

An. E. McKay

THE DALHOUSIE GAZETTE

HALIFAX, NOVA SCOTIA

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CHRISTMAS.

"The time draws near the birth of Christ;

The moon is hid, the night is still;

The Christmas bells from hill to hill

Answer each other in the mist.

Peace and good-will, good-will and peace,

Peace and good-will to all mankind."

THE year is dying. Christmas with its strange mingling of joy and sadness is with us again. It is more than a figure to speak of time as fleet of foot. But yesterday, and joy-bells were proclaiming in gladsome peals the birth of New Year. Now we have almost reached the end. Soon, the church bells, sad and low, shall toll, and the old year be no more. How full and clear was the note of hope with which the year began. With what a freight of possibility and opportunity did it appear. How grand and noble the

resolves which marked its birth. Have they all been fulfilled? Well—let us hope that some at least do not rise up to mock us as we gaze backward over the desert of the dying year. But why dwell upon the past! This is the season of gladness. These are the year's halcyon days. The Christmas hymn breaks in upon our sorrowful musing, bidding us look up and not back. Though humanity in self and others may have disappointed us during the year, yet, at this time we forget it; "good-will to man," the angel message, buries in its sweetness all meaner thoughts and base emotions. For a time all men are brothers, knit together by common interest in One who came to bring peace. Under the influence of the Bethlehem message we look out upon the world, not as individuals, but as brothers; the sorrow of another is our sorrow, his joy, our joy.

The year which is passing is a year which will live in history. History has been made in these days very rapidly. Early in the year the war cloud appeared above the horizon, and as a result one of the old-world powers seems tottering to her fall. Even within our own Empire the war-drum has been heard. In many quarters, while there has been no open breach, friction and antagonism have vexed rulers and governments. The air is still full of unrest; the apple of discord has not yet been awarded; seldom have the waters of diplomacy been more troubled than at the present. Even now we cannot feel sure that the Christmas peace carol will not be rendered discordant by the jarring note of strife. Yet, our hearts are full of hope, not only for ourselves, but for humanity, for this festive season brings to us again the truth that our world is linked to an eternal purpose, which is peace, and the assurance that the time will come when

"Angers and hatreds are dead,
And sorrow and death shall cease."

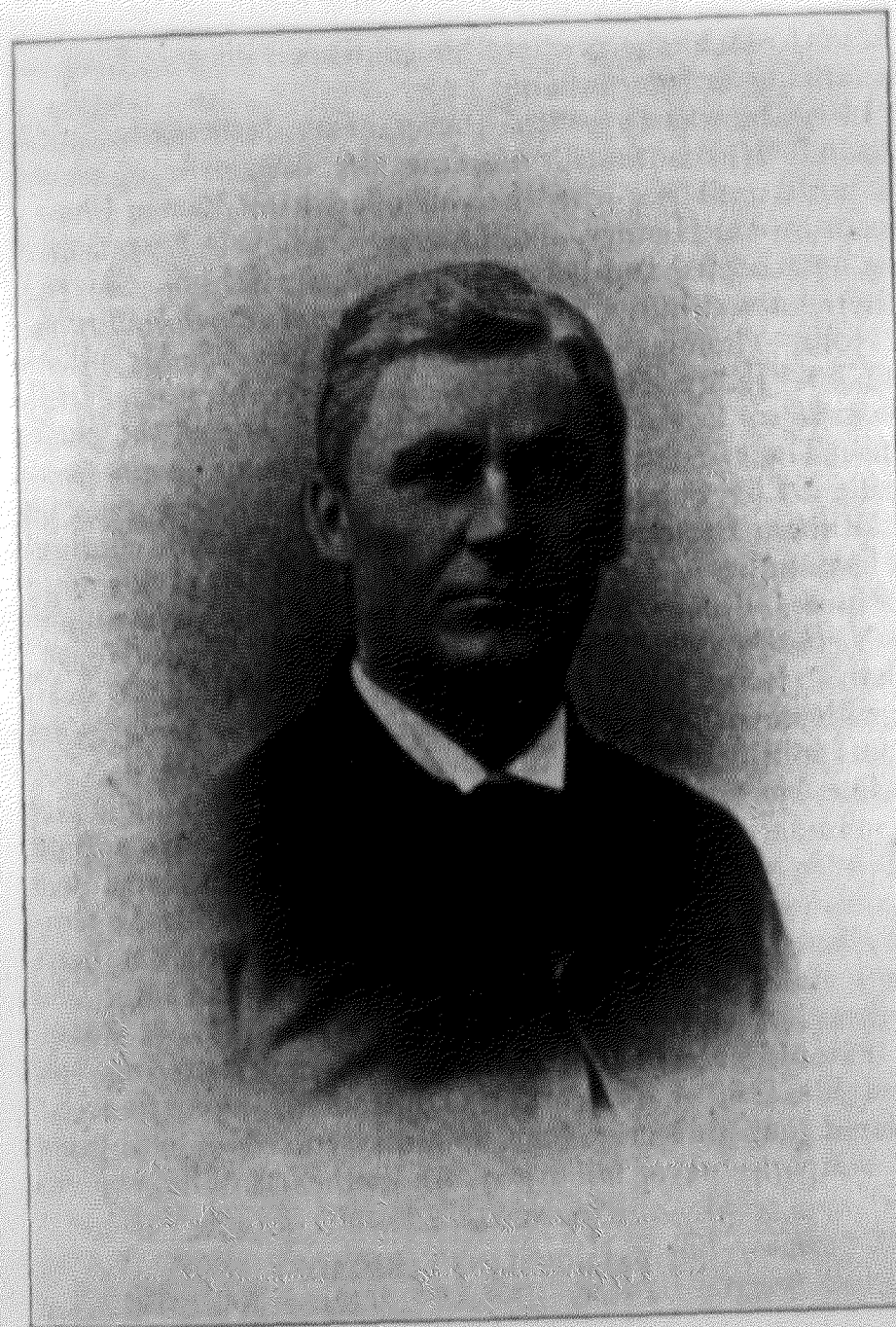
Within our own borders peace has been maintained. Canada seems to be settling down, or rather rising, to her mission of nation-building. The spirit of nationhood has been awakened; our people are coming into their inheritance. Not only are we beginning to recognize our own position and the greatness of our future, but the recognition is becoming world-wide. Our true relations with the nation at our gates are better understood than ever before, and on the whole the outlook is bright. Movement is everywhere evident in our national life—movement towards truer ideals and fuller life. But undoubtedly the most significant fact of the year, when viewed in the light of the Christmas song, is the marked improvement in the feeling between the Motherland and her wayward daughter, the United States. The Anglo-American alliance is a fact, though it be not a matter of treaty; and it is the stronger inasmuch as it rests not on written contract, but upon the better feelings of two enlightened peoples. If the good feeling can be maintained, who shall venture to limit the contribution of the Anglo-Saxon race towards the bringing in of that time when peace shall reign on earth, and good-will among her people! Christmas-tide is suggestive of gifts. As Canadians we have received great gifts,—the greatest, the land in which we live, than which a fairer does not exist. As subjects of a great Empire many gifts are ours,—the heritage of a noble past, the enjoyment of a fruitful present; but as Anglo-Saxons we possess a gift greater than any that is ours as Canadians or British subjects, the privilege of sharing in and helping to make a great and useful future for the race; the opportunity of standing as members of a great brotherhood for all that makes for Truth and Right. The possession of gifts is at the same time possession of responsibilities. We hold all our gifts on condition that we use them to the full and that not for ourselves merely, but for others. We have received the gift, may we also discharge the responsibility.

Christmas-tide, season of gladness and good cheer, time of forgiveness and love! How fragrant with tender memories, how full of expectant hope! Our hearts are warmed by thy warmth, our sympathies are broadened by thy message. Human nature is not all bad; thou hast power to stir our better qualities; thy touch, the touch of love, dost snap the cord of self and wake the souls to purer strains. Thrice welcome then is Christmas time. Let hate and strife be laid aside. Let kindly thought and noble feeling rule. This is the season of forgiveness, of forgiveness as of joy. It speaks to us of God's forgiveness, let it also shine on ours. And so we take up and pass along the old but ever-new Christmas greeting. To professors, students, graduates, friends, to its readers one and all, THE GAZETTE extends warmest greetings, and best wishes for a happy, joyous holiday.

"Ring out ye crystal spheres,
Once bless our human ears,
(If ye have power to touch our senses so,
And let your silver chime
Move in melodious time;
And let the base of Heav'n's deep organ blow,
And with your ninefold harmony
Make up full consort to th' angelic symphony.

For if such holy song
Enwrap our fancy long,
Time will run back and fetch the age of gold;
And speck'd Vanity
Will sicken soon and die,
And leprous Sin will melt from earthly mould;
And Hell itself will pass away,
And leave her dolorous mansions to the peering day.

Yea, Truth and Justice then
"Vill down return to men,
Orb'd in a rainbow; and like glories wearing,
Mercy will sit between,
Thron'd in celestial sheen,
With radiant feet the tissu'd clouds down steering;
And Heav'n as at some festival
Will open wide the gates of her high palace hall."



DEAN WELDON was born in Sussex, N. B., in 1849. His father, a grandson of Dr. Black, the founder of Methodism in the Maritime Provinces, a man of sterling worth.

Among the Dean's fellow-students at Mount Allison, from which he received the B. A. in '66 and the M. A. in '70, were Geo. J. Bond, now Editor of the *Wesleyan*, and Benjamin Russell. Friends, intimate friends the Dean and the Secretary of the Law Faculty have always been in every sense except the political; but even in politics, when students, they were found worshipping at the shrine of Joe Howe.

In '70 the Dean went to Yale and after two years study under Woolsey and Whitney he took the Ph. D. From Yale he went to Heidelberg where he continued his studies in law, specializing in International Law.

In '75 he was appointed Professor of Mathematics in Mt. Allison. He continued teaching the mysteries of cosines and surds until '82, when he was offered the Munro Chair of Constitutional History and Law in Dalhousie Law School. This he accepted and became Dean of the School. Here he gathered about him a splendid staff of volunteer lecturers,—Sir John Thompson, Mr. Justice Sedgewick, Mr. Justice Graham, Judge Shannon, J. Y. Payzant, Mr. Justice Townshend, E. L. Newcomb, W. B. Ross and the present staff. Their energy and generosity have given us an excellent Law School and a splendid Law Library.

While a Professor at Mt. Allison Dr. Weldon continued his law studies. He was admitted to the bar of his native province, but never practised there. He is now a member of the N. S. Bar, and Counsel for the firm of Harris, Henry & Cahan. In '90 he was made a Q. C. His Alma Mater in '93 with impartial hand conferred the D. C. L. *honoris causa* on the political enemies, the Dean and the Secretary.

The Conservatives of Albert Co., N. B., offered the Dean the nomination for the Dominion Parliament. He accepted and in '87 was elected by a large majority. This constituency he continued to represent till '96, when his "political enemy" was elected in Halifax. In politics, Dr. Weldon has been a strong influence for honest administration and for clean elections.

It would be presumptuous for us to speak flattering words about his University work. Old students have frequently declared that his lectures are unsurpassed. His enthusiasm and sympathy never fail to capture the hearts of his students.

DALHOUSIANS ABROAD.

NOTES ON SWITZERLAND.

I.

Geneva boasts of probably the finest situation in the world, on the south-west extremity of Lake Lemman or Lake of Geneva, in a beautiful valley, pierced by the rushing "arrowy Rhone," and looking upon stupendous mountain chains.

The city is divided into two parts, the Genève of history and the seat of the authorities on the left bank of the Rhone, while on the right is the St. Gervais Quarter, the home of artisans. Two parts are connected by six bridges.

The far-famed Lake of Geneva is crescent shaped and of a peculiar blue colour, differing from the other Swiss Lakes, which are green. Authorities differ as to the reason of this blue colour, some suggest the presence of iodine, others repudiate this, but offer no more satisfactory explanation. Nor is its color the only idiosyncrasy of this wonderful lake. At certain periods of the year it indulges in what are known as "Seiches," a sudden rising of the waters consequent, as is supposed, (for here again the doctors differ) on an atmospheric pressure; followed by a subsidence after some half hour's elevation.

For majesty, expanse and surrounding scenery the Lake of Geneva is incomparable. A trip from Geneva to Territet, the north-eastern extremity, by boat on a dark day, when the lights are gray, gives the best idea of the lake. The sea is a deep blue, the clouds lie on the mountains, odd boats with triangular sails (found nowhere else in the world, except on one or two of the lakes of Scotland), dot the lakes, the villages Ouchy, Aix les Bains, Vevey, Lausanne, etc., nestle in nooks with the high mountains rising a background. At Ouchy Byron and Shelley lived for a time, here Rousseau laid the scene of his novel *Heloise*. At Lausanne nearly a century ago, Gibbon penned the last words of our old friend, "The rise and fall of the Roman Empire."

One of the finest views in Switzerland is obtained at the extreme north-eastern end of the lake. Here the lake is narrow, to the left is the picturesque village of Territet, with the celebrated Chateau of Chillon rising prominently from the water, back of this the hills with beautiful green verdure enface the snow-capped peak of the Deut Du Midi, towering far above the lower barren rugged peaks, to the right a mountain rising directly from the sea, and on this grey day almost obscured in its own shadow.

The Chateau of Chillon is one of the oldest and best preserved castles on the continent. It is supposed to date back to 830. In 1248 it was fortified by Pierre of Savoy, the Counts of Savoy lived there at different times, later it was a state-prison, and in 1798 it was used as an arsenal. One passes over the drawbridge and descends into the dungeon where the prisoners were kept. Light is admitted by slits two feet long, two inches wide through a wall a foot thick. In the centre of this apartment is an immense stone pillar to which the prisoners were formerly chained, sometimes with only a yard of tether. This pillar with the chain attached was the inspiration of Byron's *Prisoner of Chillon*, and now bears many illustrious names cut in the stone. We

were able to make out Byron, Eugene Sue, George Sand and Victor Hugo. Just beyond this apartment is the slanting stone bed, upon which the condemned prisoner spent his last night.

In the dining room is a fireplace with the necessary equipment for roasting a whole ox. Here also is a fire-day of the fifteenth century. This is an iron standard with a bowl-like receptacle on top for holding the material for lighting the room. The castle was defended by a drawbridge and three towers, from which the besieged used to pour boiling oil and hot stones on the besiegers. Besides these was an immense tower known as the Donjon or the Keep into which the family could retire for safety. This was lighted by small windows high up in the walls.

To one coming from Paris, who has been dreaming for weeks of the picturesque Swiss chalets or peasant houses, the city of Geneva itself is a disappointment. It is a most modern city, for the most part of large hotels and pensions or boarding-houses. Indeed one feels as if nature herself were profaned in the way the people are trying to coin her into money. The whole town caters specially for the tourist. The shops are many, and few are without the usual souvenir counter. More than one shop window boasts of all these placards, "English Spoken," "Ou parle Francais," "Mau Spricht Deutsch," "Si parle Italiano." Very little experience teaches one to avoid such places. If he does enter, he finds that such an amount of linguistic ability is an expensive luxury.

From Geneva to Berne is a run of a few hours through pleasant picturesque scenery. A stop at Friburg at noon to hear the great organ play is a rare treat.

Berne is the most primitive, picturesque town of Switzerland. Berne is simply the old German equivalent of bear. The bear is the emblem of this canton, and the bear (inanimate) is seen everywhere on all occasions. There is a bear-garden outside the town; automatic bears promenade round the public clock; colossal wooden bears in an erect position clutch umbrella stands in their paws; small golden bears figure as pendants, etc., etc.

Berne occupies a fine position partly on a hill and partly in a valley, able to see and to be seen. It has a fine old Gothic Cathedral, from the unfinished tower of which can be seen the streets bounded by the friendly Aar, while beyond are the long ranges of white Alps. One of the most notable features of the city is the series of long quaint arcades, which

are formed at the sides of the streets beneath the houses, and which roofing in the pavement afford the passengers protection from the inclement weather. These also allow of convenient stalls being erected for the display of the carved wood, horn ornaments, and Alpine bells, which are the ordinary stock-in-trade for the souvenir vendor. Fountains everywhere abound, and in their grotesque endeavors for the artistic are most ludicrous.

Au Nour's journey on Lake Thun brings us to Thun, a town that could well appropriate Cologne's appellation, "city of twenty odors." It is like a town in Normandy, where the market is held in the street, almost any street for that matter, and where the peasants are much in evidence. But its superb situation in the valley of the Aar, surrounded by mountains and its Chateau dating from 1182, would redeem any such unpleasantnesses.

Another short hour's journey over a lake surrounded by high mountains brings us to one of the most celebrated spots of Switzerland—Interlaken. Inaccessible, save down lakes or over and amidst mountains, it is the resort of thousands who go there to indulge in the grape cure, recruit their health, and enjoy the lovely climate and scenery. The place has been most happily defined as a large boarding-house with a road running through it. In the foreground, as at the back, rise the lofty mountains. They slope down, as seen from the station to the right and left, until they meet at the base and form with the horizon a triangular frame for the snow-clad Jungfrau which rises behind to the height of 13,000 feet. Here walking parties, alpenstocks, mountain-climbing become realities. Banish boarding-house keepers, hypochondriacs and valetudinarians and Interlaken is Paradise as far as outward conditions go.

A railroad, a triumph of engineering skill, ascends from Interlaken to Kleines Scheidegg, the highest point yet attained. The iron road winds slowly up; now on the edge of some yawning precipice; now bridging an enormous chasm; now penetrating the bowels of the earth. The speed is not greater than that of a pedestrian. And this apart from its desirability or necessity on account of the peculiarity of the journey, no one could wish to be increased, since it allows the passengers leisurely to contemplate the beautiful landscape spread out beneath them. There is, of course, a single line, and this possesses in addition to the two ordinary rails, a centre one forming a rack, the cog-wheels on the engine and carriages acting as pinions. Thus by locking these wheels the train is securely fixed to the rails,

and should the engine—which is always below the carriage—go careering downwards, the guard in front would simply turn on his break and prevent the remainder of the train from following so mad an example. This road views several mountains, the Siberhorn, Eyer and others, but all interest is centered in the Jungfrau. First, the green-clad valleys, then rugged rocks with patches of snow here and there, and finally the summit crowned with everlasting snows. At Little Scheidegg we left the train and made an ascent on foot to see the Jungfrau glacier. A glacier, at that season of the year, (June), looks like any ordinary field of ice and snow, but how different, when the sun has loosened the bonds of ice and the innocent-looking field of snow moves down the mountain side with thundering crash!

The last stage of our journey is to Lucern via the Giessbach Water Falls. The Giessbach Water Fall descends into Lake Brienz in seven cascades. The Fall or rather Falls are not perpendicular descents of a great body of water, but sheets of water falling upon great invisible projecting rocks upon which it is dashed into foam and spray. On the three bridges which cross the Fall the spray is like a shower of rain. Some contend that the Giessbach is finer than Niagara, but to my mind there is all the difference between the picturesque and the grand.

Lucerne, in the form of an amphitheatre upon the Lake of the Four Cantons, between the Rigi and the Pilate, commands a charming view. The city is noted for its rain, its lake and its lion.

In Switzerland it can rain as it rains nowhere else, and Lucerne is the most highly favored part of Switzerland in the matter of moisture. The Lake of Lucerne is very irregular, somewhat in the shape of a cross. It is more picturesque than the Lake of Geneva, but lacks its grandeur.

The Lion of Lucerne is a sculptor's masterpiece, that of Thorwaldsen. The peculiar features, which have rendered it so famous are, that it is cut out of the solid rock, and is in its death agony transfixed by an arrow. This recalls the horrors of the French Revolution, being a monument to the courageous Swiss soldiers who lost their lives in defending the Tuileries on August 10th, 1792. The death throes are portrayed in all their poignancy, the imperial lily of France is guarded by the fore-paw, and the expressive countenance seems to proclaim the moral grandeur of duty faithfully done.

But alas! the lion in its death throes follows one round even more persistently than the bear of Berne. Every shop

has them by the score, lions in plaster, lions in stone, lions in brass, lions in bronze, lions in wood, lions in gold, lions in chromos, lions in photos, etc., etc.

Genug für diemsel. To an enthusiast over Swiss scenery it is difficult to call a halt. Grindelwald, Brünig Pass, St. Gothard, all possess unrivalled charms, but no—genug für diemsel.

B. B. LEWIS, '98.

E LIBRO RUBICUNDO.

The following incident occurred at my father's lumber mill on a summer night in 1886:—

Close to the mill was a large pile of dry slabs and refuse lumber, which was to be burned when the wind was blowing off the mill. The pile was built over a hollow into which the ashes fell as it burned; this pit also gave the fire better draft.

On this night, the wind was blowing hard directly on the mill. In some way, probably from embers of a preceding fire, the pile caught fire underneath and made considerable progress before it was seen. We dare not let it burn with that wind on account of the mill, and we found it very hard to reach the fire with water because it was burning in the heart of the pile and water thrown on the top ran off before it reached the fire. The only way was for some one to crawl under the pile and as the water was passed to him, throw it upwards into the heart of the fire. As I was the smallest one there, this task was given to me. As may be imagined, it was not very pleasant under the burning pile. The heat was intense, the smoke was stifling, the embers were falling on me and, the water, as I threw it up, dripped down again upon me.

I had not been underneath very long when the pile became so undermined that it fell over and completely closed the opening through which the water was passed from the outside. I was thus a prisoner in a very disagreeable gaol, for not only was the way of escape closed but, for want of draft, the smoke became so thick as to be almost unbearable. The embers, too, fell thicker and faster and I should certainly have been burnt had not my clothes been thoroughly soaked with water.

By vigorous efforts the men outside managed to tear away the slabs which were blocking the way, and after a

time, which, though probably short to them, was certainly long to me, they found me among the ashes and dragged me out, somewhat dirty but without any serious injury. By tearing away the side of the pile they reached the fire and at last extinguished it.

*A
Haunted
House.*

One fine day last June I set out alone for a day's fishing. On the road, which was one of the chief ones from the city, I came up with a friend who was on his way home from college. When we reached the road where I was to turn off, I invited him to come with me and proposed a day's fishing, staying all night and going our ways next morning. Being in no particular hurry he consented. In the evening when we were tired fishing we went to find a lodging-place for the night. The bed I was depending on getting was already taken, so we decided to go along to the next house. As we were standing, someone suggested that we sleep in the "old house." This was about a hundred yards from the first house, and though empty, was in fairly good condition.

For the sake of the experience, we took bedclothes to the old house, although the landlady laughingly said that the "Sunday fishermen had heard noises there." Being very tired, we were soon sound asleep. I awoke before morning and was not astonished to hear singing. What was sung seemed to be an old psalm tune. In my half-asleep condition I said to myself without opening my eyes, "Well, they have had their breakfast and are now at worship." I seemed to be in Pictou county, where I have often been awakened by the singing. I think I must have fallen off to sleep, but I awoke just as the singing stopped and was almost terror-stricken to hear sobbing,—such sobbing as I have never heard before, and hope and pray I shall never hear again. I thought I heard heavy regular footsteps going out the hall and down the old steps at the front door.

I remember nothing until L—— woke me next morning. My head was so bad when I got up that I ascribed my fright to it. But as the pain and dizziness in my head stopped towards evening I was at a loss to know what to ascribe it to. I did not speak of it to L——, and he left soon after breakfast. Though it was the only experience of the kind I ever had, I would not sleep in that house again for a good deal.

THE QUEEN PASSES.

Down the street comes the heralds' cry,—
"Room! ye knaves, till the Queen pass by."

Hammer and ellwand we drop and stand
By stall and window, cap in hand.

The good-wives leave their household gear;
With the children small, they crowd and peer.

Open the causey lieth and wide,
Fit for the Queen adown to ride,—

And hawk on hand, in her saddle high,
Ring'd with the Court, the Queen comes by.

The Queen is young, and the Queen is fair;
Like meshes of gold is her floating hair;

Her cheek is a rose; her eye of blue,—
It pierceth a poor knave thro' and thro'.

But an if she smile, would a man think meet
To lay him under her horse's feet,

To do her pleasure. She now is near,
And the lusty shoutings are good to hear.

The women's blessings and children's cries
Call the light of pride to her joyful eyes,

And the flush of pride to her rose-leaf cheek.
Her lips, they tremble, as she would speak.

The shoutings follow her. All the while
I warm my heart in her golden smile.

And I sing at my work till the end of the day,
Whenever the Queen hath pass'd this way.

ARCHIBALD MACMECHAN.

NEW BOOKS.

A book appeared some time ago bearing the rather commonplace title of "Love." We have read a borrowed copy somewhat carefully, and may be allowed to pass an opinion upon it.

We have, until lately, kept two books apart in our library because we have been always unable to extract any information from them. They are Kant's Critique and B. Nonsense Songs, and we have now considerable satisfaction in adding a third volume to the list, but would gladly take suggestions as to which of the above books we will place this third nearest, or whether we will place it between them.

It would of course, be rather an extraordinary genius who could at this late day, find anything really new to add to our written knowledge of the master passion, yet the author of "Love" is one who thinks, and thinks to some purpose, but when he tells us that Love is divine, that it is the motive power of the world, that sexual love is not true love, that men and women are mutually attracted, that married couples sometimes quarrel, that a man in Nova Zembla is not likely to marry a woman from Patagonia, *unless they happen to meet*, we must confess that his information is not new. But if these statements are somewhat trite, we must confess that the author's aim is not to present these facts in themselves, but to extract, if possible, a significant truth from them. The truth which he professes to deduce is simply this, that love and religion are co-ordinate, that love constitutes the essential element in religion. Now while this position is old to thinkers, yet there are many new phases of the question, and we think in this little book the final conclusion is led up to with considerable care and force of statement, but despite his protestations to the contrary, the book is mainly a treatise on sexual love. "In dealing with love," he says, "the larger share of attention will be devoted to love in its relation to the sexes," and then he goes on to say that "true love between man and woman does not differ in any essential particular from that conception of love which constitutes religion itself." Now the ground taken in this last sentence is probably correct, but the writer leaves this firm basis, and at the end of the book we must believe that he either has left his first point of view, or believes that sexual love contains in itself the spiritual essence of which he speaks.

The book is too emotional, for though it may be necessary to allow the play of emotional nature in discussing such a subject, yet the fact remains that when emotion plays a prominent part, intellectual or spiritual love or unity must be thrown into the background. If we postulate, as this book does, that love is the greatest thing in the world, it follows that whatever is a man's ideal he must consider as the embodiment of love. Now probably the highest ideal, as accepted by most people, is purely intellectual (spiritual if you wish), and so we cannot see but that this author's conception of love embodies an ideal of necessity not the highest. "Imagine," he says, "the condition of the world if love-making were to cease. Picture a condition of society in which never again should two young forms walk in the moonlight, etc." Now we are not going to deny that such scenes have apparent charm for the majority of human-

kind, and the small minority as well are not indifferent. "What would become," he asks, "of poetry, religion and sentiment?" And this interrogation shows that he expects to find them in such scenes as above. It is possible that his religion and poetry have become sentimental. Such love is the capricious power of which Byron speaks:

Against all noble maladies he's bold,
But vulgar illness don't like to meet;
Shrinks from the application of hot towels,
And purgatives are dangerous to his reign,
Sea sickness death.

What is the use of us shutting our eyes to this fact. The book is fundamentally wrong and though it is possessed of a strong style and manner it insensibly inculcates wrong ideals. If he is going to treat of such a subject as love, let him not profane the word.

His motto seems to be:

"I count religion but a childish toy
And hold there is no sin but ignorance."

and in the words of the same Machiavelli we would say,

"We are ashamed to hear such fooleries."

Really we don't like to appear too harsh in our statements, but though some of the thoughts are interesting, as a whole and particularly at the close the book is nauseating. We hesitate to express ourselves so strongly, but really when an author lays himself liable by writing on such a subject and *in such a manner* he must take candid criticism.

Nevertheless the book is well worth perusing, and its strong and nervous style, combined with its frankness, make it merit consideration.

ARCHAEOLOGICA DALLUSIENSIA.

BY OUR OWN ARCHIE-OLOGIST.

That the poet of the Border Minstrels, and the founder of our college knew each other, would be a matter of interest to every Dalhousian; but that there existed a warm friendship between them gives reason for a spirit of true college pride. As students we admire the man of letters; and the man of affairs gave being to our university. They loved each other, and we to-day study the one because the other made it possible for us. In his Journals, Scott makes several references to Earl Dalhousie. They are passages of much interest, which a few moments in the Library will verify. The following is a quotation from the entry of December 23, 1827:—"I was Lord Dalhousie's companion at school,

where he was as much beloved by his companions as he has ever been respected by his companions-in-arms, and the people over whom he has been deputed to exercise the authority of his sovereign. He was always steady, wise and generous."

* * *

The minutes of the College Senate of November 7, 1864, have this record:—"The Principal expressed a wish that the Professors would, in their several classes, enjoin on the students the necessity of maintaining a becoming appearance and gentlemanly conduct, not only in the college, but also in the street, and of wearing their gowns in going to and returning from college classes." College life in those days must have been poetic, too, with its processions in gowns, along Barrington Street.

* * *

The minutes of April 4, 1866, give an account of the first graduation exercises. "The Secretary then, as promoter, brought forward Mr. J. H. Chase and Mr. R. Shaw, robed in gown and hood, to receive from the Principal the degree of B. A., which was accordingly conferred; their diplomas were presented, and the Principal gave the graduates a short address."

* * *

Dalhousie's roll of Presidents began with promise. The late Rev. Dr. Patterson eulogised Dr. McCullough, the first president, with almost unstinted praise and evident sincerity, saying that he was a man of uncommon erudition in nearly every department of knowledge, and that he had never known a person of such varied attainment.

* * *

When the college was organized there did not appear to be a high opinion of education among some of the politicians. In 1818 the trustees of Pictou Academy applied to the Provincial Parliament for a grant, and one of the members, in attacking the measure, asserted as his belief that the house had already done its duty in matters educational; that the age of literary refinement had not always been the one most marked by public virtue, and that the lower classes must be content with knowing how to read their bibles. It is a tribute to the superior public spirit of his colleagues, that Pictou Academy ultimately got its grant. At this time there were two schools in Halifax, the Acadian, with over 300 pupils, and the National. King's College received £400

each year from parliament, and the same measure which gave Dalhousie £2,000 in 1819, allowed Pictou Academy £500, and the Acadian School £200. A favorite method of raising school funds used to be by lottery, and some years before this the Government had sanctioned a lottery whose aim was to raise £1,500 for the Halifax Grammar School.

BALADE THAT CHAUCER MAKEDE.

Unto the seetes presseth al the route,
And Westward o'er the ropes Macurdee
Cometh, and the fourteen eek of his partye,
In reed and blake is entred right anon.
And in that selve moment Alison
His tygres all is leading into place,
In blake and yelwe with hardy chere and face,
In Halifax to seken up and down,
So even without variackoun.
Ther were swiche compaynyes tweye,
For ther were noon so wys that coude saye
That any had of other avauntage,
Now ringeth the whistle and shrighthe
There nis namore to seyn but seyn the sighte
Quick goeth the ballé to the easte sydeé,
There seen men who can playe, no man can hyd,
The forwards on the ballé presse thikke,
One presseth through to give the ballé a kike
Springeth the lether twenty foot on highté,
Out fleeth a quarter as the sonne beam brighté,
The halfé-bakés tear his sherte to shrec'é,
Out burst the blood with sterné stromes rec'é,
The mighty forwards runné as they breste,
Henry the thikkest of the throng gan thresté,
Then stombler forwards strong and down goeth all
One rolleth under foot as doeth the ballé,
He fette by the foot is from the scrum,
And one him scraggeth while he is down,
One thurgh the body is hurt, he stroché outé,
Maugree his head, they rub him al abouté ;
A forward then the injurie to devyde,
Another lad hurteth on thother syde,
And somtyne hir the referee gan to resté,
Him to refresshe and drinken if him lesté,
Ther was no President in Dalhousée,
When that his dores are peynted as a spree,
So cruei on the ball as is Stormee.
Ne in Belmarie ther was so fel a leoun,
That hunteth in the wood both up and down ;
Ne of his prey desyreth to crakke
As is the forward cleped Uniakke,
Som tyme an ende ther is of every dedé,
For ere the sonne gan to his rest so redé
The Wanderers by great strength fecched a try,
There was no more to seyn. Now let me dyé,
They geyned it faire, they wonné but hir due,
I wol be no partye, but jugé trewe.

BEHRING SEA, AND QUESTIONS INVOLVED.--(Continued.)

The language of Story in *Livingston vs. The Maryland Insurance Company*, Cranch, p. 506, is in accord with the above authorities where he says: "It is clear by the law of nations, that the national character of a person, for commercial purposes, depends upon his domicile. * * *

"But whenever a person is *bona fide* domiciled in a particular country the character of the country irresistibly attaches to him. The rule has been applied with equal impartiality in favour and against neutrals and belligerents. It is perfectly immaterial what is the trade in which the party is engaged or whether he be engaged in any. If he be settled *bona fide* in a country with the intention of definite residence he is, as to all foreign countries, to be deemed a subject of that country."

Her Majesty's Government claimed damages also on account of personal hardship suffered by the crews of the seized vessels.

The United States attempted to narrow the scope of the Commission to the consideration of the claims of persons who came within the language of the convention and insisted that compensation was only payable to those on whose behalf Great Britain was entitled to claim; that Great Britain could not claim damages against the United States for claimants who were domiciled in the United States or for citizens of the United States wherever resident or domiciled; that these claims were personal and not national, and that where the United States was liable for the seizure the measure of compensation was the value of the property seized at the time of seizure. Where she was warned and the warning was followed by departure from the Behring Sea because of it that nothing but an allowance should be made of the nature of charter value for the balance of the sealing season. The United States further contended that interest was not due on claims of this class.

The United States counsel made an unfortunate reference to the case of the ship "Jones" when attempting to excuse the United States for their delay in furnishing the British Government with information as to the seizures. When the case was examined the following observation was found not to assist the claim:

"The United States Commissioners in that case said, the delay and neglect of the British Government in looking into the case, after most earnest remonstrances of the United States had been repeatedly made to them, is without excuse,

and has greatly prejudiced the just rights of these claimants; and that the owners of the "Jones" are entitled to full compensation against Lieutenant Littlehales, and the British Government, who have throughout justified and sustained him as their agent, for all injury which has, directly or indirectly, arisen from these wrongs, and for the unjust delay of reparation of them to the present time."

The United States argued that in the Koszta case the right was asserted by the United States only to protect a domiciled person, though unnaturalised, against every nation except the nation of his original citizenship. In reply to that, the following reference from Wharton was relied on * * * and what reasons can be given why, so far as least regards protection to person and property abroad as well as at home, his rights should not be co-extensive with the rights of native-born or naturalized citizens. By the law of nations they have the same nationality; and what right has any foreign power, for the purpose of making distinction between them, to look behind the character given them by that code which regulates national intercourse? When the law of nations determines the nationality of any man, foreign Governments are bound to respect it decision."

* * * If the conclusions heretofore arrived at are correct, the Austrian agents had no more right to take Koszta, (who was an Austrian but domiciled in the United States), from the soil of the Turkish dominion than from the territory of the United States, and Captain Ingraham had the same right to demand and enforce his release as he would have had if Koszta had been taken from American soil and incarcerated in a national vessel of the Austrian Emperor. In this question, confined as it is to the United States and Austria, the place of the transaction is immaterial, unless the Austrian municipal laws extended over it. * * *

The conclusions at which the President has arrived, after a full examination of the transaction at Smyrna, and respectful consideration of the views of the Austrian Government thereon, as presented in Mr. Hulsemann's note, are, that Koszta, when seized and imprisoned, was invested with the nationality of the United States, and they had, therefore, the right, if they chose to exercise it, to extend their protection to him. * * *

The United States referred to Barr's Private International Law among other authorities, and this led to the following additional citation from that authority in support of the British contention being used.

"On the other hand, it is no sign of nationality to be

subject to the system of private law in any particular State, and in the same way it is possible for a State to go so far as to extend diplomatic protection to persons who are not in truth its permanent subjects. Conversely, it may refuse that protection to certain persons, although they do belong to it, for the reason, e. g. that they have shown themselves unworthy of this protection, or by some breach of the law have forfeited their claims to such protection."

And in the notes:—

"The United States extend diplomatic protection to persons who have not as yet become citizens, if they are domiciled in the United States, and have made a declaration of their intention of becoming citizens; except in questions with the country from which they came, if by its laws the existing bond of allegiance is not dissolved, and if the persons in question have voluntarily betaken themselves to her territory. See, on that subject, Wharton, Jour. xiii, pp. 537, et seq. See Woolsey Int. Law, 81, on the case of Koszta, which partly belongs to this subject."

"For instance, persons who are under the protection of European powers in the East belong in no sense to that nation whose protection they enjoy. See Vesque vs. Puttlingen, pp. 47, et seq., on persons styled de facto Austrian subjects."

The United States counsel departing, for the purposes of this tribunal, from the traditions of their country, argued that nationality in shipping followed ownership, while, as has been mentioned, Her Majesty's Government contended that a ship in time of peace is nationalized by its flag. Wharton's International Law Digest, Vol. 1, Section 33, page 121, was called into service for the British contention, where it is said, "a ship at sea is regarded in International law as a portion of the territory whose flag she carries and as subject to that jurisdiction." So also Wharton's Criminal Law, 9th edition, paragraph 269, where it is said, "As a rule, a ship is viewed as part of the country whose flag she bears; and in conformity with this principle, all offences committed on shipboard are regarded as cognizable by the sovereign to whom the ship belongs, no matter to what nationality belongs the offender."

The Costa Rica Packet case came in very conveniently for the British reply. This was a recent decision of De Mazens, an eminent jurist, in which he, as arbitrator, found in favor of the claimants for the loss of profits of whale-fishing season through the improper arrest and detention by the Netherlands authorities, of the captain of the Costa Rica packet when on a whaling cruise.

CHARLES HIBBERT TUPPER.

[We are not responsible for opinions of correspondents.]

BOOK SELLERS OR BOOK AGENTS,—WHICH ?

DEAR GAZETTE,—There is an evil abroad under the sun, which is casting its blighting shadow upon all branches of our college work. I refer to the difficulty with which students procure text books.

There are certain bookstores in Halifax that seem desirous of procuring the student trade, at least they advertise "School and College Books always on hand." When, however, the unwary student, fondly trusting in the veracity of this statement, goes to get some necessary work, he finds that the books are "on hand" either in England or New York, *not* in Halifax. If he dares to murmur or even to look his disappointment, he is told severely that he should have *ordered* it before, and is given to understand plainly that the bookseller is conferring a great favor upon him by forwarding his order to the greater publishing houses. Such a state of affairs is no imaginery or isolated case. It is unfortunately the rule. Nor is it confined to one particular firm, but is chronic with each one that pretends to cater to the wants of students. "One is as bad as the other, if not worse." The present writer's experience this session was that of some half dozen books, all of which with the exception of one were regular text books, wanted at the beginning of the session, he could only get one. For the others he had to wait a period of time varying from two weeks to two months. Concerning one of these works another student was told during the first week of the college term: "We have orders for five and have ordered a sixth *one* for stock." Just think of the risk! Having gotten orders for five copies during the first week, they would order an extra *one* with the possibility of holding it all through the year. Such rashness is not common in business life!

But now as to the argument that students should send in their orders early. The average collegian, especially in his last two years, has not decided in the Spring just what his course for next year will be. This is seldom decided until near the time of his return in the Autumn. He has then but little time in which to place his order and so has to put up with the inconveniences above mentioned. This seems to me, however, to be a very flimsy excuse for the merchants in question. They call themselves booksellers, whereas they are marvellously indignant if we expect them to be any more than book *agents*.

What then is a possible remedy? If it is necessary that we order our books during the summer, that we may have them when we need them, it seems hardly worth while to bother our mercantile friends at all. Let the next general students' meeting appoint an agent for the college. Let him receive and forward orders for books needed, and let the surplus of price, after all expenses are paid, be devoted to some college fund, say

the library. Of course it would be much more convenient to be able to go down town and buy books when we want them, but as this is apparently impossible, as it seems necessary to employ an agent, it would appear to be as well to have one of our own, and thus, if we do have to wait for our books, the profit would at least remain with the college.

Submitting these hasty thoughts to the consideration of your readers, and thanking you for space, I remain,

ALBERTUS.

[We are decidedly not responsible for the opinions of correspondents.]

DEAR GAZETTE.—As I always believe in talking before a man's face as well as behind his back, I will take this opportunity of giving you a few words of advice. You are sadly in need of them and whilst nobody nor anything is perfect yet surely we can come within a reasonable degree of perfection. I used to think the GAZETTE was a college paper, but I have of late been inclined to believe that it is published for the purpose of giving complete biographies of the graduates. Complete, dear GAZETTE, as regards length, and complete as regards humbug. Even a thing bad in itself if well done excites some admiration, but a bad thing worse done is the worst of all. Judging by your personals on the graduates, the majority of the classes of '98 will contribute notably to Mount Hope and Dorchester. A little nonsense now and then is all right, but, because a little is good, whole pages of it is not necessarily better. Then why don't you put some humour in the Dallusiensia? Do you need to be told that mannerism is not humour nor personality wit? Judging by your jokes all Dalhousie may be divided into two parts, those who are fools in flirtations and those who swill stoups of sack. You lately wrote an editorial defending this unpardonable column, and presumably you are to be the instructor by whom we are "to see ourselves as others see us" in my opinion it is a "foolish notion." You have been strutting about on tip toes since you amalgamated the departments of the GAZETTE, and if your aim was to make it impossible to distinguish one department from another you have been successful, for I defy any one to show me anything belonging to the medical department between your covers.

Apparently your ideas are unique, for whilst all Dalhousie was simply living on football, you steadfastly kept it out of the GAZETTE, and finally compressed the most interesting series of games we have ever held, into one article. I don't believe in finding fault continually, and I must admit the article to have been a good one in itself. Of course I suppose your paper might be worse, at least I never saw anything so bad but that it might be worse, but your paper lacks vim, lacks poetry, lacks

bright newsy items. I have little conceit, but considerable justifiable confidence, and permit me to give you a sample of what you might do.

EXAMPLE I. The Sodales Debating Society decided, at a recent meeting, to accept the offer of Acadia College to debate a question with them.

Speakers were appointed and the contest will likely take place at our sister college early in February. Now I am against such a scheme, because many of our best speakers are honour men who have no time to spare in the second session, and because the selection of speakers is bound to be changed and we will not be adequately represented.

EXAMPLE II. The GAZETTE gets a large number of exchanges.

I don't know it for a fact, but as none of them are ever seen, I presume the editors appropriate them to themselves. Perhaps a few of them could be spared if we had a place to put them.

EXAMPLE III. Queen's University Journal remarks that they have tried to carry on a Sunday afternoon lecture course and have failed. They think the thing absurd. Now if they had noticed the insignificant college of Dalhousie, they would find that we not only carry on such a lecture course, which they evidently did not know, but that these lectures are extremely well attended, and the most popular of several popular lecture series delivered in the University.

EXAMPLE IV. What is the Philomathic? It is defunct. Who killed the Philomathic? I, says the Sodales; I killed the Philomathic. Who saw it die? I, says the executive; I saw it die. Who appropriated its lecture course? I, says the Sodales; I appropriated its lecture course.

Notice.—There will be a meeting of the Philomathic Executive at 1.30 p. m., on 25th inst., to discuss the advisability of continuing the meetings of the Society.

EXAMPLE V.

In the Spring the rain clouds gather,
Buds and leaflets bursting free,
Merrily dancing the rain drops patter,
Time has good in store for me.

For the Spring looks to the Summer,
Summer of all days the pride,
Steadily onward are marking the hours,
All in nature must abide.

Long the shadows lag on the dial,
Autumn still far, far off seems,
There's a joy in simply living
Through the sun-bright summer dreams.

Now behind far lies the summer,
Winter's cold white fields at last,
But the mind turns back to Spring time,
Lives within the best though past.

EXAMPLE VI.

OF course the recent demise of the late H. M-n-r-e is yet fresh in the minds of all students, and his generous bequest a short time before his death, noticed in the last GAZETTE. His interest in current events in Hades is as keen as they used to be in English politics, and whilst we are not at liberty to divulge the express manner in which these notes were communicated to us from his fiendish diary, yet Mephisto is witness that they are authentic.

Jottings in Hades.

The games were announced to take place at what is called loafing time (8.30 above ground), as at that hour few souls came to be ferried over, and so Charon could without difficulty collect the gate fee, which was one obul; ladies free. Of course the usual amphitheatre on the Elysium plains was the scene of the sports, and long before Charon could leave his boat a vast concourse of shades hovered about the amphitheatre entrance. But the crowd passed in rapidly after the opening of the gates and the obuls dropped gaily into Charon's pouch. Once a slight disturbance took place when Frederick William of Germany tried to break in free, but the stalwart shade Angus Macaskill, as cop, compelled him to pay.

I came in late, and having palmed off a bad twenty cent piece on the unsuspecting Charon, I viewed the crowd. On the north of the ropes was the grand-stand, thronged with gaily attired gods and goddesses, who came on free tickets. Amongst these I noted Prosperine, the fair Helen (whom I had met in honor classics), Venus, who eyed me with disfavor, and Jupiter who had left Juno at Olympia, she having a bad cold. Jove was dressed in the latest fashion, in a long black coat covering a suit of black, and his head surmounted with a shiny beaver, but he had forgotten to trim his beard. Time does not permit me to write of the first sports; but I may mention:—

1. Hundred Yard Dash—between Shelley and Horace, in which the first won easily.

2. A Ten Mile Run, which many entered, including Shakespeare, Homer, Dante, Milton and Shelley. The first led from the start and finished easily ahead. Strange to say, the next three entered abreast, with Shelley close behind. All the other aspirants dropped out during the first mile.

3. In Throwing the Heavy Hammer, Ben Jonson was by far the best, but Voltaire showing more skill, was given the prize.

4. In Archery Pope's aim was the best, but Moliere received the award on a foul.

5. Carlyle gave some exhibitions in Juggling, and Ulysses exhibited feats of skill upon his wooden horse. But I must omit the rest and hasten on to the football match. The teams lined

up as follows, the whole of Elysium pitted against the philosophers:—

<i>Elysiumites</i>		<i>Philosophites.</i>
Vulcan,	<i>Full Back.</i>	Socrates,
Hermes,		Henry M-n-r-e,
Paris,	<i>Half Backs.</i>	Hume,
Achilles (Capt.)		Descartes,
Hector,		Balfour, A. J.
Ulysses,	<i>Quarter Backs.</i>	Plato (Capt.)
Patroclus,		Aristotle,
Agamemmon,		Locke,
Theseus,		Reid,
Jason,		James,
Polyphemus,	<i>Forwards.</i>	Diogenes,
Hercules (Centre)		Kant (Centre),
Prometheus,		Pythagoras,
Ajax,		Spencer,
Routledge.		Bacon, F.

The Philosophites were undoubtedly weak in forwards, for though Kant was a powerful man in centre, both Locke and Spencer were weak, the former having been badly hurt in a practice match by Hume, who always tackles low.

Midas was touch line judge for the Elysiumites, whilst the others selected Berkley as a man likely to steal territory.

Mars was referee, Pan having lent his pipes for a whistle. The toss-up was for the Elysiumites, but Socrates by his skill in dialectics soon showed that his team should have the kick-off. The game was hot from first to finish. The play of the Elysiumites was chiefly in their forwards, but their men heeled out well, and Hector and Achilles made some beautiful runs, though they were very selfish in never passing the ball to each other. Paris was timid and funkied. Hercules was a power in the forward line, but whenever Kant felt his men losing ground, he invariably screwed the scrim. Routledge was a good man, but Polyphemus absolutely refused to scrim alongside of him. Spencer was always on the ball, but was accidentally knocked out by James and had to leave the field. Finally Ulysses, being unnoticed, passed the ball forward to Hector, who cleared the whole field and placed the leather behind their opponents' goal. It was now nearly half time, and as Plato and myself were winded the game was called off. Socrates now approached Mars and demanded the game, first because the referee had encouraged scragging, and failing in this, he proved with dialectic skill that not only was it uncertain whether a try had been scored, but whether there had been a ball to score with. Amidst such uncertainty the game was called a draw.

A WOULD-BE EDITOR.

THE Senior Football Team have had their photograph taken at Gauvin & Gentzell's.

MOCK PARLIAMENT.

On Saturday evening, October 29th, Dalhousie Mock Parliament sat as an Imperial House, the First Minister introducing the following personnel of his administration :

HON. CHAS. H. SEELY.—*Secretary of State for the Colonies.*
 HON. JOSEPH H. SARGENT.—*Attorney General.*
 HON. FINLAY McDONALD.—*Chancellor of the Exchequer.*
 HON. HAROLD H. PARLEE.—*Home Secretary.*
 HON. CECIL KILLAM.—*Premier and Secretary of State for Foreign Affairs.*

After the usual questions the Prime Minister introduced the following resolution :—

" *Whereas*, it appears evident that the United States of America intends to demand control of Cuba, Porto Rico and the Philippines ;

And Whereas, the Government of Great Britain considers the Government of the United States bound by its declaration not to exercise sovereignty over any Spanish possession ;

Therefore Resolved, that this House clearly record its intention to resist the permanent occupation of said Islands by any Old or New World power."

The Premier briefly reviewed England's relations with other European Powers and with the United States, shewing that she should always keep a vigilant eye on the interests of her colonies in every part of the world. He strongly advocated a policy similar to the Monroe doctrine on the part of Great Britain as an American power. With a somewhat long speech the Premier went on to give a history of the Cuban and Philippine questions, discussing the position and importance of those islands and present difficulties. He spoke of the Philippines as but partially under the control of Spain ; of the wishes of the inhabitants ; and of the opportunity the possession of the Philippines would give the United States of interfering with the British sphere of influence in China. He shewed that over sixty per cent. of the trade with the Philippines was in the hands of Great Britain and her colonies, and lastly he cited the opinions of distinguished persons to shew that the Philippines as well as Cuba and Porto Rico were well able to govern themselves.

Mr. O'Mullin seconded the resolution of the government with a short speech advocating the arguments (?) of the First Minister.

Mr. O'Connor came in with the intention of supporting the bill but felt bound to oppose it. He criticised the remarks of the Premier and gave several reasons why the bill should not be supported, expressing his pleasure at seeing the friendly relations between Great Britain and the United States.

On the evening of Nov. 5th the debate was continued by Mr. Sargent. The Attorney General replied to the arguments of Mr. O'Connor and then referred to the Traditional American policy of Isolation, inaugurated by Washington and indorsed by the successive administrations. He pointed out the danger to

commerce in the British West Indies by the possession of Cuba and Porto Rico by the United States, and the strategic position in the Gulf of Mexico and near the proposed Nicaraguan Canal. He thought the possession of these islands would seriously retard an Anglo-American alliance and advocated strongly that England should assert their independence as the people were ready and willing to govern themselves.

Mr. Cameron then delivered a well-prepared and strong argument against the government. He said it was not a question of whether the people could govern themselves but whether England had a right to interfere and dictate to the United States as to the disposal of her conquests. He compared the position of the United States in Cuba with that of Great Britain in Egypt.

Hon. Mr. Parlee then made a short but interesting speech and moved an adjournment. On the evening of Nov. 12th, the debate was continued by able speeches by Mr. Richardson and the Hon. Mr. Seeley. Mr. Gray moved an amendment to the motion, that the words "any Old" be struck off. Seconded by Mr. Schurman. Mr. Matheson and Mr. O'Connor criticised this and the original motion, and Hon. Mr. McDonald shewed the impropriety of the amendment and supported the motion. The Premier then objected to the amendment as it meant a return of Cuba to Spain, and asking the support of the House, closed the debate.

Mr. Gray's amendment was put and lost. The motion of the Government was then put and defeated. Mr. Killam then thanked the House for their support and able opposition, and after reading a list of appointments, tendered the resignation of the administration. The House then adjourned.

MOOT COURT.

REG. V. WILSON.

Oct. 6th, 1898.

The facts of the case are :—Thos. Wilson, born in Amherst, of Nova Scotia parents ; and continuously residing in Nova Scotia ; on 16th May, 1887, married lawfully Jane Saunders at Amherst ; on 11th June, 1894, W. left Amherst and went to Chicago, and on 21st June of the same year he was divorced from his wife, by the divorce court in Chicago, on his own petition alleging the adultery of his wife. No notice of the petition was served on the wife, who had a continuing residence in Amherst after the voluntary separation from her husband in Feb., 1894, up to the present time. At 10 P. M., on the said 21st June, Wilson was married again to one Maud Maybrick, whom he had met in A. the year before. Miss Maybrick was a citizen of U. S., 25 years old. The requisite local forms were observed in celebrating the 2nd marriage. Wilson returned to

Amherst on 27th June and was forthwith indicted for bigamy, under sec. 275 Crim. Code of Canada. The trial judge reserved for the court of appeal these questions of law :—

- 1st. Is the section 275 C. C., *ultra vires*?
- 2nd. Does it apply to the prisoner?

The counsel for the Crown contended, (1) That sec. 275 C. C. of Canada, 1892, is *intra vires*. R. v. Brierly, 10 Q. B., 525; In re Crim. Code, 27 S. C. & C., 461, 483; R. v. Jameson, 1896, 2 Q. B., 425; 24 and 25 Vic., c. 100, s. 57.

(2.) That said section applies to the prisoner—Dicey, 388 and 392; Am. & Eng. Ency. of Law, vol. 5, pp. 757 and 809; Stevens v. Fisk, 8 Leg. News, 42; Cassels Digest, 235; Le Mesurier v. Le Mesurier, 1895, A. C., 517; Best on Evidence, 547-548.

Counsel for the prisoner contended :—(1) There was no mal intent on the part of the prisoner, and no crime was therefore committed. Bishop on Crim. Law, vol. 1, p. 287, et seq. Reg. v. Hibbert, L. R. 1 C. C., 184; Blackstone's Commentaries by Stephen, vol. 4; 2nd Edition, Book VI. of Crimes, p. 98; Morden v. Porter, 7 C. B. N. S., 641; Hearn v. Gartin, 2 E. & E., 16; Taylor v. Newman, 328 J. M. C., 186; Buckmaster v. Renolds, 13 C. B. (N. S.), 62; Reg. v. Sleep, 8 Cox, C. C., 472; Reg. v. Green, 3 F. & S., 274; Bonvier, 730.

2. (a) Intent alone does not constitute the crime, and (b) as the act took place in a foreign country, sec. 275 C. C. of Canada does not apply. Bishop's Crim. Law, vol. 1, 204-5-6; Definition of Intention, Bonvier Law Dictionary; McLeod v. Attorney Gen. of N. S. W., App. C. 91; Reg. v. Plowman, 25 Ont. Rep. 656; Clement, 187, 188, 189; Story on Conflicts, parag. 620-4.

3. The Imperial Legislature refrains from visiting with penalty crimes committed by subjects abroad. Woolsey Int. Law, 112; Bishop on Crimes, 110-126, s. 116; Commonwealth v. Green, 17 Mass., 539; The "Appatin," 22 U. S., 367; Forsyth, 253; McLeod v. Attorney General, (supra); Jeffreys v. Boosy, 4 Hg. L., 626; Rex, v. Hooker, 7 Mod., 193; Story, 1013.

4. The courts of Great Britain have jurisdiction in criminal matters over British subjects in foreign countries only by express legislation. Reg. v. Keyn, 2 Ex. D., 239; Reg. v. Jameson, 2 Q. B. D., 430; Jeffreys v. Boosy, (supra); Bishop, 110; Reg. v. Brierly, 14 Ont. R. 534.

5. Canada is not a supreme and sovereign power, but derives its jurisdiction in criminal matters from sec. 91 of B. N. A. Act, which section gives no jurisdiction beyond Canada; hence sec. 275 Crim. Code is *ultra vires*. Todd's Parliamentary Gov. 242, 247, 301; Plowman's Case; Maxwell on Statutes, 168, 318; Hall's Int. Law, 252; In re sec. 275, C. Code; 27 S. C. Canada; Cutting's Case, "Franconia"; Atty. Gen. v. McLeod.

Court sitting as P. Council.

For the Crown—KILLAM v. CAMERON.

For the prisoner—RICHARDSON v. McMILLAN.

Judgment given for Crown.

MANTON v. CITY OF TRURO.

The case is :—Sherwood v. The Corporation of the City of Hamilton, as reported in 37 U. C. Q. B., 410, on appeal.

The counsel for appellants contended :—1. The proximate cause of the accident was the horses getting beyond the respondent's control and not the defect in the fence, and therefore appellants are not liable. Davis v. Inhabitants of Dudley, 4 Allen, 557; Togg v. Inhabitants of Nahant, 2 Browne, 578; Titus v. Inhabitants of Northbridge, 97 Mass., 258.

2. The precipice was near to the highway but not sufficiently so as to be a menace to the reasonable safety and security of persons travelling along the highway. Barnes v. Inhabitants of Chicopee, 138 Mass., 67; Adams v. Natick, 13 Allen, (Mass.), 429; Murphy v. Gloucester, 105 Mass., 490; Warren v. Holyoke, 112 Mass., 389; Sparhawk v. Salem, 1 Allen, (Mass.), 30; Daily v. Worcester, 131 Mass., 452; Habel v. Yonkers, N. Y. Rep., 434; Howland v. Vincent, 10 Metcalf, (Mass.), 371.

3. To render the appellants liable it must be shown that they are bound to keep the fence in repair, and that a right of action has been conferred on respondent. Blyth v. Topham, Cro. Jac., 158; Russell v. Men of Devon, 2 T. C., 607; McKinnon v. Penson, 8 Exq. Rep., 318; Hardcastle v. S. Yorkshire Railway Co., 4 H. & N., 67; (35 U. C. Q. B.); Hansell v. Smyth, 7 C. B. N. S., 731; Binks v. S. Yorkshire Ry. Co., 3 B. & S., 242; Young v. Davis, 2 H. & C., 197; Parson v. St. Matthew, Bethnal. Grey, L. R. 3 C. P., 56; Gibson v. Mayor of Preston, L. R. 5 Q. B., 281; The Sanitary Com. of Gibraltar v. Orfila, (1890), 15 A. C., 400; Crosby v. Newmarket Local Board, (1892), A. C., 354; Municipality of Pictou v. Geldert, (1893), A. C., 524, 529; Municipality Council of Sydney v. Bourke, (1895) A. C., 435; City of St. John v. Campbell, 26 S. C. C., 4.

The counsel for respondents contended :—1. It was the duty of the Corporation to keep their highway in repair and the fence here was part of the highway. Ohrdy v. Ryde Commissioners, 5 B. & S., 743; Harold v. Corporation of County Ont., 16 C. P., 43; Queen v. Corporation of Village of Yarmouth, 15 C. P., 431; Mayor of Lynne Reges v. Henley, 1 Bing. N. C., 240; Toms v. Township of Whitby, 37 U. C. R., 106.

2. Where the law casts a duty upon a person which he fails to perform, he is answerable in damages to those whom his failure or refusal injures. Sutton v. Johnson, 1 T. R., 784; Townshend, J. on Geldert v. Municipality, 23 N. S., 490.

3. The defendant's negligence here was the proximate cause of injury to the plaintiff, and is malfeasance. *Palmer v. Inhabitants of Andover*, 2 Cust., 600; *Borough of Bathurst v. McPherson*, 4 A. C., 266; *Smith on Negligence*, 38; *Pollock*, 28, 36, 38, 413, 436; *Beaven*, 91, 1045, 1073; 3 O. B., D. 337.

4. There was no contributory negligence on part of plaintiff. *Manzone v. Douglas*, 60 B. D., 151; *Hammock v. White*, 11 C. B. N. S., 588; *Butterfield v. Forester*, 11 East 60; *Buller's Nisi Prius*, 25 and 26.

5. The defendants are liable for all damages suffered on account of their neglect.

JAMES M. SLATER and W. A. BEGG, for Appellant.
F. McDONALD and J. D. MATHESON, for Respondent.

Appeal allowed with costs

College Societies

THE regular meeting of the General Students was held in the Munro Room on Monday, Dec. 5th, at 5 p. m., President McMillan in the chair. The following officers were elected for the ensuing year:—*President*—D. Jardine, (law); *Vice-Presidents*—E. H. Ramsay, (arts), and E. R. Falconer, (med); *Secretary-Treasurer*—C. Fulton; *Execut.* J. W. Weldon, N. G. Murray and J. B. McKenzie. The report of the financial Editor of the GAZETTE was adopted. Mr. O'Mullin thought the meeting should in some way express its appreciation of the good work done by our football team this season. Mr. Davis said the secretary should read a resolution to that effect at the next D. A. A. C. meeting. The regular "break-up" committee was appointed.

ON Sunday afternoon, Dec. 11th, the Rev. Mr. Armitage delivered an address in Munro Room on the words, "Ora et labora." It is needless to say it was interesting and very helpful. After defining a motto as some controlling thought, some rule of life or guiding principle, he gave the mottos of a number of the most renowned men of the world, and showed what they meant for them. Ora et labora! Look to God, but look to yourself as well. Prayer is a privilege and a duty. If Jesus needed to and did pray, then prayer is useful for His followers, and when we see the sin and misery of the world prayer is a necessity. Prayer is the Christian's breath. It deepens humility. It broadens sympathy—making man see the worth of his fellow men. Labora! "Work is worship," work is prayer and prayer is work. Work is the secret of success. Genuine is the faculty of hard work. No labor is in vain. If this motto be made the guiding principle of men's lives, it will ensure true success in the sight of God and of men.

THE subject for discussion in Sodales on Dec. 3rd, was a resolution favoring the annexation of Cuba and the Philippines to the United States. The motion was introduced by Mr. Watt in a clear and logical manner, seconded by Mr. Messenger, who shews marked improvement as a speaker, and supported by Mr. Theo. Ross in his usual heavy and slightly misty style. They argued that in the interests of these colonies, of the United States and of humanity in general, the countries named should be brought under the civilizing influence of the greatest of democracies. The opposition was led by Mr. Ramsay in a volcanic burst of argument and denunciation, seconded by Mr. Stavert in a few pointed sentences, and supported by Mr. Seeley in his inimitable and interestingly unconscious manner. They contended that by annexing these countries the U. S. A. would violate her solemn pledge, and bring ruin and disgrace both upon herself and the people of the annexed countries. On a vote being taken the motion was lost. Mr. Davis read a critique full of sage, serious and hopeful advice.

THE Y. M. C. A. was favored with a lecture from Dr. C. A. Campbell on Sunday, the 4th inst. The subject, "The Human Soul," was handled in a masterly manner throughout, and the speaker evinced careful and deep metaphysical research. The Human Soul, he said, is the most live thing in the world, and therefore makes an appropriate *subject* on which to address students, for physicians and even *lawyers* have souls. The soul is the substantial part of the creature to which it belongs, not an appendage, and since it is a substantial part of it cannot have an individuality apart from the body. Soul is the differentiating principle of the organic world whether we consider a tree, a brute, or the human body. The human soul rises above the mass of matter and breathes a spiritual atmosphere, *i. e.*, it is intelligent. It is also immaterial. The very fact that it can form universal ideas of things shows it is so. It subsists of itself. We can't see or feel it. If we can find in the soul one operation that rises above matter, we must conclude that it does not depend on matter. That is to say, the universal ideas which it has got by abstraction are got by some principle which has disengaged itself from the bodily organs, and if the soul is not necessarily connected with the body, if it has action in itself independent of the organs, then it must be immortal. The two functions of the soul are intellect and will. The former should seek for the truth, and the latter should be true and sincere, then and then only can man go on in perfect form and harmony.

WE are very pleased to welcome Tommie back after his attack of typhoid. The bellroom looked incomplete without him.

Exchanges.

THE eighth number of the *McGill Outlook* contains an interesting article on the City of Toronto. Its pavements, people, parcels and bicycles are all criticized in an able and rather amusing manner.

THE ninth has a well written description of German Schools among its "contributions." The "History of the Bicycle" is also given in this number, from the "cock-horse" of 1818, up to our modern "safety."

The Manitoba College Journal comes to us in a "new and stylish dress." The chief articles are "An address to the Philosophical Society by Dr. King," and a sketch of the life of the late lamented Dr. Cochrane.

THE number of the *Arta Victoriana*, Toronto, received is bright and up to date. An article on "Parody" is especially scholarly. Though parodies are generally mere burlesques, yet some men such as C. S. Calverly have so real an insight into the workings of the writer's mind that they act in the capacity of interpreters.

THE Christmas Number of the *Acadia Athenaeum* is full of sunshine. One of the chief articles is on "Intercollegiate Debating." This is of interest to us, as Dalhousie is in the near future to meet Acadia and other maritime colleges in debate. The article is worthy of careful perusal, especially by those interested in the approaching contest. Another contribution is on the advantages of Wolfville as the site of a college.

THE November number of the *University Monthly* gives a spirited account of the Y. M. C. A. gathering at Northfield. There is also a description by a student of a survey tramp over the rivers and swamps, mountains and moors of New Brunswick. It also contains an admirable defence of College Societies generally, and the Debating Society particularly, endorsing at its close the idea of Inter-collegiate Debates in the Maritime Provinces.

To the Editors of the *Argosy* we would extend our congratulations for an especially good issue. They must surely have the hearty support and the ready contributions of the students. The issue contains a thoughtful article by a senior on "The Occupation of Egypt," and another equally timely on "France in Newfoundland." In speaking of the trip of her football team, kind mention is made of the "City by the Sea." The Sackville team is one which we are always pleased to meet and with which we are sure of a gentlemanly game. They are fortunate in having just obtained a new athletic ground—a thing Dalhousie sadly needs.

WE are so fortunate as have among our exchanges *The Home Study Magazine*, which will be placed in the library. It will be of interest to the science students especially.

A LOVE COMEDY.

SCENE I.

Sweet Ruth and Jack,
(Oh, what bliss!)
Sat in the porch
Closelikethis.

SCENE II.

Then pa came in,
(One quick kiss,)
Found them sitting
Like this.—Ex.

A recent number of *The Student*, Edinburgh, has the following parody:—

SHAKESPOKES—IMPROVED.

All the world's a road,
And all the men and women would-be cyclists;
They have their mountings and their fallings off,
And one man on his way hath many spills,
His tires being punctured oft. First comes the novice,
Wabbling and squirming on his unsure wheel,
Twisting his ankles, handlebar and face
Into most wild contortions; cutting strange figures,
Full of strange ways and curious instances,
His words unprintable! Then the expert,
Sticking at nothing, whirling gaily on,
His bell an instant terror; the distant haunts
Of men invaded. Even the lady fair
Apes his sad luancy, and puts her foot
Unto the pedal—playing the man
Upon a pair of wheels—unmaidenlike;
And so they play their game. And then he shifts
Into the hot and melancholy scorcher; lightning fast,
With hands gripped hard, and dromedary back,
The world to him a flying panorama,
His goal somewhere behind it. Last scene of all
That ends this strange, eventful round—
A crash of broken spokes and bones, and sounds
Of dread explosions, while unholy language
Floats on the wayside air, where now a wreck
He lies, sans teeth, sans limbs, sans bike, sans everything.

THE Rev. Chas. M. Sheldon's books, now so universally read, make it plain that the writer's hopes of the regeneration of the world lie in getting individuals more and more to do their daily tasks on Christian principles no matter what the sacrifice involved. In the best known of his books, "In His Steps," he clearly looks to the newspaper, carried on upon Christian principles, as largely the hope of the "coming kingdom." In looking about him for a newspaper upon his model, he seems to have hit on the *Montreal Witness*, to which he had addressed a letter, part of which we quote:—

"I have read the *Witness* with much interest. I cannot say that I know of any other daily paper in the United States that is conducted on such high christian principles. I wish I did, for if ever we needed such a paper in our country we need it now.

Let me express to you my appreciation of the Christian heroism and consideration which make a paper like the *Witness* a possibility. I have always believed it possible for a Christian daily to succeed. You have proved that it can. So much of the ideal newspaper in 'In His Steps' is therefore real.

I pray that you may continue to be blessed in your work. I do not know a more glorious opportunity for building up the kingdom on earth than by means of Christian journalism. I take the greatest pleasure in sending the copies of the *Witness* to newspaper friends of mine for their inspection. Very cordially yours, CHARLES M. SHELDON, Topeka, Kansas"

Personals.

Messrs Theo. and George Ross have been called away from college on account of the death of their sister. They will return after the Christmas vacation.

WE notice in the daily papers the death of Dr. W. B. Demille, of Ferrona. Dr. Demille was the son of the late Jas. Demille, M. A., Professor of English at this University.

THE Christmas number of the *Toronto Globe* contains among other stories by Canadian writers, one from the pen of J. Macdonald Oxley. Mr. Oxley is a native of Halifax, and a Dalhousie graduate of '74.

WE are informed that Dr. Gandier will leave in a few days for London, Eng., accompanied by his former classmate, Dr. Macdonald, of Sydney, where both will take a post graduate course in medicine. Dr. Gandier expects to return to Pictou about May, 1899. — *Pictou Advocate*.

Beside Drs Gandier and Macdonald there are two other members of the Med. Class of '98 studying in London.

THROUGH some mistake Mr W. A. Ross was omitted from our notices of graduates. Well, Ross was such a quiet fellow that one was apt to overlook him, but he needed to be taken into account in a philosophy exam., for he was very apt to be ahead of you. He possessed a most bewitching moustache and an enchanting eye, but his grin was slightly sarcastic. A Merry Christmas to you Will and may you preach many and many a Christmas sermon.

Dallustensia.

PROF. OF HISTORY—"I haven't applied for an assistant yet, but if I do so, Mr. Wood, I shall take your case into consideration."

WE notice that Tommy D. has got a new cane in place of the one which was accidentally broken at one of the f. b. matches.

THERE was no truth in the report that "W. P." had been appointed foot-ball coach at the court of Abdul Hamael.

WE are expecting to receive a copy of Shortley's new book "Hate," which we propose to hand over to Mr. Madden for criticism.

THE freshies at the North St. rendezvous have discovered to their intense delight that their wash lady is an expert in culinary matters.

SCENE, CLASSICS ROOM—"Bunny," translating Livy, "And Tonaquil joyfully embraced her husband,"—looking up in disgust—"Now I don't see the sense of that, Professor."

R-GG-LS (translating Livy laboriously)—And she embracing him, "I don't see any sense in that Professor."

Prof.—"You don't see any sense in that Mr Ruggles?"

SOPH.—"I can't understand what influence Italian reminiscence has on English literature.

E. A. McD. is going to court fantastic visions during holidays, in preparation for that essay on dreams.

WILFRED'S favorite refrain.

"Yet a the lads they smile, at me, when I get fu' of Rye."

AN Englishman who had just struck Halifax asked a Freshman why we had a Thanksgiving Day in this country. "End of the football season," was the reply.

AT THE ART SCHOOL.—Drawing Master, "I wonder what Mr. S-ms-n did with his last year's drawings?"

Student "I think he burnt them, Sir."

D. M.—"That was a very wise act."

OWING to the pressure of examination work we have not been able to procure the usual quota of original matter for this department. Therefore we have taken the liberty of culling the following items from THE DAILY HOT TIMES, hoping that they may be of some interest:

IT affords us much pleasure to be able to announce that Mr. M-r-r-s-n (Mephisto.) has been billed (he never coos) by Manager C-ff-n to give a presentation of Faust in the near future or in the Music-Hall, as the case may be. Mr. M. intends bringing a whole troupe of imps with him.

INFORMATION SCENE—Dartmouth. Occasion—Walking-Party.

Fair Junior—Oh! Here comes Pash.

Chorus—Who? Who?

F. J.—Pash you know Mr. —

MUR-HY—What do you deem the most charming age in woman?

Wad-le—From my experience I should say, a woman of 35 is harder to get away from than any other.

Rutt—Yes, that's so, I been there.

FRESHMAN, at one of the down-town stores—"Please, I want to buy something for Christmas."

Clerk—"Yes, Sir." (To office boy.) "Johnny, show this gentleman to the toy counter."

"LITTLE BILLIE," after reading the U. S. papers, thus soliloquized:

My feelings I have analyzed,

And found the joy most highly prized,

—My friends will all be scandalized—

Is that of being "Hobsonized."

THE HOT TIMES recently purchased a mouth-organ for a nominal figure at an Nth hand shop. The instrument has been tuned and put in running order, and we have decided to offer it as a prize for the best short poem submitted to us within the next month. The poem must be written on the upper side of the paper, and must not be more than four inches in length. This competition is open to freshmen only, and each writer must enclose two cents as a guarantee of good faith. The subject of the poems will be decided upon by the judges after they read them.

ONCE upon a time, so runneth the tale, there congregated in a certain ambitious city a goodly number of young men who had been delegated thither by sundry college associations throughout the land to meet in convention and discuss the things which make for advancement in Christian life. Now, it so fell out that one of the leaders, moved thereto by a wish to seem friendly to the visitors, hailed one of the delegates from a college by the sounding sea and said unto him: "In good sooth I have a desire to meet one, Sayton, who cometh from your parts." "Satan!" quote the visitor, rightly astonished, I know of none ye leped thus as is the Arch Enemy, and he dwelleth not in our province. For, verily, had we ought to do with such an one, he had been dead and in his coffin many suns ago." "But, said the other, "see, 'tis writ here in this scroll: 'S-A-Y—'" "Aha!" said the visitor grappling on to the joke, "things be not what they sound like, and, of a truth, some scribe doth make his 'Ls' very like unto 'Ss.'"

He brought a team from Inversnaid
To play our third fifteen—
A man whom none of us had played
And very few had seen.

He weighed not less than sixteen stone,
And to the practised eye,
He seemed as little fit to run,
As he was fit to fly.

He look'd so clumsy and so slow
He made so little fuss;
But he got in behind, and oh!—
The difference to us,

THE HAIR THAT ONCE.

The vacant space that's on his head
Was never always there,
'Twas once a sandy, rusty red;
But now it looks so bare:
The hairs are very scattered now,
They're few and far between;
And when you see him make his bow,
You'll then know what I mean.

I've heard it said, "They'll grow no more,"
And he's so young, 'tis true,
But let him not go feel so sore,—
I whisper this to you:
He's rich-hard!—Dalhousie's only son,
That lost his wavy hair,
And since the fatal work was done,
A heavy cross must bear.

Discover with me what the cause
Of all this trouble be,
A dotting spinster's "private" claws;—
For so it seems to me,—
Relieved him of his pretty hair,
Or pushed it in his head,
And now, there's nothing, nothin' there,
But baldness, so 'tis said.

If Biggs would lend him rusty sprouts,
And Dr. Ross, electric power,
St. John, its fog, with spinster pouts
'Twould in one short hour,
No more those golden locks will shine,
From the summit of his head,
He lost his hair, do thou keep thine,
He'll grow side-boards instead.

J. A. H. C.

THE GAZETTE wishes all the students in the Christmas exams., which are now upon us, a very merry time. A committee is at work preparing for the break-up. As the students of the different faculties will be here on that day, a good time should be the result.

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