed to justify the General Court in passing this law and the ability as well as the willingness of educational authorities to handle the situation without the aid of special legislation. Concerning the observance of the law itself, I can see no objection to any educator taking an oath which obligates him only to the performance of what is a clear duty—an oath similar in most respects to that taken by lawyers and by many public officials in the state.”

(Dr. Smith had opposed the legislation for the teachers’ oath.)

FAIL TO SEE HURREY

Dr. Smith was not present when Reardon was sworn in.

Henry T. Calnan of Johnson road, Weymouth, has been appointed by Gov. Curley as real estate appraiser for the state in the department of public works.

Calnan was one of Gov. Curley’s leading supporters along the South Shore during the gubernatorial campaign. Gov. Curley often visited Calnan at his Weymouth home.

Calnan is well known among shipbuilders, real estate dealers and has always been politically active. Calnan’s job calls for a maximum salary of $3160.
JUDGES RUMOR NEW TO CURLEY

Hadn't Heard He Was to Remove Three on Supreme Bench

"I told him I hadn't even heard the rumor," Gov. Curley said today when asked about published reports to the effect that he had "spiked the rumor that he is considering removing supreme court justices."

The Governor said: "A newspaperman called me a couple of times to ask me about a rumor he had heard to the effect that supreme court justices were to be removed because of physical or mental disability through advanced age. I told him I didn't even hear the rumor."

For some time a story has been in circulation in the court house and among lawyers to the effect that the Governor had in mind retiring three of the justices of the supreme court: Crosby and Pierce—naming Judge Lummis to be chief justice and naming Asst.-Atty.-Gen. James Roohan to one of the vacancies.

The Governor referred to the retirement of judges in his inaugural message a year ago and discussed matters pertaining to the retirement of judges with Judge Lummis last spring.

TRAVELER
Boston, Mass.

DEC 1 9 1935

Birthday Banquet Given
Harry Kane by Friends

Prominent at banquet to Harry Kane were, left to right: Arthur Stern, chairman; Frank Houlihan, president of Mollers, Inc., and Harry Kane, president of Kane Furniture Company.

Furniture Store Head Lauded by Business Associates

The Swiss room at the Copley Plaza was the scene last night of a testimonial birthday banquet arranged by more than 100 friends and business associates in honor of Harry Kane, one of New England's most aggressive and popular business leaders, and president of the Kane Furniture Company, operating 15 great stores in the New England states.

Many well known business executives were present, including David Lillienthal (Fox Furriers); Arthur Stone, vice-president First National Bank; Ben Ellman, Ben Ellman & Co.; J. H. Burke, Burke & Co.; Frank Houlihan, president of Mollers, Inc.; Arthur Stern, Mutual Benefit Life Insurance Company, and many others.

Among the Kane executives present were Max Weiss, general manager; Louis Kane, assistant treasurer; M. W. Bliss, treasurer Rhode Island supply division, Kane company; Lloyd Bliss, treasurer Rhode Island supply division of the Kane company; M. Swanson, merchandise manager; B. Roberts, manager Boston stone; J. Gold, manager Waltham store; J. Jurmaine, manager Cambridge store; H. A. Newton, advertising director; Stedman Beckwith, advertising manager, and many others.

One of the highlights of the occasion was the presence of Theodore Glynn, former fire commissioner of the city of Boston, personal representative of Gov. James M. Curley, who extended the official greetings of the commonwealth of Massachusetts to Mr. Kane and glowingly commended him on behalf of the Governor on his amazing success in carrying his organization from a single store a few short years ago to its present position as one of America's largest furniture institutions on providing ever increasing employment and factory activity in New England and on furnishing such a splendid example of courage, leadership and Americanism during his entire business career.

Following Mr. Glynn, Frank Houlihan, toastmaster, introduced M. W. Bliss, Arthur Stone, Arthur Stern, Ralph Kahn, Jack Cremmens, and other friends of Mr. Kane and executives of the company who paid glowing tribute to Mr. Kane's leadership and success.

Following the speeches Mr. Houlihan presented to Mr. Kane a great golden key symbolic of the key to the new office furnished by friends and well wishers as their birthday present to Mr. Kane, whereupon Mr. Kane responded in sincere and heartfelt appreciation for the tribute paid him.
Governor Warns on WPA Riots

Pay WPA Before Holiday or Face Riot, Says Curley

Gov. Curley today made public a letter to Harry L. Hopkins, federal relief administrator, warning him that there will be riots and bloodshed in Massachusetts unless WPA workers are paid up before Christmas.

In a passage generally interpreted as his first open blast on Arthur O. Rotch, WPA administrator for Massachusetts, the Governor cited recent disturbances of WPA workers in Lowell and elsewhere and said the only explanation is the "abject failure" of the man in charge. He did not name Rotch specifically.

Hopkins in Washington early this week announced that all WPA workers throughout the country would be paid up in full before Christmas. This was pointed out by WPA officials in Boston when they heard of the Curley attack. They said the Governor evidently had not read the Hopkins statement.

The Governor announced that before sending his letter he had talked by telephone to Postmaster-General Farley at Washington and Farley promised to take up the situation in this state with Hopkins.

The text of the letter from the Governor to Hopkins follows:

"There is a possibility of riots and bloodshed unless persons employed under the Works Progress Administration receive their wages prior to Christmas."

"I beg to direct your attention more particularly to the case of women and men—citizens of Lowell—to the number of 3000, who have received no pay since Nov. 21 and are naturally resentful and whose resentment may find expression in some stronger form than verbal protest."

The Governor and the Children

The James M. Curley of old would have bluntly told the public that he was not going to reappoint his commissioner of education, Payson Smith.

But for some reason, Governor Curley avoided candor. Instead he said he would send Smith's name to the council. Before he sent it, however, the Governor had a little talk with the Democratic members of the council. When the Governor submitted Smith's name for reappointment, the council rejected the nomination.

The Governor then named a man whose executive training had reached its peak as superintendent of schools at Adams, Mass.

And that is Governor Curley's Christmas gift to the school children of Massachusetts.
New Education Head Praises Teacher Oath

OATH IS GIVEN TO REARDON BY GOVERNOR

Curley Asserts Three Times, Woman Is Indispensable

By DONALD R. WAUGH

James G. Reardon of Adams took office today as commissioner of education as Gov. Curley three times told him to remember that "no man is indispensable." This was interpreted as meaning that Dr. Payson Smith, whom Reardon succeeds, was not considered "indispensable."

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"That is the truest thing ever said. We kid ourselves that we are indispensable."

A few minutes later as he was posing with the new commissioner and his wife for photographs, the Governor said: "I just want to repeat that no one is absolutely indispensable."

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Reardon thanked the Governor briefly and then went to the department of education on the second floor of the State House to take over his new duties.

As he left the Governor's office he handed his prepared statement to newspaper men and asked to be excused from saying anything further at the time.

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"My interests from now on will be to uphold the high standards which have made Massachusetts conspicuous in the field of education. I shall be ready to do everything in my power to further adult education, to maintain and, if possible, improve the standing of state schools, and to do everything possible to secure employment for the young men and women citizens of Massachusetts who are qualified for teaching positions.

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"At the present, the law of the state is that the teachers should take this oath. The General Court of Massachusetts has decided that at present such an oath is necessary. As long as the law made by the General Court exists, there is no question about the duty of any educator who is a law-abiding citizen. Those citizens who feel that the oath is not necessary can have recourse to the constitutional method of changing the law. Concerning the necessity of this law, that depends on the facts which seemed to justify the General Court in passing this law and the ability as well as the willingness of educational authorities to handle the situation without aid of special legislation. Concerning the observance of the law itself, I can see no objection to any educator taking an oath which obligates him only to the performance of what is a clear duty—an oath similar in most respects to that taken by lawyers and by many public officials in the state."

(Ref. Smith had opposed the legislation for the teachers' oath.)

Reardon was nominated and confirmed yesterday by the executive council in a seesaw manoeuvre. After an 80-minute conference with Democratic members of the council, Dr. Smith's name was submitted for reappointment. It was promptly rejected by the Democratic majority of the council. As quickly, Reardon's nomination, when received a few minutes later, was confirmed.

The rejection of Dr. Smith immediately drew the fire of public educators and leaders of teachers and Parent-Teachers Associations. Thousands of telegrams and resolutions from groups in all parts of the state had been sent to the Governor asking for the retention of Dr. Smith.

Mrs. Paul H. Kelley, president of the Massachusetts Parent-Teachers Association, called the act, "Terrible, terrible." She termed the Governor's failure to reappoint Dr. Smith the
Council Defers Action on
Murphy to Be Agriculture Head


The council again voted to defer action on the Governor's pending nomination of Howard H. Murphy of Osterville to succeed Edgar L. Gillies of Canton as state commissioner of agriculture.

No action was taken by the Governor on the expired tenures of Raymond J. Kenney of Belmont, state director of fisheries and game; Arthur T. Lyman of Westwood, state commissioner of correction; Brig.-Gen. Richard K. Hale, associate commissioner of public works, and Maj. George J. Cronin, George J. Cronin of Boston, state purchasing agent.

OTHER NOMINATIONS

Other nominations submitted to the council were:

Dr. Andrew D. Guthrie of Medford to succeed Dr. Fritz W. Gey of Malden as associate medical examiner of the second Middlesex district.

Daniel E. Kelley of Adams to succeed Edwin K. McPeek of Adams as clerk of the fourth district court of Berkshire.

Daniel Lucey of Malden to succeed Nicholas A. Loumos of Boston as public administrator.

Albert A. Ward of Newton, reappointed clerk of the southern Norfolk district court.

Frank H. Peterson of Medford, reappointed clerk of district 1.

Orville S. Pinkham of Watertown, reappointed clerk of district 1.

John Sullivan of Fall River, to succeed D. Gardner O'Keefe of Taunton as deputy pilot commissioner of district 4.

Governor Asks Hearing
On Pardon of Gardner

Pointing out that his recommendation for commutation had the backing of "every official connected with the penal department and with the department of corrections," Gov. Curley today, nevertheless, requested the pardon committee of the Governor's council to hold a hearing Monday to listen to protest against the proposed clemency to Henry A. Gardner of Worcester.

SET CHURCH FIRES

The Governor submitted the recommendation for commutation and clemency to the council and it was referred with other cases to the pardon committee.

Gardner is now serving a sentence of 10 to 12 years for setting the fires which destroyed All Saints' Episcopal church and damaged Pleasant Street Baptist church in Worcester in January, 1932.

Members of the Baptist church organization and others connected with Worcester churches adopted last night sharp resolutions condemning the proposed pardon and saying that Gardner has not had sufficient time for adequate punishment.

Coincident with the Governors statement today, Councilor Frank A. Brooks of Watertown, Republican, said:

"I have examined carefully the folder in the Gardner case and can find absolutely no reason whatever why I should vote for the recommended commutation of sentence." Brooks is a former chairman of the state parole board.

The council committee on pardons had already arranged to meet Monday morning to consider the pardon recommendations and report to the council at a special meeting of the council Monday noon.

The Governor said today he would not attend the hearing which he has asked the pardon committee to hold on the matter.

The Governor issued the following statement on the case:

"The protest made by certain church dignitaries of Worcester against the recommendation for commutation of sentence in the case of Henry A. Gardner from 10 to 12 years, of which sentence he has served four years, and, in the event of parole, would have an opportunity to spend Christmas day for the first time in four years with his family and relatives, has been of such character that I have decided to refer the protest to the committee on pardons of the Governor's council, which meets two days prior to Christmas, on Monday, Dec. 23, at 10 A.M. at the council chamber, State House, Boston.

"Approval of the commutation in this case was based on the fact that it was one of the few cases where every official connected with the penal department and with corrections were unanimous in their approval of the commutation of sentence, a recommendation having been approved by Commissioner of Correction Lyman, chairman of the parole board Richard Olney, Mathew W. Bullock and P. Emmet Gavin of the parole board, also by Warder, Francis J. W. Lannigan and Superintendent Maurice Winslow of the state prison colony.

BASIS OF RECOMMENDATION

"The recommendation in this case was based, so far as I have been able to ascertain, on the fact that the man had served four years, that it was his first offence and that unquestionably he was not in his right mind at the time when the offence was committed, being under the influence of liquor. If a protest is justified in this case by those men who teach the doctrine of forgiveness, and they are influenced in their views even in the shadow of Christmas and all that it conveys, then there is no way to justify granting pardons or commutations to any offender.

"I am quite sure that the committee on pardons of the Governor's council will accept my recommendation and grant a hearing to those who have voiced a protest and any individual desiring to appear in objection to approval by the pardon committee of the Governor's council to the granting of same is at liberty to be present at the session of that body to be held in the council chamber Monday at 10 A.M."

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CURLEY SEeks / COMMUTATIONS
Urges Clemency for Four Lifers and Worcester Pyromaniac

Gov. Curley yesterday recommended the extension of executive clemency to four killers and one confessed pyromaniac now serving long term sentences at state prison. The executive council will meet in special session Monday to consider granting them commutations which will make them eligible for immediate parole.

The Governor also announced that he has authorized the department of correction to release 200 state farm inmates and 20 women's reformatory inmates before Christmas. Most of them were committed for drunkenness.

The state board of parole, at his direction, also will release 15 first offenders from the reformatory at Concord with the release of 14 others to be ordered before Jan. 31.

REIGN OF TERROR
The state prison convicts for whom he has recommended sentence commutations are Samuel Powers of Westfield and Wojciech Birosz of Salem, lifers; and William Hooper of Lynn, Henry A. Gardner of Worcester and Thomas J. Panetta of Cambridge.

The arrest of Gardner early in 1932 brought an end to a reign of terror that had existed in Worcester following a long series of serious fires, one of which resulted in the destruction of the All Saints Episcopal Church at a loss of $250,000. He has served less than three years of a 10 to 12-year sentence imposed after he was found guilty on six counts of arson. Police attributed the setting of 35 fires to him.

He was a self-confessed "hip" man in a speakeasy and pyromaniac. Pressed to account for his actions, he said, "I can't help it. It's just an overpowering impulse which comes over me." Police said he had been drinking when he was arrested and

he explained, "I always take a few before setting out on an incendiary mission. His arrest resulted in leaving public buildings unguarded in the night time after a long period of vigilance.

Among the fires he confessed to starting were the All Saints Episcopal Church and the Pleasant Street Baptist Church in the same neighborhood.

KILLED HIS WIFE
Powers, a Negro, has served nearly 21 years of a life sentence imposed for the murder of his wife by choking.

Birosz, alias Biros, alias Birusz, has served 16 years of a life sentence for the murder of 17-year-old Mary Blanche Lavie at Salem in 1918. He shot her to death as she was leaving a Salem dance hall. He had been employed with the young woman at the Naumkeag mills.

His plea for commutation of sentence was rejected by former Gov. Ely in 1934 after he had been given a hearing before the state parole board. He was defended in superior court by William H. McSweeney, now the senator from Salem.

Panetta has served nearly six years of a 12 to 20 year term for the murder of Dominic Simonetti.

Hooper beat William J. Lewey to death at Nahant nearly three years ago and gave himself up to police. The victim, a married man, was accused of paying attention to Hooper's 17-year-old sister, who was at the time confined to a Swampscott maternity home.