



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

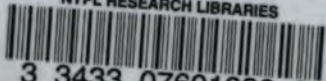
We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

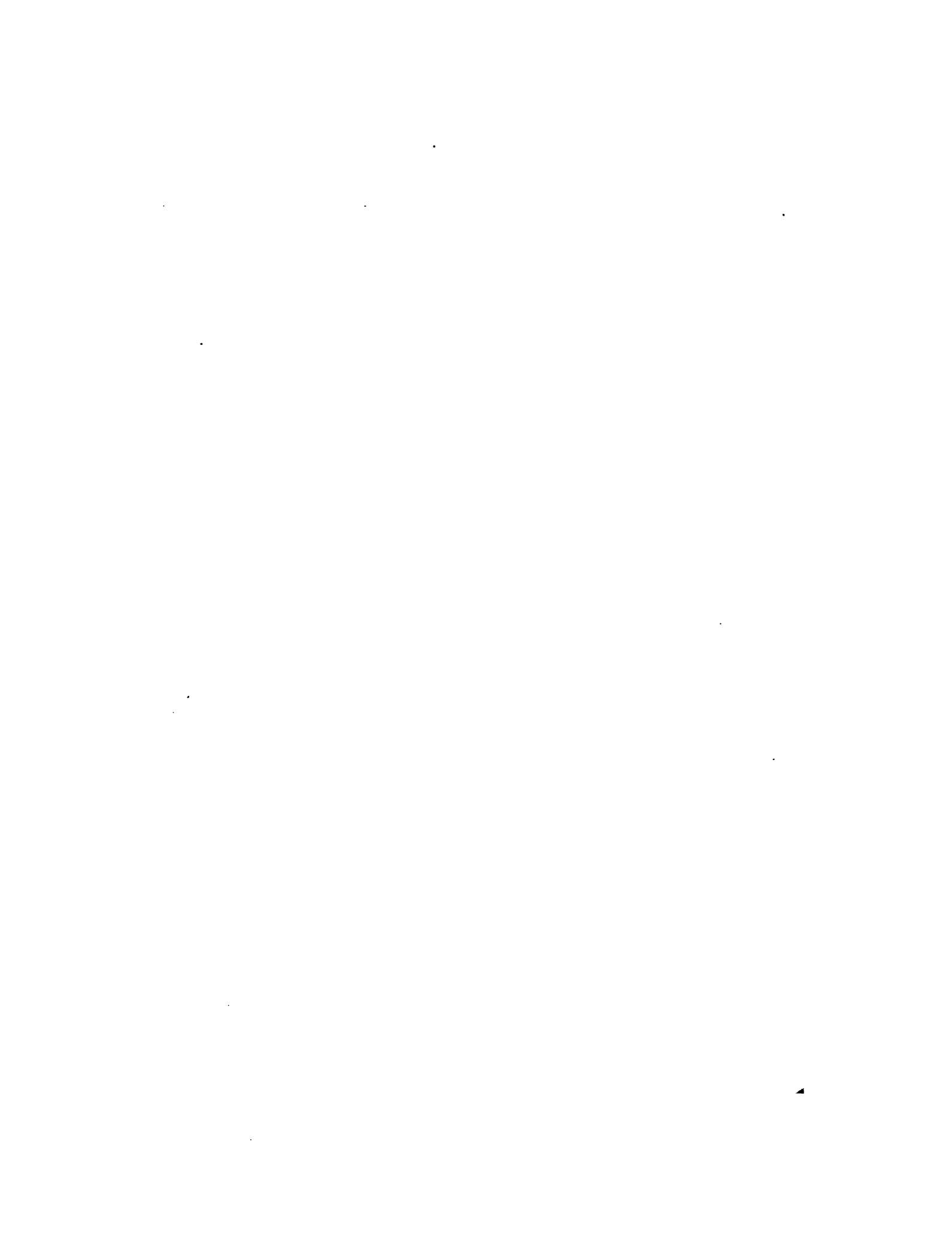
NYPL RESEARCH LIBRARIES



3 3433 07601030 9







1907
VI
April, Oct. 1903

771730

DELTA CHI
QUARTERLY



PUBLISHED BY THE FRATERNITY

APRIL, 1903

88

CONTENTS.

	Page
Introduction	5
The Founding of the Delta Chi Fraternity	10
The Chicago Convention	13
The Fraternity's Officers	17
Committees of Incompetent Persons	20
The Home of the Northwestern University Law School	28
The Installation of New York Law Chapter	31
Chicago Alumni Chapter	35
The Ninth Annual Convention	39
Petition of the Inner Temple of the University of Chicago	40
Chapter Correspondence	45
Editorials	59
Attorney's Directory	65

Entered at the Post Office in Chicago as Second Class Matter.

The . . .
**Delta Chi
Quarterly**



EDITED BY
HAROLD FERRIS WHITE,

The Temple, Chicago.

BUSINESS MANAGER
EDWARD C. NETTELS,
Old Colony Bldg., Chicago.

THE Delta Chi Quarterly is the official organ of the Delta Chi Fraternity, established by the Eighth Annual Convention, Chicago, Ill., July 11th, 1902. Published in January, April, July and October of each year. Subscription price fifty cents per year, payable in advance. Single copies twenty-five cents. Cards of Fraternity members will be carried in the Professional Directory, at the rate of \$1.00 per year. Other advertising rates furnished upon application. Subscriptions and remittances should be sent to the Business Manager.

Articles on legal topics and contributions of general interest to the Fraternity, are solicited from all members.

FRATERNITY OFFICERS.

HONORARY.

President.

COMMODORE DAVID BANKS, OF NEW YORK CITY.

Vice-President.

HON. CHARLES W. FAIRBANKS, OF INDIANAPOLIS.

Second Vice-President.

PROFESSOR ERNEST W. HUFFCUT, OF ITHACA.

Orator.

HON. AUGUSTUS V. DIVELY, OF ALTOONA, PA.

Poet.

PROFESSOR FREDERICK CAMPBELL WOODWARD, OF CHICAGO.

ACTIVE.

MR. JAMES O'MALLEY, "AA" Cornell, '02, Buffalo.

MR. CHARLES DIEBOLD, JR., "BB" Buffalo, '97, Buffalo.

MR. CHARLES HARRIS MOORE, "CC" N. Y. U., '00, New York.

MR. EDWARD CARLETON NETTELS, "DD" Chicago, '00, Chicago.

MR. A. FRANK JOHN, "EE" Dickinson, '00, Mt. Carmel, Pa.

CHAPTER OFFICERS.

CORNELL.

Mr. Ernest W. Bishoff	" A "	Delta Chi House	Ithaca, N. Y.
Mr. Isaac Allison	" B "	"	"
Mr. C. George Russ	" C "	"	"
Mr. Floyd L. Carlisle	" D "	"	"
Mr. Isaac Allison	" E "	"	"
Mr. J. W. Knapp	" F "	"	"

NEW YORK UNIVERSITY.

Mr. George E. Draper	" A "	252 W. 52nd St.,	New York.
Mr. J. Morton Boland	" B "	Hotel Winthrope,	"
Mr. Edward J. Wilson	" C "	Peekskill,	N. Y.
Mr. Arthur B. Widdecombe	" D "	New Brighton	L. I.
Mr. Harry S. Austin	" E "	Central Bridge,	N. Y.
Mr. George J. Corbett	" F "	305 W. 29th St.	New York.

MINNESOTA.

Mr. M. W. Moore	" A "	400 Washington Av.	S. E. Minneapolis.
Mr. H. H. Thomas	" B "	619 Thirteenth Av.	S. E. "
Mr. A. L. Myers	" C "	200 Harvard St.	S. E. "
Mr. George Riebeth	" D "	1033 Morgan Av.	North "
Mr. George Riebeth	" E "	" " "	" "
Mr. W. A. Francis	" F "	200 Harvard St.	S. E. "

MICHIGAN.

Mr. Wm. T. Hanlon	" A "	Delta Chi House	Ann Arbor Mich.
Mr. Orville R. Lighter	" B "	"	"
Mr. Thomas R. Waters	" C "	"	"
Mr. John A. Haver	" D "	"	"
Mr. Chas. A. Deignan	" E "	"	"
Mr. Rawle Weeks	" F "	"	"

DICKINSON.

Mr. Paul A. A. Core	" A "	Carlisle	Pa.
Mr. Albert S. Longbatton	" B "	"	"
Mr. Frank P. Benjamin	" C "	"	"
Mr. A. T. Walsh	" D "	"	"
Mr. Harry A. Hillyer	" E "	"	"
Mr. Joseph E. Fleitz	" F "	"	"

NORTHWESTERN.

Mr. Benj. F. J. Odell	" A "	867 W. Monroe St.	Chicago.
Mr. Marion H. McKinney	" B "	732 W. 67th St.	"
Mr. Alton F. Johnson	" C "	437 Belden Av.	"
Mr. Clarence E. Knowlton	" D "	287 E. Illinois St.	"
Mr. Clayton J. Barber	" E "	398 Superior St.	"
Mr. Russell Wiles	" F "	5711 Woodlawn Av.	"

CHICAGO.

Mr. W. S. Johnson	" A "	37 92 La Salle St., Chicago.
Mr. Joseph F. Peacock	" B "	195 California Av. "
Mr. Harry H. Barnum	" C "	510 131 La Salle St. "
Mr. William C. Miller	" D "	State Bank of Chicago. "
Mr. William C. Miller	" E "	" " " " " "
Mr. Charles F. Rathbun	" F "	601 First National Bank. "

BUFFALO.

Mr. Almon W. Lytle	" A "	37 White Bldg. Buffalo.
Mr. Walter S. Richardson	" B "	7 Erie Co. Bank Bldg. "
Mr. Charles A. McDonough	" C "	991 Elicott Square "
Mr. S. Fay Carr	" D "	626 " " "
Mr. Henry W. Doherty	" E "	91 Westwood Pl. "
Mr. F. Walter B. Walsh	" F "	40 White Bldg. "

OSGOODE HALL.

Mr. A. J. Slaght	" A "	28 Toronto St. Toronto, Ont.
Mr. Walter A. Sadler	" B "	235 Yonge St. " "
Mr. Hugh A. Rose	" C "	259 College St. " "
Mr. Edwin G. Long	" D "	23 Adelaide St. E. " "
Mr. Frank Ford	" E "	Parliament Bldg. " "
Mr. F. R. A. Carmen	" F "	Osgoode Hall " "

SYRACUSE.

Mr. Harry S. Edwards	" A "	Syracuse, New York.
Mr. John T. Gardner	" B "	" " "
Mr. Chas. L. Crane.	" C "	" " "
Mr. Girard S. Johnson	" D "	" " "
Mr. John A. Malloy	" E "	" " "
Mr. Clifford Axtell	" F "	" " "

UNION.

Mr. Milton W. Morrison	" A "	Delta Chi House Albany, N. Y.
Mr. Chas. A. Dunn	" B "	" " " " "
Mr. W. Burt Cook Jr.	" C "	State Library " "
Mr. Ray E. Nimmo	" D "	221 Eighth St. Troy, "
Mr. Alfred D. Dennison	" E "	Delta Chi House Albany, "
Mr. John L. Cummings	" F "	" " " " "

WEST VIRGINIA.

Mr. Harry Sherr	" A "	Morgantown W. Va.
Mr. Albert J. Collett	" B "	" " "
Mr. Chas. J. Hyer	" C "	" " "
Mr. L. D. Zinn	" D "	" " "
Mr. Stout,	" E "	" " "
Mr. Allison S. Fleming	" F "	" " "

OHIO STATE.

Mr. E. A. Spurrier	"A"	East Fifth St. Columbus, Ohio.
Mr. R. C. Taylor	"B"	East Town St. " "
Mr. H. C. Godown	"C"	South Fifth St. " "
Mr. C. B. Wonder	"D"	" " " "
Mr. E. J. Lambert	"E"	883 Oakwood Av. " "
Mr. W. C. Rowe	"F"	63 East Town St. " "

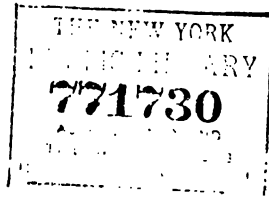
NEW YORK LAW.

Mr. Leroy T. Harkness	"A"	293 Clinton Av. Brooklyn N. Y.
Mr. James E. Downing	"B"	68 W. Washington Sq. New York.
Mr. Clifford G. Pearce	"C"	25 Pine St. New York.
Mr. Edward T. Casebolt	"D"	1005 Broad St. Newark N. J.
Mr. Leroy W. Ross	"E"	507 4th St. Brooklyn N. Y.
Mr. Chas. McIntyre	"F"	25 Broad St. New York.

ALUMNI CHAPTERS.

CHICAGO.

Mr. Emil C. Wetten	President	184 La Salle Street
Mr. F. J. R. Mitchell	Vice-President	1415 100 Washington St.
Mr. E. B. Witwer	Secretary	153 La Salle St.
Mr. George I. Haight	Treasurer	134 Clark Street.
Mr. H. L. Chapman	Sergeant-at-Arms	182 La Salle St.



DELTA CHI QUARTERLY

Vol. I.

APRIL, 1908.

No. 1.

INTRODUCTION.

In presenting to the members of Delta Chi the initial number of the Quarterly it is fitting that some explanation be made relative to the establishment of this—the official organ of the Fraternity—its purpose, its scope and its "*raison d'être*."

Before entering upon such a discussion, however, we wish to record our apology for what may seem to some of our readers, an unjustifiable delay in issuing the first number. When it was decided at the Eighth Annual Convention in Chicago, in July, 1902, to establish a fraternity publication, to be known as the "Delta Chi Quarterly," it was confidently expected that its appearance was simply a question of a few weeks, and would be accomplished with slight effort on the part of the editor and his assistants.

The plan, as outlined at the convention, seemed perfectly simple, the appointment of an editor and business manager, a request to the Alumni members for subscriptions, a few interviews resulting in "ads" sufficient to pay all expenses, an appeal to a few of our more illustrious brothers, for literary contributions, and *presto!* the Quarterly appears with neatness and dispatch. How different the picture presented in the light of actual realities! The enthusiastic endorsement of the convention and hearty promises of co-operation from the delegates became of little avail, when the meeting had adjourned, and those who took part in its deliberations had scattered to the four winds.

Very few, apparently, had taken into consideration the manifold obstacles that were to be met and overcome before the new enterprise could result in anything tangible.

For example, we were at once handicapped by the lack of a reliable list of Alumni and active members. The catalogue published in 1899 was found to be entirely inadequate, and in conse-

quence, of the hundreds of letters which were sent out, many were returned without having reached the persons to whom they were addressed, while we regret to say that many more failed of a response, for no other reason than that the recipients were not sufficiently interested to reply.

On the other hand, the proposition to establish a magazine devoted to the interests of Delta Chi met with instant favor among a large proportion of graduate members, and many of the letters received were hearty in commendation of the plan.

We take the liberty of printing two of these letters, the first from Brother James P. Magenis, Cornell, '00, the second from Brother Rollin W. Dole, Cornell '01.

"BOSTON, MASS."

"To the Editor,

Delta Chi Quarterly, Chicago, Ill.

DEAR SIR:

"As a member of Delta Chi, and as a former newspaper man, I want to cordially commend your enterprise in beginning a publication in the interests of the Fraternity. Nothing will so bind the boys together, nothing will so enlighten them as to matters important to our well-being, nothing will so awaken an interest as some form of periodical. It is well that you begin with a quarterly; it should soon be a monthly; and it should bristle with law and matters of fraternal interest. To bring about success you must have the wherewithal, the coin of the realm, constantly flowing in to replenish a ravenous exchequer. I know what the experience is. If ever a man is conscious of fixing his habitat between the devil and the deep sea, it is when he ventures to nurse a literary infant over the bridge of squalls. In this respect I believe that profanity is part of the legitimate vernacular of a newspaper office, for, at times being necessary, it is frequently useful.

The boys all along the line should add something to the finances. It is well to read a paper, it is better to help pay for it. You may put me down for a year's subscription, and you may place my card in your attorneys' directory.

Wishing you the success your enterprise merits, and, assuring you of my willingness to co-operate with you in any way open to me, I am

Fraternally yours,

JAMES P. MAGENIS."

"SALT LAKE CITY, UTAH.

"To the Editor,
Delta Chi Quarterly, Chicago, Ill.

I have just mailed my card subscribing to the new *Delta Chi Quarterly*. I also enclose card which I want to appear in the Attorney's Directory.

It is needless for me to say that I heartily indorse the idea throughout, and you may count on me to do my little share and more too, if necessary, to help the project along, for I believe it is the only available means of keeping the Alumni in close touch with each other and with the general undergraduate chapters. I will make it a point to see all the Salt Lake "Delts" and urge upon them their fullest co-operation.

Yours in Delta Chi,
ROLLIN W. DOLE."

The spirit manifest in the above letters is essential to the success of the undertaking, and we desire to impress upon every alumni, as well as every active member, the necessity of his personal assistance in making the publication, not only a help, but an honor to the Fraternity.

Under the provisions of the constitution, as amended last summer, each undergraduate member becomes a subscriber upon payment of his annual dues, thus assuring a subscription list of nearly two hundred and fifty, but in order to make the Quarterly self-sustaining, it is imperative that every alumni member should subscribe. An increase in circulation would mean an increase in the facilities for securing advertisers. It is to these two sources, we must look for financial support.

It is our hope and purpose to make the Quarterly interesting, not only to those who are now in college, but to the men who, though scattered throughout the length of the land, still cherish fond recollections of the days they spent in reading Blackstone and initiating unsuspecting recruits into the mysteries of Delta Chi. To accomplish this end, the Quarterly must be broad in its scope. It is proposed to establish a department containing original articles on legal and economic subjects, and many of the Alumni have expressed their enthusiastic approval of making

this an important part of the publication. Another feature will be the history and development of the various universities and colleges—the homes of our chapters. This series is inaugurated herein by an account of “The Home of the Northwestern University Law School,” with several illustrations. Another department, which it is planned to establish in a subsequent issue, is “Book Notes,” containing a short review of recent law and kindred publications. Of particular interest to the active members will be the “Chapter Correspondence,” as it will enable the various chapters to keep fully informed of the growth and important events in the current history of the Fraternity. It is absolutely necessary in carrying on the work of this department that Chapter Clerks should furnish the required data, and that it should be in the hands of the editor at least three weeks previous to the date on which the publication is to be issued. In this connection, we desire to call attention to the complete reports submitted by Michigan and Chicago Chapters as examples of what these letters should contain.

In procuring items concerning the Alumni we meet with a more difficult task. Whereas, in the active chapters, it is the duty of the clerk to report fully regarding initiants, and current events of interest, in the Alumni no one assumes such responsibility, and it is only by educating our readers to the point, where every happening in which a member of Delta Chi is concerned, will at once be recorded and submitted to the editor, that we can hope to reach any degree of thoroughness in the “Alumni Notes.”

We take occasion to urge upon every reader the importance of sending in, for publication, any items of news relating to members of his own chapter or class.

We also call attention to the department to be known as the “Attorney’s Directory,” which is of immediate interest to those who are actively engaged in the practice of the law, and of which more is said in one of our editorials.

In conclusion, we feel that the establishment of the Delta Chi Quarterly needs no defense. It is not an experiment, nor is it the hobby of one man, or any set of men, and if it proves success-

ful, as it must, credit will be due, not to its editor or a corps of editors, but to the efforts of individual members, through whose contributions and support the publication is maintained.

Some thirteen years ago the Faternity was founded at Ithaca. Its growth has been remarkable in view of the high standards maintained, and its achievements are too well known to need recounting here.

During the early stage of its development the chapters were very few and the graduate membership limited.

The Alumni by correspondence and visits to "Alma Mater" were able to keep in close touch with each other and with the active chapters, but there soon came a time, when those who had made Delta Chi history in the early 90's were no longer heard from. Their individual interests were all absorbing. They had little time to visit the scenes of college days. They neglected to correspond with former classmates. They received no notification of conventions, or other gatherings, and as there was no provision for the dissemination of Fraternity news, small wonder that they came to regard their connection with the organization, one in name only.

This condition was for a time unavoidable. The question of reaching the former active men was often discussed, and the plan to publish a periodical for circulation among active and alumni members was as often broached, and dismissed as unfeasible.

The time has now come, however, when all who have given the matter consideration, declare that such a publication is vital not only to re-establish in the hearts of the Alumni a sturdy allegiance to Delta Chi, but also to cement the various chapters in closer union and impress upon other fraternities the position we have taken in the Greek letter world.

And so, with the usual temerity of the novitiate editor, and with fraternal greetings, we present to the readers Volume one, Number one of the Delta Chi Quarterly.

THE EDITOR.

THE FOUNDING OF THE DELTA CHI FRATERNITY.

BY MONROE M. SWEETLAND, Cornell, '90.

Ithaca, N. Y.

I have been requested, as one of the founders of the Delta Chi Fraternity, to contribute to the initial number of the Quarterly, a brief history of the origin of our Fraternity, and an account of the conditions existing at the time of its advent.

The day has past when College Fraternities are obliged to defend their existence and demonstrate their use and worth; the waters of oblivion are washing out the last trace of opposition to the College Fraternity. It is now recognized as an approved and component part of our college system. It has been said, with much truth, that the benefits to the college student, derived from association with fellow students, in the activities and actualities of the miniature world of college life, are of unquestionable value but little inferior in results to those of the study and class-room. The student who for any reason is deprived of the advantages of intimate association with fellow students and of active participation in college affairs, has forever lost a part of the richest and most prized of life's experiences, "College Memories."

The College Fraternity system fosters love for *alma mater*, as well as the closest and most lasting friendship known to man. Fraternal ties are formed and cemented during a susceptible period of life when hope is high and life's disappointing realities have not burned out the romantic ideals of youth.

The writer was a post-graduate law student at Cornell University during the College year 1889-90. About that time was a period of marvelous growth and development for Cornell; it was in the palmy days of the administration of President Charles Kendall Adams; new buildings were springing up; each year saw a mighty increase in the number of students registered and all was well and prosperous at Cornell.

The Law School had been but recently established, but its faculty was unsurpassed by any in the land. It included Prof. Hutchings, now of The University of Michigan, Prof. Collin, of the New York State Statutory Revision Commission, and also legal adviser to Governor Hill and later to Governor Flower; and the distinguished Prof. Burdick, now of New York. The Law Faculty was composed of men who helped to build up and to make the

law; they had written their names and their records in the Law Reports of their States. Success was assured for the Law Department of Cornell and with it the certainty of receiving many students from the graduates of the general courses.

The Greek Letter Fraternities were, at this time, well represented at Ithaca, owning or occupying good and well furnished Chapter Houses, with a large average membership to each Chapter.

The writer was impressed by the fact that there was a very large number of most excellent men outside the established Fraternities and that Phi Delta Phi was the only Fraternity that confined its membership to the law students.

The Phi Delta Phi Law Fraternity, had established a Chapter at Cornell during the year 1888; its membership was large and it exercised a powerful influence in student affairs in the Law School. It was during the College year 1889-90, that considerable feeling was aroused among law students, not members of that fraternity because of the belief that it was attempting to control student and class politics.

The antagonism to Phi Delta Phi thus engendered, resulted in more or less discussion regarding the advisability of organizing for the purpose of securing full recognition in class and other college affairs. The writer was known to have some experience in fraternity matters and was several times urged to undertake such an enterprise, but the college year closed without a perfected organization.

The agitation, however, continued during the summer months among the students remaining in Ithaca, and in the month of July, 1890, it was decided to establish at Cornell University, a Greek Letter Fraternity, with membership confined to law students, having in view a conservative plan of extension among other institutions of good and approved standing. The organization was gradually perfected, but it was not until October 12, 1890, that Delta Chi was formally founded.

It seemed that a monogram badge was the most satisfactory, under all the existing circumstances and that the Greek letter Delta resting on the letter Chi would best express the mystic symbolism of the new Law Fraternity.

The first badge was made by an Ithaca jeweler from a design and drawing furnished by the writer; that design has not been changed. Judge A. S. Barnes of Binghamton, N. Y., has the first Delta Chi badge made and the writer has the second, both of which are worn by their owners constantly.

A governing body was organized in the fall of 1890, with the

following officers: Owen L. Potter, '92, "AA," John M. Gorman, '91, "BB," George A. Nall, '92, "CC," and Albert T. Wilkinson, '92, "DD," The early meetings of the chapter were held in the writer's office, but it was not long before a comfortable Chapter House was secured near the University.

In January, 1891, negotiations were opened for the establishment of Chapters at Ann Arbor, Cincinnati and Buffalo, but the first success was encountered in the New York University, where a chapter was installed May 28, 1891. Charters were subsequently granted in 1891 to the Albany Law School (re-established in 1900 as Union Chapter), 1892 to the University of Minnesota and De Pauw University (the latter having since been withdrawn), 1893 to the University of Michigan, Dickinson University and Northwestern University; 1896 to the Chicago College of Law, 1897 to the Buffalo University, and Osgoode Hall of Toronto, 1898 to the Syracuse University, 1902 to the University of West Virginia, Ohio State University and New York Law School.

As I look back over the early history of our Fraternity I am impressed with the recollection of the remarkable unity and true Fraternal spirit which then prevailed and has always been maintained in the parent Chapter of Delta Chi. We builded better than we knew, and the results have justified our brightest anticipations. Delta Chi has been a force for good and that good has not been confined to its members alone.

Union College gave to the world the Greek Letter Fraternity system; at the University of Michigan Phi Delta Phi was founded; later at Cornell University Delta Chi was founded. Michigan and Cornell have given to the College world the only Law Fraternities and each Fraternity will be better because of the other. Where there is room for Delta Chi there is room for Phi Delta Phi, each will spur the other to a higher standard, to loftier ideals and to truer service to *alma mater*.

THE CHICAGO CONVENTION.

By S. FAY CARR, of Buffalo Chapter.

The Eighth Annual Convention of Delta Chi Fraternity was held at the Grand Pacific Hotel on Wednesday, Thursday and Friday July 9th, 10th and 11th, 1902. In respect to the volume and importance of the business transacted, no previous annual meeting of the fraternity equaled this gathering. So, too, from the standpoint of entertainment and the promotion of a general good feeling among the delegates the Chicago convention stands out in *bas relief*.

It is not the purpose of this article to give in detail the business features of the convention. A full account of each session is published in the minutes and it is not too much to assume that every brother will be sufficiently interested to read the report. In this article the writer hopes to convey some idea of the royal entertainment furnished the visiting delegates by members of the Chicago chapters.

On Tuesday afternoon and evening, July 8th, delegations of tired and travel-stained men from various law schools of the country arrived in the windy City of Chicago. No sooner had they become accustomed to the hurly burly of the city, than their faces were brightened by the sight of Delta Chi brothers, who were waiting to welcome them to the Eighth Annual Convention of the Fraternity. Foremost among these was Brother Harold F. White, the general chairman of the entertainment committee, who, with the assistance of his associates, began the preliminary bout by announcing a reception to visitors and delegates to be held on the following morning.

The feeling of strangeness quickly disappeared and was replaced by a spirit of fraternal congeniality when Brothers John, O'Malley, Ferris, Moore and Nettels met at this reception. The novices were intent upon getting news about the different chapters, while the "regulars" exchanged reminiscences of former conventions.

After the first warming up the delegates adjourned to Kinsley's where an impromptu luncheon was served. On the way our hosts told groups of interested listeners the story of Chicago, from the time the flag was raised on Fort Dearborn through the first epoch of the city's history which ended when the cow kicked over the lamp in 1871. And on our way back, the second epoch

ending with the Haymarket Riot, and all the principal achievements, were related with a pride which only a Chicagoan can evince.

On Wednesday afternoon the first business of the convention began when the delegates were seated, many of whom, although tired from travel, refused to remain seated; but were so enthusiastic for Delta Chi that they were continually on their feet offering suggestions for the good of the fraternity. Brother Ferris took up the gavel for the first meeting, but thereafter Brother Harrie O. Stewart of New York, was chairman of the convention, being the unanimous choice of the delegates.

It was gratifying to note the energetic manner in which the infant chapters, Ohio State and West Virginia, participated in the business of the convention, ample evidence that there is no place for drones in our ranks.

Business of the afternoon and dinner over, a joyous crowd started on the "first night in Chicago." Truly a wonderful sight it was to see Brother John, of Dickinson, and Nettels, of Chicago, lead that gay and festive throng to the Masonic Temple "roof garden," there to be entertained by the one-man circus, "Ezra" Kendall, ably assisted by our whole company. By no means the least important feature of the performance was the debut of "Little" John, whose appearance on the stage brought exclamations of "Oh, my, what a dear," from the ladies and "Heraus mit cupid" from the gallery.

After leaving the roof garden and a brief visit to the tower, several were shown through the chamber of horrors at "The Empire." And although as James Whitcomb Riley says:

"In fact, to speak in earnest,
"I believe it adds a charm
"To spice the good a trifle
"With a little dust of harm."

Yet on this pleasure excursion, the harm was so near the good the morals of no member of the company suffered permanent injury.

This slight diversion proved an excellent preparation for the work of the morrow. The transaction of the real business of the convention began on the second day. Then it was that one of the most satisfying acts of the convention was adopted, namely, the granting of a charter to the petitioning body of the New York Law School. The committees appointed the previous afternoon



AT THE EIGHTH ANNUAL CONVENTION IN CHICAGO.

organized and assumed their respective duties and the work of the convention was well started.

The morning session completed the work for the second day and luncheon was served at Vogelsang's as a preparation for the most pleasurable feature of the convention. This was a tally-ho ride scheduled for the afternoon, making a tour of the north shore, including Lake Shore Drive, Lincoln Park and Sheridan Road, as far as the Edgewater Golf Club. A large tally-ho accommodated about thirty of us. Such an exuberant throng perhaps never before left the Grand Pacific Hotel. Every one was ready for a good time and helped others to get it. As we rolled along the Lake Shore Drive, tears were noticed in "Charlie" Moore's eyes. The cause for this could not be ascertained until "Rufe" Shirley ventured the suggestion that "Charlie's" pride in New York's Riverside Drive had for the first time been shattered.

When opposite the Public Library Building on Michigan avenue, a stop was made and the accompanying picture was taken.

It was the original plan to continue the drive to Evanston to visit the Northwestern University. But so much time was spent in replenishing the commissary department and in greeting maidens in the park with a cheery "Why, how do you do?" that it was too late to cover more than half the distance. The return was made by a different route, to the Bismarck Garden, where supper was served and the evening spent. The tally-ho was then dismissed and the journey to the city continued on the elevated. On the train which carried us homeward, Delta Chi had a special car. This afforded opportunity for a general "rough house," as one unfortunate and lone traveler will long have occasion to remember.

Leaving the car in the neighborhood of the Grand Pacific the crowd formed in line for a foot race, a prize being offered to the first arrival at the hotel. It is needless to say that in this contest Brother John outstripped all rivals, by cutting the corners sharply and finally ordering a hansom cab.

Friday, the last day of the convention, began by picking up the threads of business where they were dropped the day before. It was a busy day. Officers were elected and the place chosen for holding the next convention. The invitation of the New York Chapters to meet with them was unanimously accepted. Plans for establishing a fraternity publication were formulated. Prior to the election of officers a short recess was taken for the purpose of having a group photograph made. This session completed

the formal work of the convention, and a motion to adjourn to meet in New York at such a time as the entertaining chapters should designate, was adopted.

Last but not least was the banquet held in the Grand Pacific on Friday night. Here all the enthusiasm of the past three days was exhibited in sounding the praise of the Chicago and Northwestern Chapters. No words are adequate to express to these two chapters the appreciation of their generous hospitality, and with this feeling of having been royally entertained and the spirit of Delta Chi greatly strengthened, the Chicago Convention closed with the watch cry, "On to New York."



JAMES O'MALLEY, CORNELL, '02.

THE FRATERNITY'S OFFICERS.

Mr. James O'Malley, "AA," Cornell, '02, of whom the accompanying portrait is a speaking likeness, was born in the year 1875. At the age of 22 he entered Cornell University, and four years later received his degree of A. B., and in 1902, became a LL. B. His active membership in the Fraternity extended over his entire five years course at the University, and he is regarded by his contemporaries as one of the strongest and most popular men at Cornell during recent years. Brother O'Malley achieved distinction by winning the '86 Memorial Public Speaking Contest, the Stewart L. Woodford Oratorical Prize and the '94 Memorial Prize in debate. He was President of the Senior Class, Editor of the Cornell *Daily Sun*, and a member of the Honorary Society of Sphinx Head. During his last year at Ithaca, he was Chairman of the New Chapter House Committee, having for its object the construction of a permanent home for Delta Chi on the Cornell campus.

During all the years of Brother O'Malley's membership in the Fraternity, he has been actively engaged in fostering its interests, and the high position which he now occupies in its management and control, is richly deserved. He is at present engaged in the practice of the law at Buffalo, N. Y., being junior member of the firm of O'Malley, Smith & O'Malley. His brother, Hon. Edward R. O'Malley, of the same firm, was one of the founders of the Fraternity.

Charles Diebold, Jr., "BB," Buffalo, '97, is a native of that city, and with the exception of two years spent in the State of Nebraska, has lived there all his life. His early education was obtained in the public and high schools. In 1890 he entered the employ of the City of Buffalo as assistant clerk to the Board of Health, and continued in that service for nearly ten years. Entered the Law Department of the University of Buffalo in 1895, and received his degree of LL. B. two years later. He was President of the Senior Class, and took first prize for scholarship.

The Buffalo Chapter of Delta Chi was organized during Brother Diebold's senior year in college, and he was active in procuring its charter and was its first "B." He has always taken a leading part in fraternity matters, and occupies a conspicuous place in the history of this chapter.

In February, 1900, Brother Diebold entered the law firm of Fisher, Coatsworth & Wende, two members of which are Delta Chi men.

Mr. Charles Harris Moore, "CC," New York University, '00, was born in Chittenago, Madison County, New York, October 15, 1878. His early years were spent in the City of Brooklyn, where he received his education in the public schools, entering the New York University in 1897, and graduating with the class of 1900. He was initiated into the mysteries of Delta Chi in 1889, and during the two years following was an officer of the New York University Chapter. He represented his chapter as delegate to the Seventh Annual Convention, held at Buffalo in 1901, at which he was elected to the honorable office of "CC," and was re-elected at the Eighth Annual Convention held at Chicago in July of 1902. Was admitted to the bar of New York in 1901.

Brother Moore is at present Secretary and Treasurer of the Marston Securities Company, No. 27 William Street, New York City.

Mr. Edward C. Nettels, "DD," Chicago, '00, born May 12, 1870, at Moingona, Boone County, Iowa. He was a boy of seven when his father died, and received but a meager education in the public schools of his native village, being compelled at the age of 15 to leave home and seek employment in order to assist his mother and family in the struggle for existence. In 1885 he entered the office of a law firm at Burlington, Iowa, and there took up the study of stenography, and in 1887 began service with the Atchison, Topeka & Santa Fe Railway Company at Topeka, Kansas. In 1891 he was employed as secretary and confidential clerk to Hon. Geo. R. Peck, General Solicitor of the Santa Fe System, who, in 1892, removed to Chicago, taking Brother Nettels with him. In 1895, Mr. Peck became General Counsel of the Chicago, Milwaukee & St. Paul Railway Company, and Brother Nettels again accompanied him to the new field of labor. Entered Chicago College of Law in 1897, and was a graduate of the class of 1900. In May, 1902, he severed his connection with the Law Department of the St. Paul Company to accept a position in the General Freight Department of that Company, where he is now employed.

Brother Nettels' service to Delta Chi, his untiring interest in its advancement and his successful management of its finances during the past three years serve as a noteworthy example of what a man can do for the fraternity after his collegiate course is completed.

Mr. A. Frank John, "EE," Dickinson, '00, has resided at Mt. Carmel, Pa., since his birth, August 4, 1877. He was graduated from Mt. Carmel high school in May, 1896, and the following year pursued a special elective course at Williamsport, Dickinson Seminary. Was admitted to the Dickinson School of Law at Carlisle, Pa., in the fall of 1897, completed the three years course and received his degree in June, 1900. In the same month he was admitted to the Cumberland County bar, in May 1901 to the Supreme Court of Pennsylvania, and in August, 1901, to the Northumberland County bar. While at Dickinson Brother John was awarded the senior prize for the best thesis on the "Widow's Exemption in Pennsylvania." He became a member of Delta Chi in 1898, and was a delegate to the Sixth Annual Convention at New York, in April, 1900. Was elected "EE" at Seventh Annual Convention at Buffalo in 1901, and re-elected at Chicago Convention in 1902. He has been one of the most enthusiastic and conspicuous members in attendance at recent gatherings of Delta Chi.

At present he is practicing law at Mt. Carmel, Pa.

interest at legal rates and if his neglect is gross, his commissions may be forfeited. Should securities be accepted in lieu of cash, the committee is deemed to have made the investment himself and will be charged accordingly. But when the trust has been administered with fidelity and with the care and caution that would characterize a prudent business man in the management of his own affairs, if loss occurs it should not be visited upon the committee. Realty may be converted into personalty and the reverse, without regard to contingent interests of heirs or next of kin, provided the comfort of the lunatic be subserved, and personal property may, in the discretion of the court be applied to the improvement of unproductive real estate. Taxes and assessments must be paid by the committee, and direction from the court is not necessary to allow him to do so. *Certiorari* may be maintained to review the proceedings of tax boards and assessors if the committee is the party aggrieved.

Contracts made by incompetents are not infrequently the subject of litigation. As a formal adjudication of incompetency by its very essence declares the lunatic incapable of contractual powers, it follows that any deed, contract or agreement made after office found, is absolutely void, and it cannot be ratified by the committee. Where it appears that the contract was made before office found the question is merely whether it was fairly made and without advantage being taken of the lunatic. If so found it will be sustained. It has already been seen that the committee may maintain *certiorari* to review erroneous assessments. The committee may also maintain and defend any action, in his own name as committee, which the lunatic might before adjudication of incompetency. The committee may, it follows, sue on a note or other negotiable instrument and may also sue to compel the payment of a legacy or distributive share. An additional bond need not be given before suit is brought, as the penalty of the committee's bond is originally fixed in contemplation of such right of action accruing. Leave of court to bring suit is unnecessary where the committee is the plaintiff, but it is contempt to sue the committee without leave first had and obtained.

The helpless condition of lunatics and the greed of their relatives has resulted in many decisions, fixing and determining the duty of the committee toward the heirs and next of kin. Decisions have been uniform, following in America the rulings of the Court of Chancery in England. Ordranax thus states the rule:

“The first care of the Court is the maintenance of the lunatic, and after that it is a rule never departed from, not to vary or change the property of the lunatic so as to affect an alteration in the succession.”

In the Parse Merchants' Case, 3 Daly, 529, the Court said:

“No probable expense should deter the Court from directing to be done whatever appeared to be most advantageous to the lunatic, *without regard to the next of kin.*”

The committee owes no duty to the heirs or next of kin except as above stated. The governing principle in the management of the estate is the lunatic's interest, not that of those who have the right of succession. At a special term, the Supreme Court in New York County recently made an order directing the committee of a lunatic of very large estate to pay over a certain portion of the surplus income to the next of kin at stated intervals. This decision does not conflict with the rule, it appearing to the satisfaction of the Court that the incompetent would have made a similar provision for her relatives had she been sane. The estate in this case was so large that less than one-third of the income was used, and the application was made without opposition from the committee.

Debts of the incompetent are to be paid and his maintenance provided for in the first instance from the personal estate, but the entire estate may be expended. For these purposes the income must be applied before resorting to the corpus of the estate. The committee should by direction of the court advertise for claims against his incompetent's estate.

Upon assuming the duties of his office the committee must file an inventory, and he should submit a supplemental report whenever additional property is discovered. Some states provide for a yearly accounting and the appointment of referees to examine the condition of the trust. Final accountings occur upon the death, resignation or removal of the committee, or the death of the ward, and involve the examination of the accounts by a referee and judicial settlement by the court. A deceased committee's administrator accounts for his intestate. Upon the death of the ward the committee's powers cease and the courts have jurisdiction only to pass upon his accounts.

Counsel may be employed whenever legal services are necessary or whenever it is desirable to apply to the court for directions respecting the investment or disposal of the ward's property. The reasonable charges thus incurred may be allowed as a neces-

sary and proper disbursement. This is especially so if the estate is large, and where the ward has been benefited by an attorney's services the court will order the committee to pay for them. Clerical hire will also be allowed when necessary.

The committee is bound to maintain the lunatic as far as his means will allow and to place him in such a position that he cannot injure himself or others. The extent to which the committee may go in providing for the comfort, care and domestic establishment of the ward was carefully considered in the *Matter of Reed*, 18 Misc. (N. Y.), 285. The court said:

"It is the paramount duty of the committee of a lunatic to attend to her personal wants and comforts and to furnish her, so far as the funds in his hands will allow, not only with the necessaries of life, but all the proper recreation and amusements consistent with her former habits of living. * * * The care, health and comfort of the lunatic alone are to be considered. The maintenance of a lunatic is by no means limited to the amount of her income, but her whole estate may be expended in her support, should that become necessary. A committee may arrange for the maintenance of the domestic establishment of a lunatic to the same extent as before the beginning of lunacy."

There is no question that the committee is authorized to provide for the keeping up of the lunatic's family establishment, with the same number of domestics as had been customary previous to the lunacy and to expend for that purpose annually, an amount not exceeding that which had been annually expended before his faculties became impaired. The court will act as the lunatic would, were he of sound mind. What constitutes a suitable place of confinement is a question not to be exclusively decided by the legal characteristics of the committee. Undoubtedly the court may control the conduct of the committee in this respect, but until its power is invoked or exercised, the act of the committee will be deemed the act of the court.

Compensation of the committee of the estate is properly fixed on the annual accountings, the amount being generally the same as is paid to executors, administrators and guardians. In cases of more than ordinary unpleasantness or difficulty, an extra allowance will be made and so, where the compensation would be inadequate. The committee of the person receives an amount fixed by the court, upon proper application, and paid by the committee of the estate, and he may be allowed for personal services. When the committee of the person and of the estate

is united in one person, as is customary, compensation is due only in the first capacity. An allowance for expenses is always proper.

Death of the ward or exhaustion of the estate terminates the trust, and the committee may be removed for cause or allowed to resign. Vacancies caused by resignation or removal will be filled by the court, but a committee will not be allowed to resign merely because the duties are unpleasant.

In proceedings *de lunatico*, the equity side of the Court is invoked, and in conscience, whatever is for the best interest of the incompetent and his estate, will be done. The practitioner will find his chief difficulty in simultaneously conserving conflicting interests of the lunatic in person, of his estate, and of possible creditors. A tendency to favor the incompetent is generally shown. Technical perfection in original and mesne proceedings is insisted upon; haste or carelessness in this respect almost invariably invite successful direct attack. Fortunately, the judiciary realizes the importance of its functions in this class of cases; and the unfortunate condition of the insane making personal protection of his rights impossible, calls for and receives the most tender and considerate action of the Court.

THE HOME OF THE NORTHWESTERN UNIVERSITY LAW SCHOOL.

The School of Law of Northwestern University was founded in 1859, by the Honorable Thomas Hoynes, who, at that time, contributed \$5,000 for the purpose of establishing a law department in the old University of Chicago. This institution was the fourth of its kind to be established west of the Alleghenies. Its work has been continuous since 1859, but in the development and history of the old University of Chicago and of Northwestern University, the law school has occupied a rather curious place. The present Northwestern Law School was originally known as the University of Chicago Law School and was so called until the year 1873 when, for reasons of expediency, it came under the joint control of the two Universities mentioned, and its name was changed to the Union College of Law, by which it was known until the year 1891. In 1886, the old University of Chicago ceased to have active existence, and the Union College of Law came entirely under the management and control of the Northwestern University of which it was formally constituted a department in the year 1891, its name again being changed to that of the Northwestern University Law School.

Throughout the forty-four years of its existence, the school has been prominent in the west and especially in the City of Chicago. Many of the most noted men of legal history in Illinois have been associated from time to time, with its board of trustees and faculty, and more than one-fourth of the members of the Chicago Bar received their legal training here. The standing of its graduates in the community may be well illustrated by the fact that when, in 1902, the Republican party of Cook County nominated seven candidates for the bench, four were graduates of the Union College of Law.

In 1892, when the case system of teaching law was being recognized as probably the most advanced, steps were taken to improve the methods of the law school and bring them into harmony with these ideas. From that time, it can fairly be said that Northwestern University Law School has taken the lead in the enforcement of modern legal education. In the enlargement of its curriculum, the extension of the required period of study to three years and the introduction of case study, the school has been a pioneer and a leader in the West.



NORTHWESTERN UNIVERSITY BUILDING
LAKE AND DEARBORN STREETS.
THE HOME OF THE PROFESSIONAL DEPARTMENTS.

THE NEW YORK
PUBLIC LIBRARY
ASTOR LENOX AND
TILDEN FOUNDATIONS

Northwestern University in 1902, took a great stride forward by purchasing the old Tremont House, located at Lake and Dearborn streets, and fitting it for the use of its professional departments. The new quarters were expected to be greatly superior to those formerly occupied, but no one with the possible exception of the Dean, Mr. John H. Wigmore, anticipated the marvelous improvement. Shortly after the purchase of the Tremont House Mr. Wigmore, with the consent of the trustees, personally solicited the sum of ten thousand dollars to be expended solely for furnishings, and it is entirely due to his untiring work that the law department occupies the entire third floor of the building—one of the most handsome and best fitted suites that can be found in the country.

The school's quarters are entered from the landing on the third floor in the northwest angle of the building. All the wood trimmings are of oak, in weather stain; the wall coloring in all the corridors is yellow; in the Assembly Room, red; in Booth Hall, buff; and in the Library, Hurd Hall, Hoyne Hall, and the remaining rooms, green.

Opposite the entrance comes first the general office. Portraits of the Presidents of the Board of Trustees of the old Union College of Law, and of the members of the Law Committee of the present Trustees of Northwestern University, are on the wall and suggest the continuity of the school's existence under its forty-four years of successive administrations. So, also, in the Dean's office, on the left, portraits of the former Deans of the school, beginning with Hon. Henry Booth, bring down the tradition from 1859. Similarly, in the faculty room (to the right of the general office, beyond the secretary's office), a collection of the portraits of all the past and present members of the Faculty preserves the memory of those who have taken part in the work of the school, and includes many who have been distinguished in the local and national life of the profession. This collection is still incomplete, in regard to many of the older generation; but it is hoped that the missing likenesses may soon be secured. Over the fire place is appropriately affixed the handsome seal of the University, in colored plastic relief, done by Mr. F. Parsons, of Boston. The heavy settles, council-tables, and book-cases are designed to give an effect of scholarly dignity; and the room will be an appropriate one for the city meetings of other University governing bodies besides the Faculty of Law. Entering the north corridor, a bronze bust of Lincoln appears, placed against the west

wall. It is cast after the model by Bissell, owner of the death mask. Facing east from the Lincoln bust, one sees, in two lines on either side of the corridor, a series of plaster busts, representing the lawyer-orators of various ages and countries—Demosthenes, Cicero, Burke, Choate, Clay, Webster and Douglas.

On the right of the north corridor is the court room, fitted in the usual manner with judge's desk, clerk's desk, witness-box, jury-box, attorneys' table, and bar. This room is known as Hoyne Hall, after Hon. Thomas Hoyne, who founded the school. Over the desk is a crayon portrait of the founder, presented by his son, Thomas M. Hoyne, Esq., an alumnus of the school. In this room the Practice Court holds its sessions; and accordingly the walls have been hung with a collection of portraits representing the personages of particular interest to the future practitioners at the local bar. These include the judges of trial and Federal courts in Illinois, past and present, and distinguished members of the bar of former generations. This collection is a unique possession and would have been impossible to create, but for the generous courtesy of Hon. James B. Bradwell, formerly judge of the Cook County Court. The owner of an unrivaled collection of photographs of lawyers and judges, accumulated during forty years at the Illinois bar, he has had these reproductions especially made from his plates for presentation to the school. The collection of portraits of the judges of the Supreme Court of Illinois, in the library, is also a part of the same gift.

On the north side of the north corridor are three rooms destined for the use of the Legal Aid Bureau (a charitable work soon to be undertaken by the school); at present they are used for the storage and sale of books. Beyond them is the Alumni Room, an apartment intended to serve the convenience and attract the interest of visiting alumni. It is exclusively at their disposal, and is fitted with lockers, lavatory, book-cases, and tables, so as to afford them all the facilities of an office while in Chicago for the transaction of business. The walls are to be hung with portraits of the past and present officers of the Alumni Association, of alumni holding public office, and of class groups; but this collection is as yet incipient only, and much remains to be done by the alumni to make it fairly complete. Beyond this room is the Law Club Room, for meetings of the fraternities, sessions of the club, moot-courts and the like.

Last on the east is the assembly room, a long and spacious



FACULTY ROOM,
NORTHWESTERN UNIVERSITY LAW SCHOOL.



LIBRARY,
NORTHWESTERN UNIVERSITY LAW SCHOOL,

apartment, comfortably fitted for rest, reading and conversation. This apartment is intended as the social headquarters of the school, a common meeting ground for professors and students. For a city school, remote from the surroundings of a college campus, such a center of social life is indispensable. Dedicated to the spirit of scholarly fellowship, it will conduce to that friendly converse and intimate understanding which cultivate college loyalty and form some of the most pleasurable memories and useful associations of after professional life. The furnishings have all been adopted to emphasize the fraternal and professional tradition and spirit. Over the fireplace is another copy of the University seal, in colored plastic relief. Highbacked settles, at the east end of the room, framing the fireplace, form an inglenook. A small library of legal biographies and annals, celebrated trials, and works of general reference, is placed here; and a list of magazines and newspapers is maintained by students' subscriptions. Affixed to the south wall in the inglenook, is an oak shield, bearing in bronze letters the traditional motto of the school yell: "Ex delicto Ex contractu; This is Law." The walls bear also a varied collection of pictures, including a number of interesting cartoon caricatures in color of celebrated English judges, views of the English Inns of Court and of the courts of justice in England and various foreign countries, views of the homes of Marshall and of Webster, and pictures of other places and persons having an interest to the profession. The assembly room is to be known as Lowden Hall, after Frank O. Lowden, Esq., President of the Alumni Association.

One of the most prominent features of the assembly room, is a tall black oak grandfather's clock against the north wall, which was presented to the law school by the Northwestern Chapter of Delta Chi and which bears a brass plate indicating this fact.

The east corridor, leading south from the assembly room, is fitted with two hundred full-length lockers. On the right is a lecture-room, known as Hurd Hall, after Harvey B. Hurd, LL. D., who died in April last, after forty-three years of service. His portrait hangs on the west wall; and around the room are hung the group-portraits of the judges of the various state Supreme Courts. At the end of the east corridor is the main lecture room, known as Booth Hall, after Hon. Henry Booth, first dean of the school, who served from 1859 until 1892. Behind the lecture rostrum is a series of wall panels, concealing a long blackboard, the central ones sliding to uncover the board for use. In front of the

end panels, on brackets, are busts of Socrates, on the left, and of Blackstone on the right—the former, as the great master of dialectics and argument, typifying one chief method of class instruction, and the latter, as the classical model of dogmatic exposition, typifying the other chief method of instruction by lectures. Around the walls of Booth Hall are disposed a series of portraits (chiefly engravings and etchings) of the most eminent judges in English and American legal history—Mansfield, Eldon, Marshall, Story, Kent, and others.

Leaving Booth Hall by the west door, a short corridor, opening on each side into study rooms for students' clubs, leads into the library, which extends around the south and west sides of the buildings. The bookcases are here arranged to form alcoves; in each alcove is a reading table fitted with a double set of electric light standards. At one end of the west aisle, opposite the marble clock, is another copy of the University seal, affixed to the wall and dominating the room. On brackets at the abutments of the alcoves, facing into the aisle, are placed busts of Brougham, Bacon, Marshall, Hamilton and Shaw, typifying the legal scholars and jurists of our history. Thus far no other likenesses to complete this series have been obtainable; but those of Hale, Bentham, Kent, and a few others, ought certainly to be added, and it is hoped that in time they will be. This series forms a fitting complement to that of the lawyer-orators in the north corridor. On the walls of each alcove above the bookcases, is continued the collection of portraits of eminent lawyers and judges.

The faculty of the law school is, in every way, up to the high standard which has always been maintained by the school. Three of the faculty are members of the Delta Chi fraternity—Brothers Frederick C. Woodward, Cornell; Henry Clay Hall, Northwestern and Robert Clowry Chapman, Michigan.

The school is expected to grow considerably in the near future on account of the superior facilities which it has acquired by moving into the new quarters, and it is safe to say that for many years to come it will rank, as it has for nearly half a century, as one of the leading schools in the middle west.



BOOTH HALL (Court Room),
NORTHWESTERN UNIVERSITY LAW SCHOOL.



THE INSTALLATION OF NEW YORK LAW CHAPTER.

By EDWARD C. NETTELS, Chicago, '00.

When, at the Chicago Convention, in July of last year, the vote was cast which declared that the prayer of the petitioners for a chapter of Delta Chi in the New York Law School had been heard and favorably answered, it was the sincere hope of the writer that he might, long ere this, contribute to *The Quarterly*, a short article concerning the ceremonies attending the installation of our baby chapter. The vicissitudes of life and of an uncharitable world, however, made such a desire impossible of accomplishment, and now at this late date, I feel many doubts and misgivings, fearing that what I shall say may be considered by some as "ancient history."

But to the brothers who were deprived of the pleasure of being present on the auspicious occasion which ushered into existence this new offspring—still less than six months of age—these pages are dedicated.

At eight o'clock the evening of September the twentieth, in the year of Our Lord, nineteen hundred and two, at the Marlborough Hotel in the City of New York, there could have been found an assembly of young men, in full dress costume, wearing the purple, the cardinal and the buff. They had met at this particular time and place from all parts of the country, with a well-planned and definite object in view. The hustle and bustle attending the gathering, the many knowing signs and gestures, the open challenges and hearty repartee, all portended to show, to use a Western phrase—that "there was something doing."

The laughter of good-fellowship could often be heard above the noise and turmoil of the crowded thoroughfares, and many a stroller, enjoying the balmy autumn evening, dropped into the lobby of the hotel to satisfy his curiosity and learn the cause of so much merriment. Upon inquiry, the genial clerk at the desk would inform him that a "crowd of splendid fellows had chartered the use of the hotel for the purpose of conferring upon a dozen or more unsuspecting college men, a degree which would bind them to each other in bonds that could never be severed." And truly, such was the object of the meeting. The cardinal principle of Delta Chi, imprinted in the heart of every member is that he

considers himself happiest when he can share his happiness with others. And so, the spirit of good-will, and the love and affection of brother for brother dominated in this as it has in every meeting of the Fraternity since its organization.

In the absence of Brother O'Malley, who was suffering from a most critical attack of typhoid fever, and of Brother Diebold, Brother Charles Harris Moore, acted as presiding officer, assisted by Brother John of Dickinson, Brothers Carroll and Goodale of New York University Chapter, and myself. Prior to the installation of the New York Law Chapter, Hon. William F. Walsh, A. B. LL. M., Professor of Real Property, New York University, was admitted to honorary membership in New York University Chapter, and witnessed the further ceremonies with great interest and enjoyment.

The candidates were prepared for the ordeal through which they were to pass, in the Outer Temple, their robes and other unnecessary clothing being removed. They were then ushered into the Inner Temple in the order and manner shown in the accompanying cut; Brother James E. Downing in the lead, bearing the standard, closely followed by Brothers Edward T. Casebolt, Allan M. Chalmers, Le Roy T. Harkness, Spaulding Frazer, Charles McIntyre, Charles F. Murphy, Clifford G. Pearce, Hamilton C. Rickaby, Nelson B. Hatch, Le Roy W. Ross, Herbert G. Williamson and Reginald G. White.

It would be exceedingly interesting to follow each man through his mysterious journey, but as these pages may come under the eyes of those to whom such a revelation might create fear and trembling, that portion of my article must remain unwritten and be left to the imagination.

All preliminary duties having been performed, and the name, "New York Law," engrossed upon the Chapter Roll of Delta Chi, the committee on refreshments and programme announced a banquet as the next order of business. The room and table were profusely decorated with flowers, garlands and the colors of the Fraternity, in such harmony and artistic taste as to cause one to feel they had always been so. The menu, consisting of twenty-one varieties of choice viands, could not have been more carefully chosen, and it is needless to say that those partaking of it, unlike Oliver Twist, had no longings for more.

After coffee, and when the noise of friendly jests and "jollying" had ceased, the Toastmaster, Brother Charles Frederick Murphy arose, and in a most eloquent and convincing address, expressed



THE NEW LAW CHAPTER AS IT APPEARED AT THE INSTALLATION CEREMONIES, SEPTEMBER 20TH, 1902.

19 23 1954
10 11 1954
12 13 1954
14 15 1954
16 17 1954
18 19 1954
20 21 1954
22 23 1954
24 25 1954
26 27 1954
28 29 1954
30 31 1954

for the new chapter, the great satisfaction which it felt in welcoming the installing officers and visiting brothers to its initial dinner. He spoke with much enthusiasm concerning the hopes and aspirations of New York Law Chapter, and prophesied for it a most happy and successful career.

Without commenting upon the addresses of each successive speaker, we reproduce below the list of toasts and those responding:

TOASTS

TOASTMASTER

CHARLES FREDERICK MURPHY
New York Law School, '03

I am no orator as Brutus is,
But, as you know me all, a plain blunt man.
—*Julius Caesar*, 44, 2.

THE DELTA CHI QUARTERLY EDWARD CARLETON NETTELS, D.D.

Chicago, '00

Literature is an avenue to glory.—*D'Israeli*.

NEW YORK UNIVERSITY

DAVID BANKS

Here is a man—but 't is before his face;
I will be silent.—*Troilus and Cressida*, 4, 3.

LOOKING UP

A. FRANK JOHN, E.E.
Dickinson, '00

Though they do appear as huge as high Olympus.
—*Julius Caesar*, 4, 3.

THE BAR

WILLIAM STILES BENNET
Albany, '92

The law: it has honored us; may we honor it.
—*Daniel Webster*, May 10, 1847

THE CONDITION OF DELTA CHI IN NEW YORK

CHARLES HARRIS MOORE, C.C.
New York University, '00

Words do well when he that speaks them
pleases those that hear.—*As You Like It*, 44, 5.

THE BOND OF DELTA CHI

WILBER CURTIS GOODALE
New York University, '03

Now one good health
To our grand patron, called Good-fellowship,
Whose livery all our people hereabout
Are clad in.—*Dekker and Ford*, *Sun's Darling*, 4.

THE BABY

JAMES EDWARD DOWNING
New York Law School, '03

An' John P.
Robinson he
Sez this is his view o' the thing to a T.
—*Lowell*, *Bigelow Papers*, 4, 3.

When Brother Downing had finished his remarks which strongly reinforced those of the Toastmaster respecting the new chapter, delegates from many sister chapters responded to requests for a "five minute talk," and in the early hours of the morning "Dear Comrades" and "Auld Lang Syne" were sung, and the events of another happy gathering had become a part of the glorious history of Delta Chi.

CHICAGO ALUMNI CHAPTER.

By EDWARD B. WITWER, Northwestern '97.

Although a historical sketch of any organization is quite apt to be an uninteresting recountal of dates and dry details, especially if the writer be required to curb his imagination and confine himself strictly to facts; yet, a brief sketch of the Chicago Alumni Association of the Delta Chi Fraternity, however prosaic it might seem to the uninitiated, may, to the Delta Chi readers of the new fraternity magazine, prove not a little interesting and instructive, inasmuch as the Chicago organization is, in fact, the first alumni association established in the Fraternity, and also because its successful maintenance during the past three years may serve as an example and present a type of that form of fraternity activity and usefulness which, it is submitted, is bound sooner or later to become an indispensable adjunct to the national organization.

The establishment of the Chicago alumni association was to a great extent the result of informal dinners given by the Chicago undergraduate chapter and its alumni for the express purpose of facilitating the "rushing" of candidates. These modest dinner functions grew in popularity and soon were quite generally attended by the more enthusiastic alumni of the Northwestern and other chapters who resided in or near Chicago. At one of these meetings, held at the Union restaurant, January 18, 1900, definite steps to organize a permanent alumni association were taken by the election of Marvin E. Barnhart, Michigan '93, as temporary chairman, and the appointment of a committee, consisting of W. Wallace Kerr, Michigan '96, Ray M. Ashcraft, Northwestern '98, and John Lyle Vette, Chicago '98, to draft and submit a suitable constitution and by-laws. At a subsequent dinner, in the same place, February 8, 1900, at which meeting twenty-two alumni were present, a formal organization of the "Delta Chi Alumni Association of Chicago" was consummated, with the following list of officers:

President, M. E. BARNHART, Michigan '93.

Vice-Pres., S. N. REEVE, Chicago '97.

Sec'y-Treas., E. B. WITWER, Northwestern '97.

Sergeant-at-Arms, D. W. FISHELL, Michigan '98.

These officers, together with W. Wallace Kerr, Michigan '96, Ray M. Ashcraft, Northwestern '98, and Thos. H. Stevenson, Chicago '97, constituted the first Board of Directors.

Beginning with the first dinner of the alumni association, March 22, 1900, monthly meetings have been held more or less regularly ever since, excepting of course the summer months. To speak exactly, up to date, twenty-one meetings of this character have been held, with an average attendance of twenty-six, and all of them have been occasions of good fellowship and fraternal reunion, and well calculated to be sources of inspiration and helpfulness to the local Northwestern and Chicago chapters.

The second year of the existence of the alumni association began with the election of the following corps of officers, held February 28, 1901:

President, R. K. S. CATHERWOOD, Northwestern '99.

Vice-Pres., H. M. VANZWOLL, Chicago '00.

Sec'y-Treas., E. B. WITWER, Northwestern '97.

Sergeant-at-Arms, S. N. REEVE, Chicago '97.

Board of Directors, M. E. BARNHART, Michigan '93; D. F. MATCHETT, Cornell '94, and OSCAR LINDERHOLM, Michigan '00.

An important innovation in the social activity of the alumni association was the giving of formal dancing parties, the first of which was held March 9, 1901, at the Academy of Prof. A. E. Bournique. To State Senator C. Porter Johnson more than to any other single alumnus is due the credit of inaugurating this social departure. The success of the first party was so unmistakable that the "Annual Dance" is now an established social event of the Chicago Delta Chi. The "Second" and "Third" annual parties were held at the Hotel Metropole, April 4, 1902, and January 16, 1903, respectively, and both functions were, in all respects, notable social successes.

The activities of the Chicago Alumni Association have not been entirely inclusive, however. As opportunity has offered, its energies have been directed to the development of policies looking to the ultimate welfare and advancement of the interests of the general fraternity. As early as the fall of 1901, the feasibility of providing, by constitutional amendment, for the institution of alumni chapters, received its attention; and in December of that year a "Memorial," addressed to the governing body of the Fraternity, was duly transmitted by the Alumni Association, submitting for its consideration the proposition whether the interests and

welfare of the Fraternity might not be materially fostered and advanced by the establishment of alumni chapters, wherever practicable, with privileges and duties, under certain limitations, similar to those possessed by active chapters. Although no formal action on said memorial was taken the Eighth Annual Convention of the Fraternity, held in Chicago, July 9-11, 1902, provided, by necessary constitutional amendment, for the establishment of such chapters; and, furthermore, as one of its last official acts before adjournment, granted the petition of the Chicago Alumni Association asking for a charter as an alumni chapter.

The Alumni Association recalls with more than ordinary pleasure and satisfaction the presence in Chicago last July of the annual Delta Chi convention. This occasion afforded the members an opportunity to co-operate with the two local active chapters in the entertainment of the distinguished officers and members of the fraternity and the delegates of the various chapters, and to claim a more intimate acquaintance with the personnel of the leaders in Delta Chi and to share with them a closer insight into policies and work that should advance at no uncertain pace the fame and prosperity of the general Fraternity in the future.

The Alumni Association is now entering on the fourth year of its activity, its present officers being:

President, EMIL C. WETTEN, Michigan '95.

Vice-President, F. J. R. MITCHELL, Northwestern '99.

Secretary, E. B. WITWER, Northwestern '97.

Treasurer, GEORGE I. HAIGHT, Northwestern '02.

Sergeant-at-Arms, H. L. CHAPMAN, Michigan '99.

Directors, W. J. KIRK, Chicago '01; A. A. MCKINLEY, Chicago '00; and CHAS. E. BARTLEY, Chicago '96.

While the Chicago Alumni Association can refer with much pride to an eventful if short past, and can face the future with some measure of confidence, it should be said that its present healthy and promising condition is due in no small part to the helpful co-operation and enthusiastic presence, at many of its business and social activities, of the members of the local chapters, without a recognition of which indebtedness this article would be incomplete. The relations and welfare of active and alumni members of the Fraternity have been and should ever be reciprocal and inter-dependent, especially so in Chicago; and due credit is

herewith accorded to the Chicago and Northwestern chapters for the part they have taken in starting influences which have encouraged and developed a formal organization of the alumni, now become the new and first alumni chapter of the Delta Chi Fraternity.

THE NINTH ANNUAL CONVENTION.

The Ninth Annual Convention of the Fraternity will be held in the City of New York April 16, 17 and 18, next, with headquarters at the Fifth Avenue Hotel. Elaborate arrangements have been perfected by the Convention Committee, of which Edwin M. LaRoche, N. Y. U., is Chairman, Charles H. Moore, N. Y. U., Treasurer, and Charles F. Murphy, N. Y. L., Secretary.

It is to be hoped that each Chapter will be represented by one or more delegates, who need no assurance of a most hearty welcome, and three days convivial hospitality

For the benefit of those who have not received a copy of the programme sent out by the Convention Committee, we reprint the same below:

PROGRAMME.

THURSDAY, APRIL 16th.

- 10.00 A. M.—Opening Session of Convention, in Parlor D-R.
 12.00 to 12.30 P. M.—Luncheon served to Delegates.
 12.30 to 2.30 P. M.—Second Session of Convention in Parlor D-R.
 2.45 P. M.—Coaching Party starts at the Fifth Avenue Hotel. Thence up Fifth Avenue, viewing en route the homes of New York's "400," to Central Park.
 Through Central Park past the Metropolitan Museum of Art, Cleopatra's Needle, and various points of interest.
 Through 100th Street to Riverside Drive. Down Riverside Drive and thence across the city to the east side for
 6.30 P. M.—Dinner at New York's famous Bohemian Resort, the Café Boulevard.
 After dinner, visiting brothers will be free to go and do as they please. It is suggested that a trip through New York's slums, together with a visit to the Hebrew and Chinese Theatres, might not be without interest.

FRIDAY, APRIL 17th.

- 10.00 A. M.—Third Session of Convention in Parlor D-R.
 12.00 to 12.30 P. M.—Luncheon served to Delegates.
 12.30 to 3.00 P. M.—Fourth Session of Convention in Parlor D-R.
 3.00 to 6.00 P. M.—Delegates desiring to visit the down-town and business sections of the city will assemble in the lobby, where parties will be organized.
 7.45 P. M.—Theatre party, join Committee in the lobby, from whence party will proceed to Wallack's, Broadway and 30th Street, to hear George Ade's production, "Sultan of Sulu."

SATURDAY, APRIL 18th.

- 10.00 A. M.—Fifth Session of Convention in Parlor D-R.
 12.00 to 12.30 P. M.—Luncheon served to Delegates.
 12.30 to 4.00 P. M.—Closing Session of Convention in Parlor D-R.
 7.00 P. M.—Convention Banquet at the Fifth Avenue Hotel.

PETITION OF THE INNER TEMPLE OF THE UNIVERSITY OF CHICAGO.

At the coming Convention in New York City there will be presented for consideration of the delegates a petition from the Inner Temple of the University of Chicago, praying admission as a Chapter of Delta Chi. If this application is granted, it will mean three Chapters in the City of Chicago, but any one familiar with the conditions which exist there, knows that the two Chapters already established are amply qualified to maintain successfully their independent existence, while we are assured that the University of Chicago, located as it is eight miles from the center of the city presents a field entirely distinct from that occupied by the existing Chapters, and in fact we are led to believe that very little attention need be given this phase of the situation in determining the advisability of granting a charter.

A brief resume of the facts outlined in the petition may not be out of place.

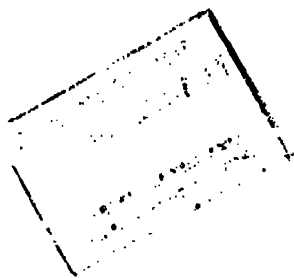
The establishment of the Law Department of the University of Chicago was a natural and necessary step in the development of the work of that institution. The trustees and Faculty made a careful and systematic study of the problem, and announcement of the opening of the Law School was made about a year ago.

It was decided to require for admission the completion of three years of college work and to confer the Bachelor Degree upon the completion of the first year of the Law School work, while the second and third year being graduate work, it seemed proper to grant to those who complete the curriculum the degree of Doctor of Law. Of course, in this respect the new University of Chicago Law School takes a great stride in advance of similar institutions in the west, which, without exception, require for admission only the completion of a high school course, and places itself on a standard with Harvard and Columbia.

The Law School is temporarily housed on the second and third floors of the Press Building, which was finished in the summer of 1902, and is one of the best and most modern buildings of the University. Plans have been accepted for the new Law Building, which will probably be ready for occupancy in 1904, and from a description of the proposed building, it will equal or surpass anything of its kind in the country.



THE INNER TEMPLE OF THE UNIVERSITY OF CHICAGO.



The Faculty of the new Law Department includes many men of note: Joseph Henry Beale, Jr., A. M., LL. B., is Dean, and was for a number of years Professor of Law at Harvard. Other members of the faculty are: Ernst Freund, J. U. D. and Ph. D., Horace Kent Tenney, A. B., LL. B., Blewett Lee, A. B., LL. B., formerly Professor in the Northwestern University Law School; Julian William Mack, LL. B., formerly Professor in the Northwestern University Law School; Clark Butler Whittier, A. B., LL. B., formerly Associate Professor at Leland Stanford University; Honorable Henry V. Freeman, A. M., Presiding Justice of the Branch Appellate Court, First District of Illinois; Hon. George R. Peck, A. M., LL. D., General Counsel of the Chicago, Milwaukee and St. Paul Railway; James Parker Hall, A. B., LL. B., formerly Lecturer in the Buffalo Law School and later in the Leland Stanford University; Charles Edward Kremer, formerly Lecturer at the Chicago College of Law; Frank F. Reed, formerly Lecturer at the University of Michigan and Chicago College of Law; Samuel Wilson, A. M., LL. B., besides other men of equally high standing.

The petition is signed by twelve students of the Law School, whose names and achievements are given below:

ORVILLE ELBRIDGE ATWOOD, JR., Ottawa College; A. B. University of Chicago. Captain Ottawa College Foot Ball Team, '99; Class President; President Athletic Association; Business Manager, The Ottawa Campus. The University of Chicago Foot Ball Team; Junior College Council; Senior College Council; President Sophomore Class; Junior Prom Committee; Senior Prom Committee; Cap and Gown Board; Delta Tau.

FRANK JOSLYN BAUM, Lewis Institute, '98; Michigan Military Academy; Cornell University, Sibley College of Mechanical Engineering; Boardman Hall Law School, fall '02.

JOSEPH WALTER BINGHAM, A. B. University of Chicago; Editor *Weekly* Board; Cap and Gown Board; Banjo Club; Banjo Sextette; Treasurer of Oratorical Association; Senior College Council; Captain University Tennis Team; Secretary Western Intercollegiate Tennis Association. Phi Gamma Delta.

JOHN ROBERT COCHRAN, University of Wisconsin Law School, '04; Columbia Debating Society; John Marshall Law Club; Holder of Law School Scholarship, University of Chicago, '02-'03

FREDERICK DICKINSON, Lombard College. President Ero-sophian Literary Society; Swan Prize in Oratory; Manager Base Ball Team; Managing Editor, *The Cannibal*, Jubilee Year Book.

SIDNEY JENNINGS DILLON, Lewis Institute, '98; Track Team; Forum Debating Society; Glee Club.

GEORGE PHILIP HAMBRECHT, University of Wisconsin, '96; Athenian Debating Team; Junior Oratorical Contest; Secretary of University Co-operative Association; Holder of Law School Scholarship, University of Chicago; Chairman of the Law School Council. Theta Delta Chi.

OTA PATTY LIGHTFOOT, University of Fort Worth; Athenian Debating Society; Basket Ball Team.

CHARLES RALSTON McMILLEN, Oberlin College; Foot Ball Base Ball, Basket Ball and Track Teams, University of Chicago '03, Law, '05; Manager Glee and Mandolin Clubs; Track Team. Alpha Delta Phi.

JOHN CARLYLE MOORE, A. B. University of Toronto; Arts Relay Team; Second Foot Ball Team; Class Foot Ball Team; Class Hockey Team; University of Chicago Track Team. Delta Kappa Epsilon.

HENRY WILLIAMS STINESS, Brown University; Base Ball Team; Gymnasium Ball Committee; Delegate to Intercollegiate Con-vention; Treasurer Junior Prom Committee; Junior Week Com-mittee; Brown Yacht Club; Chairman Brown Committee; Man-ager Law School Base Ball Team. Delta Kappa Epsilon.

MAURICE WALBRUNN, A. B. University Missouri; Junior Prom Committee; Phoenix Club. Theta Nu Epsilon.

BOSTON UNIVERSITY.

Following the recommendations of the Committee on New Chapters, of the Seventh Annual Convention, held in Buffalo, the Fraternity officers communicated with officers of the Epsilon Pi, a local Fraternity in Boston University, making inquiry regard-ing their progress in petitioning for the establishment of a Chap-ter of Delta Chi. Upon receipt of reply it was found that the University did not present at that time a proper field for a Chap-ter, and no further action was taken.

NEBRASKA COLLEGE OF LAW.

On March 9th, 1902, the "C" of Minnesota Chapter, presented a letter from a student of the Nebraska College of Law, located at Lincoln, Neb., making inquiry concerning the requirements, mode of procedure, etc., for securing a charter. Investigation was made through members of the Fraternity living in Omaha, and it developed that the law course of the College covered but two years, which precluded the possibility of establishing a Chapter, under present conditions.

COLORADO UNIVERSITY.

On March 15th, 1902, the "C" of Michigan Chapter forwarded a communication received from a brother Delta Chi living in Denver, in which he stated the Colorado University afforded an excellent opportunity for a Chapter, and in a later communication gave the names of the men who contemplated petitioning, and submitted an outline of their social and class standing. From the tone of his letters and the fact that no further correspondence has been received on the subject, it is inferred that objection was found to the burden of expense attending the installation, which would necessarily be large on account of the distance installing officers would be compelled to travel.

DETROIT COLLEGE OF LAW.

A petition was presented by eighteen students of the Detroit College of Law in December last, making formal application for a charter. In compliance with the constitutional provision, the petition was passed upon by the Fraternity officers, a majority of whom favored the establishment of a chapter in the Detroit College; the active chapters, however, were not agreed upon the advisability of expansion in that direction, and as a result the petition did not receive a sufficient number of affirmative votes, and the application was, therefore, denied.

UNIVERSITY OF PENNSYLVANIA.

There has been considerable agitation for the past two or three years concerning the establishment of a chapter at the University of Pennsylvania. Correspondence has passed from time to time between students of the University and the "CC" indicating a desire on the part of the former to secure a charter, and with this object in view, the field was recently visited by a committee representing the Fraternity. From the standpoint of its number of students, nearly four hundred, the University affords a splendid opportunity for expansion. It has a magnificent law college, and its building is reported to be one of the finest in the country devoted to such a purpose. No affirmative action has been taken looking toward the establishment of a chapter, but it is believed in the near future arrangements will be consummated which will result in a petition being presented.

YALE UNIVERSITY.

During March of the present year, a petition was presented by students of the Yale Law School, comprising the "Inner Temple Society." In view of the fact that this petition was filed only a short time prior to the date of the Ninth Annual Convention to be held in New York, April 16-18, it was deemed advisable by the authorities to defer action until that time, when the question will be brought up for final decision by the delegates in attendance. There is little doubt that the result of this application will be the establishment of a chapter at Yale University within a short time.

Inquiries have also been received from students at Harvard, Columbia and the Universities of Illinois, Wisconsin and Virginia, but thus far no definite arrangements for the establishment of chapters therein, have been consummated.

CHAPTER CORRESPONDENCE.

CORNELL.

Probably the most notable event of the year was the opening of our new chapter house at No. 503 East Buffalo street, a three-story brick building formerly owned by the Alpha Delta Phi Fraternity, accommodating nineteen or twenty men. During the summer extensive repairs were made throughout, and the house now compares very favorably with those of the other fraternities in Ithaca.

The year opened most auspiciously for us, seventeen men having returned, and we have since initiated William Duke, '05, J. W. Buffington, '06, H. P. Henry, '05, President of last year's Freshman class, A. R. Cornwall, '05, H. E. Richardson, '05, President of the Sophomore Class, Henry Jack, '06, and Daniel Reed, '98, Captain of the Foot Ball Team of that year, and head coach of the squad during last season.

Floyd L. Carlisle, '03, is President of the Senior Class and leader of the debate team which met Pennsylvania in December. Ralph Hoskot, '05, was elected to the Masque, the undergraduate theatrical organization. J. W. Knapp, '03, was honored by appointment as a member of the Senior Society of Sphinx Head, and is the third man from our ranks to join that society during the year.

Among the highly valued relics which hang in our Chapter House, is the stern and coxwain's seat of the Henley shell, Frederick Colson, '97, of our Chapter, was coxwain of that year's crew, which was the only Cornell Crew that ever competed at Henley. The souvenir is specially prized on that account.

NEW YORK UNIVERSITY.

During the year we have opened jointly with the New York Law Chapter, a chapter house at No. 70 Washington Square. We have a library containing a complete set of the New York Reports, together with other reference books, and the house is well equipped in all respects.

Our present chapter roll numbers fifteen, and among the late

initiants are Brothers J. M. Bowland, R. A. Patterson, G. J. Corbett, Harry A. Austin, H. F. Quackinbos, M. D., all of '04, E. J. Wilson, '03, and A. B. Widdecomb. At the installation of the New York Law Chapter, held in September last, we took occasion to initiate Hon. William F. Walsh, Professor of Real Property, N. Y. U.

Regular monthly smokers have been held, which have been well attended by both active and alumni members, and preparations are now in progress for the entertainment of the visiting delegates to the Convention. We sincerely hope a large number will be in attendance, and a standing invitation is extended to all members of Delta Chi who may be in New York at any time, to visit us in our quarters.

MINNESOTA.

Minnesota Chapter at present is enjoying more material prosperity than it has at any time during the past five years, our chapter roll numbering fifteen men with several pledged.

Among the social activities of the year have been informal dinners, held during December and February, at which a number of distinguished guests were present representing the honorary and alumni members. On the latter occasion short addresses were made by the judges of the Circuit Courts of Ramsey and Hennepin Counties, both Delta Chi, by Brother Louis R. Frankel, Past "DD," who acted as toastmaster; Brother Stobbart, one of the most popular and prominent of the younger members of the bar of Minneapolis, and Brother E. C. Nettels "DD," Chicago, who was visiting us at the time.

Five members of our Chapter attended the championship football game between Michigan and Minnesota, and were entertained royally at Delta Chi House in Ann Arbor. Brother Otto N. Davies, '04, played on the team. Brother A. L. Myers was prominent in the University Dramatic Club. Brother Harry Thomas unanimously elected editor on the Junior Gopher Board.

MICHIGAN.

Upon our return in the fall, we found our Chapter House completely and elegantly refurnished, the work having been done

under the direction of Brother Haigh, who was empowered last June to make the necessary repairs and decorations during the summer. We started the year with twenty active members including Brother Deignan of the West Virginia Chapter who affiliated with us. Our membership has since been increased by the initiation of William Rawle Weeks, '05, Q. M., U. S. Revenue Service, Howard B. Salot, '05, Thomas R. Waters, '05, Paul Jones, '04, full back on '02 'Varsity Foot-Ball Team, Joseph Wesley Ady, Jr., '05, Charles B. Carter '05, Delta Phi, Brown University, Right guard on '02 'Varsity Foot-Ball Team, Jura Cabot Fullerton, '05, Senior Society-Michigamma, Max Brown, '05, Orville D. Holm, '05, Richard B. Blake, '05, Beta Theta Pi, Chicago University, Oliver S. Andersen, '05, A. B., Wisconsin University, George W. Gregory, '04, Center '02, 'Varsity Foot Ball Team, James Athol Rowllins, and Joseph F. Maguire.

Brother Dow, '03, was elected to succeed Brother Potter as Treasurer of the Athletic Association. This is considered the most important office in the Association, and the election was the result of a lively political skirmish.

Brothers Weeks, Carter, Jones and Gregory have achieved fame on the grid-iron, the former was a Captain and quarterback of the 'Varsity team, and was regarded as one of the best men in his position in the country. Brothers Cooley and Weeks, the latter a brother of Captain Weeks, were on the Reserves, and young Weeks is considered a likely candidate for the 'Varsity team next year.

We were also represented on the Glee Club, and had the Presidency of the Michigan University Republican Club, Treasurer of the Democratic Club, Treasurer of the Southern Club, Chairman of Social Committees of '04, Law Class, and a member of the 'Varsity Interscholastic Committee.

On October 9th, the Chapter gave a large house party, which was attended by practically all of our members, and on October 14th, Psi Upsilon, Delta Kappa Epsilon and Theta Delta Chi joined us in a social session.

Thanksgiving Day, the Chapter gave a six o'clock dinner in honor of Brothers Weeks, Carter Jones and W. Weeks, and as guests there were present among others, Brothers Howard Thornton, one of our charter members, William Day, '00, the famous "Bill" of former college days, Delino Thompson, "Tommy," '02, and Luther Beckwith, '95. The dinner was followed by open house and a big Dutch lunch at 11 p. m. Several members of Minne-

sota Chapter, who were at Ann Arbor to attend the foot-ball game, were also our guests.

We have taken steps to establish a library, each member contributing a set of books or subscription to law magazines, etc. Mr. Callaghan of Callaghan & Co., Chicago, presented the Chapter with Von Holst's Constitutional History.

We subscribed \$100.00 to the Athletic Association.

It is our earnest desire to secure a permanent Chapter House, and all suggestions or plans in furtherance of this end will be gratefully received by the Chapter. Communications should be addressed to Brothers H. V. Blakeley, H. R. Fullerton or W. T. Hanlon, Delta Chi House, Ann Arbor, Michigan.

DICKINSON.

Our Chapter has prospered this year, and we are in splendid condition, both financially and socially. We were represented in June last among the winners of prizes given in the final examinations, Brother Wilson carrying off the honors for "Real Property" and Brother Dively for "Torts." The school year closed with the annual banquet which was attended by many of the alumni, and was the occasion of the initiation to honorary membership of Hon. A. V. Dively of Altoona, Pa., who was afterwards elected Honorary Orator at the Chicago Convention.

Eleven men returned in the fall, and during October, Brother Geo. Lloyd, Beta Theta Pi, and a member of the Comos Club, Brother A. B. Vera from New York Law School, and Brother Foster Heller, Phi Kappa Sigma, and member of the Comus Club, all of the Class of '04, were initiated. The following month A. J. White Hutton, a member of the faculty, and an Alpha Tau Omega, was initiated as an honoray member.

Regular monthly dinners have been held, at which we have been honored by the presence of members of the faculty, Brother Adamson of West Virginia, '02, State Senator Calpie and Representative Holcomb, Dickinson, '01. Dep't Attorney, General Fleitz, and other state officials were guests at a recent banquet, as were also two good men of the class of '06, who have since become members of our Chapter.

The society event of the year, a charity supper given by the young ladies of Carlisle, was attended by our chapter in a body

and as an evidence of the appreciation of our efforts to assist in making it a success financially and otherwise, we received a testimonial and vote of thanks.

Delta Chi men were prominent at the Comus Club German in January. The President of the Club is Brother Hillyer, '04, and the majority of its members are taken from our Chapter.

Brother Fleitz, '04, President of the Athletic Association has made his administration one of the best the college has known. We will be represented on this year's base ball team by Brothers Dively, '03 and Spencer, '04.

Brother Walsh is Editor in Chief of *The Forum*, published monthly by the students of the School of Law.

The College Glee and Mandolin Clubs, of which Bros. Hillyer and Benjamin, '04 are members, started on their annual tour March 25th.

While we are not doing any rushing at present, we are watching the new men develop, and twice during the past month have entertained candidates at very enjoyable smokers.

NORTHWESTERN.

Since reuniting in the fall, we have enrolled the following new members: Clayton J. Barber, '04, Alton F. Johnson, '04, Beta Theta Pi, Fred L. McKinney, '05, Beta Theta Pi, Carl F. Putnam, '05, Sigma Alpha Epsilon; Roger L. Dennis, '05, Delta Tau Delta; Edward Murphy, '03, Charles H. Spencer, '04, F. H. Scheiner, '05, Phi Delta Theta; Hal L. Brink, '05, Max Murdock, '05, Our chapter is in better condition financially and otherwise, than it has been at any time since its installation.

The fact that the Law School, as well as the other professional departments of Northwestern University now occupy commodious and well-equipped quarters in the business section of the city, has greatly enhanced our prospects for developing a live and growing chapter.

Three of the faculty, Professors Woodward, formerly of Dickinson, Hall of Northwestern, and Chapman, Michigan, '94, are members of Delta Chi, and take a very active part in the work of the chapter.

For the last three or four years the chapter has been extremely prosperous and has more than held its own against the other

three organizations in the school. At the present time the chapter numbers fifteen men, which is about as large as a chapter can safely run in a school situated in a large city where there is little opportunity for the men to meet socially outside of the class room.

CHICAGO.

During the last week of August and the first in September the members of the Chicago Chapter began to return from their summer vacations and to gather again in the "old familiar places" and drink a cup of "tea" for "Auld Lang Syne." They came from far and near to resume once more the "Strenuous Life"—"Joe" Peacock from that famous pleasure resort of the Rockies—Colorado Springs, "the limited" brought W. S. Johnson back from Niagara Falls, "Teddy" Robinson came forth from his long rustication in his "Country Home" in Norwood Park looking as "fit as a fiddle," "Whit" Foster returned from an extended tour through Colorado and The Yellowstone Park, while other Delt's came from the various Wisconsin Lakes and Resorts nearer home and a few of the less fortunate ones issued forth from the offices, stores and banks of busy Chicago. It was not long before the boys began to pick up the threads of their common interests again and weave them into the warf and woof of the tapestry of friendship and good fellowship.

At the opening of the school year the Chicago Chapter numbered ten, having lost five of its last year's members. These men are, however, still living in Chicago and often attend our meetings and other functions. Several rushing dinners and smokers were held early in September, and on the 22nd of that month Rolland J. Hamilton, '04, A. B., Monmouth College and Chas. Francis Rathbun, '04, were initiated.

Many members of the Chapter attended the regular monthly dinners of the Chicago Alumni Association given during the first part of the year at "Mamma Galli's" Italian Cafe on the North Side. Brother Holmquist of Michigan passed through Chicago and was a guest at one of our dinners. Andrew S. Clark, a member of last year's Chapter visited Ann Arbor where he was entertained most cordially at the Delta Chi House, and is loud in his praise of the Michigan Chapter.

On October the 13th we initiated Chas. Vincent McErlean and Arthur William Cupler, '04. A number of members of Northwestern were present. Chicago and Northwestern Chapters are very closely allied, and frequently assist each other in initiation ceremonies.

Brother McErlean was elected president of the class of '04 for the first semester, and he together with Brothers Hamilton, Cupler and Rathbun have taken an active and very successful part in the Debating Club, and others of the Chapter have met with signal success in "The Practice Court" at College, winning most, if not all, the cases with which they have been connected.

The Third Annual Dance given by the Alumni Association at Hotel Metropole, Jan. 16th was well attended and proved one of the most delightful functions ever undertaken by Delta Chi.

Jan. 22nd Walter Stowell Rogers, '05, Ph. D., University of Chicago, and Harry Louis Bird, '04, Lake Forest University, were initiated. On Friday, Feb. 27, the Alumni Association held its regular dinner at the Hamilton Club, and as usual we were well represented."

At a class meeting held about the first of March Brothers Hamilton and Rathbun were elected president and secretary respectively of the class of 1904.

Subsequently Brother McIntosh, '03, after a bitter fight, was elected president of the graduating class. On March 24th, two new men were added to our Chapter, the initiation ceremonies at the Wellington, immediately following the regular monthly dinner of the Alumni Association, held at the Hamilton Club.

BUFFALO.

Buffalo Chapter commenced the present school year in a very prosperous condition, with eight active members. The Chapter's quarters consist of two large rooms in the Cuneen Building, located in the business district of the city. For several years past we have rented a Chapter House, but as the conditions existing here are not conducive to the maintenance of such an establishment, it has been found more practical to have a central meeting place, and our experience this year has been that members are much more regular in attendance at all fraternity gatherings, initiations, etc.

In the early part of the year we initiated two men from the senior class, and since then we have added seven of the most desirable men in the junior class, making our Chapter roll at this time seventeen members.

Brother Hurrell was awarded the Scholarship Prize of One Hundred Dollars in June last, and so far members of the Chapter lead the class for similar honors this year.

Delta Chi is well represented in all University enterprise, including the foot-ball team, mandolin and glee club and the "Iris," the annual publication of the College.

The Seventh Annual Banquet of the Chapter was held at the Niagara Hotel, Tuesday February 17th, 1903, about forty-five being present. The initiation to honorary membership of Hon. Edward E. Coatsworth, present District Attorney of Erie County, was a noteworthy feature of the occasion, and the Chapter feels proud to welcome him into its membership.

Following is the toast list:

Toastmaster—Adelbert Moot.

Delta Chi.....	Mr. James O'Malley.
Facing the Stream.....	Mr. T. Edward Redmond.
The Ethics of the Bar.....	Mr. James L. Quackenbus.
The Alumni.....	Mr. Clinton T. Norton.
The Chicago Convention.....	Mr. S. Fay Carr.
The Law Student.....	Mr. Chas. Fenno.

The Buffalo Law School has received an impetus this year in the presence of Dr. Tiedeman, Dean. Having so able a man at its head has resulted in creating a new interest, which will greatly benefit our Chapter.

OSGOODE HALL.

The Osgoode Hall Chapter of Delta Chi is still handicapped by the absence of a chapter house. This difficulty is the greater by reason of the fact that there is no permanent residence in connection with the Osgoode Hall Law School. There is at the present time a strong agitation on foot in the Chapter which is concurred in by the Graduate Members of the Fraternity for procuring the necessary funds by subscription for the establishment of a permanent home, and it is hoped that during the Fall of the current year a Chapter House may become a reality.

The Fraternity still maintains, as it has for many years past, a strong controlling interest in sports throughout the various organizations of the City of Toronto as well as those directly connected with Osgoode Hall. The Ontario Hockey Association, which is looked upon as the finest sporting organization in Ontario, comprising a membership of seventy-five clubs, has been practically controlled by Delta Chi for three years past. The Fraternity's strength in this single Association can only be appreciated by the American Chapters of the Fraternity by the knowledge that hockey in Ontario is an all absorbing winter sport and is probably a better patronized and more popular game in Canada than base-ball, football, lacrosse, or any one other sport indulged in by Canadians.

During the school year the following men have been initiated:

R. A. Carmen, Osgoode Hall, Toronto, officer in Third Canadian Contingent to South Africa. Mr. Carmen volunteered for service during his course at Osgoode Hall, received a commission and served in the late South African War, returning to Osgoode Hall at the close of the war and is now completing his course.

C. V. Lindsay, Globe Building, Melinda street, Toronto.

Arthur J. Thomson, General Trust Building, Toronto, scholarship at Osgoode Hall Law School, 1902. Mr. Thomson before entering Osgoode Hall was an undergraduate at Harvard.

Chester E. T. Fitzgerald, McKinnon Building, Toronto. Mr. Fitzgerald is a son of his Honor Judge Fitzgerald of Welland County.

John J. Harpell, Osgoode Hall. Graduate of Queen's University and Business Manager and Editor of Queen's University Quarterly.

The following matters of interest have been noted in the Chapter Records relating to Graduate Members of the Fraternity:

His Honor Judge McCrimmon appointed Commissioner for the Province of Ontario to investigate charges of corruption in connection with Provincial plebiscite on prohibition and special Judge for the trial of offences charged thereunder.

Frank Ford had conferred upon him by Trinity University the degree of B. C. L. (Bachelor of Civil Law), taking first place in class honors at final examination for that degree and receiving special recommendation from the board of examiners and a medal therefor. Mr. Ford has also recently been elected to the Board of Executive Convocation at Trinity

University. Since last report he has been appointed solicitor to the Treasury of the Province of Ontario, and as such, among his other duties, is in entire control of the Succession Duties of the Province.

John A. Cooper. In addition to the office of Editor in Chief of the Canadian Magazine, Mr. Cooper has been elected Vice-president of the Canadian Press Association. He has also recently returned to his active militia duties as an officer in the Queen's Own Rifles of Toronto.

Alexander H. Beaton, in November last, retired from the Secretaryship of the Ontario Hockey Association, which position he had occupied for five years past, receiving an honorarium of \$300.00 and a handsome personal gift in addition at the hands of the Association as a testimonial to his worth, and was elected First Vice-President of the Ontario Hockey Association. Re-elected Secretary of the Queen's University Alumni Association.

Walter A. Sadler. Elected Secretary and Treasurer of the Convocation Hall Fund of the University of Toronto.

Alexander McGregor. Elected President of the Intercollegiate Debating Union of Toronto, embracing Osgoode Hall and the various university debating societies of Toronto.

William H. Moore. Elected in March, 1903, a Director of the Great Northern Railway Company.

Great interest is manifest in the coming convention to be held in New York in April and it is our present expectation to have a full delegation.

SYRACUSE.

The Syracuse Chapter has enjoyed prosperity this year, and has added a number of promising and enthusiastic members to its roll, including James Francis Oniell, '04, A. B., Captain Williams Track Team, '02, Captain Williams Foot Ball Team, '01, Gargoyles, Williams Senior Society, Captain All Syracuse Foot Ball Team, '02; James Walter Heffernan, A. B., '04, Captain Williams Base Ball Team, '02, Gargoyles, Williams Senior Society; Frank Henry Oniell, '04, Captain Syracuse Foot Ball Team, '03; Charles Sumner Sleeth, '04, Phi Delta Theta; Sylvanus D. Ward, '04; Chester T. Backus, '04; Clark R. Jackson, '05; Seneca Alton Ralph, '05; Phi Delta Omicron, Track Team, '02; Harry Eugene Merritt,

'04; Phi Kappa Psi, Assistant Manager Base Ball Team. We also have the Presidency of the Classes of '03 and '04 of the Law College, and are represented on the athletic and debating teams. At the present writing, (March 1st), we have twenty-two active members, and in all respects are maintaining the standards of Delta Chi.

Among the season's fraternity events might be mentioned a yachting trip up the Seneca river, including a smoker and spread at one of the cottages; a number of informal entertainments for "rushing" purposes and a party at the Syracuse Yacht and Boat Club House, which was especially successful.

Brother Clifford Axtell, "D," represented the chapter at the installation of the New York Law Chapter.

We have had the active co-operation of the alumni in the city, which has been of great benefit in many respects.

UNION.

At the opening of college in the fall, all men of the Class of '03 returned except Brother Sayles, who has gone into business. However, we have gained Brother Chase, formerly a member of the '02 class who returned to finish his senior year. The first initiation occurred October 3rd, when the following were added: Samuel Francis Moran, '03, Gamma Sigma; Herbert B. Thomas, '04, Alpha Zeta, Edward C. Jamieson, '04; Marsh N. Taylor, '04, Delta Upsilon; Francis D. Hunter, '04, Delta Omicron and Theta Zeta; William Ward Norton, Delta Sigma; Charles W. Marshall, '04, Delta Omicron.

On November 5th, we initiated as an honorary member, Hon. Albert C. Tennant, ex-Surrogate of Otsego County, a member of the faculty of the Albany Law School. The Hon. Emory A. Chase, Justice of the Supreme Court of New York, and the Hon. Martin B. Conway, ex-Surrogate of Albany County await initiation as honorary members.

During February, David C. Salyerds, '04, and Miles R. Frisbie, '04, pledged allegiance as active members.

Brother Francis D. Hunter, who was athletic director of the Y. M. C. A., in charge of the Ridgefield Athletic Grounds, has left the College to engage in business, as have also Brothers Samuel F.

Moran and Charles W. Marshall. Brother Holcomb, '02, was awarded the faculty prize for the best Moot Court work at the commencement exercises in June last.

Union Chapter is very glad to hear of the proposed Quarterly, and promises its hearty support.

The Quiz Class which was organized for the mid-winter examinations, proved very profitable and enjoyable, being well attended.

There has been much earnest discussion as to the advisability of purchasing a Chapter House, as the present plan of renting is in many respects unsatisfactory. The maintenance of a Chapter House would call for the active co-operation and support of the alumni members living in Albany, and it is hoped that their interest can be awakened to the project. It has been practically decided, however, to remain in our present quarters for another year, although the sentiment of the Chapter is strongly favorable to securing a home of our own.

WEST VIRGINIA.

Delta Chi in the West Virginia University began the school year with seven men and early in the Fall several candidates were pledged and initiated, including Brothers Albert J. Collett, Charles J. Hyer, W. D. Meadows, Harry Sherr, L. D. Zinn and Horace Withers. Following the initiation ceremonies on November 17th, we held the first banquet of the season. During January we initiated Ellison S. Fleming, of Yale, who has since been elected president of the senior class. Our Chapter is represented among the other class offices by Brother R. H. Boyd, vice-president, Brother R. M. Brown, Treasurer, and Brother H. L. Duval, class Poet. In fact, distinctions have been bestowed upon a number of our men. Brother Stout managed and Brother Brady played center on the foot-ball team; Brother Duval is business manager of the *Anthenæum*, the College Weekly, also of the *Monongahian*, a literary magazine published quarterly. Brother Dent is president and Brother Brown secretary and treasurer of the Student's Publishing Association; while Brothers Wilcox, Zinn, Fleming and Boyd are among the officers of the Moot Court. Brother Collett holds the position of secretary to the president of the University and Brother Zinn is law librarian. We have

held several banquets, which have been attended by both active and alumni members, and the Chapter is in all respects in a flourishing condition, despite the fact that it was only installed a year ago.

OHIO STATE.

We started the year with an enrollment of nine members, and have added a number of very desirable men including Brother Fred Swan, '04; Delta Zeta Chi, Ohio State University, '01; Brother Herbert Kreighvaum, '03, Ohio Wesleyan '00; Brother Fred Ruth, '04; Brother Harry M. Rankin, '05; Brother J. E. Hertinger, '05; Brother Ralph W. Day; Brother Asa E. Ward and Brother H. H. Aberer.

Two members of our Chapter represent the Hunter Literary Society on "The Lantern" the College weekly, another is president of the University Debate and Oratorical League, and still another is on the Social Committee of the Junior Class. We had the pleasure of entertaining Brother Brady of West Virginia during the foot-ball season, and several of our men were entertained by Michigan Chapter after the game at Ann Arbor. A number of banquets and smokers have been given during the year, which have proven very enjoyable, and we have had the co-operation of several charter members of the class of '02. On the fourth of March the Chapter gave an informal dance and we anticipate other social features before the end of the year. There has been some talk of the purchase of a Chapter House near the campus, put so far no definite decision has been reached.

NEW YORK LAW.

The New York Law Chapter sends to all her sister Chapters a most hearty greeting. After an existence of only a few months our Chapter is in excellent condition with a promising outlook for the future. On September 20th occurred our initiation into Delta Chi, an event which will not soon be forgotten by those who participated. At that time we were launched on our fraternal

journey with the best of good wishes from all the members of Delta Chi who had come to New York for the purpose of seeing the Chapter safely installed, and we sincerely hope that the good will there expressed will remain with us always.

With an enrollment this year of 854 students, who are mainly graduates of other Universities and Colleges, the New York Law School maintains a high standard, and offers abundant material for building up a chapter. We commenced the year with twelve charter members, and have since initiated the following: Mr. Charles P. Robinson, '03; Yale, '00; Clarence H. Fay '03, Cornell, '01; Barber B. Connable, Jr., '03, Cornell, '01; Alfred M. Bailey, '04, Wesleyan, '02; George W. Harper, '04, Wesleyan '02; Edward Dale Freeman, '04, Haverford '01; Edward H. Lockwood, '04; William Bailey, '04, Yale, '00; Robert S. Conger, '04, and Charles Row Haviland, '04.

Together with the Chapter of the New York University, we occupy quarters at 68 and 70 West Washington Square, and derive much pleasure from having our Chapter Hall in common. We have come to look upon a Chapter House as a necessity, and certainly the discipline and closer bonds of brotherhood which are sure to result, justify the possible sacrifice in its maintenance.

The Chapter held a very interesting Moot Court on the evening of February 25th at which Professor Holland of the Faculty presided and Brother Charles H. Moore was a very welcome guest at the smoker which followed. The Chapter dines every Saturday evening at the Old English Tavern, an arrangement which is rapidly becoming an established custom. No record of our Chapter would be complete without expressing our appreciation of the many favors received from members of the New York University Chapter, both before and after our installation. We wish to make due acknowledgment of all the courtesies extended us by them, and by Brothers Moore, Nettels and John, who had charge of the installation.

EDITORIALS.

It is a source of sincere gratification to say that at this time, Delta Chi enjoys the greatest prosperity, both financially and in membership, known in its history. The reports submitted by the chapters show that each has a full quota of members, the best in their respective colleges, and almost without exception that they are free from debt. The truest index of the prosperity of any institution is its ability to meet promptly all obligations, and it is a matter of pride for Delta Chi to stand in that enviable position.

During the past two years the fraternity has progressed very rapidly. We have added to our roll three splendid chapters, and petitions have been presented by three Universities, two of which are now pending the action of the Ninth Annual Convention. The policy of the fraternity has always been conservative, it being the desire to maintain a high standard, rather than to branch out by admitting any and all colleges or universities that might apply for charters. Hence, our membership is not so large as that of other fraternities, but it is composed of men of the highest character, ability and standing in the profession of the law.

Anything that is a success is bound to keep on the upward march, and so long as the true spirit of fraternalism now manifest among the members of all the chapters is kept alive, nothing can take away the ever increasing power and strength of Delta Chi.

Doubtless many of our readers have been surprised that the first issue of the Quarterly has been so long delayed. Many obstacles have combined to render it impossible to bring out the publication at an earlier date, but it is hoped and confidently expected, now the enterprise is fully established, that future numbers will appear punctually.

The trials and perplexities of the editor have been materially lessened by the assistance of several of our contributors, and we

take this means of expressing our appreciation of their services, in preparing the articles which appear in this number.

The volume of work which confronts the editor of any new periodical depends upon the readiness with which those, to whom he appeals for contributions, respond.

They can make his task a veritable drudgery, or they can lighten it, so that the pleasure of knowing that one's efforts are by no means in vain, fully compensates for the labor performed.

The position of an editor who assumes his responsibilities gratuitously is not unlike the attitude of the negro who remarked, after having been ridden through town on a rail, that "he'd sooner walk if it wasn't for the honor of the thing."

No principle for which a fraternity stands is quite so strong as the feeling of brotherhood which is engendered in the hearts of its members, and among the Greek letter societies, the ones which have attained the more enviable reputations are those in which this spirit is most manifest, not only during college life, but also among the Alumni.

In a law fraternity what better indication can be found that such a spirit of brotherhood exists, than is evidenced by a continuance in after years, of acquaintances and friendships formed while an active member.

How many of us who are now practicing attorneys ever send business to brother "Delts" in other cities? And yet is not such an interchange of business one of the best possible proofs of our fidelity?

If you are familiar with the universally high standing of our men in scholarship, in integrity and in aggressiveness, you know they are professionally qualified to represent you. Then why not make it a point to use each other for our mutual advantage?

The establishment of the "Attorney's Directory" is in furtherance of this suggestion.

It is hoped that the advent of the Quarterly will result in the publication of a complete catalogue of our chapters and

members during the coming year. In fact, a plan is now on foot to locate by correspondence all of our Alumni, a task which can be greatly facilitated, if each of our readers, especially those who are among the earlier graduates, should send us the names and addresses of all members of Delta Chi residing in their immediate neighborhood.

One noticeable feature of this first issue is the limited number of advertisers. A substantial increase in the amount of space devoted to this purpose is essential to the Quarterly's financial success. Now that we have something tangible to present, we ought to have little difficulty in obtaining "ads" from all Law Schools, Law Book Publishers and Manufacturers of Fraternity Pins, Stationers, etc. Here is another field in which members of the fraternity can be of material assistance.

The title "Jim the Penman" certainly never applied to our Honorable James O'Malley, "AA." If there are any errors in his autobiography, they are attributable to his atrocious penmanship.

The title of Brother Brown's article is rather startling to a stranger to New York statutes. We wish to assure our readers that there is no personal application intended.

It was our original purpose to reproduce a likeness of our genial "DD," but at the last moment the portrait was suppressed. For further particulars address the editor.

By the way, the printer inquired whether the "DD" after Nettels' name stood for Doctor of Divinity. Evidently he does not know him as we do.

IRRELEVANT AND IMMATERIAL.

In the early days of Minnesota a man named Johnson was elected justice of the peace in a little town. He pretended to no judicial attainments, and was elevated to the place solely because he was the oldest man in the community.

The first case which came before him was that of a man charged with stealing a calf. Justice Johnson was conscious of his legal inexperience, so as much as possible to avoid the scrutiny of the public he put down the hearing for the next morning at seven o'clock. This was so early that when the time arrived the prosecuting attorney was not on hand, and his Honor faced only the sheriff and the prisoner and his lawyer.

"Gentlemen, you will please come to order," said the court, thumping on the table with his fist.

The lawyer arose and said:

"Your Honor, I represent the prisoner in the case. This is the hour at which the court was announced to open, and as the prosecuting attorney is not present, as he ought to be, I desire to make a motion that the prisoner be discharged."

The judge fidgeted about a moment and then said:

"Gentlemen, it is moved that the prisoner be discharged."

The lawyer nudged his client vigorously with his elbow.

"I second the motion," blurted out the prisoner.

"Gentlemen, you have heard the motion," said the court. "As many of you as are in favor of it signify by saying 'aye.'"

"Aye," called the lawyer and prisoner.

"Contrary-minded, 'no.'"

"No," shouted the sheriff.

"The 'ayes' have it. The prisoner is discharged. A motion to adjourn is in order."

The lawyer responded with the motion, the prisoner with the second, and Justice Johnson's first term of court was a thing of the past.

A New Hampshire judge has in his possession the following letter sent to him by an old farmer, who had been notified that he had been drawn as a juror for a certain term of court.

"Deer Judge: I got your letter tellin' me to come to manchester an' do duty on the joory an' i rite you these fue lines to let you know that you'll have to git some one else fur it ain't so that I kin

leave home now. I got to do some butcherin' an' sort over a lot of apples just about the time the joory will be settin' in your court. Si Jackman of this town says that he would as soon as not go, fer he ain't nothin' else to do jess now so you better send fer him. I hate the worst way not to oblige you, but it ain't so I kin at present. Ennyhow, I ain't much on the law, never having been a jooryman 'ceptin' when old Bud Stiles got killed by the cars here some years ago when I was one that set on the body with the koroner. So you better send for Si Jackman, fer he has got some kin in manchester he wants to visit ennyhow, an' he'd be willin' to go for his car fare there an' back."

A lawyer, arguing a case on which Lincoln was retained, tried to convince the jury that precedent was superior to law, custom making things legal. Lincoln's part, as related in Tarbell's life of the President, is thus described: Lincoln told the jury that he would argue the case in the same way as his opponent, and began: "Old Squire Bagley, from Menard, came into my office one day and said: 'Lincoln, I want your advice as a lawyer. Has a man what's been elected justice of the peace a right to issue a marriage license?' I told him not, whereupon the old squire threw himself back in his chair very indignantly and said: 'Lincoln, I thought you was a lawyer. Now, Bob Thomas and me had a bet on this thing, and agreed to let you decide; but, if this is your opinion I don't want it, for I know a thunderin' sight better. I've been squire eight years, and have done it all the time.'"

"What is your name?" asked the lawyer of an ancient colored witness. "George Washington, sah." "George Washington," repeated the lawyer. "It seems to me that I have heard that name before." "'Speck yer has, sah; I's been libin' about heah a good many yurs."

Court (to Prosecutor): "Then you recognize this handkerchief as the one which was stolen?" "Yes, your Honor." "And yet it isn't the only handkerchief of the sort in the world. See, this one I have in my pocket is exactly like it." "Very likely, your Honor; there were two stolen."

"What is your name?" inquired the judge. "Peter Smith," responded the vagrant. "What occupation?" continued the

court. "Oh, nothing much, at present; just circulating around," replied the prisoner. "Retired from circulation for thirty days," ordered the court.—*Green Bag*.

Senator Hoar said the other day, on learning that a friend who had been supposed to have appendicitis was only suffering from a severe attack of indigestion: "That is good news. I rejoice that the trouble lies in the table of contents rather than in the appendix."

A prominent Chicago lawyer on seating himself in a restaurant, was approached by a waiter who said: "I have deviled kidney, pig's feet, and calves brains." "Have you? Well, what are your ailments to me?" returned the lawyer. "I came here to eat."

Apropos of the above, a prominent lawyer of New York, recently in same restaurant asked the waiter if they served lobsters, to which the waiter promptly replied, "Yes, sir, what will you have?"

ATTORNEYS' DIRECTORY.

When necessary to employ counsel in another city, why not correspond with a member of Delta Chi.

Albany, N. Y.

DANIEL T. CASEY

119 State Street

Of CASEY & QUINN

Chicago, Ill.

JOHN E. AMOS, Jr.

901 Journal Building

Long Distance Telephone Main 4401

Altoona, Pa.

J. BANKS KURTZ

5 and 6 Schenk Building

Chicago, Ill.

EDWARD H. BARRON

132 Michigan Avenue

Telephone Central 2425

Boston, Mass.

JAMES P. MAGENIS

Rooms 62 and 65, 5 Tremont Street

Telephone Haymarket 868

Chicago, Ill.

ROBERT CATHERWOOD

1543 Monadnock Block

Telephone Harrison 1281

Buffalo, N. Y.

JAMES O'MALLEY

3 and 4 Erie County Bank Building

Of O'MALLEY, SMITH & O'MALLEY

Chicago, Ill.

MARSHALL D. EWELL, M. D.

Suite 618-619, 59 Clark St.

Examiner of
Disputed Hand-writing, Ink, etc.

ATTORNEYS' DIRECTORY—Continued.

Chicago, Ill.**DANIEL W. FISHELL**

1019 Ashland Block

Telephone Central 1547

Chicago, Ill.**WILLIAM J. KIRK**

13 Eldridge Court

Telephone Harrison 654

Chicago, Ill.**SIDNEY N. REEVE**

Room 808, 160 Washington Street

Telephone Main 4084

Chicago, Ill.**HAROLD F. WHITE**

904-10 The Temple, 184 La Salle St.

Long Distance Telephone
Main 3815Chicago, Ill.**EDWARD R. WITWER**

Room 407, 153 La Salle Street

Telephone Central 8996

Detroit, Mich.**CARLETON G. FERRIS**

406 Hammond Building

Telephone 2358

Of HATCH & FERRIS

Freeport, Ill.**PATTISON & MITCHELL**DOUGLAS PATTISON
R. B. MITCHELLGreenville, Pa.**GUY THORNE**

Greenville National Bank Building

Montclair, N. J.**JOHN A. HINES**

483 Bloomfield Avenue

Mt. Carmel, Pa.**A. F. JOHN**

6 and 7 Guaranty Trust Building

ATTORNEYS' DIRECTORY—Continued

Newark, N. J.

JOSEPH KAHRB

164 Market Street

Salt Lake City, Utah

ROLLIN W. DOLE

407-408 Auerbach Building

New York City

CHAS. H. MOORE

27 Williams Street

Salt Lake City, Utah

WILLIAM M. McCREA

22 East First South Street

Parkersburg, Pa.

ROBERT H. MOON

44 Citizens Bank Building

Tacoma, Wash.

ARTHUR R. WARREN

501-502 Fidelity Building
Telephone Black 1503

Salt Lake City, Utah

PARLEY P. CHRISTENSEN

(County Attorney)

Van Buren, Ark.

HENRY L. FITZHUGH



SHOURDS, ADCOCK & TEUFEL

Jewelers



DIAMONDS, WATCHES
and STERLING SILVER

Manufacturers of
Delta Chi and other
Fraternity Pins

66 STATE ST. - - CHICAGO

TELEPHONE CENTRAL 3745

Law Printers

**THE GUNTHORP-WARREN
PRINTING COMPANY**

116-118 EAST RANDOLPH ST.
PHONE CENTRAL 3106

FRATERNITY OFFICERS

HONORARY

President.

HON. WM. B. HORNBLLOWER, OF NEW YORK CITY.

Vice-President.

PROFESSOR ERNEST W. HUFFCUT, OF ITHACA.

Second Vice-President.

HON. MARSHALL D. EWELL, OF CHICAGO.

Orator.

J. FRANCIS TUCKER, OF NEW YORK CITY.

Poet.

FRED'K C. WOODWARD, OF CHICAGO.

ACTIVE

MR. A. FRANK JOIN, "AA," Dickinson, '00, Mount Carmel, Pa.

MR. MARCUS M. HART, "BB," Michigan, '04, Ann Arbor, Mich.


MR. FLOYD L. CARLISLE, "CC," Cornell, '03, Watertown, N. Y.

MR. EDWARD C. NETTELS, "DD," Chicago-Kent, '00, Des Moines,
Iowa.

MR. ARTHUR G. SLAIGHT, "EE," Osgoode Hall, '01, Toronto,
Canada.

CONTENTS

	PAGE
Fraternity Officers - - - - -	2
Cornell's New Chapter House - - - - -	3
Assignability and Negotiability - - - - -	6
The Ninth Annual Convention - - - - -	10
The Installation of the University of Chicago Chapter -	13
The Installation of Georgetown Chapter - - - - -	16
Delta Chi in the Far West - - - - -	18
Editorials - - - - -	20
This Year's Officers - - - - -	24
Chapter Correspondence - - - - -	26
Alumni Notes - - - - -	32
Book Reviews - - - - -	38
Attorneys' Directory - - - - -	40

<p style="text-align: center;">The . . . Delta Chi Quarterly</p> <p style="text-align: center;"></p> <p style="text-align: center;">JAMES O'MALLEY, <i>Editor-in-Chief</i> Erie County Bank Building, Buffalo, N. Y.</p> <hr style="width: 20%; margin: auto;"/> <p style="text-align: center;">MANTON M. WYVELL, <i>Business Manager,</i> Ithaca, N. Y.</p>	<p>THE Delta Chi Quarterly is the official organ of the Delta Chi Fraternity, established by the Eighth Annual Convention, Chicago, Ill., July 11, 1902. Published in January, April, July and October of each year. Subscription price \$1.00 per year, payable in advance. Single copies twenty-five cents. Cards of Fraternity members will be carried in the Professional Directory, at the rate of \$1.00 per year. Other advertising rates furnished upon application. Subscriptions and remittances should be sent to the Business Manager.</p> <p>Articles on legal topics and contributions of general interest to the Fraternity, are solicited from all members.</p>
---	--

UNIVERSITY OF
MICHIGAN
LIBRARY
ANN ARBOR, MICHIGAN
48106-1000



CORNELL'S CHAPTER HOUSE AND TENNIS COURT

DELTA CHI QUARTERLY

Vol. I

OCTOBER, 1903

No. 2

CORNELL'S NEW CHAPTER HOUSE

In the fall of 1901, the Cornell Chapter, realizing as it did the absolute necessity for a chapter house owned by the fraternity, put forth every effort for the attainment of that end. The Mother Chapter, being located in the strongest fraternity institution in America, keenly felt the loss of a lodge; for we at Cornell, unlike the majority of Delta Chi chapters, have been forced into competition with all the general course fraternities on an equal basis.

The movement for the procurement of a new home for the Cornell Chapter was born in the spring of 1900, immediately following the destruction by fire of the house occupied at that time. William M. McCrea, '00, was an enthusiastic member of the first committee appointed, but so little time remained until June of that year, that the plans of the committee could not be worked into results. The following year ended without material progress, though a second committee had given the problem consideration. At the beginning of 1901, however, the demand for an adequate and permanent home was so great that the fraternity was forced to act, and a committee of three, consisting of James O'Malley, '01; Floyd L. Carlisle, '03, and S. Edwin Banks, '95, was appointed and immediately began work.

The question of expediency first presented itself, namely, the advisability of purchasing a lot, thereby delaying the real end, or the purchase of a home which would give immediate possession. The desire for a home that could be occupied at once was so keen that it appeared to outweigh all other considerations. And when the opportunity to purchase the property of a well-established fraternity offered itself, the committee did not long hesitate to avail itself of it.

It was about this time that the Alpha Delta Phi Lodge on East Buffalo Street was offered for sale. This house was built in 1879, and, it is said, was the first house in America to be built solely for fraternity purposes. While not so elaborate as some of the newer houses, the building was centrally located, conservative in appearance and well arranged to accommodate comfortably the number of men a fraternity should have living in its house.

This property was offered at so reasonable a figure that the committee decided that the necessary assistance of the alumni could be secured.

With this object in view letters were written to all the alumni of the Chapter informing them of the proposed purchase and solicit-

ing their aid. The committee followed these letters by personally visiting all those alumni whom they could reach. Those alumni, who had the interest of the fraternity at heart but who could not make immediate payments for the desired cause, contributed by means of promissory notes payable six months from date. About \$3,500 were subscribed and a very small proportion of this amount remained unpaid at the end of a year. The contributions ranged from ten to one hundred dollars. The active members of the fraternity also helped to swell the general fund, so that when the time came for the committee to fulfill its part of the contract, it was enabled to do so, and had enough in addition to make adequate and very necessary repairs on the property bought. These repairs, which consisted in perfecting the sanitary conditions, the erection of new stairways, putting in new hard wood floors, and building a spacious dormitory, occupied the entire summer of 1902, so that in September when the men returned, they entered, what on the inside, was practically a new house.

The first floor of the lodge has been tastefully decorated with large rugs and heavy oak chairs, which together with several divans give the library and parlors a very home-like appearance. On the walls are hung the pictures of some of the members of the chapter who have been prominent in their undergraduate life, among whom are "Freddie" Colson, '97, who was the coxswain of the famous Henley eight; Daniel Reed, '99, who for two years was a guard on the Cornell eleven and later head coach; Mark M. Odell, '97, and "Eddie" Toohill, '02, both 'varsity oarsmen. From the ceiling of the reception room has been suspended the stern of the Henley boat, which includes the coxswain's seat. This rare gift was presented to the fraternity by "Freddie" Colson, and is valued highly because of the late action of the Henley stewards who have enacted a rule barring all foreign crews coached by a professional oarsman from competition. This, of course, means that Cornell will never again compete against her English rivals, for the Ithacans will not dispense with famous "Old Man" Courtney's services for all the Henley trophies in the world.

The second floor is composed entirely of study rooms, which the occupants themselves fitted out and furnished. These rooms are large and on the whole well lighted, and are made extremely cheerful by the presence of large open grates, which are a great help in the winter in warming the house. Accommodations for twenty men are afforded. The house is heated by steam heat, which has been found to be very satisfactory.

The third floor is divided into two portions, the lodge room, occupying the greater part, and the dormitory.

Not the least attractive feature of the premises is a splendid tennis court which was purchased subsequently to the main property.

The new house has been of great assistance to us not only in our

relations to the University and to the other fraternities, but also in such a way as to add materially to our social standing in the University. Formerly the men during the Junior Week performances had been greatly handicapped by the lack of a respectable house which might be given over to the Junior Week guests. But last year the men took advantage of their new lodge and had a most enjoyable and successful house party in which all the members of the fraternity participated. In all some sixteen ladies graced us with their presence and were our guests for the greater part of the week. Quite a few of the Alumni of the chapter returned and took in the crowning feature of the week, the Junior "Prom."

In conclusion I wish to say that too much credit cannot be given to the House Committee whose untiring efforts finally accomplished the desired end, and it is to be hoped that the other chapters of the Delta Chi Fraternity as they grow older and increase in the number of their alumni, for it is to them that you must look for assistance, will follow the example of the Mother Chapter and build or buy homes fitted for the sons of Delta Chi.

WILLIAM S. PEACE, '95.



NEGOTIABILITY AND ASSIGNABILITY

It is very customary in describing commercial paper to speak of it as "negotiable," and under this head is often understood the further legal conception of passing the paper free from equities. Many writers seem to look upon this latter quality as the great feature of negotiability and as one of the peculiar characteristics of commercial paper.

In considering this proposition let us see whether there is any difference between the transfer of a cow and the negotiation of a promissory note made to some one's order. If a thief steals your cow and sells her to an innocent stranger, you may recover the cow by legal process in spite of the *bona fides* of the stranger. But suppose the same thief steals your promissory note during the same raid, forges your indorsement and sells the note, also to this innocent stranger. You may recover your note from such stranger as readily as you can your cow, the reason being that in neither case has legal title passed. In so far then the peculiarities of commercial paper play no part. In neither of the above instances did the thief acquire legal title, and hence he could not transfer such title. You have not lost your title and can recover your property wherever found.

But suppose, instead of the thief, a business man comes to you and by fraudulent statements induces you to endorse and deliver the note and also to deliver the cow, with intent to pass title. In this last case, if the fraudulent business man sells both cow and note to an innocent third party you cannot recover your property, because you had parted with your title.

It is to be noted that title to each passes, and the innocent stranger is as fully protected in his title to the cow as to the note.

But suppose your note had been drawn to bearer or had been endorsed in blank, then the thief in the first case supposed could have made the above transfers and the innocent purchaser could hold the note, but not the cow.

There is a difference then which is peculiar to commercial paper and money,* namely, that although the thief has no title and could not retain either the bearer note or money as against you, yet the innocent purchaser does acquire a title.

This covers a very small part of commercial paper, and as to the vast amount of such paper *bona fide purchase* for value applies no further than it does to other property.

Where one holding the legal title to real or personal property owes some obligation of an equitable nature to a third person in respect of that property, such title holder can undoubtedly (apart

*There are one or two other instances, as for example under the Recording Acts (see Langdell Summary of Equity Pleading 2nd Ed., p. 128.)

from statute law) transfer his title, and at Common Law such transfer takes effect, and as the equitable rights of the third person are purely personal and against the transferor, they do not at law follow the title. But in equity, the result is different. A Court of Equity assumes* jurisdiction to protect its own obligations, which the law does not recognize, and compels the transferee of the legal title to carry out the equitable obligation. But should the circumstances be such that granting such relief against the transferee will work injustice, equity refuses so to act. Such is the case when the transferee of the title is a purchaser for value without notice. The application of this doctrine to commercial paper is therefore not peculiar to it, but is merely an application of a general doctrine.**

But the great peculiarity of negotiability lies in the fact that it enables you to pass the legal title to certain choses in action or contracts of mercantile origin, which could not be done in cases of choses in action or contracts of common law origin. This distinction is what is intended when a contract is said to be assignable and not negotiable. An assignment does not carry legal title. It is practically a power of attorney to sue in the name of the assignor, and at Common Law the action must be brought in the name of the assignor. One must bear in mind that this is still true to-day, and an assignment of a contract does not carry title. In New York, and some other states, the assignee may, by statute, bring the action in his own name, but this is simply a statute of procedure, and has no effect whatever on the title. Thus an assignment in New York of a New York contract does not enable the assignee to bring action in his own name in a common law state having no such procedure.

By negotiability, then, we generally mean that the title to the contract referred to may be transferred, and this peculiarity is limited to contracts of mercantile origin.

An application of this doctrine can be seen in the case of a promissory note made to the order of some specific person, sold by such person to a third party and delivered unendorsed. Such third person cannot obtain legal title without endorsement, but clearly there is an assignment just as much as there may be in the case of an ordinary contract, and the holder should be held to have a power of attorney to sue in the assignor's name for the benefit of the assignee. Of course, under such circumstances, the action is brought subject to all defences against the original party who still holds the legal title. This was the situation in the case of *Goshen National Bank vs. Bingham*, 118 N. Y., 349, where the court says:

*See Langdell. A brief survey of Equity Jurisdiction. 1 Harvard Law Review, pp. 59, 60.

**See Ames' Summary to bills and notes, p. 866.

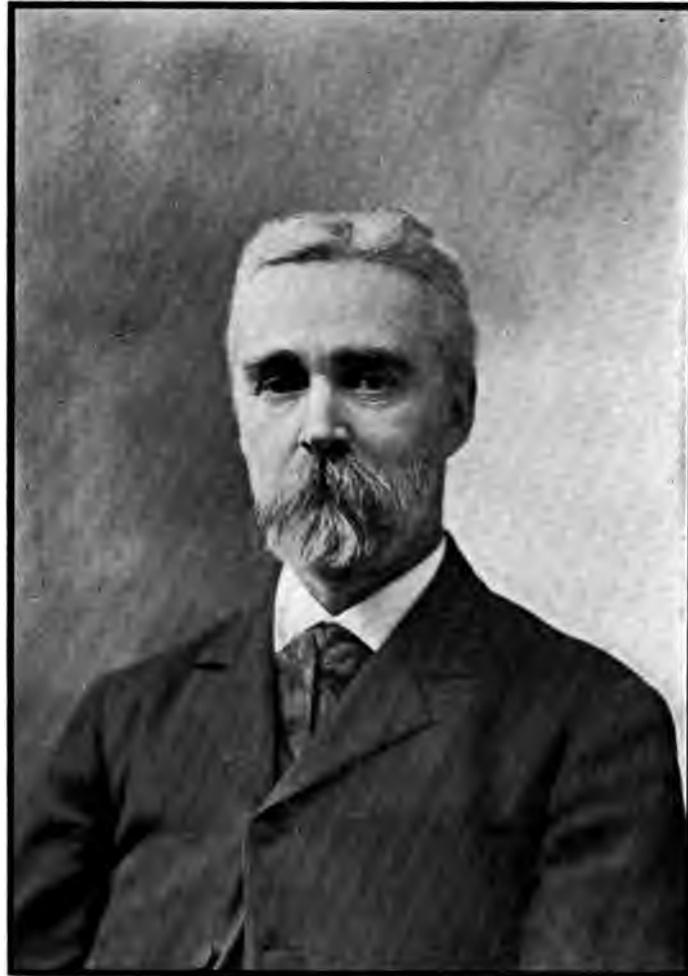
"It is too well settled by authority, both in England and this country, to permit of questioning, that the purchaser of a draft, or check, who obtains title without an endorsement by the payee, holds it subject to all equities and defenses existing between the original parties, even though he has paid full consideration, without notice of the existence of such equities and defenses. (Here follow citations).

"The reasoning on which this doctrine is founded may be briefly stated as follows: The general rule is that no one can transfer a better title than he possesses. An exception arises out of the rule of the law merchant, as to negotiable instruments. It is founded on the commercial policy of sustaining the credit of commercial paper. Being treated as currency in commercial transactions, such instruments are subject to the same rule as money. If transferred by indorsement, for value, in good faith and before maturity, they become available in the hands of the holder, notwithstanding the existence of equities and defenses, which would have rendered them unavailable in the hands of a prior holder.

"This rule is only applicable to negotiable instruments which are negotiated according to the law merchant."

"When, as in this case, such instrument is transferred but without an endorsement, it is treated as a chose in action assigned to the purchaser. The assignee acquires all the title of the assignor, and may maintain an action thereon in his own name. And like other choses in action it is subject to all the equities and defenses existing in favor of the maker or acceptor against the previous holder."

This is certainly correct and ought never to have been in doubt. In so far, however, as the learned judge states that "the assignee acquires all the title of the assignor" an error is involved, as the assignee does not acquire the title of the assignor. The statement that the assignee can sue in his own name is true in New York and some other jurisdictions where there are special statutory provisions therefor. An error seems also involved in the difference suggested by the court between commercial instruments and ordinary chattels. The custom of merchants made it possible to pass by an endorsement the legal title to choses in action of mercantile origin, where the legal title to common law choses in action could not be transferred. The doctrine that the purchaser for value without notice of the legal title gets the same free from equities, is not limited, as the court seems to suggest, to so-called negotiable instruments; it applies equally to the transfer of the legal title to ordinary chattels. If the legal title in any case is transferred, the new holder of such title takes it clear of any equities unless the circumstances



DEAN ASHLEY,
NEW YORK UNIVERSITY COLLEGE OF LAW

100
100

are such that courts exercising equitable jurisdiction can attach such equities.*

These principles are not new, and there is nothing original in the above statements, but so much confusion has arisen on this subject that an occasional restatement of the points involved may serve to clear our minds from confusion.

CLARENCE D. ASHLEY.

New York University, July 1, 1903.



*(See Ames' Bills and Notes. Summary, under title Purchase for Value Without Notice, p. 863, and Langdell's Summary of Equity Pleading, 182-185).

THE NINTH ANNUAL CONVENTION

The ninth annual convention of the Delta Chi Fraternity was held in New York City, April 16th, 17th and 18th, 1903. Had I known in advance that I was to have the honor of writing an account of this convention I should have spared no pains to be present at the first informal session, on the evening of the 15th. This, I am told, was an impromptu meeting, but one most enjoyable, which gave an opportunity to many of the brothers to meet in advance and become acquainted.

Those of the delegates who were not in New York for the evening of the 15th were on hand early Thursday morning. There were two chief centers about which the delegates gathered—the lobby of the Fifth Avenue Hotel and the room where Councillors John and Nettles reclined until 10:30, each continuously urging the other to get up, and each apologizing profusely for the extreme lack of hospitality on the part of the other.

At eleven o'clock Counsellor O'Malley, as "AA," called the convention to order, and answer to roll call showed that every chapter but one was represented. This was the best and most representative convention we have ever held, and the full attendance was a striking proof of the wisdom of the plan for paying the delegates' expenses, which, it will be remembered, was adopted at the Chicago convention in 1902.

The convention chose for its permanent officers the following: Russell Wiles, Northwestern, chairman; E. C. Nettles, Chicago, secretary, and Brother Benjamin, Dickinson, "F." I shall not attempt to give any account of the work which was done by the convention since the work which was accomplished will be fully reported in the minutes, to be distributed in due time to the chapters. It may, however, be proper to state that six business sessions were held, two on each day, and that a great deal of the most important work on hand was completed. Charters were granted to the Inner Temple of the University of Chicago and the Alumni Chapter of New York City. Extensive changes were made in the management of the *Quarterly*, and the necessary constitutional amendments to carry the changes into effect were enacted. In addition a large number of routine matters of especial interest to certain chapters were taken up and disposed of.

It may be proper here to call attention to the new provision as to chapter letters, to which the attention of all C's is directed. It is hoped that the provision in question will have the effect which it was intended to have; that is, to make the number of letters greater and their preparation absolutely regular.

The first session of the convention was occupied entirely with routine business, and at its close a delicious luncheon was served in

the Convention Hall. The plan of our hosts in arranging luncheon as they did for the convention is to be highly commended. Each day a buffet luncheon was served in the Convention Hall, and it was largely due to the saving of time effected by this arrangement that the convention accomplished the unusual amount of business which it disposed of. From a half an hour to an hour each day was saved for business purposes by this plan.

The second session of the convention was occupied entirely by the reports of the various chapters and the officers of the "XX." The chapter reports were, as usual, informal, and their tenor was very encouraging. Each delegate in turn brought in tidings from an enthusiastic and successful band of Delts, and every chapter gave evidence of progress.

The story which Brother Carlisle from Cornell told us was particularly inspiring. The boys there had fought the worst epidemic that ever attacked an American college, and had come through somewhat weakened, but triumphant, and with a stronger hold than ever upon the leadership in legal circles at Cornell. The story of their year made us proud of our Mother Chapter.

At the close of the second session the delegates were taken by the entertaining chapters on a tally-ho ride through Central Park and Riverside Drive to Gen. Grant's Tomb. The temperature was about thirty-five in the sun, but frequent internal hot applications kept the crowd fairly comfortable. Every moment of the drive was enjoyable, especially the halts. The affair ended with a supper at the Cafe Boulevard, after which the delegates divided into small parties and wandered, under the leadership of experienced guides among our hosts, through the slums of New York.

The third and fourth sessions of the convention, which were held on Friday, the 17th, were occupied almost entirely by the discussions and action upon the various petitions for charters which were presented. The results of these sessions are known to the chapters through their respective delegates' reports, and will be set forth more fully in the minutes. It was at these sessions, however, that the Chicago and New York Alumni petitions were granted. The fourth session closed at about four o'clock, and the delegates were left free for about two hours to do anything which they pleased in the city. At six o'clock or thereabouts the delegates went to dinner, breaking up into small parties and visiting various restaurants. One very pleasant party of about a dozen went to the Cafe Martin. In the evening the entire Delta Chi representation attended the production of George Ade's "Sultan of Sulu." The first two rows of the orchestra were reserved for us and we had an excellent opportunity to see a most enjoyable opera. The New York chapters appeared to have initiated the Honorable Mr. Kiram, governor of the Island of Sulu, for above the executive mansion floated the well known Delt Chi banner. At the close of the performance the dele-

gates visited a small but apparently popular resort in the neighborhood, where they remained until an early hour.

The sessions of the third day of the convention were occupied with constitutional changes and the election of officers and other routine business.

The convention adjourned *sine die* at four o'clock on the 18th, and at seven the annual banquet was held in the Fifth Avenue Hotel. It would be impossible for me to even attempt to do justice to that evening, but the New York Chapters certainly capped the climax of a most pleasant three days at this time. The speeches were rather numerous, and measured by the clock they were long, but their character was such that the time passed all too quickly. Toastmaster Quinn officiated with an eloquence and grace which made the occasion a delight, and the address of Mr. Hornblower was of so pleasing and valuable a character as to merit comment far beyond my ability. Dean Ashley, too, offered several suggestions to the active workers in the Fraternity which were appreciated, and so far as possible will be adopted.

The idea of twenty-word speeches of the delegates was a particularly good one, and their epigrammatic character made them extremely enjoyable. After the banquet the delegates went out and took a last drink together and then separated, each going his own way. No man went away without feeling that the week of time which the convention had taken was well spent and without feeling anew that he belonged to a fraternity to be proud of. Most of all, however, he felt a feeling of deep thanks to the two New York Chapters for their splendid entertainment. The feeling which each man had can best be expressed by quoting Counsellor House's twenty-word speech: "I came to the convention to represent my chapter and to have a good time. I had a good time."

RUSSELL WILES.

INSTALLATION OF THE UNIVERSITY OF CHICAGO CHAPTER

By Harry Hyde Barnum, Chicago, '03.

Among the most important things accomplished by the ninth annual convention of the Delta Chi Fraternity held in New York last April was the granting of a charter to the Inner Temple of the University of Chicago. This doctrine of "conservative expansion" for which Delta Chi is becoming famous was manifest at all times during the convention, but especially so when it came to voting upon the granting of new charters, for out of three petitions presented to the convention this was the only one granted by it—one petition being denied and consideration of another being deferred until further information could be obtained.

The writer, as a delegate of the Chicago Chapter, was delighted to find, soon after the opening of the convention, that there appeared to be no opposition to the establishing of a chapter at the University of Chicago, and heard upon all sides only praise for the petition and the way it was gotten up, many declaring it to be second to none. When put to vote it was granted unanimously.

The date of installation was fixed as Saturday, May 23rd, 1903, and a committee (including the writer) appointed to complete arrangements. On that date the Twentieth Century Limited steamed into Chicago bearing Brother Floyd L. Carlisle, of Cornell, "CC," and about the same time other trains were arriving from other parts of the country bringing our genial "AA," Brother A. Frank John, of Dickinson, and Brother Marcus M. Hart, of Michigan, "BB." On account of the distance from Chicago Brother Arthur G. Slaight, of Osgoode Hall, "EE," did not attend. The officers and committee met at the Hotel Wellington, and "the next order of business" was Dutch lunch at Kinsley's German restaurant, where at one o'clock a dozen Delts were gathered around the festive board. A delightful hour was spent here and then we returned to the Wellington to prepare for the "doings."

Brothers from Northwestern, Chicago and Chicago Alumni Chapters began to come in goodly numbers, and were seen on all sides. Quite a commotion occurred when Brother Nettles—the unexpected—walked in "as big as life," and everybody felt that his presence capped the climax, and insured a "howling success." In the meantime, the officers and committee were hurriedly going back and forth completing the details, and the whole scene foretold the approach of the "critical moment." At last it came. The signal was given and on the instant swiftly and silently the little groups of talkers broke up and disappeared through the dark and mysterious portals of the Outer Court and into the furthestmost recesses of the

Inner Court, which none but the worthy may enter. The great doors closed leaving behind but a few to receive the approaching candidates, who with pale faces and beating but resolute hearts entered the ante-room. The first to brave the ordeal were Charles Ralston McMillen, Henry William Steiness and Frederick Dickinson who, after being properly prepared, were conducted into the Outer Temple, whose dim and mysterious surroundings and lights might well awaken terror in the most resolute.

As other eyes than those of the initiated may scan these lines and other ears may hear them read, the closing of the doors upon the entering candidates must shut out from the world at large all knowledge of their mystic course, their trials and tribulations. But such a revelation is not necessary to those for whom this article was primarily intended, for every Delta Chi knows what happened behind those closed doors in the sanctity of the Inner Temple. And none but members of that fraternity will ever know.

About five-thirty o'clock the doors swung lightly open and there emerged three more Delta Chi's than had entered. Initiation of the remainder of the men was deferred until after dinner, when a much fuller attendance of members and alumni resulted. The company immediately made its way to the Hamilton Club where fifty-five covers were laid for the banquet.

Modesty should, I suppose, prevent my saying much in praise of the decorations or the menu, for, being on the committee, I had charge of the arrangements. But, if I am to be an accurate chronicler, I must report that the banquet met with universal approbation. Under a Delta Chi banner and some American flags at one end of the hall the speakers' table was located. Brother Edward Barron, President of the Chicago Alumni Chapter, was toastmaster, and seated on his right and left were the officers of the fraternity and guests of honor, including Brother Woodward, formerly of Cornell and Dickinson Chapters, and now Professor of Law at Northwestern University School of Law.

After the repast was finished and the cigars lighted, the toastmaster inaugurated a series of "informal toasts," which were unpremeditated and without malice aforethought. The first to speak was "our little big man," Brother A. Frank John, "AA," who told with great effect "The Pumpkin Pie Story," which created such a sensation at the New York convention. He was followed by Brother Hart, "BB," whose efforts were likewise crowned with great success. Brother Floyd Carlisle, "CC," whose sonorous and clear ringing voice and impressive way of putting things eminently fit him for an after-dinner speaker, spoke highly in praise of the fraternal spirit and strength of Delta Chi manifested in Chicago, and to the credit done to both by the new chapter. Our droll and witty brother, Edward C. Nettles, "DD," (also D. P. & F. A. C. M. & S. P. R., D. M. I., *i. e.*, Division Passenger and Freight Agent, Chicago, Mil-

waukee & St. Paul Ry., Des Moines, Iowa), spoke in his usual charming and humorous vein and added several good stories to the already long list standing to his credit. Brother Woodward responded to the next toast, and threw out a number of mysterious hints as to how he felt during his initiation, and of what was still coming to the remaining candidates, which, I am afraid, robbed them of some of their composure and piece of mind. Brother Dickinson, one of the victims of the afternoon, looking as if a load had been removed from his shoulders, was the last to speak, and impressed all with his earnestness and determination to make the new chapter an honor to the fraternity. At the close of the toasts the meeting adjourned to the Wellington to finish the installation ceremonies.

Those who entered in the evening were Orville Elbridge Atwood, Jr.; Frank Joslyn Baum, Joseph Walter Bingham, John Robert Cochran, Sidney Jennings Dillon, George Philip Hambrecht, Otto Patty Lightfoot, John Carlyle Moore and Morris Walbrum. When at last all had entered and traveled upon their "mysterious journey" the doors were once more opened and the merry throng emerged. 'Twas close upon midnight, but the newly made brothers started forth to "celebrate" and to show the officers and Delta Chi's from out of town, Chicago on "Good Old Saturday Night." At last the company disbanded, and I feel sure that every man of us when he turned down the sheets and crawled into his "bunk," felt that another glorious page had been written in the history of dear old Delta Chi, and another pearl added to her crown, one which gives every promise of proving as fair a jewel as the others.

INSTALLATION OF THE GEORGETOWN CHAPTER

May the Thirtieth is "Memorial Day." The nation has set it aside out of the whole year to remind us of those who bravely fought and died that our country might live, grow and be great. To fourteen students at the Georgetown University it means all this and more—much more. It marks our entry into the mysterious realms of Delta Chi and the launching of our great University upon the ever rising sea of Greek letters.

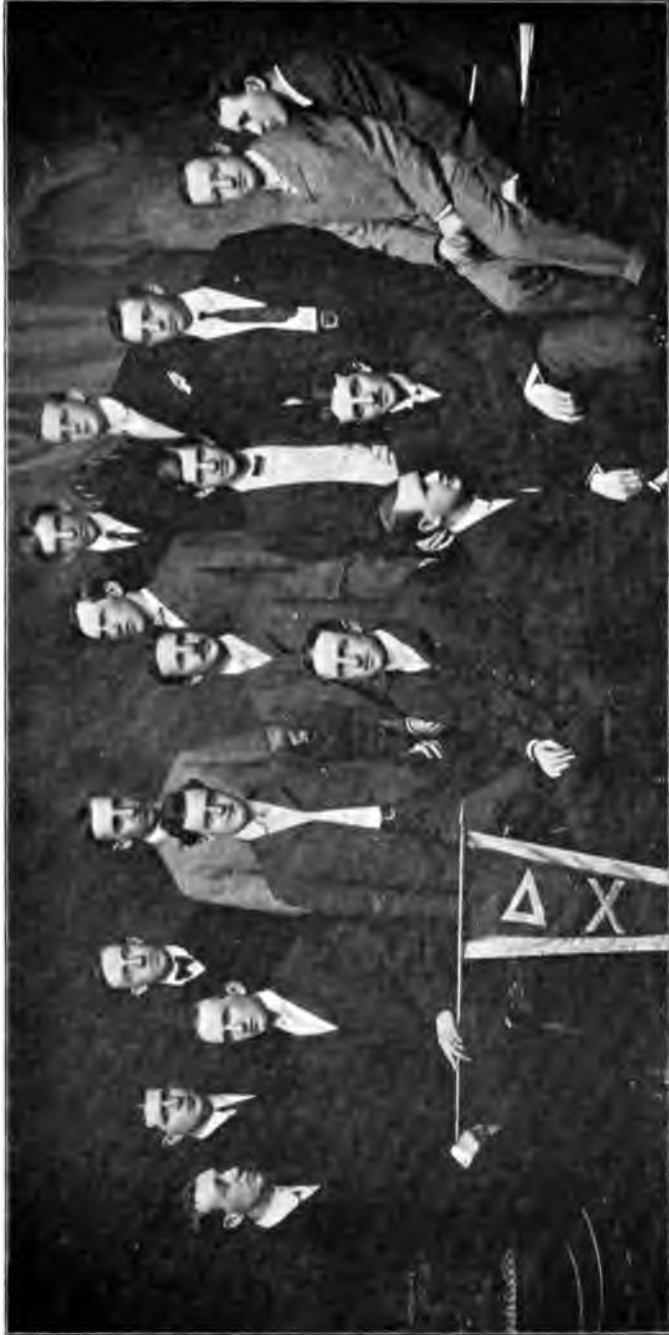
We sat around the lobby of the Hotel Raleigh in Washington waiting and watching for some one whom we might recognize as a member of the "XX." Finally the anxious watchers caught sight of the genial Brother John. Immediately all of our anxiety faded away and fear retreated into other climes, for we recognized that he was much smaller in stature than even our smallest member—even smaller than "Charlie" Arth. Soon the big broad shoulders of Brother Carlisle were noticed and our newly awakened hope died completely away. We realized that Brother John couldn't hurt us alone, but what chance had unsuspecting strangers with the big "CC."

At last the hour set for our wondrous pilgrimage arrived and with blanched faces and fond farewells, Brother Berry and the writer were hurried from their friends and put astride the "goat." He struck an average of two an hour, and by six o'clock fully a half dozen of us had become full-fledged members of Delta Chi. After a hearty supper in the "Boar's Head," the handsome grill of the Raleigh, we roped the other members of our club and their "march to the sea" was begun.

Those initiated were Brother Berry, Flueck, Malony, Williams, Rix, Arth, Williamson, Denu, Clark, Hahn, Dyer, Drown, Hanger and myself.

At eleven all was over and Brothers John, Carlisle and Hart of the "XX," and Quesada, the Cuban Envoy to the United States, who composed the Installing Council gathered in the beautifully furnished parlors of the hotel and held an informal reception at which many a knowing smile was passed, nicely reminding us of some of the stirring seances with the "goat." "For much more," said one of our boys, "I would have licked Carlisle." But he knows better now.

About two a. m. a happier crowd could not have been gathered in the whole world. We had been led to the Banquet Hall, which the hotel authorities had beautifully decorated with roses, palms, ferns and the Delta Chi colors; we had eaten heartily of the twenty



MEMBERS OF THE NEW GEORGETOWN CHAPTER

11/11/11

or so choice viands prepared for us; we had drunk deeply of the "Extra Dry," that sparkling elixir of life, and had listened to the eloquent and interesting reminiscences of our brother "Delts." Finally the cigars were passed and Brother Berry announced that he was the regularly elected Toastmaster. No one disputed this latest announcement by "Buzz," and after he had made a neat little address of appreciation to our installing officers, introduced Brother Quesada, who in the speech of the evening, spoke eloquently of Delta Chi, and of its assistance to him in the great combat to establish Cuban liberty. Our honored brother is an orator of the first rank, and his speech made everyone present proud that our order had such a man, and that it had been able to aid him in his holy mission. We will never forget the story of Brother John's about the "Pumpkin Pie;" the sage advice of Brother Carlisle nor the happy little speech of Brother Hart denying that he ever liked "Pumpkin Pie." Then we had our chance, and in a few short responses paid tribute to our profession, our university and our city.

TOASTS

Toastmaster.....	Albert Edgar Berry
Delta Chi and Cuba.....	Senor Gonzalo de Quesada
Our Fraternity.....	A. Frank John, "AA"
"Pumpkin Pies".....	M. L. Hart, "DD"
The Bonds of Delta Chi.....	Floyd L. Carlisle, "CC"
The Taft Law Club.....	Wm. Redfield Proctor Malony
Georgetown University.....	William Witthaft Bride
Washington—The Capital City.....	Edward H. Flueck
The Law—Our Profession.....	Albert R. Denu
Falstaff and Other Big Men.....	Charles Woodbury Arth
Our Social Butterfly.....	Joseph Tarbell Dyer, Jr.

When all was over we gave three hearty cheers for each of the members of the Installing Council; three for our University and for Delta Chi; three for Brothers Wyvell, of Cornell, and Dunn, of Union, who labored strenuously for us while our petition was being considered, and departed. All was over. Tired! The word is too tame.

Later in the morning, for then the hour of three had struck, a committee waited on the "XX" who were in town and escorted them around the city in carriages, showing them the beauties of America's most beautiful city. All but Brother John left Washington that afternoon for their respective universities. He remained over until the following day, when Brother Dyer and I had the pleasure of taking him to Mount Vernon, the home and burial place of George Washington, the Mecca of all devoted Americans, and remained with him until the train pulled out.

If I may be permitted I will say just a word about the prospects at Georgetown. We are the only National Fraternity having a chapter at the University, and under the leadership of earnest, interested and truly fraternal fellows there can be naught but success.

On the following Saturday night we initiated three of the most desirable men in the University, Brother Elwyn Thornton Jones, D. K. E., president of the graduating class and winner of the Edward Thompson prize—the highest honor in the University; Brother Francis Hunter Burke, a member of the winning Georgetown team which debated with Columbian University, and Brother Harry Joseph Mohrman. All of these men, with the exception of Brothers Hahn, Jones and Burke will return when the college opens its doors in October. By that time we expect to be comfortably located in our new chapter house in one of Washington's most fashionable localities. We hope our brother "Delts" from out of town will frequently visit us.

WILLIAM W. BRIDE.



DELTA CHI IN THE FAR WEST

Under the shadows of the temple walls, in Salt Lake City, Utah, the "City of the Saints," there are in the active practice of the law eight brethren of Delta Chi, while the city has now at least three undergraduates who are preparing for the same profession and spending those glorious college days in the bonds of our fraternity.

From the Class of '96 and from the loyal Michigan Chapter came Edward Stewart Ferry. "Ned" has been in practice longer than any other Delt here, and is junior member of the firm of Richards and Ferry with offices in the McCormick building. "Ned" is prominent in social circles and an active member of the University Club of this city.

With those Delts who graduated from Cornell in '97, there were four who located in this city and entered upon the practice of the law. One of them, Daniel Hanmer Wells, has gone to the great beyond. To all who knew him Wells was a staunch friend. Endowed with more than average ability he was at the time of his death among those of our brethren who have just reached that point where long years of honor and success were assured. Wells had been educated at St. Paul's College, Stratford, England, at Real Gymnasium, Hanover, Germany, at Annapolis, and finally at Cornell. In Cornell he won both the '94 Memorial Prize in Debate and

the Woodford Prize in Oratory. In the summer of '97 he located in this city and formed a partnership with Arthur Winton Brown, the second of the four Delts mentioned. At the beginning of the Spanish-American war both enlisted in the Utah Volunteer Battery and served with that organization in the Philippines. Wells returned to his practice here and at the time of his death was with the firm of Sutherland, VanCott and Allison. Brown won a commission and is still with his regiment in our Island possessions.

The third of the four, Parley Parker Christensen, was admitted to the bar at the same time and has since then served one term as County Attorney of this county. He is now engaged in the practice of the law with offices in the Commercial National Bank building. After having lost the nomination for a second term as County Attorney by a margin of two votes Parley has sworn to abandon politics for at least two years. But watch him.

And last of the Cornell '97 bunch of Delts who came west, is Charles Stanley Price. Price has in his six years at the bar accumulated a precious lot of experiences, a wife, and as good a practice as usually falls to the lot of the young lawyer. On May 1st this year, he and William Miller McCrea, Cornell Delta Chi of 1900, formed a partnership for the general practice of the law. Their offices are at Suite 51 and 52 Hooper building.

Abiel Bailey Sawyer, Delta Chi, and ex-Cornell, '97, is another of Salt Lakers. "A. B." is engaged—in the practice of law, and has offices in the Progress building.

George Harris Smith, Delta Chi from Michigan, '97, is the assistant attorney for the Oregon Short Line at this point, and has offices in the Deseret News building. He is a prominent member of the University Club.

Christopher Bismark Diehl, Delta Chi from Northwestern class of '97, is another member of the Salt Lake brethren. "Chris" is now Judge of the Criminal Division of the City Court. Visiting Delts need have no fears of arrest and prosecution for any offense less than manslaughter for the next two years. "Chris" knows the grip; is an Elk and member of the University Club.

Cornell, '01, returned to us Rollin Wilbur Dole, and like the other brethren he too is in the race for clients. His office is in the Auerbach building in this city.

David E. Haigh, Max Brown, and Athel Rawlins are now at Ann Arbor, Michigan, and will shortly be sent back to join the Salt Lake Alumni Chapter.
Mc.

The Delta Chi Quarterly

Published at Ithaca, New York

BOARD OF EDITORS

JAMES O'MALLEY, Editor-in-chief,
4 Erie County Savings Bank, Buffalo, N. Y.

MANTON M. WYVELL, Business Manager,
Ithaca, N. Y.

ASSOCIATES

FLOYD L. CARLISLE, Chapter Correspondence
8 Stone Street, Watertown, N. Y.

JOHN J. KUHN, Alumni Page,
189 Montague Street, Brooklyn, N. Y.

CLINTON T. HORTON,
932 Prudential Building, Buffalo, N. Y.

HAROLD F. WHITE,
The Temple, Chicago, Ill.

MARCUS M. HART,
Delta Chi House, Ann Arbor, Mich.

FREDERICK H. HOUSE,
94 Erie County Savings Bank, Buffalo, N. Y.

LEROY T. HARKNESS,
27 Liberty Street, New York City.

EDITORIALS

In publishing the second number of "The Quarterly" a brief retrospect is necessary. The first issue which appeared last April was brought out under most trying circumstances. It was the first effort the Fraternity had made to establish a publication. The men who undertook the work lacked an established system to guide them, and what was more essential, they labored without the interest and support of the alumni. It was proposed to publish four issues last year. But so heavy was the burden which Editor Harold F. White and Business Manager Edward C. Nettles assumed, that it was only after heroic efforts that they managed to put forth the first issue in April. This number was finally distributed and later reached the hands of subscribers.

Naturally, those who expected the four numbers to appear during the first year, were disappointed. But the briefest consideration of the facts enumerated above ought to satisfy all that the failure to carry out the original plans for the first year was, in a great measure, excusable. The delegates from the chapters who assembled in New York, easily came to appreciate the enormity of the task, and,

viewing the work in its most discouraging aspect, decided that much had been accomplished in bringing out even one issue.

Reluctant to accept the resignation of Mr. White, the convention was finally obliged to take this action, since he wrote that it would be out of the question for him to attempt to carry on the work another year. Mr. Nettels agreed to continue as business manager, but later, owing to his removal from Chicago to Des Moines, he, too, was forced to give up the work.

The present year, therefore, opens with new men in charge. The business office of "The Quarterly" has been transferred from Chicago to Ithaca, where the paper will be published during the present year. An effort will be made to organize a board of editors, and to perfect a permanent system. To this end, Cornell, the Mother Chapter, will lend her every effort. But neither Cornell nor all chapters combined will be able to accomplish this without the unanimous and hearty support of all members of the Fraternity. At its best, "The Quarterly" can hardly ever be made self-sustaining financially, but the annual loss to the general treasury can be minimized by the alumni if they will subscribe for the publication liberally and generally. It is needless to call to mind the great good which this paper will do the Fraternity. In fact, it is no longer a need, but an absolute necessity.

In this issue, therefore, we make an earnest appeal for subscriptions. No member, active, alumni or honorary cannot afford to contribute the small mite of one dollar to the success of this enterprise. With this number goes an absolute guarantee that three others will follow during the present year.



If the Alumni Page is lacking in notes from some of the Chapters, it is because the editor of that department has been unable to secure responses to his requests for information. His permanent address will be 189 Montague street, Brooklyn, N. Y. It is his desire to secure the assistance of some alumnus from each chapter who can, every three months, forward to him brief notes of a nature similar to those which appear in this issue. This Alumni Department should be of the greatest interest to those no longer actively associated with their respective chapters. It is the purpose to make it the most im-

portant page in "The Quarterly," next to that of Chapter correspondence. To do this, the co-operation of graduates will be needed.



The founders of the Fraternity who established the Mother Chapter at Cornell in 1890, must of necessity feel some pride in their work when this, the second issue of a publication for the Fraternity reaches them. They will note a total of sixteen prosperous chapters, a remarkable growth in the short space of thirteen years. In the next issue we will have a further word to add along the line of the Fraternity's development.



News from the chapters in this issue is necessarily brief, and has been compiled by the editor of that department from letters sent to him last spring. Much that would have at that time been of interest had, therefore, to be omitted. Hereafter, however, a fuller account of chapter news will be available, and it is intended to include a complete letter from each. All communications relative to chapter letters, and all news of the chapters should be sent to the editor of that department, Floyd L. Carlisle, 8 Stone Street, Watertown, N. Y.



Is your card in the Attorneys' Directory? The editor, like Brother White, will bear testimony to practical results from having his card in the first issue. Three or four items of business were directed his way by reason thereof during the past few months.



We feel assured that the readers of "The Quarterly" will welcome warmly the article contributed to this number by Clarence D. Ashley, Dean of New York University School of Law. Dean Ashley holds the degree of LL.D from Yale. He is an honorary member of the New York Chapter of Delta Chi, and an enthusiastic worker for the interests of the fraternity. He seldom fails to attend the banquets given by his chapter, and at the convention banquet last April his remarks were of more than ordinary interest. At that time he pointed out that "The Quarterly" could be made more valuable to the alumni by securing for each issue a contribution on some legal

subject. This suggestion has been adopted and fortunately we have been able to enlist the services of one of the foremost students in the country in the first issue. The subject of "Negotiability and Assignability" is one of the most troublesome as well as the most important with which the practitioner is called upon to deal. Dean Ashley, in his treatment of the same has brought the essential principles out simply and clearly, and every reader of "The Quarterly," be he student, lawyer or judge, can scarcely help but find this article of assistance. "The Quarterly" extends grateful thanks to Dean Ashley, and expresses the hope that it may give to its readers in its future numbers similar articles from other eminent students, of which Delta Chi has many.



THIS YEAR'S OFFICERS

A. Frank John, "AA," is an alumnus of the Dickinson Chapter. He completed his course in the Dickinson School of Law in 1900, and since that time has been practicing in Mount Carmel, Pa. Brother John is the greatest small product of the Fraternity. He was a loyal, active member, and as an alumnus has taken a keen interest in every affair in which Delta Chi has been interested. For the two years next past he has been "EE" of the general fraternity and by reason of his close association with its official work is eminently well fitted to fulfill the duties of the highest office. He is exceptionally popular and the spirit of his goodfellowship is felt above all else by those associated with him in his work.

The honor of the office of "BB" fell to the Michigan Chapter, Marcus Reuben Hart being the recipient. He is a senior in the Michigan College of Law this year. He is one of the associate editors of the *Michigan Law Review*, whose editors are chosen by the faculty on account of high standing in their studies. Besides being a good student Brother Hart is a good fellow and has a taking personality. This is his first year as a fraternity officer.

Floyd Leslie Carlisle, "CC," represents the Mother Chapter, and is one of her staunchest products. He is a brilliant student, a stronger debater and clever politician. He took his A. B. degree from Cornell last June. His standing in his studies was far beyond the average. For two years he was captain of Cornell's intercollegiate debating teams, competing twice against Columbia and once against Pennsylvania. He won the '94 prize in debate, and was a close competitor for the '86 Memorial public speaking prize. He was president of his Sophomore class and of his Senior class. He joined Delta Chi late in his second year, but immediately became identified with her interests and contributed his best efforts toward securing for the Cornell Chapter her new home. His idea of fraternity policy is conservative, yet progressive, and his influence on the Mother Chapter has been felt more deeply than that of any other individual member of recent years. Brother Carlisle will be admitted to the New York bar next June. He is at present in the offices of Brown, Carlisle & Hugo, Watertown, N. Y.

Edward C. Nettles, "DD," is an excellent type of a self-made Western man. He began early in life to secure an education preparatory to becoming a lawyer. He was in a law office for several years prior to 1891, at which time he became secretary to George R. Peck, then General Solicitor for the Sante Fe system. This was the be-

gining of Brother Nettles' railroad career, which, for the present, has culminated in his appointment to a responsible position as General Freight and Passenger Agent in the service of the Chicago, Milwaukee and St. Paul, at Des Moines. Brother Nettles is filling his third term as "DD" of the Fraternity. He has filled the office well, and has brought the finances onto a firm basis. Like Brother John, he is noted for his qualities of good fellowship and burning enthusiasm for Delta Chi.

Arthur G. Slaight, "EE," is from Osgoode Hall Chapter, Toronto. He gave evidence of sterling worth at the New York convention, and was elected to succeed Brother John. He was an earnest and effective worker in his chapter, and "A" at one time. He is with the firm of Holman, Drayton & Slaight, Toronto. His marriage was celebrated September 17th.



CHAPTER CORRESPONDENCE

April, 1903—October, 1903.

By *Floyd L. Carlisle.*

CORNELL UNIVERSITY

Initiants—Louis Gulick, Arts, '04, Lockport, N. Y.; Earl Kelsey, Arts, '05, Towanda, N. Y.

In May, Elias H. Kelley, Law, '05, won the '86 Memorial Prize in Declamation. Harold J. Richardson, Arts, '05, was a competitor on the same stage. Hugh P. Henry, Law, '05, was elected Editor-in-Chief of the 1905 *Cornellian*. E. H. Kelley, Law, '05, was elected assistant business manager of the *Cornell Daily Sun*.

At the commencement exercises in June, A. M. Wright and F. L. Carlisle received A. B. degrees, and Ernest Bischoff, L. A. Kilburn, J. W. Knapp, Isaac Allison and M. M. Wyvell received LL.B. degrees.

During Senior Week the chapter entertained its guests in the Chapter House.

The state bar examinations were passed by L. A. Kilburn, J. W. Knapp, A. B. Simons and J. T. Driscoll.

Twelve active members return to begin the present college year.

Officers:

- "A," Andrew Rutledge, Jr.
- "B," W. S. Peace.
- "C," Louis Gulick.
- "D," William Duke, Jr.
- "E," H. P. Henry.
- "F," E. H. Kelley.

NEW YORK UNIVERSITY

A large percentage of the active chapter being seniors, the preparations for bar examinations occupied most of May and June.

Following the convention there was only one meeting, at which officers for the coming year were elected:

- "A," G. E. Draper.
- "B," J. M. M. Boland.
- "C," E. J. Wilson.
- "E," A. B. Widdecombe.
- "E," G. J. Corbett.
- "F," Henry S. Austin.



CORNELL'S CHAPTER HOUSE (VIEW OF PARLORS)
VESTIBULE AND LIBRARY ENTRANCE IN LEFT BACKGROUND

THE UNIVERSITY OF CHICAGO
LIBRARY
540 EAST 57TH STREET
CHICAGO, ILL. 60637
TEL: 773-936-3000
WWW.CHICAGO.EDU

UNIVERSITY OF MINNESOTA

Initiants :

Charles O. Lundquist, Middle, '04.

Dan P. Smythe, Senior, '03.

J. Arthur Thompson, Junior, '05.

Clio G. Landon, Junior, '05.

A. L. Myers was elected chairman of the College Play Committee. The Alumni on April 25, sent a delegation to confer with the active chapter concerning a chapter house. A committee with full power to act was appointed to rent a chapter house for the coming year. On June 1st the chapter entertained with an informal dance.

Officers :

"A," M. W. Moore.

"B," Harry Thomas.

"C," A. L. Myers.

"D," Charles Beagle.

"E," George Riebeth.

"F," " " "

UNIVERSITY OF MICHIGAN

On June 17th the 1893 and 1894 classes of the chapter held an enthusiastic reunion.

The House Fund has been generously subscribed to, and the purchase of the property now occupied by the chapter seems a certainty.

Prospects for the coming year are exceptionally bright.

Officers :

"A," William Hanlon.

"B," O. R. Leiter.

"C," Thomas R. Waters.

"D," John A. Havre.

"E," Frederick Maguire.

"F," William Weeks.

DICKINSON

Initiant (honorary) :

Hon. Frederick W. Fleitz, Deputy Attorney-General of Pennsylvania, Harrisburg, Pa.

During the spring Edward L. Dively captained the 'varsity baseball team. James E. Fleitz, president of the Athletic Association, with Paul A. A. Core and Charles A. Spencer, were members of the track team.

Harry A. Hillyer was elected president of the Comus Club.

On June 5, the eleventh annual banquet was held. Hon. A. V. Dively, Hon. L. P. Holcomb and A. F. John, "AA," were present. Nine men graduated in June.

Officers:

- "A," Joseph E. Fleitz.
- "B," Frank P. Benjamin.
- "C," E. F. Hiller.
- "D," W. L. Houck.
- "E," Charles A. Spencer.
- "F," M. D. Patterson.

NORTHWESTERN UNIVERSITY

On April 8th the chapter presented the Law School with a handsome clock, bearing an appropriate inscription. The clock was placed in the students' lounging and smoking room.

The May bar examination of the Illinois Board of Law Examiners was held in the Law School. Eight members of the Fraternity, Ahern, of Michigan; Johnson, Wight, Thompson, Peacock and Miller, of Chicago and Kent; Deitz and McKinney, of Northwestern, passed the examination.

Eleven members return this fall.

Officers:

- "A," Benjamin F. J. Odell.
- "B," Haynes McKinney.
- "C," A. F. Johnson.
- "D," C. E. Knowlton.
- "E," C. J. Barber.
- "F," Russell Wiles.

CHICAGO-KENT SCHOOL OF LAW

On June 6th the following members of the chapter were graduated: Harry H. Barnum, Harry C. Hazel, Walter S. Johnson, Theodore C. Robinson, Fillmore W. Tood, William C. Miller, Walter K. McIntosh, Joseph F. Peacock, Charles F. Thompson, Byron W. Wight.

F. W. Tood and H. C. Hazel passed several of the final examinations with a grade of 100.

The chapter actively assisted in the installation of the University of Chicago Chapter at the Wellington Hotel, May 23d.

Officers:

- "A," Harry Lewis Bird.
- "B," Walter Stowell Rogers.
- "C," Charles Vincent McErlean.
- "D," Charles F. Rathbun.
- "E," Frank L. DeLay.
- "F," Arthur Wm. Cupler.

BUFFALO LAW SCHOOL

H. W. Doherty won the prize scholarship of one hundred dollars. This prize, which is the highest honor in the law school to win, has for four years been held by members of the chapter.

Ten men graduated from the chapter in June.

Plans are on foot to secure better quarters for the coming year.

Officers:

- "A," C. C. Fernno.
- "B," R. J. Richardson.
- "C," I. S. Wood.
- "D," F. H. Leaver.
- "E," E. M. Robbins.
- "F," F. H. House.

OSGOODE HALL

The plans for a permanent chapter house in Toronto have, as yet, failed to materialize. The Alumni, however, are ready to stand back of the proposition, and before January the chapter hopes to move into permanent quarters.

The officers for the coming year have not been reported.

SYRACUSE UNIVERSITY

Initiants:

- Orla E. Black, '05, Humphrey, N. Y.
- John Joseph Harty, Utica, N. Y.

Officers:

- "A," James F. O'Neill.
- "B," James W. Hypernon.
- "C," Orla D. Black.
- "D," Charles L. Crane.
- "E," Seth L. Larabee.
- "F," C. R. Jackson.

ALBANY LAW SCHOOL

Initiant (honorary):

- Hon. Eugene Bryan, Albany, N. Y.

Affiliated:

- Harry Merrill, Cornell, '04.

The annual banquet, held at the Hotel Ten Eyck, May 22nd, was largely attended. Hon. J. N. Fiero, Judge Termant and Hon. Eugene Bryan were present.

The chapter is contemplating larger quarters for the coming year.

Officers :

- "A," D. C. Salyerds.
- "B," H. B. Thomas.
- "C," W. W. Norton.
- "D," M. R. Frisbie.
- "E," M. N. Taylor.
- "F," E. C. Jamieson.

 OHIO STATE UNIVERSITY

All of the seniors of the chapter passed the state bar examinations held June 1st. They were Emory A. Sparrier, Clyde C. Porter, Herbert I. Kreighbaum, Harry C. Godown and Elza J. Lambert.

The annual banquet held at the Neil House, June 5th, 1903, was largely attended.

Officers :

- "A," C. B. Wander.
- "B," A. E. Ward.
- "C," Frank Ruth.
- "D," Fred Swan.
- "E," Harry M. Rankin.
- "F," R. C. Taylor.

 UNIVERSITY OF WEST VIRGINIA

The illness of the "C" prevented the filing of the spring reports.

 NEW YORK LAW SCHOOL

Initiants :

- William Bailey, 1904, Yale, 1901, Somers, N. Y.
- Newton Adams, 1904, Princeton, 1903, New York City.
- Jonathan Hiller Holmes, 1904, Harvard, 1903, New York City.
- William P. Howe, 1904, Princeton, 1902, New York City.
- Frederick C. Russell, 1904, New York City.

Before the summer vacation a committee on a permanent chapter house was appointed with power to act in securing quarters for the fall.

Officers :

- "A," E. D. Freeman.
- "B," L. W. Ross.
- "C," C. R. Haviland.
- "D," G. W. Harper, Jr.
- "E," Fred C. Russell.
- "F," William Bailey.

UNIVERSITY OF CHICAGO

George P. Hambrecht was elected president of the Law School Council.

Four of the five scholarships which are annually given in the Law School, have, for the coming year, been awarded to members of the chapter—Hambrecht, Cochran, Bingham and Moore.

Several of the chapter members spent the summer in the summer school.

A chapter house for the coming year seems probable.

Officers:

- "A," G. P. Hambrecht.
- "B," John R. Cochran.
- "C," J. C. Moore.
- "D," Frederick K. Dickinson.
- "E," E. J. Baum.
- "F," D. E. Atwood.

GEORGETOWN

The prospects for securing a permanent home for the chapter during this year are bright. There is a very healthy spirit in Georgetown, and the fraternity promises to make a strong advance. The following have been initiated since the installation on May 30: E. T. Jones, F. H. Burke, H. J. Mohrman.

Officers:

- "A," A. E. Berry.
- "B," E. H. Flueck.
- "C," W. R. P. Malony.
- "D," W. B. Williams.
- "E," C. B. Rix.
- "F," C. W. Arth.

THE ALUMNI

By John J. Kuhn.

CORNELL

Professor Ernest Wilson Huffcut has been appointed Dean of the Faculty and Director of the College of Law of Cornell University, the appointment to take effect at the commencement of the present college year.

Edward R. O'Malley, '91, returned from a six weeks' business and pleasure trip in Europe on September 12. He visited England, Ireland, Scotland and Paris. He is the senior member of the firm of O'Malley, Smith & O'Malley, Erie County Savings Bank, Buffalo, N. Y.

Thomas A. Sullivan, '91, one of the most enthusiastic of the charter members of the Fraternity is rapidly becoming one of Buffalo's more prominent lawyers. He is the junior member of the firm of Spaulding & Sullivan.

Frederick G. Bagley, '91, was successful in securing the largest negligence verdict ever recorded in Erie County in one of his cases last spring. A verdict of \$14,000 was rendered against the Grand Trunk Railroad in favor of his client.

Thomas D. Watkins, '91, is attorney for the New York Central at Utica, N. Y.

George W. Schurman, '93, brother of President Schurman, of Cornell, has resigned the position of assistant district attorney in New York City, and is practicing law at 96 Broadway, New York.

Robert Hedrick Widdicombe, '93, has offices for the practice of law at 1931 N. Tejon street, Colorado Springs, Col.

Louis H. Kilbourne, '95, is second lieutenant, U. S. A., at Fort Sill, Oklahoma. Brother Kilbourne, after obtaining the degrees of L. L. B. and L. L. M. at Cornell, practiced law for five years in Wellsboro, Pa., before entering the army.

Francis Halsey Boland, '97, was recently married at Baltimore, Md.

Charles Brown Swartwood, '97, is City Attorney at Elmira, N. Y.

Daniel Hamner Wells, '97, died during the past year at Salt Lake City. Brother Wells was the winner of the '94 Memorial Debate, winner of the Woodford Oratory contest, and a member of the Cornell Debate team which defeated the team from the University of Pennsylvania in 1897. His earnest character and genial spirit of good fellowship made his death keenly felt by all who knew him.

Dr. Ernst Gustav Lorenzen, '99, has accepted a position on the faculty of the Law Department of the University of Maine. After taking his degrees of A. B. and LL. B. from Cornell, he spent two or three years abroad, finally taking his Doctor's degree from Heidelberg.

W. Martin Watson, '97, is the attorney for the State Bank of New York, at 376-378 Grand Street, New York.

Reuben L. Haskell, '90, is one of the hustling young attorneys in Brooklyn, N. Y. His office is at 44 Court Street.

Charles Raymond Cameron, '98, is teaching at San Pedro, Port of Antique, Panay, Philippine Islands.

Fraser Brown, '00, is connected with the Law Department of the Title Guarantee and Trust Company of New York. His address is 124 Railroad avenue, White Plains, N. Y.

James P. Magenis, '00, has his law offices located at 5 Court Street, Boston, Mass.

Dudley K. Wilcox, '02, has opened his law offices at 109 Metcalf Building, Auburn, N. Y.

BUFFALO

Alfred Hurrell, '02, has located in Altoona, Pa. He accepted a position with a well-established lawyer of that place last December, and his prospects are brighter than those of the average young lawyer. He recently married Miss Gertrude Mason, Buffalo.

T. Edward Redmond, '01, has given up the law for the present and is with the firm of Howard & Solon, wholesale grocers, Jackson, Mich. He expects to return to Buffalo within a year to resume practice.

Herman J. Westwood, formerly of the Cornell Chapter, later affiliated with Buffalo, holds a remunerative position under Judge Warren B. Hooker, of the Fourth Department. His marriage to Cora Smith, of Buffalo, daughter of Mr. and Mrs. William J. Smith, was celebrated September 2, 1903. He will be a member of the faculty of the Buffalo Law School the coming year, and will lecture on elementary law.

William H. Gorman, '01, is deputy assistant city attorney of Buffalo. His term of office expires in 1905. William J. Curtin, of the same class, is on the staff of the District Attorney of Erie County.

S. Fay Carr, '03, one of Buffalo's delegates to the last Chicago convention, was married last July. He has entered the office of Moot, Sprague, Brownell & Marcy in Buffalo.

District Attorney Edward E. Coatsworth, of Erie County, was the last honorary member to be initiated into the Buffalo Chapter.

Charles Dieboldt, Jr., "BB," of the Supreme Court for the year 1902-03, is with Fisher, Coatsworth & Wende, of Buffalo. During the present summer he was assigned to an important case which required him to visit almost every state in the Union. He is meeting with deserved success.

Charles A. McDonough, '03, has been appointed to a position as stenographer under the Civil Service in Manila, P. I. It pays him \$1,400 and also offers opportunity for advancement.

Henry W. Doherty, '03, who won first scholarship prize in the University of Buffalo graduating class last June, has taken a position in the office of Senator Gamble, at Yankton, S. D.

Some of Buffalo's honorary members who constitute a great source of strength to the chapter are State Attorney General John Cunneen, Adelbert Moot, Judge Edward W. Hatch, First Department of the Appellate Division; Judge Albert Haight, Court of Appeals; Judge Frederick W. Kruse, and Judge Daniel J. Kenefick, of the Supreme Court, Eighth Judicial District; Hon. Tracy C. Becker, James L. Quackenbush and E. Corning Townsend, lecturers in the Buffalo Law School.

NEW YORK UNIVERSITY

Gonzalo de Quesada, '94, is Cuban Minister to the United States.

Nathaniel Albert Elsberg, '94, is a well known New York State Senator.

William J. Barr, '94, is a member of the law firm of Stern, Singer & Barr, at 280 Broadway, New York. Henry B. Singer, '96, is a member of the same firm.

William F. Quigley, '94, and Jay E. Whiting are members of the firm of Bodine, Quigley & Whiting, at 256 Broadway, New York.

A. Judson Hyatt, '97, is associated with Frank I. Tierney, '00, in the practice of the law at 76 William street, New York.

James F. Hurley, '98, is a member of the firm of Chas. A. Johnson & Co., calico printers' supplies, at 22 Dey street, New York. Although Brother Hurley has not followed the practice of law, he takes an active interest in the Fraternity, and is a frequent visitor at the rooms of the New York Chapter.

Charles H. Moore, '01, who was for two terms "CC" of the Supreme Court, is practicing at 27 William street, New York.

DICKINSON

W. Harrison Walker, is Mayor of Bellefonte, Pa., and associated in the practice of law with A. L. Fortney, Esq.

Charles E. Daniels, '98, is prospering in the practice of law at Scranton, Pa.

D. Edward Long, '00, is practicing at Chambersburg, Pa., and has splendid prospects of becoming the next District Attorney of Franklin County.

Marlin Wolf, '00, a brother beloved by all, died recently at Southern Pines, N. C. His death was due to Bright's disease. He had gone South for his health. He was very active in this Chapter while associated with it, and exceptionally popular with the members.

Herman M. Sypherd, '00, is trust officer in the leading trust and safe deposit institution of Atlantic City.

Miles H. Muhr, '00, Malcom B. Sterrett, '02, and Howard M. Harpel, '01, have located in Chicago.

Albert S. Longbottom, '03, will practice in Philadelphia.

N. R. Turner, '02, is practicing at Easton, Pa.

Phil M. Graul, '01, has built up a nice practice at Lehighton. He comes back to visit the Chapter frequently.

Samuel E. Basehore, '01, is located at Mechanicsburg, Pa., and has been successful in getting a nice share of the Orphans' Court practice in his community.

Preston A. Vought, Charter Member, is practicing at Mount Carmel, Pa., and is very prosperous in law, real estate and insurance.

Harry P. Katz, '01, has opened offices in the Stafford Building, 1112 Chestnut street, Philadelphia, and has made a specialty of bankruptcy work.

Wencel Hartman, Jr., '01, holds the fat berth of bond clerk in the office of the District Attorney of Philadelphia.

John Bartram Lavens, '02, has abandoned law and is with the Pennsylvania Electric Vehicle Co., 250 Broad street, Philadelphia.

Robert Holden Moon, '02, has gone to Parkersburg, W. Va., where he has opened a law office, and is also engaged in mine brokerage.

MICHIGAN

Frederick W. Bacon, '96, is practicing in Butte, Mont.

Basil B. Adams, '99, is located in Spokane, Washington.

Joseph D. Chamberlain, '00, is established in Dayton, O., and actively engaged in the practice.

Edwin M. Ashcraft, Jr., '00, was married to Miss Anna Strawbridge at Trinity Episcopal Church, Chicago, on October 8th.

Roscoe Call, '02, is practicing in Algona, Iowa.

Harry V. Blakley, '03, has located in Flint, Mich.

John A. Haver, '03, has gone to Tulsa, Indian Territory, where he will engage in practice.

Carlton G. Ferris, '00, formerly "AA," is a member of a prosperous firm in Detroit, Mich.

E. W. Eskridge, '02, and A. J. Read, '02, are in partnership in Kansas City, Mo.

MINNESOTA

Festus L. Bannon, '01, is contracting Freight Agent, with the Great Northern Railway, at Duluth, Minn.

Dan P. Smythe, '03, is practicing in Pendleton, Oregon.

UNION

James L. Barnes, '92, is practicing in Falls City, Nebraska.

George A. Bingham, '93, is practicing in Rutland, Vt.

C. A. Dunn, '03, is with Thomas D. Watkins, Cornell, '92, one of the charter members of the fraternity.

Stephen Moran, '01, is with Moot, Sprague, Brownell & Marcy, one of Buffalo's best firms. The head of the firm is an honorary member of the fraternity, and four or five members of the office staff are Delta Chi men.

WEST VIRGINIA

Hardin L. Duval, '03, one of the charter members of the chapter, died of diphtheria, July 28, of this year.

M. M. Neely, '02, and H. S. Lively have formed a partnership for practice at Fairmount, West Virginia. The firm represents a company now engaged in abstracting a large coal field.

Robert H. Boyd, '03, has located in Martinsburg, West Virginia.

OHIO STATE

Charles M. Emery, '03, is located at Stockdale, Ohio.

GEORGETOWN

Frederick H. Burke, '03, is deputy prosecuting attorney in Washington, Ind.

DEPAW

George C. Calvert, '95, has left the profession to become manager of the Indianapolis Clearing House Association.

NORTHWESTERN

Roger L. Dennis, '03, is in Sioux Falls, S. D.

Edward B. Witwer, '00, has been elected secretary of the Chicago Alumni Association.

CHICAGO-KENT

Edward H. Barron, '00, William J. Kirk, '98, and Vernon W. Foster, have been elected president, vice-president and treasurer respectively of the Chicago Alumni Association.

Arthur C. Snow, '02, has taken a prominent part in all tennis tournaments this summer, and, with Edwin M. Ashcraft, Jr., Michigan, '00, won a majority of the championships in the doubles in which they competed.

NEW YORK LAW CHAPTER

B. B. Conable, '03, has entered the offices of Moot, Sprague, Brownell & Marcy, Buffalo, N. Y. He is a graduate of Cornell with the class of 1901.

Leroy T. Harkness, '03, is practicing in New York, at 26 Liberty Street. Clarence H. Fay, of the same class has also settled in New York.

OSGOODE HALL

Arthur Graeme Slight, the present "EE," was married on the 17th of September to Miss Evelyn Lukes, daughter of Mr. Lewis Lukes, at St. Thomas' Church, Toronto.

Walter B. Laidlaw is now practicing in Toronto.

Harold E. B. Robertson, who continues to practice in Victoria, the capital city of British Columbia, was recently married.

J. A. Supple is practicing in his native town of Pembroke, Ont

Valentine Lindsay, one of the recent graduates, intends leaving shortly to practice in the Canadian Northwest.

J. Carlisle Moore, a member of the Chicago Chapter, is now studying law in the office of "EE's" firm, Messrs. Holman, Drayton & Slight, in Toronto, Ont.

BOOK REVIEWS

By Clinton T. Horton.

A Code of Negligence, Being the Law of the State of New York in respect to Negligence and Kindred Subjects as Declared by its Courts of Last Resort. By John Leavitt, LL. D., of New York. Matthew Bender, Albany, N. Y., 1903.

The original edition of this work published in 1895 under the title, "The Law of Negligence in New York," was the result of an effort on the part of the author to meet the demands of the times for a codification of the law of negligence. It was, as its author expressed it, an expanded trial brief, designed to collect the principles of this branch of the law and the decisions relating thereto in such a way as to enable the busy practitioner to find "a case in point" without a wearisome search through digests and reports. The present edition brings the work down to date. It gives the gist of the decisions in 1,700 cases in the Court of Errors and Court of Appeals besides referring to about 1,800 others in the Appellate Division. This includes all the cases on the subject in these courts up to the time the work went to press. The book is divided into three parts: Part I consisting of cases correlated according to principles; Part II giving a brief statement of the facts in each case reported in the Court of Errors and Court of Appeals in chronological order; and, Part III, grouping the cases according to the facts.

The arrangement is somewhat unusual, and the directions for use found at the end of the preface should be read before one attempts to use the work. This done, the busy lawyer will find it a great aid in the preparation of trials and appeals. It is practical, thorough and accurate, and will form a valuable addition to an attorney's equipment.

The Law and Practice in Bankruptcy under the National Bankruptcy Act of 1898, with Citations to the Decisions to Date. By William Miller Collier. Fourth Edition Revised and Enlarged by William H. Hotchkiss of Buffalo, N. Y., Referee in Bankruptcy for the Western District of New York. Matthew Bender, Albany, N. Y., 1903.

The fourth edition of this familiar work differs in many ways from the former editions. Indeed, it is almost a new book under an old name. The changes, however, are for the better, as they include many new ideas for the convenient use of the work. Among other new features are the following: Special attention is paid to cases under the present statute, although those deemed valuable under previous laws are also included; citations are in foot notes

rather than in the body of the text; the book contains synopses of sections to aid in finding paragraphs; and much space is given to practice and forms. Another commendable feature is a good index, so often lacking in works of this character.

All this is in accord with the idea of the reviser to make the book one for the practitioner rather than the student or expert. While there are some defects in the way of misprints and sometimes a slight obscurity due to the condensed form of statement, on the whole the work fulfills the purpose for which it was designed, and adds materially to the value of the old book.



SHOURDS, ADCOCK & TEUFEL

Jewelers.

66 State St., cor. Randolph St., Telephone Central
3745. CHICAGO

Diamonds, Watches and Sterling Silver.

Manufacturers of Delta Chi and Other Fraternity Pins

ATTORNEYS' DIRECTORY

When necessary to employ counsel in another city, why not correspond with a member of Delta Chi

CHICAGO, September 16, 1903.

To the Editor of the Delta Chi Quarterly:

I am a hearty exponent of the interchange of business between practicing attorneys, members of the Delta Chi, and have already had practical proof of the usefulness of carrying one's card in the Attorneys' Directory. One item of business, which I received from a brother "Delt" in New York, through this medium, netted the firm, of which I am a member, \$40.00, and I have received two or three small items of business, which, although of no importance in themselves, indicate the general feeling that exists among members of the fraternity in favor of reciprocity.

Within the last week I have had occasion to telegraph a matter which needed very urgent attention, to a town where I have had some difficulty in securing satisfactory service, viz: Butte, Mont. I had learned only a few days before that one of the New York "Delts" had located in Butte (in fact, he had written me regarding another matter, taking my name from the Directory), and as a result, I wired him and am satisfied that I have found in him what will prove a valuable correspondent.

Fraternally yours,

HAROLD F. WHITE.

Albany, N. Y.

DANIEL T. CASEY

119 State Street

Of CASEY & QUINN

Altoona, Pa.

J. BANKS KURTZ

5 and 6 Schenk Building

Altoona, Pa.

ROBERT A. HENDERSON

Schenk Block

Bellefonte, Pa.

W. HARRISON WALKER

ATTORNEYS' DIRECTORY—Continued

Binghamton, N. Y.

ALBERT S. BARNES

23 and 24 McNamara Building

Boston, Mass.

JAMES P. MAGENIS

Rooms 62 and 65, 5 Tremont Street

Telephone Haymarket 868

Brooklyn, N. Y.

JOHN J. KUHN

189 Montague Street

(Cornell '98)

Buffalo, N. Y.

EDWARD M. SHELDON

614 Mutual Life Building

Mercantile Litigation

Buffalo, N. Y.

CHARLES A. ORR

Buffalo Savings Bank Building

Buffalo, N. Y.

JAMES O'MALLEY

3 and 4 Erie County Bank Building

Of O'MALLEY, SMITH & O'MALLEY

Buffalo, N. Y.

CLINTON K. DEGROAT

General Practice

118 Erie County Bank Building

Issue commissions to Clinton K. DeGroat
Notary Public, with SealChicago, Ill.

JOHN E. AMOS, JR.

901 Journal Building

Long Distance Telephone Main 4401

Chicago, Ill.

EDWARD H. BARRON

132 Michigan Avenue

Telephone Central 2425

Chicago, Ill.

ROBERT CATHERWOOD

1543 Monadnock Block

Telephone Harrison 1281

Chicago, Ill.

SIDNEY N. REEVE

Room 808, 160 Washington Street

Telephone Main 4084

ATTORNEYS' DIRECTORY—ContinuedChicago, Ill.

WALTER S. JOHNSON
Room 44, 92 LaSalle Street
Telephone 919 Main

Chicago, Ill.

A. A. McKINLEY
79 Dearborn Street
(O'Brien & McKinley)

Chicago, Ill.

HAYES McKINNEY
1610 Title and Trust Building
100 Washington Street

Chicago, Ill.

DANIEL W. FISHELL
1019 Ashland Block
Telephone Central 1547

Chicago, Ill.

WILLIAM J. KIRK
13 Eldridge Court
Telephone Harrison 654

Chicago, Ill.

MARSHALL D. EWELL, M. D.
Suite 618-619, 59 Clark St.
Examiner of
Disputed Hand-writing, Ink, etc.

Chicago, Ill.

HAROLD F. WHITE
904-10 The Temple, 184 La Salle St.
Long Distance Telephone
Main 3815

Chicago, Ill.

EDWARD B. WITWER
Room 407, 153 LaSalle Street
Telephone Central 3396

Colorado Springs, Colo.

R. H. WIDDECOMBE

Detroit, Mich.

CARLETON G. FERRIS
406 Hammond Building
Telephone 2358
Of HATCH & FERRIS

Dunkirk, N. Y.

KILBURN & SIMONS
315 Lion Street
L. A. KILBURN A. B. SIMONS

Durango, Mexico
Estado de Durango

MANLY D. DAVIS
Apartado 79
Consult me with regard to Mining
Concessions

ATTORNEYS' DIRECTORY—ContinuedEast St. Louis, Ill.**FLANNIGAN & SEITER**

R. H. FLANNIGAN O. R. SEITER
 Jackiesch Building
 Phone. Bell East 345 M.

Freeport, Ill.**PATTISON & MITCHELL**

DOUGLASS PATTISON
 R. B. MITCHELL

Fredonia, N. Y.**CLINTON O. TARBOX**Goshen, Ind.**S. C. HUBBELL**Grand Rapids, Mich.**HOWARD A. THORNTON**

Mich. Trust Building

Greenville, Pa.**GUY THORNE**

Greenville National Bank Building

Ithaca, N. Y.**MONROE M. SWEETLAND**

147 East State St.

Los Angeles, Cal.**GEORGE L. KEEFER**

412 Currier Building

Minneapolis, Minn.**W. R. BROWN**

510 New York Life

Minneapolis, Minn.**F. E. COVELL**

840 Lumb Street

Minneapolis, Minn.**GEO. W. BUFFINGTON**

320 Temple Court

Minneapolis, Minn.**H. E. FRYBERGER**

904 New York Life

ATTORNEYS' DIRECTORY—ContinuedMinneapolis, Minn.

GEORGE R. SMITH

610 Boston Block

Montclair, N. J.

JOHN A. HINES

483 Bloomfield Avenue

Mt. Carmel, Pa.

A. F. JOHN

6 and 7 Guaranty Trust Building

Newark, N. J.

JOSEPH KAHRIS

164 Market Street

New Cumberland, Pa.

A. J. FEIGHT

3d and Market Square

New York City

CHAS. H. MOORE

11-19 Williams Street

New York City

CASE & NEWKIRK

L. BARTON CASE L. HASBROUCK NEWKIRK
German-American Bld.
Telephone 7965 CortlandtNew York City

STERLING ST. JOHN

229 Broadway

New York City

J. EDWARD DOWNING

100 Broadway

New York City

HENRY C. BROOKS

76 William Street, Cor. Liberty St.
Telephone 4178 JohnNew York City

GOODALE, FILES & REESE

71 Wall Street

Wilbur C. Goodale; George W. Files;
Richmond J. Reese,New York City

CHARLES F. MURPHY

220 Broadway

ATTORNEYS' DIRECTORY—ContinuedOakville, Ontario

W. ALEC CHISHOLM

Colborne Street

Parkersburg, Pa.

ROBERT H. MOON

44 Citizens Bank Building

Philadelphia, Pa.

PAUL M. ROSENWEY

1308 Land Title Building

Pittsburg, Pa.

NEIL ANDREWS

246 Lehigh Avenue

Pullman, Wash.

P. W. KIMBALL

Reading, Pa.

OLIVER LENTZ

534 Washington

Reading, Pa.

HARRY F. KANTNER

43 N. 6th Street

Dickinson '97

Rochester, N. Y.

D. CURTIS GANO

919, 921 and 923 Granite Building
Prompt attention to all business for
correspondents.Salt Lake City, Utah

C. S. PRICE

15 and 52 Hooper Building

Salt Lake City, Utah

PARLEY P. CHRISTENSEN

(County Attorney)

Salt Lake City, Utah

ROLLIN W DOLE

407-408 Auerbach Building

Salt Lake City, Utah

WILLIAM M. McCREA

22 East First South Street

ATTORNEYS' DIRECTORY—Continued

Saratoga Springs, N. Y.

M. E. McTYGUE

14 Town Hall

Sioux Falls, S. D.

SIOUX FALLS SAVINGS BANK

ROGER L. DENNIS

Assistant Cashier

Stapleton, Staten Island
206 Broadway, New York

L. W. WIDDECOMBE

St. Johnsville, N. Y.

GEORGE C. BUTLER

Syracuse, N. Y.

HARRY H. STONE

402 Kirk Building

Tacoma, Wash.

ARTHUR R. WARREN

501-502 Fidelity Bld.

Telephone Black 1503

Tiffin, Ohio

CLYDE C. PORTER

Troy, N. Y.

HARRY B. CLINTON

Trumansburg, N. Y.

CLINTON PAGE

Tulsa, I. T.

RANDOLPH & HAVER

H. W. Randolph

John A. Haver

Tulsa, I. T.

JOHN A. HAVER

Van Buren, Ark.

HENRY L. FITZHUGH

ATTORNEYS' DIRECTORY—Continued

<u>Watertown, N. Y.</u>	<u>Windber, Pa.</u>
BRUCE N. MARTIN 6 Flower Building	GEO. B. SOMERVILLE Somerset County



CAFE FRANCIS,

Nos. 53 and 55 West 35th St., **NEW YORK**
Telephone 2239 38th St.

FRENCH RESTAURANT.

TABLE D'HOTE and A'LA CARTE.

Unexcelled Service and Music.

NOTICE SPECIAL arrangements will be made for the entertainment
and comfort of members of the Delta Chi Fraternity.

FRANCIS A. SAVOUREUX,

Proprietor.

R. A. HEGGIE & BRO.

Manufacturers of

Delta Chi Pins and Keys.

We Make a Specialty of

Delta Chi Keys.

ITHACA, N. Y.

DELTA CHI FRATERNITY

Invitations, and all kinds Engraving
Cards, ...of... and Printing

C. E. BRINKWORTH,

331 Main Street,

BUFFALO

BADGES
AND
PINS



THE ABOVE forms a large branch of our business, and if you are in need of any Society Badges or Class Pins write us for handsome illustrated booklet and price list. We submit special designs when necessary.

HEINTZ BROS Manufacturing Jewelers **Buffalo.**

**Commencement Invitations and Programs. College
Fraternity Note Paper.**

We have unexcelled facilities for the proper execution of Calling Cards, Ceremonial Invitations and Announcements, Heraldic and Monogram Dies for Correspondence Papers, Book-Plates, etc. We carry the

Leading Lines of Crane's and Hurd's Papers---Also Cheaper Grades

of Papers for Every Day Use. Write for Quotations and Information.

THE WHITE-EVANS-PENFOLD CO.,

302-304 Main Street,

-In Palmer's,-

BUFFALO, N. Y

The One Thing a Student Should Learn at Law School

On any question always to consult first the
Lawyers' Reports Annotated.
To search the INDEX TO NOTES knowing, if the
question is annotated in L. R. A. your work is
done. ♣ ♣ ♣ ♣ ♣ ♣ ♣

This lesson well learned, and you have a Great Truth by the tail
Nearly every college has some modification of the "Case system."
When you have to look up some question go to the "INDEX TO NOTES."
If you haven't one send to us. Mention the QUARTERLY and we'll
send it free.

Digests may include all cases, but when are you sure you have
found them all? Text-books are general reviews of broad subjects,
and encyclopaedias are essentially collections of sketchy text-books—
good, bad or indifferent. They all have their value, of course. But
suppose you want help on a brief point like, say: "*life insurance, as
assets of a bankrupt*" or "*do injuries to person and property constitute one
or two causes of action?*" You might, in time, dig it all out of the
other books (as our editors have) if you had all the books and a per-
fect working knowledge of them, but in LAWYERS' REPORTS ANNOTATED
you'll find an exhaustive review of all cases on the subject—a complete
brief—with a full report of the latest.

Look up and get familiar with the LAWYERS' REPORTS ANNOTATED.
There are no reports like them. Every law school should have the set.
The Best of them have.

Your librarian should have some copies of "Where to Look for the
Law." Poke him up if he has not sent to us for some to distribute.

THE LAWYERS CO-OPERATIVE PUBLISHING COMPANY,

CHICAGO
225 Dearborn St.

Rochester, N. Y.

NEW YORK
79 Nassau St.

INDELIBA
(Trade Mark)

NON-GREASE

**Type-Writer Ribbons
and Carbons . . .**

OUR RIBBONS AND CARBONS DON'T SOIL THE HANDS OR WORK

Send for 50 cents worth of FREE CARBONS and CATALOGUE of
TYPEWRITER SUPPLIES.

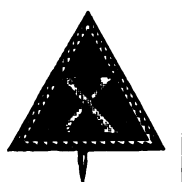
**INDELIBA MANUFACTURING CO., Dept. S.
ROCHESTER, N. Y.**

NEW YORK. PITTSBURG. LONDON. ST. LOUIS.

<p>LAW CASES</p> <p>BRIEFS</p> <p>LEGAL BLANKS</p>	<p>THE</p> <p>KIRK PRINTING Co.</p> <p>71-73 WEST EAGLE ST.</p> <p>BUFFALO, N. Y.</p> <p><i>Bell and Frontier Phones - 1048</i></p>	<p>STATIONERY</p> <p>AND</p> <p>GENERAL PRINTING</p>
--	---	--

When writing to Advertisers
Please mention the Delta
Chi Quarterly

KING & EISELE,
Buffalo, N. Y.



DELTA CHI.

Manufacturers of
Glass Pins, Medals, Etc
 Estimates and Designs Furnished on Application

No Order Too Small.
 No Order Too Large.

C. M. BELL PHOTO CO.,
 463-465 Penn Avenue

High Grade Photographer
 Washington, D. C.
 SPECIAL RATES TO COLLEGE STUDENTS.

→ **THE LEGAL GLASSIG SERIES** ←

REPRINTS OF THE OLD MASTERS

Glanville Britton, Little's Tenures and The Mirror of Justices

Let us send you particulars.

JOHN BYRNE CO., Law Booksellers and Publishers,

WASHINGTON, D. C.

J. F. Newman *Badge and Jewelry
Manufacturer*

OFFICIAL FRATERNITY JEWELRY
DELTA CHI BADGES

Fraternity and College Badges,
Rings, Seals, Charms, Specialties

DESIGNS AND ESTIMATES

ELEVEN JOHN STREET:::NEW YORK

Law Briefs and Points

*WE MAKE A SPECIALTY OF
THIS LINE OF WORK:::GET
OUR PRICES:::WE SAVE YOU
DOLLARS WHERE WE MAKE
CENTS FOR OURSELVES*

ITHACA DAILY NEWS
Job Department:::Ithaca, New York

PRINTERS OF THE DELTA CHI QUARTERLY

S. N. MEYER, 1231 PA. AVE., N. W., WASHINGTON, D. C.

MANUFACTURER OF

College, School, Class and Fraternity Jewelry.

DELTA CHI PINS, \$2.50 UPWARDS.

LAWYER'S COMMON PLACE AND BRIEF BOOK,

WITH AN ALPHABETICAL INDEX OF NEARLY

ONE THOUSAND TITLES AND SUBJECTS.

By a Member of the New York City Bar.

The plan of this work grew out of the author's own wants, and his experience in using other common-place books. Its practical utility has been tested by his own experience. The usefulness of some sort of a common-place book is recommended by every practicing attorney including Fulbec, Roger North, Lord Hale, Phillips, and Locke. Lord North says, "Common-placing is so necessary that without a wonderful, I might say miraculous fecundity of memory, three parts of reading in four will be utterly lost to one who useth it not." That distinguished and accomplished scholar, William Wirt, remarks, "Old fashioned economists will tell you never to pass an old nail, or an old horse-shoe, or buckle, or even a pin, without taking it up, because although you may not want it now, you will find use for it sometime or other." This principle is especially true with regard to legal knowledge. The author, in his legal study and practice, has endeavored to seize upon all that is fairly within his reach, and, by tediousness, drudgery, and wearisomeness (the only way to know law,) to place a fund of valuable legal knowledge at his ready command. The plan of this work will be found sufficiently general and systematic. It is best to index according to subjects, selecting that word which conveys the best idea of the subject or decision. The margin on the left hand of each page is ruled wide enough to give room for the word or subject.

Printed on fine quality of linen ledger paper. Bound leather back and corners, marbled paper sides. Size, 8x9, 300 pages, \$3.00.

SIZE 8x9, 1000 PAGES, BOUND FULL LEATHER, RUSSIA ENDS AND BANDS, \$5.00
EXPRESS PAID.

WILLIAMSON LAW BOOK CO.,

Established 1870.

ROCHESTER, N. Y.

Send for our Catalogue of Second-hand Law Books



Delta Chi Fraternity Pins

MADE in excellent manner and in proper size and shape. Direct from

the manufacturer to wearer at following prices: Solid gold, plain, \$3.00; stones, close set, \$5.00, crown set, \$10.00. Any stones, except diamonds are furnished for these prices. We make anything in class, club, society or college pins that are desired. Send for free catalogue showing hundreds of designs. Special designs will be made from your suggestions free of charge. **BASTIAN BROS.,** K 21 South Ave., Rochester, N. Y.

FRATERNITY PINS.

EDMUND G. HINES, Watches and Diamonds,
921 F Street, N. W. WASHINGTON, D. C.

Chicago-Kent College of Law

CHICAGO COLLEGE OF LAW
(Organized 1888)

LAW DEPARTMENT LAKE FOREST UNIVERSITY
(1890-1923)

KENT COLLEGE OF LAW
(Organized 1897)

ATHENÆUM BUILDING - - CHICAGO

FACULTY OF LAW

HON. THOMAS A. MORAN, LL. D., DEAN
Lecturer on Pleading and Practice and
Legal Ethics

MARSHALL D. EWELL, M. D., LL. D.
Professor of Elementary Common Law and
Medical Jurisprudence

HON. EDMUND W. BURKE
Judge of the Circuit Court of Cook County.
Professor of Equity Jurisprudence and
Equity Pleading

HON. CHARLES G. NEELY
Judge of the Circuit Court of Cook County.
Professor of Criminal Law and Con-
stitutional Law

HON. O. N. CARTER, LL. B.
Judge of the County Court of Cook County.
Lecturer on the Law of Taxation

HON. HENRY M. SHEPARD
Justice of the Appellate Court, First Dis-
trict of Illinois

HON. S. P. SHOFF
Late Justice of the Supreme Court of Illinois.
Lecturer on Administrative Law

HON. JOHN GIBBONS, LL. B.
Judge of the Circuit Court of Cook County.
Lecturer on the Law of Negligence
and Damages

THOMAS F. D. BRADLEY, LL. B.
Professor of the Law of Contracts and
Reference

M. H. GURRIN, A. M., LL. B.
Professor of the Law of Private Corpora-
tion and Partnership

GRANT NEWELL, A. M., LL. B.
Professor of the Law of Real Property and
Wills

W. J. PRINGLE, LL. B.
Professor of the Law of Tort, Agency and
Domestic Relations

E. C. HIGGINS, LL. B.
Professor of Common Law Pleading and
Lecturer on Insurance

WM. ELMORE FOSTER, LL. B.
Professor of Statutory Law and Procedure

FRANK HALL CHILDS, LL. B.
Professor of the Law of Personal Property,
Bills and Notes, Suretyship and Sales.

ELMER E. BARRETT, LL. B., SECRETARY
Professor of the Law of Bailments and
Carriers

CHARLES E. KREMER, Esq.
Lecturer on Admiralty and Marine Insurance

FRANK F. REED, A. B.
Lecturer on Copyright and Trade-Marks

CHARLES A. BROWN, LL. B.
Lecturer on Patents

JOHN F. GERTING, Esq.
Lecturer on Criminal Complaints, etc.

JOHN C. MATHIS, A. B.
Lecturer on Public Corporation and Muni-
cipal Securities

DR. JAMES G. KIERMAN
Lecturer on Forensic Psychiatry

DR. HAROLD N. MOYER
Lecturer on Railway Medical Jurisprudence

DR. G. FRANK LYDSTON
Lecturer on Criminal Anthropology

JOHN M. ZANE, LL. B.
Lecturer on Banking Law and Mining Law

DAY SESSIONS

are held during the morning and afternoon hours. The course of instruction is believed to be as broad and thorough as that of the best law colleges in the country.

EVENING SESSIONS

are held each week-day evening, with ten hours sessions each week. The course affords young men who are engaged in law offices and elsewhere during the day, an opportunity to pursue a regular course of studies under proper instruction.

The Degree of Bachelor of Laws will be conferred upon those who complete the Three Years Course to the satisfaction of the Faculty. College graduates who have a sufficient amount of credit in legal studies may be admitted to advanced standing in either course. Summer courses during the months of June and July. For further information address the Secretary—

ELMER E. BARRETT, LL. B.

1009 TITLE AND TRUST BUILDING - - CHICAGO, ILLINOIS

S
I
X

Brown—Jurisdiction of Courts.

By TIMOTHY BROWN.

ONE VOLUME. SECOND EDITION. \$6.00 NET.
The only work on this subject cited by the U. S. Supreme Court.

Hopkins—Law of Unfair Trade.

By JAMES L. HOPKINS.

ONE VOLUME. \$6.00 NET.

"In our opinion it is one of the most comprehensive and practical books on the subject."—TRADE MARK RECORD.

Tucker—On the U. S. Constitution.

By JOHN RANDOLPH TUCKER.
Edited by H. ST. G. TUCKER.

TWO VOLUMES. CLOTH \$7.00 NET, SHEEP \$8.00 NET.

"It is a monumental work and will be immensely valuable to all students of the Constitution."—CHARLES W. DABNEY.

Russell—Police Power of the State.

By ALFRED RUSSELL.

ONE VOLUME. BUCKRAM. \$2.50 NET.

"The subject is handled as it only could be by a legal scholar. The grouping of the different classes of cases involved is particularly effective."—SIMON E. BALDWIN.

Ewart—Law of Estoppel.

By JOHN E. EWART.

ONE VOLUME. \$5.00 NET.

"It is worthy of the most respectful treatment; every lawyer will profit by a careful reading of it; it is a valuable contribution to legal learning."—COLUMBIA LAW REVIEW.

Sims—Law of Covenants.

By HENRY UPSON SIMS.

ONE VOLUME. \$3.00 NET.

"Those who have litigation in connection with covenants running with land will find this book of practical use."—CENTRAL LAW JOURNAL.

P
R
O
M
I
N
E
N
T

W
O
R
K
S

S
I
X

Our law catalogue as well as descriptive circulars of the foregoing sent on application to

Callaghan & Co.,

Chicago, - - - Illinois.

**DELTA CHI
QUARTERLY**



PUBLISHED BY THE FRATERNITY

OCTOBER, 1903

The Best Judges

of the value of a legal cyclopaedia are those who have used it. Ask any lawyer who has used it, and he will tell you "CYC" is the best. Ask any judge who has used it, and he will tell you "CYC" is the best. Ask any student of law who has used it, and he will tell you "CYC" is the best. Ask any publisher who has used it, and he will tell you "CYC" is the best.

The Cyclopaedia of Law and Procedure

(CYCLOPEDIA OF "CYC" FOR SHORT)

Why? Why? Because it is the best. It is the best because it is the best. It is the best because it is the best. It is the best because it is the best.

It is the best because it is the best. It is the best because it is the best. It is the best because it is the best. It is the best because it is the best.

It is the best because it is the best. It is the best because it is the best. It is the best because it is the best. It is the best because it is the best.

It is the best because it is the best. It is the best because it is the best. It is the best because it is the best. It is the best because it is the best.

It is the best because it is the best. It is the best because it is the best. It is the best because it is the best. It is the best because it is the best.

It is the best because it is the best. It is the best because it is the best. It is the best because it is the best. It is the best because it is the best.

It is the best because it is the best. It is the best because it is the best. It is the best because it is the best. It is the best because it is the best.

THE AMERICAN LAW BOOK COMPANY,

75, William Street,

NEW YORK CITY

(Cut this out and return to the Business Manager.)

DELTA CHI QUARTERLY
CHICAGO, ILL.

.....190..

The following list of members of Delta Chi live in my locality and would doubtless be interested in the new fraternity publication.

Name..... Address.....
Name..... Address.....
Name..... Address.....
Name..... Address.....

(Out this out and return to the Business Manager.)

DELTA CHI QUARTERLY
CHICAGO, ILL.

.....190..

I hereby authorize you to insert my name in the Attorney's Directory of the Delta Chi Quarterly for a period of one year (four insertions) for which I agree to pay One Dollar (\$1.00) per year.

Name.....
City or Town.....
Street No..... State.....

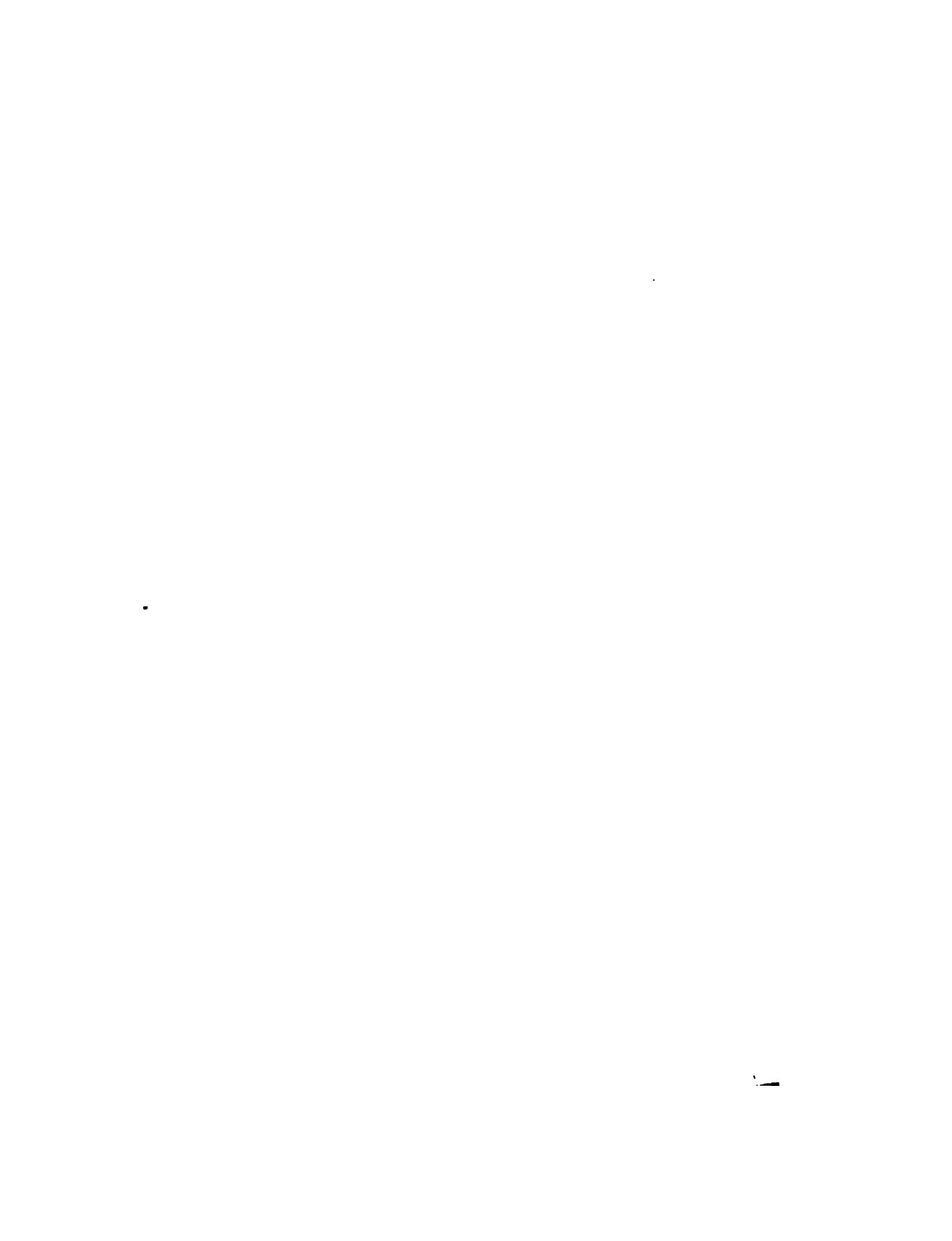
(Out this out and return to the Business Manager.)

DELTA CHI QUARTERLY
CHICAGO, ILL.

.....190..

I hereby subscribe for the Delta Chi Quarterly for a period of one year, commencing.....190.., for which I agree to pay Fifty Cents (\$.50) per year.

Name.....
City or Town.....
Street No..... State.....





CHICAGO-KENT COLLEGE OF LAW

CHICAGO COLLEGE OF LAW
Department of
LAW DEPARTMENT LAKE FOREST UNIVERSITY

CHICAGO COLLEGE OF LAW
Organized 1921

ATHENAEUM BUILDING * * * CHICAGO

FACULTY OF LAW

WALTER THOMAS & WILLIAM H. H. HARRIS
Lecturers on Practice and Procedure and
Legal History

MARSHALL D. STANLEY, M. A., LL. B.
Professor of Comparative Common Law and
Social Jurisprudence

WALTER HARRISON W. STANLEY
Professor of the Jurisprudence of Great Britain
Professor of Social Jurisprudence and
Legal History

W. H. CRAPPEN, J. D.
University of Chicago, Lecturer on Legal
History of Common Law and Legal
Jurisprudence

JOHN W. H. JACOBSON, LL. B.
Director of the Law Library of the University
Lecturer on the Law Library

W. H. HENRY M. JOHNSON
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

W. H. HENRY
Chairman of the Board of Trustees, with
Faculty of Chicago

DAY SESSIONS

The first meeting will be held on Monday, September 15, 1924, at 10:00 A. M. in the Athenaeum Building, Chicago. The second meeting will be held on Tuesday, September 16, 1924, at 10:00 A. M. in the Athenaeum Building, Chicago.

EVENING SESSIONS

The first meeting will be held on Monday, September 15, 1924, at 7:00 P. M. in the Athenaeum Building, Chicago. The second meeting will be held on Tuesday, September 16, 1924, at 7:00 P. M. in the Athenaeum Building, Chicago.

The Chicago-Kent College of Law is a member of the American Bar Association and the American Association of Law Schools. It is also a member of the National Bar Association and the National Association of Law Schools.

ELMER C. BARRETT, LL. B.

DEPUTY AND VICE DEPUTY

CHICAGO-KENT COLLEGE OF LAW

WE TAKE PLEASURE IN ANNOUNCING THE
COMPLETION OF

**Russell & Winslow's Syllabus-Digest,
United States Supreme Court Reports**

By Wm. Brewster Russell and Wm. Lewis Winslow.

THIS is the most complete Digest of the United States Supreme Court Reports that has ever been published. It is arranged on an entirely new plan. The first three volumes is a Digest, by Cases, alphabetically arranged. Volume 4, is a Subject Digest. It digests all United States Reports, from Vol. 1 to 180 inclusive, with notes indicating whether the case has been criticized, distinguished, limited or over-ruled. Price, \$20.00.

United States Supreme Court Reports,

180 volumes. (1789 to 1903)

Price, \$380.00

This is the only official edition of the United States Supreme Court Reports, containing all the Arguments and Opinions full, and the only one cited by all the United States Courts.

Joyce on Damages

Covering the entire Law of Damages, Negligence, Contract, and other. By JOSEPH A. JOYCE and HOWARD C. HILL. Price of bound volumes, Price \$18.00 and

The Banks Law Publishing Co.

27 Nassau Street, New York

421672

CONTENTS

	PAGE
Delta Chi Chapter Roll - - - - -	2
Fraternity Officers - - - - -	3
Chapter Officers - - - - -	4
The Relation of Procedure to the Substantive Law -	5
Michigan's Chapter House - - - - -	14
Delta Chi Music - - - - -	16
My First Moose Hunt - - - - -	19
Editorials - - - - -	28
Chapters in Western Colleges - - - - -	32
Chapter Correspondence - - - - -	34
News of the Alumni - - - - -	39
Irrelevant and Immaterial - - - - -	49
Book Reviews - - - - -	51
Attorneys' Directory - - - - -	54

The . . . Delta Chi Quarterly



JAMES O'MALLEY,

Editor-in-Chief

**Erie County Bank Building,
Buffalo, N. Y.**

MANTON M. WYVELL,

Business Manager,

**Ithaca, N. Y.
and 120 Broadway, New York City**

THE Delta Chi Quarterly is the official organ of the Delta Chi Fraternity, established by the Eighth Annual Convention, Chicago, Ill., July 11, 1902. Published in January, April, July and October of each year. Subscription price \$1.00 per year, payable in advance. Single copies twenty-five cents. Cards of Fraternity members will be carried in the Professional Directory, at the rate of \$1.00 per year. Other advertising rates furnished upon application. Subscriptions and remittances should be sent to the Business Manager.

Articles on legal topics and contributions of general interest to the Fraternity, are solicited from all members.

DELTA CHI CHAPTER ROLL

ACTIVE CHAPTERS

Established.

Cornell University	1890
New York University	1891
Albany Law School	(Withdrawn 1893) 1892
University of Minnesota	1892
De Pauw University.....	(Withdrawn 1896) 1892
University of Michigan	1892
Dickinson University	1893
Northwestern University	1893
Chicago-Kent Law School	1894
University of Buffalo	1897
Osgoode Hall of Toronto	1897
Syracuse University	1899
Union College	1901
University of West Virginia	1902
Ohio State University	1902
New York Law School	1902
University of Chicago.....	1903
Georgetown University	1903

ALUMNI CHAPTERS

Chicago Chapter	1902
New York City Chapter	1903

FRATERNITY OFFICERS

HONORARY

President

HON. WM. B. HORNBLLOWER, OF NEW YORK CITY.

Vice-President.

PROFESSOR ERNEST W. HUFFCUT, OF ITHACA.

Second Vice-President.

HON. MARSHALL D. EWELL, OF CHICAGO.

Orator.

J. FRANCIS TUCKER, OF NEW YORK CITY.

Poet.

FRED'K C. WOODWARD, OF CHICAGO.



ACTIVE

MR. A. FRANK JOHN, "AA," Dickinson, '00, Mount Carmel, Pa.

MR. MARCUS R. HART, "BB," Michigan, '04, Ann Arbor, Mich.

MR. FLOYD L. CARLISLE, "CC," Cornell, '03, Watertown, N. Y.

MR. EDWARD C. NETTELS, "DD," Chicago-Kent, '00, Des Moines
Iowa.

MR. ARTHUR G. SLAGHT, "EE," Osgoode Hall, '01, Toronto,
Canada.

CHAPTER OFFICERS

CORNELL UNIVERSITY

"C" Louis R. Gulick.....Delta Chi House, Ithaca, N. Y.

NEW YORK UNIVERSITY

"C" Lester Stokes Abberley.....891 Putnam Avenue, Brooklyn, N. Y.

UNIVERSITY OF MINNESOTA

"C" H. C. Flannery.....2416 Blaisdell Avenue, Minneapolis, Minn.

UNIVERSITY OF MICHIGAN

"C" Richard B. Blake.....Delta Chi House, Ann Arbor, Mich.

DICKINSON UNIVERSITY

"C" E. Foster Heller.....Delta Chi House, Carlisle, Pa.

NORTHWESTERN UNIVERSITY

"C" Max Murdock.....518 Church Street, Evanston, Ill.

CHICAGO-KENT SCHOOL OF LAW

"C" Rolland J. Hamilton.....463 The Rookery, Chicago, Ill.

UNIVERSITY OF BUFFALO

"C" Irving S. Wood.....204 Whitney Place, Buffalo, N. Y.

OSGOODE HALL

"C" Arthur J. Thompson.....Toronto, Canada.

SYRACUSE UNIVERSITY

"C" Orla E. Black.....665 Madison Street, Syracuse, N. Y.

UNION COLLEGE

"C" William B. Zimmer.....Delta Chi House, Albany, N. Y.

OHIO STATE UNIVERSITY

"C" Frank C. Ruth.....529 City Park Avenue, Columbus, O.

UNIVERSITY OF WEST VIRGINIA

"C" Guy F. Stout.....Morganstown, W. Va.

NEW YORK LAW SCHOOL

"C" C. R. Haviland.....66 Clinton Avenue, Jamaica, N. Y.

UNIVERSITY OF CHICAGO

"C" Maurice Walbrum.....4952 Vincennes Avenue, Chicago, Ill.

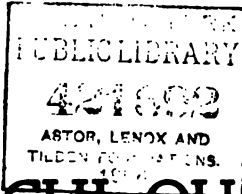
GEORGETOWN UNIVERSITY LAW SCHOOL

"C" W. R. P. Maloney.....804 N. Carolina Avenue, Washington, D. C.





J. NEWTON FIERO
WELL KNOWN LEGAL AUTHOR AND DEAN OF THE
LAW DEPARTMENT OF UNION COLLEGE



DELTA CHI QUARTERLY

Vol. II

JANUARY, 1904

No. 1

THE RELATION OF PROCEDURE TO THE SUBSTANTIVE LAW

By J. Newton Fiero

"Procedure is the mode by which a legal right is enforced, as distinguished from the law which gives or defines the right, and which by means of the proceeding, the Court has to administer. The machinery as distinguished from the product.—*Lush, L. J., in Poyser vs. Minors, 7 Q. B. Div. 333.*

Among the many claims of Jeremy Bentham to the respect and admiration of the lawyers of England and America, is the adoption of a new legal nomenclature. Some of the terms used by Bentham have passed away as inexpressive or inconvenient. Many others remain and have become a part of the language of legal literature. Among those that have found a permanent place is the term "Substantive Law," as applied to the great body of the law of rights and obligations; while among those which have fallen into more or less disuse is the phrase "Adjective Law," as applied to the law of remedies. The term "Procedure" has, to a very great extent, taken the place of the term "Adjective Law," used by Bentham, although it is said that this use of the word was unfamiliar in English law until the passing of the Common Law Procedure acts, the first of which, based upon the reports of the law commissioners made in the early thirties, became a law only a little more than half a century ago.

The Supreme Court of the United States (*Kring vs. Missouri, 107 U. S. 231*) defines Procedure to include "Whatever is embraced by the three technical terms, pleading, evidence and practice," although many authorities do not include the law of evidence in procedure.

The relation between the whole body of the law which gives and defines rights, and that part devoted to the enforcing of such rights, has been well expressed by the statement that the Substantive Law is primary, even, in a sense, creative. It is the law to be administered as distinguished from the method of administration. Adjective Law, on the other hand, is secondary in its purpose, as its name imports. It exists for the sake of something else—for the sake of the Substantive Law. It operates only when invoked to maintain or redress a particular right given by the Substantive Law.

Holland (*Elements of Jurisprudence, 78*) says of the Substan-

tive Law, "It defines the rights which it will aid, and specifies the way in which it will aid them. So far as it defines, thereby creating, it is 'Substantive Law.' So far as it provides a method of aiding and protecting, it is 'Adjective Law,' or Procedure." He defines (316) the law of Procedure as comprising "the rules for selecting the jurisdiction which has cognizance of the matter in question; ascertaining the Court which is appropriate for the decision of the matter; setting in motion the machinery of the Court so as to procure the decision; and setting in motion the physical force by which the judgment of the Court is, in the last resort, to be rendered effectual."

Another writer has distinguished the Law of Rights and the Law of Remedies as respectively the law which contains the rules of persons and property, and the law which provides the manner of enforcing them.

Professor Bryce, in considering Roman and English legislation (*Studies in History and Jurisprudence*, p. 697) refers to what he states to be a common feature of the Roman and English systems, namely, that the courts in the earlier stages were not concerned with abstract propositions of law so much as with the remedies, and that it is by entering judgment for the plaintiff or the defendant, in pursuance of certain reasons which they delivered publicly, that the courts became sources of law. Thus indicating the very close relation which exists, and always has existed, between Procedure, on the one hand, and Substantive Law on the other, and to some extent giving the explanation of the prominent place given Procedure in all systems of jurisprudence.

All writers agree upon the undue importance attached in the earlier days of the law to the method or machinery as distinguished from the substantive law, or the product. This is strongly expressed by Sir Henry Maine (*Works*, p. 429), who calls attention to this feature of the early Roman law, and adds this generalization upon the subject: "So great is the ascendancy of the law of actions in the infancy of courts of justice, that Substantive Law has at least the look of being gradually secreted in the interstices of procedure, and the early lawyer can only see the law through the envelope of technical forms."

Judge Holmes (*The Common Law*, p. 253) says: "Whenever we trace a leading doctrine of substantive law back far enough, we are likely to find some forgotten circumstance of procedure at its source." The intimate relation between procedure and substantive law, and the important bearing methods of practice had upon the development of the law of rights, is very fully treated and clearly shown by Professor Lee in his *Historical Jurisprudence*, tracing the development of the law from the earliest historical times to the present.

Of the subordination of rights to remedies in the earlier days of

the common law it is said by Pollock and Maitland (*History of English Law*) to have been a characteristic mark of ancient bodies of law; that it is particularly noticeable in our own law, and endures until modern times. Adding the significant statement, "And naturally, for our common law is the law of courts which gradually acquired their jurisdiction by the development and interpretation of procedural formulas."

Hepburn (*The Development of Code Pleading*, p. 32) says: "A century this side of the Conquest the business of the popular courts was still not so much to try a case through the patient sifting of testimony as to determine what formula a party should follow in order to prove his case. Formalism was the characteristic, the vital spirit of procedure. Little or nothing was left to judicial discretion; the judges were responsible only for the application of iron rules."

Again he says: "At the outset, and for centuries after the beginnings of our law as an established system, there was no clear conception of Substantive Law as such. The whole legal theory was embodied in forms of remedy. Ceremonies had been embalmed as primary and immutable principles of law. Forms and modes of procedure stood in the place of substantive rights; nor could justice see beyond them or above them."

If illustration were needed as to the extent to which formalism, or formulary laws, which we now designate as Procedure, dominated the courts and controlled the administration of justice, attention need only be called to the "Proof by Ordeal" and "Wager of Battel," the latter of which was in force in New York up to 1786, and was invoked in *Ashford vs Thornton* (1 B. & Ald. 405) in the King's Bench in 1818, being repealed immediately after.

While this is an extreme instance, the technicality which provided upward of seventy writs for the commencement of Common Law actions, and required the plaintiff at his peril to elect the proper writ at the commencement of his action, or in default to fail in obtaining relief, together with the well-known and oft-criticised abuses arising out of and connected with special pleading at Common Law, fully illustrates the position which Procedure had attained, not in aid of, but by way of obstruction, to the administration of the Substantive Law.

Bigelow (*History of Procedure in England*, p. 247) calls attention to the fact that pleading in common law actions was done in language formulated by ancient usage and requiring great exactness of statement, and that a party was entitled to take advantage of the slightest flaw or mistake in language by his adversary.

The situation as it existed in this country previous to 1846 is best expressed in the language of David Dudley Field, the "Father of the Codes." He says: "It seems clear that neither the forms of remedies nor the mode in which they are stated require the complexity in which both are now enveloped. The embarrassments to

which they have given rise have resulted from no difficulty in determining the real rights of parties, but simply in the means of enforcing them; and in this respect we feel no hesitation in recommending that the retention of forms, which serves no valuable purpose, should no longer constitute a portion of the remedial law of this State. Let our courts be hereafter confined in their adjudications to questions of substantial right, and not to the nice balancing of the question whether the party has conformed himself to the arbitrary and absurd nomenclature imposed upon him by rules, the reason of which, if they ever possessed that quality, has long since ceased to exist, and the continuance of which is a reproach to the age in which we live."

Lord Chief Justice Coleridge expresses the views upon this subject which led to the enactment of the Judicature Act of 1873 in England, saying that the common law method of procedure had become associated with narrow technicality and substantial injustice. He follows this by his oft-quoted statement with reference to the condition of affairs previous to the enactment of that statute, "That the science of statement was far more important than the substance of the right, and that rights of litigants themselves were comparatively unimportant, unless they illustrated some obscure, interesting and subtle point of the science of stating those points."

The outcome of this criticism and discussion was the adoption of the Reformed Procedure in New York, followed by its adoption in other states, until twenty-six of the jurisdictions in this country follow the Code system, and the passage of the Judicature Act in England in 1873, together with the rules for which the act provides, which placed practice in England upon substantially the same basis. Since then the system has largely been adopted in the English colonies and dependencies.

The English act is exceedingly brief, and is supplemented by rules very much less than one-third of the number of sections embodied in the New York Code. It is conceded on all hands, even by the opponents of the Reformed Procedure, that the reform has been successful, and has proven satisfactory to the public, the Bar and the Bench, and little or no criticism is made with regard to its operation.

On the other hand Procedure under the Code in this country has not been entirely satisfactory, and objections have arisen upon the ground that it has substituted a set of regulations almost equally technical with the Common Law rules which it replaced. This complaint is almost universal in those states which have the most elaborate systems of procedure under the Code. The greater amount of detail embodied in the statutory enactments relating to practice, the wider the dissatisfaction and the more frequent the criticism with regard to the workings of the system.

In the states having Practice Acts, modeled not upon the Reformed Procedure, but following to a very considerable extent the





MARCUS R. HART, "BB"
MICHIGAN



FLOYD L. CARLISLE, "CC"
CORNELL



A. FRANK JOHN, "AA"
DICKINSON



ARTHUR G. SLAGHT, "EE"
OSGOODE HALL, TORONTO



EDWARD C. NETTLES, "DD"
CHICAGO—KENT

FRATERNITY OFFICERS 1903-04

Common Law practice, the system adopted has, upon the whole been more satisfactory than in the jurisdictions known as Code states. This fact is from time to time presented as an argument against the codification of the practice. This is very far from the truth. In the states referred to the system adopted is much less elaborate, the changes fewer in number, and the details of the practice are not refined upon and elaborated, and hence its operation is more satisfactory and less open to adverse criticism. Connecticut is a typical State having the shortest Practice Act, and a less number of rules regulating the practice than any other jurisdiction. Here questions of Procedure are comparatively infrequent because held to be relatively unimportant by reason of the fact that, because of their generality, they do not exert an undue degree of influence upon the determination of causes.

It is true also in those Code states where the practice most nearly conforms to the standard of the Field Code, such as Missouri and California, that there has been less occasion for criticism, and the method of procedure operates far more satisfactorily than in those states which have attempted a more elaborate and complicated method.

New York, on the other hand, with a Code which has been expanded to 3,441 sections, has been the subject of adverse criticism as to its methods of practice ever since the present Code went into effect in 1877. This sentiment found voice in an official manner in a report made to the legislature of New York in 1903 by a committee of fifteen appointed by the governor to report "concerning the condition of the statutes and laws of the state." At the head of the commission was Chief Judge Parker, and among its members were former Chief Judge Andrews, three judges, either then sitting or who have been members of the Court of Appeals, two justices of the Supreme Court, the attorney general of the state, and representative members of the Bar. The report quotes with approval the language of the committee of the American Bar Association on Uniformity of Procedure in its report to that body in 1898:

"In recent years there has been a marked indisposition on the part of the common law states to adopt a Code procedure, or even to take any steps in that direction. And it may perhaps be fairly said that this is very largely due to the marked failure of the present New York Code, which bears but slight resemblance to the Code of 1848, of which it is the successor, and has aptly been characterized as revision gone mad. Whatever may be the cause, there has been a reaction against the reformed procedure, as enacted by the legislatures of the several states, based largely upon the ground that it is too minute and technical, and lacks elasticity and adaptability, and the question agitates the Bar of this country as to whether in its present form it is an improvement upon the common law, and what, if any, is the remedy for existing conditions."

Bearing very strongly upon this point, and not to be omitted in its consideration, is the conceded fact that from the enactment of the Field Code in 1848, up to 1877, aside from the unfriendly criticism of the champions of the old system, very little reason for complaint was to be found in the administration of justice under the Field Code. Its 473 sections covered general rules relative to practice, aside from those relating to special actions and special proceedings, and its practical workings were eminently satisfactory to the profession. For the explanation of the failure of the Throop Code of 1877, we must go back to the experience of earlier days and the technical practice under the Common Law methods already referred to.

The more elaborate Codes, particularly the Throop Code, now in operation in New York, have, instead of taking a step in advance by way of simplicity, gone backward to the old method of complexity, and established the ancient and unsatisfactory relation between Procedure and Substantive Law, by which the substance was made subsidiary to the form, and from which the Codes were intended to be a means of escape.

The infinite variety of detail enforcing strict technical methods as to every step to be taken in each action and proceeding has embarrassed, and is embarrassing, the administration of justice to a greater or less extent in nearly all the states which have adopted the Reformed Procedure. They have, to some extent, the vices of the Throop Code adopted in the State of New York, of which David Dudley Field said, when arguing against its adoption, "It is not comprehensive, which a Code must be; it is minute, which a Code must not be. It undertakes to provide for every case by an enumeration of particulars, while a Code makes provision for the same things by general enactments."

The difference in method between the English Judiciary Act, and the rules adopted for its enforcement, and the Throop Code, as to matter of detail, will be appreciated by a single illustration. The Orders adopted in 1883 under the Judiciary Act contain a single rule, consisting of less than a dozen lines, relative to "Discovery in Aid of Execution," under which the "Annual Practice" (corresponding to our annotated codes) for a recent year cites less than a score of authorities covering two pages of that work. In the New York Code forty sections are devoted to the same subject under the title "Supplementary Proceedings." The authorities cover sixty pages of one of the annotated Codes, and are numbered, not by scores, but by hundreds, if not by thousands. The one statute illustrates the convenience of simplicity, the other the inconvenience and dangers of over refinement, subtlety and technicality.

The problem for the law maker is to restore the true relation between Procedure and the Substantive Law; a relation which was sought to be established, and with a very large degree of success,

through the Field Code and those Codes which substantially adopted its methods and principles.

This can only be brought about by giving a wider discretion to the courts, and confiding to the judges greater discretionary powers with regard to matters of practice.

Pollock and Maitland (*History of English Law*, vol. 2, p. 560) say: "It must not escape us that a law about 'Actions in general' involves the exercise by our judges of wide discretionary powers. If the rules of procedure take now-a-days a far more general shape than that which they took in the past centuries, this is because we have been persuaded that no rules of procedure can be special enough to do good justice in all particular cases." Commenting upon the failure of the attempts under the old practice to cover satisfactorily all details, the same authors say (p. 561): "It is just because we know that such rules as these, particular though they may be, are not particular enough, that we have recourse to an exceedingly general rule, tempered by judicial discretion."

In the *Science of Law and Law Making*, Clarke, p. 444, considers the superiority of rules of the court over statutory enactments relative to practice, and expresses himself decidedly in favor of such rules by reason of their elasticity and wide discretion given to the courts. Without adopting his views as to the preference to be given rules over statutes, his argument is unanswerable as against the variety of detail which has been introduced into our modern statutes relative to practice. His conclusion that in matters of procedure a judge should be given wide discretion is amply sustained by his facts.

As I write my attention is called to a recommendation made by the Justices of the Supreme Court in the City of New York to a commission appointed to inquire into and report upon a remedy for the delays in litigation in that city. Foremost among the suggestions is:

"Simplifying procedure through a revision of the Code, making the Code provisions more general."

This is merely another plea for wider discretionary powers in matters of practice.

No more emphatic endorsement of the views herein presented could well be given than the matured views of judges who have for many years wrestled with the problems arising out of complicated and technical methods of procedure, and who make an earnest argument for simplicity and generalization.

It is said by a leading authority, "As time goes on there is always a larger room for discretion in the law of procedure, but discretionary powers can only be safely entrusted to judges whose impartiality is above suspicion, and whose every act is exposed to public and professional criticism." This discretion could not safely be

confided to judges in the early days. It can and is safely entrusted to the judges of the English and American courts.

It is largely because a wider scope is given to the discretion of the English judges by the Judicature Act that the system adopted in England in 1873 has been more successful than the methods adopted in our own country. This is also true with regard to the operation of the Field Code, by which the discretion of the judges was not hampered to the extent in which it is fettered by the Throop Code and those enacted in many other jurisdictions, containing an unnecessary amount of detail.

That a wider discretion is confided to the English judges than is given by our own Codes in not only a matter of theory, and that the exercise of that discretion is most satisfactory, I can attest by personal experience, through the courtesy of the officers and judges of the English High Court of Justice, spending, as I did, upon their invitation, a considerable portion of several days with masters and judges while disposing of the class of business which comes before our Special Terms. It was apparent that a very wide latitude was given by the statutes and rules of practice to the judicial discretion in disposing of all questions, outside of those relating to substantive law. By reason of the fact two objects are accomplished—less time and attention is naturally and necessarily given to matters of form, as compared with the substance of the litigation, thus saving an immense deal of valuable time to the Bar and the Bench, and aiding very much in the rapid disposition of litigated matters, an object of great importance in most jurisdictions, and especially so in the State and City of New York.

Still further they were attaining the prime object of a fair and equitable disposition of questions arising in each particular case according to its peculiar facts and special equities. The judge and master, not being bound by a rigid formalism, or hampered by technical statutory provisions, under which they were obliged to determine questions of practice and procedure without reference to the right of the case, were, on the contrary, without violating any statute, rule or precedent, enabled to dispose of each question of practice as it arose, upon its own merits.

This being so, there is no reason why the same degree of discretion should not be confided to the judges of our own courts. No one can say that our judges are not the equals of those abroad in learning, ability and integrity, and if the rights of parties, so far as matters of practice are concerned, can to so large an extent be safely entrusted to the discretion of members of the English courts, the same degree of discretion can be safely entrusted to the members of the Bench in this country.

By bringing Procedure and Substantive Law in their true relation to each other, through the elimination of unnecessary and troublesome technicalities, the "Law's delays" will be to a great

extent obviated by the inability of counsel to raise quibbles and objections which do not go to the substance of the litigation, and the lawyer who desires to devote his time and attention to the merits of the case will no longer be distracted by the necessity for a careful examination with regard to indifferent and immaterial points of practice which only serve as occasions of vexation and annoyance.

The experience then in England and in the states having short practice acts or codes, conforming substantially to the Field Code, indicates the satisfactory operation of simple methods of procedure along broad general lines, and the results in New York under a code notable for the futility of an attempt to restore technical rules to their one-time importance, lead to the conclusion on the one hand that the common law practice still in vogue in many states can be profitably modified by the omission of technical provisions, or advantageously revised by the introduction of simpler and less complicated methods; and on the other hand as to the Codes which have been amplified to such an extent that the procedure has become cumbersome and inconvenient, so that they fail to remedy the evils of the old method, it is clear that early and prompt action by thorough revision, excision and condensation is necessary to save them from the mischievous delays and cumbersome formalities which serve to render the reform procedure a fair target for adverse criticism, and many instances a reproach to the administration of justice.

In the words of a distinguished lawyer, discussing the law's delays, in answering the question put by himself, "What, then, is the remedy?" the answer is "It is to reduce the bulk, clear out the refuse, condense and arrange the residuum, so that the people and the lawyer and the judge as well may know what they have to practice and obey. This is codification, nothing more and nothing less."

Albany, N. Y., December 21, 1903.



MICHIGAN'S CHAPTER HOUSE

By H. R. Fullerton, 1904

For the first two years of its existence, the Michigan Chapter of Delta Chi was located in a small home on Forest Avenue, in the eastern portion of Ann Arbor. Realizing that an imposing looking chapter house lends distinction to a fraternity and aids it materially in its prestige among other fraternities, the then active members of the chapter laid plans to secure a better home. The old Wright mansion on Hill and State Streets was offered for rent, and the committee immediately leased it for seven years at a yearly rental of one thousand dollars.

The heavy rent was paid by the chapter by distributing the burden among the various rooms. The fact that, at this rate, the Fraternity in a few years, would have paid full value, and more, of the house in rent, led to the appointment of a committee to devise ways and means of purchasing the place. For some reason or other this committee was unable to push the project at that time, and for several years nothing more was done.

In 1901, the first lease ran out and the owner, being anxious to sell the property, a second lease of three years was with no little difficulty obtained by the chapter. Even then, we were compelled to signify our intention of purchasing. Again a committee was appointed, and several plans were taken under consideration. First the scheme of issuing bonds was started. This plan failed to come to any satisfactory end. Secondly, the voluntary subscription plan was put in motion, and again was it found that nothing could be done.

About this time, January, 1903, another fraternity began negotiations for the property. This crowd offered the full purchase price in cash. Of course, we were then compelled to act. A new committee was appointed, and a circular letter was issued to our alumni, asking for aid in our predicament. Several answers were received, and we were enabled to make a part payment of the purchase price to show our good faith and intention to retain the home. During the following summer, personal letters were written to the alumni setting forth the facts of our situation, and aid was promised as soon as we had perfected some feasible plan.

Upon the opening of this college year, the present committee was appointed: H. R. Fullerton, chairman; George W. Gregory, H. B. Salot, E. H. Smith and James A. Rawlins. Acting under the advice of Mr. Robert Campbell, a charter member of our chapter, residing at Jackson, Mich., we made arrangements whereby a stock company is to be organized. The company is to be controlled by a board of five directors, three alumni and two active members. Mr. Campbell has kindly consented to perfect the organization of the corporation.

According to this plan, another letter, specifying these arrange-



MICHIGAN'S NEW HOME

Handwritten scribbles or marks, possibly illegible text or a signature.

ments, together with an enthusiastic personal letter by Brother Campbell, was sent out. Up to the present time many subscriptions to stock in this company have been received. Another letter will be written urging immediate action on the part of those who have not yet responded.

The present home of the chapter was not built for a fraternity house and consequently there is room for much improvement. The house is a three-story combination stone and frame structure, facing west on State Street. It is located on the slope of a hill, and is about half-way between the Athletic Field and the University. On the south side of the house is a long and broad veranda overlooking the lawn and Hill Street. The lower half of the front is covered by a creeping vine which, in spring and summer months, completely hides from view the rock foundation, and renders the front of the house very attractive.

The lawn for the most part lies to the west and south of the house, and is terraced high from both Hill and State Streets.

The site is undoubtedly the best in Ann Harbor, and our identification with the place has become so complete that we cannot now afford to move away from it without injuring ourselves materially in prestige. Because of these facts and the improbability of our being able to erect a new home in the near future, we determined to remain in the present location.

The first floor is given over to parlors, a smoking room, a large hall vestibule, dining-room and kitchens. The front and back parlors are well-equipped with divans, chairs, window seats and piano. They are divided by a middle piece containing grates opening into each of the parlors. On either side of this middle piece are arched doorways leading from one parlor to the other. The hall-vestibule is tastefully decorated with the pennants of the leading universities of the United States. The smoking and reading room is furnished with rugs, a table and a bookcase. A wide settee runs around the sides of the room.

The second and third floors are given over to sleeping and study-rooms. We are unfortunate in having to sleep and study in the same room, as the rooms are not arranged in suites, and we have no dormitory. This defect can easily be remedied and doubtless will be when we have succeeded in putting this house-buying proposition on a firm financial basis. The entire house is heated by furnace and lighted by gas.

There is no doubt that our home has been the source of much aid to us not only in the way of bringing us closer together and fostering fraternal ties, but in placing us among the leading fraternities in the University, in the political, social and rushing lines. It is Michigan's hope that every chapter can secure a home in the near future, for we have derived much pleasure and benefit from our chapter house.

DELTA CHI MUSIC

Every Delta Chi, whether he be alumnus or undergraduate will, upon a little serious reflection, realize the importance of preserving and enlarging the collection of our Fraternity music. The "frat. song" is a positive necessity to the undergraduate. He would not consider joining a fraternity unless it had at least a few good songs and a rousing chorus or two. They are, as it were, a part of his initiation, and he does not think he "belongs" till he has sung them. These songs tend as much, if not more than any other thing, to rouse the fraternal spirit within his breast and make a "good fellow" of him. What would his meetings be without them? They are as necessary to his fraternity as an Alma Mater song is to his university or college, and have a very similar effect upon him. The university constantly acquires new "college songs" as its growth and the talents of its "sons" furnish new inspirations. How eagerly the best of these are welcomed, and how carefully they are collected and preserved. So it should be with the Fraternity and its songs. "Undergrads" should be encouraged to give freely to the Fraternity the results and fruits of their talents, and to compose words and music for new songs. Let them not be over bashful or unappreciative of their own ability, let them do their best. If the work be good, they will have conferred a lasting favor to the order and to their "brothers as yet unborn." If it be not worthy of immortality, no harm has been done. To the alumnus, who is apt to think of his school and college days, the happiest of his life, the "frat song" and the Alma Mater song are the best expression of those days, and recall and sum up the happiest hours of those happy days.

At the annual banquets, conventions or meetings of the alumni the "frat song" should and generally does play an important part. There is nothing which binds together more strongly the active chapters and the alumni.

The convention held at New York realized the importance of preserving and enlarging our collection of music, and appointed the writer as chairman of a committee to see what can be done along this line. We have decided to appeal to the members of the Fraternity for assistance in this work. It is only by their assistance that such a collection can be made. The chapter officers should be of great help in this work, and all who will volunteer such aid to the committee will render it a great favor, and deserve the gratitude of the Fraternity at large.

If you know of any Delta Chi songs or music, or can unearth any from the archives of the Fraternity, or find them among your old papers or repeat them from memory, please send them to Harry Hyde Barnum, 510 Tacoma Building, Chicago, Ill. Act to-day.

Don't put it off till to-morrow—to-morrow never comes.

The committee has in its possession at the present time the following:

(1st) Delta Chi Song (Air, "Comrades When I'm No More Drinking"); (2nd) Brothers Dear (Air, "Auld Lang Syne"); (3rd) Sons of Delta Chi (Air, "The Brave Old Oak"); (4th) Happy Delta Chis (Air, unknown to the committee); (5th) Since I First Met You (Air, "Since I First Met You," "Sultan of Sulu"); (6th) Here's to Good Ale (Air, "Buttercup," arranged, "Pinafore"); (7th) "A Toast to Delta Chi," words and music by F. Joslyn Baum (University of Chicago); (8th) Delta Chi march and two-step, same author.

The writer will be pleased to send copies while they last to brothers writing for same. We have no doubt there are many more old songs of the same kind known. We understand Buffalo Chapter has at least two others which we find referred to in the "CC's" general letter, No. 001, of October 17th, 1900, and hope some one who knows them will send them in. In a few years more, it will be impossible to secure these missing songs, and many of them are probably already lost beyond recovery.

In addition to the regular songs, the committee desires the music of the chapter whistles. The one used by the Michigan Chapter was adopted at the Eighth Convention as the Fraternity whistle. We desire the music of this and any others used by the various chapters. Besides the regular Delta Chi songs, there are also certain songs, snatches of music, and "musical stunts," which, while not strictly Fraternity music in the narrower meaning of the words, have been and still are sung when Delts get together. Some of them are used exclusively by Delta Chis. Among these, and as a sample of what is meant, the words of a little "musical stunt," introduced a few years ago into the Chicago Chapter with success, are here given:

"He was a bold, bad man;
He was a desperado.
He struck the town like a wild tornado,
All all night long this gay gazabo,
Every time he took a drink, he yelled, *Oh! Oh!*"
(Followed by the Fraternity yell.)

It is not claimed that the above words possess any great literary merit, but the air they are sung to is "catchy," and the general effect rousing. The various chapters must have similar stunts; in fact, the writer has heard several from the Cornell and Dickinson Chapters during the last two conventions. The alumni will perhaps remember others used in the past. Send them in. If you can't write music yourself, whistle it over to some friend who can. Don't put it off. *It is important* to secure new songs as well as to pre-

serve the old ones. The new University of Chicago Chapter has furnished a new song and a two-step by F. Joslyn Baum. Let the other and older chapters follow this good example. Let everybody with any talent in this direction get to work. If you can't write words, write music; a waltz, for example, or set the Delta Chi yell to music. If you can't write music, write words to some of the old popular college songs, or popular songs of the day. Among its many members, Delta Chi must have many poets and musicians. Let us hear from them. Will you help?

HARRY HYDE BARNUM,
Chicago-Kent, '03.



MY FIRST MOOSE HUNT

By Rufus G. Shirley

"Well, that certainly does look inviting; I guess I'll have some of that in the near future. Hello, let me have 3608 Broad. Is this 3608 Broad?"

"Yes."

"Is Jerry in?"

"Just hold the wire; he will be there in a moment."

"Hello, is that you, Jerry?" "Yes," came back the answer.

"Say; I have just received a prospectus of the moose grounds of the N. L. F. & G. Club, which you know is situated up on the Ottawa River, and fairly close to Kippawa Lake. How would you like to go up there with me and have a crack at one of those monarchs of the woods?"

"Would I like it? You just bet I would like it; and every solitary thing that I can do to make plans and arrangements to accompany you I certainly will not leave untried."

The above conversation took place during the month of May of last year, and as time wore along, the proposed trip to the moose fields brought increasing interest and expectancy. My imagination soared higher and higher, until one month had elapsed from the first thought of journeying up into the moose grounds. The last of June and the first of July began to show uncertainty in my partner's plans as to whether he could accompany me or not, and finally, after repeated trials on his part to so arrange matters, I was compelled to abandon the thought of having with me one of the finest sportsmen of which New York boasts.

After numerous attempts to have other members of the club join me, finally on the very last of September I unexpectedly secured a friend to accompany me to the woods. It was planned to leave New York City on Sunday, the 27th of September. I was waiting patiently for my friend to meet me for the 7 o'clock train for Montreal. He finally hove in sight, and when the most important question that could possibly be put to a man on a contemplated trip of that sort was asked: "Where is your gun?" he said, "For Heaven's sake, I have left it at home." After half an hour's tedious wait, a very much bribed "cabby" appeared with the necessary shooting iron, and at 7:30 we were moving toward the moose grounds.

A few arrangements being made in Beauchene we left at 1 o'clock for Beauchene Lake with two fine old mules that could only walk three miles in two hours. Taking my little 22-gun I went ahead of the team that was hauling the provisions, canoes and camp equipage, and before long I had secured a dozen fine partridges which helped to make the first night in camp one of the finest I spent there.

In the morning the keen woodcraft of the guides was soon to



manifest itself. They called attention to the different sounds heard during the night, and, pointing out numerous tracks, informed us that there were deer, moose, caribou, wolves, wolverines and numerous smaller animals in the region.

On Wednesday morning, the 30th, "Sam" and "Ben," our two faithful guides, started out in a canoe to find the log cabin, a picture of which appears herewith. At about 1 o'clock they returned with the goods news that they had found it, and reported that it was in very good condition and rain proof.

The first actual day spent in the quest for moose was Friday, the 2nd of October, and in paddling across the lake we came across some tracks, which, by their size, indicated that some monstrous old bulls were roaming around in quest of their mates. But the alluring calls of the guides from their birch horns were productive of no more than a far-off answer from a lonely bull that refused to be tempted out of the bush.

After a conference the following morning, we decided to change our headquarters. We packed up, and in our canoes paddled slowly up the lake, through the narrows, leaving the large island to the east, and went about 300 yards beyond its easternmost point. Just as we cleared it, "Ben" Parent, the guide in the forward boat, was seen to turn around quite suddenly, and no sooner had he turned than my glance followed his. Back of the point of the island were seen plainly a large bull, a cow and another moose. The other canoe being much more lightly loaded than mine and nearer that side of the island, its occupants continued forward and I went back to the other side to skirt the bend of the island.

We started at full speed, paddling for our respective positions. When I had paddled about a third of a mile I heard three shots from the other boat, which indicated that the moose were about to leave the island. The shots did not take effect, for the moose ran down the side of the island, and, instead of crossing over and following the shore of the lake to where my canoe was located and swimming the shortest distance to reach the mainland, they started to swim directly across, a distance of about 300 yards. Just as they entered the water, I heard five more shots fired in rapid succession. Looking over toward where the old bull was swimming I could see the shots strike to his right and left.

I shot without adjusting the sights. The shot went true, but fell short. Again I fired with one notch raised in my gun and landed a little bit closer. I noticed that the shot fell very close to the moose which still continued to swim in my direction, and with the third notch of my sight raised I landed a shot at the point practically where the water struck his back. At the same moment I said to my guide, "Sam, I will get that fellow; I can hit him when he comes out of the water and puts his front legs on the bank."

The words had no sooner left my mouth than his front legs were on the bank, and a second later, the fifth shot, the last in my



HEADQUARTERS. GREY WOLF SHOT NEAR SNAKE LAKE.
PANORAMIC VIEW OF BEAUCHENE LAKE.

magazine, rang out, and "Sam" spoke those words, the most joyful a hunter's ears will ever hear as long as he lives, "You've hit him!"

All this time old Mr. Bull Moose and his lady companion were swimming across the Narrows, and to prove to you that even a moose can do a gentlemanly act, even under the most aggravating circumstances, he deliberately stepped aside when they reached the bank and allowed his fair companion to precede him. She started to break her way through the snags and underbrush, and passed out of sight into the woods. The bull also went the same way.

I paddled for dear life to where my moose went out of the water and into the woods, and, after having gone twenty feet, came across a broken piece of tree with enough blood on its side to indicate that the moose was very badly injured.

After travelling not more than a quarter of a mile, all of a sudden my guide jumped back and behind me like a flash. One single exclamation from "Sam," "Bull Moose!" explained his sudden retreat. He had sighted the monster charging straight at us, and immediately sought refuge in a tree.

Just as I saw the moose he saw me, and instantly I fired with my 30-40 Winchester at a distance of about one hundred feet. No sooner had he been hit, than he put his head down and charged directly at me. Owing to trees and underbrush it was impossible to get a clear sight. He came about fifty feet closer, charging like a locomotive broken loose and running wild through the woods. I let him have another behind his right fore leg, which seemed to break that member, for his left leg began to get tangled up with his right, and, after one or two more steps toward me he turned off to the left. No sooner had he turned his back than I stepped quickly to the left and gave him another shot behind his left fore leg. Down he went. He was up again in a second's time. But another shot in the shoulder caused him to drop, and within two or three minutes one of the gamest animals the woods ever contained rested his head on the moss and fallen leaves, and the last death gurgle could be heard coming from his lungs.

He was my first moose and my feeling just at that time I cannot adequately describe.

By measurement we found that his spread of antlers was forty-eight and one-half inches. He was six and one-half feet high at the shoulders, and eight and one-half feet long. It was the guide's opinion that his weight was in the neighborhood of 1,000 pounds.

Several long blasts on my whistle brought, from away in the distance, an answering call, and within fifteen minutes the other members of the party came upon the scene.

"We'll have to determine whose moose this is," was the first remark from the newcomers.

On examination it was discovered that the most vital shots had

been fired from the other boat. You can imagine my chagrin and disappointment.

"The moose is yours," I replied.

After one and a half hours' laborous work his head was detached and his hide also taken, and shortly afterwards we started from the narrows back to our original camp.

Sunday morning we struck down through the middle of our preserve for a little jaunt. Looking toward the north end of the lake, I could see distinctly the house of Russico, occupied by an old hermit by the name of William Mayne. We visited him in his strange haunts and found his principal food to consist of musk-rats, skunks, dry bread, tea and water. The old man received us very hospitably, and bade us welcome to what little he had, and for the provisions which we added to his cupboard he was deeply grateful.

Never did I imagine what others told about wolves was so true as I found from actual experience. Throughout Monday, Tuesday and Wednesday nights we heard their howlings. The amount of game they destroy must be enormous.

On Tuesday morning we started out under the directions of William Mayne, and followed the creek about three miles back into the woods.

When in the lead about one hundred feet, rounding the ledge of a slanting rock, I scared up a large spruce partridge. When I had traveled about fifty feet I noticed a disturbance in the leaves some distance ahead. Believing the partridge was making the rustle, I took careful sight and waited. I noticed one leaf in particular moving, and concluded that behind it the partridge was probably doing just a little bit of "rubbering," the same as I. After taking careful aim at the one leaf mentioned I pulled the trigger.

Well, you should have been around there to see me dust and hustle out of that locality, for there was the greatest howl following that I ever heard. I immediately shouted to "Sam" to come with my big gun.

There was not a sound to be heard. Using the nose of the gun to push the leaves away, I found very much to my surprise that I had hit a gray timber wolf directly between the eyes. He was lying stone dead, and never knew what had hit him. We decided that he had been hunting partridges also, and it probably was as much of a surprise to him as to us to find that we were anywhere near each other.

On Thursday morning we were awakened at about 6:30 o'clock by a drizzling rain, and it was not at all pleasant to be without any shelter except a rubber blanket. Nevertheless, I was not at all put out by such inconveniences, and was determined not to go back to the shanty until I had met with some success. I had been told that the swamps there were excellent calling grounds for moose.

Friday morning we came back to the first lake, arriving there

very early. We saw several young canvas back ducks swimming fairly close to the shore.

"Sam," I said, "did you ever hear of the superstition of plucking the middle feather out of a duck's tail, then shortly afterwards shooting a partridge and going out for moose and killing one before 10:30?" Of course, "Sam" had never heard of any such thing.

Without much trouble the tailfeather was obtained and put in my hat. We passed back of the old shanty, our headquarters, and made for Beauchene Lake, and after paddling for about an hour arrived at the Narrows.

We followed the trail as closely as possible and found tracks going the same way as we were, up toward the marshes. We had not gone more than half way before I saw evidence that some moose had traveled on ahead of us.

We picked our way carefully from tuft to tuft, and from rock to stick, for fear of sinking into the mire of this marsh. Near the middle of it, Sam gave a low "bah" on his horn, imitating the first cry of the moose. Scarcely a minute passed when I heard a noise and looking behind me saw Sam rushing toward the middle of the marsh until he came to a big tree. Then he proceeded to inform me that a bull moose was coming. I concluded that I was too close to the brush to be able to see the moose before he came out into daylight. I picked my way carefully for about seventy-five feet toward the middle of the marsh and then motioned for Sam to call again. The second call "bah, bah," immediately brought forth a rousing old answer from the bull.

The next second he let out a roar that gave us a cold chill. Looking up in that direction we saw, against the sky line, a moose that looked enchanted, the sun striking his horns and giving them the appearance of a greyish white. One more call from "Sam" caused him to lower his head and plunge down the side of the hill toward us. When he started he must have been one hundred and fifty feet away. I wanted to get a good shot, being unwilling to take chances, or of missing him by having the bullet get mixed up with any trees. Another call from "Sam" caused him to come toward me. I moved a little bit and he instantly stopped, put his head up and looked one way and then the other. When his head was in a straight line with his body, I took careful aim. He got the contents of a 30-40 Winchester just where the neck joins the body. With one mighty jump he landed in full view near the edge of the marsh, probably not more than seventy-five feet away. His left side was a trifle turned, and, taking careful aim, I gave him a shot behind his left leg. He turned instantly, and exhibiting his left side once more, a third shot hit him a little bit higher in the left shoulder. He ran as only an infuriated and badly wounded animal can run, breaking things right

and left, and had anything been in his way right at that time it would have been difficult to pick up the remains after he had passed.

I motioned "Sam" to follow me, but he said "Not yet, not yet. Bull not dead."

I told him that of course he was not dead, but that he was probably traveling faster than we could and I was not willing to have him increase the distance. He told me that if we would give the bull a chance he would lie down and we could follow him up later, but that didn't suit my idea of the proper way to handle this moose. Respecting his Indian training, however, and the experience of his race in handling animals for generations, we followed slowly through the woods, and had hardly travelled ten feet back from the swamp when we found enough blood to make it very clear that the bull had two or three very bad wounds. It was easy to take up the trail, and after about a quarter of a mile, we came upon his lordship lying down and looking straight at us. He rose once more to his feet and came fully twenty feet toward us. With the distance only about ten feet away I gave him a shot in the left side, and stepping a little bit to the right, gave him the last shot in my magazine. Examination afterward showed a pretty triangle in his left side, almost as perfect as could have been drawn on a blackboard. All three shots entered his lungs and passed out through his right chest. Any one of them would have been sufficient to kill him and he certainly could not have survived the night.

A little later I noted a very quizzical expression on "Sam's" face, and asked him what the matter was.

"Well, do you know, I've just been thinking that there must be something in the middle feather out of a duck's tail. Do you think you can get one for me?"

"I will try," I replied.

"By golly, I would like to have one like that; it must be elegant luck," he answered, and I promised that I would endeavor to shoot another duck.

On Sunday we packed up all our goods to start back toward Beauchene. While Sam was seated outside the shanty door, preparing the ears, nose and scalp of the moose head, I saw in the lake, and very close to the shore, two enormous canvas-back ducks, I made my way slowly and carefully toward the shore of the lake until I must have been within seventy-five feet of the ducks. They did not mind me in the least. Taking careful aim, I fired, and to my great satisfaction, killed one of them. Desirous of obtaining the middle feather of this duck for "Sam," I walked over and took my birch bark and paddled slowly over the lake to where the duck was. In carelessly reaching over the side of the canoe I lost my balance. I endeavored to regain it, grabbed the duck and threw him into the boat but went over the other side. There I was in the middle



HEAD OF SECOND MOOSE KILLED.
ONE OF THE SMALLER DEERS KILLED.
FIRST MOOSE KILLED, WEIGHT 1,000 POUNDS.

of the lake, with all my clothes on, and with fifteen pounds of cartridges in my shooting jacket and with heavy socks and boots. When I came to the surface I struck out for the canoe. It was truly the hardest swimming I ever experienced and I have done a great deal. Swimming about twenty-five feet to the canoe I knew positively that if I was not successful in this attempt, that my chances of going to "Davy Jones" locker were of the very best. I seized one of the paddles. The canoe was upside down and with my left arm I turned the bow toward shore and started to kick, using the paddle as a sweep, with the handle under my right arm. In that way I made some progress.

"Sam" in the meantime ran to the shore to see what he could find to give me some assistance, and finally got astride of an enormous log. His progress was just as slow as mine, but he shouted to me to hang on. After about 20 minutes of this work I lost all power of my body from my waist down, and once my left arm slipped from the bow. I was positive that it was "good-bye," but I caught on again with my right hand, and hanging on to the paddle I struggled pretty hard and finally got my left arm over the upturned bow of the boat. Ten minutes afterward, or after thirty minutes in the water, I finally struck bottom. It was very cold, but I got up toward the shore almost powerless to help myself. I finally rolled over in the bushes and started in to exercise.

But Sam got his feather from the duck and the last I saw of him was when he wore a great big Indian grin and the feather securely pinned on his hat, the same as mine.

My experience on this moose-shooting trip, leads me to recommend to any contemplating a similar trip, plenty of old and warm clothes and, above all things, a rifle that will stop large game and not permit it to run through the woods with every chance of being lost on account of inability to follow the trail. I strongly recommend a rifle of 45-70 calibre for moose hunting, which will send along a good heavy bullet to stop a moose in short order, and thus lessen its chances of getting away and dying in the woods.

I have tried to recite my experiences on this hunt in as simple and every-day language as possible, and have not the slightest idea what impression it will make on the reader.

PLANS FOR THE CONVENTION

The Tenth Annual Convention of the Fraternity will be held in Ithaca on the 7th, 8th and 9th of April, 1904. The Cornell Chapter has appointed the following committee of alumni to raise funds and make arrangements for the convention: Floyd L. Carlisle, '03, chairman, 8 Stone Street, Watertown, N. Y.; Thomas D. Sullivan, '91, 509 Mooney Building, Buffalo, N. Y.; Elmer A. Denton, '92, Ithaca, N. Y.; Thomas D. Watkins, '93, Martin Building, Utica, N. Y.; John J. Hassett, '94, Robinson Building, Elmira, N. Y.; Stephen E. Banks, '95, Ithaca, N. Y.; William C. White, '95, 22 Pine Street, New York City; Michael L. Ryan, '96, New Brighton, Staten Island, N. Y.; Oliver D. Burden, '97, Bastable Building, Syracuse, N. Y.; John J. Kuhn, '98, 189 Montague Street, Brooklyn, N. Y.; Ernst G. Lorenzen, '99, Professor University of Maine, Bangor, Me.; William M. McCrea, '00, 51 Hooper Building, Salt Lake City, Utah; James O'Malley, '01, Erie County Bank Building, Buffalo, N. Y.; Dudley K. Wilcox, '02, 109 Metcalf Building, Auburn, N. Y.

The sessions of the convention will be held in the new chapter house, and much of the entertainment of the delegates will be held there. It is the plan of the committee to instill into all visiting delegates the idea and advantages of a chapter house. The Mother Chapter is more fortunate than other chapters in this regard, and her example ought to work great good. The younger chapters can profit from the experience of the Mother Chapter. It is hoped that at the convention a movement will be made toward requiring every chapter to own or lease a chapter house.

The entertainment of the attending delegates and visiting members will be given considerable attention. A tour of inspection of the University buildings, libraries and laboratories, a cross-country trip to Taughannock and a banquet, besides lunches and impromptu entertainments will fill up the hours when the convention is not in session.

Business of the convention will fill up most of the mornings and afternoons. It was found at the last convention that not enough time had been allotted to the sessions, and care will be taken that this year there will be plenty of time to thoroughly discuss and pass upon the matters that come before the convention.

The following questions seem likely to arise for decision:

The provision for the publication of a Fraternity Catalogue to be illustrated with portraits of prominent members, which will contain a history of the Fraternity in general, and of each chapter, and a sketch of each member. This work will run over a period of longer than a year, and the first steps toward it must be taken at the convention.

Another question which seems certain to arise is that of requiring each chapter to maintain a chapter house, and to make it obligatory on the part of each chapter to do so, and a violation of the rule, to be ground for revocation of a charter. A number of the chapters have recommended this to the "XX" and it will probably arouse considerable interest.

The future management of "The Quarterly" will be a further question to arise. The policy of the Fraternity expansion will also be before the convention. Some chapters signify a desire for few chapters and some for many. Certain petitions will undoubtedly come before the convention.

The suggestion has also been made that there be a revision and change in the duties of certain officers of the "XX."

The committee on songs is busily engaged in compiling a book which will be submitted for the approval of the convention.

Inasmuch as the convention is to be held with the Mother Chapter, a great effort will be made to have as many charter members of the fraternity as possible return. On the last day of the convention a banquet will be given at which it is hoped all of the founders of the Fraternity will be present. Nothing could be more profitable to attending delegates than the presence and advice of the men who actually put the Fraternity into being.

The committee on the convention invites correspondence with any member of the Fraternity in relation to matters which may arise and issues a cordial invitation to every member of the Fraternity to be present.

It has also been suggested that care be taken to have the minutes of the convention printed within a few days after the convention and have them sent to every member of the Fraternity.

The Delta Chi Quarterly

Published at Ithaca, New York

BOARD OF EDITORS

JAMES O'MALLEY , Editor-in-Chief, 4 Erie Co. Savings Bank, Buffalo, N. Y.	MANTON M. WYVELL , Business Manager, Ithaca, N. Y. and 120 Broadway, N. Y. City
---	---

ASSOCIATES

FLOYD L. CARLISLE , Chap. Correspondence, 8 Stone Street, Watertown, N. Y.	JOHN J. KUHN , Alumni Page, 189 Montague Street, Brooklyn, N. Y.
CLINTON T. HORTON , 932 Prudential Building, Buffalo, N. Y.	HAROLD F. WHITE , The Temple, Chicago, Ill.
MARCUS R. HART , Delta Chi House, Ann Arbor, Mich.	FREDERICK H. HOUSE , 94 Erie Co. Savings Bank, Buffalo, N. Y.

LEROY T. HARKNESS,
27 Liberty Street, New York City

EDITORIALS

The "CC" informs us that several of the chapters pay little or no heed to his appeals for information for the purpose of compiling chapter letters. Two of the chapters have failed to extend the courtesy of a reply, though no less than ten letters have been written to each. One of the chapters seems as good as disorganized, while up to the middle of December, two had failed to take in even one initiate. Of the two failing to send in a report during the fall, one was, but a few months hence, suppliant for a charter of Delta Chi, offering its faithful pledges to support the best interests of the Fraternity.

This situation, as outlined, is cause for keen regret. It ought to be remedied, and if it continues to exist without improvement, should be dealt with summarily. The most effective means that suggests itself, namely the revocation of the charter of those chapters which apparently assume this attitude of indifference, is the last that should be adopted. But even such action may be justifiable in

the eyes of delegates to the next convention. To preserve the tree it is frequently necessary to cut out the dead wood. As an exemplary punishment, if for no other reason, "The Quarterly" would urge the application of this principle in the Fraternity. A chapter but half alive is worse than no chapter at all, and is merely a dead weight on the necks of those that are able and willing to push ahead. The sooner, then, that the Fraternity begins to unload, the more rapid will be its progress. The delegates to the tenth annual convention should come prepared to revoke, rather than to grant charters.



In this issue the committee appointed at the last convention for the purpose of collecting and preserving Fraternity music has given a brief outline of its plans. This article, which was prepared by Brother Barnum, chairman of the committee, has a special interest for every member of the Fraternity. More especially, however, it should appeal to undergraduates of musical talent, many of whom have ability and abundance of time for writing catchy songs. The importance of preserving and increasing the number of Delta Chi songs is brought out forcibly and cleverly by the chairman of the committee, and his article is earnestly commended to the readers of this issue. Let everyone heed the appeal made by the committee. Above all, read what its chairman has to say.



J. Newton Fiero, who contributes a highly valuable article to the present issue, is one of the foremost legal students in the State of New York. He is dean of the Law Department of Union College. He is also a leading practitioner of the State and a well known authority. One of his latest and best books, "Fiero on Torts," has just come from the press. In addition, he is an enthusiastic member of Delta Chi, being an honorary member of the Cornell Chapter. His membership in the Fraternity would, of itself, make a contribution from him of interest to all members, but his standing as a lawyer, as a student and as a teacher of eminence, will bring to the subject he treats here the earnest attention which it deserves. The preparation of this article must of necessity have made a great demand upon the time of a very busy man, and consequently

required no little sacrifice on the writer's part. Hence, we wish to convey to him our deepest sense of appreciation of his splendid favor to "The Quarterly."



A splendid picture of Michigan's new Chapter House is published in this issue. It is accompanied by an article which explains the struggle encountered at the beginning of the movement for purchasing the property, and the means by which the proposition was finally taken up and solved. This article, together with that published in the October issue on Cornell's New Home, ought to be of great value to other chapters which are contemplating the purchase of property. Both Michigan and Cornell are to be warmly congratulated. Their success must necessarily lend incentive to the others. Which chapter will be the next to own a home?



The convention, which is to be held with the Cornell Chapter in April, will have a special feature of interest, namely the plan for bringing back the charter members of the original chapter. The members of the committee in charge are to be highly commended for their efforts in this direction. It is to be earnestly hoped that they will be successful. It may be impossible to secure the attendance of all the charter members, but the presence of the majority will lend an inspiration to the event. We urge the co-operation of all Cornell men toward the furtherance of the plan.



It is a supreme pleasure to receive a contribution such as Brother Shirley of the New York University Chapter has given to this issue. This article, besides being of a unique and highly interesting character, was prepared by the writer with no little amount of effort and expense. The editor assumes the responsibility of a breach of confidence without reluctance, by informing the readers of "The Quarterly" that the writer of the article refused a flattering offer from *Field and Stream* for the story of his "Moose Hunt." A deep interest in the success of "The Quarterly" and a warm heart for Delta Chi alone prompted him to relate his experiences in

these columns. We give him our assurance that the favor he has conferred is accepted in the same warm spirit in which it was given.



In the October issue it was pointed out that the success or failure of this publication will be determined solely by the attitude of the alumni. If they place the stamp of approval upon the work by showing their interest in it, success is bound to attend the enterprise. It is needless to say that a word of encouragement from an alumnus is warmly welcomed by the editors of "The Quarterly," and as evidence of our appreciation, we print an extract from an enthusiastic letter received from Albert W. Shaw, Minnesota Chapter, '93, which was received early in November.

He wrote: "I was very much gratified to receive my first copy of "The Quarterly," and wish to congratulate you upon the neat and comprehensive character of the periodical and to commend the enterprise which has produced so creditable a volume in spite of the obstacles which must have been encountered. May its success be long and continuous. For several years I have not been in touch with the chapters of our Fraternity, but "The Quarterly" will serve to keep up the interest of myself and other alumni in our beloved Fraternity, and to revive the active interest we once had in its success."

This letter sounds the keynote of Delta Chi spirit and sets forth the exact purpose for the establishment and maintenance of this publication. It shows that the older members, like Mr. Shaw, must necessarily lose their interest without some means of keeping them in touch with the chapters and active workers. The publication ought to receive universal support. Not only are subscriptions needed, but also contributions from alumni. Personal notes of members should be sent to the editor of the Alumni page. Articles of general interest and communications offering suggestions will be gladly received and published. Subscriptions should be sent to the business manager at Ithaca, N. Y.

CHAPTERS IN WESTERN COLLEGES

Perhaps an opinion of an alumnus of the "Mother Chapter," whose home is in the West, with reference to the proposed installation of new chapters of Delta Chi in Western colleges, having departments of law, will be of some interest to members of the Fraternity, both active and graduate.

Time was when the Michigan Chapter, the Minnesota Chapter, the Ohio Chapter and the Chicago Chapters would have been considered as working among the redskins of the "Far West," for the "Far West" has been always travelling farther west until now it is in the "Far East," *mirabile dictu!*

But in speaking of Western colleges we have reference to those of the prairie states, those of the Rocky Mountain region and those of the Pacific coast. Some day we will perhaps consider the installation of chapters in Hawaii and in the domains of the Sultan of Sulu.

With the Colleges of Law in the Universities of Kansas and Nebraska I am almost wholly unfamiliar, but I believe that it will be admitted that in scholarship those institutions are well worthy of our attention. Always providing that the right sort of men can be found to begin with, I can see no reason for withholding charters from the colleges of those states. They are not so far removed from the chapters already established as to render it impossible for them to be represented in Fraternity councils and, it is to be noted, are situated in a region of great commercial importance, and consequently a section productive of much legal business.

With the possible exception of Colorado, I do not believe that the Rocky Mountain States, at present, boast of a college of law in any manner adapted to receive a chapter of our Fraternity. In the University of Colorado we may soon find conditions favorable, though there, the distance of the chapter from other chapters is a matter for serious consideration. This difficulty would be obviated to a certain extent by the installation of chapters in Kansas and Nebraska, and, indeed, it would seem advisable to make the extensions of our Fraternity gradual so that there will at no time be too great a distance between chapters. It would be unfortunate to have any chapters so isolated as to make it impracticable for them to keep in touch with others.

On the Pacific coast, however, the great Universities, Stanford and Berkley (University of California) are even now ideal locations for chapters. It will not be long ere the states of Washington and Oregon will boast of Colleges of Law second to none, for those commonwealths are growing in population and in commercial importance more rapidly than most of us fully realize.

To the installation of a chapter in Stanford University there

is but one serious difficulty, that is, its distance from all of the other chapters. Stanford is already a fraternity center, and many national fraternities are represented there by good chapters.

Unless I am misinformed the College of Law of the University of California is not located with the other departments at Berkley, but is known as the Hasting's Law School, and has its headquarters in the city of San Francisco. To the installation of a chapter there, it may be objected, not only that it is too remote from other chapters, but also that, being located in a large city, it is not well adapted to fraternity life.

I believe, however, that most of the alumni in the West would be gratified to see a chapter installed in Stanford University. All will appreciate the difficulties already mentioned, and as a means of surmounting them the establishment of an Alumni Chapter in San Francisco is suggested. Such a chapter composed partly, at first composed wholly, of Delts from older chapters could render great service in keeping the new chapter in touch with the other chapters, and at the same time keep the new chapter true to the traditions of Delta Chi. If there are not now enough alumni in San Francisco to establish an alumni chapter, I believe that the installation of a chapter at Stanford should be postponed until such time as there are enough of the alumni to vouch for the success of the new local chapter.

In other words, I believe that the growth of the Fraternity should be natural and not forced. Finally, I do not believe it well to start a new chapter with members composed largely of members of other fraternities. While it is true that many of our most enthusiastic brethren are also members of non-professional college fraternities, still the old saying of one's "first love" is true to-day, and only in exceptional cases should members of other college fraternities be admitted. I believe that in the past the members of other fraternities who have been accepted into Delta Chi have been the exceptional men, and suggest that in the future the exceptions be no more frequent than in the past.

WM. M. McCREA, Cornell, 1900,
Salt Lake City, Utah.

CHAPTER CORRESPONDENCE

October, 1903—January, 1904

By Floyd L. Carlisle

CORNELL

Initiants—Stanley Smith, Law, '06, Springville, N. Y.; George Nclbach. Arts, '05 Utica, N. Y.; Leo Weter, Law, '06, Buffalo, N. Y.; Charles Cunningham, Law, '06, Greene, N. Y.; Arthur Webber, Law, '06, Buffalo, N. Y.; Charles H. Rose, Friendship, N. Y.

At the time of the Cornell-Columbia game, the chapter entertained several alumni, including J. J. Kuhn, '98; Edward Toohill, '02; Dudley K. Wilcox, '02.

Sixteen men are at present living in the Chapter House.

James T. Driscoll, Ex-'03, has returned to complete his law course.

The chapter has built a temporary dining room on the first floor, which they expect to use until one can be installed in the basement.

M. M. Wyvell, '01, left the chapter in December, having been admitted to the Bar in October. He will probably practice in New York City.

NEW YORK UNIVERSITY

No initiants reported to date.

The chapter has decided not to secure permanent quarters as yet. The matter has been thoroughly discussed, and a committee appointed to investigate the matter. The committee is having trouble finding a place which will answer all needed requirements. The chapter meetings are held in the Law School building.

Patterson, one of the active members, represented the university in the dual meets with Trinity and Rutgers, where he won the two-mile race on both occasions.

MINNESOTA

Initiants—Norman B. Hannay, '06, St. Hilaire, Minn.; W. R. Moris, '05, 1516 Portland Avenue, Minneapolis, Minn.; J. H. Chase, '05, Fifteenth Avenue and University Avenue, S. E., Minneapolis, Minn.

On November 30th a luncheon was given at the Fraternity rooms, which was attended by many of the alumni of the chapter. A subscription list was started to add to the house fund, and it is confidently expected that in the near future definite steps may be taken to purchase a permanent chapter house.

Andresen, of Michigan, and Lemon, from Northwestern, are with the chapter this year.

Davis, one of the active members distinguished himself throughout the season on the university football team, and in the Minne-

sota-Michigan game, he was injured and carried from the field in the second half. The injuries, however, were not serious.

During the summer, arrangements were nearly completed whereby the chapter was to occupy a club house near the Campus. The plan fell through, however, but the chapter succeeded in procuring rooms in a new block, a short distance from the main entrance to the Campus. These arrangements are temporary, as the chapter contemplates permanent quarters.

MICHIGAN

Initiants—Ralph O. Kaufman, Spokane, Wash.; H. Norman Smith, Brooklyn, N. Y.; Alexander R. Thomas, Salt Lake City, Utah; Anselm T. Holcomb, Jr., Portsmouth, Ohio; Richmond A. Mead, Evanston, Ill.; Hilgard B. Young, Chicago, Ill.; Grier E. Tress, Pittsburg, Pa.

Gregory, one of the active members, played center on the Barre City football team, this being his third year in that position.

On November 14th, the occasion of the Michigan-Wisconsin game, a large number of the alumni returned. The second initiation of the year took place that evening, and afterwards a banquet was served at which Mr. Patterson, '94, acted as toastmaster. Among the guests were Duane D. Arnold, '98, Three Rivers, Mich.; Howard I. Shepard, '98, Union Trust Building, Detroit, Mich.; Albert E. Campbell, '94, Canastota, N. Y.; Emmons, '98; Hugh H. Hart, '98, Port Huron, Mich.; Carleton G. Ferriss, '01, 36 Medbury Avenue, Detroit, Mich.; Truman L. Chapman, Ex-'94, Jerseyville, Ill.; Harry V. Blakeley, '03, 401 Dryden Block, Flint, Mich.; Walter R. Stevens, '03, Port Huron, Mich.

DICKINSON

Initiants—Herbert F. Laub, Nazareth, Pa. (Lafayette, 1903, A. B., and Phi Delta Theta); Floyd B. McAllee, Easton, Pa.; Addison M. Bowman, Camp Hill, Pa.; Victor Braddock, Carlisle, Pa.; Paul Willis, Carlisle, Pa.; W. L. Houck, Beervick, Pa.

On November 27th, the Fraternity held its annual fall banquet. Paul A. Core, '03, was present. On that occasion, the announcement of the death of C. A. Piper, '01, was received. He died in Oklahoma.

NORTHWESTERN

Initiants—Chauncey C. Colton, Dartmouth, Phi Delta Theta; Joseph Ignatius Lange, '04, Woodstock, Ill.; Herbert E. Webber, '06, Fergus Falls, Minn.

At the fall State Bar examination, Knowlton and Odell were admitted to practice. This maintains the straight record of no man in the chapter having failed in his bar examinations.

Throughout the fall, the chapter has held free luncheons at the Saratoga Hotel.

Colton, '06, has played fullback on the 'Varsity team. Throughout the season, his kicking has been one of the distinguishing features of the work of the team.

CHICAGO-KENT

No initiants.

Harry L. Bird, "A" of the chapter, passed the Bar examinations this fall, but expects, nevertheless, to finish his school work. Mr. Bird holds the responsible position of paymaster for the city of Chicago.

The chapter has been late in getting to work and for that reason has little to report.

BUFFALO

Initiants—E. L. McClure, Buffalo, N. Y., Cornell, 1902, and Sigma Alpha Epsilon; F. E. Bagot, Buffalo, N. Y.

Charles C. Fenno has been elected manager of the University Glee Club. Fenno is also director on the athletic board of the University.

Frederick H. House has been elected business manager of *The Iris*, the annual college publication.

In the middle of November, the chapter moved into the new rooms on West Eagle Street, opposite the City Hall.

Irving S. Wood was re-elected secretary of his class for the Senior year.

OSGOODE HALL

No initiants.

The chapter started the year with a small number of active members. The chapter maintains the policy of electing an alumnus as "A." Frank Ford occupies that position.

The chapter has started an innovation by providing in the by-laws a sort of general advisory committee, which is composed of the "A," "C" and an ex-"A," John A. Cooper.

SYRACUSE UNIVERSITY

Initiants—John Lambert Train, '04, Batavia, N. Y.; Justin S. McCarthy, A. B., '05, Syracuse, N. Y.; Harry B. Orchard, '05, Sacketts Harbor, N. Y.; Alexander S. Carlson, '06, Jamestown, N. Y.; Harry A. Curtis, '06, Newburyport, Mass.; Austin G. Rutherford, '06, Marcellus, N. Y.; Jesse M. Seymour, '06, Salamanca, N. Y.; Albert Louis Wilbur, '06, Greenland, N. H.; Roy H. Williamson, '06, Batavia, N. Y.

The annual initiation banquet was held at The Vanderbilt, December 14th.

The chapter has given up its rooms in the Bastable Block and taken apartments at the corner of Harrison and Montgomery Streets. The latter place gives lodging for five of the members.

James F. O'Neil has been coaching the Williams football team during the fall. He returned to continue his work in the Law School in December.

OHIO STATE

Initiants—William G. McKitlerick, Jackson, Ohio; Gilbert L. Fuller, Portsmouth, Ohio; Horace Lute Small, Portsmouth, Ohio; Joseph E. Kewley, Toledo, Ohio; F. H. Heywood, Columbus, Ohio; F. H. Heywood was taken in as an honoray member. He is a member of the General Assembly of Ohio, director of the Columbia Savings and Trust Company, and treasurer of the Standard Fruit Company.

WEST VIRGINIA

Initiants—Louis R. Burton, '04, New Haven, Conn; John Marshall, '04, New Cumberland, W. Va.; Floyd L. Simmons, '06, Wheeling, W. Va.; Dana P. Miller, '06, Fairmont, W. Va.; George R. Heffley, '04, Somerset, Pa.; Henry Simms, '05, Huntington, W. Va.; Guy Prichard, '06, Riversville, W. Va.; Nathaniel W. Washington, '04, Charleston, W. Va.

Honorary Initiants—Dr. St. George Tucker Brooke, Dean of the Law College of the University of West Virginia; Dr. Edwin Maxey, Professor of Corporation Law, Agency and Criminal Law; Professor W. P. Willey, Professor of Equity and Equity Pleading; Hon. Frank Cox, General on the Governor's Staff, and candidate for judge of the Supreme Court of West Virginia.

On November 14 an elaborate banquet was given by the chapter at the Peabody Hotel in honor of its ten honorary members. Those present besides the honorary members mentioned above were the following: L. R. Burton, A. J. Collet, John Marshall, G. R. Heffley, H. G. Scherr, B. K. Koontz, Clyde Alexander, J. C. Gronninger, Floyd Simmons, Earle Morgan, R. F. Yoke, N. W. Washington, B. F. Stout, H. C. Simms, Jr., Guy Prichard, Dana Miller, Justin Kunkle and Robert Green.

NEW YORK LAW

Initiants—Howard W. Ameli, Princeton, '03, Tiger Inn, Brooklyn, N. Y.; Walter F. Sellers, Princeton, '03, Connu Club, New York City; Auguste Roche, Princeton, '03, Elm Club, East Orange, N. J.; William G. Barr, Princeton, '03, Quadrangle Club, Orange, N. J.; George E. Leonard, Alpha Delta Phi, Yale, '03, New York City; Reginald Brixey, Chi Phi, Yale, '03, New York City; Jacob Jordan,

Zeta Psi, Williams, '03, New York City; Walter B. Walker, New York City:

The chapter has started the year in excellent condition. It has had no difficulty in securing new men, and promises to have a most successful year.

UNIVERSITY OF CHICAGO

George P. Hambrecht has left the university and will complete his law studies in the Yale Law School.

The chapter suffered considerably at the beginning of the year from the failure of the following men to return to the University: Orville E. Atwood, Jr., Frank J. Baum, George P. Hambrecht, Charles R. McMillan, John C. Moore and Henry Stiness.

No initiants are reported to date, but an initiation will be held soon in which it is expected that the ranks of the chapter will be filled.

GEORGETOWN UNIVERSITY LAW SCHOOL

Initiants:

Honorary—Hon. Harry M. Clabaugh, Dean of Georgetown University School of Law and Chief Justice of Supreme Court of District of Columbia; J. Nota McGill, Professor of Patent Law, Georgetown University Law School; D. W. Baker, Professor of Real Property, Georgetown University Law School; Stewart McNamara, of Washington, D. C., bar.

Active—Norman J. Kopmeier, Milwaukee, Wis.; John Francis Murphy, Lewiston, Me.; Antonio Maria Opisso y de Icaza, Manila, P. I.

The chapter is located in a fine house at 1629 Q Street, N. W. The chapter is about to incorporate for the purpose of owning property. It is the aim of the chapter to purchase a permanent home in the near future.

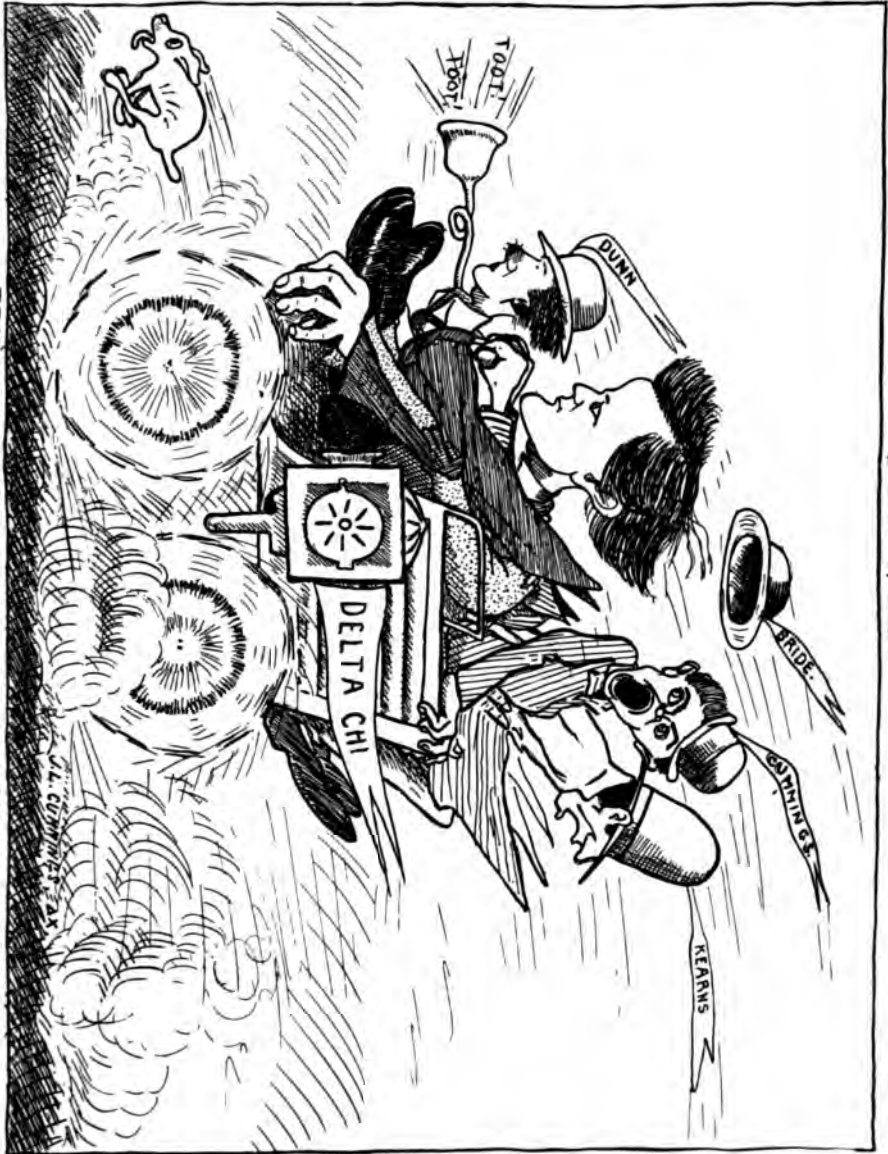
Brother Dunn and Cummings of the Union Chapter and Brother O'Malley of Cornell, editor of "The Quarterly, visited the chapter house during the holidays. Brothers Moore and Files of the New York University Chapter spent a few days with us recently.

UNION

Initiants—W. B. Zimmer, A. B., Cornell, Delta Chi House, Albany, N. Y.; Joseph Vanderlyn, A. B., Cornell, New Platz, N. Y.; Henry Toohey, '05, A. B., Fordham, Schuylerville, N. Y.; Edward Collope, Troy, N. Y.; John Badger, '04, Malone, N. Y.

Thanksgiving evening the chapter entertained James O'Neil who appeared at the Empire Theatre in "The Adventures of Girard."

DEC. 19, 1903



BRIDE TAKES THE VISITORS THROUGH WASHINGTON.

THE
1911
1911

NEWS OF THE ALUMNI

By John F. Kuhn

CORNELL

'90. Monroe Marsh Sweetland was appointed Recorder of the City of Ithaca, N. Y., last November.

'91. Peter Schermerhorn Johnson is located at La Jara, Conejos County, Colorado. His interest in the Fraternity was manifested by a liberal subscription to the new House fund, even at that distance.

'91. Henry Burr Saunders is assistant city editor of the *Evening News* at Buffalo, N. Y.

'92. George Burton Wilcox is cashier of the First National Bank of Wellsville, N. Y. He was recently elected supervisor of Wellsville township by an overwhelming majority.

'92. Ray E. Middaugh, is senior member of the enterprising and prosperous firm of Middaugh & Shannon, builders and suburban developers.

'93. Deo. C. Kreidler is manager of the advertising departments of *The Normal Instructor* and of *The World's Events*, at Dansville, N. Y. He gave up his practice in Chicago two years ago.

'93. Edgar Melville Fulton died recently at Truro, Nova Scotia, where he had practiced law for ten years.

'94. Frederick Campbell Woodward is Professor of Law at the Northwestern University, Chicago, Ill.

'94. Michael O'Connor was the Democratic candidate for city judge of Elmira, N. Y., in November. He was defeated by a small majority.

'95. Addison Burton Reed is managing clerk for Wingate & Cullen, a prominent law firm, at 20 Nassau Street, New York City.

'96. Robert Hutchings Haskell is practising law at 215 Montague Street, Brooklyn, N. Y.

'97. Francis Halsey Boland was elected secretary and treasurer of the Delta Chi Alumni Club of the City of New York, at the December meeting. He is the father of a bouncing boy named John Boland, Jr.

'98. Bayard Cobb Tullar is engaged in the business of oil and agriculture at Wellsville, N. Y.

'98. A. Dix Bissell is practicing law in Le Roy, N. Y. He started in Rochester but left that city to take up the practice of his grandfather, an old practitioner, at Le Roy.

'99. John Quincy Perry is in the Law Department of the New York Telephone Company, in New York City. It is rumored that he is about to become a benedict.

James Hunt Prendergast has been elected Justice of the Peace at Westfield, N. Y.

'99. Clinton T. Horton, formerly of the firm of Bartlett, Baker & Horton, of Buffalo, N. Y., is now practicing individually at 932 Prudential Building, Buffalo. His marriage to Miss Madge Bates, of Cattaraugus, was celebrated last July.

'00. Woodward Wixom Sears is Superintendent of Schools at National Mine P. O., Michigan.

'01. Manton Marble Wyvell, A. B. '01, LL.B., '03, was admitted to the New York State Bar in December.

'02. Thomas Downs is managing clerk for Morgan & Mitchell, attorneys, at 38 Park Row, New York City.

'02. James F. Sullivan, who has been practicing law in Elmira, N. Y., for a year, has gone to Arizona, where he will remain all winter, on account of his health.

Edward David Toohill and Dudley Kirkpatrick Wilcox, who are both located at Auburn, N. Y., are occasional visitors at the Cornell Chapter House, in Ithaca.

'03. Isaac Allison has become a member of the firm of Baldwin, Turnbull & Allison, and is practicing law at Elmira, N. Y.

Lyman A. Kilburn and Arthur B. Simons have formed a partnership for the general practice of law under the firm name of Kilburn & Simons, and are located at Dunkirk, N. Y.

'03. Arthur M. Wright is studying medicine at the Cornell University Medical College, in New York City.

NORTHWESTERN

'93. Stephen D. Demmon became the proud father of a boy, on October 18th. Brother Demmon is practicing law at 1103 Monadnock Building, Chicago, and although one of the oldest members of the Northwestern Chapter, is still as enthusiastic a member of the Fraternity as the youngest freshman.

'97. Joseph Luther Taylor is practicing law and dealing in farm lands, at Pittsburg, Kansas.

'99. Robert Catherwood, of the firm of Parkinson & Catherwood, is taking a leading position in municipal affairs in Chicago. Brother Catherwood is a charter member of the recently formed City Club of Chicago, a club devoted to the interest of municipal improvement, which is destined to become a large factor in Chicago municipal life.

'99. David Hickman Moss, jr., is President of the First National Bank, at Mount Vernon, Washington.

'99. Fred Morgan Ayer passed the Supreme Court Bar Examination in February, 1903, and is now located at Nome, Alaska.

'99. The firm of King, Lamb & Gage have recently opened a branch office in Waukegan, of which Brother Charles H. King is in charge.



JUDGE CLARK H. HAMMOND
BUFFALO

'03. Clarence Knowlton was admitted to the Illinois bar at the September examinations, and is now practicing at his home, Rochester, Minnesota.

'03. Russell Wiles is with H. Bitner, patent lawyer, whose offices are at 740 Monadnock Block, Chicago.

BUFFALO

'98. John Kennedy White is lecturer on admiralty in the University of Buffalo.

'98. John W. Ryan is deputy district attorney of Erie County in Buffalo, N. Y.

'99. Edwin S. Kerr is located at San Fernando, Union, P. I.

John Farrell Koine is telegraph editor of the Buffalo *Express*.

'02. Franklin Kennedy successfully defended a criminal case in the Supreme Court recently. He was assigned to a defendant charged with first degree murder and secured his acquittal.

Hon. Clark H. Hammond, whose picture is published herewith, was one of the charter members of the Buffalo Chapter. He worked enthusiastically for a charter of Delta Chi, which was granted to Buffalo in the Convention of 1897, held at Cornell.

At the recent election in Buffalo he was elected to the position of Judge of the Municipal Court at a salary of \$4,000 a year, and for a term of six years. He defeated an incumbent of that office who had already held the position for two terms, and who was undoubtedly the strongest candidate on the Democratic ticket.

Judge Hammond is but twenty-nine years old. He graduated from the University of Buffalo in 1897, and since that time has been engaged in practice with his father, a former County Judge of Erie County, under the firm name of Hammond & Hammond. Edward M. Regan, a member of the Fraternity, and of the same class as Judge Hammond, was the active manager of Mr. Hammond's campaign, and members of the Buffalo Chapter as a whole gave loyal and enthusiastic support to their candidate. The support which Hammond received from Delta Chi brothers was probably the most potent of any particular force that contributed to his election.

DE PAUW

'93. Caleb Newell Lodge is a broker at 46 N. Pennsylvania Street, Indianapolis, Ind.

'95. George Chambers Calvert is manager of the Indianapolis Clearing House Association.

WEST VIRGINIA

'02. Elba Julius Wilcox is practicing law at Williamson, W. Va.

'03. Guy B. Young and Lyda Duane Zinn are practicing at Glenville, W. Va.

OHIO STATE

'02. Charles Henry Stahl is practicing law at Akron, Ohio.

'03. Elza J. Lambert is engaged in the promotion and operation of the oil and gas business at Marietta, Ohio.

GEORGETOWN

'00. Leon A. Clark is secretary to Congressman Metcalfe of California. He frequently visits the chapter house.

'03. Carl Barnett Rix is a clerk in the census office, Department of Commerce and Labor, at Washington, D. C.

'03. Frank E. Williamson has his law office at 406 Fifth Street, N. W., Washington, D. C.

'03. Albert D. Denn is Professor of oratory and rhetoric at the University of Wisconsin.

Harry J. Mohrman is finishing his law work at Washington University, St. Louis, Mo. He is deeply interested in Delta Chi and frequently sends his check to the chapter.

'03. Harry W. Hahn is with his father in the mammoth shoe stores of William Hahn & Company, Washington, D. C.

Walter B. Williams is associated with Peunie & Goldsborough, prominent patent attorneys in the McGill Building in Washington, D. C.

'03. Hugh H. Hanger is located in Washington with his father.

'03. F. Hunter Burke, the deputy prosecuting attorney of Washington, Ind., has recently recovered from a severe attack of typhoid pneumonia.

E. T. Jones is located in Mississippi.

Honorary—Hon. Harry M. Clabaugh is Dean of the Georgetown Law School and Chief Justice of the Supreme Court of the District of Columbia.

Professor D. W. Baker is junior member of one of Washington's busiest firms. Brother Baker is one of the members of the bar examination committee.

R. Ross Perry, Jr., joins with his father in the excellent firm of R. Ross Perry & Son. Mr. Perry is the author of "Perry on Pleading."

Professor J. Nota McGill will give a special series of lectures on patent law to the Georgetown Chapter at their house shortly after the holidays.

Stuart McNamara is at present defending James Armstrong Watson, the alleged embezzler. It is the largest embezzlement case in the history of Washington. Brother McNamara is very active and attends the meetings of the chapter with pleasing regularity.

NEW YORK LAW

Several of the alumni took active part in New York's recent election. The experiences of all were thoroughly beneficial, and of some, of more than casual interest.

"Charlie" Robinson joined the "truck-end" campaigners. Ross contributed his forensic efforts and cigarettes to audiences he found in saloon rears, while Murphy became fairly launched on the political pool. Harper, Lockwood and Harkness came in at the eleventh hour to watch at the polls, and Downing, with cool and calculating sagacity, kept "away back," and placed his money on the winners.

"Bill" Bailey brought back a story from his baliwick. Both parties were after one man of considerable influence, and offers of ten dollars by one and of fifteen dollars by the other had been made. When the ballots were counted one thrown out as defective, was marked "\$10" under the Republican emblem and "\$15" in the Democratic circle.

Harper reports a district where they had a skylight over the booth. As the watchers were at work, they heard the fall of an eraser, and the voice from above growled, "Hey, there, you son of a gun, rub that out."

Clarence H. Fay, '03, was the fortunate recipient of a receivership a few days ago.

NEW YORK UNIVERSITY

'92. Benjamin A. Jackson and Hugo Wintner are representatives of Delta Chi in the administration of Surrogate's Law. Brother Jackson has been for many years probate clerk in the Surrogate's Court in New York City and County, and Brother Wintner holds the position of probate clerk in the Surrogate's Court of Kings County, in Brooklyn, N. Y.

'92. John Francis Tucker was a candidate for the New York Assembly from New York City, and was defeated by a small majority.

'92. George Alexander Macdonald has returned from a three-months' vacation spent in Europe. Brother Macdonald is the author of "How Successful Lawyers Were Educated."

'94. William F. Quigley has moved his law office to 346 Broadway, New York City.

'94. Edward Sidney Rawson is the District Attorney for Richmond County, at Staten Island, New York City.

'96. Howard Conkling is a member of the New York State Assembly, representing the Twenty-fifth Assembly District of New York City. Brother Conkling is the author of several books, including one on "The Game Laws," and another on "Travels in Mexico." He is a member of the important Assembly committees on Canals, Charitable and Religious Societies and Codes.

'96. "Alderman" James W. Redmond, who has been named

to apportion the patronage in the Eleventh Assembly District, is making things hum in the Democratic circles of the district. The new leader is the president of the Washington Club."—*The Standard Union*, Brooklyn, N. Y., Dec. 22, 1903.

'97. George Washington Olvaney is assistant corporation counsel of New York City.

'00. James E. Murray is practicing law in Butte, Mont.

'01. Festus Lucien Bannon is the contracting freight agent of the Great Northern Railway, at Duluth, Minn.

John J. Conlon is the note teller of the National Bank of Commerce in New York City.

Rufus G. Shirley is agency director of the New York Life Insurance Company, at 1133 Broadway, New York City. Brother Shirley recently met with a sad bereavement, in which he has the sincere sympathy of all Delta Chi men. His father died November 14th and his mother on November 15th, 1903.

MICHIGAN

Herbert Vandenberg Ames is assistant Professor of American History, at the University of Pennsylvania.

'94. Charles Arthur Park is president of the Salem Water Company, at Salem, Oregon.

'96. Lawrence Rankin Hamblin is a member of the firm of Hamblin & Lund, with law offices in "The Rookery," Spokane, Wash.

'96. Stuart H. Perry is editor of the *St. Johns News*, at St. Johns, Mich.

'99. George Harris Smith is assistant attorney of the Oregon Short Line Railway Company, at Salt Lake City, Utah.

'99. LeRoy Allen Wilson is attorney and financial agent for a private corporation at 63 Ludington Building, Chicago, Ill.

'99. Harry Landon Chapman is bond officer of the Western Trust and Savings Bank, at Chicago, Ill.

'00. Duncan R. McFarlane is Justice of the Peace at Rock Island, Ill.

'00. Charles M. Steward is in the banking business at Plano, Ill.

'00. Henry Aaron Converse is assistant United States Attorney at Springfield, Ill.

'00. William L. Day is a member of the firm of Lynch, Day & Day, at Canton, Ohio.

'01. Manly D. Davis is located at Durango, Estado de Durango, Mexico.

'01. William J. Kirk, is on the entertainment committee of the Hamilton Club, the leading Republican club of Chicago.

'01. Henry Catrow is engaged in mining operations in Utah.

Ross W. Stockwell is a junior member of the firm of Perry & Stockwell at Pontiac, Mich. He was recently married.

David P. Strickler, formerly associated with Louis H. Schroeder in practice at Quincy, Ill., is now out for himself in the same city. Brother Schroeder has taken up the practice in Chicago.

Daniel Manley Davis, is now in the City of Mexico. He was formerly with the firm of Davis, Bromley and Davis, at Pontiac, Mich.

Frederick J. Lichtenberger is practicing in Chicago, having left Savannah, Ill.

William J. Brinkerhoff is practicing in Springfield, Ill.

Carlton G. Ferris is no longer associated with the firm of Hatch & Ferris in Detroit. He contemplates giving up the law for business.

Henry Hoover is engaged in the bonding business with his father at Taylorville, Ind.

Frank W. Atkinson is the junior member of the firm of William F. and Frank W. Atkinson in Detroit, Mich. He was in September, 1903.

'02. Charles J. Tressler is an attorney in the legal department of Swift & Company, Chicago, Ill.

MINNESOTA

'91. Charles N. Hamblin is auditor of the Sierra Railway Company, of California, at Jamestown, Cal.

'93. Albert Wallace Stacy is a lumber dealer at Douglas, Arizona.

Albert M. Shaw has abandoned the law and is now associated with the Roderick Lean Manufacturing Company, at Mansfield, O.

'95. Charles W. Somerly is assistant attorney-general of Minnesota, at Minneapolis, Minn.

'96. Ralph Clarence Sowle is a banker, located at Bowesmont, North Dakota.

'97. Fred Warner Carpenter is private secretary to Governor Taft, at Manila, Philippine Islands.

'97. Arthur James Stobbart is attorney for the National Surety Company, at 346 Broadway, N. Y.

'98. Harrison B. Martin is specializing in admiralty practice, at Seattle, Wash.

'98. Will G. Wilke is cashier of the Farmers' & Merchants' Bank, Grey Eagle, Minn.

'98. Charles Loring is a member of the law firm of Steenerson & Loring, at Cookston, Minn.

'99. Louis Randolph Frankel is assistant corporation attorney, at St. Paul, Minn.

'00. Ezra R. Smith, a member of the firm of Smith & Wilson, has his law offices in the New York Life Building, in Minneapolis, Minn.

'03. Charles Oscar Lundquist is making a specialty of the land business. His offices are in the Germania Life Building, St. Paul, Minn.

CHICAGO—KENT

'93. S. Z. Silversparre is publisher of *Ores and Metals*, the leading mining journal of the West, published at Denver, Colo.

'96. Robert C. Sturgeon is engaged in the gold mining business. He has his office at 314 Tacoma Building, Chicago, Ill.

'99. John McKinley, is superintendent of the counting room of Marshall Field & Co., Chicago, Ill.

'00. Edward C. Nettels is division freight and passenger agent of the C. M. & St. Paul Railway, at Des Moines, Iowa.

'03. William C. Miller is assistant to the secretary of the State Bank of Chicago.

'03. Fillmore W. Lodd is a member of the firm of E. E. Lodd & Co., and engaged in the grain and commission business, at 1313 Wabash Avenue, Chicago, Ill.

DICKINSON

'97. George B. Somerville is practicing law and acting as president of the Lake Trade Coal Company at Windber, Pa.

'97. Thomas K. Leidy is assistant district attorney in Reading, Pa.

'97. Albert I. Livingston is a journalist at Sante Fe, New Mexico.

'98. Clarence Raymond Gilliland is an electrical engineer with the Westinghouse Electric & Manufacturing Company, at East Pittsburg, Pa.

'98. Fred B. Moser is practicing law at Shamokin, Pa., being a member of the firm of Lark & Moser. Harry P. Conley is located in the same city, being associated with his father and brother under the firm name of J. H. Conley & Sons, hardware merchants.

'98. Gabriel H. Moyer is a member of the law firm of Siegrist & Moyer, doing business at Lebanon, Pa.

'99. John G. Miller is practicing law at York, Pa., and is attorney for the York-Coalinga Oil Company.

'99. Herman M. Sypherd is trust officer with the Guarantee Trust Company, at Atlantic City, N. J.

J. Wilmer Fisher, H. Franklin Kantner, Paul H. Price, Charles S. Shalters, Charles G. Moyer, Oliver G. Lentz and Garrett B. Stevens, Jr., are all engaged in the practice of law at Reading, Pa. They form a splendid nucleus for an alumni chapter in the Berks County capital.

'01. Since the last issue of the "Quarterly," Charles A. Piper,

who was for a time with the Aetna Accident Insurance Company in the capacity of claim adjustor, but more recently located at Oklahoma City, O. T., died at that city of appendicitis. Brother Piper was an exceedingly popular and progressive member of the Dickinson Chapter. During his second year at Dickinson he filled the office of "C" with efficiency. This is the second death in the membership of Dickinson alumni to occur in Oklahoma, Brother E. Harper Hoffman having died at Fort Sill, O. T., two years ago.

In law school, in class and in Fraternity affairs, there were few, if any, as active as he. Aggressive, resolute, full of spirit and a natural organizer, he made himself felt in every department of college life. In Fraternity affairs he was a leader, and as clerk of the chapter he was most efficient. Chosen by the dean as business manager of *The Forum*, he made that publication, for the first time, self supporting, and so, in all things which he undertook—and they were many—did his earnest labor meet with success.

Though far from home and without the care of a mother, a sweet woman yet ministered to him, and was at his bedside when death came; the promised wife of a Fraternity brother also located there, ministered to him during his brief illness, and was ever untiring in her vigil.

The Fraternity, and all who knew him cannot but deeply mourn his death.

'01. Albert T. Morgan, Berton B. Barr and Paul A. A. Core, the latter being "A" of his chapter, are practicing law at Washington, Pa.

L. R. Holcomb has law offices at Wilkes Barre, Pa. Brother Holcomb was a member of the recent House of Representatives of Pennsylvania.

'02. Robert Holden Moon was married on January 6th, 1904, to Miss Amy Lowry Hutchinson, at Parkersburg, W. Va.

'03. Adams Blake Vera is division superintendent of the National Correspondence Institute of Washington, D. C. He is located in the Flatiron Building, New York City.

OSGOODE HALL

A. H. Beaton, after holding office in the Ontario Hockey Association for ten years, at the last meeting of the association, early in December, refused re-nomination for the position of first vice-president and has retired from active work in the association. This association is perhaps the most important athletic organization in Canada. Last year on Mr. Beaton's retirement from the secretaryship, which he had held for many years, he was in addition to being given the usual honorarium, presented with a handsome library chair.

J. A. Cooper, the editor of the *Canadian Magazine*, and ex-

president of the Canadian Club, Toronto, lectured to the Canadian Club of Boston early in December.

Fred. W. Grant was married on December 15th to Miss Constance Wade, of Orilla, Ont.

Frank Ford, Solicitor to the Treasury of Ontario, has just been elected a member of the Corporation of Trinity University, Toronto, representing the graduates in Law, to fill a vacancy, caused by the death of the late Sir John G. Bourinot, K. C. M. G. A short time before his election to this, the governing body of the University, he had been appointed an examiner in law in the University.

John Dewar McMurrich is a member of the firm of McMurrich, Hodgins & McMurrich, at Toronto, Canada.

Alfred H. Marsh is a member of the firm of Marsh & Cameron, barristers, solicitors, etc., at 25 Toronto Street, Toronto, Canada. His firm are solicitors for the Trust and Loan Company of Canada, the National Life Insurance Company, of Canada, and other corporations.

UNION

'92. William Stiles Bennett is Justice of the Municipal Court in the City of New York.

'93. Tibbetts Walker is practicing law at Saybrook, O.

'01. Michael E. McTygue is Justice of the Peace in Saratoga Springs, N. Y.

'03. William Burt Cook, Jr., is librarian of the law division of the State Library at Albany, N. Y.

'03. Herbert LeRoy Austin holds a responsible position in the State Comptroller's office at Albany, N. Y.

IRRELEVANT AND IMMATERIAL

Brother John A. Hines, New York University, '01, has the following experience to relate:

A short time ago I had occasion to engage a stenographer for two weeks as a substitute, and when I came in my office one morning I told her I would be obliged to be in Newark all day, and that she would have to lock the office when she went to her lunch.

I returned about four o'clock in the afternoon, and to my surprise found my office closed and the doors locked. I knocked and she came to the door, unlocked it, and when I asked her what she meant by having the office closed and the doors locked, she replied that I had told her to do so.

I then asked her if anyone had called and she replied that there had been some people here and that she had unlocked the door when they knocked, and told them that I had instructed her to keep the doors locked, and that I would return later in the day.

I then asked her if the office had been closed all day, and she replied that it had, and said that she thought she was following my instructions.

Query—What would have been the proper thing to say at this time in the presence of the young lady?

The Georgetown boys, before moving into their new chapter house, engaged a typical Southern darky called Clarence, surnamed "the Cop," as butler. Clarence had been drilled to tell any one who might ask, that the house had been leased by the Georgetown Chapter of the Delta Chi Fraternity. On the first afternoon, the mail man rang the bell and Clarence, happy in his new white coat, answered the summons. The following dialogue ensued:

"Who is living in this house?" asked the man with the mail.

"'Deed I don' know, boss," answered our specimen.

"Is it a club house?" asked Uncle Sam's man.

"No, sah! Its a 'ternity house," replied our darky boy.

"What's it called?"

"'Deed I don' know, boss. De gemmen tole me but I'se forgot. I think it's called de 'Delicate Child," and a loud roar of laughter from the boys inside drove Clarence to cover.

A Polish boy who is employed in the offices of a Buffalo firm in which there are two members of the same name was, on his reporting for duty on the first day, given instructions in regard to answering telephone calls. He was told to ascertain always which member of the firm was wanted. The bell rang shortly, and the youngster stepped to the receiver.

"Is Mr. ——— in?" came over the wire.

"Vich kind?" asked the frightened lad, whereupon, it is needless to add, he was ordered to report for "further instructions."

At the Territorial Bar examinations held at Guthrie, O. T., last June, among the questions asked by the board was: "How does Equity look on those things that should be done?" It was answered by one of the class from Texas as follows: "Equity looks upon such things with suspicion."

Sidney N. Reeve, of the Chicago-Kent Chapter, writes from La Pomelo Rancho, La Mirado, Cal., as follows:

I received a day or two ago the Delta Chi "Quarterly" for October, it having been forwarded to me from Chicago. I left Chicago last December rather suddenly, but not in disgrace, and was unable to say good bye to the Delts there. I have quit the law temporarily and gone into fruit ranch and dairy farming for a change, and find it extremely beneficial after the strenuous life with Delts in Chicago. I trust, should any of the boys come this way, that they will look me up, for it would give me great pleasure entertaining any of them, giving them at the same time a taste of ranch life in California.



BOOK REVIEWS

By Clinton T. Horton

The Law and Practice in Actions for Torts in the State of New York, by J. Newton Fiero, Dean of the Albany Law School. Mathew Bender, Albany, N. Y., 1903. Price, \$6.50.

This work will have especial interest for Delta Chi men, as its author is a member of the Mother Chapter, and contributes a special article to this issue. It is divided into two parts, namely, Part I, consisting of the principles of Liability, and Part II, of Injuries to the Person. It has over 900 pages, and the arrangement of material is excellent. It gives both the law and practice in New York State, and is designed primarily as a statement of the law of that State. In other jurisdictions, however, it will have value because of the frequent citation of authorities, and second, the combination of law and practice in the second part of the work. It is the first work of its kind that New York State has had, and it is safe to predict that it will come into immediate use in the office of practitioners who are looking for the best and latest works to add to their libraries.

Cyclopedia of Law and Procedure. Edited by William Mack and Howard P. Nash, Vol. IX. The American Law Book Company, New York, Publishers.

The eighth volume of this series was issued last month. The publication of Vol. 9 after so short an interval, confirms our faith in the ability and anxiety of the American Law Book Company to live up to their forecasts, and must be the occasion of a good deal of satisfaction among the profession.

This series is on an assured basis of high merit and stability, and every volume increases the value of the whole series by much more than its own intrinsic worth.

The volume before us is noteworthy, both on account of the importance of the subjects and of the ability with which they are treated. The text is clean-cut, and clear, the illustrations are opposite and illuminating, and there is a great wealth of citation. The analyses are worked out in great detail and gives the reader easy access to the law on the particular point that he seeks.

The definitions and explanations of words, phrases and maxims cover forty-nine pages, which are by no means the least valuable portion of the book.

The most important articles are those dealing with the subjects, "Contempt," "Contracts" and "Copyright."

A Treatise on the New York Employers Liability Act. By George W. Alger and Samuel S. Slater of the New York Bar. Matthew Bender, Albany, N. Y., 1903.

This is the first of the text books brought to our attention on the subject of the New York Employers Liability Act of 1902. Its authors, Mr. Alger and Mr. Slater, are pre-eminently fitted to write a treatise on this statute, the former being the attorney for the Workingmen's Federation of the State of New York, and the latter the person who introduced the bill in the legislature, and worked most energetically for its passage.

The book is interesting in its comparison of the different liability acts in the United States and England, and will be of considerable aid to attorneys in construing the New York statute, as the authors have not hesitated to quote from opinions of the courts of other states construing acts essentially similar. A careful perusal of the work leads us to the opinion that it is an exceedingly well written and comprehensive book.

Kreidler's Current Citations of All New York Decisions, Designating Point of Citation and Giving Disposition Upon Appeal. By Charles R. Kreidler, Powers Building, Rochester, N. Y.

We have at hand the second number of the above, which our readers will be interested to note is edited by a brother of Deo Clair Kreidler, Delta Chi, Cornell, 1893. This is another of the many time saving devices made necessary by the rapidly increasing number of reports and decisions. The work is issued quarterly, and is designed to keep a table of citations abreast with the reports. These citations are complete and accurate, and we believe that the work will be welcomed by New York attorneys.

The Best Law Books and Their Authors—an illustrated souvenir. The American Law Book Company, 76 William Street, New York.

This cleverly arranged brochure issued by the publishers of "Cyc," volume nine of which is reviewed on another page, is worthy of notice. It contains fine photogravures of many distinguished writers on legal subjects in the United States. A complete list of abbreviations of reports adds value to the little publication.

The Transfer Tax Law of the State of New York and the Procedure Thereunder, by Samuel T. Carter, Jr., A. M., of the New York City Bar. The Banks Law Publishing Co., 21 Murray Street, New York. 1903. Price, \$3.00.

This work is valuable to the student and practicing lawyer and

handy for both. The author is the acknowledged authority on his subject in New York City. For several years he was in the office of the State Comptroller in charge of Transfer Tax collections. The first chapter of the work treats the subject generally, the history of the New York law and its amendments and constitutionality being discussed. In succeeding chapters one splendid feature is that the discussions are brief yet the phases of the law most likely to be encountered in actual practice are treated with sufficient detail for practical purposes. The important sections of the law are set out, and in studying the various sections the author has cited the leading causes which have any real bearing. The simple practice under the law is covered, and the list of forms is complete. The work is carefully prepared throughout.

HARRY B. LAMSON.



SHOURDS, ADCOCK & TEUFEL

Jewelers

66 State State Cor. Randolph St.

CHICAGO

Telephone Central 3745

Diamonds, Watches and Sterling Silver

MANUFACTURERS OF

Delta Chi and other Fraternity Pins

ATTORNEYS' DIRECTORY

When necessary to employ counsel in another city, why not correspond with a member of Delta Chi

ARKANSAS	ILLINOIS
<p><i>Van Buren, Ark.</i></p> <p>HENRY L. FITZHUGH</p>	<p><i>Chicago, Ill.</i></p> <p>JOHN E. AMOS, JR. 901 Journal Building Long Distance Tel. Main 4401</p>
CALIFORNIA	<p><i>Chicago, Ill.</i></p> <p>EDWARD H. BARRON 132 Michigan Avenue Telephone Central 2425</p>
<p><i>Los Angeles, Cal.</i></p> <p>GEORGE L. KEEFER</p> <p>412 Currier Building</p>	<p><i>Chicago, Ill.</i></p> <p>CHAS. E. BARTLEY 931-938 Unity Building Special attention given to real estate matters. Reference: First National Bank of Chicago, or any mercantile agency.</p>
CANADA	<p><i>Chicago, Ill.</i></p> <p>H. BITNER 740 Monadnock Block RUSSELL WILES CHAS. O. SHETVEY Telephone Harrison 1394</p>
<p><i>Oakville, Ontario</i></p> <p>W. ALEC CHISHOLM</p> <p>Colborne Street</p>	<p><i>Chicago, Ill.</i></p> <p>ROBERT CATHERWOOD Patent, Trade Mark, Copyright Law 1543 Monadnock Block Telephone Harrison 1281</p>
COLORADO	
<p><i>Colorado Springs, Col.</i></p> <p>R. H. WIDDECOMBE</p>	

ATTORNEYS' DIRECTORY—Continued

<p><i>Chicago, Ill.</i> MARSHALL D. EWELL, M.D. Suite 618-619, 59 Clarke St. Examiner of Disputed Hand-writing, Ink, etc.</p>	<p><i>Chicago, Ill.</i> HAYES MCKINNEY 1610 Title and Trust Building 100 Washington Street</p>
<p><i>Chicago, Ill.</i> DANIEL W. FISHELL 1019 Ashland Block Telephone Central 1547</p>	<p><i>Chicago, Ill.</i> MALCOLM B. STERRETT National Life Building Telephone Central 5003</p>
<p><i>Chicago, Ill.</i> GEORGE I. HAIGHT 134 Clark Street</p>	<p><i>Chicago, Ill.</i> EMIL C. WETTEN 184 La Salle Street</p>
<p><i>Chicago, Ill.</i> WALTER S. JOHNSON Room 44, 92 LaSalle Street Telephone 919 Main</p>	<p><i>Chicago, Ill.</i> HAROLD F. WHITE 904-10 The Temple, 184 La Salle St. Long Distance Telephone Main 3815</p>
<p><i>Chicago, Ill.</i> WILLIAM J. KIRK 13 Eldridge Court Telephone Harrison 654</p>	<p><i>Chicago, Ill.</i> EDWARD B. WITWER Room 407, 153 LaSalle Street Telephone Central 3396</p>
<p><i>Chicago, Ill.</i> A. A. MCKINLEY 79 Dearborn Street (O'BRIEN & MCKINLEY)</p>	<p><i>East St. Louis, Ill.</i> FLANNIGAN & SEITER R. H. FLANNIGAN O. R. SEITER Jackiesch Building Phone. Bell East 345 M.</p>

ATTORNEYS' DIRECTORY—Continued*Freeport, Ill.*

DOUGLASS PATTISON

INDIANA*Goshen, Ind.*

S. E. HUBBELL

INDIAN TERRITORY*Tulsa, I. T.*

JOHN A. HAVER

Care of Randolph & Haver

H. W. RANDOLPH

JOHN A. HAVER

KANSAS*Pittsburg, Kan.*

JOSEPH LUTHER TAYLOR

Attorney at Law

MASSACHUSETTS*Boston, Mass.*

JAMES P. MAGENIS

Rooms 62 and 65, 5 Tremont Street

Telephone Haymarket 868

MEXICO*Durango, Mexico
Estate de Durango*MANLY D. DAVIS
Apartado 79Consult me with regard to Mining
Concessions**MICHIGAN***Detroit, Mich.*

CARLETON G. FERRIS

406 Hammond Building

Telephone 2358

Of HATCH & FERRIS

Grand Rapids, Mich.

HOWARD A. THORNTON

Mich. Trust Building

MINNESOTA*Crookston, Minn.*

CHARLES LORING

Opera Block

Firm name—STEVENSON & LORING
HALVOR STEVENSON, M. C. CHARLES LORING*Minneapolis, Minn.*

W. R. BROWN

510 New York Life

ATTORNEYS' DIRECTORY—Continued*Minneapolis, Minn.*

GEO. W. BUFFINGTON
320 Temple Court

Minneapolis, Minn.

F. E. COVELL
840 Lumb Street

Minneapolis, Minn.

H. E. FRYBERBER
904 New York Life

Minneapolis, Minn.

GEORGE R. SMITH
610 Boston Block

MONTANA*Butte, Mont.*

F. W. BACORN

NEW JERSEY*Montclair, N. J.*

JOHN A. HINES
483 Bloomfield Avenue

Newark, N. J.

JOSEPH KAHRs
164 Market Street

NEW YORK*Albany, N. Y.*

DANIEL T. CASEY
119 State Street
Of CASEY & QUINN

Albany, N. Y.

JAMES NOLAN
13 N. Pearl St.

Buffalo, N. Y.

FRANK H. CLEMENT
45-6 Ellicott Square

Auburn, N. Y.

LOUIS E. ALLEN
131 Genesee Street

Auburn, N. Y.

DUDLEY K. WILCOX
109-110 Metcalf Building

ATTORNEYS' DIRECTORY—Continued

Binghamton, N. Y.

ALBERT S. BARNES

23 and 24 McNamara Building

Brooklyn, N. Y.

JOHN J. KUHN

189 Montague Street

(Cornell '98)

Buffalo, N. Y.

CLINTON K. DEGROAT

General Practice

118 Erie County Bank Building
Issue commissions to Clinton K. DeGroat
Notary Public, with Seal*Buffalo, N. Y.*

CHARLES A. ORR

Buffalo Savings Bank Building

Buffalo, N. Y.

EDWARD M. SHELDON

614 Mutual Life Building

Mercantile Litigation

Buffalo, N. Y.

JAMES O'MALLEY

3 and 4 Erie County Bank Building

Of O'MALLEY, SMITH & O'MALLEY

Dunkirk, N. Y.

KILBURN & SIMONS

315 Lion Street

L. A. KILBURN

A. B. SIMONS

Fredonia, N. Y.

CLINTON O. TARBOX

Ithaca, N. Y.

MONROE M. SWEETLAND

147 East State St.

New Brighton, S. I.

Lawrence W. Widdicomb,

New York City

CASE & NEWKIRK

L. BARTON CASE L. HARBROUCE NEWKIRK

German-American Bldg

Telephone 7965 Cortlandt

ATTORNEYS' DIRECTORY—Continued

<p><i>New York City</i></p> <p>J. EDWARD DOWNING</p> <p>100 Broadway</p>	<p><i>New York City</i></p> <p>STERLING ST. JOHN</p> <p>229 Broadway</p>
<p><i>New York City</i></p> <p>GOODALE, FILES & REESE</p> <p>71 Wall Street</p> <p>WILBUR C. GOODALE GEORGE W. FILES RICHMOND J. REESE</p>	<p><i>New York City</i></p> <p>MANTON M. WYVELL</p> <p>Room 23 Equitable Life Building</p> <p>120 Broadway</p>
<p><i>New York City</i></p> <p>CHAS. H. MOORE</p> <p>11-19 Williams Street</p>	<p><i>Nyack, N. Y., Rockland County</i></p> <p>J. ELMER CHRISTIE</p>
<p><i>New York City</i></p> <p>CHARLES F. MURPHY</p> <p>220 Broadway</p>	<p><i>Rochester, N. Y.</i></p> <p>D. CURTIS GANO</p> <p>919, 921 and 923 Granite Building</p> <p>Prompt attention to all business for Correspondents</p>
<p><i>New York City</i></p> <p>HENRY C. BROOKS</p> <p>76 William Street, Cor. Liberty St.</p> <p>Telephone 4178 John</p>	<p><i>St. Johnsville, N. Y.</i></p> <p>GEORGE C. BUTLER</p>
<p><i>New York City</i></p> <p>WILFRID N. O'NEIL</p> <p>No. 115 Broadway</p> <p>Telephone 4328 Cortlandt</p>	<p><i>Saratoga Springs, N. Y.</i></p> <p>M. E. McTYGUE</p> <p>14 Town Hall</p>

ATTORNEYS' DIRECTORY—Continued

<p><i>Stapleton, Staten Island</i> 206 Broadway. New York</p> <p>L. W. WIDDECOMBE</p>	<p><i>White Plains, N. Y.</i> FRASER BROWN Westchester County Titles, 124 Railroad Avenue</p>
<p><i>Syracuse, N. Y.</i> THOMAS W. DIXON 714 Onondaga County Bank Building</p>	<p>OHIO</p> <p><i>Akron, Ohio.</i> CHAS. H. STAHL, Central Office Building Cor. Main and Mill Streets</p>
<p><i>Syracuse, N. Y.</i> HARRY H. STONE 402 Kirk Building</p>	<p><i>Tiffin, Ohio</i></p> <p>CLYDE C. PORTER</p>
<p><i>Troy, N. Y.</i> HARRY E. CLINTON</p>	<p>PENNSYLVANIA</p>
<p><i>Trumansburg, N. Y.</i> CLINTON PAGE</p>	<p><i>Altoona, Pa.</i> J. BANKS KURTZ 5 and 6 Schenk Building</p>
<p><i>Watertown, N. Y.</i> BRUCE N. MARTIN 6 Flower Building</p>	<p><i>Altoona, Pa.</i> ROBERT A. HENDERSON Schenk Block</p>

ATTORNEYS DIRECTORY—Continued

<p><i>Bellefonte, Pa.</i></p> <p>W. HARRISON WALKER</p>	<p><i>Reading, Pa.</i></p> <p>HARRY F. KANTNER 43 N. Sixth Street (Dickinson '97)</p>
<p><i>Greenville, Pa.</i></p> <p>GUY THORNE Greenville National Bank Building</p>	<p><i>Reading, Pa.</i></p> <p>OLIVER LENTZ 534 Washington</p>
<p><i>Mt. Carmel, Pa.</i></p> <p>A. F. JOHN 6 and 7 Guaranty Trust Building</p>	<p>SOUTH DAKOTA</p> <p><i>Sioux Falls, S. D.</i></p> <p>SIoux FALLS SAVINGS BANK ROGER L. DENNIS Assistant Cashier</p>
<p><i>New Cumberland, Pa.</i></p> <p>A. J. FEIGHT Third and Market Square</p>	<p>UTAH</p> <p><i>Salt Lake City, Utah</i></p> <p>ROLLIN W. DOLE 407-408 Auerbach Building</p>
<p><i>Philadelphia, Pa.</i></p> <p>PAUL M. ROSENWEY 1308 Land Title Building</p>	<p><i>Salt Lake City, Utah</i></p> <p>WILLIAM M. McCREA 22 East First South Street</p>
<p><i>Pittsburg, Pa.</i></p> <p>NEIL ANDREWS 1228 Frick Building</p>	<p><i>Salt Lake City, Utah</i></p> <p>WILLIAM M. McCREA 22 East First South Street</p>

ATTORNEYS' DIRECTORY—Continued*Salt Lake City, Utah*

PARLEY P. CHRISTENSEN

(County Attorney)

Salt Lake City, Utah

C. S. PRICE

15 and 52 Hooper Building

WASHINGTON*Pullman, Wash.*

P. W. KIMBALL

Tacoma, Wash.

ARTHUR R. WARREN

501-502 Fidelity Bldg

Telephone Black 1503

WEST VIRGINIA*Charleston, W. Va.*

LEO LOEB,

33 Citizens National Bank

Fairmount, W. Va.

ALLISON S. FLEMING

Peoples' Bank Building

Glenville, West Va.

ZINN & YOUNG

Attorneys-at-law

L. D. ZINN

GUY B. YOUNG

Parkersburg, W. Va.

ROBERT H. MOON

44 Citizens Bank Building

WISCONSIN*Grand Rapids, Wis.*

Wipperman & Hambrecht,

Wood Block

H. C. WIPPERMAN

G. P. HAMBRECHT

The Quarterly Board earnestly requests that mention be made of "The Delta Chi Quarterly" in corresponding with advertisers. . . .

J. F. Newman *Badge and Jewelry
Manufacturer*

OFFICIAL FRATERNITY JEWELRY
DELTA CHI BADGES

Fraternity and College Badges,
Rings, Seals, Charms, Specialties

DESIGNS AND ESTIMATES

ELEVEN JOHN STREET:::NEW YORK

Law Briefs and Points

*WE MAKE A SPECIALTY OF
THIS LINE OF WORK:::GET
OUR PRICES:::WE SAVE YOU
DOLLARS WHERE WE MAKE
CENTS FOR OURSELVES*

ITHACA DAILY NEWS
Job Department:::Ithaca, New York

PRINTERS OF THE DELTA CHI QUARTERLY

CAFE FRANCIS,

Nos. 53 and 55 West 35th St.,

NEW YORK

Telephone 2239 38th St.

FRENCH RESTAURANT.

TABLE D'HOTE and A'LA CARTE.

Unexcelled Service and Music.

NOTICE SPECIAL arrangements will be made for the entertainment
and comfort of members of the Delta Chi Fraternity.

FRANCIS A. SAVOUREUX,

Proprietor.

R. A. HEGGIE & BRO.

MANUFACTURERS OF

Delta Chi Pins and Keys

We Make a Specialty of

DELTA CHI KEYS

Ithaca, N. Y.

DELTA CHI FRATERNITY

Invitations, and all kinds Engraving
Cards, ...of... and Printing

C. E. BRINKWORTH,

331 Main Street,

BUFFALO.

**Manufacturing Jewelers
and Silversmiths**

**Masonic and Secret
Society Work**

CHARLES I. CLEGG

Official Fraternity Jeweler

616 CHESTNUT ST., PHILADELPHIA

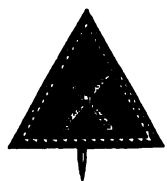
**Send for Price List and Illustrations of Fraternity
JEWELRY AND NOVELTIES**

**College and Class
Pins and Canes**

**Badges, Prizes
and Medals**

KING & EISELE,

Buffalo, N. Y.



DELTA CHI.

Manufacturers of

Glass Pins, Medals, Etc

Estimates and Designs Furnished on Application

No Order Too Small.

No Order Too Large.

C. M. BELL PHOTO CO.,

463-465 Penn Avenue

High Grade Photographer

Washington, D. C.

SPECIAL RATES TO COLLEGE STUDENTS.

→ THE LEGAL GLASSIG SERIES ←

REPRINTS OF THE OLD MASTERS

Glanville Britton, *Littleton's Tenures* and *The Mirror of Justices*

Let us send you particulars.

JOHN BYRNE CO., Law Booksellers and Publishers,

WASHINGTON, D. C.

INDELIBA
(Trade Mark)
NON-GREASE
**Type-Writer Ribbons
and Carbons . . .**

OUR RIBBONS AND CARBONS DON'T SOIL THE HANDS OR WORK

Send for 50 cents worth of FREE CARBONS and CATALOGUE of
TYPEWRITER SUPPLIES.

**INDELIBA MANUFACTURING CO., Dept. S.
ROCHESTER, N. Y.**

NEW YORK. PITTSBURG. LONDON. ST. LOUIS.

The Quarterly Board earnestly requests that mention be made
of THE DELTA CHI QUARTERLY in corres-
ponding with Advertisers.

LAW CASES	<p>THE KIRK PRINTING Co. 71-73 WEST EAGLE ST. BUFFALO, N. Y.</p>	STATIONERY
BRIEFS		AND
LEGAL BLANKS		GENERAL PRINTING
<p>— Bell and Frontier Phones - 1048 —</p>		

S. N. MEYER, 1231 PA. AVE., N. W., WASHINGTON, D. C.

MANUFACTURER OF

College, School, Class and Fraternity Jewelry.

DELTA CHI PINS, \$2.50 UPWARDS.

LAWYER'S COMMON PLACE AND BRIEF BOOK,

WITH AN ALPHABETICAL INDEX OF NEARLY

ONE THOUSAND TITLES AND SUBJECTS.

BY A MEMBER OF THE NEW YORK CITY BAR.

The plan of this work grew out of the author's own wants, and his experience in using other common-place books. Its practical utility has been tested by his own experience. The usefulness of some sort of a common-place book is recommended by every practicing attorney including Fulbec, Roger North, Lord Hale, Phillips and Locke. Lord North says, "Common-placing is so necessary that without a wonderful, I might say miraculous fecundity of memory, three parts of reading in four will be utterly lost to one who useth it not." That distinguished and accomplished scholar, William Wirt, remarks, "Old fashioned economists will tell you never to pass an old nail or an old horse-shoe, or buckle, or even a pin, without taking it up, because although you may not want it now, you will find use for it sometime or other." This principle is especially true with regard to legal knowledge. The author, in his legal study and practice, has endeavored to seize upon all that is fairly within his reach, and, by tediousness, drudgery, and wearisomeness (the only way to know law), to place a fund of valuable legal knowledge at his ready command. The plan of this work will be found sufficiently general and systematic. It is best to index according to subjects, selecting that word which conveys the best idea of the subject or decision. The margin on the left hand of each page is ruled wide enough to give room for the word or subject.

Printed on fine quality of linen ledger paper. Bound leather back and corners, marbled paper sides. Size, 8x9, 300 pages, \$3.00.

SIZE 8x9, 1000 PAGES, BOUND FULL LEATHER, RUSSIA ENDS AND BANDS, \$5.00.

EXPRESS PAID.

WILLIAMSON LAW BOOK CO.,

Established 1870.

ROCHESTER, N. Y.

Send for our Catalogue of Second-hand Law Books

The Quarterly Board earnestly requests that mention be made of THE DELTA CHI QUARTERLY in corresponding with advertisers.

FRATERNITY PINS.

**EDMUND G. HINES, Watches and Diamonds,
921 F Street, N. W. WASHINGTON, D. C.**

New Hotel Kenmore
A L B A N Y , N E W Y O R K

Strictly First Class. European Plan. Convenient to Theatres, Public Buildings, Etc. Prof. Strauss's Orchestra a feature. Cuisine Unsurpassed. . . .

*Albany Headquarters for
Delta Chi Fraternity*

R. P. MURPHY, Proprietor

LAW PRINTING

We make Law Printing our Specialty, and do not allow catalogue or job work to interfere with the Efficient and Prompt dispatch of all our Law Work

Law Printing and Quick Printing are Synonymous Terms

Abstracts, briefs, trust deeds, records and leases our Specialty. Business outside of Chicago will receive prompt attention.

Barnard & Miller, Law Printers
Nos. 44 and 46 LaSalle Street, CHICAGO, ILL.
TELEPHONE MAIN 904; HOUSE 1053 AUSTIN

4-10-12

Commencement Invitations and Programs. College Fraternity Note Paper.

We have unexcelled facilities for the proper execution of Calling Cards, Ceremonial Invitations and Announcements, Heraldic and Monogram Dies for Correspondence Papers, Book-Plates, etc. We carry the

Leading Lines of Crane's and Hurd's Papers---Also Cheaper Grades

of Papers for Every Day Use
Write for Quotations and Information

THE WHITE-EVANS-PENFOLD CO.,

302-304 Main Street,

in Palmer's.

BUFFALO, N. Y.

The Quarterly Board earnestly requests that mention be made of THE DELTA CHI QUARTERLY in corresponding with Advertisers.



Delta Chi Fraternity Pins MADE in excellent manner and in proper size and shape. Direct from the manufacturer to wearer at following prices: Solid gold, plain, \$3.00; stones, close set, \$5.00, crown set, \$10.00. Any stones, except diamonds are furnished for these prices. We make anything in class, club, society or college pins that are desired. Send for free catalogue showing hundreds of designs. Special designs will be made from your suggestions free of charge. **BASTIAN BROS.**, K 21 South Ave., Rochester, N. Y.



Judges' and Counselors' Gowns
Cotrell & Leonard

Albany, N. Y.

CAPS AND GOWNS
 Bulletin, Samples, Etc. Upon Request

THE CHAS. H. ELLIOTT CO.

THE LARGEST COLLEGE ENGRAVING HOUSE IN THE WORLD

Works: 17th Street and Lehigh Avenue, PHILADELPHIA, PA.

Commencement Invitations and Class Day Programs

Dance Programs and Invitations, Menus, Class and Fraternity Inserts for Annuals, Class Pins and Medals. (Write for Catalogue.)

MAKERS OF SUPERIOR HALF-TONES

ALBERT LAWTENSLAGER

DIAMOND SETTER

MANUFACTURING JEWELER

DELTA CHI FRATERNITY PINS

Opposite Kenmore Hotel
 (Up Stairs)

No. 71 N. Pearl St., Albany, N. Y.

LEVI MOORE
PORTRAITS

15 North Pearl Street, Albany, N. Y.

Photographs, Ivory Miniatures, Class Groups. Special Rates to Students

NEW YORK UNIVERSITY LAW SCHOOL

UNIVERSITY BUILDING WASHINGTON SQUARE

Day Session 3:30 to 6 P. M.

Evening Session 8 to 10 P. M.

Grants Degree L. L. B., L. L. M. and J. D.

Candidates for the degree of Bachelor of Laws are required to pursue courses which amount to twenty-five (25) hours of lectures weekly. These may be completed in two years with twelve and one-half hours work per week for each year. If the work is taken entirely in the evening, thirty (30) hours weekly are required, distributing over three years with ten hours per week. A choice of forty courses covering seventy hours of work is open to applicants for higher degrees of Master of Laws and Juris Doctor. The law library contains over 17,000 volumes.

TUITION \$100 PER YEAR

For Circulars Address,

L. J. TOMPKINS, Registrar,

Washington Square, New York City

84

CONTENTS

	PAGE
Delta Chi Chapter Roll.....	2
Fraternity Officers.....	3
Chapter Officers.....	4
The Law of Patents.....	5
Doings of Chicago Alumni Chapter.....	16
The Tenth Annual Convention.....	18
Echoes of the Convention.....	25
Book Reviews.....	47
Editorials	27
Fraternity Officers.....	31
Chapter Correspondence.....	32
News of the Alumni.....	40
Among the Greeks.....	45
Honorary and Active Members.....	51
Attorneys' Directory.....	63

The . . . Delta Chi Quarterly



JAMES O'MALLEY,

Editor-in-Chief

**Erie County Bank Building,
Buffalo, N. Y.**

MANTON M. WYVELL,

Business Manager,

**No. 31 Nassau St.,
NEW YORK CITY**

THE Delta Chi Quarterly is the official organ of the Delta Chi Fraternity, established by the Eighth Annual Convention, Chicago, Ill., July 11, 1902. Published in January, April, July and October of each year. Subscription price \$1.00 per year, payable in advance. Single copies twenty-five cents. Cards of Fraternity members will be carried in the Professional Directory, at the rate of \$1.00 per year. Other advertising rates furnished upon application. Subscriptions and remittances should be sent to the Business Manager.

Articles on legal topics and contributions of general interest to the Fraternity, are solicited from all members.

DELTA CHI CHAPTER ROLL

ACTIVE CHAPTERS

Established.

Cornell University	1890
New York University	1891
Albany Law School	(Withdrawn 1893) 1892
University of Minnesota	1892
De Pauw University.....	(Withdrawn 1896) 1892
University of Michigan	1892
Dickinson University	1893
Northwestern University	1893
Chicago-Kent Law School	1894
University of Buffalo	1897
Osgoode Hall of Toronto	1897
Syracuse University	1899
Union College	1901
University of West Virginia	1902
Ohio State University	1902
New York Law School	1902
University of Chicago.....	1903
Georgetown University	1903

ALUMNI CHAPTERS

Chicago Chapter	1902
New York City Chapter	1903

FRATERNITY OFFICERS

HONORARY

President

HON. WM. HORNBLLOWER, OF NEW YORK CITY.

Vice President.

PROFESSOR ERNEST W. HUFFCUT, OF ITHACA.

Second Vice-President.

HON. MARSHALL D. EWELL, OF CHICAGO.

Orator.

HON. DANIEL W. BAKER, OF WASHINGTON, D. C.

Poet.

FRED'K. C. WOODWARD, OF CHICAGO.

ACTIVE

President: EDWARD C. NETTLES, Des Moines, Iowa.

Secretary: FLOYD L. CARLISLE, Watertown, N. Y.

Treasurer: RUFUS G. SHIRLEY, 1133 Broadway, New York City.

BOARD OF MANAGERS

HARRY H. BARNUM, 1139 First National Bank Bldg., Chicago, Ill.

WILLIAM W. BRIDE, 129-131 B. St., S. E., Washington, D. C.

FLOYD L. CARLISLE, 8 Stone St., Watertown, N. Y.

OTIS S. CARROLL, 54 Wall St., New York City.

FREDERICK DICKINSON, 12 Snell Hall, University of Chicago.

EDWARD K. FREEMAN, 5 Nassau St., New York City.

HUGH R. FULLERTON, Havana, Ill.

LEROY T. HARKNESS, 26 Liberty St., New York City.

A. FRANK JOHN, Mt. Carmel, Pa.

JOHN J. KUHN, 189 Montague St., Brooklyn, N. Y.

JAMES O'MALLEY, Erie County Savings Bank, Buffalo, N. Y.

H. NORMAN SMITH, Delta Chi House, Ann Arbor, Mich.

RUSSELL WILES, 740 Monadnock Bldg., Chicago, Ill.

CHAPTER CLERKS

CORNELL UNIVERSITY

"C" A. Raymond Cornwall.....Delta Chi House, Ithaca, N. Y.

NEW YORK UNIVERSITY

"C" Wilson R. Yard.....63 Wall Street, New York City, N. Y.

UNIVERSITY OF MINNESOTA

"C" Elias B. Curtis.....420 Lumber Exchange, Minneapolis, Minn.

UNIVERSITY OF MICHIGAN

"C" George W. Lindsay.....Delta Chi House, Ann Arbor, Mich.

DICKINSON UNIVERSITY

"C" E. F. Heller.....Carlisle, Pa.

NORTHWESTERN UNIVERSITY

"C" Max Murdock.....518 Church Street, Evanston, Ill.

CHICAGO-KENT SCHOOL OF LAW

"C" Roland J. Hamilton.....463 The Rookery, Chicago, Ill.

UNIVERSITY OF BUFFALO

"C" Irving S. Wood.....204 Whitney Place, Buffalo, N. Y.

OSGOODE HALL

"C" M. G. Hunt.....17 Grange Ave., Toronto, Ontario.

SYRACUSE UNIVERSITY

"C" Orla E. Black.....665 Madison Street, Syracuse, N. Y.

UNION COLLEGE

"C" William B. Zimmer.....Delta Chi House, Albany, N. Y.

OHIO STATE UNIVERSITY

"C" H. M. Rankin.....111 W. 10th Ave., Columbus, O

UNIVERSITY OF WEST VIRGINIA

"C" Henry Simms.....Morgantown, W. Va.

NEW YORK LAW SCHOOL

"C" C. R. Haviland.....Jamaica, N. Y.

UNIVERSITY OF CHICAGO

"C" Maurice Walbrum.....4952 Vincennes Ave., Chicago, Ill.

GEORGETOWN UNIVERSITY LAW SCHOOL

"C" William W. Bride.....131 B St. S. E., Washington, D. C.





WILLIAM J. BRYAN, who was recently elected an honorary member of the Georgetown Chapter.

DELTA CHI QUARTERLY

Vol. II

MAY, 1904

No. 2

THE LAW OF PATENTS

By Robert Catherwood, Northwestern Chapter

Delivered before the Chicago Alumni Chapter, on the occasion of its monthly dinner, February 11th, 1904

I have been asked to inaugurate a new custom at the dinners of this Association, by reading to you a paper touching upon that branch of the law with which I am most familiar, viz., the Patent Law, and while I do not wish to fatigue with a long dissertation, it has struck me that you might find it worth some moments of your time to hear briefly an account of the fundamental principles of the law of patents, and some of the practical primary questions which arise under it.

These laws trace their source and are based upon a short clause in the Federal Constitution granting to Congress the power to promote the progress of science and the useful arts, by securing, for limited times to authors and inventors, the exclusive right to their respective writings and discoveries.

The striking thing about this clause of the Constitution was its novelty. The idea that it is one of the functions of the state to encourage invention was, at the time the Constitution was adopted, as new in political science as was the division of powers among executive, judicial and legislative branches of government.

It is difficult for us to realize that, during ancient and mediæval times, an inventor, instead of being considered worthy of encouragement and reward, was generally looked upon with contempt, while the powers that governed never considered the encouragement of invention for the benefit of the people an object worthy of the attention of the State. There was no right to protection in invention at common law, or under the Civil or Roman law from which most of the nations of Continental Europe derive their jurisprudence. The artisan and inventor were considered only worthy to be classed with slaves upon whom the work of artisans usually devolved. Seneca aptly expressed the sentiment of his time, when referring to the fact that transparent glass for windows tube for conveying heat, and the means for writing short-hand so as to report language as fast as the orator uttered it, had been invented before his time, he said that such subjects as these were not worthy of the consideration of a philosopher, that they were drudgery, fit only for the consideration of slaves. The sentiment of the Middle Ages was aptly expressed by another writer, whose words I do not

e. w. d.

undertake to quote, but who said, in substance, that if the invention was sufficiently simple to be understood, the inventor was to be despised as a vulgar mechanic, or, if it was so ingenious that it was not readily understood, he should be burned at the stake as a sorcerer.

It remained for our country, leading the age, to adopt a scheme of legislation which has gradually led the people to substitute for the fallible and oftentimes unwilling hands of human servants, faithful artificial servants, more reliable, efficient and obedient.

Prior to the legislation of April 10, 1790, by which Congress enacted the first patent law, there had never been in the history of the civilized world, any legislative enactment which secured such rights to inventors. It is a common impression that the English Statutes of Monopolies effected this purpose. But this, I think, is a misapprehension. It contained no provisions whereby any rights whatsoever were conferred. So far as it is touched upon at all, it, in somewhat contradictory and equivocal terms, qualified the declaration that all monopolies were contrary to law, by excepting from that declaration exclusive rights in inventions for limited times, so that they were not unlawful, but made no affirmative provisions for such exclusive rights. And none were made by any enactment of the English Parliament, or any foreign legislative body, so far as I am aware, until after this policy had been inaugurated in this country. We must remember that the term "letters-patent" has not, in its primary sense, any special reference to inventions, and that this term has been commonly applied to open letters, bearing the seal of any sovereign or state, especially such letters as purport to grant some special privilege or authority.

In the time of Queen Elizabeth, the practice of granting monopolies in trades and commodities had been carried so far that we wonder at the patience of the people who endured such restrictions. These grants were not made with any system, or for any public purposes, but were purely arbitrary acts of the Crown. To one person or company was granted the exclusive right to trade in salt, to another in iron, to a third to manufacture calf skin, to a fourth, to make vinegar. In some instances the grantee was empowered of his own motion to enter houses or other buildings where he suspected the commodity in which he had exclusive right to deal, to be concealed, to break down doors and use other necessary violence for the purposes of discovering and seizing it. The matter was brought up for discussion in Parliament during Elizabeth's reign, and the manner in which it was treated exhibits the vast difference between the Anglo-Saxon people of that day and this. Sir Francis Bacon, the great intellectual genius of his time, arose in Parliament and said:

"I say and I say it again that we ought not to deal, judge or meddle with her Majesty's prerogative. I wish therefore every man to be careful of this business."

And another member of Parliament said:

"He that goeth about to debate her Majesty's prerogative need to walk warily."

The Queen in need of a large appropriation, shrewdly intimated that she would cancel some of the more objectionable monopolies, whereupon without waiting for such cancellation, a delegation of Parliament hastened to her presence, the speaker at their head, fell upon their knees before Her Majesty and "as in duty bound, humbly acknowledged" that her "preventing grace and all deserving goodness doth watch over us for our good," and exclaimed "that her sacred ears were ever open to hear, her blessed hands were ever extended to relieve;" that she had "the attributes of God himself, performing all that she promised; that "she was more ready to give than they to ask, much less deserve;" that she was "all truth, all beauty, all loveliness, all constance, all goodness;" that "prostrate before her they devoted the last drop of their heart's blood, the last breath of their nostrils to be poured out, to be breathed up, for her safety."

Returning to Parliament they hastily passed an extraordinarily liberal appropriation for the Crown. Little change took place in her majesty's conduct with reference to monopolies, and they continued to flourish as before, their ills to accumulate, until during the reign of King James the First, Parliament mustered courage to pass what was termed the Statute of Monopolies.

At that time substantially all the trade of London was by virtue of the exclusive grants concentrated in the hands of about two hundred persons.

The Statute of Monopolies, after reciting that "his most excellent majesty of his blessed disposition to the weel and quiet of his subjects had published in print to the whole realm and to posterity that all grants and monopolies were contrary to law, which your majesty's declaration is truly consonant and agreeable to the ancient and fundamental laws of this your realm," enacted and declared that "all monopolies, and letters-patent heretofore made or granted or heretofore to be made or granted, for the sole, buying, selling, making, working or using of anything within this realm, 'are altogether contrary to the laws of this realm, and so are and shall be utterly void and of no effect, and in no wise to be put in use or execution.'" This was followed by certain provisos, among them, that "this declaration should not extend to letters-patent or grants of privileges heretofore made for the term of twenty-one years or under, for the sole working or making of any manner of new manufacture within this realm, to the first and true inventor of such manufactures, which others, at the time of the making of such letters-patent, shall not use, so as also they be not contrary to the law or mischievous to the State by raising prices of commodities at home, or hurt of trade, or generally inconvenient, but that the same shall

be of such force as they should be if this act had not been made, and of none other."

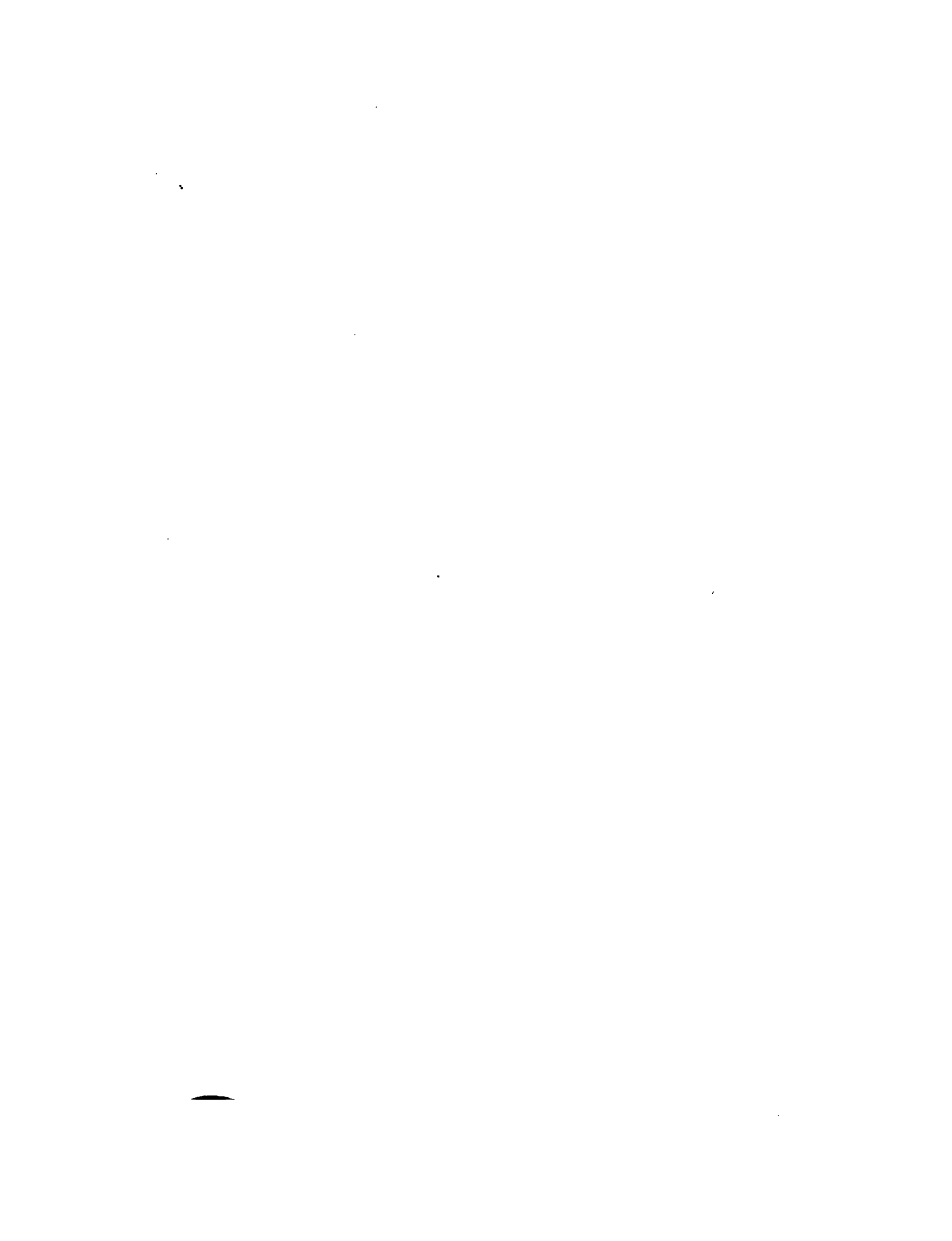
It is to be observed that this does not confer any right or privilege that did not before exist, that it does not make any provisions by which inventors are to be entitled to exclusive rights; that if the first declaration were true, and the monarch had no power to confer monopolies, inherently, there was no enactment to confer that power in respect to inventions; that the exception itself was in terms limited to grants such "as also they might be not contrary to law," and expressly disclaimed making any grant lawful that would otherwise be unlawful; that the recital had represented all grants and monopolies to be contrary to the law of the realm; and that the probable effect of the grant of an exclusive right in and invention would be to raise the price and hence bring it within the express prohibition of this proviso. This statute was enacted in 1624, and there appears to have been no further legislation upon the subject, in England, until 1835. Beginning with the nineteenth century the Crown in the absence of any statutory provisions granted patents from time to time, purporting to secure exclusive rights in inventions for the term of fourteen years, exacting fees that must have put such patents beyond the reach of ordinary persons. The average expense of obtaining a patent where the specification was short, appears to have been, in 1836, about \$1,800. If it was a longer document the fees were considerably increased. To the makers of our Constitution therefore, state encouragement of inventors was a novel plan.

The first Congress which assembled upon the organization of our Federal government, passed a law to carry the constitutional provision into effect—a law which was promptly approved by President Washington, within less than a year after his first inauguration. The importance attached to this subject and the dignified position which it was considered to occupy, is further illustrated by the fact that the law provided for presenting petitions for letters-patent directly to the Secretary of State, and required the approval of the Secretary of State, the Secretary of War, and the Attorney General, or not less than two of them, for the allowance of the patent. After such approval, the patent was required to be certified by the Attorney General, then submitted to the President, whose duty it was, under the law, to cause it to be sealed with the great seal of the United States. It then issued attested in the name of the President. Slight minor changes were made in these provisions by subsequent legislation, but the Secretary of State continued to be primarily charged with the duty of allowing applications until 1836, when the office of Commissioner of Patents was created, and this department was subsequently placed under the supervision of the Secretary of the Interior.

The Supreme Court was early given appellate jurisdiction over all litigation under letters-patent without regard to the amount in



ROBERT W. CATHERWOOD OF NORTHWESTERN CHAPTER.



controversy. The first patent causes came before the court early in its history when John Marshall was Chief Justice, and his decisions largely shaped the law which has been applied in this class of litigation. His opinions in patent suits exhibit the same comprehensive grasp of fundamental principles, the luminous insight, the conscientious determination to so interpret the law as to make it effectual in carrying out the purposes of its authors, as he exhibited generally in expounding the Constitution and laws during the formative stage of our national history.

The first patent that issued bore the signature of Thomas Jefferson as Secretary of State, and of George Washington as President. Prompt advantage was taken of the law, for it having been approved April 10, 1790, the first patent issued not later than July of the same year. The patentee, Samuel Hopkins, was a resident of Vermont, which had not then been admitted to the Union, and with the slow communications possible in those days, it must have taken a large portion of the intervening time for information of the passage of the law to travel there, and the application to reach the capital. The first patent was for the manufacture of pot and pearl ashes, the second for candles, and the next for punches for forming type. It is however due to these early inventors to observe that such subjects as cleanliness, light and literature, did not engross all their attention, and that punches for forming type were not the only punches in which they were interested, for the fourth patent was for distillation.

The first country to follow the American precedent was France. In that dignified assembly, where screaming washerwomen and fishwives furnished a chorus, and bloody heads were brought in to remind legislators of their duties, it was proposed to abolish all monopolies. But Mirabeau was understood to say that "an invention was as much the product and property of him who conceived it, as wheat was of him who owned the land and tilled the crop, as a child was the product of its mother's womb." These remarks met with the approval of both washerwomen and honorable deputies, and a patent law was passed. This law required a model and description to be submitted in a sealed box, marked and numbered, a patent was granted on the device in box No. so and so, and the box was not opened until a suit for infringement was brought before the court.

Fortunately, the French law has since undergone considerable modification. Substantially all civilized countries have patent laws, and though in England and France one can obtain a patent on a device which is notoriously old, they have in many respects patterned their laws on ours.

I now refer more particularly to some phases of the patent law administered in this country which may have a direct practical interest.

What is the nature of the franchise? A common impression

is that it secures to the grantee, his assignees or licensees the exclusive right to make, use and sell for seventeen years the machine, process or article described and claimed in the patent. But this is not true in the sense in which it is commonly understood. The patent does not confer any right to make, use or sell, but if valid it gives the grantee the right to prevent others from making, using or selling. Frequently, persons assume that a license under a patent, coupled with an assurance by competent authority that the patent is valid, is equivalent to a guaranty that they can make, use, or sell without liability for infringement of other patents.

It is not such a guaranty. A patent may be perfectly valid yet the grantee under it may not be able to use what it embraces without paying tribute to some dominating or primary patent upon which the latter is an improvement, or some feature of which has entered into the construction of the machine covered by the latter patent, or into the operation of the process to which it applies. Wherever a radically new machine is invented it commonly follows that successive machines are incorporated upon it or by it by successive inventors. It may undergo many changes, each of which necessarily contains something of the original machine. The author of the original machine may be entitled to a patent that covers it broadly. Each of the successive inventors may be entitled to a patent that covers the improvements they have added, and these patents may all be valid, but if the owner of the later patent undertakes to use the invention described in it, he may be held as an infringer, notwithstanding that his patent is valid.

What is patentable? Our statute says, "any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement thereof." The term "art" has been construed as including a process over the mechanism used in its application. The question, what is patentable and what is not, depends upon so many considerations that it is difficult to state any proposition that may not require qualification. In this country the invention must be new and original—that is to say, if the patentee did not originate, but simply borrowed it from another the patent is invalid, even though the invention had never gone into public use before, or been patented or published here or elsewhere. On the other hand, if the patentee originated the invention, that is to say, conceived of it and developed it himself, without knowledge that it had been conceived of elsewhere, and it afterward appeared that it had, at some time in the past, been conceived of by another who had never patented it or put it into use, but had abandoned it before reducing it to practice, its prior conception by another would not defeat the right of the patentee, nor would a prior use that was not known to him and that had never been published or patented.

The invention must be new in character or in some of its attributes, not merely a change in shape without change in function or change in materials without other result than usually obviously

follows from such change of material. There are cases, however, where changes of shape, very simple after they are once thought of, produce material changes in results, and are patentable. There are also other cases where changes in material produce such changes in result as to sustain a patent, though they are exceptional. Whether a change is a patentable invention or not, does not necessarily depend upon the extent of skill required to make that change after the idea has been conceived of, for the invention may reside in the conception of a new purpose, method, or effect, or article, and after such conception it may require less than ordinary mechanical skill to embody it, and yet be a very important invention. While there are many cases where changes require considerable mechanical skill and completely revolutionize the appearance of the machine, they are mechanical changes not sufficient to sustain a patent.

Many important inventions seem so obvious after they are made, that we are inclined to say that it must have been obvious before they were made that such results could be produced by such changes, and that therefore it required no exercise of the inventive faculty to produce them. The courts, however, allow for the fact that it is looking at the invention after it has been made familiar with the plan, and that this is a different attitude and a different standpoint to that occupied by those who were looking forward before the patentee had exhibited the invention. If the invention supplies a want that has long been felt and artisans have suffered inconvenience or expense which could readily have been avoided by the invention, if those skilled in the art having every inducement to provide for it had failed to do so, it is generally strong presumptive evidence that the invention was not obvious until the eventual inventor disclosed it, and where this is sufficiently shown the courts usually sustain a patent.

But if the improvement has come as soon as there was occasion for it, and came spontaneously from independent sources immediately after this occasion arose, it may be regarded as only one of those mechanical improvements bound to be supplied by ordinary intelligence whenever needed, and therefore not worthy of protection.

Our statute allows two years of public use for an invention before application for a patent—that is to say, if the invention has been in more than two years public use in this country, or if it has been patented or described in printed publications in this or other countries for more than two years before the application for patent, this defeats the patent, notwithstanding the patentee was the original inventor and discoverer. It makes no difference whether the public use is by him or others. It has been held by the Supreme Court that experimental use, though public, does not necessarily incur forfeiture. The Statute makes in terms no distinction between experimental use and commercial use, but does make a distinction between public use and a use which is not public. The Courts seem

to have reversed this, and to have distinguished between experimental use and commercial use, rather than between public use and private use, and the difficulty of saying in advance whether a court will construe a use as public or private, is illustrated by the decision of the Supreme Court upon this subject in two cases, which came successively before that court not many months apart. In the first of these, the patent was for a pavement. The patentee had this pavement in constant use on a public turnpike leading out of Boston for this purpose, before the application, and had made no changes in it during that time, it having been ultimately patented as originally placed upon that turnpike. It was contended that the patent was void because of more than two years' public use. The Supreme Court held that this was not a public use within the meaning of the statute, and that the patent was valid. There had been an English patent issued more than two years before the application for the American patent, which the court admitted would probably defeat the American patent if it had been early enough, but as it was not prior to the first use by the American patentee on this turnpike it was held not to be early enough to defeat his right, since it did not anticipate his invention. The use for the term of five years therefore served to carry back the date of his invention, but was not considered by the court to incur forfeiture by reason of two years' public use.

The next term but one came before the court a case in which the patent was for a corset spring. The only use of that invention more than two years before the application for the patent which appeared in evidence, was the use of one or two of these corset springs in the corset worn by the wife of the patentee, though she began to wear it before she became his wife, he having furnished her one or two for her personal use before they were married. The court had just decided that the use upon a public turnpike over which traffic was constantly passing, was not a public use within the meaning of the statute, and now decided that the use of this corset spring in the corset of the sweetheart and wife of the patentee was a public use in the meaning of the statute, and that the patent was therefore invalid.

Who is entitled to apply for a patent? Sometimes it is assumed that if an invention is made by a mechanic during the time of his employment in the factory of his employer, and with the materials and facilities provided there, the employer is privileged either to take out the patent in his own name or apply for a joint patent as an inventor. But this would be fatal to the patent, and no acquiescence on the part of the employee could save it. The patent must be applied for solely in the name of the actual inventor, and this means, not every person who may own the invention, but only the person who originated the invention. If you have conceived an invention (and by this I mean not simply conceived an object which you desire to accomplish, but also the means to accomplish it), and if after

such conception you instruct others to embody the invention, giving them such instructions as enable them by the exercise of ordinary mechanical skill to construct it, you are no less an inventor than if you had done the mechanical work yourself. But if you simply suggest to an employee that you would be glad to have a machine constructed for the purpose of accomplishing a certain object, leaving him to contrive that machine, and he works out the plan, he is the inventor and not you. You may acquire an invention from the actual inventor by contract made either before or after the patent is applied for, and by having an assignment made contemporaneously with or subsequent to the application for patent definitely identified with the application already prepared, you may acquire legal title and have the patent issue to the party as assignee. But the application must nevertheless be made and prosecuted in the name of the inventor.

An implied license may sometimes be acquired under an invention that has been developed in your shop, but this is something quite different from the title to the patent, and is not to be confounded with it. The simple using of your time, your materials and your tools and machinery to work out an invention originated by him, together with acquiescence in your proceeding to manufacture and sell the device so invented and afterwards obtain a patent for it, would generally be an implied license to you to continue that manufacture and sale without paying tribute under the patent. But it does not mean that you acquire any exclusive right in respect to it, or any title to the patent. Such an implied license is generally a personal one and cannot be transferred to assigns, or, under ordinary circumstances, to successors. There may be special circumstances that will alter this effect, and there may be special circumstances which will negative the presumption that any license exists. Every case must be specially determined. And it is generally better for an employer when taking into his employ artisans who are liable to make inventions to have a written agreement definitely fixing the rights of employer and employee respectively with reference to any inventions so worked out or originated, or, if there is no standing contract, it is well to make a special contract as soon as it appears that such an invention is being worked out, so there may be no room for misunderstanding.

The value of a patent does not depend solely upon what is described or exhibited therein, or upon the real worth of the invention upon which it is founded. The invention may be exceedingly valuable, and yet the patent worthless because failing to give adequate protection. A patent which exhibits novel invention of radical character and exceedingly useful, may have no practical value because through ignorance or misapprehension the patent has been so framed as to be utterly worthless and fail to secure the essentials of the invention. It is a rule of construction that nothing infringes the claim of the patent which does not contain every element

mentioned in that claim, or the equivalents of such elements as have been omitted. It is not sufficient that it contain every element which is material to the result, for by mentioning an element in a claim, the solicitor of the patent has, in legal effect, made that element essential so far as the effect of the document is concerned, even though it be absolutely non-essential to the results obtained by the invention. If the claim of the patent includes with the essentials any element that is a non-essential, or if it fails to include essentials, that can be of little if any effect in protecting the invention, since it is impossible for others to use the essentials while omitting non-essentials.

The drafting of a patent, especially where it relates to an invention of importance, requires intelligence, and a thorough understanding of the rules of construction applied by the courts, as well as of the subject matter to be protected. The claims need to be so framed as to forestall infringers under changes of form, and under the various disguises to which competitors are likely to resort. Every patent lawyer has frequently had the melancholy duty of advising a patentee who supposed he had a valuable patent and that it was being infringed by all who used the substance of his invention—that notwithstanding his invention was of great merit, and was being substantially appropriated, his patent had unfortunately been so framed as to give immunity to those who appropriated it. That is, that there were such restrictions in the claims that others could with impunity take the whole substance of the invention without infringing the claim.

What is an equivalent for an element named in a claim, depends so much upon the actual scope of the invention exhibited in the specification that the range of equivalents varies in different cases. Where the invention is of a radical nature, there may be included as equivalent a substitute which, individually considered, is entirely unlike the element for which it is substituted, which would not respond to the same name, or work upon the same plan, but which for the purpose of the combination in which it is placed, does the same work, or substantially the same work, and bears substantially the same relation to the other elements in the combination as if that for which it is substituted.

Gravity may be substituted for a spring. Shafting and cog-wheels may be substituted for a rope and pulley, and agencies apparently very dissimilar are sometimes treated as equivalents. So while every qualified term in a claim must be given its significance, it is not necessarily given its literal significance. Sometimes it may be restrictive or merely descriptive, in one case operating to limit the claim, in the other case merely serving to designate the particular part of the machine or other device that is referred to in the claim. Thus where an element has been specified in a claim as vertical, and another element as horizontal, if it appears that the real object in describing the one as vertical and the other as horizontal, is sim-

ply to indicate that they are to be at right angles to each other, and that the same effect will be obtained if they are turned over so as to make what was vertical horizontal, and vice versa, that claim may be construed to cover this inversion. But if it appears from the specification that where the term vertical was used some office is ascribed to the part which depended upon the law of gravity operating through it, and which would be defeated by changing the vertical to the horizontal, the term vertical may be taken in substantially a literal sense.

Such, gentlemen, are the primary questions of the patent law, the principles of which are, no doubt, very simple. But as Captain Cuttles' friend said, "the bearin's of these observations is in the application on 'em." You are all doubtless aware that the application of legal principles to the apparently simple proposition did the defendant appropriate the plaintiff's cow, evolved points of law which required the attention of the Supreme Court of Massachusetts. Should that celebrated case ever arise as a patent cause not only would the court have to pass upon all the law points so ably determined by Johnson, C. J., but it would in addition find it necessary to analyze the cow's anatomy—hoofs, horns, stomach, hide and tail to determine that she was a cow, and then examine the plaintiff's title deeds to ascertain whether he had aptly described the animal, and had not through accident, inadvertence or mistake included elements belonging properly to an ass or an Irish bull.



DOINGS OF CHICAGO ALUMNI CHAPTER

Members of the Fraternity, both alumni and under-graduate, may be interested to know the practical workings of the first Alumni Chapter and how it has succeeded in attaining its aims and objects. The objects of the alumni chapters may be summed up under two heads viz: (1) to bring about a closer social relation and friendship between the alumni and keep up their interest in the Fraternity; (2) to secure a closer relationship between the alumni and the active chapters in order to strengthen the active chapters.

At first thought it might seem that the benefit of a close relationship between the alumni and the undergraduates would inure to the latter only. But we have found the benefit mutual. The alumni are kept more closely in touch with the "XX," with the progress and growth of the Fraternity and are imbued with fresh enthusiasm, vigor and fraternal spirit by association with members of the active chapters. Of course the benefits derived by the active chapters are great—indeed it is hard to over-estimate them and it may be safely said that without the encouragement, influence, prestige, and aid of the alumni chapter, the active chapters would never had attained their present strength. Indeed, it is doubtful if the new University of Chicago Chapter would have come into existence at all, without this aid.

It has never been the policy of the Chicago Alumni Chapter to assume the position of a local lawyers club or "bar association" or to limit its membership to Delta Chis who have been admitted to the bar or who have graduated from some law school, but on the contrary its policy has been that—a Delta Chi is a brother when initiated and is always equally welcome in its meetings whether he has graduated or been admitted to the bar or gone into some other field of action. The Alumni Chapter always invites the members of the active chapters to its social meetings and the invitation is always accepted by many undergraduates. There is no formal vote taken or act necessary to become a member of the Chapter. If we hear that a Delta Chi is in town we send him a notice of the next dinner and keep sending them till he comes, and if he is willing to pay \$1.00 a year dues, he is a member.

The following entertainments have been given since last October:

Oct. 23, dinner at the Hamilton Club.

Nov. 19, dinner at Mama Galli's Italian Cafe. Violin Solo, banjo duet.

Dec. 17, smoker at Lowden Hall, Northwestern University Building. Address by Dr. M. D. Ewell.

Feb. 11, dinner at the Hamilton Club. Paper by Robert Catherwood.

March 19, lunch at the Union Hotel with Active Chapters. Initiation followed at the Wellington Hotel.

March 29, dinner at Mama Galli's. Discussion on U. of C. Chapter Delta Chi house to devise ways and means to secure and furnish same.

The average attendance has been about thirty-five. At some of the dinners there have been forty-five. At nearly every dinner two or three men, who have not been with us since the granting of the charter, appear to swell our members. Some of the men come out only two or three times a year and others attend all or nearly all our meetings. During the course of the last year fully seventy-five different Delta Chis have gathered around our festive board to partake of good cheer and sing the songs. As seen by the fore-going list of entertainments some sort of a program is generally arranged for by the committee.

The Chicago Alumni Chapter was represented in the convention last year at New York by two delegates and was represented at Ithaca this year. It is taking an active interest in the growth and progress of the Fraternity and is doing all in its power to bring about such progress.

From the foregoing it is seen that the Fraternity has made no mistake in establishing alumni chapters and in giving representation in its conventions.

The following are the present officers of the Chicago Alumni Chapter:

President, Edward H. Barron, '01, 132 Michigan Ave.; Vice President, William J. Kirk, Chicago '01, 2199 W. Congress St.; Secretary, E. B. Witwer, Northwestern, '97, 153 LaSalle St.; Treasurer, Vernon W. Foster, Chicago, '02, Local Attorney Office I. C. Ry. Co.

Entertainment Committee: Chairman, Harry Hyde Barnum, Chicago, '03, 131 LaSalle St.; Hayes McKinney, Northwestern, '03, 1600-100 Washington St.; E. H. Barron, Wm. J. Kirk, ex-officio.

Among those Delts who have not been seen at the meetings of the Alumni Chapter for the past year or two, but who have discovered the error of their ways and come into the fold again to partake of the good cheer are the following:

Philip J. Maguire, Chicago, '99, 100 Washington St., Chicago, Ill.; A. A. McKinley, Chicago '99, 1628 Unity Bldg.; Robert C. Sturgeon, Chicago, 31 Tacoma, Bldg.; F. J. R. Mitchell, Northwestern, 100 Washington St.; Wm. C. Rigby, Northwestern, 1200 Stock Exchange Bldg.

THE TENTH ANNUAL CONVENTION

The Tenth Annual Convention of the Fraternity was called to order in the Cornell Chapter House in Ithaca at 10.30 o'clock in the forenoon of the 7th day of April. When Counselor A. Frank John, "AA", sounded the gavel, all but one Chapter, Osgoode Hall, of Toronto, was represented by one or more delegates. Shortly after the afternoon session convened, this chapter's delegate arrived, and for the first time in the history of the Fraternity, all chapters were represented in annual convention.

In this and other respects, the convention at Cornell surpassed all its predecessors. In enthusiasm, in industry, and in the results achieved it stands out prominently. Constitutional changes of vital importance were proposed early in the session, and after a vast amount of consideration and labor, finally effected. So great was the amount of work confronting the delegates, that an extraordinary session was necessary. Every man in attendance entered the work with heart and hand. Those who were not delegates lent their voice to the discussion.

Other conventions, however, have undoubtedly furnished more than this in the way of entertainment. The entertainment committee met with no little difficulty in providing a satisfactory program of events for the evening hours. The City of Ithaca affords fewer amusements than larger centers of population. It happened, too, that the coaching party which had been planned for the afternoon of the 8th, had to be abandoned because of the poor condition of the country roads. A strong theatre attraction that had been scheduled for the week also failed the committee at the last moment. These conditions and disappointments, nevertheless, were not sufficient to destroy the splendid spirit of good-fellowship which prevailed. Every guest seemed bent on having a good time irrespective of a fixed program and the entertainment resolved itself into an impromptu sort, which is, after all, the most natural.

The chapters were represented by the following men: Michigan, Marcus R. Hart, Norman H. Smith and H. R. Fullerton; New York University, Joseph Hartigan and George E. Draper; Cornell, Charles E. Kelley, Andrew Ruthledge, Jr., and Louis R. Gulick; Dickinson, E. F. Heller and A. Frank John; Minnesota, Harry H. Thomas; Osgoode Hall, J. D. McMurrick; Northwestern, Russell Wiles; Chicago-Kent, Harry H. Barnum; Syracuse, Charles L. Crane; Buffalo, Francis E. Bagot and E. Lothard McClure; Union, William B. Zimmer; West Virginia, Harry E. Scherr; Ohio State, Roy C. Taylor; New York Law, Leroy T. Harkness, Edward D. Freeman, and Frederick C. Russell; Uni-



DELEGATES AND GUESTS OF THE CORNELL CHAPTER WHO ATTENDED THE RECENT CONVENTION.

versity of Chicago, Frederick D. Dickinson; Georgetown, William W. Bride and N. J. Kopmeier; New York Alumni, John J. Kuhn and George W. Olvaney; Chicago Alumni, Edward C. Nettels.

In addition, there were the following men who participated in the work of the convention: Floyd L. Carlisle, "CC"; Arthur G. Slaght, "EE," Manton M. Wyvell, business manager of THE QUARTERLY, James O'Malley, editor-in-chief of THE QUARTERLY; E. L. Randall, Cornell '93; and the following members of the Cornell chapter: Harold S. Richardson, William S. Peace, Hugh P. Henry, A. Raymond Cornwall, James T. Driscoll; Ralph S. Hoskot, William Duke, Jr., George Nelbach; and Harold Kelsey.

About a half dozen members of the Cornell Chapter who were mostly freshmen, were absent from Ithaca on their Easter vacation. Among others who attended the Convention at different times were, Rufus G. Shirley, New York University Chapter; Lyman A. Kilburn, '02, Oliver D. Burden, '96, and Henry C. Brooks, '00, of the Cornell Chapter. Others not present at the sessions of the Convention, but who attended the banquet, were Dean Ernest W. Huffcut, of the Cornell College of Law; Clarence D. Ashley, Dean of the New York University School of Law; John N. Carlisle, of Watertown, a brother of Floyd L. Carlisle, "CC"; Charles B. Swartwood, Cornell '97, and John J. Hassett, Cornell '94, both of Elmira, N. Y.

The plans for the Convention were in charge of the following committee: Charles E. Kelley, Andrew Rutledge, Jr., and Harold J. Richardson, active members of the Cornell Chapter, and Floyd L. Carlisle, chairman of the alumni committee.

At the opening session on Thursday morning Leroy T. Harkness was chosen as presiding officer and William Duke, Jr., was made secretary. The work of the first session, which was brief, consisted of the preliminaries of organization. A committee on credentials was appointed and later made its report. Adjournment was then had until 1 o'clock in the afternoon. Luncheon was served to the delegates in the Chapter dining room immediately following.

The afternoon session was called to order shortly after 1 o'clock and the business of the convention immediately taken up. The reports of the Supreme Court officers were heard. Counselor John, as Chief Justice, presented a brief written report in which he reviewed concisely the work of the year and made recommendations as to the Fraternity's policy for the ensuing twelve months. Counselor Hart, as Associate Justice, rendered a brief verbal report.

The most exhaustive report was presented by Counselor Carlisle as Clerk. It contained a detailed account of the existing conditions of the Fraternity and required fully an hour for its presen-

tation. It was based upon information secured from the chapters by means of interrogation blanks which had been sent out during the year. This mass of detailed information was supplemented by suggestions and recommendations from Counselor Carlisle which met with the heartiest approval and which, after adoption, formed the ground work for constitutional changes of vital and far-reaching effect.

The reports of Counselor Nettels and Counselor Slaght in their respective official capacities were deferred until the morning session following. The first officer had not his fully prepared, while Counselor Slaght did not arrive in Ithaca until Friday evening.

The report of Counselor Carlisle had so completely covered the ground that there was little left for the informal reports of the delegates. Each chapter, however, through one of its delegates, assured the Convention that a splendid spirit of brotherhood and a hearty support of Delta Chi's welfare prevailed within its organization. With few exceptions, progress in the affairs of each since a year ago was apparent. For Cornell, C. E. Kelley reported; Dickinson, E. F. Heller; New York University, Joseph Hartigan; Minnesota, Harry H. Thomas; Northwestern, Russell Wiles; Chicago-Kent, Harry H. Barnum; Buffalo, Francis E. Bagot; Syracuse, Charles L. Crane; Union, William B. Zimmer; West Virginia, Harry E. Scherr; Ohio State, Roy C. Taylor; New York Daw, Edward D. Freeman; Osgoode Hall, J. D. McMurrick; Georgetown, William W. Bride; Chicago Alumni, Edward C. Nettels; New York Alumni, George W. Olvaney.

This work took up the afternoon session which was brief. A tour of the University campus and buildings followed. The delegates divided into groups and were escorted by members of the Cornell Chapter and alumni. The greatest interest was manifested by the visitors in the various Fraternity houses. There are more than twenty of these magnificent structures at Cornell, which is easily the center of Greek letter fraternity life in America. The visitors were shown the University Library, Sage Chapel, the College of Law, Sibley College and its shops, the gorges, the Hydraulic Laboratory in Fall creek, Beebe Lake, the Chi Psi and Alpha Delta Phi lodges as points of special interest.

Thursday evening was spent in the Cornell Chapter parlors where an informal smoker was held. Late in the evening the crowd shifted downtown to the Dutch Kitchen where songs were sung to the music of the clinking glasses and steins. By midnight the party had broken up and its members retired for rest preparatory to the important work of Friday's session.

The report of Counselor Nettels was heard on the opening of the morning session. It showed a sound financial condition in the

Fraternity, despite the extra expenditures of the past year, which had been occasioned by the maintainance of THE QUARTERLY.

Manton M. Wyvell, as business manager of the Fraternity publication, also presented his report. In this he disclosed that THE QUARTERLY has been almost self-supporting during the present year. A comparatively small increase in the number of subscriptions and a few additional pages of advertising will relieve, practically, the Fraternity treasury from this burden of maintainance by the end of next year. The editor of the publication also made a brief verbal report in which he made suggestions in the work for adoption during the ensuing year.

Luncheon and a photograph of the delegates taken at the main entrance to the Chapter house consumed the time between the morning and afternoon sessions. The photograph which is published herewith, turned out successfully and each delegate took away one as a souvenir of the trip.

Most important work was accomplished at the afternoon session of Friday. A complete reorganization of the governing body of the Fraternity was effected through constitutional amendments. The number of members on this body was increased to fifteen, three of whom are hereafter to be known as the Fraternity officers. The fifteen men are to be chosen by the Chapters in convention assembled and the officers elected by the fifteen from among their number, for terms of three, two and one years. Other constitutional amendments of less significance were also adopted.

The session adjourned only to meet again at 8:30 in the evening. Dinner was served in the Dutch Kitchen to about forty-five members of the Fraternity. The tables were arranged about the room in the form of a square with an open center. The guests were seated on the outside only. This plan proved most satisfactory, since the diners were face to face. Several of the Fraternity songs were sung in chorus and the two hours were spent most enjoyably.

The routine of the Convention occupied the hours of the Saturday morning session. The various committees made their reports and were discharged. Petitions for charters from several bodies were considered, but upon these final action was deferred.

The chief work of the afternoon session consisted in the election and installation of officers. The place and date for holding the next Annual Convention was referred to the Supreme Court.

The election of officers resulted as follows: For the three-year term, A. Frank John, Dickinson; James O'Malley, Cornell; Russell Wiles, Northwestern; Harry H. Barnum, Chicago-Kent; Frederick D. Dickinson, University of Chicago; for two years, Edward C. Nettels, Chicago Alumni; Norman H. Smith, Michigan; William

W. Bride, Georgetown; Leroy T. Harkness, New York Law; H. R. Fullerton, Michigan; for one year, Floyd L. Carlisle, Cornell; Edward D. Freeman, New York Law; Rufus G. Shirley, New York University; Otis S. Carroll, New York University; John J. Kuhn, New York Alumni. The length of the term was determined by lot.

These men chose from their number the following officers to serve one year: Edward C. Nettels, president; Floyd L. Carlisle, secretary; Rufus G. Shirley, treasurer.

James O'Malley and Manton M. Wyvell, of Cornell, were re-elected editor-in-chief and business manager of THE QUARTERLY, respectively.

A. Frank John presided at the installation of officers. This completed the work of the Tenth Annual Convention which adjourned *sine die*. Chairman Leroy T. Harkness received congratulations from all for his splendid success as a presiding officer. His untiring efforts and good judgment, more than any other cause, helped to expedite the great mass of work.

Immediately following the adjournment of the Convention, John N. Carlisle, of Watertown, N. Y., was initiated as an honorary member of the Cornell Chapter. He is a leading attorney of Northern New York and the secretary of the Democratic State Committee.

THE BANQUET

The Convention banquet was held in the dining room of the Ithaca Hotel Saturday evening at 7:30 o'clock. There were approximately fifty-five seated. Ernest W. Huffcut, Dean of the Cornell College of Law, acted as toastmaster, and seated on his right and left respectively were Clarence D. Ashley, Dean of the New York University School of Law, and John N. Carlisle, of Watertown, as guests of honor. At the head of the table, to the right and left of the toastmaster, were John J. Hassett, of Elmira; John J. Kuhn, of Brooklyn; Charles B. Swartwood, of Elmira; Oliver D. Burden, of Syracuse; A. Frank John, of Mount Carmel, Pa.; Floyd L. Carlisle, of Watertown; Professor Duncan Campbell Lee, of Ithaca, and Edward C. Nettels, of Des Moines, Iowa.

The tables were arranged in triangular form. The Ithaca orchestra rendered music during the dinner which extended over a period of two hours. A white carnation, the Fraternity flower, was at each plate. The menus were in buff leather, in legal documentary form. A copy of Fraternity songs was also furnished and between the courses, these were sung, with orchestra accompaniment.

The polished style and grace of Dean Huffcut, his wealth of humorous stories, and his ready wit, furnished a rare treat to the

banqueters. They were charmed with their toastmaster and were loth to leave the banquet hall. After the program of speeches, an informal reception was held and the majority of the delegates were given the opportunity of meeting him and Dean Ashley personally.

Dean Ashley was the first speaker introduced. He assured his brother Delta Chis that no occasion but a Convention banquet of the Fraternity would have been sufficient to bring him to Ithaca at this time. He made a part of his toast a practical talk to "The Law Student of Today." The lawyer practicing at this time must know the principles of the law and learn to reason from them. The maze of decisions that are being written by the courts renders it impracticable to know the law. Delta Chi, the speaker said, ought to aim to assist its members in this idea of learning to reason from principle and thus become a tremendous force for good.

John N. Carlisle responded to "The Lawyer in Active Practice." He gave a common sense talk straight from the shoulder. He said he had received his training in the school of experience rather than that of theory. He recommended politics as the means for becoming acquainted in a community where you intend to practice. His advice was valuable and well received.

The toastmaster at this point told a story about the "shark" lawyer. While in bathing at the seashore, he was chased by a huge shark. On reaching the shore in safety he turned and shaking his fist in defiance at his pursuer, cried, "This is the worst breach of professional etiquette I ever knew."

John J. Hassett had been assigned the subject, "Advice which Costs Nothing and is Worth Less." But after the speaker had told of some seemingly tremendous fees he had charged his clients, the toastmaster insisted that he had apparently understood his subject to be "Advice which is Worth Nothing and Costs More."

Edward C. Nettels responded to "Delta Chi" and H. R. Fullerton, of Michigan Chapter, spoke on "Conservatism in the Fraternity." William W. Bride, of Washington, spoke for "The Baby Chapter" and evinced a deep earnestness for the welfare of Delta Chi.

The speech of John J. Kuhn who responded to "The Alumni" was rich in wit and brightened by a fund of good stories. The speaker made a tremendous hit. Dean Huffcut introduced him as "the beardless boy" who had great difficulty in gaining admittance to Cornell eight years ago. The toastmaster here told the story of the youth who was sent to represent the King of Spain at Rome. The Pope was indignant that the Spanish monarch should have sent him a beardless youth, whereupon the youngster replied, "Had my King known that Your Holiness was wont to measure ability by the beard, he would have sent you a goat."

The regular list of speeches was followed by impromptu responses from James O'Malley, Manton M. Wyvell, Professor Duncan C. Lee and Floyd L. Carlisle. The speech of Professor Lee proved to be the right speech in the right place. It was unqualifiedly the most effective of the evening.

The speaker paid a splendid tribute to Cornell Delta Chi men, particularly to Daniel Hamner Wells, of Salt Lake City, Utah. In his death the Fraternity has suffered an irreparable loss. He was a man of noble qualities and of marvelous intellect. Harley N. Crosby was also mentioned, and Professor Lee said it was possible to mention many other Delta Chi men with whom he had most agreeable relations.

Continuing, the speaker said, Delta Chi should emphasize more the Fraternal bond of brotherhood. The selfish interests of the profession should not be the predominating purpose. But both ideas united, ought to result some day, fifty years hence perhaps, in Delta Chi being the heart of the American bar. It is a most worthy ambition which can and will be realized if the ideals of Delta Chi are followed.

Floyd L. Carlisle, on behalf of the Cornell Chapter, bid God speed to the visiting delegates. He spoke with grace and dignity.

Early Sunday morning found the delegates leaving for their respective homes. A few were compelled to leave before the banquet was over. A majority of those in attendance at the Convention remained in town until Sunday evening, however, and enjoyed themselves to the last.

ECHOES OF THE CONVENTION

H. R. Fullerton, of the Michigan delegation, was unfortunately ill during the first two days of the Convention and was confined to his room in the Ithaca hotel. He made "good time," nevertheless, when Monsieur La Grippe released him. Elias H. Kelley, of the Cornell Chapter, was another who chose a most inopportune time to sojourn in the Cornell infirmary.

It required only three days for Edward L. Randall, Cornell, '93, the oldest alumnus present to rid himself of ten years and become one of the boys again. A bit slow at the start, he gained nerve and dash as the hours passed. At the end he was well up with the bunch. And can you doubt that he feels that he has become a better Delta Chi and a more loyal Cornellian for having been with us? He was right royally welcomed, and more so, because he alone of all the men who belonged to the first five classes of the Mother Chapter attended.

"Johnny" Kuhn was the only member of a special committee of three present at the sessions. Yet, "Tim" Woodruff John insisted that the committee was full enough at all times to do business.

The "Baby Chapter" was a real good child during the first year of its existence, and was justified in claiming a reward.

There were times that Harkness failed to "hark" to those who appealed to be heard. And great was the wisdom thereof.

Barrister, solicitor, and story teller; these three; and the greatest in these is McMurrick. And it also came to pass that he was, in one respect, like unto Sousa.

"Little" John (To one who has just entered the Chapter House) Pardon me, but will you kindly tell me which chapter you represent?

The new comer—Yes, sir, I am the photographer's assistant.

That was certainly a most opportune date for the will contest which brought "Ollie" Burden to Ithaca while the Convention was in session. It was of short duration, but at the close of the

evidence "Ollie" began a contest of mind which required several hours for him to reach a decision to remain in Ithaca with the fellows. It is to be hoped he will never regret it. We who had the pleasure of his good fellowship certainly never will. It was a supreme delight to have him there. Moreover, "Johnny" Kuhn welcomed with sardonic pleasure the opportunity of pulling him off the "water wagon," and their combined efforts per long distance 'phone brought "Charlie" Swartwood to the scene.

It was a regrettable incident of the Convention that it had to pass without the presence of one of the Fraternity "fathers." But it must not be forgotten that the majority of them are now fathers in a double sense and are loth to disturb their sweet repose in the bosom of their families. Fourteen years hence their absence may not seem so strange to us. But we can rest assured that we then had, and always will have their good will and blessing.

Counselor from Chicago:—Do you make a specialty of negligence law?

Counselor from New York:—No, not now. One night this winter I chased a trolley car three miles through the snow and nothing happened; so I decided to give it up.

The Delta Ghi Quarterly

Published at Ithaca, New York

BOARD OF EDITORS

JAMES O'MALLEY, Editor-in-Chief, 4 Erie Co. Savings Bank, Buffalo, N. Y.	MANTON M. WYVELL, Business Manager, Ithaca, N. Y., and 31 Nassau St., N. Y. City
---	---

ASSOCIATES

FLOYD L. CARLISLE, Chap. Correspondence, 8 Stone Street, Watertown, N. Y.	JOHN J. KUHN, Alumni Page, 189 Montague Street, Brooklyn, N. Y.
WILLIAM W. BRIDE, <i>Exchange Editor</i> , 131 B. Street, S. E., Washington, D. C.	

EDITORIALS

The Tenth Annual Convention brought the delegates to Cornell, the home of the Mother Chapter of the Fraternity. It was most natural for them to welcome this opportunity of visiting the institution which gave birth to Delta Chi. Hence, they came in full numbers, every chapter being for the first time represented in annual convention. But they did more than merely attend. They came, one and all, with a deep interest in the work before the Convention. They were filled with a spirit for achieving results that would redound to Delta Chi's welfare. In short, there was an interest in this convention never before manifested, all of which can not be accounted for by the mere place of meeting.

This spirit must be regarded as indicative of the fact that the delegates, and the chapters they represent, are becoming more appreciative of the growth and development of the Fraternity. When they came to Ithaca they had in mind that there was important work before them. Moreover, there was a general feeling that some needed reforms in the system of government of the Fraternity were required, but what shape those reforms should assume, the majority had no definite idea. But once a feasible change was suggested, the representatives of the chapters were not slow in giving it their approval. Some were naturally reluctant to take

what seemed to be a radical step. But after due consideration those men became convinced that the new plan was a decided improvement over the old regime.

And for the present, at least, we must assume, that the change effected was in every way desirable. The truth or falsity of the assumption will only be determined by the soundest of all rules, namely, that of experience. It remains for the men to whose care the new instrument of government has been given, to demonstrate its success or failure. The old machinery was discarded because it seemed ineffective. But the new will prove as equally ineffecient, unless the men who constitute it put forth honest and sacrificial effort to put it in the best working order. Work, hard, honest work, is what is demanded of the individuals who make up this board. And those who fail to work, or find they have no time to give to the important duties imposed upon them, ought to resign those duties at the next Convention, and not hold their places simply for the empty honor which attaches thereto. Unless this is done, the same criticism of the plan that was heard so frequently of the old, can be made with greater justification.

It is regrettable, inleed, that the new idea had to sacrifice one of its strongest recommendations in its inception. It was honestly welcomed as the best eliminator of the most undesirable feature of the selection of men for such positions. But not only did it not prove its merits in this respect, but on the contrary, was fruitful of the most flagrant violations of the principle which it sought to eradicate. This result was by no means anticipated, and, under the circumstances, may have been unavoidable. Undoubtedly it was consequent upon this idea which filled the minds of the men who fathered the plan, namely, that the peculiar nature of the first board chosen required that it should find its strength in the qualifications of its individual members, rather than in a general representation of chapters. This reflection is one consolation which survives a result that left no little amount of unpleasantness and misunderstanding.

Viewed as a whole the Tenth Annual Convention ought to be productive of general good to the Fraternity. It did more than effect a reform in government. It brought all Chapters together in a spirit of fraternal union. The spirit of brotherhood which was

emphasized by Professor Lee at the banquet, was felt as never before. Furthermore, it helped to emphasize the idea of mutual obligation among the chapters, teaching them that they owe a greater duty to the whole than to any part. This idea, above all others, should ever be uppermost in the minds of all members of the Fraternity. When this purpose predominates, and not until then, will our brotherhood as such, become really great.



The attention of the alumni generally is especially directed to the splendid organization which has been effected and put into working order by the alumni of Chicago. Monthly dinners are held during the fall and winter. Informal programs of entertainment are arranged, instructive papers are occasionally read, and in many ways, these meetings are made most enjoyable to the members of the Association. In this number of THE QUARTERLY is published a most excellent dissertation on one of the most interesting branches of the law, which was read by Mr. Catherwood not long ago at one of the monthly dinners. This paper in itself serves to show of what practical value these alumni associations can be made to the members of the profession. It calls forcibly to mind a fact which all members of Delta Chi have come to appreciate to a greater or less degree, namely, that membership in our Fraternity continues to bestow its benefits long after the severance of active association with the chapters. But further than this, these occasional reunions of the alumni tend towards good fellowship, keep alive interest in the welfare of the Fraternity, and strengthen the ties of brotherhood. Too much cannot be urged in favor of the formation and maintenance of these Associations. They ought to exist in every locality where Delta Chi men can be found in sufficient numbers to justify their organization. Detroit, Buffalo, Syracuse and Philadelphia are fields which afford opportunity for the good work.



This issue of THE QUARTERLY is the fourth in number and its publication represents approximately the completion of its first year's work as the Fraternity publication. Some little success has resulted, but its scope and influence has vast room for ex-

tension. During the ensuing year it is the hope of the board that the publication can be gradually enlarged and other departments of value be added. In this number, a department of exchanges appears for the first time. Hereafter it will be in charge of William W. Bride of the Georgetown Chapter. The maintenance of the department of alumni notes is all important. Its success thus far is largely due to the effort of John J. Kuhn. But without assistance from the men who are directly interested in its maintenance, namely the alumni themselves, it will be well-nigh impossible to make this department what it should be. Attention has already been directed to this feature of the work and the importance of the cooperation of the alumni in its success. In this connection, it may also be repeated that contributions from alumni on legal subjects are all-important. They will be welcomed from any member and their publication will lend a larger influence and keener interest in the work. Not one, but two or three articles of this nature, moderate in length, can be printed in each issue. During the ensuing year, this ought to be borne generally in mind and every effort should be made by subscribers and all who are interested in the development of this publication toward securing such contributions for these pages.



The delay occasioned by the Convention, together with an unforeseen delay in the work of publishing by the printer, are responsible for this issue not having reached subscribers last month. It was intended to publish about April 20th. At that date we were notified by the publishers that their facilities for bringing out the book had been so diminished by reason of changes in their publishing department that it would be impossible for them to publish on the time scheduled. When it was seen that the book could not be mailed in April it was decided to call it the May number. The next number will appear early in July, however, and no change will be made in original plans respecting the dates for publication.

100

100



THIRTEEN OF THE FIFTEEN MEMBERS OF THE NEW "GOVERNING BOARD" OF DELTA CHI.

- | | | | | |
|------------------|----------------|---------------|---------------------|-------------------|
| L. R. Harkness | James O'Malley | H. H. Barnum | H. N. Smith | Floyd L. Carlisle |
| John J. Kahn | W. W. Bride | Russel Wiles | Frederick Dickenson | H. R. Fullerton |
| Rufus G. Shirley | | E. C. Nettles | A. Frank John | |

THE NEW ACTIVE OFFICERS OF THE FRATERNITY

It is impracticable to give any lengthy sketch or biography of the men who have been elected as active officers of the Fraternity. It is sufficient to say that, as a body, they are men experienced in the internal and external affairs of Delta Chi. Several are alumni who have been in attendance at a number of annual conventions. Some are past officers of the Supreme Court. More represent the type of men who have been closely identified with the affairs of their respective chapters. All have a keen interest in the welfare of the Fraternity and favor a policy which will tend toward a steadfast and healthy progress.

Two of the three officers of the governing board are especially well qualified for their positions by reason of their experience as former officers. Edward C. Nettels, the president, has been a member of the Supreme Court for three years past. He is enthusiastic, conscientious and an earnest worker. Floyd L. Carlisle, the secretary, has fulfilled the duties of his office during the past year with more than ordinary ability. His new position will afford him even greater opportunities for the performance of splendid and effective service to the Fraternity.

Rufus G. Shirley, the newly elected treasurer, while not enjoying the experience of his two co-workers, gives promise of a faithful administration of the duties of his office. He is a member of New York University Chapter and has evinced his deep interest in the Fraternity by attending every function of importance which has been held under its auspices since he became a member. He holds the confidence of the entire membership of the Fraternity and will undoubtedly make a most valuable man in this important position.



CHAPTER CORRESPONDENCE

January 1904—April 1904

By Floyd L. Carlisle

CORNELL

The Tenth Annual Convention and preparation for the entertainment of its guest and delegates has occupied the attention at Cornell during the whole of this year. A detailed report of this event is given elsewhere and no attempt is made to deal with it here. Suffice it to say that the Chapter greatly enjoyed having the delegates with them. The initiation of John N. Carlisle, of Watertown, as an honorary member of the Chapter, which took place during the closing hours of the Convention, adds another strong member to Cornell's honorary rolls.

No further initiates have been reported since the January number of *The Quarterly* was issued. Some honors have been achieved by individual members of the Chapter. Elias H. Kelley, '05, was elected business manager of the *Daily Sun*. Harold J. Richardson, '05, was leader of a debating team which met Colgate University in January. William S. Peace is captain of the Cornell cricket team, an organization which is of recent origin at Cornell.

Junior week was most successful this year. The Chapter entertained its guests in the Chapter House. Among the alumni who returned to attend the Junior Prom were Edward Toohill, '02; Dudley K. Wilcox, '01; Louis E. Allen, '01, and Arthur M. Wright, '03.

Stanley Smith, '07, has left the University for the remainder of the year.

At the time of the Convention the following Alumni returned:

E. L. Randall, '93, Hancock, N. Y.; C. B. Swartwood, '95, Elmira, N. Y.; J. J. Hassett, '94; Elmira, N. Y.; James O'Malley, '01; Buffalo, N. Y.; O. D. Burden, '98, Syracuse, N. Y.; J. J. Kuhn, '98, New York City; M. M. Wyvell, '01, New York City; L. A. Kilburn, '03, Dunkirk, N. Y.

NEW YORK UNIVERSITY

Initiates, Henry M. Connelly, '05, New York City; Andrew J. Conneck, Jr., '05, New York City; John Joseph Breen, '04, New York City; Arthur Butler Graham, '04, New York City; John Joseph Sullivan, '04, Long Island City, L.I.; Chester Herman Lane, '05, New Germantown, N. J.; George Collingwood Felter, '04, Haver-

straw, N. Y.; George J. Puckhafer, '06, New York City; Charles William Gerstenberg, '05, Brooklyn, N. Y.; Clinton F. Taylor, '05, Mt. Vernon, N. Y.; Arthur D. V. Lyons, '04, Cedarhurst, L. I.; Orrin Reynolds Judd, '04, Brooklyn, N. Y.; James Albert Hamilton, '04, New York City.

In the Senior class George J. Corbett is grand marshal for Graduation Day; W. R. Yard is chairman of the dinner committee; R. S. Patterson is chairman of the post-graduate committee; Arthur B. Graham is treasurer of the class, law school editor of *The Triangle* and law school editor of *The Violet*.

In the Junior class H. M. Connelly is president of the class; C. H. Lane is president of the Senior class in the University College Department; George C. Felter is class poet; C. W. Gerstenberg was leader of the Debate team against Rutgers and H. M. Connelly holds the Intercollegiate discuss championship.

The annual dinner of the Chapter was held at the New York Athletic Club on April 23rd. The Hon. Elliott Root, George B. McClennan, Charles A. Towne, John J. Quinn, Nathan Elsberg, Professor Huffcut and Professor Leigh of Cornell and Dean Ashley were among the prominent invited guests.

MINNESOTA.

No initiates have been reported since January. The Chapter has rented rooms adjacent to the Campus, where the Chapter meetings are held. The rooms are very satisfactory club rooms.

On April 15th a banquet was held for the Alumni of the Twin Cities.

H. H. Thomas represented the Chapter at the Convention, it being the first time in several years that the Chapter has had a representative at the Convention.

UNIVERSITY OF MICHIGAN.

One initiate was reported since January, namely Carl J. Maher, Fort Dodge, Iowa. H. S. Weekes, '02, ex-coach of the Kansas University foot ball team, visited the Chapter in December.

H. M. Weir was elected interscholastic foot ball manager for the succeeding year. Paul Jones was chosen coach for the Western Reserve football team for next year.

The Honorable W. J. Bryan was entertained by the Chapter March 12th and 13th. An informal dinner was given to him at which Dean Hutchins and Judge Bogle were present.

Marcus R. Hart, Norman H. Smith and H. R. Fullerton were Michigan's delegates at the Convention. Smith and Fullerton were elected to the governing board of the Fraternity.

DICKINSON.

One initiate, Joseph E. Oyer, of Stone Church, Pa., is reported. A committee of the Chapter has been appointed to collect full information of the Chapter's history.

Francis J. Weakly, son of Professor J. M. Weakly of the Law School, and an honorary member of the Fraternity, died in Scranton, Pa., January 23rd. A. S. Longbottom and A. L. Walsh passed the Supreme Court examination of this state, and H. F. Laub and Floyd McAllee passed the preliminary examination before the State Board.

A smoker was given recently in honor of Harvey Bueton, '93, Omaha, Neb., one of the Chapter's charter members.

Brother Spencer will represent the Fraternity again this year on the baseball team. H. A. Hillyer is leader of the mandolin club which has just returned from its Easter trip.

NORTHWESTERN.

Initiates reported are John B. Romans, '06, Dennison, Ia.; George R. Wilson, '06, Chicago, Ill.; Morton H. Eddy, '06, Chicago, Ill.

Alton F. Johnson passed the State Bar examination. He will complete his course in the Law School before beginning practice. Russell Wiles was the Chapter delegate to the Convention. He was elected to the governing board for a term of three years.

CHICAGO-KENT.

Initiates reported are Benjamin Parmalee, '04, Waukegan, Ill., and E. R. Eppstein, '05, Chicago, Ill. Members of the Chapter having regularly attended the monthly dinners of the Alumni Chapter. The Chapter is assisting the Alumni Chapter of the city and the University of Chicago Chapter in arranging for the opening of the Chapter House next September. The house will be maintained by the University of Chicago Chapter but will be used also by the Chicago-Kent Chapter.

Harry Hyde Barnum was the Chapter's delegate to the Convention. He was elected to the governing board for a term of three years.

Orville D. Brown, one of the charter members of the Georgetown Chapter is now attending the Chicago-Kent College of Law, and has been affiliated with the Chapter. Charles F. Rathbun is in the office of Brother Ashcraft in the Temple, Chicago.

H. L. Bird, '04, is City Paymaster of Chicago. Benjamin Parmalee, '04, was admitted to the bar last month.

Brother Frank L. DeLay is in the legal department of the Illinois Central Railway Company where there are now two other members of the Chicago Chapter.

BUFFALO.

Initiates reported since January are Robert W. Farrington, '05, Buffalo; L. C. Westwood, Ex-Williams, Buffalo; W. A. Linder, '05, Buffalo, and Charles Knappenberger, '05 Buffalo.

On February 25th, 1904, the Chapter held its regular banquet at the Niagara Hotel. It was the largest banquet ever held in Buffalo by the Fraternity. Judge Albert Haight, of the Court of Appeals of New York presided, and Judge Kruse, Attorney General Cunneen, Colonel Bell of the U. S. Army, Judge C. H. Hammond, District Attorney Coatsworth and the Honorable E. R. O'Malley were among the speakers.

Francis E. Bagot and E. Lothard McClure were delegates to the Convention.

OSGOODE HALL.

Initiates reported are M. G. Hunt, Hamilton, Ont.; W. G. Mahaffy, Bracebridge, Ont.; D. A. McDonald, Glencoe, Can.; James T. Haverson, John A. McEvoy, William W. Livingstone, and Arthur H. Britain, of Toronto.

J. D. McMurrick was the Chapter's delegate to the Convention at Ithaca.

SYRACUSE.

No initiates were reported since January. S. A. Ralph, '05, won second place in the 440-yard dash at the indoor track meet at the 74th Regiment Armory, Buffalo, on February 20th. The Chapter has established a literary program for some of its meetings and its aim has been to pursue legal inquiries. The house committee has reported favorably for securing a house for the Chapter next year. The plans are to lease for the following year

and to establish a sinking fund with which to ultimately buy a house.

Brother Crane attended the Convention at Ithaca as a delegate.

UNION.

Initiates reported are John H. Dugan, honorary, Albany, N. Y., and Alfred D. Van Buren, '05, Kingston, N. Y.

On February 16th, the Chapter entertained at the Chapter House, Mrs. J. Newton Fiero and Mrs. Connelly, of Kingston, acted as patronesses. Brothers John J. Kuhn of Brooklyn and William W. Bride of Georgetown were recent guests at the Chapter. William B. Zimmer represented the Chapter at the Ithaca Convention.

OHIO STATE.

No initiates were reported since January. An informal smoker was given in honor of Brothers Roe and Wander who passed the State Bar examination in December and who are located in Toledo and Cleveland, respectively.

The Chapter has purchased a complete set of Ohio State reports and Ohio statutes.

F. T. Eagleson was a member of the team which defeated the University of West Virginia in debate at Columbia. Joseph Kewley was on the team which debated Oberlin College. He also won the second prize for effective debating. Brother Taylor was the Chapter's delegate to the Tenth Annual Convention.

WEST VIRGINIA.

One initiate, Flemming Newman Alderson, '06, Somersville, West Virginia, was reported. The Chapter has literary programs at its meetings and invites prominent men to deliver them.

NEW YORK LAW.

Initiates reported since January are Louis Elliott Johnson, '05, Princeton, Asbury Park, N. J.; Harvey Hartzin, '05, Yale, New York City; Robert Meacham Davis, '05, Dartmouth, Newton, Mass.; Otto Anthony Hack, '05, Princeton, Greenwich, Conn.; Albridge Clinton Smith, Jr., '05, Princeton, Orange, N. J.; Glen Carlton Wharton, '05, Princeton, Omaha Neb.; Ward B. Chamberlain, Jr.,

'05, Princeton, New York City. One honorary initiate, Samuel Seabury, Justice of the City Court, City of New York, is reported and on February 17th, a smoker was given in the Cafe Francis in his honor.

UNIVERSITY OF CHICAGO.

Initiates since January are Frederick Arthur Fischel, '05, University of Chicago, Ph.B., Chicago; David Hurlburt, '05, University of Chicago, Hartsgrove, O.; S. Crawford Ross, '05, University of Wisconsin, '03, Mineral Point, Wis.

J. Carlisle Moore has returned to the Law School. J. F. Baum has been appointed a lieutenant in the U. S. Army, and is stationed in Manila, P. I. It is planned to secure a Chapter house for next year. The Chicago-Kent Chapter will unite in the enterprise. Frederick S. Dickinson attended the Convention at Cornell as the Chapter's delegate.

GEORGETOWN.

The Georgetown Chapter has added to its roll a man of whom the whole Fraternity may be proud. Whatever may be the opinions of the Honorable William Jennings Bryan so far as the political situation is concerned, no one doubts his manly character and incorruptible integrity. The boys at Georgetown thought this and bid him to become a "Brother Delt." Col. Bryan accepted "with a great deal of pleasure" and promised to set a date for initiation "when robust health and convenience would be in conjunction."

Col. Bryan made a special trip to Washington on February 24th and was immediately placed in charge of the "special committee" appointed to take charge of his entertainment. At six-thirty, he was driven to the Chapter House and after a very pleasant hour of story telling, was blind-folded and lead through the mysteries of the "Outer Court" and slowly and solemnly passed on to the dim and wierd realm of the "Inner Court," whose Stygian darkness would appall the most courageous. And soon Col. Bryan came forth as Brother Bryan and Delta Chi was honored.

Immediately following the initiation, a banquet was served in the double parlors of the Chapter House, which were decorated with the Buff and Red of Delta Chi. After the courses several toasts were responded to by the chapter's guests, teeming with fraternal spirit and tribute to Brother Bryan. When the toast, "Our New Brother" was drunk, Col. Bryan responded on "The Value of an Ideal to a Young Lawyer." In part he said:

"You are all young lawyers just entering the noble profession of the law and it behooves you at this time to really know the duties of a lawyer toward the rest of the world. Honesty should be your chart and compass, frankness should be the mountain peak ever before your eyes. It is your duty to be honest with the court, honest with your client and honest to yourself. If the court sees that the lawyer does not intend to inform it of the law, if it sees that his only object is to cloud the situation in order to win his case, the court looks with suspicion on that lawyer forever afterward. It suspects him even when he should not be suspected, even when he is trying to be honest. Be honest with yourselves. Carry out the principles of our Fraternity—they are excellent principles. Act as you have taught me to act and success in its truest sense will come to each and every one of you. Real success lies in honesty and honest alone."

There was quite a large attendance of Delta Chi men from out of town and from other chapters of the Fraternity. Among the Washington men who are "Delts" and who were present and take an active part in the Chapter's affairs were Senior Gonzalo de Quesada, the Cuban Minister to the United States, Chief Justice Clabaugh of the Supreme Court of the District of Columbia, Professors D. W. Baker, J. Nota McGill and R. Ross Perry, Jr., of the Georgetown faculty and Stuart McNamara. All the active men were present.

It would have done the heart of any loyal Delta Chi good to have witnessed the greetings between Brothers Bryan and Quesada. They are old time friends and greeted each other affectionately for the first time as Brothers in Delta Chi. They exchanged "grips" and a hearty laugh from Col. Bryan brought forth the announcement that "Quesada made a mistake in the grip. Col. Bryan remarked, "I am a member of seven secret societies with seven different grips, but the two that give me the greatest trouble to remember are these two grips"—pointing to his two satchels.

A letter from Brother Bryan to the Chapter told of his recent visit to the chapter at Michigan. He said that he was royally entertained by "my brothers in Delta Chi" and that he thoroughly enjoyed himself with them. Georgetown thanks Michigan for her fraternal welcome to a loyal son of Delta Chi hailing from Georgetown.

Initiates reported are John Harvey Walther, '07, Chicago, Ill.; Alfred Almuth, '06, graduate of the College of the City of New York, Washington, D. C.; Asa Creed Gracie, '04, Georgetown University, '01, Little Rock, Ark.; George Anthony Grace, '07, Syracuse, N. Y.; Thomas W. Brahany, '06, Milwaukee, Wis.;

James Branch Boccock, '06, Washington, D. C.; Charles Henry English, '05, Erie, Pa.; Robert J. Kennedy, '06, Scottdale, Pa.; Fairfax Sheild McCandlish, '06, Saluda, Va.

A. E. Berry, C. W. Arth, H. H. Hanger, H. W. Hahn, E. H. Flueck, F. H. Winson, C. A. Clark and W. R. P. Malony were admitted recently to the bar of the District of Columbia. A. R. Denn and C. B. Rix were admitted to the bar of Wisconsin and W. R. P. Maloney was admitted to the bar of New York State.

On February 8th, 1904, the Chapter gave a successful dance at the Chapter house.

WILLIAM W. BRIDE.



NEWS OF THE ALUMNI

By John J. Kuhn

 CORNELL.

'91.—John Milton Gorham is engaged in active law practice at 13-21 Park Row, New York City.

'93.—Edward L. Randall, who formerly practiced law in Binghamton, N. Y., is now engaged in the bluestone business at Hancock, N. Y.

'96.—Oliver Dudley Burden is a member of the law firm of Burden & Shanahan, Syracuse, N. Y. Their offices were recently ship of Illinois. Brother Matchett's office is at 184 LaSalle street, Chicago.

'95.—Lieutenant Louis H. Kilbourne was recently married at Fort Sill, Oklahoma.

'96.—Oliver Dudley Burden is a member of the law firm of Burden & Shenahan, Syracuse, N. Y. Their offices were recently removed to the Andrews and Kennedy building.

'97.—Francis Marks Hugo is a member of the firm of Brown, Carlisle & Hugo, at Watertown, N. Y.

'00.—Joseph A. Corr is practicing law in Troy, N. Y.

'01.—Victor Dow Borst is engaged in teaching Latin and History at the Hasbrouck school, in Jersey City, N. J.

'01.—Manton M. Wyvell has moved to New York City, where he has his law office at 31 Nassau St.

 UNIVERSITY OF MICHIGAN.

'95.—Emil C. Wetten is a member of the firm of Eddy, Haley & Wetten, with offices at 800, The Temple, Chicago, Ill.

'95.—L. Barton Case is an active attendant at the New York Alumni Chapter gatherings, and a member of its Board of Directors. He is the senior member of Case & Newkirk, lawyers, German-American Building, New York City.

'96.—Daniel Roderick Williams is now in Manilla, P. I.

 DICKINSON

'97.—John Harris Williams has offices in Wilkes Barre and Plymouth Pa. He has been quite successful in law, and has served a term as Assistant District Attorney of Luzerne Co.

W. Brooke Yeager, James B. O'Keefe and John Manovski, Jr.,

are all located at Wilkes Barre where they are practicing law.

Julian C. Walker has attained a high standing at the bar of Wilmington, Del., because of his success as a criminal lawyer.

J. Banks Kurtz, charter member, practices law at Altoona; R. A. Henderson, also a charter member, is located in the same city.

George T. Brown, '97, is practicing veZwhanded1yA 1 A

George T. Brown, '97, who until recently was engaged in the practice of law at Freeland, Pa., is now located in Philadelphia where he is engaged in corporation work.

'98.—William K. Shissler, '98, is practicing at Pottsville, Pa., and has attained some reputation as a legal writer. Recently Mr. Shissler issued a very thorough work on "Contractors and Builders in Pennsylvania, which was very favorably received by the bar of this State.

J. S. Omwake is practicing law at Shippensburg, Pa.

'01.—Hamilton D. Gillespie is with the Land Title and Trust Co. at Philadelphia.

NORTHWESTERN.

C. E. Dietz is at Moline, Ill.

'03.—Hayes McKinney is an active member of the Entertainment committee of the Chicago Alumni Chapter. He is with Lyman, Busby & Lyman, at 1610 Washington street, Chicago.

CHICAGO-KENT.

'00.—Dudley W. Lester, who affiliated from Michigan in 1900, is now with Parker & Hagan, practitioners, in Chicago.

'02.—Arthur C. Snow is in the legal department of the Chicago, Milwaukee and St. Paul Railway Company in Chicago.

'03.—William C. Miller, secretary of the State Bank of Chicago, was recently blessed by the arrival of a daughter. Too bad it was not a prospective Delta Chi.

'03.—Byron W. Wright and Joseph F. Peacock are both practicing in Chicago.

'03.—Theodore C. Robinson is in the office of C. E. Kraemer, one of the most prominent Admiralty lawyers of Chicago.

'03.—Walter S. Johnson is engaging in the flour commission business as a side issue. He is practicing in Chicago, at 92 LaSalle street.

OSGOODE HALL.

Frank Ford, who has occupied the position of solicitor to the Toronto Treasury for the past eighteen months has resigned to enter the prominent law firm of McCarty, Osler, Hoskin & Harcourt, Toronto.

'97.—W. H. Moore, who for some time has been connected with the Toronto Railway Company and who has attained the position of assistant to the president, was recently appointed, in addition to this office, the secretary of the Canadian Northern Railway Company, a new railway which in a short time is destined to run almost the entire distance across the Dominion of Canada.

'98.—John Dewar McMurrick is a member of the law firm of McMurrick, Hodgins & McMurrick, in Toronto, Ont.

'98.—Arthur G. Slaght and John D. McMurrick represented the Osgoode Hall Chapter at the recent Delta Chi Convention at Ithaca, N. Y.

UNION

'01.—Daniel Casey is a member of the firm of Casey & Quinn, practicing at Albany, N. Y.

'01.—R. Monell Herzberger is a member of the firm of Duntz & Herzberger practicing at Hudson, N. Y.

'01.—Stanley B. Sherman is a member of the firm of Sherman & Van Dyke engaged in the practice of law at Coxackie, N. Y.

'01.—William M. Verbeck is practicing law at Ballston, N. Y.

'02.—Benjamin B. Hutchins is with the Mutual Life Insurance Company, 32 Nassau St., N. Y.

'02.—George A. Halcombe is an attorney in the law department of the Travellers Insurance Company of Hartford Conn.

'02.—Robert Dillon Garver is practicing law in Topeka, Kan.

'02.—Robert B. Jones is practicing law at Remsen, N. Y.

'02.—Bruce U. Martin is practicing law in Watertown, N. Y.

'03.—Say E. Nimmo is engaged in the practice of law at Troy, N. Y.

'03.—W. B. F. Rogers is practicing at Kingston, N. Y.

'03.—L. R. Chase is engaged in practice at Marathon, N. Y.

'03.—Milton R. Frisbee is with Reynold, Stanchfield & Coffin, attorneys of Elmira, N. Y.

'02.—John J. McMullen is a member of the firm of McMullen, Pulver & McCartie practicing at Schenectady, N. Y.

OHIO STATE

E. A. Spurier is practicing law in Tiffin, Ohio.

H. C. Godown is following the same profession at Hillards, Ohio.

E. J. Lambert is now situated at Independence, Kansas, where he is promoting the oil business.

Herbert Kreigbaum has opened his lay office in Canton, Ohio.

Clyde C. Porter is practicing in Tiffin, Ohio.

Thomas Hober is practicing law at Dayton, Ohio.

W. C. Rowe is practicing at Toledo, Ohio.

C. B. Wander is located at Cleveland, Ohio.

Fred Swan is promoting oil interests in Marietta, Ohio.

NEW YORK LAW

The New York Law Alumni take great pleasure in welcoming the first honorary member installed by the Chapter—Judge Seabury of the City Court. The election of Brother Seabury is especially fitting in that he was a member of the first class to be graduated by the law school and was for several years thereafter the school secretary. The ability and dignity shown by him during the tenure of the City Court Bench has not only given him a high standing but has also served to increase the respect for the Court with which he has been connected. His desire to take active part in the Chapter affairs is extremely gratifying.

'03.—It is with great regret that we learned of "Judge" Downing's determination to leave New York to take a position in the Surrogate's office at Mineola, S. I. His worth and jolly good-fellowship will be a great loss.

'03.—In addition to the loss of Downing we regret the removal of Conable who has given New York the twist for Buffalo.

'03.—Charles F. Murphy had the proud honor of being toastmaster recently at the annual banquet of Lafayette Sons of Veterans. Mayor McClellan was at his side and for the moment Murphy felt the part of his namesake—Tammany's famous leader.

UNIVERSITY OF CHICAGO

'04.—Frank Joslin Baume sailed for Manila last January. At Manila he will assume the duties of a Lieutenant in the U. S. Army. Brother Baume is the composer of a new Delta Chi song and also a two-step and march, dedicated to the Fraternity.

George P. Hambrecht, who is now in the Yale Law School, has

been awarded first prize of fifty dollars for having passed the best examination in parliamentary law. The prize is awarded annually by the Yale Kent Club.

GEORGETOWN

D. W. Baker commences his lectures on the Law of Evidence before the Georgetown University School of Law at the beginning of the third term.

Stuart McNamara has just settled a large matter, out of which he made a nice fee, which came to him because he was a Delta Chi and a good lawyer. Brother McNamara is as enthusiastic as any active man in the chapter and seldom misses a meeting or social event.

Hugh H. Hanger, '03, has begun the practice of law at Charleston, West Virginia. Here's success, Hugh!

Francis Hunter Burke, '03, is associated with Hastings, Allen & Hasting in the Temple in Washington, Ind.

Orville B. Brown, Ex-'04, is in Chicago. He writes that the "Chicago Delts are strictly all right."

Fred Warner Carpenter, Minnesota '97, is private secretary to Secretary of War Taft. The Georgetown Delts welcome him to Washington.

Ray E. Middaugh, Cornell, spent the winter at Lakeland, Florida. The chapter at Georgetown recently had a nice letter from him.



AMONG THE GREEKS

The first negro fraternity was organized at DePauw University early in the present year.

Psi Upsilon is said to have one surviving founder. The Fraternity was organized at Union, the mother of fraternities, in 1833.

Phi Delta Theta is congratulating itself on the selection of one of its alumni as president of the university at which it was founded—Miami.

Kappa Sigma charter authorities have been on the jump in the last ten years for no less than forty chapters have been installed in that time.

Washington University, St. Louis, is attracting considerable attention as a fraternity field. Kappa Sigma and Sigma Chi are the latest to install.

Sigma Alpha Epsilon is at work on a fraternity manual. Aside from its regular publication, the Record, it issues a confidential periodical known as Pi Alpha.

The number of fraternity men at the University of Pennsylvania is five hundred and ten. The total number of Greeks in Philadelphia is close to five thousand.

Phi Gamma Delta has joined Delta Kappa Epsilon in trying to get down to a plain unjeweled pin basis. Both have forbidden their official jewelers to manufacture jeweled pins.

The Sigma Chi endowment fund plan has secured to that Fraternity in the six years of its working, its Cornell, Stanford and Michigan Chapter houses, property aggregating over \$60,000 in value, and each year adds \$2,000 to the fund.

Phi Delta Theta has 68 chapters; Beta Theta Pi, 65; Phi Gamma Delta 57; Sigma Chi, 50; Sigma Nu, 46; Alpha Tau Omega, 46. These constitute the largest chapter rolls, excepting Kappa Sigma with 60 and Sigma Alpha Epsilon with about the same number.

Phi Kappa Psi and Phi Delta Theta annually observe "Founder's Day." Phi Kappa Psi's annual event comes on February 19th, the natal day of the fraternity, and its constitution requires that the day shall be observed in some fitting manner by each chapter and alumni association.

Beta Theta Pi has long led in the number of houses which its chapters occupy, but last year was overtaken by Phi Delta Theta. The October directory of Beta Theta Pi shows that about seventy percent of its chapters have houses and the ratio is practically the same for the Phi Delta Theta.

In the college world there are at present thirty fraternities, with an estimated membership of one hundred and fifteen thousand. They are represented in 680 colleges with some 670 active chapters and 390 inactive ones. The professional fraternities have an estimated membership of twenty thousand.

Sigma Nu, Beta Theta Pi, Delta Upsilon and Zeta Psi have new chapter houses at Michigan. Delta Kappa Epsilon is building at Stanford and Syracuse and has the only house at Lafayette. Kappa Sigma has a new house at Stanford. Theta Delta Chi has just entered Stanford and has the old D. K. E. house. Sigma Alpha Epsilon has bought a house at Cornell.

A new plan to provide all fraternities, which have chapters at the University of Chicago, with chapter houses, is being seriously considered. A plan has been suggested to President Harper whereby the University will erect suitable houses near the University, which will be rented to the various organizations. A statement of the needs of the chapters has been drawn up and is now before the trustees. Under this plan the fraternities would come in touch with the general house system which is being worked out at the University of Chicago.

Of the six presidents who have been members of college fraternities only four were members in their college days. Garfield was a member of the Williams Chapter of Delta Upsilon. Arthur was a Psi Upsilon at Union. Harrison was a Phi Delta Theta at Miami and a Delta Chi at Michigan. Cleveland was a Sigma Chi at Michigan. It is said that he was initiated on a railway train into honorary membership. McKinley was an honorary member of Sigma Alpha Epsilon and was initiated in his office at the State capitol of Ohio. President Roosevelt is claimed by both D. K. E. and Alpha Delta Phi. He is also a Phi Delta Phi of Columbia, better known as the "Story Club."

BOOK REVIEWS

Brief upon Pleadings in Civil Actions, at Law, in Equity and Under the New Procedure, by Austin Abbott of the New York Bar. In two volumes. Price \$9.00. The Lawyers Co-operative Publishing Company, Rochester, N. Y., 1904.

"Do not allow your brother lawyer to go to trial better prepared than yourself," is splendid advice to the practitioner. And to have at hand the two volumes mentioned above is all that is necessary for the lawyer to take advantage of this advice. The author, in his new edition of his Brief on Pleadings, has furnished to the profession a simple means of a careful and thorough preparation for the trial of cases which, if followed, should prevent, in a large measure, the frequent mistrials in the lower courts and help to relieve, to a great extent, the congested conditions that now prove so embarrassing to the appellate courts. In his preface to the first edition the author states his chief purpose in producing this work when he says it is a part of the plan with which he has been endeavoring to make the path of the practitioner in American courts more plain. "Whatever is done to diminish the number of mistrials below, at once diminishes the discouraging and deterrent effect which such experience have upon clients, and diminishes the number of appeals to crowd the calendars of the courts of last resort."

The first volume of the work treats of the demurrer and covers all proceedings before the trial of the "issues of fact." The second volume treats of the jurisdiction of the court, parties, the mode of trial called for by the pleadings and the order of hearing the parties and issues. The work aims to state the existing general rules, and supports them with abundant citation from leading authorities and from all jurisdictions, at the same time directing attention to all reasonable conflict of opinion. This qualifies the work as one of universal value. To the young attorney, in particular, it should prove invaluable in the preparation of his cases for trials and equip him with one of the prime essentials of his profession, namely, an early self-reliance.

The two volumes are in splendid print, being from the press of The Lawyers Co-operative Publishing Company of Rochester. The first edition numbers 25,000 volumes and the increasing demand for the work is likely to reduce this supply to the minimum.

The Principles of the Law of Bailments, including the Law of Common Carriers of Goods, Common Carriers of Passengers, Telephone and Telegraph Companies, with a Table of Cases and Index complete. By Albert J. Danaher of Albany, N. Y. Banks & Co., Albany, N. Y., 1904.

This is the first brief and concise work of its kind which has been compiled. It has been preceded by more complete works of from one to three volumes and this very fact prompted the author to condense the subject and to give to both students and the profession a work in which the principles of the law of bailments should be easily accessible. To satisfy one that he has succeeded in his plan it is only necessary to glance at the work which consists of barely one hundred pages. Within this short space, however, is found the meat of the subject. The essential principles of the law are set forth in the most concise statement possible, but in every instance there is a strong reinforcement of citations. This is shown in the list of cases cited which extends over thirty pages of the book between the preface and chapter one. The work is divided into sixteen chapters and has a carefully arranged index. Because of its concise form, the work is particularly adapted to the need of the student.

The *Cyclopedia of Law and Procedure*, Volume 10. A new work on Corporations by Seymour D. Thompson. Edited by William Mack, New York, The American Law Book Company.

The 10th volume of the *Cyclopedia of Law and Procedure* is remarkable in several particulars. It covers 1370 pages and is, therefore, one of the largest text books ever published on a legal subject. Appearing, as it does, within thirty days after the 9th volume of the series, it speaks loudly of the energy and enterprise of the publishers.

The most striking thing about the book, however, is the fact that, aside from a few definitions, it is taken up entirely with a treatment of the law of private corporations. It is, in short, a new and elaborate treatise on the subject that is today of the greatest importance in the business world.

The author, Seymour D. Thompson, is one of the best known American law writers of the present day.

The space actually taken up by this treatise covers 1363 pages, and is equal in size to three ordinary volumes of text books. The whole law of Private Corporations having a joint stock is embraced, except what properly falls under the head of Foreign Corporations, which will be treated under its own title in a later volume by the same author. The great learning, vast experience and mature judgment of the author have all been brought to bear in the production of this volume, and have united to make it the crown of his achievements. The result justifies the most sanguine expectations.

Some idea of the exhaustiveness of the treatment here, and of the carefulness with which the detail is worked out may be gathered from the fact that the analysis covers 142 of these large

octavo pages. The writer has taken whatever space seemed to be necessary to the full and clear statement of the law. The notes are voluminous and include everything useful and necessary by way of explanation and illustration. The examination of the authorities cited must have involved a tremendous amount of labor. The citation embraces, on a conservative estimate, about 25,000 decided cases.

This volume alone justifies the existence of the series in which it appears. It should be in the office of every corporation and in the library of every practising attorney. And no general law library is complete without it.

Cumming and Gilbert's Official Court Rules, revised to January 1st, 1904, published by the Banks Law and Publishing Company of 21 Murray street, New York City, contains the Rules of Practice in the Courts of New York State arranged most conveniently for the practitioner. Besides the provisions of the Constitution relating to the lower and Appellate Courts of New York, the work contains the rules of the Court of Claims and the City Court Municipal Courts and the Court of Special Sessions of New York City.

When necessary, adequate citation has been given in explanation of the difficult and confusing features of practice. The index is conveniently arranged. The feature of the work is its convenience and practicable arrangement. A lawyer in doubt regarding the proper mode of practice as laid down by the Courts can easily set himself right by the careful study of the proper portion of this work. It is a most valuable and necessary acquisition to the library of any New York lawyer.

"Modern Eloquence," Ex-Speaker Thomas B. Reed's famous library, in ten handsome volumes, contains a resume of the greatest thought of the past century. It is comprised in four departments:

1. Fifty great classical and popular lectures. Every lecture is complete. These deal with history, science, travel, biography, literature, art, philosophy, etc.

2. About 150 scholarly and finished addresses. Notable literary, scientific and commemorative addresses and eulogies. They possess an inestimable value to the lover of beautiful and classic English.

3. About 300 famous after-dinner speeches. The first collection of post-prandial oratory ever published. They abound in wit, wisdom and humor, and are expositions and discussions of the important events and questions of our national history.

4. Brightest story, reminiscence, anecdote and repartee such

as only men like Reed, Clark, Dolliver, Allen, et al., could provide.

A portfolio containing photogravures of Ex-Speaker Reed, Ambassador Choate, Grady, the great Southern orator; Ian MacLaren, Oliver Wendell Holmes and other contributors to "Modern Eloquence;" a specimen color plate reproduction of the beautiful mural decorations of the Congressional library at Washington, and specimen pages from this fine work will be sent free upon receipt of six cents in stamps to pay postage. Write at once, before portfolios are exhausted, to John D. Morris and Company, Suite 380, Commonwealth Building, Philadelphia, Pa.—*Adv.*



HONORARY AND ACTIVE MEMBERS BY CHAPTERS

The Business Manager announces that a complete directory of the Fraternity is now in type and will be published forthwith. It will be a pocket directory and will be sent to every member of the Fraternity whose address is known. To cover the cost of printing, each member who receives a copy will be requested to send 25 cents to the Business Manager.

This directory was provided for by the Tenth Annual Convention recently held in Ithaca, and since no directory or catalogue of the Fraternity has been published since 1899, the necessity for a new directory is apparent, and its value self-evident.

Before the Convention was held, the editors had decided to print a directory of the Fraternity in THE QUARTERLY. However, realizing that scarcely one-third of the alumni would be reached through THE QUARTERLY and being impressed with the greater convenience and usefulness of the pocket directory, and to avoid needless repetition and expense, THE QUARTERLY Board decided to omit the directory of the alumni.

But thinking that a list of the active members in each Chapter would be of interest to subscribers since it would give some indication of the work which each Chapter was doing, and that the publication of a list by Chapters of all the honorary members who have joined since the Fraternity was established would be useful, we print herewith this information.

The lists of active members were furnished the Business Manager by the various Chapters, and include all initiants to April 12th, 1904. This list should be correct. But the absolute accuracy of the list of honorary members is not guaranteed. The Chapter records are very inaccurate and incomplete, and the Business Manager was obliged to obtain the greater part of this information by personal work. He earnestly requests that every member of the Fraternity who knows wherein this list is in error will inform him of the true facts at once, so that the corrections may be made in the Directory which is to follow.

CORNELL CHAPTER.

Honorary Members.

Prof. Ernest W. Huffcut, Dean Cornell Law School.....Ithaca, N. Y.
 Prof. J. Newton Fiero, Dean Albany Law School, 100 State St., Albany, N. Y.
 Prof. William A. Finch.....Ithaca, N. Y.
 Prof. Frederick Diamond Colson.....Cambridge, Mass.
 Prof. Duncan Campbell Lee.....Ithaca, N. Y.

Hon. Walter Lloyd Smith.....Albany, N. Y.
 Prof. Edward DuBois Shurter.....Austin, Texas.
 Hon. John N. Carlisle.....Watertown, N. Y.
 Hon. Daniel H. Chamberlain.....Massachusetts.
 Owen Lincoln Porter.....338 Washington Ave., Albany, N. Y.
 Prof. Charles Ransom Pratt.....Elmira, N. Y.
 Hon. John Francis Tucker.....71 Wall St., New York City, N. Y.

Active Members.

James T. Driscoll.....Buffalo, N. Y.
 Charles Earl Kelley.....Dayton, O.
 Andrew Rutledge, Jr.....Rockford, Ill.
 William S. Peace.....Philadelphia, Pa.
 Louis R. Gulick.....Lockport, N. Y.
 Harold J. Richardson.....Lowville, N. Y.
 Earl H. Kelsey.....Tonawanda, N. Y.
 William Duke, Jr.....Wellsville, N. Y.
 Ralph H. Hoskot.....Dayton, O.
 Hugh P. Henry.....Eau Clair, Wis.
 Rufus J. Richardson.....Batavia, N. Y.
 Elias H. Kelley.....Dayton, O.
 George Nelbach.....Utica, N. Y.
 A. Raymond Cornwall.....Alexandria Bay, N. Y.
 Charles W. Cunningham.....Green, N. Y.
 Arthur Weber.....Buffalo, N. Y.
 Lee A. Weter.....Buffalo, N. Y.
 Charles Rose.....Friendship, N. Y.
 Stanley D. Smith.....Springville, N. Y.

NEW YORK UNIVERSITY CHAPTER.

Honorary Members.

Commodore David Banks.....21 Murray St., New York City.
 Hon. Henry W. Bookstaver.....256 Broadway, New York City.
 Clarence D. Ashley, LL. D., Washington Sq., East Ave., N. Y. U.
 Law School.....New York City.
 *Hon. Chauncey B. Ripley.....New York City, N. Y.
 Prof. Frank Henry Sommers.....801 Prudential Building, Newark, N. J.
 Hon. James Hillhouse.....170 W. 78th St., New York City, N. Y.

Active Members.

George J. Corbett.....74 West 85th St., New York City.
 Harry L. Gassin.....3 East 33rd St., New York City.
 Wilson R. Yard.....63 Wall St., New York City.

*Deceased.

Elmer D. Coulter.....301 West 45th St., New York City.
 Robert S. Patterson.....2261 Bathgate Ave., New York City.
 Joseph J. Hartigan.....353 West 46th St., New York City.
 Lester S. Abberley.....891 Putnam Ave., Brooklyn, N. Y.
 Harry S. Austin.....254 W. 52d St., New York City.
 John M. Boland, Hotel Winthrop, 7th Ave and 125th St., New York City.
 Charles R. Bradbury.....64 West 77th St., New York City.
 Henry M. V. Connelly.....57 West 75th St., New York City.
 Andrew J. Cormick.....112 West 73rd St., New York City.
 George C. Felter.....Haverstraw, N. Y.
 Charles W. Gerstenberg.....637 Bedford Ave., Brooklyn, N. Y.
 Arthur B. Graham.....210 West 4th St., New York City.
 James A. Hamilton.....357 West 29th St., New York City.
 Orrin R. Judd.....79 Keap St., Brooklyn, N. Y.
 Arthur D. V. Lyons.....259 Bowery, New York City
 Chester H. Lane.....64 West 10th St., New York City.
 George J. Puckhafer.....320 Robbins Ave., New York City.
 Henry F. Inackebos, M. D.....159 West 88th St., New York City.
 John J. Sullivan.....60 Hoyt Ave., Long Island City, N. Y.

MINNESOTA CHAPTER.

Honorary Members.

Hon. Frank F. Davis, Attorney.....New York City.
 Hon. Charles B. Elliott, Judge Dist. Court.....Minneapolis, Minn.
 Hon. Edwin A. Jaggard, Judge Dist. Court.....St. Paul, Minn.
 Hon. John L. McDonald, Attorney.....Kansas City, Mo.
 Hon. Trafford N. Jayne, Attorney, Globe Bldg.....Minneapolis, Minn.
 Hon. Robert G. Morrison, Attorney....Phoenix Bldg., Minneapolis, Minn.
 Hon. Carman N. Smith, Attorney.....Bay City, Mich.
 Hon. Thomas Wilson, Atty. Gen. Council, C. St. P. M. & O., St. Paul, Minn.
 Henry J. Fletcher, Attorney, Lumber Exchange, Minneapolis, Minn.
 *Hon. Cushman K. Davis, Attorney, U. S. Senator.....St. Paul, Minn.
 *Hon. Robert G. Evans, Attorney.....Minneapolis, Minn.
 *Hon. Frederick N. Hooker, Judge District Court...Minneapolis, Minn.
 *Hon. John F. Rea, Attorney.....Minneapolis, Minn.

Active Members.

Don C. Anderson.....3826 Thomas Ave. So., Minneapolis, Minn.
 Charles T. Beagle.....115 Summit Ave., St. Paul, Minn.
 Elias B. Curtis.....420 Lumber Exchange, Minneapolis, Minn.
 Clio G. Landon.....519 13th Ave. S. E., Minneapolis, Minn.
 James Arthur Thompson.....97 Spruce Place, Minneapolis, Minn.
 Harry C. Barney.....1107 4th St. S. E., Minneapolis, Minn.

*Deceased.

Henry C. Flannery.....2416 Blaisdell Ave., Minneapolis, Minn.
 Edwin A. Rundell.....420 Lumber Exchange, Minneapolis, Minn.
 Harry Hugh Thomas.....619 13th Ave. S. E., Minneapolis, Minn.
 George O. Wyatt.....1308 7th St. S. E., Minneapolis, Minn.
 Otto N. Davies.....200 Harvard St. S. E., Minneapolis, Minn.
 Wm. R. Morris.....1516 Portland Ave., Minneapolis, Minn.
 Norman C. Hannay.....1308 7th St. S. E., Minneapolis, Minn.
 Josiah H. Chase.....1427 University Ave. S. E., Minneapolis, Minn.
 Oliver S. Anderson.....1018 University Ave. S. E., Minneapolis, Minn.
 Denny P. Lemen.....1817 4th St. S. E., Minneapolis, Minn.

MICHIGAN CHAPTER

Honorary Members.

Elias Finlay Johnson, B. S., LL. M., Instructor of Law....Manila, P. I.
 *Hon. Benjamin Harrison.....San Jose, Cal.
 *Hon. James L. High.....
 Wm. G. Ewing, Chancellor Superior Court..3743 Ellis Ave., Chicago, Ill.
 J. P. Doliver, A. B., U. S. Senator from Iowa.....Washington, D. C.
 Jno. B. Clayberg, LL. D., Montana Supreme Court..Helena, Montana.
 Herman V. Ames, Ph. D., Instructor of Law Ohio State Uni-
 versity.....Columbus, Ohio.
 Roger B. Mills, U. S. Senator from Texas.....Corsicana, Tex.
 Marshall Davis Ewell, LL. D., Dean Kent Law School, 59 Clark
 St.....Chicago, Ill.
 Victor A. Elliot, Judge Supreme Court of Colorado.....Denver, Colo.
 *Hon. Benjamin Butterworth.....Cincinnati, Ohio.
 Judge Samuel Maxwell, Judge Supreme Court.....Fremont, Neb.
 Hon. Robert Lincoln.....60 Lake Shore Drive, Chicago, Ill.
 Chas. W. Fairbanks, U. S. Senator from Ind.....Indianapolis, Ind.

Active Members.

Chas. M. Harlan.....Chicago, Ill.
 Hugh R. Fullerton.....Havana, Ill.
 Marcus R. Hart.....Elgin, Ill.
 Charles A. Reynolds.....Alpena, Mich.
 E. Huggins Smith.....Glasgow, Kan.
 Frank Irwin Holmes.....Alpena, Mich.
 Harry M. Wier.....Cambridge, Ill.
 Wm. R. Weeks.....Allegan, Mich.
 Paul Jones.....605 Bryson St., Youngstown, O.

*Deceased.

Howard B. Salot.....	711 Clay St., Dubuque, Ia.
Thos R. Waters.....	New Madrid, Mo.
Max Brown.....	210 E. Brigham St., Salt Lake City, Utah.
Orville D. Holm.....	Troy, Ohio.
Richard B. Blake.....	2615 Maxwell Ave., Spokane, Wash.
George W. Gregory.....	Redding, Cal. or Seattle, Wash.
Jas. A. Rawlins.....	223 First St., Salt Lake City, Utah.
Joseph F. Maguire.....	569 Bennington St., East Boston, Mass.
Geo. W. Lindsay.....	Orient, Ohio.
R. O. Kaufman.....	922 E. Sinto Ave., Spokane, Wash.
Norman H. Smith.....	Babylon, L. I., N. Y.
Alex R. Thomas.....	105 "B" St., Salt Lake City, Utah.
A. T. Holcomb.....	30 E. Ninth St., Portsmouth, O.
Richard A. Mead.....	1745 Hinman Ave., Evanston, Ill.
Hilgard B. Young.....	41 Roslyn Point, Chicago, Ill.
Greer E. Tress.....	350 S. Highland Ave., Pittsburg, Pa.
Frederick Leckie.....	Port Huron, Mich. or Ann Arbor, Mich.
Ambrose A. Featherstone.....	Asheville, N. C.
C. J. Maher.....	Fort Dodge, Ia.

DICKINSON CHAPTER.

Honorary Members.

Hon. William B. Hornblower.....	24 Broad Street, New York City.
Hon. E. W. Biddle.....	Carlisle, Pa.
Hon. J. M. Weakley.....	Carlisle, Pa.
*Hon. H. Silas Stewart.....	Carlisle, Pa.
Hon. John W. Wetzel.....	Carlisle, Pa.
Maj. James E. Pilcher.....	Carlisle, Pa.
A. J. W. Hutton.....	Carlisle, Pa.
Hon. F. W. Flietz.....	Scranton, Pa.
*Hon. Daniel H. Hastings.....	Bellefonte, Pa.
A. V. Dively.....	Altoona, Pa.
Hon. Lewis J. Baxter.....	Address unknown.
Hon. Oscar Clark.....	Denton, Md.
Hon. William Henry Deweese.....	Denton, Md.
Hon. Jacob Banks Kurtz.....	6 Schenk Block, Altoona, Pa.
Hon. Andrew J. Lynch.....	217 West Market St., Georgetown, Del.
Hon. Joseph Stewart Shapley.....	31 West High St., Carlisle, Pa.

Active Members.

Joseph E. Flietz.....	Wellsboro, Pa.
Frank P. Benjamin.....	Scranton, Pa.
Chas. A. Spencer.....	Scranton, Pa.

*Deceased.

Harry A. Hillyer.....	Easton, Pa.
Joseph E. Oyer.....	Easton, Pa.
Herbert F. Laub.....	Nazareth, Pa.
Addison M. Bowman.....	Camp Hill, Pa.
Paul A. Willis.....	Carlisle, Pa.
Victor Braddock.....	Carlisle, Pa.
Floyd B. McAlee.....	Easton, Pa.
Howard Prickitt.....	Camden, N. J.
L. W. Houck.....	Berwick, Pa.
E. Foster Heller.....	Hazleton, Pa.
Leo Schwartzkopf.....	Pittston, Pa.

NORTHWESTERN UNIVERSITY CHAPTER.

Active Members.

POSTGRADUATE

Hayes McKinney.....100 Washington, St., Chicago, Ill.

SENIORS

Clayton J. Barber.....398 E. Superior St., Chicago, Ill.
 Thomas B. Brown.....5 Langley Place, Chicago, Ill.
 Walter L. Gillom.....833 S. Millard Ave., Chicago, Ill.
 Alton F. Johnson.....437 Belden Ave., Chicago, Ill.
 Joseph I. Lange.....Woodstock, Ill.
 Charles H. Spencer.....718 Clark St., Evanston, Ill.
 Russel Wiles.....740 Monadnock Bldg., Chicago, Ill.

JUNIORS

Hal L. Brink.....7117 Yale Ave., Chicago, Ill.
 Fred L. McKinney.....633 Church St., Evanston, Ill.
 Max Murdock.....1940 Orrington Ave., Evanston, Ill.
 Frank H. Scheiner.....3200 N. 40th Ave., Chicago, Ill.
 Henry W. Stiness.....1512 Chicago, Ave., Evanston, Ill.

FRESHMEN

Chauncey C. Colton.....1940 Orrington Ave., Evanston, Ill.
 Morton H. Eddy.....3836 Ellis Ave., Chicago, Ill.
 John B. Romans.....1940 Orrington Ave., Evanston, Ill.
 Herbert E. Webber.....475 Congress St., Chicago, Ill.
 George R. Wilson..Hotel Vendome, 62d and Madison Sts., Chicago, Ill.

CHICAGO-KENT CHAPTER.

Honorary Members.

Hon. Elmer E. Barrett.....Chicago, Ill.

Hon. Henry M. Shepard.....Chicago, Ill.
 Hon. Simeon P. Shope.....Chicago, Ill.

Active Members.

Harry L. Bird.....23 City Hall, Chicago, Ill.
 Frank L. Delay.....Park Row Station, I. C. R. R. Co., Chicago, Ill.
 A. R. Eppstein.....6116 Monroe Ave., Chicago, Ill.
 Rolland J. Hamilton.....463 The Rookery, Chicago, Ill.
 Charles V. McErlean.....205 LaSalle St., Chicago, Ill.
 Benjamin Parmalee.....Waukegan, Ill.
 Charles F. Rathbun.....184 LaSalle St., Chicago, Ill.
 Walter S. Rogers.....Portland Block, Chicago, Ill.
 George T. Rogers.....591 W. Monroe St., Chicago, Ill.
 Orville B. Drown.....4801 Madison Ave., Chicago, Ill.

UNIVERSITY OF BUFFALO CHAPTER.

Honorary Members.

Hon. Albert Haight, Judge Court of Appeals.....Albany, N. Y.
 Hon. Edward W. Hatch, Justice of Supreme Court....Brooklyn, N. Y.
 Hon. Daniel J. Kenefick, Justice of Supreme Court.....Buffalo, N. Y.
 Hon. Frederick Kruse, Justice of Supreme Court.....Buffalo, N. Y.
 Hon. John Cunneen, Attorney General.....Albany, N. Y.
 Aldebert Moot, Esq., Dean University of Buffalo Law School
 and Lecturer on Evidence, Erie County Savings Bank Build-
 ing.....Buffalo, N. Y.
 James L. Quackenbush, Lecturer in University of Buffalo Law
 School on Torts.....464 Ellicott Square, Buffalo, N. Y.
 E. Corning Townsend, Lecturer, Buffalo Law School on Domes-
 tic Relations.....White Building, Buffalo, N. Y.
 Tracy C. Becker, Esq., Author of Medical Jurisprudence, Mooney
 Brisbane Building.....Buffalo, N. Y.
 *Irving Brown.....Buffalo, N. Y.
 Edward E. Coatsworth, District Attorney..438 Main St., Buffalo, N. Y.
 *Allen D. Scott.....Buffalo, N. Y.

Active Members.

Fred. H. Seaver.....801 W. Ferry St., Buffalo, N. Y.
 Charles C. Fenno.....Geneseo, N. Y.
 Frederick House.....1157 Main St., Buffalo, N. Y.
 Francis E. Bagot.....1287 West Ave., Buffalo, N. Y.
 Edwin M. Robbins.....17 Berkley Place, Buffalo, N. Y.
 E. Lothard McClure.....485 Connecticut St., Buffalo, N. Y.

*Deceased.

Irwin S. Wood.....	204 Whitney Place, Buffalo, N. Y.
Robert W. Farrington.....	1377 Michigan St., Buffalo, N. Y.
Charles Knappenberg.....	112 Triangle St., Buffalo, N. Y.
Wm. A. Linder.....	541 Tonawanda St., Buffalo, N. Y.
Lewis C. Westwood.....	145 Prospect Ave., Buffalo, N. Y.

OSGOODE HALL CHAPTER.

Honorary Members.

E. Douglas Armour.....	Toronto, Ont., Can.
A. H. Marsh.....	25 Toronto St., Toronto, Ont., Can.
Hon. John Alexander McIntosh,	McKinnon Building, Toronto, Ont. Can.
Hon. Neil McCrimmon.....	McKinnon Building, Toronto, Ont., Can.

Active Members.

J. C. Moore.....	Toronto, Canada.
M. G. Hunt.....	Toronto, Canada.
W. G. Mahaffy.....	Toronto, Canada.
J. P. Haverson.....	Toronto, Canada.
Jno. A. McEvoy.....	Toronto, Canada.
Wm. W. Livingstone.....	Toronto, Canada.
Arthur H. Britton.....	Toronto, Canada.
D. A. McDonald.....	Toronto, Canada.
J. J. Harpell.....	Toronto, Canada.

SYRACUSE CHAPTER.

Active Members.

Chester T. Backus.....	Morris, N. Y.
Harold Hill Bemiss.....	Canastota, N. Y.
Frederick Thomas Burns.....	Akron, N. Y.
Orla Edison Black.....	Humphrey, N. Y.
Charles Loren Crane.....	Addison, N. Y.
Albert Edwin Campbell.....	Canastota, N. Y.
Alexander Spurgeon Carlson.....	Jamestown, N. Y.
Harry Albert Curtis.....	Newburyport, Mass.
John Joseph Harty.....	Utica, N. Y.
James Walter Hefferman.....	Housatonic, Mass.
Clark Raitt Jackson.....	Deposit, N. Y.
Seth Law Larabee.....	Clayton, N. Y.
Justin Sebastean McCarthy.....	Syracuse, N. Y.
James Francis O'Neill.....	Manlius, N. Y.
Frank Henry O'Neill.....	Syracuse, N. Y.
Harry Barnes Orchard.....	Sackett's Harbor, N. Y.
Seneca Alton Ralph.....	Corinth, N. Y.

114,

George Felshaw Park.....	Syracuse, N. Y.
Austin Grant Rutherford.....	Marcellus, N. Y.
Charles Sumner Sleeth.....	Cicero, N. Y.
Jesse Morse Seymour.....	Salamanca, N. Y.
John Lambert Train.....	Batavia, N. Y.
Roy Hine Williamson.....	Batavia, N. Y.
Albert Lewis Wilbur.....	Greenland, N. H.

UNION COLLEGE CHAPTER.
Honorary Members.

Hon. John H. Dugan.....	Albany, N. Y.
Hon. Albert C. Tennant.....	Albany, N. Y.
Hon. Emory A. Chase, Justice Appellate Division.....	Catskill, N. Y.
Hon. Martin D. Conway.....	Albany, N. Y.
Hon. Eugene Bryan.....	Troy, N. Y.

Active Members.

David C. Salyerds.....	Scottsville, N. Y.
John P. Badger.....	Malone, N. Y.
Herbert B. Thomas	Rochester, N. Y.
Marsh N. Taylor	Rochester, N. Y.
William B. Zimmer.....	Rochester, N. Y.
Benjamin Terk	Glens Falls, N. Y.
Henry Toohy	Schuylerville, N. Y.
Joseph H. Vanderlyn.....	New Paltz, N. Y.
Fred Van Buren.....	Kingston, N. Y.
John Collopy	Troy, N. Y.
Charles W. Marshall.....	Troy, N. Y.
Edward C. Jameson.....	Hopedale, Mass

UNIVERSITY OF WEST VIRGINIA CHAPTER.
Honorary Members.

Dr. St. George Brooke, Dean W. Va. Law School, Morgantown, W. Va.	
Prof. W. P. Willey.....	Morgantown, W. Va.
Dr. Edwin Maxey.....	Morgantown, W. Va.
Hon. W. P. Hubbard.....	Wheeling, W. Va.
Hon. John W. Davis.....	Clarksburg, W. Va.
Hon. Charles F. Teter.....	Phillippi, W. Va.
Hon. Stuart W. Walker.....	Martinsburg, W. Va.
Judge Reese Blizzard.....	Parkersburg, W. Va.

Hon. John D. Alderson.....Summersville, W. Va.
 Hon. George C. Sturgus.....Morganstown, W. Va.

Active Members.

F. N. Alderson, '06.....Summerville, W. Va.
 Clyde Alexander, '04.....Morgantown, W. Va.
 L. R. Burton, '04.....New Haven, Conn.
 A. J. Collet, '05.....Morgantown, W. Va.
 D. J. Gronniger, '04.....Charlestown, W. Va.
 G. R. Heffley, '04.....Somerset, Pa.
 B. D. Koontz, '04.....Fayetteville, W. Va.
 John Marshall, '04.....New Cumberland, W. Va.
 Dana P. Miller, '06.....Fairmont, W. Va.
 M. E. Morgan, '05.....Fairmont, W. Va.
 J. G. Prichard, '06.....Fairmont, W. Va.
 E. B. F. Stout, '06.....Parkersburg, W. Va.
 H. G. Scherr, '05.....Charlestown, W. Va.
 Floyd Simmons, '06.....Wheeling, W. Va.
 Henry Simms, '05.....Huntington, W. Va.
 N. W. Washington, '04.....Charlestown, W. Va.
 F. R. Yoke, '04.....Morgantown, W. Va.
 H. W. Dent, '05.....Grafton, W. Va.

OHIO STATE CHAPTER.

Honorary Members.

Hon. Fred Haywood.....Outlook Bldg., Columbus, Ohio.

Active Members.

Ralph Day.....638½ N. High St., Columbus, Ohio.
 F. T. Eagleson.....Cambridge, Ohio.
 Ralph A. Foster.....300 W. 6th Ave., Columbus, Ohio.
 Gilbert L. Fuller.....Portsmouth, Ohio.
 J. E. D. Hartinger.....Middleport, Ohio.
 Harry M. Rankin.....Washington Court House, Ohio.
 A. E. Ward.....Marietta, Ohio.
 Joe Kewley.....1013 Ontario St., Toledo, Ohio.
 W. G. McKitterick.....Jackson, Ohio.
 Thos. Montgomery.....825 Dennison Ave., Columbus, Ohio.
 Horace Small.....Portsmouth, Ohio.
 Frank Ruth.....529 City Park Ave., Columbus, Ohio.
 R. C. Taylor.....Washington Court House, Ohio.
 O. C. Wagner.....Kingston, Ohio.
 Frank S. Carpenter.....Carpenter, Ohio.
 W. C. Rowe.....518-522 The Nasby Bldg., Toledo, Ohio.

C. B. F. Wander.....513-514 American Trust Bldg., Cleveland, Ohio.
 Fred Swan.....Marietta, Ohio.

NEW YORK LAW SCHOOL CHAPTER.

Honorary Members.

Hon. Samuel Seabury.....410 W. 14th St., New York City

Active Members.

Class of 1904.

Newton Adams.....63 Wall St., N. Y. City.
 William Bailey.....Somers, N. Y.
 Alfred M. Bailey.....Lems Parkway, Yonkers, N. Y.
 Edward Dale Freeman.....943 St. Nicholas Ave., N. Y. City.
 Robert Seabury Conger.....Banchee Pl., New Rochelle, N. Y.
 Edward H. Lockwood.....30 S. Portland Ave., Brooklyn, N. Y.
 Jonathan Holmes.....32 Nassau St., N. Y. City.
 William P. Howe.....Roselle, N. J.
 Herbert G. Williamson.....25 Third Pl., Brooklyn.
 Fred C. Russell.....50 Howe St., New Haven, Conn.
 Charles R. Haviland.....66 Clinton Ave., Jamaica, N. Y.
 Geo. W. Harper.....1401 Dean St., Brooklyn, N. Y.
 Spaulding Frazer.....1028 Broad St., Newark, N. J.

Class of 1905.

Louis E. Johnson.....110 Grand Ave., Asbury Park, N. J.
 Henry Hartzin.....65 W. 38th St., N. Y. City.
 Robert M. Davis.....319 W. 103d St., N. Y. City.
 Otto A. Hack.....Care of H. B. Stevens, Greenwich, Conn.
 Glen C. Wharton.....320 N. 20th St., Omaha, Neb.
 Albridge C. Smith, Jr.....203 Lincoln Ave., Orange, N. J.
 Howard W. Ameli.....1422 Pacific St., Brooklyn, N. Y.
 Walter F. Sellers.....166 Lexington Ave., N. Y. City.
 Aguste Roche.....E. Park St., E. Orange, N. J.
 William G. Barr.....70 Berkeley Ave., Orange, N. J.
 Geo. E. Leonard.....425 West End Ave., N. Y. City.
 Reginald Brixey....."The Maryland," 49th St., N. Y. City.
 Jacob Jordan.....67 W. 130th St., N. Y. City.
 Walter B. Walker.....5 W. 82d St., N. Y. City.

UNIVERSITY OF CHICAGO CHAPTER.

Active Members.

Joseph W. Bingham.....6109 Greenwood Ave., Chicago, Ill.
 John R. Cochran.....DeKalb, Ill.

Sidney J. Dillon.....3344 Dearborn St., Chicago, Ill.
 Frederick Dickinson.....1062 Millard Ave., Chicago, Ill.
 Frederick A. Fischel.....3232 State St., Chicago, Ill.
 J. VanHorn Hart.....Knoxville, Ill.
 David J. Hurlbunt.....Hartsgrove, Ohio.
 Joseph W. Johnson.....Hartsgrove, Ohio.
 Ola Petty Lightfoot.....Grand View, Texas.
 Samuel C. Ross.....Mineral Point, Wisconsin.
 Henry Ellis Sampson.....Audubon, Iowa.
 Maurice Walbrum.....4952 Vincennes Ave., Chicago, Ill.

GEORGETOWN CHAPTER.

Honorary Members.

Hon. William Jennings Bryan....."Fairview," Lincoln, Neb.
 Stuart McNamara.....406 Fifth St. N. W., Washington, D. C.
 Hon. Harry M. Clabaugh, Chief Justice Sup. Ct. D. C., Washington, D. C.
 Prof. J. Nota McGill.....McGill Building, Washington, D. C.
 Prof. Daniel W. Baker.....410 Fifth St. N. W. Washington, D. C.
 Prof. R. Ross Perry, Jr.....Fendall Building, Washington, D. C.

Active Members.

Alfred Allmuth.....2462 Wisconsin Ave. N. W., Washington, D. C.
 Chas. W. Arth.....N. W. Cor. 12 and G. Sts. N. W., Washington, D. C.
 Cheevers M. Barry.....Georgetown College, Washington, D. C.
 Albert E. Berry.....3058 U Street, N. W., Washington, D. C.
 James B. Bocoock.....1715 Q St. N. W., Washington, D. C.
 Thomas W. Brahaney.....United States Senate, Washington, D. C.
 William W. Bride.....129-131 B. St. S. E., Washington, D. C.
 Joseph T. Dyer, Jr.....1735 Willard St., Washington, D. C.
 Charles H. English, Delta Chi House, 1629 Q St. N. W., Washington, D. C.
 Edwin H. Flueck, Delta Chi House, 1629 Q St. N. W., Washington, D. C.
 George Grace.....1716 U St. N. W., Washington, D. C.
 Asa C. Gracie.....3323 O St. N. W., Washington, D. C.
 Norman J. Kopmeier.....The Westminster, Washington, D. C.
 Robert J. Kennedy.....521 6th Street N. W., Washington, D. C.
 Fairfax S. McCandlish, Delta Chi House, 1629 Q St., N. W.,
 Washington, D. C.
 William R. Proctor Malony....804 N. C. Ave. S. E., Washington, D. C.
 John F. Murphy.....The Westminster, Washington, D. C.
 Antonio M. Opisso.....Georgetown College, D. C., Washington, D. C.
 Harry F. Pierce.....819 N. C. Ave. S. E., Washington, D. C.
 Carl B. Rix.....Delta Chi House, 1629 Q St. N. W., Washington, D. C.
 Richard P. Whiteley.....Georgetown College, D. C., Washington, D. C.
 Francis E. Williamson.....406 Fifth St. N. W., Washington, D. C.
 John H. Walther.....The Dewey, Washington, D. C.

ATTORNEYS' DIRECTORY

When necessary to employ counsel in another city, why not correspond with a member of Delta Chi.

ARKANSAS	CALIFORNIA
<i>Van Buren, Ark.</i>	<i>Los Angeles, Cal.</i>
HENRY L. FITZHUGH	GEORGE L. KEEFER 412 Currier Building

CANADA

Toronto

McMURRICK, HODGINS & McMURRICK

Barristers, Solicitors, Notaries, Etc.

103 BAY ST.,

TORONTO, CANADA

W. B. M'MURRICK, K. C. F. F. HODGINS, K. C.

J. D. M'MURRICK

All business forwarded to the firm will have
careful attention.

CANADA	COLORADO
<i>Oakville, Ontario</i>	<i>Trinidad, Col.</i>
W. ALEC CHISHOLM Colborne Street	EARL COOLEY 723 Pine St.

ATTORNEYS' DIRECTORY—Continued.

<p><i>Colorado Springs, Col.</i></p> <p>R. H. WIDDECOMBE</p>	<p><i>Chicago, Ill.</i></p> <p>MARSHALL D. EWELL, M.D. Suite 618-619, 59 Clarke St. Examiner of Disputed Hand-writing, Ink, etc.</p>
ILLINOIS	
<p><i>Chicago, Ill.</i></p> <p>JOHN E. AMOS, JR. 901 Journal Building Long Distance Tel. Main 4401</p>	<p><i>Chicago, Ill.</i></p> <p>DANIEL W. FISHELL 1019 Ashland Block Telephone Central 1547</p>
<p><i>Chicago, Ill.</i></p> <p>HARRY H. BARNUM 1139 First National Bank Building Attorney at Law Long Distance Tel., Main 3438</p>	<p><i>Chicago, Ill.</i></p> <p>GEORGE I. HAIGHT 134 Clark Street</p>
<p><i>Chicago, Ill.</i></p> <p>EDWARD H. BARRON 132 Michigan Avenue Telephone Central 2425</p>	<p><i>Chicago, Ill.</i></p> <p>WALTER S. JOHNSON Room 44, 92 LaSalle Street Telephone 919 Main</p>
<p><i>Chicago, Ill.</i></p> <p>H. BITNER 740 Monadnock Block RUSSELL WILES CHAS. O. SHETVEY Telephone Harrison 1394</p>	<p><i>Chicago, Ill.</i></p> <p>WILLIAM J. KIRK 13 Eldridge Court Telephone Harrison 654</p>
<p><i>Chicago, Ill.</i></p> <p>ROBERT CATHERWOOD Patent, Trade Mark, Copyright Law 1543 Monadnock Block Telephone Harrison 1281</p>	<p><i>Chicago, Ill.</i></p> <p>A. A. McKINLEY 79 Dearborn Street (O'BRIEN & McKINLEY)</p>

ATTORNEYS' DIRECTORY—Continued.

Chicago, Ill.

HAYES MCKINNEY
1610 Title and Trust Building
100 Washington Street

Chicago, Ill.

THEO. C. ROBINSON
Attorney-at-Law
822 New York Life Bldg.
Telephones—Central 938
Automatic 2054

Chicago, Ill.

MALCOLM B. STERRETT
National Life Building
Telephone Central 5003

Chicago, Ill.

EMIL C. WETTEN
184 LaSalle Street

Chicago, Ill.

HAROLD F. WHITE
904-10 The Temple, 184 La Salle St.
Long Distance Telephone
Main 3815

Chicago, Ill.

EDWARD B. WITWER
Room 407, 153 LaSalle Street
Telephone Central 3396

East St. Louis, Ill.

FLANNIGAN & SEITER
R. H. FLANNIGAN O. R. SEITER
Jackiesch Building
Phone. Bell East 345 M.

Freeport, Ill.

DOUGLASS PATTISON

*INDIANA**Goshen, Ind.*

S. E. HUBBELL

*INDIAN TERRITORY**Tusla, I. T.*

JOHN A. HAVER
Care of Randolph & Haver
H. W. RANDOLPH JOHN A. HAVER

*KANSAS**Pittsburg, Kan.*

JOSEPH LUTHER TAYLOR
Attorney at Law

ATTORNEYS' DIRECTORY—Continued.

MASSACHUSETTS	
<i>Boston, Mass.</i>	
JAMES P. MAGENIS	
Rooms 62 and 65, 5 Tremont Street	
Telephone Haymarket 868	
MEXICO	
<i>Durango, Mexico</i>	
<i>Estato de Durango</i>	
MANLY D. DAVIS	
Apartado 79	
Consult me with regard to Mining Concessions	
MICHIGAN	
<i>Detroit, Mich.</i>	
CARLETON G. FERRIS	
406 Hammond Building	
Telephone 2358	
<i>Of HATCH & FERRIS</i>	
<i>Grand Rapids, Mich.</i>	
HOWARD A. THORNTON	
Mich. Trust Building	
MINNESOTA	
<i>Crookston, Minn.</i>	
CHARLES LORING	
Opera Block	
Firm name—STEVENSON & LORING HALVOR STEVENSON, M. C. CHARLES LORING	
MINNEAPOLIS, MINN.	
W. R. BROWN	
510 New York Life	
MINNEAPOLIS, MINN.	
GEO. W. BUFFINGTON	
320 Temple Court	
MINNEAPOLIS, MINN.	
F. E. COVELL	
840 Lumber Exchange	
MINNEAPOLIS, MINN.	
H. E. FRYBERGER	
904 New York Life	
MINNEAPOLIS, MINN.	
GEORGE R. SMITH	
610 Boston Block	
MONTANA	
<i>Butte, Mont.</i>	
F. W. BACORN	

ATTORNEYS' DIRECTORY—Continued.

NEW JERSEY	<i>Auburn, N. Y.</i>
<i>Montclair, N. J.</i> JOHN A. HINES 483 Bloomfield Avenue	DUDLEY K. WILCOX. 109-110 Metcalf Building
<i>Newark, N. J.</i> JOSEPH KAHRIS 164 Market Street	<i>Binghamton, N. Y.</i> ALBERT S. BARNES 23 and 24 McNamara Building
NEW YORK	<i>Brooklyn, N. Y.</i>
<i>Albany, N. Y.</i> DANIEL T. CASEY 119 State Street OF CASEY & QUINN	JOHN J. KUHN 189 Montague Street (Cornell '98)
<i>Albany, N. Y.</i> JAMES NOLAN 13 N. Pearl St.	<i>Buffalo, N. Y.</i> CLINTON K. DEGROAT General Practice 118 Erie County Bank Building Issue commissions to Clinton K. DeGroat Notary Public, with Seal
<i>Buffalo, N. Y.</i> FRANK H. CLEMENT 45-6 Ellicott Square	<i>Buffalo, N. Y.</i> CHARLES A. ORR Buffalo Savings Bank Building
<i>Auburn, N. Y.</i> LOUIS E. ALLEN 131 Genesee Street	<i>Buffalo, N. Y.</i> JAMES O'MALLEY 3 and 4 Erie County Bank Building OF O'MALLEY, SMITH & O'MALLEY

ATTORNEYS' DIRECTORY—Continued.

<p><i>Buffalo, N. Y.</i></p> <p>EDWARD M. SHELDON</p> <p>614 Mutual Life Building</p> <p>Mercantile Litigation</p>	<p><i>New York City</i></p> <p>CASE & NEWKIRK</p> <p>L. BARTON CASE L. HASBROUCK NEWKIRK</p> <p>German-American Bldg</p> <p>Telephone 7965 Cortlandt</p> <hr/> <p><i>New York City</i></p> <p>J. EDWARD DOWNING</p> <p>100 Broadway</p>
<p><i>Dunkirk, N. Y.</i></p> <p>KILBURN & SIMONS</p> <p>315 Lion Street</p> <p>L. A. KILBURN A. B. SIMONS</p>	<p><i>New York City</i></p> <p>GOODALE, FILES & REESE</p> <p>71 Wall Street</p> <p>WILBUR C. GOODALE GEORGE W. FILES</p> <p>RICHMOND J. REESE</p>
<p><i>Fredonia, N. Y.</i></p> <p>CLINTON O. TARBOX</p>	<p><i>New York City</i></p> <p>CHAS. H. MOORE</p> <p>11-19 Williams Street</p>
<p><i>Ithaca, N. Y.</i></p> <p>MONROE M. SWEETLAND</p> <p>147 East State St.</p>	<p><i>New York City</i></p> <p>CHARLES F. MURPHY</p> <p>220 Broadway</p>
<p><i>New Brighton, S. I.</i></p> <p>LAWRENCE W. WIDDICOMB</p>	<p><i>New York City</i></p> <p>HENRY C. BROOKS</p> <p>76 William Street, Cor. Liberty St.</p> <p>Telephone 4178 John</p>

ATTORNEYS' DIRECTORY—Continued.

<p><i>New York City</i> WILFRED N. O'NEIL No. 115 Broadway Telephone 4328 Cortlandt</p>	<p><i>Saratoga Springs, N. Y.</i> M. E. McTYGUE 14 Town Hall</p>
<p><i>New York City</i> STERLING ST. JOHN 229 Broadway</p>	<p><i>206 Broadway, New York Stapleton, Staten Island</i> L. W. WIDDECOMB</p>
<p><i>New York City</i> MANTON M. WYVELL 31 Nassau St.</p>	<p><i>Syracuse, N. Y.</i> THOMAS W. DIXON 714 Onondaga County Bank Building</p>
<p><i>Nyack, N. Y., Rockland County</i> J. ELMER CHRISTIE</p>	<p><i>Syracuse, N. Y.</i> HARRY H. STONE 402 Kirk Building</p>
<p><i>Rochester, N. Y.</i> D. CURTIS GANO</p>	<p><i>Troy, N. Y.</i> HARRY E. CLINTON</p>
<p><i>St. Johnsville, N. Y.</i> GEORGE C. BUTLER</p>	<p><i>Trumansburg, N. Y.</i> CLINTON PAGE</p>

CAFE FRANCIS,

Nos. 53 and 55 West 35th St.,

NEW YORK

Telephone 2239 38th St.

FRENCH RESTAURANT.
TABLE D'HOTE and A'LA CARTE.**Unexcelled Service and Music.****NOTICE** SPECIAL arrangements will be made for the entertainment
and comfort of members of the Delta Chi Fraternity.

FRANCIS A. SAVOUREUX,

Proprietor.

R. A. HEGGIE & BRO.

MANUFACTURERS OF

Delta Chi Pins and Keys

We Make a Specialty of

DELTA CHI KEYS

Ithaca, N. Y.

DELTA CHI FRATERNITY
Invitations, and all kinds Engraving
Cards, ...of... and Printing

C. E. BRINKWORTH,

331 Main Street,

BUFFALO

KING & EISELE,
Buffalo, N. Y.



DELTA CHI.

Manufacturers of
Glass Pins, Medals, Etc
Estimates and Designs Furnished on Application

No Order Too Small.
No Order Too Large.

C. M. BELL PHOTO CO.,
463-465 Penn Avenue

High Grade Photographer
Washington, D. C.
SPECIAL RATES TO COLLEGE STUDENTS.

→ **THE LEGAL GLASSIG SERIES** ←

REPRINTS OF THE OLD MASTERS

Glanville Britton, Littlon's Tenures and The Mirror of Justices

Let us send you particulars.

JOHN BYRNE CO., Law Booksellers and Publishers,

WASHINGTON, D. C.

CHICAGO-KENT COLLEGE OF LAW

CHICAGO COLLEGE OF LAW
(Organized 1858)
 LAW DEPARTMENT LAKE FOREST UNIVERSITY
(1890-1901)
 KENT COLLEGE OF LAW
(Organized 1892)

ATHENAEUM BUILDING - CHICAGO.

DAY SESSIONS

are held during the morning and afternoon hours. The course of instructions is believed to be as broad and thorough as that of the best law colleges in the country.

EVENING SESSIONS

are held each week-day evening, with ten hours session each week. The course affords young men who are engaged in law offices and elsewhere during the day, an opportunity to pursue a regular course of studies under proper instruction.

The Degree of Bachelor of Laws will be conferred upon those who complete the Three Years Course to the satisfaction of the Faculty. College graduates who have a sufficient amount of credit in legal studies may be admitted to advanced standing in either course. Summer course during the month of June and July. For further information address the Secretary—

ELMER E. BARRETT, LL. B.

1009 Title and Trust Building - - Chicago, Illinois.

The Quarterly Board earnestly requests that mention be made
 of THE DELTA CHI QUARTERLY in correspond-
 ing with Advertisers.

<p>LAW CASES</p> <p>BRIEFS</p> <p>LEGAL BLANKS</p>	<p>—THE—</p> <p>KIRK PRINTING Co.</p> <p>71-73 WEST EAGLE ST.</p> <p>BUFFALO, N. Y.</p> <p>—Bell and Frontier Phones - 1048—</p>	<p>STATIONERY</p> <p>AND</p> <p>GENERAL PRINTING</p>
--	--	--

"CLIPPED" LATEST WATCH FOBS

Genuine Baggage Checked with any name
of School and Class Year, 50c. : : : :

S. N. MEYER, 1231 Pa. Ave., N. W., WASHINGTON, D. G.

LAWYER'S COMMON PLACE AND BRIEF BOOK,

WITH AN ALPHABETICAL INDEX OF NEARLY

ONE THOUSAND TITLES AND SUBJECTS.

BY A MEMBER OF THE NEW YORK CITY BAR.

The plan of this work grew out of the author's own wants, and his experience in using other common-place books. Its practical utility has been tested by his own experience. The usefulness of some sort of a common-place book is recommended by every practicing attorney including Fulbec, Roger North, Lord Hale, Phillips and Locke. Lord North says, "Common-placing is so necessary that without a wonderful, I might say miraculous fecundity of memory, three parts of reading in four will be utterly lost to one who useth it not." That distinguished and accomplished scholar, William Wirt, remarks, "Old fashioned economists will tell you never to pass an old nail or an old horse-shoe, or buckle, or even a pin, without taking it up, because although you may not want it now, you will find use for it sometime or other." This principle is especially true with regard to legal knowledge. The author, in his legal study and practice, has endeavored to seize upon all that is fairly within his reach, and, by tediousness, drudgery, and wearisomeness (the only way to know law), to place a fund of valuable legal knowledge at his ready command. The plan of this work will be found sufficiently general and systematic. It is best to index according to subjects, selecting that word which conveys the best idea of the subject or decision. The margin on the left hand of each page is ruled wide enough to give room for the word or subject.

Printed on fine quality of linen ledger paper. Bound leather back and corners, marbled paper sides. Size, 8x9, 300 pages, \$3.00.

SIZE 8x9, 1000 PAGES, BOUND FULL LEATHER, RUSSIA ENDS AND BANDS, \$5.00.

EXPRESS PAID.

WILLIAMSON LAW BOOK CO.,

Established 1870.

ROCHESTER, N. Y.

Send for our Catalogue of Second-hand Law Books

The Quarterly Board earnestly requests that mention be made
of THE DELTA CHI QUARTERLY in correspond-
ing with advertisers.

FRATERNITY PINS.

**EDMUND G. HINES, Watches and Diamonds,
921 F Street, N. W. WASHINGTON, D. C.**

New Hotel Kenmore
ALBANY, NEW YORK

Strictly First Class. European Plan. Convenient to Theatres, Public Buildings, Etc. Prof. Strauss's Orchestra a feature. Cuisine Unsurpassed. . . .

*Albany Headquarters for
Delta Chi Fraternity*

R. P. MURPHY, Proprietor

LAW PRINTING

We make Law Printing our Specialty, and do not allow catalogue or job work to interfere with the Efficient and Prompt dispatch of all our Law Work

Law Printing and Quick Printing are Synonymous Terms

Abstracts, briefs, trust deeds, records and leases our Specialty. Business outside of Chicago will receive prompt attention.

Barnard & Miller, Law Printers
Nos. 44 and 46 LaSalle Street, CHICAGO, ILL.
TELEPHONE MAIN 904; HOUSE 1053 AUSTIN

Commencement Invitations and Programs. College Fraternity Note Paper.

We have unexcelled facilities for the proper execution of Calling Cards, Ceremonial Invitations and Announcements, Heraldic and Monogram Dies for Correspondence Papers, Book-Plates, etc. We carry the

Leading Lines of Crane's and Hurd's Papers---Also Cheaper Grades

of Papers for Every Day Use
Write for Quotations and Information

THE WHITE-EVANS-PENFOLD CO.,

302-304 Main Street,

in Palmer's.

BUFFALO, N. Y.

The Quarterly Board earnestly requests that mention be made of THE DELTA CHI QUARTERLY in corresponding with Advertisers.

Δ Delta Chi Fraternity Pins **MADE** in excellent manner and in proper size and shape. Direct from the manufacturer to wearer at following prices: Solid gold, plain, \$3.00; stones, close set, \$5.00, crown set, \$10.00. Any stones, except diamonds are furnished for these prices. We make anything in class, club, society or college pins that are desired. Send for free catalogue showing hundreds of designs. Special designs will be made from your suggestions free of charge. **BASTIAN BROS.,** K 21 South Ave., Rochester, N. Y.



Judges' and Counselors' Gowns
Cottrell & Leonard

Albany, N. Y.

CAPS AND GOWNS
 Bulletin, Samples, Etc. Upon Request

THE CHAS. H. ELLIOTT CO.

THE LARGEST COLLEGE ENGRAVING HOUSE IN THE WORLD

Works: 17th Street and Lehigh Avenue, PHILADELPHIA, PA.

Commencement Invitations and Class Day Programs

Dance Programs and Invitations, Menus, Class and Fraternity Inserts for Annuals, Class Pins and Medals. (Write for Catalogue.)

MAKERS OF SUPERIOR HALF-TONES

ALBERT LAWTENSLAGER

DIAMOND SETTER

MANUFACTURING JEWELER

DELTA CHI FRATERNITY PINS

Opposite Kenmore Hotel
 (Up Stairs)

No. 71 N. Pearl St., Albany, N. Y.

**LEVI MOORE
 PORTRAITS**

15 North Pearl Street, Albany, N. Y.

Photographs, Ivory Miniatures, Class
 Groups. Special Rates to Students

NEW YORK UNIVERSITY LAW SCHOOL

UNIVERSITY BUILDING WASHINGTON SQUARE

Day Session 3:30 to 6 P. M.

Evening Session 8 to 10 P. M.

Grants Degree L. L. B., L. L. M. and J. D.

Candidates for the degree of Bachelor of Laws are required to pursue courses which amount to twenty-five (25) hours of lectures weekly. These may be completed in two years with twelve and one-half hours work per week for each year. If the work is taken entirely in the evening, thirty (30) hours weekly are required, distributing over three years with ten hours per week. A choice of forty courses covering seventy hours of work is open to applicants for higher degrees of Master of Laws and Juris Doctor. The law library contains over 17,000 volumes.

TUITION \$100 PER YEAR

For Circulars Address,

L. J. TOMPKINS, Registrar,

Washington Square, New York City

MODERN ELOQUENCE



THOMAS B. REED
Editor-in-Chief

FOR the first time the best After-dinner Speeches, Lectures, Addresses, Anecdote, Reminiscence, and Repartee of America's and England's most brilliant men have been selected, edited, arranged, by an editorial board of men—themselves master of word and pen—who have attained eminence in varied fields of activity.

These gems of spoken thought have been fugitive, from lack of proper preservative means, until the Hon. Thomas B. Reed, upon voluntarily retiring from the Speakership of the House of Representatives, gathered about him men of prominence, experienced in literature—friends and co-workers in other fields—and began the task of gathering and arranging material for this great work.

North, East, South and West, and the Mother Country as well, have been searched for gems in every field of eloquence.

Here was a lecture that had wrought upon the very souls of great audiences; there an after-dinner speech which, "between the lines" was freighted with the destinies of nations. Here was a eulogy expressing in few but virile words the love, the honor, and the tears of millions; there an address pregnant with force—itsself the fruit of a strenuous life's work. Or, perchance, a happy reminiscence, keen, scintillant repartee, or a story potent in significance and aflame with human interest. Matter there was in abundance, for the English-speaking people are eloquent, but *the*

selection of the best—only the best, only the great, the brilliant, the worthy to endure— has been the guiding rule of Mr. Reed, and his colleagues. Their editorial labors have been immense.

Whatever the viewpoint, this work is without precedent or parallel. It has no predecessor, no competitor. Speeches that have been flashed across continents, lectures (until now unpublished) that have been delivered again and again to ever-appreciative audiences, addresses that have made famous the man, the time and the place—all these are brought together for the first time, and with them a large number of the wittiest sayings of the wittiest men of the Nineteenth Century. And all this wealth of material selected and carefully edited for the charming Library, "MODERN ELOQUENCE."

For an hour—for an evening in the easy chair at home—for the study of style and diction that have electrified brilliant assemblies—for the man ambitious to become a successful or popular public speaker, and for the one who has to prepare a toast or an address—this work is a never-failing source of entertainment and inspiration.

Nor is this solely a man's work. "The tenderest tribute to woman I have ever read," said Senator Dolliver, when he had read the manuscript of Joseph Choate's after-dinner speech—"The Pilgrim Mothers."

MODERN ELOQUENCE is published in 10 sumptuous Octavo Volumes, yet is moderately priced. To properly present this unique library, a beautiful Portfolio containing Table of Contents, fine Photogravures, Chromatic Plates, Sample Pages and other interesting material, has been prepared. This Portfolio, and full particulars regarding bindings, prices, terms etc., will be mailed you postpaid.

SEND COUPON.

JOHN D. MORRIS & CO.
PUBLISHERS
PHILADELPHIA

Fold Here—Tear off—Mail Now
SPECIAL PROPOSAL
We will send, free of charge, postpaid, a fine Portfolio containing Photogravures of Famous Men, Colored Plate reproductions of "Religion, or 'Labor,'" and 80 Specimen Pages of brilliant After-Dinner Speeches, Lectures, and Repartee, your name and address plainly. (A—380) Write Name..... City and State..... We will submit with this a Special Proposition
John D. Morris & Co.
Philadelphia

-

!

!

CONTENTS

	PAGE
Delta Chi Chapter Roll.....	2
Fraternity Officers.....	3
Chapter Officers.....	4
The Northern Securities Case.....	5
Federal Control of Insurance.....	13
University of Pennsylvania Installation	17
New York Alumni Chapter.....	20
Editorials.....	23
Among the Greeks.....	27
Chapter Correspondence.....	30
News of the Alumni.....	37
Irrelevant and Immaterial.....	44

The . . .
**Delta Chi
Quarterly**

JAMES O'MALLEY,

Editor-in-Chief

Erie County Bank Building,
Buffalo, N. Y.

MANTON M. WYVELL,

Business Manager,

No. 350 Broadway
NEW YORK CITY

THE Delta Chi Quarterly is the official organ of the Delta Chi Fraternity, established by the Eighth Annual Convention, Chicago, Ill., July 11, 1902. Published in January, April, July and October of each year. Subscription price \$1.00 per year, payable in advance. Single copies twenty-five cents. Cards of Fraternity members will be carried in the Professional Directory, at the rate of \$1.00 per year. Other advertising rates furnished upon application. Subscriptions and remittances should be sent to the Business Manager.

Articles on legal topics and contributions of general interest to the Fraternity, are solicited from all members.

DELTA CHI CHAPTER ROLL

ACTIVE CHAPTERS

Established.

Cornell University	1890
New York University	1891
Albany Law School	(Withdrawn 1893) 1892
University of Minnesota	1892
De Pauw University.....	(Withdrawn 1896) 1892
University of Michigan	1892
Dickinson University	1893
Northwestern University	1893
Chicago-Kent Law School	1894
University of Buffalo	1897
Osgoode Hall of Toronto	1897
Syracuse University	1899
Union College	1901
University of West Virginia	1902
Ohio State University	1902
New York Law School	1902
University of Chicago.....	1903
Georgetown University	1903
University of Pennsylvania	1904

ALUMNI CHAPTERS

Chicago Chapter	1902
New York City Chapter	1903

FRATERNITY OFFICERS

HONORARY

President

HON. WM. HORNBLLOWER, OF NEW YORK CITY.

Vice President.

PROFESSOR ERNEST W. HUFFCUT, OF ITHACA.

Second Vice-President.

HON. MARSHALL D. EWELL, OF CHICAGO.

Orator.

HON. DANIEL W. BAKER, OF WASHINGTON, D. C.

Poet.

FRED'K. C. WOODWARD, OF CHICAGO.

ACTIVE

President: EDWARD C. NETTELS: Des Moines, Iowa.

Secretary: FLOYD L. CARLISLE, Watertown, N. Y.

Treasurer: RUFUS G. SHIRLEY, 1133 Broadway, New York City.

BOARD OF MANAGERS

HARRY H. BARNUM, 1139 First National Bank Bldg., Chicago, Ill.

WILLIAM W. BRIDE, 129-131 B. St., S. E., Washington, D. C.

FLOYD L. CARLISLE, 8 Stone St., Watertown, N. Y.

OTIS S. CARROLL, 54 Wall St., New York City.

FREDERICK DICKINSON, 12 Snell Hall, University of Chicago.

EDWARD K. FREEMAN, 5 Nassau St., New York City.

HUGH R. FULLERTON, Havana, Ill.

LEROY T. HARKNESS, 26 Liberty St., New York City.

A. FRANK JOHN, Mt. Carmel, Pa.

JOHN J. KUHN, 189 Montague St., Brooklyn, N. Y.

JAMES O'MALLEY, Erie County Savings Bank, Buffalo, N. Y.

H. NORMAN SMITH, Delta Chi House, Ann Arbor, Mich.

RUSSELL WILES, 740 Monadnock Bldg., Chicago, Ill.

CHAPTER "C'S."

CORNELL UNIVERSITY

Earl H. Kelsey.....North Tonawanda, N. Y.

NEW YORK UNIVERSITY

Chester H. Lane.....64 West 10th Street, New York City.

UNIVERSITY OF MINNESOTA

Denny P. Lemen....302 Second Street Avenue, Minneapolis, Minn.

UNIVERSITY OF MICHIGAN

Frank I. Holmes.....Alpena, Mich.

DICKINSON UNIVERSITY

Herbert F. Laub.....Nazareth, Pa.

NORTHWESTERN UNIVERSITY

Max Murdock.....518 Church Street, Evanston, Ill.

CHICAGO-KENT SCHOOL OF LAW

Roland J. Hamilton.....463 The Rookery, Chicago, Ill.

UNIVERSITY OF BUFFALO

Charles W. Knappenberg.....112 Triangle Street, Buffalo, N. Y.

OSGOODE HALL

M. G. Hunt.....17 Grange Avenue, Toronto, Can.

SYRACUSE UNIVERSITY

Harry B. Orchard.....Sacketts Harbor, N. Y.

UNION COLLEGE

Joseph H. Vanderlyn.....New Platz, N. Y.

UNIVERSITY OF WEST VIRGINIA

Harry G. Scherr.....Charleston, West Va.

OHIO STATE UNIVERSITY

Gilbert Fuller.....Portsmouth, Ohio.

NEW YORK LAW SCHOOL

George E. Leonard.....425 West End Avenue, New York City.

UNIVERSITY OF CHICAGO

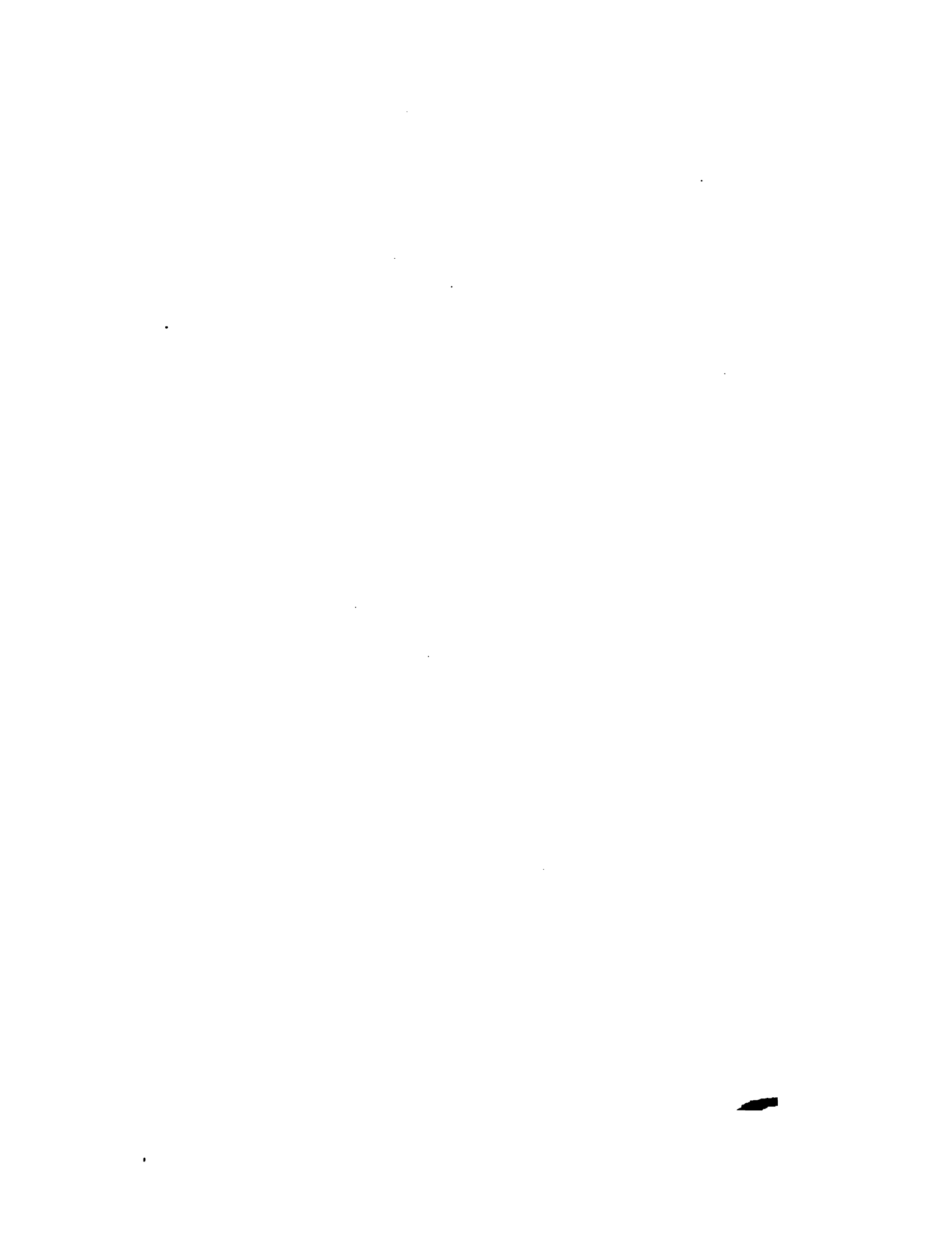
David Hurlburt.....Hartsgrove, Ohio.

GEORGETOWN UNIVERSITY LAW SCHOOL

William W. Bride.....131 B. Street, S.E., Washington, D. C.

UNIVERSITY OF PENNSYLVANIA

John M. Hutchinson.....800 N. 41st Street, Philadelphia, Pa.





ERNEST W. HUFFCUT
Dean of Cornell University College of Law

DELTA CHI QUARTERLY

Vol. II

JULY, 1904

No. 3

THE NORTHERN SECURITIES CASE

By Ernest W. Huffcut

Dean of Cornell University College of Law.

The Constitution of the United States confers upon Congress the power "to regulate commerce with foreign nations and among the several States." The judicial construction of this clause begins in the great case of *Gibbons v. Ogden*,* decided by the Supreme Court in an opinion by Chief Justice Marshall in 1824. It held that an exclusive grant by the State of New York to Robert Fulton and Robert Livingston to navigate the waters of the State with boats propelled by steam was invalid as against the laws of the United States regulating the coasting trade in the interests of free competition. Exactly eighty years later the Supreme Court is called upon to decide in the Northern Securities case whether the charter granted by New Jersey to one of its corporations can stand in the way of the enforcement of an act of Congress prohibiting combinations in restraint of interstate commerce. Between these two epochal decisions are numerous pronouncements of that court upon this far-reaching question of the relative powers of the States and of the United States in matters pertaining to trade and transportation.

Under the clause conferring upon Congress the power to regulate interstate commerce that body in 1890 passed the so-called Sherman Anti-Trust Act of which the chief provisions are these: (1) "Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States or with foreign nations, is hereby declared to be illegal" (and a misdemeanor); (2) "Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a misdemeanor." This legislation, while making the prohibited acts criminal and fixing criminal penalties, derives its chief operative force from the provision investing the United States Circuit Courts with jurisdiction to enjoin violations of the statute at the suit of the law officers of the government. It also gives a private action for damages to any person injured by reason of such combinations.

The Northern Securities case is the eighth case decided by the

* 9 Wheat 1.

Supreme Court under this act. Of these, seven have been brought by the government to enjoin violations of the act, and one was brought by a private individual for damages. Of the eight, three* have been dismissed either on the ground that there was no restraint of trade involved, or that the trade restrained was not interstate commerce, and five have been sustained on the ground that in each there was a combination in restraint of interstate commerce. In two* of the five the defendants were combinations of private dealers and in three† they were combinations of railways.

This is, therefore, the third case of railway combinations held to be illegal. The widespread importance attached to this decision is due in part to the magnitude of the financial interests involved, in part to the magnitude of the public interests involved, but chiefly to the novelty of the form of combination adopted to evade the application of prior decisions, and to the bearings of the decision that this device is also illegal upon the future of corporate combinations and the power of Congress to control them. In the last aspect the case would be equally important if it affected ten miles of railways connecting two small towns separated by a State line, instead of upwards of ten thousand miles connecting the Mississippi and the Great Lakes with the Pacific.

In all these cases heretofore upholding and applying the Act there has been a combination of several independent corporations in the form of a joint committee vested with power to make uniform rules and rates and eliminate competition. In two of these cases involving private dealers the court was unanimous. In the two involving a combination of railways the court stood five to four and five to three (one Justice taking no part). The five Justices who concurred are still upon the bench, but of the dissenting Justices only Mr. Justice White is still sitting. Three Justices are now upon the bench who had no part in those decisions.

Had this case been like the prior railway cases there could have been no reasonable doubt of the result; but here was no joint committee for the regulation of traffic rates, nor, indeed, any agreement whatever concerning rates or the details of management. A new device was employed to accomplish the same end more effectually, and, as was no doubt supposed, legally. It was the device of the merger of stockholders' interests into a common holding corporation.

The Northern Pacific railway chartered by Wisconsin, and the

* *United States v. E. C. Knight Co.*, 156 U. S. 1; *Hopkins v. United States*, 171 U. S. 578; *Anderson v. United States*, 171 U. S. 604.

† *Addystone Pipe and Steel Co. v. United States*, 175 U. S. 211; *Montague v. Lowry*, 24 S. C. R. 307.

†† *United States v. Trans-Missouri Freight Ass'n.*, 166 U. S. 290; *United States v. Joint Traffic Ass'n.*, 171 U. S. 505; *Northern Securities Company v. United States*, 24 S. C. R. 436.

Great Northern railway, chartered by Minnesota, extend from St. Paul and Duluth to Seattle and Portland. Each has about 4,500 miles of road. Together they obtained joint control of the Chicago, Burlington and Quincy railway with about 8,000 miles of road, giving them connection with Chicago, St. Louis, Denver and other points. The Union Pacific interests demanded to be let into joint control of the Burlington. Upon a refusal there followed the famous "raid" in April, 1901, upon the Northern Pacific stock, by getting control of the majority of which the Union Pacific interests would secure joint control of the Burlington. The "raid" failed, but it alarmed the Northern Pacific and the Great Northern interests, led by Mr. Morgan and Mr. Hill respectively, and the plan was conceived of making a single corporation the holder of the majority of the stock in each road, thus securing "permanency of management."

The Northern Securities Company was chartered by New Jersey and was organized by Mr. Morgan, Mr. Hill, and other stockholders in the two railways. It was capitalized at \$400,000,000 with \$30,000 paid in. It was authorized by its charter to acquire and hold the stock of other corporations. It did acquire 96 per cent. of the Northern Pacific stock and 76 per cent. of the Great Northern stock, and exchanged its own stock therefor, valuing Northern Pacific at \$115 a share and Great Northern at \$180 a share. Its \$400,000,000 capital stock would just equal the \$278,000,000 of the two railways at this rate. It became the majority stockholder in each road, and could, of course, elect the directors in each and control both. As it collected dividends from both, there could be little, if any, difference to it which did the larger business. Competition between them was effectually suppressed.

The government filed a bill to enjoin this merger. The Circuit Court (four judges concurring) enjoined the Securities Company from voting the stock and the railways from paying dividends to the company. The defendants appealed to the Supreme Court, which affirmed the decree by a vote of five to four.

The problem was whether the facts disclosed a combination in restraint of interstate commerce within the meaning of the Anti-Trust Act as construed by prior decisions. Upon this there are two main points of difference between the majority and the minority.

First, the majority contend that to suppress competition is to restrain trade; that in the Anti-Trust Act Congress has prescribed the rule of free competition among those engaged in interstate commerce. The minority contend that this is not the test or rule by which to determine whether there is a restraint of trade, but the test is whether any stranger to the contractor's business, or to a combination, is restrained from competition by the contract or combination.

Second, the majority contend that the turning point of this case is that there was a combination of stockholders in two competing interstate railways to suppress competition through the agency of a common corporate trustee designated to act for both companies to that end. The minority contend that the only issue is whether Congress has power to prohibit a State corporation from acquiring and owning stock in two competing interstate railways.

A third point of difference embodied in the concurring opinion of Justice Brewer is whether the Anti-Trust Act prohibits all restraints or only unreasonable restraints. But this is not a turning point in this case because he holds the restraint in question to be unreasonable.

Mr. Justice Harlan, with whom concur Justices Brown, McKenna, Day, and (with one reservation) Brewer, wrote the prevailing opinion. His thesis is: "Congress has power to establish rules by which interstate and international commerce shall be governed, and, by the Anti-Trust Act, has prescribed the rule of free competition among those engaged in such commerce. Every combination or conspiracy which would extinguish competition between otherwise competing railroads engaged in interstate commerce is made illegal by the act." He sees in the facts of this case a combination of the stockholders of the two railways to restrain interstate commerce through the agency of a common corporate trustee designated to act for both in repressing free competition between them. The acquisition of the stock by the Securities Company is a mere incident of the transaction. It is no invasion of State rights to enjoin this State corporation from acquiring stock, or from exercising the rights of an owner of it. State corporations can no more violate a valid act of Congress by becoming a party to a combination to restrain interstate commerce than can an individual, nor can a State confer upon it any authority to do so. Here is a combination to destroy free competition between two interstate carriers; and to restrain competition is to restrain commerce. Hence there is a clear violation of the Anti-Trust Act.

The minority take issue on two points. First, is it necessarily a restraint of trade to destroy competition? Second, is the true issue whether there is a combination of the character described, or is it whether Congress has power to forbid a State corporation to acquire and own stock in other State corporations even though the latter are engaged in interstate commerce.

Mr. Justice Holmes writes upon the first point, and Justices White, Fuller and Peckham concur with him. His argument is the most technical of all. It amounts to this. A contract in restraint of trade is one in favor of A which restrains a stranger to A's business. This was the sort of a contract condemned in the prior railway cases. Railway A restrained railway B in the matter

of rates, and B was a stranger to A's business. In like manner B restrained A, which was a stranger to B's business. A combination in restraint of trade is one which restrains a stranger to the combination. (This was perhaps the combination condemned in the suit by a private person who was injured because the combination prevented him from carrying on a like business). In this case the railways by the merger restrained no one else from doing a like interstate carrying business. Therefore there was no restraint of trade in this case.

Mr. Justice White (Justice Holmes, Fuller and Peckham concurring) writes upon the second point. He contends that the true issue is whether Congress has power to forbid a State corporation authorized by its charter to do so from purchasing stock in interstate railways also chartered by States. Upon this issue he has no difficulty in finding for the defendants. The acquisition and ownership of stock is not commerce—much less interstate commerce—and therefore Congress has no power to control or regulate it. To exercise such a power would be to invade the rights of the States.

The minority see only the ownership of the stock as the issue in the case. The majority see the combination of the stockholders as the issue and the ownership of the stock as a mere incident in carrying out the purpose of the combination. The minority say a State corporation authorized by its charter to acquire stock in other corporations may lawfully purchase such stock from any person authorized to sell it. The majority say the sellers may not combine to create such a corporation and transfer to it their stock as a means of restraining interstate commerce.

Upon one point Mr. Justice Brewer made a reservation, although agreeing with the majority in all matters necessary to this decision. He holds that not every contract in restraint of interstate commerce is prohibited, but only such as are unreasonable. Such restraints by contract as would be valid at common law may still be allowed under the Anti-Trust Act. The importance of this reservation has been much exaggerated by the comments of the press. He refers only to "minor contract in partial restraint of trade." One might instance a partnership between individuals, or a sale by A to B of a business with a covenant that A would not engage in the same business within a reasonable competitive area. These have always been held valid at the common law. Even if held valid under the Anti-Trust Act they would not probably impair the usefulness of that statute. Mr. Justice Brewer also states that in his opinion the Anti-Trust Act does not abridge the freedom of an individual to invest in or own property, and that Mr. Hill, if already owner of the majority of the stock in the Great Northern, might also purchase a majority of the stock in the Northern Pacific. But "a corporation, while by fiction of law recog-

nized for some purposes as a person, and for purposes of jurisdiction as a citizen, is not endowed with the inalienable rights of a natural person." This reservation is not likely to impair the usefulness of the act any more than the other. Indeed, I do not understand that Mr. Justice Harlan combats it. A natural person may indeed come to be the majority stockholder in two companies, but he is not likely to remain so. Death at least is certain and this may scatter his stock into different hands. But a corporation like the Securities Company with a perpetual charter might become and remain forever the majority stockholder in competing railways or other corporate enterprises if there was no power anywhere to prevent it. This distinction between the rights of an individual and the rights of a corporation is vital in considering the power of Congress over interstate commerce. It has as yet received only casual judicial attention. But if Congress should determine to prescribe the conditions upon which all corporations may engage in interstate commerce (as some States now prescribe the conditions upon which corporations may engage in domestic or in other kinds of business) the Federal Courts would doubtless be called upon to consider carefully the distinction between the rights of individuals and the rights of corporations. It is believed that in this power to impose conditions upon corporations engaged in interstate commerce, is to be found even a more effective means of control than that embodied in the Anti-Trust Act.

The bearings of this important decision upon the future of corporate consolidation are not altogether certain. The trust has already been proscribed. The holding company is now declared to be illegal when used as a mere cover for combinations in restraint of interstate commerce. Two questions, however, naturally arise in considering the future bearings of the case.

First, suppose the Securities Company had already been in existence with the power to acquire and hold stock in other corporations. Suppose that without any combination with the stockholders of the railways it had purchased the stock of each railway in the open market until it acquired in each the position of majority stockholder. Is there anything in the Anti-Trust Act to enable the government to enjoin the holding corporation from exercising the rights of a stockholder and thus effectually suppressing competition between the two roads? It is certainly difficult to see in such a transaction any combination whatever, although one might find in it an attempt to monopolize under Section 2 of the Act. But this is far from saying that Congress might not by other and different legislation reach the evil to interstate commerce that would thus result. Under its power to regulate interstate commerce Congress might, without infringing on any of the reserved rights of the States, legislate so as to prevent two interstate carriers from pass-

ing into the control of any single corporation by any device whatever.

Second, suppose with the consent of the States that chartered them two competing interstate carriers should consolidate into one corporation? That problem was broached in the opinions, but was of course not decided. This is now probably the largest problem left still undecided under the power of Congress to regulate interstate commerce. But it is almost certain to call for decision, since consolidation now remains about the only practical device to eliminate competition. Whether the Anti-Trust Act would reach this is uncertain. There would be a combination, and it would restrain interstate commerce, and it is not impossible that the Court might reach the same conclusion that has been reached in the Securities Case. If, however, the legislation now in force is not sufficient to prevent such a consolidation, Congress by other legislation might constitutionally prevent it.

The Anti-Trust Act has proved a far more powerful obstacle to combinations in restraint of interstate commerce than any one supposed it would at the time of its enactment or for many years after. It is, however, only one means to an end. The ablest business and legal minds of the day have sought to devise a combination which should escape its provisions, and have failed. Other acts directed to other forms of restraint may be necessary to supplement this wholesome statute. But in the end it seems certain that the national government has ample power to prescribe the rules that shall govern the trade and commerce among the States and with foreign nations

The judicial conflict, dating from the time of Marshall, between that construction of the Constitution which leans toward the assuring of the powers of the national government and that which leans towards the jealous guarding of the rights and powers of the States, is reflected in this decision. The conflict seems to be the inevitable outcome of differences in political philosophy, for a constitutional construction upon this point comes dangerously near to the line which divides the functions of the judge from those of the statesman, and is in fact a kind of judicial statesmanship. In such a situation it is practically impossible for the judge to divorce himself from life-long habits of thought upon the very matters presented for determination. In this case the majority of the Supreme Court still speak the language of Marshall and still give effect to his doctrine of ample national powers. What he said in concluding his opinion in the great case of *Gibbons v. Ogden* might have been adopted by Mr. Justice Harlan as expressive of the attitude of the majority in the great case of the Northern Securities Company:

"Powerful and ingenious minds, taking as postulates that the powers expressly granted to the government of the Union, are to

be contracted by construction into the narrowest possible compass, and that the original powers of the States are retained, if any possible construction will retain them, may, by a course of well-digested but refined and metaphysical reasoning, founded on these premises, explain away the Constitution of our country, and leave it a magnificent structure, indeed, to look at, but totally unfit for use. They may so entangle and perplex the understanding as to obscure principles which were before thought quite plain, and induce doubts where, if the mind were to pursue its own course, none would be perceived. In such a case it is peculiarly necessary to recur to safe and fundamental principles, to sustain those principles, and, when sustained, to make them the tests of the arguments to be examined."

[NOTE.—A learned correspondent calls the author's attention to the fact that the same conclusion reached in the Supreme Court of the United States under the Anti-Trust Act would have been reached if the case had been brought in the New Jersey Court of Chancery without reference to any Federal statute. A New Jersey charter cannot be used lawfully to defeat the policy of another State as declared in its legislation or its decisions. The legislation of Minnesota forbids a railroad chartered by that State to consolidate with any competing railroad. The Northern Securities Company charter was used to evade or defeat the policy of that State in this respect. Under the decision of the New Jersey Court of Errors and Appeals in the case of *Coler v. Tacoma Ry. & Power Co.* (54 Atlantic Reporter 413), this would be enjoined by the New Jersey Court. In that case a New Jersey corporation was enjoined from transferring its stock to a Washington corporation on the ground that the policy of the State of Washington forbade one corporation from holding or voting the stock of another.]

FEDERAL CONTROL OF INSURANCE

By Professor Edwin Maxey

Of the University of West Virginia

Before advocating a change in the respective spheres of State and National activities it is fitting that we ask ourselves the questions: Is there cause for action? Is the proposed change constitutional? Is it expedient? If the first is answered in the negative, the inquiry should properly end at that point. If it is answered in the affirmative and the second in the negative, we are forced to halt until we have determined whether or not the change is of sufficient importance to warrant amending the Constitution. If the first and second are answered in the affirmative, the way is then open for a discussion of the third, which must be also answered in the affirmative before a change can be consistently advocated.

If practically all the business done by insurance corporations were done in the state of their creation, the States could exercise an effective regulation. But what are the facts? The leading insurance companies do from 70 to 97 per cent. of their business outside of their own state. True, they are required to take out licenses in states in which they are doing business as a foreign corporation. But such licenses do not give sufficient power over the foreign corporation to enable a state to regulate it effectively. The present decentralized method of control by forty-five distinct agencies is well calculated to, and as a matter of fact does, breed wild-cat companies. For, while some States will go to extremes in the harshness of their requirements, there always have been, and in all human probability, always will be others that will bid against each other for the honor of becoming the home of corporations. This rivalry has made it very easy for insurance companies, whose capital exists practically on paper, to acquire "a local habitation" with a view to doing business in other states. Nothing is easier for a politician temporarily "out of a job" than to organize and launch a mutual insurance company and later on fill the hearts of its policy holders with mutual regrets.

A good example of this is the Citizens Insurance Company of Chicago whose advertisement could be found in every state, except Illinois, but its assets nowhere. It advertised itself as having \$150,000 assets and no liabilities; but from the several hundred suits by policy holders it appears that owing to some clerical error, or otherwise, the above figures were placed in the wrong columns. Ten years ago Mr. George B. Luper, who was in a position to know what he was talking about, characterized the situation as follows: "The facility with which a few people, having nothing better to do, can organize a mutual company, is a positive danger." This criticism of conditions applies equally well to-day.

In a recent report the Insurance Commissioner of Massachu-

setts says that "over fifty of the insurance organizations of this State have no other reason for existing than to afford some one an excuse for drawing a salary." This suggests Anderson's paraphrase on Horace Greeley: "Young man, if you have nothing better to do, organize a mutual insurance company, adopt a popular name and motto; you will be sure to have followers, and it will afford you an excuse for drawing a salary—for awhile."

The condition of affairs is, therefore, such as to lead reasonable men to conclude that there is cause for action. We have next to inquire whether or not the change from State to Federal regulation would be constitutional.

Without resorting to the general welfare clause, which should be used rather sparingly, it seems to me that there is ample constitutional authority for Federal regulation of the insurance business. This authority is to be found in the clause giving Congress the right to regulate "commerce among the several States." The small fraction of business done by local companies would not come within this provision, but as the share of the business done by such companies is constantly becoming relatively less, we should not make of it the controlling factor. We ought not to insist that "the tail should wag the dog."

I am aware that the United States Supreme Court has decided in the case of *Paul v. Virginia*, 8 Wallace, 168, that insurance is not commerce. But that case was decided thirty-six years ago and in the meantime there has come, together with the growth of commerce in every direction, a widened conception of what constitutes commerce. Nowhere is this more evident than in the decision of the Supreme Court itself. For in the case of *Champion v. Ames*, 188 U. S., 321, it decided that the carrying of lottery tickets from one state to another is commerce among the States. In the light of this decision the position taken by the court in the case of *Paul vs. Virginia* becomes untenable.

As stated by Justice Field, who delivered the opinion of the court, the position taken was this: "The policies are simple contracts of indemnity against loss by fire entered into between the corporations and the assured, for a consideration paid by the latter. These contracts are not articles of commerce in any proper meaning of the word. They are not subjects of trade and barter offered in the market as something having an existence and value independent of the parties to them. They are not commodities to be shipped or forwarded from one state to another, and then put up for sale. They are like other personal contracts between parties which are completed by their signature and the transfer of the consideration. Such contracts are not inter-state transactions though the parties may be domiciled in different states. The policies do not take effect—are not executed contracts—until delivered by the agent in Virginia. They are, then, local transactions and are gov-

erned by the local law. They do not constitute a part of the commerce between the States any more than a contract for the purchase and sale of goods in Virginia by a citizen of New York whilst in Virginia would constitute a portion of such commerce."

It is, however, impossible to make other decisions of the Supreme Court conform to the above tests. For instance, it was decided in the Passenger Cases, 7 Howard, 283, that the carrying of passengers from one state to another is commerce between the States and as such, subject to Federal regulations. Now, certainly passengers are not "subjects of trade and barter," neither are they "put up for sale." Telegraph messages are not subjects of barter or sale and yet it was decided in the Pensacola Tel. Co. v. Western Union Tel. Co., 96 U. S., 1, Justice Field dissenting, that communication by telegraph was so indispensable to commerce as to make it a proper subject of Federal regulation under the commercial clause. But is it much more indispensable to business transactions than is insurance? The difference is one of degree rather than one of kind. While commerce could be, and as a matter of fact has been carried on without either, both are useful *adjuncts* to commerce, and the same reasoning which brings one within the sphere of Federal regulation of commerce brings the other.

It is exceedingly difficult to see how an insurance policy is not a "commodity to be shipped or forwarded from one state to another," in as true a sense as is a lottery ticket, a bill of lading or a telegraph message. Yet, each of these are subjects of commerce, the first and last declared so to be in cases already cited and the second in the case of Woodruff v. Parkham, 8 Wallace, 123. A commodity is not necessarily freight; it is a utility, an economic good.

Whatever may have been the case at the time when Justice Field handed down his opinion, it is not true at the present time that insurance policies "do not take effect—are not executed contracts—until delivered by the agent." Many companies now provide that their policies shall take effect on the day the application is written; while others consider them in force from the time the policy is signed by the policy writer at the home office. Some companies do a large business by telephone and make their policies take effect from the date of the telephone order.

If such contracts are not inter-state transactions when the parties thereto are domiciled in different states, what are they? Certainly the business of bringing them about is business intercourse, and business intercourse is commerce (Gibbons v. Ogden, 9 Wheat., 1). Practically every man who thinks of the insurance business as it exists today, thinks of it as one form of commercial activity, thinks of its relation as commercial relations. This is true of the purist as well as the business man, unless, perchance, the former has read Paul v. Virginia.

The opinion in this case is at variance with the facts when it says that insurance contracts "are not subjects of trade and barter offered in the market as something having an existence and value independent of the parties to them." The fact is that they are now to a very considerable extent, subjects of trade and barter; they are forwarded from one state to another and sold or assigned just as any other commodities having values convertible into hard cash, and this, too, independent of the parties originally concerned.

Given the insurance business as it exists to-day, and the trend of decisions in the Supreme Court and there seems to be little room for doubt but that a law of Congress regulating insurance companies in so far as they were doing an inter-state business would be held constitutional.

As to expediency, the case is too plain to admit of any lengthy argument. The same reasons which lead to Federal regulation of other forms of commerce between the States hold with reference to this form. A patchwork of laws made up of the regulations adopted by forty-five different states could not be expected to work smoothly or well. Such lack of harmony is a fruitful source of disputes and an impediment to the healthy growth of commercial relations, just as similar relations with reference to all commerce were previous to the adoption of the Constitution. It is unfortunate that the change should have been delayed thus long—a delay due to the fact that Justice Field with his narrow views of commerce should have been permitted to dominate the Court in *Paul v. Virginia* instead of being overruled as he was in *Pensacola Tel. Co v. Western Union Tel. Co.*

UNIVERSITY OF PENNSYLVANIA INSTALLATION

By William W. Bride.

After having gone through that period of probation and those series of investigations to which all petitioners to Delta Chi must conform, the University of Pennsylvania came forth with colors flying and the petition was granted. The whole affair from the presentation of a petition to the culmination on May 21st, bespeaks great praise for the members of Delta Chi living in and near Philadelphia, and, if one can be picked out from all the rest of those who worked hard to bring the affair to its present status, the name of William Henry Kern of Dickinson Chapter would be chosen.

Saturday, the twenty-first of May, was the date of the installation and the New Hotel Belgravia was the place. The writer of this narrative strolled into the lobby and found Brothers Carlisle, John and Kern hard at work trying to figure the combined sum of five and two. John wanted to begin at the top and add down, while Kern insisted that five and two were eight minus one. The meeting of this "Fussers Club" was adjourned to the dining room and all differences were drowned in coffee. Finally, Carlisle ran out to procure a goat and came back smiling bringing the lassoed beast to the installation chamber, where he was greeted by a large number of Delta Chis who had come to town for the ceremonies and what was to follow.

The installation exercises were begun about four-thirty and were continued without interruption until about ten p. m., when the banquet was held. The following men were lead through the valley of tears and reached the mountain top of brotherhood somewhat tired but just literally "tickled to death:" Ethan P. Wescott, Albert G. Rutherford, Charles L. Robertson, Ezra H. Ripple, Jr., Marshall S. Reynolds, Frank A. Piekarski, John M. Hutchinson, Frank H. Hobson, S. S. Herman, Hamilton C. Connor and James F. Arnold. These are the men to whom the interests of Delta Chi in the University of Pennsylvania are given in trust and they are worthy in every particular of carrying on the great work assigned to them.

Then came the banquet. If the master hand of Kern was shown at any time, it was to be found in this feature of the installation. The menu cards themselves were magnificent; the menu, too, was excellent. About thirty sat down and listened to speeches and quaffed frequently from the "goblets"—literally goblets of champagne.

TOASTS.

Toastmaster, Brother Floyd L. Carlisle, *Cornell*.

"I am monarch of all I survey,
My right there is none to dispute."

Address of Welcome, John J. Kuhn, *Cornell*.
"Small cheer with hearty welcome makes a feast."

Delta Chi, Rufus G. Shirley, *New York University*.
"To those who know thee not, no words can paint,
And those who know thee, know all words are faint."

The Alumni, A. Frank John, *Dickinson*.
"Nothing is more noble, nothing more venerable than loyalty."

The Honorary Members, Stuart McNamara, *Georgetown*.
Cornell Chapter, Manton M. Wyvell, *Cornell*
"She is the mother of fearless sons."

Dickinson Chapter, E. F. Heller, *Dickinson*.
"Thou hast deserved more love than I can show,
But 'tis thy fate to give, mine to owe."

New York Chapters, Leroy T. Harkness, *New York Law*.
"But I am constant as the northern star."

Georgetown, William W. Bride, *Georgetown*.
"But a little while ago."

The New Born Babe, Albert G. Rutherford, *Pennsylvania*.
"The baby figure of the giant mass of things to come."

Who of those present will ever forget how John had to apologize for the story he told; who will ever forget "Johnny" Kuhn's scintillating wit, or how "Tommy" Downs enjoyed Brother McNamara's speech. He wanted that speech printed in "full." There were many reasons why "Tommy" and the "speech" would have been harmonious had the toastmaster adopted the suggestion.

Those present at the installation and banquet were: Brothers Stuart McNamara (Honorary, Georgetown), Floyd L. Carlisle, Rufus G. Shirley, John J. Kuhn, Leroy T. Harkness, A. Frank John and William W. Bride of the "XX"; Thomas Downs, Cornell '02; Manton M. Wyvell, Cornell '03; J. Wilmer Fisher, Dickinson '97; Harry F. Kantner, Dickinson '97; A. S. Longbottom, Dickinson '02; T. Pinckney, New York University, '03; H. F. Gassin, New York University; E. F. Heller, Dickinson '05; Paul H. Price, Dick-

inson '95; Harry P. Katz, Dickinson '01; William Henry Kern, Dickinson '01, and the initiates.

Then some of those present took themselves to an early bed. Others thought Philadelphia on an early Sunday morning offered charms and so availed themselves of this opportunity to see what was offered. Finally, all reached the Belgravia or the Walton where headquarters were made and—morning dawned.

Our room was a headquarters all day. Here the boys gathered and many funny stories of "yesterday" were told and still others that were not so recent. Finally the time came to leave and the traditions of Delta Chi were left with Pennsylvania and the very pleasant memory of an installation rested with all those who were there.

By the way, if it will be allowed me to speak here, the interest shown by Brother McNamara, an Honorary member of my chapter at Georgetown, is most certainly a recommendation of our practice of taking in honorary members. He is as active as any man in the chapter and as for his interest in Delta Chi nationally, I have but to refer you to those brothers whose cards are in "The Quarterly," and who have received a large share of his business when "Mac" needed a lawyer out of town.



NEW YORK ALUMNI CHAPTER

John J. Kuhn, Cornell '98

In the mad race for fame and wealth in the great metropolis, New York, the busy practitioner of the law might forget the impressions made upon his sentimental youth when an undergraduate member of a chapter of Delta Chi, and his obligations to the Fraternity as an alumnus, were he not constantly reminded of both by the two Undergraduate Chapters and the Alumni Chapter in this city.

In New York, the affairs of the three chapters are kept absolutely separate and distinct. The New York University chapter and the New York Law chapter hold smokers and banquets and have other forms of entertainment, to which they invite each other and the alumni, but no effort is made, nor is it considered desirable, to have joint affairs.

The Delta Chi Club of the city of New York, as the New York Alumni chapter is better known, was organized in the year 1894. For five years it consisted almost exclusively of alumni from the New York chapter. The Fraternity was young and not many alumni from other chapters located in New York. Gradually, however, the imperative need for an alumni club consisting of alumni from all chapters was felt, and the scope and spirit of the club were accordingly broadened. On November 17, 1898, the club was incorporated under the laws of the State of New York with fifteen members of the New York University chapter and one member of the Michigan chapter as incorporators. Commodore David Banks was elected president, and has been annually reelected. The club has steadily grown until it now numbers about one hundred twenty-five members, representing nearly every chapter of Delta Chi.

In 1899, club rooms were rented at No. 20 East 9th Street. On January, 1900, the club moved to No. 25 East 21st Street. The club rooms were open daily, and monthly meetings were well attended. It was found that the membership of the club was not sufficiently large, and was scattered over too great a territory, to warrant the maintenance of the club rooms, and in 1901 the club decided to abandon that feature and merely hold monthly meetings.

For two years the old Brevoort House at Fifth Avenue and Eighth Street used to echo the merriment of the Delta Chi boys at their monthly gatherings. The meetings were occasions for dinners, smokers and entertainments. At occasional meetings every man present was called upon for a "stunt." The dues covered all expenses of these gatherings and the club prospered.

Last year the dues were reduced to a nominal sum—two dollars per year, and the expense of the banquets given was defrayed by those who attended. Three banquets were held, one at the Hotel Marlborough, and two at Reisenweber's Venetian Palace, with an average attendance of seventy. The entertainment at the club has

been varied. Sometimes a man of political prominence or of judicial eminence is invited as the guest of the club, and his advice helps and encourages the younger men. Sometimes the toasts are announced in advance by the committee, when formal addresses are heard, and sometimes the toasts are impromptu—and are just as enjoyable. At the last two dinners, professional entertainers amused the diners.

At every affair Delta Chi spirit is the guest of honor. The Fraternity songs are sung, the yell is given, and when the feast is over and the enthusiastic band disperses, the men who have attended feel that they and the Fraternity have both been benefitted.

The club began its existence with the laudable ambition of becoming a miniature bar association. Only members of the Bar and graduates of a law school were eligible for membership. It was thought, that with this restriction, there was no reason why the club should not become the center of legal lore in New York. But there were murmurs of disapproval of this course from the beginning. While the condition did not affect, to any great extent, the members of the New York University chapter, because nearly all of them graduate or become members of the Bar, still many men from other chapters had studied law but had abandoned it for mercantile pursuits, and while having, perhaps, graduated from a university, had not taken a degree in law. "Once a Delta Chi, always and in all places a Delta Chi," was their slogan,—and their cause grew.

At the Convention in 1903, the club applied for a charter as an alumni chapter. After careful consideration on the part of the Convention, it was made a condition precedent to granting a charter to the club, that its constitution be so amended that any Delta Chi, not a member of an undergraduate chapter, whether or not a graduate or a lawyer, should be eligible to membership. The constitution was so changed at the meeting of December 12, 1903, by a unanimous vote and at the 1904 Convention it was ordered that an alumni charter be issued. Thus, the organization is now in spirit as well as in name, the Delta Chi Club of the City of New York.

The officers for 1904 are: President, Commodore David Banks; 1st vice-president, Charles E. Travis; 2nd vice-president, John J. Hines; secretary and treasurer, Francis H. Boland.

The board of governors is made up as follows: Wilfred N. O'Neil, John J. Kuhn, Francis H. Boland, George W. Olvany and L. Barton Case; and the board of directors as follows: William F. Quigley, William J. Barr, L. Barton Case, Francis H. Boland and John J. Kuhn.

A committee of twenty was elected in December, as a general entertainment committee. It consists of Brothers Quigley, Olvany, Tucker, Hurley, Bennett, Kuhn, Kahrs, Boland, Case, LaRoche, Osborn, Rowe, Alexander, Hutchins, Murphy, Carpenter, O'Neil, Watson, Moore and Brown. Plans are under way for an afternoon

and evening entertainment at a seashore resort near New York for some Saturday during the summer.

The Alumni Chapter was represented at the last annual Convention by George W. Olvany, (N. Y. U., '97), and John J. Kuhn, (Cornell '98), who took active part in the Convention proceedings. Representation in the governing body of the Fraternity was accorded the club, in the election of John J. Kuhn.

The officers of the club realize that notice of all the affairs does not reach every Delta Chi in and about New York. Until the promised directory is issued, the list of "Delts" in New York city is incomplete. Every Delta Chi is welcome to attend any dinner, smoker, or other affair, whether or not he is a member of the club. Delta Chis desiring information are invited to correspond with Francis H. Boland, 217 West 125th Street, New York City, (Manhattan).

The club succeeds in keeping alive the interest of the alumni in the Fraternity and in fostering the Fraternity spirit with which the members become imbued at the time of their connection with active chapters. The strong inter-chapter feeling, which is one of the attributes of Delta Chi, is splendidly illustrated at all of the social affairs of the club. Brothers from chapters in the north, east, south and west meet to demonstrate the fact that interest in Delta Chi does not end with graduation.



The Delta Chi Quarterly

Published at Ithaca, New York

BOARD OF EDITORS

JAMES O'MALLEY, *Editor-in-Chief*,
4 Erie Co. Savings Bank, Buffalo, N. Y.

MANTON M. WYVELL, *Business Manager*,
Ithaca, N. Y., and 350 Broadway, N. Y.

ASSOCIATES

FLOYD L. CARLISLE, *Chap. Correspondence*,
8 Stone Street, Watertown, N. Y.

JOHN J. KUHN, *Alumni Page*,
189 Montague Street, Brooklyn, N. Y.

WILLIAM W. BRIDE, *Exchange Editor*,
131 B. Street, S. E., Washington, D. C.

EDITORIALS

The University of Pennsylvania Chapter has been placed on the roll of Delta Chi. The installation was held in Philadelphia on the 21st of May. This event is chronicled on another page of this issue of The Quarterly. The new chapter has been established with a membership creditable in numbers and, as an organization, it should early take rank among the strongest bodies in the Fraternity. In the judgment of the writer, the University of Pennsylvania offers a most fruitful field for a branch of the Fraternity to take root and develop into a strong and healthful individual organization. The institution itself is excelled by few, if any in the country. Its law department with which we are most directly concerned, is one of its most worthy sources of strength. It has four hundred or more students, with a splendid college equipment. Certainly, from this number of men, the new chapter ought easily to select a membership of high calibre; men of character, and of those other qualifications essential to good fellowship and fraternal association.

The Fraternity extends most cordial welcome to the University of Pennsylvania Chapter. But in its welcome it combines a suggestion of what is expected, not only from the youngest but the oldest chapter of Delta Chi in respect to internal chapter policy. This is, that Delta Chi demands from her children more than a mere formal existence. The idea that Delta Chi is a graduate fraternity, the chapters of which are no more than a series of legal clubs scattered

throughout the country, should be early expelled from the mind. Because Delta Chi's membership is drawn largely from one profession, makes it no less a fraternity, capable of expanding into a strength equal to that of any Greek society in the land. As an association of clubs, the Fraternity could not exist as a national organization. There must be a union of hearts and hands which, extending from chapter to chapter, will bind all together into one indissoluble brotherhood. To this end, the new chapter, as well as all others, should strive with earnest endeavor. It will prove the means, in fact the only means, of preserving the strength and extending the rapidly growing influence of Delta Chi as a national fraternity.



Delta Chi appears to have established her two alumni chapters without cause for regret. Now comes the New York Chapter, rivaling her Chicago sister, with reports of a very prosperous condition, having passed a year of high value to its members and to the Fraternity. In the May Quarterly, the extension of these alumni chapters was urged. Buffalo was named as one of the best fields for this extension work and the attention of the alumni of the Buffalo Chapter is especially directed to this article on the New York Alumni Chapter, formerly known as the Delta Chi Club of New York City. The early fall should see a similar organization effected in Buffalo where there are approximately one hundred men eligible to membership. Such an organization would be a strong auxiliary to the Buffalo active chapter.



The name of Dean Huffcut is alone sufficient to bring to his contribution to this number of The Quarterly, the attention which it deserves. He is among the foremost American legal authors and teachers. The subject which he treats here has been much alive for several months past. It was at the recent Convention banquet of Delta Chi in Ithaca, where Dean Huffcut presided as toastmaster that his implied promise to write for The Quarterly was given. A more welcome subject could hardly have been chosen by the writer. To the young lawyer, to which class belong the great majority of the Fraternity's membership, an explanation of the origin, of the principles involved, and of the force of the decision in the Northern Securities Case, will prove invaluable in clearing up the subject generally.

Another subject dealing with a branch of the law which may soon occupy Federal attention, is treated here by Professor Maxey of the University of West Virginia. It is a clear and concise statement of conditions as they obtain today under the laws of insurance, enacted and construed as they are in various jurisdictions, supplemented by cogent arguments for Federal control of this branch of the law. Professor Maxey is an honorary member of the University of West Virginia Chapter. He is enthusiastic in its support and very willingly sent his contribution to help The Quarterly to a success. Contributions from men like Dean Huffcut and Professor Maxey must necessarily lend prestige to The Quarterly. On behalf of its readers and all interested in its welfare, our appreciation and thanks are extended to them.



The next three months will be the formative period for the fraternity year of 1904-05. Of the work to be outlined and carried into immediate execution, that of laying plans for securing new men is by far of greatest importance. The system of "men getting" is pretty well perfected in the various college fraternities, and year by year, the necessity for thorough work in this regard is becoming more keenly felt. With many of the Greek societies, this work has already begun, in fact it is well nigh completed at this date, having occupied the attention of a committee of workers during the late months of the college year just closed. With these, each of their alumni in the various parts of the country, has been notified to send the names of all prospective college freshmen in his immediate district or territory, and a general "rounding-up" of available fraternity material has resulted. In consequence, the societies who institute and carry out this policy of securing the names of men and information regarding them through the medium of their alumni, are well equipped for the rushing season. Moreover, what is of greater worth to the chapters, the character of the new men is fairly well known to the members of a chapter before they arrive at college.

The splendid advantages which such a system gives are to be seen readily. Of course, its success will be determined entirely by the attitude which the alumni of a fraternity assume toward it. Indifference, and neglect in heeding the call for filling out the necessary information blanks, will render futile all efforts on the part of a

committee which is carrying the burden of this work. A year ago Delta Chi made such a call upon her alumni, with fair, but not entirely satisfactory results. Many of the blanks were not returned at all. In many cases, the names of very desirable men who were planning to enter some college from a certain territory or district throughout the country, were omitted entirely. The outcome in these cases was that Delta Chi lost many opportunities to put her chapters in touch with desirable men. Such should not be the result this year. It is very little work to fill out and return an information blank. If this slight duty is attended to immediately on the receipt of the communication, it is far more likely to be attended to, and the work of compiling information will be greatly facilitated. And certainly, each chapter will be better equipped for the year's work with such a source of assistance available at the beginning, than to work aimlessly, and without a guidance in the selection of its men.



Within the past few weeks some question has arisen in regard to the interpretation of certain clauses of the Constitution. The discussion of the subject which followed between members of the "XX," has resulted in the suggestion that a complete revision of this instrument should be a proper subject for consideration at the next Convention. This revision would assume less the form of amendments, than a general separation of the parts, so as to leave in the instrument proper only those matters which a constitution should contain. An early consideration of this subject might facilitate the work of revision, should such be deemed advisable. In fact, the work in general of a convention could easily be made less burdensome each year, if the important matters to come before the body could have received some thought and consideration before hand.

Another plan to which the "XX" might devote some time and attention during the summer is to provide a written code of procedure for the chapters, supplementing what is already before them. Such a code would serve in the nature of by-laws, with which there is excellent reason for believing, some of the chapters are not well provided. At the same time it would assure uniformity of chapter procedure and give to each a set of laws which would show development from a common source. Undoubtedly, the chapters would welcome such a code, and be right willing to adopt it for use before the next convention meets.

AMONG THE GREEKS

Among the twenty or so fraternity publications that are lying on the Exchange Editor's Table, the conspicuous cover of the Kappa Alpha (Southern) Journal attracts first attention. From its crimson cover, embellished with the arms of the Fraternity, to its last page, the magazine deserves honorable mention. If the Journal is not the best of all fraternity periodicals, then the one at the top has a dangerous rival. It is extraordinarily newsy. One could read its pages and find out practically all that is going on in the Greek World. One very seldom finds a magazine devoted to the interests of a particular club or society that is interesting to those outside its fold. This magazine, on the other hand, seems to be pursuing a policy to strengthen the national idea of fraternity and urge a closer bond of unity between the societies.

After referring to other legal fraternity publications, the Journal admits in quite a complimentary manner, that Delta Chi has attained a respectable degree of prominence. It tells us that we have sixteen chapters, publish a Quarterly and were founded in 1891. Your summary is one chapter and one year out of the way, Editor Burnley! There is a very able article on the much discussed combination of the two societies bearing the name of Kappa Alpha by Mr. L. S. Boyd.

K. A. Southern seems to favor unity, but the Northern society seems to think that it would "be swallowed up by the combination." The Question seems to be no nearer settlement than several years ago when it was very largely discussed by the respective societies. The Southern K. A. was founded at the close of the Civil War and has a chapter roll of about fifty, while the K. A. Northern was founded in the early past century and has but seven or eight chapters.

Another very good magazine is that of our brother-in-law, Phi Delta Phi. It can scarcely be called a fraternity publication for the entire issue, with the exception of a few pages devoted to editorials and chapter notes, is given to legal articles. It is more in the nature of a law periodical. A good article on the policy of chapters deserves especial mention.

There is one little statement that should be called to the attention of the editor of the "Brief." In quite a good article on law fraternities it says: "All these societies (referring to legal fraternities) like Delta Chi, were the result of failures to obtain charters from Phi Delta Phi." The editor of the "Brief" certainly knows that the founders of Delta Chi never petitioned for a charter in Phi Delta Phi. Cornell, the mother

Chapter of Delta Chi, was the seat of a chapter of Phi Delta Phi for several years before the idea of Delta Chi was launched. Does anyone suppose that men would petition to establish another chapter of Phi Delta Phi in a school where there already existed a chapter of that fraternity? The idea is preposterous and Editor Topping should not allow such statements to creep into an otherwise very good number.

The D. K. E. Quarterly is scarce the magazine one would expect from such a fraternity as Delta Kappa Epsilon. It is scarcely half as large as the Delta Chi Quarterly, and there is scarcely a bit of news for those of us who are not D. K. E.'s. In the chapter letters no hint is given of the location of the chapter, for the Greek denominations are given as headings. The Quarterly is young, however, and backed by D. K. E., is bound to go forward.

The Phi Delta Theta Scroll is the first issued by the new editor, Mr. J. H. DeWitt of Nashville, Tenn. It is a very good number and shows considerable improvement. A very good article on the new home of the "Phi Delts" at Michigan constitutes about all that is interesting to the uninitiated.

The Sigma Nu Delta, although quite late, is the newsiest of all fraternity publications that have come to my notice. The Editor supplies a good readable article on fraternity pins. He tells us to get large ones and to wear them. He doesn't object to having the "Sigs" loan their pins to the girls. "What's the harm?" remarks this Greek gallant.

The Phi Kappa Psi Shield is, as usual, an excellent number. It is issued about eight times a year and is consequently much smaller than the average journal. It still impresses upon the Phi Psi's that they are the best ever. A little bit of doggerel in the last issue is enough to turn us all grass-colored with envy of a "Phi Psi."

Who owns the city and the State?

Phi Psi!

What makes the nation truly great?

Phi Psi!

Who are the All, the Whole, the Sphere,

Sun, Moon and Stars and All the Year,

Brain, Wealth and Power—Hear! Oh hear!

Phi Psi!

The Delta Upsilon Quarterly publishes a very good article—one that every Greek should read—on inter-fraternity courtesy. It emphasizes the real meaning of a fraternity and its practical uses. Another

article, which deserves the compliment paid it, is the essay copied from the A. T. O. Palm on the "Influences of a College Fraternity." The writer received a fifty-dollar prize for his work. The Quarterly is a continuation of a long line of Delta Upsilon successes.

Last of all comes "Desmos," the magazine of the Delta Sigma Delta fraternity, whose mission on earth is to draw teeth as well as to draw the dentists together. George Edwin, the editor, is the funny man among the Greeks and his very little paper causes frequent favorable comment among the exchange men. It is the joke box of all fraternity journals. A little squib in a recent number is quite good:

A damsel who dwelt on the Isthmus
Had optics that twitched with strabismus;
As a consequence she
Was unable to see
What she got in her stocking for Christmas.

In fact, all of the publications show a marked improvement over those issued early in the year. The editors seem to have learned the tricks of the trade. Very few of the Greek magazines retain their editors-in-chief as long as does the Phi Kappa Psi Shield or the Beta Theta Pi. The name of Baird has become synonymous with fraternity knowledge.

WILLIAM W. BRIDE,
Exchange Editor.



CHAPTER CORRESPONDENCE

April, 1904—June, 1904.

CORNELL.

The Cornell Chapter has initiated the following active men since its last report: Benjamin Coe Turner, '06; David Page Morehouse, '06, and Neal Dow Becker, '05. Becker is a leading debater in Cornell. All active men initiated during the year will return next year.

Hugh P. Henry, '05, is a member of the '86 Memorial Debate Stage and has been elected a member of the Cornell Era board. E. W. Kelsey, '06, was elected president of the Cornell University Christian Association. E. H. Kelley was recently elected business manager of the Senior Class Book. He holds the same position on the Daily Sun.

Out of the twelve men selected for the cast of the Senior week play, Hugh P. Henry, Harold J. Richardson and Ralph E. Hoskot were members of the Fraternity. Brother Hoskot won distinction in his role.

During Senior week the Chapter gave a house party that was well attended and enjoyable. A. M. Wright, '03, and James O'Malley, '01, were present during the week.

The Chapter had five men to graduate this year, Counselors C. E. Kelley and Gulick receiving the degrees of A. B., while Counselors Rutledge, Driscoll and Peace received the degrees of LL.B.

During Senior week the Fraternity was well represented in the activities. Counselor C. E. Kelley was memorial orator and Brother Richardson received the custody of the class pipe which is kept by each senior class in the University. Counselor Richardson and E. H. Kelley were elected to Sphinx Head, the Senior honorary society. Counselor Rutledge was admitted to the Bar. Of the five men graduated this year, two will return next year. It is expected that about seventeen members of the Chapter will return this fall.

NEW YORK UNIVERSITY.

The Chapter held its annual banquet at the New York Athletic Club on Saturday evening, April 23rd. Some fifty members of the undergraduate chapter and of the alumni attended. The list of guests comprised the Hon. C. A. Towne, Clarence D. Ashley, Esq., the Hon. John M. Quinn, the Hon. William S. Bennett, and Floyd L. Carlisle and Manton M. Wyvell of Cornell. Many of the alumni of other chapters favored us with their presence.

Our Chapter had a box at the Senior Promenade, being the only law fraternity represented, and it is also the first time that a law school fraternity has been so represented at this important affair. The box was tastily draped with the Fraternity colors and Fraternity flags.

Chester H. Lane was made president of the Senior class academic department and delivered the president's address on Class Day. C. W. Gerstenberg was Senior class orator and poet, and winner of "The A. Ogden Butler" philosophical fellowship and also the famous Gordon Bennett prize. Andrew J. Conwick, of the Junior class, won first prize.

John P. Simmons won the William H. Inman fellowship. Wilson R. Yard has successfully passed his Bar examination. C. H. Lane received the degree of A.B., and C. W. Gerstenberg received the degree of Ph.B. The following received degrees of LL.B.: L. S. Abberly, H. S. Austin, C. R. Bradbury, G. J. Corbett, A. B. Graham, J. A. Hamilton, B.A., O. R. Judd, B.C.S., R. S. Patterson, and W. R. Yard. Eleven men will return next year. The following are the officers: Harry L. Gassin, "A"; Joseph Hartigan, "B"; Chester H. Lane, "C"; E. Dean Coulter, "D"; George C. Felter, "E."

MINNESOTA.

The following initiates are reported: Edgar L. Noyes, '06, Minnetonka Mills, Minn.; Joseph Pierce, '05, Duluth, Minn.; C. L. Gilman, '05, St. Cloud, Minn.; Dennis E. Bowe, '05, Waseca, Minn.; Winfield W. Bardwell, Minneapolis, Minn.; George Hoke, '06, St. Paul, Minn., and Frederick Larson, '06, Wilmar, Minn. Brother Bardwell has been in the State Legislature and is Secretary of the Hennepin County Bar Association.

Seven of our members were admitted to the bar on June 3rd: E. A. Joggard and C. B. Elliott are candidates to vacancies on the Minnesota Supreme Court bench.

The Chapter gave its annual banquet at the Nicollett Hotel on the evening of April 16th. Judge E. A. Joggard presided as toastmaster. On the evening of April 26th, we held a rushing party at the rooms and an enjoyable time was spent by all.

The following are officers for the coming year: William R. Morris, "A"; Otto N. Davies, "B"; Denny P. Lemen, "C"; Josiah H. Chase, "D"; Edgar L. Noyes, "E"; C. L. Gilmon, "F."

MICHIGAN.

One man has been pledged but no initiations have been held. Counselor Wier has resigned as manager of the Interscholastic

meets. This coming autumn the formal transfer of a house for our Chapter will be effected.

Brothers Jones and Leckie recently passed the Ohio Bar examinations. Brother Leckie will locate in Cleveland, O., and Brother Gregory will locate in Seattle, Wash.

DICKINSON.

On April 7th the Chapter gave a smoker in honor of P. A. A. Corr, C. E. Daniels, J. B. Krutz, M. D. Patterson, T. B. Wilson and A. B. Vero, alumni.

Leon C. Prime on April 16th delivered before the chapter and invited friends, his lecture on "The Men Who Dove." This was a delightful affair and was followed by an informal smoker. Brother Spencer represented the Fraternity on the baseball team this year.

NORTHWESTERN.

Harold Romans, '06, Dennison, Ia., has been initiated. At the University Commencement, the degree of Master of Science was conferred on Russel Wiles. Clayton J. Barber was awarded the Callahan prize for highest scholarship throughout the courses. Brother Murphy, '03, has been elected Justice of the Peace of Cook County. He is the youngest person holding that office.

The engagement of Professor Woodward, Cornell '95, to Miss Bradley of Evanston, has been announced. Professor Woodward will leave with Professor Hall, of the University of Chicago Law School, for a few months foreign travel and will be married in Berlin.

CHICAGO-KENT.

There have been no initiates since May. The following men have taken the degree of LL.B.: H. L. Bird, O. B. Brown, Frank L. DeLay, R. J. Hamilton, C. V. McErlean and C. F. Rathbun.

BUFFALO.

At the Commencement exercises May 30th Edward Robbins divided honors equally with another member of the Senior class for the First Daniel Thesis Scholarship. Francis E. Bagot secured second prize for scholarship during the course. Irving S. Wood and F. E. Bagot passed the Bar successfully.

The Chapter rooms were closed June 1st and will be reopened in the fall. Only four men will return. A smoker will be held some time in July for the purpose of arousing interest among the alumni toward the organization of an alumni chapter in Buffalo.

OSGOODE HALL.

M. A. McDonald, Goderick, Can., and H. S. Hunter, Smith Falls, Can., have recently been initiated. J. P. Haverson of the Chapter has given up law and taken to journalism. J. J. Harpell, M. A. McDonald, H. S. Hunter, J. C. Moore, W. W. Livingstone, A. H. Britton and John A. McEvoy will return to the Law School in October. During the month of June a dinner was given to Brother Alexander McGregor who was married on June 30th.

The following are the officers for next year: J. D. McMurrich, "A"; J. C. Moore, "B"; M. G. Hunt, "C"; W. G. Mahaffy, "D"; W. W. Livingstone, "E"; and A. H. Britton, "F."

SYRACUSE.

A special meeting of our Chapter was called April 29, 1904, to take some action in regard to the death of Brother John A. Malloy, '03, of this city, whose loss is deeply felt by all his friends. He was connected with the office of former Attorney-General Theodore E. Hancock. The Chapter attended the funeral in a body, and purchased a beautiful floral pillow with Delta Chi letters in red and buff. Four alumni and two active members acted as honorary bearers.

J. M. Seymour, '06, won first prize in the Chancellor's oratorical contest for first year law students, Monday evening, May 23d.

At Commencement the following members of the class of 1904 received the degree of Bachelor of Laws: Bachus, Burns, Campbell, Crane, Larabee, Sleeth, Train, Heffernan and J. F. O'Neil. It is expected that eleven men will be back next year.

J. F. O'Neil coached the Colgate track team this year. In the Cornell-Syracuse track meet, Ralph won the quarter mile and was placed in the 220-yard dash. Hefferman, Curtis, Wilbur and Rutherford were regular men on the Varsity baseball team this year.

The following chapter officers were elected for the coming year: Orla E. Black, "A"; Justin S. McCarthy, "B"; Harry B. Orchard, "C"; Aston G. Rutherford, "D."

There have been no new initiates taken in since April.

The Chapter officers are: O. E. Black, "A"; J. S. McCarthy, "B"; H. B. Orchard, "C"; J. M. Seymour, "D"; A. G. Rutherford, "E."

UNION.

The following members of the Chapter graduated with the degree of LL.B.: David C. Salyerds, Herbert Thomas, Benjamin

Tirk and John P. Badger. During the spring W. B. Zimmer has been manager of the Varsity baseball team and Henry Toohey catcher.

The officers for the coming year are as follows: William B. Zimmer, "A"; Henry Toohey, "B"; Joseph Vanderlyn, "C"; Alfred D. VanBuren, "D"; John W. Collopy, "E."

OHIO STATE.

The annual banquet of the Chapter was held at the Hotel Hartman on the evening of June 10th. A number of the Alumni were present. Gilbert Fuller was appointed editor-in-chief of "The Lantern," the college weekly publication.

The election of officers for the coming year resulted as follows: J. E. D. Hartinger, "A"; F. T. Eggleston, "B"; Gilbert Fuller, "C"; H. M. Rankin, "D"; Joseph Kewley, "F."

WEST VIRGINIA.

Initiates reported are S. W. Douglass, '04, McKeesport, Pa.; John A. Purinton, '05, A.B., University of W. Va., '03; Jacob O. Hertzler, Law '05, Ph.B., Dickinson '03, Carlisle, Pa.

Dr. Brooke, Dean of the Law School, lectured to the Chapter recently on legal ethics. Four members of the Chapter, Summons, Gromninger, Purinton and Hertzler, were on the Varsity baseball team. John J. Pritchard was elected president of the Athletic association for the coming year. M. E. Morgan is president of the Senior class of the University; John Marshall is president of the Senior Law class and Harry G. Scherr is president of the Junior Law class. Lewis R. Burton received the degree of LL.M. at Commencement.

The officers for the following year are: A. J. Collopy, "A"; J. P. Pritchard, "B"; H. G. Scherr, "C"; B. F. Stout, "D"; F. N. Alderson, "E"; Henry Simms, "F."

NEW YORK LAW.

There have been no additional initiates since April. On Thursday, June 16th the graduation exercises of the New York Law School were held and the following members of Delta Chi, in the class of 1904, received the degree of LL.B.: William Bailey, A. M. Bailey, R. S. Conger, E. D. Freeman, G. W. Harper, C. R. Haviland, Jonathan Holmes, N. P. Howe, F. C. Russell, Spalding Frazer, Newton

Adams and E. H. Lockwood. The entire Junior Class, with the exception of Brother Davis, who left early in the year to take up the study of the ministry, will return next fall. Delta Chi will have fifteen men in the Senior Class when the Law School opens in October. A suitable house for next year is being sought.

UNIVERSITY OF CHICAGO.

One initiate, John Frederick Tobin, A.B., University of Nebraska, '03, is reported. J. C. Moore and Brother Atwood returned for the last half of the year. The Chapter loses two men by graduation, John R. Cochran, who graduated with the degree of LL.B., *Cum Laude*, and Joseph D. Bingham with the degree of J.D., *Cum Laude*.

A house committee has been appointed with Brother Lightfoot as chairman, which will have charge of the house to be occupied in the fall.

The following men will be in school during the summer quarter: Brothers Dillon, Lightfoot, Sampson, Johnson, Hurlburt and Moore. On June 15th the Chapter elected officers for the ensuing year as follows: Fred Dickinson, "A"; Otto P. Lightfoot, "B"; David Hurlburt, "C"; Joseph Johnson, "D"; Henry Sampson, "E"; John Tobin, "F."

GEORGETOWN.

The Hon. George B. Cortelyou, Georgetown University '93, Secretary of Commerce and Labor and Chairman of the Republican National Committee, and the Hon. Charles A. Douglass, Professor of Torts and Negotiable Instruments, Georgetown University Law School, have been initiated as honorary members. John Van Hal. Beary, Arts '04, Thibodaux, La., and Joseph Z Miller, III., Arts '04, Belton, Texas, have been made active members. Beary, one of the initiates reported above, is manager of the 'Varsity football team, president of the Campus and president of the Athletic Association.

Other honors have been won by the Chapter. J. Z. Miller is manager of the baseball team, and president of the Senior class of the University. J. F. Murphy was leader of the debate team against Boston University.

On Thursday, May 28th at the time of the initiation of the Hon. George B. Cortelyou and the Hon. J. W. Daniels, a banquet was held at the Raleigh Hotel, the toasts at which were as follows:

"Tonight".....Hon. George B. Cortelyou
 "The Lawyer in Active Practice".....Hon. Charles A. Douglass
 "The Ethics of Our Profession".....Hon. Harry M. Clabaugh
 "Fraternity".....J. Nota McGill

"The Law School".....Daniel W. Baker, Honorary Orator
 "The Law".....R. Ross Perry, Jr.
 "Georgetown University".....Stuart McNamara
 "Our Chapter".....William W. Bride
 "Looking Backward".....Albert E. Berry
 "The Outlook".....Fairfax S. McCandlish

Brother John F. Murphy, 'A,' was toastmaster and made a great success.

The commencement exercises were held by the Law Department on the Campus, Monday evening, June 6th. W. R. P. Maloney won the American Law Book prize for the best thesis in the Post Graduate Class and E. H. Flueck came second. The Arts' Department held its exercises May 9th, and J. V. Miller, III., won the Merrick Medal for debating.

The following members of the Chapter received the degrees of Master of Laws on June 6th: Albert E. Berry, C. W. Arth, Edward H. Flueck, Carroll B. Rix, Antonio M. Opisso, Frank E. Williamson and W. R. P. Maloney.

The following received the degree of Bachelor of Laws: C. M. Berry, W. W. Bride, J. T. Dyer, R. P. Whiteley, Asa C. Gracie, Harry F. Pierce, J. Z. Miller, III. J. V. H. Beary received the degree of B.A.

Twelve men will return in the fall.

PENNSYLVANIA.

The Baby Chapter has initiated two men since the Chapter was installed. A smoker was held on June 13th, and an enjoyable time was spent. The Chapter is looking for a house for next year.

The Chapter officers are: E. H. Ripple, "B"; John M. Hutchinson, "C"; H. C. Connor, "D"; C. Robertson, "E."



GEORGETOWN CHAPTER.



NEWS OF THE ALUMNI

CORNELL.

'91. The friends of Metcalf B. Hatch will be interested to learn that he took upon himself the obligation of a benedict last April.

'92. George A. Nall has acquired sufficient of this world's goods to enable him to retire from the practice of law in New York City and live the life of a "gentleman farmer" in Sullivan County, N. Y.

'92. Frederick Diamond Colson is the coach of the Harvard crews.

'94. Donald Stuart Moore recently wrote an interesting letter to Richard Abram Brown, '94. Brother Brown is practicing law at 47 Main Street, Lockport, N. Y. He is married. He met Harry L. Harrington, '94, of Adams, Mass., in Buffalo recently. Brother Harrington for ten years has been a member of the firm of Shaw & Harrington. He is interested in the Berkshire Hills Paper Co. With Ward J. Wilbur, '94, he is engaged with an important will case, which frequently requires his attendance in Buffalo. Brother Brown lives at 474 12th Street, Brooklyn. He was married last summer. He is a solicitor for the New York Life Insurance Co.

'97. Parley P. Christensen has served one term as County Attorney of Salt Lake County, Utah, and for two years past has been practicing law with offices in the Commercial Building in Salt Lake City. Parley is a candidate for the Republican nomination for County Attorney of Salt Lake County this fall and the probability is that he will be nominated and elected to his old office.

'97, '00. C. S. Price and W. M. McCrea are engaged in the practice of law in Salt Lake City, Utah, with offices in rooms 51 and 52, Hooper Building.

Ex-'97. A. B. Sawyer has formed a partnership with J. H. Ryckman for the general practice of law, with offices in the Progress Building, Salt Lake City, Utah.

'98. Ernest Gustav Lorenzen has been appointed professor of law in the Columbian University at Washington, D. C., where he will teach the subjects of Corporations in the School of Law, and Continental Law in the School of Diplomacy and Jurisprudence, treating the Jurisprudence of Germany, France, Spain and Italy. He is located for the summer at the Northwestern University, Evanston, Ill.

'99. James P. Magenis is a promotor of the new \$3,000,000

Harbor Tunnel just completed in Boston, Mass. It is the first tunnel in the world, to be used by railways, constructed entirely of concrete. It runs for 4,000 feet under the harbor.

'00. Joseph A. Corr and Fraser Brown are examiners with large title companies in New York city. Brother Corr abandoned a lucrative general practice in Troy, N. Y., to accept a good offer made by the Title Guarantee and Trust Co. in Brooklyn, and Brother Brown, a specialist in Westchester County titles, has moved his office from White Plains, N. Y., and is now located with the Lawyers' Title Co. in the borough of Manhattan, New York City.

'01. R. W. Dole is the senior member of the firm of Dole and Willey, whose law offices are located at 407 and 408 Auerbach Building, Salt Lake City, Utah.

'02. Edward D. Toohill has a position on the reportorial staff of the Ithaca (N. Y.) Daily News.

'02. Bischoff and Wyvell is the name of a new law firm composed of Ernest W. Bischoff and Manton M. Wyvell. Their offices are at 350 Broadway, New York City.

NEW YORK UNIVERSITY.

'93. M. J. Horan is conducting a successful practice at 271 Broadway, N. Y.

'97. Alexander A. Forman, on June 16, 1904, married Helen Elizabeth Stevens at Scranton, Pa.

'00. Edwin M. LaRoche is proprietor of the LaRoche Manufacturing Co.

'02. Alexander R. Wilson is specializing in Surrogate's practice. His office is at 71 Wall Street, New York City.

'02. Otis S. Carroll is connected with the firm of Carter, Ledyard & Milburn, 54 Wall Street, New York City.

'02. Wilbur Curtis Goodale besides being a member of the firm of Goodale, Files & Reese, is also somewhat of a financier. He is now secretary and a director of the Madison Square Mortgage Co. and is busily engaged in trying to corner the market in New York city real estate. He has also promoted himself to the happy state of matrimony.

'02. William Farrell Doughty has not followed the law, but has attained distinction as an engineer. He is consulting engineer of the Boston and New York Dye works and was connected as an expert in the recent Consolidated Gas Co. matter. He has also entered the ranks of benedicts, having gone to the far distant town of St. James, Minnesota for Mrs. Doughty.

'02. Joseph Herr was married two years ago. A little "Herr" has been engaging the attention of Joe for some time.

MICHIGAN.

'96. E. S. Ferry is a member of the firm of Richards & Ferry, which firm enjoys a large practice and has offices in the McCormick Building in Salt Lake City, Utah.

'98. George H. Smith is assistant to P. L. Williams, general attorney for the Oregon Short Line Railway Company, with offices in the Deseret News Building in Salt Lake City, Utah. He has confined himself almost exclusively to the legal work of that road.

'03. David M. Haigh has opened a law office in Murray, Utah, a smelter town a few miles south of Salt Lake City. He has incorporated the town, made himself Corporation Counsel, and is doing very well.

DICKINSON.

'94. Banks Kurtz was recently elected district attorney for Blair county, Pa. His offices are located in Altoona, Pa.

'95. C. S. Brinton was recently appointed post master at Court examinations in Pennsylvania and is now located in the Stephen Girard Building, Philadelphia, Pa.

'98. G. S. Brown has transferred his practice from Freeland, Ex-'00. J. P. Rueffer is engaged in mercantile business in Wilkes-Barre, Pa.

'01. J. D. Creary is located in Seattle, Washington.

'01. A. W. Mitchell was recently married. He is practicing in Parkersburg, W. Va., and is attorney for the Standard Oil Company in that district.

'02. S. E. Hindeman has opened offices in the Frick Building, Pittsburg, Pa. Luzerne County, to Philadelphia.

'03. J. J. Knappenberger has been admitted to Westmoreland County bar and is located in Greensburg, Pa.

'03. Paul A. A. Cove, is cashier for the Internal Revenue Department for the Pittsburg district.

'03. E. L. Dinly is practicing with his father, the Hon. A. V. Dinly, in Altoona, Pa. Carlisle, Pa.

'03. A. S. Longbottom has successfully passed the Supreme

'03. George E. Lloyd is practicing with his father, Hon. William Penn Lloyd, Mechanicsburg, Pa.

'03. Adams Blake Vera was married June 1st to Miss Turner of Warren, Pa. He is located in the Flatiron Building, New York City.

J. W. Wetzel, honorary member, is the Democratic candidate for judge of Cumberland County. At the primaries he received a very handsome majority.

'95. J. Harry Bertern was married May 1st to Miss Smith of Chicago. He is engaged in business in Omaha, Neb.

'97. Harry F. Kantner is practicing law at 43 North 6th Street, Reading, Pa. He attended the installation of the University of Pennsylvania Chapter and took part in the ceremonies.

'01. R. J. Boyer is practicing in Seattle, Washington. He has formed a partnership with J. D. McCreary, '01.

NORTHWESTERN.

'97. Christopher B. Diehl has served a very successful term as judge of the criminal division of the City Court of Salt Lake City, and will be a candidate for re-election to the same office this fall. Chris. is married and is the father of a little girl.

BUFFALO.

'97. Charles Diebold, Jr., has recently entered the law firm with which he has been associated for several years. The firm now reads, Fisher, Coatsworth, Diebold & Krafts.

'97. Frederick Wende has left Buffalo and will give up the practice of the law to enter business in Denver, Col.

'97. J. Allen Keeney is associated with Joseph Dudley in his profession in the new Fidelity Trust Building, Buffalo, N. Y.

'00. Harry B. Lamson has recently become associated with the well known firm of Bissell, Carey & Cooke, Buffalo, N. Y.

'00. Percy R. Morgan has been spending a vacation of several weeks in the West. He expected to reach the Coast.

'01. T. Ed. Redmond has left Jackson, Mich., to accept a splendid position with a large cement firm in Kansas City, Mo.

'02. Frederick W. Spring who is with Moot, Sprague, Brownell & Marcy, Buffalo, will spend the last three weeks of July in Boulder, Col.

'02. Alfred Hurrell has returned from Altoona, Pa., to resume the practice of law in Buffalo, N. Y. He and Clinton T. Horton, Cornell '99, have formed a partnership under the name of Horton & Hurrell.

'04. Frances E. Bagot and Irving S. Wood are now numbered among the Chapter's alumni, having passed the Bar examination in June last.

Adelbert Moot, honorary, has been made a member of the New York Statutory Revision Committee.

James L. Quackenbush, honorary, formerly of the firm of Love & Quackenbush, Buffalo, N. Y., has been made general counsel for the Metropolitan Street Railway Company, New York City, at an annual salary of \$25,000.

UNION.

'02. P. K. Dederick, Jr., is a member of the firm of P. K. Dederick & Sons, an old firm of iron founders of national repute, engaged in business in Albany, N. Y.

'03. W. E. Wertime, of the firm of Fitts & Wertime, is an associate of the Surrogate of Albany County, engaged in practice in Cohoes, N. Y.

'03. L. W. Morrison is at present connected with the Superior Court of Connecticut. He suffered a sad loss in the death of his father which occurred last fall.

'03. G. W. Sales has given up the law, become a benedict, and is at present engaged in managing farms near Rome, N. Y.

'04. H. B. Thomas was married on the 7th of June to Miss A. Buedegan at Rochester, N. Y. After an extensive wedding tour he will enter the office of his father, G. W. Thomas, attorney of the Rochester Savings & Loan Association.

 GEORGETOWN.

'03. Charles W. Arth has accepted the position of private secretary to Congressman Hough, of Pennsylvania, and will spend the summer in the coal mine district of that State.

'04. Chevers Moran Barry is sole executor of a very large estate in Virginia and will shortly locate in Norfolk.

William W. Bride will enter the Law Department of the University of Nebraska in the fall. He expects to hang out his shingle in Omaha.

Asa Creed Gracie will practice in Little Rock, Arkansas. Brother Gracie is largely interested in cotton plantations in his native state of Arkansas.

'03. Antonio M. Opisso recently visited New York City and came back to Washington charmed with his reception by his brothers in Delta Chi at the metropolis. He leaves on July 1st for his home in Manila, Philippine Islands where he will enter one of the largest firms in the practice of law. Brother Opisso studied law for two years in Manila before entering Georgetown three years ago. Prior to that he was a lieutenant in the Spanish army.

'04. Harry F. Pierce is assistant solicitor of the Southern Railway with offices in Washington, D. C.

Leon A. Clarke is located at 971 Broadway, Oakland, California. Brother Clarke is associated with Congressman Metcalfe. Leon was an active "Delt" in every sense and he has our best wishes

'04. J. Van Hal Beary, Arts, and Joseph Zachary Miller, Arts, will enter Yale Law School for special work in the fall. Brother Miller carried off the Merrick medal for debating in the

University. It is considered the most desirable prize in the Department of Arts and Sciences. His feat was duplicated by Brother Malony, in the Law Department, who carried off the American Law Book Prize with Brother Flueck second.

CHICAGO ALUMNI CHAPTER

At the May meeting of the Chapter held at the Hamilton Club the following officers were elected for the ensuing year: Edward B. Witwer, president, 153 LaSalle Street, Chicago; Arthur C. Snow, vice-president, 1 Park Row, Chicago; Andrew M. Strong, secretary, 145 LaSalle Street, Chicago; Harry Hyde Barnum, treasurer, 1142 First National Bank Building, Chicago.

The president was authorized to appoint a committee to obtain subscriptions to aid the University of Chicago Chapter in furnishing and opening a house on the Campus next fall. This fund is to be raised by the Alumni Chapter and used by the University of Chicago Chapter upon consideration and terms to be determined later by the Alumni Chapter which will undoubtedly assume the form of a lease or a loan. Over \$350 has been subscribed. It is probable that the Alumni Chapter will be incorporated under the laws of Illinois before many months pass.

The officers and entertainment committee are considering the holding of a mid-summer meeting. The Alumni Chapter is proving of practical benefit. Some of its members have entered into partnerships with other members and in many cases call their brother Delta Chi's into cases to aid them. The older members show the younger ones *how to pull the ropes* in matters of practice. A few personal notes of Alumni in and about Chicago may be of interest:

Marvin E. Barnhart had the misfortune to break his collar bone in an automobile accident late this spring but is now almost entirely recovered.

Harry L. Bird has resigned his position as city paymaster of Chicago to enter into a partnership with Graham Harris, attorney for the Board of Education. The firm name is Harris, Bird & Wilson, and their offices are in the New First National Bank Building, Chicago.

Brothers William J. Kirk, Chicago '01, and Henry R. Christophers, Chicago '00, have formed a partnership for general practice with William E. Cloyes, with offices at 52-3 Metropolitan Block, Chicago.

Brother A. C. Snow, Chicago '01, is in the office of the General Counsel of the Illinois Central Railway Company.

The engagement of Brother Russel Wiles, Northwestern '04, and a member of the "XX," to Miss Ethel Foster of Chicago, is announced.

Brother B. F. Lichtenberger, Michigan, has formed a law partnership with Horace W. Nichols and Daniel Morgan Smith at 507-153 LaSalle Street.

Brother M. D. Ewell, honorary vice-president, attended the last meeting of the Alumni Chapter and is as enthusiastic a Delta Chi as any undergraduate.

Brother Harry C. Hazel, Chicago '03, has severed his relation with the I. C. Ry. Co. in order to practice law at 54-112 Clark Street, Chicago.

Brother Andrew R. Sexton is with the Aetna Indemnity and Bonding Company in the National Life Building, Chicago.

The wedding of Brother Harold Ferris White, Chicago '00, to Miss Catherine Eddy Cleaver, of Chicago, took place Tuesday evening, June 21st, at the University Congregational Church. Brother E. H. Barron, Chicago '00, was one of the ushers and Mr. Frank White best man. A number of members of the Chicago Alumni Chapter united in sending the couple a wedding present.



IRRELEVANT AND IMMATERIAL

Harold F. White, former editor of The Quarterly, gave as the reason for his resignation from the position over a year ago, that he would have increasing duties during the months to come, and consequently, no time to give to the work. The real secret is out. He was married on June 21st. Congratulations and best wishes, Harold.

Come early and get your card in the attorney's directory for next year. It means business to you sooner or later. Some day a brother Delta Chi, will be searching for a correspondent in your town or city, and if he doesn't find your name, don't blame him.

Clear up your hazy understanding of the Northern Securities Case by reading Dean Huffcut's article in this number. At the same time, satisfy yourself that the law of insurance is a proper subject for Federal supervision. Professor Maxey, a brother Delta Chi, says it is so, and how can we doubt him. The Quarterly must soon be recognized as an authority beyond question, if it continues to draw contributions of this character.

(Examination of a juror in Utah). Q. "Mr. Broschinsky, you are of German extraction, are you not?"

A. "I come from Germany of mine own free vill. I vas not extracted."

Q. "Are you a man of family?"

A. "I have von vife."

"I move to strike that out," exclaimed the opposing attorney on cross-examination.

Witness. "All right. Strike it out."

Have you noticed that Delta Chi brothers in St. Louis are careful not to give their addresses this season? Hal McClain, Cornell '02, once had his abode there, but he has not been sighted since he passed through Ogden, Utah, last April playing "the heavies" in the "Punkin Husker Co." It was his intention not to return to his native "burgh" until after the Fair is closed. And we don't blame you, "Mac."

On a recent examination in the criminal law in New York the following question appeared on the paper: "What is the corpus delicti?"

And a freshman, who had just finished his physiology the previous year, wrote: "It is composed of the red cells in the blood."

Brother Wyvell, business manager of The Quarterly, will now be searching for business in two capacities. He is out for himself in the Metropolis and a member of the firm of Bischoff & Wyvell. For the first six weeks, service of papers at usual prices.

The Exchange Editor has furnished a bit of crisp gossip for his initial contribution. By reading about others we learn to know ourselves.

A Delta Chi directory, in booklet form, will soon be mailed to every member of the Fraternity. Any errors in names or addresses should be called to the attention of the publishers. This list is to be used as a basis for the Delta Chi Catalogue which is to be published later and every effort should be made to have it absolutely correct.

Counsel (who had made a similar request several times during the progress of the trial) "I ask the Court to take judicial notice of that."

The Court. "Mr. Jones, I now take judicial notice that you're an ass."

When the next issue of The Quarterly is published, it should contain an announcement of the date and place of the next convention. The "XX" please take notice.

With this issue The Quarterly fulfills its guarantee, made in the first number of the year, namely, that three additional numbers would follow. Its readers will hardly require such an assurance next year. The publication is now bound to live and grow with the Fraternity.

A Buffalo Delta Chi, who was recently leaving for a Western town to settle among strangers, writes that by consulting the Delta Chi Catalogue, he was able to locate eight members of the Fraternity in and about the city to which he went. If an up-to-date catalogue had been available, he would have been able, no doubt, to find as many more friends. Let's hurry it along.

BOOK REVIEWS

Cumming & Gilbert's Annotated New York Tax Laws, Fourth Edition, is an octavo volume of about 500 pages, bound in law canvas. Price, \$4.00 net. Edited by Robert T. Cumming and Frank B. Gilbert. Baker, Voorhis & Co., Law Publishers, 66 Nassau St., New York.

This compilation contains all the Laws of the State relating to the Assessment and Collection of Taxes, including the new Tax Laws of 1896, as amended to date, the provisions of the United States and State Constitution, relating to taxation, the provisions of independent statutes relating to taxation, and the Special Laws relating to Taxation in the City of New York.

The whole work is thoroughly annotated, there being at the end of each section a note of the revisors as contained in their report, a note by the editor giving an explanation of the changes and the reason therefor, and full citation to all authorities bearing upon the subject. Following the law is a table, indicating in a general way, the disposition in the revision of the several laws repealed thereby.

The notes and tables will be of assistance in enabling the profession to determine what is intended to be superseded by each new section, the application of the decisions made under the old acts, so far as they assist in the construction of the new sections, and generally will save a vast amount of labor and investigation.

Many new decisions have been added.

SHOURDS, ADCOCK & TEUFEL

Jewelers and Silversmiths

Diamonds, Watches and Sterling Silver

MANUFACTURERS OF

Delta Chi, Beta Zeta Phi, and other
Fraternity Pins

66 State State Cor. Randolph St.

CHICAGO

Telephone Central 3745. Automatic 7745.

ATTORNEYS' DIRECTORY

When necessary to employ counsel in another city, why not correspond with a member of Delta Chi.

ARKANSAS	CALIFORNIA
<i>Van Buren, Ark.</i>	<i>Los Angeles, Cal.</i>
HENRY L. FITZHUGH	GEORGE L. KEEFER 412 Currier Building

CANADA

Toronto

McMURRICK, HODGINS & McMURRICK

Barristers, Solicitors, Notaries, Etc.

103 BAY ST.,

TORONTO, CANADA

W. B. M'MURRICK, K. C. F. F. HODGINS, K. C.

J. D. M'MURRICK

All business forwarded to the firm will have
careful attention.

CANADA	COLORADO
<i>Oakville, Ontario</i>	<i>Trinidad, Col.</i>
W. ALEC CHISHOLM Colborne Street	EARL COOLEY 723 Pine St.

ATTORNEYS' DIRECTORY—Continued.

Colorado Springs, Col.

R. H. WIDDECOMBE

DISTRICT COLUMBIA*Washington, D. C.*

J. NOTA MCGILL

Patent, Trade-Mark and Copyright Law
 McGill Building
 New York Office, 15 William Street
 Telephone Main 70

ILLINOIS*Chicago, Ill.*

JOHN E. AMOS, JR.

901 Journal Building
 Long Distance Tel. Main 4401

Chicago, Ill.

HARRY H. BARNUM

1139 First National Bank Building
 Attorney at Law
 Long Distance Tel., Main 3438

Chicago, Ill.

EDWARD H. BARRON

132 Michigan Avenue

Telephone Central 2425

Chicago, Ill.

H. BITNER

Patent Law

740 Monadnock Block

RUSSELL WILES CHAS. O. SHETVEY
 Telephone Harrison 1394

Chicago, Ill.

ROBERT CATHERWOOD

Patent, Trade Mark, Copyright Law
 1543 Monadnock Block
 Telephone Harrison 1281

Chicago, Ill.

MARSHALL D. EWELL, M.D.

Suite 618-619, 59 Clarke St.
 Examiner of
 Disputed Hand-writing, Ink, etc.

Chicago, Ill.

DANIEL W. FISHELL

1019 Ashland Block

Telephone Central 1547

Chicago, Ill.

GEORGE I. HAIGHT

134 Clark Street

Chicago, Ill.

WALTER S. JOHNSON

Room 44, 92 LaSalle Street

Telephone 919 Main

Chicago, Ill.

WILLIAM J. KIRK

13 Eldridge Court

Telephone Harrison 654

ATTORNEYS' DIRECTORY—Continued.

Chicago, Ill.

A. A. McKINLEY
79 Dearborn Street
(O'BRIEN & McKINLEY)

Chicago, Ill.

HAYES McKINNEY
1610 Title and Trust Building
100 Washington Street

Chicago, Ill.

THEO. C. ROBINSON
Attorney-at-Law
822 New York Life Bldg.
Telephones—Central 938
Automatic 2054

Chicago, Ill.

MALCOLM B. STERRETT
National Life Building
Telephone Central 5003

Chicago, Ill.

EMIL C. WETTEN
184 LaSalle Street

Chicago, Ill.

HAROLD F. WHITE
904-10 The Temple, 184 La Salle St.
Long Distance Telephone
Main 3815

Chicago, Ill.

EDWARD B. WITWER
Room 407, 153 LaSalle Street
Telephone Central 3396

East St. Louis, Ill.

FLANNIGAN & SEITER
R. H. FLANNIGAN O. R. SEITER
Jackiesch Building
Phone. Bell East 345 M.

Freeport, Ill.

DOUGLASS PATTISON

Henry, Ill.

FRED W. POTTER
Attorney at Law

INDIANA

Goshen, Ind.

S. E. HUBBELL

INDIAN TERRITORY

Tusla, I. T.

JOHN A. HAVER
Care of Randolph & Haver
H. W. RANDOLPH JOHN A. HAVER

ATTORNEYS' DIRECTORY—Continued.

KANSAS	<i>Jackson, Mich.</i>
<i>Pittsburg, Kan.</i>	ROBERT CAMPBELL
JOSEPH LUTHER TAYLOR	"Michigan Law 93"
Attorney at Law	Carter Building
MASSACHUSETTS	MINNESOTA
<i>Boston, Mass.</i>	<i>Crookston, Minn.</i>
JAMES P. MAGENIS	CHARLES LORING
Rooms 62 and 65, 5 Tremont Street	Opera Block
Telephone Haymarket 868	Firm name—STEVENSON & LORING HALVOR STEVENSON, M. C. CHARLES LORING
MEXICO	<i>Minneapolis, Minn.</i>
<i>Durango, Mexico</i>	W. R. BROWN
<i>Estado de Durango</i>	510 New York Life
MANLY D. DAVIS	<i>Minneapolis, Minn.</i>
Apartado 79	GEO. W. BUFFINGTON
Consult me with regard to Mining Concessions	320 Temple Court
MICHIGAN	<i>Minneapolis, Minn.</i>
<i>Detroit, Mich.</i>	F. E. COVELL
CARLETON G. FERRIS	840 Lumber Exchange
406 Hammond Building	<i>Minneapolis, Minn.</i>
Telephone 2358	H. E. FRYBERGER
Of HATCH & FERRIS	904 New York Life
<i>Grand Rapids, Mich.</i>	
HOWARD A. THORNTON	
Mich. Trust Building	

ATTORNEYS' DIRECTORY—Continued.

Minneapolis, Minn.

GEORGE R. SMITH

610 Boston Block

MONTANA*Butte, Mont.*

F. W. BACORN

NEW JERSEY*Montclair, N. J.*

JOHN A. HINES

483 Bloomfield Avenue

Newark, N. J.

JOSEPH KAHR

164 Market Street

NEW YORK*Albany, N. Y.*

DANIEL T. CASEY

119 State Street

Of CASEY & QUINN

Albany, N. Y.

JAMES NOLAN

13 N. Pearl St.

Buffalo, N. Y.

FRANK H. CLEMENT

45-6 Ellicott Square

Auburn, N. Y.

LOUIS E. ALLEN

131 Genesee Street

Auburn, N. Y.

DUDLEY K. WILCOX

109-110 Metcalf Building

Binghamton, N. Y.

ALBERT S. BARNES

23 and 24 McNamara Building

Brooklyn, N. Y.

JOHN J. KUHN

189 Montague Street

(Cornell '98)

Buffalo, N. Y.

CLINTON K. DEGROAT

General Practice

118 Erie County Bank Building

Issue commissions to Clinton K. DeGroat
Notary Public, with Seal

ATTORNEYS' DIRECTORY—Continued.

<p><i>Buffalo, N. Y.</i></p> <p>CHARLES A. ORR Buffalo Savings Bank Building</p>	<p><i>Ithaca, N. Y.</i></p> <p>MONROE M. SWEETLAND 147 East State St.</p>
<p><i>Buffalo, N. Y.</i></p> <p>JAMES O'MALLEY 3 and 4 Erie County Bank Building Of O'MALLEY, SMITH & O'MALLEY</p>	<p><i>New Brighton, S. I.</i></p> <p>LAWRENCE W. WIDDICOMB</p>
<p><i>Buffalo, N. Y.</i></p> <p>EDWARD M. SHELDON</p> <p>614 Mutual Life Building</p> <p>Mercantile Litigation</p>	<p><i>New York City</i></p> <p>BISCHOFF & WYVELL 350 Broadway, ERNEST W. BISCHOFF MANTON M. WYVELL (Cornell) (Cornell) Telephone 1831 Franklin</p> <hr/> <p><i>New York City</i></p> <p>FRASER BROWN 37 Liberty Street Room 51</p>
<p><i>Dunkirk, N. Y.</i></p> <p>KILBURN & SIMONS 315 Lion Street L. A. KILBURN A. B. SIMONS</p>	<p><i>New York City</i></p> <p>CASE & NEWKIRK L. BARTON CASE L. HASBROUCK NEWKIRK German-American Bldg Telephone 7965 Cortlandt</p>
<p><i>Fredonia, N. Y.</i></p> <p>CLINTON O. TARBOX</p>	<p><i>New York City</i></p> <p>J. EDWARD DOWNING 100 Broadway</p>

ATTORNEYS' DIRECTORY—Continued.

<p><i>New York City</i> GOODALE, FILES & REESE 71 Wall Street WILBUR C. GOODALE GEORGE W. FILES RICHMOND J. REESE</p>	<p><i>New York City</i> STERLING ST. JOHN 229 Broadway</p>
<p><i>New York City</i> W. T. GRIDLEY 271 Broadway</p>	<p><i>Nyack, N. Y., Rockland County</i> J. ELMER CHRISTIE</p>
<p><i>New York City</i> CHAS. H. MOORE 11-19 Williams Street</p>	<p><i>Rochester, N. Y.</i> D. CURTIS GANO</p>
<p><i>New York City</i> CHARLES F. MURPHY 220 Broadway</p>	<p><i>St. Johnsville, N. Y.</i> GEORGE C. BUTLER</p>
<p><i>New York City</i> HENRY C. BROOKS 76 William Street, Cor. Liberty St. Telephone 4178 John</p>	<p><i>Saratoga Springs, N. Y.</i> M. E. McTYGUE 14 Town Hall</p>
<p><i>New York City</i> WILFRED N. O'NEIL No. 115 Broadway Telephone 4328 Cortlandt</p>	<p><i>206 Broadway, New York Stapleton, Staten Island</i> L. W. WIDDECOMB</p>

ATTORNEYS' DIRECTORY—Continued.

<p><i>Syracuse, N. Y.</i> THOMAS W. DIXON 714 Onondaga County Bank Building</p>	<p><i>Tiffin, Ohio.</i> CLYDE C. PORTER</p>
<p><i>Syracuse, N. Y.</i> HARRY H. STONE 402 Kirk Building</p>	<hr/> <p>PENNSYLVANIA</p> <hr/> <p><i>Altoona, Pa.</i></p>
<p><i>Troy, N. Y.</i> HARRY E. CLINTON</p>	<p>J. BANKS KURTZ 5 and 6 Schenk Building</p> <hr/> <p><i>Altoona, Pa.</i></p>
<p><i>Trumansburg, N. Y.</i> CLINTON PAGE</p>	<p>ROBERT A. HENDERSON Schenk Block</p> <hr/>
<p><i>Watertown, N. Y.</i> BRUCE N. MARTIN 6 Flower Building</p> <hr/> <p>OHIO</p> <hr/>	<p><i>Bellefonte, Pa.</i> W. HARRISON WALKER</p> <hr/>
<p><i>Akron, Ohio.</i> CHAS. H. STAHL, Central Office Building Cor. Main and Mill Streets</p>	<p><i>Greenville, Pa.</i> GUY THORNE Greenville National Bank Building</p>

ATTORNEYS' DIRECTORY—Continued.

Mt. Carmel, Pa.

A. F. JOHN

6 and 7 Guaranty Trust Building

New Cumberland, Pa.

A. J. FEIGHT

Third and Market Square

Philadelphia, Pa.

ALBERT S. LONGBOTTOM

1218 Steven-Girard Bldg.

Philadelphia, Pa.

PAUL M. ROSENWEY

1308 Land Title Building

Pittsburg, Pa.

NEIL ANDREWS

1228 Frick Building

Pittsburg, Pa.

WILLIAM LE GOULLON

422 Bakewell Building
Long Distance Telephones—
C. D. & P. 322 Court,
P. & A. 93 Main

Reading, Pa.

HARRY F. KANTNER

43 N. Sixth Street
(Dickinson '97)

Reading, Pa.

OLIVER LENTZ

534 Washington

Reading, Pa.

JOHNSON WILMER FISHER

29 North Sixth Street

SOUTH DAKOTA

Sioux Falls, S. D.

SIOUX FALLS SAVINGS BANK

ROGER L. DENNIS

Assistant Cashier

ATTORNEYS' DIRECTORY—Continued.

UTAH	WEST VIRGINIA
<p style="text-align: center;"><i>Salt Lake City, Utah</i> ROLLIN W. DOLE 407-408 Auerbach Building</p>	<p style="text-align: center;"><i>Charleston, W. Va.</i> LEO LOEB, 33 Citizens National Bank</p>
<p style="text-align: center;"><i>Salt Lake City, Utah</i> WILLIAM M. McCREA 22 East First South Street</p>	<p style="text-align: center;"><i>Fairmount, W. Va.</i> ALLISON S. FLEMING Peoples' Bank Building</p>
<p style="text-align: center;"><i>Salt Lake City, Utah</i> PARLEY P. CHRISTENSEN (County Attorney)</p>	<p style="text-align: center;"><i>Glennville, West Va.</i> ZINN & YOUNG Attorneys-at-law L. D. ZINN GUY B. YOUNG</p>
<p style="text-align: center;"><i>Salt Lake City, Utah</i> C. S. PRICE 15 and 52 Hooper Building</p>	<p style="text-align: center;"><i>Parkersburg, W. Va.</i> ROBERT H. MOON 44 Citizens Bank Building</p>
WASHINGTON	WISCONSIN
<p style="text-align: center;"><i>Pullman, Wash.</i> P. W. KIMBALL</p>	<p style="text-align: center;"><i>Madison, Wis.</i> ALBERT R. DENU State Bank Bldg. OF BUELL & DENU</p>
<p style="text-align: center;"><i>Tacoma, Wash.</i> ARTHUR R. WARREN 501-502 Fidelity Bldg Telephone Black 1503</p>	<p style="text-align: center;"><i>Grand Rapids, Wis.</i> Wipperman & Hambrecht, Wood Block H. C. WIPPERMAN G. P. HAMBRECHT</p>

J. F. Newman *Badge and Jewelry
Manufacturer*

OFFICIAL FRATERNITY JEWELRY
DELTA CHI BADGES

Fraternity and College Badges,
Rings, Seals, Charms, Specialties

DESIGNS AND ESTIMATES

ELEVEN JOHN STREET:::NEW YORK

Law Briefs and Points

*WE MAKE A SPECIALTY OF
THIS LINE OF WORK:::GET
OUR PRICES:::WE SAVE YOU
DOLLARS WHERE WE MAKE
CENTS FOR OURSELVES*

ITHACA DAILY NEWS
Job Department:::Ithaca, New York

PRINTERS OF THE DELTA CHI QUARTERLY

CAFE FRANCIS,

Nos. 53 and 55 West 35th St.,

NEW YORK

Telephone 2239 38th St.

FRENCH RESTAURANT.

TABLE D'HOTE and A'LA CARTE.

Unexcelled Service and Music.

NOTICE SPECIAL arrangements will be made for the entertainment
and comfort of members of the Delta Chi Fraternity.

FRANCIS A. SAVOUREUX,

Proprietor.

R. A. HEGGIE & BRO.

MANUFACTURERS OF

Delta Chi Pins and Keys

We Make a Specialty of

DELTA CHI KEYS

Ithaca, N. Y.

DELTA CHI FRATERNITY

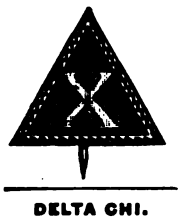
Invitations, and all kinds Engraving
Cards, ...of... and Printing

C. E. BRINKWORTH,

331 Main Street,

BUFFALO

KING & EISELE,
Buffalo, N. Y.



Manufacturers of
Glass Pins, Medals, Etc
Estimates and Designs Furnished on Application

No Order Too Small.
No Order Too Large.

C. M. BELL PHOTO CO.,
463-465 Penn Avenue

High Grade Photographer
Washington, D. C.
SPECIAL RATES TO COLLEGE STUDENTS.

→ **THE LEGAL GLASSIG SERIES** ←

REPRINTS OF THE OLD MASTERS

Glanville Britton, Littton's Tenures and The Mirror of Justices

Let us send you particulars.

JOHN BYRNE CO., Law Booksellers and Publishers,
WASHINGTON, D. C.

CHICAGO-KENT COLLEGE OF LAW

CHICAGO COLLEGE OF LAW
(Organized 1888)
 LAW DEPARTMENT LAKE FOREST UNIVERSITY
(1890-1901)
 KENT COLLEGE OF LAW
(Organized 1892)

ATHENAEUM BUILDING - CHICAGO.

DAY SESSIONS

are held during the morning and afternoon hours. The course of instructions is believed to be as broad and thorough as that of the best law colleges in the country.

EVENING SESSIONS

are held each week-day evening, with ten hours session each week. The course affords young men who are engaged in law offices and elsewhere during the day, an opportunity to pursue a regular course of studies under proper instruction.

The Degree of Bachelor of Laws will be conferred upon those who complete the Three Years Course to the satisfaction of the Faculty. College graduates who have a sufficient amount of credit in legal studies may be admitted to advanced standing in either course. Summer course during the month of June and July. For further information address the Secretary—

ELMER E. BARRETT, LL. B.
 1009 Title and Trust Building - - Chicago, Illinois.

The Quarterly Board earnestly requests that mention be made
 of THE DELTA CHI QUARTERLY in correspond-
 ing with Advertisers.

<p>LAW CASES</p> <p>BRIEFS</p> <p>LEGAL BLANKS</p>	<p>THE</p> <p>KIRK PRINTING CO.</p> <p>71-73 WEST EAGLE ST.</p> <p>BUFFALO, N. Y.</p> <p><i>Bell and Frontier Phones - 1048</i></p>	<p>STATIONERY</p> <p>AND</p> <p>GENERAL PRINTING</p>
--	---	--

"CLIPPED" LATEST WATCH FOBS

Genuine Baggage Checked with any name
of School and Class Year, 50c. : : : :

S. N. MEYER, 1231 Pa. Ave., N. W., WASHINGTON, D. C.

LAWYER'S COMMON PLACE AND BRIEF BOOK,

WITH AN ALPHABETICAL INDEX OF NEARLY

ONE THOUSAND TITLES AND SUBJECTS.

BY A MEMBER OF THE NEW YORK CITY BAR.

The plan of this work grew out of the author's own wants, and his experience in using other common-place books. Its practical utility has been tested by his own experience. The usefulness of some sort of a common-place book is recommended by every practicing attorney including Fulbec, Roger North, Lord Hale, Phillips and Locke. Lord North says, "Common-placing is so necessary that without a wonderful, I might say miraculous fecundity of memory, three parts of reading in four will be utterly lost to one who useth it not." That distinguished and accomplished scholar, William Wirt, remarks, "Old fashioned economists will tell you never to pass an old nail or an old horse-shoe, or buckle, or even a pin, without taking it up, because although you may not want it now, you will find use for it sometime or other." This principle is especially true with regard to legal knowledge. The author, in his legal study and practice, has endeavored to seize upon all that is fairly within his reach, and, by tediousness, drudgery, and wearisomeness (the only way to know law), to place a fund of valuable legal knowledge at his ready command. The plan of this work will be found sufficiently general and systematic. It is best to index according to subjects, selecting that word which conveys the best idea of the subject or decision. The margin on the left hand of each page is ruled wide enough to give room for the word or subject.

Printed on fine quality of linen ledger paper. Bound leather back and corners, marbled paper sides. Size, 8x9, 300 pages, \$3.00.

SIZE 8x9, 1000 PAGES, BOUND FULL LEATHER, RUSSIA ENDS AND BANDS, \$5.00.

EXPRESS PAID.

WILLIAMSON LAW BOOK CO.,

Established 1870.

ROCHESTER, N. Y.

Send for our Catalogue of Second-hand Law Books

The Quarterly Board earnestly requests that mention be made
of THE DELTA CHI QUARTERLY in correspond-
ing with advertisers.

FRATERNITY PINS.

**EDMUND G. HINES, Watches and Diamonds,
921 F Street, N. W. WASHINGTON, D. C.**

New Hotel Kenmore

ALBANY, NEW YORK

Strictly First Class. European Plan. Convenient to Theatres, Public Buildings, Etc. Prof. Strauss's Orchestra a feature. Cuisine Unsurpassed.

*Albany Headquarters for
Delta Chi Fraternity*

R. P. MURPHY, Proprietor

LAW PRINTING

We make Law Printing our Specialty, and do not allow catalogue or job work to interfere with the Efficient and Prompt dispatch of all our Law Work

Law Printing and Quick Printing are Synonymous Terms

Abstracts, briefs, trust deeds, records and leases our Specialty. Business outside of Chicago will receive prompt attention.

Barnard & Miller, Law Printers
Nos. 44 and 46 LaSalle Street, CHICAGO, ILL.
TELEPHONE MAIN 904; HOUSE 1053 AUSTIN

Commencement Invitations and Programs. College Fraternity Note Paper.

We have unexcelled facilities for the proper execution of Calling Cards, Ceremonial Invitations and Announcements, Heraldic and Monogram Dies for Correspondence Papers, Book-Plates, etc. We carry the

Leading Lines of Crane's and Hurd's Papers---Also Cheaper Grades

of Papers for Every Day Use
Write for Quotations and Information

THE WHITE-EVANS-PENFOLD CO.,

302-304 Main Street,

in Palmer's.

BUFFALO, N. Y.

The Quarterly Board earnestly requests that mention be made of THE DELTA CHI QUARTERLY in corresponding with Advertisers.

ΔΧ Delta Chi Fraternity Pins **MADE** in excellent manner and in proper size and shape. Direct from the manufacturer to wearer at following prices: Solid gold, plain, \$3.00; stones, close set, \$5.00, crown set, \$10.00. Any stones, except diamonds are furnished for these prices. We make anything in class, club, society or college pins that are desired. Send for free catalogue showing hundreds of designs. Special designs will be made from your suggestions free of charge. **BASTIAN BROS.**, K 21 South Ave., Rochester, N. Y.



Judges' and Counselors' Gowns
Cottrell & Leonard

Albany, N. Y.

CAPS AND GOWNS
 Bulletin, Samples, Etc. Upon Request

THE CHAS. H. ELLIOTT CO.

THE LARGEST COLLEGE ENGRAVING HOUSE IN THE WORLD

Works: 17th Street and Lehigh Avenue, PHILADELPHIA, PA.

Commencement Invitations and Class Day Programs

Dance Programs and Invitations, Menus, Class and Fraternity Inserts for Annuals, Class Pins and Medals. (Write for Catalogue.)

MAKERS OF SUPERIOR HALF-TONES

ALBERT LAWTENSLAGER

DIAMOND SETTER

MANUFACTURING JEWELER

DELTA CHI FRATERNITY PINS

Opposite Kenmore Hotel

(Up Stairs)

No. 71 N. Pearl St., Albany, N. Y.

LEVI MOORE
PORTRAITS

15 North Pearl Street, Albany, N. Y.

Photographs, Ivory Miniatures, Class Groups. Special Rates to Students

NEW YORK UNIVERSITY LAW SCHOOL

UNIVERSITY BUILDING WASHINGTON SQUARE

Day Session 3:30 to 6 P. M.

Evening Session 8 to 10 P. M.

Grants Degree L. L. B., L. L. M. and J. D.

Candidates for the degree of Bachelor of Laws are required to pursue courses which amount to twenty-five (25) hours of lectures weekly. These may be completed in two years with twelve and one-half hours work per week for each year. If the work is taken entirely in the evening, thirty (30) hours weekly are required, distributing over three years open ten hours per week. A choice of forty courses covering seventy hours of work is open to applicants for higher degrees of Master of Laws and Juris Doctor. The law library contains over 17,000 volumes.

TUITION \$100 PER YEAR

For Circulars Address,

L. J. TOMPKINS, Registrar

Washington Square, New York City

MODERN ELOQUENCE



THOMAS B. REED
Editor-in-Chief

FOR the first time the best After-dinner Speeches, Lectures, Addresses, Anecdote, Reminiscence, and Repartee of America's and England's most brilliant men have been selected, edited, arranged, by an editorial board of men—themselves master of word and pen—who have attained eminence in varied fields of activity.

These gems of spoken thought have been fugitive, from lack of proper preservative means, until the Hon. Thomas B. Reed, upon voluntarily retiring from the Speakership of the House of Representatives, gathered about him men of prominence, experienced in literature—friends and co-workers in other fields—and began the task of gathering and arranging material for this great work.

North, East, South and West, and the Mother Country as well, have been searched for gems in every field of eloquence.

Here was a lecture that had wrought upon the very souls of great audiences; there an after-dinner speech which, "between the lines" was freighted with the destinies of nations. Here was a eulogy expressing in few but virile words the love, the honor, and the tears of millions; there an address pregnant with force—itsself the fruit of a strenuous life's work. Or, perchance, a happy reminiscence, keen, scintillant repartee, or a story potent in significance and afame with human interest. Matter there was in abundance, for the English-speaking people are eloquent, but the

selection of the best—only the best, only the great, the brilliant, the worthy to endure— has been the guiding rule of Mr. Reed, and his colleagues. Their editorial labors have been immense.

Whatever the viewpoint, this work is without precedent or parallel. It has no predecessor, no competitor. Speeches that have been flashed across continents, lectures (until now unpublished) that have been delivered again and again to ever-appreciative audiences, addresses that have made famous the man, the time and the place—all these are brought together for the first time, and with them a large number of the wittiest sayings of the wittiest men of the Nineteenth Century. And all this wealth of material selected and carefully edited for the charming Library, "MODERN ELOQUENCE."

For an hour—for an evening in the easy chair at home—for the study of style and diction that have electrified brilliant assemblies—for the man ambitious to become a successful or popular public speaker, and for the one who has to prepare a toast or an address—this work is a never-failing source of entertainment and inspiration.

Nor is this solely a man's work. "The tenderest tribute to woman I have ever read," said Senator Dolliver, when he had read the manuscript of Joseph Choate's after-dinner speech—"The Pilgrim Mothers."

MODERN ELOQUENCE is published in 10 sumptuous Octavo Volumes, yet is moderately priced. To properly present this unique library, a beautiful Portfolio containing Table of Contents, fine Photogravures, Chromatic Plates, Sample Pages and other interesting material, has been prepared. This Portfolio, and full particulars regarding bindings, prices, terms etc., will be mailed you postpaid.

SEND COUPON.

JOHN D. MORRIS & CO.
PUBLISHERS
PHILADELPHIA

Fold Here—Tear off—Mail Now
SPECIAL PROPOSAL
We will send, free of charge, postpaid, a fine Portfolio containing Photogravures of Famous Men, Colored Plate reproductions of "Religion of Labor" and 80 Specimen Pages of brilliant After-Dinner Speeches, Lectures, and Addresses, along with Anecdote and Repartee, and Ad- your name and address plainly. (A—280)
Name.....
City and State.....
We will submit with this a Special Proposition
John D. Morris & Co.
Philadelphia

1

CONTENTS

	PAGE
Delta Chi Chapter Roll.....	2
Fraternity Officers.....	3
Chapter Officers.....	4
Questions of Fact in Courts of Law and Equity.....	5
Liability of Officers of a Corporation for Infringement of a Patent...11	
The Russo-Japanese War and International Law.....	16
Delta Chi and Members of Other Fraternities.....	20
Editorials.....	22
Among the Greeks.....	27
Conditions of the Legal Profession as Reported by Delta Chi Men...32	
Alumni News.....	36
Mid-Summer Meeting of Chicago Alumni Chapter.....	44
Irrelevant and Immaterial.....	46
Book Reviews.....	48

The . . . Delta Chi Quarterly



JAMES O'MALLEY,

Editor-in-Chief

**Erie County Bank Building,
Buffalo, N. Y.**

MANTON M. WYVELL,

Business Manager,

**No. 350 Broadway
NEW YORK CITY**

THE Delta Chi Quarterly is the official organ of the Delta Chi Fraternity, established by the Eighth Annual Convention, Chicago, Ill., July 11, 1902. Published in January, April, July and October of each year. Subscription price \$1.00 per year, payable in advance. Single copies twenty-five cents. Cards of Fraternity members will be carried in the Professional Directory, at the rate of \$1.00 per year. Other advertising rates furnished upon application. Subscriptions and remittances should be sent to the Business Manager.

Articles on legal topics and contributions of general interest to the Fraternity, are solicited from all members.

DELTA CHI CHAPTER ROLL

ACTIVE CHAPTERS

Established.

Cornell University	1890
New York University	1891
Albany Law School	(Withdrawn 1893) 1892
University of Minnesota	1892
De Pauw University.....	(Withdrawn 1896) 1892
University of Michigan	1892
Dickinson University	1893
Northwestern University	1893
Chicago-Kent Law School	1894
University of Buffalo	1897
Osgoode Hall of Toronto	1897
Syracuse University	1899
Union College	1901
University of West Virginia	1902
Ohio State University	1902
New York Law School	1902
University of Chicago.....	1903
Georgetown University	1903
University of Pennsylvania	1904

ALUMNI CHAPTERS

Chicago Chapter	1902
New York City Chapter	1903

BOARD OF MANAGERS

OFFICERS

President: EDWARD C. NETTELS, Des Moines, Iowa.
Secretary: FLOYD L. CARLISLE, Watertown, N. Y.
Treasurer: RUFUS G. SHIRLEY, 1133 Broadway, New York City.

OTHER MEMBERS

HARRY H. BARNUM, 1139 First National Bank Bldg., Chicago, Ill.
WILLIAM W. BRIDE, Lincoln, Neb.
OTIS S. CARROLL, 54 Wall St., New York City.
FREDERICK DICKINSON, 12 Snell Hall, University of Chicago.
EDWARD D. FREEMAN, 5 Nassau St., New York City.
HUGH R. FULLERTON, Havana, Ill.
LEROY T. HARKNESS, 26 Liberty St., New York City.
A. FRANK JOHN, Mt. Carmel, Pa.
JOHN J. KUHN, 189 Montague St., Brooklyn, N. Y.
JAMES O'MALLEY, Erie County Savings Bank, Buffalo, N. Y.
H. NORMAN SMITH, Delta Chi House, Ann Arbor, Mich.
RUSSELL WILES, 740 Monadnock Bldg., Chicago, Ill.

CHAPTER "C'S."

CORNELL UNIVERSITY

Earl H. Kelsey.....Delta Chi House, Ithaca, N. Y.

NEW YORK UNIVERSITY

Chester H. Lane.....64 West 10th Street, New York City.

UNIVERSITY OF MINNESOTA

Denny P. Lemen...302 Second Street Avenue, Minneapolis, Minn.

UNIVERSITY OF MICHIGAN

Frank I. Holmes.....Delta Chi House, Ann Arbor, Mich.

DICKINSON UNIVERSITY

Herbert F. Laub.....Carlisle, Pa.

NORTHWESTERN UNIVERSITY

Max Murdock.....518 Church Street, Evanston, Ill.

CHICAGO-KENT SCHOOL OF LAW

Roland J. Hamilton.....463 The Rookery, Chicago, Ill.

UNIVERSITY OF BUFFALO

Charles W. Knappenberg.....112 Triangle Street, Buffalo, N. Y.

OSGOODE HALL

M. G. Hunt.....17 Grange Avenue, Toronto, Can.

SYRACUSE UNIVERSITY

Harry B. Orchard.....Syracuse, N. Y.

UNION COLLEGE

Joseph H. Vanderlyn.....Delta Chi House, Albany, N. Y.

UNIVERSITY OF WEST VIRGINIA

Harry G. Scherr.....Charleston, West Va.

OHIO STATE UNIVERSITY

Gilbert Fuller.....Columbus, Ohio.

NEW YORK LAW SCHOOL

George E. Leonard.....425 West End Avenue, New York City.

UNIVERSITY OF CHICAGO

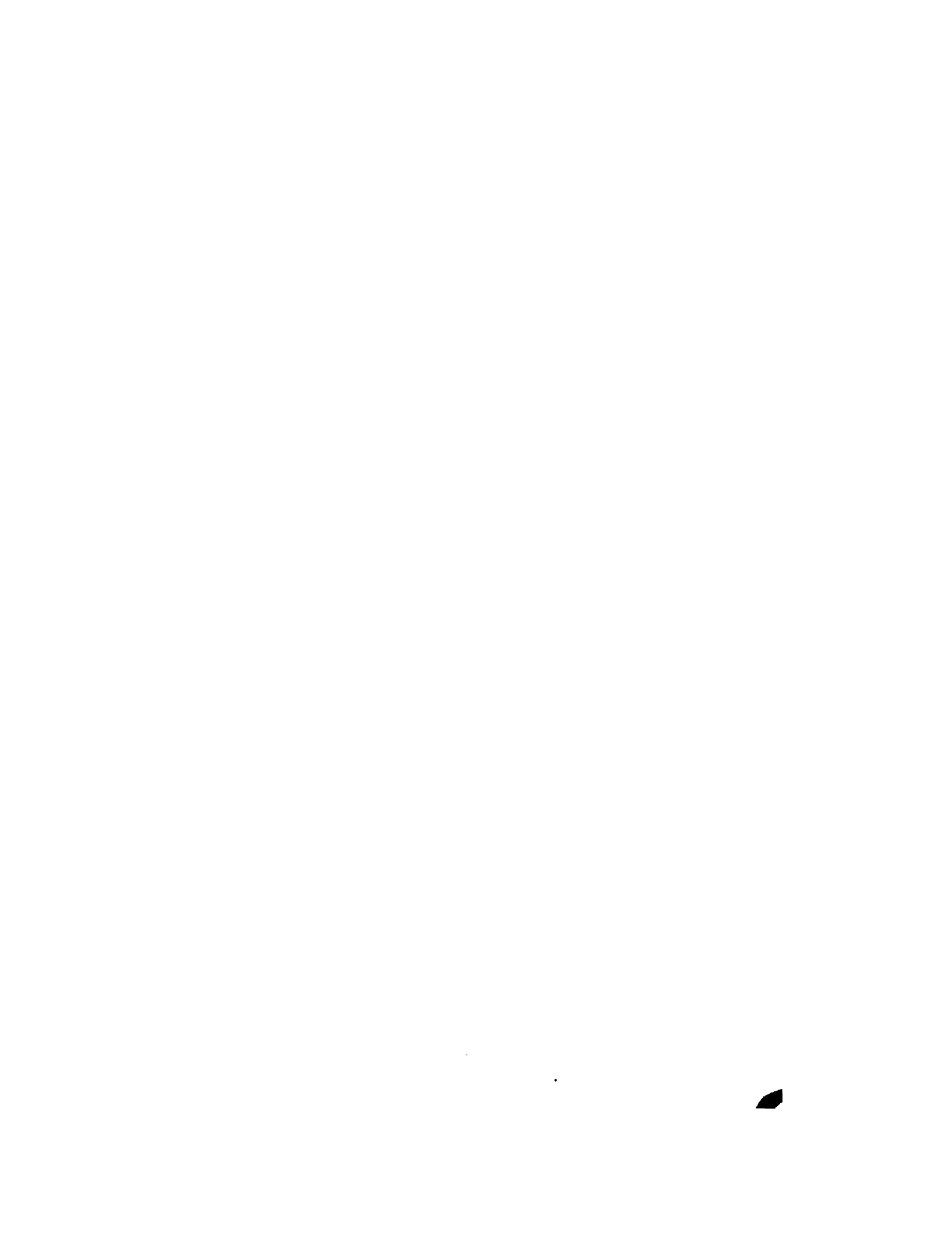
David Hurlburt.....Hartsgrove, Ohio.

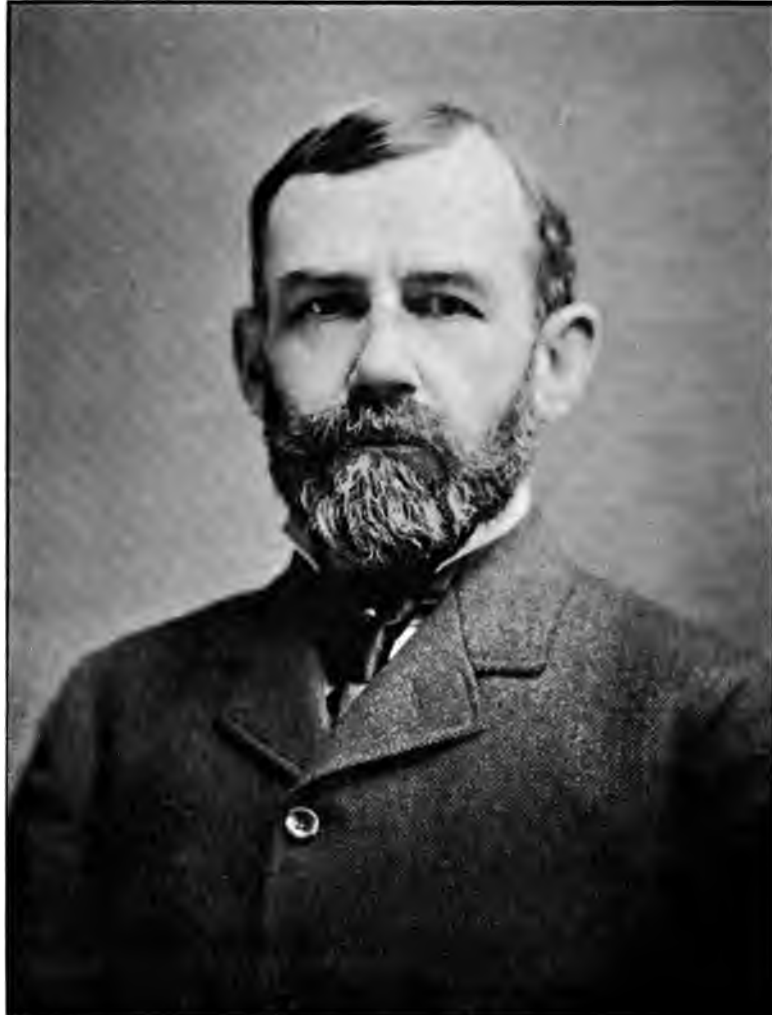
GEORGETOWN UNIVERSITY LAW SCHOOL

Joseph Tarblel Dyer, Jr.....Delta Chi House, Washington, D. C.

UNIVERSITY OF PENNSYLVANIA

John M. Hutchinson.....800 N. 41st Street, Philadelphia, Pa.





HON. ADELBERT MOOT
Of the Buffalo Bar

DELTA CHI QUARTERLY

Vol. II

OCTOBER, 1904

No. 4

QUESTIONS OF FACT IN COURTS OF LAW AND EQUITY

By Adelbert Moot

Of the Buffalo Bar and University of Buffalo Faculty

Whether there is sufficient evidence to go to the jury, is a question daily discussed in civil cases in our courts. It is of vital importance in both State and Federal courts to tens of thousands of clients and lawyers every year. Many thousands of cases are decided upon this point each year without arguments or opinions reaching the real foundations of the question. The difference between the power of a judge in an action at law, and the same judge sitting in equity, is often unknown and unnoted. This difference, and the foundation for it, is most important. The foundation for it in jury cases in Federal Courts is the Constitution of the United States. In State Courts the foundation is the state constitution and the system of law practice recognized by it.

As to the Federal Courts, the United States Constitution provides: "In suits at common law where the thing in controversy shall exceed in value twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law." Amendments to U. S. Const., Art. VII.

In other words, our fathers were so afraid of the power given our national judiciary by providing that—"The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States and the treaties made," &c. (U. S. Const., Art. III, Sec. 2), that they at once amended the Constitution so that no judge could pass upon a question of fact in a common law action if over twenty dollars were involved. They would not trust a judge where more than twenty dollars were involved! It is a little singular that the same judges were still left with unlimited power in equity cases, since then, as now, the equity cases were the ones usually involving large amounts of money or property, and grave questions of law. But equity cases had always been tried by a judge without a jury, in England and this country, unless the judge should of his own motion, or upon motion of a party for some good reason, award a feigned issue to be tried by a jury upon some important question of fact. And even in such cases of feigned issues,

the verdict of the jury was not final, but was only advisory, to be disregarded by the court for good reason; and such is still our law and practice in such cases in both state and national courts. *Acker vs. Leland*, 109 N. Y., 5; *Peregro vs. Dodge*, 163 U. S. 160.

So if a man brings an action in equity for land, where it has equitable features making this possible, instead of bringing an action at law for ejectment, as in the last case cited, he will find he has thus waived his right to have a jury pass upon the disputed question of fact.

Great as is this power of the judge to thus pass upon the facts in equity cases, and to even ignore the verdict of the jury upon them for any good reason, its exercise has been so sound that it is very rare indeed that a jury trial is suggested in an equity case, and still more rare is the equity case in which a jury trial is awarded.

One would think that such confidence in judges sitting in equity and trying questions of fact, a confidence now centuries old, would have made our forefathers less jealous of the same judges, and the same powers, in common law actions, but we have seen such was not the fact.

Upon the contrary, by the constitutional amendment quoted they bound their hands so that "no fact tried by a jury could be otherwise re-examined by *any court*," except according to "the rules of the common law." This meant, of course, that the verdict of a jury upon the facts bound the court in a common law action, unless that jury was misled by some erroneous ruling upon evidence, some improper procedure, some erroneous charge, and it became necessary to set aside their verdict upon the facts, and award a new trial before another jury to cure such error.

So here we have deeply imbedded in our Constitution two different theories of our courts, centuries old, utterly at war with each other, the one that the judge alone can correctly decide the facts in an equity case, and that the verdict of a jury is only advisory of his conscience, the other that a jury alone can correctly decide the facts in an action at law, and no court can disturb that verdict, unless some judge has blundered in telling the jury what the law was upon the trial, and thereby has made another jury trial necessary. Contrasting these hostile principles, any lawyer can see why we have so many new trials upon the facts in jury cases, so few upon the facts in equity cases. We can readily see why foreign jurists smile at our worship of jury trials, and wonder at our jealousy of a judge in such cases, when in a much more important equity case we at once trust the same judge implicitly to pass correctly upon facts and law alike.

It would take too much time and space to discuss all the states, but as New York is so important, and so many follow her practice

in the main, a little further consideration may be given to New York law. There the Constitution long has and still does provide that "trial by jury in all cases in which it has been heretofore used shall remain in violate forever," unless it is "waived." (N. Y. Const., Art. I, Sec. 2.) This means that in common law actions a jury trial is a constitutional right; but in equity actions no such right exists. And so, in New York also, the same judge sits in equity with unlimited power over the facts, where he has no power over them in a common law action. As the New York Constitution was revised by Mr. Root and some of our greatest lawyers in 1894, it can be seen how jealous people are still supposed to be of a judge's power in a jury case. In some of the Western States it is well known that the judge is compelled by statute to give colorless written instructions to the jury, or their verdict in common law actions will not stand. In New York in revising our Constitution in 1894, our great lawyers so far yielded to this ignorant prejudice as to further provide:

"No unanimous decision of the Appellate Division of the Supreme Court that there is evidence supporting or tending to sustain a finding of fact or a verdict not directed by the Court, shall be reviewed by the Court of Appeals." N. Y. Const., Art. VI., Sec. 9.

Of course this recognizes the right of the Appellate Division to exercise the power previously exercised by the General Term to review upon the facts and grant a new trial where the exceptions were worthless but the result was not in accord with the weight of the evidence or the justice of the case. The Court of Appeals, however, in common law actions tried by jury, had always held the General Term had this power (which has not passed to the Appellate Division as the successor of the General Term), but had recognized its own want of power to review on the facts in such cases.

Prior to 1851, the Court of Appeals had the power to review the facts in equity cases, and it could, and sometimes did, exercise that power. See statutes and cases cited in *op. Denio, J., Dunham vs. Watkins*, 12 N. Y. 556.

Our most able and experienced lawyers now agree this power to review the facts upon appeal in an equity case should never have been taken from our Court of Appeals in an equity case, for the obvious reason that no trial judge is infallible upon the facts, any more than upon the law. Hence, the Court of Appeals should have the power to correct error in the facts upon appeal, if error is found therein, since a review of the case usually requires a consideration of the facts to see what questions of law are presented by the appeal. Address Prest. Hornblower N. Y. Bar Ass., 1902, Report pp. 50-60.

In Buffalo, in the spring of 1904, in an address to the Lawyers' Club (not reported), Hon. Alton B. Parker (then still Chief Justice of our Court of Appeals) took the still broader position that in all

cases of an appeal to the Court of Appeals, whether the cases are equitable in nature or not, the Court of Appeals should be allowed to examine the record to see if a non-suit should have been granted, or a verdict directed instead of refused, or whether the evidence warranted the verdict, or the judgment rendered, and this is also the judgment of many of our most able and experienced lawyers. To be sure such lawyers are still able to protect their clients by exceptions to evidence, to the charge made, and to refusals to charge as requested, so as to raise the questions of law involved in jury cases, conceding that such a question can no longer be reviewed upon exceptions to a refusal to non-suit, or direct a verdict, where the Appellate Division has unanimously affirmed. *Op. Cullen, J., McGuire vs. Tel. Co.*, 167 N. Y., 208, 211.

But younger and less experienced men, not informed as to this needless legal labyrinth of technicalities that must be successfully passed to raise the questions of law, are constantly compelled to see judgments affirmed upon the ground that a non-suit denied with exceptions presents no question of law. *Szuchy vs. Coal Co., &c.*, 150 N. Y., 219.

This decision, construing the present Constitution and statutes of New York, has always been regarded by lawyers as a close and doubtful one, to say the least, and has often been questioned upon appeal, not only by lawyers but by members of the very court which was unanimous when it was rendered, but it has successfully withstood all attack. Findings of fact in equity actions (*Marsden vs. Dorothy*, 160 N. Y., 39, 46), and verdicts of a jury in common law actions, even where the Appellate Division is in enough doubt about the decision that should have been made by it to certify the case to the Court of Appeals are, nevertheless, beyond review in the Court of Appeals. *Reed vs. McCord*, 160 N. Y., 330. We are to note, however, that had some Justice of the Appellate Division dissented from the decision of that court, even in that jury case, the Court of Appeals could have examined the facts, for where a non-suit is granted, or a verdict is directed, or the Appellate Division is not shown to have been unanimous, the Court of Appeals can examine the facts, and reverse, if that should be done. *Laidlaw vs. Sage*, 158 N. Y., 73, 88.

Let us assume the lawyer in New York has properly raised his question of law by some exception duly taken on the trial of a common law case before a jury, or by such an exception upon the trial in an equity case, or by obtaining, if possible, a finding of fact in a case tried before a referee or court, so that he will raise his legal question, or that he has raised the question by an exception to some conclusion of law, even if it is called a finding of fact, when and to what extent can this defeated counsel require our Court of Appeals to look into his evidence in his record, where the Appellate

Division has granted a unanimous affirmance? In such a case, when can he get a reversal, if the evidence fails to show some vital fact necessary to support the judgment? Of course he must see to it, in such a case, that his record contains all the evidence upon the question to be reviewed, and so states. Having done that, the rule is that, even in an equity case, if there are "no disputed questions of fact" which are adversely settled by findings of fact, then a question of law is raised by the appeal. *Buffalo & L. L. Co. vs. B. L. & I. Co.*, 165 N. Y., 247, 253.

The questions of law presented upon appeal are:

1.—Are material rulings upon evidence erroneous?

2.—Are the conclusions of law supported by the facts found? or

3.—Whether in any view of the undisputed facts, the party who succeeded was entitled to judgment. *Nat. Harrow Co. vs. Bement*, 163 N. Y., 505; *Dannhauser vs. Wallenstein*, 169 N. Y., 199.

Agreeable to the suggestion of Mr. Hornblower, the Code has been so amended as to simplify the New York practice somewhat, upon trials before referees and courts, and now facts and law must be separately found, and exception can be taken to the refusal to find a fact as requested, thus making it easier to raise some of the law questions involved. N. Y. Code C. P., Secs. 1022-1023-993. Such an exception, however, does not authorize a review if the evidence is conflicting.

But when all has been said for it that can be said, we must remark in passing, that the New York practice, once so simple under what was known as the Field Code, has now become the most complicated and technical ever known to Anglo-Saxon lawyers anywhere, even at common law, and the small part of that practice touched upon in this article abundantly shows the need of a thorough revision and simplification of the present law governing practice, from the Constitution down to the Code. Such a revision is now under way.

One broad principle of evidence, however, has been developed during the last half century, that helps out defeated justice in the Federal Courts, and somewhat in the courts of New York, despite the needless technicalities to which reference has been made. The early jealousy of judges in common cases, led courts to hold that any dispute about a fact raised a question of fact for the jury, upon which their verdict was final, but later in England, and this country alike in both State and Federal courts, the doctrine that a "scintilla of evidence" disputing facts abundantly proved to the contrary, will make a question of fact for the jury, is treated as an old, unreasonable, and "exploded" doctrine. *Op. Imp. Co. vs. Munson*, 14 Wall., U. S., 442, 448; *Op. Ruger, Ch. J.*, and cases cited, *Dwight vs. Ins. Co.*, 103 N. Y., 341, 359.

Even under our present bad practice in New York, in a common law action tried before a jury (it was in a negligence case), where the Appellate Division is divided and not unanimous, the Court of Appeals holds, in the accurate and sententious language of O'Brien, J. "At best there was but a scintilla, which in law is only another way of saying there was no evidence." *Op. Johnson vs. N. Y. C.*, 173 N. Y., 83.

A recent writer has shown this is the the universal rule in this country. See Mr. Campbell's article, 59 Cent. Law J., 224, 225, and cases cited.

Of course this last case might not be now decided as that case was, because of the present Constitution, and yet upon reason it should be so decided, for if there is no evidence making a substantial dispute upon a material fact, there is no "question of fact" to be decided, hence a jury has decided no such question and the constitutional provisions do not apply. Such are the decisions of the Supreme Court of the United States, as I have shown, and the New York Court of Appeals should decide this question the same way, although I have observed no decision in terms so holding.

It is obvious, however, that any substantial dispute in the evidence, upon which reasonable, fair-minded men may differ, raises a question of fact as to which the verdict of a jury, or the finding of fact of the Court, is conclusive upon the courts of appeal. This rule is general. The United States Supreme Court holds itself bound by the facts found in the state court, and will not, in the absence of a proper finding of fact, examine the evidence and reverse a state court. *Bement vs. Nat. Harrow Co.*, *op. Peckham, J.*, 186 U. S., 83, 87, 95.

These cases are suggestive as to the learning, care and ability required in using evidence, in conducting important cases in our courts.

Buffalo, N. Y., Sept. 27, 1904.



2014

10



PROFESSOR J. NOTA MCGILL,
Of Georgetown University

LIABILITIES OF OFFICERS OF A CORPORATION FOR INFRINGEMENT OF A PATENT

By J. Nota McGill
Of Washington, D. C.

When the conditions of government and the exigencies of commerce demanded new and more suitable means for the conduct of affairs, both municipal and financial, and the law sanctioned the formation of bodies corporate, was it intended, in clothing such organizations with all the attributes of individual man, that those forming or controlling them should escape all liability to which they would be subjected if acting in their individual capacity?

Corporate influence dominates the world. There is not a single field of industry in the furtherance of which corporate bodies are not interested. The smallest hamlet has its corporation, while in the manufacturing and industrial centers thousands of companies every year are organized to engage in business. Small as well as gigantic enterprises are conducted by such organizations.

When we speak of corporations it is impersonally; but, as to each corporate body, it is, after all, only a relatively small number of men who actually control its actions. Its welfare or its destiny is in the hands of officers and directors. Their word is its law; they command its every act, and, if they be unscrupulous, are they to be allowed with personal impunity to override the rights of others? Can they by acting in the name of the corporation escape liability for their tortious acts? Did the law ever so intend?

Frequently if men can be made to realize that, even though they are acting in the name of a corporation, they cannot escape personal liability for wrongful acts, they are more prone to proceed with due regard to the claims of others. Men will shun as individuals that to which collectively they are indifferent. This is particularly true in respect to patents.

Infringement involves an act *ex delicto*. Of that there can be no question. The statute provides action on the case as the remedy at law for infringement, and it is the settled rule that in such actions the plaintiff, while not compelled to do so, may sue all persons jointly liable. Does an officer escape liability because all the actions of which he has been guilty have been done by him in his representative capacity, in behalf of a corporation?

Boone lays it down as a fundamental rule of corporate law that although a corporation is liable "for the illegal doings and defaults" of its officers, an injured party is not deprived of his right to proceed personally against the officers who committed the injury.

A public officer is not liable on a contract, although under his own hand and seal, made by him in the line of his duty, by legal

authority, and on account of the Government, and enuring to its benefit and not to his own. But he is personally liable to an action of tort by a person whose private rights of property he has wrongfully invaded or injured, even if acting under the authority of the United States, and may be sued as for his own infringement for a patent. State officers, acting under an unconstitutional statute of a State, are liable to an action of trespass, and, where the remedy at law is inadequate, may be restrained by injunction. Should any different rule apply to officers or directors of an infringing corporation? An officer may not himself actually commit the infringement; his connection therewith may be only that of directing the affairs of a corporate body, and even to this his attitude may be one of mere indifference, or passive acquiescence. The rule is that, although he does not actually and physically commit the tortious act, he may be liable if he directs or commands its commission, or if he sustains to the person committing it the relation of master or principal, even though he is acting in the name and on behalf of the corporation.

When the corporation is a mere pretext—a shield against individual liability—there can be no question that, as was said by the Supreme Court in another connection, “the law will strip a corporation or individual of every disguise, and enforce a responsibility according to the very right, in despite of their artifices.” Where it has been shown that an officer, sued as such, is the sole owner of the corporate stock, or has previously been associated with the complainant in the enjoyment of the patented right, or even where the corporation is not joined as a defendant and the officers are sued alone, especially under allegations of an attempt on their part to defeat recovery against the corporation of which they are officers, or that the corporation was formed solely for the purpose of manufacturing an infringing device, the courts have not hesitated to hold such individuals liable.

In refusing to hold the officers and directors of a corporation liable, it was once said that “it would be a great hardship if the directors of a railway or manufacturing corporation were bound, at their personal peril, to find out that every machine that the company uses is free of monopoly.” It is difficult to comprehend why any greater exemption should extend to men as directors of a body corporate than they would enjoy as co-partners or as members of an unincorporated association. Of course, where there is no direct charge of infringement against the officers, and the prayer against them is for an accounting only on behalf of the company, there is no equitable ground for relief against them individually. The mere fact that they are officers does not *ipso facto* make them liable. An officer having no power over the actions of the corporation cannot be said to have participated in the unlawful act.

In one circuit it is, and long has been, the practice to join the president of a corporation as a defendant—that is to charge the corporation and the officer, in general terms, with the infringement. This has been sanctioned by the courts on the ground that an injunction is much more apt to secure obedience if directed to an individual officer by name than if it only ran against officers and agents of the corporation by that general designation. The moral advantage of putting the officer addressed upon notice that he must see to it that the process is obeyed, and that he will be held personally responsible for disobedience, has outweighed any strict rule of pleading or interpretation of the law of liability. And when, in such cases, it is shown that the officer was guilty of intentional and willful action, indicating an individual purpose to infringe, a personal decree for damages or costs has issued against him; otherwise he is merely enjoined by name. Conceding the advantage of this practice, and notwithstanding it carries the weight of judicial sanction, it is difficult to see why the officer should be personally made a defendant, unless the bill charges and the proof shows liability on his part for the acts of the corporation.

In patent matters we frequently encounter the professional organizer—the prolific inventor whose morals are blunted by his estimation of the debt the world owes him. No sooner has a corporation or an individual gotten well under way in the manufacture of an invention assigned by him than he seeks fresh capital for the manufacture of a subsidiary or subordinate invention, perchance, as often occurs, when he is under agreement to assign all improvements to the assignee of the original invention. There can be no question of his liability along with the defendant corporation, whether he be an officer, director, or even a mere stockholder. The same is true in cases of mere paper corporations, organized to roam like the pirate of old, with or without color or letters of marque and reprisal, and to annoy and hamper the owner of prior rights, frequently for the unworthy purpose of endeavoring to force him to purchase. Such organizations being kept alive mainly through the monetary aid and personal influence of their officers, there should be no question of the latter's liability, not only to an injunction, but also to an accounting for damages. Often such organizations cannot be successfully reached in time to prevent them from doing serious damage, while an injunction against their officers would instantly forestall that which the corporation itself might otherwise accomplish. This rule has even been extended to the officers of a common carrier to prevent transportation by them of an infringing article.

A liability of an injunction does not conclusively establish accountability for damages or profits, and, conversely, liability for damages does not conclusively establish that an injunction may issue

or an account for profits be ordered. One class of cases adopts the acceptance of the benefits, pecuniary or otherwise, springing out of the use or sale of the patented article, or from the infringing act, as furnishing the test of liability, holding that all who derive such benefit are to be reckoned as guilty of the tortious act which makes it possible. These may be stockholders, as well as officers and directors; but, while the plaintiff may proceed to judgment against all, and while the judgment against one is not a bar to a trial and recovery against the others, yet there can be but one satisfaction. The complainant has the right to pursue the servants and agents and obtain relief prayed for, although he is pursuing the principal at the same time in another suit for the same wrong. The rule established by these cases is that any person who has made a separate profit to himself out of the manufacture, use, or sale of infringing goods incurs a distinct and separate liability; and while it may be proper to confine the accounting to the corporation when it, in the first instance, derived all the profit, and the officers have profited merely in their capacity of stockholders in the shape of dividends, yet the officers may be made to respond if the corporation does not afford ample satisfaction. But the absence of such gain or advantage on the part of the officers in no way lessens their otherwise present liability. The rule also applies in cases of infringement by unincorporated associations. The infringing use, sale, or manufacture being a tort, each member is liable to be enjoined, and the extent of liability of each for profits and damages is purely a question of fact.

From many cases refusing relief against officers and directors sued individually, it is inferable that they might have been held liable had it been alleged or shown that the corporation itself was insolvent. But will insolvency alone establish personal liability on the part of the officers? In many of the States there are statutory provisions making officers and directors personally responsible for the liabilities of a corporation under certain circumstances, as when they have been guilty of fraudulent acts. But all such personal liability for corporate wrongs is based on the principle that where through fraud or carelessness in the management of its affairs, the corporation cannot respond to lawful claims arising from its contracts, the responsible officers or directors will have to answer. The same is true where, though dishonesty on the part of the officers, the corporation is rendered incapable of responding in a sum sufficient to satisfy the judgment. But insolvency alone, taken in the abstract and unattended by any other controlling factor, should not form the basis of individual responsibility, and the frequent refusal to hold officers liable because of failure to allege or establish want of solvency of the corporation is in itself misleading. And why should insolvency alone, when not caused by fraud or dishonesty

on the part of the officers, make them personally answerable for the torts of the corporation any more than for its contract liabilities?

It is not difficult to comprehend the reluctance of some courts to hold officers and directors personally liable where the element of malice or willfulness is wanting. In other words, the tendency not to hold officers or directors responsible for infringements unwittingly committed, or where the question of infringement is not free from doubt, is often because of the conduct of such defendants subsequent to notice of the infringement being brought to their attention. Regardless of any primary obligation on the part of a corporation, the officers or directors responsible for the continuance of the infringement after knowledge of the complainant's claim become, if, indeed, they are not already, joint tort-feasors and are answerable as such. Many decisions apparently seek a modification of the rule to the extent of exempting officers and directors from liability where they have not knowingly and with improper motives participated in or directed the commission of the infringing acts. But this is in the face of the rule that, as with other infringers, knowledge that the article manufactured and sold did infringe is immaterial.

The theory upon which the individual liability of officers has been denied is that an artificial person, the corporation, alone is the guilty actor, and none of its members or officials legally participate, as individuals, in acts done by it. This view is so contrary to the fundamentals of the law of torts and so conflict with sound reason that it is impossible longer to accord it serious consideration.

The affirmance of the liability of officers and directors rests on the ground that all who take part in a tort or trespass are liable, and a man cannot retreat behind a corporation and escape liability for a tort in which he actually participated. In brief, every voluntary perpetrator of a wrongful act of manufacture, use, or sale is a tort-feasor, becomes *ipso facto* an infringer, is legally responsible, and, in addition to being enjoined, may be made to respond in damages. If there is any authority for holding that officers and directors of an infringing corporation, acting as its agents, are exempt from injunction and accountability for their own tort of infringement, it is the only instance known to the law where an agent may plead his agency in avoidance of liability for wrongs committed by him. There is no foundation in law for any such doctrine.



THE RUSSO-JAPANESE WAR AND INTERNATIONAL LAW

By Professor Edwin Maxey
of the University of West Virginia

While war necessitates international law, it also puts upon it a very severe strain. This is particularly true where the rights of neutrals clash, or seem to clash, with those of either belligerent. And even as between belligerents not all the rules of war are so well settled that self-interest will not impel one or the other to contend for a new interpretation of old rules or deny the application of those rules to new conditions. The present war has raised an exceptionally large crop of questions—some old, some new—that are well worthy of consideration.

At the very outset the question of the necessity of a formal declaration of war was raised by Russia. The Russian Minister and the Czar went so far as to issue a manifesto accusing Japan of treachery and violation of the law of nations by beginning the war without such declaration. That her complaint was not well founded seems to be settled by the usage of nations. The fact is that the nearer we come to the present time the rarer are the instances in which formal declarations have preceded the breaking out of hostilities. Since 1700 there have been one hundred and eighteen wars between civilized States and of these but eleven have been preceded by a formal declaration. The breaking off of diplomatic intercourse is generally considered sufficient warning.

The next question raised was that of the use of neutral territory by a belligerent. The general rule upon this point is well settled. But in this war the situation was anomalous. It was evident from the beginning that the main battlefield of the war would be, in what was nominally at least, neutral territory, to wit; Corea and Manchuria. Though China and Corea had sufficient cause for complaint at being forced to undergo the hardships inseparable from military operations upon their soil, the Russian indictment of Japan for her military occupation of Corea cannot fail to recall to mind the classic fable in which the pot calls the kettle black. The facts seem to be that Russia invaded Corea first, and certain it is that she had invaded Manchuria before the beginning of the present war, to which these invasions gave rise.

The uses of submarine mines raises a very interesting question. Undoubtedly Russia had a right to anchor them in her harbors for purposes of self defense. But she had no right to strew the seas with them in the hope that they might destroy Japanese war vessels, when in so doing she would necessarily endanger neutral shipping. If she saw fit to anchor them in her territorial waters that was her



PROFESSOR EDWIN MAXEY
University of West Virginia

NEW YORK
LIBRARY

right, provided she took a reasonable care to warn neutral shipping concerning their presence. But if she availed herself of this means of protecting her coast, it was her duty to see to it that such machines for destruction were so securely fastened that they would not float out into the open seas and thus render unsafe the national highways of peaceful commerce. True, it cannot be said that Russia was violating any specific rule or precedent, for the use of such engines of destruction in this way is new, and hence there is no exact precedent concerning the case. Yet, it seems clear that the general rule of law that each should so use his own as not to injure others, particularly his friends, should govern. But if in this I am wrong, the matter is one for special convention and the powers should lose no time in reaching an agreement concerning it and promulgate rules without delay.

The sending of a part of her volunteer fleet through the Dardanelles has given rise to a dispute as to the interpretation of the treaties of Paris and London which provide that Russia shall not send war vessels through those straits without the consent of Turkey. The vessels were sent through the straits, not as war vessels, but as merchant vessels, flying the merchant flag. Yet, when once they are through the straits, their armament is put in place and up goes the war flag. Such sleight of hand can, however, deceive no one. It is too clearly a mere subterfuge for the purpose of circumventing the provisions of the above treaties. It is therefore not surprising that, when these vessels began searching and capturing neutral ships in the Red Sea, their characters should have been called into question. For if they were war vessels they had no right in the Red Sea, as they were there in violation of treaty. If, on the other hand, they were merchant ships they had no right to search or capture and when attempting such acts they were acting as pirates and as such might lawfully have been captured or destroyed by the warships of any nation.

The question of contraband goods has again been raised. Russia has insisted upon including coal, cotton and foodstuffs in the list of contraband goods. With reference to the former there is much to be said in favor of her contention, especially in view of the indispensability of coal in naval warfare. In fact, it seems exceedingly likely that henceforward coal will be considered as contraband, particularly if found near where a hostile fleet is operating. That the doctrine of occasional contraband will be applied to it seems reasonably sure. But as to cotton the case is a much weaker one. The determination of Russia to hold this contraband seems to spring from a desire to keep other nations, more particularly the United States and England, from getting complete control of the cotton trade in Manchuria, while Russia is handicapped by reason of the war. Cotton, in common with foodstuffs, should never be considered

contraband unless the evidence is convincing that it is intended for a hostile army or navy. It is the destination and use which alone gives to them their character of contraband.

The sinking of the night Commander, a British vessel, containing a cargo made up principally of railroad supplies, and of the Thea, loaded with fish, were acts which can hardly be justified. It is true that extreme necessity will justify the destruction of prizes, but if the practice is to be indulged in merely because it suits the convenience of the belligerent, as in these cases, it is a most dangerous practice in that it lends itself so readily to abuse. Such practice destroys the greater part of the evidence, which would be necessary in order to prove the illegality of the act. I am convinced that neutral commerce cannot be placed at the mercy of marauding fleets without doing violence to the law of nations.

The sinking of transports with men on board is even less defensible. For while the former merely interferes with a property right, this interferes with the more sacred right to life. Soldiers when captured, whether on sea or land, have the right to be treated as prisoners of war. A failure to respect this right is not only lawless but uncivilized and inhuman. Such acts can reflect no credit upon any nation. Prisoners of war are always more or less of a burden but that does not warrant destroying them. They should either be cared for or let go free.

When the Russo-Chinese Bank at Neu Chwang fell into the hands of the Japanese a delicate question was raised because of the somewhat uncertain character of that institution. By the Russians it is alleged to be a private concern and as such the Japanese would simply have the right to its use during the period of military occupation, at the end of which it would revert to its original owner. In other words, the military occupant would acquire no title, except to the usufruct during military occupation, and hence could acquire nothing further than the right to use, which right would terminate with the termination of military occupation.

If, however, the institution is really a governmental institution, the effect of military occupation is far greater. The military occupant may confiscate the property and convey complete title thereto. From the day it was established it has been believed by all who were conversant with the situation that the Russo-Chinese Bank was nothing more nor less than an agency of the Russian government owned and managed by officials of said government. Its nominally private character was simply a blind to divert suspicion from the operations of the Russian government in Manchuria. Such veiled, and sometimes very thinly veiled, schemes are not infrequently resorted to by governments in order to avoid opposition until the point has been reached where they feel that they can safely disregard opposition. If this is the real character of the bank, the Japanese are

entirely justified in insisting upon their right to confiscate the property of the institution, estimated by some as high as 50,000,000 rubles, and use the proceeds for the purpose of defeating the end for which the institution was created, viz: the stealthy absorption of Manchuria by Russia.

In this brief survey I have, of course, been unable to discuss exhaustively the several questions raised, but trust that by suggesting their importance and their interesting character others may be stimulated to a more exhaustive study of them. If this hope is realized, the space used and time consumed will by no means have been wasted.

Morgantown, West Virginia, September 1, 1904.



DELTA CHI AND MEMBERS OF OTHER FRATERNITIES

Henry W. Stiness, Northwestern Chapter

As the fall of the new college year approaches the problem of replenishing the ranks of the Fraternity once more presents itself. To the undergraduates there rises once more in the mind the policy of taking into the folds of Delta Chi the Greek letter men of the college fraternities.

To the writer the question is a vital one. It has been argued to him by many that it is a mistake to take men from the undergraduate fraternities and the plea that they destroy the "spirit" of the chapter life has been consistently advanced. The statement that the interest of the college fraternity man is divided is continually the war-cry. It is my object in this humble article to try and overrule this opinion.

To begin with there is no man so qualified to appreciate and take advantage of the benefits and good-fellowship of the Fraternity as he who has lived in the midst of that closest man to man union—the college fraternity. He has learned to live with and for his fellows. He has unconsciously grown to act as a corrector of their faults, an advisor when advice is needed, as a friend and a brother in the hour of trouble, as an aid in the daily tasks of scholastic life. He himself is in the most receptive mood for gaining by the association with those who have chosen him as their mate and hence there is no man who can lend more to the absolute advancement of a chapter than the Greek letter man.

Again such an individual has had an experience which has taught him to readily grapple with the intricacies of fraternity policy. He readily analyzes the qualities of a proposed candidate and can easily find that indescribable something that makes a man a leader among his college contemporaries.

There is I believe at the present time no room to doubt the fact that the majority (not all but the majority) of the fine men of undergraduate life join the ranks of the Greek letter societies in their college. Are we not then by an anti-fraternity man policy cutting ourselves off from men who in later years will lend to the Fraternity the dignity and advantage of standing in the community, and all for the mere fear lest that on a few occasions they might seem to share their affections for Delta Chi with one of its indirect rivals? Are not those who stand for this policy cutting off their noses to spite their faces and is there not the tiniest tinge of jealousy behind the theory which they advocate? Perhaps this is an injustice but it appears that way.

The very fact that a man would join a fraternity and permit his name to be irrevocably linked with it would fortify that organization against a lethargy on his part, for who is there who wishes his name to be annexed to something that is inferior and who would not do all in his power to make what people knew him to be connected with a shade better than any other similar thing?

Is a man who belongs to the Loyal Legion to be denied a place in the Sons of the Revolution because he is a member of the other society? No, they are proud that they can count among their numbers one whom others honor. So should it be with us, honor to him to whom honor is due, and if we find among those who wear an undergraduate pin a man whose personality recommends itself to us, let us rather take encouragement from the fact that others have so tried him and not found him wanting. Let us look beyond ourselves and see that each such man we take but strengthens the opinion of our Fraternity in the eyes of the undergraduate world and the more places it as a goal for those who look forward to the professional school career, thus elevating our standard yet the more. Let us remember that the type of man in question can wield for our good the power of a double brotherhood and let none be blinded by the false light of "divided interest," for if the man be a man worthy consideration of such a fraternity as is Delta Chi, he must of necessity be of sufficient calibre to warrant his true allegiance to any body of which he consents to form a part.



The Delta Chi Quarterly

Published at Ithaca, New York

BOARD OF EDITORS

JAMES O'MALLEY, *Editor-in-Chief*,
4 Erie Co. Savings Bank, Buffalo, N. Y.

MANTON M. WYVELL, *Business Manager*,
Ithaca, N. Y., and 350 Broadway, N. Y.

ASSOCIATES

FLOYD L. CARLISLE, *Chap. Correspondence*,
8 Stone Street, Watertown, N. Y.

JOHN J. KUHN, *Alumni Page*,
169 Montague Street, Brooklyn, N. Y.

WILLIAM W. BRIDE, *Exchange Editor*,
Lincoln, Nebraska

EDITORIALS

In his plea for a more liberal policy respecting the admittance of the members of other fraternities to Delta Chi which appears in this issue, Brother Stiness, it seems to us, has made an unfortunate distinction between Delta Chi and other fraternities. He designates Delta Chi as a graduate fraternity. He refers to the members of other fraternities as "Greek letter" men, and speaks of the "college fraternity" man as if he were a product unknown to Delta Chi. What is the basis of this distinction? Nothing before within our experience has caused us to doubt the undergraduate standing of Delta Chi. Men who have become associated with the Fraternity as graduate students are rare exceptions. Until within two or three years, there have been no chapters that have made a practice of initiating graduate students. Their membership has been drawn entirely from undergraduate classes in the institutions of law where the chapters are located. Hence, the vast majority of the Fraternity's membership up to date, may be termed an undergraduate membership. So, too, it would seem, that we have just claim to be classified with Greek letter men, and to be considered as belonging to the great body of college fraternity men. What is there in our chapter life at Michigan, Dickinson, Cornell, Georgetown, or in a

majority of the others, that would preclude us from claiming a place among all so-called undergraduate fraternities as such?

This comment is made and these questions asked, not for the purpose of urging opposition to the subject dealt with in the article referred to, but simply to point out, as we did in the July issue, that the idea that Delta Chi is different from other fraternities must not be allowed to creep into the mind. It is not a graduate legal society, or club, but a fraternity intended primarily for the undergraduate life of colleges of law, with an individual life and existence entirely independent of all other fraternities. If Delta Chi is to live and grow into such a fraternity as its founders intended that it should, it must develop life within itself that will be all-sustaining, and not become dependent upon outward sources for the elements of that life. The Mother Chapter has aimed to place herself on the same plane and into competition with each and all of her rivals, believing that this is the only means of salvation. In this policy she has succeeded to a great extent, and so, too, have the other chapters, which have adopted it. In consequence, there has been created at these chapters a life, independent and healthful, which needs no stimulant. This is the ultimate goal of every chapter of Delta Chi. Let every chapter aim to reach it, and let every member of Delta Chi cease to regard the Fraternity as differing in its nature and purpose and possibilities from the strongest Greek letter fraternity in existence.



A departure from the usual plan of holding the Annual Convention with any particular chapter has been suggested for this year. The idea of selecting some central location and a large city like Cleveland, for example, has been urged. It is also suggested that one day be set apart for legal addresses by prominent judges and attorneys, thus giving to the occasion a feature of the annual meetings of the American Bar Association. The expenses of the Convention would be defrayed by the general treasury, rather than by a chapter and the plan for free entertainment of delegates would be eliminated. Such a plan is well worthy of consideration, especially for this year, when no chapter seems willing to accept the financial burden incident to the Convention. Moreover, it would give to the assembly of delegates a national prominence and a prestige in the legal world, particularly if the names of one or two prominent

jurists and several attorneys of national repute could be associated with the Convention. And, furthermore, it would be the beginning of the movement, the advisability of which was urged by Professor Duncan C. Lee, at the Convention banquet last April for making Delta Chi a potent force in the life of the American Bar. Of course, such a plan would result in the loss of the wholesome influence exerted on a chapter by a Convention held under its auspices. And this is one disadvantage in the scheme which would have to be considered. Undoubtedly, there are other arguments which might be advanced against the proposition. But without a thorough consideration of all phases of the plan, THE QUARTERLY is inclined to favor its adoption for one year at least.



The absence of chapter news in this issue suggests the disadvantage of the present arrangement of dates for the publication of THE QUARTERLY. The July number chronicled the closing events of the college year. Hence, there are no new items of chapter happenings for October. This situation is regrettable, for no issue of THE QUARTERLY can be made of general interest to its readers without the department of chapter correspondence. In the editor's opinion a change should be made so as to give news of the chapters for each issue. Publication in the months of February, May, August and November would bring the desired result. The August number would have the period of May and June for news of the chapters. So far as is apparent no other department would be affected and the change seems to us desirable in every way. It would mean only a delay of one month in publishing the next issue, which would be brought out in February instead of January. The attention of the "XX" is called to this suggestion with the view that they will take any necessary steps to effect the new plan.



Professor J. Nota McGill of the Georgetown University College of Law faculty and Hon. Adelbert Moot of the Buffalo bar and special lecturer on the Law of Evidence in the University of Buffalo School of Law are new contributors to THE QUARTERLY. Professor Edwin Maxey will be remembered as a contributor to the July number. The articles of these three members add strength to its pages

and will receive a hearty welcome from the many readers of the publication. The members of the Fraternity who are now hardy practitioners and have less interest in the news of the active life of Delta Chi than in matters pertaining to their profession, will find in these contributions material that will well reward them for the time spent in their reading. The younger and more enthusiastic members will find them full of practical knowledge, for which all, it must be assumed, are seeking. THE QUARTERLY is justly proud of being able to offer the work of these writers to its readers and extends the thanks of the Fraternity to each and all for their splendid and welcome service to Delta Chi in this respect.



Self esteem is not a characteristic of THE QUARTERLY. Yet, we feel at liberty now and then to laud our virtues, especially if it is felt that such laudation will bring to the Fraternity's publication the support which it requires and rightly deserves. We publish the following letters from subscribers and offer them as examples of the attitude which the Delta Chi men should have toward THE QUARTERLY:

La Jara, Colo., Aug. 23, 1904.

Editor Delta Chi Quarterly.

Dear Sir:—I send you a check for my subscription and would say that I have very much enjoyed your paper. Living as I do at such a distance from the Cornell Chapter of which I was a member, I had quite lost touch with its affairs. I have enjoyed thoroughly getting the items of news of several of the boys of '91. The Quarterly can be of great assistance to the Society in building it up, and I sincerely hope that it will continue to be well supported. With best wishes, I am,

Yours in Delta Chi,

P. S. JOHNSON.

1901 E. Grand Ave., St. Louis, Mo.

Business Manager Delta Chi Quarterly:

Dear Sir and Brother:—Enclosed please find check in payment of my subscription to The Quarterly. Allow me to say that I think our publication one of the best fraternity magazines that I have ever seen. Wishing it success in the future,

I am fraternally yours,

H. J. MOHRMAN.

September 15, 1904.



The "CC" has introduced an innovation in the work of his department during the summer months. He has mailed to all members of the Fraternity, with the membership recommendation blanks two

additional slips, one requesting information in regard to the condition of the legal profession in various localities throughout the United States, and the second asking for reports on available positions in law offices. These blanks ought to form the basis for an accurate summary of the legal profession in this country and Canada, and prove of great value for reference to members of the Fraternity who are seeking for the most advantageous locality in which to practice. This is a practical work and one which is to be highly commended. We will await with interest the report which the "CC" will later give of his investigations.



The present year ought to witness an increase of fifty per cent. in the number of subscribers to THE QUARTERLY. This would bring the subscription list up to a point which it should reach and maintain. Subscriptions and advertising are its only two sources of revenue, and the amount of the second will be determined largely by the first. A large circulation is what appeals to the advertiser. Do you take THE QUARTERLY? If not, send in your subscription to the Business Manager together with the name or names of others who will subscribe. You will thus help materially to ensure the continued success of this necessary feature of the Fraternity's work.



An interesting bit of information in respect to the nature and organization of the governing bodies of the various fraternities is to be found in the exchange columns in this issue. Reference to it will afford opportunity for comparative study of the subject. As the Exchange Editor suggests, it is a subject to which Delta Chi men may give profitably a little time and thought.



It is a pleasure to report that Floyd L. Carlisle, "CC," is much improved in health. Since the Convention last April he has been in ill health and has suffered intermittently. It is to be hoped that he will have the full measure of his strength during the coming year so as to give to the important duties of his office the efficient service of which he is capable.

AMONG THE GREEKS

Phi Kappa Psi has granted a petition from Illinois.

Delta Upsilon has taken possession of their new home at Michigan.

The Phi Delta Theta and Beta Theta Pi are being petitioned from Colorado College.

Of the thirty-eight Chapters established by Sigma Nu in thirteen years all but four are alive today. Two were killed by non-fraternity laws.

The Theta Delta Chi Shield appears in a blue cover printed in black and silver. The cover is attractive but the magazine within is even more so. One-half of the large number is given over to their revival of Epsilon Charge at William and Mary.

Delta Kappa Epsilon is the first to occupy a house on the Campus at Lafayette College. The privilege was granted them by the faculty and the chapter took advantage of the offer and built a magnificent home.

Sigma Delta Sigma, a newly founded fraternity at Wisconsin, is trying to run on a "co-ed" basis. As far as the exchange editor can learn this is the first attempt at anything of this kind by college students. The chapter is said to be prosperous.

Delta Upsilon and Phi Kappa Psi exchange with other magazines but beyond acknowledging the receipt of exchanges, make no mention of other fraternities. On the other hand Kappa Alpha (Southern), Theta Delta Chi, Phi Delta Theta, Beta Theta Pi and Sigma Nu devote much space and give extremely interesting comments on their rivals.

The Acacia Fraternity composed entirely of Master Masons has established at the University of Michigan. Instead of using Greek characters this fraternity uses the Hebrew for symbols and chapter designations. That at Michigan is known as Ateph Chapter of Acacia Fraternity. This should properly be registered as "Among the Hebrews" rather than "Among the Greeks."

The Caduceus of Kappa Sigma says: "In the right kind of a

chapter, the men have a trick of gravitating together on all occasions; when you find one of them there is sure to be another one in sight and coming. At games and contests and other public occasions they do not have to stop to practice the Fraternity or Chapter yell. They go at their college life, in short, with the idea that they will find their greatest pleasures together. And they do."

Kappa Alpha Journal calls attention to the fact that Delta Phi, Sigma Phi and Northern Kappa Alpha have never supported fraternity periodicals of any kind while Alpha Delta Phi, Psi Upsilon, Zeta Psi, Chi Phi and Delta Psi have tried the experiment and have failed. Phi Kappa Sigma publishes a news letter for distribution among its members. The BRIEF of Phi Delta Phi has had varying successes but is now firmly established, although no copy has been issued since January.

Among the new Chapters are the following: Theta Delta Chi at William and Mary; Kappa Sigma, at University of Chicago; Case, Colorado College; University of Colorado and Colorado College of Mines; Sigma Nu at University of Chicago, Universities of West Virginia and Pennsylvania and Iowa State College; Kappa Kappa Gamma at Tulane; Phi Kappa Psi at Illinois. Phi Sigma Kappa has revived at Stevens Institute of Technology; Sigma Alpha Epsilon at the University of Iowa and Delta Tau Delta at University of Texas.

The Exchange Editor begs to announce the receipt of very kind letters from the editors of the Beta Theta Pi, the Scroll of Phi Delta Theta and the Journal of Kappa Alpha (Southern.) The editor of Beta Theta Pi tells us that he has great interest in the QUARTERLY for he was the founder of the Brief of Phi Delta Phi. The editor of the Scroll says that while he is a member of Phi Delta Phi that he believes the field is plenty large enough for a strong rival to that society and wishes us unbounded success. The editor of the Journal tells us that we have a magazine of which we may be proud and congratulates us heartily upon our success.

There are several new law fraternities, but, as they publish no magazines, the Exchange Editor can only hear of them through the chapters "C's" and through the comments of other fraternity publications. From the Beta Theta Pi we learn that "Theta Lambda Phi has entered Cornell." We are told that there are chapters at Dickinson and the Detroit College of Law. From the same magazine we learn that the chapter at Dickinson occupies a house. Gamma Eta Gamma, it is understood, has chapters at the University of Maine, Boston University and

Union University. There are several other legal fraternities, among them Phi Alpha Delta, that are products of the last year in the West. Little is known of them save that the fraternity last mentioned contemplates taking a house at Wisconsin and already has chapters at Minnesota and Northwestern and possibly one at the University of Chicago. No mention is made of these fraternities in the latest educational handbook published this year. No other legal fraternities are mentioned save Phi Delta Phi and Delta Chi.

The Record of Sigma Alpha Epsilon has this little argument which applies to every fraternity equally as well as to S. A. E.: "Every fraternity is troubled from time to time by what are usually termed "weak chapters." The student of the Greek-letter society will long, but never expect to see the millennium when these phenomena of fraternity life, if I can call them such, will entirely disappear. The shifting and changing constantly going on in chapter life threatens to involve almost any chapter, and there is no man in our own fraternity, or in any other, who has not witnessed the sudden decline of a strong chapter to pitiful weakness. It is useless to discuss or point out the causes that lead to such incidents; they are too well known to require explanation. In ten short years of watching the chapters of some of the strongest national organizations in one of our colleges, the writer can testify to having seen all of them on the mountain-top of prosperity and in the dark slough of despond. It simply remains for National Fraternities to be always prepared for these emergencies, for frequently they come quickly. If a careful plan were adopted to nurse these individuals through their period of sickness, we should find, instead of so many tombstones standing everywhere in the Greek world, seasoned veterans who, having run the course of their disease, had come to renewed vitality."

At the last convention of the Fraternity held with the Cornell Chapter in April of the present year, the question of changing the governing body was much discussed, and yet there remains a severe test for the body then elected. There is no doubt that Delta Chi, a young fraternity in years though exceedingly prosperous, has much to learn from the older fraternities which have weathered the gale of over half a century and are still on the highroad of success. There is still a likelihood that the question will be considered at the convention of next year and so I have collected the characteristic features of some of these fraternities and especially their national organization.

With the single exception of Kappa Alpha (Southern), the writer has been able to learn that no governing board was allowed to grant a charter without consultation with the chapters. In this organization the president can of his own right grant a charter during the interim

between conventions. The governing bodies of the fraternities seem to be as follows:

Alpha Delta Phi, executive committee of nine members who are part of an executive council, consisting of a president, secretary, and one other officer, ex-officio, nine members at large, two members from each active chapter and one from each inactive chapter.

Beta Theta Pi, six trustees including president, grand secretary and grand treasurer. There is also a keeper of the rolls.

Phi Kappa Psi, executive council, comprised of a president, a vice-president, a secretary and a treasurer. There are also editors for the Shield, catalogue, song-book and history as well as permanent committees on ritual, chapter houses and attendance at conventions.

Phi Delta Theta, general council of five, consisting of president, secretary, treasurer, reporter, historian and an alumni commission of two members. These nine constitute a board of trustees.

Phi Gamma Delta, president, treasurer, secretary and two "lay" archons.

Theta Delta Chi, grand lodge of three, president, secretary and treasurer, who name editor of journal and custodian of archives.

Delta Chi, executive council of fifteen members who elect the "AA," "CC" and "DD." There is also an editor of their Quarterly, a catalogue editor and a custodian of archives who is a member of the Mother Chapter and a permanent committee on song-book.

Alpha Tau Omega, grand chief, grand chaplain, grand keeper of exchequer, grand keeper of annals, grand scribe and a high council of five members.

Sigma Nu, high council of four designated a regent, vice-regent and inspector general, grand treasurer and editor of catalogue, grand recorder and editor of journal. There is also a standing ritual committee, a song book editor and historian.

Chi Phi, grand lodge comprising fraternity president and four others.

Sigma Chi, grand consul, grand annotator, grand tribune, grand quaestor, grand editor, grand historian and grand praetors for the nine provinces comprise the executive council. There are also five grand trustees.

Sigma Alpha Epsilon, council of five, archon, deputy archon, recorder, treasurer and editor. Board of five trustees.

Delta Kappa Epsilon, executive council of eight men with a designated president and secretary.

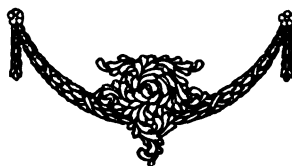
Psi Upsilon, executive council of five members.

Kappa Sigma, supreme executive committee of five consisting of officers designated as "W. G. M.," "W. G. P.," "W. G. M. C.," "W. G. S." and "W. G. T." Has catalogue editor and song-book editor.

Kappa Alpha (Southern) president, historian, purser, editor, chief alumnus and catalogue editor.

Delta Upsilon, executive council of nine members, with the offices of president, secretary, treasurer and field secretary. There is also an auditor, librarian, editor of their quarterly and editor of their decennial catalogue and three trustees of their fraternity fund. The executive council is the governing body during the fraternity year.

Thus it will be seen that Delta Chi has a larger governing board than any of these fraternities. There is a whole year intervening between conventions and the question of a governing board and the scope of its power are subjects that need the attention of the delegates to the next convention and conventions still to come.



CONDITIONS OF THE LEGAL PROFESSION AS REPORTED BY DELTA CHI MEN

F. L. Cartisle, "CC"

The "CC" in his report to the Tenth Annual Convention, held at Ithaca last April, recommended that during the summer an investigation be made among the alumni of the Fraternity, to ascertain the condition of the profession in the various cities and states of the Union and Canada. The immediate aim of this investigation was to secure information concerning desirable places, at which to begin the practice of the law. It is the intention of the organizers of the system to keep a permanent record of the relative merits of cities and states which offer attractive fields for young attorneys to begin the practice of their profession.

During the past summer the "CC" mailed to each alumnus a blank, asking for a brief summary of local conditions in the law. In response to fifteen hundred inquiries mailed, he has received about five hundred responses. Those answers received, give sufficient information upon which to base this hasty, preliminary review of the subject.

In Arkansas practice is reported as not over-crowded. The average young lawyer has succeeded. The country is rapidly growing and the opportunities for securing business are numerous. In Colorado there are large numbers of attorneys. Denver, with a population of 175,000, has 600 lawyers. In many of the smaller towns of the state a need for good lawyers is felt.

In Delaware the cities are over-crowded, but the rural districts afford occasional openings. Connecticut is reported as full of lawyers. A man starting where he has friends may succeed, but a stranger must tarry long e'er he secures a clientage. The cities are very conservative and the law business is controlled very largely by a few old and well-established firms.

In Illinois the profession is over-crowded, except in some of the smaller cities. Interest, naturally, centers in the city of Chicago, where innumerable attorneys are turned out by the several law colleges. It seems to be generally conceded by alumni that there are more lawyers in Chicago than there is law business. There are 4,752 attorneys practicing in the city. Clerkships in offices are generally filled by students in the law schools. Many attorneys are employed by surety, title and guarantee companies which pay an average salary of from ten to fifteen dollars a week. Opportunities for advancement in such companies are remote. In the general law offices the clerks usually receive small salaries. Few work for nothing. The salaries range from five to fifteen dollars per week. Chicago, however, seems to offer more inducements to the beginner than does New York

City. A wit writes: "I will without hesitation recommend any young man with a good legal education and an income of \$6,000 per year to come to Chicago to build up a clientage."

Many lawyers in Chicago state that it is better to start practicing in the smaller cities of Illinois. The smaller cities, like Freeport, Findlay, Shelbyville, Peoria, Sycamore, Quincy and Streator offer favorable opportunities. Springfield is reported as over-crowded and business in the hands of a few political firms.

Indian Territory is reported to be full of "black-leg" lawyers. In one or two years the Territory promises to be an excellent field for attorneys. Indiana seems no more favorable than Illinois. Indianapolis has many lawyers, and a majority of the clerks are secured from the resident law schools. Goshen, Logansport and South Bend do not offer special inducements to young lawyers at present. The smaller cities of Iowa are reported to offer promising fields. Kansas has plenty of lawyers and plenty of law business. Opportunities are fair.

In Michigan, the small cities afford good fields. Of the larger cities Port Huron is reported as progressive. Detroit has too many attorneys. The state generally is prosperous, however, and offers better openings for young attorneys than the average state.

In Missouri, it is not difficult to obtain admission to the Bar and consequently there are many incompetent lawyers. St. Louis is over-crowded, as are most of the larger cities. Opportunities are more favorable in the small cities.

In Minnesota the condition of the profession is generally good. Duluth is not over-crowded and has plenty of good law business. St. Paul and Minneapolis have about 500 lawyers each. The clerkships are generally filled by students in the law schools who work for small compensation. The lot of the stranger is described as being unenviable. Openings for young practitioners exist in smaller cities. Judge Jaggard of St. Paul reports in part as follows: "The northern part of the state of Minnesota is in exceedingly desirable place for aggressive, hustling young lawyers who do not care too much for society. I think Duluth is one of the best places in America for ambitious youth. Either St. Paul or Minneapolis is good, but not remarkable."

Strange to report, Montana is crowded with lawyers. Eastern Montana is inferior to the western or mining districts of the state. Butte is described as being a hard place for beginners. The profession seems to have been corrupted by politics. Helena meets with general disapproval. It seems that the number of attorneys who have left there during the past four years, is greater than the number of new arrivals.

In Massachusetts, Boston controls almost all of the law busi-

ness of the state. There are approximately 3,000 lawyers in that city. Clerks are paid very poorly, if at all. Harvard and Boston University law men crowd the profession. No opportunities exist for strangers.

The profession in New Jersey is declared to be very much congested. Montclair, Atlantic City, Asbury Park and Patterson are said to be undesirable places for beginners.

Conditions in New York State vary greatly. Albany is thus described by Dean Fiero: "Very much over-crowded owing to a great extent to the location of the Law School here and the fact that many graduates settle here. Law business, aside from the Court of Appeals, is not good as compared with cities of like population." Herkimer has plenty of lawyers but plenty of business. Batavia is reported as being a good place to start at the present time. Buffalo is crowded, but there is no over-supply of clerks just at present. Clerks' salaries are better than ever before. Clerkships are not difficult to secure. Many young lawyers are successful. Binghamton has an abundance of law business for its attorneys. Catskill is a good field. Jamestown is rather crowded, also Elmira. The ranks at Glens Falls are full. Hornellsville, Hudson, Olean, Ithaca, Johnstown and Jamestown are crowded, but have occasional openings. Long Island attorneys report plenty of small business, but claim that all large business goes to New York City. Lockport is crowded. Middletown, being a residential city, is not desirable.

In New York and Brooklyn peculiar conditions prevail. Many young lawyers work for title companies at a salary of ten to fifteen dollars per week at the start, with no appreciable chance for advancement. Brooklyn seems to offer better opportunities for the beginner than New York. Specialty lawyers are numerous. Lawyers are generally well paid. New York City conditions are, of course, unique. It is a field of greatest opportunity in the end, but success is very difficult to achieve.

Ogdensburg, Oswego and Watertown are good cities for beginners. Rochester and Syracuse have an abundance of lawyers. The number of attorneys in Syracuse is about 400. In both of these cities there is plenty of business, but it is too much centered in large firms. Schenectady, Saratoga Springs and Troy are crowded, but offer opportunities for those who start advantageously. Utica seems to be a good place for the beginner.

In Ohio, Akron is reported as offering good openings. Canton is full. Cleveland and Cincinnati offer splendid fields. Columbus is a rapidly growing city with many lawyers, but plenty of business. Dayton has many attorneys, but several young men have succeeded there. The smaller cities of Ohio offer better openings.

Oklahoma Territory has many lawyers. Enid with a population

of 1200 has thirty attorneys. Young men, however, often succeed early.

In Pennsylvania, Philadelphia offers a good field, it having fewer lawyers in proportion to its population than any large city in the United States. Altoona, Chambersburg, Scranton, Erie, Hazelton, Lehighon, Reading and Wilkesbarre have their full quota. The smaller cities also are crowded. The reports of conditions outside the city of Philadelphia are discouraging for beginners.

The state of Washington is reported to have a large crop of poor lawyers. They move around from city to city. Good lawyers are successful. West Virginia is reported to be an excellent field. The state is prosperous and the cities have plenty of law business.

Wisconsin has many attorneys. The small cities are the most desirable places to locate. Salt Lake City, Utah, is over-crowded. A few firms handle sixty per cent. of the business. Washington, D. C., is over-crowded, although many young attorneys are doing well. The city, being residential and political, rather than commercial, does not afford the best field.

In Canada all the provinces and territories require three years in a Canadian law school for college graduates and a preliminary two years in a Canadian office for non-graduates. The Canadian West offers great and growing opportunities. Toronto and Ottawa have plenty of legal business and afford good openings. The difficulty of admission to practice prevents the profession from becoming over-crowded.

Almost without exception, the advice to beginners by those who have reported on the conditions prevailing in the profession to-day is for the beginner to go where he is known. Success in the profession depends upon one's ability to build up a clientage, and a stranger in a community is always at a greater disadvantage than one who has an acquaintance, however slight it may be. It is to be noted, furthermore, that the smaller cities are recommended for the young lawyer. These localities offer better means for establishing a reputation. After this has been accomplished the young man may well venture to establish in the large cities.

The reports, however, must be read with this thought in mind, namely, that energy, ability and hard work are the factors that determine success. In the opinion of the writer, the profession to-day has fewer big men than ever before, and opportunity for success in the profession of the law has never been brighter than at the present time.

NEWS OF THE ALUMNI

CORNELL.

'95.—William Livingstone Gellert is with the Lawyers Title Insurance Company, Examination Division, at 37 Liberty St., New York City.

'97.—Francis Halsey Boland is mourning the loss of his little boy, John Boland, Jr., who died at Ellicott City, Ind., last August.

'98.—Andrew George Krauss was married recently in Butte, Mont. "A long life and a happy one, 'Krusser.'"

'98.—Reuben Locke Haskell is the proud father of a little daughter, born the first week of September.

'98.—John J. Kuhn spent three weeks of September in the Adirondacks. On his return trip he visited Floyd L. Carlisle, at Watertown, N. Y.

'00.—Philip Ensign Rice married Pearl Inez Thomson, September 14th, at Warrensburg, N. Y.

'01.—James O'Malley, with F. W. Spring of the Buffalo Chapter, spent three weeks in Boulder, Colorado, during July. They were the guests of Brother Spring's father, S. Arthur Spring, who resides in Boulder.

'01.—Dudley K. Wilcox was married to Louise Blanche Little, at Burlington, Iowa, September 28th. At home after November 1st., at Auburn, N. Y.

'01.—Neil Willis Andrews was married to Miss Eloise Mabelle Potter, on June 29th, at Philadelphia. Mr. and Mrs. Andrews have made their home at Brookville, the seat of Jefferson Co., Pa., where "Neil" is practicing law with former District Attorney McCracken under the firm name of McCracken & Andrews.

'02.—Manton M. Wyvell recently visited Washington, D. C., where the Georgetown Chapter gave a smoker in his honor.

'02.—Harry R. McClain was associated with a stock company at Tacoma, Wash., from March, 1904, to August, when he returned to St. Louis, his home, to see the Fair. Brother McLain intends to follow the theatrical profession.

'03.—Lewis R. Gulick is completing his law course at the University of Buffalo.

'03.—Lyman A. Kilburn and Arthur Simons who have been practicing at Dunkirk, N. Y., have dissolved partnership. Mr. Kilburn has become junior member of the firm of Pease and Kilburn, Dunkirk, N. Y., and Mr. Simons has returned to Sidney, N. Y.

'04.—Andrew Rutledge, Jr., has associated with the attorneys for the Chicago National Bank, Chicago, Ill. He has already identified himself with the Chicago Alumni Chapter.

'04.—James T. Driscoll is with Bushnell & Metcalfe in the Ellicott Square Building, Buffalo, N. Y.

Daniel A. Reed, honorary, formerly of Dunkirk, N. Y., is now in the legal department of the State Excise Office, Albany, N. Y. Mr. Reed was formerly head coach of the Cornell football team.

NEW YORK UNIVERSITY.

'92.—Walter E. Rowley is engaged in the chemical business at 100 William Street, New York City.

'92.—Terence J. McNamara is a member of the firm of Black, Olcott, Gruber and Bonyng, at 170 Broadway, New York City.

'98.—William F. Quigley is one of the happiest of men in New York City. His boy, "Billy" is already training him for the Harlem Regatta of 1924. Brother Quigley is one of the best oarsmen in a prominent rowing club of New York City.

'98.—James F. Hurley is also wreathed in smiles because his little daughter has a baby sister, who was born in Brooklyn, N. Y., last month.

MINNESOTA.

'92.—Orin M. Corwin is manager of the loan department of the Wells and Dickey Company at Jamestown, North Dakota.

'92.—George Sanford Eddy is secretary of the Namakon Lumber Company, Minneapolis, Minn.

'93.—A. W. Shaw, former "BB" of the Fraternity, is covering part of the Southern States in the interest of the Roderick Lean Manufacturing Company of Mansfield, O., and hustling to get back to see his daughter, Helen Grace Shaw, who was born June 26th.

'95.—Luman C. Simons is engaged in the banking business at Red Lake Falls, Minn.

The Hon. Charles B. Elliott, judge of the District Court of Minnesota, is the Republican nominee for Justice of the Supreme Court of Minnesota, Justice Jaggard, of St. Paul, honorary, is also on the Republican ticket.

DE PAUW.

'93.—John C. Ruckelshous is States Attorney, 19th Judicial District of the State of Indiana, at Indianapolis, Ind.

MICHIGAN.

'93.—Marvin E. Barnhart is located in Chicago, Ill., where he takes an active interest in Delta Chi Alumni affairs.

'93.—John Garrett Park has been nominated by the Republicans for Circuit Judge of Missouri. His personality and competency insures his election. He is an enthusiastic Fraternity man.

'93.—Edgar Moore Hall has been County Attorney of Sweet Grass County, Montana, since 1898.

'95.—Thornton Dixon is prosecuting attorney at Monroe, Michigan.

'98.—Howard O. Shepherd has closed his law practice in Detroit and has become the Michigan representative of N. W. Halsey & Co., Bankers, of New York and Chicago, with offices in the Union Trust Building, Detroit, Mich.

'99.—H. L. Chapman, vice-president of the First National Bank of Moline, at Moline, Ill., stopped at the Union League Club while in Chicago, on business, for a few days. His story of the National Convention held with the Dickinson Chapter is most interesting. He is contemplating a trip to New York and Washington and the Delta Chi's in those cities will do well to have him repeat the story.

'00.—Henry A. Converse is associated with the United States District Attorney at Springfield, Ill. He is in active practice at 1346 North 8th Street, Springfield.

'02.—H. S. Weeks is located in Washington, D. C. He is associated with the Fuller Construction Co. He has been a guest of the Georgetown Chapter at several smokers held at its house during the summer months.

DICKINSON.

'03.—J. D. Crary is manager of Grays Harbor Electric Company, Aberdeen, Washington.

NORTHWESTERN.

'93.—S. S. Allee, Depaw and Northwestern, is now located on the 7th floor of the new First National Bank Building, Chicago. He was one of the charter members of the Northwestern Chapter and is greatly delighted to learn of the growth and progress of Delta Chi since he left college.

'97.—Royal Whitlock attended his last Delta Chi dinner as a bachelor on August 30th. On September 7th he married Miss Edith Dean, daughter of W. O. Dean of Evanston, Ill.

'99.—B. W. Frank has moved to Milwaukee, Wis., where the B. W. Frank Grain and Commission Company has its office at 78 Michigan Street.

'99.—David Hickman Morse, Jr., is president of the First National Bank, Mount Vernon, Wash.

'04.—Russell Wiles, member of the Governing Board of the Fraternity, has just returned from a business trip to Washington, D. C. He was staying at the Raleigh when discovered by the Washington Delta Chi's, who moved him up to the Chapter House. He speaks highly of the Georgetown Chapter and of its beautiful house. Brother Wiles has recently entered into partnership for the practice of patent law with H. E. Bitmer with offices in the Monadnock Block, Chicago.

CHICAGO—KENT.

'99.—Harry L. Bird is a member of the firm of Harris & Bird, in the First National Bank Building, Chicago, Ill.

'99.—Andrew Reynolds Sexton is local counsel for the Aetna Indemnity Company, at 632 National Life Building, Chicago, Ill.

'99.—Louis P. Walters has been ill for several months and is about to leave for Colorado Springs, Colo.

'03.—Walter K. McIntosh is credit man for the Liquid Carbonis Company, 67 Wells Street, Chicago.

'03.—Walter I. Johnson was recently married. He is living in Englewood, Chicago.

'04.—O. B. Drown, who affiliated with Chicago-Kent from Georgetown, is engaged in the manufacture of wax and candles with E. Schneider & Co., in the Fisher Building, Chicago.

D. H. Wamsley is assistant city attorney for the City of Chicago with offices at 210 City Hall, Chicago.

BUFFALO.

'97.—Charles Diebold, Jr., was married on September 20th last to Miss Lillian Timmerman, of 914 Franklin avenue, Cleveland, O. John P. Abbott, '01, was one of the ushers. Mr. and Mrs. Diebold will make their home in Buffalo.

'99.—Nelson J. Parker of Dunkirk, N. Y., is the father of a young daughter.

'00.—E. B. Collister has located in Sault Ste Marie, Michigan, having formed a partnership with Francis T. McDonald, of Buffalo, who was managing clerk in the offices of Bissell, Carey & Cooke, Buffalo, for two years.

'01.—Frederick W. Spring is located with the Title Guarantee and Trust Company, at 146 Broadway, New York City. He was formerly with Moot, Sprague, Brownell & Marcy, Buffalo, N. Y.

'02.—Franklin Kennedy has accepted a position in the legal department of the Metropolitan Street Railway Company, New York City, under James L. Quackenbush, honorary member of the Buffalo Chapter.

OSGOODE HALL.

'97.—J. M. Hall is practicing law at 58 Sparks Street, Ottawa, He has a branch office at Russel, Ont.

SYRACUSE.

'03.—John I. Gardner is a contractor at Baldwinsville, N. Y.

'04.—Charles L. Crane is in the law office of Lucius N. Manley, at 103 Third St., Long Island City, N. Y.

John J. Harty is practicing law at Utica, N. Y. His office is 40 Mann Building.

UNION.

'02.—Rutherford W. Kathan is engaged in general practice at 320 Broadway, New York.

'02.—Edward C. Conway is connected with the office of his father, the Hon. Martin D. Conway, honorary member of this Chapter.

'03.—Charles A. Dunn has severed his connection with the firm of Lewis, Watkins & Titus, Utica, N. Y., and is practicing in the Mann Building in the same city.

'03.—L. W. Morrison has been admitted to the Connecticut Bar and is practicing in Hartford.

'04.—John W. Badger passed the Bar examination in June last and is associated with his father's firm of Badger & Cantwell, Malone, N. Y.

WEST VIRGINIA.

'02.—Brothers Neeley & Lively, besides practicing law at Fairmont, W. Va., where they are deservedly popular, are very much interested in the National Guard work in West Virginia. They both have the rank of captain and are considered two of the most efficient officers in the guard.

'02.—Brother Loeb is practicing law at Charleston. He is considered one of the strongest men who ever graduated from the University of West Virginia.

'03.—R. M. Brown is practicing law at his home in New Cumberland. He has taken quite a prominent place in the local politics

of his county, having been nominated for prosecuting attorney a few weeks ago.

'03.—One of the most prominent young firms in central West Virginia is Young and Zinn at Glenville. Brother Zinn was one of the young hustlers at the recent Republican State Convention where he was popular among the young "leaders."

'04.—Brother L. R. Burton, Yale '03, is practicing law at his home in New Haven, Conn.

Dr. Edwin Maxey, honorary, Professor of International Law in the University, is considered a very strong writer upon subjects in International Law and Politics. His articles are much sought for and appear at intervals in some of the best magazines in the country.

OHIO STATE UNIVERSITY.

'02.—Charles H. Stahl is practicing at Akron, O.

ex-'03.—Charles M. Emory is engaged in business at Stockdale, Ohio.

NEW YORK LAW

'03.—Barber B. Conable is acting as receiver for the Batavia Gas and Electric Light Company, at Batavia, New York. He has been conducting the business of the company since last March and has given up the law profession temporarily.

'03.—Charles F. Murphy has been nominated for the New York State Assembly on the Republican ticket in the 10th Assembly District of Kings County. The nomination is equivalent to an election.

'03.—Hamilton C. Rickaby was married on June 7, 1904, to Miss Drucile Archer in New York City. He is with the Title Guaranty and Trust Company.

'03.—Leroy W. Ross was admitted to the Bar in June and since then has been the recipient of several receiverships in New York.

'03.—Leroy T. Harkness spent his vacation in the middle of September on a trip to Buffalo, Toronto, the St. Lawrence country and Boston.

'03.—Edward D. Freeman was admitted to the Bar last June. He is located at No. 5 Nassau Street, New York City.

'04.—Frederick C. Russell will take a third year at the Yale Law School.

UNIVERSITY OF CHICAGO.

Ex.—'03.—G. P. Hambrecht, who completed his law course at

Yale Law School last June, has become a member of the firm of Wipperman & Hambrecht with law offices in the Wood Block, Grand Rapids, Mich.

ex-'06.—John C. Moore, a charter member of the Chicago University Chapter, is associated with the law firm of Beatly, Snow and Nesmith, at Toronto, Canada. Since October 12th he has been active in the Osgoode Hall Chapter. His post office address is Box 12, Deer Park P. O., Ontario.

GEORGETOWN.

The Hon. George Bruce Cortelyou is chairman of the Republican National Committee.

The Hon. Charles A. Douglass spent the summer in Scotland with several prominent members of the Washington Bar.

Professor J. Nota McGill has purchased a large new "red devil" and has become quite a chauffeur. Brother McGill is very much interested in Delta Chi nationality and without solicitation sent his card to THE QUARTERLY. Those brothers needing patent work attended to in Washington should not fail to place their business in his hands. He is known nationally as an excellent man in this line of work and does a very lucrative business. His offices are in the McGill Building and his New York Offices are in the Corn Exchange Building.

'03.—Francis Hunter Burke was assistant Sergeant at Arms at the Democratic National Convention at St. Louis and later held a proxy on the Democratic National Committee from Illinois. Brother Burke evidently did good work, for "Tom" Taggart was elected National Chairman from his state.

Asa Creed Gracie has launched out into practice at Little Rock, Arkansas, with offices at 507 E. 6th Street. Brother Gracie has passed the Bar Examinations of the District of Columbia and of Arkansas.

Carl Barnett Rix has left Washington and is traveling in Illinois, Wisconsin and Michigan in the interests of the Census Office of the Department of Commerce and Labor. His headquarters are in Chicago.

Leon A. Clark is confidential secretary to the Secretary of Commerce and Labor with offices in the Willard Building. Leon recently returned from California.

'03.—Elwyn Thornton Jones is practicing law in Fort Smith, Arkansas. Reports recently reach Washington that he won a \$15,000 railroad damage suit. Keep it up, Elwyn.

'04.—Those brothers visiting St. Louis' great attraction should

incidentally meet Brother Harry J. Mohrman, Ex.—'04. Besides being an excellent fellow, Harry is a good Delta Chi and will be glad to meet any Delts who happen along. His address is 1901 E. Grand Avenue.

'04.—Antonio M. Opisso y de Icaza recently arrived in Manila, his home. A letter from Hawaii to the "C" of the active chapter at Georgetown gave a mighty interesting account of the trip to that point.

'04.—William W. Bride visited Chicago in September on his way to St. Louis as representative of THE QUARTERLY for the purpose of enlarging the subscription list. He found time while in the "Windy City" to take a few hours off with his brother Delts, who did their best to show him the town and its University. While in Chicago he celebrated his natal day with a little dinner at the "College Inn." He was most successful in arousing the interest of the Alumni here and visited at least fifty Delta Chi's personally. Brother Kopmeier, Georgetown '05, was in Chicago during Brother Bride's visit and they, together with O. B. Drown, Georgetown and Chicago-Kent, '04, and Brother Rix, also of Georgetown, who is engaged in United States Census work there, held a reunion. Brother Walthers of Georgetown, who was introduced to the Washington Delta Chi's through Hayes McKinney, Northwestern '03, was temporarily absent from the city. He is staying at 532 North Normal Park Way, when in Chicago.

MID-SUMMER MEETING OF THE CHICAGO ALUMNI CHAPTER

The first dinner of the Chapter for the ensuing year was held August 30th in pursuance to the following notice:

State of Happiness }
County of Goodfellowship } s.s.

Before Chicago Alumni Chapter of Delta Chi.

The People of the State of Happiness to any Delta Chi—

GREETING:

You are hereby commanded to take the body of Max Murdock and bring him forthwith before me, unless special bail be entered, and if such bail be entered, you will then command him to appear at the Bismark Garden, Evanston Avenue and Grace Street, in said County on the 30th day of August, 1904, at 6:30 P. M., very sharp, to show cause why he should not enjoy a good a la carte meal, a stein or two, free admission to the garden, good music and a pleasant evening with his "Brother Delts" and to answer the complaint of Mr. Bismark for failure to pay him a certain demand therefor, not exceeding the reasonable cost of said meals and steins; and hereof make due return as the law directs.

Given under my hand this 20th day of August, 1904.

H. H. Barnum,

Temporary chairman of the entertainment committee.

RETURN:

Streator, Ill., August 27, 1904.

H. H. Barnum,

Chairman Entertainment Committee.

Dear Sir:—The answer of Max Murdock by Prochein Ami: Said Max Murdock cannot be produced on August 30th as specified for the reason that he has departed the realm and is now in the State of Misery at the Fair. Further this replicant sayeth not.

J. T. Murdock.

In pursuance to the above order, there was a large attendance at said dinner. An enjoyable time was had and immediately thereafter, a business meeting was held. The question of securing and furnishing a house for the University of Chicago Chapter was considered. A committee was appointed to purchase furniture which is to be leased to the Chapter. This committee was to have in charge the work of superintending the furnishing of the new house.

The treasurer of the committee appointed to solicit subscriptions reported that two hundred dollars of the four hundred and twenty-five dollars subscribed had been collected. The fund raised is to be loaned to the University of Chicago Chapter. This fund, when repaid to the Alumni Chapter, will be turned into a sinking fund for the purpose of securing Alumni rooms in the downtown district.

At the meeting the following committees were named by President E. B. Witwer: Entertainment committee, R. K. S. Catherwood, Hayes McKinney and Marvin E. Barnhart; revision of the constitution, Russell Wiles, A. A. McKinley and H. H. Barnum; house fund committee, H. H. Barnum, H. L. Bird and W. W. Kerr; auditing committee, William C. Miller, W. S. Johnson and Charles F. Rathburn; membership committee, William J. Kirk, Andrew Rutledge and S. J. Dillon.

Among others present at the meeting were Brothers Rix and Walthers of the Georgetown Chapter. The meeting adjourned to meet again on September 29th.

The Chapter has established a vigorous life and its finances are in a prosperous condition. During the coming year it is planned to co-operate with the University of Chicago Chapter for the purpose of lending every aid to firmly establishing this organization.

A cordial invitation is extended to all Delta Chi men who visit Chicago during the year to call upon the officers of the Alumni Chapter whose addresses are as follows: Edward B. Witwer, president, 407 La Salle Street; Arthur C. Snow, vice president, 1 Park Row; Andrew M. Strong, secretary, 714 La Salle Street; Harry H. Barnum, treasurer, 1142 First National Bank.



IRRELAVENT' AND IMMATERIAL

A young graduate in law, who had some experience in New York City, wrote to a prominent practitioner in Arkansas to inquire what chance there was in that section for such a one as he described himself to be. He said: "I am a Republican in politics and an honest young lawyer." The reply that came seemed encouraging in its interest: "If you are a Republican the game laws her will protect you and if you are an honest lawyer you will have no competition."—Argonaut.

The following letter was recently received by a member of the Fraternity the State of Utah from a Justice of the Peace:

Sept. 9, 1904.

Mr. _____, attorney.

Sir:—In the case of _____ vs. _____ Judgment was rendered September 6, 1901, in favour of said Plaintiff for the sum of \$22.50 and Costs taxed at \$6.20. Docket shoes \$3.20 Paid by Plaintiff leaving a balance on costs due to Court expenses \$3.00. I wrote you a letter a few days ago asking you to send a check for \$3.00. I have received no answer. Court is entering judgment by default in Justices Must open his Court and swear at least one Witness I did in this case. Constable _____ gave evidence. Judgment entered according to law. Please send by return \$3.00 balance due on costs, Defendant has Plenty Property, you are safe. Yours,

P. S. several Plaintiff received Judgment in same defendant. They have paid costs without whimper, do the same, defendant has plenty means.

A story is told of a prominent New York lawyer who recently had to pay a fine to one of the libraries in his city for having kept a book six months overtime. The book was entitled "A Treatise on Memory." He had forgotten to return it.

Young Hopeful—Father, what is a "traitor in politics?" This paper says Congressman Jawweary is one.

Veteran Politician—A traitor is a man who leaves our party and goes over to the other one.

Young Hopeful—Well, then, what is a man who leaves the other party and comes over to ours?

Veteran Politician—A convert, my son.—Boston Transcript.

Our Exchange Editor has surrendered Washington to the Republicans and retreated to Lincoln, Neb., where he will take up his

habitat for the coming year. News from "Among the Greeks" will come direct to THE QUARTERLY office by special leased wire.

A colored justice of the peace was called upon to perform the duties of a coroner. The effects found on the corpse, which had been taken from the river, proved to be a ten dollar bill and a revolver. The verdict of the court was a fine of ten dollars for the corps for carrying a concealed weapon and the confiscation of the property.

The plaintiff in a certain negligence case had been rendered insane as a result of injuries sustained in an accident.

By permission of the Court, his attorney was permitted to put the plaintiff on the stand, as it appeared he was the only person who could possibly know any of the facts in the case, and at times he seemed to tell an apparently coherent story in respect to the details of the accident. The Court instructed the witness to tell the jury just how the accident happened.

The witness, however, seemed too much disturbed by the excitement of the court room to give any very intelligible account of the accident which was caused by a collision with a street car as the witness was driving a team of horses. Finally he was asked to tell on what street he was struck by the car.

A. Well, I was struck on Smith street."

Q. You were struck on Smith street?"

A. "Yes, I was struck on Smith street. I was struck once on Smith street and twice on Jones street."

Q. "Then you were struck three times?"

A. Yes, Judge."

Q. "Is that all?"

"My God, Judge, wasn't that enough?"

The Court thereupon decided that the witness was incompetent to testify as to the facts of his case.

If it is decided to hold the next Convention in some city where there is no chapter of Delta Chi, President Nettels ought to make a bid for Des Moines by offering free transportation to all delegates. The Chicago, Milwaukee and St. Paul might be induced to use its good offices in this direction rather than lose the services of Nettels for a week.

BOOK REVIEWS

Rumsey's Practice in Civil Action in the Courts of Record of the State of New York under the Code of Civil Procedure. Second Edition, revised and edited by William Rumsey and John S. Shepherd, Jr., of the New York Bar. In three volumes. Price \$18.00. Banks & Company, Albany, N. Y., 1904.

This work requires no such detail of title as is given above for its introductions to the profession. The members of the New York Bar are more familiar with the old work, which was published fifteen years ago, than with almost any text book on the shelves of their libraries. Rumsey's Practice has become inseparable from the New York Code of Civil Procedure. Fifteen years ago the author gave his first work to the profession and during those years New York lawyers have come to appreciate in the fullest degree the almost inestimable value of a work which serves, as this has done, to render the complicated system of New York Code Practice, in some degree, intelligible.

Because of the high esteem in which the old work is held, there is bound to be a universally warm welcome for the new work throughout the State. The need for a handmaid to the Code was never more pressing than at the present time. During the interim of fifteen years the conditions of the practice of the State have undergone a marked change, wrought by the innumerable amendments and additions to the statutes, followed as these have been by a long line of decisions which have resulted in many changes in the rules since the first work was written.

It was the purpose of meeting these conditions and making the old work conform thereto, that prompted a revision of the old work. The burden of the task was assumed by John S. Shepherd, Jr., of the New York Bar, who worked under the advice and supervision of Judge Rumsey. The new work has not destroyed the individuality of the old, but on the contrary, has followed the plan of the original treatise. Hence, it is not a new work that the profession is asked to adopt, but rather one old and tried, rendered doubly valuable by the reinforcement of a wealth of decisions and other additions which bring the work complete down to date. In each volume this increase in citations is the most notable feature, but notwithstanding that there are more than 3,000 additional citations in the first volume and a proportionate increase in the other two, the size of the work has not been greatly increased and is still a work for convenient reference. The plan of the old work of following the order of Code sections as closely as convenience would allow, has been retained in the Second edition. Each section is cited

more at length than in the first edition, thus assuring accuracy and rendering a continual reference to the Code itself unnecessary.

The edition is published in attractive form and bound in leather. The type is large and legible and the paper is of good quality. An exhaustive table of contents follows the preface in each volume. A complete table of cases cited is contained in each. There is a special index for each volume as in the old work and a general index in the third. Numerous little changes in the text and the indices which are not so noticeable at first glance, add great value to the new work over the old. The first and second volumes have been followed by a booklet containing supplemental matter rendered necessary by recent decisions and new statutes since these volumes came from the press.

It is especially adapted to the needs of the young practitioner and the beginner can hardly afford to be without its valuable assistance in his first struggling experiences with the rules of practice. The old lawyer knows its worth and will not fail to add it to his library.

On the whole the work is one of the most valuable that has been given to the New York Bar in several years and its worth has already been proven by its large and continuing sales, which Banks & Company report.

Volume 12 of the "Cyclopedia of Law and Procedure" under the editorial direction of William Mack. A work of this character is of especial value at a time when the growth of case law has attained such large proportions, and often such conflicting interpretation, that its exposition in a clean-cut, logical and accurate work, is desirable to the speedy and orderly administration of justice, and the protection of great public and private interests. The American Law Book Co., New York City, 1904.

Volume 12 contains an excellent digest of "Creditors' Cuits" by Roderick E. Rombauer, a writer of acknowledged ability, a short, though reliable article on "Curtesy" by Charles H. Harriman, a thorough exposition of "Customs and Usages" by John D. Lawson, a careful and accurate compilation of the essential principles of "Customs Duties"—of especial value to all customs officers—by Frank E. Jennings, and a large number of definitions of adjudged words and phrases prepared by George A. Benham. But the most notable feature of volume 12 is an elaborate article, embracing over 900 pages, on "Criminal Law" by H. C. Underhill and Wm. Lawrence Clark, both writers of national reputation. This article is a complete and exhaustive review of the case law, written in a concise and careful manner, illustrating the growth and development of criminal law and procedure. With a thorough knowledge of the process of arrangement and classification, and the needs of busy law-

yers—whose first aim is to “find the law”—the authors have shown excellent judgment in the grouping of subjects under main divisions, and the arrangement of sub-divisions, not only in respect to the body of the work but in the different divisions. The notes contain copious citations in support of the text—arranged in close order—and numerous explanations of special circumstances and the law which has been applied thereto. In short this article forms a short, compact and accurate working treatise, covering the whole range of criminal jurisprudence, well adapted to the use of the bench and bar alike. This is shown by reference to three important topics: a.—Jurisdiction, which occupies 83 pages, well sustained by authorities; b.—Evidence, covering 117 pages, treated in a thorough and exhaustive manner; c.—Trial, embracing over 300 pages, illustrating in a striking manner the subtleties of proceedings above courts and juries.

A strong, well written, legal production, volume 12 takes its place on an equal plane with the preceding volumes of the work.

Supplement to Cumming and Gilbert's General Laws and Other General Statutes of the State of New York, with Index and Table of Laws. Compiled and annotated by Robert C. Cumming and Frank B. Gilbert. Volume 4, The Banks Law Publishing Company, 21 Murray Street, New York city. 1904.

The annotations and compilations of the General Laws and Statutes of the State of New York by Messrs. Cumming and Gilbert have come to be recognized as the leading work on these important topics. The announcement, therefore, of the publication of the latest volume of these authors, will be received with much satisfaction by the profession. Volume 4 contains the amendatory and other general Statutes enacted by the Legislatures of 1902, 1903 and 1904, together with the decisions of the courts construing the Statute Law rendered since the publication of the original work of Cumming and Gilbert in 1901. This work has been pronounced the finest annotated Statute ever published in the State of New York and the most cursory glance of the work will prove this assertion to be well founded. Mr. Cumming is a graduate of Cornell of the Class of 1889, and his excellent contributions have been a source of profit and gratification to the bar generally, and to Cornellians, in profit and gratification to the Bar generally, and to Cornellians, in particular.

ATTORNEYS' DIRECTORY

When necessary to employ counsel in another city, why not correspond with a member of Delta Chi.

ARKANSAS	ARKANSAS
<i>Little Rock, Ark.</i> ASA C. GRACIE 503 E. 6th Street.	<i>Van Buren, Ark.</i> HENRY L. FITZHUGH

CANADA

Toronto

McMURRICK, HODGINS & McMURRICK
Barristers, Solicitors, Notaries, Etc.
103 BAY ST., TORONTO, CANADA

W. B. M'MURRICK, K. C. F. F. HODGINS, K. C.
J. D. M'MURRICK

All business forwarded to the firm will have careful attention.

CANADA	COLORADO
<i>Oakville, Ontario</i> W. ALEC CHISHOLM Colborne Street	<i>Trinidad, Col.</i> EARL COOLEY 723 Pine St.
CALIFORNIA	<i>Colorado Springs, Col.</i>
<i>Los Angeles, Cal.</i> GEORGE L. KEEFER 412 Currier Building	R. H. WIDDECOMBE

ATTORNEYS' DIRECTORY—Continued.

<p style="text-align: center;">CONNECTICUT</p> <hr/> <p><i>New Haven, Conn.</i> LOUIS R. BURTON Clark Bldg., 87 Church Street.</p>	<p style="text-align: right;"><i>Chicago, Ill.</i></p> <p>BITNER, WILES & SHERVEY 740 Monadnock Block. Telephones: Harrison 1394. Automatic 3392. H. Bitner, Russell Wiles, Charles O. Shervey.</p>
<p style="text-align: center;">DISTRICT COLUMBIA</p> <hr/> <p><i>Washington, D. C.</i> J. NOTA MCGILL Patent, Trade-Mark and Copyright Law McGill Building New York Office, 15 William Street Telephone Main 70</p>	<p style="text-align: right;"><i>Chicago, Ill.</i></p> <p>ROBERT CATHERWOOD Patent, Trade Mark, Copyright Law 1543 Monadnock Block Telephone Harrison 1281</p>
<p style="text-align: center;">ILLINOIS</p> <hr/> <p><i>Chicago, Ill.</i> JOHN E. AMOS, JR. 901 Journal Building Long Distance Tel. Main 4401</p>	<p style="text-align: right;"><i>Chicago, Ill.</i></p> <p>AARON R. EPPSTEIN 511 Ashland Block.</p>
<p><i>Chicago, Ill.</i> HARRY H. BARNUM 1139 First National Bank Building Attorney at Law Long Distance Tel., Main 3438</p>	<p style="text-align: right;"><i>Chicago, Ill.</i></p> <p>MARSHALL D. EWELL, M.D. Suite 618-619, 59 Clarke St. Examiner of Disputed Hand-writing, Ink, etc.</p>
<p><i>Chicago, Ill.</i> EDWARD H. BARRON 6445 Monroe Avenue.</p>	<p style="text-align: right;"><i>Chicago, Ill.</i></p> <p>DANIEL W. FISHELL 1613 Ashland Block Telephone Central 1547</p>
<p><i>Chicago, Ill.</i> HARRY LEWIS BIRD 1315 First National Bank Bldg. Telephones: Central 4869. Automatic 3430. Member firm Harris & Bird.</p>	<p style="text-align: right;"><i>Chicago, Ill.</i></p> <p>GEORGE I. HAIGHT 605 Atwood Bldg.</p>

ATTORNEYS' DIRECTORY—Continued.

*Chicago, Ill.***HUSTON & SULLIVAN**

Wendel Huston Mark J. Sullivan

Telephones: Central 852.
Automatic 3172.

(Chicago Kent ,01.)

Suite 1309 Ashland Block.
Northern c. Clark and Randolph sts*Chicago, Ill.***WALTER S. JOHNSON**

Room 44, 92 LaSalle Street

Telephone 919 Main

*Chicago, Ill.***WILLIAM J. KIRK**

13 Eldridge Court

Telephone Harrison 654

*Chicago, Ill.***CHARLES V. McERLEAN**

Real Estate Loans and Renting.

205 La Salle Street.

Room 422 Home Insurance Bldg.

*Chicago, Ill.***A. A. McKINLEY**

79 Dearborn Street

(O'BRIEN & McKINLEY)

*Chicago, Ill.***HAYES McKINNEY**

1610 Title and Trust Building

100 Washington Street

*Chicago, Ill.***JOSEPH F. PEACOCK**

171 Washington Street,

Suite 609--10-11.

Telephone: 1459 Main.

*Chicago, Ill.***THEO. C. ROBINSON**

Attorney-at-Law

822 New York Life Bldg.

Telephones—Central 938

Automatic 2054

*Chicago, Ill.***MALCOLM B. STERRETT**

National Life Building

Telephone Central 5003

*Chicago, Ill.***THOMAS H. STEVENSON**

205 La Salle Street, Room 518.

*Chicago, Ill.***EMIL C. WETTEN**

184 LaSalle Street

*Chicago, Ill.***HAROLD F. WHITE**

904-10 The Temple, 184 La Salle St.

Long Distance Telephone

Main 3815

*Chicago, Ill.***EDWARD B. WITWER**

Room 407, 153 LaSalle Street

Telephone Central 3396

Chicago, Ill.

DAVID B. WOODWORTH
Suite 1109, Ashland Block.
Telephone, Central 2054.

East St. Louis, Ill.

FLANNIGAN & SEITER
R. H. FLANNIGAN O. R. SEITER
Jackiesch Building
Phone. Bell East 345 M.

Freeport, Ill.

DOUGLASS PATTISON

Henry, Ill.

FRED W. POTTER
Attorney at Law

INDIANA

Goshen, Ind.

S. E. HUBBELL

INDIAN TERRITORY

Tusla, I. T.

JOHN A. HAVER
Care of Randolph & Haver
H. W. RANDOLPH JOHN A. HAVER

KANSAS

Pittsburg, Kan.

JOSEPH LUTHER TAYLOR
Attorney at Law

MASSACHUSETTS

Boston, Mass.

JAMES P. MAGENIS

Rooms 62 and 65, 5 Tremont Street
Telephone Haymarket 868

MEXICO

Durango, Mexico
Estado de Durango

MANLY D. DAVIS

Apartado 79
Consult me with regard to Mining
Concessions

MICHIGAN

Detroit, Mich.

CARLETON G. FERRIS

406 Hammond Building
Telephone 2358
Of HATCH & FERRIS

Grand Rapids, Mich.

HOWARD A. THORNTON
Mich. Trust Building

Jackson, Mich.

ROBERT CAMPBELL

"Michigan Law 93"
Carter Building

MINNESOTA

Crookston, Minn.

CHARLES LORING

Opera Block
Firm name—STEVENS & LORING
HALVOR STEVENSON, M. C. CHARLES LORING

ATTORNEYS' DIRECTORY—Continued.

<p><i>Minneapolis, Minn.</i> GEORGE R. SMITH 610 Boston Block</p>	<p>NEW JERSEY <hr/> <i>Montclair, N. J.</i> JOHN A. HINES 483 Bloomfield Avenue</p>
<p><i>Minneapolis, Minn.</i> W. R. BROWN 510 New York Life</p>	<p><i>Newark, N. J.</i> JOSEPH KAHRS 164 Market Street</p>
<p><i>Minneapolis, Minn.</i> GEO. W. BUFFINGTON 320 Temple Court</p>	<p>NEW YORK <hr/> </p>
<p><i>Minneapolis, Minn.</i> F. E. COVELL 840 Lumber Exchange</p>	<p><i>Albany, N. Y.</i> DANIEL T. CASEY 119 State Street Of CASEY & QUINN</p>
<p><i>Minneapolis, Minn.</i> H. E. FRYBERGER 904 New York Life</p>	<p><i>Albany, N. Y.</i> JAMES NOLAN 13 N. Pearl St.</p>
<p>MISSOURI <hr/> </p>	<p><i>Auburn, N. Y.</i> LOUIS E. ALLEN 131 Genesee Street</p>
<p><i>Kansas City, Mo.</i> A. J. READ 616-617 American Bank Bldg.</p>	<p><i>Auburn, N. Y.</i> DUDLEY K. WILCOX. 109-110 Metcalf Building</p>
<p>MONTANA <hr/> </p>	<p><i>Binghamton, N. Y.</i> ALBERT S. BARNES 23 and 24 McNamara Building</p>
<p><i>Butte, Mont.</i> F. W. BACORN</p>	

ATTORNEYS' DIRECTORY—Continued.

Brooklyn, N. Y.

JOHN J. KUHN
189 Montague Street
(Cornell '98)

Brooklyn, N. Y.

L. WILLIAMS ROSS
375 Fulton Street.
Telephone: 4163 Main.

Buffalo, N. Y.

FRANK H. CLEMENT.
45-6 Ellicott Square

Buffalo, N. Y.

CLINTON K. DeGROAT
General Practice
118 Erie County Bank Building
Issue commissions to Clinton K. DeGroat
Notary Public, with Seal

Buffalo, N. Y.

CHARLES A. ORR
Buffalo Savings Bank Building

Buffalo, N. Y.

JAMES O'MALLEY
3 and 4 Erie County Bank Building
Of O'MALLEY, SMITH & O'MALLEY

Dunkirk, N. Y.

L. A. KILBURN
315 Lion Street

Fredonia, N. Y.

CLINTON O. TARBOX

Ithaca, N. Y.

MONROE M. SWEETLAND
147 East State St.

Long Island City, N. Y.

CHARLES L. CRANE
103 Third Street.

Mineola, N. Y.

J. EDWARD DOWNING
Nassau Co. Surrogate's Office.

New Brighton, S. I.

LAWRENCE W. WIDDICOMB

New York City

BISCHOFF & WYVELL
350 Broadway,
ERNEST W. BISCHOFF MANTON M. WYVELL
(Cornell) (Cornell)
Telephone 1831 Franklin

New York City, N. Y.

HENRY C. BROOKS
76 William Street, Cor. Liberty St.
Telephone 4178 John

New York City

FRASER BROWN
37 Liberty Street
Room 51

ATTORNEYS' DIRECTORY—Continued.

New York City, N. Y.
CASE & NEWKIRK
 L. BARTON CASE L. HASBROUCK NEWKIRK
 German-American Bldg
 Telephone 7965 Cortlandt

New York City
GOODALE, FILES & REESE
 71 Wall Street
 WILBUR C. GOODALE GEORGE W. FILES
 RICHMOND J. REESE

New York City
W. T. GRIDLEY
 271 Broadway

New York City, N. Y.
LEROY T. HARKNESS
 26 Liberty Street.

New York City
CHAS. H. MOORE
 11-19 Williams Street

New York City
CHARLES F. MURPHY
 220 Broadway

New York City
WILFRED N. O'NEIL
 No. 115 Broadway
 Telephone 4328 Cortlandt

New York City, N. Y.
W. RUSSELL OSBORNE
 258 Broadway.

New York City
STERLING ST. JOHN
 229 Broadway

*Nyack, N. Y.,
 Rockland County*
J. ELMER CHRISTIE

Port Jefferson, N. Y.
RALPH J. HAWKINS
 Bank of Port Jefferson Bldg.

Rochester, N. Y.
D. CURTIS GANO

St. Johnsville, N. Y.
GEORGE C. BUTLER

Saratoga Springs, N. Y.
M. E. McTYGUE
 14 Town Hall

ATTORNEYS' DIRECTORY—Continued.

206 Broadway, New York
Stapleton, Staten Island
L. W. WIDDECOMB

Syracuse, N. Y.
HARRY H. STONE
402 Kirk Building

Troy, N. Y.
HARRY E. CLINTON

Troy, N. Y.
RAY E. NIMMO
ATTORNEY.
No. 17 First Street.

Trumansburg, N. Y.
CLINTON PAGE

Watertown, N. Y.
BRUCE N. MARTIN
6 Flower Building

OHIO

Akron, Ohio.
CHAS. H. STAHL,
Central Office Building
Cor. Main and Mill Streets

Tiffin, Ohio.

CLYDE C. PORTER

PENNSYLVANIA

Altoona, Pa.

J. BANKS KURTZ
5 and 6 Schenk Building

Altoona, Pa.

ROBERT A. HENDERSON
Schenk Block

Bellefonte, Pa.

W. HARRISON WALKER

Greenville, Pa.

GUY THORNE
Greenville National Bank Building

Mt. Carmel, Pa.

A. F. JOHN
6 and 7 Guaranty Trust Building

New Cumberland, Pa.

A. J. FEIGHT
Third and Market Square

PENNSYLVANIA.

Philadelphia, Pa.

WILLIAM H. PEACE

Attorney at Law

Offices: 1308-09 Land Title Building,
Broad and Chestnut Streets,
Philadelphia, Pa.

Years of Experience, in All the Courts.

WILLIAM S. PEACE

(Cornell.)

Philadelphia, Pa.

ALBERT S. LONGBOTTOM

1218 Steven-Girard Bldg.

Philadelphia, Pa.

PAUL M. ROSENWEY

1308 Land Title Building

Pittsburg, Pa.

NEIL ANDREWS

(Cornell '00.)

1228 Frick Bldg.

Pittsburg, Pa.

Pittsburg, Pa.

WILLIAM LE GOULLON

422 Bakewell Building

Long Distance Telephones—

C. D. & P. 322 Court,

P. & A. 93 Main

Reading, Pa.

JOHNSON WILMER FISHER

29 North Sixth Street

ATTORNEYS' DIRECTORY—Continued.

SOUTH DAKOTA	<i>Salt Lake City, Utah</i>
<i>Sioux Falls, S. D.</i> SIOUX FALLS SAVINGS BANK ROGER L. DENNIS Assistant Cashier	WILLIAM M. McCREA 22 East First South Street
<i>Reading, Pa.</i> HARRY F. KANTNER 43 N. Sixth Street (Dickinson '97)	<i>Salt Lake City, Utah</i> C. S. PRICE 15 and 52 Hooper Building
<i>Reading, Pa.</i> OLIVER LENTZ 534 Washington	<i>Salt Lake City, Utah</i> RICHARDS, RICHARDS & FERRY COUNSELORS AT LAW McCormick Block Franklin S. Richards Joseph T. Richards Edward S. Ferry, (Michigan, '96)
UTAH	WASHINGTON
<i>Salt Lake City, Utah</i> PARLEY P. CHRISTENSEN (County Attorney)	<i>Pullman, Wash.</i> P. W. KIMBALL
<i>Salt Lake City, Utah</i> ROLLIN W. DOLE 407-408 Auerbach Building	<i>Tacoma, Wash.</i> ARTHUR R. WARREN 501-502 Fidelity Bldg Telephone Black 1503
<i>Salt Lake City, Utah.</i> EDWIN S. FERRY McCormick Bldg.	WEST VIRGINIA
	<i>Charleston, W. Va.</i> LEO LOEB, 33 Citizens National Bank

ATTORNEYS' DIRECTORY—Continued.

<p><i>Fairmount, W. Va.</i> ALLISON S. FLEMING Peoples' Bank Building</p>	<p>WISCONSIN</p>
<p><i>Parkersburg, W. Va.</i> ROBERT H. MOON 44 Citizens Bank Building</p>	<p style="text-align: center;"><i>Madison, Wis.</i> ALBERT R. DENU State Bank Bldg. Of BUELL & DENU</p>
<p><i>Glennville, West Va.</i> ZINN & YOUNG Attorneys-at-law L. D. ZINN GUY B. YOUNG</p>	<p style="text-align: center;"><i>Grand Rapids, Wis.</i> Wipperman & Hambrecht, Wood Block H. C. WIPPERMAN G. P. HAMBRECHT</p>

ILLINOIS

Chicago, Ill.

ANDREW RUTLEDGE, JR.
 Rooms 1401-3 Hartford Bldg.

ANDREW R. SEXTON
 Local Counsel
 THE ÆTNA INDEMNITY COMPANY
COURT BONDS
 AND CORPORATION LAW
 632 National Life Building, Chicago

"CHECKED"

LATEST DELTA CHI FOB

Genuine Baggage Check	}	Stamped with Delta Chi Emblem and any Name and Year	}	50 cents postpaid
-----------------------------	---	---	---	----------------------

S. N. MEYER, 1231 PA. AVE., WASHINGTON, D. C.

LAW BOOKS

NEW AND SECOND-HAND

For sale at reasonable prices. Send for catalogue.

JOHN BYRNE & CO.
1322 F. St. N. W., Washington, D. C.

We are told the Delta Chi Quarterly is
a First Class Advertising Medium

T O T E S T I T

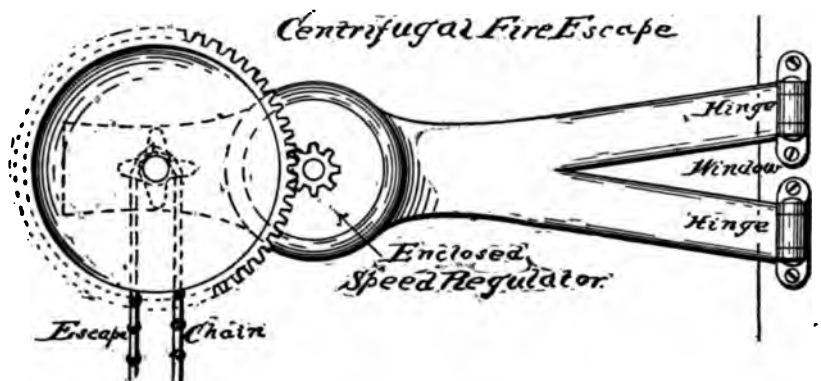
We will furnish the first 20 applicants who order from us by December, 1904, if order amounts to \$5.00 and over, AT JUST HALF OUR REGULAR PRICES.

We are Steel and Copper Plate Engravers and Engrave Wedding Invitations, Reception, Visiting Cards, Book Plates, Heraldic Forms, Monograms, Address Dies, Coats of Arms, Letter Heads, Business Cards, Diplomas, Business Stationery. Everything emanating from our establishment has that "Tone, Quality and Taste," the finest the engravers' and printers' art can produce. Writer for samples and prices

PETER-PAUL AND SON, 136 North Pearl St., Buffalo

SAVED!!

by the
Lewis Automatic Fire Escape



Cheap! Thoroughly Reliable! Nothing to get out of Order! No unsightly ladders to mar beauty of home. No chance to slip on ice that render escape impossible on some Escapes.

An Unconscious Person may descend in Perfect Safety.

Entirely Automatic. Nothing to Burn. No Adjusting. No fitting.

A Child can Operate. Put on the Belt. Swing Out the Window and Descend. Nothing to Hold on to. Simply Slip on the Belt and Drop.

Machine Suits Speed to Your Weight Without Attention on Your Part.

Used, with Highest Endorsment, by Colleges, Young Ladies Seminaries, Hospitals, Homes for the Aged, Private Residences, Etc., Etc.

Full Information will be Cheerfully sent.

LEWIS MANUFACTURING CO.,

FACTORY—RIVERSIDE, MD. Washington Offices—129-131 B. ST., S. E.

Fraternity Jewelry
and Novelties

College and Class
Pins and Rings

DAVIS & CLEGG

Silversmith and Official Fraternity Jeweler
Importers of Hall Clocks

616 Chestnut Street
PHILADELPHIA

Masonic and Society Pins,
Buttons and Charms

Badges, Medals
and Prizes

DELTA CHI STATIONERY

Carried in Stock

Menu Cards, Dance Programs,
Calling Cards and Engraving

For all Social Purposes

THE NEALE PUBLISHING CO.

431 Eleventh St.

Washington, D. C.

M. S. JOHNSON

Merchant Tailor

Washington, D. C.

1435 Penna. Ave.

(Gorcoran Building)

Gor. 15th St.



Types of Endurance

No well-informed person questions the fact that the Smith Premier Typewriter far outwears any other make of writing machine.

The Smith Premier

was invented by the world's foremost typewriter expert to wear not for a day, month, or year, but for many years. The Smith Premier is built on correct mechanical lines. It is strong in every part. Its operation is simple, direct, and almost frictionless. The Smith Premier not only does the speediest work, and the most perfect in appearance of any writing machine, but under the severest tests of actual business it wears like an anvil. These facts make the Smith Premier the most economical of all writing machines, and

The World's Best Typewriter

Send for our little book describing every part,

The Smith Premier Typewriter Co.

Factory, Syracuse, N. Y.

*Executive Offices, 287 Broadway, N. Y.
Branches in all the large cities of the world*

J. F. Newman *Badge and Jewelry
Manufacturer*

OFFICIAL FRATERNITY JEWELRY
DELTA CHI BADGES

Fraternity and College Badges,
Rings, Seals, Charms, Specialties

DESIGNS AND ESTIMATES

ELEVEN JOHN STREET:::NEW YORK

Law Briefs and Points

*WE MAKE A SPECIALTY OF
THIS LINE OF WORK:::GET
OUR PRICES::WE SAVE YOU
DOLLARS WHERE WE MAKE
CENTS FOR OURSELVES*

ITHACA DAILY NEWS
Job Department:::Ithaca, New York

PRINTERS OF THE DELTA CHI QUARTERLY

KING & EISELE

14-20 North Division St., Buffalo, N. Y.

Delta Chi Pins Keys for Alumni's



KEY NO. 1

Price of Key No. 1, Solid Gold,
Extra Heavy - - - \$7.50

Price of Delta Chi Pins, Solid
Gold, Extra Heavy, - \$2.50

Prices of above Studded with
Jewels furnished on application



PIN NO. 2

R. A. HEGGIE & BRO.

MANUFACTURERS OF

Delta Chi Pins and Keys

We Make a Specialty of

DELTA CHI KEYS

Ithaca, N. Y.

C. M. BELL PHOTO CO.,

463-465 Penn Avenue

High Grade Photographer

Washington, D. C.

SPECIAL RATES TO COLLEGE STUDENTS.

Commencement Invitations and Programs. College Fraternity Note Paper.

We have unexcelled facilities for the proper execution of Calling Cards
Ceremonial Invitations and Announcements, Heraldic and
Monogram Dies for Correspondence Papers,
Book-Plates, etc. We carry the

Leading Lines of Crane's and Hurd's Papers---Also Cheaper Grades

of Papers for Every Day Use
Write for Quotations and Information

THE WHITE-EVANS-PENFOLD CO.,

302-304 Main Street,

in Palmer's.

BUFFALO, N. Y.

The Quarterly Board earnestly requests that mention be made
of THE DELTA CHI QUARTERLY in corres-
ponding with Advertisers.

FRATERNITY PINS.

EDMUND G. HINES, Watches and Diamonds,
921 F Street, N. W. WASHINGTON, D. C.

LAWYER'S COMMON PLACE AND BRIEF BOOK,

WITH AN ALPHABETICAL INDEX OF NEARLY

ONE THOUSAND TITLES AND SUBJECTS.

BY A MEMBER OF THE NEW YORK CITY BAR.

The plan of this work grew out of the author's own wants, and his experience in using other common-place books. Its practical utility has been tested by his own experience. The usefulness of some sort of a common-place book is recommended by every practicing attorney including Fulbec, Roger North, Lord Hale, Phillips and Locke. Lord North says, "Common-placing is so necessary that without a wonderful, I might say miraculous fecundity of memory, three parts of reading in four will be utterly lost to one who useth it not." That distinguished and accomplished scholar, William Wirt, remarks, "Old fashioned economists will tell you never to pass an old nail or an old horse-shoe, or buckle, or even a pin, without taking it up, because although you may not want it now, you will find use for it sometime or other." This principle is especially true with regard to legal knowledge. The author, in his legal study and practice, has endeavored to seize upon all that is fairly within his reach, and, by tediousness, drudgery, and wearisomeness (the only way to know law), to place a fund of valuable legal knowledge at his ready command. The plan of this work will be found sufficiently general and systematic. It is best to index according to subjects, selecting that word which conveys the best idea of the subject or decision. The margin on the left hand of each page is ruled wide enough to give room for the word or subject.

Printed on fine quality of linen ledger paper. Bound leather back and corners, marbled paper sides. Size, 8x9, 300 pages, \$3.00.

SIZE 8x9, 1000 PAGES, BOUND FULL LEATHER, RUSSIA ENDS AND BANDS, \$5.00.

EXPRESS PAID.

WILLIAMSON LAW BOOK CO.,

Established 1870.

ROCHESTER, N. Y

Send for our Catalogue of Second-hand Law Books

The Quarterly Board earnestly requests that mention be made of THE DELTA CHI QUARTERLY in corresponding with advertisers.

TELEPHONE M 1031
M 1030

New Quarters

Andrew B. Graham Co.

Lithographers
Photo-Lithographers
Graham Building

14th and E. Sts.

WASHINGTON, D. C.



Judges' and Counselors' Gowns
Cotrell & Leonard

Albany, N. Y.

CAPS AND GOWNS
 Bulletin, Samples, Etc. Upon Request

THE CHAS. H. ELLIOTT CO.

THE LARGEST COLLEGE ENGRAVING HOUSE IN THE WORLD

Works: 17th Street and Lehigh Avenue, PHILADELPHIA, PA.

Commencement Invitations and Class Day Programs

Dance Programs and Invitations, Menus, Class and Fraternity Inserts for Annuals, Class Pins and Medals. (Write for Catalogue.)

MAKERS OF SUPERIOR HALF-TONES

ALBERT LAWTENSLAGER

DIAMOND SETTER

MANUFACTURING JEWELER

DELTA CHI FRATERNITY PINS

Opposite Kenmore Hotel

(Up Stairs)

No. 71 N. Pearl St., Albany, N. Y.

LEVI MOORE
PORTRAITS

15 North Pearl Street, Albany, N. Y.

Photographs, Ivory Miniatures, Class Groups. Special Rates to Students

NEW YORK UNIVERSITY LAW SCHOOL

UNIVERSITY BUILDING WASHINGTON SQUARE

Day Session 3:30 to 6 P. M. Evening Session 8 to 10 P. M.

Grants Degree L. L. B., L. L. M. and J. D.

Candidates for the degree of Bachelor of Laws are required to pursue courses which amount to twenty-five (25) hours of lectures weekly. These may be completed in two years with twelve and one-half hours work per week for each year. If the work is taken entirely in the evening, thirty (30) hours weekly are required, distributing over three years open ten hours per week. A choice of forty courses covering seventy hours of work is open to applicants for higher degrees of Master of Laws and Juris Doctor. The law library contains over 17,000 volumes.

TUITION \$100 PER YEAR

For Circulars Address, **L. J. TOMPKINS, Registrar**
 Washington Square, New York City

CHICAGO-KENT COLLEGE OF LAW

CHICAGO COLLEGE OF LAW
(Organized 1888)
 LAW DEPARTMENT LAKE FOREST UNIVERSITY
(1890-1901)
 KENT COLLEGE OF LAW
(Organized 1892)

ATHENAEUM BUILDING - CHICAGO.

DAY SESSIONS

are held during the morning and afternoon hours. The course of instructions is believed to be as broad and thorough as that of the best law colleges in the country.

EVENING SESSIONS

are held each week-day evening, with ten hours session each week. The course affords young men who are engaged in law offices and elsewhere during the day, an opportunity to pursue a regular course of studies under proper instruction.

The Degree of Bachelor of Laws will be conferred upon those who complete the Three Years Course to the satisfaction of the Faculty. College graduates who have a sufficient amount of credit in legal studies may be admitted to advanced standing in either course. Summer course during the month of June and July. For further information address the Secretary—

ELMER E. BARRETT, LL. B.
 1009 Title and Trust Building - Chicago, Illinois

The Quarterly Board earnestly requests that mention be made of THE DELTA CHI QUARTERLY in corresponding with Advertisers.

HENRY D. JARVIS SUCCESSOR TO

LAW CASES	<p>THE KIRK PRINTING Co.</p>	STATIONERY
BRIEFS	71-73 WEST EAGLE ST.	AND
LEGAL BLANKS	BUFFALO, N. Y.	GENERAL PRINTING
<p>— Bell and Frontier Phones - 1048 —</p>		

SHOURDS, ADCOCK & TEUFEL**Jewelers and Silversmiths****Diamonds, Watches and Sterling Silver**

MANUFACTURERS OF

**Delta Chi, Beta Zeta Phi, and other
Fraternity Pins****66 State Street Cor. Randolph St.****CHICAGO****Telephone Central 3745. Automatic 7745.**

**Rates, \$3.00 per Day
and Upwards
American Plan****One Block
From Principal
R. R. Stations****HOTEL BROEZEL****JOHN E. BOLDT
BUFFALO, N. Y.****Special Banquet Dining Room****E. BERT HENSHAW
Manager****Also WHITCOMB HOUSE
Rochester, N. Y.**

THE LAW REPORTER CO.**8th Street****Washington, D. C.**

CAFE FRANCIS

Nos. 53 and 55 West 35th St.

NEW YORK

Telephone 2239 38th St.

FRENCH RESTAURANT TABLE D'HOTE and A'LA CARTE

Unexcelled Service and Music

NOTICE SPECIAL arrangements will be made for the entertainment and comfort of members of the Delta Chi Fraternity.

FRANCIS A. SAVOUREUX

Proprietor

The Quarterly Board earnestly requests that mention be made of THE DELTA CHI QUARTERLY in corresponding with Advertisers

OUR REPUTATION

is for the Best Work in Engraved Invitations,
Cards and Stationery. If you want to be
pleased in any such Work and its Price—
G I V E U S A C A L L

Die Work, Seals, Fine Printing

C. E. BRINKWORTH, 331 Main St., Buffalo

New Hotel Kenmore

ALBANY, NEW YORK

Strictly First Class. European Plan. Convenient to Theatres, Public Buildings, Etc. Prof. Strauss's Orchestra a feature. Cuisine Unsurpassed. . . .

*Albany Headquarters for
Delta Chi Fraternity*

R. P. MURPHY, Proprietor

LAW PRINTING

We make Law Printing our Specialty, and do not allow catalogue or job work to interfere with the Efficient and Prompt dispatch of all our Law Work

Law Printing and Quick Printing are Synonymous Terms

Abstracts, briefs, trust deeds, records and leases our Specialty. Business outside of Chicago will receive prompt attention.

Barnard & Miller, Law Printers
Nos. 44 and 46 LaSalle Street, CHICAGO, ILL.
TELEPHONE MAIN 904; HOUSE 1053 AUSTIN

National Engraving Co.



506 14th STREET
WASHINGTON, D. C.



High Grade Work

The Quarterly Board earnestly requests that mention be made
of THE DELTA CHI QUARTERLY in corres-
ponding with Advertisers.

JACKSON BROS.

Fine Furniture

915 SEVENTH STREET
WASHINGTON, D. C.

THE MODEL LIBRARY

A Collection of Complete Classics
Selected by Eminent Experts

*Oriental Literature, the Drama, Classic Essays,
Classic Orations, Biography, Travel, Criticism,
Economics, Law, Poetry, Philosophy, History, Re-
ligion, English Literature, Classic Memoirs, Etc.*

Sixty Imperial de Luxe Volumes

Complete, Unaltered and Unabridged. No Extracts or Abridgments.

PAPER. The deckle-edge, velvet-finish paper used in these volumes has been made especially to our order.

TYPE. The type is large, readable, new, clear, and artistic. The type-page is $6\frac{1}{2} \times 3\frac{3}{4}$ inches; the margins are liberal.

PRESSWORK. Every volume has been printed by expert pressmen, the presses having been run at reduced speed to secure ideal results and perfect register.

BINDINGS. The books are bound in buckram or in half morocco, at the option of the purchaser. The volumes are of octavo size— $9\frac{1}{2} \times 6\frac{1}{2}$ inches.

MECHANICAL PERFECTION. These sixty volumes are as nearly perfect mechanically as they can be made by the latest improvements in printing, engraving, photogravure, color lithography, paper manufacture, and de luxe bindings at the beginning of the twentieth century.

Having just purchased the entire stock of a large publisher at less than fifty cents on the dollar, it will enable me to dispose of these sets at less than half the original price.

Whoever, whatever, wherever you are, no matter what your circumstances may be, here is a splendid opportunity for you. Here is the substance of a college education for only \$1.00 a month. Here is something that you cannot afford to be without, now offered in such a way that you can afford to get it NOW. Act quickly or you miss the opportunity. ADDRESS OR CALL.

H. W. BYERS,

204 Corcoran Building,

WASHINGTON, D. C.

WRIGHT; KAY & CO.
OFFICIAL JEWELERS
OF THE DELTA CHI FRATERNITY



Makers of High Grade
Fraternity Badges, Athletic
Medals, Trophies and Pre-
sentation Jewellery ∴ ∴

Department of Fine Stationery, College
Invitations, Fraternity Engraving,
Programs, Monograms, Reception
Cards. Sample Book of Stationery
Mailed on Application. ∴ ∴ ∴ ∴



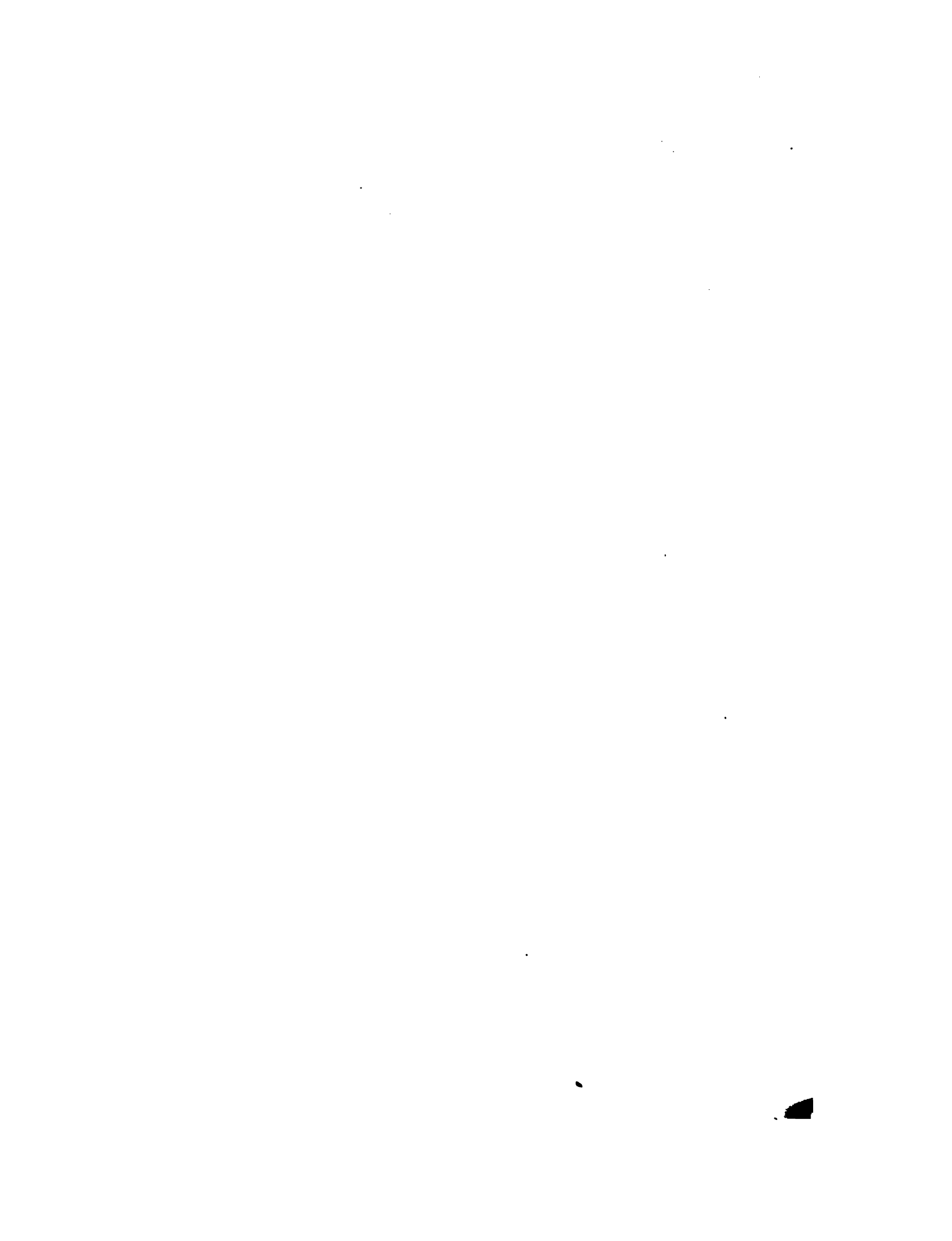
WRIGHT, KAY & CO.
160-164 WOODLAND AVENUE
DETROIT, MICH.

JEWELERS AND ENGRAVERS











1904 V2
ESTD 1892

DELTA CHI
QUARTERLY



PUBLISHED BY THE FRATERNITY

JANUARY, 1904

"CYC" Is a Complete Library of TEXT-BOOKS

Written by eminent specialists and embraces in 56 volumes every recognized title of the law. Under each title is given ALL of the law both substantive and remedial. Our cumulative Annual Annotations keep the work always up to date and render new Editions unnecessary. It's a work you need in your practice.

PROMINENT LAWYERS SAY

"CYC" is the most valuable work of its kind at present in use. The work will be a law library in itself.

GROVE J. TUTTLE,
New Haven, Conn.

I find that in connection with my Indiana State Reports "CYC" makes a complete working library. I recommend "CYC" to my friends.

GEORGE R. HARPER,
Goshen, Ind.

As a complete working library "CYC" has no equal, and is indispensable to both student and practitioner.

ALBERT MILLER,
St. Louis, Mo.

"CYC" is destined to take the place in the near future of a library of text-books. I could not do without it.

H. S. SIMMONS,
Washington, D. C.

I find each title to be a text-book within itself. The "CYC" is unquestionably one of the most valuable additions any lawyer can make to his library.

W. S. COOK,
Gate City, Va.

"CYC" does away with an expensive line of text-books, and will be invaluable to the profession. Your plan of yearly annotations is an excellent one.

W. W. RHEBEN,
Barton, Vt.

We wish to place in your hands an interesting story of "CYC" which has been published in an illustrated 45-page brochure entitled:

The Best Law Books and their Authors

This brochure states in plain straightforward manner why "CYC" is superior to the old style Encyclopedias and text-books—not from our standpoint—but from the standpoint of prominent Judges and Lawyers who are using the work and swear by its usefulness.

It will be Mailed Free
If you will mention this journal
or send the following coupon to

The American Law Book Company,

76 William Street,

New York

CUT OUT ALONG THIS LINE

Date: _____

THE AMERICAN LAW BOOK CO.,
76 William St., N. Y.

You may send me without charge 1 copy of your new brochure, "The Best Law Books and Their Authors."

Signed: _____

122

Address: _____

The One Thing a Student Should Learn at Law School

On any question always to consult first the
Lawyers' Reports Annotated.
To search the Index to Notes: knowing, if the
question is annotated in L. R. A. your work is
done. # # # # # # # #

This lesson well learned, and you have a Great Truth by the tail. Nearly every college has some modification of the "Case system." When you have to look up some question go to the "INDEX TO NOTES." If you haven't one send to us. Mention the QUARTERLY and we'll send it free.

Digests may include all cases, but when are you sure you have found them all? Text-books are general reviews of broad subjects, and encyclopaedias are essentially collections of sketchy text-books—good, bad or indifferent. They all have their value, of course. But suppose you want help on a brief point like, say, "*life insurance, as assets of a bankrupt*" or "*do injuries to person and property constitute one or two causes of action?*" You might, in time, dig it all out of the other books (as our editors have) if you had all the books and a perfect working knowledge of them, but in **LAWYERS' REPORTS ANNOTATED** you'll find an exhaustive review of all cases on the subject—a complete brief—with a full report of the brief.

Look up and get familiar with the **LAWYERS' REPORTS ANNOTATED**. There are no reports like them. Every law school should have the set. The Best of them have.

Your librarian should have some copies of "Where to Look for the Law." Poke him up if he has not sent to us for some to distribute.

**THE LAWYERS CO-OPERATIVE
PUBLISHING COMPANY,**

CHICAGO
325 Dearborn St.

Rochester, N. Y.

NEW YORK
40 Nassau St.

WE TAKE PLEASURE IN ANNOUNCING THE
COMPLETION OF

Russell & Winslow's Syllabus-Digest.
United States Supreme Court Reports

By Wm. DeBurrus Russell and Wm. Devereux Winslow.

THIS is the most Complete Digest, of the United States Supreme Court Reports, that has ever been published. It is arranged on an entire new plan. The first three volumes is a Digest, by Cases, alphabetically arranged. Volume 4, is a Subject Digest. It Digests all United States Reports, from Vol. 1 to 186 inclusive, with letters indicating whether the case has been criticized, distinguished, limited or over-ruled. Price, \$26.00.

United States Supreme Court Reports.

190 volumes. (1790 to 1903)

Price, \$380.00

This is the only official edition of the United States Supreme Court Reports, containing all the Arguments and Briefs in full, and the only one cited by all the United States Courts.

Joyce on Damages

Covering the entire Law of Damages, logical, exhaustive, clear, concise. By JOSEPH A. JOYCE and HOWARD C. JOYCE. 2 vols. of about 3,000 pages. Price \$18.00 net.

The Banks Law Publishing Co.

21 Murray Street, New York

DELTA CHI
QUARTERLY



PUBLISHED BY THE FRATERNITY

MAY, 1904

Don't Wait For This To Occur

If you are one of those who are handicapped by the old style encyclopedias and text books, **Get out of the rut.** Submit us to

CYC

The Twentieth Century authors' *Cyclopedia of Law and Procedure.*

PROOF OF ITS VALUE.

WASHINGTON, D. C., FEB. 26, 1914.

The American Law Book Company,

No. 77 William Street, New York, N. Y.

Overlaid—I want to reach out a book as fast as I could of a person.

As far as published, the "CYC" of Law and Procedure is a valuable work. The lawyer can afford to be without it. Every title is present. All of the authorities are there. It takes the place of text books and digests. Its writer what other books a lawyer may have he will find this a necessary and a desired improvement on all his predecessors.

Not detracting from the many good publications, I can truthfully say this law for superior. In our work we have ceased to want the text-books covering the subjects we have in the volumes received.

Yours very truly,

JOHN J. TOWNSEND,

Chairman Industrial Committee, House of Representatives.

Send today for our 46 page illustrated brochure

"The Best Law Books and Their Authors"

and the volume No. 22 which tells all about this great work, and the special terms we are now offering the publisher.

If you see it in CYC it's Law—All the Law is in CYC.

For sample copies and full particulars regarding the 20th Century Authors' *Cyclopedia of Law and Procedure*, write today for literature No. 22.

The American Law Book Co.
76 WILLIAM STREET, NEW YORK

1903

DELTA CHI QUARTERLY



LEGES

PUBLISHED BY THE FRATERNITY

JULY, 1904



1





