

# The Notre Dame Scholastic

DISCE · QVASI · SEMPER · VICTVRVS · VIVE · QVASI · CRAS · MORITVRVS ·

VOL. XXXIX.

NOTRE DAME, INDIANA, MAY 19, 1906.

No. 30.

## Bride of the May.

THOMAS E. BURKE, '07.

WHITE as a lily she trips o'er the lawn  
Into the vale of the rose,  
Happy and bright as the first ray of dawn,  
Singing a song of the May, she is gone  
Down where the rivulet flows.

Down in the valley the bluebell and rose  
Laugh in the light of the sun;  
Bustling down in the flowers, the bee  
Drinks of the nectar and unceasingly  
Hums till the evening is spun.

Down in this valley of sunshine a maid  
Roams through the hours of day;  
Never a trouble her gay spirit knows,  
Pure as the lily and fresh as the rose,  
Fairy-like bride of the May.

## The Principles of the Gothenburg System.

PAUL J. FOIK, '07.



THE most comprehensive criterion of a well-ordered state of society depends not so much upon the accumulation of wealth as on the happiness and contentment of its individuals. A state is said to be socially progressive when it advocates a system of government which gives a fair liberty to its subjects and at the same time yields the greatest well-being to the community at large. Religion must also play an important part in any system for the reform of society. The state dis-severed from religion is like a weakened and emaciated invalid, the victim of a hideous leprosy spreading its contagion far and wide. Was it not the material prosperity and godless learning that stifled the last

semblance of liberty under the rule of the Medici in Florence? Was it not the irony and the sophistry of the unbelieving Voltaire that sowed the seed of atheism and free-thought in the soil of France, which was soon to grow into one of the most elaborate systems of corruption the world has ever seen, later to blossom and bear its evil fruits in that inhuman Reign of Terror. Godlessness in the state is a sort of retrogression towards anarchy. In proportion as the moral atmosphere that surrounds the individual is healthy, in so far shall the state thrive.

The state, society and religion have each their part in God's work. If we comprehend clearly the groundwork of these, we shall more easily solve the great problems of the day. We must not consider religion the enemy of political freedom or of any particular government, but as the resister of its claim to unlimited power, which every government, whether democratic or autocratic, has in the zenith of its glory made.

But what is the fountain of good government? One of the first principles of politics is that the state should leave free all the interests and faculties of its subjects which do not interfere with its own rights. The government which guarantees true liberty to its subjects is the one that is vitally interested in the moral improvement of the country. Remember that this freedom is not absolute, for such liberty is not possible and should not be sought. Nor, on the other hand, is coercion the correct method to rule the people by and to heighten their morality, because such force is often the very antithesis of freedom. Milton has appropriately said: "If every action which is good or evil in man at ripe years was under pittance, proscription

and compulsion, what were virtue but a name; what praise could be due to well-being; what gramercy to be sober, just and continent?" Man has a free will which enables him to choose between right and wrong. Now the functions of the state in regard to morality is to maintain those conditions of free selection, to assist and encourage the individual as far as possible in correct choice, and to restrain within the bounds of moderation obstacles to right choice. Such legislation as does not coincide with these social, moral and political principles of freedom tend either to absolutism or anarchy.

One of the greatest problems that confronts the state to-day is the affording of a remedy for inebriety. Drunkenness is an octopus, fastening its many death-like claws around the very heart of society. The state has been until now powerless to cope against this monstrous vice. Remedies have been employed, some good and others bad, in the hope of curbing the evils of drink. Local option has been tried in this country and elsewhere, but it is politically wrong in principle, for it is the despotism of the majority in the community upon those who, from, not unjust motives scorn teetotalism. Here we have the infringement of the liberties of the people. If local option is wrong in principle, then prohibition offends the same doctrine more seriously because the latter would deny to the whole community the free choice to take or to refuse intoxicants. High license perhaps gives the greatest satisfaction of any of the systems tried in this country, but it has not been able to cope with the evil.

Governments have almost despaired in their efforts to throttle this agent of vice. Some statesmen have even gone so far as to declare that there is no political remedy for inebriety, and that the question must be solved by the social reformer or moralist. But who shall deny that both the social reformer and the moralist have labored unceasingly to improve the deplorable conditions? Is not the gospel of temperance taught to the multitude from the pulpit and in the homes of the unfortunates. The clergymen will preach in vain as long as temptations stare the people in the face at every step they take.

The work of reclaiming these wayward men is a gigantic task, and must necessarily require an army of zealous enthusiasts engaged exclusively in the undertaking to make any appreciable effect. And would the results be lasting? No, as long as the causes of intemperance remain, religionists can expect nothing permanent. Men may renounce drunkenness for a while, but the frailty of human nature will soon appear, when they will again plunge into their old habits. Nor can the social reformer single handed expect any better results than the moralist. It has been emphatically proven that while temperance and total abstinence societies and the like have done admirable work, still they have been unable to cut the cancer out from the root. They have been almost powerless to cure the disease of those confirmed in their sin. How then shall the vice be attacked?

The system proposed to remedy the evil, combines political, moral, and social operations in one. It stands to reason that the three factors working harmoniously together ought to be able to accomplish much more than if each worked individually. The Gothenburg system, as this plan is called, derives its name from Gothenburg, a town in Sweden, where the reform was first tried. The immediate cause for attempting a new method of fighting the liquor traffic, was due to an inquiry into the causes of pauperism about the middle of the last century. The committee appointed by the municipal council, after a thorough investigation into the conditions of the poorer classes, came to the conclusion that the monstrous evil that was gnawing away the very integrity of the state was excessive drink.

That we may more thoroughly appreciate the extent of the reforms of the Gothenburg system, let us briefly see the state of affairs before the plan was adopted. The homes of many people in Sweden were small distilleries where *eräuvin*, the common drink, was manufactured. Here, by the way, was a case of entire liberty and no restriction. Brandy soon came to be considered one of the necessities of domestic life. Free trade in spirits followed with disastrous results. But the moral and physical degradation was even worse, and seemed like a

blight destroying the health, strength, and power of the nation. Insanity, poverty, crime, discontent, brutality, broken family ties, and other despicable vices, were centred around intemperance like a plague of busy locusts eager for destruction. Is it any wonder that those who assumed the responsibilities of this suicidal nation stood powerless, bound round with the fetters which crime had wrought? The king dismayed charged his chief functionaries to exert their efforts to avert the calamity which was hanging over the country. It was in this dark and stormy time, when the ship of state was tossed about at the mercy of the winds, that the social reformer, the moralist and the statesman united and agreed to steer the craft to a harbor of safety.

Could the national habits of a perverse people be broken? That was the question all-important to everyone. No inconsiderable portion of the success that attended the first clearing up of the situation, was due to a sense of civic duty that permeated the better elements of society. The earlier advances in reform brought about an amelioration of the poor classes, and the way in which this was accomplished is full of solid instruction to the world at large. The first step in the way of improvement was of a social nature, and consisted principally in the formation of Total Abstinence Societies. In this connection it is interesting to note the untiring energy displayed by prominent laymen and the encouragement they received from leading clergymen. The moralist and the social reformer saw that they could be of valuable service to each other. In them the state was to see the first rays of a brighter and a better civilization. The moralist observed that intemperance lay at the root of many crimes. He learned by experience with souls that when men are half dazed by intoxication their passions become ungovernable. When the citizen lost his self-respect he also quickly lost his self-control; he became reckless by frequent carousals. Soon he disregarded all the consequences of his acts, and rushed madly into sin. Not content with his own disgrace he plotted the destruction of others. The demon of drunkenness crept stealthily into his soul, "taking with him seven

other devils worse than himself to dwell therein." O wretched state that plunges its victims into such an abyss, whirls them around in a very charybdis of crime, and transforms the noblest of God's creatures into ferocious brutes!

We can now realize why the clergymen and the temperance worker co-operated for the suppression of vice. Each had his part to fulfil in this stupendous task. The moralist had to have something to build on. Before a man is Christianized he must be civilized. It is the duty of society to up-build the natural character of the individual, and to make him appreciate the sacredness and the worth of true manhood. Rev. Father Elliot, treating the subject of Church and Temperance, says: "Religion does not start with nothing, it must have a man to begin with; and what makes the man is his reason and what unmakes the reason and the man and the Christian all at once is intemperance."

It is necessary, then, for the minister of God, if he expects to get any appreciable results, to encourage and assist the formation and growth of total abstinence societies. The men and women who support these movements should be, and generally are, persons of great intelligence, powerful will and untiring zeal—such only can meet with success in their work. In Sweden the different religious sects marshalled their forces under the same standard to strike down the enemy.

For over twenty years the advocates of total abstinence toiled under very discouraging circumstances. While they were yet in embryo, matters seemed to grow from bad to worse; but this was the last dreadful storm before an approaching calm. The work done by the temperance societies in Sweden was the clearing up of a dark and cloudy sky. When the first rays of hope broke forth the state was ready for action.

In 1855 a law was enacted which was the first direct blow to drunkenness. The political reform was tried in the beginning, in the rural districts and consisted chiefly in a sort of licensing system similar to that employed in this country. The efforts of the statesman were almost immediately crowned with success, and doubt was for

once cast on the frequently repeated assertion, that "people can not be made temperate by law." "In 1855," says Dr. Weiselgren, the promoter of the Gothenburg system, "brandy could be bought in almost every cottage. The next year one might travel through whole provinces without finding a single place where it could be sold." All right-minded people were loud in their praises of the immense benefits that had been rendered to the rural population on account of the new act. But this legislation was not shared in by the towns, and the evils increased there proportionately. It became obvious that there was a defect in the legislation, for the law did not fulfil the desired object.

The Gothenburg system was the ultimate result of the previous total abstinence movement and of the attempts to supply the shortcomings of the recently made laws. Entire prohibition was too drastic for a people who regarded their liberty to produce and consume spiritous liquor as sacred as the rights of man. A commission at Gothenburg, after much deliberation on the merits of the different existing systems, adopted the wise philosophy of the Latin poet: *Est modus in rebus*. They found that most laws regulating liquor traffic were characterized by extremes, or were inefficient in their remedies against accompanying evils of drink.

Recognizing that the principle of moderation in legislation was the best means of educating the people to higher ideals, they formed a plan which was in perfect accord with freedom, and which tended to minimize the sale of intoxicants, as no other system had done. The committee of inquiry being confronted with the double problem, pauperism and alcoholism, had to propose a double remedy. The resources from the liquor traffic were to be employed for the alleviation of the poor. The license to sell alcoholic drinks was placed in the hands of one sole company. The by-law authorizing this monopoly read as follows: "This company is to undertake, within the town of Gothenburg and its suburbs, the entire public house and retail traffic in brandy and other distilled Swedish and foreign liquors, of which the above forms an ingredient. The traffic in question shall be conducted

without a view to private profit."

The shareholders of this concern were individuals of high standing, generally persons who were intelligently appreciative of public opinion. For example, the original Gothenburg company was administered for eleven years by the son of the noted clergyman and apostle of temperance, Dean Peter Weiselgren. The company's capital was fixed at the minimum sum of twenty-seven thousand dollars, yet this small amount yielded annually two hundred thousand dollars clear profit. Several regulations were laid down which assured the system's faithful operation. Saloons were not allowed on dark, dismal, unfrequented streets. The bulk of traffic must be carried on under the blaze and activities of the business section of the city where the public could watch with a critical eye. No violation of law could take place with such vigilance, because every citizen had a right to lodge a complaint with the proper authorities as soon as he saw that something needed correction. By this policy of strict control, crime could make no serious headway. These in brief are the workings of the system in Sweden, a plan which has never been repudiated where once it has been given a fair trial.

When we consider the gigantic proportions that drunkenness has assumed in this country, and how it is tearing asunder this great republic which our forefathers have so zealously labored to perfect, it is high time that some effective measures be taken to bring about a thorough system of reform.

In the city of Chicago of late the frequent occurrence of criminal offences has put the lives of self-respecting people in jeopardy. In fact, public tranquillity has been disturbed, the law ignored and defied, even in the broad light of day, and the property and honor of the citizen endangered. While much indignation has been aroused, and apprehension manifested concerning this increasing growth of crime, yet little has been done to remove the principal cause which leads to its perpetration. To solve the question of intemperance is to settle over three-quarters of the social and economic problems of the United States. Let us observe, as an illustration, what the annual drink bill to-day is and how much it involves for

this country. The drink bill of the United States is estimated at the enormous sum of one billion dollars annually. The amount spent in New York alone in one year is sixty million, and the traffic in liquor is increasing. Consider this—the money for liquor consumed yearly is three hundred million dollars more than all the taxes imposed by the government. If the taxes of this country were more than doubled, what frightful opposition would that not arouse; yet if the billions of dollars of drink money were put to better use how much would it not lend to the prosperity of the land?

Look into the many homes of the poor to-day, those filthy tenements of our great cities, the unhealthy and unsightly dwellings of the suburbs, more like sheds for cattle than for human beings, places which public sympathy alone permits to stand—these are largely the habitations of the drinking man and his wretched family. Figure out on the other hand what abstinence would bring to these miserable people. That few cents spent daily in drink, might in time furnish a neat and respectable cottage; that hard-earned cash now used to purchase misery, misfortune and slavery at the saloon, could be better employed in procuring happiness, comfort and independence. Might we not predict that sober labor would be more capable of coming to an amicable settlement in its disputes with capital. Mr. Carroll D. Wright, who has made diligent inquiries and personal investigations into the industrial conditions of this and other countries, says: "I have looked into a thousand homes of the working people of Europe; I do not know how many of this country. I have tried to find the best and the worst; and while, as I say, I am aware that the worst exists, and as bad as under any system, or as bad as under any age, I have never had to look beyond the inmates to find the cause; and in every case, so far as my observation goes, drunkenness was at the bottom of the misery, and not the industrial system or the industrial conditions surrounding the men and their families."

But why expect so much from the individuals? Is not the state itself bound round with the same chains of slavery? Shall the

laws of the country be respected when politics are married to the liquor interests? This compact chokes the very beginnings of good legislation and is an insult to republican representative government. The words of Cardinal Manning, delivered in an address at Manchester, apply with equal significance in this country: "It is mere mockery," he says, "to attempt to put down drunkenness by moral and religious means alone, when the legislature facilitates the incitements to intemperance on every hand."

As long as individuals or companies can make profit from the traffic of liquor, there will be found a means of encouraging drink. It would be a strange condition indeed where private gain was entirely eliminated, if a resulting improvement did not take place. This seems to be one of the strongest features of the proposed system. The evils of greed having been conquered, the temptations are weakened. The social, moral and political factors also have a readjusting influence which educates the social mind to loftier ideals. The system aims not only at reducing drunkenness, crime, pauperism and misery in its many shapes, but also at raising to higher levels the hopes and aspirations of the people by teaching them and keeping ever before their eyes their duties as citizens, that they may secure for themselves all that tends to enrich and to sweeten their lives and to make a noble manhood.

But there are yet other advantages. The revenue, or the solid profit from the sale of liquor, is spent in every type of charity that can not conveniently get city help. Moreover, parks are improved, public baths are supplied, reformatories of an educational character are established, libraries are started, higher trade instruction is encouraged by the establishment of manual labor schools, and it is said that even the dwellings for the workmen are built and sold to them. These are only a few of the excellent uses that this money is being put to.

The superior merits of the system have been discussed at great length; the only question left to answer is, can the plan be applied to American conditions? It has been shown that the system is in perfect accord with that true spirit of freedom which all citizens in this country enjoy,

that it is founded on moderation—the only means of successfully educating the people in what is right. But there is a doubt in some minds on a different score: Can such a system thrive in our tainted American atmosphere? As long as we take the proper precautions to safeguard all the interests involved in such a scheme, we need have no fear how the system shall operate when once the machinery has been set in motion. The plan has received exhaustive study from Mr. Gould, who was sent by our government to Sweden to investigate the method. He says: "The crucial test of the American control of the plan would be the constitution of the licensing authority." He would constitute it of judges of secondary instance, since they would be both competent and fair minded. With the majority of the commission, teetotalers, and the acts of the board subject to judicial review, there would be little danger of corruption or maladministration. Besides, as has already been shown, there can be no possible reason for the company acting dishonestly, since no material gain is to be reaped from the business.

What is at once intensely practicable and serviceable for the public welfare is the fact that the system will minimize the evils of intemperance. "If this republic is to be perpetuated," says Archbishop Ireland, "alcohol should be made to feel that it is barely tolerated and that it must never, under severe penalty, court power or seek control in politics." Let us take care or history may repeat itself. For just as the curse of slavery brought about the catastrophe that robbed Rome of her ancient imperial grandeur and greatness, and wrought in her children a spirit of selfishness and sensuality, so, too, shall the slavery of drunkenness and its companions, crime and pauperism, bring to America a crisis more terrible in its results than has fallen to the lot of any land. Behold then we stand face to face with an evil more dreadful in its consequences than war, pestilence, or famine. Shall this physical and moral degeneration continue to sap the vitality of our people? This is the question that confronts every loyal son of our great republic. Why delay? The remedy is within our reach. Shall we apply it?

### Notre Dame, My Notre Dame.

—  
WESLEY J. DONAHUE, '07.

—  
*Air: Maryland, my Maryland.*

IN triumph waves the Gold and Blue,  
Notre Dame, my Notre Dame;  
To thee thy sons shall e'er be true,  
Notre Dame, my Notre Dame.  
Then once again let swell a song  
Of beauty fair, of courage strong,  
To echo down the ages long,  
Notre Dame, my Notre Dame.

O *Alma Mater*, dear to me,  
Notre Dame, my Notre Dame;  
Thy hallowed walls are fair to see,  
Notre Dame, my Notre Dame.  
In victory or in defeat,  
I lay my homage at thy feet,  
While thrills my heart with joy to greet  
Notre Dame, my Notre Dame.

The glow of youth is on thy brow,  
Notre Dame, my Notre Dame;  
O peerless queen, my love I vow,  
Notre Dame, my Notre Dame.  
I love thy Blue, I love thy Gold,  
For thee my heart throbs as of old,  
And never shall my love grow cold,  
Notre Dame, my Notre Dame.

### His First Serious Case.

—  
JOHN C. MCGINN, '06.

The fine weather that attended the opening of the Eastern League series aroused in young Doctor Ahern's mind the conviction that he had been shut up in his little office long enough. True, only a month had passed since he "opened up," but he had been faithful to his business hours, and four hours a day for one month seems a mighty long time to a young fellow fresh from the college campus.

Hour after hour and day after day he sat in his cozy little office, and very seldom were his daydreams broken into by the call of friend or patient. But young Ahern was a baseball crank. He had played all through his college days, and now the longing for the old sport was revived. He might have reasoned, as he usually did, that he could not afford to be away from his office all afternoon even on this beautiful day, had

not several of his old college friends dropped in to see him at the psychological moment. It was certainly impossible to decline their gracious and earnest invitation to attend the game. Several girl friends had promised to go along, and among them Belle Everett, the Doctor's old college chum. Any economic objections that arose in Ahern's mind were stifled by this bright piece of news, and he soon found himself making arrangements to go to the game.

"At two," he shouted as his friends sauntered from the office.

"At two sharp," they replied, "and don't disappoint us this time."

"A rest for me," muttered Ahern as he walked into his office and threw himself upon the couch. He did not know just how long he had slept. On a sudden he was waked by the sharp ringing of his office bell.

"By Jove! I bet I have overslept and the boys will be wild!" said the Doctor as he reached for his watch. Just then another violent jerk of the bell brought him to his feet.

"What the d—" but he did not finish the sentence, for the office door was banged open and in rushed a pale old man holding his hands first to his chest and then to his head, all the while imploring the Doctor to do something for him.

"A bad case surely," muttered the Doctor as he looked the old man over.

"I have been suffering for months," the stranger again protested, "and if something is not done, and that quickly, I will kill myself!"

Now young Ahern was quite humane, and he couldn't bear to see anyone suffering unnecessary pain, so he at once began to diagnose the old man's case and to locate the cause of all his pain. After learning that his patient was the Hon. Richard Gibson, one of the most prominent men in the state, the Doctor took exceptionally fine pains to make the gentleman feel at home.

"Have you ever been treated before?" timidly asked the young practitioner.

"Yes, yes; I have tried every Doctor in the state," answered the old fellow dispondently, "but they are all quacks; they did me no good at all."

The ringing of the door bell at this stage of the case rudely reminded the Doctor that he had an engagement at two that afternoon. "Business is business," he muttered to himself, making up his mind to ignore the bell which by this time was clanging furiously. But his friends were not so easily disposed of, and the bell continued to ring. After a few minutes the Doctor excused himself and ran to the door. There they were—the whole company—in two automobiles. But it was no use, he could not go, and in a few words he told them why.

"Big game, eh, 'Pop?'" said young Haden, slapping Ahern on the shoulder. "Well, we'll excuse you for a while, but remember we want to see you at the game."

"Ah," sighed Ahern as the automobile rolled away, "I would like to be with you, but business before pleasure," and he picked up a stethoscope and prepared to examine his patient more carefully.

"Strange, I can't even hear the beating of the heart," he thought, as he placed the little instrument here and there on the patient's chest. Yet more surprised was he when upon tapping the old man's chest with his finger tips he felt something unusually hard.

"What in the world have I here?" wondered the young Doctor as he opened his patient's shirt front and attempted to put the stethoscope to his chest.

Again the office bell was violently jerked, but the Doctor had determined upon seeing no one until he had made a thorough examination of the old man.

"What in the world have you there?" asked the Doctor pointing to the old man's chest.

"Nothing, nothing," he answered smiling, "only—"

Just then the bell rang more violently than ever, but young Ahern was too interested in his work to stop now, besides it was after office hours.

"What on earth, I say, have you here?" asked the Doctor, tapping the old man's chest and looking into his piercing black eyes.

"Why, Doctor, that is only an apparatus of my own."

"An apparatus of your own, eh? And

what, may I ask, is it?" angrily retorted the Doctor, now losing patience.

"Why, Doctor, that is only a piece of wood covered with a piece of cloth," came the curt reply.

"And what the devil have you such a thing attached to your chest in that manner for?" excitedly asked the Doctor.

"Well, well," the old man began smilingly, "you see I have to have it there."

"What do you have to have it there for?" I asked.

"Why, that is the spot where the pain is," replied the old man amid the ringing of the door bell.

"Well, certainly that board doesn't stop the pain. Can't you take some medicine for the pain?" asked the Doctor.

"Oh, but I am taking medicine for the pain; but you see there is where all the trouble is; the spot is so low in my chest that the medicine does not reach it, so I just put this board on here to push the spot up to reach the medicine," the old fellow earnestly replied.

"Well, I'll be—" but he did not finish, for the bell was given another violent jerk, and then the door flew open and two uniformed men ran in and rushed over to the chair where the old man sat.

"Escaped from the insane ward this morning,"—gruffly replied one of the keepers when young Ahern asked what the trouble was—"and just received word that he was seen coming in here."

"Has been insane for four years," chimed in the other. "It's a wonder he didn't kill some one," he continued as the trio left the office by the rear door.

"The eighth inning and neither side scored yet!" shouted young Ahern as he slammed up the receiver of the telephone. "Well, ain't that the limit."

---

### Sunset and Dawn.

---

The sheen of day is dying in the West,  
Sleep, little one;

The shades of eve have covered all the rest,  
The day is done.

Soon from her battlements will morning steal,  
Sleep, babe, and rest;

Her silver blades the shadows soon shall feel,  
Sleep, 'til the quest. T. E. B.

### Varsity Verse.

#### THE MAN BEHIND.

WHEN I was but a substitute  
The captain said to me:  
"Don't ever hit before the ball  
But wait with modesty,  
In baseball he that hits too soon  
Has always strikes you'll find;  
But the slugger gets the home run  
For he is the man behind.  
The man behind, the man behind,  
He's the surest hitter you will ever find;  
It's the man behind the club  
That gives the team the rub,  
So always try to be the man behind.

It's the man behind the baseball  
That can throw the biggest shoot,  
The man behind the winning team  
Is always free to root,  
The man who gets behind a drive  
Can stop a hit you'll see,  
But when it gets behind him  
All the fans yell "23!"  
The man behind, the man behind,  
He's the surest player you will ever find,  
When the man ahead is out  
He is "Bud" just on the sprout,  
So always try to be the man behind.

It's the man behind the pitcher's box  
Who calls the balls and strikes,  
The man behind the catcher's glove  
Can get what curves he likes;  
The fan behind the back-stop  
Is the one who sees the game,  
And the team behind the pennant  
Is our dear old Notre Dame.  
The team behind, the team behind,  
It's the surest team that you will ever find,  
When the conquered teams skidoo  
In marches Gold and Blue  
Its shining trophies streaming on behind.

T. E. B.

#### N. D. GIRL.

Dear N. D. girl, your eyes so true  
Are sparkling gems of deepest blue,  
Into their dear sweet depths I gaze  
And linger long like summer days,  
When all is bright I dream of you,  
My N. D. girl.

My N. D. girl, your wondrous hair  
Is soft and radiantly fair;

Glorious, gleaming, wind-swept tresses,  
The sunbeams hide in their golden meshes  
And my poor heart is captive there,  
My N. D. girl. J. F. S.

#### AWAKENING.

The bleeding rose from the green bud breaks  
In the glow of day  
And the lilac form and color takes  
In the early May. T. E. B.



## Voltaire and J. J. Rousseau.

---

 LOUIS FAINEAU.
 

---

Anyone who searches out the causes of the French Revolution soon becomes aware of the great influence exercised upon the 18th century by two most eminent writers—Voltaire and J. J. Rousseau. Undoubtedly if they were the cause of great harm it was because of their literary superiority. One made people laugh and thereby forget the shallowness of his reasonings; the other by his earnestness, often by his eloquence, won his readers to think as he thought. Both were irresistible.

Voltaire was born in Paris in 1694. He received a good education under the Jesuits as he himself testifies. On leaving college he made known his intention of becoming a man of letters. His facility in verse writing had brought honors to him at Louis-le-Grand. In the beginning of his career he worked along that line, but he attained an unhappy fame. He was confined to the Bastille for eleven months, being considered the author of the satire, "I have seen." His irascible temper made him pass there five other months. If it is true that we model our own countenance the bust of Voltaire by Houdon, which is familiar to all; gives us more information about the man than we care to have.

A far more interesting figure is Rousseau. Strange enough he had few friends during his lifetime; but now men like J. Lemaître say: "It is impossible for me not to love J. J. Rousseau." He was born in Geneva in 1712, and early in his childhood became independent. His whole life was a series of wanderings; he made friends, then got tired of them; he dwelt in castles and in garrets. Copying music was his last resource when he was abandoned by all, or oftener, when his own temperament made him leave everybody. So he would have died in a miserable attic if a noble had not given him hospitality a few months before his death. The composition of his works and his quarrel with Voltaire are the most important features of his life.

These few remarks show contrast already, but it is when examining closely their char-

acters that we see how different these two men were. Misanthropy, distrustfulness, susceptibility to the extreme—all these gave much trouble to J. J. Rousseau. The common opinion is that he was insane towards the end of his life. David Hume received him in England, but Jean-Jacques did not like London. His friend then complied with his whim and offered him a country seat, but hardly was he there than he imagined a great conspiracy had been formed against him, and he left after much quarrelling. But we have his own words: "I am not made like anybody that I have seen; I venture to believe that I am not made like anybody who is existing." These phrases are typical. It was his pride which made him resent all the invectives of Voltaire and he depicted himself thus: "I would like better to be forgotten by the whole human race than to be considered an ordinary man." There was some good in Rousseau, but Voltaire was exceptionally bad. In his "Penseés" Joubert placed these two men in parallel. "Voltaire had his moral sense ruined, and was most dissolute in mind;" but "the spirit of J. J. Rousseau inhabited the moral world, though not that other which is above." Voltaire was a libertine sought after in all the fashionable circles, where he excelled in brilliant conversation, while Rousseau disliked the society of his time.

On this ground began the famous quarrel. "The Discourse on the Inequality among men" excited the laughter of Voltaire, and he answered Rousseau with his habitual irony: "One gets a mind to go on all fours when he reads your work. However as I lost this habit sixty years ago, I unfortunately think that it is impossible for me to take it up again." Still this was not all. In 1758, when Voltaire was trying to have his plays represented at Geneva, Rousseau answered an article of D'Alembert which appeared in the Encyclopedia favoring playhouses. Therein he called the theatre a school of vices and perverted morals. Voltaire was pricked to the quick fearing that his dearest hopes would not be realized. Later on Rousseau wrote a letter to Voltaire about his poem on the Lisbon earthquake. They became irreconcilable enemies. The great success of Emile excited

the jealousy of Voltaire, as Rousseau was growing in influence.

Indeed they vied with each other as to whom would lead the 18th century. Some think that J. J. Rousseau brought about a greater transformation of ideas and that Voltaire had a demoralizing influence. Victor Hugo in his poem, "A Glimpse into an Attic," styles Voltaire "that ape of genius to whom hell lent all its powers." He exercised them against Christianity. "Squelch the thing — *e'crasé l'infâme*" — was his war cry. Several different meanings have been attached to this term, and Guizot and others think Voltaire meant Christianity. What did much to spread the Voltairean spirit, which was materialistic and "composed of ignorance and sarcasm," was its way of attack—scorn: a terrible weapon in the hands of Voltaire as Guizot said: "His bitter and at the same time temperate banter disturbed consciences which would have been revolted by the materialistic doctrines of the Encyclopedists."

Rousseau directed his blows on another side. It was against society. He said: "I wrote on various subjects but always with the same principles: always with the same morals; the same belief; the same maxims and the same opinions." We find, indeed, his plan in all his works. He tries to prove in the "Essay on Letters, Sciences and Arts" that civilization perverted society. "Everything is good coming from the Creator; everything degenerates in the hands of man."

What was the end in view of the French Revolutionists? The answer to this question will show clearly how the works of Voltaire and J. J. Rousseau stand connected in spite of the contention between the authors. There is no need of speculation to find it out. The facts are plain. An altar to the goddess "reason" was erected at Paris and with the abolition of the classes the principles of Equality and Fraternity were loudly proclaimed. Evidently this is the outcome of Voltaire's irreligion and J. J. Rousseau's socialism. Guizot said: "The demon which torments France is even more Voltairean than materialistic." And what can be said of the "Contrat Social?" It became the Bible of the Convention. Mercier exclaimed: "To-day all the citizens meditate it and learn it by heart."

### The Muck-Rake Man.

WESLEY J. DONAHUE, '07.

Little orphan Chauncey's come to our house to stay  
An' shoo' the patent medicine and 'surance men away,  
To write his reminiscences and what he might have  
    been  
But for the *Cosmopolitan*, a ten-cent magazine.  
And all us other children when Chauncey's work is  
    done,  
We set around his whiskers, and has the mostest fun  
A-listenin' to the stories 'at Chauncey tells about,  
    And the muck-rake man 'at gits you  
    Ef you don't watch out.

An' once there were a lot of men who wouldn't  
    divy shares  
With one named Thomas Lawson, who lived with  
    bulls and bears;  
But 'fore they ever knowed it, afore they could cry  
    "shame!"  
In *Everybody's Magazine* they got their share of  
    fame.  
They cried: "Kill Tommy Lawson! Down with freedom  
    of the press!"  
But Tommy only wrote the more,—he's writing yet. I  
    guess,  
For the more they tried to quiet him the more did  
    Tommy spout,  
    And the muck-rake man'll git you  
    Ef you don't watch out.

And once some people spent their lives in curing  
    mankind's ills  
With panaceic mixtures put in bottles and in pills,  
Till Norman Hapgood dropped the tip in *Collier's*  
    *Magazine*  
That patent dope would kill as sure as good old  
    Paris green.  
Then Lydia Pinkham swooned away, Hostetter quickly  
    fled,  
Then Carter took a liver pill and straightway fell  
    down dead;  
Nobody bought Peruna, the druggists all sold out.  
    And the muck-rake man'll git you  
    Ef you don't watch out.

And sometimes in the evening when Chauncey's extra  
    blue,  
He rolls his eyes so knowing-wise and speaks, as  
    though he knew,  
Of how one Graham Phillips in a magazine of note  
Told how a lot of Senators had cut the people's  
    throat.  
Then Chauncey moralizes: "Yes, the happy time is past  
When one could serve the Interests first, the  
    common people last;  
And ef you e'er hold office why, you better look  
    about,  
    For the muck-rake man'll git you  
    Ef you don't watch out."

## A Voice from the Balcony.

FRANCIS T. MAHER, '08.

Sol Railes was a simple, credulous fellow who spent all his spare time and cash at Jack Moran's saloon. Sol was a great favorite with all the boys that patronized Jack's place, for his unfailing good nature, made him a grand butt for their practical jokes. Jack Moran, the big, jovial saloon-keeper, took special delight in "putting up jobs" on Sol. Times without number the boys could remember when Jack, leaning across the bar, had recounted to them, and to Sol especially, some of his daring and almost impossible adventures out in the far West. It was a known fact that Jack had once made a business trip to San Francisco, but as he had gone and returned in twenty hours and had travelled all the way in a palace-car, the actuality of his numberless exploits on prairies with blood-thirsty savages, bandits, stage coaches, and prairie fires might well be doubted; but to Sol they were marvelous, thrilling adventures, whose reality he would not dream of doubting; and the crowd—well, they believed it all for Sol's benefit. They would wink at each other and await their turn to rival the stories of the saloon-keeper's daring with tales of their own prowess. Sol's face, as he listened was a study; he kept his eyes intently fixed on the storyteller, followed every gesture, and sometimes, when the speaker would "put it on" extra heavy, beads of perspiration would stand out on his forehead. When the tale was finished he would heave a great sigh of relief at the thought of an escape from so perilous a situation; then he would ask that the most thrilling parts be repeated, and would listen again, scarcely daring to breathe till the end was happily reached.

One evening after supper Jack said to his bar-keeper: "Dick, you stay in the place to-night, I'm going up to the opera-house; I don't suppose the play will be of much account, but I'm going to take Sol along and he'll be a show in himself. Come on, Sol, let's go to the opera," he said coming around the bar with his coat and hat.

"All right, Jack," replied Sol, throwing

down the paper, "I haven't been to a show for a long time."

Some of the boys, scenting fun, declared that they were going along too. They found all the seats on the ground floor taken, and the best they could get were in the first row of the balcony. From the very beginning of the play Sol paid the closest attention, and as the plot unfolded itself he became more and more absorbed. Two little children had been stolen from their home by a malicious old hag who had a grievance against their mother; she had brought the little ones along through the woods to her hut which was placed at the left of the stage, and had concealed them in a loft overhead where, weary with travel, they fell asleep. Their distracted father enters looking everywhere for his lost children; he stops at the lonely hut in the wood to inquire of the good woman if she had seen his little ones.

"O no, sir!" said the old hag, as she courtesied to the ground, "I've not seen them at all, sir."

The grieving parent turned to go, but was stopped short by a hoarse shout from the balcony, and looking up he saw Sol leaning over the railing, his face flaming with wrath, and his clenched fist shaking at the old woman as he yelled:

"That's a damned lie! She's got 'em right there. She hid 'em right up there in the loft; I seen her do it myself. Hold on a minute, sir, and I'll come down and show you."

For a while it looked as though the play was over, for the laughter that rose from all parts of the house drowned the voices of the players and destroyed the sentiment of the scene. Up in the balcony Jack and the boys hugged each other in their hilarity. Sol had really turned to go down, but a policeman on duty caught him by the coat and said:

"Sit down for a while, my friend and try to cool off a little; and if he doesn't find them by the time the play's over, I'll let you go down and show him where to hunt."

"How was the show?" they asked Jack when he and the crowd came back.

"Great," replied Jack, "I never laughed so much in all my life. Ask Sol about it."

# NOTRE DAME SCHOLASTIC

Published every Saturday during Term Time at the  
University of Notre Dame.

Entered as second-class matter at the Post Office, Notre Dame, Ind.

Terms: \$1.50 per Annum. Postpaid.  
Address: THE EDITOR NOTRE DAME SCHOLASTIC,  
Notre Dame, Indiana.

Notre Dame, Indiana, May 19, 1906.

## Board of Editors.

EUGENE P. BURKE, '06

CHAS. L. O'DONNELL, '06	JOHN F. SHEA, '06
WILLIAM A. BOLGER, '07	JOHN M. RYAN, '06
THOMAS E. BURKE, '07	JOHN C. MCGINN, '06
WESLEY J. DONAHUE, '07	LEO J. COONTZ, '07
CORNELIUS HAGERTY, '06	EDWARD F. O'FLYNN, '07
WALTER O'DONNELL, '06	ROBERT L. BRACKEN, '08

—A few copies of the Year Book are out to-day. They will be sent to the different halls for inspection and will be on sale at the Students' Office in the first part of the week. Some of the original pictures, drawn by T. Dart Walker for "The Dome," are on exhibition at the Herr book-store at South Bend, and are causing a great deal of interest.

—On Thursday evening, May 17, the Notre Dame Debating Team defeated Georgetown University at Washington, D. C. The decision was unanimous for Notre Dame. This is the eleventh successive victory for *Alma Mater*, and the second of this year. Messrs. Gallitzen Farabaugh, Terence Cosgrove and Patrick Malloy made up the Notre Dame team and upheld the affirmative side of the question: "Resolved that labor and capital be compelled to settle their disputes by legally constituted boards of arbitration." A detailed account of the debate will appear in next week's issue of the SCHOLASTIC.

—On account of some misunderstanding about judges, the Notre Dame-De Pauw debate, which was to take place yesterday evening, May 18, has been postponed until

Wednesday, May 23. This may be disappointing to some, but perhaps it is better that a day or two elapse between victories—it helps digestion.

—During the last week the President of the University visited the different halls and tried to impress upon the students the importance of the final examinations. There remains but one more month in the school year, and students ought to make the best of it. Sincere and earnest work during these remaining days may remove all conditions and prepare a clean page for September. In June a special examination covering the last four months' work will be given those students who have been conditioned in their classes, and the regular two months' work will form the subject-matter of the examinations for those who "made good" in April. It is much wiser to perspire a little now and make up all deficiencies than to wait until September when the subject-matter has become somewhat obscure.

—A movement which has made some headway among universities is the forming of co-operative supply stores to furnish students with books, stationery, athletic goods, etc. These supply stores are managed by students who purchase participation cards of the Association. At the close of the year the profits are divided among the members of the Association, and in some cases these profits are fairly large. The Harvard Co-operative Society occupies a four-story building and employs as many as forty clerks.

—Mr. Constantine of Paris has brought the auto-mobile idea a step further in his invention of motor-skates. These skates operated by electric or gasoline motors the inventor says, will carry a man at the rate of twenty miles an hour; but some doubt of their practicability has been raised for the reason that it might be difficult to maintain a uniform speed in both skates and a man might find one leg running far in advance of the other, thus causing accident. The same result would be had no doubt, if alcohol were used instead of gasoline.

Elocution Contest.

—On last Wednesday afternoon the annual elocution contest was held in Washington Hall. This year the audience was limited to the members of the elocution classes, but the work of the contestants was none the less spirited and entertaining. The contestants were divided into two sections,—the first made up of the older students, and the second of the younger boys of Carroll Hall. Mr. J. Lambert Weist of Wala Wala, Wash., took the honors in the second section, and J. Hoyt Hilton, of Chicago, who won the medal from the younger boys last year, captured it this year from the "elders." The work of the young men reflects great credit on Professor Karr who has conducted the numerous elocution classes at the University. The judges of the contest were, the Rev. Dr. Nieuwland, C. S. C. Rev. William Marr, C. S. C. and Professor Schwab.

Athletic Notes.

NOTRE DAME, 10; INDIANA, 2.

Notre Dame trimmed Indiana Monday, good and plenty. They put Dunlap to the woods in three innings, getting six runs and eight hits in the first two innings. Waldorf was on the mound for the Varsity and allowed Indiana two hits and a scratch.

Murray got his customary three, a two bagger and a single. McCarthy was also there with the stick getting a three bagger and two singles. Notre Dame played the fastest game in the field that they have played this year; McNerny, Shea and Brogan, all making sensational stops and throws.

SUMMARY.

	R	H	P	A	E
Notre Dame					
Bannon, l. f.	2	1	0	0	0
McNerny, 2b.	1	1	2	1	1
McCarthy, r. f.	2	3	0	0	0
Murray, c.	4	3	7	0	0
Stopper, 1b.	0	2	14	0	0
Brogan, 3b.	0	1	0	3	1
Sheehan, c. f.	1	2	4	0	0
Shea, ss.	0	1	0	6	0
Waldorf, p.	0	0	0	5	0
Totals	10	14	27	15	2

SUMMARY.

	R	H	P	A	E
Indiana					
Boyle, 2b.	1	1	5	3	1
Bradbury, 3b.	0	0	2	3	0
Hare, 1b.	0	0	13	1	0
Moore, c. f.	1	1	3	0	1
McFerren, c.	0	0	2	4	0
Robinson, ss.	0	1	1	1	2
Hunter, r. f., p.	0	0	0	4	0
Ran, l. f.	0	0	1	0	1
Dunlap, p., r., f.	0	0	0	1	0
O'Donnell, r. f.	0	0	0	0	0
Totals	2	3	27	17	5

Three base hits—Murray, Robinson, Sheehan. Two base hits—Murray, Moore. Struck out—By Waldorf, 6; by Hunter, 2. Bases on balls—Off Waldorf, 4; off Hunter, 6. Hit by pitcher—Moore, Waldorf. Umpire, Mock.

\*  
\* \*

NOTRE DAME, 17; De Pauw, 2.

Poor De Pauw, the trimming they got to-day from Captain McNerny and his men was awful. The Varsity connected with Simpkin's curves for twenty hits. Brogan put one over the fence for a home run.

Mr. "Jer" Sheehan, who received his friendly knocks a few weeks ago in De Pauw's college paper, had his revenge to-day. Out of six times Mr. "Jer" got five hits, two three baggers, a double and two singles.

O'Gorman was on the mound and allowed eight hits, but they were well scattered and due in part to his "lopping" them up.

Perce turned a back summer-sault in right field, going after a fly, but hung to the ball.

Capt. McNerny's foot is worse and he may lay off to-morrow.

SUMMARY.

	R	H	P	A	E
Notre Dame					
Bannon, l. f.	3	3	1	0	0
McNerny, 2b.	1	3	2	4	0
McCarthy, c.	1	1	11	3	0
Perce, r. f.	0	2	2	0	0
Stopper, 1b.	2	0	8	0	0
Brogan, 3b.	3	3	1	1	0
Sheehan, c. f.	3	5	0	0	0
Shea, ss.	1	2	2	1	1
O'Gorman, p.	3	1	0	1	0
Totals	17	20	27	10	1

SUMMARY.

	R	H	P	A	E
De Pauw					
Allen, 3b.	0	0	1	4	2
Tucker, 1b.	0	2	11	1	1
Shirley, c. f.	0	0	5	0	0
Plank, 2b.	0	3	1	2	1
Renick, l. f.	1	1	2	1	2
Matthews, ss.	0	1	1	4	0
Raules, r. f.	1	0	1	1	0
Jewett, c.	0	1	5	0	1
Simpkins, p.	0	0	0	2	1
Totals	2	8	27	15	9

Home run—Brogan. Three base hits—Sheehan, Perce, McNerny. Two base hits—Sheehan, Brogan (2), Plank, Bannon, Shea, McCarthy. Struck out—By O'Gorman, 9. Bases on balls—Off O'Gorman, 1; off Simpkins, 5. Double play—Shea, McNerny, Stopper. Hit by pitcher—O'Gorman.

\*  
\*\*

NOTRE DAME, 5; WABASH, 1.

Wabash got hers to-day. Notre Dame touched up the fancy Mr. Rubash for seven hits. And on the way past let it be remembered that the same Mr. Rubash is some pitcher, and only due to the fact that Notre Dame has hitters things might have been different.

"Bill" Perce was on the mound for the Varsity and pitched the best game he has pitched this year. He allowed but four scattered hits. He had everything and was there at all times.

McNerny played, although his foot was on the bum and handicapped him terribly.

When Murray came to bat in the first inning the grand stand all said: "Now here is the famous Murray, and now see if he can hit?" And he could. The first ball pitched. Bang! Over the backfield fence for a home run.

Mr. "Jer" Sheehan would not be denied, and was there with two three baggers. It was Sheehan's and Brogan's hit in the seventh that won the game.

## SUMMARY.

Notre Dame	R	H	P	A	E
Bannon, l. f.	0	0	1	0	0
McNerny, 2b.	0	0	5	3	0
McCarthy, r. f.	0	0	3	0	0
Murray, c.	3	2	7	0	0
Stopper, 1b.	0	0	6	0	0
Brogan, 3b.	1	1	1	0	1
Sheehan, c. f.	0	2	1	0	0
Shea, ss.	0	0	3	2	1
Perce, p.	0	2	0	3	1

Totals	4	7	27	8	3
--------	---	---	----	---	---

## SUMMARY.

Wabash	R	H	P	A	E
Diddle, c. f.	0	1	4	0	0
Hubbard, 2b.	0	0	1	0	0
Cohen, 1b.	0	0	8	1	0
Bolten, 2b.	0	1	5	1	0
Harp, c.	1	0	5	1	0
Meyers, l. f.	0	0	1	0	0
Adams, r. f.	0	1	2	0	0
Lontz, ss.	0	0	1	1	0
Rubash, p.	0	1	0	3	0

Totals	1	4	27	7	0
--------	---	---	----	---	---

Home run—Murray. Three base hits—Sheehan (2). Two base hits—Murray, Perce. Struck out—By Perce, 6; Rubash, 6. Bases on balls—Off Perce, 1; Rubash, 1. Double play, Shea to McNerny. Umpire, Jones.

## The Brownson Banquet.

Saturday evening, May 12, the Brownson Debating Society forgot for a time the many mooted questions which they had been discussing during the past months, and feasted themselves magnificently at the Oliver Hotel. Mr. Gallitzen A. Farabaugh, critic of the society, made an excellent toast-master. The speeches and readings added to the evening's enjoyment. Fred. Eggeman gave an excellent sketch of Orestes A. Brownson from whom the society takes its name. Gene Clear gave "Farmer Brown's Letter." The genial Senator from Pulaski's recitation added to the evening's fun. If other speakers made a hit Mr. David McDonald made a home run. Mac's verses reminded one forcibly of Tom Hood or John Gordon Saxe. May the "cold chain of silence" never fetter our young bard's harp. "That Old Sweetheart of Mine" was recited by Mr. Lawrence Williams. Larry isn't a Hoosier, but for all that his rendition of the piece was very good.

Mr. Depew made his debut as an after-dinner speaker. This will be news to a great many who don't know Pamphile. His speech was in the regular Depew vein—what more need be said? The subject of Mr. Sprenger's talk was The President of the society. George who by the way comes from Peoria spoke from experience, for he was the first President of B. L. and D. S.

Mr. Young paid a tribute to Mr. Farabaugh who has watched over the society from the first and done everything to encourage the work of its members. The Brownson Beveridge "went down well," and was as sparkling and stimulating as of yore. Mr. Young whose reputation as a fluent speaker is settled fulfilled all expectations.

The President, Mr. Blum, treated of Good Fellowship and of the benefits of the society in general. He spoke well as he always does. Brother Alphonsus, the founder of the society, expressed his appreciation of the beneficial influence of the society among the students of Brownson Hall. The festival ended in merriment and laughter and all felt happy physically and intellectually.

## LAW DEPARTMENT.

The case of Sawyer v. Keeler was tried in the Moot-Court recently. M. J. Diskin and R. L. Bracken acted as attorneys for one party, R. A. Feig and M. T. Jauraschek representing the other. Judge Hoynes presided. F. J. Hanzel officiated as clerk.

*Statement of Facts.*

Samuel Sawyer is a merchant and resides in South Bend, St. Joseph County, Indiana. Kermit Keeler owns a lumber yard in the same place. In September, 1905, Sawyer purchased a lot on North Hill Street, with a view to building there. He had the plans and specifications of a fair-sized dwelling-house prepared by an architect. These were submitted to Bernard Biederman, a contractor, who agreed to erect the house for \$1800! Sawyer himself supplying and paying for the necessary materials.

The work was begun on the 27th of September. The materials were purchased as needed and called for by Biederman. Sawyer prepared from time to time lists of the things required, and called wherever he knew them to be on sale in order to compare and secure the lowest prices. On the 20th of November Biederman sent a message to Sawyer at the store, stating that he needed forthwith 4000 shingles.

"Very good. I'll have them there by noon," said Sawyer to the messenger. The latter at once returned and reported to Biederman what Sawyer had said in answer to the message. Keeler's yard was the nearest to Sawyer's place of business, and to it he repaired. He was told that 4000 of the best shingles for roofing would cost \$40. Being in haste he looked no further. He paid the price and directed that they be sent at once to Biederman. This was done. Sawyer happened to be present when they arrived, and was surprised at the smallness of the pile they made when unloaded. There were only eight packages, and he felt morally certain, judging from their size, that they did not contain each 500 shingles. To remove all doubt he had the packages opened by Biederman, and then proceeded to count the shingles separately one by one. The count, carefully made, disclosed just 2500 shingles, or 1500 less than he had bought and paid for. He hastened to the lumber yard and notified Keeler that he insisted upon receiving 1500 more shingles, or a return of the price of that number. Keeler said: "I sent you eight bundles, and according to a custom here two bundles

are always counted as 1000." Sawyer answered: "That's silly. I paid you for 4000, and not for eight bundles." "But we do not count them," responded Keeler, "we put them up in bundles of a certain size and call two bundles a thousand." Sawyer became indignant at this, and turning away thus expressed himself: "This whole thing is a barefaced fraud! What a swindle! How ridiculous to call 625 in two bundles 1000. I shall begin suit at once for the recovery of the price of the 1500 missing shingles." And so he did.

*Opinion.*

This case is based upon that of *Soutier v. Kellerman*, 18 Mo. 509. The facts in both cases are essentially similar. Soutier ordered and paid for 4000 shingles. He received from Kellerman eight bundles. On seeing them after delivery he said: "Those packages surely can not contain 4000 shingles, and I am going to count them." This he did and discovered that he had received only 2500. He called forthwith on the seller and accused him of being a swindler, adding: "You can't deny it, for I bought and paid you for 4000 shingles and you have sent me only 2500." The dealer answered: "There is certainly a misunderstanding. How many bundles did you receive?" Soutier replied: "Eight, but what has that to do with it?" "A great deal rejoined Kellerman. "The established custom of the trade in this community is to pack shingles in bundles of a certain size. We never count them. Two of these bundles we call a thousand." This explanation was not satisfactory to Soutier, and he began suit for the price of 1500 shingles. The case ultimately reached the Supreme Court on appeal, and the opinion there rendered stated the law to be well established as to custom, which may be viewed primarily as the backbone of the common law. In this instance the custom of trade in shingles, at least in that market, was to pack them in bundles of a certain size, without counting them, and to sell these bundles as containing an estimated number. As this custom entered into and formed part of the law in that market it was presumptively known to all who traded there. It entered into the contract between the plaintiff and defendant, not being expressly excluded by or inconsistent with its terms. Hence the court decided in favor of the defendant. The famous "Rabbit Case,"—*Smith v. Wilson*, 3 B. & Adol. 728—might also be cited to like effect. For the reasons stated the judgment of the Moot-Court is in favor of Keeler the defendant.

## Local Items.

—The swimming season has begun in good earnest.

—Dr. Walter Cannon, nephew of uncle Joe Cannon, speaker of the House of Representatives, sent the following telegram to his old prefect, Bro. Leander:

WASHINGTON, D. C.

B. LEANDER:—An old student congratulates *Alma Mater* on victory over Georgetown.

W. B. CANNON.

—The prospects for free first-rate boat races at Commencement are unusually bright. The gentlemen of the Navy are taking great interest in the work. There is no form of college sport so attractive at this season as skimming the blue waves in a light canoe or cleaving the main in a four-oar.

—Dr. W. H. Wathen, Dean of the Kentucky College of Medicine, and one of Notre Dame's LL. D.'s, visited the University last week and made a particularly careful examination of the departments of pharmacy and biology. Dr. Wathen, whose home is in Louisville, was an important figure at the meeting of the American Medical Association held in Chicago this week.

—Last Monday marked the inauguration of the Senior Privilege for students in the Collegiate and Law courses. By the Senior Privilege, members of the graduating classes are permitted to absent themselves from the University from the time of morning prayer until the time of evening prayer with the understanding that they are not to miss classes, religious exercises or exercises in Washington Hall.

—Brother Leander, who is Commander of the G. A. R. Post at Notre Dame, has arranged the following programme for the annual Decoratation-Day Exercises to be held in Washington Hall.

America.....	Audience
Lincoln's Address at Gettysburg—Galitzen Farabaugh	
Dropping from the Ranks.....	Glee Club
Father Corby at Gettysburg (Poem)—E. P. Burke	
Nearer, my God, to Thee.....	Audience
Address.....	Colonel William Hoynes
Decorating the graves of deceased members of the	
Notre Dame G. A. R. Post;	

—The Rev. A. P. Doyle, C. S. P., Director of the Apostolic Mission-House in Washington, D. C., lectured to the students of Holy Cross Hall on Friday afternoon, May 11th. Father Doyle spoke of the great opportunities for doing good that are open to the Catholic missionary in this country, and insisted on the great need of educated men to answer the questions that will be asked the twentieth-century priest. Father Doyle is an interesting speaker and his remarks were full of deep and earnest thought.

—Students, attention! Keep off the grass! Which reminds us that a Notre Dame poet sang as follows:

## AN AFFECTIONATE WARNING.

Keep off the grass, darling, keep off the grass!  
Stray not from orthodox paths as you pass;  
Let the bright verdure untrampled remain,  
Clothing the dry arenaceous plain.  
Manifold checks its exuberance grieve,  
Sunburn and frostbite it needs must receive;  
Add not your mite to its woe, then, alas!  
Keep off the grass, darling, keep off the grass!

Blacksmiths have aprons to keep off the sparks,  
Swimmers torpedoes to keep off the sharks;  
Parasols keep off the hot solar beams,  
Stouter umbrellas the pluvial streams;  
People who dwell 'mid malarial ills  
Always have something to keep off the chills,  
Why not belong to a numerous class?  
Keep off the grass, darling, keep off the grass!

—The following item is taken from the *South Bend Tribune*, May 17:

T. Dart Walker, the well-known artist, who has been at the University of Notre Dame for some time and who has been assisting in the illustration of the senior year book, the *Dome*, soon to be on sale, will leave the University to-morrow for his home in Goshen, Ind. Mr. Walker has made many friends while at the University, both there and in South Bend.

The work he has done while at Notre Dame has excited great admiration, and the public is given an opportunity to see a display of his original work at the Herr book-store on North Main Street. Some of his best drawings for the *Dome* are on exhibition, and it is expected will attract a large number of admirers.

The masterpiece of his work for this book is considered by many as the symbolic drawing called "106 and the Future." The *Mediæval Student*, a drawing used as a design for the literary section of the year book, is regarded as a close second, while another, "The Notre Dame Athletic Girl," has won great favor.

This is only one of many favors Mr. Miller has done the editors of the "Dome" in bringing it to the notice of the public, and they wish to take this occasion of thanking him for his continued kindness.

—The following "Special" to the *Chicago Record-Herald* brought the first detailed information about the debate between our law school and the law school of Georgetown:

## NOTRE DAME DEBATERS VICTORS.

PRESIDENT ROOSEVELT'S ADVICE AIDS IN CONTEST WITH GEORGETOWN.

[Special to the *Record-Herald*.]

Washington, May 17.—Notre Dame University of South Bend, Ind., to-night vanquished Georgetown University in debate, the question being: "Resolved that labor and capital be compelled to settle their disputes through legally constituted boards of arbitration."

Notre Dame was represented by T. B. Cosgrove of Chicago, P. M. Malloy of Iowa and G. A. Farabaugh of Pennsylvania. Georgetown was represented by a team from its law school.

This afternoon Representative Brick of Indiana presented the members of the debating team of Notre Dame University to the President and they discussed with him the topic chosen for debate, the President entering into an animated argument which developed several important points which the team used with effect to-night. They had the affirmative side of the question which the President so strongly supports.