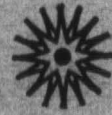


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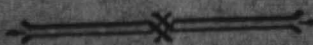
# Dalhousie



# Gazette.

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March 20, 1896.





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"ORA ET LABORA."

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**OUR COLLEGE CLUBS.**

AS our important Students' Societies have within the past few weeks held their Annual Meetings, it seems a fitting time for the GAZETTE to offer a few observations and suggestions on their various work.

To the General Students' Meeting is entrusted the supervision of all affairs common to the students as a whole, including the important and sacred duty of controlling the GAZETTE, though by a strange anomaly, not that of electing its editors. The attendance at its sittings this year has been larger than ever and must certainly be encouraging to all those who desire the cultivation of a healthy university spirit. Despite some occasional and slight frictions, there has been nothing but harmony in its deliberations and no stirring up of Class and Faculty jealousies. In a College such as Dalhousie, where the Faculty of Arts is so much stronger than her sisters of Law and Medicine, it is indeed creditable that there is so little cause for crying "fair-play" on behalf of the weaker sections. The constitution of this, our Highest Court of Judicature, is very systematic, and provides for the creation of lower courts, in the shape of Arts, Medical and



Law Students' Meetings. This has been carried out as far as the Arts and Meds. are concerned, but an organization of the Law Students is necessary to render the chain complete. Next year we hope that this want will be remedied. At present, to obtain a meeting in the north wing, individual students have to assume the whole responsibility and issue the call in their own name.

A long delayed reform has at length been accomplished by severing the connection of the Sodales Debating Club, and the Arts Students' Meeting. That the evil of having the management of what should be an important auxiliary to our student life, for so long a time in the hands of an almost totally uninterested body, existed for years unchallenged, is a proof either of our extreme conservatism or indifference.

Of the work of the Y. M. C. A. we need not speak. It goes on quietly and steadily. Whatever may be the attitude of the student body as a whole towards it, there is one feature of its work which passes the approbation of all. We refer to the Sunday Afternoon Lecture Course, which has now become a College "fixture," and the success and usefulness of which is unquestioned.

We next turn to the Philomathic, which has this in common with the Y. M. C. A., that though ostensibly a *University* organization, its members are drawn practically from the Faculty of Arts alone. We might push the comparison further and say that both are in a sense unwittingly exclusive, and are but rarely cheered by the sight of a new face. The Philomathic was started some years ago as an experiment, and has proved a triumphant success. During the past session more attention has been devoted to the department of Literature than to any other. Science, History and Philosophy have been almost shamefully neglected. There seems also, to be a tendency to invoke outside aid rather frequently, and while the lectures have all been of the highest standard, it must not be forgotten that the main object of the Philomathic is to stimulate original work, and provoke the spirit of free enquiry among the students themselves. This is the only College society whose aim is wholly intellectual, and as such it merits even a more enthusiastic support than the present session has witnessed.

But there is one Society in whose interest we all co-operate with heart and hand,—we might almost add with lungs and foot

also. In the success of the Dalhousie Amateur Athletic Club, and particularly of its Football team, every one in the University, from the President to "Buttons," is interested. At present, we regret to say, its prospects are far from encouraging, and even the wide-awake committee appointed the other week will need to exercise unremitting energy if our footballists are to resume their normal position at the head of the City League next Autumn. The "Grounds Question" is not a new one. It has confronted us for years, but a final settlement has so far been invariably and successfully postponed. Matters have now come to a head. Our present grounds are being cut up for building lots, and *something must be done at once*. An appeal will probably be made to Governors, Alumni and Students. It is for us to see that this appeal be not in vain. If a sufficient sum is secured new grounds will be purchased—part of the amount necessary being paid down and the remainder left on mortgage—and put in order at once. In view of this action, the club secured incorporation at the last session of the Local Parliament, so that it is now in a position to acquire the rights of proprietorship. Remember that the success of Dalhousie's footballists depends on the venture; think of the trophy that is ours no more; then, if you be worthy the name of Dalhousian, your response to the committee's appeal need cause no anxiety.

---

DALHOUSIE hastens to congratulate Mt. Allison on the magnificent gifts recently bestowed on her through the large-hearted generosity of the lamented Mr. Massey. The frequently recurring instances of such public spirited liberality is one of the most hopeful signs of our day. They demonstrate that men's hearts are growing larger, their visions clearer and their duties plainer. Our own College has much to gratefully remember. The effects of many friends substantial assistance is before us. "And yet there is room."

To no grander use can money be put than thus to spend it in collecting and weaving together the strands of eternal truth, which as they hang from the hands of God often seems to us tangled disunited. Every advance in education is a step towards God. To help, and to help largely in this laudable advance, is the rich man's golden privilege. In the University he will find a faithful trustee and zealous co-operator.



We are proud, justly proud, of the work done in our own Colleges by the sea; still we observe avenues along which farther advance may be, must be, made speedily. But advance means money, and who is to furnish it? Although the Colleges have an especial claim on such of their old graduates as the proverbially fickle goddess of fortune has smiled upon, still they have a real and strong claim on every true patriot. It is usual to speak of the University as the apex of the country's educational pyramid. Such a conception is apt to involve a calamitous distortion of truth. The University may well be regarded as the base, the foundation of the country's educational system. Its graduates, whether they be acknowledged leaders in other lines of our country's activity or not, must from the very nature of the case be the leaders of its educational forces. Given, then, a strong University capable of sending out men educated in the best sense of the word and we may expect to find education marching with healthy strong strides through the length and breadth of our land. If general intelligence conduces to the country's prosperity, the true patriot must exhibit a genuine interest in his country's Universities.

Some of our Colleges appeal particularly to special constituencies. Our own lacks this advantage or disadvantage. Dalhousie is undenominational. We boast of it. Our beloved *Alma Mater* neither pronounces nor requires the pronouncement of any shibboleth. To whom then can she appeal for support? To all her graduates, to every one who believes in national education. Let not our reply be construed into disparagement of or hostility to any other educational institution. We recognize the good work they have done and are doing. More especially do we point triumphantly to what, often with means far too limited, our sister colleges in the Maritime Provinces have accomplished. And yet we do feel that, if there be anything in the principle enunciated above, and if national schools be a desideratum, the undenominational University has a claim upon the loyal citizen second to none.

THE project of offering prizes for essays on live social subjects to be written during the vacation months, is one that should meet with the approbation of all. The system has been adopted in Edinburgh University with excellent results. Students are stimulated to pursue a course of useful reading, and to do some original thinking. It is, at all events, worth trying, and should show the calibre of Dalhousie men to grapple with the political problems of the day.

#### THE SUPERNATURAL IN A MIDSUMMER NIGHTS' DREAM.

IN the drama of ancient Greece and Rome the leading motive forces were supernatural; but in modern drama that element does not enter so largely. Yet such an element, once so important, could not be *entirely* separated from it. We have, therefore, a form of the supernatural, but a form wholly modern. In the Shakespearian drama we see it presented in different ways. While we watch Hamlet keeping vigil with Horatio and Marcellus, the ghost of his murdered father enters. In Macbeth there is something similar; but it is visible to Macbeth alone. Here the agency of the supernatural is used to illumine and intensify human action. In Julius Cæsar we have the supernatural back-ground of storm, tempest and portent.

The form in the play before us is the fairy; not the conventional fairy, but another: Shakespeare's own. We have almost ceased to think about these people. We do not hear very much about them; they do not mean as much to us as they did to people living in and before the sixteenth century. Shakespeare has taken the fairies of story and song, and has remodelled them for us, and to him we turn for our ideas about them. We might call him the inventor of our fairy system. All ideas concerning them he has completely revolutionized.

The fairies are comparatively modern and distinctly European. They did not exist in Greek or Roman mythology, nor is there any trace of them further back. Not even have they any association with the heathen nations mentioned in Scripture, for there is no term found there which can be applied to them; and there is nothing in history which gives us any information regarding them. They are supernatural beings of Celtic countries, and the elves of northern countries are their kindred. After the transfusion of Teutonic and Celtic nations they both became confusedly mixed up.

They differ greatly with the circumstances and physical aspects of the country in which they are known. In rough and rugged countries like Scandanavia, the elves are more exaggerated than in comparatively level and cultivated ones like England and Ireland. The fairies of German and Teutonic tribes are more harsh, uncouth, uncomely and deformed than the aerial and graceful ones of Celtic countries. The first distinction whereby we may classify them is what we may denote as gross and fine.

There are again fairies of poetic and heroic literature on the one hand, and popular fairies on the other. The former are princes and princesses of chivalry, and the others, small in stature, decrepid and deformed, have a spirit of malignity in direct contradiction to the generous feelings of the former.

Yet another important distinction. There are those who dwell in the upper air, those who dwell within the bowels of the earth, and those who make the waters their frequenting



place. The earth is a place where they dwell only upon special occasions. The fairies of the air are called in Scandinavia, white, and those of the earth, black. The latter are naturally associated with mining districts. The German gnome and the Irish leprechawn are of the same class.

Mr. T. Crofton Crooker in his book "Fairy Legends and Traditions of the South of Ireland," describes the Irish elves as "a few inches high, airy and almost transparent in body; so delicate in their form that a dew drop, when they chance to dance on it, trembles indeed, but never breaks. They are invisible to man, particularly in the day-time, and as they can be present and hear what is said, the peasantry never speak of them but with caution and respect, terming them the 'good people' or 'friends.'" Phoaka is a diabolically disposed spirit of Ireland who assumes the form either of an eagle or a horse, and always hurries the person he gets possession of to destruction. His name, it will be observed, resembles the name Puck. The latter is a spirit of the same class as the German gnome, as, also, are the pixies.

Shakespeare cares too much for the real problems of human life to make spirit life a principal interest in his plays; accordingly he makes it accessory. In *Midsummer Nights' Dream* the pastoral side of spirit life is presented. The only touch of grossness is that which has to do with Titania's love with human mortals. The supernatural beings in *The Tempest* help forward the action of the piece and contrast human and spiritual characters. In this play Ariel is the finest specimen of spirit life and Miranda of human.

The fairies in *Midsummer Nights' Dream* have their home in Fairyland, situated on the farthest steep of India. They are so small that acorn cups are ample hiding-places for them. The wings of bats are cloth large enough to make the small elves coats. The small cowslips are tall when the fairy queen stands beside, and the skin of an enamelled snake is "weed large enough to wrap a fairy in." They are very delicate, a sort of personified dream, and Shakespeare places them in the harmless position of dream bringers. Their homeland in the Indies is a land of spicy breezes whose air is always scented with flowers; it is a place where mortals are said to live in a half dreamy state. Thence they come, following the night just as dreams naturally do. They shun the daylight, not because they fear it, but because they prefer night and consider it their proper work-time. They travel everywhere, even through flood and fire, and go down into the deep whence they bring up jewels. "The wind bloweth where it listeth" and the capricious fairies seek out a place for themselves just as caprice governs them.

They have a government and a royal house. Oberon is their king, Titania their queen. There is a court like the courts

of chivalry. Oberon wishes the little changeling boy which Titania is bringing up in memory of the boy's deceased mother, who was a votaress of her order—Oberon wishes him to be his page and "trace the forests wild." Like a mediæval king, Oberon has his jester, Puck, who makes him laugh by reason of his many droll tricks. Titania has her attendants who "wander everywhere swifter than the moon's sphere" to do her bidding and to "dew her orbs upon the green." Where the fairies danced their merry roundels the grass became scorched under their feet and Titania's servant elves sprinkle it with dew, which makes it grow more luscious than before, and makes the place conspicuous by the fresh green circular plot of grass.

The fairy life is indefinitely long. There may be some among them who have mortality, but that is unknown. We look upon them as immortal. The only thing which can lead us to suspect mortality in some is the fact that Titania speaks about 'human mortals,' which may seem to indicate that there are *fairy mortals* also. But that may be an effort to draw the sharpest possible line of demarkation between her people and mankind. Their life must seem longer, too, as compared with human life, even if it is not eternal, for they consider one-third of a minute ample time for one party to kill cankers in the musk-rose buds, for another to war with rere-mice.

They are constantly in search of pleasure, and pleasure without immorality. They are innocent in all they do, for they have not the power to distinguish between right and wrong. What mischief they do is very small, and they seldom hurt anyone. They delight in teasing, and after they have played the trick of love-juicing individuals, they laugh at their love-making and think "what fools these mortals be." They keep their revels at night and meet

" In grove or green,  
By fountain clear or spangled starlight sheen,  
Or,—  
On hill, in dale, forest or mead,  
By paved fountain or by rushy brook,  
Or in the beached margent of the sea,  
To dance their ringlets to the whispering wind."

They are subject to the same emotions, instincts and passions, that mortals are. Titania and Oberon never meet before reconciliation

" But they do square, that all their elves for fear  
Creep into acorn cups and hide them there."

They have jealousies. Oberon covets Titania's little changeling boy. He asks for him and waes fell and wroth on refusal, and thus is dissension caused in the fairy royal house. On this account Titania and Oberon can never meet without quarrelling. Titania glances at Oberon's credit with his "buskined mistress and warrior love, Hippolyta." Oberon returns her thrust by an



endeavor to shame her on account of her love to Theseus and the way in which she made him break his faith to fair Aegle, with Ariadne and Antiopa. "These are forgeries of jealousy," responds Titania, and in the speech which follows we see two points about these people. One at least indicates a very important trait in Oberon's character. That is the revenge which he cherished against Titania and which he also enacted as far as he had opportunity. The fairies never met with Titania in their favorite haunts to carry on their sports, but Oberon, with his brawls, would disturb them. The second point is the progeny of evils which followed from their dissension. It seems to show that when matters are in a ferment in the fairy world the material world is affected by it. Contagious fogs cause the rivers to swell so that all the farmer's work goes for naught and "his green corn is rotted before its youth attains a beard." The flocks have died and the crows grow fat with feeding on their carcasses. The moon, angered at the failure of fairies to perform their rites, having control of the floods, deluges the air with watery vapor so that rheumatic diseases abound. All these evils the fairies are the parents of, on account of their quarrel. Oberon and Titania are both strong willed. Determination to possess the boy characterizes both. Power to ameliorate the bad state of affairs lies in both. Oberon might give up his claim and go with Titania to dance and see the moonlight revels. Titania does not need to cross her Oberon. Let one or the other give in and the fairies once more resume their rites, then will the moon restore the sun to the earth to dry up the foul and ugly mists and bring out vegetation in its beauty.

But Oberon is the more powerful. He has it in his power to get the boy in another way. Entreaty is of no avail.

"Set your heart at ease;  
The fairy land buys not the child of me"

Oberon is willing to go with Titania on condition that he receive the boy; but she will not part with him, no, not for the fairy kingdom. So saying, she goes away with her fairies in order to avoid more disagreeable things—a sign of prudence on her part.

"Well go thy way: thou shalt not from this grove  
Till I torment thee for this injury."

Oberon thus makes up his mind. Calling Puck, his prime minister, as well as jester, he sends him for the flower whose juice is so potent in transferring and in heightening affections. He is able to summon to his aid an art, which, it seems, Titania is ignorant of, or at least, if acquainted with, one of which she makes no use.

The religion of the fairies, if we must suppose they have one, is the worship of the beautiful. They have a love for whatsoever is sweet to the senses. They have an utter abhorrence of what-

soever is not so. There is ever present with them an instinctive hatred of ugly things. They must kill the canker-worm; they must war against bats and keep back the "clamorous owl that nightly hoots and wonders at their quaint spirits." Spotted snakes, thorny hedge-hogs, newts and blind-worms must not appear; must not approach the fairy queen. Spiders, beetles and snails are equally hated. This hatred of ugly things very probably led them to perform that mischievous act of changing children, taking away the beautiful and placing in their stead those which have the "marks despised in nativity." Afterwards we have the fairy host attending the marriages of Duke Theseus and Hippolyta, and of the two pairs of lovers, to bless them, so that their offspring will not be marked and ugly. Perhaps they think of their own future when they do so. All that tends to make beautiful, they adore. Cleanliness is with them a prime necessity. Let a housemaid forget or neglect to sweep the house and Puck will be on hand to pinch her. After the marriages and the play of the "rude mechanicals," Puck appears with his broom to sweep the house. The whole fairy nation for whom he serves as prime minister are great sticklers for cleanliness. For the same reason that they dislike deformed or blemished children, they dislike old age, and pester and persecute and play shrewd tricks upon toothless old gossips while they chatter over their ale, by assuming the form of a crap-apple, bobbing up against their lips and spilling their ale. So also any rude persons like the "hard handed men of Athens", they glory in teasing. Puck sees fit to become an actor in their play, while they rehearse near Titania's bed of flowers. In so doing he acts the part that Oberon would wish him to act. He has already procured the flower for which he was sent, and having translated Bottom into an ass, introduces him to the company of scared actors, who, forthwith, scramble over one another in breathless haste to get away. Oberon rubs Titania's eyes and leaves her. Bottom, all unconscious of his changed condition, awakens Titania with his singing so much like an angel. Titania by some device grows visible to him and apparently large enough to be interesting to him, and is now shamefully enamoured of an ass. What all fairies hate, and hate in accordance with their religion, just as mortals should hate evil for which ugliness is a perfect symbol; with such a being is Titania in love. She seeks to satisfy the wants of a lover who would like a peck of provender or some good dry oats, or a bottle of hay; who prefers a handful or two of dried peas to some new nuts; who calls for such music as the tongs and the bones, and uses Peas-blossom and Mustard seed for the purpose of scratching his head. She promises to purge his mortal grossness so that he may go through the air as a spirit. But Oberon pities her, and having obtained the boy from her, without more debate looses the charm by applying a



juice of another sort while she sleeps again, and thus relieves her of her passion. Thus ends the quarrel, and we must suppose that fair weather once more gladdens the earth.

A circumstance or two leads us to suppose that Oberon possesses a power which Titania does not. Had she known that Oberon was to hold his revels in a wood outside of Athens, it is unlikely that she would have risked a collision with him when such mutual ill-feeling prevailed. On the other hand, after Titania had disappeared with her fairies, Oberon, although he had not moved from the spot, knew exactly where she lay sleeping. In indicating it to Puck as he returns with the desired flower, he says:

"I know a bank where the wild thyme blows,  
Where cow-slips and the nodding violet grows;  
Quite over canopied with luscious wood-bine,  
There sleeps Titania."

His acquaintance with Cupid's flower seems to have been the result of observation. Puck was with him when he saw Cupid's dart aimed at the "fair vestal throned by the West" miss its mark and light upon the "little western flower." Very probably Titania knew not of it.

One or two things seem inconsistent. Titania, who is smaller far in stature than a cow-slip, is on certain occasions as large as the average mortal. Although she has no physical existence, a certain juice has an effect on her which we can only expect on a physical system. Modern fiction uses the same sort of device, but only with respect to mortals. For instance, the stolen love potion administered to Glaucus by the blind flower-girl of Pompeii. Even if, in the case of the Athenian, the philtre were applied to his eyes, we might expect it to have some effect, whether that desired or not. But when it is applied to something so intangible as a spirit we wonder how it does its work. Besides these two points, there is the point concerning clothing. Why did they need to manufacture coats out of bat's wings? Shakespeare did not know as much about the way in which spirits are clothed as Mr. Stead does. He has the evidence of one Julia, in the other world, that spirits when they enter it are naked, but the mere thinking about their nakedness clothes them. Had Shakespeare known so much he might have spared the fairies the trouble of killing bats and the disagreeableness of wearing bat-wing coats. The thinking method would have been much more economical.

In this play, Shakespeare blends two grades of spirit life. Oberon and Titania and all their fairy host are the traditional presentment of fairies by the poet. About them Chaucer and Spencer wrote. Puck on the other hand, also mentioned before, is not like them. There is no poetic fancy about him. He is a spirit born and brought up in the country, the hero of old wives

tales, and is feared everywhere in field and town. He is a spirit of another sort altogether, having his origin in popular superstition. He is not looked upon as equal with the other fairies, as we judge from the words of Titania's servant who addresses him as "thou lob of spirit." He is the lubber of the spirits, yet, even as such is able to boast of putting a girdle round the earth in forty minutes. And when Oberon sends him on an errand he says:

"I go, I go, look how I go  
Swifter than arrow from Tartar's bow."

And he, too looks, down upon human grossness.  
The speech of Titania's servant tells us who Puck is:

"Either I mistake your shape and making quite,  
Or else you are that shrewd and knavish sprite,  
Called Robin Goodfellow; are you not he  
That frights the maidens of the villagery;  
Skims milk and sometimes labors in the quern,  
And bootless makes the breathless housewife churn;  
And sometimes makes the drink to bear no barm;  
Mislead night wanderers, laughing at their harm?  
Those that Hobgoblin call you, and sweet Puck,  
You do their work and they shall have good luck;  
Are you not he?"

Puck acknowledges that he is. Here is identified with Robin Goodfellow, a spirit, who, it appears would sometimes help housemaids in their work and at other times play mischievous tricks upon them. The passage quoted is very probably adapted from a passage in Harsenet's Declaration of Papish Impostures: "And if that the bowle of curds and creame were not duly set out for Robin Goodfellow, the frier, and Sisse, the dairy-maid, why, then either the pottage was burnt next day in the pot, or the cheeses would not curdle or the butter would not come, or the ale in the fat [vat] would never have good head" Housewives always placed a bowl of milk for him, for his pains in grinding malt and mustard, and sweeping the house at midnight; this was his standing fee. Sometimes, having compassion on his nakedness, some good hearted woman would place a bundle of clothing beside the bowl, at which he used only to take offence, and work mischief in reward.

He is mischievous and malignant. When he leads night-wanderers astray and deposits them in some uncomfortable position, then he departs laughing and leaves them bewildered. After he has unwittingly succeeded in love-juicing the wrong individual, and as Helena and Lysander enter, just where Demetrius is sleeping, Oberon bidding him to step aside, lest the noise the two lovers make awake Demetrius, Puck answers:

"Then will two at once woo one;  
That must needs be sport alone;  
And those things do best please me  
That befall preposterously."



This shows his disposition to find sport in the misfortunes of mankind. See, too, how he gloats over the janglings of the unfortunate lovers and how he shouts in sportiveness as he, imitating Lysander, calls Demetrius to fight. The people always spoke of him as Hobgoblin, Sweet Puck, or some other name pleasing to him, that they might avoid his displeasure.

He is gifted with a Protean versatility. He has power (not peculiar to him alone) to turn into whatever shape he pleases. He can assume the form of inanimate objects such as crab-apples and three-footed stools, and can transform himself into any animal, imitating its voice and gestures.

Shakespeare seems to be the first and only one to use 'puck' as a proper name. Its meaning used to be 'fairy' or 'elf'. It has equivalents very much like it in several languages. In Iceland it is Puki, Pwcca in Wales, and Puk and Niss Puk in Friesland and Denmark. In Ireland it is Phoaka. The expression Pixy-led and Pouke-ledden have now the meaning of being bewildered; but it had a more significant meaning to the people who lived in the old days of superstition. The former was used in Devonshire and the latter in Worcestershire. A quotation from Mr. Allies makes its meaning clear: "The peasantry of Alfrick and those parts of Worcestershire, say that they are sometimes Poake-ledden, that is, they are occasionally waylaid by a mischievous spirit whom they call Pouke, who leads them into ditches, bogs, pools, and other such scrapes, and then sets up a loud laugh and leaves them quite bewildered in the lurch." Pixy was the name used in Devonshire. Lorna Doone, a story whose scene is laid in the forests of Exmoor, in Devon and Somerset, shows that superstition was supreme in the reign of James II. One incident in this novel shows that the pixy was believed in, viz., that in which John Ridd escapes being killed by Carver Doone because the robbers think him one. "Don't fire," said one of them, "it's only a pixy." So the robbers spared the pixy who was one day, years afterwards, to dance their castle down. Belief in like superstitions continued down to a much later day; in certain parts of the country it prevails even to this day.

We have seen, then, the use of the Supernatural in modern drama and its difference from the Supernatural of ancient drama. We have seen the difference between the conventional fairies and those of Shakespeare, that Shakespeare does not make spirit life a principal interest, but only accessory. We have noticed the customs, the habits, the pleasures, the passions and various peculiarities of the fairies, and have compared their existence to a certain extent with human existence. We have seen that they worship what is beautiful and war against whatsoever is not beautiful. We have noticed certain inconsistencies, and that some fairies have powers which others have not, and the influence that all exert in the material universe. We have

seen that Shakespeare blends two grades of spirit life, the finer represented by Oberon and Titania, and the grosser by Puck; that the name 'puck' is used here for the first time and that the spirit named Puck is identified with Robin Goodfellow. Lastly, we have seen Puck's nature, many things concerning him in popular superstition, and the names by which he is known in other countries.

R. M. HATTIE.

## Correspondence.

DEAR GAZETTE.—Along with students past and present, interested in the welfare of our College, I have read with much interest the articles which have appeared in your columns during the past few months on "The needs of Dalhousie." While many valuable suggestions have doubtless been made, it seems to me that "Alumnus," writing in your issue of Feb. 11th, hits the nail on the head so far as he reduces all our wants to that of "money." We were all glad to hear the other day of Mt. Allison's extraordinary windfall, whereby her financial burden was lightened to the tune of one hundred thousand dollars. Yet as Dalhousians, we cannot repress a sigh of envy at the good fortune of the sister institution, and are led to ask ourselves the query; Why do our cries for money pass unheeded? To my mind the answer is not far to seek. It is found mainly in that very thing which is our pride and boast, viz., that we are non-sectarian. Acadia receives the support of the Baptists, Mt. Allison of the Methodists, and Kings of the Church of England; but Dalhousie stands forth alone, a veritable orphan with no particular means of support. True, the orphan is fathered in a sense by the Presbyterians, but only *in a sense*. They give us the shadow, without the substance, of their support. To them, says a prominent graduate, writing in your Christmas number, we have to look. But have we not been looking vainly for years? I refer now not to the Presbyterian Church as a Church, but to its individual members, scattered through these Lower Provinces. Never for a moment would anyone suggest such a retrograde movement as would be involved in seeking shelter under the cloak of any denomination. But let there be a clear understanding on this point. There is unquestionably an air of Presbyterianism about the College, which, while doing us little good, produces positive harm. Unfortunately the members of the Arts Faculty have been, since the retirement of Prof. Johnson, Presbyterians to a man. An appointment will soon be made to the Chair of Chemistry, and while no man's religion should be a bar to any position, it is eminently desirable that the new appointee should, if possible, introduce a foreign element into the prevailing creed. Our field comprises, not Presbyterians alone but all sects and classes, and the sooner this is made manifest the better.

But there is another aspect of our problem: "Whether we are," to quote the words of "Alumnus," "making the most of the means available." In the opinion of the writer we are not. A glance at the names of our Board of Governors reveals those of men, some of whom care no more for the interests of Dalhousie, than does the Emperor of China. If the inner workings of that same board were made public, the state of affairs would surprise a good many.



But by some, indeed, the facts are so well known that it is frequently made an excuse for withholding subscriptions. It would be interesting to the friends of the College to know, for instance, how many times the board has been convened during, say, the past year. The daily papers, a few months ago, contained reference to a serious loss to the College funds, entailed by none too-careful management. Rumor says that the amount has been made up from an outside source; but while one governor confirms this report, another expresses complete ignorance of the matter. Who or which is correct? In a few weeks these gentlemen will be called on to make the important appointment referred to above. Are they in a position to do so in a manner commensurable with the best interests of the College? Have they advertized on both sides of the Atlantic so as to bring the matter before the eyes of the best Chemists of the day? Or is it true, as the experience of the past few years seem to show, that none but Canadians need apply? *Cæteris paribus*, everyone will admit that our own men and especially Dalhousie men should have the preference; but only *cæteris paribus*. One fact in our history is significant, viz., that we have never had a poor man come from the mother country. It was our Johnsons, our Lawsons, and our Macdonalds that made Dalhousie what she is to-day. The writer enjoys no more than does "Alumnus" the task of "belling the cat." Yet like him, he is constrained to give expression to the views of many of our most interested Alumni who believe that there is something radically wrong in our College management. In Dec., 1892, a GAZETTE correspondent stirred the nest somewhat by a few pertinent observations. A storm of abuse was raised and the matter subsided. His main facts were never questioned, and his queries never answered. For many of those to whom is entrusted the management of College affairs we have the greatest respect. We know them as men whose heart and soul are in the work. But the fact remains that some one has blundered, or is blundering, or our position financially would be far better. With all the princely generosity of Messrs. Munro, McLeod and Mott, our head is scarcely yet above water. Indeed at times we seem to sink. The great Endowment Fund, of which so much was prophesied a few years back, has died a natural or rather an unnatural death. The Alumni of Dalhousie are strong and enthusiastic. In their hands the College would undergo a transformation. But there is no need of their intervention if only the present authorities would exert themselves somewhat to a livelier interest in College affairs.

March 10, 1896.

REFORMER.

DEAR GAZETTE:—I am a poor, disappointed mortal, contemplating suicide. You remember that Hole concerning which I wrote you a few months ago. Since then I have possessed my soul in patience waiting for the Faculty to move, as I felt sure they would when approached and reasoned with by your potent staff. I was patient. As I look back over my long days of feverish waiting; as I call to mind the weary nights I lay sleepless, imaginatively enjoying the luxury of that Faculty provided Hole; when I think of my disappointment as morning after morning and evening after evening I looked for it but saw it not; I wonder, and all the world must wonder, that, I did not in a moment of desperation shuffle of this mortal coil and silently glide into another state where, at the worst, misery is dealt out by beings more sympathetic than profs.

and janitors. Ah me! Would that the power to inflict such agony as I have endured were reserved for the wise and good alone!

One day as I approached the palisade which on two sides defends our gentle preceptors against the fierce Pine Hill Vandal hordes, a sight met my gaze that caused my heart to pump the life fluid with an energy never known before. Was it a dream, a vagary of the imagination, an optical illusion, unsubstantial as such usually are, or had the Faculty after due and serious and mature consideration actually invested in a Hole? The latter was the truth.

Judge, dear GAZETTE, of my joy. A feeling—a strange, new-born one, felt but once, to be forgotten never, intoxicated with the exuberant happiness of healthy active youth galloped in mad gladness over my whole being. Only those who have at some period of their lives been suddenly and unexpectedly raised from the blackness and darkness of despair can understand a tithe of the joy that then was mine. I looked at that Hole. I gazed fondly, lovingly upon it, as the love sick swain gazes upon the object of his affections at a C. E. Social. I viewed it from the North, the South, the East, the West; I peeped through it; I passed through it; I felt it. It stood these and many more tests. It was real. I wanted to kiss it, to hug it, as we do with things we love. I called it all the nice names, and exhausted my vocabulary of endearment. For a moment my heart and my brain seemed to stand still with delirious joy.

All at once a deep sense of guilt smote me, I had misjudged the Faculty, and now I felt ashamed of my hard thoughts and rebuked for my lack of faith. In the fullness of time they had invested in a brand new Hole. Who was I that I should have tied them down to times and seasons! I went on my way rejoicing, attempting with what poetic skill I could command to sandwich the Faculty into the long metre doxology.

But oh! how strangely is the evil intermixed with the good in this vale of tears. You raise the cup of joy to your parched lips, a cruel fate pours into it a foreign drop, and lo! you taste gall and wormwood. You ask for bread and you are given a stone, a tooth breaking, stomach ruining, indigestion bringing substitute. This fate was mine. For one brief memorable afternoon and night I lived in the joy of that Hole. The morning came with cloudy face, bringing to me sorrow, disappointment and dismay. During the night, while I reposed dreaming dreams sweeter than ever mortal dreamt before, the omnipotent Janitor called the Faculty together, upbraided them with their extravagant folly in the matter of the Hole and ordered it to be immediately removed. Thus sadly ended my happy dream. Now I sit disconsolately moaning in sackcloth and in ashes. Would that Job were by that I might borrow his potsherd.

Hole in the Fence thou art gone. Never more shall we sorrow stricken forty behold thy beautiful face. Never more shalt thou smilingly carry us through the mud which a bountiful Providence, aided by our munificent Faculty and mighty janitor, has spread so lavishly around our classic home. We miss thee Hole. We sigh for thee. We weep for thee. Our worthy Lecturer on Ghosts and myself will strew fresh flowers on thy tomb and sing thy praises to generations unborn. May the cruel hands that cut thee off in thy bright promising youth meet the doom that is said to await the faithless and the oppressor!

Yours sadly,

Dalhousie, March, 10th, 1896.

MAUD.



DEAR GAZETTE,—The advent of the Sessional Examinations prompts me to say a word in regard to the habit acquired by certain students of neglecting to return books of reference to the library within the appointed time. In the first place, it is only by special privilege that "reserved books," so-called, are allowed out, even over night. The rules of the library require such books to be returned early the following morning. Unfortunately, the enforcement of these rules is so lax that some individuals have apparently conceived the idea that the library exists for their sole benefit. Otherwise it seems impossible to account for the dearth of books on the "reserved" tables, just prior to the Christmas Examinations. Probably the abuse of this privilege is due rather to pure thoughtlessness than to downright dishonesty, (a harsh term perhaps, but strictly applicable in some cases). But even that offers little consolation to the student who is excluded from partaking of the stolen fruit through conscientiousness. No more does the oft-repeated explanation offered by those in authority that such and such a book, which has disappeared for some days or weeks, "is at Pine Hill," or "was taken out by one of the girls." Let those whom the shoe fits, wear it—to the advantage of the guiltless.

Yours, etc.,  
HONESTY.

HORACE : ODES, BK. IV., ODE 3.

TO MELPOMENE.

Him, whom thy kindly eye at birth regards,  
Him, tragic Muse, in Isthmian game renowned  
No wrestling-match shall make forever shine,  
Nor fiery courser in the race whirl round.

He wins no victory thus, nor shall he e'er,  
In chieftan's guise, adorned with Delian bay  
For having brought the threats of kings to naught,  
Ride to the capitol with war's array.

But streams that glide through Tibur's fertile fields,  
And the luxuriant foliage of the groves :  
These shall perpetuate the poet's fame  
In sweet Aeolian song,—the strains he loves.

The sons of Rome, first state in all the earth,  
Now condescend to proffer me a place  
Within the choral group of bards beloved ;  
And envious teeth seek less to rend my face

Oh Muse, thou who alone dost regulate  
The harmonious numbers of the golden shell,  
Who now canst give to even silent fish  
The swan's blithe note, if such shall please thee well.

'Tis of thy bounty, of thy gift alone,  
That, by the finger of the passing line,  
I stand revealed—the Roman Lyre's King :  
That e'er I please, if please I do, is thine.

UNDERGRAD.

College Societies.

By a resolution passed at the *Arts Students Meeting* on 2nd inst., *Sodales Debating Society* is now a free organization, with power to elect its own officers and make its own laws. Long may it flourish.

PHILOMATHIC SOCIETY spent a very pleasant evening on Friday, March 6th, with "Present Day Authors." Three papers were read: "Wm. Black," by Miss Lyall; "Hall Caine," by Miss Montgomery; "George McDonald," by Mr. Cock. The papers were all well written, and were much enjoyed by the Society.

GLEE CLUB.—The Glee Club will give their annual concert on Tuesday evening, March 24th, in the Examination Hall at 8 o'clock, P. M. We expect to see the hall filled to overflowing. Ere long, Students and Professors, will assemble in this same Classic Hall in an entirely different capacity. The Students, then, know it as the "Morgue," and if a stranger were to behold the ghastly faces, of some students, who, by the way, are not usually known as "pluggers," as they heroically and often vainly struggle with an idea, he would not think the term misapplied. However, we do not expect to see anyone, who attends the concert wearing a *de* begone expression. Music hath its soothing charms, and we sincerely hope that the "plugger," for his own sake, will throw aside his much-loved books, and by coming to the concert place himself under its delightful spell. Let all by their presence show their interest in this deserving society. Tickets may be had from any member of the Committee of Management. The Executive Committee would be glad, if those, who are preparing parodies, and we hope the number so engaged is not small, would kindly hand them in as soon as possible. We trust that our local poets will embrace the opportunity of singing the praises of Old Dalhousie.

Y. M. C. A.—On Sunday afternoon, Feb. 23rd, the students were favored with a lecture by Prof. Andrews of Mount Allison University. His subject was "The Choice of a Faith," and he discussed in a most able and helpful manner.

"South America, Its Needs and Calls," was the topic of the Missionary Meeting on Sat., Feb. 28th. Mr. R. Davis gave an interesting description of the capitals of South America. Miss E. Maxwell vividly presented the needs of Brazil. Mr. J. W. Morrison told of the progress of missionary work in the "Neglected Continent." A large Missionary Map of the World lent attractiveness to the meeting.

Prof. MacGregor lectured on Sunday, 1st inst., on "Foundations of Belief." He gave a masterly review of Balfour's book showing that while some of the author's arguments were assailable, his conclusion is, in the main, correct. The method of



science is, having a number of facts, to act on the theory which best explains them. The results will either confirm or overthrow the theory. The facts of Christ's life are best explained by the theory of his divinity. As rational beings we must act on this theory and see it is upheld. Experience confirms the theory and this is the foundation of our belief in God.

"The Egypt of the Exodus" was the subject of Rev. Mr. Bond's lecture on the 8th. His description of the country of the Pharaohs was graphic and interesting.

On the 15th inst., Rev. A. C. Chute gave an inspiring lecture on the "Life of John Geddie." He traced the career of the heroic missionary to the New Hebrides and drew valuable lessons from his life.

### College Notes.

THE First and Second Years have practically decided upon getting a class pin of similar design for both years. This, we hope, is more towards a University pin.

THE official bulletin board of late has no new announcements. Only the Chemistry Class is favored with a notice every other day. How thankful they are, and ought to be.

THE reading room pigeon holes swarm with the welcome square envelope that marks the "bid." The wistful freshlet and the lonely soph. long for the time when they "will be big enough to go too."

RUMOR says "The Glee Club," will soon give its customary concert. We trust the report is true, and from the good work that the Club have done during the session, we are assured the programme will be enjoyable.

ALLOW us to make a few suggestions. If it is only when you have nothing else to do that you go to the Library, yet restrain yourself from annoying others who are so much duller and have to study a little. Don't go to a man buried in "James" and ask "what are you plugging that stuff for?" or inquire of a student deep in Shakespeare. "if you know the whole English press by rote?" Don't sit on the table beside a man who you know studies hard, and as you swing your legs, tell him how much work you never do. Any one can tell, who hears you chatter, that you never learned much. Then, if you must speak to the ladies, be first assured that your idle talk is far more interesting than that of Miller, Dryden, or any other writer with whom they are conversing. Of course you are convinced of your own capabilities, but others perhaps are not, and did you ever happen to think that perhaps after all, every one in the library has not come there to see you? In any case if you take some illustrated book, that

will interest you, and quietly seat yourself, you will have the satisfaction of knowing that it is through your forbearance, that others are permitted to pursue the road to knowledge, with at least one highly annoying obstacle removed.

### Dallusiensia.

THE wolf will yet lie down with the lamb, but already one wolf has become a camel's nurse.

PROF.—"Now Mr. McD-ll you try and prove it."

McD-ll.—"What were you trying to prove, sir?"

F-L-K-R.—"By George, I have an idea."

Miss —.—"Doesn't your head feel crowded?"

PROF.—"Does anyone know anything of Eromny's nationality?"

C-l-h-e, (wisely).—"He was an orphan."

Prof.—"Thank you, that fixes his native country exactly."

W-rr, (who is discussing Ornithology with fair Soph).—"Well, now, can't an ostrich kick hard?"

Fair Soph.—"Yes! but what's the reason a crow can't kick just as hard, when he is angry?"

FRESHIE O'BRIEN (in low inflexion).—"G. B., F. H., T. H., N. Y."

Prof.—"Eh! eh! eh! Mr. O'Brien your voice reminds me of a criminal's dying confession."

KID ROUTLEDGE.—"A star is very high up, isn't it Pa?"

H-bb (thinking of younger days).—"I don't know, some of them are pretty low down."

McL-D, A. M.—"A penny for your thoughts."

She.—"I was thinking how it must feel to have that moustache on your upper lip." (He shaves.)

O-K-S.—"Have you any laundry to send down to-day?"

Freshie.—"Oh, it is no use sending any to-day. You see it is raining and they cannot dry the clothes." (Go West young man at once.—EDS)

J. C. McL-D, (eyeing a freshette with collar, tie, etc., coming into class).—"Oh say R-m-y! Look at the New Woman."

R-m-y.—"Get out that is only a new shirt."

MISS S— while looking intently at a diminutive sized candle at the Institution of the Blind the other day wisely remarked, "Oh wouldn't that be nice for the "Ma" of the Freshwomen."

A. L. McK-r, (in sleep).—

"Though Diddy insists that it isn't right,

Yet, Tat's experience scorning,

I'd rather be off on a lark at night,

Than be up with the lark in the morning."

GLOVER, (after clever and careful proof of proposition by Prof.)—"What did you intend to prove?"

Prof.—"Tum vero ingenutum dabat rumno ab fectore," and the Prof. smiled a quiet but suggestive smile.



OUR knowledge is so scarce that we think it will read better if classified. Of course the first and last statements are all we know with any degree of certainty.

BUTTON OFF, needle and thread, light out, unexpected entrance, retreat, second attempt \* \* \* \* uncertainty, chaos \* \* \* \* BUTTON SEWED TIGHT AND FAST.

WE did intend to write a poem of thirty rhyming couplets, and commemorate Clarey's adventures in a worthy manner. Indeed we have written the opening lines, which are after this fashion:

Late is the hour, once, twice, the bell has tolled,  
The other boys are standing in the cold.

But we found that though the bell had been tolled repeatedly, yet the *belle* had never told our friend. This was a difficulty we could not overcome, and so we must leave the boys where they are, unless someone else will impart to Clarey the information he sadly needs.

THE notorious Billy R. of hatchet-burying fame has handed us, for publication, the following extracts from his diary:—

Mar. 12th.—Been to social at St. John's church, find myself there frequently of late.

"What my comet is the matter,  
With my heart, there's such a clatter?"

Beautiful sentiment that, shows wonderful insight into human feeling. Found it once on a peppermint lozenge. Demolished Fisher last night. Wanted to take my woman. No show for him while I am around. He may take it in C. E. nights, too far for me to go down. 3 a. m., guess I'll go to bed. Much dissipation is affecting my complexion.

Mar. 15th.—Can't fool me. Boys thought they'd send me to Sailor's Home last night. No go. Billy R. too much for them. Wanted to see the woman. Left early and got R. to go to S.'s H. Big head mine. Good time. 2.59 a. m., must go below and get some refreshments. I like to sleep on a biscuit. No time for devotional exercises.

MR. STEVENS is a believer in the transmigration of souls, he says that eventually he will himself become a snail. We select a few from his classified list of the students, to show the evident truth of his theory:

Mr. Shinner . . . Elephant.

Mr. Fulton . . . Boxing Kangaroo.

J. G. Morrison . . Parrot.

A. J. Morrison . . Blue Jay.

E. Cummings . . Magpie.

S. C. Maclean . . Turkey. NOTE.—Mr. Stevens says that the gall must be removed from this bird before roasting.

Mr. McDougall. English Rabbit. NOTE.—Mr. Stevens says this animal changes its fur in the different seasons.

Mr. Stevens is at present engaged in making a classification of the ladies of the College, according to his theory. We hope to be able to give a few examples of his inquiry at an early date.

SHORT BUT SWEET AND TRUE—M. is a prominent college man, whose mind deviated from the perpendicular, somewhat towards Mathematics, but considerably towards the ladies, towards one in particular,—a perfect doll. In reference to other matters his goal is indifference. He regu-

larly sleeps through the most brilliant sermons, depending on the sexton to call him in time to take the ladies in. Once that gentleman's mind went a roving and M. spent the night with the church mice, which unique circumstance brought his careful and proper landlady to the verge of heart trouble. Ever since, she keeps a jealous eye on him, but when away from her—. Every one has heard of the remarkable parcel which he once carried on his Xmas trip. This, however, is by the way. It helps to bring out the man's idiosyncrasies.

Recently it was rumored that M. had met his match, that he was engaged. It leaked out at an "At Home" and immediately congratulations were showered thick and fast upon him. If any doubted, their doubts were chased away by M.'s pleasant, matter-of-fact, hearty responses. He seemed supremely happy, and unblushingly received from young and old, from male and female, the good wishes, congratulations and bantering which would have made many a man pray that the heavens might fall. But there was a Thomas, one of M.'s particular friends, who doubted. Securing M.'s company for a moment he asked:—

"Why M. what in the world possessed you? You should not pay any attention to such things yet."

"I had to pay attention," replied M. "What else could I do? I dislike it certainly, but how could I help it?"

"Help it! Save us! Who could help it if you couldn't. That is worse than childish. Why M. a boy of your age ought to be ashamed to be found thinking of such things."

"What in the world would you do yourself if you were in my place?" Queried M.

"Do? I would do nothing. I hope I have too much sense to be caught in such a mess. But to blame *her*, as you seem disposed to do, is worse than all."

"I am sure I would have helped it if I could but it is too late now, and anyhow the poor little fellow can't do me much harm."

"Poor fellow! Who?"

"Why my little brother."

"What on earth has he to do with it?"

"Wasn't that what you people were congratulating me on to-night?"

"Great Scott! What do you mean anyway!"

"Mean! You knew well enough. Were you not congratulating me on the little brother that appeared in our family the other day?"

"Heavens! No."

"On what then."

"On your engagement to—"

(At this stage our reporter made a hasty exit.)

#### ACKNOWLEDGMENTS.

Geo. E. Robinson, \$4.00. Rev. Thos. Stewart, Roy Davis, S. W. Carmichael, Rev. J. B. McLean, R. M. Hattie, G. G. Gandier, Thos Toovey, A. Buckley, S. E. Shaw, Alf. Thompson, A. Brehm, L. G. Trenamen, W. H. McDonald, C. C. Lange, each \$1.00.



## Law Department.

WITH this number of the GAZETTE we had hoped to be able to present the result of the exams., but though vague rumor is at work, anything official has not been revealed. It is an open secret that some of the professors have finished and that it is the overworked, the careless or the lazy fellow, who is responsible for the delay.

We presume that it would not be asking too much if we requested the marking of the papers right after the examination; nothing is gained by delay, and a great burden is removed from the student's mind when he scans the results, immaterial whether it is his worst fear or his brightest hopes that are realized. So gentlemen, hurry up, make them known, come what may, it must be known sooner or later. Although in the dark officially, through the mists have come dim rumors, and whispered suspicion, that some of our lesser deities have yielded the plucking axe with such unerring aim, that to save beheading, the intended victims had to cringe down a step or two. It is to be hoped that this figure will be understood. The lecturer aimed at the top not the bottom; and whilst not fatally wounding many with his plucking axe, he made many a mighty warrior "bow his crested head."

"But 'tis not ours to reason why,  
'Tis but ours to do and die."

We tremble before omnipotence, and if in the words of a famous advocate, we have to adore through fear, not love, we will still adore and be termed reverential.

### THE MANITOBA SCHOOL QUESTION.

THE Manitoba School difficulty is one concomitant with a Federal union such as Canada or the United States. In the Act of Confederation (B. N. A. Act, 1867) certain powers of legislation are allotted *exclusively* to the Provincial Legislatures, and others *exclusively* to the Federal Legislature. Again, other matters are subject to what is known as concurrent legislation. e. g., immigration, in which case provision is made that in case of conflict the Dominion laws are to govern. The subject of education cannot be called one of the exclusive subjects, nor yet is it concurrent, but, in a separate section by itself, it occupies an anomalous relation to the rest. By the B. N. A. Act "the Provincial Legislature may exclusively make laws in relation to education, *subject and according to the following pro-*

*visions.* Then follow clauses saying what the Province cannot do *re* education and giving the Dominion Parliament powers in certain cases. In 1870 Manitoba entered the union, and a special Act was passed for her admission, known as the Manitoba Act. Part of this Act dealt with the subject of education as between the Provincial Parliament and the Dominion Parliament, in very much the same strain as the B. N. A. Act dealt with the same subject as between the Provinces and the Dominion. The wording of the two Acts (Section 22 of the Manitoba Act and Section 93 of the B. N. A. Act) differs very slightly, but in view of even these slight differences the Privy Council found it "impossible to come to any other conclusion than that Section 22 of the Manitoba Act was intended to be a substitute for Section 93 of the B. N. A. Act," not going into the question of what difference would really result from the two Acts. It was sufficient that the wording was different.

As the whole difficulty arises from a construction of this Act, we here quote in full the section referred to, putting in italics clauses that have caused much debate. Section 22 of the Manitoba Act of 1870 is as follows:—

"In and for the Province (i. e., of Manitoba) the said legislature (i. e., Provincial Legislature) may exclusively make laws in relation to education, subject and according to the following provisions:—

(1.) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which *any class* of persons have by law or practice in the Province *at the union.*

(2.) An appeal shall lie to the Governor-General-in-Council from any Act or decision of the Legislature of the Province, or of any Provincial authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

(3.) In case any such Provincial law as from time to time seems to the Governor-General-in-Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor-General-in-Council, or any appeal under this section is not duly executed by the proper Provincial authority in that behalf, then, and in every such case, and *as far only as the circumstances of each case require*, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor-General-in-Council under this section."

With these limitations the intention was to give the power of legislating on education to the Province. But it is under these limitations that the Catholic minority of Manitoba claim remedial legislation from the Dominion Parliament.

Prior to the time of the union there did not exist in Manitoba any public system of education. The several religious denominations had established such schools as they thought fit, and maintained them by means of funds voluntarily contributed by the members of their own communion. None of them received any state aid, (it is important to note this because in Barrett's case, in which the Catholic minority argued that the act of 1890 was ultra vires, the only ground on which they could stand was that they were entitled to separate schools *before the union.*)



Subsequently, the Manitoba School Acts of 1871 and 1881 provided for a dual system of schools, Catholic and Protestant. Both were to receive public grants, and both were to have representation on the Board of Education. In the year 1890 the legislature abolished the dual system and attempted to establish a system of non-sectarian schools. Under this Act, in the words of the Privy Council, "the Roman Catholics were not entitled as such to any representation on the Board of Education or on the Advisory Board, which was to authorize text books for the use of pupils and to prescribe the forms of religious exercises to be used in schools."

The Roman Catholic minority of Manitoba claimed that the Act of 1890 infringed rights which they enjoyed before the union, and so asked to have the Act disallowed. This, of course, was not done. A test case was then instituted (Barrett's case) attacking the Act on the ground that it was *ultra vires*, coming within Sub-section 1 of Section 22 of the Manitoba Act. But the Privy Council answered in the negative, saying that the Act did not infringe any "right or privilege" which they enjoyed at the union "by law or practice" (thus giving no effect whatsoever to the word "practice.")

The next step of the Catholic minority was to appeal to the Governor-General-in Council under Sub-section 2 of Section 22 of the Manitoba Act. To make sure that that tribunal had power to hear the appeal, the Dominion Government submitted the question to the Court. The SUPREME COURT OF CANADA answered this question in the negative, FOURNIER & KING, J.J. dissenting. The question was then taken to the Imperial Privy Council, and they gave judgment, stating that the Manitoba minority had a grievance and that the Federal Parliament had power to legislate. The Dominion Government then heard counsel, allowed the appeal, and on the 21st March, 1895, the Dominion Cabinet issued an order-in-council calling upon the Manitoba Government to pass an Act to relieve the Catholic minority, failing which the Dominion Government would take action. The Provincial authorities declined to carry out the order, and the question now is, what is the duty of the Dominion Parliament?

Some contend that the Dominion Parliament is not bound to pass remedial legislation, and that it is solely a question of policy whether they will or not, relying on the word "may" in Sub-section 3 of Section 22 of the Manitoba Act. Others contend that "may" means "must" as soon as they find that the appellant body has a grievance, and many cases are to be found in favour of this contention. Some dependence is also put on the fact that in its last decision the Judicial Committee affirmed the moral right of the Catholics to separate schools, but to this is answered "that the function of the Judicial Committee was to declare the powers of Parliament and not its policy." (For a

short summary of the arguments for and against remedial legislation, see Attorney-General Sifton's article in the October number of the Review of Reviews.)

With the case in this position the Dominion Government has introduced a Remedial Bill, the nature of which is at present before the public. Whether it will be passed or not remains to be seen. As we write, there are rumours about a compromise between the Manitoba Government and the Dominion Government. If this becomes effected the bill will be withdrawn and the Province of Manitoba will still retain absolute control over the subject of education in that Province. Should the bill be passed, many difficult constitutional questions will furnish the lawyers with abundance of work. Some of such questions to be answered would be: "Is the power of the Dominion Parliament exhausted by this one Act?" or, "Can the Act be amended or repealed?" "Can the Provincial Legislature make laws amending it, or assisting the working out of the Act in any way?" These and such questions would raise some very nice new points for the constitutional law student.

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#### MOOT COURT.

Friday 27th September, 1895, 3 p. m.

MONTREAL DISTILLERY Co., Plaintiffs }  
 v. }  
 BROWN & Co., Defendants }

Appeal from a judgment of the Superior Court of Montreal.

The action was raised at the instance of the Montreal Distillery Company against Messrs. Brown & Co., St. John, N. B., the appellants, for damages.

In August, 1893, Brown & Co. agreed to purchase all grains from the Montreal Distillery at 6 cents a bushel for a term of 5 years, the buyers to furnish bags; and further, the buyers agree to set up and erect at Montreal a patent machine to dry the grains, such machine to remain the property of Brown & Co.

The M. D. Company agreed to work and keep in repair the said drying machine, and to bag and deliver f. o. b. the dried grain. At the end of the 5 years the St. John firm could take away the drying machine.

The agreement, which was made in St. John contained this clause: "Should any dispute arise out of this contract, the same to be settled by arbitration by two members of the St. John Board of Trade or their umpire, in the usual way."

The appellants are domiciled in St. John, N. B., the respondents in Quebec. The primary purpose of the suit in Montreal was to have it declared that the appellants are bound to fulfil their part of the contract by purchasing the grains contracted. The appellants defended on the merits, but took the preliminary plea that the action was excluded by the clause of reference. Respondents answered, "by the law of Quebec a submission to unnamed arbitrators is invalid." The appellants contended that the clause of reference was good by the law of New Brunswick.

Appellants contended that--

(1) The agreement being made in St. John, the law of a country where a contract is made presumably governs the nature, the obligation and the interpretation of it, unless the contrary appears to be the express intention



of the parties. *Jacobs v Credit Lyonnais*, 12 Q. B. D., 589; *Lloyd v. Guibert*, L. R., 1 Q. B., at page 122

(2) That even where it is made in one country to be wholly or partially performed in another, still this presumption holds good. *In re Missouri S. S. Co.*, 42 Ch. D. 321.

(3) The intention of the parties as to what law should prevail is here indicated by the clause referring to arbitration; 42 Ch. D. 321, at page 341. *P. & O. S. S. Co. v. Shand*, 3 Moo. P. C., N. S. 272.

The respondents contended—

(1) That the law of Quebec governed, it being the “lex loci solutionis;” 12 Q. B. D. 600.

(2) That this only pertained to the remedy and was not a matter of substantive right, and so would be governed by the *lex fori*. *Don v. Leippman*; *Gibbs v. Industriables Co.*, 25 Q. B. D., 425.

WELDON, C. J., delivered judgment for the appellants.

For the Appellants (defendants), MR. BIGELOW and MR. HOOD.

For the Respondents (plaintiffs), MR. ROSS and MR. MCVICAR.

QUIGLEY, Appellant (plaintiff) }

v.

PUDSEY, Respondent (defendant.) }

On appeal from the Supreme Court of Nova Scotia.

Defendants were driving along a road about sundown one evening. A dog belonging to the plaintiff ran before the defendant's horse, and by barking, etc., caused the horse (the said defendant's) to become unmanageable. Defendants were approaching a bend in the road, beyond which they knew there was a steep incline. Fearing the horse would run away the defendants shot the dog. This was an action or tort to recover damages consequent upon the loss of the dog.

Plaintiffs contended—

(1) A man can have property in a dog. *Cowie v. Mumford*, 3 T. L. R., 1.

(2) The dog could be killed only when actually attacking, and only where no less violent means would do. *Wells v. Head*, 4 C. P., 568; *Morris v. Nugent*, 7 C. P., 572—11 East, 571.

The killing was defensible only in defence of person or property.

Defendants contended—

(1) That the killing in this case was necessary, as they were approaching a steep incline and they feared their horse would get entirely beyond their control. *Prothiere v. Matthews*, 3 C. P., 581; 1 Campbell, 41.

(2) Scott, Q. C., purposed to state his own experience in a similar case, but the court was unprepared to take judicial notice of his experience.

WELDON, C. J., delivered judgment in favor of plaintiffs, on the ground that the shooting was unnecessary, as there was no apparent damages to person or property.

Counsel for Appellants, MCKAY, Q. C., and O'DONOGHUE.

For Respondents, LOGGIE, B. S., and SCOTT, Q. C.

## Law Personals.

CLASS OF '96.

BIGELOW will stay in Truro, and probably open an office there.

HOOD, is at present rusticated in Shelburne. When he gets back will remain with Drysdale & McInnes for the summer.

LOGGIE will spend the summer deliberating on the advisability of the introduction of the Judicature Act in New Brunswick. He will spend the time in Chatham, where he expects to study a little and pass his finals before the New Brunswick Bar Society in the Fall.

MCCART talks seriously of going to South Africa. He would like a chance to settle the Transvaal difficulty; but oh! 'tis hard to leave the land of Bulmer's speeches. This may induce him to remain in Nova Scotia, and if so Truro will contain what is left of him.

MCKAY remains in Yarmouth, patiently serving out the completion of his articles.

MCVICAR will stump Cape Breton in the Tory interests, and if the Bowell ministry is not successful at the polls, will probably go south for his health.

MURRAY is doubtful whether to stay with Harris, Henry & Cahan, or leave for the unexplored West. He will probably do the latter. We have not been able to ascertain whether it is the Manitoba School Question or the Alaska Boundary Dispute which leads him thither.

PINEO will go in with Roscoe, Q. C., at Kentville. He will be admitted as soon as the results are out.

ROSS will probably open up in Sydney, C. B., if he does not go to Boston, preparatory to taking a post graduate course at Harvard. Watch Ross; he barely escaped Cupid's dart last summer. The address is P. E. I.

SCOTT will still remain in Halifax, preaching on Sunday and practising the rest of the week. Whether he will practise what he preaches is another question. He will probably open an office for himself.

TERNAN will remain in Halifax.

WOOD has his hands full as Secretary of the New Graveyard Company. When business gets slack he may think of practising law in Halifax.

## Medical Department.

### RÖNTGEN RAYS.

NEARLY twenty-four years ago, in the DALHOUSIE GAZETTE of November 30, 1872, there is an article on the nature of the various rays of light with special reference to the alleged “Robinson rays” which were asserted to exist in sunlight and to be capable of passing through clothing, oilskin, cardboard, leather, and even sheet iron, without impairing their power to affect powerfully the nervous system within the substance of the body. That the rays were not light rays was demonstrable by their passing through substances impervious to light. That they were not the lower order of light rays—the heat rays, so called, was shown by their passing through a layer of liquid albumen without producing coagulation when the ordinary heat rays in the sunlight would effect coagulation. Although the object of the writer of the article was partly to stimulate the investigation of the subject more fully, the attention of the world did not follow the matter further than to study the therapeutic value of sunbaths, and the like.



But the discovery of the so-called X-rays of the German professor, while setting all the world to the investigation of these electric-born rays, has also restated the old question—have we a knowledge of all the solar rays, are they all included without any exception in the short range from the heat rays of 390 billion vibrations through the red, orange, yellow, green, blue and violet, to the actinic rays invisible to the human eye but powerfully affecting the photographic plate with its vibrations of over 760 billions per second? Why should there not be radial energy of slower period than radiant heat, and why should there not be some of even higher period than these beyond the violet of the spectrum?

A transparent sheet of alum is opaque to radiant heat though transparent to the luminous rays. On the other hand, a sheet of an iodine solution in carbon bisulphide may be perfectly opaque to the strongest rays of light while radiant heat shines through it so freely as to be capable of condensation by a lens so as to raise substances to a white heat, giving out all the rays of light proper. Again, some substances are opaque to some of the numerous colored rays forming white light, while they are opaque to others. Then, as the dark invisible light, properly called heat, may be made to fall on matter which may change some of its energy into luminous rays, so the invisible actinic rays at the other end of the solar spectrum may be allowed to fall upon special substances whose molecular constitution lower some of the vibrations so as to become luminous. This is the phenomenon of fluorescence.

When the Röntgen rays were discovered, people immediately commenced to test the sun's rays with the photographic plates to see if there were not some of these rays in solar light and heat. A photographic plate in a holder of ebonite was exposed to the sun's rays for a few hours; but lying on the ebonite between the sun's rays and the plate were various objects such as an iron key, bits of glass, colored pieces of paper. When the plate was developed, there was the image of the key. The sun's rays, it was supposed, could not pass through the ebonite, for it was considered to make a perfectly dark chamber for the plate. But here, it was found, rays had penetrated and left a shadow of the key. But the colored paper left shadows too, and the glass faint shadows also. The Röntgen rays behaved differently. With them the paper would leave scarcely any shadow, while the glass would leave a comparatively heavy shadow. It looks as if the solar dark rays were not exactly the Röntgen rays. Another investigator hit on a crucial test. With the key, paper and glass pieces, he also arranged to hang over the ebonite plate a lens focusing the sunlight somewhere in the region of the photographic plate. The result was special actinic action on the plate where the light was nearly focused. The invisible rays were acted upon, concentrated by the lens of glass. But the Röntgen

rays have not been found to be refrangible by glass or any other substance to any appreciable degree. We must assume then that the rays in sunlight are not our German X-rays. They are the Robinson rays, refrangible by glass.

What are the Röntgen rays? As heat, light, electricity and magnetism appear to be only different forms of energy in the same universal medium, may we not have here something which will reveal more of their relationship to each other. Like the rays of radiant heat they are invisible to the eye, but unlike them they are not refracted by lenses so far as tested. They also appear to be able to discharge the electric charges of insulated bodies. But let us glance at the mode of their production, and some of the phenomena illustrating their properties.

We are all acquainted with the phenomena of the Geisler tubes, in which an interrupted current of electricity from an induction coil is passed through a tube of glass in which a vacuum of high degree is produced. The interrupted current entering by the anode of platinum soldered in one end of the tube in its way to the cathode at the opposite end illumines the rarified gas with a sort of aurora-like glow with colors depending on the kind of gas. With similar tubes—Crooke's tubes—exhausted of atmospheric air to an extremely high degree, the current from the induction coil in passing from the anode to the cathode caused a streaming glow of light to dash back from the latter pole. These were called the cathode rays. They could be deflected by magnetism, and several other interesting properties were known of them before Röntgen's discovery. He had his luminous tube covered up with blackened paper, for the purpose of some experiments with the light. In the darkened room there was some paper coated with barium platino-cyanide which, when he moved past his tube in the dark, became luminous. He soon discovered that the glowing of the barium platino-cyanide was due to some influence proceeding from the luminous tube which was covered by the black paper. In the darkness of the room he found that the nearer he brought it to the tube the brighter it became, the farther away the darker, and still there was no light falling on it. This was the first appearance of the X-rays, so called because it appeared yet to be like the unknown quantity in Algebra, unsolved. What was it? A new kind of invisible light which, when falling on a chemical of a particular kind, became fluorescent like the actinic rays of the solar spectrum, and so intimated its presence to the optical sense? Would it illuminate anything else. He turned the back of the barium platino-cyanide paper, and behold while the paper was in darkness in front it became luminous behind. Did the strange rays go through the paper to illuminate the cyanide behind? It did. Fixing this fluorescent paper up as a screen he put a piece of paper before it. But the invisible rays went through and illuminated his screen. He then tried heavier card-



board. It simply made a faint shadow on his screen. He then placed a book before the rays, but the rays went through paper, printer's ink, and leather leaving a shadow of his book on the screen. He then tried various substances, all of which he found to be more or less permiable to the rays. Metals in thin sheets were nearly transparent, in thick layers more opaque. The heavier the metal, as a general rule, the more opaque. He put his hand before the screen, and there stood out a shadow of every bone surrounded by a fainter show of the flesh. His ring left a deep shadow, and he could by turning his hand allow the subtle rays to pass between the ring and the bone through the solid flesh. At this stage he allowed the light to fall on a glass lens to see if it could be focused; but it could not. The glass left its shadow, a deeper shadow than a book or a board of the same thickness. But still the glass was to some extent permiable by the rays, but there was no evidence of concentration to a focus. Lenses of wood, aluminum, etc., etc., were tried with similar results. The rays went straight through them. The rays then differed in this respect from radiant heat, light, and the actinic rays which are refrangible by lenses. No photographic image could possibly be made by means of these rays then. But could he not print shadows on the photographic plate?

He tried and was successful. The rays had actinic power. They would decompose the chemical salts in the photographic plate. But there was no use in a lens. All that was necessary was to keep the plate within its dark wooden case from the light. And to take a picture of the skeleton of the hand, all that was necessary was to lay the hand over the wooden ebonite or papier machè case, enclosing the plate, and then bring the whole near the source of the rays. First the exposures required to be long; but in a few weeks such photographs could be taken under certain conditions with certain plates in a few minutes, in some cases reported in a few seconds. When the plate is developed in the usual manner the picture appears. A leather wallet containing a pair of scissors, coins, etc., showed the outline of the wallet, the metal parts, the scissors, the coins, the outlines of cards and other material.

These pictures are not true photographs, only shadows. They are being called "radiographs" on account of the radiant character of the energy; "skiagraphs," from the Greek "skia," a shadow, shade or ghost; or "skotographs," from the Greek "skotos," darkness, because not only are the pictures taken in the dark as photographs are, but the very agent in producing them is invisible or dark, although they exist and act equally well in the light.

The rays are not the cathode rays even when they proceed from the cathode with the luminous rays. In the case of a nearly perfect vacuum at Johns Hopkins University, it was found that the

X-rays proceeded from the anode, and from a minute point on it principally, the point nearest the cathode. This is interesting as showing the possible effect of the degree of the higher rarefaction of the æriform medium through which the electric current passes. The theoretical scientists are specially interested in discovering the nature of the rays and their relationship to the other radiant forces.

But there are the utilitarian scientists who are beginning to put to some useful account all that has been discovered by the unselfish truth seekers. The greater opacity of metal as compared with flesh enables the surgeon to find the position of a bullet, knife blade, small shot, and even a needle within the flesh, so that he can cut to the object at once. "Skiagraphs" or "skotographs" can be taken of such objects in the flesh in any position in which they would cast a shadow in light on the supposition that the flesh were as transparent as air, perhaps foggy air. Were the flesh transparent as glass or water the image of a bullet or foreign would not be visible in its true position on account of the strongly refracting character of these transparent media with respect to light. But the flesh refracts the X-rays no more than air does light. The flesh may be looked upon then as permiable to these rays as air is to ordinary light. In every quarter of the world use has been made of such pictures of foreign bodies in the human body already.

The reports of some individual having photographed his own or any other man's brain, are of course, newspaper canards, got off to sell the paper or sell a scientific fiction. Nothing so far discovered has given a hint as to the possibility of such photography any more than the photography of spirits, or the materialization, in which some hallucinated people firmly believe. But there is every possibility that the surgeon will not in the future be dependent on a "skiagraph" or "skotograph" for an operation which requires the location of the object to be removed. He will in all likelihood be able to examine the object by its shadow directly by the future "skiascope," "scotoscope" or "cryptoscope." Roentgen's first experiments have suggested the principle of such an instrument. The part of the body of the patient to be explored for the purpose of studying the osseous anatomy or the presence of foreign bodies will be placed between the surgeon and the "skiabolic" lamp—the future commercial form of the Crookes' tube of the present experiments. The surgeon will examine the parts through the skiascope, which is practically a tube applied to the eye, and which is covered at the farther end by a fluorescent film, say of barium platino-cyanide. On that as an objective he can see all the shadows made fluorescent, the dark shadows of the bone, the more transparent ones of the cartilages, and the still more transparent investments of muscle and other tissues. The patient can be turned around in



every position so that even any irregularities of the outlines of the bones can be examined. The character of old and new fractures can be examined even through the bandages. So accurate can this instrument be made from our present knowledge that the inequalities or defects of a welding of metal can be detected by its means. Still more easily can the character of the setting of a broken bone be examined.

But with such an instrument in a ball room in which some of these invisible lamps might be throwing their rays across, the anatomies of the occupants could in some positions be examined by the wall-flower peering through what might be taken for an opera glass. And even the heaviest fur wrapping could not hide from the inspection of such an one the skeleton between the skiascope and the invisible source of the X-rays. Under such conditions it would be as easy to see the skeleton at the feast as plainly when the gas is turned off as when the full light is on. But whether it would tend ultimately to more meditation on our mortality on such occasions is to be doubted after the novelty of the weird phenomenon passes away.

WITHIN the deep recesses of his heart  
Builds every man his life-long hermitage,  
Therein he dwells (the man in truth, and not  
That moving tenement, which merely holds  
All that makes dust a man) and far from all,  
Aye farther than the vain removes of space,  
He keepeth court, now with the radiant guide  
Despatched from Heaven's High Court to watch and care  
For pilgrim man ; now with the fiendish sprites  
Who taunt and mock him with the blasting thought  
That he was once, at least, for some short hour  
Their own. And will they not fight for booty  
Snatched from their valour by a stronger power?  
And yet a weaker power, where he has op'd  
The watch-power of his heart and given free  
The pass-word to his stern relentless foes?

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