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CONTRACTS AND THE CIVIL LAW.

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IT WAS in the wee small hours of the morning and a young man was discovered sitting alone in one of the magnificently furnished rooms belonging to a well-known club of the city of New York. The air was heavy with tobacco smoke and the lights, dimly glowing through the thick haze, played in fanciful creations about the head of the young man or, reflected by the highly polished surface of the table against which he was leaning, threw their garish rays full upon his face. His head rested on one hand and now and again his eyes would wander about the room, noting the three vacant chairs in disordered array about the table, the champagne bottles, the glasses, the omnipresent straws, the ash-trays with their collection of cigar bands, matches and half-burned Havanas, and finally the cards and chips, rather impartially distributed between the table and the floor. At sight of these, an almost imperceptible smile would momentarily mantle the features of the solitary occupant of the room, and then his face would resume its fixed expression, his eyes riveted upon a large bag of money placed directly before him. He must have sat this way for all of half an hour when one of his late companions at the game probably noting his absence for the first time, gently opened the door and drew along side of him. "Why old man," said the new-comer, slapping the other rather familiarly on the shoulder, "What is the matter, we have been standing in the lobby for fully twenty minutes?" The other turned his saddened countenance upon the questioner and then, looking at either hand, said rather slowly: "You know the old controversy between the theologians; my civic left hand won't let my natural right hand take the money, and my natural right hand won't let my civic left hand

leave it." Hearing this, the new-comer paused a moment, gave the other a quick commiserating glance and then, with these words: "In case of doubt, *melior est conditio possideutis*," he took the money.

The moral theologian is sometimes accused of being a juggler. He is said by some to manipulate the two laws, natural and civil, to suit his convenience, sometimes adhearing to the one and sometimes to the other and sometimes maintaining a perfect balance between them. To the layman concerned only with the conclusions arriving at and giving no heed to the reasons underlying the various solutions, I will admit that the contention may at times appear plausible, but to no one who has ever given any real thought to the matter and, still less, to no student of theology who has paced back and forth within the narrow confines of his room in the long hours of the morning, vainly trying to thrash out some knotty problem on "Justice and Rights;" to none of these, I say, would the objection seem warranted. It shall, therefore, be part of our labors in this present paper, to defend the teachings of theologians on the various cases of contract involving the civil law and another part of our labors to present such conclusions of our own as were forced upon us during our rather limited readings and which seem authorized, from their general attitude on the subject, of the writers consulted.

Newman and with him Brownson, held that there could be no such thing as a conflict of rights and though they were opposed by other men of note and though, their opinion is in contravention to our ordinary mode of speech, still, I believe, the sheer logic of the proposition lies with them. And so I would hold for the civil and the natural law or, for that matter, as to every law that effects man in so far as he is a moral being, there can be no conflict between them. I would even extend this opinion further, making it embrace all laws without restriction, whether affecting the world of matter or the world of spirit, though I willingly admit this last proposition is not so clear. The strongest objection against the view just proposed is that set forth by St. Paul, who speaks of the law of his members as warring against the law of his mind. Here, although the Apostle uses the word "law," I would contend that he does not strictly apply that term, just as today we speak of an unjust law which, in reality, is no law at all. The "*fomes concupiscentiae*" of which St. Paul here speaks and which he calls "the law of his members," is the effect of the permissive decree of God, in punishment for

original sin, and is not the result of His direct command. It is willed, or rather it is permitted, in much the same manner as sin is willed or permitted. God then, properly speaking, cannot be considered its author but God, as you will recall upon reflection, is the author of every law.

But whatever may be the value of this last view, there should be no controversy as to that first stated; law, whether made known by that monitor, Conscience, or whether set forth by that guardian, State, emanates from God and tends to God. The origin, therefore, is the same, the end the same, and the means likewise the same, the exercise of free acts. And where these three are the same, it is hard to see wherein laws are going to conflict. The objection drawn from this, that the civil law seeks temporal good and the natural law eternal good, is not to the point, for temporal good is not, in se, the object of the civil law, but only inasmuch as it conduces to the higher good. There can be a conflict of opinions because opinions may be as varied as the members of the human family, but there can be no conflict of laws unless there be duality in the Supreme Law-Giver, an opinion no Catholic is likely to admit.

Neither can there be a conflict between the civil laws themselves. The laws of England may differ from the laws of this country, the laws of one state may differ from those of another, but in every given instance, in every single circumstance, there is but one law governing the one case. It matters not the difficulty lawyers may encounter in determining under what jurisdiction such and such a case may come and what law may apply, just as all men are finally cited before one tribunal, so are they cited under one law.

Cases of contrast are in no wise different. They all fall under one law. Sometimes it is the natural law and sometimes it is the civil law that alone applies to the given case and more frequently it is a combination of both, the conclusion from two premises of a syllogism, the major of which is the natural law and the minor the civil law. Now do not rush hot footed for the nearest text book on Moral to prove me a liar; what theologians say and what they mean are not the same. Not that they do not ordinarily say what they mean, but they would be little less than gods if they were not affected by the popular though false expression given to certain truths. And we are not quibbling over words but we are contending for principles. As regards these laws, natural and civil, I would say that the civil law en-

grafts into its body what part of the natural law may serve its purpose just as our constitutional law accepts and ratifies what part of the common law may prove of use. This idea may be further illustrated by the expression often used in connection with the recitation of the Divine Office, "Everything from the Common unless Proper." Here the natural law is the common, since vague and indeterminate; the civil law the proper, since explanatory and definitive.

I have deemed it expedient to draw out this argument at considerable length because I feel it will throw much light on what is to follow and because I believe, if well understood, would set forever at rest the contention that a theologian can be a juggler. What is civilly right is never morally wrong. Civil law is not a weak kind of a law; it has as much binding force as any other law, just what its framers intend. Does it bind in conscience? Tell me, how otherwise can you restrain the actions of free intelligent beings, what other sanction would you propose for law? Coersive means, the infliction of penalties! What right I ask you, has the state to apply these means; what duty has the subject to submit thereto, unless the laws themselves bind in conscience? Every law, that respects moral beings, binds in conscience. I care not whether it issue from the Shah of Persia or the Emperor of China; I care not whether it emanate from Catholic Spain or Atheistical France, its binding force is ever the same. Because our Senate is composed of four or five out and out atheists, twenty or thirty practical infidels, considerably more Protestants and no Catholics, it does not follow that our laws are not binding in the forum of conscience. The question to be determined is not the views of legislators on the origin of Civil Power, not their peculiar code of morals or their varied religious beliefs, but solely their intention to enact law. If you are assured that they intend to enact a law, you have infallible certainty that that law is binding.

These are not my views in the sense that they originated with me. No man has ever fathered these truths; they are the offspring of no human intellect. They are proposed by One whose authority none dare question; they are couched in terms about which none may cavil; they are introduced by a formula than which none is more reassuring. Scripture says, and oh what a world of reverence we ought to have for these two words, Scripture says:

"Let every soul be subject to higher powers; for there is no power but from God, and those that are, are ordained of God.

"Therefore, he that resisteth the power, resisteth the ordinance of God. And they that resist purchase to themselves damnation.

"For he is God's minister for thee for good.

"Wherefore be subject of necessity, not only for wrath but also for conscience, sake.*"

And again:

"Be ye subject therefore to every human creature for God's sake; whether it be the king as excelling:

"Or to governors as sent by him."

And still again:

"By me kings rule and law-givers decree just things."

Is comment necessary? If you can evade the plain import of these words, then am I willing to acknowledge that language has lost its power to convey meaning.

Suarez held that the binding force of civil law in the forum of conscience was a "de fide" proposition or at least "near to faith." He based himself for this statement on the texts I have already alleged and further held that this binding force was attributable not to the natural law, urging that the civil law be upheld, but to the civil law itself. In this he followed an old axiom of the Schoolmen which says things are to be attributed not to their primary and remote causes, but to their secondary and more proximate causes. He quotes St. Thomas, Bellarmine, Navarrus and a long list of others as holding this opinion. Aertnys says: "Every human law, properly so called, always and necessarily obliges in conscience, at least to something." Noldin summarizing a paragraph in which he shows that the explicit intention to bind in conscience, is not necessary, concludes as follows: Wherefore we must absolutely maintain that even an infidel legislator enacts laws which are binding in conscience." And so must we conclude, and so must every thinking man conclude, that civil laws bind in conscience.

I come now to consider the effect of civil laws on contracts and here we run face to face with two seeming contradictions. Every civil law binds in conscience, but no law binds, "*ultra mentem legislatoris*," beyond the will of the law-giver. "Then," you say, "if the law-giver will not to bind in conscience, how can the law bind in conscience?" The objection is more apparent than real. Such a law would not bind in conscience for the very

good reason that it would not be law. The legislator would be overstepping the bounds of his authority, he would be exceeding the terms of his commission. As "God's minister," "ordained of God," he may not and cannot impose conditions repudiated by God. Scripture tells us to "be subject of necessity, not only for wrath, but also for conscience-sake." But we cannot be subject in conscience, unless bound in conscience and therefore, if the legislator enact a law, he must enact it as binding in conscience.

De facto, however, this annulment of a law by reason of interior dispositions on the part of the legislator would seem to be rarely if ever realized. If the legislator be of sane mind he must, above all and before all, intend to enact a law, and it is scarcely conceivable that any one legislator and, "a fortiori," any body of legislators would be so perverse as to lay down this invalidating clause as a condition "sine qua non" for the enactment of a law. This question, then, practically need not bother us, but a question of more vital concern is to determine at what point civil laws begin to bind in conscience. Here the way is dark and if, in our blind gropings, we sometimes stumble from the path of truth, we beg your indulgence; for who are we that should presume to lead the way aright where Lugo himself has sometimes failed and even the mighty Lehmkuhl has faltered. On the contrary, far from entertaining any such hopes, we caution our hearers against accepting too readily anything we may hereinafter state, lest they find themselves in a plight identical with that mentioned in the Gospels: "If the blind lead the blind, both fall into the pit."

Tanqueray, with his usual orderly arrangement, mentions five different ways in which civil law may effect contracts naturally valid. It may deny them civil action, it may prohibit them, it may make them rescindible, it may invalidate them only as regards civil effects and finally it may absolutely annul them in both founs. As regards the first two classes, we need have no difficulty since such contracts are always valid, and if the civil law spread her protecting wing to ward off the assaults of the indignant creditor, she does not shield the crouching delinquent from the avenging arm of the Most High. The next three classes are somewhat more involved and therefore we shall treat them separately.

Recindible contracts are such as confer real rights and impose real obligations, with the proviso guaranteed by *statuæ*, that one of the contracting parties in whose favor the law has been enacted

may, at will demand its rescission. One might imagine, from the laxity of our divorce laws, that marriages were such contracts; the phrase, release at will, being particularly applicable. However, in the eyes of the law at least, whatever else we might otherwise say, they do not fall under this category. Contracts with minors, married women, insane persons, drunkards, persons under duress, and alien enemies are all rescindible because, by the construction of law, such persons have not sufficient mental acumen or sufficient liberty to make them "sui juris." Likewise, if we accept the authority of Lehmukuhl, all contracts are rescindible which are entered into through grave fear. It must be evident therefore, from even this summary classification, that the law affects the person rather than the act, and this is something we ought ever to have before our minds. Since the law is a favorable one and since no one is held to use his privilege, those declared incapable by law can bind themselves in the forum of conscience by reason of a voluntary promise; they could not so bind themselves if the act was formally declared annulled. Others concerned, such as parents, husbands and guardians, however, are not bound by the promises, thus made, of the incapables, unless there be conspiracy.

The fourth class of contracts, those that are invalidated as regards civil effects, are the most complicated of all. Under these contracts, the act which is civilly invalid remains naturally valid with the result that, before the sentence of the judge, the possessor is not to be disturbed; after sentence, however, either party must abide by the decision of the Court. How to reconcile the seeming disparities involved in this statement is the question that shall now briefly engage us.

If a parent told a child of nine to perform a certain act, the presumption would be that he intended to bind in conscience; if he told a child of twenty-nine to perform a certain act, the presumption would be that he did not intend to bind in conscience. At either extremity we would have no difficulty; but if he told a child of nineteen to perform a certain act, we might well wonder just what he really intended. And note, in all three instances, he probably used the very same language. Similarly as to law: if the law concern some heinous offense, against which our very nature rebels, the presumption would be that the legislator intended to bind as much as he could, if it concern some minor offense, which is rather a breach of propriety than a violation of right, the presumption would be that the legislator intended to

bind as little as he could. But if, finally, the law concern some mediocre offense, which lies on that vast border-land between the absolutely bad and the relatively wrong, we might well wonder just what the legislator really intended. And this is the exact plight in which theologians find themselves engulfed. Some say contracts entered into under this last class of laws are always valid in the forum of conscience, others that they are never valid and others again hold a middle course. In explanation of this course, let us go back to our child of nineteen. The parent happens to be a generous father, who gives his son a certain amount of money, admonishing him not to spend it foolishly. The young man goes out and buys an article which he knows will displease his father, but with which he is perfectly well content. He conceals his purchase from the knowledge of his father and thereby makes the contract valid though it always remains illicit by reason of his father's prohibition. He goes out another time and buys an article likewise displeasing to his father but which he himself afterwards disaffects. He appeals to his father who returns the article to the storekeeper, thereby annulling the contract. Here you have an illustration of the fourth class of contracts affected by civil law, and I ask you in all fairness, does the doctrine of theologians on these complicated matters, seem so hopelessly absurd?

Let us continue our comparisons further in an effort to determine not only what the father's will may be, but what in a mild sense, it must be. One way to discover what the father really meant when he told his son, in effect, not to spend his money foolishly, would be to weigh his words, though I fancy this would not advance us much in our solution. Spitting on the sidewalk is punishable by fine and murder and arson by imprisonment, and I dare say the language of law is the same in both instances. Other ways would be to consider the father's ordinary mode of commanding and the son's ordinary mode of obeying. The first we term interpretation and the second, custom. Interpretation is the unwritten sense of the subject attached to the written law of the superior and custom is the written law of the subject ratified by the unwritten acceptance of the superior. The son from observation of the habits of his father could determine that the words "not to spend money foolishly" were either a command or a precept and this would be interpretation through repeated acts of disobedience which would eventually show his father the futility of commanding, he could transform command into precept, and this would be custom. Hence it is when the law says such an act is invalid, it may invalidate the act only

as to civil effects because interpretation and custom have come in to temper the pristine rigor of law.

Having considered interpretation and custom, let us now take up the doctrine of theologians on possession. Here again we find them thoroughly in accord with reason, though they do not all expose their system in the same manner. To begin with, all of us, however limited our experience may have been, must have seen innumerable applications in every day life of the principle so often invoked in Theology, "*Melior est conditio possidentis.*" The Church urges this principle with overpowering force against her adversaries in defending the institution of the Sacraments and the authenticity of the Gospels, while the State applies it with equal force in upholding the right of the possessor as against counter claimants, through her statutes on limitation and her laws of prescription. However, to me there seems a radical difference between possession as thus applied by Church and State and possession as applied implicitly by them in matters of contract. Possession covering a period of twenty, thirty, a hundred or two hundred years confers one kind of a right and possession covering a period of days or even hours, quite another. The one is based on the postulate that truth alone endures; the other, that liberty is the primal right of man. Liberty is natural, distinctive and characteristic of man and cannot be restricted by anything less than certain law. Hence the judge, in his charge to the jury, reiterates time and again these words so consoling to the accused: "If you have a reasonable doubt concerning this man's guilt, find for the defendant." Hence again theologians, in case of contract, when man's freedom of action is opposed by uncertain laws, with equal reason, invariably find for the possessor. This is the explanation I imagine most theologians would give to the matter though De Lugo takes a different view. According to him, possession confers no right, and the exception in favor of the possessor before sentence should be explained by the practice in vogue among all civilized nations that no man is held to execute sentence upon himself. The thought of a man adjusting the fatal noose about his own neck is repugnant, the thought of a man barring the prison doors behind himself is likewise repugnant, and the thought of a man surrendering hard cash to another in compliance with, what to him, seems some petty regulation of law, is equally repugnant, though perhaps not so calculated to arouse our sympathies. Whichever view you may decide to embrace, both may be defended with equal logic.

The fifth and last class of contracts enumerated by Tanqueray is that which annuls contracts in both forums. This class is of speculative, rather than of practical interest. The State, at the present time, relies too much on police powers and too little on the higher powers entrusted to her by God, to enact many laws binding in conscience from the beginning. And truly the result is deplorable. Everywhere we see the barriers of law being broken down, and everywhere we see the enactments of law-givers treated with contempt and derision. Laws have multiplied without end and policemen and civil-service officials have multiplied just as rapidly. And why? Because the State has tried to bind the will of man by the lash and raw-hide that leads the brute into subjection; because she has made appeal not to reason, but to force. Coercive means are necessary; but more law-abiding citizens and fewer lawyers would be truly desirable. Let those that laugh and scoff at the distinctions and subtleties of theologians see to it that the laws are simpler and I promise them that our textbooks on the subject will be intelligible even to a child. The maker and not the interpreter of law is the man at fault.



St. Bernard's Prayer to the Virgin Mary

J. A. WILLIAMS, '10



O A true lover of Dante and an ardent admirer of the works of his versatile pen, his incomparable master production, "The Divine Comedy," is a masterpiece of literary excellence. Truly Dante is one of those chosen few who have fathomed the depths of the beautiful, the sublime and the good and have left us a priceless literary legacy wherefrom we draw a wealth of inspiration, to be our guides in this mortal life, examples from which to draw lessons of virtue, and models to which we should conform our daily actions.

Throughout the exposition of the trinity of abodes of the souls in the hereafter life, Dante by master-strokes of his pen has sketched facts, persons and events in such a striking vividness and placed before our gaze such beautiful word-paintings that we are wrapt in awe and wonderment, the more we study this work of the Florentine bard who sang this thrilling song several centuries ago. In the course of our study of this sublime masterpiece, we have seen the effective use Dante has made of prayer. The pages of the Purgatorio literally teem with prayer and in the Paradiso, the author has excellently utilized this most eloquent style of human expression, most eloquent because an act of prayer is the most sublime act of homage and worship of the creature toward the Creator.

We do not hesitate in asserting that the most suggestive, the most beautiful, sublime, effective and the most eloquent of all the prayers contained in the pages of "The Divine Comedy," is that contained in the opening lines of the Canto XXXIII. of the Paradiso—addressed by St. Bernard to the Most Holy Virgin Mary, in behalf of Dante that he may see face to face in all its beautiful majesty, the face of the Triune God.

Throughout the "Divine Comedy" Dante has the happy faculty of putting the right words into the mouths of the right characters, which speaks volumes in favor of or against the sentiment or opinion which he wishes to impress upon us and which, had

they been spoken by others, under similar circumstances, would have been absolutely void of effect. This has been done with admirable skill, by placing this magnificent prayer upon the lips of one of the Saints of God to the greatest Saint of God—from St. Bernard to the most Holy Virgin Mary. Little do we wonder then that Dante has chosen St. Bernard to be a mediator in his behalf, instead of Beatrice or even the Souls in Purgatory, for had it been such, undoubtedly force and efficiency as distinguishing qualities would be unknown; rather Dante's choice was an exceedingly happy one for it was expedient for him to choose one who would pour forth in sublime language and praise the glories of Mary, one the last doctor of the church, he who has said that "devotion to Mary is a sign of Predestination," one who while in the flesh was a most fervent client of the Mother of God and now in the spirit, an ardent admirer of her in glory."

The prayer is, as it were, an embodiment of theological exposition, poetical beauty, and sublime supplication.

"O Virgin Mother, Daughter of thy Son!
 Created beings all in lowliness
 Surpassing, as in height above them all;
 Term by the eternal counsel preordained;
 Ennobler of thy nature, so advanced
 In thee, that its great Maker did not scorn,
 To make himself his own creation:
 For in thy womb rekindling shone the love
 Revealed whose genial influence makes now
 This flower to germin in eternal peace:
 Here thou to us, of charity and love
 Art, as the noonday torch, and art, beneath
 To mortal men, of hope a living spring.
 So mighty art thou, lady, and so great,
 That he who grace desireth, and comes not
 To thee for aidance, fain would have desire
 Fly without wings. Not only him, who asks,
 Thy bounty succors; but doth freely oft
 Forerun the asking. Whatsoever may be
 Of excellence in the creature, pity mild
 Relenting mercy, large munificence,
 Are all combined in thee. Here kneeleth one
 * * * * *

My prayers to thee prefer

(And pray they be not scant), that thou wouldst drive
Each cloud of his mortality away
Through thine own prayer, that on the sorran joy
Unveiled he gaze. This yet, I pray thee, Queen,
Who canst do what thou wilt; that in him thou
Wouldst, after all he hath beheld, preserve
Affection sound, and human passions quell,
Low where with Beatrice, many a saint
Stretch their clasped hands in furtherance of my suit."

In the opening lines of the prayer we are struck by the simplicity, terseness yet subtlety of style in which it is written. What in all the cantos of the matchless poem is more clearly understood or more easily grasped at first sight than the meaning of these words which fall as drops of honey from the flowery lips of the Blessed Bernard,

"O Virgin Mother, Daughter of thy Son
Created beings all in lowliness surpassing
As in height above them all."

Here indeed we see a great mystery of religion, a sublime truth, as cherished dogma of the church, clearly presented by one stroke of a master's pen. What profound truths and mysteries are contained in these few short words? Never was the story of the Incarnation told more beautifully than in these opening lines. Here at once in words simple in their subtlety and subtle in their simplicity, Dante has most beautifully portrayed, the most exalted and precious prerogatives of Mary, the two grandest attributes of woman, maternity and virginity; which attributes have won for the Mother, Daughter and Spouse of God, the highest honors and worship in Heaven after the Blessed Trinity. How strikingly does the poet in the second and following lines impress us with the idea of the humility of Mary, when he tells us, it surpasses that of earthly creatures even as much as her glory exceeds their glory. With what grandeur and beauty Dante portrays the individuating qualities and virtues of Mary and the extent of her power in Heaven and on earth may be gleaned from these words:

"Here thou to us of charity and love
Art as the noonday torch; and art beneath
To mortal man, of hope a living fountain."

How eloquently has he shown to us the high esteem and regard in which Mary is held by the Blessed Spirits of the Heavenly Kingdom. Here charity and endless love for the ransomed creatures of her Divine Son—is ardent and consummating, even as the “noonday torch”—which here signifies the resplendent sun at the zenth, ever burning, yet unconsumed. And to the nether earth she is the font of hope, a living spring, from which flow rivers of living water, the water of life, where mortals drink refreshing draughts of Grace that can come to man from Jesus only through the instrumentality of Mary. Indeed, what comfort to man are then the words—“To mortal men a living fountain.”

Reading onward we have the portrayal of the majesty and power of the august Queen of Heaven. The saint tells us that Mary is so anxious to assist us that she often anticipates our asking

“But oft doth freely forerun the asking.”

but yet he would have us know that we can only find grace from Jesus through Mary, for to him who has not recourse to her, he fain would have his prayers arise to the Throne of Divine Mercy even as a bird without wings would fly; and this cannot be as is plainly seen from these very forcible and effective words

“So mighty art thou, lady, and so great,
That he, who grace desireth, and comes not
To thee for aidance fain would have desire
Fly without wings.”

What beautiful tribute does the saint yet confer upon Mary—“bounteous succor,” “pity mild,” “relenting mercy,” “large munificence.” and “All excellence of the creature;” truly these are precious invocations which designate more clearly than the light of day, the treasures of holiness and a wealth of merits, and a superabundance of sanctity that belong to her.

After introducing Dante and after more words of praise, as a little child asking a favor of a fond parent, Bernard finally leads to his petition by acknowledging that Mary and Mary alone can obtain the favor which he seeks, because of her all powerful influence in Heaven, for her power knows no limits.

“This yet I ask Thee, Queen, who can do all thou wilt,” and ends by saying that the wish is not his alone but of all the Blessed in Heaven desiring this grace for Dante.

"Lo where with Beatrice, many a saint
Stretch their clasped hands, in furtherance of my suit."

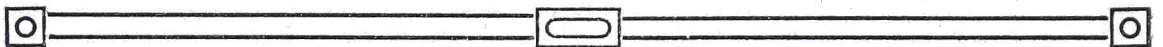
And Mary on her part like a kind and loving mother, unable to turn a deaf ear to the supplication of her children, readily obtains the grace for Dante to behold the Sacred Vision.

From a literary standpoint we have seen the poetical beauties of this prayer eloquently presented by Dante, as only Dante could present them and we can say in praise of it that this prayer is one of the finest literary gems, among the many gems in which the Divine Comedy abounds. Much weight is added to our praise **and appreciation** when we learn that Chaucer quoted almost the whole prayer verbatim in his Second "Nun's Tale." If we are to measure the value, or judge the excellence of a prayer by its effects or in accordance to the merit bestowed or the favor obtained, certainly then we would consider this prayer as boundless in its results and far surpassing all others in the Divine Comedy—By its efficiency it opened to the ecstatic gaze of Dante the beauty and magnificence of the Unrivalled countenance of God, and since the effect is always proportioned to the cause, the cause or means this prayer certainly was an excellent and powerful one.

The lessons to be gleaned from this prayer are many and precious, lessons of charity, love, confidence, faith and filial devotion. If the greatest act of charity is to give one's life for a friend, certainly the second greatest act is to intercede to the Divine Clemency, the Author of life itself in behalf of those we love, that they may receive these necessities for the conservation of that life. How beautifully Dante has taught this lesson of charity and love by means of this simple prayer. What a beautiful example. Behold St. Bernard prostrate at the feet of Jesus and Mary, interceding and pleading to Jesus through Mary that Dante's desire may be granted. Another beautiful lesson set forth is faith and confidence in prayer. Indeed we are struck by the childlike confidence portrayed by St. Bernard in this particular instance, so simple, so meek, so candid is his manner of appeal, that we scarce can imagine that this is that great intellectual gladiator who slew the mighty Abelarde in the Arena of Scholastic Philosophy; and yet this simplicity, this meekness, this confidence won for him the fulfillment of his humble petition. The greatest lesson that is strikingly brought out in this pious supplication is that of Devotion to Mary. Dante himself, a fervent client of the Mother of God has affectively given us a fore-

ible lesson to honor and venerate her who is the Daughter of the Father, Mother of the Son and Spouse of the Holy Spirit. The whole prayer in fact is a sublime tribute to the power of Mary, and indeed much glory would have been taken from the Paradiso had not this prayer been written in her honor. It is befitting and just that this beautiful work should end by showing forth the power and glory of Mary in Heaven. Holy Mother, the church in the litanies, ever cries to Mary for aid in the invocations of "Gate of Heaven pray for us," as if she would have us know that Mary is the blessed means of one entering into Heaven, which fact has been so beautifully exemplified by means of the prayer of St. Bernard.

Little do we wonder that Italy has been called the land of the Madonna, when her people have been taught such divine lessons and sublime examples of Our Lady by such literary geniuses as Dante and all her true great men for Mary is great in song and story, in poetry and art, in music and architecture, in sculpture and painting, but above all she is greatest in prayer. In a word, then, this prayer of St. Bernard to Mother of God is commendable for the loftiness and profundity of the ideas portrayed, the beauty and simplicity of poetical expression, the forcible and effective use of language and the sublimity and grandeur of the lessons which it teaches.



MANFRED AND BOUNCONTE

J. M. PERDZOCK, '09.



WHILE accompanying Dante through Purgatory we are ever reminded of lessons of morality and truths of religion, which are so beautifully and strikingly told that the readers' attention is invariably arrested. In the third Canto we follow the poets through the crags of the first purgatory, to the foot of a very high mountain, which is so steep that ascent and descent are impossible. While the poets are examining this mountain, endeavoring to find a passage, they see a troop of spirits approaching. When asked where to climb the mountain, the spirits answered—

"Turn and before you the entrance lies."

But before the poets are able to comply with the direction given, one of them said,—

“Whoe’er thou art,
Who journey’st thus this way, thy visage turn
Think if me elsewhere thou hast seen.”

But Dante was obliged to confess ignorance of acquaintance, upon which the spirit related this story.

I am Manfred, grandson of the Queen
Castanza; whence I pray thee, when returned
To my fair daughter go, the parent glad
Of Argonia and Sicilia’s pride;
And of the truth inform her, if of me
Aught else be told. When by two mortal blows
My frame was shattered, I betook myself
Weeping to him, who of free will forgives.
My sins were horrible; but so wide arms
Hath goodness infinite, that it receives
All who turn to it. Had this text divine
Been of Consenza’s shepherd better scanned,
Who then by Clement on my hunt was set,
Yet at the bridge’s head my bones had lain,
Near Benevento, by the heavy mole,
Protected; but the rain now drenches them,
And the wind drives, out of the kingdom’s bound,
Far as the stream of Verde, where with lights
Extinguished, he removed them from their bed
Yet by their curse we are not so destroyed
But that the eternal love may turn, while hope
Retains her verdant blossom. True it is
That such one as in contumacy dies
Against the holy church, though he repent,
Must wander thirty-fold for all the time
In his presumption past if such decree
Be not by prayer of good men shorter made,
Look, therefore if thou canst advance my bliss;
Revealing to my good Castanza, how
Thou hast beheld me, and beside, the terms
Laid on me of that interdict; for here
By means of those below much profit comes.

To the casual reader, this story might not convey much meaning, nor arouse feelings of pity or charity towards those in distress. But if we study carefully every line, every word and figure, we cannot help admiring the elevating thoughts clothed in such beautiful, and soul-stirring language. The story in itself is not out of the ordinary, but it is the moral and religious teaching in which its sublimity consists. The moral is, to have recourse to prayer, and not to defer our reconciliation with God, to our last moment. The religious teaching is the efficacy of a perfect act of contrition. Our faith teaches us that such an act of contrition at the hour of death, will merit for us salvation. This is very forcibly expressed in the lines,

"I took myself
Weeping to him who of free will forgives.

The word, "weeping," alone shows penitence and sorrow for sins, and the remaining words teach, how willingly God forgives. And no matter how grievous and large in number are our sins, they will be forgiven, as the following lines manifest.

"My sins were horrible, but so wide arms
Hath goodness infinite, that it receives
All who turn to it."

Manfred died excommunicated, and for this reason King Charles did not allow him to be buried in sacred ground, but he was buried in Benevento, and after the body was sent out of the kingdom by the Bishop of Consenza, by order of Clement IV. It was for this reason, that Manfred reproached the Bishop, in these lines, referring to forgiveness at the last hour;

"Had this text divine
Been of Consenza's shepherd better scanned,
Who then by Clement on my hunt was set,
Yet at the bridge's head my bones had lain,
Near Benevento, by the heavy mole protected."

This passage also shows that no one, can judge whether a person is saved or not, no matter what kind of a life he has led. No one except God knows what passes between the soul and God at the last moment. The efficacy of prayer is also alluded to in the last lines of this story, when Manfred relates how,

"That such one as in contumacy dies
Against the holy church, though he repent
Must wander thirty-fold for all the time
In his presumption past; if such decree
Be not by prayers of good men shorter made."

In this story of Manfred, the poet has excelled in beauty the stories of Guido and Ugolino in the *Inferno*. But what ever merit it has, it is eclipsed by the story of Bounconte. In this last named story, the immortal Dante has displayed his powers of description, has brought forth to view a powerful lesson of supplication to Mary, and depicted in vivid colors the diabolical hate of the devil when robbed of even one soul. As the two poets continue on their way they are met by another band of spirits who deferred their repentance till they met with a violent death, but still had time to make their peace with God. One of these spirits is Bounconte who relates his story as follows:

"Bounconte, I,
Giovanna nor none else have care of me,
Sorrowing with these I therefore go
"At Casentino's foot
A stream there courseth, named Archiano, sprung
In Apennine above the hermit's seat.
E'en where its name is cancelled, there came I,
Pierced in the throat, fleeing on foot
And bloodying the plain. Here sight and speech
Failed me; and finishing with Mary's name,
I fell, and tenantless my flesh remained.
I will repeat the truth; which thou again
Tell to the living. Me God's angel took,
Whilst he of hell exclaimed; 'O thou from heaven;
Say wherefore hast thou robbed me? Thou of him
The eternal portion bearest with thee away,
For one poor tear that he deprives me of,
But of the other, other rule I make.'"

Then he relates how the devil in his rage causes a mighty storm to rise, and the rain to fall in such torrents, that everything on the plain is swept into the river and his body along with it, so that

"From my breast
Loosening the cross, that of myself I made

When overcome with pain. He hurl'd me on,
 Along the banks and bottom of his course;
 Then in his muddy spoils encircling wrapt."

In this story we are reminded of two very important truths: one is the immortality of the soul, thus;

"Thou of him
 'The eternal portion' bear'st with thee away."

The other is the power of Mary, since it was through her intercession that the soul was saved. We have seen several instances of the souls in purgatory supplicating Mary with prayers and hymns to obtain relief. But in the case of Bounconte, it was simply the one appealing sigh with his last breath. Let us not pass unnoticed the description of scene and place; the loneliness of a dark night, the flight on foot, accompanied by no one, the ghastly wound—"Pierced in the throat," and how as he dies, he crosses his arms on his breast, partly in pain, and partly in prayer, so as to have before him the sign of redemption; his death forgotten by all, and forsaken by the one who was most trusted.

"Giovanna nor none else have care of me."

Another very meritorious point to be noted is its dramatic effect. We are held spell-bound as when reaching the climax of some interesting story. The devil, seeing himself cheated is filled with dire revenge and hatred. This is so vividly described, that we can almost hear him whine;

"O thou from heaven;
 'Say wherefore hast thou robbed me?' Thou of him
 The eternal portion bear'st with thee away.
 'For one poor' that he deprives me of,
 But of the other, other rule I make.

By 'the other,' is meant the body, and immediately he seeks to wreak his vengeance upon it, by raising the storm before alluded to. He does this because he is unable to harm the soul, but has power only over the body of man, and exercises this power only with permission of God. Ruskin admired this passage so greatly that in his "Comments on Dante" he says, "There is, I feel assured, nothing else like it in all the range of poetry."



Our Bardic Choir



INTROSPECTION.

The future years may hold some joy
May also hold some pain;
A victor's wreath may deck our brow
Or shame may shroud our name.

All through those years no one can tell
What e'er our fate will be,
But yet a lesson we may learn
From the bending of the tree.

As leans the twig so grows the tree
With branches straight or bent;
And so our lives in manhood's years
Show forth how boyhood's spent.

Pure hearts and deeds our lives make bright
And these alone have worth.
Sin's shameful acts despoil the soul
And bow it towards the earth.

Some vain applause we all may gain,
Deceit may win a crown;
The vulgar smile is oft the prize
Where honor gives a frown.

Regret and sorrow may be late
Despair may mark the end;
And funeral rites though e'er so grand
Make but a poor amend.

It matters not what men may say
Real joy can only be
When heart and thought are ever swayed
By love which made man free.

THE VIATORIAN

If true success you would achieve
 Then do your task each day;
 Be ever mindful of the words,
 To labor is to pray.

Hope's brightest ray shall light your path
 And happy be life's close;
 Death's warning shall be well received,
 A signal for repose W. J. S.

 A REVERIE.

 F. Cleary, '11.

I sit today in the sunlight
 And gaze at the golden sun;
 I dream of friends that have left us,
 And number them one by one.

See, yonder the flowers are swaying,
 And cresting the hillside fair,
 While sweetly and gently they slumber,
 And breathe on the summer air.

So oft on friends do I ponder,
 Whose lives as flowers have been;
 And oft and oft do I wonder,
 Where memory brings them again.

And oft do I watch for their coming,
 When the evening sun is low,
 And fancy I hear their voice humming,
 When the day has lost its glow.

And thus will the sunlight or gloaming,
 A wealth of fond memories display;
 And the hour that I spent in this musing,
 Is the happiest hour of the day.

A GLEAM.

The humblest star content to dwell
 In distant skies' remotest cell,
 Although it gives but feeble light
 May guide some wanderer through the night.

N. K. S.

TO A FRIEND.

Ne'er hath love's web so entwined me
 And held me within its fond sway,
 As when it most gently twined 'round me
 When I met thee on life's thorny way.

So kind and so true and devoted
 In thee gracious virtues all blend;
 And of thee might be said the sweet maxim
 To know is to love thee my friend.

V. V. C.

MEMORY.

How the floods of memory sweep
 Over the shoals of youth,
 When night lets down her curtain,
 And the stars are whispering truth.
 The night bird moans "gone, gone,"
 As the misty shadows pass,
 And scenes now long forgotten come,
 As the raven sighs—"alas."

Sweet faces rise from the shadow
 Veiled by the mist of years;
 And the sad heart pours libations
 On the love wet altar of tears;
 They troop down the aisles of fancy
 As I knew them in the years ago,
 When the blossoms of June breathed perfume
 And the rivers rippled in song.

THE VIATORIAN

But the birds have lost their gladness
And the language of flowers its truth;
For sorrow has painted the shadows
On the sunkissed pictures of youth.
My loved ones have slipt into silence,
And their robes are mantels of stars;
Their beckoning fingers are calling
Where the sunset has tinted the bars.

Cheeks that were touched with roses
Have taken the lily's pale hue;
And lips whose kisses still linger
Have gathered the grave's cold dew.
There is mould on the silken tresses
Where the sunshine hid its gold;
And embers of love once glowing
The finger of death has made cold.

But I still can hear their sweet voices
In the stilly watches of night,
When the somnolent world is resting
And the song bird has taken his flight.
And it comes like a strain of sweet music
That is whispered through infinite space
From the choir that celestial is singing
A paeon of Infinite Grace.

G. M.



THE VIATORIAN

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Alumni—A. SAVARY, '09.

Athletics—D. BOYLE, '10.

Locals—F. CLEARY, '11.

Personals—I. RICE, '11.

Societies—F. WELCH, '10.

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EDITORIALS.

Recent Deaths.

The grim reaper has caused much havoc of late in the aesthetic world and as a result of his work Catholicity mourns the loss of many of her valiant and most illustrious children. Since our last issue F. Marion Crawford, one of the literary lights of the world, has departed into the great beyond, as have also Mme. Modjeska and Father L. A. Vaughan. In the death of the first, literature loses one who not only pleased the imagination of the reader, but who always used his genius for the elevation of the standard of morality. His works will always bear testimony of the purity of his pen, both in style and in the story itself. Madame Modjeska's death leaves a vacancy which cannot soon be filled, and the same may be said of the admirable lecturer, Father Vaughan, whose efforts have been doubly appreciated here where he appeared and impressed us on more than one occasion. The story of their lives tells in glowing words of the nobleness of their motives and their aims.

One of the greatest worries of those directing a journal maintaining claim to original expression of thought is the possibility of a too ambitious pirate submitting the thought of another as his own. Hardly a year passes in

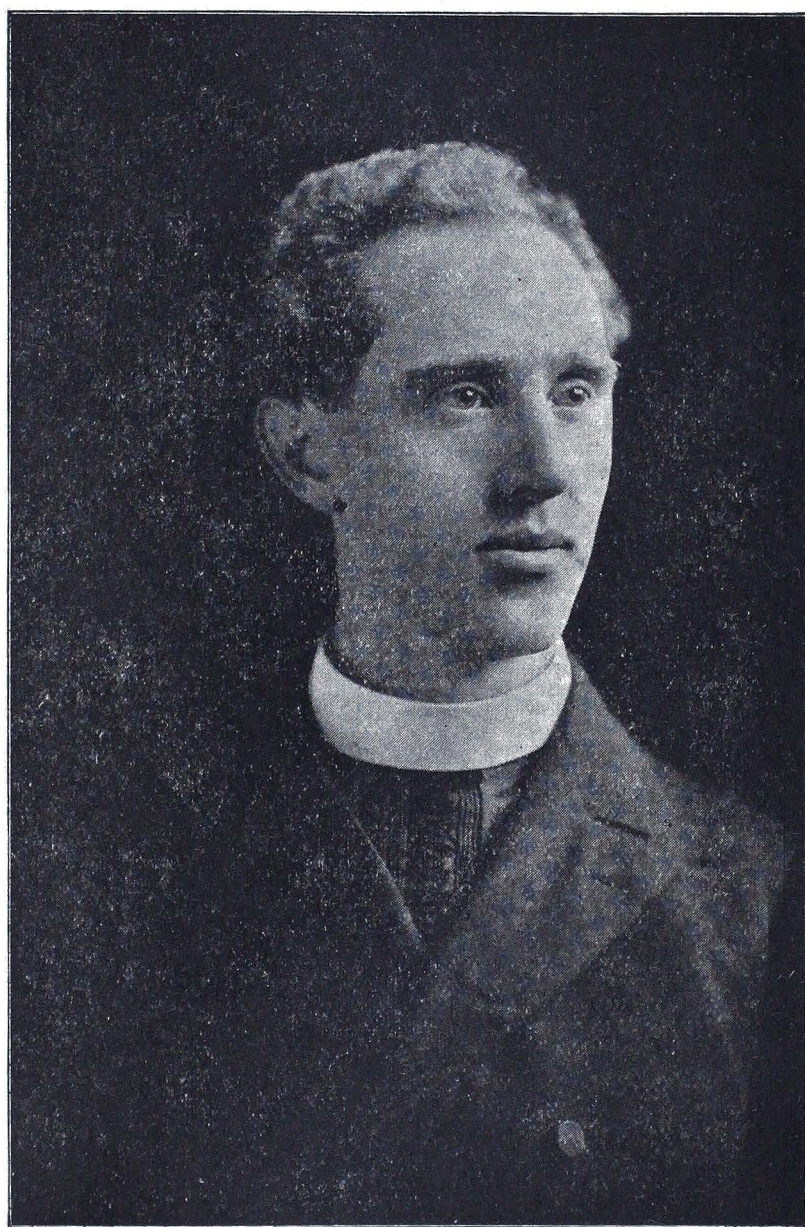
Plagiarism Collegiate journalism that does not bear with it, in even the best of the periodicals, an example of a steal. To our mind a plagiarist is the lowest form of a thief, for not only does he filch a man's property, but plays the thief of his personality. Despite all efforts plagiarism is creeping in and although it recurs but seldom its advent should not be welcomed. We realize that it is impossible for the editor of college journals to peruse every article that is written in the world at large, and a plagiarism consequently must be excused as an unavoidable evil. To the lessening of the evil, however, there appears to be one remedy and that is the impressing by the professors on the minds of literary students the extent and baseness of plagiarism. If this is done in all preparatory schools and colleges, we could feel that plagiarism would be unknown.



The riot of free thought and scepticism which is at present swaying the American colleges and universities is at last impressing upon the minds of the easy going public that

The Colleges a little thinking is a dangerous thing. From the
and very places where we would expect to find well

The Church. matured and conservative convictions in matters of dogmatic and moral truth, sensational utterances, hastened by the desire of notoriety are daily events. The spirit of atheism is attempting to cast its shadow upon the moral code of the centuries gone by, hoping with the removal of the code to obliterate the creed that has "held the world in balance for two thousand years." The attempts however, will never reach their purpose. The modern sceptics are simply new Tom Paines, Ingersolls and Voltaires, and their efforts will be as futile as those of the older type. The cross of Christ has remained upright during the struggle of the centuries. Ten Roman Emperors



REV. THOMAS QUINN.



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drenched it with blood, but it still exists. The scoffing Voltaire assailed the church with his satire, numerous "thinkers" shot their shafts, yet it retains its pristine strength. It has withstood all its enemies in the past and we may well feel confident that the rampant and unrestrained beliefs of university professors will not weaken it. For our part it is not only necessary that we defend the doctrines of the ages, we should also live in accordance with their teachings. In time to come when science has dug deeper and unearthed disproofs of its present attitude we may hope to see reason and revolution of thought clasping hands and resting on the historic rock of ages. In the meanwhile, Pope's line is not too trite for present day students and we take occasion to repeat it to all and bid them "Drink deep or tast not the Pierian spring."

◆

PERSONS AND PLACES.

The Rev. Thomas Quinn was recently appointed by Archbishop Quigley to the new parish comprising the towns of Deerfield and Everett. Father Quinn attended St. Paul's school in Chicago and after finishing there pursued the classical studies at St. Viateur's college. Most of his sacerdotal labors have been confined to St. Charles church where he was an earnest and zealous worker for the good of the people and especially of the young men. Under his direction the St. Charles Temperance society became one of the most influential organizations in the parish. He organized the St. Charles Dramatic club and directed its productions which were given annually for the benefit of the parish. The new parish assigned to his care is already showing signs of his beneficial work. A parochial residence will soon be erected for him at Everett. Father Quinn has always been a faithful alumnus of St. Viateur's and the Viatorian extends to him the best wishes of the faculty and students.

The baccalaureate sermon this year will be preached by the Rev. P. H. Durkin, Professor of Scripture.

Another alumnus, in the person of William Hickey, has advanced to the front ranks of the fraternities. He has recently

been elected Grand Knight of the St. Viateur Council of the Knights of Columbus of Kankakee and he is one of the youngest Grand Knights in the state. He is a member of the firm of Hickey & Sons where he is displaying his noted energy and earnestness.

The clergy visiting during the past month were: Rev. E. Schuetz, Streator, Ill.; Rev. W. G. Irish, Lincoln, Ill.; Rev. W. White, Cullom, Ill.; Rev. M. Griffy, Gilman, Ill.; Rev. C. P. O'Neil, Princeville, Ill.; Rev. T. Noonan, Creston, Ia.; Rev. E. Kowalewski, Kankakee, Ill.; Rev. John Parker, Chebanse, Ill.; Rev. C. Lemire, C.S.S.R., Montreal, Canada; Rev. P. Breen, S.J., Chicago, Ill.; Rev. F. X. Reilly, S.J., Chicago, Ill.; Rev. J. T. Bennett, Kankakee, Ill.; Rev. M. Sammon, Peoria, Ill.; Rev. J. Shannon, Peoria, Ill.

❖

OBITUARY.

"Have pity on me, have pity on me, at least you my friends."—Job xix; 21.

Rev. Prosper Grenier, Lyons, France.

Rev. Peter Janin C.S.V., Oullins, France.

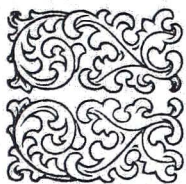
Jeremiah Clifford, Milwaukee, Wis.

John H. Silk, Freeport, Ill.

John Howland, Streator, Ill.

Mrs. Ellen Hoar, Oregon, Ill.



	<h1>Exchanges</h1> <hr/>	
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There are many editors in the field of college journalism who are content to devote only a small space to editorials, and consequently their department presents the appearance of emptiness. By this assertion we do not mean that quantity make up for quality, but in such cases where more space or material is not available, the quality should be of the best, even if it does lack quantity. An editorial column of perhaps one or two articles may be a far higher standard than one in which the editor-in-chief tries to see how much ground he is able to cover in enlarging and developing a theme which has little practical value. As a model editorial column we would suggest to our readers the **Abbey Student**. In it, the variety of subjects and their able, we might say masterly treatment are worthy of imitation. The column contains both quality and quantity and shows the highest class of what work and thought will accomplish. Industry and application will always bear results and the **Abbey Student** is a credit to not only its Alma Mater, but to college journalism as well. This high standard of excellence is by no means restricted to the editorials. The whole magazine bears the stamp of earnestness and the interest taken in its welfare. The stand of the ex man in his first criticism is well taken and is consistently maintained by the staff. Sparkling bits of verse set like gems in the more solid efforts of essays and stories make this edition a pleasing adornment for any sanctum.

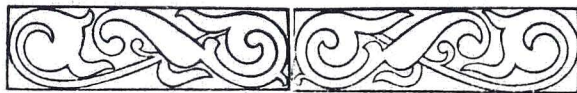
The **St. Jerome Schoolman** shows itself wide awake to the doings of the world by presenting to its readers an article in which the much maligned President Castro of Venezuela is given his dues and is shown to be a much better man than he is credited by newspapers and current possip. The old adage, "Give a dog a bad name, etc.," applies very readily to him. There is some good even in the worst of men and it remains for charitable persons to hold it up to the public gaze. The facts concerning Castro's administration are ably presented by the author and the article shows in a convincing manner that the exiled president is not as black as he is painted. The **Schoolman** could easily contain

more poetry, but what is attempted is done well. The thought running through "Magdalen," is beautiful and worthy of commendation, as is also the thought in "Hope." The author of "An Appreciation of Milton," is to be commended for the good English and well balanced sentences with which his essay abounds. Taken as a whole the **Schoolman** is a well edited journal, but a poor quality of paper in its make-up detracts something from its appearance.

The **Echoes** from St. Aloysius' Academy, New Lexington, O., has been a constant and most punctual visitor at the sanctum each month, and has always received a hearty welcome and an approving perusal. We were especially pleased to see this month that the hundredth anniversary of Joseph Haydn was not forgotten by the students of St. Aloysius'. A great appreciation of the principal works and events of this great composer's life is given by one of the **Echoe's** staff of editors. An editorial dealing with the beautification of Joan of Arc is also good. Interesting stories and sensible ssays make the **Echoes** a desirable occupant of our table.

In the **Dial** for April, "The Song of the Bucaneer," easily takes the lead in the poetic contributions. It smacks of the old stories of the Spanish Main and is full of spirit and go. The meter is peculiarly well adapted for the style of the thought and the vividness of description is well expressed in the stirring rythm of the song. The text "What shall it profit a man if the gain the whole world, etc.," may be taken as the moral of this bit of verse. "On a poet's Corner," the sophomores of St. Mary's seem to have a monopoly. It is rare indeed that one finds such an accumulation of poetic talent in one spot.

We acknowledge the following: Notre Dame Scholastic; Niakara Index; Buchtelite; St.^l John's University Decord; University of Ottawa Review; Blue and White; St. Joseph's Collegian; The Collegian,, Oakland, Cal.; The Oscotian; The Mountaineer; The Laurel, and the Pittsburg College Bulletin.





Athletic Notes



The games so far played indicate that St. Viateur's has another great baseball machine, equal, if not superior, to any ever seen on the local diamonds, a team which would be a credit to any first-class "Semi-Pro." or "Class B" organization. The inside work is all that could be asked, the batting is strong and is daily getting better. The fielding is superb and the batteries are our one best bet.

St. Viateur 11, Armour 4.

On Friday, April 23, the "Varsity" journeyed to Chicago to try their luck against the Armour institute team, which was the only team to win from the locals last year. The Varsity remembering the way in which Armour took advantage of them last year went right after the game from the start, scoring seven runs in the first inning and sending Taylor, the Armour slab man to the "Cleners." Conway, the first man up was out, Taylor to McAuley, Stack struck at three. McCarthy singled, O'Connell Singled. Berry came to bat and thought it was good to worry the Armour pitcher, and slapped one on the nose for four sacks, scoring McCarthy and O'Connell. Nourie, the next batter hit for two sacks, Legris and Bachant followed with the Weston stunt, and all three scored on Daly's error. Conway didn't want to let his batting average drop any, so he slapped one for a single. Big "Ed." thought he'd do the same for luck, but "Mc." wasn't game to start it again so he grounded to Taylor, who quickly threw him out and was next seen in the dressing room, after the storm. Armour here started in and tried to make the game interesting. In the fifth inning, with three on bases and no outs, De Silva hit to McCarthy, who threw to Nourie, to Berry, to O'Connell, and completed the first triple play of the season. In the seventh the locals picked up another tally and in the ninth three more.

The features of the game were the hitting of the locals, and the fielding of Ahern for Armour. The score:

St. Viateur's	AB	R	H	P	A	E	Armour	AB	R	H	P	A	E
Conway, lf.....	4	0	4	1	0	1	Ahern, ss.....	3	2	1	2	3	0
Stack (Capt.), rf...	5	0	3	0	1	0	Smith, c.....	4	0	1	2	3	0
McCarthy, ss.....	4	2	2	2	1	1	Daly, lf.....	3	1	2	5	0	1

O'Connell, 1b.....	4	2	2	10	0	1	McAuley, 1b-p.....	3	1	0	2	1	0
Berry, 2b.....	3	1	1	3	0	0	De Silva, rf.....	2	0	0	1	0	2
Nourie, 3b.....	5	1	3	1	5	1	Jens, cf-1b.....	4	0	0	8	0	0
Legris, cf.....	3	2	1	2	0	1	Niested, 2b.....	4	0	1	3	2	0
Bachant, c.....	4	1	1	8	0	0	Dreffein, 3b.....	4	0	1	2	1	2
Shiel, p.....	3	2	0	0	3	0	Taylor, p.....	2	0	0	1	0	1
							McMullen, cf.....	2	0	0	1	0	0
Total	35	11	17	27	10	5	Total	31	4	6	27	10	6

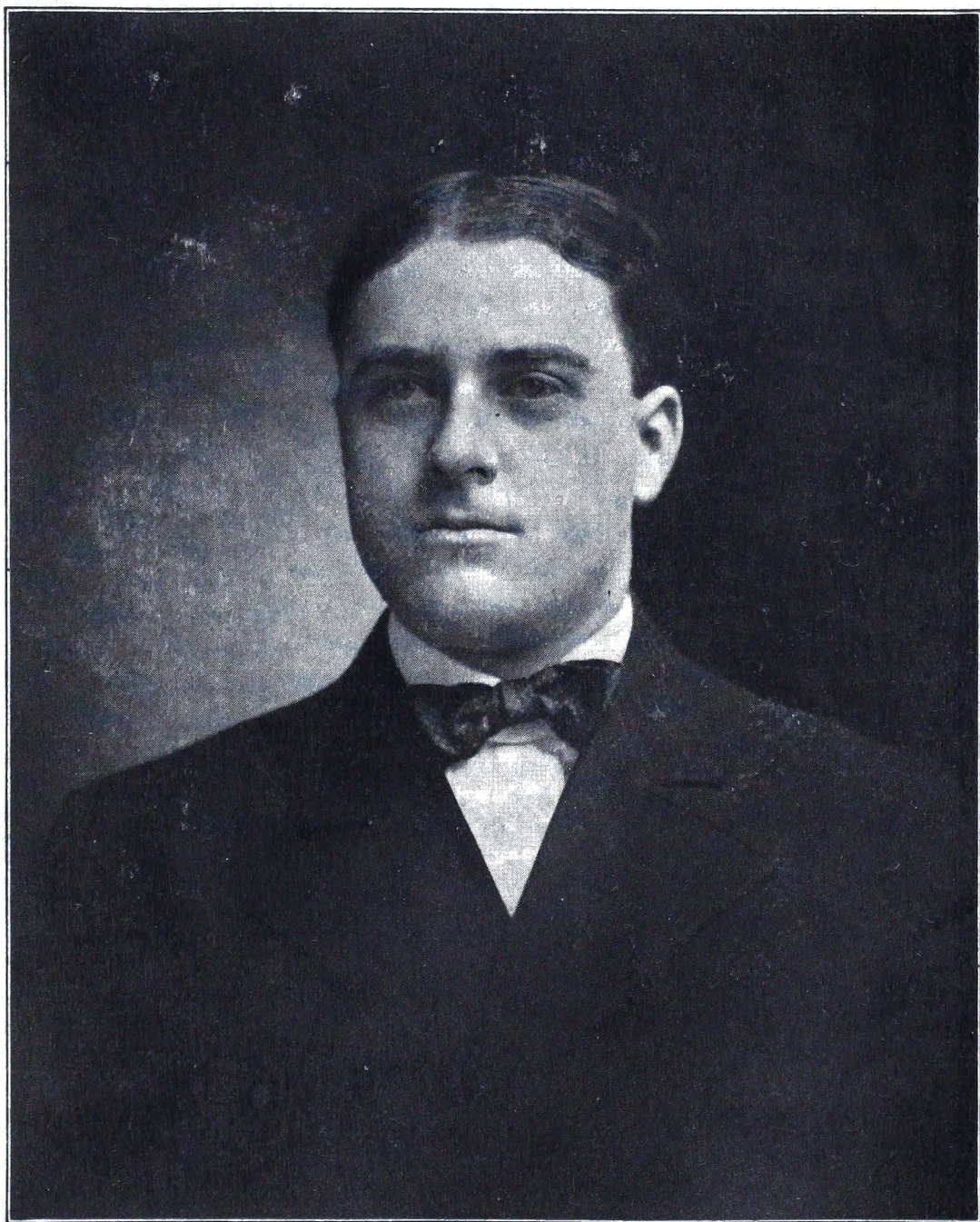
Two base hits—Smith, Druffein, Nourie, (2) Conway, Three base hits—McCarthy, H. R. Berry, S. O. Shiel, 7, Taylor, 1. Triple play—McCarthy to Nourie, to Berry, to O'Connell. Bases on balls—Shiel, 3; Taylor, 2. Stolen bases—Conway, Nourie. Umpire—Mr. O'Brien. Time—2:10.

Varsity 0, Notre Dame 4.

On April 24, the Varsity met its first defeat, Notre Dame setting us back in a close game at Cartier Field. Profiting by the errors of the "Saints," Notre Dame overcame the good work of Stack who had their premier sluggers and also their lesser lights buffaloeed through the entire nine innings. "Red" Kelly, captain of our 1907 aggregation, was in the "calc" for the big school and demonstrated that he had not forgotten the art of losing the ball. Admitting that Notre Dame was our superior at baseball as we played it on April 24, we find a "bee" informing us that with an even break in luck St. Viateur could reverse form and topple the South Bend players. Awaiting an opportunity to justify this prediction, we revert to "facts" and admit that Notre Dame played the better grade of ball and deserved the game which was one of the hardest fought contests seen on college fields this year. The score:

Varsity	R	H	P	A	E	Notre Dame	R	H	P	A	E
Conway, lf.....	0	0	0	0	1	Connelly, 3b.....	2	1	3	0	1
Stack, p.....	0	1	2	8	0	McKee, lf.....	1	1	3	0	0
McCarthy, ss.....	0	1	1	3	0	Daniels, 1b.....	1	0	6	1	1
O'Connell, 1b.....	0	1	10	0	1	Kelly, cf.....	0	1	0	1	0
Berry, 2b.....	0	0	2	0	0	Hamilton, ss.....	0	0	1	0	1
Shiel, rf.....	0	0	2	0	0	Phillips, 2b.....	0	1	0	1	0
Legris, cf.....	0	0	0	0	1	Ulatowski rf.....	0	1	2	0	0
Nourie, 3b.....	0	1	0	2	0	McDonough, c.....	0	0	2	0	0
Bachant, c.....	0	1	7	2	0	Burke, p.....	0	0	1	3	0
Total	0	5	24	15	3	Total	4	5	27	8	3

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 St. Viateur's 0 0 0 0 0 0 0 0 0—0



WM. M. HICKEY.



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Earned runs—Notre Dame, 1. Two base hits, Connelly. Stolen bases—Conway (2), Daniels (2), Kelly (2). Sacrifice hits—McKee, Daniels. Bases on balls—Off Burke, 5; off Stack, 3. Struck out—By Stack, 7; by Burke, 11. Hit by pitcher—Stack, Nourie, Hamilton. Time of game—1:54. Umpire—Mr. Dugan.

Varsity 3. Beloit 2.

On April 29, the Varsity trimmed the fast bunch from Beloit college in an exciting game which ended in our half of the eighth with the bases jagged and none down, in order to allow the visitors to catch an early train.

The little Badgers went after Coss from the jump, securing two singles in the first. Arnold, however, was run down on the bases and Beloit failed to count. The Varsity secured the vantage in their half, Conway being hit by a wild one and scored on Stack's two sacker to left. In the third, Beloit counted twice and until the eighth the Varsity fought an up-hill battle. In the seventh Berry hit over short, stole second, reached third on Shiel's out and scored on Legris' attempt to Arnold, Gleghorn losing the out at home. In the closing round a base on balls and two merry ones pushed the deciding run over and St. Viateur's registered another victory. Dunham's batting featured the Wisconsin men's play. Berry, Stack, McCarthy and Bachant worked well for the locals. The score:

Varsity	R	H	P	A	E	Beloit	R	H	P	A	E
Conway, lf.....	1	0	1	1	0	Arnold, 2b.....	1	1	2	0	0
Stack, rf-p.....	0	1	0	2	0	Dunham, 3b.....	1	4	1	4	0
McCarthy, 3b.....	1	0	2	2	0	Williams, cf.....	0	0	1	0	0
O'Connell, 1b.....	0	1	5	1	0	Gleghorn, c.....	0	0	7	0	0
Berry, 2b.....	1	2	3	0	1	Young, 1b.....	0	1	8	0	0
Shiel, ss.....	0	0	1	0	1	Lein, rf.....	0	0	0	0	0
Legris, cf.....	0	0	1	0	0	Knudsen, lf.....	0	1	2	0	0
Bachant, c.....	0	0	11	0	0	Pearsall, ss.....	0	0	0	1	0
Coss, p.....	0	1	0	3	0	Comers, p.....	0	0	0	3	1
Nourie, rf.....	0	0	0	0	0						
Total	3	5	24	9	2	Total	2	7	21*	8	1

* None out when winning run was scored.

Beloit0 0 2 0 0 0 0 0 0—2
St. Viateur's1 0 0 0 0 0 1 1—3

Earned runs—St. Viateur's, 2; Beloit 1. Two base hits—Staack, Dunham. Bases on balls—Off Coss, 2; off Comers, 2; off Staack, 1. Struck out—By Coss, 10; by Staack, 1; by Comers, 4.

Innings pitched—By Coss, 7; by Staack, 1. Hits—Off Coss, 7; off Staack, 0. Double plays—Conway to Berry. Left on bases—St. Viateur's, 5; Beloit, 11. Hit by pitcher—Conway O'Connell, Gleg-horn. Stolen bases—Pearsall, Berry. Sacrifice hits—Williams (2), Knudsen. Time of game—1:50. Umpire—Mr. Fitzpatrick Chicago..

The De Paul and Lake Forest games were called off, rain.

Varsity 8, Illinois Wesleyan U. 2.

The Varsity handed I. W. U., a jolt at Bloomington on May 11. The score should have been larger, but the Varsity toyed with the "U" men and won hands down. We quote the following from the "Pantagraph:" "St. Viateur's College, with a residence in the town of Kankakee, was the cause of Wesleyan's ball team being defeated yesterday, 8 to 2. The team from "K3" had the goods, especially in the slab department, Stack, their artist having speed and benders to burn. He perched himself on the mound in the initial inning, backed the Methodists to the bench and continued for nine innings to perform the same stunt." * * * * The Varsity battery was the chief means of offense and defense that those from the asylum town brought with them, the catching being of the star variety. St. Viateur's was up on their toes all through the game, made accurate throws and batted and fielded in league fashion. It was a good game to watch, stick work being well handed out. The score:

Varsity	R	H	P	A	E	Ill. Wesleyan U.	R	H	P	A	E
Conway, lf.....	1	2	1	0	0	Reardon, 3b.....	2	1	2	1	0
Stack, p.....	1	0	0	2	1	Hoose, c.....	0	0	5	0	1
McCarthy, 3b.....	1	0	0	0	0	Easterbrook, 2b.....	0	1	1	3	0
O'Connell, 1b.....	0	0	11	0	1	Thompson, 1b.....	0	0	9	2	1
Berry, 2b.....	0	1	0	4	0	Windler, cf.....	0	0	1	0	1
Legriss, cf.....	1	2	1	0	0	Ewins, lf.....	0	0	2	0	0
Shiel, ss.....	2	2	2	1	1	Lewis, ss.....	0	0	3	0	1
Bachant, c.....	1	2	11	2	0	Edborg, p.....	0	0	3	1	0
Coss, rf.....	1	0	1	0	0	Shawl, rf.....	0	0	1	0	0
Total	8	9	27	9	3	Total	2	2	27	7	4

St. Viateur's2 0 1 1 0 0 4 0 0—8
Wesleyan0 0 0 1 0 1 0 0 0—2

Earned runs—St. Viateur's, 7; Wesleyan 1. Two base hits—Bachant. Bases on balls—Off Edborg, 6; off Staack, 2. Struck out—By Edborg, 5; by Stack, 11. Passed balls—Hoose, 2. Hit by pitcher—O'Connell (2), Berry, McCarthy. Stolen bases—Conway,

Stack, Berry, Bachant. Sacrifice hits—Hoose. Time of game—1:52. Umpire—Mr. Dillon.

Varsity 6, St. Ignatius 3.

The locals trimmed the Windy City bunch of lads representing St. Ignatius on May 13, in an "al frescoed" contest with plenty of rain sandwiched between innings for good measure. Whether because of the date or some unknown cause we are unable to decide, but the locals sadly lacked the finished work which they usually present. We were decidedly off color, and as a result St. Ignatius kept us guessing through the entire nine innings. Hanks put up a pretty game for the visitors, while McCarthy and Conway got in some pretty playing, helping the Varsity considerably. The score:

Varsity	R	H	P	A	E	St. Ignatius	R	H	P	A	E
Conway, lf.....	2	0	4	1	0	Kevin, ss.....	2	3	0	3	2
Stack, rf.....	1	1	0	0	1	McGeever, rf.....	0	0	2	0	0
McCarthy, 3b.....	1	1	0	2	0	Pechous, 3b.....	0	0	0	1	1
O'Connell, 1b.....	0	1	7	0	2	Hanks, lf.....	0	2	1	1	0
Berry, 2b.....	0	0	2	2	0	Carroll, 2b.....	0	0	1	2	0
Legris, cf.....	0	0	0	0	0	Schuster, cf.....	0	1	2	0	0
Nourie, cf *.....	1	0	0	0	0	Killian, 1b.....	0	1	8	0	0
Shiel, ss.....	1	1	1	1	0	Doyle, c.....	1	0	9	0	0
Bachant, c.....	0	0	12	1	1	Ryan, p.....	0	2	1	3	0
Coss, p.....	0	2	1	1	0						
Total	6	6	27	8	4	Total	3	9	24	10	3

* In eighth.

St. Viateur's I 0 0 0 3 0 0 2 *—6
 St. Ignatius 0 0 2 0 0 0 1 0 0—3

Two base hits—McCarthy, Killian. Base on balls—Off Coss, 2; off Ryan, 3. Struck out—By Coss, 10; by Ryan, 9. Hit by pitcher—Nourie, Conway, Doyle. Passed balls—Doyle, 3. Double plays—Hanks to Kerwin, to Killian; Conway to Bachant. Sacrifice hits—McGeever, Conway, Berry. Time of game—2:05. Umpire—Mr. Fitzpatrick.

While in press, the Varsity has defeated Rose "Poly" 21 to 3; De Paul U. 9 to 3; Michigan 7 to 0. A fuller account in next issue.

MISCELLANEOUS.

The Minims are again displaying plenty of "pep" and have a team in the field that is probably equal to any small team in the

state. McDonald, the former Varsity second sacker, is again in charge of the team, and confidently asserts that the team of this year is one of the best that ever appeared on the east field. Ralston and Boyle are again in the points, Kelleher is doing good at the initial sack, Tiffany is the same reliable keystone, Ray Lynch is as fast as ever at short and St. Pierce is developing into a whirlwind at third. The gardens are taken care of by Jacobi, McGee and Hamill. The season will probably close with a number of games won, and "nil" in the defeat column.

LOCALS.

—Ida, my Idaho.

—I love my baseball,
But oh, you tennis!

—Pedro—Tom's brother.

—Si at the bat—Wait a minute 'til I get a match.

—The hit of the season—"When I first met Maggie May" or "Why I left Hank," as sung by Happy Jack of Washington, D. C.

—Have you a nickel?

—When candy is on the job, the cinders fly.

—N. B.—I have severed all connection with Slippery Elm—Signed Pickles.

—The book agent in 317 was rather sleepy.

—The last call for breakfast, diner in the rear.

—Steve—I'm going west.

Fred—To be a cowboy?

Steve—No, a ladies' man.

—At last we have been discovered by the Associated Sons of Rest club—Have you any old clothes?—P. S.—I love 'dot cook also.

—Johnnie—Get sense Kid; Get out of here! —————

—Oh, he was such a good boy! Why did he die?

—One day I went calling, but alas! I bid you adieu—Steve.

—Reader—What is the last resort for the editors of a college journal?

Editor—Why pictures of course, however, with all apologies for the present group.

—Ralph—Say, did you know I had my picture taken?

Dan—Is that right, have you any clue as to the thief?

Ralph—Yes, I got the proofs.—Sh—sh.

—Paitence helps the doctor

Paitence helps us all

Patients need the Doctor

For patients does he call.

MORE BOTTLES.

A SENIOR'S SONG.

My college days are over,
 My tests are passed and done;
 I'm going out forever,
 My laurel wreath is won.

Long weary hours of toiling,
 Have stocked my brain so full;
 That now my head is boiling,
 For things not half so dull.

Of things that smack of freedom
 Of joys whate'er they be
 Of hope that always brightens
 When launching out to sea.

My bark is not to wander,
 For wisdom's at the wheel;
 My future waits me yonder
 Where life will soon be real.

No gloom can dare to sway me
 From paths that seem so fair;
 'Nor force can now withhold me
 Still onward will I dare.

'Till earth and life are over
 And another time is come;
 A commencement day forever
 If the laurel wreath I've won.

F. C.

MY FORTUNE

J. Cosgrove, '12.

I was sitting alone quite dejected
My features looked heavy and sad;
Says Bill, as he patted my shoulders,
"Cheer up, Jack, it may not be so bad."

Dear old Bill oft had cheered me with solace,
With always a good piece of news;
So now I expected some tidings,
That would quickly dispel all my blues.

"Yes, Jack, I've some news that will cheer you,
Some news that will make you feel fine;
For today an old uncle departed,
And left you a splendid gold mine."

The cloud that enshrouded my features,
Left like a soft summer breeze;
And I reached and grasped Bill by the fingers,
Then gave them a good hearty squeeze.

The girls had soon learned of my fortune,
And when I was crossing the street;
The girl who once slipped me a lemon,
Now bowed and smiled, oh, so sweet.

Congratulations came in by the bushel,
I had friends by the hundred and score;
People bowed in the street as they passed me,
Who never had known me before.

Now Bill would always stick by me,
Whether others would knock or applaud;
So the best way I thought to reward him,
Was to give him a good trip abroad.

So we left on the tenth of September,
For a jolly good trip o'er the sea;
As we boarded the steamer that morning,
We were both in a great ecstasy.

Whilst crossing the streets of gay London,
The people were bowing there, too;
And I turned to my chum and I asked him,
"Say Bill, can all this be true?"

We were sitting one night at a dinner,
With ladies, with dukes, and with lords;
When Bill says to me in a whisper,
"What pleasures your gold mine affords."

But in the midst of the banquet I noticed,
"That things are not what they seem;"
For instead Bill was tapping my shoulder,
To awaken me out of a dream.

You may talk about your baseball,
You can praise all kinds of fun;
But the most exciting sport of all
Is learning how to run.

For when I took my sweetheart home,
'Twas but a week ago,
Her father met me at the gate
And showed me I was slow.

He chased me down the winding street,
Right to our alley gate;
And when I tried to scale the fence,
I got his number eight.

I speak in words disconsolate,
To tell my tale of woe;
I was going out to see my girl,
But the auto wouldn't go.
The other fellow got there first
His auto didn't balk,
He won the day so what's the use,
Of stopping here to talk.

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