

Geo. L. Campbell

THE RING-TUM PHI

BY THE STUDENTS AND FOR THE STUDENTS

VOL. VI

WASHINGTON & LEE UNIVERSITY, SATURDAY, NOVEMBER 8, 1902

No. 8

The W. & L. - V. M. I. Game

On the eve of what promises to be one of the most exciting games ever played in Lexington, speculation as to its outcome is naturally being heard on all sides and it is hard to find any two persons, unless they be the strongest partisans, who will agree as to what the score will be. Every W. & L. student, however, is daily becoming more convinced that we will win, while the cadets are said to be equally confident of the success of their team.

The two teams meet this year, without both having played but one team—Richmond College—and from these games, but little idea of the comparative merits of the two could be gathered. V. M. I. made six touchdowns on a dry field and playing nearly all of her substitutes in the last half. W. & L. with her regular team scored five times, on a field so covered with mud and water that end running was impossible and fumbling necessarily frequent. A comparison, under the circumstances, was impossible.

Comparative scores, with different teams, are a poor criterion from which to judge, and little weight is to be attached to the fact that we defeated V. P. I. V. P. I. tied the Univ. of N. C. and the latter team defeated V. M. I. All of these games, were very close and the difference of a few weeks training or a little luck might account for our superiority, as shown by this comparison.

Disregarding the records of the two teams and comparing them man for man, it looks as if W. & L. should win. Experience is certainly with us, as the V. M. I. team is almost entirely green, but weight is somewhat in their favor.

In the back-field we should hold our own, though the phenomenal individual work of Johnson may give them a slight advantage. Our ends and tackles, man for man, are certainly superior to theirs and the center trios are probably well-matched. As far as the training of the two teams is concerned, both will without doubt be in the best of shape, barring accidents. This year, V. M. I. has discarded the guards-back system and uses a tackle-back formation very similar to the system of offense which Coach Balliet has taught W. & L.

One advantage which V. M. I. has, is that the game is to be played on the parade ground and the grass will probably militate somewhat against us, but this should not materially affect the result.

The game promises to be one of those nerve-racking contests that keeps the spectators keyed up during its whole duration, but it looks as if the White and Blue should come out on top—unless there are some slips, and slips count. One thing we need and need badly, is rooting—rooting good and strong when luck is with us and stronger still when the team happens to be in a tight place. In this respect, heretofore the cadets have always been ahead of us, but this year, we hope to take our vocal organs along with us and make the best use of them.

University Assembly

The regular monthly meeting of the University body will take place in Chapel next Wednesday. The address will be delivered by Dr. Quarles.

The Rationale of the Flunk

The word 'flunk' is, in the first place, an exotic (but, alas, this can be said only of the word). In the slang of Eton we find a very similar term, 'funk,' which originally signified the quasi-haze in which the mental faculties would find themselves at critical test-periods. Later, it came to denote the inevitable result of said haze's existence.

But a definition is wanted. According to a recent Calyx, 'flunking' is "an entertainment held by the faculty in December, March and June." True; but the entertainment is the faculty's in more senses than one. Thus an important factor is omitted, for at those set seasons all must admit that the student has 'a lively time.' But let's get didactic. In the conventional acceptance of the term, a 'flunk' is the ultimate development of extreme latency of latent ability. A convenient definition this.

The application of the definition hinges on one word—latency. Why is the ability latent? There are two possible cases. In one the ability is repressed by force of circumstances; this gives us a subjunctive shock—one who might, would, could or should do things

wonderful. In the other the ability is of a modest type and absolutely declines to be expressed; this gives us the actual 'flunker.' It is to this latter class that all discussion of the great imminent must ever extend. Hail to the 'flunker' *par excellence!* To him high-seated under the purple velarium of his negative glory, we bow us low and cry, "*Moriturus te salutamus!*"

Dr. Latane Entertains

Last Wednesday night Dr. Latané entertained in his bachelor apartments in honor of Miss Werner. Those present were Mesdames Vance and Long, Miss Werner, and Professors Vance, Long, and Crow.

A number of students, in an informal way, attended Dr. Latané's entertainment later in the evening. Mr. Grasty created a sensation by coming via the fire escape.

A Modern Fable

Once upon a time in modern Athens, there sprang up within the classic halls of learning eleven stalwart youths whose devotion and love for the "gridiron" was only surpassed by the agility and power with which they handled the "pigskin" thereon. Their strength and swiftness, forsooth, did surpass the strength and swiftness of all others who sat at the feet of Socrates and their names became great and they were called "warm members" all.

Forthwith, their fame spread abroad in Attica till it reached e'en to mad Sparta, where they handle the bow and javelin and "shoot crap and charge up" the cost to the loser. Immediately did a swift footed messenger bear to modern Athens an arrow tipped with blood and a stipulated guarantee of fifty denarri and half the gate receipts, for verily did the Spartans beguile themselves with the idea that they were "hot shots." The challenge brought joy to the hearts of the Athenian youths because, forsooth, they could now smash helmets with the youths of Sparta and thereby test their strength.

The sun rose in the east, the eleven youths of Athens forsook the classic shades of knowledge and "marched fourteen parasangs,

twelve stadia, to a fortified town large and prosperous." Here they encountered the Spartans, who, tho' they were large of stature and great of strength, yet lacked materially in intelligent headwork. The battle was fiercely waged and neither side could claim the triumph, when suddenly, just as the last three grains of sand were vying with each other as to who should first join their comrades below, an Athenian youth, Smiticus by name, lithe and agile, snatched the pigskin from one of his companions and sped, wending his way thro' the eager spectators who had drawn nigh the scene of conflict, and placed the compressed air where with ease they could "buck the line" for a touchdown. At sight of this, courage forsook the Spartans and they did become craven-hearted and did verily withdraw from the conflict and return to their native city. Pickled and muchly chagrined were they and loudly did they boast of their own power and talk of their defeat as tho' trickery and deceit had been practiced upon them. "Good shooting" was the watchword and Athens turned red in a single night, and even "Old George" gave the college yell and condescended to wear a blue toga for a week. The halls of learning were closed for the space of a Sun and every youth in Athens, with the exception of a few sharks, joined in the festivals held. Great was the rejoicing and great the flunking the following morn.

But verily the Spartans continued to groan and did even fill the annals with their "sorry" lore, until, by chance, one day they met in a foreign village an Athenian youth of great wisdom and his companion, Balietalles the great, who verily did deal out to them such slugs of sarcasm and condemnation, that the chewing and digesting thereof was both laborious and painful, and Spartan stock fell to 30 cents.

From thence they returned to Sparta and did, forsooth, cease their groaning and pursue more diligently swiftness and strength on the gridiron, seeing that their words were no stronger than their rush-line.

Moral—If you get it "put on" you, don't get "pickled" and "groan."

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All matters of business should be addressed to the Business Manager, and all other matters should come to the Editor-in-Chief.

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And now comes the V. M. I. game, and with it the opportunity to wipe out old scores, and begin a new era in football history with our friends across the way.

Every man should attend the game, and every man doubtless will be there to give his support to the team. Let us not, however, be so far carried away by our enthusiasm, as to give expression to any offensive personalities or "guying." Let every man stay behind the ropes and root in a legitimate way until he can root no more.

Whatever may be the result of the game Tuesday, Coach Balliet has developed a team which can hold its own with any in the South and of which we may justly feel proud. He has been tireless in his efforts and deserves the thanks of the student-body. It is a matter of regret that we have not a longer schedule of games this year, but we trust that we may have Mr. Balliet with us again next season and put forth a team that will be second to none.

If we are going to institute any reforms in our system of running athletics, there is no better time than the present. If nothing is done this session, we shall be confronted next year with the same conditions under which we are now laboring. We would be glad to publish the views of the students upon this subject

It has been urged against the plan of levying an additional matriculation fee of \$5.00, that the imposition of such a fee would tend to keep students away from the University. The argument is anything but a strong one. If after making an estimate of the comparative cost of living at several institutions, the prospective student is inclined in this direction, it is not reasonable to suppose that this particular \$5.00 will have the effect of changing his mind. On the other hand, if by the imposition of this fee athletics are put on a sound basis, winning teams put on the gridiron and baseball field, more students will be attracted thereby, than scared away by the increase of the matriculating fee. The present fee of \$5.00, we understand, is devoted to the gymnasium, and it would be just as legitimate to devote a like sum to general athletics.

If it is the opinion of the student body that the adoption of this plan should be attempted, early action should be taken. It will be necessary to circulate and present a petition, embodying a request for the adoption of the plan, to the Athletic committee, to be transmitted to the faculty. If the action of the committee and the faculty be favorable, it will then be necessary, we understand, to place the matter before the Board of Trustees for final action. What do you think about it?

We would like to impress upon the students that the columns of this paper are open to all, and articles are invited on matters touching the University body. There is a box in Newcomb Hall which is always yawning for more. Drop in your communications, songs, poems, and squibs. The paper is what the students make it.

If the game is lost on Tuesday there will be an abundance of material for S. B. C. goats.

Blessed is the man who has not a nine o'clock class.

The mass-meeting on Wednesday was like a Prohibition rally in Kentucky, if the latter be possible of conception.

It is not the man who yells the

loudest who has the most college spirit. He may have some from Staunton.

Football Song

Air—"Abdul, the Bul, Bul, the Meer."

Football is a game that is well known to fame,
And played by the teams far and near

But the only team that can play that great game,
Is the one that we hold so dear.

They play with a rush that is frightful to see,
In fact they have nothing to fear,

And the team that dares stand on the field with this band
Will soon find existence seems queer.

Smut Smith with the ball is a great sight to see.
He runs like the wind, did you say?

Just wait till he tackles those poor legs of yours
And you will think that a cyclone 's in play.

Stone is in center, he is right there to stay,
You will find he is just like his name.

As blocking a punt is his favorite stunt,
And for us he is winning the game.

They go through the line, a great distance, 'tis fine
To see the end done just the same.

Every down is first down, and the next down, you see,
Is the touchdown that wins us the game.

Law Notes

Those who were not present at the meeting of the Bradford Society this week, missed what was unquestionably the most interesting debate which has been held so far. The question was one of unusual interest; Mr. Howell was one of the counsel and entertained the meeting in his characteristic way; Mr. Ball made an eloquent appeal for justice, and buttressed his argument with apt and forcible illustration; and as a crowning feature, "Judge" Mahoney presided with his accustomed dignity as chief justice of the court.

A remarkable decision was recently handed down by the court of appeals of New York, in which the majority of the court denied the existence of the "right of privacy," and held that if such a right existed, there was no method by which the courts could enforce it. The suit was brought by a

young lady on account of the unauthorized use of her picture to adorn the flour barrels of the Franklin Mills Company. She sought to recover \$15,000 damages for this wanton invasion of her privacy, and also to enjoin the further exploitation of her likeness in this public fashion. The justice to whom she applied, recognizing that a woman's beauty is her in-violate possession, granted the injunction. But the court of last resort took the view that "the so-called right of privacy has not as yet found an abiding place in our jurisprudence" and dismissed the suit. The court seemed to have feared also that if this right were recognized, it would prove the fruitful source of indiscriminate litigation for imaginary damages.

The decision of the New York court caused much surprise, both to the profession and the public at large, and has been generally regretted as very unfortunate in its tendency to give legal sanction to the questionable practices of the sensational press. Though there was a strong dissent from the opinion of the court, the decision is likely to exert a strong influence in future litigation upon this important subject, on account of the New York court.

This decision was considered by the Society last Thursday night. Henderson and Kelly presented the case for the young lady, and Lar-rick and Howell defended the flour company. A majority of the court decided in favor of the latter, but Professor Vance dissented from the opinion of the court. He held that there was unquestionably a right in this case. Has not a person a right to be let alone? And is not the publication of a photograph for advertising purposes, though such a publication is not libellous in its character, a violation of this right? But the further question is involved whether this is a right for which the law provides a remedy, or whether it is merely *damnum absque injuria*. In answering this last question, Mr. Vance considered the two objections offered by the New York court. (1) The mere fact that the right of privacy has not before been recognized in our jurisprudence is no objection to the recognition of the right. As new conditions of society arise, the law must change to suit these conditions, and the flexible character of the Common Law permits of such a change whenever, with the advance of civilization, the recognition of a newly created right becomes essential. (2) Will the recognition of this right open the flood-gates of litigation? Even if the decision should have this effect, this is no

valid objection if the right exists. Because a wrong is often committed is no reason against the provision of a remedy therefor. But in its practical application, it may well be doubted whether the right of privacy would bring forth a flood of litigation. It would doubtless have the effect of restraining the frequent violations of propriety and decency and the growing invasion of privacy which has followed upon the perfection of photography and newspaper illustration.

During his recent visit to his alma mater, "Judge" Mahoney favored the Senior class with a breezy talk on the easy success of certain young lawyers whom he had known in years gone by. The talk was very encouraging.

Y. M. C. A.

Regular and prompt attendance is an important factor in enlivening interest and in heightening the aspirations of an association. Irregular attendance and tardiness are two factors that destroy interest and retard the progress of an association. This is significantly true regarding a Young Men's Christian Association. In view of this fundamental fact, we should like to ask, and even in a delicate way, to urge upon the members of the Christian Association here in Washington and Lee to be regular and prompt in their attendance upon all public meetings. Your coming will do the association good, and it is believed that the association will do you good.

The meeting Sunday afternoon was one of interest and profit. A student leader, Mr. R. M. Lacy, conducted it. An appropriate portion of the time was devoted to the usual song and prayer service. Mr. Lacy then gave a very helpful talk on the "Parable of the Talents."

It is customary that all colleges and universities in the world that are of a Christian character, should hold at some time during the fall term a week of prayer. These series of prayers are to be held in this University during next week, beginning Monday night at 7:30. They are to be held every night during the week at that hour in the lower chapel. The limited time is thirty minutes. A cordial invitation is extended to every man in college to come.

"The most interesting game of the season will take place next Tuesday. . . From their records this year the teams are about evenly matched and a fine exhibition of football is expected. In former games V. M. I. has defeated W. & L. U., but this year the result is an uncertain quantity."

—Lexington Gazette.

"Here is a boy. Is the boy sad? No, he is only a goat. He is alone now. He used to have loads of friends, but he's been 'taken in' now. I wonder if he is sorry. I hope the others aint."

—Topics.

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Athletic Committee:—Dr. Wm. Wertenbaker, Prof. H. D. Campbell, Messrs. A. Tabb, J. W. Bagley, T. G. Stone, R. L. Owen.

Football Team:—Manager, C. S. McNulty; captain, A. M. Smith.

Baseball Team:—Manager, —; captain, J. W. Bagley.

Cotillion Club:—J. W. Bagley, president; J. E. Price, secretary and treasurer.

Washington Literary Society:—President, E. C. Miller; secretary, W. S. Gruver.

Graham-Lee Literary Society:—President, C. D. Tuten; secretary, M. T. McClure.

Y. M. C. A.:—President, C. F. Spencer; secretary, S. McP. Glasgow.

Fraternalities:—Phi Kappa Psi, Phi Gamma Delta, Sigma Alpha Epsilon, Kappa Sigma, Sigma Chi, Phi Delta Theta, Kappa Alpha, Sigma Nu, Phi Kappa Sigma, Mu Pi Lambda, Delta Tau Delta, Pi Kappa Alpha, Theta Nu Epsilon.

Student Publications

THE RING-TUM PHI, published weekly by the students.—B. D. Causey, business manager; W. J. Lauck, editor-in-chief.

Southern Collegian, published monthly by the students.—J. W. Warner, business manager; A. M. Duncan, editor-in-chief.

The Calyx, Annual, published by the students.

Football Fund

Although the mass-meeting last Wednesday from the standpoint of attendance was a failure, yet quite a neat sum was subscribed during the afternoon, and Manager McNulty feels confident that if every man will pay up at once what he has subscribed, and those who have not subscribed will come forward with what they are able to give, Coach Balliet can be retained until the end of the season, or in other words, a subscription is needed which will average one dollar for each student in the University.

Every man should make it a special point to pay at once what he has already subscribed, and to give whatever further amount he is able. This will free the manager from unnecessary work, put affairs on a sound basis, and insure a successful season.

Professor Hoxie has moved into the office of the new Economic department.

Grahamites

Mr. Watts delivered an able oration on last Saturday night on the growth and development in this country of socialistic ideas. In the absence of the regular declaimers, Mr. McClure gave a voluntary declamation.

The principal interest centered in the debate, the regular question of the evening being dispensed with, and the proposition, "Resolved, that lawyers are social parasites," substituted for it. Everybody took advantage of the opportunity to pay off old scores, and the lawyers were maligned and vilified *ad nauseam*. Several embryo members of the profession who were present, attempted to stay the attack, but they were overwhelmed by the flood of abuse.

Tonight is the time for the election of officers for the coming term.

Wednesday night—a blank in our lives—Pancake, McPheeters, and Meredith.

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