

# The Dalhousie Gazette.

"ORA ET LABORA."

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All Business Communications should be addressed E. W. FORBES, Box 114, Halifax. Literary contributions to Editors of Dalhousie Gazette, Halifax, N. S.

It will be greatly to the advantage of the GAZETTE for Students to patronize our advertizers.

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COLLEGE students may be roughly divided into three classes —the dull, those who possess average, and those who possess superior intellectual endowments. Many people imagine that of these three classes the last derive the greatest advantage from a college course. The average student is admitted to derive a large amount of benefit, but the dull student very little. The latter, indeed, is generally thought to be merely wasting his time in taking the collegiate course. Now we hold the true view to be the very reverse of this. In our opinion it is the student who is naturally dull whom a college training benefits most, while it is the highly endowed student who, of all three classes, derives least advantage. The reasons thereof we take to be the following:—

The person to whom nature has given good mental gifts is bound to get along in the world. For he has that within him which impels to mental activity. His constitutional thirst for knowledge will lead him to the fountain. Thanks to an age of cheap and plentiful books, he has a ready access to the best



thought of the time. It is true that the lack of skilful teaching and direction is a serious handicap; true that in his solitary strivings after knowledge many years of valuable time are lost; true, further, that the self-made man has frequently many faults which a college course is well calculated to correct. But the wants of such aids is no insuperable bar to success; and the history of our own province furnishes numerous examples of men who have risen to prominence by sheer dint of native ability.

In contrast with such an one let us now consider the case of the man on whom an unkind and step-motherly nature has inflicted a dull intellect. The latter has no inborn desire for knowledge, no constitutional goad to spur him on. On the contrary, he has an innate aversion to reading, study and thinking. Exercise of faculty is to him at the start positively painful. Here then is a fit subject for the teacher. Educational discipline and skilful training will do much to correct his natural faults. To such a person a college course is little short of an intellectual regeneration.

A word of advice, then, to parents who may be contemplating and marking out the future of their sons. Do not settle the matter as we have known parents to do, on considerations such as these: "James is naturally clever, while John is naturally dull. If I send James to college he is certain to do well—will probably lead his classes, and bring honor and credit to his family. John, on the other hand, would profit little by a college course, is almost sure to be at the foot of his classes, and would probably get plucked pretty often. That would not suit me. So James shall go to college, while John shall be put to work, and, since his brains are poor, he shall have a chance to distinguish himself with his hands, &c." And thus the door of knowledge is deliberately shut in John's face, and, as we have seen, he cannot open it himself by reason of his natural disabilities. This is, we submit, a cruel injustice, and parents have to answer for many such injustices. For the dull must live as well as the clever, and education has essentially a spiritual bearing. According to the high authority of Professor Macdonald, "Life is thought: high thought, high life; low thought, low life."

OUR readers will remember that the last number of the GAZETTE contained a letter entitled "That \$50,000 Fund," which animadverted severely upon Dr. Forrest. As we have been blamed in several quarters for publishing that letter, we have to make a brief statement, not indeed by way of justification—for the principle of the liberty of the press applies to this paper as well as to any other—but merely by way of explanation.

When "Alumnus," a graduate in the best standing and a very responsible person, expressed a strong desire to have his letter inserted, the editors thought themselves bound to grant his request. Now the mere fact of our giving publication to that correspondence did not of course imply that we endorsed the writer's views, did not commit us to one side of the question or the other. Some of the editors had received personal kindnesses from the President, some were his personal friends; all admired his hundred good qualities, and the deep interest which he has ever taken in everything pertaining to the students. It would, therefore, have been more agreeable to us, more pleasant so far as the relations of college life are concerned, to have rejected a letter whose caustic nature was almost certain to kindle a fire, to "put rancours in the vessel of our peace," to lay us open to the imputation of having very bad taste,—an imputation which we ignore, and to the charge of ingratitude, which we scornfully repel. But to have rejected such a letter would have been to lay ourselves open to the far graver charge of attempting to stifle the voice of free discussion of our college affairs.

With respect to President Forrest, his record both as Professor and as President stands clear in the history of the university. The importance of his connection with Dalhousie, and the services he has rendered to her, can hardly be over-valued. A reference to the opening pages of the College Calendar will convince on that point the most dubious. The difficulties with which the college now stands confronted are undoubtedly serious. Times are hard, money is scarce, and considerable strain has already been put upon the liberality of the public. But we do not believe these difficulties are insurmountable.



We hope that our President's notable success in the past will encourage him to face with confidence the financial problems which now press for solution.

N. B.—We call the attention of our readers to the letter of "Another Alumnus," published on another page.

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#### A DAY AT MONTE CARLO.

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THREE years ago, while travelling in pursuit of health, it was my fortune to spend several weeks at Nice, one of the famous winter resorts of the Riviera. I had not been there long before I made myself familiar with all the places of interest. I visited the old monastery of Cimiez, made an excursion to Villefranche, and explored the beautiful grounds of the Villa Bermond with its 10,000 orange trees, where Nicholas, Crown Prince of Russia, died in 1865. After I had exhausted all the points of interest within easy reach, I created considerable consternation at the pension where I was staying by announcing, one day at the dinner table, my intention of visiting Monte Carlo. Of course all the ladies at the table began to lecture about the horrors of gambling, and some even tried to persuade me not to visit this "den of iniquity." However, I turned a deaf ear to their entreaties, and was not to be dissuaded, especially when I discovered that they themselves were not altogether ignorant of the mysteries of the *tapis vert* at the Casino. As I had read much about the gambling rooms of this famous place, the favourite topic of so many novelists, I of course had a great desire to see them, and a brief description of my visit there may possibly be of some interest to my readers.

The journey from Nice is only nine miles, the train running along the shore of the Mediterranean, past some very quaint little villages and picturesque scenery. On our right the blue waters of the Mediterranean sparkled in the sunshine, while at our left rose the snow capped peaks of the Maritime Alps, whose lower terraces are clad with huge olive groves, dotted here and there with villas partly hidden amid the semi-tropical shrubbery.

Monte Carlo belongs to the small principality of Monaco, which contains only a few square miles and is governed by sovereign princes of the House of Grimaldi. I got off the train at the old town of Monaco, which is most picturesquely situated on a bold and prominent rock that juts out into the Mediterranean, and which used to be a stronghold of pirates. You reach the town by means of a stairway cut in the wall of the rock, and at the top you are greeted by a sentry with fixed

bayonet and gorgeous uniform, who will let you pass for the small consideration of two sous. The standing army consists of four privates and seven officers, and you may consider yourself fortunate if they are not lounging about the gateway, in which case you would be expected to tip them all according to their rank. As the Prince was away in Paris, I had the good fortune to be shown through the palace which contains most sumptuous apartments, while the view from the windows is charming and well worth seeing. From Monaco I walked over to Monte Carlo about half a mile distant. I dare not attempt to give an adequate idea of the place for it beggars description. It seemed to be a magnificent garden most artistically laid out, dotted with palatial hotels, villas and residences. The air was laden with the perfume of flowers, and from the Casino sweet strains of music were wafted to the ear. Money had not been spared to make the place as attractive as possible, and as I wandered along among the palms and flowers, it seemed a curious mixture of heaven and hell. At length I entered the Casino and presented my card and address at the office. They told me I was too young to be admitted to the gaming rooms, but gave me a ticket admitting me to the rest of the building. I was very disappointed, and was determined I would see the gaming tables. From the office I went along the marble vestibule to the music hall, which is a miniature copy of the Grand Opera House at Paris, and about as large as the Academy of Music at Halifax. Here one of the best orchestras in Europe plays every afternoon and evening, and one day out of the week they give special classical concerts. All this is gratis. You simply present your visiting card at the office, get your ticket, and come and go when you please. After the concert was over I went along with the crowd, hoping that I might be able to slip into the rooms unobserved. Success crowned my efforts. The portiere was drawn aside to let the throng of people enter. So walking boldly along I passed the official at the entrance unobserved and found myself within the world-renowned gambling rooms of Monte Carlo. The place was a blaze of light—for by this time it was dusk—and around the long tables people were crowding three deep, eager to try their luck. The suite of rooms in which the gambling is carried on is luxuriously fitted up. The floor is thickly carpeted, and the walls are adorned with paintings and costly works of art. Everything is conducted in a most orderly and quiet manner, and liveried servants stand around to keep order and make themselves useful to *habitues* of the place.

It was a wonderful and fascinating sight, and getting as near one of the tables as possible, I stood and watched the game. What a place to study human nature! There were representatives of nearly every nationality, and among the players were



both men and women—women of the beau-monde as well as of the demi-monde. The tables were covered with silver, gold and bank notes, and fortunes were lost or won in seconds. At one of the tables was a young and pretty-looking woman, dressed like a widow in deep mourning, with a little pile of gold before her. She seemed to be winning, and her delicate white fingers trembled as she picked up the glittering coins. In one of the rooms where they played for nothing but high stakes was an old grey-headed man, who must have been over seventy years of age. He never looked up but was completely lost in the game, and his eyes shone with a more brilliant lustre than the gold before him, as with palsied fingers he placed his money on the board. Now and then you would see a player, with a worn look and inexpressible agony depicted on his countenance, get up from the table and go out, and one would almost expect to hear the report of a pistol and to know that Monte Carlo had added to its long list one more victim. In the evening the scene was, if possible, more brilliant than in the afternoon, and the play much heavier. I left the place late in the evening and arrived back at Nice by midnight, tired but pleased with my day's adventures.

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### Contributed Article.

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#### THE CHAMPION OF LIBERTY OF THOUGHT: SCIENCE OR PHILOSOPHY.

ONE is always interested in tracing differences in spirit between scientific and philosophical thinking. These differences appear quite plainly, at times, in the manner in which the students of the different subjects carry on their discussions.

One notices that scientific men are more diffident in expressing their opinion about a question than philosophical students, and still more diffident than literary men. The science men show greater respect for authority (scientific authority) than either of the other two classes of thinkers. It is assumed that this difference is generally, though not always, to be observed. Perhaps the following may be accepted as a partial explanation.—

The scientist is constantly in the presence of law—of universal principles. This universality of law is more deeply impressed on him than, for example, on students of morals, who, also, are continually reflecting on law; because the former is constantly thinking of law as far more important than particulars, while the latter is constantly thinking of law in its application to particulars. Ethics is concerned with practice, Science with theory.

The scientist is always seeking law—uniformity, universality; the moralist, applied law—regulated conduct. Accordingly, the individual sinks into comparative insignificance in the eye of the scientist, but does not disappear so completely from the moralist's gaze. The dwarfing of the individual is quite noticeable in ethical theories advocated by scientists.

On the other hand, Philosophy in making man the centre of knowledge and the centre of conduct, social and political as well as individual, must emphasize the individual. In Literature, the individual is still more important. There the charm of style, the apprehension of a particular aspect of truth, the observance of form, the demands of taste, separate the author from his fellows. Law or Truth is portrayed in the concrete—in particular relations. Taste, the most subjective, hence the most individualistic, of all principles of guidance, increases the individualistic tendency of literature.

There is also discernible another possible cause of this difference between Science and Philosophy. Science has reached a higher state of development than Philosophy. The predominating tendency of scientific thinking is construction not criticism. Hence the whole is more thought of than the parts—the universal than the particular. Philosophy has been and is still principally criticism. The greater portions of the books on Metaphysics, on Ethics, and on Logical theory are critical. This critical spirit is fostered by the critical study of the History of Philosophy. Criticism, as we know, tends to bring individual into conflict with individual. So it would seem, that the student of science must continue to think less of the individual than his brother in philosophy; since the former study is principally constructive, the latter critical. This difference is also manifest in the medical and legal professions. The interpretation of the law develops the critical spirit; while the physician is constantly thinking of the theories of disease, its symptoms, cause and cure. Hence in medicine the individual is less important than the law.

Students of dogmatic sciences, *i. e.*, sciences which limit discussion and impose a predetermined conclusion, seem to imbibe a dogmatic spirit. It is quite possible in the future that, as the truths of science become more and more complete and incontrovertible, scientists, the early opponents of ecclesiastical dogmatism, may become the most thorough-going dogmatists. In fact that is quite noticeable now in the speculation, for instance, of an eminent biologist and of an eminent physicist about matters beyond the sphere of their particular sciences. So sure are they of the validity of certain scientific principles within these sciences, that they feel justified in asserting their validity in matters quite alien.

The expression of individual opinion, when unregulated, becomes dogma. But this kind of dogma is quite different from



the preceding. Here the dogma is opinion, aggressive and over-confident. In the former, the dogma professes to be knowledge (let us say tested knowledge) assertive of its right to be heard and accepted. Even this dogma may be objectionable on the same principle that good food, when forced upon one, may be even more repugnant than bad, because it leaves one with no excuse for declining it. Philosophy still suffers from the unpleasant reputation for dogmatism, which it gained when it was identified with Theology in the form of Scholasticism. But the reputation is not altogether undeserved even to-day. Many dogmatists, pugnacious defenders of some "ism," exist even in this age of reason and dispassionate investigation and publication.

Over-emphasis of the individual, then, means the rule of opinion or caprice—the substitution of intellectual anarchy for rule according to law. On the other hand, neglect of the individual means the suppression of independent thinking, and it may result in mere assimilation and reproduction of dogma. On the one hand, we have anarchy; on the other, slavery. We may have, in certain circumstances, anarchy becoming tyranny; slavery also means tyranny. The lawless individual, when weak, is an anarchist, when strong, a tyrant; the individual, hemmed in by an excess of law and regulation, becomes a slave. In neither case have we a free citizen—a citizen, at once, sovereign and subject. Is the thought realm of Science a constitutional monarchy? and that of Philosophy a constitutional republic? Or is the contrast and distinction between Science and Philosophy ingenious, but false in fact?

S. &amp; P.

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### Correspondence.

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*To the Editors of the Gazette:*

GENTLEMEN:—A communication in your last issue with regard to President Forrest affords me an opportunity (with your kind permission) of stating some facts which students, alumni, and perhaps others connected with the University may well be reminded of. I sometimes lose sight of the facts myself, though I try to keep up my acquaintance with all that concerns our educational institutions. It is my conviction that no President or Principal in Canada has done more for a University than Dr. Forrest has done for Dalhousie. This may seem a strong statement, but it is easily shown to be within the facts.

In 1879 Dr. Forrest was appointed one of the Board of Governors. He found the University in a critical condition, as those connected with it at that time well know. Presbyterians were virtually its only friends, and their Synod had once and again under consideration proposals to withdraw their financial support. When Prof. Mackenzie died, his chair was abolished because the Governors had no funds to pay a successor. It was at this stage that Mr. George Munro's attention was directed to the necessities of Dalhousie. He kindly and magnanimously endowed the Chair of Physics

which Professor MacGregor so admirably fills. When Professor DeMill died, his Chair had to be left vacant, for the Governors were worse than penniless. In this instance also, the case having been represented to Mr. Munro, he endowed the Chair and thus greatly helped the College. In 1882 Mr. Munro endowed a third Chair. He went still further and enabled the Governors to establish the Law School: the Chair of Constitutional Law being endowed by him. In this way Dalhousie having been strengthened beyond the fear of failure, the late Alexander McLeod was led to bequeath to it the residue of his estate, a very valuable benefaction. Had it not been for the gifts of Mr. Munro there would have been no bequest from Mr. Macleod. But Mr. Munro went still further; in 1884 he endowed another chair, Philosophy; and he gave about \$100,000 for tutorships and scholarships. In 1886 Sir William Young left to the University a part of the residue of his estate; and John P. Mott more recently left a handsome bequest. A number of smaller amounts have been received from time to time. Summing up all amounts received since Dr. Forrest's connection with Dalhousie we would reach the total of nearly half a million dollars. Do not these facts fully justify what I have said,—that no Principal or President in Canada has done more for a University than Dr. Forrest has done for Dalhousie? He has not sounded a trumpet, and I do not wish to sound a trumpet for him; but you will readily concede that the statements I have made are not uncalled for. Generous appreciation of past services is always helpful.

But why with all these gifts is Dalhousie now in urgent need of money? Because if you take away what President Forrest has secured for the College there would be very little left. In 1863 Dalhousie was started with a Government grant, but even so the salaries of Professors were but \$1200 each; and there always was difficulty in meeting current expenses. The Government grant has been withdrawn long since. The Presbyterian Church has withdrawn two of the three Professors. Take away what the Government gave, what the Presbyterian Church gave, and what President Forrest secured, and where would Dalhousie stand? Since 1879, President Forrest has most justly the honor of having established Dalhousie on a sound financial basis. The Fifty Thousand Dollars Fund is intended to meet current expenses and certain deficits. I suppose it ought to be \$80,000. It is, or ought to be an ALUMNI effort, with the cordial co-operation of Governors, Professors, and all friends of the University. Something worthy of the University and her numerous and influential alumni ought to be done soon, the sooner the better. I thank you for allowing one to place before your readers in this plain way facts which are truly eloquent, and the bare recital of which will help to confirm all alumni and all friends of the University in their high estimation of their admirable President.

Your respectfully,

ANOTHER ALUMNUS.

Halifax, Jan. 9th, 1892.

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A PRIZE IN ENGLISH FOR 1892-3.—A generous friend of Dalhousie, who does not wish to have his name divulged, has offered for this year only a prize to the second year English class on the following conditions:—The prize is to consist of the value of twenty-five dollars in books (not text books), chosen by the successful competitor from some bookseller in Halifax; and is to be given to the student making the highest aggregate mark on the ordinary work of the entire term.



## Exchanges.

THE Reading Room Committee, on behalf of the students, wish to express their appreciation and thanks for *The Spectator* and *L'Illustre Soleil Du Dimanche*, which have been kindly placed on our table by Professors Macdonald and Liechti respectively.

THE *Tuftonian*, dressed in its holiday suit, comes to us filled with Xmas. cheer and literary articles of high merit. The article on "Whittier" is exceptionally good, presenting the strong rugged character and gentle disposition of America's representative poet. We appreciate the reference made to the GAZETTE and extend to the *Tuftonian* a cordial welcome among our exchanges.

MT. ALLISON fellows seem to be still busily engaged in steering their *Argosy* from port to port. Spending Xmas. at home they have given their bark a daub of paint and it sets sail again with more attractive appearance. The Xmas. number gives a gushing account of the noted foot-ball matches played by their "gallant" fifteen this season. We have no doubt that their team is yearly improving, but have yet to learn the difference between a "touch for safety" and a fairly won "touch-down." The editors are to be complimented upon the appearance of their Jubilee number with its photogravures of the early founders of the college. We wish them continued success in their so-called "noble paper."

WE give a hearty welcome again to the *Manitoba College Journal* fraught with its readable articles from beginning to end. We are glad to hear through its columns of the doings of our sister college in the west. The "Growth of Winnipeg," and "Trip to Mica Mountains," are very good. We thank the *Journal* for its kindly greetings to the GAZETTE and cordially extend in return our best wishes for continuous and greater success to Manitoba College and all her concerns.

WE have as yet received only two numbers of the *Acadia Athenæum*, but its long delay has been more than compensated for by the great improvement in its form. We are glad to see the Acadians make this movement in the right direction. The new style in which their journal is published, is by all means neater and more attractive. We note a change also in volume, and hope that the students and subscribers will give the *Athenæum* their hearty support, that in its new and improved form their paper may prove a greater success than ever in the past. A reader cannot fail to notice also the decided improve-

ment in the literary character. "Vox Populi-Vox Dei" is an excellent article. With regard to "Collis Campusque" it is gratifying indeed to hear that their "university is making rapid strides towards the goal of prosperity," and that Acadia evidently upholds the good old game of foot-ball, deciding after much consideration, not to have it substituted by the "modern" cricket.

MCGILL *Fortnightly* in "A Thought from Emerson," admirably gives expression to the need to-day of more originality and less imitation. "We fall into the sin of imitation almost unconscientiously. This is true of our age as it has been of no other. We are prone to accept the thoughts and dicta of others as indisputable. In this age of editorials, pamphlets, books and reviews, we easily acquire the habit of placing implicit confidence in the utterances of prominent men and great thinkers. It is far easier than thinking out everything ourselves. But what is the result? Our minds become indolent. We are influenced by every wave of thought. We are not ourselves; we become an unthinking multitude. This must not be. Life is too short, and there is too much to be accomplished. Let us learn of others, ascertain wherein they have failed and acquire from them all that will assist us in our development. Then avoiding what may be harmful, and profiting by what may be helpful, we must in our own way, and guided by the spirit implanted within us, press forward to the perfecting of ourselves, and by that means to the elevation and improvement of the world at large."

THE December No. of *Owl*, clad as usual in its pretty Xmas garb, contains many items of great interest. Of poetry there is no lack, and the articles in prose are of high order. Scepticism vs. Common Sense, representing a dialogue between the sceptic and Christian philosopher of to-day is clear and reasoned—an excellent article. The editorial with regard to the study of Canadian history calls attention to the great necessity for a closer and more ardent study of the history of our Dominion in all of our educational institutions. Though, by his stormy statements, the writer is evidently somewhat excited, in his reference to the condition of Canada to-day, and the "demon of discord," there is a large portion of truth in what he says:—

"Canadians, more than any other people, should make a special study of our own history, for by deeply reflecting upon the events of the past we shall be the better enabled to guide our fair young Dominion through the troubles that now threaten her with destruction. An intelligent study of our own history will indicate to us the best means of avoiding the ills that now beset us. Experience is said to be the best teacher. The lack of experience can be best supplied by the study of our own history. The common schools must therefore teach our youth



the facts of Canadian history, the high schools must prepare them for entrance into the more extensive field of education, the university, where they will be taught the philosophy of our history. When our educational institutions do this, then, and only then, can we hope to see the chivalrous scion of sunny France, the sturdy descendant of England, the "gude bairn" of auld Scotia, and the impulsive, generous-hearted descendant of the Emerald Isle, agree to drop their petty prejudices and unite in forming a great Canadian nation that will exert a mighty influence upon the destinies of mankind."

THE last issue of the *Niagara Index* contains an article on the "Political Outlook" in U. S. A., viewed from the result of the recent Presidential election. We quote a portion of the item showing the opinion of an American writer:—

"Since the Democratic party, in going before the country, pledged itself to a reduction of the tariff, and having been elected mainly on that issue, it is quite proper to suppose its first labors will be directed to that end. Instant reversal, however, of the policy which has been pursued in a greater or less degree since the foundation of the government, will not be attempted by a party or executive intrusted with the safety and prosperity of the nation. The inevitable must come, but should not be precipitated. Let changes take place according to the scriptural injunction "decently and in order." The first changes in tariff reform will doubtless be the admission of raw materials of manufacture free of duty. The "free list" will be largely increased and the "schedules on taxed articles" largely reduced. Next, an extensive adjustment of duties will be made so as not to destroy, on the one hand, domestic industries, nor, on the other, to plunder the many to enrich the few. The present monetary system will remain unchanged, at least for a considerable time. Cleveland, personally, is opposed to free silver, and his views on finance are considered sound. Hence the money market of the country will be very little, if at all, affected by the result of election. Our foreign relations will doubtless become more friendly. Some of the great European powers, perhaps all, are gratified at the outcome of the contest. It is thought that Republicanism, after an ascendancy of nearly thirty years, has at last met her Waterloo. True she was defeated eight years ago, but rallied and won in the next battle. That success was due in large measure to the impolitic magnanimous liberality of her conquerors. That mistake will not be made a second time; the issues and sentiments engendered by the war are dead, as well as many that upheld them. A new generation of voters has come, which is being trained in a school that does not concern itself about the dead issues of the past, but the living principles of equitable and economic government. Hence Republicanism, defeated once on these issues, can scarcely hope for a reversal of the country's judgment in the near future."

THE *Queen's College Journal*, though not so voluminous as the majority of our exchanges, yet performs well what it professes to do—give a "record and mirror of student life" at Queens. Though the *Index* may be too severe in its criticisms

with regard to the form and contents of this journal, we think that a college paper should always contain some literary articles, and not be wholly confined to the record of collegiate affairs. It thus becomes more interesting to its readers, and gives an opportunity for the expression of literary ability, not only by those who are more immediately connected with its publication and control, but also by the students of the university at large.

*Outing* for January is enlarged to a holiday number of ninety-five pages of mingled fiction, sport and travel. Wisely chosen articles and a wealth of superb illustrations mark the best number ever printed of a deservedly popular magazine. Prominent among its contents is the interesting article, "A Glance at Big Game," in which reference is made to Canadian game laws:—

"To keep the destructiveness within reasonable bounds, and, at the same time, not to interfere unreasonably with the pleasure of true sportsmen, are the main objects of the recent changes in Canadian game laws. For this purpose the prohibition of the sale of certain game, the limitation of the number of birds and animals to be killed, and of the time for shooting, and the great bugaboo—the \$25 license clause against non-residents of Canada—were incorporated in the laws, and in my humble opinion the measures are all good.

"It costs money to protect game in a country like Canada, and non-residents have no just cause for complaint if they be asked to contribute a trifle towards keeping game in that country for them to shoot. Nor does the howl that a \$25 license is a burden upon a sportsman of limited means hold water. I don't like a Chinese wall of law around the sport of any land, but shooting and fishing these days are luxuries and must be paid for. Any man who can really afford the time and money for travelling to another country for sport, can afford to pay \$25 for a license to shoot. If he says he cannot, then he cannot afford to travel for sport at all, nor afford to spend enough money while away to make it worth the while of Canucks, or any other people, to furnish game for him free gratis. Game must be protected. The Canadian system is a good one, in my opinion, and those who claim they cannot afford the cost had best shoot in their own country and fish in the family washtub or some equally accessible and inexpensive water."—ED. W. SANDYS in *Outing* for January.

THE January number of *The Forum* illustrates the purpose of the magazine in taking hold of subjects that are of the greatest pertinence. Specially noticeable are the articles on "A New Year Review of Old-World Tendencies," which give a general review of the large tendencies of thought and action in the three great nations of Europe. These papers are written by Frederic Harrison for England; Dr. Geffcken for Germany, and L. Levy-Bruhl for France. They sum up the political, the social, scientific and literary work of the time in a way, that gives the



reader a bird's eye view of old-world activity. With regard to the over-production of scholars in Germany, Dr. G. says:—

"Germany suffers from an intellectual over-production. All professions are over-crowded. It was fondly believed up to our days that the state had no more important task than to render the acquiring of knowledge as easy as possible, and for that purpose to establish many higher schools. But it was not asked whether there was room enough for employing men when their education was finished. Taking, for instance, the career of law in Prussia, we find that there are 1,851 men who have not only passed through the gymnasium and the university, but have already served the state gratis for about five years, while the annual average demand is one hundred. There are more than seven thousand examined architects without a fixed employment; it is the same with engineers, teachers in classics, mathematics, etc. These unemployed forces are particularly attracted to the great capitals, because every one hopes that with the many chances they offer he will find a gap into which he may jump. Men of university training are almost without exception, capable only of intellectual work. If they do not succeed in their branch, they cannot become tailors or carpenters; they must take to pettifogging, giving lessons, copying, writing for inferior papers, etc. There are lawyers, physicians, doctors of philosophy, among those who are regularly relieved by the Berlin Poor Board. All these men are, of course, discontented with the present state of things, and ready to join with those forces which hold out hope of overthrowing it. Nor are female candidates wanting in this proletariat; all those who give cheap lessons, write mediocre novels for low-class journals, or work for shops at starvation wages, are swelling the army of social revolution."

DR. BARNARD'S magazine, *Night and Day*, for December, contains ample material to prove the urgency and necessity of the work among orphan and waif children which for twenty-seven years past the Homes have been carrying on. Its pages abound in incidents of thrilling interest. One extraordinary story is that of a Soudanese lad, who was received into the Homes after he had been cast adrift from a vessel at Liverpool. This lad, whose photograph and *facsimile* Arabic signature accompany his story, gives through an interpreter some interesting recollections of Khartoum, where he was when General Gordon was killed. He states that he saw General Gordon's head "placed in a net, covered with some kind of spirits to preserve it, and fastened to the top of a long pole." The magazine also includes an appropriate account of Miss Macpherson's work, accompanied by a capital engraving; "Wyffie," a painful story of child cruelty; "The World of Childhood"—a well-selected page of facts and extracts; and quite an array of announcements as to forthcoming engagements. Nearly five thousand children, it appears, are now under the care of the Institutions, and their food-bill alone amounts to not less than £150 every day.

*The National Magazine*, of New York, the leading historical journal of the country, now in its seventeenth volume, is offering

14 cash prizes, aggregating \$2,000, to be competed for during the coming year by new or old writers, who will try their hand at historical articles or stories. The plan is unique. The editors wish to popularize the subject of American history, and say that they "hope to create such a general interest that local history and traditions will be everywhere taken up and preserved." The following prizes are offered:—

1st Class—Historical Serial Novel, prize \$800; 2nd Class—Historical Article, three prizes, \$200, \$100, \$75; 3rd Class—Historical Short Story, two prizes, \$150, \$75; 4th Class—Minor Heroes, two prizes, \$150, \$70; 5th Class—Legend and Tradition, two prizes, \$100, \$50; 6th Class—History for Young People, two prizes, \$75, \$50; 7th Class—Ballad and Sonnet, two prizes, \$50 each.

Any writer can compete in each of these classes if he desires. While it is expected that a considerable number of good manuscripts will fail to secure prizes, those available will be accepted for publication in the magazine. The editors say they "anticipate that the best results in this contest will probably come from hitherto unknown writers, who may thus be induced to make a trial of their powers in the historical field." Circulars explaining just what is wanted in each class, with the rules governing the competition, will be mailed to any person sending a stamp to *The National Magazine*, 132 Nassau St., New York City.

### College Notes.

REPORT has it that the Freshmen, though more than a match for the Sophs., were scarcely a match for the Greek paper set at the Xmas exams. Most of them have fallen to the shades below—30.

THE Philomathic will meet on the evening of Thursday, 19th inst. Several interesting papers will be read and discussed. A paper by J. D. Logan, B.A., on Plato's Republic, will in all likelihood be one of the features of the entertainment.

WE are informed that the Governors and Alumni Association are to have a conference over college affairs. We trust beneficial results will flow from it, and that our graduates will be able to obtain an insight into the financial standing of the college, and that they will then take a more active interest in their *alma mater*.

NEARLY all the students are by this time back in harness. The fortnight's rest has rejuvenated most of them. A few, however, shew by their cadaverous appearance that the holidays were no *vacation* for them. A man who attempts suicide is confined in a mad-house. How is it, then, that so many book-worm suicides are at large?

THE debate on Free Trade vs. Protection, announced before Xmas took place last Friday evening. There was a fairly large attendance. All the tyro politicians were there, each with his stock of stale arguments. The fact that the arguments were stale does not, however



imply any discredit to those who took part in the debate, as the subject has of recent years been so frequently discussed that the arguments *pro* and *con* have quite naturally become a little trite. Free Trade carried the day.

THE "march" was unusually well attended this year. The Medicals were there in full force, and the Arts men contributed their quota to the procession, but very few of the law students patronized it. Prof. McDonald was first called on. The Arts men congregated in front of his door, while the Medicals, out of deference for the professor, moved farther on. The procession from that point circled round the south end making night hideous, and alarming and driving into covert the policeman in that part of the city. After calling on the Lieutenant-Governor and taking in Hollis street the procession broke up.

ON the same night as the march the members of the First Fifteen and a few friends assembled in a restaurant on Granville street to discuss an oyster supper, and to do honor to the "man with the whisker," alias Mr. G. Gordon. After the feeding part of the entertainment was over, the chairman, Mr. Willard Thompson, in a neat speech presented the valiant "forward" with an album as a token of the appreciation in which his services were held by the other members of the team. The speakers that followed also dwelt on Mr. Gordon's valuable services, and proposed certain toasts which were drunk with hearty approval, in water by some—in beer, several degrees weaker and more limpid than city water, by others. At half-past eleven the fun came to an end. "A fine time," was the general opinion of those present.

#### AFTER MANY YEARS.

RECENTLY two disciples of Izaak Walton—one of our professors and a prominent provincial M. D., who, by the way, is Mayor of one of our prettiest little towns—met at one of the numerous shrines in this province dedicated to the founder of their sect. The professor recognized in the M. D. only a brother disciple; but in the professor the M. D. recognized not only one of the leading members of the Nova Scotia Conference of the sect—one who could tell a "fish story" with the best—but also a former teacher. After the usual rites and ceremonies, with which members of this sect greet one another, had been gone through; and after they had pledged each other's health in that beverage to which the sect is so devoted; the following dialogue took place:—

*M. D.*—"By the way, professor, I am an old student of yours."

*Professor*—"Ah! indeed that is quite possible, although I do not recollect you. Are you a graduate?"

*M. D.*—"No. I only took part of the course."

*Professor*—"Indeed. How is that? Why did you not finish your course?"

*M. D.*—"Well to tell the truth, professor, you were so d—rude to me that I could not."

*Professor*—"Ah! Yes! Well, we have to be severe on some."

At this stage they happened to discover our reporter and immediately seized upon him; and lest he should betray to the world any of the rites and ceremonies of which he had been a witness, or the conversation which he had heard, they informed him that he must either pledge himself to secrecy by an awful oath, or join the fishes in the river.

He did not fear death, but thought that our journal could not get on without him. Therefore he took the oath dedicated to him; on the last edition of "Foyle" he swore that he would not disclose what he had seen and heard, "as long as the memory of Izaak Walton shall remain and fish swim in the water." To this day the world might have been "in Egyptian darkness" regarding the matter, but the reporter forgot to destroy the cuff on which he had taken notes. Our "devil" discovered the cuff and brought it to us, and, while the reporter keeps his oath we are enabled to give this story to the world. If it should be seen by either of the parties to whom it refers, we only hope that they will make use of no words that cannot be found in a standard dictionary.

#### Dallusiensia.

"No, no, you musn't serenade him for physiological reasons."

THE "little minister" must either give up his poker or his pious aspirations.

THE freshman who spoke of the court as the "home of immortality" meant something very different.

ALTHOUGH the escort of the young ladies' brother didn't get an invitation, still his gall secured him his supper.

NO doubt the freshman was badly smitten, but he had no need to write her a letter in German class.

DURING the recent cold weather many sprouts were killed, to judge by the disappearance of the freshies' moustaches.

THE practice among the juniors of giving their class badge to their lady friends for safe keeping should be laid before the faculty.

WE notice a new ulster at college. It has no hood on the outside, but, strange to say, a Hood in the inside.

FROM our experience, our medical friend has come to the conclusion that besides a dress suit, an invitation is necessary to enjoy the "travellers' dance."

A FRESHMAN has offered us a poem beginning—

"My love is like a lozung,  
So small, but oh! so sweet."

which he claimed to be original. Although struck with its beauty, we couldn't reward him by printing it at length.

ONE of our seniors, the redoubtable center-scribbler, is becoming quite paternal, judging from the interest he took in the youngster on the train



He is the same individual who so eagerly and narrowly watched the windows of the Ladies' College on the night of the serenade.

*Prof.* What is the gender of "tellus"?

*Student.* Fem.

*Prof.* Quite right. Now tell the class how you know.

*Student.* Turned it up in the dictionary.

And McR— doesn't know yet where the joke came in.

## Personals.

DR. D. MURRAY, of Campbellton, N. B., celebrated Christmas by taking unto himself a wife in the person of Miss Duncan, one of the belles of that town. Dalhousians wish the happy couple much joy.

JAMES W. BREHAUT, B. A. '91, was married recently to his cousin (?) at Richmond. "Jim" was one of the best editors the GAZETTE ever had, and his successors in office tender hearty congratulations. His class-mates rejoice as much over this event as they do over his college record abroad.

JAMES E. CREIGHTON, B. A. '87, Ph. D. (Cornell), now a professor of Cornell University, was married on the 20th ult., at Pictou, to Miss Katie MacLean. Though resident abroad for a number of years, "Jim" still remains an ardent Dalhousian. His record as captain of our football team ('86), and as a stalwart forward, is found in our college annals. The best wishes of the GAZETTE follow him and his handsome bride.

## New Books.

INTRODUCTION TO THE STUDY OF PHYSIOLOGICAL PSYCHOLOGY. By D. Theodor Lichen, Professor in Tena. Swan, Sumenschem & Co., London, and MacMillan & Co., New York, 1892. pp. IX. and 284.

In his preface, the author says that "the present work originated in lectures in physiological psychology delivered at the University (of Tena) for several years." "The doctrines presented deviate essentially from Wandt's theory, now dominant in Germany, and conform closely to the English psychology of association." In the opening chapter, Dr. Lichen defines the sphere of the science. "Physiological psychology deals exclusively with these psychical phenomena to which concomitant physiological processes of the brain correspond. It ignores all psychical processes for which no corresponding physiological processes in the brain are conceivable."

The translation has been done by Mr. C. C. VanLiew and Dr. Otto W. Beyer. The character of the book is indicated by the following sentence in the translator's preface: "Throughout the entire work it has been his aim to develop all explanations as far as possible from physical or physiological data, and to account for the presence of certain functions by an application of the laws of evolution."

Nearly half the book is taken up with the psycho-physical treatment of sensation. A chapter is devoted to Idea-Conception; another to Association of Ideas; another to Attention, Memory, etc.; another to Hallucinations, Illusions, Dreams and Hypnotism; and another to Action, Expression, Motions, Speech. In the concluding chapter there is a

discussion of Will as a "special psychical faculty." The conclusion there reached is, that analysis reveals "no ground for the assumption of a special faculty of the will." The work concludes with a discussion of the extent to which physiological psychology can explain the "parallelism between the psychical processes and the material physiological processes of the brain."

The style is interesting and clear. Attention might be called to the use of symbols as abbreviations for technical terms, such as *Ec.* for "cortical excitation." The book is provided with a very useful index.

INTRODUCTION TO THE STUDY OF ELEMENTARY BIOLOGY. By H. T. Campbell, M. D. (Law). New York, MacMillan & Co.; London, Swan, Sonnenschein & Co., 1893; pp. 284.

In this excellent little volume is presented a short and interesting account of the more important facts of Biology. The earlier part of the book treats of such subjects as Protoplasm, Cells, Cell-division, Reproduction, "the Early Stages of Development, the massing together of cells to form Tissues," Plant Structure, Invertebrata, and Vertebrata. In the remaining portion somewhat full descriptions are given of the Amoeba, Yeast Plant, Bacteria, Vorticella, Gregarinae, Hydra, Liver-Fluke, Tape Worms, Round Worms, Medicinal Leech, Dog-Fish. The diagrams are numerous, well-defined and apposite. The book possesses all the requirements of treatment, style, arrangement, illustration and type necessary for an elementary work.

LIVY BOOK VI.: with Introduction and Notes by H. M. Stephenson, M. A. Cambridge: at the University Press, 2s. 6d.

This edition has been prepared on the same plan as that of the other three books of Livy which have been added to the Pitt press series by this editor. The introduction puts young students on their guard against accepting all Livy's statements as true, and aims at offering them some means of estimating the historical value of the contents of each book. The text is interspersed with a running analysis to aid the youthful reader in following the thread of the narrative. The notes are concise and to the point, chiefly grammatical. The editor has here paid a wise disregard to a reviewer of his edition of the ninth book in the *Guardian*, who said that "Mr. Stephenson failed to bring out the interest of his subject." The task of "bringing out the interest of the subject" is wisely left to Livy himself. We could wish that the herd of "school-edition" editors who disfigure the works of English authors with their "comments and glozes" in "bringing out," as they imagine, "the interest of the subject" would follow Mr. Stephenson's example.

## ACKNOWLEDGEMENTS.

I Gammell, \$4.00. Rev. A. Rogers, N. F. McKay, Dr. Lindsay, F. H. Coops, \$2.00 each. E. W. Johnson, A. V. Morash, House of Commons, Ottawa, Miss M. L. J. Stewart, H. Mellish, A. D. Gunn, M. Morrison, D. Frame, H. F. Puddington, Victor Frazee, S. E. March, R. McIreth, E. E. Hewson, W. A. G. Hill, J. F. Outhit, S. J. McArthur, H. C. Borden, G. F. Mitchell, Miss Elma Baker, Miss B. McDonald, J. H. Kirk, A. A. Stewart, R. McGregor, John Bell, Miss E. F. Hetherington, F. J. McKittrick, Rev. J. McMillan, Rev. George McMillan, M. F. Grant, R. J. Grant, \$1.00 each. F. J. McLeod, \$1.15.



## Law Department.

THERE is no better proof of the superiority of 19th century civilization over that of preceding centuries than the humane point of view from which the law has come to regard criminals. From the sanguinary laws of Draco to the beneficent reforms of Sir Samuel Romilly, the record of criminal punishments is dismal in the extreme. Severity is stamped with unmistakable distinctness upon all criminal enactments of this period. Among all the nations there is an absolute want of sympathy with the criminal. In the eye of the law the offender seems to have been regarded, not as an erring citizen whose iniquity should have been punished by stripes proportioned to his offence, but rather as an alien savage, whose very existence was a menace to society, and whose extermination was preferred to his amelioration. Nor do we find that the Church itself—theoretically the mother of all men, bad as well as good—raised its persuasive voice on behalf of the criminal. We find, it is true, historical mention of the fact that in England the monks invented the hurdle and secured it as a substitute for dragging at the horse's tail. But on the whole, the religious world itself seemed rather fond of exquisite tortures, stakeburnings and the like.

The inhumanity of early punishments was perhaps due, if we leave out of account all primitive social conditions, to the centralization of power in the hands of kings and despots. Royal vengeance in those times was always terrible, always exacted to the full. It was only from the theoretical point of view that the king was father of his people; from the practical point of view he was their inhuman schoolmaster. Democracy on the other hand, when well settled and established, is never harsh upon its members, and according to constitutional principles the law follows the government. Hence, synchronously with the rise of democracy, we find the lowering clouds of the criminal's sky touched with the tender promise of mercy.

It was reserved for the superior humanity of the 19th century to lay down, as the object of punishment, reformation instead of

retribution. With the exception of those guilty of capital crimes—an exception that advanced reformers hope to see struck out in the not far distant future—the state now punishes offenders in order that it may reform them. The retributive object has entirely faded from the view of the law. That this is the true view, and that the law regards crime as creating no permanent disability, is shown by the treatment which the convict meets with on his discharge. The law is then ready to rehabilitate him in all the rights of citizenship. This it could not consistently do unless it regarded the erstwhile criminal as completely reformed, unless, in short, it had intended the punishment it inflicted to operate as a moral restorative. Viewed in this light, punishment is lifted on to a higher plane.

WE have never thought that the United States was possessed of a very high sense of honor or of fairness as regards international or diplomatic matters. We are supported in this view by a study of the position taken by that country on the Canal question. It did not consider itself governed by the spirit of the treaty but by the letter; other civilized countries do not generally act in such a manner. The rights of that country in the Behring Sea are soon to be settled by arbitration, and, if reports be true, the great Republic does not intend to rely on the righteousness of its cause, if there is anything righteous about it, but intends to try to influence the arbitrators by the production of false statements obtained from Indians under the influence of liquor. We may be prejudiced in the view we take, but we fail to see that the Americans have any rights in the sea in question outside the three mile limit. The screams of the American Eagle fail to inspire fear in the breasts of the British Lion and the Canadian Beaver, and they will fight the matter out on its merits, and, if we mistake not, will show clearly that the Behring Sea is an open sea, and that the United States government have no authority for assuming a protectorate over the seals that frequent it. If this is done, we assume the arbitrators will order that the American government pay the costs of the arbitration in addition to making good the damage Canadian sealers have sustained at the hands of their



cruisers and officers. Such an award should teach our cousins over the border that among nations as among men "Honesty is the best policy."

#### SPECIAL ENDORSEMENTS.

WHERE in an action the plaintiff's claim is of certain specified kinds, the Writ of Summons may, under Order III, Rule 5, be specially endorsed "with a statement of his claim or of the remedy or relief to which he claims to be entitled." This order is the English Order III, Rule 6, of the Rules of 1883.

Order III, Rule 5 is similar to Sec 25 of the Common Law Procedure Act, 1852, except that the latter only applied to a writ for service within the jurisdiction, and did not include a trust. In fact, Sec. 25 of the Common Law Procedure Act is the source from which special endorsements flow.

It is altogether optional with the plaintiff whether he adopts Rule 5, and uses the special endorsement thereby authorized or not. If he does, Rule 6 goes on to say that he shall state the amount claimed for debt and for costs respectively, and shall further state that if the amount be paid in a certain specified time the action will be stayed.

Although the use of special endorsements is optional with the plaintiff, it is, nevertheless, generally adopted in all cases to which it is applicable, as by Order XIV, Rule I, the plaintiff after appearance where the writ is so endorsed, may apply at chambers for judgment.

By "A" of Order III, Rule 5, special endorsement may be used where the plaintiff "seeks only to recover a debt or liquidated demand in money." The forms referred to at the end of the rule are forms of statement of claim. A specially endorsed writ is a statement of claim. *Anlaby v. Prætorius*, 20, Q. B. D., 764.

The form of a specially endorsed writ is given in Appendix A., No. 2, which, after the signature, goes on to say, "And the sum of \$—, (or such sum as may be allowed on taxation) for costs." In British Columbia, and, it appears by the late decisions, in England also, there has crept into this form the following:—"The plaintiff also claims interest at the rate of — per cent. per annum on \$— of the above sum from the date of the writ till judgment." How this happened I know not, unless it be an emanation of the usual cupidity which the profane are so fond of laying to the charge of the legal profession.

The above last quoted phrase has come before courts in England for adjudication lately in no less than 6 cases, to wit:—*Ryley v. Master*, *Sheba Gold Mining Company v. Trubshawe*, *Wilks v. Wood*, *Lawrence v. Wilcocks*, *London Bank v. Clen-*

*carty*, all reported in 1892, 1 Q. B., and *The Gold Ores Reduction Company v. Parr*, 1892, 2 Q. B.

In *Sheba Gold Mining Co. v. Trubshawe*, the endorsement was for a balance due for goods sold, and gave particulars shewing amount due. It contained, in addition to the above, a claim for interest on the amount due at £5 per cent. per annum from the date of the writ till payment or judgment. Charles J. affirmed the order of the Master under O. XIV R. 1, allowing final judgment to be signed. The defendants appealed to a Divisional Court, consisting of Lord Coleridge, C. J., Hawkins, Wills, Lawrence and Wright, J. J. Lord Coleridge, C. J., delivered the unanimous judgment of the court allowing the appeal. The court held that the claim for interest was an attempt to include in a specially endorsed writ for a liquidated demand an unliquidated claim for interest, which could only be assessed by a jury at the trial by way of damages under 3 & 4 William IV, C. 42, S. 28, and that order XIV, R. 1, could not be invoked because it referred to Order III, Rule 5, which used the words "seeks only to recover a liquidated demand," and in this case the plaintiff was seeking to recover something more, and so did not bring himself within the rule.

This case was followed in *Ryley v. Master*, 1892, 1 Q. B., 674, which was a claim for money paid by plaintiff for defendants and included the above claim for interest.

The same point came before the Court of Appeal, consisting of Lord Esher, M. R., Fry and Lopez, L. J. J., in the case of *Wilks v. Woods*, 1892, 1 Q. B., 684. This also was a claim for goods sold and delivered, and contained the same claim for interest. The Court followed the decision in *Sheba Gold Mining Company v. Trubshawe*. Lord Esher, M. R., in this case says:—"All I can say is that the word 'only' in this rule means 'only,' and that if anything else is added to the liquidated demand the writ does not come within the definition of a specially endorsed writ." Fry, L. J., adds:—"One of the objects of a special endorsement is that the same may be an ascertained one so that the defendant may know what amount he has to pay to stay further proceedings."

In the *London and Universal Bank v. Lord Clencarty*, 1892, 1 Q. B., 689, the action was on two promissory notes, and to the amount of them was added the statement, "The plaintiffs also claim interest at the rate of 5 per cent. per annum till payment or judgment. Denman and A. L. Smith, J. J., held that in the case of a bill or note the writ may be specially endorsed under Order III, Rule 5, with a claim for interest from the date of the writ till payment or judgment, as being a liquidated demand under the Bills of Exchange Act, 1882 (53 Vic., C. 33, 857 D.), and this judgment is practically affirmed by the Court of Appeal (Lord Esher, M. R., Fry and Lopez, L. J. J.) in the next case of



*Lawrence v. Wilcocks*, 1892. 1 Q. B., 696, who also decide that the expenses of noting the bill or note may be added as being liquidated damages under the statute.

*The Gold Ores Reduction Co. v. Parr*, 1892, 2 Q. B., 14, was an action for instalments of calls or shares in plaintiff company, and the endorsement claimed interest at 10 per cent. on amount till payment or judgment. Mather and A. L. Smith, J. J., held following the above cases, that the writ was not specially endorsed. The interest here was payable under Article 20 of the articles of association, but the writ did not show this fact.

It may be noted that in this case it was held that the plaintiff must stand or fall on the endorsement on the writ, and cannot patch it up with affidavits, showing, for instance, that the interest which he claimed was due under an agreement. (See to the same effect *Fruhauf v. Grosvenor*, 93 L. T., 320, an action on a dishonored cheque.) In Ontario, in the case of *Nesbitt v. Armstrong*, 14 P. R., 366, where the action was against a married woman, and the writ, which purported to be specially endorsed, did not set out that she had separate property at the time of entering into the contract, McMahon, J., held that he could look at the affidavit filed under Order XIV, R. 1, which shewed that she had such property, and he accordingly allowed the plaintiff to amend his writ. But the case of *Gurney v. Small*, which held that the writ could not be amended after appearance (W. N. 1891, p. 168) does not seem to have been cited to him.

It is to be remarked that the interpretation put upon Order III, Rule 5, by the late English cases differs from the construction which obtains in Ontario. In *Hay v. Johnston*, 12 P. R., 596, and *McKenzie v. Ross*, 14 P. R., 299, Boyd, C., and Mendett, J., held that, notwithstanding the word "only" in O. III, R. 5, other claims may be added without destroying the character of the endorsement or preventing its being proceeded on under O. XIV, R. 1, quoad the claim that is the subject of a special endorsement. But in *Casselman v. Barrie*, 14 Ont. P. R., 507, Mr. Winchester, acting as Master in Chambers, distinguished *Hay v. Johnston* and *McKenzie v. Ross*, and followed *Wilks v. Wood*.

The result of these decisions seems to be that under "A," O. III, R. 5, the endorsement must be for a liquidated demand only, and the addition of any unliquidated claim, how infinitesimal soever it may be, invalidates the endorsement so far as O. XIV, R. 1, is concerned, because, forsooth, the poor defendant cannot tell exactly how much he has to pay in order to stay proceedings.

F. W. H.

New Westminster, B. C., Nov. 17th, 1892.

"THE law is neither a trade nor a solemn jugglery, but a science."—POLLOCK.

### A QUESTION OF ALLEGIANCE.

BLACKSTONE says that "every man owes natural allegiance where he is born, and cannot owe two such allegiances or serve two masters at once." Let us suppose that John Doe and Mary his wife, who are citizens of the United States, come to live in Halifax. While residing in Halifax, and still continuing to be American citizens, a son, Richard, is born to them.

To what country does Richard owe allegiance? Let us see what the law writers have to say on this point.

Blackstone's Commentaries, vol. 1, page 373, contains the following statement of the law:—"The children of aliens born here in England are, generally speaking, natural born subjects, and entitled to all the privileges as such."

Story in his work on Conflict of Laws at page 48, says: "Persons who are born in a country are generally deemed to be citizens and subjects of that country."

Secretary of State Marcy, of the United States, in a note dated March 6th, 1834, gives the following opinion of the law on this point:—"Every person born in the United States must be considered a citizen of the United States, notwithstanding one or both of his parents may have been alien at the time of his birth. This is in conformity with the English Common Law, which law is generally acknowledged in this country."

If the above be correct statements of the law—and no doubt they are—Richard Doe is a British subject.

But now the Statute Law of the United States comes in and S. 1993 of the Revised Statutes provides as follows:—"All children heretofore born, or hereafter born, out of the limits and jurisdiction of the United States, whose fathers were, or may be, at the time of their birth, citizens thereof, are declared to be citizens of the United States, but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

Under this statute Richard Doe is clearly an American citizen. But by both English and American authorities it has been shown that he also owes allegiance to the British sovereign. Richard Doe is at the same time entitled to all the privileges of a British subject, and to all the rights of an American citizen. This does not agree with the statement of the law from Blackstone, with which we started out, for it declares that a man is unable to owe allegiance to two countries.

The Parliament of Canada did not agree with Blackstone. It said that a man might have two allegiances, and, in order to enable him to choose one of them, enacted as follows:—"Any person, who by reason of his having been born within the Dominions of Her Majesty, is a natural born subject, but who



also at the time of his birth became under the law of any foreign State, a subject of such State, and is still such subject, may, if of full age and not under any disability, make a declaration of alienage in manner aforesaid, and from and after the making of such declaration of alienage, such person shall, within Canada, cease to be a British subject."

R. S. (Can.), Vol. II, page 1,537. This statute also shows that in Canada the old doctrine of "Once an Englishman always an Englishman" does not hold.

If one had the time and inclination to look into such questions of allegiance, it would no doubt prove to be an interesting field of study.

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"LAW is beneficence acting by rule."—BURKE.

THE lawyer's best friend is the man who draws his own will.

MRS. MYRA BRADWELL is editor of the *Chicago Legal News*. Where will we next find woman?

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"And sovereign law, that state's collected will,  
O'er thrones and globes elate,  
Sits empress, crowning good, repressing ill." SIR W. JONES.

THE United States is headquarters for divorce. The latest from that country would seem to indicate that not only may a divorced woman maintain an action for damages for alienating the affections of her former husband, but that a wife, not divorced, can maintain such an action.

IN the United States it has long been a moot point as to whether the President could remove Territorial Judges. The matter has now been set at rest by the decisions of the Supreme Court in *McAllister v. United States*, 11 Sup. Ct. Rep. 979, which decides that the President has such power of removal from office.

SIR RICHARD WEBSTER is reported to have said:—"Reading not many days ago the speeches of the Attorney-Generals in the past, I noticed that to a great extent their arguments were permitted to proceed without interruption. Now, it is very different. A distinguished member of the present bench said to me not many years ago that the best advocate was no longer the man who prepared the best orations, but he who could best meet the cross-examination of the bench. Does this sort of thing promote the interests of justice? We doubt it very much indeed."

### LAW SCHOOL ITEMS.

THE parchments handed Law Graduates at the Spring Convocation are, as a rule, signed only by the president and one or two members of the Faculty; in fact, we have seen some bearing only the president's signature. There is room for the names of every member of the Faculty, and they should be there. We are assured that the graduate's prize the autographs of their instructors, and would therefore commend the matter to the attention of our University authorities. May a new era in this matter be inaugurated in April next.

A TELEPHONE is needed at the Law School in order that students may be informed beforehand of changes in the hours of lectures. This is not an expensive luxury, and would prove very useful. Can our governors not see their way clear to give us one?

THE custom of "snagging" books from the library at night is a bad one. Moreover, it is not honest, and should be put an end to.

NOTMAN has taken a photo of the Law library to be sent to the World's Fair at Chicago next summer.

HEREAFTER the course in Real Property will extend over two years. This is a good move.

SECOND year men are anxious to know if they are to have "Shipping next session."

### LAW SCHOOL FACETIE.

LORD CHATHAM could not find time to talk to the boys on his way home. THE Saint John footballist spent his vacation in the city. It is said to be a hopeless case.

THE hoary-headed senior was also kept in the city by some magnetic (?) attraction.

THE post office at Buctouche, N. B., has been inspected and found to be most admirably conducted.

AT the "march out" the boys serenaded the ladies, at the special request of a Law School "general."

### PERSONALS.

J. A. GRIERSON, B. A., has completely recovered, and is again attending lectures.

R. W. HANNINGTON, B. A. (U. N. B.), general student of last year, has opened an office in St. John.

J. G. FRASER, B. L., of our Junior Class, is in Toronto, and it is not probable that he will return this session.



## Medical Department.

**H**ITHERTO our college has been placed under a great disadvantage on account of the lack of a good medical library. This long-felt want, we are happy to say, is now a thing of the past. A room at the Dispensary has been secured and suitably fitted up as a library, to which the students may have access. In addition to the large number of volumes already on the shelves, there are files of nearly all the leading medical journals. Among others, there is a complete set (bound) of the London *Lancet*, beginning with the first number. Through the munificent bequest of the late Dr. Cogswell, valuable additions will be made to the library during the present year.

**W**E sincerely regret that thus far so little prominence has been given in our department to the transactions of the Medical Society. The various Societies of Arts and Law have been kept well to the front, while the Medical Society seems to have been relegated to the back-ground. This has been due to no fault on the part of the officers of the society, nor to any negligence on the part of our own editorial staff. An article relative to the society was prepared, and would have appeared in a former issue, but it was arbitrarily cut out without the consent of, or even the knowledge of, the medical editors, who were kept in ignorance of the fact until it was too late for remedy. However, we shall take pains to prevent a repetition of this, and henceforth whatever else must be sacrificed, matters relative to the Medical Society shall have precedence over all else.

**VACATION AND ITS RESULTS.**—It is not often the GAZETTE has to announce the marriage of a student, and such an infrequent event deserves a place in this number. Mr. F. E. Rice of its graduating class, to whom we refer, no doubt spent his vacation pleasantly. Altho' eager to return to his *Alma Mater*, Cupid intervened, and after a few moments reflection Mr. Rice solves the problem like an astute Mathematician, weds and returns to College with the object of his affections. Upon the reopening of the College the bride and groom were the recipients of some very appropriate presents and an address from the final class. The

class in their address vividly depicted the benefits and results of connubial bliss, gave a few words of wise counsel, and expressed great pleasure in extending congratulations and best wishes to the happy couple.

**MCGILL ANNUAL DINNER.**—The representative of the H. M. C. to the Annual Dinner of the McGill undergraduates in Medicine expresses much delight at the way he was received, and at what he saw. The reception committee hospitably received, and cordially entertained him. After a sumptuous repast of tempting delicacies, our College was honoured by the proposed toast of greeting and inter-collegiate fellowship, to which our representative appropriately responded.

### JOTTINGS.

"When first of all the world began,  
Young Nature through five cycles ran,  
And in the sixth she moulded man."

So writes the poet.

Each part of creation was placed in its own peculiar sphere—destined there to help carry out some wondrous plan.

So the birds, fishes, fowl, beasts and creeping things were distributed over the earth. They were all wonderfully made, but lastly came the crowning feature—a wonderful "machine" called man—set over the whole created world as lord and lordliest of them all—greater than the rest of living creatures, because he possessed a something peculiar only to himself.

So writes *History*.

Wandering over the earth and admiring the beauties of creation, man observes and ponders. Gazing on the heavens, filled with glittering stars, the snow-capped peaks, stormy waters and peaceful seas, a field for thought is opened.

At last the dormant powers are wakened, and, borrowing from Nature, man puts to use his given genius. From the depths is brought forth the bottled sunshine of ages before, in the form of coal.

Catching the electricity from the skies, *that* is chained to the earth and made subservient to man's designs.

And what has he not done? Suffice it to say—still pushing forward his investigations, man looks in upon his own frame and discovers wonders never dreamed of. Small indeed seem all other inventions in comparison with this master-piece of the great Sculptor. The skeleton made up of about two hundred bones, fitly joined and jointed by means of glistening bands. Hideous is the frame by itself, but beautiful when fulfilling its threefold design of preserving the shape of the body, acting as levers to muscles and protecting the delicate organs. Over the shapes of the bones is displayed a design of some great workman.

Over this bony framework play the muscles—about five hundred in number—of all shapes and sizes, each intended for a certain purpose.



Some small muscle hidden away in little recesses hardly seems of use, yet it knows its humble work and is willing to fulfil it.

Composed of fibres, which, under stimuli, have a wonderful power of contracting, these muscles perform the mechanical work. Whatever is done, be it the lifting or turning of a limb, the winking of an eye-lid, or the faintest expression that flits across the countenance, is performed by these muscles. Nature has assigned to some of them work that must never cease (*involuntary* muscles).

Others are free to act at will; hence *voluntary*.

How perfect the harmony of it all!

By use they can be trained to perform wonderful feats. Note the skill with which the pianist makes his runs on the pianoforte. Simply the muscles trained so well, that what was once a difficult task has become an easy one.

We notice the expressions of the faces we meet in our daily walks, and admire as they strike our fancies.

Where noble and refining thoughts rule, there Nature makes the imprint on the face by means of tiny facial muscles. Also where baseness rules, the muscles are sure to print the expression in indelible lines.

As a protection for the delicate flesh, the skin is provided thin, yet tough, and fitting closely over the whole. It appears like a very simple structure, but studying the observations of others and observing ourselves has taught us otherwise. Itself sensible to the least outside touch, yet it yields to all motions of the underlying muscles without a sensation. Underneath will be found various structures for keeping the skin in order, such as glands, blood vessels and nerve filaments.

Glance at the principal parts of the machine—the internal organs, that great muscle, the heart, called for ages “the seat of life.” In reality a fleshy pump, at work day and night pumping the vital fluid (blood) into elastic canals, which divide and sub-divide into minute branches, supplying all parts of the body, giving up its nourishment to the surrounding parts, and receiving effete matter in return, to be carried through the portal circulation, and thence to the lungs for purification. Molmes has well expressed it:—

“No rest this throbbing slave may know,  
Forever quivering o'er its task,  
While far and wide a crimson jet  
Leaps forth to fill the woven net,  
Which in unnumbered crossing tides  
The flood of burning life divides;  
Then kindling each decaying part,  
Creeps back to find the throbbing heart.”

The organ of respiration—Larynx, Bronchia—dividing and branching until a tree-like appearance is given, subdividing into tiny sacculi, and the lungs are completed. Through these passages enters the air, carrying the life-giving oxygen, which Nature has also set apart for the use of the “Lord of Creation.”

The inspired air hastily sets free its oxygen, and, grasping another burden, the carbonic acid gas, rushes again to the outside world. Thus tons of air are ever surging to and fro. Truly a machine within a machine! The air serves another purpose, acting as fingers to strike the vocal cords as it passes the Glottis, bringing forth the human voice.

The violin is a beautiful instrument of human invention, but its modulations cannot be compared with those of the human voice—now rising in joyful accents, now falling to the depths of despair, ever expressing in tones of anger, fear, hope, pity, love, the emotions of the human soul. Our minds naturally turn to something which keeps this machine in repair.

And search was not in vain, for step by step, wonderful things have been discovered concerning a furnace, the *alimentary canal*, wherein food is prepared for the nourishment of worn-out and tired tissues. The muscles toil and provide a food which is used as fuel to build up the waste made by the very toil itself. The food, having been swallowed, passes into different organs, and is acted on by the different active principles. As each part is ready for use the hyptatic system comes into play and carries it to the circulation. What is not of use Nature casts aside to excretory organs.

Day by day we, as medical students, are learning more of this wonderful process. How can we but pause, wonder and admire; it is all so mysterious, this transformation of flesh, vegetables, &c., into such materials as hard bone, delicate membranes, tears and so many different forms of tissues. So the “Temple of the Soul” goes up noiselessly and unassumingly.

How, intimately all the parts are blended, and how well they work! Obscure are many of the members, yet if wanting they would be missed. A building is not complete until each brick is in its proper place. Loose one stone, the arch is shattered. So each member must be at its post of duty, lest danger come while it slumbers.

Lastly, the Nervous System, without which confusion would reign. The brain, the seat of the mind, the spinal cord coming from it and sending branches, called nerves, in every direction. Within tiny cells of the brain are formed those impulses which hold sway over the whole, and at its will flashes instantly forth at command. The white glistening nerve, catching the slightest bidding of the ruling monarch, telegraphs the message to its neighbor, and so on until the destined part has received the message. With the same alacrity they receive outward sensations, and carry them to the brain for an answer. Does this machine never rest? Some members do, but such vital parts as the heart can never rest; it keeps on throbbing; its duty is to propel the blood; so it dare not stop. The lungs expire and inspire; they too seem tireless. But at last the motive power fails; it can beat no longer; the soul flies from its temple. We call it *death*.

We, as medical students, have destined our lives to the study of the machine. Observations of others have taught us much. Are we to add to the store of knowledge already obtained? The machine is often badly used, so that disease enters and takes its abode, clogging the little wheels, and tarnishing the mind, wherein dormant powers lie. To us is given the power of helping Nature, rooting out the disease, thus rectifying the wrong. Wide is the field, great may be the results. All depends on perseverance and faithfulness.

MATTIE M. BROWN.



### MEDICAL SOCIETY.

The students' Medical Society has so far had a most successful session. It is to be hoped that at last the medical students begin to realize that the society deserves their support and attention. By reference to the programme, which we give elsewhere, we might judge that no other inducement was needed to secure good attendance. While, of course, these addresses are of particular interest to medicals, others are cordially invited, and, no doubt, will find them interesting and instructive.

At the present time the society has before it for consideration a new constitution and by-laws, hoping by their adoption to increase its efficiency and usefulness. It is hoped that the Faculty may be able to make some concessions to members of the society that will be an additional inducement for students to become members. They have always shown themselves ready to aid and encourage the society, and also under its new constitution it will be even more worthy of their support.

Doubtless a good society is a potent factor in the college and a valuable aid to the general curriculum.

#### PROGRAMME.

"Medical Symbols," D. A. CAMPBELL, M. D.

Jan. 27th, 1893.—"The History of Medicine," MURDOCH CHISHOLM, M. D.

Feb. 3rd, 1893.—"The Relation of a Medical Man to Society," ARCHER IRWIN, M. D.

Feb. 10th, 1893.—"Eye Symptoms and Eye Diseases in relation to General Diseases," E. A. KIRKPATRICK, M. D.

Feb. 17th, 1893.—"Phagocytosis," W. D. FINN, M. D.

Feb. 24th, 1893.—"Hypnotism" (confined to medicals), GEORGE L. SINCLAIR, M. D.

Mar. 3rd, 1893.—"The Annihilation of Microbean Diseases," R. L. MURRAY, M. D.

### MEDICAL BRIEFS.

WHY does a certain Sophomore's face assume such a rosy hue when he hears the name "Jenny"?

A FRESHMAN who *would* seem to be of a veterinary turn of mind, wishes to know why all the dogs in Halifax have fits. He might ask the Demonstrator.

AN Arts Sophomore who *fosters* a tender feeling for a lady medical, found himself in heights of bliss recently, while *holding* on to the seat of a railroad car.

### PERSONALS.

C. B. MUNRO, Freshman '92, is now teaching at Musquodoboit.

A. C. FALES, of last year's Freshman class, is continuing his study at Harvard. He is keeping up his skill and reputation as a student, and has secured two good scholarships.

D. W. BYERS, '93 who was our representative at the McGill annual dinner, says the McGill boys are jolly good fellows and right royal hosts.