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## Some Social Problems.

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Within the past quarter of a century the United States has experienced a marvellous development. But with increasing magnitude and importance, the more complicated has become the machinery of government and the more intricate the relations of its social and political factors. As members of a great nation, and living in a highly democratic atmosphere, we are brought face to face with the varying problems that agitate a progressive people. Of late, some have been led to doubt the real stability of our government, and we have all been aroused by passing events from the deep sense of security into which popular fancy had lulled us. The press of the country is now being devoted to a consideration of the so-called *social problems*, which, in turn, are being discussed from the pulpit, bench, and rostrum.

We read of the conflicting interests of Labor and Capital, with the advance of Socialism and its accompanying systems; while, in a more substantial manner, we become familiarized with their workings through the medium of strikes, lock-outs, and dynamite bombs. These constantly recurring features of internal disorder and social defection would seem to give the lie to our much-vaunted national security and compel us to admit the existence of formidable forces within our national system. Until the past few years; cases involving these questions have been seldom before the courts, but adjudications are now clearing away doubts and determining the legal phases of the subject.

According to Justice Cooley, "The police of a State, in a comprehensive sense, embraces its whole system of internal regulation by which the State seeks not only to preserve the public order and to prevent offenses against the State, but also to establish, for the intercourse of citizens with citizens, those rules of good manners and good neighborhood which are calculated to prevent a conflict of rights, and to insure to each the uninterrupted en-

joyment of his own so far as it is reasonably consistent with a like enjoyment of rights by others." From the definition it may be thus seen that the exercise of this novel power is calculated to enter into a multitude of relations and extend over a field having no strictly defined limits. While this is all true, the police power is now recognized as a distinct and constantly developing branch of jurisprudence—a comprehension of which is contained in the maxim: *Sic utere tuo ut alienum non laedas*. Such, then, being the province of this department of the law—to secure all in the enjoyment of their rights so long as these rights do not interfere or conflict with a like enjoyment in others—it is plainly to be seen that the regulation and control of the capitalist and laboring classes must involve a reference to its principles. The frequent recurrence of strikes and the rapid rise of powerful labor organizations are drawing the attention of all enlightened communities to the attitude of these great industrial elements to one another and to the law, also to the defects that disharmonize their mutual functions. An antagonism exists at present between the capitalist and laboring class which is giving rise to a peculiar class of cases, calling for a wise recognition of reciprocal rights and a judicious application of the laws thereto.

In our large manufacturing centres there are factories owned and controlled by individuals employing hundreds of men. As far as governing the establishment of which he is the head is concerned, the capitalist may, under the present condition of things, rule absolutely and independently. The question thus arises: What is his position and responsibility before the law? It must be an evident fact that one may use his wealth as he sees fit—provided, of course, that he has a legitimate purpose. Accepting, then, this doctrine—of each man's right to the results of his labor—we must accept, as a rational corollary, the right of the capitalist or employer to declare the terms on which they shall employ, and to regulate the details of their own business. It could not be otherwise without ignoring the fundamental principle of the Constitution—personal freedom and liberty. In peculiar industries public policy has hedged in the

capitalist and employer with restrictions pertaining to the protection of employes from the rapacity and encroachments of the former. Though statutes may not exist positively defining the reciprocal rights of employer and employed, yet whenever a case involving these issues comes before the courts they never fail to recognize the respective responsibilities of each class. While, on the one hand, Capital in its wealth-producing capacity is protected by the law, so also the laborer, as citizen and a factor in the production of wealth, must be entitled to equal legal security.

In this connection we may consider the legal aspect of labor organizations and their frequent outcome—strikes. Our modern "Trades Unions" are the legitimate successors of the Middle Age trade guilds; but the difference of time and circumstances give to the former peculiar features unknown to the latter. Whereas the guild sprang from the necessity of defense, the "trades union" is too often organized for offensive purposes only. These associations are not meant to be discouraged, but the assumption of extensive power by such bodies demands careful attention from our jurists, as tending to contravene the authority of the State, and limit its scope. The right to peaceably assemble and associate for mutual advancement is unquestionable; and were this the only object of the unions, they would prove a valuable auxiliary to the State in maintaining harmony and improving its citizens. But, unfortunately, they go further than this, and in their endeavor to advance their own interests resort to methods inconsistent with good order and inimical to the policy of the State. The attempt to control wages has been the cause of the greatest confusion and contention in this connection. If wages in any particular industry are sought to be raised, the influence of the Union is brought to bear upon the employer. This proving insufficient, a strike is instituted to force him into submission. But this weapon of the laborer is a double-edged one, and may be used for good or evil. Striking, as such, has never been declared unlawful; but as involving the matter of *conspiracy*, serious questions arise. From the earliest days of our national existence and the birth of American industry, labor organizations, following in the spirit of those of the mother country, have demanded judicial notice in the settlement of controversies arising from apparently conflicting interests.

Running through that part of the Common Law affecting trade, we find the principle, that it is a criminal and indictable offense for two or more to confederate and combine together by concerted means to do that which is unlawful or criminal to the injury of the public, or portions of classes of the community, or even to the rights of an individual. This doctrine is recognized in a long list of American cases, and applies even where a criminal or unlawful object is not intended. All combinations in restraint of trade are illegal. The question to be considered, then, is whether any particular association of men, by their organization and object, come within this rule. So settled is this doctrine that courts fail to recognize the obligation

of members of Unions to refuse their services to a particular employer to whom the association is inimical. Nor would the promises of an employer be enforced—upon the ground of duress—which were brought about by the threats and influence of a "boycott" or strike. Of course, any man, or all, may stop work if they choose to do so; but it is when attempts are made to coerce the actions of other workmen, or to interfere, to the damage of the business, that liability is incurred and the law interposes.

In passing on the rights and responsibilities of the laborer it is argued that the "strike" is his only means of compelling recognition, and that even this remedy, violent though it may be, fails to secure to him what is sought and justly due him. There is a great deal of truth in this, and it must be admitted that in the matter of protecting his interests against the encroachments of employers he has to contend with many adverse circumstances.

Though modern progress has wrought a great change in his social and political status, there is still a manifest tendency to grind him down and to make of him a mere instrument of profit—in other words, labor is becoming a commodity. Such a spirit is certainly lamentable, if not dangerous. One of the most reasonable statements of Henry George is that where he says: "A civilization which tends to concentrate wealth and power in the hands of a fortunate few, and to make the others mere machines, must inevitably evoke anarchy and bring destruction." There is nothing ideal or socialistic in this; already events are giving a forecast of what *might* be expected under more aggravated circumstances. It is a doubt in the equity of existing conditions, and a belief of increasing dependency that causes murmuring and discontent among the lower classes. Large fortunes are accumulated around them by men whom they are taught by socialistic leaders to consider as an improperly favored few; capital is being concentrated in localities and industries, producing a centralization of power; and the tendency of the times appears to be towards inequality. As a result, many lament their hard fate and curse the conditions that impose upon them dreary toil, and often a precarious existence. With such a feeling abroad, the blessings of Poverty are forgotten in envying the rich, and a discontent prevails which makes the poor ever ready to interpret any arbitrary action of their employers as an encroachment upon their rights. If this language be thought to smack of the sensational and needlessly alarming effusions of social reformers, let the skeptic endeavor to explain the so-called labor troubles that have agitated both Europe and America during the past year. The poor are generally reasonable, and it is only when provocation exists that they complain. Public policy demands, therefore, that those who are in power should be taught to respect their rights. Many have been the theories and plans to remedy the evils alluded to, and to relieve the present strained relations between Capital and Labor. Most of these are based on purely ethical considerations, or are of such a Utopian character as to be entirely impracticable.

*Arbitration* has received the greatest agitation. By this plan all differences and matters of dispute are submitted to referees representing both classes, thus encouraging a recognition of individual rights on the one hand, and discouraging contention on the other. Experience has shown the relative merits of such a system, especially in England and contiguous continental countries. As yet we have not been able to judge perfectly of its appositeness to our circumstances and demands. However, in several instances in the East, arbitration has been resorted to with marked success in the adjusting of conflicting claims. It has been urged by some jurists that the establishment of such a procedure would oust the jurisdiction of the courts, and that the decisions of arbitrators cannot generally be legally enforced; but this objection is not well founded, for it seems that any means whereby rights may be peacefully determined and vexatious litigation prevented should be encouraged. "Some of the States have legal provisions on their statute books for settlements by reference: all of them would do well to take higher, broader ground and more advanced legislation to this good end."

Other methods which have been prominently advanced and, to some extent, practised, are Co-operation and Industrial Partnership. By the former method workmen associate for the purpose of carrying on any particular industry by a joint contribution of personal services. Such an arrangement involves no matter of legal interference, and as there is everything commendable in it, should be encouraged. But Industrial Partnerships give rise to relations which call for careful consideration. As it provides for the compensation of workmen from the profits of the business, this method may create new responsibilities for the employe and alter his position before the law. Any arrangement by which persons share in the profits without being responsible for the firm liabilities must give rise to confusion, if not injustice. Such combinations may be said to be against public policy, as sharers in the profits of a business are not necessarily partners subject to usual partnership responsibilities.

In Haward's Reports (U. S.), it is stated that, unless a supposed dormant partner is in some way interested in the profits of the business as principal, it is plain that he cannot bring suit as partner and go into equity and compel an account; nor can it be held that he has any such lien upon the profits as a court of equity may enforce; and if not, then his condition is the same as an ordinary creditor, and he must pursue his remedy against his employer.

It has been also held that when one is only interested in the profits of a business as a means of compensation for services rendered, he is not a partner and cannot be held liable to creditors of the firm. A specific interest in the profits is required, and it must be understood that one shares in the profits as such to make him liable to third parties and creditors. From these adjudications, the propriety and policy of industrial partnerships may be sufficiently determined without further discussion.

Collateral to the issues just discussed is the ques-

tion of personal and property rights—involving a consideration of the doctrines of Socialism and Communism. These systems have met with considerable attention of late, especially through the efforts of enthusiastic social reformers, like Henry George in our own country, or John Stuart Mill and Herbert Spencer abroad. Though much the same in principle, these systems differ somewhat in their modes. Communism is negative, and limits the acquisition of property: Socialism goes further and deals with classes and general governmental powers. A writer in a late magazine aptly applies the term socialistic to "all efforts under popular impulse to enlarge the functions of government, to the diminution of individual initiative and enterprise, for a supposed public good." According to the same writer, the police power represents the minimum of governmental functions—all measures to enlarge which, beyond this arbitrary division, being considered more or less socialistic.

The full force of this question cannot well be appreciated by the average well-to-do citizen, engrossed as he is with business cares, and confident of the providential management of his country's affairs; and it can hardly be conceived by those who do consider the subject that the novel doctrines of the socialists could so radically effect, in our long established and popular social organization, such a change as is contemplated by the reformers.

Private ownership in land is a right established by long ages of custom and supported by the soundest dictates of justice and wisdom; in fact, it is the foundation of all property rights. This does not imply in the individual an absolute or supreme ownership, as is wrongly imagined by the socialist, but such a control of land and property as is consistent with, and subservient to, the superior claim of the State, and thus the people. The absolute title to all land is in the State—hence the right of *eminent domain*—a prerogative no one will question. It is a popular fiction, then, to talk of the earth as being under the absolute control of the land owners.

In the language of Thomas Jefferson, "the earth belongs in usufruct to the living," and it is only this right which each generation may be said to possess in the soil that gives rise to our system of land tenures, which, without fee—simple ownership—would be inexpedient, confusing, and unsound. The evil complained of by the socialists arises, not from the general recognition of private ownership in land, but from the unlimited amount which may be held by any one person. This is the vantage ground of the communists.

The right to restrictive legislation on this subject is certainly inherent in the Government, as coming within its constitutional prerogatives; but such a display of authority under our present institutions would, unless moderately and wisely exercised, be very impolitic, impracticable, and even despotic. The law looks with disfavor upon any innovation which would disturb the equilibrium of existing laws and systems of jurisprudence.

There has been no little dissatisfaction expressed at the extravagant grants of public lands to influ-

ential individuals and corporations. It is true that a great deal of unnecessary alarm has been aroused, but it may be well to cast a glance at our present domain to determine if a change of circumstances may not demand a change in the policy of the national land department.

Until the past few years, no particular concern was manifested in the disposition of the nation's lands, as it was thought that there was room in the vast regions of comparatively unoccupied country lying between the Mississippi Valley and the Pacific coast to accommodate many millions. But the constant disposition of small estates and, above all, the enormous free grants to railroad companies have narrowed the public domain down to a shadow of what it was.

The following figures, taken from a reliable source,\* will clearly represent this portion of the subject, and speak more significantly than words:

The public domain of the United States, exclusive of thirteen original states and Texas, which retained possession of land within their borders,	Acres.	
		1,823,180,387
But from this we must subtract what is known as non-available land, consisting of		
Alaska,	369,529,600	
Indian and military reservations,	157,000,000	
Mountains and untillable lands,	400,000,000	
Amounting to	926,529,600	
		926,529,600
Which, subtracted from original domain, leaves as available land,		896,650,787
Of this, Congress has given to States (as school and swamp lands),	161,000,000	
Private parties and settlers,	300,000,000	
Canals and wagon roads,	6,000,000	
Land bounties for military and naval service,	61,000,000	
	528,000,000	
Add to this, land given to railroads,	172,000,000	
		700,000,000
Land disposed of to present time,	700,000,000	
		700,000,000
Land remaining undisposed of,		196,650,787

Thus is the former great public domain of the nation being rapidly parcelled out, so that at the present rate it must very soon be all exhausted. This, in itself, is no evil—for it must eventually be accepted,—were it not that large railway corporations and influential persons have under their control millions of acres of this unoccupied land—keeping it out of the reach of *bona fide* settlers, and using it for their own aggrandizement. Much of this is to be laid to “bogus” legislation, lobby influence, and corrupt officials. It is manifestly unwise for the Government to permit the concentration in an individual or corporation of great tracts of land to the exclusion of others; and the sooner honest legislation is turned to this quarter, the better it will be. The author of a late work on police powers has declared that “no resistance can be made to the authority or power of the Government to order a disposition of great land tracts to smaller holders in the interests of the public

good, and by virtue of the right of eminent domain, free from constitutional limitations.”

Now, that we have discussed the leading topics involved in our thesis, it may be well to sum up hastily the conclusions to be drawn therefrom. The questions that have just been considered are those that arise from the relations of a very heterogeneous population. Recent events, as before referred to, have directed public consideration to certain classes which are beginning to demand a very considerable share of police control and inspection. I refer now more particularly, to the communists, socialists, and anarchists. These limbs of European defection and corruption, induced by American freedom and liberality, have come amongst us to sow the seeds of discord and rebellion.

Imbued with a false idea of American liberty—that one may do as he pleases,—these malcontents have settled upon a plan of operations, revolting alike to the popular spirit and the policy of the State. The constitutional provisions as to treason are exceedingly limited, and the greatest latitude is given in all questions involving personal liberty. But there is ample authority in the State, both through express constitutional limitations and rational implication therefrom, to exercise a careful surveillance over such dangerous classes. While freedom of speech is a prominent feature of our institutions, it has been held that it is within the power of the State to exercise surveillance over inflammatory and revolutionary papers and to punish for their publication—and this is not in contravention of the doctrine of the liberty of the press.\* The same authority also applies to the assembling of large bodies of men having an apparently vicious object in view—as in case of strikes, etc.

Probably the best exemplification of the phases of this question and the tendency of the times is contained in the developments in the trial of the Chicago anarchists in the Hay-Market affair. This was but an open manifestation of the dangerous doctrines of the socialists, and demonstrates the necessity of dealing with such an element in a summary manner. Any interference by the State in the exercise of its police power in restraining dangerous classes from the perpetration of violence will be a beneficial exercise of authority, within the constitutional limitations.

It is well, however, to consider the dictum of Justice Cooley, who has remarked in this connection that “The State has ample power to interfere by law; but, probably, no interference would be beneficial that went beyond the mere preservation of order.” Prevention of disorder and confusion is to be sought for rather than that the occasion should demand a radical cure. Hence all organizations that tend to maintain jealousy and antagonism among the classes are pernicious and should be discountenanced. But in any case special legislation is to be avoided. All extension of governmental functions beyond these limits must, in itself, be held to be socialistic.

\* The North American Review, February, 1886.

\* Cooley—Constitutional Limitations. Tiedeman—Limitations upon Police Powers.

As a consequent idea, suggested by the preceding remarks, it may not be inappropriate, in closing, to cast a hasty glance at the condition of the poor in our large cities. In consequence of the advance of the mechanic arts and the establishment of great industries, population centralizes in our manufacturing districts to such an extent as to cause neglect of agricultural pursuits, with consequent overcrowding of cities. Vast tenements arise, to be crowded with great numbers in such density and confusion as to cause physical disease and, what is worse, often moral contamination. Here again may the State interfere in maintaining its restrictions upon vice. But the most efficient remedy for all these evils must be sought for in the unselfish relations of individuals one with another. Much of the present vice in our large cities will be eradicated, and the amelioration of the classes ensue when the pressure of population in these centres is relieved, and attention is turned to honorable—even though humble—pursuits; while the public peace and prosperity will be assured only when the classes live in harmony, and the members of each recognize the rights of the others. Then will troublesome and disastrous litigation cease to clog the operations of the law, and justice, wisely administered, insure prosperity and tranquillity to the Nation.

#### Festal Lyric.

ON THE FIFTIETH ANNIVERSARY OF THE EVENTFUL  
PRIESTHOOD OF POPE LEO XIII.

[Written to the measure and arranged to the music of a  
Swedish air.]

RICHARD STORRS WILLIS, in *Detroit Free Press*.

#### I.

Twine laurels for him, the Pontiff and classic,  
The statesman and poet, far over the sea,  
We waft gratulation  
And wreath of ovation,  
Pope Leo, to thee!

#### II.

Years fifty thy palms! In youth the robed valiant  
By Gregory sent Benevento to save.  
And swept was marauding  
And titled defrauding  
From castle and cave.

#### III.

Then rescued by thee Perugia followed,  
Where outrage was rife and the poor were aggrieved.  
And crime found its master,  
The spoiler disaster,  
And peace was achiev'd.

#### IV.

And, lo, in thine age, when Europe was arming,  
The fisherman's ring was a circlet of calm.  
It hushed in the Rhine-land,  
And France, the fair vine-land,  
War's muttering storm.

#### V.

Hail, Pontiff of peace, of light and advancement!  
With lays and with music thy name we entwine.  
God's music supernal  
And laurels eternal,  
Pope Leo, be thine!

#### Savonarola and Christian Art.

About the close of the fifteenth century, Italy was convulsed by a movement which was but the prelude to the breaking up of the old feudal society. Men were engaged in a great struggle to free themselves from tyrants who in the time of internal troubles had usurped authority and now used every means to retain it. The Church, after innumerable conflicts with heresy and schism, found her influence decreasing. The invention of printing and the revival of ancient literature gave a new turn to study. From these causes the following consequences were, says Lanzi, derived: "In policy, no age ever surpassed the fifteenth century in wickedness, for it fought, not with arms and valor, but with fraud and poisons; and few ever equalled it in the corruption of morality. In religion there appeared the signs of those heresies which, in the following century, tore such a great portion of Europe from the Roman Church. The study of the classics during that century did little for letters; it neither refined language nor consoled philosophy, but merely prepared the world for that luminous period called the age of Leo X. The Medici, who were intent on securing the dominion of Tuscany, strove to corrupt the people and to debauch them by their festivals and pageants. Like all other oppressors of liberty, they thought to win the people by their promises and bribes. Such was the policy of Pericles in Greece, and of Augustus in Rome. When the instances of Pico della Mirandola caused the Medici to invite Savonarola to Florence, the friar found pride and infidelity in the men of learning; in the people and the artists, licentiousness—in all classes a turbulent restlessness, an ennui of actual evils, and an anxious expectation of something novel. When the conditions of society have reached this term, the very nature of the times creates singular men to sway it; and, in fact, if they be not able to rule and wield the movement, they must perish in it. Savonarola believed himself destined to perform a grand mission—moral, intellectual, artistic and political; and he at once cast himself boldly into that tremendous conflict of ideas, passions, and interests in which only one of a thousand escapes, while the generality are victimized and exhibited to all future generations to prove how fatal it is to have been gifted, in such times, with a soul that soars above the ordinary level of intelligence."

Savonarola was a fervid and impassioned orator, and for eight consecutive years he electrified the people of Florence. His voice went forth from the Dominican Convent, inviting the factions of Italy to give up their animosities, which bred mur-



der and rapine, and become brothers to each other. Not only was the voice of Fra Girolamo Savonarola raised, it was echoed by other friars of the Dominican Order, which, if not as eloquent as his, were at least as zealous and unceasing. Of the interest excited by the eloquence of Savonarola we have the testimony of eye-witnesses that at midnight the people of Florence arose from their beds, and repairing to the doors of the Cathedral, waited until they were opened, complaining neither of the inconvenience nor of the cold; people of all ages, the young and old, awaited the preaching of the great friar, and attended his sermon with the same pleasure as though it were a wedding. The profoundest silence reigned in the church until the children entered, singing hymns "with such sweetness that Paradise seemed to have been opened." In this manner, with hymns and prayers, the crowd awaited for hours the coming of Savonarola. But the piety infused by the preachers did not show itself in the church alone. A contemporary writer says: "They no longer sang profane songs, but spiritual canticles, a great many of which were composed at that time—they sometimes chanted them in chorus on the highways, as frairs do in the choir, and with great jubilee whilst at their work, so wide-spread was this great fire everywhere. Mothers were seen in the streets reciting the Office with their children. When they sat at table, after the benediction, they observed silence, and they listened to a person reading the Lives of the Holy Fathers and other devout works, and in particular the sermons of the Father (Savonarola), and others of his works." Again, the same writer says: "The women dressed with greatest modesty, and to effect a reform in this particular, they sent a deputation, of their own body, to the Signory, with great solemnity. The children did the same, and sent a deputation to the governors of the city, praying them to enact laws for the protection of good morals."

People of all classes yielded to his eloquence. The poor workingman, the monk, the priest, even the most learned and talented men of the day, bowed before his superior ability; the ranks of the Dominicans were recruited from among the artists and writers of the age, and so great was the number of persons who took the habit that the Convent of S. Marco had to be enlarged. He drew around him many of the distinguished artists of Florence, and infused his spirit into them. His great design with them was to rescue the imitative arts from the immoral tendency which the licentiousness of the time encouraged. It had been the habit and delight of the painters to represent nude figures, and even when painting Madonnas and the saints it was not unusual for them to take as models the depraved women of the city. These two things Savonarola fought with all his energy. He perfectly comprehended the power which the arts of painting and sculpture exercised over an imaginative people like the Italians, and he endeavored to make them instrumental in social reform. He set about making known his ideas of art, and maintained that the beautiful "should not

be understood to be a mere pleasing of the senses, but that the senses should be the media for conveying it to the heart and soul, and enamoring it of virtue." Developing with all his power this view, he in his sermons to the people then proceeded to denounce the licentiousness of artists, "who," says Lanzi, "made painting subservient to the lusts of the great, instead of an eloquent language for inculcating virtue and morality." Such was the power of his words on the minds of the Florentine artists that many of them swore to Savonarola never again to degrade their art. Let us hear Burlamacchi on this subject: "At the beginning of the carnival (1497), the Father ordered that there should be a very solemn procession, full of mysteries; and he caused to be erected in the Piazza dei Signori a large cabin, within which were gathered all vain and lascivious things, which the children had collected from all parts of the city. The cabin was formed as we will describe: The joiners constructed a pyramid, and in its hollow placed a great quantity of brushwood, and some gunpowder. This pyramid had fifteen steps, on which were laid and arranged, with great ingenuity, all the various offensive objects. On the first step were laid the most precious foreign tapestries on which obscene figures had been wrought; above these, on the second step, was a great number of figures and portraits of the fairest damsels of Florence, and others by most excellent painters and sculptors. On another step, were tables, cards, dice, and such like diabolical inventions. On another step were music-books, harps, lutes, guitars, cymbals, trumpets, and various other instruments. Then came the adornments of women—false hair, mirrors, perfumes, Cyprus powders, and similar vanities. On another step were the works of the Latin and modern poets, such as Morganti, Boccaccio Petrarch, and the like. Then followed masques, beards, liveries, and all such carnival trumpery. There were also many very beautiful works of the chisel and pencil, together with ivory and alabaster chess-men, for which a Venetian merchant offered the Signory twenty thousand crowns; but instead of getting them, they painted him, from life, and enthroned him on the top of the pyramid *as king of all these vanities*. . . . At length four men approached, with lighted torches, and set fire to the cabin, amid the ringing of bells and the sounding of fifes and trumpets, so that every one seemed enraptured on the occasion of this festivity. The flames mounted to heaven, and all the vanities were consumed." This spectacle was renewed in A. D. 1498, the last year of Fra Girolamo's apostolic career.

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#### Pleadings.

(CONTINUED.)

Common counts mean general counts not founded upon special contract and introduced to prevent the defeat of a just demand by an accidental variance of the evidence. In assumpsit, these counts are founded upon an express or implied promise to pay money in consideration of a precedent debt, and

are commonly called money counts. They are, 1st, *indebitatus assumpsit*; 2d, *quantum meruit*; 3d, *quantum valebant*; 4th, account stated. The counts for money loaned, money paid, and money had and received, are frequently classed with the common or money counts.

In *indebitatus assumpsit* the declaration alleges, 1st, a debt, and, 2d, a promise in consideration of the debt, such promise being that the defendant, who is indebted to the plaintiff, promised to pay him. This promise is generally implied.

Where a person employs another to work for him, without any agreement as to compensation, the law raises or implies a promise that the employer will pay the workman as much as he deserves or merits for the work he does. In this case the declaration states that the defendant promised to pay the plaintiff as much as he might justly merit; that he earned by his work a stated sum, which he justly merits, and that the defendant has refused to pay the said sum. Such is the action on the *quantum meruit*. When there is an express agreement for a stipulated sum, the action must be brought on the contract.

Where goods are sold, without a specified price, the law raises an implied promise that the buyer shall pay what they are fairly and honestly worth. The declaration states that the plaintiff sold the goods to the defendant; that the defendant promised to pay him what they were reasonably worth; that they were reasonably worth the amount stated; that he claimed the amount stated from the defendant, and that the defendant refused to pay the same. Such is the action on the *quantum valebant*. It differs from the *quantum meruit*, in that it is restricted to goods, merchandise, etc. In practice, the *quantum meruit* and *quantum valebant* are frequently included in the more general and comprehensive count of *indebitatus assumpsit*.

Where there has been a settlement of accounts between two or more persons, and a balance struck in favor of one of them, an action of assumpsit upon an account stated may be maintained. In other words, an account stated is an admission by one party who is in account with another that there is a balance due from him. This imports a promise to pay on request. A count upon an account stated is generally inserted in a declaration in assumpsit for the recovery of a money demand.

In some jurisdictions the account annexed is recognized. It is distinguishable from account stated, in that no acceptance of or agreement with regard to the account need be shown. When the sum for which the action is brought includes a number of items, on one or both sides, an account is annexed to the declaration, although a bill of particulars or specification of items may be filed. It is numbered among the common counts in assumpsit.

A breach of the money counts must be stated. It may be according to this formula:

"Yet the said defendant, not regarding his said promises and undertakings, but contriving and intending to deceive and defraud the said plaintiff in that respect, has not, although often requested so to do, yet paid the said sums of

money or any part thereof, but has wholly neglected and refused, and still neglects and refuses so to do, to the damage of the plaintiff in the sum of — dollars; and therefore he brings his suit," etc.

Money delivered to another by way of loan may be recovered under the common count for money loaned, which alleges and charges that the defendant promised to pay the plaintiff the money so loaned, the facts necessary to constitute a cause of action being stated. It is not always necessary to the right of action that the money should have been loaned. If advanced upon a special contract that has since been abandoned or rescinded, and that cannot be enforced, the law raises an implied promise from the person holding the money to pay it back.

Where money has been advanced for another at his request or with his consent, it may be recovered in an action for money paid for and on behalf of the defendant; but it must be alleged that it was so paid with his knowledge and at his request. It cannot be recovered when paid on account of a legal or equitable claim of the defendant against the plaintiff, even though such claim be not enforceable. The action is usually brought "for money paid by the plaintiff for the use of the defendant, at his request."

The count for money had and received is suggestive of a bill in equity. It is usually introduced in an action of assumpsit when money has been received by the defendant which ought rightfully to be paid over to the plaintiff. However, it is subject to any legal or equitable lien which the defendant may have upon it. This count may be used where the money was delivered to the defendant for a certain purpose, to which he failed to apply it, or where he obtained it by fraud or false pretenses, or used duress, extortion or imposition to get it, or secured it upon an illegal contract when the plaintiff was not in equal fault.

A request must generally be averred. The form of pleading a request is either special or general. The special must state when, where and by whom the request was made. The general need not necessarily state the time and place of request. It is usually expressed in the general term, "although often requested so to do."

A declaration is general or special. If it state a general liability and a general promise to pay, being in the form of a common count, it is general. If it state a special express agreement and a specific consideration, it is special. Again, if in an action of debt on a bond it should state simply the penal part, it would be general. Should it set out both the condition and penal part, and assign breach of the condition, it would be special. General and special counts may be joined in the same declaration. Where a claim is divisible, as in an action of trover for two chattels, one of which is properly and the other insufficiently described, a count may be good in part and bad as to the rest. If the claim be indivisible, as in the case of a single breach of covenant, or for a single chattel in trover, the count stating it is bad as a whole if bad in part.

(TO BE CONTINUED.)

# NOTRE DAME SCHOLASTIC.

Notre Dame, April 30, 1887.

The attention of the Alumni of the University of Notre Dame and others, is called to the fact that the NOTRE DAME SCHOLASTIC has now entered upon the TWENTIETH year of its existence, and presents itself anew as a candidate for the favor and support of the many old friends who have heretofore lent it a helping hand.

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The Editors of the SCHOLASTIC will always be glad to receive information concerning former students and graduates of the University.

—The Total Abstinence movement in this country will receive renewed impetus from the Brief of approbation which His Holiness Pope Leo XIII. has recently addressed to the Rt. Rev. Bishop Ireland. With truly paternal solicitude and wisdom, the Sovereign Pontiff speaks of the injury to Christian faith and morality wrought by intemperance in drink, and expresses his commendation of the associations whose members pledge themselves to abstain from every kind of intoxicating beverages.

—The first of the course of Science Hall Lectures was given last Saturday, in the biological lecture room, by the Rev. J. A. Zahm, C. S. C. The subject discoursed by the Rev. lecturer was "The Teaching of Some Modern Scientists." He spoke at some length of those who are popularly reputed as the representatives of "modern science," and called attention to some of the conclusions, given as the results of scientific research, of Huxley, Darwin, Tyndall, Hæckel, Vogt, Buchner and Paul Bert, and their co-laborers. He showed that what is often accepted as science is nothing more than provisional theory or nebulous conjecture, and pointed out the fact that those theories which in our own day are so popular, and to which so many give their faith, are nothing more than modified

forms of speculations that have obtained to a greater or less extent ever since the time of the earliest philosophers and theorizers of ancient Greece. He contrasted the teachings of the scientists named with those of Christian scientists, and considered the relation of physical science to revelation and metaphysics, showing that the former must depend on, and be guided by the latter, and proved that the reason why our modern scientists have fallen into so many and such changing errors, is that they have ignored the guidance of revelation and sound philosophy.

—The devotions of the month of May, which will be inaugurated this evening, have a direct appeal to every true Christian heart; and we might say in an especial manner do they commend themselves to the student mind. Not inappropriately has the month of May been called "The Students' Month," because it first originated among students. These devotions are now a universal practice among Catholics, and the children of the Church in all parts of the world unite in honoring in an especial manner the Mother of God, during the three decades of days which make up the month of May. But, like many other devotions practised in the Church, its origin was obscure, and unpromising of the great results which it has achieved. In the early part of the sixteenth century, Father Lalomia, a Professor in one of the many Jesuit colleges in Italy, in order to increase the piety of the members of his class, proposed to them to perform each day during the month of May some particular devotion to the Mother of God. The happy suggestion was joyfully seconded by his pupils, and, accordingly, a statue of the Blessed Virgin was placed upon a table at the end of the classroom. Before this humble altar, which was decorated with flowers, the good Father and his pious pupils daily assembled, there to recite certain prayers in honor of Mary, and make a short meditation on her virtues. The fervent piety which from that period distinguished the members of Father Lalomia's class was remarked with much gratification by the Fathers of the college. They determined to extend the devotion to all the classes of the institution, and, accordingly, the following May statues were erected in all the class-rooms, and prayers were offered up daily during the month by all the pupils. The effect was remarkable. Those who had heretofore been untractable now became models of obedience and docility; those who had been negligent in the practice of their religion were converted to a holier life; the slothful and indolent became examples in the punctual discharge of their duties. The praises of Mary were on every tongue. The priests, seeing the great and good effects which the devotion of the month of May had produced in a single college, immediately introduced it into all the colleges conducted by the great Society of Jesus in Italy and other countries; and as they went forth from these institutions to attend the missions, they established the devotion among the people, and thus it spread all over the world. Such



having been the origin of the May devotions, are we wrong in calling the month of May in an especial manner [the Students' Month? and ought not the students of to-day endeavor to imitate their predecessors of the sixteenth century in manifesting fervent love for Mary, the Seat of Wisdom?

### Industry.

There scarcely passes a day during which we do not hear some young man say: "If I had the genius or talent possessed by such a person, I, too, would overcome all obstacles and lead my class." How foolish is not such talk! The indiscriminate use of these very words has done greater injury to more students than any other. It has been injurious to those who imagined that they possessed these qualities and to those who feel that they are devoid of them. Those who have supposed that they possessed genius and talent have been injured, because they begin to feel that they may put all their trust in their own natural powers, and do away with that application which is necessary to the highest genius. It is injurious to those who have imagined themselves more slightly endowed by nature, because they take it for granted that effort and industry on their part can never make them the equals of the more gifted, and are therefore content to walk in the paths of mediocrity. It is true that some men have been endowed with transcendent genius, and have by their own innate ability achieved success in literature, science and art. But these men are not given to the world in every age. They are born only at intervals in the history of nations, and the talents given to them are God's especial gifts to the world, not to them alone. Leaving out, then, these extraordinary instances of great superiority, there is a far less difference in the original mental endowments of mankind than is commonly supposed. That which men call genius is not unfrequently the result of early intellectual habits, and still oftener of thorough and labored preparation for every individual effort. That which passes for talent is nothing more than the judgment and expertness which comes from the judicious and continual direction of native powers and a well-balanced mind to some one employment. How many young men are there not who, having passed with success through the collegiate course, and assumed a high position in society, should attribute this result to their application, and not to genius; who, had they not applied themselves to their studies and formed habits of industry, would be no farther ahead than many of their class! No man knows whether he is possessed of genius or not until he has given, with the ardor characteristic of genius, some time to that pursuit which is congenial to his natural disposition.

If, then, a young man would succeed in any undertaking, it is necessary, whether he imagines that he is endowed by Heaven with great mental powers or not, to possess decision of character, and cultivate

habits of industry. Without these qualities his genius and talent will avail him little. He must choose that calling which is most congenial to his nature, and resolve to succeed in it. If he does this, he will succeed, in consequence of his resolution. Let his purpose be single and simple and he will accomplish it. He must have decision and energy: energy to work out that which he has decided upon. Mankind find themselves weak, beset with infirmities, and encompassed with dangers. This weakness may be turned into strength; these infirmities may be healed; these dangers may be braved and overcome. But it is required in him who shall accomplish these that he have the will to do so.

This decision of character is not a special gift to any one person. It is a matter of habit, and can be acquired by all. It is the same as physical courage, which, though natural to some, may be acquired by all. When first going to battle, how many there are who face the cannon with trembling limbs and blanched countenances; yet after a few charges and encounters, the roar of musketry and the cheer of men in combat, instead of filling them with dismay, rouse up all the manliness of their souls.

The young man, then, having decided what he shall do, and having determined to do it, must labor to work out that which he has willed. He should, from early youth, form himself to habits of industry, for all habits are more easily formed when one is young. Labor is necessary for success in all enterprises. Without it one can do nothing. All high positions in life are attained by industry. Who now, in our country, possess wealth, and positions of trust and honor? Chiefly those who have labored for them hard and long. From whom are they imperceptibly falling? From those who, because of their indolence, are unable to retain them. It is wonderful what mere industry will accomplish. All the progress made by our country is the result of labor; all that man should ever hope to attain will be the result of patient industry.

B.

### Obsequies of the Late Major John E. Blaine.

On Thursday morning, Solemn Requiem Mass was sung in the College church for the repose of the soul of the late Maj. John E. Blaine, U. S. A., who departed this life at Hot Springs, Arkansas, on the 22d inst. Very Rev. Father Corby, Provincial, C. S. C., was the celebrant, assisted by Rev. D. J. Spillard and Rev. Mr. Linnerborn as deacon and subdeacon. All the students and Faculty attended in a body—the military companies in full uniform. Relatives and friends of the deceased, residing at Notre Dame, were also present. The sermon was preached by Very Rev. Father Corby, and the following brief, imperfect synopsis will show the eloquence and pathos of the speaker.

#### THE SERMON.

Father Corby said, in substance:

Death always brings sadness. It is not natural. It separates the body and the soul, which were created for each

other—destined, in the original divine idea, to be united and never divorced. They were to form an individual called man. Consequently, the separation or divorce that death causes shocks our nature, whenever it comes under our notice; even when we meditate on it a gloom creeps over us, and we feel like dismissing the subject from our thoughts immediately.

By death there is not only a disuniting of soul and body, but also a separation from all things. We are separated from our worldly goods, from our friends and relatives. The husband is separated from his wife, the father from his children. In a word, there is a total separation from all dear to us on earth. We leave all well-known places and persons to go into an unknown eternity where we know not either our future companions or our future home. This is what makes death peculiarly sad.

We are not the masters of our own lives. Life comes from God. We read in the Book of Genesis: "And the Lord God formed man of the slime of the earth, and breathed into his face the breath of life, and man became a *living* soul." From God, then, we received our life, and He alone has the right and power to give it and take it away. All the power on earth cannot give us one hour—one moment—more than what is allotted to us by our Divine Master. He is a loving Father, and we must know that He acts for our benefit. Consequently, we must be resigned to His holy will. We must bow down our heads to His eternal decree. Now, death, viewed in this light, teaches us a great lesson. It teaches us the absurdity of fixing our hearts solely either on persons or things which we will be obliged to leave some day. It teaches us that true wisdom consists in laying up treasures in heaven—of fitting ourselves for the inheritance purchased for us at "a great price," the Precious Blood of Jesus Christ. It teaches us the full force of the divine instruction of Jesus, who, having in his Divine mind the full balance between heavenly and earthly things, said: "What doth it profit a man to gain the whole world, and suffer the loss of his own soul? Or what shall a man give in exchange for his soul?"

To console us, Our Blessed Saviour, after teaching us how to live, taught us how to die and to find in death not all that which is terrible without a mixture of real comfort and great hope. By His death He purchased heaven for us. Adam forfeited all right to heaven through his disobedience, and Christ purchased it back for the human family by His obedience in offering Himself in sacrifice on the Cross. Hence, our true hope and consolation is found in looking forward to the everlasting joys of heaven. Here is the object of our lives, labors, sufferings and death.

In heaven we see a place of beauty—a place where there are no tears, no doubts, no fears; a place where death cannot enter, where life is eternal. The righteous soul goes there to the companionship of the angels, to the companionship of the saints, to the possession of God. Entered in there, the soul finds all it can desire—never-ending happiness, full, entire, complete. This is the reward Christ has in store for His servants.

This is, then, the consolation which the Church offers her children. This the hope pointed out to her "weeping children in this valley of tears." This is what robs death of all its terrors—"O grave, where is thy victory? O death, where is thy sting?" This is what caused St. Paul to long for death: "I long to be dissolved and to be with Christ"; to be in my true home, heaven; to be with my true friends, the saints and angels; to be where sorrow or sin cannot reach me; but, buried in an everlasting ocean of love, to rejoice with God and His holy servants for all eternity.

\* \* \*

The remains of the deceased arrived at South Bend from Chicago by the noon train, and were at once brought to Notre Dame, reaching here at one o'clock, when the last prayers of the Church were recited by Very Rev. W. Corby. The body was then borne to its resting-place in Notre Dame cemetery, escorted by the military companies of the University, and followed by the President, Faculty and relatives and friends in carriages.

The distinguished dead, whose public career is

so well and honorably known to the people of the United States, was the son-in-law of Mr. and Mrs. John F. Fenlon, now residing at Notre Dame, the father of the Misses Blaine, pupils of St. Mary's Academy, and the uncle of Edward and Thomas Fenlon, of the Class of '83, now prominent attorneys of Leavenworth, Kansas. To the afflicted relatives of the deceased, their numerous friends at Notre Dame extend their heartfelt sympathy in this great trial with which it has pleased Heaven to visit them. They have the great consolation of knowing that the upright, consistent Christian life of the lamented departed, who was ever faithful and true in the discharge of his duties in the family, in society and in religion, will meet with an eternal and ineffable recompense. May he rest in peace!

#### Books and Periodicals.

—Geo. P. Rowell & Co., of New York, will issue, on Monday, May 2, the nineteenth annual edition of their standard publication, the "American Newspaper Directory." The new volume contains an exhaustive list of all class publications, so admirably arranged that any one of the three thousand papers represented there can be readily referred to, and all important facts concerning it, together with its circulation rating, easily obtained.

—The weekly issues of the *Ave Maria* for the month of April are just to hand in compact form, presenting another "Monthly Part" of that estimable periodical marked by the high degree of excellence which has already secured for it a commanding position among the leading literary productions of the present day in the English language. The April number opens with an instructive article on "Relics of Our Lord's Passion," which imparts much useful information, inspires devotion, and furnishes the Christian reader with subjects for reflection for the solemn closing of the great Lenten season. The Rev. A. A. Lambing, LL. D., contributes a very entertaining paper on "The Agnus Dei—Its Origin and Use," in which, after a keen philosophical analysis of the sentiment of religion which exists in every soul, he shows how, remotely, the origin of this precious sacramental—the Agnus Dei—is due to this feeling, and, in very entertaining and instructive language, explains its direct institution in the Church—the progress and object of its use, the ceremonies accompanying its benediction by the Sovereign Pontiff, and the invaluable treasure it proves to the Christian wearer imbued with a true spirit of faith and piety. A very interesting sketch, continued through several numbers, is entitled "How a Russian Countess Found the True Fold." Among the other noteworthy articles, which our limited space will permit us only to name, are: "John Dryden and His Time"; "The Power of Our Lady of Lourdes"; "Our Lady of Good Counsel"; "The Ancient City of Treves"; "A Mass in the Cenacle of Jerusalem"; "The First Miracle of Our Lord in the Holy Eucharist," etc., etc.

Among the many tales of fiction which impart a pleasing variety to the contents of each weekly number of the *Ave Maria*, the chief place must be assigned to the serial "Fairy Gold," from the pen of one of the most charming and best known writers in the language, Christian Reid. All the elements which go to make up a really excellent novel are contained therein. Powerful delineation of character, accurate portrayal of the motives and impulses of human action, fidelity to nature and the realities of life, combined with command of language and beauty of expression, impart a fascinating interest to each chapter of the story; while its instructiveness is sustained by the truths expressed, relative to the duties of life. As an instance of the practical and timely nature of the truths thus imparted, we may quote the following words which, in one chapter of the story, the characters are made to speak:

"In these days, at least, no man of thought,—no man who is at all interested in intellectual questions, can ignore the subject of religion. Let me illustrate my meaning. Would you have been surprised to learn that I were an Agnostic or a Positivist?"

"No," she replied, somewhat reluctantly. "That would have been different."

"Only different because they are fashionable creeds of the hour, and it is considered a proof of intellectual strength to stultify reason, and, in the face of the accumulated proofs of ages, to declare that man can know nothing of his origin or his end. But when, on the contrary, one accepts a logical and luminous system of thought, a revelation which offers an explanation of the mystery of being entirely consistent with reason, you think that very remarkable! Forgive me, Miss Lynde, if I say that I find your opinion quite as remarkable as you can find my faith."

This will suffice to illustrate how aptly instruction is made to blend with all that could delight the most ardent lover of novels.

Each number also contains Notes on questions and happenings pertaining to the Catholic world, able Book Reviews, and "The Youth's Department," in which the minds of young people are supplied with useful and entertaining reading.

Our review, imperfect as it is, will, at least, serve to give an idea of the many excellencies which characterize each issue of the *Ave Maria*, and show how admirably it is accomplishing the end of its institution—the honor of the Mother of God—and how well adapted, from a literary point of view, to satisfy the tastes of all classes of readers.

#### Personal.

—Among the visitors during the week were: John Boland, New York City; George G. Cazier, Mrs. Weckler and daughter, Mrs. Toolen, Mr. and Mrs. Connors, Chicago, Ill.; Mrs. A. Dunkin, London, Ont.; Mrs. Bub, Mrs. Tonner, Milwaukee, Wis.; Mr. A. Gordon, Sr., Elkhart, Ind.

—The following clipping from a Philadelphia paper will furnish interesting reading to many an old student, recalling, as it does, reminiscences of the men and affairs of bygone days:

"I like to record good things said of players when I can, and here is what the Philadelphia councilman, Joseph D. Murphy, not long ago, said of Anson, of the Chicago Club. He remarked: 'I have read a great deal of nonsense, pub-

lished from time to time, about the boyhood days of some of our now way-up ball-players; but that going the rounds about Anson is the veriest rote it has ever been my luck to stumble on. Anson and I were classmates, in the '60's, at Notre Dame University, Notre Dame, Ind., and I know him well—so well, in fact, that I can pronounce the statement that 'when he first came East, he was a big country lout, with clean-shaven face and the manners of a boor,' a lie out of the whole cloth. As a boy Ad. Anson was a whole-souled, good-natured fellow, honorable in all his ways, and while always stubbornly insisting on what he considered the fair thing, he was ever ready to own up squarely when shown that he was in the wrong. He was considered among his school fellows the soul of honor. As a boy he was as careful in his dress—though not so gorgeous—as he is to-day. I had more than one contest with Anson, he captaining the 'Juniatas' and I, the 'Mutuals'—college clubs. On Ad's nine, playing second base, was his brother—whose first name I cannot now recall—who gave every evidence of being a better ball-player than Ad. The elder of the two was by a foot or so the taller, and they were known among the boys as 'Big' Anson and 'Little' Anson, the 'Little' fellow being now the big first baseman of the Chicago team. President of Common Council, James A. O'Reilly, of Reading, was another member of Anson's nine, who promised to develop into a good ball-player. On my nine was Bob Pinkerton, of the famous agency, who, as a boy, was a rattling player. Assistant Weigher, Roger A. Brown, of the customs service of this port, also helped to give battle to 'Little' Anson's team. Dr. M. J. Skilling was also a warm supporter of the Mutuals against Anson's nine. Any of these gentlemen will verify what I say as to Anson's boyhood. He is the same Anson now he was twenty years ago, the only difference being that he may have been hardened by contact with the rough edges of life. I am sure that he is as big-hearted, as generous, as honorable as when a boy."

Of the persons mentioned in the foregoing, the Anson brothers passed the years '65 and '66 at the college. The now famous captain of the Chicago Club was then known as "Baby" Anson, and there is no exaggeration made in the letter quoted as regards his popularity among his fellow-students. The honorable member of the Philadelphia Council, Joseph D. Murphy—the writer of the foregoing, has left an enviable record as a leading student of Notre Dame in '66, and his subsequent success has been the realization of the bright promises then given. James A. O'Reilly, Esq., of Reading, Pa., was a bright and prominent Junior in those early days, graduating with honor and distinction in '69, and has since met with deserved success and prosperity. A companion of his, belonging to the same club, and who succeeded once in putting a man out at "third," receives no mention; but this was to be expected. Dr. M. J. Skilling was then one of the great scientists among the students, a leading player in the college band, and very popular with the students. He has continued his scientific studies with such success that he now holds a leading place among the distinguished physicians of Philadelphia, and commands a correspondingly gratifying practice and renown. Of Robert A. Pinkerton, we have had occasion to speak a few weeks ago. '62, '63, '64 and '65 knew him here as a student, prominent in all literary and athletic undertakings, and deservedly esteemed by professors and students. We hope that these lines will fall under the notice of some one of the "boys" of yesteryear, who will be incited thereby to "write up" some of those peculiarly interesting reminiscences of early college days.

## Resolutions.

At a meeting of the many friends and companions of the late deceased GEORGE A. MALLAY, the following resolutions were adopted:

WHEREAS, We had learned to love him for his noble and generous qualities of heart and mind, and have enjoyed his friendship, we unite in the expression of our sympathy with his bereaved parents:

WHEREAS, He has been taken away in the happy days of youth, leaving the prospect of a bright future in this earthly life, to live forever in another and a better world, in obedience to the call of his God, who hath made him, who "taketh unto Himself His own," and who doth all things well: Therefore, be it

RESOLVED, That in this bereavement a host of sympathizing friends unite their sorrow; that, as they loved and admired him in life, they will continue to cherish his memory;

RESOLVED, That these resolutions be published in our College paper—the NOTRE DAME SCHOLASTIC—and a copy be forwarded to the bereaved parents of our departed friend.

GEO. F. O'KANE, }  
L. A. G. EVER, } Committee.  
WM. HENRY, }

## Local Items.

—Familiarity begets contempt.

—Landscape gardening is the order of the day.

—The Philopatrians held their first rehearsal last evening.

—The regular monthly conference of the clergy was held on Thursday last.

—The devotions of the month of May will begin this (Saturday) evening.

—A rule without an exception: Any one is safe by minding his own business.

—The campus looks bright and gay on "rec" days with the new uniforms of the baseball nines.

—The next lecture in the "Science Hall Course" will be delivered by Rev. A. M. Kirsch, C. S. C.

—When you begin to observe that others do not respect you, examine and see whether you respect yourself.

—The parts in a new drama—"The Proscribed Heir"—have been assigned to the members of the Euglossian Society.

—The Curator of the Museum is indebted to Dr. Cassidy for a very handsome specimen of conglomerate donated to the cabinet of mineralogy.

—Work on the Catalogue for '87 has been begun. It is expected that several new illustrations of buildings and scenery around Notre Dame will be added.

—The bearing of the officers and men of the military companies at the interment of the late Major Blaine was, in every respect, highly creditable to themselves and the University.

—The Curator of the Museum most gratefully acknowledges the receipt of a fine collection—neatly and carefully labelled by the distinguished donor himself—of West Indian Shells from the Rev. J.

C. Carrier, C. S. C., Prof. of Natural Sciences in St. Laurent College, Montreal.

—The new play, "The Proscribed Heir," recently published by Prof. Lyons, has, like all his other publications, met with flattering notices from the press. The *Catholic Columbian* says: "Professor Lyons is steadily enriching the domain of academic literature. These plays are much needed, and the name of the gifted editor will be ample commendation."

—Rev. President Walsh and Bro. Marcellinus, Professor of Book-keeping, have been examining the classes of the Minim department during the week. As the President will have to divide his attention among all the classes at the June examinations, he has come now to make a thorough visit of the classes in St. Edward's Hall. So far, he has nothing but words of praise and encouragement for the boys who have been examined.

—The 18th regular meeting of the Sorin Literary and Dramatic Association was held in St. Edward's Hall, on Monday, under the presidency of Prof. J. F. Edwards. Well-written papers were read by Masters Martin, Nester, A. Sullivan, T. Tomkins, Riordan, Jewett, W. Williamson, Rogers, Triplett, F. Toolen, Mooney, O'Mara, Koester, Falvey, Silver and Connors. Masters James Walsh and John O'Donnell, were, by a unanimous vote, admitted to membership.

—The *Sunday News* is the title of a new venture in the field of journalism made in our neighboring enterprising city of South Bend. We have seen a copy of the first number of the *News*, and it is, indeed, a bright, newsy paper, with a promise of becoming a permanent and very acceptable institution. But, after all, it is sufficient to say that its editor is Mr. Chauncey N. Fassett, who for the past ten years did so much to make the *Register* the popular paper of the city.

—Last Saturday evening an action of trespass on the case was tried in the Moot-court. Messrs. Baca and Griffin appeared on behalf of the plaintiff—William Johnson; and Messrs. White and Rochford for the defendant—the Michigan Central R.R. Co. The case was skilfully handled throughout, but the defendant's attorneys were too shrewd, and succeeded in convincing the jury that there was no cause of action as presented to them. The attorneys for the plaintiff made a motion for a new trial, which was argued Wednesday evening and granted by the court.

—In a visit Very Rev. Father General recently made to the palace, he said to the princes that one of the five grand volumes containing the *Magnificat* in one hundred and fifty languages, that he had ordered from the Cistercian Monks at Cannes, France, was for St. Edward's Hall, and that he hoped several of the Minims would, before they left the University, be able to read the *Magnificat* in many of the languages in which the sublime Canticle is expressed in the splendid polyglot volume. The noble Founder has in advance the thanks of all at St. Edward's Hall for the beautiful gift.

—At a special meeting of the Minim Baseball Association, held April 26, Rev. Father Zahm was elected President; Brother Cajetan, Director; J. McIntosh, Secretary; W. Martin, Treasurer; C. Mooney, Captain of "Reds," with F. Crotty, E. Cooke, R. Graham, T. Falvey, R. Boyd, B. Triplett, C. Boettcher and A. Nester; J. Conners, Captain of "Blues," with J. McIntosh, W. McDonnell, W. Martin, E. Jewett, W. Rowsey, C. Dahler, E. Savage, W. Williamson, H. Huiskamp and J. Huiskamp, scorers; G. Gale and G. Sweet, Captains of second nines. Masters James O'Neill and G. Mayer were chosen Captains of 3d nines; Masters C. McPhee and C. Franche, Captains of 4th nines.

—The following is the "roster" of Company "B," Hoynes' Light Guards:

Prof. William Hoynes, Colonel; Geo. S. Crilly, Acting Adjutant; C. J. Stubbs, Sergeant-Major. COMMISSIONED OFFICERS: Geo. H. Craig, Captain; J. Doss, 1st Lieutenant; L. Macatee, 2d Lieutenant. NON-COMMISSIONED OFFICERS: S. Campbell, 1st Sergeant; A. Meehan, 2d Sergeant; M. O'Kane, 3d Sergeant; L. Preston, 4th Sergeant; I. Bunker, 1st Corporal; W. Welch, 2d Corporal. PRIVATES: E. Adelsperger, F. Benner, H. Boland, E. Brannick, H. Bronson, R. Bronson, A. Burts, E. Campbell, I. Casey, C. Cavanagh, F. Chute, L. Chute, W. Morrison, J. McDonald, J. McGurk, W. McKenzie, W. McPhee, R. Nations, S. Nussbaum, B. Clarke, W. Clifford, F. Coad, G. Cooke, J. Cooke, J. Cooney, E. Decker, W. Devine, F. Dunford, L. Dunning, E. Ewing, J. Fisher, A. Redlich, M. Reynolds, H. Roper, A. Schloss, F. Smith, C. Steele, J. Stephens, R. Sullivan, S. Fitzharris, F. Flynn, E. Hannin, J. Henry, L. Hoffman, A. Hoyer, B. Inks, C. Inderrieden, N. Jacobs, A. Kutsche, L. Monarch, F. Taliaferro, D. Tewksbury, H. Vhay, W. Walsh, J. Warner, W. Welch, H. White, J. Black.

—The Director of the Historical Department returns thanks to Mr. Adelsperger for a number of interesting War papers; to Master C. Byrne, of Alton, for a one hundred-dollar confederate note; to Father Allerding for a ninety-page manuscript in German, dictated by the venerable Father Weinzopflen, who was unjustly sentenced to the penitentiary in 1844; to Very Rev. Dean O'Brien for Reports of "Commission of Charities"; to Prof. Stace for a rare coin; to Master Lamar Monarch for a contribution to the library; to Brother Edward for "How the Popes Obtained their Temporal Power," "How Did England Become Catholic," "How Did England Become Protestant?" and "The Fate of Father Sheehy"; to Rev. J. C. Carrier for several parchment diplomas, chaplains' altar candlesticks and cruets, used during the late civil war, and a fine collection of shells from the West Indies; to Mr. F. N. Reuss for a copy of the *Ledger Almanac*.

—Additions to the Bishops' Memorial Hall, Notre Dame, Ind.:—Bishop Brute's precious mitre of gold and silver presented by Rt. Rev. Bishop —. Photograph of the Fathers of the Second Plenary Council of Baltimore, presented by Father Mangin. Four letters written by Bishop Machebeuf, presented by Father Quinn. Two autograph letters of American Bishops, presented by Mr. Hickey, of the *American Catholic*. Pontifical gloves, purple calotte and two manuscripts of Most Rev. Archbishop Blanchet, presented by Rev. Father Fierens. Purple silk cassock and beretta used by Rt. Rev.

Bishop Domenic, presented by Most Rev. Archbishop Allemany, O. S. D., who forwarded the articles from Spain where Bishop Domenic died. Handsome fifty-dollar bronze frame for oil portrait of Rt. Rev. Bishop Egan, presented by Most Rev. Archbishop Ryan. Engravings of Bishop Moore, of St. Augustine, Florida; Bishop Spalding, of Peoria, Ill., and Bishop Galberry, of Hartford, Conn., presented by Theodore Spilling. Autograph letters of Bishop Quinlan and Archbishop Perché, presented by Sister M. Felix. Three letters written by Bishop Glorieux, presented by N. L.

#### St. Columbkille's School, Chicago.

The pupils of this flourishing school, connected with St. Columbkille's Church, Chicago, and under the direction of the Brothers of the Holy Cross, gave a highly successful literary and dramatic entertainment on Wednesday and Thursday evenings of this week. Rev. Thos. Burke, Rector of the church, Rev. J. B. Toomey, assistant Rector and a large audience of friends and relatives of the boys were present, and expressed their appreciation of the progress and ability shown by the pupils, the proof of the careful and judicious training which they receive. The following is the

#### PROGRAMME:

Overture.....	Piano
Address.....	Master H. Bitter
Song—"Greeting".....	Choral Union
Recitation—"The Everlasting Church".....	
Calisthenics (Wands).....	Master M. Cooper
Song.....	Juniors
	Choral Union

#### A TRIAL.

Judge.....	M. McNamara
Lawyer.....	C. Short
Snarl.....	M. Duggan
Shepherd Boy.....	P. Leonard
Duet.....	Masters M. Duggan, W. Gilmartin

#### WARD'S WAX FIGURES.

Artemus Ward.....	Fred. Short
Dialogue—"Arithmetic".....	Masters J. Dolan, M. Duffy
Calisthenics—Dumb-Bells.....	Juniors
Song.....	Choral Union
Recitation.....	J. Lambert

#### MARCH OF THE MAMELUKES.

#### Characters.

W. Conboy, J. Rogers, J. Gould, J. Bradsham, M. Duffy, J. Dolan, C. Shields, C. Chambers, J. Lambert, J. Clifford.
--

#### "ST. LOUIS IN CHAINS."

(A Drama in Five Acts.)

#### Characters.

St. Louis, King of France.....	P. Fallon
Phillip, his Son.....	W. Conboy
Almodam, Sultan.....	J. Downey
Octia, Commander.....	J. Cavanaugh
Osman, Prince.....	W. Daley
Adhomer, an Apostate.....	T. Tobin
Almanzar, his Brother.....	A. Farrell
Guards.....	W. McCarthy, H. Bitter

#### AN ITALIAN OPERETTA.

Giorgio, (Tonore).....	M. Cooper
Ill' Signore, (Basso).....	A. Farrell
L'Amico Indiscreto.....	F. O'Neill
Sambo, (Soprano).....	J. Fitzner
Calisthenics,—Indian Clubs.....	
P. Fallon, A. Farrell, T. Tobin, M. Duggan, W. McGuire, M. McNamara, T. Lefevour	
Hymn,—"Sacred Heart".....	Choral Union



## Roll of Honor.

[The following list includes the names of those students whose conduct during the past week has given entire satisfaction to the Faculty.]

## SENIOR DEPARTMENT.

Messrs. Arado, M. Akin, Ashton, Aubrey, Beckwith, J. Burke, Becerra, P. Burke, Bolton, Bush, Barrett, Burns, Brown, Colina, Cusack, Craft, Cassidy, Dwyer, W. Dorsey, S. Dorsey, Dore, Dreever, Dickenson, Dempsey, Finckh, Ford, Gallardo, Gibbs, Griffin, Houck, Hiner, Hummer, Hull, Hagerty, Judie, W. Jeffs, E. Jeffs, Kreutzer, Kleiber, Kingsnorth, Kramer, Lally, Langan, Leonard, McManus, McKeon, J. McDermott, T. McDermott, Martineau, McGinnis, Mulkern, V. Morrison, McNamara, J. Meagher, McNally, Noonan, Neill, Nelson, Andrew Nicholl, Alfred Nicholl, O'Rourke, O'Regan, L. O'Malley, J. O'Malley, O'Donnell, Padilla, P. Prudhomme, E. Prudhomme, Paschel, Prichard, Pender, Quill, Quigley, Rheinberger, Rother, Rodriguez, Rochford, Suing, W. Sullivan, O. Sullivan, Triplett, Velasco, Woodbridge, Wilson, M. White, Weber, Wagoner, J. Zaehle.

## JUNIOR DEPARTMENT.

Masters Adelsperger, Austin, A. Adams, Anderson, R. Bronson, Blessington, Bodley, Badger, Bull, W. Boland, H. Boland, Baca, Burns, Berry, S. Campbell, Cooney, Ciaroschi, Coad, L. Chute, F. Chute, Cartier, Carney, Clifford, Cavanagh, Casey, Decker, Daniels, Devine, Duffield, Dunning, Ewing, Fitzharris, Falter, Flood, Freeman, Goebel, Glenn, Gray, Girten, Hoffman, Houlihan, Hart, T. Hake, A. Hake, Henry, Hannin, Hayes, Hampton, Handly, Howard, H. Higgins, Heller, C. Inderrieden, R. Inderrieden, Jacobs, Julian, Johns, Kehoe, F. Konzen, W. Konzen, Kellner, Keating, Kutsche, Kinsella, King, Landenwich, Lane, Long, McKenzie, McCart, Monarch, W. McCormick, McIntosh, Macatee, McPhee, Mulberger, Moncada, McNulty, Morrison, Meehan, Mitchell, McGuire, McCabe, McCambridge, Nations, Noud, Nussbaum, O'Connor, Ormond, O'Brien, O'Shea, O'Hearn, Pfau, C. Paquette, L. Paquette, Preston, Ramsey, Riedinger, Rea, Sweet, J. Stephens, B. Stephens, Steele, F. Smith, M. Smith, Sullivan, Taliaferro, Tewksbury, Tedeus, Vhay, Wilbanks, L. White, H. White, Welch, Weldon, Wade, Wilkin, Wageman, Weimer, Wile.

## MINIM DEPARTMENT.

Masters W. Ackerman, Boyd, Bloomhuff, Blumenthal, Boettcher, Black, A. Backrack, S. Backrack, H. Backrack, Clendenin, Crotty, J. Conners, E. Conners, C. Connor, W. Connor, Cooke, Corbett, Cohn, Dahler, Doss, J. Dungan, Jas. Dungan, Davidson, L. Dempsey, J. Dempsey, Foote, T. Falvey, G. Franche, C. Franche, F. Falvey, E. Falvey, Gale, Grant, Griffin, Goldmann, Garrabrant, Garber, Graham, H. Huiskamp, J. Huiskamp, Hagus, Hillas, Jewett, Koester, Kutsche, Keefe, Klaner, Kerwin, Kraber, Kinsella, Kane, Löwenstein, Lane, Lewin, Mahon, Munro, Mainzer, Mason, McPhee, McIntosh, McDonnell, McGuire, Morgenweck, Nester, O'Mara, O'Neill, O'Donnell, Paul, Priestly, Quill, Riordan, Rowsey, Rogers, Silver, Smith, A. Sullivan, F. Sullivan, J. Sullivan, Stone, Sweet, Savage, F. Toolen, F. Toolen, Tompkins, Triplett, Taft, A. Williamson, W. Williamson, Witkowsky, Weckler, Walsh, Ziemann.

## Class Honors.

[In the following list may be found the names of those students who have given entire satisfaction in all their classes during the month past.]

## PREPARATORY COURSE.

P. Sweet, E. Campbell, L. Hoffman, R. Nations, S. Campbell, F. Wilbanks, J. Ormond, F. Carney, H. Bronson, H. Jewett, P. Houlihan, F. Duffield, A. Fitzharris, J. O'Connor, F. Wilkin, T. Noud, J. O'Shea, C. Cavanagh, C. Badger, M. McCart, F. Flood, I. Casey, F. Chute, J. Cooney, J. Hampton, J. Keating, J. Bull, F. Taliaferro, A. Kutsche, F. Smith, J. Doss, F. Kellner, G. Landenwich, E. Burns, F. Flynn, A. Sullivan, C. Inderrieden, R. Oxnard, A. McNulty, H. Boland, B. O'Kane, M. O'Kane, W. Julian, E.

Glenn, A. Schloss, H. Wageman, F. Wile, R. Anderson, E. Weimar, M. Girten, T. Howard, P. Martineau, T. O'Regan, A. Triplett, J. McDermott, S. Hummer, J. Gallardo, W. Rochford, H. Barnes, C. Shields, A. Gibbs, H. Ruger, D. Barrett, J. Whalen, M. White, F. Kramer, J. McNally, Alfred Nicholl, Andrew Nicholl, I. Waixel, J. Wilson, A. Maier, B. Rohin.

## List of Excellence.

## PREPARATORY COURSE.

*Latin*—J. Keating, A. Larkin, M. O'Kane, D. Barrett; *Algebra*—J. McDermott, R. Oxnard, S. Hummer, W. Moffatt, E. Dillon, L. White; *Arithmetic*—H. Bronson, T. Dunford, F. Duffield, F. Wile, J. McCormick, R. Sullivan, G. Hibbard, A. Leonard, F. Pender; *Grammar*—P. Sweet, H. Bronson, F. Wile, A. Kutsche, B. Tivnen, J. O'Shea, E. Glenn, J. Whalen, J. McManus, F. Kramer, T. Dempsey, L. Arado, J. Kingsnorth; *Geography*—W. McCormick, C. Ramsey, G. Hustis, F. Duffield; *United States History*—W. McCormick, P. O'Hearn; *Reading*—J. Cooney, A. Kutsche, F. Howard, G. Freeman, W. Rea, F. Wilbanks, R. Anderson, E. Glenn, P. O'Hearn, F. Duffield, J. Burke, F. Bernhart; *Orthography*—P. O'Hearn, F. Duffield, H. Figge, A. Kutsche, T. Johns, J. Burke, F. Bernhart; *Catechism*—P. Houlihan, R. Sullivan, E. Glenn, F. Flynn, G. Freeman, F. Duffield, A. Galarneau, B. Clarke, J. Ormond, H. Wageman, B. Tivnen, J. McDonald, J. Cooke, J. O'Shea, J. Quealey, W. Walsh, W. Boland, P. Sweet, G. Landenwich; *German*—A. Redlich, F. Long, A. Cooper, E. Dillon, M. Luther, J. McDermott, F. Kellner, L. Meagher, E. Glenn, N. Jacobs, G. Myer, F. Kramer, A. Kutsche; *French*—R. Nations, C. West, H. Boland; *Phonography*—F. Wile, H. Wageman, I. Bunker, E. Blessington, C. Paquette; *Telegraphy*—G. Tedeus, A. Rudd; *Type-Writing*—W. Clifford, A. Hake, F. Wile; *Elocution*—C. Stubbs, J. Kleiber, S. Murdock, W. Austin, T. O'Regan, E. Berry, W. McPhee, M. Mulkern, A. Adelsperger, I. Bunker, W. Henry, J. McNally, J. Brown, L. Preston, V. Padilla, C. Combe, G. Krentzer, F. Fisher, J. Cusack.

## April to May.

I am speeding away;  
So, my fair daughter May,  
The earth will soon be in your keeping.  
You'll find everything new  
And in very good form,—  
In the air stores of dew,  
And the winds softly warm  
To coax up the crocuses, peeping.

You will find the hills green,  
And in valleys between  
Wild violets telling the story  
Of how I caressed them  
With sun-waves and shower,  
And fed them and dressed them,—  
Yes, every small flower  
That smiles in its blue-purple glory.

And, my dearest child May,  
If you find things delay—  
Like buds, which oft linger brown-coated—  
Do not worry or fret,  
But wait gently awhile:  
That a frown never yet  
Did the work of a smile  
Is something I often have noted.

—JANE ELLIS JOY, in *St. Nicholas* for May.

## Saint Mary's Academy.

*One Mile West of Notre Dame University.*

—By some mistake, the wrong report of the Language Course was inserted last week. The correct report appears in the present number.

—The Juniors and Minims who took part in "New Arts" and "The Minims of St. Mary's" were served to an extra collation of ice-cream and cake on Wednesday evening.

—The badge of politeness in the Minim department fell to Mamie Becker. Those who drew with her were: the Misses I. Becker, Caddagan, McCormick, O'Mara, Pugsley, Quealy, and Wallace.

—The kindness of Mr. Hyman, jeweller of Chicago, in repairing the Roman mosaic cross, which serves as the badge of superior politeness in the Junior department, is very warmly and thankfully acknowledged.

—The affectionate regards and commiseration of her classmates, the graduates, as well as of all at St. Mary's, are tendered to Miss Bertha Kearney, who was called, on the 20th inst., to her home in Lemont, Ill., to attend the funeral of her brother.

—The earnest condolence of pupils and teachers is extended to the wide circle of relatives and friends of Major John E. Blaine, who died at Hot Springs, Arkansas, on Thursday morning, April 21. Especial sympathies are proffered by their school companions to his daughters, the Misses Louise and Ella Blaine.

—At the regular Academic reunion, Miss Fuller recited "The Wreck of the Hesperus." At the request of Very Rev. Father General, Rev. Father Zahm made an address, and gave a very interesting, though brief philosophic instruction, illustrative of the power of industry and observation in the work of mental culture. The marvellous extent to which anatomical knowledge may be carried, was demonstrated by anecdotes of the great naturalist, Cuvier.

—Miss Sadie Campeau now wears the Roman mosaic cross by the courtesy of Miss Estella Dempsey, who was so fortunate as to win the honor and to transfer it to her equally deserving companion. Those who drew with them were: the Misses E. Blaine, Boyer, Bridgeman, Burdick, Clore, J. Fisher, K. Fisher, L. Griffith, Geer, Hughes, Hunting, Knauer, G. Meehan, Mercer, McDonnell, Nester, Prudhomme, Rogers, Stiefel, Stapleton and Wiesenbach.

—We are on the threshold of the beautiful month of May. Soon will open the sweet devotions to Our Blessed Lady, and warmly will they be hailed by every loving child of Mary; by all who have heard the wonders wrought by Mary's powerful intercession. Now we may avail ourselves of her assistance, and in the near approaching examination obtain of her the gifts of which she is the mistress—science, wisdom, human and divine. When the subduing hymns of May devotions shall touch the innocent and sympathetic heart; when souls

shall yield their homage, and intellects shall bow in trustful, loving joy, that God has given to earth so pure and holy a model, then shall we, in some small measure, realize what a happiness it is to dwell where the Holy Mother of God is the controlling power of the place; then shall we feel the truth that, next to being a voluntary "Child of Mary"—choosing her out of love for her transcendent virtues—it is the greatest grace to be a faithful dweller in her own retreat, and to be a child of St. Mary's.

### Moral Courage.

Were the knowledge of duty the guarantee of its performance, ours would, indeed, be a bootless theme. As it is, however, no rare thing for poor mortals to persuade themselves that they are from time to time, excused from doing that which in their inmost hearts they know to be justly expected of them, a few words on moral courage are not out of place, now when the scholastic year is verging to its close. Actions which are indifferent in themselves, and which involve no breach of truth and justice, may be safely enough submitted to the rule, "do as others do"; but when this is *not the case*, moral courage is often necessary to prevent most serious evil consequences.

The world to-day must be very different from what it ever has been, if it be distinguished for admiration of the courage in question. Physical courage, we know, has a charm to which everyone will respond. It is admired even when it has no other merit than what Thackeray calls "pluckiness." Not so, alas, of moral courage! We have not to go back fifty years to find the proof of this in our national history. The efforts which brought about the grand and, thank God, now *universally popular temperance reformation*, was, less than half a century ago, the scoff of all the world. It was as much as a man's fortune was worth to defend it; but some had the *moral courage* to stand up and proclaim its worth and to die

"Unwept, unhonored and unsung;"

but Heaven did honor, at length, to their good intentions, and when the great Father Matthew landed on American shores from his own native Ireland, the entire Republic welcomed his appeal, and received him as an angel of light. The same may be said of the Anti-Slavery movement, which wiped out from our national escutcheon the darkest stain which ever clouded the "Stripes and Stars" of our gallant flag.

The world is a pleasure-loving world. Often, it is true, does it wash its hands like Pilate, and throw the blame on others, but it is not to be trusted, after all. The young lady at St. Mary's who is honest with herself has gathered from the daily instructions which she has here received enough to render her proof against anything which might grieve or pain the dear parents who have parted with her for so long and painful a separation, and only for the purpose of seeing her

return to them improved and fitted to adorn and cheer the home-circle which has for so long a time been deprived of her cherished presence. From this time forth till the happy June morning of commencement day, when only a few short hours will intervene, and the loved daughter will be restored at last to the warm embraces of her dear ones at home, each young girl should garner away the precious fruits of the year, and take the resolution to honor the instructions here received, by carrying them out perfectly when she leaves the school-home, endeared to her by so many sacred associations.

Will she be able to do this without moral courage? Certainly not. It requires no small amount of this precious quality to make a conscientious use of time; to give unquestioned satisfaction everywhere; to take pains with this written exercise, or that piano practice; a composition to-day, and a letter to-morrow. Moral courage is necessary to render a young girl careful not to overstep the bounds of strict propriety in speech and manner. Such circumspection is by no means common. It may seem irrelevant, but in fact, moral courage—in some small degree at least—is requisite to overcome indolence and lassitude; to kindle the intellect into active exertion; and to make possible that which at first seems impossible. Does it not require an effort to fix the attention when a companion is doing her best to divert you from your dutiful purpose? If you notice her not, you practise moral courage; and so of a thousand little acts, trifling, perhaps, in themselves, but which go to make up the sum total of the day, and which, if well performed, at the close, will be set down to your credit. At the end of the year a habit will be acquired which will prove a fortune.

Does it require moral courage to strictly observe the rules of good breeding? We will not here anticipate the reply. A lady—and one, too, not born and bred in the backwoods, but in one of the most aristocratic eastern cities—did not hesitate once to declare that "*all children are naturally rude.*" If it be true that it takes "three generations to make a lady or a gentleman," the assertion seems contradicted, for there must be an improvement from generation to generation; but, allowing both declarations to rest upon their own merits, it is enough to admit that vigilant attention is absolutely necessary to promote the growth of good manners.

It takes courage to salute politely, where the gruff "*Hello!*" is regarded as a fairly respectable salutation. It takes courage to leave an interesting, youthful companion, to administer to the wants of the aged and decrepit, when those near you are so unfeeling as to turn his misfortune into ridicule. It takes courage to separate yourself from persons who speak disrespectfully of God and religion; for many, who are otherwise very good, do not scruple to insult the most sacred sentiments of the Christian heart when faith in God and His holy Church are mentioned. We live in an age when religion is treated lightly; but faith is all the more to be prized, and when it is our happiness to pos-

sess the unbought gift, let us have the moral courage to acknowledge it at all times and in all places, in thought, word, and deed.

### Roll of Honor.

#### SENIOR DEPARTMENT.

*Par Excellence*—Misses Allnoch, Brady, Blaine, Bates, Blacklock, Beschameng, Birdsell, Clifford, E. Coll, Claggett, Dillon, C. Dempsey, H. Dempsey, E. Dart, Desenberg, Dunkin, Egan, Fuller, Foin, Flannery, C. Griffith, Gordon, Griffin, Horn, Hummer, Heckard, Hertzog, Harlem, Henke, L. Hutchinson, M. Hutchinson, Kearsey, Kearns, Kingsbury, Kennedy, M. F. Murphy, McHale, Miner, L. Meehan, M. Meehan, Morse, M. McNamara, C. McNamara, McCormick, Marsh, McCarthy, Moran, O'Conner, Negley, Neff, Patrick, Pierson, Proby, Quealy, G. Regan, Riedinger, Rose, E. Regan, Reed, Robinson, Scully, St. Clair, Snowhook, Stadtler, Shields, Sterns, R. Smith, M. Smith, Stocksdales, Sullivan, Sweet, Triplett, Thompson, Van Horn, Wolvin, Wimmer, Weishart, Wright, Zahm.

#### JUNIOR DEPARTMENT.

*Par Excellence*—Misses E. Blaine, Boyer, Bridgeman, Burdick, Campeau, Clore, Dempsey, J. Fisher, K. Fisher, L. Griffith, Geer, Hughes, Huntting, Knauer, G. Meehan, Mercer, McDonnell, Nester, Prudhomme, Rogers, Stapleton, Stiefel, Wiesenbach.

#### MINIM DEPARTMENT.

*Par Excellence*—Misses M. Becker, I. Becker, Caddagan, McCormick, O'Mara, Pugsley, Quealy, Wallace.

### Class Honors.

#### LANGUAGE COURSE.

##### LATIN.

Misses Clendenen, Trask.

##### FRENCH.

1ST CLASS—Miss M. F. Murphy.

2D CLASS—Misses Clendenen, Van Horn, Beschameng, Snowhook.

3D CLASS—Misses Kearsey, Gavan, Campeau, McEwen, Faxon.

4TH CLASS—Misses Morse, Beaubien, T. Balch, Prudhomme, Pierson, Barry, Proby, Birdsell, Nester, Kendall.

5TH CLASS—Miss H. Pugsley.

##### GERMAN.

1ST CLASS—Miss E. Horn.

2D CLASS—Misses Bub, Clendenen, Trask, Beschameng, Henke.

3D CLASS—Misses Hummer, Moore, Knauer, Hinz, Bruus.

4TH CLASS—Misses E. Balch, Rose, M. Smith, M. Neff, Quill, Wiesenbach, Quealy, Stocksdales, Dart, Wehr, Thompson, Allnoch, R. Smith, Desenberg, Stearns, Caddagan, Wimmer, Birdsell.

5TH CLASS—Misses Schmauss, L. Griffith, Huntting, Sweet, Bridgeman, Leonard, Fritz, Hake.

##### ELOCUTION.

1ST CLASS—Misses Fuller, Williams, Wolvin, Clendenen, Carmien.

2D DIVISION—Misses G. Stadtler, L. Meehan, Hertzog, Schmauss.

2D CLASS—Misses Steele, L. Griffith, Caddagan, R. Smith, Allnoch, E. Blaine, Prudhomme, Van Horn, Clifford, Mason, Nester, Riedinger.

2D DIV.—Misses Proby, Hummer, Griffin, Claggett, C. McNamara, McDonnell, Bub, Stapleton, Sterns, Campbell.

3D CLASS—Misses Hinz, Knauer.

##### PHONOGRAPHY.

1ST CLASS—Miss C. Shields.

2D DIV.—Misses Griffith, Flannery, Wolvin, Patrick, A. Kennedy, Desenberg, Rend.

2D CLASS—Misses Riedinger, C. Dempsey, M. Duffield.

3D CLASS—Misses Stocksdales, Henke.

##### TYPE-WRITING AND CALIGRAPHY.

Misses C. Griffith, B. Kearney, A. Blacklock, M. Moers, M. Kearsey, L. Sweet, J. McHale, M. Coll.