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Singer and Song.

An unknown Singer sang a nameless song
So tender, sweet, and true,
That all the world sang too.
The world his measures thrilled;
Unknown, his voice was stilled.
Think you the Singer sings not aye his song?

Ah, singers-all! not human meed, nor name,
Fills that high, holy place
Where Song's soul rests in grace.
To catch, to know, reveal
One song, and, silent, feel
Thou art God's messenger, is Fame!

EDGAR L. WAKEMAN.

What the Law is.

BY PROF. WILLIAM HOYNES.

(CONCLUSION.)

RIGHTS ABSOLUTE AND RELATIVE.

Human laws must be enacted with reference to these and a thousand other considerations. Referring to these laws in their elementary phases we find that private rights are distinguished as absolute and relative.

Absolute rights refer to individuals. They belong to every man, whether he be in society or out of it. They are natural, inherent, inalienable. They are not created by positive law, nor are they dependent upon it. The primary end of law is to regulate and preserve them. They are, 1st, the right of personal security; 2d, the right of personal liberty; 3d, the right of private property. In the United States we are justified by the sanction of fundamental law in adding a 4th, to wit, the right to the free exercise of religious faith and worship. In some

countries this is not recognized as an absolute right, although in the light of reason and calm reflection it certainly is such. Indeed, it seems to be not less inherent and absolute than the right of liberty and private property. The only proper limitation upon its exercise is that it must not proclaim and teach delusive and dangerous dogmas that tend to the injury of public morals, the detriment of society and the destruction of the state.

Relative rights appertain to men as members of society, in which they stand toward one another in certain relations. Some of these rights are natural and inherent, while others are dependent upon the law. They are commonly called the domestic relations, and may be reduced to four in number, as follows: 1st, husband and wife; 2d, parent and child; 3d, guardian and ward; 4th, master and servant.

The right to personal security signifies the uninterrupted enjoyment by a person of life, limbs and body, and due protection to health and reputation. The invasion of this right is viewed as among the gravest of offenses. The law visits upon it the severest punishment. Homicide is punished capitally. A person is permitted in defense of his life and limbs to kill his assailant. There are but few cases in which life may be taken without violation of law. It may be taken in self-defense or in defense of one's household. It may be taken by those acting under public authority in carrying out the mandates of the law, as where a criminal is to be executed, or an escaping felon is to be arrested, or an insurrection is to be suppressed, or an enemy is encountered in war.

Anciently personal revenge was allowed for personal injuries. It was deemed honorable for the injured person or members of his family severely to punish the offender or to take his

life. In order to guard against mistake as to the circumstances of the crime or the identity of the offender, altars and cities of refuge were established. A person accused of murder might flee to these places and be safe from violence until after an investigation of the crime and its incidents. On proof of want of guilty intention he was allowed his freedom. Otherwise the avenger of blood, or near relations of the person killed, put him to death. In course of time the relatives of the person murdered were relieved from the duty of avenging his death. Then it became common to accept satisfaction in the form of "weregild," or a money payment, for personal wrongs. If offered, it had to be accepted, and its acceptance terminated the right to punish the wrong-doer with a return of the evil done by him. The amount payable was graded with reference to the nature of the offense. Afterward fines were imposed on behalf of the crown, in addition to the "weregild." Thus the state acquired an interest in the prosecution of criminal offenses. The view now taken is, that the state is vitally interested in the maintenance of good order and the preservation of the lives and rights of its citizens—in short, in their personal security. Every citizen is a part of the state, and it is bound by the highest considerations of duty—even its own self-preservation—to protect him in his life and rights. However, individual rights yield to public necessity. Self-preservation is the first law of nature in the case of the state, as well as in that of the individual, and whenever it demands the surrender of any of the individual rights, either as a penalty for crime or as essential to the maintenance of public safety, the individual must suffer in order that the interests of the public or the state may be subserved. When the absolute rights seriously conflict with one another in their exercise, the state may impartially restrict them in the interest of good order and the common welfare.

The right of personal liberty gives a man unrestricted right to go and come, as his inclinations may direct, except as he may be restrained in the exercise of this freedom by due course of law. The right to move includes that of remaining at rest; and if by force or show of force a man is compelled to go or stay against his will he undergoes what is called imprisonment. His personal liberty is violated. It matters not by what method or for what length of time such restraint is applied. Unless it takes place in the lawful enforcement of some legal right it is severely punished as an invasion of liberty. A person is permitted to use all necessary force

against improper interference with his liberty, and the offender may be sued in a civil action for damages. Should he be required to enter into a contract as a condition of his deliverance in such case, such contract would be void. But the enjoyment of personal liberty is circumscribed by rules of law. The citizen may be restrained by a civil suit or a criminal proceeding, or he may be detained as a juror, witness, member of a legislative body, etc. Moreover, he may be compelled to serve in the army or navy of the Nation, in the militia of the State, or in the *posse comitatus* of the county.

Prior to positive laws or institutions exists the fact that to mankind in common belong all things on the earth. The right to acquire, control and exercise dominion over them is a natural right. To work, to be active, is a law of our being. Physical degeneracy and disease attend upon indolence and inactivity. The air itself when confined and motionless, becomes foul and deadly. A body of water not stirred by the wind or not flowing in a channel becomes filthy and poisonous. Exhalations destructive to life arise from it. The child too young to work must have activity in sport and play; and so of the rich, who do need to work for a living. Thus the law of nature teaches us to be constantly active. The only limitation upon this activity is that we shall not trespass upon the rights of others. But where one abstains from the purpose to injure another, and is careful to avoid doing what might naturally lead to injury, he cannot be held accountable for its unintentional occurrence in the line of his activity. In the exercise of this activity, and as one of the incentives to it, every person has a natural right to the fruits of his labor. The promptings of the right of self-preservation—"the first law of nature"—teach him that if he has not occasion to use all the fruits of his industry to-day when he is well, he may lay up the surplus for to-morrow when he may be ill. The course of a person's life is the basis of his reputation, and when this is honorable he would almost as willingly face death as do intentionally what would tarnish or destroy it. Industry, prudence and economy form the foundation of a man's possessions. Woven into them are years of his life, labor and self-denial. These he is taught by every prompting of his nature and consciousness to regard as distinctively his own. Like his reputation, they rest upon the acts and course of his life. To permit others to take or use them without his consent would be almost tantamount to reducing him to a condition of subjection and slavery; for slavery is simply a status in which certain

men are held in subjection, denied the benefits of the law, forced to work for others, and not permitted to have or control the fruits of their labor. This status of things is manifestly opposed to the law of nature.

Occupancy has always been regarded as the foundation of ownership. A few things, however, are still viewed as common to all men. They cannot be the subject of property; for property comprises things only that can be exclusively possessed and enjoyed. The ocean, light, air, and the forces of nature cannot be exclusively enjoyed, and hence they are not property. However, almost all things that exist, even things not physically tangible, may be subjected to the control and ownership of man, and the law treats them while so subjected as private property. The idea of property includes not only the exclusive right to use the thing, but also the right to dispose of it. This is a natural right, notwithstanding the views touching the matter expressed by Grotius and Blackstone. Everything constituting property goes by mutation. We acquire little or nothing that is absolutely new. Almost all our possessions belonged to others before we acquired them. From infancy to old age "men engage in gathering up on the one hand and paying out on the other."

The rules governing the rights of personal security and personal liberty are few and simple, but those governing the right of private property are very numerous. This right is frequently invaded, and the means of redress have become manifold and intricate.

The common law does not recognize the right of the people of a community to take private property for the public convenience unless the owner gives his consent. However, on the ground of necessity it permits buildings to be destroyed to prevent the spread of a conflagration. But the states generally have constitutional and statutory provisions in the interest of laying out roads when necessary, whether public or private, upon payment of damages to the person injured. Under the exercise of eminent domain private property may thus be taken for public uses. But, as aptly stated in *Loan Association v. Topeka*, 20 Wall. 633,—

"There are limitations on such power which grow out of the essential nature of all free governments—implied reservations of individual rights, without which the social compact could not exist. . . .

"No court would hesitate to declare void a statute which enacted, for instance, that the homestead now owned by A. should no longer be his, but should be transferred to B. as his property." See *Rogers v. Brenton*, 10 Q. B. 26; *Nolte v. Hill*, 36 Ohio St. 186; *Freazy v. Cook*, 14 Mass. 488.

And an act of Parliament against common right and natural equity is void.—Bracton, L. 4, foll. 228.

To refer specially to the relative rights of individuals, or the domestic relations, would require more space than is here available. To consider and treat of the relations of husband and wife, with reference to marriage, property, business, death, divorce, and the like; the relations of parent and child, with respect to education, maintenance, service, emancipation, majority, etc.; the relations of guardian and ward, with reference to reciprocal duties, nurture, business, property, marriage and death, or the relations of master and servant, with regard to work, wages, responsibility, etc., would require a very large volume.

THE COMMON LAW.

We have international law, municipal law, civil law, canon law, equity jurisprudence, admiralty law, criminal law, written or statutory law, and unwritten or common law, with all their perplexingly numerous subdivisions; but of these the common law is nearest and most applicable to us in all our relations with one another. Next to it come equity and the statutory law. If there were no statutory law the common law would at once become operative as to all the ordinary relations of life affected by the former. When statutes are passed by the legislature they merely control and become substituted for the common law affecting the same subjects. The repeal of the statutes revives the common law as to those things. *Ins. Co. of Va. v. Bailey*, 16 Gratt. 363.

Every country has its own common law. It is the embodiment of those rules which by the common consent and agreement of communities have been prescribed for the preservation, peace, welfare and good order of society. It is not a fixed and inflexible system, like the statutory law, which provides only for a certain class of cases that come within the letter of the language in which a particular statute is expressed. It is rather a system of elementary principles which expand with the progress of time and society and adapt themselves to the changes of trade, commerce, the mechanic arts, and the exigencies and usages of the country. Its source is found in the wants, habits, manners and customs of the people. Its seat is in the courts, which are its expounders.—*Pierce v. Proprietors of Swan Point Cemetery*, 10 R. I. 240; *Hurtado v. California*, 110 U. S. 531.

The law was not originally an enumeration of principles. It consisted rather of judgments

in particular cases. Pronounced by the king or ruler, these judgments were regarded as divinely inspired. Precedent had no authority. No system of evidence was recognized. Indeed, until a comparatively late day, hardly any attention was given to the rules of evidence. Originally judicial sentences were *ex-post facto*. They were not guided by precedent. They did not presuppose the violation of any law. The vagaries or personal feelings of the ruler or judge largely determined the nature and extent of the punishments decreed. Judgments thus rendered necessarily became very numerous, contradictory and confusing. But as civilization advanced customs became established and principles secured recognition. Then came respect for precedent. When the courts began to base their judgments upon recorded cases the law became more fixed, or what some call "written case law." In referring to the importance to which precedent grew Maddock says:

"In an English court of justice the veriest dolt that ever stammered a sentence would be more attended to with a case in point than Cicero with all his eloquence unsupported by authorities. And it is fit it should be so, for how otherwise can law be what it ought to be—a certain rule of conduct?"

The early common law was a blending of the usages of the peoples and clans that successively inhabited Britain. Some of its principles and rules took their rise under the feudal system and grew out of a state of things no longer existing. Others of them grew out of conditions and circumstances long since forgotten. These have, of course, become obsolete. The Dome-Book of Alfred was long supposed to be the first compilation of the local customs of the various provinces of England. However, more recently it has been ascertained to be little more than a collection of punishments for offenses. The feudal system of tenures was chiefly the work of the Normans. The same may be said of the common law system of pleadings. The primary principles of our law were derived mainly from the canonists. The legal disabilities of married women are traceable to the same source. From the civil law of the Romans we derived the principles of equity, admiralty and the law merchant. As the English language is largely derived from the languages of continental nations, so the common law is made up to a great extent of parts of the laws of other countries.

On the settlement of a new country by colonists from an older one the colonists take with them such laws of the mother country as are applicable to their new situation. These become the laws of the colony until altered by legislative

enactment. *Bogardus v. Trinity Church*, 4 Paige, 178; *Effinger v. Lewis*, 32 Penn. St. 369. So it was when the American colonists came from Europe. And these laws remain in force so far as they are consistent with our institutions and unchanged or unrepealed by statute.—*Patterson v. Win*, 5 Pet. 241; *Wheaton v. Peters*, 8 Pet. 658; *Com. v. Leach*, 1 Mass. 61; *State v. Cummings*, 33 Conn. 260; *Horton v. Sledge*, 29 Ala. 478. But they have no force or application when not in harmony with the genius and objects of our institutions and the habits and condition of the people.—*Rogers v. Sweet*, 3 Scam. 126; *Wagner v. Bissell*, 3 Iowa, 396. English decisions rendered since the Revolutionary war have, of course, no binding force upon us as common law.—*Bowie v. Duvall*, 1 Gill & J. 175; *Stump v. Napier*, 2 Yerg. 45. In the courts of each State, in the absence of evidence to the contrary, the common law is presumed to exist, unchanged by statute, in all sister states, except Louisiana, Florida and Texas.—*Norris v. Harris*, 15 Cal. 226; *Shephard v. Nabors*, 6 Ala. 631; *Titus v. Scantling*, 4 Blackf. 89; *Cranch v. Hall*, 15 Ill. 263; *Stokes v. Maken*, 62 N. Y. 144. And courts take judicial notice that the common law was declared in force in the Territories of the Northwest by the Ordinances of 1787, but they do not judicially notice the statutes which have changed it.—*Johnson v. Chambers*, 12 Ind. 102. The Federal law is statutory. There is no common law of the United States.—*Pennsylvania v. Wheeling Bridge Co.*, 13 How. 563. The common law depends mainly upon custom. It owes its existence to the people themselves. When the judges declare it they merely state and pronounce what they find existing in the lives of the people as a rule of their condition and relations. When custom ceases so does the law. When a custom is shown to have existed at the time of the making of a contract it is, in the absence of evidence of a contrary intention, to be construed as though it were written in the instrument.—*Sawtelle v. Drew*, 22 Mass. 228; *Florence Machine Co. v. Daggett*, 135 Mass. 682; *Mund v. Trail*, 92 Ind. 521; *Doane v. Dunham*, 79 Ill. 131; *Henkel v. Welsh* 41 Mich. 664. When any custom has become general throughout the State the courts take judicial cognizance of it. As stated by Caton, C. J., in *Munn v. Burch*, 25 Ill. 35: "They will not pretend to be more ignorant than the rest of mankind." It becomes a part of the common law of the State when duly pronounced with the sanction of the court.

AN ANALYSIS

of the science of law commonly reduces it to three elements. These are, 1st, a command of

the lawgiver, which command must prescribe not a single act merely, but a series or class of acts; 2d, an obligation of obedience thereby imposed upon the citizen; 3d, a penalty threatened in the event of disobedience. In the investigation of legal principles attention is first drawn to the rights of persons. These are distinguished as natural and artificial, corporations being known as artificial persons. Personal rights are absolute and relative. The relations existing under the term relative rights are public, as those between magistrate and people; or private, as those between husband and wife, parent and child, guardian and ward, master and servant. Then may be considered the rights of property; private wrongs, or torts, usually remediable by private action for damages; and public wrongs, or crimes and misdemeanors, punishable by a public or state prosecution.

The subjects with which it is essential that

A PRACTICING LAWYER

shall be specially familiar are contracts, torts, criminal law, equity, pleadings, evidence and the statutes of his State. When the facts in a case are ascertained the application of the statutes to them must be considered. If inapplicable, the next question is whether the case is governed by any clear and unequivocal principles of the common law. If not, it must be ascertained whether there is any principle of the common law that should govern it by analogy or parity of reasoning. Should it involve new and peculiar combinations of facts for which no precedents can be found, recourse must be had to the principles of natural justice; and these enter largely into the warp and woof of the common law, which aims to "act and adjudicate conformably to the law of nature, the law of God, common sense, and legal reason, justice and humanity." The lawyer should investigate and determine rights scientifically. He should regard and study statutes, precedents and customs much the same as other acts or events—as mere elements of the problem—and note at the time the cases of non-actionable rights. Seeking substantial justice, the law disregards trifles or the smaller things that constitute the common frictions of life.—*Brown v. Bridges*, 31 Iowa, 138; *Workman v. Worcester*, 118 Mass. 168; *Steinbach v. Hill*, 25 Mich. 78. It seeks simply to make men do what according to the common standard of right and justice they should do. The great majority of people seldom or never have occasion to invoke the aid of the courts. Indeed, it has been said that hardly one of a million transactions among men results in an action at law. Manifestly, then, the courts should

enforce the single transaction in accordance with the rules and principles recognized and applied by the people generally in the settlement of similar transactions. To do otherwise would be to violate justice and stultify the common law, which is "reason dealing by the light of experience with human affairs."—*Dickerson v. Colgrove*, 100 U. S. 584.

The more thoroughly acquainted a man becomes with the law in all its branches, the greater he is and the higher he stands in the profession. No specialist can take the broad view that presents itself to one familiar with the whole domain of law. Yet very seldom does the lawyer in actual practice have occasion to recall or refer to the principles of international law, military law, maritime law, ancient civil law, etc. Nevertheless these should not be ignored, and they cannot be by one who would become thorough in the profession. And to aim to become a great lawyer is to aim at attaining to as exalted a plane of usefulness as it is possible for man to reach. In scholarship, integrity, patriotism, courage and world-embracing charity one may find among lawyers at least as many bright and conspicuous exemplars as any other profession can furnish. Never have mean, sordid and narrow men stood among the great lawyers of the world, and to the end of time they cannot stand there. This will be manifest if we reflect for a moment upon the purpose of the law and the effects of diligently studying it. It is its crowning purpose to protect society and promote the general welfare. To do this it must punish crime, defeat fraud and suppress wrong. At the same time it must firmly pronounce in favor of integrity and justice, peace and liberty. The person who thoroughly indoctrinates himself in the principles of the law almost necessarily imbibes and assimilates this spirit. Its object being to promote the ends of justice, it follows almost axiomatically that the well-balanced mind which most readily and accurately grasps the distinction between justice and injustice in all their bearings, gives promise of greatest possibilities in the domain of law.

The French Revolution.

BY W. C. LARKIN.

For many years jealousy deep and bitter toward the House of Austria had swayed the policy of the French court, and engendered many wars between the rival countries ere the decisive blow, which caused the Lily of France

to rise in triumph from the contest, was struck by the hand of Cardinal Richelieu. When this great man assumed guidance of the destinies of France, he began that system of war for aggrandizement which, continued by his successors, ended in the destruction of the monarchy and the establishment of the Republic. The policy inaugurated by Richelieu was developed by Mazarin and continued by Louis XIV.

This great monarch ruled France for more than fifty years as an irresponsible despot. For the sake of an empty fame he sowed the seeds of evil, which were to bear fruits of terrible disaster for his descendants—disaster which culminated in the death of a king and the reign of a faction. Throughout his long and illu- sively brilliant rule, he impoverished his kingdom by a series of great wars which exalted her glory, but exhausted her strength. At his death he left her the legacy of an enormous debt and an empty treasury. To fill the one and to pay the other were the tasks devolving on his successor.

How well he discharged these duties, it is needless to say, for that successor was Louis the Fifteenth, to whose memory cling all that is disgraceful and all that is vicious. With his people groaning under the burden of an enormous tax, he robbed the public treasury to decorate a Pompadour. With an ever-increasing debt, he expended the money received from the Farmer-general in the disgraceful debaucheries of his infamous court. With too little energy to undertake an extensive war, he devoted the resources of his country not to the fostering of art, but to the cultivation of vice; and his success is a proof of the zeal with which he pursued his object. His long and disgraceful reign was ended by a contemptible death. He was succeeded by that most unfortunate of monarchs, Louis XVI, who, as yet a boy, with his girl wife, ascended the throne only to be led to the scaffold.

Louis was of benignant temperament and by nature a reformer. He was grieved at the condition of his subjects, and attached to their interests. He was prepared to accede to their just demands for a more liberal form of government. The people, long oppressed by grievous burdens and hostile to the court, misunderstood him. His very virtues were exposed to ridicule. His queen was looked upon with distrust. The state of the country was such that it required the iron will of a Cromwell or the decision of a Napoleon to quell the widespread dissatisfaction; and one of Louis's defects was that he could not inspire awe. He might have graced some humbler walk in life, but he could not fill a throne. Yet, had he been successful in his

efforts at reconciliation with his subjects, France would have been spared those years of horror, which stain her annals, and her people would enjoy more perfect liberty than they now do after all their sufferings to attain it; but it was not to be. The wrongs inflicted by the nobles on the people were to be effaced by the blood of thousands. The sins of fathers were to be expiated by their children.

Many were the causes which widened the breach between the king and his people. Not the least among the primal motors of the Revolution were the republican doctrines which found their realization in the infant democracy across the sea. But the hand that fired the train, causing the terrible explosion which led to the public ruin, was indirectly that of the king himself. Not realizing his awful responsibility, he followed the advice of interested courtiers who led him to his destruction. Desirous of propitiating the people, he treated them to court pageants and grand parades. But this only hastened the almost inevitable outburst of the mob.

At length Louis perceived the necessity of calling together the delegates of the people. Universal suffrage was declared, and for the first time in many years all classes of the people were represented in general congress. Needless is it to record the quarrels ensuing among the different factions of the Convention and between the Convention and the king. Suffice it to say that the members of the Third Estate, the representatives of the people, finally took the power in their own hands and established themselves as the National Assembly. Joined by many nobles and some priests they constituted the only real power in France. The quarrels between the king and the Assembly grew more and more bitter. The Assembly, yielding to mob pressure, demanded the surrender of nearly all the royal prerogatives. Louis, conscious of the dangers of his position, yielded in so far as was consistent with his character as a king, and honorable to himself as a man. But the mob, insatiate and thirsting for blood, moved on to the Bastille, defended by but three hundred Swiss soldiers. The downfall of the ancient prison marks a new epoch in the history of the world and a new era for France, for it announced the beginning of the French Revolution.

Passing over the intervening years, whose annals are burdened with the history of every crime, we shall consider the consequences of the Revolution. There are two glasses in which are mirrored the results of that mighty uprising of maddened men and degraded women. Look-

ing at one we see its material, in the other are reflected its moral effects. On the one hand we see the so-called emancipation of man from a superior; on the other, the sores and ulcers of a rotten civilization. In the one glass we see man's liberty; in the other, man freed from all bonds of restraint, from all allegiance to God.

Let us not forget that communistic, socialistic, anarchistic, as well as atheistic doctrines, found birth and support in and among the demons of the French Revolution. Not only did French sophists strike at the foundations of religion and morality, but they sought by a single stroke to complete the moral wreck by combining it with physical ruin.

French writers and drawing-room infidels have made vice and immorality fashionable, and to sneer at all things sacred the mark of a wit. They have inculcated the maxims that the only shame in sinning is in being found out, and that the true gentleman is not the one who does no wrong, but he who is careful never to be caught. To ignore the existence of a God, to be bound by no law of morality, to worship at no shrine save that of vice, to have a merry life, if but a short one, are the principles to be drawn from the philosophy of to-day—a philosophy which, to a great extent, owes its existence and propagation to the French Revolution, which, set in motion in the name of Liberty, violated every principle of individual freedom, and was at length swallowed up in the vortex of its own guilt.

The outbreak of the *Sans-culottes* was followed by the death of the weak, but well-meaning king. It informed the world that France was in the power of demons; and, for France, it tolled the knell of monarchy, and announced the dawn of the Reign of Terror, at the very name of which we shudder. It knelled the doom of France's best and bravest, and placed her in the power and at the mercy of men who knew not what mercy meant; who, to save themselves, sent more than a million innocent souls before their Maker; who enacted crimes so appalling that even now they are recalled with horror. It placed Napoleon on the throne of France, who ground down her people under the iron heel of despotism; who immolated her youth at the shrine of his ambition. With his armies, he crushed his ally, the King of Prussia, and paved the way for the humiliation of France in 1870. With characteristic faithlessness, he violated his treaty with Alexander, and gave the veterans of France six hundred thousand graves in the frozen regions of Russia. In the insolence of his might, he menaced the Father of Christendom. In the

mad intoxication of his power, he tore kings from their thrones; devastated the whole of Europe; exhausted the resources of France; repaid her sufferings and fidelity with the basest ingratitude, and in return for an Austerlitz gave her a Waterloo.

Grand and terrible as was the struggle, great and many as were the sacrifices made by the French people, what have they gained? Liberty? Vain illusion! They are unfitted for self-government; they are continually veering from one extreme to the other. To-day, they have a monarchy; to-morrow, a revolution; the next day a republic, and *vice versa*. They commit all these excesses in the name of Liberty. In the name of Liberty, we are too apt to excuse the crimes and laud the results of the French Revolution. But we must remember that ere the first blood was shed, the emancipation of the French people was assured. The ghastly deeds committed during the Reign of Terror but rivetted more tightly the chains that bound France to slavery. It was not till after many years that she acquired once more a semblance of liberty. Though now a republic, her freedom is not so secure as it would be had her people accepted the overtures of the well-intentioned Louis.

But not all the effects of the Revolution were bad. It raised the peasant to a position of importance in the eyes of the aristocracy. Laws were made for his benefit, and his condition was everywhere improved. Many of the constitutions of Europe were changed for the better, and men ceased to be regarded as chattels.

In conclusion, we may say that no period in history is more fascinating, none more terrible, than that of the French Revolution. Though every page of its annals is stained with the record of crime it is none the less interesting as an example of a terrible retribution. For centuries despised and oppressed, accounted of no more value than the cattle that roam the pastures, the peasant at length asserted his God-given liberty, and the thrones of Europe shook to their foundations. The institutions of a corrupt civilization tottered and fell as before the blast of an avenging Deity. Earnestness, terrible and deadly, ruled the hour, and good and evil were alike doomed to destruction. In his day of power, the peasant inflicted far greater wrongs than those he attempted to right. Once embarked on the sea of slaughter, he knew not how to stop, and the blood of innocents flowed to glut his revenge. Christianity itself was blotted from the memory of man, and Reason deified. Yet from this darkness and chaos sprang much that was good. Many of the vices, much of the evil of the old *régime*, sank to oblivion. Religion flourished the more strongly on account of the opposition it had encountered; the principle of the liberty and equality of men settled on a broader, firmer basis, and the "divine right" of kings ceased to be a safeguard for their crimes.

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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 *Catholic Review* (New York) appears this week in a dress of new type and printed on extra fine paper. We are glad to note this evidence of the success attending the publication of the *Review*, for it is one of the best Catholic papers in the English language, and should have a wide circulation among the Catholic reading public of America. In its various departments—Editorial, "Topics of the Hour," Catholic news, Educational, etc.—it presents features that are brilliant, interesting and instructive. The Rev. John Talbot Smith is the accomplished Editor, and under his direction the *Review* is destined to hold its place in the front rank of Catholic journalism, and enjoy an era of unwonted prosperity. It has our best wishes for its long continued success.

A Great Painting.

The painting by Prof. Gregori, recently placed in a chapel of the church at Notre Dame, calls attention to one of those masterpieces of Christian art that attract the attention and admiration of the beholder in the Vatican at Rome. It is Raphael's great fresco, representing the triumph of Catholic faith in regard to the Real Presence in the Blessed Sacrament. A kind friend has sent us the following description of the great painting:

It is the grandest Christian epopee depicted in art. The name, *disputa*, has been given to it, because, as many suppose, the artist has represented a conference among the Fathers and Doctors of the Church on the Blessed Eucharist; while it may also be considered an allegorical council of the Church triumphant and the Church militant in regard to the most august mystery of the Christian faith with reference also to the Council of Piacenza, whose sovereign decree put an end to all controversy. This grand composition consists of two parts, which may be called Heaven and Earth brought together in close communion by means of the Eucharistic Sacrament. In the upper part of the painting appears the Eternal Father, of venerable and majestic aspect, His right hand raised in the act of blessing, while in the left he holds the mundane globe. He is surrounded by glory and resplendent with light, which is formed, according to the ancient conventional custom adopted in primitive Christian art, by innumerable heads of winged cherubs arranged in order in so many perpendicular lines resembling rays—the whole placed on one arch of clouds, containing an immense number of heads of angels. To the right and left a choir of seraphs, three on each side, bow in adoration before the Eucharistic Mystery.

Below, in the middle of resplendent rays on a gold ground, seated on a throne of clouds, is the Incarnate Word, partly wrapped in a white, spotless robe, with an expression of love and compassion, showing His sacred Wounds and extending His arms as if to embrace all mankind that He had redeemed. On His right is His Virgin Mother, covered with a royal mantle, her hands folded across her bosom as she turns her eyes with a look of infinite sweetness and grace towards the face of her Divine Son. On his left is St. John the Baptist, the Precursor, holding the cross and turning to the assembly, in the act of announcing to them again "Behold the Lamb of God." Underneath is the Para-

plete, the Holy Spirit of God, in the form of a spotless dove in a circle of light, sending forth brilliant rays which extend to all parts of the earth to enlighten the human mind on this most Sacred Mystery.

On either side four small angels, supported by their wings, surround it: two on each side carrying the opened books of the Gospel, each distinguished by their different words. Of these, Vasari says: "No painter could ever produce anything more lovely and of greater perfection."

[The foregoing describes that part of the painting which Gregori has transferred to canvas with such artistic brilliancy and fidelity.]

The upper part, again, represents the glory of the celestial court surrounding the Divine Saviour, with admirable figures of patriarchs and saints of the New and Old Testaments, over clouds that gradually extend in a circle, sustained, as it were, by many small heads of cherubs and by some small angels, lightly delineated.

First on the right is St. Peter holding the symbolical keys and the book of the Dogmas of Faith, conversing with Adam, venerable in his old age, one knee over the other, as if resting from a long journey after the complete reparation of his fault. Next comes the Apostle St. John, the eagle at his feet, and in the act of writing the Book of the Apocalypse. Turned towards him is the royal prophet David, with his harp and the Book of Psalms. Next is St. Stephen, the protomartyr, clothed in the vestments of a deacon and reading a book. On the side of the Blessed Virgin is observed the head of a figure which by some is believed to be one of the Sibyls. To the left, in majestic pose, sits the Apostle of the Gentiles, St. Paul, holding the Book of Epistles and the sword; he is turned towards the patriarch Abraham armed with the sacrificial knife. Next him is St. James the Less, called brother of the Saviour.

Moses, with the rays of divinity on his forehead, holds the Tables of the Law. Seated on his side is St. Lawrence deacon and martyr, bearing the palm of martyrdom and a closed book in his hands. Near him is St. George, with a dragon on his helmet.

The lower part of the fresco represents the Earth. In the midst of an open field, under an azure sky interspersed here and there with a few small clouds, stands an altar with marble steps, and on it, enclosed in a rich golden ostensory is exposed to veneration the Most Sacred Host, surrounded by popes, cardinals, bishops, and other personages eminent for their sanctity and doctrine in the militant and teaching Church. They appear in devotional positions, and are

engaged in solemn and reverential discussion of this profound mystery.

Among the arabesque ornaments of the antependium, figures the name of Julius II: IULIUS II PONT. MAX.—

On the right side near the altar is St. Bernard wearing a cope, pointing to the august Sacrament with extended hands, at the same time looking over the book read by St. Jerome, depicted with the episcopal purple and seated. A lion lies at the feet of the holy Doctor, and also his version of the Bible "Biblia," and the Epistles. On one side a kneeling youth with joined hands looks towards him. Then St. Gregory the Great, with his pontifical vestments and the tiara on his head, is seated on a marble chair, absorbed in deep contemplation of the Eucharistic Host, interrupting the reading of the book which he still holds in his hands. On the floor lies his book of moral dialogues with the title in the margin: "L. Moraliū." Next to him a theologian, or cleric, wearing the pallium, listens attentively to the words of St. Jérôme. Immediately behind these are two mitred bishops who apparently have come to assist at this sacred conference. In these Raphael has depicted his own portrait and that of his inseparable master, the Perugino. A group of four youths follows, one standing, the other three with great fervor are prostrated on the altar steps. The noble youth standing in front, with his head turned towards those discussing is doubtless a portrait of some unknown personage of the time.

The figure of a theologian—the archdeacon Berengarius—with bald head, is represented by the likeness of the celebrated architect, Bramante, leaning with his body and arm on a balustrade, with head turned towards his adversary who, with an expression of contempt, tries to read in his book. Near the theologian is one of his disciples pointing to a passage of the controversy. Behind, in groups and alone, are figures of various personages of the time, differently dressed and taking part in the action. Among these the person of an old Dominican is said to be the image of the Blessed Angelico da Fiesole. In the background, on an elevation rising in the distance, shaded by several small trees, appears the vast edifice of a temple in construction, symbolic of the Catholic Church aided in her progress by the virtue and learning of her doctors and by the decisions of her councils.

On the left side, first among the noble assembly of theologians gathered around the altar is Peter Lombard, founder of the Scholastic The-

ology, called also the "Master of the Sentences," with his arm raised in the act of preaching. Seated next to him are two eminent Doctors—St. Ambrose and his disciple St. Augustine in their episcopal robes, the former with raised eyes and extended hands absorbed in devout contemplation of the most adorable Sacrament; the latter, having at his feet his second book, *De Civitate Dei*, turns to a neophyte who with an inkstand in his hand and a manuscript on his knees, writes at the dictation of the saint. Near by is St. Thomas of Aquin, the Angelic Doctor, in the act of writing. Next to him is St. Bonaventure reading, wearing the Franciscan habit of purple hue and the cardinal hat on his head. Pope Anacletus, with tiara and pontifical vestments stands a little forward in deep meditation, holding in his hand the palm of martyrdom and a book. A profile portrait of Innocent III is next, with richly ornamented cope, holding in his left hand his work, *De Officio Missæ*, while he raises his right hand in admiration. Behind the Pontiff there are three figures of whom only one face is visible, that of Dante—a profile portrait with laurel crown and red mantle. He was called by his contemporaries the eminent theologian and the poet eminently religious. At a short distance from these is a group of three personages of austere and grave appearance, two of whom are supposed to be Duns Scotus and Nicola di Lira. In front, at the corner of the picture, a man, covered with a long mantle as in ancient times, resting the hand on a balustrade, points out the Blessed Sacrament to another person leaning forward to obtain a better view. Behind these are three other personages to be considered also as portraits of the time completing the design of the painter.

Stray Leaves from a Vacation Diary.

I.—PARIS.

SEPTEMBER 3, 4 p. m. Tired, hungry and confused after eight hours' conscientious study and note-taking in the Grande Palais des Machines. Accepted copies of the *Figaro* and *Le Petit Journal* which were being distributed fresh from the presses. Observed the process of manufacture, exclaimed: "*Oui, oui!*" occasionally during the explanation, and took all the samples offered by the pretty, vivacious girls in the Menier chocolate exhibit. Passed the paper making exhibit, and went out of the hum and clatter of the great hall—"the largest ever yet built." Just outside was the Babcock and Wilcox American

boiler exhibit, and next to it one of the celebrated Restaurants Duval. There are, I believe, inside the exposition gates at least fifty first-class restaurants, each having seats for from one to five hundred people, besides numerous lunch stands and the four large French, Italian, English and Russian restaurants, 200 feet above the ground on the first gallery of the Tower. At dinner hours all are crowded. The Duval company own many of the most popular restaurants in the city, and occupy three buildings in different parts of the exposition. Several hours before, a *tout* advised me to get dinner here, and his last words were: *Un conseil: arrivez de bonne heure*. I understand now the reason of his counsel. The Duval pavilion is well built, painted clean and bright, handsomely finished and furnished. The carte offers nearly a hundred different edibles besides the wine list. Through the wide open windows I saw about 300 people at dinner; all happy, chatting, laughing, eating and drinking; the tidy, brunette waiter girls, in neat black dress, white caps, aprons and fluttering ribbons, hurrying to and fro with their orders. Outside the entrance a long double file of people—*à l'Américain*—are waiting for their turn to get in and get seats. As there were about a hundred in the ranks, and considering the saying that "Americans bolt, the English eat and the French dine," and as most of the guests inside were French, I "figured" that the last recruits would have to wait more than an hour. It was necessary that I should go through that line, and the fierce looks returned for my "*pardon, Messieurs*," as I forced a passage, showed little probability of the "last getting first," or being told to "come up higher." Their much-lauded politeness would not stand a severe test just then.

I had an appointment for dinner with a friend, so I went out at the nearest gate and hurried down the crowded Avenue de la Bourdonnais. My friend had quit work, was waiting for me, and we went on to an old-established quiet place near the Rue Camou. He ordered the dinner in faultless French with a tone and manner that warned the acute *garçon* not to take us for Exposition visitors. We had: *Vin blanc de Bordeaux, Melon, Anchois de Norvège, Rosbif garni et Pommes Duchesse, Croquettes de Veau, Gigot roti, Flageolets nouveaux, Fromage Neufchatel, Raisins blanc, Figs fraiches* and *Thé*. When we had finished the *sauterne* and a chat about home, thoroughly refreshed, we left the Rue Camou, turned into the Avenue Rapp and started off for a long evening stroll through the most interesting and fashionable part of Paris.

Along our way the sociable Parisians were dining and drinking their wine and absinthe, seated at the small, round-top tables, monopolizing three-fourths, and sometimes all, of the sidewalk. Many of the avenues and boulevards have two sidewalks on each side; still the restaurant, *jardin* and *brasserie* keepers crowd their tables out to the second walk. We were often forced onto the street and the cabmen seemed very anxious to run us down. One of the boasts (?) of the Parisians is that more people are injured and killed daily at certain street crossings here than any other place in the world. The cabmen can afford to be careless and impudent, because they pay their *sou* a day to the Company that assumes all their risks and settles for damages.

We passed the spectacle "Le Pays des Fees," the Musée Jeanne d'Arc, and under the immense iron arch surmounted by the flags of all nations—except the German. We were now on the Pont de l'Alma, and stood awhile to look at the people and the swift passenger boats on the Seine under us. My friend called my attention to the skilfully concealed experimental departure from one of the general rules of architecture in the construction of the Pont des Invalides. From the Pont de l'Alma we went past the Hippodrome up the Avenue Marceau to the Champs Elysées and the Place de l'Etoile. We took seats under the trees at the angle to rest and take in the grand panorama of people and vehicles passing to and from the twelve great avenues that begin or end at the vast Etoile, and the majestic Arc de Triomphe before us in the centre.

A few days ago I was resting at this same spot, and sitting near me were an English governess with several children playing on the grass and a man with a familiar countenance. I listened a moment to their conversation. The girl had not been long from England, and was lamenting her inability to speak French. The man replied: "An' what use would it be to you? Sure I've been here this four years, working on the hill outside the walls there beyant, an' d'l a word of French did I have to spake yet."

I have strongly affirmed that I would ascend no steeples belfries or towers that required an expenditure of "shank energy,"—not even excepting Le Grande Tour Eiffel. The top of the Arc looked very enticing, but we had only an hour of twilight left, and could not be tempted to waste it climbing the 200 or more steps. We went under it, and my friend told me of the grand ceremonies held here on the National Fête Day, and later when Victor Hugo's re-

mains were lying in state on a great catafalque erected where we stood. I looked up at the list of victories won by the "Man of Destiny," and also the legend that I have seen painted or cut in large, prominent letters on the front of every church and college, "Liberté, Egalité, Fraternité," and I could not help comparing this Triumphant Arch with the great and useful arches of the New York-Brooklyn Bridge. We went out to the Avenue de la Grande Armée front to see the heroic group statues of Peace and War on either side. Although carefully repaired, high above traces can be seen of the shot and shell fired by the German artillery from Mont Valerien beyond the Bois de Boulogne in '71-'72. I am told that some of the largest guns in Paris were mounted on the top of the Arc, and used to return the German fire during the siege. It is said, too, that Napoleon III schemed to have all these streets converge here so that they might be quickly cleared by cannon-shot in time of riot.

M. O'DEA.

(TO BE CONTINUED.)

Personal.

—Mr. C. D. McPhee, of Denver, Colo., was a welcome visitor to the College during the week.

—Ed. Dillon (Com'l), '87, is book-keeper for the firm of Dillon & Nevius, wholesale merchants of Dubuque, Iowa.

—M. B. Mulkern, '88, is putting his civil engineering studies into practice by aiding the City Engineer in grading and hydraulics.

—Jno. F. Burns carries on one of the best and neatest grocery and fruit stores in the city of Dubuque. He is deservedly popular, especially with the ladies, being a bachelor.

—P. Nelson and A. Gibbs (Law), '88, are rising to prominence in the practice of their profession, and bid fair to be the legal lights of the Key City at no distant day.

—Michael Kinsella (Com'l), '74, is one of the partners in a general hardware business. The firm is known as Sullivan, Duggan & Kinsella. "Mike" is doing well, but is still a bachelor.

—Frank Kinsella (Com'l), '83, is book-keeper in the Milwaukee & St. Paul freight office at St. Paul, Minn. Frank is as jolly and genial as ever, and is sure to make it pleasant for visiting friends from Notre Dame.

—"Gus" and Will Cooper do a good share of the office work in the great wagon factory of Cooper & Sons. "Gus" makes periodical trips through the country in the interests of the firm, and is at present in Salt Lake City, Utah.

—Members of the Faculty visiting Dubuque, Ia., are sure to be hospitably entertained by such old students as M. Kinsella, John F. Burns,

"Gus" and Will Cooper, P. Nelson, A. Gibbs, Ed. Dillon, M. B. Mulkern, and others.

—Eugene Melady (Com'l), '89, is in business with his father at St. Paul, Minn. Two members of the Faculty are under obligations to this young gentleman for a pleasant visit to, and their knowledge of, the beautiful city of St. Paul. Eugene will be greatly missed at College, especially in the Rugby team, whose place at left guard it will be hard to fill.

—Mr. and Mrs. Scherrer, of Denver, Colo., who were the welcome guests of the College for several days during the week, left yesterday for New York, where they will embark for a year's sojourn in Europe. They will meet their son, Leo, in New York, on his return from his vacation trip to the Old World. Leo will return to Notre Dame next week to take his place in the Class of '90.

—Fred J. Combe, '86, has just returned from Tampico, Mexico, where he was sent by Surgeon-General Hamilton of the Marine Hospital service to examine into the rumored prevalence of yellow fever. This was a deserved recognition for such a young M. D., and one of which his *Alma Mater* feels proud. Fred is now at home in Brownsville, Texas, engaged with his father in the practice of their profession.

Local Items.

- Second week, and all's well.
- Give the SCHOLASTIC a boom.
- Have you seen the Dubuque beauties?
- Steam for the first time on Monday evening.
- The Philodemics will reorganize this (Saturday) eve.
- Shall we have a boat-race on the 13th or its transfer?
- Our local athletes are "getting up" muscle for field day.
- The much-desired natatorium is the next *number* on the programme.
- New York, Boston and Philadelphia are well represented in the Minim department this year.
- Divisions in classes will soon be in order, in consequence of the increased number of students.
- Rev. Father Zahm arrived on the 7th inst., accompanied by a large delegation of students from the "Far West."
- An anniversary *Requiem* Mass for the repose of the soul of Prof. Joseph A. Lyons will be celebrated next Thursday.
- A course of Ecclesiastical History for the advanced students has been inaugurated under the direction of Rev. President Walsh.
- The weather was a little cool for a few days in the beginning of the week. But since then it has become very pleasant again.

—The societies have been reorganized and are in good working order. The secretaries will please hand in all reports promptly.

—Lost, strayed or stolen—a box of fine cigars, forgotten on a window-sill last Friday morning. May be left at our office, and no questions asked.

—One of the events that should be recorded in the annals of the University is Willie's first shave, through which he passed one day last week.

—An "Inquirer" asks whether our correspondent of last week was on horseback when he slaughtered those plump partridges? We wot not.

—Rev. President Walsh visited the various study halls during the week, and instructed the students on the rules and regulations of the University.

—Early as the session is, the large attendance in the Junior department has rendered a division necessary. A special study hall has now been formed.

—The committee in charge of the *Salon à fumer* concerts wishes it perfectly understood that no puns are allowed to be cracked—they make too much noise.

—Don't wait for the "box" to receive your "locals," "personals" and other contributions. Leave them at the office, or hand them to the genial editors when you meet them.

—St. Edward's Day, Oct. 13th, falls on Sunday this year. The usual festive celebration—field day sports, athletic exercises, etc.—will be observed either the day before or after.

—No slight feature of the *Ave Maria* office is the stereotyping department. Master Edgar has the entire plant under his control, and turns out very neat and well-executed plates.

—Probably the longest word in the German language is in the last edition of the official journal of commissions. Here it is: "Mettamidomethylmethyldiamidophenylcarbinol."

—A portion of the south end of the lower corridor in the main building has been cut off to form an addition to the trunk rooms—another evidence of the very large attendance.

—The genial director of the Tailoring Establishment spent several days in Chicago during the week. He has returned prepared to satisfy all demands in his line, military or otherwise.

—We are glad to learn that our announcement last week regarding the band has created a great deal of enthusiasm. So it should. A good band is the life of all festive celebrations.

—The Princes are hard at work and with the best of good will. There is not a homesick boy in the department; but, in general, "homesickness" is a disease unknown in St. Edward's Hall.

—The old routine of 8.30 and 9.30 retiring and 5.30 rising was commenced in the Senior department Monday. The yawning song was sleepily sung by the majority of the boys when rising.

—The "refined gentleman," who puts his chair on his desk so that his fall overcoat will not become soiled by dragging on the floor, has a future before him which promises to be as unsullied as he wishes his coat to be.

—The vocal classes, under the skilful direction of Prof. Liscombe, are active and enthusiastic, and the results promise to be particularly gratifying. They will appear, for the first time, at the entertainment to be given in honor of St. Edward's Day.

—The work of grading the hill leading to the Seminary is being actively pushed forward. The result will be a marked improvement in the landscape of the beautiful grove in the midst of which the building is situated. Even now it is one of the loveliest spots at Notre Dame.

—Each of the literary societies should make it a point to present at least one literary programme during the session. The result would be highly beneficial to the members of these organizations, while, at the same time, providing instructive entertainment for their fellow-students.

—A cablegram received on Tuesday morning announced the safe arrival at Southampton of the religious who had left Notre Dame for Bengal, India. May the rest of the journey be pleasant and propitious, and may happiness and success attend them in the accomplishment of their great mission!

—On Sunday last the Minims had the privilege of assisting at Very Rev. Father General's Mass in the Chapel of St. John the Evangelist, and also of listening to some golden words of advice. Only one whose every thought is for God's greater glory could speak as he did; and the Minims, young as they are, will not be likely to forget his beautiful discourse.

—We take much pleasure in reading the literary articles in the NOTRE DAME SCHOLASTIC, the most pretentious periodical that comes to us from any educational institution. These are taken mainly from papers read before the students of the Notre Dame University. They display rare intelligence, scholarship and literary taste, and admirably attest the high standard of the school. The SCHOLASTIC has just entered its twenty-third year.—*The Penman's Art Journal*.

—The *Ave Maria*, at Notre Dame, edited by the Rev. D. E. Hudson, C. S. C., has almost the largest circulation of any periodical in America. There is, in fact, only one journal that exceeds it, and not one which has such a widespread influence. In India, in Australia, even in Norway and Sweden, it has readers, and its English edition increases every year. Father Hudson's tact and foresight and broadness of mind are rapidly securing the *Ave Maria* an unique place in American literature.—*South Bend Tribune*.

—The University Moot-court was reorganized on Saturday, September 14. The following candidates for office were unanimously chosen: Hon. William Hoynes, Judge; Sylvester Hum-

mer, Prosecuting Attorney; Joseph Burns, Clerk; F. E. Lane, Sheriff; John McWilliams, Deputy-Sheriff; E. J. Blessington and H. O'Neill, Reporters. The first case of the scholastic year will be tried on Saturday evening, September 21. The Law class is well attended, and is at present taking lectures on International and Constitutional law.

—The first regular meeting of the Seniors' Baseball Association was held in the Seniors' reading-room on Thursday, the 19th inst. The following officers were elected: President, Rev. A. Morrissey; Directors, Bros. Emmanuel and Paul; Secretary, S. Dickerson; Treasurer, Louis Chute; Captains 1st Nine, Mackey and Haze; Captain 'Varsity Nine, Kelly; Captains 2d Nine, Steiger and Cook. After the unanimous election of H. Brelsford as Field Reporter, and a short address of an informal nature from the chairman, Bro. Paul, the meeting adjourned.

—The *New York Sun*, of which Charles A. Dana is editor, replying to a cranky anti-Catholic correspondent, who has taken up the hue-and-cry of Mephistopheles Vincent, that "Roman Catholicism is a serious menace to the stability of our institutions," says:

"This is hard to understand. Where is the menace? The law gives to everybody the right to send his children to such schools as he deems proper, and every church may establish its own schools. We have long had the church schools of various denominations without any perceptible effect to the injury of the American institutions. Besides, the great difference between a Roman Catholic school or a Presbyterian school and a common public school, is that in one the doctrines of the Roman Catholic Church are impressed upon the minds of the pupils, in the other the doctrines of the Presbyterian faith, and in the third no religious doctrine at all; but as for matters of arithmetic, grammar and geography, they must be substantially the same in all three. Neither the Catholic Church nor the Presbyterian Church teaches anything hostile to the republican institutions of this country. On the contrary, it is safe to believe that the more religious the educated man, the more conscientious, scrupulous and patriotic he will be in regard to all his duties. Are not the Catholic citizens of this country perfectly faithful and upright? If any of them are bad, is it not because they are bad Catholics and not good ones? Why should any one object to having more like them? We think our correspondent talks wildly upon the subject; and we think also that it is time to be rid of some of these old-time religious animosities."

—Last Saturday evening a meeting of the members of the Law class was held in the law room for the purpose of organizing a debating society for the ensuing year. Prof. Hoynes addressed the students, and showed the beneficial results of taking an active part in the exercises of the association. The election of officers resulted as follows: President, Prof. Hoynes; 1st Vice-President, S. Hummer; 2d Vice-President, L. Herman; Recording Secretary, F. Lane; Corresponding Secretary, E. Blessington; Treasurer, F. Vurpillat; Critic, F. Long; Sergeant-at-Arms, J. Cassidy. The question for debate at the next meeting is as follows: "Resolved, that an international court of law should be established for the settlement of questions of difference between nations." The contestants ap-

pointed by the President were: for the affirmative, Messrs. Hummer and Blessington; for the negative, Messrs. Herman and Vurpillat. After the reading of a few selections by Messrs. Hummer and Vurpillat, the meeting adjourned.

—On the 14th inst., the Feast of the Exaltation of the Holy Cross, the new Holy Cross Seminary was dedicated. The blessing of the Seminary chapel was performed by Very Rev. Provincial Corby who also blessed the rest of the building. This was followed by a solemn High Mass celebrated by Rev. Father Corby, assisted by Rev. Fathers Spillard and Mohun as deacon and subdeacon, and Rev. J. French master of ceremonies. At the end of Mass Father Provincial gave a short and appropriate sermon on the ceremonies and feast of the day. The singing of the Mass was rendered by the Seminary choir with Prof. Liscombe presiding at the organ. Revs. T. E. Walsh, A. Morrissey, M. J. Regan and L. J. L'Etourneau were present, besides theologians, philosophers and students. The new building stands on the site of the old Scholasticate of days gone by, and is intended for the sole use of the ecclesiastical subjects of the Congregation of the Holy Cross. Here the subjects pursue the classical course of six years—which is the same as the regular course at the University. After making a two years' course of philosophy and finishing their novitiate, the young candidates return to the Seminary to complete their Theological Course. The plans of the new seminary were drawn by Bro. Charles, C. S. C., and he may feel proud of his work; for all who have seen it say that it is the finest community building at Notre Dame.

Roll of Honor.

SENIOR DEPARTMENT.

Messrs. Ahlrichs, Adams, Allen, Adelsperger, H. P. Brannick, Barrett, Burger, Blackman, Blodgett, Bovett, Bailey, Bunker, H. Bronson, Burns, Cabanna, Combe, Cassin, Carroll, Cassidy, S. Campbell, J. Cooke, G. Cooke, W. Campbell, Casey, Crater, L. Chute, F. Chute, Dillon, Dorsey, Delaney, Dacy, Dennis, Daly, Draper, Davis, Dyer, Fitzgibbon, C. Flynn, F. Flynn, P. Fleming, S. Fleming, Garfias, Guillen, Houlihan, Herman, Hanrahan, Heard, Howard, Hackett, B. Hughes, E. Hughes, Hummer, Hempler, Hoover, Hayes, Johnson, Jewett, Karasynski, Kearns, King, Krembs, Lesner, Langan, Lair, Lancaster, Larkin, Lane, Moncada, Mock, Mulroney, McGinn, Murphy, H. McCarthy, McAuliff, McKee, McAlister, McDonnell, Mithen, McConlogue, Morrison, J. Mackey, O'Neill, O'Brien, O'Shea, Olds, Parker, Powers, Philips, Paradis, Pyplacz, Portilla, H. Prichard, Paquette, Quigley, Rebillot, Rose, Ramsey, Reynolds, Rothert, Sullivan, Schwarz, N. Sinnot, A. Sinnot, C. Sanford, L. Sanford, Schaack, Smith, Toner, V. Vurpillat, F. Vurpillat, Wade, White.

JUNIOR DEPARTMENT.

Masters Adler, Aarons, Broubacker, B. Bachrach, E. Bates, B. Bates, J. Brady, T. T. Brady, T. M. Brady, W. Brady, Benz, W. Burns, F. Bruel, Blumenthal, Bradley, Bos, Burke, Baltes, Cosgrove, Covert, Case, Cudahy, Coll, Cahn, J. Gonnors, E. Gonnors, Clendenin, Delaney, Dion, Dempsey, Dorsey, Elkin, Elder, J. H. Flannigan, J. Fitzgerald, C. Fitzgerald, A. Funke, R. Funke, G.

Funke, Garrison, Gnewuch, Gough, Howard, O. Hasenfuss, Hambaugh, Hach, Hahn, R. Healy, Halthusen, P. Healy, Hagus, Hannin, Heller, Ibold, Jacobs, Kearney, King, V. Kehoe, A. Leonard, J. Leonard, R. Lenard, Lee, Lewis, Mackey, Murphy, Maurus, Maher, D. Monarch, Merz, Messick, Mitchell, McConnell, J. McCartney, E. McCartney, Jas. McPhillips, Jos. McPhillips, A. McPhillips, W. McDonnell, F. McKee, E. McKee, F. Neef, A. Neef, Neenan, O'Mara, O'Neill, O'Brien, O'Rourke, Otis, De-la-Pena, Putnam, Pendelton, Pomeroy, Prichard, Quinlan, Quill, Rarig, Robinson, Root, Roper, Riedinger, Roth, W. E. Stanton, Sinclair, F. Schillo, Seerey, Seymore, Sokup, Snyder, Scherrer, Sutter, Spalding, Tetard, Talbot, Town, Tivnen, Walsh, Welch, Weitzel, Waise, Ward, Wood, T. Whalen, E. Whalen.

MINIM DEPARTMENT.

Masters Ayers, Ball, F. Brown, O. Brown, Blake, T. Burns, J. Burns, Barbour, Browning, Cornell, Crandall, C. Connor, W. Connor, Covert, W. Crawford, A. Crawford, Coquillard, Croke, Durand, Dench, Elkin, Evers, Eckler, T. Finnerty, W. Finnerty, Fischer, Frankel, Falvey, Fuller, E. Furthman, C. Furthman, W. Furthman, Grant, Girardin, Greene, Gilbert, D. Gilkison, A. Gilkison, Hill, Henneberry, Krollman, Keeler, King, Kern, Klaner, Lonergan, Londoner, Lonnbery, H. Lamberton, C. Lamberton, Levi, Montague, Maternes, Marr, Mattas, H. Mestling, E. Mestling, Myers, McGuire, Mayer, McPhee, McPhillips, Morrison, Marre, W. Nichols, C. Nichols, O'Neill, Powell, L. Paul, C. Paul, Pellenz, C. Packard, J. Packard, Pierce, Roberts, Ryan, Ronning, Stephens, Stone, Sloan, Seidensticker, G. Scherrer, W. Scherrer, Trujillo, Thornton, Vorhang, Vandercook, Washburne, Wilcox, Wever, Weber, C. Zoehrlaut, G. Zoehrlaut, Ziegler.

Newspaper English.

We are not only getting into the habit of using French words, but also of translating French phrases into our English. For instance, there is scarcely a paper I take up which does not inform us that something has been "definitively arranged," meaning, of course, "definitely" or "finally" settled; or that something "goes without saying"—where it goes we are not told. . . . We now never say anything, we intimate it. Mr. Black boldly says to Smith at supper: "If you say that again I'll knock you down." But the newspapers report that he intimated an intention to prostrate his opponent. Black also adds that Smith is a blackguard and a rascal. Smith's friend says that "Black alluded to him as not being honorable in his conduct." Brown, wishing to know who began this, asks: "By whom was this initiated?" Smith's friend replies that it was initiated by Black, and that the controversy lasted the balance of the night, and was then definitively settled by an apology. Brown then asks where the parties are "stopping" now—meaning to ask where the two persons are staying, for nobody now stays in a place, he "stops"—and Smith's friend "intimates" that it has "transpired" that they are in Green's hotel, and that Smith has "extended an invitation" to Black to dinner, and that thus the "difficulty" has been "definitively arranged." But in the newspaper account of it the writer says: "An outrage which at first sight seems almost incredible has just been ventilated by special inquiry." —*Blackwood's Magazine*.

St. Mary's Academy.

One Mile West of Notre Dame University.

—On Sunday last, Rev. D. E. Hudson, C. S. C., celebrated the High Mass, at which Rev. Father Spillard gave an interesting instruction on the Gospel of the day.

—Earnest study is now the order of the day; the hours are so occupied that there is no time for home-sickness, and diligence during school hours insures cheerfulness at recreation.

—The Library has been enriched by two beautiful statues representing our Lord and His holy Mother; while in the different class-rooms have been placed several new pictures, tending to raise the mind to the Giver of all knowledge.

—Several valuable additions have lately been made to the museum by kind friends. Among those most prized are a collection of autograph letters and papers of Gen. Washington, an ink-stand used by Gen. Robert E. Lee, and an *Ulster County Gazette* bearing date of January 4, 1800.

—In our day, when it is the aim of most parents to provide their daughters with an education which will be of practical value, should circumstances ever oblige them to make their own livelihood, there are no branches more useful than type-writing, phonography and telegraphy, all of which are taught at St. Mary's.

—The first reading of the points was held Sunday evening, the 15th inst., Very Rev. Father General presiding. Rev. Father Saulnier, Rev. Father Zahm, Mrs. Atkinson, Mrs. P. McHugh and Mrs. Hall, were among the visitors present. The standing for the week of each pupil, both in studies and in conduct, was read, after which Miss Etta Flannery very gracefully addressed a few words of greeting to Very Rev. Father General, who responded in his own kind, fatherly manner. He expressed his pleasure at seeing his old friends again, and extended words of welcome to the new pupils. Rev. Father Zahm then made a few remarks suggested by the occasion, urging all to an earnest and faithful performance of duty.

—A regular course of interesting lectures on all that pertains to the art of music is one of the many advantages enjoyed by the pupils of the Conservatory at St. Mary's. The first of the series was given Saturday evening, and was received with marked attention. In the first part was explained the method outlined in the catalogue, after which a few moments were devoted to the necessity of studying both the theory and practice of music. Of theory, the lecturer said: "A full course in this scientific part consists of a perfect knowledge of notation, a clear understanding of *time* and its rhythmical accentuation; simple *intervals* and theory of scale

formations; the *power of sounds* and all signs indicating their application, besides the laws regulating the mechanical use of sound power. Afterwards the more abstruse studies of thorough-bass, harmony, counterpoint, analysis and composition."

Next, the requirements necessary to form a true artist in music were dwelt upon, followed by observations founded on years of experience relative to the use and the abuse of musical talent. In speaking of the beautiful in music, these striking ideas were expressed: "There is no beauty without life; therefore, in a certain sense, music does more than paint—she touches and puts in motion not the imagination that reproduces images, but that which makes the heart beat. The heart, once touched, moves our whole being. Then we feel nature's beauties, and open our eyes, ears and hearts to the teachings of this wonderful creation of God. . . . One who understands the voice of Nature and feels her beauty, can never more be satisfied with what he is, but yearns to be perfect. . . . To profit by all the beauties of Nature, to learn from our great teacher, one stern condition is required; it is this: if the sense of beauty disposes to purity of heart, so equally, purity of heart can alone preserve the sense of the beautiful. Cultivate, then, your love of Nature; learn her music, her language; sink deep in your heart her truths. Then the Divine Ideal of all beauty will take root in the centre of your soul, and render your life perfect."

Songs Without Words.

When the heart is full of joy all things seem in accord. Happiness is the key-note round which group themselves the sounds of the hour, and we turn instinctively to music. When bowed with grief and the tears seem frozen in their fount, the soft, low strains of music melt the heart, and each note bears away on its bosom a part of our sorrow. The cares which have so long been feeding upon our happiness unfold the pinions that were wrapped round our spirit, and wing their way to worlds unknown; and as each sorrow takes its flight, we feel that an opening has been made through which the light may enter, and we see more clearly the course we should pursue.

To each one, music has some message to convey, sometimes gay, sometimes sad; it speaks of sunny moments that may never be recalled, of dark shadows that have crossed our paths, of departed friends and dear ones, or of hopes and aims dashed from our grasp just as they seemed nearest realization. When we stand beside the form of a loved one stilled in death, and hear the organ peal forth the solemn dirge,

a new link seems to be forged between Heaven and earth, and almost unconsciously the words, "Nearer, my God, to Thee," find a response in our hearts.

Poetry is the language of the soul, and ever has it essayed to tell the charm and power of music, whose magic influence sways man's deepest emotions. Moore, whose poems are songs, has said:

"Music! oh, how faint, how weak,
Language fails before thy spell!
Why should feeling ever speak,
When thou canst breathe her soul so well?"

Inspiring as is the music which man revels in, there is another not heard, but felt: it is the music of God's universe. There are some, the chords of whose soul seem strung in unison with those of Nature. Such souls hear a history in the rivulet's song. In imagination they trace the tiny stream back to the verdure-laden hills where it springs forth pure, clear and sparkling from the mountain side. They follow it through forests where it whirls and eddies round the moss-covered rocks, under picturesque bridges and past happy homes. All this, and more, they hear as they stand beside the stream and listen to its sweet music as it ripples along. To them, is there music in the singing of birds, the rustling of leaves, and the sighing of winds; their soul is as an æolian harp, and each breath of wind touches chords that send forth perfect harmony.

The grandest minds have ever been moved by the voice of Nature. Christopher North, Emerson, Thoreau and Ruskin heard sweetest music in wilds and woods; to each, the very leaves spoke a language impressive, and taught lessons not contained in books. When we are filled with sadness or loneliness, even the rain is music to our ears, for there is something mournfully akin to our spirit in its continual downfall, and with each beat of our heart, it seems to throb in sympathy.

Some say that music is not found in these objects of Nature except by the romance loving and sentimental. For answer, let us look at our own fireside poet; Longfellow, and this idea will be banished. He was not only robust, but eminently practical in his social intercourse; and yet his soul seems to have been fully in accord with the aims and desires of humanity, and few, if any, have given more striking proofs of an undying affection for Nature, "which never did betray the heart that loved her."

The affections, too, have their language, and no sweeter music is there than kind words and kind counsel. Who has not felt his heart thrill

at the touch of friendship's ministrations? True it is, as some writer has said, that there are notes more akin to sounds of paradise than of earth; but in all the music of the universe that which reaches farthest into heaven is the beating of a mother's heart; for, nowhere is there a fount of love so pure, so strong, so deathless and so deep. Far and wide it carries its blessed message of love; and until the wearied pulse is still does it beat for her own. How striking a figure of God's love for us—that love which orders all things for the peace and happiness of His children! Turn where we will, there is music; for God's works are in harmony; and if we but listen, our hearts must hear a pæan to God, and must feel that the universe is a grand "song without words."

LOUISE MCNAMARA (Class '89).

Roll of Honor.

FOR POLITENESS, NEATNESS, ORDER, AMIABILITY, CORRECT DEPARTMENT, AND EXACT OBSERVANCE OF RULES.

SENIOR DEPARTMENT.

Par Excellence—Misses A. Adelsperger, Bates, Balch, Bernhart, Bogner, Byrnes, Bovett, Bero, Clarke, Currier, Cunningham, Collbran, Cooper, M. Davis, C. Dempsey, Deutsch, E. Dennison, M. DeMontcourt, I. DeMontcourt, E. Dempsey, D. Davis, Dolan, Dorsey, C. Ernest, Flannery, Frost, Green, Ganong, Hammond, Healey, Horner, C. Hurley, K. Hurley, Hurff, H. Hanson, Holt, Hess, Hagus, Harnes, A. Hanson, Jungblut, Kasser, Krimbill, Kimmell, Kelso, Koopmann, Linneen, Leahey, Lynch, Lauth, Lewis, Levic, Moore, Morse, McFarland, McLoud, Maher, Mills, M. McPhee, McCarthy, M. McHugh, Murison, Mullaney, Miller, S. McPhee, Nacey, Nickel, Norris, O'Brien, Otis, Piper, Pyle, Pendleton, Pugsley, A. Ryan, K. Regan, Roberts, A. Regan, Rinehart, Rose, Rinn, Stapleton, Spurgeon, Studebaker, Schiltz, Schaefer, Skancke, M. Schermerhorn, Smith, Schrock, N. Schermerhorn, Van Mourick, Violette, Woolner, Wickersheim.

JUNIOR DEPARTMENT.

Par Excellence—Misses Barry, Burdick, E. Burns, M. Burns, Black, Cooke, Clifford, E. Cooper, M. Cooper, Culp, Daly, M. Davis, B. Davis, Dreyer, L. Ernest, Evoy, Farwell, M. Fosdick, G. Fosdick, Hildebrand, Hickey, Henry, L. Kasper, C. Kasper, Levy, Mabbs, McCormack, McGuire, Meskill, Mestling, Northam, O'Brien, O'Mara, Palmer, Patier, Patrick, Pellinz, Philion, Quealy, E. Regan, Reeves, Robbins, M. Scherrer, Shirey, M. Smyth, J. Smyth, Soper, Sweeney, Thirds, E. Wagner, M. Wagner, Waldron, Wood, Young.

MINIM DEPARTMENT.

Par Excellence—Misses L. Adelsperger, G. Crandall, Dennison, M. Egan, Finnerty, Goodwin, M. Hamilton, K. Hamilton, L. McHugh, M. McHugh, Porteous, S. Scherrer, L. Scherrer, J. Smyth, N. Smyth.

THERE is no fountain so small but that heaven may be imaged in its bosom.

IF any one says ill of you, let your life be so that none will believe him.