

The Dalhousie Gazette.

"ORA ET LABORA."

VOL. XXV. HALIFAX, N. S., - MARCH 21, 1893. NO. 8.

EDITORS:

D. K. GRANT, M. A., *Editor-in-Chief.*

GEO. E. ROSS, '93.

HUGH FRASER, '94.

GEO. ARTHUR, (Sc.) '93.

FRED YORSTON, '94.

HEDLEY V. ROSS, '93.

H. P. DUCHEMIN, '95.

H. C. BORDEN, (Law).

J. MONTGOMERY, B. L., (Law).

E. F. MOORE, B. A., (Med).

MANAGERS:

E. W. FORBES, '93.

W. A. HILL, (Law).

F. E. RICE, (Med).

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.

BEFORE another issue of the GAZETTE the new staff of officers will have taken charge of the Philomathic Society. From them we expect much; the success of the meetings next session will depend largely on their exertions. So will the completion of the two schemes undertaken in the past—the formation of an Herbarium in the Museum and of a Canadian Corner in the Arts Library. The work in historical research so ably carried on by Mr. Webster, the first president of the society, should not be allowed to drop. Now all this can be done by no staff of officers. The hearty co-operation of the students in the several faculties is needed and when asked to undertake some work for the summer we hope every student will make a hearty response. Already twenty students have agreed to gather specimens for the Herbarium, and collectors have been furnished with neat labels furnished by the society.

IN the turmoil due to the recent examinations and consequent irregularity of our meetings as editors, two items intended as jokes crept into one of our columns. Our attention has been drawn to them by friends and foes, and although we are very far from regarding their publication in the same category

as the carping criticism of one of our contemporaries, we regret their insertion. We have no use for a joke whose whole point lies in the use of a "cuss" word. The letter of "Arts Student" in this connection deserves more than a passing notice.

THOUGH most desired of all who would pass safely and splendidly to the portals of the fair House of Fame, Literature is but a tricky steed to ride. Many may in no wise approach her, others gain an unsteady seat to be landed unexpectedly in the mire, while to a few she bends her graceful head acknowledging the hand upon the rein to the journey's end. For age she has no reverence, the strength of youth for her has no compelling force, the caresses of baby hands cannot win her. To the touch of Genius alone will she submit. Yet it happens not seldom that those who prove their ability to guide her course are those who in early years have played about her feet, and placed, it may be, a foot in the stirrup whence it needed but the growth of self-confidence and an impulse from the hand of public opinion to seat them fairly upon her back with firm hand grasping the controlling rein.

Richardson, indeed, had pottered about the stables for fifty years before he found himself, almost by accident, in the saddle and started on his leisurely course. In his track have followed many to whom the doors of fame have opened wide, admitting them to high seats within her walls.

To others the desire for literary power, and in some cases the knowledge of it has come in the days of their youth. Little Tom Macaulay wrote his hymns and his histories, his compositions and his fictions with rare facility when scarcely more than a baby. His letters from school to his wise and loving mother are precocious productions. Before his years numbered twenty-four his contributions to *Knights' Quarterly Magazine* in prose and verse proved unmistakably his ability, and at that early age he had already been invited to write for the *Edinburgh Review*.

The infant prodigy is, as a rule, more curious than lovable, but it is with a glow of kindly feeling that "midway between Gravesend and Rochester" we pick up "a very queer small boy," who assures us gravely that he knows "all about Falstaff." "I am old," he continues, "I am nine, and I read all sorts of books." Charles Dickens had at this mature age written a tale, "The Tragedy of Misnar," in imitation of one of these well-conned books; and it was in the hard days of his boy-hood that he sketched, sometimes on paper, more often upon the pages of

memory, the portraits of many of the good folk he has made immortal. He began literary work by reporting for the *True Sun* and the *Morning Chronicle*, but took a more important step when he dropped a paper "stealthily one evening at twilight, with fear and trembling, into a dark letter-box in a dark office up a dark court in Fleet street." This was the first of those sketches of street life and character which appeared in the *New Monthly Magazine* over the signature of "Boz."

Up to this time a man who had the advantage of Dickens in years, and who, as Charlotte Bronte said, "need be second to none," had given no sign of peculiar genius, unless we except the parodies in verse by which he gained a schoolboy celebrity. Thackeray was as this time a desultory contributor to one or two journals, and did not obtain regular literary employment until 1837 when the "History of Samuel Titmarsh and the Great Hoggarty Diamond" was received somewhat indifferently by the editor of *Fraser's Magazine*. Not until 1846 did his genius find its voice, speaking clearly and strongly from the pages of "Vanity Fair," the manuscript of which he had almost decided to destroy in the discouragement consequent upon its rejection. "Thackeray is a Titan in mind," wrote Charlotte Bronte, who had dedicated to him the second edition of "Jane Eyre." The clear-eyed little Yorkshire woman, whose quiet exterior and timid manner concealed feelings of rare intensity and an imagination of wondrous power, had reached the age of thirty before "Jane Eyre" appeared, treading close upon the heels of its unsuccessful predecessor "The Professor." Nevertheless the desire for production had seized Miss Bronte early in life. There remains in her own handwriting a curious manuscript, the "Catalogue of my Books . . . up to August, 1630," (when she was still under sixteen), which comprises tales, poems, and descriptions of living and fictitious heroes. Well for the highly-strung heroes that the pleasures of imagination might be drawn upon to relieve the terrible solitude of life in the dreary old parsonage at Haworth.

The period of George Eliot's maturity was likewise late. Although a successful contributor to several journals, she had reached the age of forty-five before, with much distrust of her own powers, she began to write the *Adventures of the Reverend Amos Barton* which expanded into "Scenes of Clerical Life."

Ruskin wrote and illustrated "poems" at the age of seven, and undertook to produce, in imitation of "Childe Harold," an elaborate poetical account of a journey through France, Switzerland, and Germany in 1835.

"Heaven knows," wrote Carlyle as a lad of nineteen, "that ever since I have been able to form a wish, the wish of being known has been the foremost." With his mind in a state of uncertainty and full of unrest, this was nevertheless from the

first his secret aim. The first step was taken when in 1822 the editor of the *London Magazine* agreed to publish a series of sketches of "Men of Genius and Character," which Carlyle began with the "Life of Schiller."

Contributed Articles.

THE PROVINCE AND THE UNIVERSITY.

We will not find any reasonable man in this province who will deny that it is the duty of the government to support free public schools in the province. Years ago we decided that these schools were not to be sectarian. We decided that in a democratic country, such as ours, where no state church is recognized, there was not only no need but also no room for "separate" public schools. If, then, it be the duty of the province to support public schools, so that the children of our country may receive a free education, is it not also the duty of the province to support a public, non-sectarian university, where the young people of our province can obtain such an education as will thoroughly equip them for their chosen walks in life? President Schurman of Cornell has said: "There is not a single argument in favor of free public school which is not equally cogent as an argument in favor of the free public university. The public school is maintained at the public expense because it is a powerful instrument for the preservation and promotion of that variety of agencies, influences, and results, to which we give the collective name of civilization. Universities have the same end and attain it more completely. Both institutions train human faculty and conserve the results it achieves, while one also multiplies these results. The cost of maintaining the state university is, therefore, as fairly chargeable upon the property of the people as the cost of the public school establishment. * * * In the interest of the large majority of our people, it is both just and politic for the state to offer universal free education of the highest as well as of the lowest order."

Again we have the statement of Huxley: "No system of public education is worthy the name of national unless it creates a great educational ladder, with one end in the gutter and the other in the university." I think that these statements cannot be successfully contradicted.

Nova Scotia has a magnificent public school system, and it is the duty of the government to extend this into a provincial "educational system, beginning with the primary schools and ending in a university, which, by the way, should not be a paper one. Many States of the American Union and some of our own Canadian provinces support universities as part of their educational systems. Why should not Nova Scotia do something for higher education? There is no need of a provincial university. Let the government assist one of the existing universities. It would be inconsistent to aid a denominational College as it is against the policy of the country to support denominational schools. Therefore, should the government decide to do its duty in this direction, it will have to assist the only non-sectarian university in

the province, viz., Dalhousie. Dalhousie is deserving of assistance from the provincial treasury.

Perhaps there is another way and a better, in which the government might aid higher education in the province. It might take steps to have the different colleges united and then assist the united institution. Such an amalgamation would give Nova Scotia the leading university in Canada. For this reason, this latter plan should commend itself to the government and friends of higher education.

To conclude, it is clearly the duty of the government to render some assistance to higher education in the province, and the sooner it takes some step in that direction the better for Nova Scotia and its sons and daughters.

WHOSE BUSINESS IS IT.

To see that the handicap is removed from those taking Course D in the Science faculty? This course "which has as main subjects Chemistry and Biology and is especially suitable for students who intend to enter upon the study of medicine,"—as the calendar has it—is we believe the best offered in the university and suitable for any student who wishes to *live* in the present age. The greatest problems of the day are intimately connected with Biological and Chemical research. The hindrance complained of is fees; these in the 3rd and 4th year amount to \$78.00, and as if this was not enough it was thought fit last summer to add \$8.00 examination fees. This is enough to damp the ardour of many a scientist and compel him to pursue a course where he may have only \$20.00 to pay.

To see that articles descriptive of life in other colleges are sent to the *GAZETTE*! Dalhousie is proud to claim men in almost every famous University in the world. Those who are studying in each college no doubt think their chosen one the best, its advantages should be set forth as an incentive to aspiring Dalhousians of the present classes of whom there is no lack. We believe your readers would highly appreciate a move in this direction.

To see that the work is adapted to the worker? We have to note two sad cases where our fellows from over work have been compelled to give up their course. We refer to W. P. McKay of the class of '94, and C. W. Ward of '96. They have gone to more temperate climes for rest. We hope to have both back soon, restored in health. Perhaps it is too much to ask a professor to recognize when work is hurting a man and confer with him, point out his danger, and urge the necessity of more exercise and less poring over books. Yet we think something of this kind might be attempted. The course here is not a vast stone crusher rolled over a class for four years and the uncrushed piled apart for graduation, but there is too close a resemblance.

To see that gowns are re-introduced? Now that scrimmages are said to be a thing of the past, a gown might be ventured in the halls without danger; and again, it might be used to wrap up your books when you do battle.

To see that the friends of Acadia College in Halifax spend their money in a proper manner? It is well known that a University ought

to be in Halifax embracing all the colleges of the Maritime Provinces. What is the use of piling men and books into a little corner like Wolfville when they might exert an influence and be a credit to all concerned if they were brought to Halifax. We are glad to see the friends of Acadia making a move. All our colleges need help, but why not endow Acadia handsomely *if she come to Halifax.*

To unite all the departments of the GAZETTE? Some think a paper contributed to by all the students but without the strict lines of Arts, Law and Medical departments, would be better. We are not quite sure on this point, but would gladly hear the matter discussed in the GAZETTE.

To recognize the following picture? "A short, stout, pleasant faced professor disengaged himself from the group at the table and stepping up to the platform said with a strong Scotch accent, 'If you are ready to begin gentlemen you will please arrange yourselves so as to occupy only every alternate desk.'"

This extract is from a recent novel, "Bert Lloyd's Boyhood," by J. MacDonald Oxley, a well known Dalhousian. BUSINESS.

A MONOGRAPH.

THOUGHT is the attribute, which marks man off from the animal. Animals may have it in some form or a lower stage, but certain it is, that in them it is not an agency to control the passions—the properly animal nature.

Thought would seem to have been given man, that he might live the life of feeling, as its ruler and director, not as its creature.

We would expect then, that all that is high, ennobling, pure, true, lovely and of good report, would elevate and at the same time subdue. And so it is. Philosophy—the enquiry into the *why* and *what* of that which in life is taken for granted—has an elevating and ennobling effect upon man. It assists him in the subjugation of the animal and the exaltation of the spiritual. Consequent on and simultaneous with such exaltation is a feeling of despicableness and detestation for all that is lustful, licentious, low.

Note a transcript from the diary of a dreamer. "I have found that the study of metaphysics has influenced my thoughts feelings and particularly my passions in a most extraordinary manner. Naturally sensuous my passions are strong, my desires intense. Philosophy has enabled me so completely to subdue (not eradicate) this lower self, that I wonder at its sometime fascination and thrall." * * * * *

To all we commend the study of philosophy. It quickly shows man how little he knows, how insignificant he is, how helpless he is doomed to be. He was taught, he had read, he believed that there was *proof*. Had he not proved propositions,

had he not read 'Prove all things'—Did he not believe that there was no room for faith?

What then was this vaunted thing proof? Was it an absolute quantity? Could it be likened to the hills that defy the ravages of Time—the wreck of nations? Or was it merely relative? By proof is understood clear demonstration, intuitive evidence, personal conviction. Nay more. It is incontrovertible evidence or demonstration. Such are some of the explanations of proof given by enlightened scientists.

Incontrovertible when analyzed, reduces to perception of, or conviction to a statement or a something as true. Incontrovertible evidence is evidence that appeals to me as intuitive, as clear beyond doubt, as true and real to a mind that directs its attention to it.

Just here appears the difficulty that makes all truth relative, viz:—ALL MIND IS NOT ONE MIND—Many men many minds,—This is the bar to universality and absoluteness of proof. This is forgotten by the vaunting scientist and the carping materialist. Mind cannot be considered as a separate entity or individuality. The bar of Reason is very *Mosaic* in its construction. What harmonises with this is rejected by that. Here a perfect assimilation results, there a repulsion. This one absorbs, that one withstands.

Mind is a general term for myriad forms—a genus for a multiformed species. As there is no standard for proof—there is no absolute proof. What seems absolutely clear and real to one may be confusion or nonsense to another. What one mind considers intuitive demonstration, another may regard as rigmale.

Most men are intuitively certain that they have 'a will,' 'that there is matter.' They are convinced in mind of such existence, i.e. it is for them proved, since proof, when tracked to its lair, turns out to be conviction of mind, that produces belief.

Demonstration then would seem to resolve in personal conviction or intuitive evidence. That there is will, that God exists, that mind is spirit, if they do not appear true and real to the mind, cannot be demonstrated. All argument, evidences, &c, serve only to illustrate, to exemplify, to explain, but not to prove.

But even if there are universal propositions of whose truth or falsehood we can have certain and intuitive knowledge—these, as Locke aptly remarks, concern not *existence*. Hence the impossibility of satisfying the demands of an Agnostic, an Atheist, an Infidel.

Universally self-evident propositions concern not existence. As we have then no axioms to base upon, it is utterly impossible

to demonstrate intuitively the existence of God, the reality of Free-Will, the certainty of sensitive knowledge. They prove themselves to many minds—you can do nothing with him who would challenge their truth.

Do they rank as axioms which cannot be proved? Do they not demand acceptance? Are they not to be placed on a level with Geometry's presuppositions. We would seem to be compelled to rank them as such, or at any rate as postulates, the possibility of which is self-evident. We must do so, would we aspire to explain man and his place in nature.

We can doubt them—we can deny them. But does not such doubt, such denial savour slightly of perversity, of presumption, of pride of intellect? Doubt them we may, deny them we can, but extirpate them—never. Like the ebb and flow of tide, ever rising ever falling, they maintain their ceaseless roll over the sands of Time—over the minds of Man.

Reason is impotent in presence of these, its problems. The votary of reason places himself, unwittingly no doubt, in the most assailable of positions. He denies the existence of the great Mind. On him then falls the burden of proof and explanation of man and his origin, the world and its existence, the Universe and its rationale. It is blindness to this fact, that has made his opponent an apologetic instead of a champion.

The reverent thinker finds strength in Reason's weakness. He bends in lowliness at the shrine of Higher Reason. Thought has driven him through all the stages, nihilism, athelism, scepticism, on, on to the temple of faith.

Reason in fine was but the broken reed. He sunk in the depths, he rose to the heights, and now he has his feet upon a rock. He looks back to see how many are making shipwreck in the sea of life. He looses away from the rock, strong in the strength of his new found faith and sails him away to shew his fellows the path o'er the waste of waters.

A. O. M.

Correspondence.

A SUGGESTION FOR THE IMPROVEMENT OF COLLOQUIAL SWEARING.

To the Chief Editor, &c.:

SIR:—Some attention and comment have naturally been attracted to two of the *Facetiae*, so entitled, in the last issue of your paper. These *Facetiae* are conspicuous in the Law Department: especially the second one in reference to "the Queen of the Sandwich Islands." Now, omitting the first witticism, which is an ordinary piece of vulgarity, certainly unworthy of being put into type, let me draw your attention to the second one.

—In a certain grammatical construction of "First Senior's" question, it may be viewed as the question of a young theologian enquiring about the conditions of human existence, etc., in what is known as "the future state." (For information on such dark matters see St. George Mivart in recent numbers of the *XIXth Century Review*.) But most persons will not take this view of "First Senior." They will think him a coarse-minded fellow who adorns his conversation with meaningless and offensive expletives, which he, with native stupidity, imagines to be at once spirited and witty: and who, having somehow obtained admission to our Law School, is, though a boor, masquerading in the character of a gentleman—unsuccessfully, as we see, in this case.

It is not conceivable that bad manners and bad language are considered by you or your assistant editors or by our students, as the equivalent of wit or humour. But if there are any among us who, from the poverty of their language, need meaningless expletives to express their over-burdened feelings—here is my suggestion to my fellow-undergraduates. Keep the senselessness, if you like, but give up the coarseness and profanity. Substitute the expression *Law Student* for the phrase which this distinguished "senior," employed with such telling effect. His phrase, you know, is one never addressed to "ears polite," but such ears, probably, he has had in the course of his education scant chance of addressing. Well, as I say, let the phrase *law student* be adopted as a substitute for "senior's": it will be just as empty of appropriateness, but it will be more euphonious. Let me illustrate how it could be used, after the manner of "senior," to ornament a conversation that might otherwise seem flat. This I do by asking you, Sir, why the *law student* did you allow the foul and feeble lingo of a fellow like that to appear in your paper? What, the *law student* mean this violation of decency? *law student* you, do you think we are all on the lowest grade of truckmen and coal-heavers? If you met Satan on the street, would it not sound much better to say to him, Go to *law student*, than the other thing? Perhaps, in that case, however, "senior's" phrase might be appropriate; but then it would have some point and meaning, which his profane vocabulary seems not to have.

At all events, you see how flexible my suggested improvement is. It would meet all the wants of those who may be as deficient in brains, manners, and taste as is the,—let us say for once, by way of euphemism—gentleman, whose words you have allowed, by inadvertence, to be reported; and it would be less harsh and offensive to the eyes and ears of those who may occasionally indulge themselves in perusing your columns.

I am, Sir, Yours,

ARTS-STUDENT.

—♦♦♦—
 "He who will not answer to the rudder must answer to the rocks." We find that just as Science has pruned our faith (to make it more faithful), so it has pruned our poetic form and technic, cutting away much unproductive wood and efflorescence, and creating finer reserves and richer yields.—*Laurier*.

HISTORY OF DALHOUSIE COLLEGE.—Attention of students, graduates and friends of Dalhousie is drawn to the fact that there exists a *History of Dalhousie College and University*. The author is George Patterson, M. A. You all know him.

In 1886 the Alumni Association offered a prize of \$50 for the best History of Dalhousie College. This prize was won by Mr. Patterson, whose history was spoken of by the Executive of the Alumni in their report of 1887 in these words:

"Mr. Patterson's paper is a full and accurate account of the checkered life of our Alma Mater, and has put this association in possession of information of the greatest value, collected from original sources and presented in readable and attractive form."

This historical essay is published by the Alumni Association in a pamphlet of 72 pages. The edition is not yet exhausted, and copies may be obtained on receipt of the price, 25 cents, on application to Victor Frazee, Secretary of the Alumni Association, 119 Hollis St., Halifax. Students of the college may apply to E. W. Forbes, Fred Yorston, H. P. Duchemin, or Murray McNeill.

This work ought surely to be in the hands of every friend of the college within or without its walls.

THE executive of the Philomathic hereby acknowledge with thanks the following contributions to the Canadian Corner:

From Rev. R. Murray: "Verses, Devotional and Miscellaneous" by Rev. J. A. Richey; "Memoirs of James B. Morrow" by Rev. A. W. Nicholson; "Songs by the Way" by James Henry; "Great Fire of St. John, N. B." by George Stewart; "Lyrics of the Past and other poems" by M. Emma Knapp; "Poems and Hymns" by Rev. J. C. Cameron, M. A.; "Poems" by John Imrie; "The Song of the Exile—a Canadian Epic" by Wilfred S. Skeat; "Poem" by Rev. J. S. Allen; "Feast of St. Anne" by P. S. Hamilton; "History of Acadia College and Horton Academy"; "Anglo Israel" by W. H. Poole.

From President Forrest: "History of Acadia" Hannay; "Speeches and public letters of Joseph Howe," 2 vols; "Letters of Agricola" Young; The Provincial Magazine for 1852 and 1853; "Life and Speeches of Hon. George Brown"; "Red River" by Hargrave; "Sketches in Nova Scotia" by Miss Frame; "The Æolian Harp" by the Misses Herbert; "Memoirs of Dr. McGregor" by Patterson; Bibliotheca Canadensis; Four volumes Dominion Annual Register.

From A. H. R. Fraser, LL. B.: "Akins History of Episcopal Church in British North America"; Dominion Annual Register, 1882; Volume of Pamphlets by John G. Marshall.

From Prof. Murray: "Orion and other poems" by Prof. Roberts.

From George Arthur: "Campbell's History of P. E. Island" Meacham's Atlas of P. E. Island.

Exchanges.

THE February issue of the *Harvard Advocate* is mostly composed of short, interesting stories. "A study in physiognomy" is very readable and amusing.

WE notice in the March number of *Varsity* that Professor MacMechan is appointed this year as one of the examiners in English for the University of Toronto.

WE have received a copy of the twenty-second annual report of the Halifax School for the Blind, which gives a most encouraging statement of the prosperous condition of that institution. The pupils of the past year, forty-six in number, have been very industrious and the results are very satisfactory. A perusal of the report cannot fail to verify the fact that under the able superintendance of Mr. A. C. Fraser, the school is kept in the front rank of all similar institutions. We heartily extend our wishes for continuous prosperity.

Outing for March opens with a lively article on Steeple-chasing in Ireland, by Capt. T. Blackwell. The "leps" that gentlemen of "the Kingdom of Connaught" take like they take poteen, the men of Galway riding with spare necks in their pockets, and the battles royal fought to the finish over historic "Punchestown" and the "Fairyhouse" are well portrayed. The article is finely illustrated, as is the entire number, which is fully up to standard.

A notable article is "Track Athletics at Yale," by S. Scoville, Jr. It covers athletic performances since 1869, and is embellished with fine portrait groups of men of nimble foot and powerful muscle who have defended the honor of the Blue in many hard-fought contests.

THE *Acta Victoriana* in an excellent article on "Sociability" gives prominence to the fact that "society expects every man to do his duty, not only to his fellow man, but to himself. It is the duty of every one to fit himself to be used sociably. This may be done by education and culture. We would not limit education here to academic learning, though this is an essential element in all education, but extend it to every means that tends to broaden and train the mind of man, and to expand and deepen his character. One who is coarse, rough, or awkward in thought, word or act, cannot expect to take his place in society; and thus cannot expect to be sociable to others, much less that the feeling of sociability should be extended to him. There is that within the refined nature which shrinks and must ever shrink from coming in contact with the coarse nature. Education and

culture we must have. Not that we should all be equally educated and have the same degree of culture, but we must be approximately so. And in a country like this, where education to him who would have it is as free as the air he breathes, no one may offer an excuse."

IN "Short Studies of Great Men" in the March *Forum*, Dr. Stinson briefly and admirably reviews the life of Pasteur—"a man to whose lot it has fallen in a larger measure, perhaps than to that of any other man, to open important pathways of research in medicine and to establish a doctrine of causation of disease upon which a mighty and efficient structure of prevention and cure has already been erected.

Pasteur is a man who makes no mistakes. Absolutely open and sincere, solicitous only that the truth should be known, he never hesitated to make public his reasons and his processes, to submit them to any open test, and to stand or fall by the result. Few men have had so many scientific controversies, and no one, perhaps, has come out of them so uniformly successful and with his success so uniformly conceded. In an address which he made ten years ago on his reception into the French Academy, after an eloquent declaration of his faith in God and his belief in immortality, Pasteur said: "The Greeks understood the mysterious power of those hidden things. They gave us one of the most beautiful words in our language—enthusiasm—*ἐν θεός* a god within. The grandeur of human actions is measured by the inspiration which gives rise to them. Happy is he who bears within himself a god, an ideal of beauty, and who obeys it. The ideal of art, the ideal of science, the ideal of patriotism, the ideal of the virtues of the Gospel—these are the living springs of great thoughts and great deeds."

College Notes.

THE Sunday afternoon lectures have come to an end. The lecture course was a very good one and the considerable numbers that attended were in every case more than satisfied. It is the intention of the Y. M. C. A. to have the lectures printed. We hope that next winter the same lecturers will favor us.

THE Philomathic Society had another splendid meeting on the evening of the 2nd inst. Mr. Hedley Ross read an admirable paper on "The Idea of Tragedy" and Mr. T. C. McKay gave an interesting discussion of "Ocular Illusions." Mr. McKay made use of some nice experiments. Professors MacMechan and MacGregor were present and favored the Society with encouraging remarks.

PERHAPS no subject at present is more universally the topic of conversation than that of the World's Columbian Exposition, to be held in Chicago during the summer and autumn months of 1893. Hosts of people will there assemble, and no small fraction of the visitors will be students from the different institutions of learning from all corners of the earth. The time is drawing near when college men are thinking about their entertainment during their visit. With regard to this the Editors of the GAZETTE and President of the Y. M. C. A. have received communications, which gives the plan being realized for the accommodations of Students and Professional men. The Hotel Endeavor people of Chicago are planning to make their hotel the rallying place for professional men as well Christian Endeavorers who attend the Exposition. This hotel, concerning which full particulars are given in an accompanying booklet, is situated on the shore of Lake Michigan, within easy walking distance of Fair, and affords every comfort and accommodation that might be desired. It will be open from April 15 to Oct. 31, and will accommodate 2000 guests daily. To secure a room it is necessary to forward an application beforehand, with an advance register fee of \$3. This fee merely secures a room in advance at reduced rates. Since the register books are already being rapidly filled up, and will be closed when two-thirds of rooms are taken, it will be necessary if any of our students who intend visiting the World's Fair wish to avail themselves of the privileges thus offered and have a room reserved, to attend to the matter immediately. The booklet, giving full description of Hotel Endeavor, its surroundings, rate for rooms, credentials, etc., may be had from the Editor's Secretary. For further particulars those interested are directed to communicate with

L. D. ATWATER, N. W. U. Med. School, '94,
 Manager College Department,
 2526 Calumet Avenue, Chicago, Ill.,

who has been delegated by the Endeavor people to organize and oversee the work in the various institutions of learning through the country.

HOCKEY.

This game is rapidly becoming a favorite winter sport in the Maritime as it already is in the Upper Provinces. Most of the colleges of Canada have now organized teams, and in the Upper Provinces it is customary to play for trophies. We do not see why Nova Scotia and New Brunswick should not follow their example. It is a sport which will fill the gap existing in athletics from the end of the foot-ball season till the spring. It will, to use a hackneyed phrase "fill a long felt want." Now to speak of our College team. This was not organized till late in the season and so was unable to play many matches. Although it is so young it has shewn itself to be the equal of clubs who can claim a much longer existence and as a consequence, more practice. So far Dalhousie's honor in the field of athletics has not been impaired in the least by the result of her "hockey matches." All the games were played in rinks,

requiring a different style of play from that in the open air. After a little practice the boys arranged matches, a list of which is here presented.

Dalhousie v. Acadias.—This game was played on Tuesday, Feb. 28th, in the North End Rink. Roughness was the predominating characteristic of this match. The "Yellow and Black" easily defeated their opponents by a score of six to one.

Dalhousie v. Unions.—This game was much more exciting than the former, as a good game was expected because of the Dalhousians' victory over the Acadias. The game, heretofore, has been mostly confined to Dartmouth, and Halifax teams have been frightened to contend with the Dartmouth boys because of their skill in hockey. However, Dalhousie crossed the water and met the Unions. This proved to be a very exciting game from first to last. The Unions were made up of some of the best players; therefore Dalhousie felt some trepidation in meeting them. During the first half Dalhousie scored two while the Unions had three goals. In the second half the Unions made many attempts to score only to be disappointed by our boys carrying the ball back into their territory. Tobin—more familiarly known as "Toby"—scored a goal at the last minute thus tying the score. The next game was

Dalhousie v. Wanderers.

This game was played on Tuesday, March 7th. Much interest centred in this game, for as everybody knows, the Wanderers are our old rivals. A large crowd assembled at the Exhibition Rink to witness this game. Dalhousians were there in force as was well attested by the shouts which greeted the players whenever they scored a goal. Dalhousie won the toss and chose the north goal. Brown knocked off with Captain Kenny of the Wanderers. The ball was sent spinning into the Wanderers' territory only to be sent back again into ours. For a time the game waxed fast and furious, the Wanderers shewing great powers of endurance. In the first half Dalhousie scored three goals and the Wanderers one. In the second half our boys scored seven while their opponents scored one. The game thus ended in a score of ten to two in favor of Dalhousie. The next game was

Dalhousie v. Mutuels.

This game was on Friday, March 10th. The Mutuels are a crack team of Dartmouth, who recently contended with the Chebuctos for the championship of the Maritime Provinces. To the lack of confidence on the part of our team may be attributed, partly, the defeat. In the first half the Mutuels scored three while the Dalhousians scored two goals. In the second half the Mutuels scored three goals and Dalhousie one. The

Mutuels are likely to meet our team soon again on this side of the water, and we may venture to hope that the result will not be unfavourable to Dalhousie. The following composed the team of this season:— MacKenzie, J., Murray, R. H., Bennet, G., Tobin, W. R., Bigelow, H. V., Brown, J., Murray, J. C., MacDonald, A. J.

Dallusiensia.

IT is said that the bell-boy corrected the professors' watches last week.

WHAT the janitor said when he saw the freshie class picture would make the *Recorder* man sneeze and bray.

IT is reported that some of the bursars are anxious to know the maximum legal tender in coppers.

HUMOROUS PROF.—"I was reading an article recently in the *Review of Reviews*—the *omnium gatherum* of American literature."

ONE of our laboratory students washed his hands recently and report says he found a pair of gloves which had been lost for a month.

WE do not believe that the remarks of the professor of Mathematics about the veracity of certain persons were intended to be personal. There is no reason for "Drew" to get mad.

PHILANTHROPIC student to small boy at mission school—"Don't you think, my little boy, you might have washed your face before you came?" Small boy—"Why didn't you comb your hair?"

PROF.—"Mr. P-r, can you tell me why silver coins have not smooth edges?"

Mr. P-r.—"So as to prevent them from slipping through our fingers."

PROF. IN ENGLISH: But, Mr. P-k-r, this is one of the living questions. P-k-r: I suppose it is sir, but I can live without it.

Prof. in English: You may vegetate; but don't say live.

PROF. OF POLITICAL ECONOMY—"Now you all see why copper coins are not convenient as an exchange medium; (laughter and applause) why, the fact of the matter is gentlemen, they are only useful and are almost exclusively used in paying scrimmage fines."

SECOND GERMAN: Student translating:—Brackenburg (solus):—And that first kiss: that only one!—here, here were we alone—she had ever been sweet and gracious to me—then she seemed to melt—she gazed upon me— all my senses whirled and I felt her lips upon my own! (Class smile approvingly and applaud)

Prof. (reflectively): You're laughing, gentlemen! YOUR time will come! (Exstatic applause.)

HE.

There was a scrimmage in the hall,
A scrimmage rough and rude;
The little Freshmen loud did bawl,
At Sophomore the dude,
And He was in it.

And there was damage in the hall,
 Long scratches on the paint;
 Where e'er the students brave did fall,
 They left a little dent,
 And *He* was in it.

There fell a shadow in the hall,
 A shadow tall and thin;
 The students stopped them one and all,
 But he went in to win,
 For *He* was in it.

He knew not who was in the hall,
 His conscience did not burn;
 When suddenly there came a call,
 A call most loud and stern,
 And *He* was in it.

There was a stillness in the hall,
 A stillness strange and queer,
 And out then spoke the shadow tall:
 "Your name I'd like to hear,"
 And *He* was in it.

There was a panic in the hall,
 Of wonderment most true;
 As quick *He* answered to the call,
 "My name 'tis Willie Drew,"
 Then *He* was in it.

There was a *whisker* in the hall,
 A whisker that was dark,
 A whisker which the shadow tall,
 Did make his special mark,
 And *He* was in it.

There was a hush within the hall,
 For he had left the scene,
 And for a barber he did call,
 To shave his whisker clean,
 For *He* was in it.

There was a search made in the hall,
 A search which lasted long,
 From early dawn till evening's fall,
 Made for a Sophomore strong,
 And *He* was in it.

There was a council in the hall,
 A council that was grave,
 And all declared the Soph. with gall,
 Was certainly a knave,
 Ah! *He* was in it.

There was a sentence in the hall,
 A sentence most unkind;
 The Sophomores great, the Freshmen small,
 They each of them were fined,
 And *He* is in it.

New Books.

P. VERGILI MARONIS AENEIDOS, LIB. I. Edited for the use of schools with vocabulary, by T. E. Page, M.A.

This little volume is the fourth book of the Aeneid which has been prepared for MacMillans Elementary Classics series by this scholar. It certainly does more for the beginner in the way of clearing up the difficult and obscure passages in Virgil than has been done before. There is an especially clear and interesting note on that much disputed passage in vs. 393-396. Even the more advanced student, who prides himself on being able now, after much tribulation, to read Virgil rapidly and with appreciation, will not find these notes uninteresting. Fresh interest is added to the commentary by tracing Virgil's imitations of Homer on the one hand and Milton's numerous paraphrases of Virgil's language on the other. A too copious and fanciful citation of parallel passages in a commentary is undoubtedly a fault, but Page's examples (and we have noticed this in the previous books) are always apposite and striking.

AN ELEMENTARY LATIN GRAMMAR, by Henry John Roby, M.A., LL.D., and A. S. Wilkins, Litt. D., LL.D. MACMILLANS.

The scope of this work is indicated in the preface. It is intended as an introduction to Mr. Roby's Latin Grammar for schools. The purposes of its preparation are explained to be that the pupil should have nothing to unlearn when he proceeds to his more advanced work (a thing which must happen when his grammar is not up to the present state of philological research) and that the facts of language should be so far as possible explained and not left to be a matter of memory.

MANUAL OF DAIRY WORK. By James Muir, M. R. A. C., etc., Professor of Agriculture in the Yorkshire College, Leeds. MacMillan & Co., London and New York. Pp. 93. 1 shilling.

This primer on Dairy Work is one of a series on Agriculture published by MacMillan & Co. The subjects discussed are milk, butter and cheese. The writer first gives an analysis of milk, a discussion of variations in the quality and its tests, and of the management of it.

Of the separation of cream from the milk he says: "The usual method is the shallow-setting system in which the milk is poured into pans until it stands at a depth of about four inches in these and it is allowed to remain until the cream has risen to the surface. But though the most common system, this is undoubtedly the worst, for as a very large amount of surface is exposed to the air, the amplest opportunity is given for germs to find their way into the milk. There is also a special

chance of the milk becoming tainted with any odour that may reach it in the dairy. It is, too, the slowest method of obtaining the cream from the milk." This is followed by a scientific discussion of the cause of sourness in milk and its effect on the butter made from the soured cream.

This extract may give some indication of the practical yet thoroughly scientific character of this little book. The remaining chapters are devoted to butter-making, cheese-making and the management of Dairies. This book is sure to prove very helpful to those interested in the present movement for introducing scientific methods into all the branches of farming. Public attention is now being directed from the manufacturer to the farmer, and large grants of public money are being made for the improvement of agriculture. In Great Britain, the science of agriculture has within recent years been thought so important that Professorships have been established in several Colleges and Universities. One need only mention Edinburgh with its Professor of Agriculture and its lectures in Forestry. A year or two ago, the delegation of British farmers to Canada was credited with the remark that the Canadian is a hundred years behind the times in his method of farming. Canada needs scientific farming." We are sure that such works, as that written by Prof. Muir, practical yet scientific, written clearly and with very few technical terms, and within the means of the poorest man, can point out an excellent way by which the present depression in agriculture may be removed.

PLUTARCH'S LIFE OF DEMOSTHENES, with introduction notes and indexes. Edited for the syndics of the University Press, by the Rev. Hubert A. Holden, M.A., LL.D. Cambridge at the University Press.

This contains an excellently printed text of Plutarch's Life of Demosthenes with marginal analysis, an introduction of eighty pages and a very extensive commentary. The printing and binding, as in all the works from this press, leave nothing to be desired. This edition we are satisfied will be found by teachers and learners alike a useful as well as a novel addition to the text-books available for the study of the Greek language.

MARIA STUART EIN TRAUERSPIEL VON FRIEDRICH SCHILLER. Edited by Karl Breul, M.A., Ph. D., Cambridge. At the University Press, 1893. 3/6.

This is a very complete and thorough edition of the play. The Introduction contains I. Life of Schiller. II. History of the play. III. Form and contents of the play. IV. Argument. The historical facts are not discussed in the Introduction, inasmuch as every one is supposed to be familiar with the chief events of English History during the reign of Queen Elizabeth. Schiller's alteration and invention of historical situations are pointed out in the notes. In addition the volume contains two appendices, and genealogical tables of I. The

Tudors and the Stuarts. II. The House of Guise. Appendix I. gives the more important various readings of the stage-editions. Appendix II. A Bibliography.

DAS WIRTHSHAUS IM SPESSART VON WILHELM HAUFF. Edited with notes by the late A. Schlottmann, Ph. D., and J. W. Cartmell, M.A., Fellow and Tutor of Christ's College, Cambridge. At the University Press, 1893. 3/.

Dr. Schlottmann's edition of this work published by the Syndics of the University Press in 1880, has been proved to be a most useful text-book for students of German. Mr. Cartmell has prepared the present edition, enlarging and re-writing Dr. Schlottmann's notes. The book is a selection (five in number), of Hauff's Tales. Hauff was born in 1802; and died before the completion of his 25th year. The Märchen were his earliest production. The style is clear and attractive, the language shows distinct literary skill and abounds in idiomatic expressions which are especially interesting and useful to foreign students of German.

L' EXPEDITION DE LA JEUNE—HARDIE PAR JULES VERNE. Edited with notes. Vocabulary and appendixes by W. S. Lyon, M.A., Boston. D. C. Heath & Co. Price 25 cents.

Considerable care has been bestowed in editing this little narrative. The result is a perfect text-book. It is prefaced by an outline map of the north regions and a diagram of a brig, having the parts all named. This together with notes, vocabulary and two appendixes, one containing the commonest irregular verbs, the other, the personal and relative pronouns, should make the reading of this story altogether easy for the beginners.

GREEK-ENGLISH WORD-LIST, containing about 1000 most common Greek words, so arranged as to be most easily learned and remembered, by Robert Baird, Professor of Greek in Northwestern University, Boston. Ginn & Co.

This somewhat unique production is intended to be a guide and help to the beginner in acquiring a Greek vocabulary. It aims to supply and fix in the memory by association, a stock of ordinary prose words and their compounds. The memory is assisted by the cognate and derivative Latin and English forms which are given. The idea is certainly a good one. Any word mentioned in the text can be easily found by means of an index.

ACKNOWLEDGMENTS.

Geo. Munro, Esq., \$5.00. W. R. Campbell, Prof. MacGregor, \$3 00 each. A. S. McKenzie, I. J. Carter, Dr. Alexander, Miss A. Forbes, \$2 00 each. D. S. McIntosh, \$1.15. Wm Forbes, L. W. Murray, J. B. McLean, Miss Maxwell, S. N. Robertson, A. H. Foster, G. A. Sutherland, Miss L. Hobrecker, Miss C. Hobrecker, Murray McNeill, Mr. John Forbes, Miss Oxley, J. A. Roberts, Rev. E. S. Bayne, R. F. Morton, W. M. Hepburn, R. M. Gillis, C. F. Tremaine, G. S. Shaw, H. E. Mahon, C. A. McLean, Douglas McIntosh, Miss Hamilton, H. Putnam, W. R. McKay, A. A. Dechman, N. A. Chisolm, Miss E. B. Harrington, E. W. Moseley, R. S. Campbell, G. A. Grant, R. McVicar, Hon. W. J. Stairs, Miss L. C. Murray, A. L. Fraser, \$1.00 each. C. U. McLeod, 25 cents.

Ten numbers of the GAZETTE are issued every Winter by the students of Dalhousie College and University.

TERMS.

One Collegiate Year (in advance)	\$1 00
Single copies	10

Law Department.

WE have heard many different reports about the new law school which was opened at St. John last fall. At one time we have heard it said that the school was in a flourishing condition, at others that this latest scheme of the governors of old King's was a failure. In order that our readers may judge for themselves of the success with which the school is meeting we have ascertained from the Secretary, that there are seventeen students in attendance, of these seven are regular undergraduates and ten are partial students. Most of the partials are senior law students and are attending lectures in practice, as they have to take the Bar Final in October. We have compared notes of some of the lectures with notes taken from our own lectures and we certainly think that in every respect our own are the better of the two. As to the future prospects of the new school we will say nothing, but of one thing we feel confident and that is, that the course offered by it, at present, is much inferior to that offered by Dalhousie.

THE session of the Law School which has just closed has been a very successful one. All the lecturers have been very regular in their attendance at the appointed lecture hours. The students appeared to do more library work than usual. The manner in which the Moot Court was conducted was away head of what it was in former years. The sessions of Mock Parliament were fully as interesting as in any previous year and the members spent many a pleasant Saturday evening in the house. There was a good attendance of students notwithstanding the fact that there is a Law School at St. John.

SOME few years ago a pamphlet on "Conditions in Contracts" was published for the use of Harvard students. It is supposed to be the work of Professor Keener, now Dean of Columbia Law School, New York.

Perhaps some of the statements of law, for instance that in § 12, part first, may be questioned; nevertheless, the pamphlet

is a very valuable one to the Student of the Law of Contracts, and therefore we reprint it in this issue of the GAZETTE.

It is now too late for it to be of any use in examinations, for they are a thing of the past, in so far as this session is concerned, yet we would recommend all our students and even our graduates to carefully read the article as it very clearly explains a very important branch of one of the most important divisions of the law.

CONDITIONS IN CONTRACTS.

Conditions in contracts may be divided into express conditions and implied conditions, *i. e.* a covenant or promise may be conditional, either expressly or by implication or construction.*

FIRST.—IMPLIED CONDITIONS.

In every purely bilateral contract (*i. e.* in every contract which is wholly executory on both sides), as all the covenants or promises on the one side are collectively the equivalent for all the covenants or promises on the other side collectively, the covenants or promises on each side are *prima facie* subject to the implied conditions that the covenants or promises on the other side be performed at the same time. In other words, the two sides of every purely bilateral contract, being the equivalent for each other, constitute *prima facie* mutual and concurrent conditions.

But as this rule is very general, and, like all other rules of construction, only holds *prima facie*, in applying it the following distinctions must be borne in mind:—

1. It makes no difference in the applications of the rule whether the contract is under seal or not under seal; nor is it any objection that the consideration of the promise on each side is the promise, and not the performance, on the other side, for mutual promises are always the consideration of each other in bilateral contracts not under seal.

2. The notion which prevailed at one time, that a covenant or promise is independent whenever the promisor or covenantor has a remedy by action to recover payment for his covenant or promise, is repugnant to the rule in question, and wholly erroneous.

3. If the covenant or promise on the one side is to do specific acts which require time for their performance, while the covenant or promise on the other side is simply to pay money, the specific acts must *prima facie* be fully performed before

*For the distinction between construction and interpretation, see Lieber, Legal and Political Hermeneutics, cap. 1, § 8; cap. 3, § 2; cap. 4 and 5.

the money is payable. In other words, the two sides of the contract do not in that case constitute mutual and concurrent conditions, but one side is subject to a condition precedent, while the other side is absolute and unconditional.

The most common instances of contracts of this description are ordinary contracts for service, building contracts, and charter-parties, while the most common instances of contracts to which the general rule applies, *i. e.* where the two sides of the contract constitute mutual and concurrent conditions, are contracts for the sale of real and personal property.

4. When, by the express terms of the contract, one side is to be performed before the other, the side which is to be performed first is independent and absolute, while the other side is subject to a condition precedent.

5. If the covenant or promise on the one side is to do specific acts which require time for their performance, while the covenant or promise on the other side is simply to pay money, and the time for the payment of the money is fixed, while the time for performance on the other side is left indefinite, and may be either before or after the money becomes payable, or partly before and partly afterwards, according to circumstances,—both sides of the contract will be deemed independent and absolute.

6. But when, in an argument for the sale of real estate, a day is fixed for the payment of the money, and nothing is said as to the time of delivering the deed, the deed will be deliverable by implication when the money is payable; and the effect will be the same as if the same day had been expressly fixed for the payment of the money and the delivery of the deed, and the two sides of the contract will be mutual and concurrent conditions.

7. When the covenant or promise on the one side is negative, and is to refrain from doing something perpetually, while the covenant or promise on the other side is to pay money at a day named, as it is impossible that the former should be fully performed before the money is payable, both sides of the contract will be deemed independent and absolute.

8. When each side of a bilateral contract is put into a separate instrument, each being complete in itself, and neither making any reference to the other, each side will be independent and absolute. In fact, there are in that case two separate and distinct contracts, and it is erroneous to say that the two instruments constitute one bilateral contract; and it seems that parol evidence is not admissible to connect them together.

9. When the covenant or promise on the one side is to pay a fixed sum of money or do some other act, and on the other side to guarantee a debt or insure against some risk or contingency, both sides of the contract will be independent and absolute; for although the covenant or promise on the one side

is the equivalent of the covenant or promise on the other side, yet there is no equivalency in the performance. In such cases the *covenant* or *promise* on the one side to guarantee or insure is the full equivalent for actual *performance* on the other side.

10. The most important distinction applicable to the general rule under consideration is that between a breach of an implied condition *in limine*, and a breach after a part performance of the contract by the party committing the breach. In the former case the breach will be fatal to any action on the contract by the party committing it, without regard to its extent or importance; while in the latter case nothing but a breach which goes to the substance, essence, or root of the contract, or which defeats the main scope and object of the contract, will be a defence to an action on the contract by the party committing the breach.

11. If, after a breach of an implied condition by one party, the other chooses to go on with the contract as if no breach had happened, he thereby waives the breach as a breach of condition, though he may still sue upon it as a breach of contract.

12. It follows from the terms of the general rule under consideration, as well as from the reason on which it is founded, that it is wholly inapplicable to a contract which is only partly bilateral, *i. e.* to a contract in which a part of the equivalent on one or both sides is given and received when the contract is made.

It will be observed that this is a different principle from that of part performance referred to in Rule 10. When the present rule is applicable, the covenants or promises are wholly independent, and hence the distinction between a breach which does and which does not go to the essence is irrelevant. It is also distinct from waiver, referred to in Rule 11.

13. As there are no implied conditions in contracts only partly bilateral, *a fortiori* there are none in contracts wholly unilateral.

14. When a bilateral contract is in writing, and performance by A. is in terms made conditional upon performance by B., while B.'s promise is in terms absolute and unconditional, there is no room for implying a condition in B.'s promise, the maxim, *expressum facit cessare tacitum*, being applicable. The mutual promises, therefore, do not constitute mutual and concurrent conditions, according to the general rule; but A.'s promise is subject to an express condition precedent, while B.'s promise is independent.

SECOND.—EXPRESS CONDITIONS.

An express condition, as its name imports, is one of which the evidence must be found in the language of the parties when read in the light of surrounding circumstances.

As the only foundation of express conditions is the intention of the parties in each case, and as the power of the parties to

create them is practically unlimited, they are not susceptible of classification like implied conditions, nor can they be reduced to any definite rules. Still, certain rules may be laid down respecting them, which will be of material service in dealing with them.

1. The rules heretofore given as to implied conditions have very little, if any, application to express conditions, with the exception of the 11th rule as to waiver, which applies to both classes of conditions equally.

2. Unlike implied conditions, express conditions may exist equally in bilateral contracts and in unilateral contracts; and it is immaterial whether there are also implied conditions in the same contract.

3. While the subject-matter of an implied condition is always a covenant or promise, the words or clause in which an express condition is found may or may not constitute also a covenant or promise, according to the intention of the parties.

4. Whenever it is doubtful whether certain words do or do not constitute an express condition, it is material to inquire whether they constitute a covenant or promise; for if they do not, that will be an argument in favor of their being a condition, it being a cardinal rule of interpretation to give effect in some way to all the words of a contract, if it be possible; and the argument becomes much stronger when a covenantor or promisor would otherwise have no remedy for the equivalent of his covenant or promise.

At one time, indeed, the notion prevailed that words which created a covenant or promise could not also create an express condition; but such a notion as to express conditions is even more repugnant to principle than the analogous notion as to implied conditions. See Implied Conditions, Rule 2.

5. When a policy of insurance against fire contains a condition requiring the insured to give notice or furnish proofs of his loss, such condition is always express; for even if the policy contained a covenant or promise by the insured to give such notice or furnish such proofs, such covenant or promise would not constitute an implied condition, for the reasons given in Rule 9, under Implied Conditions.

6. Conditions in building contracts and the like, that the work shall be done to the satisfaction of an architect or surveyor, may, for all practical purposes, be regarded as express conditions; for although the contract may contain a covenant or promise by the builder to do the work to the satisfaction of an architect, and from such covenant or promise a condition will be implied, yet such a condition could never be broken until the contract had been in part performed, and the breach could not, in the nature of things, go to the essence of the contract. Unless the condition were expressed, therefore, it would be of no real value

7. In leases and deeds of conveyance, words naturally importing an express condition have sometimes been disregarded by the courts, it being held that they were inserted as words of form, and without any intention of creating a condition.

8. A covenant or promise which constitutes an implied condition may, of course, be made also an express condition, if the parties so desire; and sometimes this happens from the relation of mutual covenants or promises to each other. Thus, in an agreement for the purchase and sale of unspecified goods, if the seller promise that the goods shall be of a certain quality, the buyer's promise to buy the goods and pay for them is in the nature of things conditional upon the goods being of the quality designated. For most purposes it will not be material to inquire whether such condition is express or implied, but if it ever becomes material, it seems that it is express as well as implied.

9. It seems that the conditions in policies of marine insurance, commonly called warranties, unlike such conditions in charter-parties, are express conditions; and hence they must always be performed literally.

Indeed, for the reasons stated in Rule 9 upon Implied Conditions, it seems that conditions in contracts of insurance must always be express.

"LAW is a rule of action to which men are obliged to make their moral conduct conformable. It is an authoritatively inflexible rule, enforcing justice—a compulsive director of human duty. It is a moral science, for its end is the accomplishment of justice, and justice is simply practical virtue."—WHARTON.

"THE design and object of laws is to ascertain what is just, honorable, and expedient: and when that is discovered, it is proclaimed as a general ordinance, equal and impartial to all. This is the origin of law, which for various reasons, all are under obligation to obey; but, especially because all law is the invention and gift of Heaven, the sentiment of wise men, the correction of every offence, and the general compact of the state; to live in conformity with which is the duty of every individual in society."—DEMOSTHENES.

"JURISPRUDENCE is a national science, founded upon the universal principles of moral rectitude, but modified by habit and authority."—LORD MANSFIELD.

"LET us consider wherein the law consists, and we shall find it to be, not in particular instances and precedents, but in the reason of the law."—LORD HOLT.

"WE must have legal tribunals * * * * They pronounce their decisions, and these ought to be preserved; they ought also to be well studied, to the extent that we may adjudicate to-day as we did yesterday, and in order that the property and lives of our citizens may be assured and as certain as the very constitution of the state is."—MONTESQUIEU.

Medical Department.

THE intimate relation between existing funeral customs and the cause and propagation of disease is daily becoming more clearly recognised, and its lessons cannot be forced too strongly upon the public. We may safely claim that in reference to the burial customs of to-day the public mind is in a transition stage; and that the substitution of cremation for burying is rapidly gaining popularity among thinking men. To use the words of Pasteur, the inferences in favour of cremation are so strong that they need not be enforced. A body full of cholera or typhoid bacilli is, under the present custom, committed to the earth. For a time, the coffin may prevent these bacilli from finding their way into the surrounding earth. But sooner or later they do infect the earth, and may next appear in a supply of drinking water, and then again is humanity pitted against its merciless foe. Of course, the bacilli may be destroyed during the process of putrefaction, but the weight of this argument is completely over-balanced by the fact that they may not be so destroyed, and the terrible devastation which may result from their freedom. Sir Spencer Wells notes a remarkable case in which the seed of scarlatina germinated after being buried for thirty years. Part of a closed graveyard was taken into the adjoining rectory garden. The earth was dug up, and scarlatina soon broke out in the rectory nursery, and thence spread through the village. It proved to be of the same virulent character which thirty years before had destroyed the villagers buried in the precise part of the churchyard, which had been taken into the garden and dug up. No other explanation for the outbreak could be offered. In vain do we hope for the abolition of cholera and kindred diseases so long as the bacilli upon which they depend are preserved and fostered in the lap of earth. In fact all dead bodies whatsoever are full of organisms which assisting in the process of decomposition may form poisonous products and excite disease if brought in contact by air or water with living beings. The cases are not a few in which cemeteries have poisoned drinking waters and have been the direct and efficient cause of scattering disease broadcast, and

of bringing wailing and desolation to many a hearthstone. As a distinguished physician has said "These little drops of water squeezed by Father Time from the dead are loaded with sure death for the living who drink of them."

Against this there is one and only one protection. The solution of the great problem is exceedingly simple. Any form of burying the remains of the dead as such is fraught with unnecessary danger to the living. Says Sir Spencer Wells. Anything short of complete destruction by fire or some chemical agent must be powerless and incomplete as a safe guard.

FUNERAL REFORM.

WE may consider funeral reforms under two heads. I. The disposal of the remains of the dead. II. The present customs which control the actions of the bereaved.

I. It is the nature of organic bodies when life ceases, to go back to the state of inorganic matter. When dead animal matter is left to itself, myriads of micro-organisms, bacteria—seize upon it and produce disorganization. The bacteria continue to feed upon the dead organic matter till it has returned to the state of an inorganic body. This process requires several months. Meantime the decaying matter has become a source of infection and danger. It is not merely the vegetable kingdom and the lower orders of the animal creation which undergo this process: the physical part of man is controlled by the same laws. This process of disorganization which when left to nature is done so thoroughly but in such a dangerous manner, can, in a few hours be accomplished by the action of heat.

This applied to the soulless human body is termed cremation, and this we claim to be the scientific mode of disposing of the bodies of the departed.

With our present knowledge of bacteriology, it can be readily understood what a source of infection an ordinary cemetery must be—especially in a city. But when we consider that not merely healthy human bodies are laid to rest in our cemeteries, but that bodies, dying of infectious diseases, on which for days preceding death millions of bacteria have been feeding, are laid side by side, and in some places three tiers deep, can we wonder that disease is so prevalent, and can we speak too strongly against the present method of interring the dead? If cemeteries were several miles from the abodes of the living, there would be less objection. Instead of that cemeteries are situated in the very heart of our towns, at our church doors, beside our school-houses, and in some cases the neighboring families receive their water supply from wells which receive the drainage from the bodies of

the dead. The microbes which produce diphtheria, typhoid fever and other infectious diseases do not die with their victim. Swarms of bacteria have been found in the air immediately above cemeteries, and in the ground. An appropriate funeral song would be

There are microbes hovering round.

It contains more truth than the words of the hymn, "There are angels hovering round." Coffins might be made air tight or bodies might be mummified, but both of these plans involve a great amount of expenditure.

The only remedy appears to be the establishment of crematories where, in a decent manner, and in a few hours, the earthly tabernacle should pass from an organic body into an inorganic body without being a source of danger to the living.

This proposition meets with two classes of objectors—those who object on religious grounds and those who object from sentimentalism.

Religious objectors—who are in reality only a variety of sentimental objectors—may think that cremation is opposed to the doctrine of the resurrection. They seem to think that because the body has become a handful of ashes, therefore, it cannot be resurrected, not pausing to consider that just as much of the body remains after cremation as when it has mouldered away in the grave, or after it has been destroyed in a burning building. We would remind these that belief in the resurrection does not necessitate believing that the body which rises from the dead is composed of the very same particles of matter as the body which is buried. Or, they will tell us that because burial is the form of disposal spoken of in the Bible, therefore cremation is opposed to scripture. They might as well say that to use the piano or the telephone is wrong because they are not mentioned in the Bible.

Sentimentalists shrink with horror from the bare idea of cremation. This is from a misunderstanding of what cremation really is. Were the same individuals accustomed to cremation instead of burial, they would have a more chilly sensation from the thought of seeing the remains of some loved one lowered into a hole in the damp earth, there to decay. The popular idea of cremation is, that the body is put into a fire and roasted, and the ashes scattered. In reality, after the funeral services, the hearse conveys the body to the crematory, and here the body passes from the view of the relatives, without the heart-rending sound of the clods falling upon the coffin. In a few hours the remains are received again by the bereaved family, in a casket or urn, as handsome as they wish, to be placed in the family resting place. According to this system, a crematory, instead of being a series of mounds with decaying bodies beneath, might be made a grand collection of urns, caskets or sarcophagi, where children could be

taken with perfect safety to be reminded of the good deeds of the departed, and to be told of the glorious resurrection. Or, if preferred the remains might be stored in the church.

II. Not only is a change desirable in the disposal of the departed, but also in the custom which demands that the female relatives of the deceased shall get new apparel—every thread of it black. The only argument advanced in favor of this is, that it is showing respect for the dead. If so, then why are men not requested to do the same? If to show respect for the departed it is necessary for a woman to get a black outfit, trimmed with crape, why is it not disrespectful for a man to wear a suit of mixed colors? But why should gloomy clothing be considered respectful to the dead? If the bereaved find any comfort in sombre garments, let them wear black if they choose, but why should these criticize others who have different tastes? While there is really no *reason* why everybody should wear "mourning," there are several reasons why most people should not follow this custom.

It is expensive. This reason applies to a large number of people. Many purchase the usual kind of clothing and leave honest debts unpaid. A father of moderate means dies after a protracted illness leaving a wife and several daughters. The lawyer demands his fee for selling the estate. The doctor sends in his bill for medical attendance. The undertaker must be paid. Fashion dictates a new wardrobe for widow and daughters. How much is left to feed and educate the children? A person dies leaving a large number of female relatives each of whom according to the fashion must invest in an outfit. The old clothes are laid aside. How much will it all cost? Could the same money not have been spent to greater advantage in foreign missions?

And, then, the effect on many persons' feelings is harmful. Whilst some can go to a picnic as soon as they get their "mourning made up" and laugh and have a jolly time, there are others who can don such robes with only a feeling of melancholy. To a large number of people the wearing of gloomy apparel after a bereavement is almost martyrdom. Then why should they be bound down by the chains of fashion. Simply, because they fear the tongues of their neighbors. When some dear one is taken away, we naturally feel sad over the loss, but there is no virtue in trying to feel sad, or in trying to appear sad. It is rather a duty to do what will tend to cheerfulness, both for one's own sake and for the sake of others.

"Go bury thy sorrow,
Let others be blest,
Go give them the sunshine,
Tell Jesus the rest."

A. ISABEL HAMILTON.

THE LOOKER ON.

We are soon to part for a long season and to those who look beyond the examinations, there appears, either the halcyon days of idleness or days to be spent in hard work or in the harder work of reading up. The mature student perhaps realizes the transitory nature of studying in vacation. But nevertheless there are some among us who could not stop if we would, and alas! those who would not study if they could. The first class always deny studying at all from principle, while the latter are discreetly quiet on the matter.

May I not make one or two suggestions about the employment of a part of your time in vacation.

1st. Would it not be advantageous to devote a portion of it to preparing a paper for the Medical Society. There has been a dearth of such matter this year, and your paper would find additional interest to your meetings and afterward would adorn our Medical Column in the GAZETTE.

The 1st leads to the 2nd suggestion. Our medical editor has not been supported as he ought to have been this year. The success of our column has depended on him almost wholly. Now your duty is not done after appointing him to his honorable position, but you ought to give him material to make his work a success. No time! well just employ a spare hour or so this summer in preparing some material for him.

3rd. You have been asked to aid in collecting specimens for the Herbarium. Many have already responded. More ought to do so. To many, Botany appears as a stumbling-block in our course, but to those who realize that the great majority of our medicinal preparations are obtained from plants, surely some knowledge of them must appear necessary. Now, why might not the Medical students make a collection, more especially of Medicinal plants, thus aiding their own knowledge and benefiting those who may come after.

I was going to make another suggestion about our Museum, but am not sure that we have one. I have heard rumours of such but have never seen it. It may be like the specimens that used to be shown in the Materia Medica class reserved for some unknown purpose.

It has been reported that we are going to lose our professor in Physiology, and it is a matter of universal regret. Every one enjoyed his classes and he will bear with him the good wishes of all.

The Medical Society appears to have acted on the suggestions in the last GAZETTE and have asked to be allowed to take charge of the reading-room. We may expect something worth while now and one to be proud of next year.

The senior class appears to have let their exuberance put them in for the biggest bill of damages this year. The idea of graduating so soon may influence some of them, but it is an awfully bad example to set to the tenderer ones.

The Medical does not strike me as a very social being, even among those of his kind. We are about parting and how little outside of the class-room have we seen of each other.

The "plugger" would imagine himself "plucked" to spend a social hour outside of his room. The opposite type would deem himself ill to

be found in his room. But there is a golden mean that might be cultivated to advantage. I am going to except the ladies from both of these classes to save any mistake of gender in the paragraph.

Our ladies! I am often asked of them by outsiders, especially by those of the same sex, and with that little exclamation so feminine and so endearing, that one does not know who they are sympathizing with, you or the ladies.

Now we are proud of our ladies and would not part with them until we must some day. And they don't need your sympathy, my friends. We are proud that our college has opened its doors to them, and we hope you are prepared to give them that substantial encouragement after they graduate which their pluck deserves.

There is an ominous smile on the face of the janitor these latter days, what it may forebode no one seems to know. My own theory is that it has something to do with the exams. You all know his power and I would strongly advise that you be discreet in your behaviour towards him from this out or you may be made to feel some of that power that "lies behind the throne."

Believe me in this as in other things, I am your well wisher,

THE LOOKER-ON.

MEDICAL BRIEFS.

AN important functionary of the college declares that he is going to "clip the wings" of Saturday classes.

SCRIMMAGING for chairs has become a most popular and fascinating recreation judging from the enthusiasm displayed by its devotees.

ONE of our ladies' men was recently the recipient of an invitation endorsed "Genuine this time." Needless to say it was accepted.

IT was indeed a spectacle for gods and men as the young lady turned and waved her hand to the student meandering his way from Bauer St.

THE following recently appeared on the bulletin board:

"Mr. B., regrets that he will not be able to attend dissection this evening as he must attend a children's carnival at Dartmouth.

SOON will dawn the happy spring,
When exams. will all be o'er,
Soon our merry voices ring,
As we leave this far-famed shore.

If success you'd have it bring,
And the road to fame would tread,
Then aside all pleasures fling,
Let your master be your head.

Chemistry—that subject rare—
H₂S and SO₄—
O. and N. to form the air,
Greet us at the open door.

Test for Arsenic—learn it sure—
Jot in tablets of the mind,
Fix it there—it will endure
And a needed friend you'll find.

Tempted by an impulse wild,
Often human being frail,
Forgetting he is Nature's child,
Never finds As. to fail.

Quietly then take it in
While the "Arts" around you roar,
They would think it quite a sin
Not to treat the whole a bore.

Up and up those winding stairs
To that famous upper room,
Note the scimmages for chairs—
Happy he who gains the boon.

Thus with hair and face serene,
He can see with perfect ease—
Notes the nature of the scene—
Organs wherein sits disease.

Anatomy— that subject deep,
Often have we baffled been,
If the brain could only keep
Account of all that has been seen.

Physiology next comes—
With its reasons for all pains—
Proteids, fats. What is the sum
In the Lymph and Portal vein?

Circulation you must trace
Through the vessels from the heart—
Until at last is won the race—
Oozes back the blood—(in part.)

Oh! the doses get them right,
For when years have rolled away,
You'll be in a sorry plight
If with trifles now you play.

Opium with subtle power—
Hypnotism is its dower,
Small the dose, and it will ease
Pain and suffering, cure disease.

Now farewell, my words are done,
Murphy, Dechman, Farrel, Brown,
Moore, MacDonald, the *Primary* clan,
May success your efforts crown.

PERSONALS.

THE GAZETTE is pleased to learn that DR. G. TURNBULL, '92 is meeting with much success in Upper Musquodoboit.

DR. WOODWORTH, another of the class of '92, is entering upon a successful professional career at Kentville.

IT is rumored that at the close of the present session we are to lose one of our most popular professors, who contemplates moving to the west. This undoubtedly will be a serious loss, both to our *Alma Mater* and to the community at large. As students we are unanimous in hoping that this rumor is groundless.