

The Daily Nebraskan

Vol. VIII, No. 133.

UNIVERSITY OF NEBRASKA, LINCOLN, WEDNESDAY, APRIL 28, 1909.

Price 5 Cent.

LAW THE FRAMEWORK

PROFESSOR WILSON SPEAKS ON MISCONCEPTIONS OF LAW.

TELLS OF THE PRECEDENTS

JUDGES SHOULD NOT CONSIDER THEIR FEELINGS.

Advocates the Teaching of the Principles of Common Law in All Schools Together With the Other Branches.

Before an audience largely composed of law students, Professor H. H. Wilson at convocation yesterday morning delivered a very interesting address on "Some Popular Misconceptions of the Law." Professor Wilson introduced the subject with a very pleasing story. He spoke in part as follows:

"Almost every one has an unconscious partiality for the work he is engaged in. It is very natural for us to follow certain lines of thought patterned after our own work and this same principle is seen in the lawyer's profession.

"I am here to speak of some misconceptions of the law. Some people seem to believe that they should keep away from the law and they endeavor to take no interest in it. As a matter of fact they have lived their whole lives under this same law they shrink from and it is most intimately connected with their lives. The great majority of men may live and die and in all that time never come into direct contact with the law. Yet should there be a disturbance in the movement of the law every one would suffer from it. It is not very far back when mankind did not have the right of law for the protection of his property, but he had to protect himself by his own strong right arm and physical strength.

Rests Upon the Law.

"Although we may have avoided the court and the displeasure of the law, yet all business rests upon the law. Imagine in Lincoln our sixty thousand people without law. No property or person would be safe. Instead of the law being primarily that which makes controversy in the courts possible, it is the rare exception that it becomes a storm center. All agreements and contracts essential to the progress of business are controlled by law, and not one in a thousand ever enters the court.

"If I were to name the safest criterion of civilization it would be its religious and legal standing and knowing this I can tell you the standing of the nation in civilization.

Guided By Precedent.

"There is another misconception of law. It is commonly thought that it is ridiculous for a judge to be guided by precedent rather than by his own judgment. People say that a good upright man should judge by his own particular notions of right and wrong, regardless of the letter of the law. The results of such decisions would be chaos.

"Decisions based on feeling are of no value whatever, for they may depend upon what the judge eats in the morning for breakfast. A wrong precedent is bad, but a vacillating court is infinitely worse. Every court must reserve the right at times to break the rule. Such a situation might exist when precedent is on both sides, but even this seldom occurs, and it is not often necessary or right to break a precedent.

"The function of the judge is to not give his opinion, but to pronounce the reasoning of the law. The majority of

our judges undertake, to the best of their ability, to pronounce the law. I trust the time approaches when we shall begin in earlier years to teach the fundamental principles of the law, in the way that other subjects are taught in the high schools and colleges."

SYRACUSE ENGINEERS TROUBLED

Acting Dean Shepard Demands Apology From Senior Class.

Considerable curiosity is rife in and about Smith College of Applied Science, University of Syracuse, regarding an episode of day before yesterday. Although everyone immediately concerned is keeping silent regarding the matter, rumor has it that some interesting events may soon occur. When the members of the Tuesday morning class in specifications and contracts, composed mostly of seniors of the civil and electrical departments, gathered for their class the room was occupied by a class of mechanical engineers under Dean G. H. Shepard. The work of this class extending somewhat over the hour, the waiting members made their presence known by shouting and other disturbances, with the result that the dean appeared and demanded an apology from the secretary or president of the senior class not later than 6 o'clock Wednesday noon, in default of which disciplinary measures would immediately be taken. Five prominent members were detained by the dean as sponsors for the class. At a meeting of the seniors held yesterday afternoon it was decided that no apology of the class was necessary.

MEDICAL LECTURE TONIGHT

Dr. Guenther to Speak for Visiting Physicians.

At 8 p. m. this evening Dr. Guenther will address the physicians registered for the practitioners' review course in Nebraska hall. Other physicians and medical students will be welcome at this address, the second of the series of evening entertainments given for the visiting physicians.

Dr. Guenther's subject is "Some Aspects of Mental Theuropathy." He will treat extensively of the various phases of the subject and his lecture will of course be technical.

The third of the series of evening meetings for the physicians occurs Friday, when the Pathological club meets with Dr. Stokes and Dr. Wolley of Omaha as the principal speakers.

FACULTY DINNER AT LINCOLN

University Profs Get Together Around the Table.

The second faculty dinner of the year was held last evening at the Lincoln hotel with over sixty professors, instructors, and a few outsiders in attendance. No set program was given after the discussion of the menu save an address by Chancellor Avery on "The University and the State." In this the chancellor told the professors just where the university stood as the result of the various acts of the past legislature. The budget was discussed and the effect of the general legislative measures was outlined.

Notice to Track Men.

All candidates for the track preliminaries on Saturday must hand their names in to Dr. Clapp by six o'clock Thursday evening.

NOTICE "N" MEN!

An important meeting of the "N" Men's Association will be held this afternoon in the Temple at 5 o'clock. All members take notice.

Walter Giffen, law 1909, visited with friends and relatives in Sterling last Saturday.

THREE OUT OF FOUR

CORNHUSKERS WIN FINAL GAME FROM MISSOURI, 8 TO 2.

BOTH PENNANT CONTESTS WON

THREE GAMES FIGURE IN THE CONFERENCE RACE.

Captain Buck's Men Took Championship Game at Columbia and Repeated the Performance Here on Monday.

The cornhuskers won the fourth and final game from Missouri yesterday afternoon at Antelope park, 8 to 2, in a loosely played exhibition of the great American game, and thereby made it three out of four games won from the southern nine this season. One game was taken from the "show-me" men at Columbia on the recent trip of the Nebraska team, and both contests in Lincoln were won easily by the locals. The game lost to Missouri was an exhibition contest and does not count in averaging the standings of the Missouri valley conference teams in the championship race. Nebraska took the two pennant contests.

The game at Antelope park yesterday was somewhat of an improvement over the farce of the preceding day, but practically all the progress toward better playing had been made by the locals. Missouri put up a ragged game, and totaled ten errors. Blakely, at short and Nee, at third, were the worst offenders of the day. The former drew five notches in the error column. The two together made eight bobbles.

Hayden Twirls Again.

Hayden did the twirling for the Missourians, although he had performed the task on the previous day. He was more effective than in the first game and held the cornhuskers to three safe hits. Mathers was permitted to enter the box for the locals and did very well, keeping the total of safe bingles down to five.

Nebraska, after blanking the visitors in the opening half of the initial round, scored two tallies in its session. Cooke, the first man up, went out on a fly to center field. Beltzer and Carroll, following Cooke, drew passes to first. Chaloupka batted a hot grounder to Hayden, who allowed it to pass to Alexander at second, where it was fumbled long enough to allow the Bohemian to get to first. A wild pitch let Beltzer cross the home pan. Carroll followed Beltzer when Clarke was thrown out at first by Blakely, playing short. Metcalf made the third out on an easy grounder to short.

The "show-me" men shoved their first score in during the first half of the third. Hayden hit a safe one just above Dudgeon's finger tips. Blakely batted to Clarke, who forced Hayden out at second. Gunlock went out on a grounder to second. Nee drew a walk. Morrow hit safely and Blakely pranced home. "Tubby" Graves batted an infield fly to Metcalf at short and the side was retired. The Missourians scored their last tally in the fifth round.

Score One in Fifth.

Dudgeon passed a hot grounder hit by Blakely, who went to second base on the ball when it was missed by Sturtzenegger and rolled to the fence. Gunlock hit a long fly to Cooke and Blakely raced across the pan. Nebraska scored three in the fourth and one in the fourth, fifth and sixth.

Cooke, Carroll, Beltzer and Metcalf performed in brilliant style for the

locals. The midget center fielder captured two difficult flies after long runs. Captain Buck stopped two hot grounders at third and whipped them to first with great accuracy. Carroll's back-stopping was without a flaw. His only near-bad-break was in the last round, when he whiffed the ball rather high to second to catch a runner. Agile Metcalf was there, though, and hurled himself into the air just in time to nab the ascending ball and keep Wise, who was on third base, from running home with another tally for the visitors. Score:

Box Score of Game.

Nebraska.	AB	R	H	P	A	E
Cooke, cf	5	2	1	4	0	0
Beltzer, 3b	5	1	0	3	4	0
Carroll, c	5	2	0	5	2	0
Chaloupka, lf	5	1	0	1	1	0
Clarke, 1b	4	1	1	1	0	0
Metcalf, ss	4	0	0	2	2	0
Sturtzenegger, rf	4	1	0	1	0	0
Dudgeon, 2b	4	0	1	1	1	1
Mathers, p	4	0	0	0	2	0
Total	38	8	3	27	13	1

Missouri.	AB	R	H	P	A	E
Blakely, ss	4	2	0	1	4	3
Gunlock, 1b	4	0	0	1	0	1
Nee, 3b	4	0	0	2	3	5
Morrow, lf	4	0	1	1	0	0
Graves, cf	4	0	0	2	0	0
Wise, rf	4	0	1	0	0	0
Klein, c	4	0	1	4	2	0
Alexander, 2b	4	0	1	2	2	0
Hayden, p	3	0	1	1	1	1
Total	35	2	5	24	20	10

Score by Innings:

Nebraska	2	0	3	1	1	0	0	8
Missouri	0	0	1	0	1	0	0	2

Struck out—by Mathers, three; by Hayden, four. Bases on balls—off Mathers, 2; off Hayden, 5. Stolen bases—Cooke, 2. Sacrifice hit—Dudgeon. Wild pitch—Hayden. Passed ball—Klein. Umpire—Green. Time—1:45.

HAS CHARGE OF COMMISSARY

Y. M. C. A. Will Now Feed Cadets While in Camp.

Some new departures are to be made in this year's cadet encampment. Among these the Y. M. C. A. has just been informed that it will have charge of the commissary department. This will mean considerable to that organization from a financial standpoint, yet it means that they have a great deal of work on their hands. The commissary department, supplying, as it does, the wants of inner man, is one of the most important features of the camp in the eyes of many of the cadets.

In addition to this the Y. M. C. A. will maintain their usual stand, supplying all sorts of delicacies to the cadets, and also a post exchange. The association plans to hold services in camp on Sunday. This will be one of the new features of camp life, as this is the first time that Sunday is included in the week of encampment.

CONWAY McMILLAN IN LINCOLN

Old University Man Visits Friends in Former Home.

Conway McMillan, one of the best known of the old time students of the university, is visiting friends in the city. Mr. McMillan is now engaged in lumbering, being connected with the American Timber Holding Company.

Conway McMillan was a character about the university campus for several years prior to his graduation in 1885. He took a large part in nearly everything that was happening in the state college of that time and left his imprint in the memories of professors and students. He was the first graduate student in botany that the university had. After taking graduate work he went to the University of Minnesota, where he was head of the department of botany. He made a success of this work, but about three years ago he quit professional work and engaged in business.

TWO H. S. FETE DAYS

BOTH MAY 14 AND 15 FOR SECONDARY SCHOOL MEN.

OFFER PROGRAM FOR SATURDAY

GYMNASTIC STUNTS OR MILITARY DRILL TO BE FEATURE.

Plan to Have High School Students Stay Over for Additional Day

Definitely Settled Upon by University Men in Charge.

There will be two high school fete days instead of one. May 14 and 15 will both be devoted to setting forth the advantages of the university to the secondary school men who will visit in Lincoln at that time. This much has been definitely decided upon by the university men in charge of the entertainment of the high school men. Thus far the program for the second day is not complete, but it will be announced shortly.

As already stated in the Nebraskan the program Friday, May 14, will consist of an inspection of the university, the high school athletic meet, a dinner for the visitors in the Temple banquet hall, and the state championship debate in the evening. The Saturday program will be of a military and athletic character, such as will appeal to the visiting youths.

May Have Inspection.

An attempt is being made by the men behind the arrangements to have the annual inspection of the cadet battalion on the morning of the fifteenth. If this is arranged for, it will form the principal part of the Saturday program. The battalion will be out in dress array and the cadets will be put through their paces for the benefit of the high school visitors.

In case inspection cannot be slated for May 15, the probability is that the cadets will still be given a chance to show their ability in marching the streets. In addition there will be a gymnastic exhibition of some kind by the university athletes. The nature of this is not yet determined. It will, however, be held in the armory and it is expected to prove good entertainment for the visitors.

Sending Out Notices.

A. J. Ludden, secretary of the high school track meet, has sent out announcements to the high schools of the state, advertising the meet and stating the conditions of entrance. These have been generally stated heretofore. All entries for the contests must be mailed to Dr. Clapp not later than noon Friday, May 7. Each school is allowed to enter ten men, but not more than two men in any one event.

Silver and bronze medals will be awarded to winners of first and second places in each event and a silk badge to the winner of third place. A gold medal will be given to the winner of the greatest number of points. Places score for 5, 3 and 1 points respectively, but no points scored in the relay race will count for the all-round gold medal. A banner will be awarded the winning relay team and also the championship team. The latter banner becomes the property of the school winning it three times successively. It was won by Fairbury in 1909.

IVY DAY PROGRAM.

All members of the senior ivy day committee must be present at a meeting to be held Thursday at 1 o'clock in U. 106.

The best oyster stew in the city is that served at The Boston Lunch. Try it.