

# CORNELL ALUMNI NEWS

VOL. III.—No. 23.

ITHACA, N. Y., WEDNESDAY, MARCH 6, 1901.

PRICE TEN CENTS.

## JUDGE FRANCIS M. FINCH.

### A Sketch of His Life—Text of the Marshall Day Address.

Francis Miles Finch was born in Ithaca on June 9, 1827. He prepared for college at the Ithaca Academy and graduated from Yale with the class of 1849. The next year he began the practice of law in his native town and a few years later formed a partnership with Judge Douglass Boardman, who later became dean of the College of Law. During General Grant's first administration Mr. Finch was appointed Collector of Internal Revenue for the 26th District of New York. In the year 1880, Governor Cornell appointed him Judge of the Court of Appeals and the next year he was elected for the full term of fourteen years. His term expired in 1895 and he at once became dean of the College of Law. Last year he was elected President of the New York State Bar Association.

His first great success at the bar was won in the celebrated case of *People v. Ruloff*, (18 N. Y. 179.) This case was argued for the people by Daniel S. Dickinson of Binghamton, whose reputation as a lawyer was national. It was Judge Finch's first appearance before the Court of Appeals. The other counsel in the case were unwilling to allow him to argue the appeal and were opposed to his line of argument, but the defendant finally put his fate into the hands of the young attorney. Upon the argument Judge Finch admitted all the main points in Mr. Dickinson's brief and then, in his own way, attacked the vital point in the case and won the decision of the court. This case proved two things: that the best lawyers were not his superiors; and that no lawyer was more faithful to his client; for while Ruloff was on trial popular sentiment was strong against the prisoner, the people clamored for a conviction and the life of counsel was threatened; but Finch fought it through to the end and succeeded in freeing the defendant, thereby saving him from the gallows for the time being. His successful handling of the case led the way to a large practice in which he was actively engaged, as attorney for Cornell University, Ezra Cornell and his estate, and other large estates until his appointment as Judge of the Court of Appeals.

Like Marshall, upon whom Judge Finch has recently pronounced a masterly eulogy, he had had no judicial experience before his appointment to the bench, but that fact in no way hampered him as a judge. It is probably not too much to say that Judge Finch, during his fifteen years as a member of the court of last resort of the State of New York brightened and renovated all branches of the common law as administered in this state. The depth of his judicial reasoning, his keen insight and power of discrimination are well illustrated by his address on Marshall, in which he defends the position of the Chief Justice in *Marbury v. Madison* in a manner never before advocated although the matter has been debated

by lawyers and judges since the decision was rendered in 1803. His opinions are regarded by lawyers as the highest form of judicial style. His statement of the facts of a case lends interest to the dryest and most technical of legal controversies and his treatment of the issues involved is perfect in logical structure. His opinions in *People v. North River Sugar Refining Company*, 121 N. Y. 582; *Badger v. Badger*, 88 N. Y. 546; *White v. Rintoul*, 108 N. Y. 222; *Vanderpoel v. Loew*, 112 N. Y. 167 are among the best ever delivered by any English speaking judge. In his utterances from the bench clearness, fluency and precision of legal reasoning are charged with the glow of a rare imagination. Among the judicial writers of the last half century, Judge Finch and the late Lord Justice Bowen stand pre-eminent.

Judge Finch has been connected with Cornell University since its opening in 1868. He says himself that it was his fortune to be one of those who sat at the cradle of the University. From the first he was one of the trustees. During the early days the attacks upon the new institution were based upon legal as well as upon ethical and religious grounds. It was then that Judge Finch showed his loyalty to the founder and the ideas which he represented. He stood by the side of Ezra Cornell and guided him through all that stormy period. After leaving the bench in 1895 he took up his duties as dean of the College of Law where he has since been the center of a loyal and devoted faculty and student body.

However great may be the reputation of a lawyer, his fame to a large extent must be limited to the members of his own profession, but Judge Finch is more fortunate in that he is more widely known as the author of two beautiful patriotic lyrics, *Nathan Hale* and *The Blue and the Gray*. He is endeared to all collegians as the author of the *Smoking Song*, and to Cornellians particularly, as the author of *The Chimes*. In an address at the recent banquet of the New York State Bar Association, Commander Wadhams of the United States Navy, turning to Judge Finch said: "I have been told by those capable of judging that you are the greatest law writer this state or this country has ever produced. While I would not dare to say I had enough intelligence to read those writings, I have sense of poetry enough to appreciate the *Blue and the Gray*." Now that the Judge's labors as a lawyer and judge are over, it may not be too much to hope that all his poems may be collected and given to the public.

In closing one may repeat President Schurman's remarks introducing Judge Finch at the recent Marshall Day celebration: "President John Adams once said that the gift of John Marshall to the people of the United States was the proudest act of his life and if ex-governor Cornell were here to-day, he would undoubtedly say that his greatest gift to the people of New York state was the appointment of Francis Miles Finch as a judge of the Court of Appeals."

*Continued on page 174.*

## GENERAL WOODFORD'S VISIT.

### Reception by the Woodford Debate Club—The General Talks on the Early Days of the University.

The visit of General and Mrs. Stewart L. Woodford to the University last week proved very successful in every respect, and will long be remembered by the members of the Woodford Club and others as a most enjoyable event.

The visitors arrived Monday and were entertained in the evening by a reception held in their honor at the home of Professor and Mrs. Duncan C. Lee. On Tuesday General Woodford inspected the work of the department of Oratory, and at noon addressed a few words to the class in Formal Oratory. His principal theme was the need and the power of orators, even in this age of commercialism.

In the evening occurred the main event of the occasion, General Woodford's address to the students and the public. This was preceded by a short reception in the parlor of Barnes Hall, at which General and Mrs. Woodford and Professor and Mrs. Lee met the members of all the debate clubs and other students of the department of Oratory. A very pleasant half hour was thus spent in becoming acquainted with the distinguished visitor, after which the party adjourned to the auditorium of the Hall, where a large audience was waiting.

After the singing of "Alma Mater," Professor Lee introduced the speaker of the evening, telling of his distinguished career in the Civil War, and of his record in the diplomatic service.

General Woodford began his address by remarking that his reminiscences would deal with the University, and not with the Civil War as had been announced, and spoke of the appearance of the Campus in 1868. In the place of the present magnificent group of buildings, unsurpassed by any University in the country, he said, there was on Inaugural Day only one permanent building and a frame structure for the chimes. Cornell University, he went on, was the forerunner of the great system of institutions now laying particular stress on the practical side of higher education. It took up the ideas partially worked out at the University of Michigan and carried them through to their fullest extent. Such institutions as Johns Hopkins in the East and the two great California universities in the West, he maintained, are the logical outcome of the movement inaugurated by Ezra Cornell and his colleagues.

The speaker then traced the history of certain features of the University. Co-education had not been thought of at the beginning, and when considered was opposed by many of the trustees. The liberality and generosity of Henry W. Sage, however, practically forced the authorities into the change now recognized as just and wise. Oratory and public speaking had also not been included in the original plan of in-

struction, but their need was quickly seen and gradually met.

Leaving the subject of the University, General Woodford then took up the topic of the spirit and the opportunities of the age, addressing himself particularly to the young people in the audience, and in a very optimistic strain. The age of chivalry, he said, was one in which the leaders were the strongest physically—an era of brute force. The age of commercialism is one in which the leaders are the strongest intellectually. It is, moreover, one in which men are better housed, clothed, and fed than at any other period of the world's existence.

In regard to trusts, the speaker warned his hearers against going out into the world with any prejudice which might affect their success. Trusts certainly have their evils, but these will in time disappear. They should not prevent any young man or woman from taking employment under them. In general, he advised young people to be careful not to acquire pessimistic habits of thought, not to believe that present industrial conditions would end in the failure of the republic and the misery of the people. Realize all the danger of the present situation, he said, yet still have absolute faith in the future of the nation. Every earnest effort will count as it always has done. There is just as good opportunity for young people to rise as there ever has been; there is just as much room at the top. High ideals and earnest work are sure of their reward, as ever has been the case.

After the address Professor Charles Mellen Tyler spoke a few words in tribute to the orator of the evening, telling of his recollections of him as a student at Yale, and as an officer in the war. General Woodford, he said, was never defeated in an engagement.

The evening closed with a separate meeting of the Woodford Club with the guests of the evening. Besides the members of the club there were present General and Mrs. Woodford, Professor and Mrs. Lee, Professor and Mrs. Tyler, Professor E. W. Huffcut, '84, Professor G. L. Burr, '81, Professor H. Morse Stephens, E. S. Mosher, '00, president of the Debate Union, and M. M. Wyvell, '01, and S. S. Lowenthal, '01, of the University debate team. After the serving of light refreshments, several toasts were responded to. R. H. Whitbeck of the Club spoke of its history and work; Professor Morse Stephens compared British and American oratory; Professor Huffcut told of debating in the early days of the University; and General Woodford explained the purposes and qualities of oratory. On behalf of the Woodford Club R. S. Kent then presented as a keepsake to its distinguished patron one of the Club pins, which bear his initials and the class numerals. The singing of the Evening Song concluded the events of the evening.

The new pair-oared gig which Cornell has been building for Syracuse was delivered last week. It will be used by Syracuse this spring in training new men.

## JUDGE FRANCIS M. FINCH.

*Continued from first page.***The Address.**

One hundred years ago this winter day a new Chief Justice took his seat upon the Bench of the Federal Court at Washington. The Court room of the time was little better than a cavern, situated in a basement dark and dreary at the best, without ornament or touch of grace or dignity. The new occupant of the Bench took his seat quietly, careless of formality or display, and at once addressed himself to the work before him. The few who looked on at this simple but grave assumption of duty saw nothing remarkable in the man himself, sitting there wrapped in the dusk of his gown. The head was not large; no massive dome of brow overhanging the eyes; small, rather, as crown of a tall and powerful form, and yet a form so emaciated and with muscles so relaxed as to make each movement somewhat awkward. Only in the brightness of the intensely black eyes, piercing and scintillant, shone a trace of the dominant and forceful soul, waiting in the dark background to make all men know and heed. Scarcely at all impressed were some of those who looked on, but others who knew the man and the life he had lived lifted a warning finger that said wait and you will see. For they remembered that he came to his new duties with an experience rich and full, with a preparation thorough and arduous, and with a brain of strongest and finest fiber. He had fought through many battles of the Revolution, displaying his young courage under the eye of that Great Chief who led his rustic riflemen against the veterans of an Empire and learning from him an indomitable patience, which has no better type than the familiar one of the obstructed river grinding its slow way through the rock. A lieutenant at nineteen, a captain at twenty-one, and often serving as Judge Advocate where the Courts Martial sat with their swords on the table, he shared in the unsuccessful defense of the fords of the Brandywine, in the desperate attack at Germantown,—beginning with victory but ending with a rout,—and then in the cold and famine of Valley Forge,—camp of bloody feet on the snows, camp of starvation for those who did not freeze, camp where treason and grumbling and envious ambition strove hard to overthrow the sad but determined leader of them all. Surely the young captain learned many lessons from the war. One learns fast in a fight, and lessons are plentiful, if hard, where hope wrestles with suffering and courage baffles despair. But before the war closed, and when it had for the moment drifted away from need of him, he began the study of law in the office of one soon to be Chancellor, and already a little gray with the cobwebs of equity, but a study broken more or less by occasional military service, and so mixing Law and War,—books and drums,—until Peace was declared and Law became the dominant pursuit. Not always dominant, for that happened to him which so often happens, that from the beach where Law borders on Politics and the sands touch the water, he was lifted by an incoming surge and swept out into the troubled waves of party warfare:—scene where another fight was on between We the People and We the States,—fight to demand of him the matured strength and vigor of his life. He was elected to a seat in the Virginia Legislature. They chose men in those days, the best there were and with wills of their own, and the young man beginning his political career faced adversaries whose thrust and blow were the keenest and heaviest within the Virginian borders. More lessons and of a different sort were here learned, and one gravest of all, pushing up from the tangle of conflicting aims and snarling rivalries, that the existing Confederation of the States was but a rotten girdle which the weakest whim could break, and that somehow and somehow a bond must be forged, iron-linked and steel-riveted, to concentrate and compact the restless and defiant sovereignties into one solid and controlling organism. Difficult lesson! but already the bond was being prepared. Difficult! for men like not to be governed and prefer to govern, and freedom is a word easy to misuse and a tempting lure for unreasoning crowds not able to measure its meaning. And so when a written Constitution was framed about every word of which some struggle had swirled and combatants had gathered; framed so as to tie the separate States into regular orbits about a Sun of National control and stop their erratic and centrifugal

flights into the boundless space of unchecked liberty, there was war at once, war of words and of argument, war of sarcasm and invective, war everywhere of such giants as there were. Our young lawyer and legislator was drawn into this conflict in virtue of his place as a member of the Virginia convention to which the proposed Constitution was submitted for ratification. No doubt about his vote at least, but terrible doubt as to the final outcome. For a determined opposition to the new restraint and the untried system was led by Patrick Henry, that splendid orator whose brilliant eloquence blazed all through the war, and has become only a marvelous legend in these days when words are very sober things and common-place, and few dare to give them wings that they may sometimes fly and not eternally crawl. But the eloquence of Henry by no means stood alone. It was backed and buttressed by the cooler arguments of Monroe and Mason and other champions of State sovereignty who rang the changes on what they were pleased to regard as the utter destruction of human rights. It needed strong men to confront these formidable adversaries especially since the Constitution was not popular among the people. It needed as it had the learning and ability of Madison, the earnest appeals of Randolph, the legal adroitness of Wythe and more than all the lucid and resistless logic of Marshall whose name at last was on all men's tongues. It is not too much to assert that he bore a leading part against the assault in a debate lasting twenty-five days, and that the narrow majority by which Virginia accepted the Constitution was largely due to his powerful advocacy. He was no orator, he had no graces of rhetoric, the tones of his voice were neither mellow nor persuasive, no subtle magnetism flashed along the lines of his thought, but he was compelled to win, if win he did, by the sheer force of unanswerable argument, running crystal-clear, rising grandly over all obstructions, and floating truth to its harbor.

See again what lessons he was learning, all unconscious of their bearing on his future life and fame. Before such antagonists, certain to detect mistake or riddle fallacy, it was imperative that he should know the Constitution thoroughly in every word and line, that he should have precise views of its construction and of the scope and range of its operation, and this required prolonged study and patient and honest thought. How well he did the work all authorities agree. Even Henry praised his "candor" and awarded him "veneration and respect," and Wirt tells us the secret of his wonderful power. He saw always, at once and as if by intuition, the pivotal point of every controversy on which the conclusion was sure to swing, and, disdaining all artifice and discarding all incident or accident surroundings, moved straight upon it and enveloped it with a merciless logic. Every link in the chain of his reasoning was sound and clean, developed with a marvelous simplicity as clear as it was strong. There was no escape from the deadly sequence of his thought, and his masterful capacity lay in his power to compel conviction, to force surrender.

But not yet was his preparation complete. It seemed almost as if some Providence was training him like an athlete for a struggle vital to a free Civilization. For he passed a term in Congress mingling with statesmen and with partisans and studying the ways of each: then went to France on a diplomatic mission and returned disgusted with a race which vilified everything American, and not for the last time either, as we were taught during our war with Spain and should not pardon quite so cheaply as we do; next was made Secretary of War and then Secretary of State where the methods of diplomacy and the doctrines of international law became familiar to his thought; and finally and at last, the preparation ended, Chief Justice of the Supreme Court, and the man whom we saw quietly taking his seat on the Bench.

Let him sit there silent for a moment while we consider, as perhaps he was doing, the trouble behind him and the dangers in his front, for both threatened the success of his success of his judicial career. The Court itself was in its infancy—but twelve years old, just learning to walk alone. It had done little in that period, gained nothing in the popular estimation and not overmuch in its own. Its members had been constantly changing and refusal to serve was a common answer to judicial appointment. Even the great ability of John Jay and the respect which he inspired could not lift the dead weight of a position so humiliated that the Judges had been required to act as Commissioners of Pensions and to dole

out the nation's charities. Jay himself, on his resignation, spoke discouragingly of the tribunal and ventured to doubt whether defects in its organization would not inevitably impede its usefulness. Doubtless this was the prevailing impression though hardly a just one, for, in its brief life, it laid down some foundation principles of great value and which no successor was required to overrule or disregard. But after all these did not suffice to lift it to its true and destined place as one of the co-ordinate departments of the Government, or to secure for it the reputation and authority which was its due. Nobody feared it. Many gave it disrespect. That was the trouble which Marshall saw behind him:—a Court to be lifted from a low level into higher and serener air; a Court despised to be made a Court respected; a tribunal of little power to be transformed into an invincible guardian of National Justice and Peace.

The trouble in front of him was of a different sort. Great Judge as he was let us not forget that he was human. Let us not try to make of him a bronze statue, swarthy and stern, for there were warm blood in his veins and sensitive vibrations in his nerves. He could love with an absorbing passion, and those who do that can at least dislike a little and on occasion. The man who for twenty years and in spite of his public toils could wrap about the invalid wife of his youth a most devoted affection and tender care was likely to be a man who would feel what he regarded as false or wrong down to the bone. And he surely foresaw that his patience and his temper as well as his intellect were to be subjected to a severe and continued strain. For he had not seen the rapid growth of party strife, so poisoned with venomous lies on both sides that the simple truth remains yet obscure, without recognizing that the head and front of the clamor for State Rights and for a strict construction of the Constitution, so narrow as to throttle the instrument in its cradle, was Thomas Jefferson, popular idol and leader, who had rendered service great and brave in behalf of Independence, and now, about to take his seat in the Presidential chair, would be likely to wield the whole Executive force against a centralized national power; no man suspecting how much the sobering pressure of official responsibility would make his action better than his words and his doctrine disappear in his deeds. These two men did not like each other. They could not. They were made on different patterns. If for a time they treated each other with some politeness it was as thin and cold as the baby ice of a first freeze, and a collision was sure to come. And so, in front of the new occupant of the Bench, loomed up a dangerous and different struggle against an adversary astute and crafty, entrenched in the very fortress of power, and at the head of a party strong in the victory it had won. The Chief Justice had not only that hostility to face, but also to stand on guard, over his own fairness and impartiality, and to banish from his judgment every trace of such unconscious prejudice as might warp his thought with personal distrust or partisan desire; for the smoke of the battle hung yet about him and there were live coals in the ashes, but never again to be blown into a flame. In my study of the man I have been most strongly impressed with the swift and thorough way in which he put off the fighting partisan and put on the calm and thoughtful and rigidly impartial Judge.

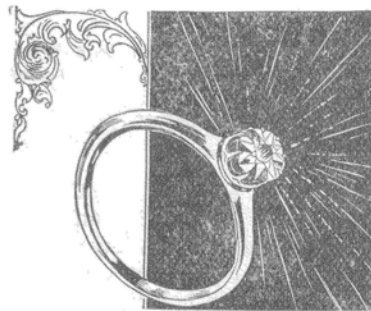
The inevitable collision came, and over as little a matter as the appointment of a Justice of the Peace in the District of Columbia. President Adams, in the waning moon of his term and just before it ended, lent himself to a seizure of vanishing spoils by filling all possible offices with his own partisans and so leaving to the victorious enemy only the shouting but no booty. In a changed form the charming game has been played in our own day. Among these death-bed appointees was one man whose commission as Justice of the Peace for the District had been made out and signed by the President, after the nomination had been confirmed by the Senate, but not delivered to the anxious officer because it fell into the hands of Madison, the new Secretary of State, who, by his Chief's order, refused to deliver it, and so blasted the

*Continued on page 177.*

## H. Goldenburg, The University Tailor.

I make the BEST SUITS for the  
LEAST MONEY.

DRYDEN ROAD.



A critical examination merely tends to  
enhance the value of the gems we show.

R. A. HEGGIE & BRO.,  
136 EAST STATE ST.

## PHOTO - ENGRAVING

OF ALL KINDS.

Half Tones  
And  
Zinc Etchings  
A Specialty.

ESTIMATES FURNISHED.

The Ithaca Publishing Co.

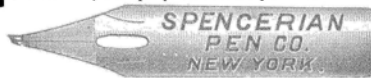
ITHACA, N. Y.

There are several Drug Stores in  
Ithaca but one of the best is

TODD'S, AURORA ST.

## STEEL PENS

Samples for trial, 16 different numbers for all  
styles of writing, including the VERTICAL  
SYSTEM, sent prepaid on receipt of 10 cents.



## Freaky Shoes

AT  
REASONABLE  
PRICES.

Collins, Herron & Vorhis.



COTRELL &  
LEONARD,

472-4-6-8 BROADWAY,  
ALBANY, N. Y.

Makers of Caps and Gowns.

Correct outfits under the Intercollegiate  
System for those holding degrees from  
any American Institution. Illustrated  
bulletin, etc., upon application.

BARNARD & SISSON,  
All Suits at Greatly Reduced Prices.

156 E. STATE ST.

Dress Suits and Prince Alberts for the Junior.

THE ALUMNI.

*One purpose of THE ALUMNI NEWS is to keep Cornell men informed about one another. Every Cornell man, therefore, is invited to contribute to this column news concerning himself or any other student, and every contributor should remember that in sending news items he is conferring a favor upon other Cornellians.*

1900 Directory.

Below are printed the present addresses of members of the class of 1900, graduates and those of the non-graduates whose addresses have been reported to the ALUMNI NEWS. The list is compiled from notes sent to this office, and from replies to postal card inquiries. As changes may have occurred in some cases since the last report sent to this office, the list is probably faulty to some extent. Corrections are requested.

Alexander, R. L., electrician with Bullock Elec. Mfg. Co., Norwood, Ohio.

Ambler, William, instructor in Cornell University, 116 Lake St., Ithaca, N. Y.

Ambos, C. L., physician, 758 Wendover Av., New York City.

Anderson, Mary E., 8 Couch St., Plattsburg, N. Y.

Andrews, Ethel M., 456 Washington Av., Brooklyn, N. Y.

Angell, Nina, teaching, 402 N. Cayuga St., Ithaca, N. Y.

Austin, Harry B., lawyer, Glens Falls, N. Y.

Averill, E. A., C. B. and Q. R. R., West Burlington, Iowa.

Ayers, A. R., 2137 Robinwood Av., Toledo, Ohio.

Babcock, Charles W., lawyer, Benedict and Tarbell Building, Kenosha, Wis.

Bailey, John D., civil engineer, 402 West Wayne St., Lima, Ohio.

Bailey, Viola J., physician and surgeon, Carolina, R. I.

Baker, J. F., 6356 Marchand St., Pittsburg, Pa.

Baldwin, Jane N., physician, 5 Livingston Place, New York City.

Barker, Anna L., Clayton, N. Y.

Bateman, J. A., lawyer, Boonville, N. Y.

Bauder, George W., 1001 S. St. Louis Av., Chicago, Ill.

von Bayer, August H., civil and constructing engineer, Semet-Solvay Co., Ensley, Alabama.

Becket, George C., physician, Walnut St., East Orange, N. J.

Bell, Jesse M., 16 John St., Lockport, N. Y.

Bergen, Charles W., Mech. Eng. Office, N. Y. C. R. R., New York City.

Bird, Paul P., 112 34th St., Newport News, Va.

Blanchard, A. S., 332 S. E. Ave., Oak Park, Ill.

Bode, Boyd, assistant in philosophy, Univ. of Wisconsin, 313 Charter St., Madison, Wis.

Bodell, Frederic G., 5 Cottage St., Auburn, N. Y.

Bole, Joseph K., 523 Ansel Av., Cleveland, Ohio.

Bowman, Josephine, teaching, Piercefield, St. Lawrence Co., N. Y.

Boynton, L. W., lawyer, Perry Block, Binghamton, N. Y.

Braine, Elizabeth M., teaching, 408 Macon St., Brooklyn, N. Y.

Brannen, Wm. J., lawyer, Bolivar, N. Y.

Breckinridge, Clarence E., electrical engineer, 50 Pierrepont St., Brooklyn, N. Y.

Brewer, Charles E., professor of chemistry, Wake Forest College, Wake Forest, N. C.

Briggs, C. H., chemist, Holmes Hotel, Minneapolis, Minn.

Bright, William R., 4034 West Belle Pl., St. Louis, Mo.

Brintnall, Chas. S., banking, 4621 Ellis Av., Chicago, Ill.

Brooks, Arthur D., 919 Case Av., Cleveland, O.

Brooks, R. T., architecture, 214 S. Geneva St., Ithaca, N. Y.

Brown, Mary H., doctor, 528 West 123rd St., New York City.

Bryant, Ralph C., forester, care of Forest Preserve Board, Albany, N. Y.

Buchanan, Myron W., 262 Henry St., Brooklyn, N. Y.

Buck, Ellard A., teaching, Kentucky Military Institute, Lyndon, Ky.

Burrows, George F., engineer, 37 Cullison St., Cleveland, Ohio.

Burt, Austin, mechanical engineer with the Edw. P. Allis Co., Milwaukee, Wis.

Butler, Henry W., 110 W. 57th St., New York City.

Cadogan, Gertrude S., 67 Genesee St., Hornellsville, N. Y.

Cary, Ernest B., 18 N. Washington St., Rochester, N. Y.

Catlin, C. Howard, printing business, 697 Monroe St., Chicago, Ill.

Catlin, William L., care Standard Machine Co., Chattanooga, Tenn.

Cavagnaro, John J., engineer, 16 MacDougal St., New York City.

Chandler, Elbert G., I. C. R. R. Burnside Shops, Chicago, Ill.

Chapman, Carlton T., draughtsman, Groton, N. Y.

Chase, William E., 356 W. 118th St., New York City.

Clark, Harold H., apprentice, I. C. R. R., 438 E. 62d St., Chicago, Ill.

Clark, W. A., Graham Cotton Milling, 440 Halifax St., Raleigh, N. C.

Coates, Henry T., Jr., 1213 14th St., Altoona, Pa.

Cochran, Julia A., graduate student, 109 Hudson St., Ithaca, N. Y.

Cohen, Frances, physician, Methodist Hospital, Broad and Wolf Sts., Philadelphia, Pa.

Coit, C. W., civil engineer, 2732 Main St., Buffalo, N. Y.

Colpitts, Julia L., teaching, Iowa State College, Ames, Iowa.

Conklin, D. B., ex-'00, 165 W. 77th St., New York City.

Conklin, W. E., instructor in Cornell University, 309 Eddy St., Ithaca, N. Y.

Conkling, Leon D., civil engineer, 613 W. Water St., Elmira, N. Y.

Cook, W. L., with N. Y. Telephone Co., 346 Manhattan Av., New York City.

Coolidge, Emelyn L., superintendent of Babies' Hospital, 657 Lexington Av., New York City.

Corcilus, Inez, teaching, Tottenville, N. Y.

Corrigan, John W., veterinarian, 40 State St., Batavia, N. Y.

Cowdin, Thomas J., 1516 North Nineteenth St., Philadelphia, Pa.

Cowing, H. L., with the N. Y. Edison Illuminating Co., 52 Garden Pl., Brooklyn, N. Y.

Coyle, Clifford D., with Lewis & Lewis, 23 Erie Co. Bank Building, Buffalo, N. Y.

Crouch, Frank M., instructor in Cornell University, 312 Huestis St., Ithaca, N. Y.

Culver, John M., teaching, 221 Cherry St., Evansville, Indiana.

Cunningham, William D., Room 712, 97 Nassau St., New York City.

Curtis, Allen, engineer, 13 West 82nd St., New York City.

Davenport, J. K. W., electrical

engineer, 1328 Main St., Columbia, S. C.

Davis, J. C., Ogden, Iowa.

Davis, K. C., professor of botany and biology in State Normal School, 527 Second Av., St. Cloud, Minn.

Dearborn, R. H., 335 West Park, Portland, Ore.

DeGarmo, W. C., 809 State St., Ithaca, N. Y.

DeLaMater, VanNess, 211 Williams St., Ithaca, N. Y.

DeMund, C. A., physician, Ridge-wood, N. J.

Dennis, Helen, physician, 30 Central Av., Newark, N. J.

Divine, Alice, physician, 91 Canal St., Ellenville, N. Y.

Dodge, Harriet, Franklin, N. Y.

Dodge, Norman, chemist, 3304 N. 15th St., Philadelphia, Pa.

Donohue, R. D., 150 Nassau St., New York City.

Drake, M. M., Jr., student in Michigan College of Mines, Keweenaw Club, Houghton, Mich.

Dresser, Gardiner S., 294 Greene Av., Brooklyn, N. Y.

Dutcher, Elsie M., teaching, Ilion high school, Ilion, N. Y.

Eades, Jessie M., DeKalb, Ill.

Eccleston, Robert C., draughtsman, 108 Center St., Ridgway, Pa.

Ely, Harold F., draughtsman N. Y. Shipbuilding Co., Camden, N. J. Residence, 197 Greene Av., Brooklyn.

Engel, F. J., civil engineer, Division Engineer's office, Union Pacific R.R., Kansas City, Mo.

Englert, Alfred, machinist, 150 Beech St., Holyoke, Mass.

Estabrook, Chas. S., lawyer, 209 Park Av., Syracuse, N. Y.

Estabrook, Wm. S., "The Kenmore," Binghamton, N. Y.

Etsler, Clarence B., lawyer, 117 Main St., Hornellsville, N. Y.

Evans, Newton G., physician, Battle Creek, Mich.

Farrar, Miss L. K. P., interne, N. Y. Infirmary, 5 Livingston Pl., New York City.

Faust, John W., 129 Lexington Av., New York City.

Finley, George L., Shiffler Bridge Co., Pittsburg, Pa.

Fish, Edward C., with D. Appleton & Co., publishers, New York City.

Fisher, Carl D., medical student, 105 W. 77th St., New York City.

Fitch, Squire E., C. & N. W. R. R., Kakanna, Wis.

Fitzpatrick, John T., examiner in Regents' office, 288 Clinton Av., Albany, N. Y.

Fletcher, Roy E., electrical engineer, 1320 Eleventh St., Washington, D. C.

Ford, Walter S., foreman of electrical shop, 229 Genesee St., Utica, N. Y.

Foster, Herbert H., teaching, Smithport, Pa.

Frankel, Julius, physician, 191 Second St., New York City.

Frear, Edward H., lawyer, 120 W. Green St., Ithaca, N. Y.

French, S. Webster, Jr., teaching, 314 E. Seneca St., Ithaca, N. Y.

Fronheiser, J. A., clerk in law office, 424 Coleman Av., Johnstown, Pa.

Gamwell, R. H., ex-'00, steam fitting, 134 West Housatonic St., Pittsfield, Mass.

Garretson, A. M., student, 215 W. 57th St., New York City.

Genger, Philip B., ex-'00, care Patterson, Gotfried & Hunter, 146 Center St., New York City.

Gilchrist, James M., 5400 Washington Av., Chicago, Ill.

Ginzburg, Isidor, physician, 31 Jefferson St., New York City.

Gladden, Charles S., engineer, 50 Pierrepont St., Brooklyn, N. Y.

Glazebrook, Francis H., physician, Elizabeth, N. J.

Gorton, James T., physician, 55 Hawthorne Pl., Yonkers, N. Y.

Gould, James H., law student, Columbia University, 419 W. 118th St., New York City.

Graton, Louis C., demonstrator in chemistry, McGill University, 109 St. Hubert St., Montreal, Canada.

Gray, Clyde D., graduate student, 530 East State St., Ithaca, N. Y.

Grimshaw, Fred G., 364 Van Houten St., Paterson, N. J.

Griswold, Edith A., Kinsman, Ohio.

Grund, Marie, physician, 1009 East 165th St., New York City.

Gutman, Jacob, physician, 225 Chrystie St., New York City.

Haig, Mahan M., I. C. R. R. Burnside Shops, Chicago, Ill.

Halsey, Clayton I., principal high school, Cowdersport, Pa.

Hand, Edward, physician and surgeon, 202 Elizabeth Av., Elizabeth, N. J.

Hankinson, T. L., 25 Cascadilla Pl., Ithaca, N. Y.

Hanmer, Lee F., gymnasium director, Bisbee, Arizona.

Harding, Mary E., teaching, Hammondsport, N. Y.

Harlow, L. C., graduate student at Cornell, 27 East Av., Ithaca, N. Y.

Harrington, Glenn B., 9 North Washington Street, Butte, Montana.

Harris, Edward, Jr., lawyer, 415 East Av., Rochester, N. Y.

Hastings, Robert L., commercial traveller, Phoenix, N. Y.

Hausner, Frank H., lawyer, Heennans and Lawrence Building, Corning, N. Y.

Hawley, Davis, Jr., student in law school, 415 Stewart Av., Ithaca, N. Y.

Hazeltine, Robert H., with Bethlehem Steel Co., 727 Seneca St., So. Bethlehem, Pa.

Hemingway, Herbert A., attorney, Heennans and Lawrence Building, Corning, N. Y.

Hempstead, Louise, 654 North Main St., Meadville, Penn.

Hempstead, Marguerite, graduate student, Sage College, Ithaca, N. Y.

Hemstreet, Ralph E., studying law, 1332 Bergen St., Brooklyn, N. Y.

Herzstein, Samuel, physician, 332 E. 4th St., New York City.

Hess, John E., 6356 Marchand St., Pittsburg, Pa.

Hess, Ralph J., physician, House staff of Bellevue Hospital, New York City.

Hetzl, Guy, Hotel Windsor, Cumberland, Md.

Hill, Acton M., lawyer, 141 Broadway, New York City.

Hopkins, G. S., instructor in Cornell University, 125 Dryden Road, Ithaca, N. Y.

Hoverstad, Bertha, graduate student, 214 Hazen St., Ithaca, N. Y.

Hunn, Myrta E., teaching, box 299, Batavia, N. Y.

Hunter, John A., 6356 Marchand St., Pittsburg, Pa.

Huntington, Frederic D., care Ford, Bacon & Davis, 149 Broadway, New York City.

Hunziker, O. F., graduate student, 110 Quarry St., Ithaca, N. Y.

Hyde, Howard E., civil engineer, Tacon 3, engineering department, Havana, Cuba.

Ihlder, John W., New York Sun, New York City.

Jackson, F. Ellis, graduate student, 2 Central Av., Ithaca, N. Y.

Jewell, Charles H., doctor of veterinary medicine, 205 Lion St., Dunkirk, N. Y.

Jewell, Edith W., 124 Spring St., Portland, Me.

Joannes, F. E. Y., graduate student, 6 South Av., Ithaca, N. Y.

*Continued on page 178.*



## CORNELL ALUMNI NEWS.

PUBLISHED EVERY WEDNESDAY DURING THE COLLEGE YEAR.

SUBSCRIPTION, \$2.00 PER YEAR.

PAYABLE IN ADVANCE.

SINGLE COPIES TEN CENTS.

Address all correspondence to

THE CORNELL ALUMNI NEWS,

Office, Morrill Hall, Campus.

## ALUMNI ADVISORS.

J. D. WARNER, '72, G. J. TANSEY, '88,  
C. S. FRANCIS, '77, H. L. TAYLOR, '88,  
J. C. BRANNER, '82, P. HAGERMAN, '90,  
E. W. HUFFCUT, '84, A. B. TROWBRIDGE, '90,  
C. H. HULL, '86, D. F. HOY, '91,  
F. V. COVILLE, '87, L. E. WARE, '92,  
HERBERT B. LEE, '99.

## EXECUTIVE COMMITTEE OF ALUMNI ADVISORS.

C. H. HULL, '86, A. B. TROWBRIDGE, '90,  
D. F. HOY, '91.

## EDITOR,

FREDERICK D. COLSON, '97.

ASSOCIATE EDITOR,

HERBERT C. HOWE, '93.

MANAGING EDITOR,

HAROLD L. LEUPP, '02.

BUSINESS MANAGER,

FREDERICK WILLIS, '01.

## ASSISTANTS,

F. W. MEYSENBURG, '01, M. M. WYVELL, '01,  
RICHARDSON WEBSTER, '02, B. O. FRICK, '02,  
PORTER R. LEE, '03, R. W. PALMER, '03,  
JAMES F. DORRANCE, '03.

Entered as second class mail matter at the post office, Ithaca, N. Y.

PRESS OF GREGORY &amp; AFGAR, 122 S. TIoga St.

WEDNESDAY, MARCH 6, 1901.

## Calendar of Coming Events.

Thursday, March 7:

Debate with Columbia in New York, at the Lenox Lyceum.

Friday, March 8:

Junior Smoker in the Armory.

Thursday, March 14:

Dinner of Washington alumni at Cochran Hotel, Washington, D. C.

FRANCIS M. FINCH.

It is with great pleasure that we publish in full in this issue the address which Judge Finch delivered before the University on John Marshall Day, together with a short sketch of his life. In view of the unusual excellence of the address as a literary production and otherwise, and of Judge Finch's close connection with the University since its founding, we have thought that perhaps some of our alumni might desire to have the address and sketch in separate form, and so have arranged to issue a pamphlet containing them, together with a cut made from a photograph taken only a few days ago. To cover the additional expense of issuing this pamphlet we are obliged to charge ten cents a copy for the same. Application for the pamphlets should be made promptly.

## THE 1900 DIRECTORY.

We publish in this issue a directory of the class of 1900. The editors have spared no effort to reach every member of that class, and to ascertain his or her present address and occupation. Notwithstanding these efforts, a large proportion of the class has not been heard from, and for these nothing more has been possible than to give their addresses as left at the Registrar's office last June. These are in most instances the home addresses, and many of them are probably not the present addresses.

It will be noticed that the names of

the members of the class not heard from have been put in a separate list. Although our letters of inquiry probably failed to reach some of these persons, the majority have evidently simply neglected to return the desired information. We deeply regret this display of indifference and this indisposition on the part of so many members of the class of 1900 to cooperate with us in our efforts to compile a complete and accurate directory of the class. We feel sure that there would not be this lack of interest did the delinquents realize the value of this directory to the University authorities as well as to other persons. The last class included in the third Ten-Year Book published by the University is the class of 1898. Of the members of the two subsequent classes the University authorities have very incomplete records. We have already published a directory of the class of 1899. It is our intention each year to compile a directory of the class graduating the previous year. It must be obvious that these directories will be a valuable supplement to the Ten-Year Books, and most useful to the University authorities in preparing the subsequent books of this series. We therefore urge persons having any information respecting the present addresses and occupations of those whose names appear in the supplemental list to forward this information to us at once. If sufficient information of this character is sent us to warrant it, we will embody it later in a directory to serve as supplemental to the one now published.

While we have been speaking with special reference to the members of the class of 1900, we urge Cornellians to advise us generally of any changes of address that may come to their attention from time to time. These changes will be noted upon our records. It is our desire to keep located every alumnus and alumna of the University so that he or she may be reached at any time by persons desirous of so doing. It is only by a cheerful and willing cooperation on the part of the alumni with the editors that this purpose can be accomplished. We ask for this kind of cooperation in all lines of our work.

## The Alumni Trusteeships.

Dr. Charles Gray Wagner, '80, has been nominated to succeed himself as one of the two alumni trustees to be elected this spring. In 1891 Dr. Wagner was appointed Superintendent of the Binghamton State Hospital for the Insane, and has acted in that capacity ever since. The other alumni trustee whose term is about to expire is DeForest VanVleet, '77. The latter will not be a candidate for re-election, and Charles Hazen Blood, '88, has been nominated to fill the vacancy.

The Yale-Harvard boat race will take place on Thursday, June 27.

## Obituary.

ALBERT ROOT WEST, '02.

Albert Root West, a member of the class of 1902, died at the Infirmary last Saturday night. Mr. West went to the Infirmary two weeks ago to have an operation performed; it had resulted favorably and his recovery was expected. Four days ago he suffered a relapse, and blood poisoning set in, which led to his death. For the past week his mother had been with him. She accompanied the remains to his home Monday.

Mr. West was a resident of Brooklyn and a graduate of the Brooklyn Boys' high school. At Cornell he was studying mechanical and marine engineering. He was a good student and a popular man.

## Dinner of Washington Alumni.

The annual dinner of the Cornell Alumni of Washington, D. C., will be held on the evening of March 14 at the Cochran Hotel. There are more than 150 Cornellians in Washington, and their annual dinner is becoming quite an event. Senator Foraker is president of the Association.

## Sage Notes.

Alpha Phi gave an informal dance in the Sage gymnasium on the evening of the twenty-second. Among the guests were Miss Elizabeth Guest Drake, '99, Miss Nellie Hopkins, '99, Miss Ethelyn Kerr, '00, Miss Gertrude Cadogan, '00, and Miss Holtzman of the Woman's College of Baltimore.

Miss Marcia Vedder, '00, and Miss Adelaide Young, '99, spent Washington's Birthday at Sage, the guests of Kappa Alpha Theta.

Dixon's  
American  
Graphite  
Pencils

are recognized as the standard of excellence everywhere; they are used not only by the student while at college, but after graduation, by the Professor, Doctor, Lawyer or Business Man.

VERBUM SAT SAPIENTI.

## The "Dutch Kitchen"

Cafe and Grill Room,

ITHACA HOTEL.

The only room of its kind in the city.

Club or single breakfasts 6:30 to 10 A. M.

15c. to 65c.

Noon Luncheon 12 to 2 P. M. - 35c.

Table D'Hote Dinner (with wine) 6 to 8 P. M. 50c.

A la Carte from 6:30 A. M. to 1 A. M. Everything in season at reasonable price. Music, Prof. Klein's Novelty Orchestra every evening.

KELLER &amp; MYERS.

**Stevenson said:**  
"This world is so full of a number of things,  
I think we ought to be happy as kings."  
Who isn't? You fellows wait until you see what we are making up, in the way of study contrivances. Combination bookcases and study desks particularly.

**See Here!** Remnant packages of last-of-lots Wall Papers; rich goods; some 40 patterns to choose from; nominal prices. Repaper your room. Above papers, total cost 20 to 40 cents; rich Art Goods a little more. You can do the work, or we will do it for you.

**Empire State Housefurnishing Co.**  
Successor to the Bool Co.  
Same old stand, just below Hotel

*Howes Art Gallery*  
ITHACA, N.Y.

THE CLASS  
PHOTOGRAPHER.DEALER IN KODAKS  
AND PHOTO SUPPLIES.FOREST CITY  
STEAM LAUNDRY,209 N. Aurora St. Best work in the city.  
Gloss or Domestic Finish.

Work called for and delivered. 'Phone 165-B.

## SONGS OF CORNELL.

## WORDS AND MUSIC.

The only and official  
Cornell College Song Book,For Sale by **B. F. LENT,**

122 No. Aurora Street.

President Schurman Two Step, by Escamilla.

GEO. GRIFFIN,  
MERCHANT TAILOR

Cor. State and Aurora Sts.

Spring Styles now ready.

CUT FLOWERS,  
DECORATIVE PLANTS, &c.A large assortment of home grown  
and strictly first-class stock.

## THE BOOL FLORAL CO.,

215 E. STATE ST. ITHACA, N. Y.

## "Like your Mother used to make"

May be a matter of conjugal argument, but like what you used to wear at college is a sentiment that a man can cherish for his very own. In the matter of DRESS AND NEGLIGENCE SHIRTS, if we ever had your measure we can make them for you still and mail you samples of material at any time. We are head-quarters for CORNELL FLAGS and have the only correct Cornelian shade which differs from all other reds and we now have dyed to order. All the popular sizes at 50c., 75c., \$1.00, \$1.50 and \$2.00 on hand and mailed at once without extra charge.

C. R. SHERWOOD, ITHACA, N. Y.

## THE TOGGERY SHOPS,

138 E. STATE ST.—404 EDDY ST.

Imported and Domestic Novelties in  
Fine Furnishing Goods and Hats.

Mail orders solicited. Merchandise forwarded on approval to all parts United States. Charges paid one way.

HENRY H. ANGELL, ITHACA, N. Y.

WHITE & BURDICK, Druggists and  
Apothecaries,Opposite  
Post Office, ITHACA, N. Y.

ACCURACY AND PURITY.

OSBORN'S, NEAR THE  
POST OFFICE.WASTE PAPER BASKETS,  
GREAT VARIETY. PRICES LOW.FOUNTAIN PENS,  
Every one warranted.

FRESH HOME MADE CANDY.

## SPECIAL NOTICE.

We develop your plate and have negative ready in from 2 to 5 hours. Prints from these in as much more time.

When you have a rush job or a particular one come to us. We will have it ready on time and done right, at prices that will please you.

## VAN BUREN'S STUDIO,

1st Door East of P. O.

## JUDGE FRANCIS M. FINCH.

*Continued from page 174.*

hopes of the waiting appointee. We may not blame Jefferson. What he could snatch from the last blaze of the Federal fire he had some reason to think was his. But the embryo official, after demanding delivery of his commission and getting a curt refusal, applied to the Supreme Court for a writ of mandamus to be directed to Madison commanding him to deliver the commission to the appointee. Jefferson was enraged. Naturally, what business had a court to question the orders of the President or summon his Secretary to answer at its Bar? And so the Secretary refused to answer, or even to appear in the proceeding, and the Attorney General answered only as a witness and upon compulsion. It was long before the decision came, for, beyond this studied contempt of a constitutional tribunal, there was a deliberate and venomous attack upon the independence of the Judiciary which began with an act of Congress abolishing the August term of the Court, so that it was more than a year before the case was finally determined. But the time came at last and Marshall delivered the first of those opinions upon Constitutional questions which have made his name famous and lifted the Court to its true place in the Republican system.

And this is how he did it. I may tell it, I think, so that no legal study or training will be needed for its comprehension; and I *must* tell it for a very grave reason which will develop itself in the process.

He began by stating the questions which the application raised in their natural and logical order. First: has the applicant a right to the commission which he demands. Second: if he has and the right has been violated does the law afford him a remedy. Third: if it does is that remedy the issue of a writ of mandamus by the Supreme Court. He discusses these questions in the order of their statement. As to the first he holds that the appointment was complete when, after confirmation of the nomination by the Senate, the President had signed the commission, and the Secretary of State had affixed the Great Seal, but that the recording of the document, and delivering it to the appointee were purely ministerial acts following the appointment, and not essential parts or elements of it, and therefore the applicant *was* duly appointed and so entitled to have his commission. To the second question the Chief Justice answered that the right of the officer so duly appointed to his commission and his office was a valuable and a vested right which had been violated by a withholding of the commission, and for such violation the law gave a remedy by an action for damages, and where that could afford no adequate redress then by a writ of mandamus commanding performance of the duty refused. So far the applicant was successful, but when it came to the third question, now become vital and decisive and shown to be such, the Judge ruled that while an Act of Congress *had* authorized the Court, in a class of cases to which the one at bar belonged, to issue a writ of mandamus, yet that authority was ineffective because the Act in that respect was in violation of the Constitution and so was null and void; and since no such authority had been granted from any other source the Court had no right to issue the writ and the petition for it should therefore be denied. I spare you a detail of the argument, but call your attention to two of the vastly important doctrines thus established, and to a criticism of the opinion which has more or less prevailed, but which I believe to be without adequate foundation. The decision established that Congress was not like the English Parliament unlimited in its action and omnipotent in legislation, but was restrained by the limitations of the Constitution, the written evidence of the People's will; and that there was a tribunal, created by the same masterful will, which could enforce the restraint by annulling and refusing to act upon the illegal legislation. There was a two-fold value to this doctrine. It not only confined the National Legislature within the prescribed limits, but it provided also a peaceable solution of the inquiry, certain to continually arise, whether a specified enactment was or was not in accord with the Constitution: dispute likely to be rancorous and terminate in force if no other method of decision was provided. The opinion further established that no officer of the Government was shielded from legal accountability by his official character if he trampled upon the vested rights of the most humble citizen. It was not strange that

the new President and his followers looked askance at the looming up of this judicial supervision, and sought to break its force by the criticism that so much of the opinion as passed on the validity of the petitioner's appointment was extrajudicial, unnecessary to the decision, and so without authority, and introduced to vent some Federal spleen on the President, and drive him to a surrender of the offices which he withheld; because, said the assailants, if the Court had no jurisdiction, as it declared it had none, to issue the writ of mandamus at all. What mattered it whether the applicant was duly appointed or not, and what possible concern had the Judge with that inquiry. The suggestion never in the least touched or weakened the magnificent force of the constitutional argument, but has cast a blur upon the legal excellence and accuracy of the opinion which has disturbed even devoted admirers of its author, and led sometimes almost to apology. In the Centennial history of the Court published with its approval the opinion is said to be "in some respects *obiter dictum*," and the same thing is apparently conceded by the Court itself as late as 1880 in the case of *United States v. Schurz* (102 U. S. 375) though it is added that the ruling, although said to be extrajudicial, has been steadily followed. I do not admit the soundness of the criticism. I have no apologies to make, but insist that none are needed. I maintain the judicial correctness and propriety of the whole opinion and deny that there is a single word in it which is extrajudicial or unnecessary to the ultimate decision. Be patient with me, I pray you, while I venture to remove even the faintest film of suspicion from one of the ablest and fairest opinions ever traced by a judicial pen. I admit that ordinarily where the jurisdiction of the Court to grant the relief sought is challenged that becomes the first question to be determined, and if the Court is of the opinion that such jurisdiction does not exist the case is ended and comment upon the possible rights of the parties is immaterial, impertinent, and binds nobody. But that rule on occasion comes in collision with another rule to which it is necessarily subordinate; a rule of great value and of extremest wisdom, never to be consciously violated. That rule is that an Act of Legislature should never be declared unconstitutional and therefore void except where such declaration is absolutely and inevitably necessary to a determination of the case before the Court—that is to say that if the controversy *can* be determined on other grounds it *must* be determined on other grounds, and the constitutional question be left to some proper, because imperative occasion. The power to vindicate the Constitution against legislation which contravenes it is the highest and most delicate power of the Judiciary. By the early Court it was spoken of with reverence as an "awful" power. It is no common thing, no cheap resource to be drawn on at will. It challenges the action of the People's representatives, of a co-ordinate department of the Government; it throttles a law by them enacted; it measures the act by the fundamental law. Indeed such a tremendous power should never be exerted without a necessity so imperative that from it there is no escape. To that rule which Marshall himself afterward formulated he gave a just obedience as it was his duty to do. That duty demanded that before raising the Constitutional question he should first determine whether to solve the case before him it was *necessary* to raise it; whether it might not be that the writ could be refused without touching the grave question of constitutional jurisdiction at all; in which event that question must be left, for the time at least, unsolved. To perform that duty the judge was compelled first to ascertain whether, on the facts, the applicant was entitled to the issue of a mandamus. Only if he was did the further question arise whether the Court had power to issue it. For the inquiry was not whether there was general jurisdiction over the subject-matter of the applicant's right to his commission, nobody disputing that, but whether there existed the special jurisdiction to award a particular form of remedy, and so if the applicant was not entitled to that remedy, whether the court could give it or not, that would be the sufficient and proper answer. To add another obviously needless and yet involving a grave Constitutional question would be extrajudicial and rob the decision on that point of all authority. *Obiter dictum*! Jefferson would have shouted,—a Federal harangue tacked to an ended opinion!

I may possibly,—at the expense of some endurable repetition,—put the justification of the opinion as a whole in

another form. There were three methods of framing it and only three. First: the Judge might hold that the appointment was not complete until the commission was delivered and so the applicant had no right to a mandamus. That would end the case and the opinion, for since the writ was refused for *one* sufficient reason it was not permissible to give another involving the constitutionality of a statute. Second: he might pass over the question of the applicant's right in silence and go to the constitutional question. But in that event those who believed the applicant had no right could dispute the necessity of the constitutional argument and therefore deny its authority; saying that the Judge silently assumed what was false to justify his resort to the constitutional question, and did not dare either to assert or argue the proposition assumed. Or third: he could do as he did, first establish the applicant's right and then, the necessity of deciding the constitutional question being shown, proceed finally to the argument of that. And so I am confident that there is not and never has been any real foundation for the criticisms of enemies or the half-doubt of friends; that the opinion is not marred by the presence of a single needless or extrajudicial word; that from the beginning to the end it moves on its way with a logic as faultless as it is irresistible and with a simplicity that is massive and grand; a carving cut from flawless marble by a master hand.

We may take this case as a type and example and spare ourselves any discussion of those others which slowly but surely build up that solid edifice of Constitutional law which has proved to be the fortress and the glory of our Republican institutions. For thirty-four years he continued his judicial labors handing down from the Bench about five hundred opinions. They were models of judicial style. I often wondered how it happened that his severe reasoning and close and inexorable logic was clothed in words not only simple, but always apt to convey the thought, and flowing along with a movement as smooth and grand as that of a deep river untroubled by rock or rapids. Perhaps Judge Story has given us the explanation. He credits Marshall with much of literary taste, describing him as a persistent reader of the famous English authors and as specially fond of poetry, even tempted into writing verses of his own. The fact tends to lessen our wonder at the lucid smoothness of his style, the even balance of his sentences, and now and then the dainty choice of an adjective. In one instance, at least, a flash of irony lit up the sober flow of his argument with an interjected phrase delicate indeed but having a cutting edge. And yet no grace or elegance of style was ever chosen for itself alone, but always as the fit vestment of close and logical thought. In that direction his opinions were remarkable for many things and in many ways.

They exhibited on occasion a resolute and unflinching but calm and dignified courage. It was no light matter to face the hostile legislation of one of the older States practically defying a decision of the Court, and the order of a Governor calling out his troops to resist by force the execution of a Federal decree. Very grave but very firm were Marshall's words as he stated the momentous truth that if any State could at will so nullify a National judgment there was an end of the Court and of the Constitution, and the Nation was resolved into warring and colliding fragments; and somewhat stern his order that the judgment should be enforced. It took some courage, too, on the trial of Burr for treason to lay down a rule of evidence which made a conviction impossible in the face of a strong popular demand for such conviction. Burr was distrusted by Washington and Marshall revered Washington. Burr shot Hamilton and Marshall loved Hamilton. That Burr was at least guilty of some unlawful conspiracy was plain, and the whole force and energy of Jefferson's administration and of his party following was brought to bear against the man who, by a sort of political treachery, had almost beaten Jefferson out of the Presidency. But there was the Constitutional definition of treason requiring some overt act to be proved by at least two witnesses,—a definition meant to protect the People against that horrible and dangerous doctrine of constructive treason which had stained the English records with blood and filled the English valleys with innocent graves. The steadfast Judge would not relax or weaken the rule and trials for treason are almost unknown in our legal records.

His opinions also are remarkable for their great reach into the future of the Nation and almost prophetic understand-

ing of its coming growth. When Jefferson bought of Napoleon the whole Orleans territory and so made American the mouths of the Great River he did a thing marvelously wise in its foresight and magnificent in its results. It was the victory of a fortunate moment. The President cornered the Emperor. Yet, so deep had the partisan spirit of the time sunk into Jefferson that we find him saying to his friends that he knew he had thereby violated the Constitution. Not so at all. He merely violated his own narrow and grudging construction of that instrument, and read it more correctly by his acts than his words. Marshall, with eyes looking far into the future, had settled all such questions. He said that the Constitution had made of the people of the States a Nation and it had a Nation's right to acquire territory by conquest or purchase. He said again: "the power of governing and of legislating for a territory is the inevitable consequence of the right to acquire and hold territory." \* \* Accordingly we find Congress possessing and exercising the absolute and undisputed power of governing and legislating for the territory of Orleans." These wise and weighty words shine down upon us in the emergencies through which our National life is passing as if they had been kindled and aflame for the new summer of a new century. He who spoke them has been silent for more than sixty years, and yet they come to us as if he was yet alive and saw and felt their fitness for the new duties which have led us into untried ways. There is in them the light that will guide our hesitant steps, the strength that will brace all weariness or fear, the germ of a vital truth expanding before our eyes. They should encourage the man who shivers before the far-flying of the Nation's flag; they should shame the lips, few and scattered, spitting venom at the manliness of those who bear it; they should shame the mere demagogue though nothing can shame him; and they should serve as the warrant for that vigorous National growth which is both natural and necessary; for when a Nation ceases to grow that Nation begins to die.

Silent for more than sixty years! alas, yes! For death came to the great Chief Justice as it comes to all; found him with the harness on, struggling against weakness to drag his accustomed load; left him asleep under the Virginian sod every blade of which he loved with a Virginian's love for his native soil; left him with a simple and modest stone carved with the simple and modest words dictated by himself to mark his resting place. We may say of it as Goldwin Smith has beautifully said of the plain tomb of the first Edward: "Pass it not by for its simplicity: there is no nobler dust."

*The Marshall Day Address of Judge Finch has been printed in pamphlet form, and may be obtained at the News' office at ten cents apiece. Applications should be made promptly as the supply is limited.*

*A few copies of the Founder's Day Address by William Barclay Parsons, on "Engineering as a Profession," may also be obtained at the same price.*

LET US • •

• • FIGURE,

On the cost of the most artistic catering for your next entertainment, no worry for yourself, less expense than you expect, perfect satisfaction.

GET MENU AND ESTIMATE AT THE

**ALBERGER** Catering Establishment.

523 E. STATE ST.

**SEARS HAND LAUNDRY,**

121 North Aurora St.

Telephone 204 K. ITHACA, N. Y.

QUALITY NOT QUANTITY.

## 1900 Directory.

Continued from page 175.

- Johnson, Floyd P., teaching, Brookfield Center, Conn.
- Johnston, Edgar, civil engineer, Catskill, N. Y.
- Jones, Clement R., assistant professor of mechanical engineering at University of West Virginia, Morgantown, W. Va.
- Juddell, Walter W., architect, 214 S. Geneva St., Ithaca, N. Y.
- Katz, Louise W., graduate student, Sage College, Ithaca, N. Y.
- Keely, R. R., graduate student, 407 Eddy St., Ithaca, N. Y.
- Kellerman, Karl F., assistant in botany at Cornell, 125 Dryden Road, Ithaca, N. Y.
- Kendall, H. H., 308 New England Bld'g., Cleveland, O.
- Keyes, Marion A., Jr., lawyer, Mayville, N. Y.
- King, Herbert P., fruit-growing, Trumansburg, N. Y.
- Kingsley, Charles F., engineer, 94 Neptune Av., New Rochelle, N. Y.
- Klock, Claude W., teaching, Pulas-ki, N. Y.
- Knipe, Norman L., studying medicine at University of Pennsylvania, Norristown, Pa.
- Lamont, Clarence B., Union Iron Works, San Francisco, Cal.
- Lauer, William G., 241 Emerson Pl., Brooklyn, N. Y.
- Ludwig, Robert F., 212 E. 30th St., New York City.
- McAdam, John V., mechanical engineer, 5580 Cabanne Av., St. Louis, Mo.
- McClary, Samuel, 3rd, medical student at University of Pennsylvania, 125 S. 36th St., Philadelphia, Pa.
- McClure, Mary F., 1626 Green St., Philadelphia, Pa.
- McGovern, John T., 34 S. Oxford St., Brooklyn, N. Y.
- McCrea, R. C., fellow in economics, University of Pennsylvania, Norristown, Pa.
- McCrea, William M., attorney, Salt Lake City, Utah.
- McCreary, Edward A., student in law school, 112 Valentine Pl., Ithaca, N. Y.
- McGrath, Jean C., (See Mrs. Russ.)
- McGraw, Frank U., Bizbee, Ariz.
- McKenzie, George P., 708 Powers Building, Rochester, N. Y.
- McMenamin, T. D., Bath, N. Y.
- McMenamy, Helen E., 92 Thompson St., Catskill, N. Y.
- Macomber, George S., instructor, Washington University, St. Louis, Mo.
- Magoffin, Edward T., care Dill, Bomeisler & Baldwin, 27 Pine St., New York City.
- Mandel, Louis J., surgeon, 320 8th St., New York City.
- Manfred, Maud E., student, Mansfield, Ohio.
- Manisof, Joseph, physician, 11 Bleecker St., New York City.
- Martin, F., Saltville, Va.
- Martin, Mrs. G. S., 1 Cascadilla Pl., Ithaca, N. Y.
- Martin, Maude W., Cooperstown, N. Y.
- Mason, Herbert D., lawyer, 204 N. Cayuga St., Ithaca, N. Y.
- Mastin, Elma L., (See Mrs. W. C. Rogers.)
- Mercer, William F., professor of pedagogy, Ohio University, Athens, Ohio.
- Merrill, H. P., physician, Portland, Maine.
- Mildon, R. B., Port Steele, Wyoming.
- Millar, Roger A., 57 Wildey St., Tarrytown, N. Y.
- Miller, Wilhelm, associate editor Cyclopaedia of American Horticulture, 88 Wait Av., Ithaca, N. Y.
- Miner, James H., C. & N. W. R. R., Boone, Ia.
- Mitchell, W. J., 204 Stewart Av., Ithaca, N. Y.
- Moody, Mary G., Grand and Shetland Aves., New Haven, Conn.
- Moore, Miss Vida F., teaching, 93 Fourth St., Troy, N. Y.
- Morehouse, Frank D., lawyer, Glens Falls, N. Y.
- Morgan, Beulah G., Cuba, N. Y.
- Morgan, Llewellyn, draftsman, 784 A Quincy St., Brooklyn, N. Y.
- Morgan, William O., student in Columbia Law School, 419 W. 118th St., New York City.
- Morrissey, Thomas W., Caledonia, N. Y.
- Mosher, Edgar S., student in law school, 33 Cascadilla Pl., Ithaca, N. Y.
- Mulholland, Joseph A., physician, 2582 Marion Av., Fordham, N. Y.
- Nevin, W. H., Sun Inn, Bethlehem, Pa.
- Niles, Walter L., ex-'00, Cornell Medical College, 121 E. 28th St., New York City.
- Nolan, James B., law student, 236 N. 5th St., Reading, Pa.
- Nuffort, Walter, ex-'00, 200 Bergen St., Newark, N. J.
- Olin, Herbert S., 28 Second Pl., Brooklyn, N. Y.
- Ottman, W. H., instructor in Cornell University, 96 Cascadilla Pl., Ithaca, N. Y.
- Overton, Paul V., attorney, San Antonio, Texas.
- Palen, Lewis S., Imperial Customs service, Nanking, China.
- Palmer, Horace W., 4 West St., Utica, N. Y.
- Pate, Carlton O., draftsman, 1129 Dean St., Brooklyn, N. Y.
- Patterson, W. W., law student, 5639 Rippey St., East End, Pittsburg, Pa.
- Pauling, Walter A., lawyer, 58 West 105th St., New York City.
- Peck, Harrie W., 512 Kelly Av., Wilkesburg, Pa.
- Peirson, Mabel B., teaching, 113 East Av., Rochester, N. Y.
- Pendergrass, R. A., graduate student, 130 Cascadilla Pl., Ithaca, N. Y.
- Pendleton, Frank E., instructor, Columbia University, New York City.
- Perrin, Ruth W., teaching, Boys' Academy, Lake Forest, Ill.
- Perrine, L. L., War Department Headquarters, Manila, Philippine Islands.
- Persons, Richard S., banking, East Aurora, N. Y.
- Peterman, A. E., Calumet, Mich.
- Pettengill, B. M., evaporated fruit business, Holley, N. Y.
- Pettit, J. H., graduate student, 144 Linn St., Ithaca, N. Y.
- Porter, Frank S., lawyer, 620 W. Ferry St., Buffalo, N. Y.
- Pratt, Marion, teaching, 1624 Wallace St., Philadelphia, Pa.
- Provost, Franz V. M., secretary of N. Y. Colortype Co., 232 Hancock St., Brooklyn, N. Y.
- Pyle, H. S., ex-'00, care of C. & J. Pyle Co., Wilmington, Delaware.
- Quackenbush, E. L., graduate student, 204 Stewart Av., Ithaca, N. Y.
- Raines, George R., attorney, 14 Thayer St., Rochester, N. Y.
- Randall, Frederick M., law clerk, "The Algonquin," 76 Johnson Park, Buffalo, N. Y.
- Raymond, Ralph, engineer, 135 E. 17th St., New York City.
- Redfield, Harry W., chemist, 1442 Pacific St., Brooklyn, N. Y.
- Reid, Mabel D., student, 27 Via Aurelia Interno 3 Roma, Italia.
- Reynolds, J. L., teaching, Greenwich, Conn.
- Reynolds, L. J., 20 Irving Pl., New York City.
- Robbins, L. G., steamfitting, 24 West Housatonic St., Pittsfield, Mass.
- Rogers, Mrs. Wm., (Elma Mastin), National Junior Republic, Annapolis Junction, Md.
- Rose, Mabel E., teaching, Northport, N. Y.
- Rosenberg, Aaron J., physician, 227 Madison St., New York City.
- Rosenberg, J. G., student, Harvard law school, 1734 Cambridge St., Cambridge, Mass. Home address, 16 Rowley St., Rochester, N. Y.
- Ross, Ida A., teaching, Nyack, N. Y.
- Russ, Mrs. Witten B., (Jean C. McGrath), 325 Poplar St., San Antonio, Texas.
- Satterlee, J. P., mechanical engineer, care Beaver Valley Traction Co., Beaver Falls, Pa.
- Sauerhering, Richard P., Western Electric Co., Chicago, Ill.
- Saxton, Mary Lois, 368 Lewis Av., Brooklyn, N. Y.
- Schieren, G. Arthur, tanning and belt manufacturing, Dixie Tannery, Bristol, Tenn.
- Schirmer, Emelie C., physician, 574 Franklin Av., Brooklyn, N. Y.
- Scott, Charles R., 800 Macon St., Brooklyn, N. Y.
- Scoville, A. Beecher, Glens Falls, N. Y.
- Seelye, Allegra E., teaching, 590 Fifth St., Brooklyn, N. Y.
- Shanks, Amy C., teaching, Round Lake, Saranac Co., N. Y.
- Shea, Michael B., 6356 Marchand St., Pittsburg, Pa.
- Shears, Edith E., 206 West 103rd St., New York City.
- Shire, M. E., engineer, 4940 Washington Park Pl., Chicago, Ill.
- Short, John Cleves, 90 Market St., Lexington, Ky.
- Simpson, Chas. B., Boise, Idaho.
- Sleicher, Harry S., lawyer, 141 First Street, Troy, N. Y.
- Smallwood, C. B., 113 College Pl., Syracuse, N. Y.
- Smith, Edward Percy, 505 W. 112th St., Brooklyn.
- Smith, G. Sellers, ex-'00, care of Wm. B. Sharp and Co., Wilmington, Del.
- Smith, Harry H., Western Electric Co., West and Bethune Sts., New York City.
- Smith, Julian C., Niagara Falls Power & Hydraulic Co., Niagara Falls, N. Y.
- Smith, Peter, 138 Front Street, Schenectady, N. Y.
- Smith, Sherman E., L. S. & M. S. R. R., Cleveland, O.
- Smith, Wm. H., physician, Danville, Ky.
- Spencer, Virginia E., teaching, Middle Granville, N. Y.
- Spier, Daniel R., N. Y. Telephone Co., New York City.
- Spiker, W. C., structural draftsman, 216 Fish St., Pittsburg, Pa.
- Stamford, Albert, draftsman, 112 Thirty-fourth St., Newport News, Va.
- Stegner, C. M., Box 42, Osgood, Indiana.
- Stern, Arthur L., 304 East Av., Rochester, N. Y.
- Stern, Henry M., 304 East Av., Rochester, N. Y.
- Stevens, Albert W., manager Cornell Coöperative Society, Ithaca, N. Y.
- Stevens, Charles A., Ithaca *Daily News*, 206 Spring St., Ithaca, N. Y.
- Stoll, Henry F., ex-'00, Port Jervis, N. Y.
- Strasburger, E. J., 164 W. Granite St., Butte, Montana.
- Surpless, Thomas J., with Ivins, Kidder & Melcher, 27 William St., New York City.
- Sutherland, Wm. H., physician, Rochester City Hospital, Rochester, N. Y.
- Sutton, Clarence W., teaching, 132 Kinsman St., Cleveland, Ohio.
- Tappan, Clair S., lawyer, Baldwinsville, N. Y.
- Taylor, Thomas W., 62 Rush St., Brooklyn, N. Y.
- Taylor, William S., law student, Penn Yan, N. Y.
- Thayer, Horace H., Jr., ship draftsman, 806 Adams St., Wilmington, Del.
- Thomas, C. A., student, 154 Union Av., Saratoga, N. Y.
- Thompson, K. L., assistant principal of high school, White River Junction, Vt.
- Thro, Wm. C., graduate student in Cornell, 411 N. Tioga St., Ithaca, N. Y.
- Thurlow, Sarah, 392 Westford St., Lowell, Mass.
- Tiers, C. F., ex-'00, Oakmont, Pa.
- Tobias, Charlene A., Wells College, Aurora, N. Y.
- Torney, Edward J., 118 W. 76th St., New York City.
- Tracy, Frank S., wholesale grocer, 1017 James St., Syracuse, N. Y.
- Tracy, James G., lawyer, 1017 James St., Syracuse, N. Y.
- Trautwine, John C., 3rd, civil engineer, 1111 Walnut St., Philadelphia, Pa.
- Truman, N. E., graduate student, 307 Eddy St., Ithaca, N. Y.
- Tuller, Henry H., proprietor "The Tuller," Richfield Springs, N. Y.
- Underhill, Elizabeth C., physician, Poughkeepsie, N. Y.
- Valentine, Walter S., 258 Adelphi St., Brooklyn, N. Y.
- Vickers, Squire J., care Copeland & Dale, 51 Exchange Pl., New York City.
- Vogleson, J. A., engineer, 1700 Green St., Philadelphia, Pa.
- Ward, Gertrude P., interne of Worcester Memorial Hospital, Worcester, Mass.
- Warner, Alfred D., Jr., 1202 Delaware Av., Wilmington, Del.
- Weed, Jos. B., Jr., 456 Manhattan Av., New York City.
- Weinberg, Joseph, physician, Gouverneur Hospital, New York City.
- West, Charles C., Chicago Shipbuilding Co., Chicago, Ill.
- Wheeler, L. J., banking, Trumansburg.
- Whipple, Guy M., instructor, 85 Cascadilla Pl., Ithaca, N. Y.
- White, Henry G., 5426 Howe St., Pittsburg, Pa.
- White, Willard O., American Coke Co., Edenton, Pa.
- Whiteman, Floyd, lawyer, Hornellsville, N. Y.
- Whitwell, L. M., chemist, Solvay Club House, Syracuse, N. Y.
- Wieland, Albert E., salesman Western Electric Co., 557 Jackson Building, Chicago, Ill.
- Will, Philip, assistant superintendent Sill Stove Works, 26 Portsmouth Terrace, Rochester, N. Y.
- Wilson, Christopher W., Jr., lawyer, 99 Rodney St., Brooklyn, N. Y.
- Wilson, Elbert A., 306 E. Ya St., Ithaca, N. Y.
- Wilson, J. H., Jr., Imperial Customs Service, Shanghai, China.
- Winans, Mrs. E. S., 408 Eddy St., Ithaca, N. Y.
- Winick, Samuel, physician, 47 East 3rd St., New York City.
- Winston, A. P., teaching, 6127 Kimbark Av., Chicago, Ill.
- Woodhull, Gilbert B., in telephone construction with Western Electric Co. of New York, 198 Berkeley Pl., Brooklyn, N. Y.
- Wright, M. J., teaching, Bradley Polytechnic Institute, Peoria, Ill.
- Wright, W. L., Sun Inn, Bethlehem, Pa.
- Yeomans, Frank C., physician, 7 West 15th St., New York City.
- Young, George, Jr., 645 St. Mark's Av., Brooklyn, N. Y.



Young, George H., 801 Market St., Williamsport, Pa.

Young, Helen L., Hollidaysburg, Pa.

DECEASED.

Cowen, Jacob H. Died July 12, 1900.

The following is a list of addresses left with the Registrar last June, of 1900 graduates whose more recent addresses the NEWS has been unable to obtain. The editors ask for corrections;

Adams, J. S., Hanford, Pa.  
Allen, Frank, Fredericton, New Brunswick, Can.

Allen, Fredonia, 1624 N. Meridan St., Indianapolis, Ind.

Almy, Mabel C., 410 N. Cayuga St., Ithaca, N. Y.

Badenhausen, J. P., Hoboken, N. J. (Foot of Newark St.)

Bagley, W. C., 119 E. Congress St., Detroit, Mich.

Baker, F. S., 104 West Liberty St., Rome, N. Y.

Baldwin, Alice M., 571 Park Ave., East Orange, N. J.

Barnes, C. L., Lockport, N. Y.

Beardslee, R. W., Gouverneur, N. Y.

Bentley, G. M., graduate student, 45 East Av., Ithaca, N. Y.

Binkerd, Helen D., 854 Lafayette Av., Brooklyn, N. Y.

Blakeslee, R. A., Weatherly, Pa.

Brooks, H. C., 16 Huntington St., Hartford, Conn.

Buck, G. C., 401 W. Main St., Platteville, Wis.

Budd, H. S., 6550 Harvard Av., Chicago, Ill.

Bullis, G. P., 37 Laurens St., Olean, N. Y.

Bunnell, G. L., 432 Seaview Av., Bridgeport, Conn.

Cheyney, Edward G., 3000 I St., Washington, D. C.

Clark, Coryell, Nichols, N. Y.

Clark, E. F., 61 West St., Newburgh, N. Y.

Cool, F. W., 221 Wyoming Av., Pittston, Pa.

Corr, J. A., 123 River St., Troy, N. Y.

Costello, Margaret C., 255 Miland Av., Syracuse, N. Y.

Crouch, H. C., Oswego, N. Y.

Cuyle, J. J., 62 W. Bridge St., Oswego, N. Y.

Dalzell, W. C., Jr., S. Egremont, Mass.

DeLaMotte, A. C., 70 S. 10th St., Brooklyn, N. Y.

Deming, Robert, 457 Hough Av., Cleveland, O.

Donovan, R. J., 5th Av. and 92nd St., Brooklyn, N. Y.

Egeberg, H. O., Smaalenene, Norway. (Askin Sta.)

Failing, W. H., Box 75, Baldwinsville, N. Y.

Felldin, Jennie W. S., 7 Chestnut St., Auburn, N. Y.

Fischer, H. J.

Fletcher, Stevenson W., Rock, Mass.

Fuller, W. E., 65 Spruce St., Portland, Me.

Gehring, E. W., 1323 Detroit St., Cleveland, O.

Gingold, D., 233 Henry St., New York City.

Glazier, R. C., West Gardner, Mass.

Graff, John T., 409 3rd St., N. W., Washington, D. C.

Griswold, H. D., Lahore, India.

Hall, F. F., 139 W. Castle St., Syracuse, N. Y.

Halloway, H. E., 135 W. 63rd St., New York City.

Halsey, G. N., 510 University Av., Ithaca, N. Y.

Hardy, C. E., 704 N. Broad St., Rome, Ga.

Healy, T. D. J., 460 Pulaski St., Brooklyn, N. Y.

Heath, Daisy W., Prohibition Park, West New Brighton, N. Y.

Hicks, S. N. C., Rockville Center, N. Y.

Hitchcock, H. A., 858 Washington St., Bath, Me.

Houck, G. E., 97 High St., Buffalo, N. Y.

Hufnagel, F. B., Mt. Vernon, N. Y.

Jones, Lydia B. I., Plattsburgh, N. Y.

Juliand, Louis, Greene, N. Y.

Kaplan, David, 45 E. Houston St., New York City.

Kehl, L. H., 124 W. Philadelphia St., Boyertown, Pa.

Kelly, Eva F., 816 Garden St., Hoboken, N. J.

Kelly, W. D. J., 231 12th St., Jersey City, N. J.

Kerr, Lydia E., 69 Perry St., Titusville, Pa.

Kinsella, M. J., lawyer, 216 Hudson St., Buffalo, N. Y.

Knipp, C. T., 511 E. Smith Av., Bloomington, Ind.

Krebs, A. S., 806 Franklin St., Wilmington, Del.

Landis, C. W., 1911 Gratz St., Philadelphia, Pa.

Landsman, A. A., 327 E. 10th St., New York City.

Larkin, G. A., 137 S. Clinton St., Olean, N. Y.

Lewitt, A., 2779 8th Av., New York City.

Lies, E. T., 20 Southhampton St., Buffalo, N. Y.

Lipman, J. G., Woodbine, N. J.

Littleton, Fannie T., Farmville, Va.

Lock, Elizabeth, Barbourville, Ky.

Loneragan, P. E., 1101 Lake St., Elmira, N. Y.

Lubman, M., 514 E. 12th St., New York City.

Lyon, Anna W., King Ferry, N. Y.

McCann, Helen R., 38 E. Main St., Ilion, N. Y.

MacGillivray, A. D., Salineville, O.

Maginnis, Benjamin, 1852 Diversey Building, Chicago, Ill.

Malisoff, A., 32 Henry St., New York City.

Marx, Erwin, 2125 Parkwood Av., Toledo, O.

Maxwell, M. C., 1312 21st St., N. W., Washington, D. C.

Maytham, Frank, 26 Richmond Av., Buffalo, N. Y.

Mead, H. R., 302 Allen St., Jamestown, N. Y.

Mims, E., Trinity College, Durham, N. C.

Moody, V. D., 124 Cumberland St., Norfolk, Va.

Morey, S. R., 1037 Montgomery St., Syracuse, N. Y.

Moyer, J. C., 236 W. Main St., Norristown, Pa.

Murphy, E. C., Croyden, Can.

Murrill, W. A., Blacksburg, Va.

Myers, B. D., travelling, care of Knaut, Nachot & Kühne, Leipsic, Germany.

Nathan, Marvin, 31 Fargo St., Buffalo, N. Y.

Newton, T. L., 21 Main St., Salamanca, N. Y.

Nye, R. V., Monrovia, Cal.

Ogle, J. H., 617 E. B St., Belleville, Ill.

Penfield, G. W., 51 Center St., New Britain, Conn.

Phelps, C. A., Syracuse, N. Y.

Phelps, Mary Pontiac, Mich.

Pilat, C. F., 29 Springs St., Sing Sing, N. Y.

Rachlin, N. H., 688 Manhattan Av., Brooklyn, N. Y.

Rea, C. L., Carrollton, Mo.

Reaves, S. W., Marion, S. C.

Rockwood, F. A., Elmhurst, Ill.

von Roeder, L., Yorktown, Tex.

Ross, H. N., Stanley Bridge, P. E. Island, Canada.

Schmidt, F. G. E., Herzberg, Germany.

Shanks, Sally G., N. Y. Tribune, New York City.

Sheldon, Philena R., Ithaca, N. Y.

Sherman, Franklin, Jr., Forest Home, N. Y.

Showers, H. D. W., South Oil, Pa.

Silk, C., 44 Delancey St., New York City.

Sirdevan, W. J., 161 Bank St., Titusville, Pa.

Slater, Mary F. W., Raleigh, N. C.

Spalding, H. J., 207 Washington St., Hoboken, N. J.

Stone, Miss C. L., 32 Orange St., Rochester, N. Y.

Stone, G. T., 55 Gaige Block, Binghamton, N. Y.

Sullivan, M. J., 89 Lincoln St., Pittsfield, Mass.

Swanitz, H. W., 108 W. 84th St., New York City.

Teal, A. R., 43 Phelps Av., Rochester, N. Y.

Terrell, A. C., Macon, Mo.

Thompson, Vera M., Gloversville, N. Y.

Tissington, R. A., 107 Mountain Av., Montclair, N. J.

Torrance, C. C., office of Chief Engineer, Tacon 3, Havana, Cuba.

Uihlein, E. J., 34 Ewing Pl., Chicago, Ill.

Vedder, Marcia, 493 Main St., St. Johnsville, N. Y.

Vocke, C. W., 208 N. Howard St., Baltimore, Md.

Wagner, G. O., 160 N. Pearl St., Buffalo, N. Y.

Waters, H. L., 8 Grove Pl., Rochester, N. Y.

West, E. L., 50 Pierrepont St., Brooklyn, N. Y.

Wheelwright, J. S., 59 Broadway, Bangor, Me.

Whinery, C. C., 45 Glenwood Av., East Orange, N. J.

Whipple, Helen W., Binghamton, N. Y.

Wienhoeber, G. W., 668 LaSalle Av., Chicago, N. Y.

Wilkes, J. W., 3 N. High St., Columbia, Tenn.

Wiltse, Herbert A., Hannibal, N. Y.

Windsor, P. B., Hornellsville, N. Y.

Woelfert, L. P. O., Stettin, Germany.

Wood, E. A., South Salen, O.

Wright, P. L., Worthington, O.

Zeller, E. C., 2223 Park Av., St. Louis, Mo.

## H. H. MICHELSON

CUSTOM TAILOR.

103 North Tioga St. ITHACA, N. Y.

Opposite County Clerk's Office.  
Telephone 69.

## Bates' \*\*\*

## Binghamton Laundry.

University Branch

with the

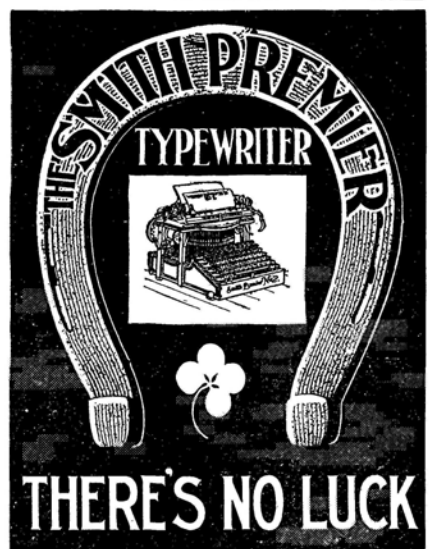
Co-operative Student Agency.

C. A. MIDER, MANAGER.

A. S. PETTY, W. H. CARRIER,  
F. W. FISHER, R. F. KIEB.

We keep your clothing in repair. Fine gloss or the right domestic finish.

Office, Corner Huestis Street and Dryden Road.



ABOUT THE POPULARITY OF  
THE SMITH PREMIER TYPEWRITER  
IT'S ALL MERITED.

OUR CATALOGUE, FREE, WILL TELL YOU WHY  
THE SMITH PREMIER TYPEWRITER CO.

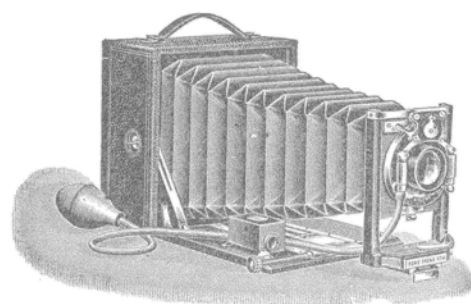
SYRACUSE, N. Y., U. S. A.

## PARK & HIGGINS,

MERCHANT TAILORS.

Give us a call and look our stock over.  
We can interest you.

406 EDDY ST.



Pony

Premo

No. 6.

The most successful camera of  
the season.

## Premo Cameras

PRICE, \$8.00 AND UPWARDS.

ROCHESTER OPTICAL CO.

SOUTH STREET, ROCHESTER, N. Y.

## COMPLETE LINE OF SPRING SUITINGS AND TROUSERINGS

in Exclusive Novelties now ready. Select what you want now, and have them made up latter. Reasonable prices. Fit and Workmanship of the highest order.

J. M. ITCHELL  
ORRISON  
MERCHANT

Phone 217 W.

TAILOR,

124 NORTH AURORA ST.

YOUNG'S HATS,

SPRING STYLES \$3.00,

CORBIN & LYTLE.

# STUDENTS SHOULD GO TO **KELLY'S** FOR EVERYTHING IN THE LINE OF STUDENTS' SUPPLIES.

Furnishing Goods, Shoes, Hats and Caps, Hosiery, Neckwear, Shop Suits, Towels, etc. Spalding's Sporting Goods of every description, Foot Ball, Base Ball, Gym. Supplies. Outfitter to Varsity Foot Ball Team.

## GREAT WORK BY THE HOCKEY TEAM.

**They Win All Three Games on the Recent Trip—Cornell's Total 12 Points Against 4 for All Opponents**

The trip of the hockey team last week could not have been more successful. Three games were played, one each with Swarthmore, Pennsylvania and Princeton, all in Philadelphia. The first of the three games, that with Swarthmore, was played on Thursday evening and from the beginning Cornell had the best of it, keeping the play in their opponents' territory nearly all the time. The final score was 4 to 1. Of the four goals Whitman scored 2 and Wood 2.

On Friday evening the University of Pennsylvania was defeated by a score of 4 to 1. In the first half Cornell scored two goals and Pennsylvania one. In the second half the better condition of the Cornell men was apparent and the play was almost entirely near Pennsylvania's goal. The playing of Kier at goal for Pennsylvania was magnificent throughout and doubtless affected the score. Cornell's goals were scored as follows: Brown 2, Whitman 1, Wood 1.

The third and last game was played on Saturday night against Princeton, Cornell winning by a score of 4 to 2. Brown scored twice, Whitman once and Lee once. This was much the fastest game of the three, Princeton playing harder and generally better than either of the other teams Cornell had met.

The most noticeable point about the playing of the Cornell men was the magnificent team work which they put up. This more than anything else was responsible for the success they achieved. Another feature worthy of note was the excellent physical condition of all the Cornell men, due to two weeks of hard daily practice on the outdoor rink at Beebe Lake. The advantage of this was shown in each of the three games when, in the second half, the Cornell men were in much better condition than their opponents. Throughout the series, there were brilliant individual plays. Brown's work was fast and clever, and at goal Day strengthened the team greatly. Ellis also played a good game at cover point. The work of the forwards without exception was excellent.

The attendance at all of the games was good, but especially so on Saturday night when Princeton was played. Hawley Taussig, '98, and Wiley Wakeman, '99, were instrumental in gathering a large crowd of rooters, an act which was greatly appreciated by the team. They also did a great deal to make the team's stay in Philadelphia as pleasant as possible.

Yale may be played in about two weeks if warm weather does not interfere with the practice.

In the Pennsylvania and Princeton games Roberts was injured, his place being filled by Lee.

Brown University has accepted Yale's challenge for a dual chess match to be played during the Easter vacation in Providence.

## Cornell Wins at Georgetown.

The Cornell relay team again defeated Columbia on Saturday night at the annual indoor games of Georgetown University. Although Cornell led from the start, the race was closely contested. Young, who ran first for Cornell, lead by half a yard on the first relay. Warren increased the advantage by another half yard and Sears opened up ten yards on Van Cise. Marshall struggled gamely to overcome the lead, but it was too much for him and Hastings finished four yards ahead. The summary follows:

Relay race—Won by Cornell; Young, Warren, Sears, Hastings. Columbia—Bishop, Earle, Van Cise, Marshall, second. Time, 3 minutes 38 1-5 seconds.

In the individual events Hastings finished second in the 880 yard run, which was won by Marshall of Montclair in 2:10 4-5. The event of the evening, however, was the 50-yard dash which was won by Duffy of Georgetown, in the remarkable time of 5 seconds. This breaks the world's record of 5 1-4 seconds which was held by H. M. Johnson and L. Myers, and has stood since 1884.

## Debate News.

The debate team that is to represent Cornell in the contest with Columbia tomorrow evening left for New York today. The preliminary work is practically completed.

The judges as agreed upon by the two colleges are General Francis V. Greene, Mr. Edward M. Shepard, and Mr. Albert M. Stickney, all of New York.

The debate, which will be held in the Lenox Lyceum on Madison Avenue near 59th street, will be free to the public. While no delegation will attend the debate from Ithaca, a large number of Cornell men will be present from the medical college in New York to aid the alumni in the cheering.

Friday evening, March 8, a Cornell smoker will be held in honor of the team at 49 West 43rd street. The Cornell Club of New York extends an invitation to all members of the University to be present.

The final interclass debate will occur March 15. The subject chosen is: "Resolved, That the liquor canteen should have been abolished." The Andrew D. White Club, 1901, represented by F. E. Cardullo, M. J. Gilliam, and G. A. Oldham, will support the negative and F. L. Carlisle, G. H. Sabine, and W. A. Frayer will uphold the affirmative, for the J. G. Schurman Club, 1903.

Office, Bates Block  
Ithaca, N.Y.  
Phone.

**Allen L. Smith  
Printer.**

**FOOTE & CO.,  
FLORISTS.**

CUT FLOWERS A SPECIALTY.  
Green Houses 115 E. Green St.,  
105 Catherine St.  
STORE 314 E. STATE ST.

## WIVES

Sometimes object to Life Insurance.

## NO OBJECTION

Has yet been made by a widow. They know its value. You will too, if you survive your husband.

**Northwestern  
Mutual Life  
VIRGIL D. MORSE,  
AGENT,  
222 E. STATE ST.  
Phone 220F.**

## THE UNIVERSITY PREPARATORY SCHOOL.

PREPARES FOR ALL  
COURSES IN

## CORNELL UNIVERSITY.

Fall Term opened Thursday, Sept. 27.

C. A. STILES, B. S.

ITHACA, N. Y.

## CASCADILLA SCHOOL,

ITHACA, N. Y.



Prepares for ALL colleges. Leading fitting school for Cornell. Small, carefully graded classes; instruction primarily for the individual; attendance strictly limited. Location commends itself to everyone familiar with the beauty and healthfulness of the Central Lake Region of the Empire State. Separate Recitation Building, admirably equipped. Residences beautiful and perfectly appointed homes; model new cottage for the younger boys. Unique Recreation Building (ILLUSTRATING THIS ADVERTISEMENT); Gymnasium; Athletic Field of thirteen acres on Cayuga Lake. Address

C. V. PARSELL, A. M., Principal.

## REAL ESTATE, CONVEYANCING, LOANS.

**GEO. S. TARBELL,**  
Trust Co. Building, Ithaca, N. Y.

Attorney, Counsellor and Notary Public.

Prompt, personal attention given General Practice, Corporation, Mortgage and Surrogate Law. Collections, Real Estate and Loans. Local and long distance telephone in office.

## TEACHERS' AGENCIES.

We have unequalled facilities for placing teachers in every part of the country.

## WINSHIP

## TEACHERS' AGENCY.

3 Somerset St., Boston.

WESTERN OFFICE: Kansas City, Mo.

WM. F. JARVIS,  
ALVIN F. PEASE.

## THE

## Pratt Teachers' Agency

Recommends college and normal graduates, specialists, and other teachers to colleges, schools, and families. Advises parents about schools.

WM. O. PRATT, Manager

70 Fifth Avenue, New York

## ITHACA HIGH SCHOOL.

(Cornell's largest fitting School.)

Gets its students from England, Russia, Italy, Ireland, Brazil, Mexico, Canada, Cuba, twenty-eight states (28) and from twenty-one (21) counties in N. Y. State. Won 62 state and 12 Univ. scholarships in 7 yrs. Sends 40 to 60 students annually to Cornell. Tuition \$75 for 40 weeks including free books. Enter any time. Both sexes. Registration 655. Gymnasium. 7-acre athletic field. Faculty of Cornell graduates. Hundreds of Cornellians fitted in this school. For catalog address

F. D. BOYNTON, A. M., Principal.

## CALL ON

## BROWN & BARNARD

When in want of  
Something good to eat.

**The George H. Ford Company**

**M**anufacturers of Society Pins, Medals, Prizes, Trophies, College Emblems

**C**ollege Souvenirs in gold, silver, bronze, porcelain china and stone ware

**D**esigns and estimates furnished on application

**New Haven, Conn.**

**Cluett** **ARROW BRAND**

**NEPERA WELCHOR**

25¢ each 2 for 25¢

**CLUETT PEABODY & CO**

**MAKERS**