

The Mask



Kappa Psi Fraternity

FOUNDED 1879. INCORPORATED 1903.

ACTIVE CHAPTER ROLL

Alpha	Grand Chapter	Wilmington, Del.
Beta	University College of Medicine	Richmond, Va.
Gamma	Columbia University	New York, N. Y.
Delta	University of Maryland	Baltimore, Md.
Epsilon	Maryland Medical College	Baltimore, Md.
Zeta	Georgetown University	Washington, D. C.
Eta	Philadelphia College of Pharmacy	Philadelphia, Pa.
Theta	Medical College of Virginia	Richmond, Va.
Iota	University of Alabama	Mobile, Ala.
Kappa	Birmingham Medical College	Birmingham, Ala.
Lambda	Vanderbilt University	Nashville, Tenn.
Mu	Mass. College of Pharmacy	Boston, Mass.
Nu	Medical College of South Carolina	Charleston, S. C.

ALUMNI CHAPTER ROLL

Philadelphia Chapter	Philadelphia, Pa.
New York Chapter	New York, N. Y.
Baltimore Chapters	Baltimore, Md.

Official Journal:

“THE MASK”

Official Directory:

“THE AGORA”

Official Colors:

“SCARLET AND GRAY”

“The Mask”

VOLUME V

1908

Kappa Psi Fraternity

(Medical and Pharmaceutical)

Subscription, \$1.00 a year

"The Mask"

(Medical and Pharmaceutical)

OFFICIAL ORGAN OF THE KAPPA PSI FRATERNITY OF THE U. S. OF A.

Published Every Three Months During the Year.

VOLUME V. 1908.

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THE MASK

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(Medical and Pharmaceutical)

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OFFICIAL ORGAN OF THE KAPPA PSI FRATERNITY OF THE U.S. OF A.

Published Every Three Months During the Year.

Editor: HENRY J. GOECKEL, Phar. D.,
249 Holland Avenue, Van Nest, Bronx, N. Y.

Send All Communications and Remittances to the Editor.

ADVERTISING RATES:

\$10.00 per Page, One Insertion. \$30.00 per Page, Four Insertions. Same Rates for Less Space.
Special Rates for Cover Advertisements.

An X opposite this paragraph signifies that your subscription has expired.
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Vol. V.

NOVEMBER, 1908.

No. 4.

The Eleventh Annual Convention OF KAPPA PSI FRATERNITY

WILL BE HELD UNDER THE AUSPICES OF

NU CHAPTER

CHARLESTON, SOUTH CAROLINA

November 26-27, 1908

HEADQUARTERS FOR DELEGATES AND OFFICERS

ARGYLE HOTEL

HASEL AND MEETING STS., CHARLESTON

Sessions of the **GRAND COUNCIL** will be held at Nu Chapter Hall,
Roper Hospital, Charleston, South Carolina.

NEW CHAPTERS.

The following petitions for Charters have been received:

Medical Department, University of Nashville, at Nashville, Tenn. Ten petitioners. Application unanimously endorsed by Lambda Chapter and all Passive members of the Fraternity in Nashville.

Medical Department, University of West Virginia, Morgantown, W. Va. Petitioners:—Ten students and one member of the Faculty. Application endorsed by Bro. R. S. Johnson, Ph.C. (Ex-Lambda), of Morgantown, W. Va.

The Editor's Page

THE CONVENTION

The indications are that there will be considerable business to come before the Grand Council when it meets at Charleston, S. C., on November 26 and 27. Perhaps the most important subject for consideration will be a motion to hold the Grand Council bi-annually hereafter. The adoption of this will necessitate electing Grand Officers for terms of two years instead of for one year as at present. As petitions for charters are not voted on by the Council but by the Chapters, this will not interfere with the progress of the Fraternity, but will help to place the Order on a sound financial basis, which it is not possible to do as long as we have the expenses of an Annual Meeting.

The second motion of importance will be to issue "The Agora" every five years instead of every year. This motion should be endorsed by all in Council. The time is past when a twenty or twenty-five page booklet is sufficiently large to meet the requirements. It now requires at least an eighty-page publication for "The Agora" to fulfill its mission, that of a Hand-book of Kappa Psi Information for all members of the Fraternity. The annual expense for such a publication will be beyond the resources of the Order, as members cannot be expected to purchase such a book each year. Nor have you the right to call upon the Officer of the Grand Council, whose duty it is to issue "The Agora," to give the time needed for a thoro revision each year. To issue "THE MASK" properly is in itself a sufficiently arduous pastime.

The Grand Historian and Editor recommends that "The Agora" should hereafter be issued every five years, and a supplement containing only necessary changes and additions should be issued during the intervening years. The adoption of this will save a great deal of needless labor and expense to the Fraternity, and, at the same time, it will make it possible to publish larger and more satisfactory additions than heretofore.

Our Chapters are apparently continually at sea when they have occasion to use their Chapter By-Laws. It is usually found that the make-shift articles which pass as such, seldom cover the subject properly.

CHAPTER BY-LAWS Not less than four of our Chapters have, during the past year, had occasion to find this out. After considerable investigating and consulting of Constitutions and By-Laws of other societies, a set has been drafted to cover the requirements of our Chapters. This will be submitted to the Grand Council for recommendation to the Chapters as a guide to be used in drafting their own laws.

DELEGATES The attention of Chapter members is called to the letter of our Grand Regent, Bro. Holstein, regarding the election of delegates to the coming Grand Council. See Alpha Chapter Notes.

In this number of "THE MASK" we are printing a letter from Bro. W. Bruce Philip, Phar.D. (Ex-Gamma). It is a suggestion on how to increase interest in the Chapter meetings. For the next number we have a letter from Bro. Wm. W. Perdue, Ph.C., M.D. (Ex-Iota), calling the attention of members to a line of study and investigation which may prove both interesting and profitable as well as progressive. These two Brothers have started a department in our magazine, namely, "Suggestions by Members," which may prove interesting. Have you an idea which seems good to you? Pass it along. It will take but a few minutes of your time, and it may be the seed from which will spring a large crop of suggestions and practical results. Let us hear from you.

The attention of members is called to the fact that "The Agora" of 1908, now in the possession of the printer, will not appear until after the session of the Grand Council. This delay is found necessary, as the size of the publication and the number of copies to the addition depends upon what action is taken by the Council.

The Agora
FOR 1908

The Mask This number closes Volume Five of "THE MASK." To date a total of twenty-four numbers has appeared. The first number of VOL. V. Volume One appeared in January, 1904.

A summary of each volume and our Chapter Roll during its publication is as follows:

Volume	Year	Numbers Issued	Total Pages	Chapter Roll		Chapter	
				Jan.	Dec.	Lost	Gained
I	1904	Six	88	7	8	None	1
II	1905	Six	96	8	9	None	1
III	1906	Four	64	9	10	1	2
IV	1907	Four	76	9	11	2	4
V	1908	Four	104	12	13	None	2*

* Two applications announced in this issue not included.

CHAPTER INTEREST.

A SUGGESTION FROM AN EX-GAMMA.

DEAR BROTHER GOECKEL:

The last number of "THE MASK" at hand and I was very glad to get it. While I am sorry a girl won the Gamma prize from a K. P. man, bully for the girl.

A word about the Frat. In order to help those that come after us, we that have gone before must do something. I will admit that in the Frat. Alumni there are a lot of "dead ones," but still there might be a *few* live ones.

Here is my plan, and, like the gold medal plan, I hope it will amount to something. During the year let there be an Alt night, a Goeckel night, a Philip night, etc. For instance, the Philip night.—Give me a meeting night, say the second Friday in November, and a list of the members. I will prepare a paper on "What We Owe Our College as a Fraternity." If possible I will be there to read it (which I could not do). I will ask three from the list of members sent to me to discuss the paper, letting them know in advance what the subject is. I will also forward a sum of money, say \$5.00, for a feed.

A good time and a little to eat ought to bring out a good attendance. This once a month ought to put life in the Frat. We have members enough to make them two or three times a month. This would make the Frat. a "*corker*" and give us the pick of all the men we want. There are few who could enjoy a thing like this for one or two years that would not return the compliment.

As it would come but once a year on the Alumnus, the drain would not be heavy and it would insure a good attendance and make the Alumni members, who happen in town, glad to drop in as they will know something is doing. It will give more tone and more good time.

If the member giving the night cannot be there, let the boys, *every one* that is there send him a postal, note or letter. To receive five, ten or twenty greetings by the same mail would be quite an event to an old Frat. man.

You can say what you want, Goeckel, but a little eat, smoke and be merry once in a while helps to make more good fellowship than many other things in the course of college life.

I have one or two more things up my sleeve but they can keep awhile.

Regards to all the boys and the professors.

Fraternally,

Fruitvale, Cal., Aug. 9, 1908.

W. BRUCE PHILIP (Ex-Gamma).

WORTH WHILE.

Let us all try to make our lives worth while. Working for the highest and greatest good are characteristic of the master mind. Surely many of the petty practices of life are not worthy of our serious consideration. A noble man's ideals are all and all to him, and they alone are worthy of his earnestness. Let us not be deceived, life is only of worth for its goodness. A good life is a happy life; the most joyful moments we pass are those that were spent in the little acts of kindness; they are like the snow-capped mountain peaks, pure and white, glistening with the radiance of the sun and towering upward to God.—E. A. D.

THE MASK

A MAN'S ANSWER

TO

"A WOMAN'S QUESTION." *

" Yes, I know what it is I am asking for
 A heart that is free from guile;
 I desire to bask all the rest of my days
 In the light of a good woman's smile.

I know I have asked for that priceless thing,
 But not as a child might have done;
 I asked for your love in exchange for my own,
 Which no other woman has won.

I know I have written your lesson out
 Like a man I have questioned thee;
 I am willing now to stand as you ask,
 So that you may question me.

I desire, as you say, that my dinner be hot—
 Yes, I do, but of that you would share;
 But I promise my heart through life shall be true
 And my soul be as pure as the air.

I certainly need a cook for my food,
 A seamstress for stockings or shirt.
 In return, I'll be the king that you seek—
 But remember you never must flirt.

I'd reign as a king in the kingdom of home,
 And reign as a good king should;
 But first I want you to be my queen,
 And then God might say, " It is good."

You are young and fair! Yes, I know you are,
 And I know that your beauty will fade;
 I will love you then mid autumn days
 When the leaves fall dry and dead.

You ask is my heart as an ocean deep?
 Is it free from rock and shoal?
 If you'll launch your life upon its tide,
 You'll find that heaven's your goal.

I promise you now, I'll be good and true—
 That is as a man should be;
 But I sadly want a wife and a queen
 To travel towards heaven with me.

I do not desire a laundress and cook,
 Though they can be had for pay;
 But a woman's heart and a woman's love
 I am asking you for to-day."

*See "THE MASK," July 1908, page 57.

WITH THE CYNICS.

A boy must have a great deal of sense to begin with to come out of college with any.

When a girl proposes to a man he is so afraid people might suspect it that he pretends he did it.—E. A. D.

THE LEGAL STATUS OF A COLLEGE FRATERNITY CHAPTER.

[Continued from July Number.]

Rules Requisite for Withdrawal of Charters and Expulsions.

The moral to be drawn from these decisions appears to be that a college fraternity should establish definite conditions and rules for the withdrawal of charters and the expulsion of members by chapters or conventions, or by the fraternity officers, and should follow them strictly; and that it is advisable to have an organization other than the chapter itself incorporated as a property-holding body.

Taxation of Fraternity Property.

Whether any property is taxable or not depends, generally speaking, solely upon the statutes of the State. In most States the property of educational institutions and institutions of purely public charity is exempt, and in some States the property of charitable, literary and benevolent societies. Under the latter provision it might well be contended that the property of a fraternity chapter holding regular meetings for literary exercises in a hall or lodge-room would not be subject to taxation. But it seems clear that in most States a chapter house where members room or take their meals is taxable.

Under statutes of this general character the courts have been disposed to hold that the property of Masonic lodges is not exempt, as their benefits are limited to their own members, and they can not therefore be regarded as charitable institutions in the legal sense.¹ There are, however, cases under other statutes holding their property exempt.² The same is true of fraternal benefit associations, under statutes exempting the property of "institutions of purely public charity."³ Exempting can not be claimed as a "literary, benevolent, charitable or scientific institution" unless the organization is definitely devoted to the pursuit of science or of educational or literary aims, or to specific purposes of general benevolence. The exemption does not include an incorporated theosophical society,⁴ nor a corporation which is partly a temperance society and partly a mutual aid and relief society, caring for sick members and paying death benefit.⁵ As to a Young Men's Christian Association, holding religious services, and also furnishing club privileges to members only, but for nominal dues, the question is a difficult one, and the decisions are in conflict.⁶

In 1901 a local fraternity at the Massachusetts Institute of Technology bought a house in Boston, on which it was assessed for taxes. It paid the taxes under protest, and brought suit to recover back the money on the ground that its house was property of a literary and scientific corporation used for educational purposes as expressed in its charter being "to encourage and pursue literary and scientific work, and to provide for its members a place for holding literary and scientific meetings, and to provide for its members, while they shall be students, a place for study." The court held that whether the corporation was a literary or scientific institution or not, a house that was used as a dormitory and boarding-place for students was not used for educational purposes, and was not exempt from taxation.⁷

A similar decision was made in New York in the case of the chapter of Delta Kappa Epsilon, at Hamilton College.⁸ It was held that the fraternity house was

¹ Newport v. Masonic Temple Association (1900) 108 Ky. 333; Philadelphia v. Masonic Home (1894) 160 Pa. St. (held not institutions "of purely public charity").

² Savannah v. Solomon's Lodge (1874) 53 Ga. 93 (held a "charitable institution"); Indianapolis v. Grand Master (1865) 25 Ind. 518 (held a "benevolent or charitable institution").

³ Catholic Knights v. Board of Review (1902) 198 Ill. 441.

⁴ N. E. Theosophical Corporation v. Boston (1898) 172 Mass. 60.

⁵ Young Men's Benevolent Soc'y v. Fall River (1894) 160 Mass. 409.

⁶ See the following cases: People v. Y. M. C. A. of Peoria (1895) 157 Ill. 403; Commonwealth v. Y. M. C. A. (1903) 116 Ky. 711, 721; Trustees Y. M. C. A. v. Paterson (1898) 61 N. J. Law 420 affirmed (1899) 64 N. J. Law 361.

⁷ Phi Beta Epsilon corporation v. Boston (1903) 182 Mass. 457.

⁸ People v. Lawler (1902) 74 App. Div. 553; affirmed (1904) 179 N. Y. 535.

not exempt from taxation under an act providing that "the real property of a corporation or association organized exclusively for the moral or mental improvement of men or women, or for . . . educational, scientific or library . . . purposes, . . . and used exclusively for carrying out thereupon one or more of such purposes, and the personal property of any such corporation, shall be exempt from taxation," because it was not real estate used exclusively for the purpose specified in the statute.¹

Gifts or Legacies to Fraternity Chapters.

During the fifty years that followed the founding of the first true college Greek-letter fraternity,² from 1825 to 1875, fraternity chapters owned practically no houses and little valuable property of any kind. But during the past thirty years the purchasing and building of fraternity houses has gone on at a rapid pace, until now in many Northern colleges practically every fraternity chapter either owns or rents a house, and in at least two fraternities every chapter owns one. This stage of evolution will doubtless continue for some time. Many chapters have yet to acquire permanent houses, and many others will eventually replace the first chapter house with a larger and more costly one; some have already done so. In spite of some attempts at repressive regulation by college faculties, there seems to be no doubt that the building of chapter houses will become more and more general.

On the whole, this is a distinct advantage. The ownership of chapter houses in which the men board and part of them have their rooms adds very greatly to the fraternity life of the college; and the objections of this policy rarely come from men who have enjoyed undergraduate life in a fraternity chapter occupying a house.

True, there are dangers to be avoided. The possession of a fraternity house affording rooms for half the men and a boarding place for all leads easily to a sort of exclusiveness, to second-rate politics in class elections, and to other manifestations of the snob, as well as to a narrowness of social interests which sometimes shows itself among the best-intentioned men. But these dangers can be avoided if the chapter keeps its membership large, aims at right standards in choosing men and does not pledge them too hastily, limits to upper-classmen the privilege of rooming in the house, takes pains to have other students come there freely, and makes a definite effort to have its men play a broad-minded and influential part in the life of the college or university.

After Chapter Houses, What?

But the building of chapter houses must sometimes come to an end. After a fraternity chapter has built its house (and in most instances paid off its mortgage), what is going to be the next stage of its development?

Mr. Hamilton W. Mabie and others have expressed the belief that the fraternity chapter will in time grow into something like a college in an English university, with a separate dining hall and common-room of its own, and, at least to some extent, a separate teaching or tutorial staff. There are few instances where steps have been taken that seem to lead this way. Some fraternity chapters have made arrangements for occasional talks or lectures at the house, or for one or more graduates remaining in residence.³ But these instances are few; and it is hard to conceive of the average fraternity chapter as becoming in any formal sense primarily an educational institution.

The writer believes that after the building of fraternity houses the next step will be the foundation of chapter endowment funds. This has been done already in some instances. Certain of the older chapters have established "scholarship funds," the income of which is to be used to pay the initiation fees or membership dues of desirable men. A few, in the hope of keeping some of the best men in residence at the house for a year or two after graduation, are establishing funds for graduate scholarships or fellowships in the college. Other funds for libraries, for

¹ In the earlier Massachusetts acts incorporating the trustees of fraternity chapters, it was always expressly provided that the property should be subject to taxation. In Vermont, by a recent statute the real and personal property of college fraternities (except property held for investment) is expressly exempted from taxation (Acts of 1906, No. 27, see also Acts of 1906, No. 360).

² Kappa Alpha at Union College in 1825.

³ See, for instance, Phi Beta Epsilon case as above cited.

the giving of annual dinners, for keeping up close relations with the alumni, or for reducing the cost of under graduate membership, may perhaps already exist, or may be established in the future.

Some years ago the writer of this article was consulted by a woman who wished to leave a legacy for the benefit of her college society chapter. A legacy of this sort to one of the older chapters of K A was referred to in a recent number of the *Shield* of Theta Delta Chi. The subject raises certain questions which are of interest from a legal point of view, and discloses some pitfalls which a person making such a gift, either by will or by deed, should be careful to avoid.

So far as the question of validity is raised by the want of a beneficiary legally capable of bringing suit to enforce the trust, any doubt upon the point may be avoided, where the chapter or a graduate association has been incorporated, either by giving the property directly to the corporation, as above suggested, or by leaving it to the trustees in trust to expand it for the benefit of the corporation in the way desired. The corporation is a legal person which undoubtedly has capacity to bring suit to enforce the trust, and the purposes declared in its charter would ordinarily be such that it would have power to expend the income or use the property it received each year from the trustees for the benefit of the undergraduate chapter. Any property purchased or received by the corporation out of the income would of course remain the corporation's property, not the chapter's.

The other questions arising are raised by the rule of law known as the rule against perpetuities, and the rules limiting restraint on alienation.

If the property is given outright to an incorporated association, the corporation takes it, if real estate, in fee simple, or, in case the property is personal estate, becomes the owner of the absolute interest in it, and has the indisputable right to hold it forever.¹ But suppose, instead of giving it outright, the testator wishes to create a trust fund, the income of which shall be paid to the corporation, or to the unincorporated chapter itself, forever, for a certain specified purpose. In such a case, if the beneficiary is the unincorporated chapter itself, a question may arise, as above shown, whether the gift is legal, for want of a legal person to enforce it as beneficiary.² But if the beneficiary is the corporation, this question does not arise; and the next question is whether the gift is valid because of the rule against perpetuities, by which both legal and equitable, or beneficial future interests are void unless the interest must vest at a time not later than twenty-one years after some life in being at the creation of the interest.³

This question arises in case a person by deed or will gives property—either money or stocks or bonds or land—in trust to pay the income each year forever to an incorporated alumni association or an incorporated fraternity chapter, or for that matter to any other kind of non-charitable corporation. Is the gift invalid because forbidden by this rule?

1 That is assuming that the corporation's charter grants it a perpetual, and not limited franchise. The possibility of a gift to or in trust for a non-charitable corporation which turns out to have a limited franchise suggests questions of considerable legal interest. Suppose the gift is of an absolute interest with gifts for by way of "executive device." Suppose the corporation's franchise is to expire within twenty years? Suppose it has a statutory right to apply for a renewal of its charter?

2 See above, also Gray on Perpetuities, s. 410 a.

3 The time of creation of the interest, if it is given by will, is the date when the testator dies and the will takes effect; if created by deed, the date when the deed is signed and delivered.

This statement of the much discussed and often vaguely understood "rule against perpetuities," or rule restricting the remoteness of the time at which future interests in real and personal estate may be made to vest, is taken from Gray on Perpetuities, s. 201. It is a statement of the rule as it exists at common law. In New York, as to gifts by will or deed either of personal or real estate, and in Michigan, Wisconsin and Minnesota as to gifts of real estate only, a different rule has been adopted under statutes which limit the suspension of absolute ownership or of the power of alienation to a period of "not more than two lives in being at the creation of the estate," subject to certain exceptions. California and a few other States have adopted a rule similar in some respects. These statutory rules have led certain complications in the law of these States. See Gray on Perpetuities, s.s. 735-757. The present article is to be understood as dealing only with questions arising where the common law rule obtains.

The rule against perpetuities has been confused by many legal writers and some courts with the rules affecting restraints on alienation, later referred to; and indeed the distinction is one that is not difficult to overlook.

The rule is not applicable to the same extent in case of a gift to a charity. But a fraternity chapter, though its aims may be partly educational, is not a charity in the legal sense.

It seems clear that this gift is not void under the rule against perpetuities, because it vests immediately. The legal interest vests at once in the trustee and his successors, while the entire beneficial or equitable interest vests at once in the corporation.¹

But there are certain incidental results that follow from giving the absolute beneficial interest in the income perpetually to the corporation. The corporation, being the sole owner of the equitable estate or interest in the fund, has power at any time to assign or mortgage to any person its perpetual right to receive the annual income. Furthermore, being the only person interested in the income of the fund, it has the right at any time it chooses to call upon the trustee to hand over to it the principal.² And the right to receive the income or demand the principal may be attached by any of the corporation's creditors.³ But as long as the corporation does not call for the principal or assign away its right to receive the income, and its creditors do not attach the corporation's interest in the fund, the trustee and his successors may keep on paying the income over to the corporation till the end of time. Or, if the trust is to spend the income in some manner for the benefit of the corporation, the income may be spent in this way forever.

A gift thus made in trust for such a corporation would ordinarily be carried out in accordance with the donor's wishes. It is unlikely that the corporation would demand a conveyance of the principal from the trustee, and not very likely that its interest should be taken by creditors. But possibly the graduate wishing to make a bequest in favor of his chapter may be dissatisfied with this sort of arrangement. Perhaps he will feel that the corporation may sometime in the future demand the principal, and may then use it in a way contrary to his wishes. Perhaps he may say: "Can not you tie this fund up so that it can never be used otherwise than as I provide in my will?"

In such a case the lawyer must advise his client that, except where statutes have changed the rule, the law forbids perpetual restraints on the alienation of property. In many States the corporation laws permitting the formation of corporations for social and fraternal purposes expressly give them power to hold in trust funds received by gifts or bequest to be devoted to the purposes set forth in their charters.⁴ Quite probably such a corporation has power to hold funds upon special trusts in perpetuity, and the common law objection that this creates a perpetual restraint on alienation does not apply. In a few States restraints on alienation to a greater or less extent are expressly permitted by statute.

Apart from these statutory provisions, a temporary restriction may be imposed by giving the property to a trustee in trust to pay the income to the corporation (or expend the income for its benefit) for a period not greater than that permitted by the rule against perpetuities,⁵ and then to terminate the trust by paying over to the

¹ Gray on Perpetuities, s. 322; *Harlow v. Cowdrey* (1872) 109 Mass. 183, Cf. *O'Rourke v. Beard* (1890) 151 Mass. 9, 11, last sentence.

² *Sears v. Choate* (1888) 146 Mass. 395; Gray on Perpetuities, s. s. 236, 412.

³ The question arises whether the corporation's right to demand the principal of the fund, or the right of its creditors to attach or levy execution upon the corporation's equitable interest, can be defeated, either by a provision in the deed or will expressly forbidding voluntary or involuntary alienation of its interest, or by providing that the trustees shall expend the income for the benefit of the corporation instead of paying over the income to it, with or without a further provision for withholding the income in the trustee's discretion.

Probably this cannot be accomplished in a case where the corporation is given an equitable estate in fee-simple or absolute interest. It has been held in various jurisdictions that a restraint on alienation (either voluntary by act of the beneficiary, or involuntary by act of his creditors) can not be imposed upon an absolute interest, whether the restraint is unlimited in time, or is limited to a period within the rule against perpetuities, or within the owner's life, or less than twenty-one years. Compare *Renaud v. Tourangeau* (1867) L. R. 2 P. C. App. 4; *In re Roser* (1884) 26 Ch. D. 801-820-822; *In re Dugdale* (1888) 38 Ch. D. 176, 179; *Mandelbaum v. McDonnell* (1874) 29 Mich. 78, 102, 107, with *Cooper v. Macdonald* (1878) 26 W. R. 377, 379-380; *Gray v. Blanchard* (Mass. 1829) 8 Pick. 284, 289. See Gray on Restraints on Alienation (2d ed. 1895) ss. 42, 47-54.

Perhaps in Massachusetts, and possibly in Illinois, there is some reason for contending that such a provision would be valid, on the strength of cases holding that an adult beneficiary who is given the entire beneficial interest can be prevented from demanding the principal by a provision in the will or deed to the contrary. *Clafin v. Clafin* (1809) 149 Mass. 10, 23; *Kales on Future Interests in Illinois* (1905) ss. 286, 288. See also *Broadway Bank v. Adams* (1882) 133 Mass. 170, 172; *Young v. Snow* (1897) 167 Mass. 287; *Danahy v. Noonan* (1900) 176 Mass. 467.

⁴ For example, Mass. Rev. Laws (1902) c. 125, s. 8.

⁵ If the period is longer than the time permitted by the rule against perpetuities, the gift over will be void, unless made in such a way as to create an immediately vested interest in remainder.

principal of the college, or to some incorporated organization of the general fraternity, or to some person or charitable object, or possibly to the corporation itself.

Under such a trust as this, the corporation can not call for an immediate conveyance of the principal, because it is not the only person beneficially interested.¹ This meets one of the objections above suggested. As to the others, the objections that the corporation can part with its right to receive the income during the period specified, and that its right to the income during this period is liable to be taken by its creditors, the difficulty may perhaps be removed by expressly providing that the right to the income of the fund shall not be subject to alienation by the corporation, and shall not be liable for its debts. It may be advisable to add a provision giving the trustee power in his discretion to withhold from the corporation all or part of the income in any year and apply it to other purposes.

Such a provision, forbidding assignment of the income by the corporation, and preventing the income from being subject to its debts, might perhaps be valid in some States in case the period during which the income is to be paid to the corporation does not exceed the duration of an existing human life.² It would not be valid where the income is to be paid to the corporation forever³ or for a period exceeding that which is stated in the rule against perpetuities. Whether an express restriction of this kind would be valid where the income was to be paid to the corporation for a period exceeding the duration of a human life in being and not exceeding the time stated in the rule against perpetuities is an interesting and difficult question.⁴ But there is no doubt that the final distribution of the fund could be assuredly postponed to the end of a period not greater than that stated in the rule.⁵

In determining the period stated in the rule against perpetuities there are certain points to be borne in mind. The rule is: at a time not more remote than a life or lives in being and the period of twenty-one years thereafter.⁶ This additional period of twenty-one years, though originally intended to provide for the minority of an unborn child, is not necessarily fixed in this way; it may be an arbitrary period of twenty-one years or less.⁷ The "life or lives in being" at the time when the gift takes effect by deed or by the testator's death are not limited to the lives of any particular number of persons,⁸ nor of persons beneficially interested in the trust.⁹ The question has been sometimes discussed whether the lives could be those of a large number of persons who never heard of the testator nor had any interest in the trust: for example, till the death of the last surviving member of the State Legis-

¹ If the final object of the gift is the corporation itself, the question should be considered whether there is such a merger of the equitable "particular estate" and the equitable "estate in remainder" as will give the corporation the right to claim the principal at once.

² See *Nichols v. Eaton* (1875) 91 U. S. 716; *Broadway v. Adams* (1882) 133 Mass. 170; *Gray on Restraints on Alienation* (2d ed. 1895) s. 279, p. 280. The question in legal terms, is whether a restraint on alienation can be imposed on an estate *pur autre vie*. Suppose a gift by deed or will to trustees in trust to pay the income to A and his heirs during the life of B, with a provision that during the continuance of the trust the income shall not be subject to the claims of creditors. Is the restraint valid against creditors against A's heirs who attempt to attach the income after the death of A and during the life of B. Is it valid against creditors of A, at a time when both A and B are living.

³ *Gray on Restraints on Alienation* (2d ed. 1895) pp. 287, 279. See previous notes

⁴ Suppose the gift is in trust to pay the income to A for life, and on A's death to A's children in equal shares until the youngest child reaches twenty-one, when the principal is to be divided among them; with a further provision that till the termination of the trust the income shall not be subject to the claims of creditors of A, or creditors of A's children. In a jurisdiction where such a restraint on alienation is valid during A's life, is it also valid after A's death, against creditors of the children, up to the time when the youngest child reaches the age of twenty-one?

As stated in a previous note, it has been held in several cases (though there is considerable authority to the contrary) that a restraint on alienation attached to an estate in fee-simple is void, although the restraint is limited to a period less than that stated in the rule against perpetuities. Does the same principle apply when the estate or interest to which the restraint is attached must itself terminate within that period? A provision withholding the income from the claims of creditors can not, in most jurisdictions, validly be attached to an estate in fee-simple, but it cannot to an estate for life; the English cases to the contrary are not followed in most States. Can such a provision be attached to an estate or interest, or a series of estates or interests, which will last longer than a human life, but must terminate within the period stated in the rule against perpetuities?

⁵ As to the statutory rules against perpetuities in New York, Michigan, Wisconsin, Minnesota and California, see note above.

⁶ *Gray on Perpetuities*, s. 201.

⁷ *Cadell v. Palmer* (1832) 1 Cl. & F. 372, 420; *Gray on Perpetuities*, ss. 176-178.

⁸ As to the statutory rule in New York, Michigan, Minnesota and Wisconsin, see previous notes. See *Gray on Perpetuities*, ss. 180, 190, 735-752.

⁹ *Thelluson v. Woodford* (1798) 4 Ves. 227, 244, 277-278, 313; *Gray on Perpetuities*, ss. 216-218.

lature sitting at the time of the testator's death. Such a gift would probably be valid. The only restriction is the practical one that the number of lives must not be so great and the persons so hard to find that it will be impracticable to discover the date of the last survivor's death; and this is a practical question depending on actual conditions, and not on supposition as to possibilities contrary to fact.¹

Sometimes a donor desires to have a fund accumulated by adding the income to the principal for a number of years, or until the time for paying over the principal arrives. Long accumulations for private trusts are forbidden by statute in some States, and are regulated or tacitly recognized by statute in others.² In the absence of statute, the period within which accumulation may be continued is the same as that prescribed by the rule against perpetuities for the vesting of future interests.³

To sum up the conclusions previously stated in regard to this highly technical branch of the subject:

I. In most States there is serious reason for doubt whether a gift made by deed or will directly to an unincorporated non-charitable association, such as a fraternity chapter, would be valid. If the gift is made to trustees in trust to pay the income to, or expend the income for, the chapter, and the trustees are willing to perform the trusts, the gift is probably valid, though a possible question may be raised on the ground that there is no legal person capable of enforcing the trust as beneficiary.

II. If the chapter or a chapter house association has been incorporated, the donor may adopt one of several courses. He may (1) give the money or property to the corporation outright; (2) give it to the corporation in trust to apply the income annually for certain specific purposes forever; (3) give the property to the corporation as trustee in trust to pay the income to, or expend it as directed for, the unincorporated chapter; (4) give it to trustees in trust to pay the income to the corporation annually forever; or (5) give it to trustees in trust to pay the income to or expend it for the corporation for a stated period of time, and then pay over the principal to some person or corporation to become its unrestricted property.

Of the above gifts, there is no doubt that (1) is valid. The corporation has the unrestricted use of the principal. Whether (2) is valid depends on whether the purpose is within the purpose stated in the corporation's charter, and if so whether it has power under its charter and the statutes of the State to hold funds in perpetual trust for the purposes of its incorporation. As to (3), this gift raises the same question as would be raised by a gift to individual trustees in trust for the unincorporated chapter. The gift is (4) valid; and this would ordinarily be a satisfactory way to make such a gift, as the corporation and trustee could pretty certainly be depended upon to carry out the donor's wishes. The corporation, however, has the right at any time to call upon the trustees for the principal, which it may then use in any way it sees fit. Its right to the income is assignable, and is subject to the claims of its creditors; in most States, at least, it can not be made otherwise. The validity of the gift in (5) depends on the time at which the principal is to be paid over. The trust in this case can not safely be made to exceed the period stated in the rule against perpetuities. The corporation can not call for the principal. Whether, if the income is payable to the corporation, it can be prevented from assigning its right to the income, and whether creditors can be prevented from reaching its equitable interest, by a declaration by the donor that the right to the income shall not be subject to voluntary or involuntary alienation, or by conditions providing for forfeiture, is a somewhat difficult question.

College fraternity chapters, as has been suggested above, have figured but rarely in litigation up to the present time. Their legal status is likely to be more fully adjudicated in future, as their property interests increase in complexity and importance. The aim of this article has been to call attention to certain kinds of questions likely to arise, and the principles that must govern their solution.

OLCOTT O. PARTRIDGE.

[From *Theta Delta Chi Shield* thru *The Delta of Sigma Nu*.

¹ *Thelluson v. Woodford* (1805) 11 Ves. 112, 134-135-146; *Pownall v. Graham* (1863) 33 Beav. 242; *In re Moore* (1901) 1 Ch. 936; Gray on Perpetuities, ss. 217-219 a.

² See, for example, Mass. Rev. Laws of 1902 c. 11, s. 23 cl. 6.

³ Gray on Perpetuities, s. 671.

❧ The On-ward March ❧

"THE MASK" will be pleased to exchange copies for those of other Greek-letter Fraternities.
Address—EDITOR.

The following exchanges have been received since the last issue:

JUNE.—*The Sigma Kappa Triangle.*

JULY.—*Alpha Phi Quarterly.*

AUGUST.—*Alpha Xi Delta; The Delta of Sigma Nu; The Centaur of Alpha Kappa Kappa.*

SEPTEMBER.—*The Record of Sigma Alpha Epsilon; The Delta Upsilon Quarterly.*

Sigma Kappa instituted her Kappa Chapter at Brown University, Providence, Rhode Island, April 10, 1908.

Delta Delta Delta has established Alpha Upsilon Chapter at Colby College Waterville, Me., May 14, 1908.

Delta Gamma has established Omicron Chapter at Adelphi College.

Phi Beta Kappa has entered the University of Michigan.—*Sigma Kappa Triangle.*

Kappa Alpha Theta established Alpha Lambda Chapter at Washington State University, Seattle, Washington, on Thursday, May 21, 1908.

Delta Delta Delta announces the establishment of Delta Alpha Chapter at De Pauw University, Greencastle, Ind., June 8, 1908.

Alpha Chi Sigma a chemical professional fraternity, installed a chapter at the University of Illinois on May 27, 1908. The members of the "Muffle" were the petitioners.

The Eleventh General Convention of the Legal Fraternity of Phi Delta Phi was held at Iowa City, Iowa, on April 30, and May 1. Thirty-eight of the forty chapters were represented and two new chapters were admitted, namely, Thomas B. Reed Chapter at University Maine, Bangor, Me., and J. Randolph Tucker at Washington and Lee University, at Lexington, Va.—*The Delta of Sigma Nu.*

Pi Mu (medical) has revived its parent chapter at Virginia. It has four other chapters, two in Richmond and two in Louisville.—*The Scroll, Phi Delta Theta.*

Alpha Chi Rho has entered Cornell University, Ithaca, N. Y.—*The Centaur of A. K. K.*

Delta Phi has entered the University of Virginia.

Alpha Chi Rho recently placed a chapter at Washington and Lee.

Sigma Phi Epsilon has installed a chapter at Ohio State and at Arkansas.

Zeta Psi has given up the ghost at Columbia University.

Alpha Gamma Delta have established a chapter at De Pauw.

The Oax Club at the University of Illinois was installed as Kappa Deuteron, charge of Theta Delta Chi on May twenty-ninth. This increases the number of Theta Delta Chi charges to twenty-six. The installation took place in the Oax Club house.

A new local Gamma Delta Epsilon has been organized at Dartmouth. It will petition Alpha Tau Omega.

Phi Beta Pi (Medical) has entered the University of Indiana.

Tau Beta Pi (Engineering) entered Iowa State College during the year.

These sororities have recently installed chapters: Alpha Xi Delta at Minnesota; Alpha Gamma Delta at Minnesota.

The year 1908-09 will witness the death of Kappa Alpha (s), Chi Phi, Chi Psi, Kappa Sigma, Pi Kappa Alpha and Sigma Alpha Epsilon at Wofford unless the restrictions are shortly removed. It is up to the fraternity men in the legislature to make things right.

Theta Delta Chi suspended initiations at Boston University this past year, but is now back in the field.—*The Record of Sigma Alpha Epsilon*.

With the December Triangle a revised directory (pocket edition) of Sigma Kappa members will be issued.

Alpha Tau Omega alumni are planning an annual scholarship of \$500, to be awarded by competition to some member of the fraternity in the graduating class of a college where a chapter exists, or to an alumnus of such a chapter who has received his bachelor's degree not more than one year before the time of his competing for this scholarship. It is the hope of the backers of the scheme that it will "institute closer bonds of association and sympathy between the alumni and the brothers in college."—*Caduceus* of Kappa Sigma, thru *Alpha Phi Quarterly*.

It may be some surprise to the average college man to know that there are eighteen national sororities, and in the neighborhood of two hundred and sixty chapters. Nine of these organizations, Alpha Gamma Delta, Alpha Delta Phi, Alpha Omicron Pi, Alpha Xi Delta, Chi Omega, Alpha Sigma, Sigma Sigma Sigma, and Zeta Tau Alpha, have sprung into existence since 1895. Kappa Delta, Tri-Sigma, Zeta Tau Alpha and Alpha Delta Phi are southern. Of this group of younger sororities Chi Omega has grown most rapidly, having established twenty-four chapters in twelve years, with twenty-one of them now living.—*Delta Chi Quarterly*.

The following is an extract of an article in the *Delta of Sigma Nu*, by Mr. Wm. Raimond Baird, editor of *Beta Theta Pi* and of *Baird's Manual of American College Fraternities*:

A PLAN UPON WHICH 200 HOUSES HAVE BEEN BUILT.
THE PLAN THAT HAS WORKED.

"Now my solution of the problem is not to deal with it as a general fraternity matter except to urge the chapters to house themselves, but to leave the solution of the problem to effort of individual chapters.

Urge each chapter to save, save, save until it has at least \$2,000.00. Urge each chapter to take from each initiate his note for at least \$100, payable in five equal installments beginning two years after he leaves college. Form a stock corporation among the alumni, one corporation for each chapter and sell as much stock as you can at par. Don't promise any profits. There won't be any, but it insures certainty of ownership and provides that the stock shall never pass from the ownership of a Sigma Nu. Then sell bonds possibly among these same alumni and a few others agreeing to pay 6 per cent. interest (if the rate can be made lower so much the better) and agree to secure this by a second mortgage. Now suppose a chapter house has 100 members, alumni and undergraduate—

It will save, say.....	\$2,000.00
It will sell stock, say.....	2,500.00
It will sell bonds, say.....	3,000.00
	\$7,500.00

With this money it can build a \$15,000 house, giving a first mortgage for the other \$7,500. This should be rented to the chapter at a rent sufficient to pay the interest on the mortgage and on the bonds, the taxes and repairs. The contribution of \$100 from each initiate will gradually but surely pay off the bonds and the mortgage. Each man who pays in money should get stock for it.

There is a plan that has worked 200 times within the last five years and is working all right now. It places the ultimate burden of acquiring the house on the men who use it but it secures the present help of the alumni who can help. It is, however, their own affair and is managed in each case by men they know and not by a lot of officers elected at a convention in a distant city by a lot of irresponsible boys.

Let each chapter have its own plan; supervise it if you will, but let it be an individual plan. Practically all of the chapters in New England and the Middle States are obtaining houses on the plan I have outlined. A great danger to a centralized scheme is that it concentrates power over money and that means politics within the fraternity to grasp that power."

The tenth convention of Omega Upsilon Phi, was held in Chicago, June 5 and 6.

Beta Theta Pi held its annual convention at the Cataract International Hotel, Niagara Falls, N. Y., August 4, 5, 6 and 7.

The fourteenth convention of Delta Chi was held at Syracuse University, April 20, 21 and 22.

Alpha Phi held its annual convention at Madison, Wis., June 17, 18 and 19.

Alpha Chi Rho held its annual convention at Philadelphia, February 20-22, 1908.—*The Centaur of A. K. K.*

The twentieth Convention of Alpha Phi met in the Assembly Hall of the Y. M. C. A. building of the University of Wisconsin, Wednesday morning, June 17, 1908, at ten-thirty. Delegates from each active and seven alumnae chapters, with at least a hundred other representatives from various chapters, made up the assembly of interested young women.

During the past year, Delta Upsilon, Alpha Delta Phi and Chi Psi, have held national conventions at University of Minnesota, Minneapolis.

Chi Phi will hold a national convention at Atlanta, Georgia, in November.

"UMATILLA."

M. H. FOSTER, Lambda, '10.

NOTE—"If you will look at the north-east corner of a map of Oregon, U. S. A., you will find the River Umatilla and the City of Pendleton. Four of the Kappa Psi Brothers of Lambda (V. U. M. D.'s) spent their 1907 vacation in the golden west, reaching the Pacific from Los Angeles to Canada.

We spent one night in Pendleton, and arose early the next morning—a beautiful western May morn with snow all over the distant peaks—and went about to see what sort of nature worship might be done in rocky eastern Oregon.

Stopping on the bridge thirty or forty feet above the waters of one of those characteristic western rivers with impenetrable lava rock for a bed, we gazed down into the mad stream below."

On a morning once in May,
To a bridge I chanced to stray,
From which perch I did survey,
Rushing waters there at play,
O! blessed Oregon!
And City Pendleton!
Not with Alden or Priscilla,
But with rushing Umatilla!

'Tis a vision now of joy,
To the tourist and the boy;
Rolling, surging, seething toy,
In fresh Nature's gay employ.
Thrice bles't O! Oregon!
And City Pendleton!
Not because of ocean billow,
But by seething Umatilla!

From your mountains cap'd with snow,
Into old Columbia flow,
Giving cooling draughts of eau
To the fauna as you go.
Thrice bles't O! Oregon!
And City Pendleton!
Rolling o'er your rocky pillow,
Lashing, cooling Umatilla!

At the dam across thy main,
Copious loss thou dost sustain,
Giving life to fruit and grain,
To be reap't by neighboring swain
Thrice bles't O! Oregon!
And City Pendleton!
By your splashing, falling river,
Copious, fluent Umatilla!

From high source to lowest bound,
Make the water wheels go 'round,
Causing plenty to abound
Here in vale and hillside 'round,
O! fruitful Oregon!
And City Pendleton!
Strike your harps beneath the willow
By exaltant Umatilla!

Neptune's subject eons hast striven,
Adamantine rock is riven,
And to me such joy is given
Thy praises full I sing to Heaven
Most happy Oregon!
And City Pendleton!
Ever faithful, idle never,
Matchless, mordant Umatilla!

❖ ❖ Chapter Notes ❖ ❖

For the enlightenment, amusement and instruction of members, and to afford a chronological record of the progress of the various Chapters and members of Kappa Psi Fraternity. Open for contributions to all members. Material for the January number must be sent to the Editor before December 15th, 1908.

ALPHA CHAPTER.

Meets Once a Year.

**Next Meeting under the auspices of Nu Chapter, at Charleston, S. C.,
November 26 and 27, 1908.**

Grand Regent:

GEO. L. HOLSTEIN, P.D.
529 North 8th Street, Lebanon, Pa.

Grand Vice-Regent:

ROBINETTE B. HAYES, M.D.
2535 St. Paul Street, Baltimore, Md.

Legislative Committee.

ROBINETTE B. HAYES, M.D., Chairman.
2535 St. Paul St., Baltimore, Md.
THOMAS J. MERIWETHER, JR., Iota.
JOEL CHANDLER, Kappa.

Grand Secretary and Treasurer:

PRESS ELDRIDGE, JR.
49 Cedar Place, Yonkers, N. Y.

Grand Historian and Editor:

HENRY J. GOECKEL, PHAR.D.
249 Holland Ave., Van Nest, Bronx, N. Y.

Executive Committee.

LE ROY DUCKWORTH, Ph.G., Chairman.
Manhattan Ave. & 106th St., N. Y. City
C. M. REAMES, Lambda.
URIAH V. VERMILLION, Epsilon.

ELECTION OF DELEGATES TO THE CONVENTION.

By the time this letter appears in print, you, the Active members of the Fraternity, will have returned to college and renewed Chapter activity. It is with reference to the Chapters that I am writing at this time.

In a very short time we, the Grand Council, will meet in Annual Convention at Charleston, S. C., under the auspices of Nu Chapter. We would urge the Active members to "make haste slowly" in the matter of electing their Chapter delegates.

Elect a Brother who holds the welfare of the Fraternity above his own personal desires, one who will represent his Chapter and not his own interest. Above all things do not elect a "stick" who, because of ancestry or wealth or social position, thinks he is entitled to such an honor, for honor it certainly is to be a part of any Grand Council. With the honor comes a responsibility.

How few of the delegates ever realize the responsibility of their position. Too many look only upon the pleasure they are going to derive from the entertainment features of the Convention and not upon the solid business sessions where rests the responsibility of the future progress and position the Fraternity shall have in the Collegiate and Fraternal world.

So, finally,—for I don't want to preach a sermon on this matter, altho pages could be written upon the subject of Delegates,—send men who are neither radical nor too conservative, but wide awake, progressive and, in the true sense, Active men.

Conservatism is a term frequently used to excuse indifference. As we have, during the past five years, lost three Active Chapters thru the conflict between radicalism and conservatism, let us banish these from the 1908 Convention.

Fraternally yours,

GEORGE L. HOLSTEIN, P.D.,
Grand Regent.

"CONSTITUTION."

Copies of the "Constitution" of Kappa Psi Fraternity can be secured from the Grand Secretary and Treasurer. Price 50 cents, cloth bound.

GAMMA CHAPTER.

NEW YORK CITY.

CHAS. A. MCBRIDE, REGENT.

310 Mortimer St., Rutherford, N. J.

J. L. HAMILTON, SECRETARY.

144 West 65th St., New York City.

Gamma opened the year with a vigor and rush which was a surprise to the Kappa Psi veterans in and about New York. At our first meeting of the term Bro. Brett, a pledge from last year, was initiated into the mysteries of "The Agora."

We are, indebted, not only to the passive members of Kappa Psi in New York and vicinity, for their active and loyal co-operation and assistance during the first days of the term, but also to our distant passives who, from far off Maine and other States, sent us the names and other data about desirable men who matriculated this year. This proved of great value and gave us an opportunity to work inside of the new class; and at our second meeting we initiated Bros. Davis and Parker, both of Maine, and recommended by Bros. W. A. Lowell and F. W. Rugg, two loyal passives in the "Pine State." Two other recommended pledges are to be initiated on October 30.

The officers for this year who have been elected at the time of writing are Regent, G. A. McBride; Vice-Regent, — Brett; and Secretary, J. L. Hamilton.

Greetings to a successful year, we remain,

GAMMA CHAPTER,

J. L. HAMILTON, Secretary.

Bros. Geo. Morse and J. S. Brewer, both Phar.D., '02, have been appointed instructors in the new College of Pharmacy recently established in Jersey City, N. J.

Bro. J. E. Lamouree, '07, is with G. Todd, Tuxedo, N. Y.

One hundred and fifty juniors and one hundred and seven senior students at our college this year. Bro. A. W. Davis, '07, is now taking the "Food and Drug" course.

Bro. Hiram K. Gaynor is now a partner and the treasurer of the L. B. Schaefer Co., 194-198 Central Ave., Jersey City, N. J., manufacturers of high-grade silks.

We hear that Bro. R. Bliss, Phar.D., '07, became a benedict during the summer. "Dick" is now adjunct in chemistry and pharmacy at the University of Alabama, at University, Ala. The course in pharmacy is new at University, Ala., the Department of Medicine and Pharmacy being at Mobile, Ala. We beg to call the attention of our Iota Brothers that a Gamma man is at the University.

We note that Bro. Edwin J. Banzhof, Phar.D., Past Vice-Regent, is co-editor of "The Fractional Precipitation of Antitoxic Serum" in the Journal of Biological Chemistry; also of the following: "Is the Present Method of Standardizing Diphtheric Serum According to Antitoxic Units Therapeutically Accurate?" "The Relative Therapeutic Value of Antitoxic Globulin Solution and the Whole Serum from Which it is Derived," in the Journal of Infectious Diseases.

For the past five years, Dr. Banzhof has been the Biological Chemist for the Department of Health of N. Y. City at its Research Laboratory. It is gratifying to see that he has attained such a reputable scientific standing. This is an example of what may be done by the younger Brothers of Gamma.

Bro. Wm. J. Mahoney, of Gouverneur, N. Y., is now first assistant chemist in the Bowne Hall of Chemistry, the Chemical Laboratory of Syracuse University. In connection with his work he will study medicine.

DELTA CHAPTER.

Meets Every Second and Fourth Saturday Evenings of Each Month.

416 Fayette St., Baltimore, Md.

A. J. COLE, REGENT.
Med. Dept. Univ. of Md.,
Baltimore, Md.

J. W. ROBERTSON, TREASURER.
Care of University Hospital,
Baltimore, Md.

W. A. GRACIE, SECRETARY.
640 West Lombard St.
Baltimore, Md.

J. E. DOWDY, HISTORIAN.
621 West Lombard St.
Baltimore, Md.

Our Chapter has held two meetings during this month (October). They were very well attended, altho several faces were missed owing to so many of our good Brothers graduating last year. We have on our roll at the time of writing this, eighteen active members, three of whom have been initiated this year. They are Bros. John Bruce Weatherly, '09, Jamestown, N. C.; Maxly Gragg Hoffman, '10, Bunker Hill, W. Va.; and Simons H. Carson, '11, Vineland, N. J.

On Saturday night, the 10th of October, we held a smoker. There were about thirty present including both members and invited guests. Among the guests were Bro. R. B. Hayes, who honored us with a very good talk; Bros. Wm. Coleman, Bay, Richards and Anderson, who also on their turn made very eloquent addresses. Refreshments which consisted of lunches of all sorts, cigars, cigarettes and tonics of different kinds were served during the evening. Every man was presented with a rose as an emblem of brotherly love. The evening was thoroly enjoyed.

Our men were honored with the following class officers: In the Senior class, Bro. J. E. Dowdy, Chairman of the Executive Committee; Bro. Connor, Treasurer; and Bro. McElwee, Historian. In the Junior class Bro. Bloodget was elected Secretary.

The outlook for Kappa Psi this year is very favorable. We hope not only to keep it up to the standard which it has held in the past, but will do all in our power to make this year a record breaker in the history at the University of Maryland.

With best wishes for Kappa Psi, I am, Fraternally yours,
WM. A. GRACIE, Secretary.

EPSILON CHAPTER.

Meets Every Second and Fourth Saturday Evenings.

Brooks Hall, 1206 W. Baltimore St., Baltimore, Md.

URIAH V. VERMILLION, REGENT.
1511 W. Lexington St., Baltimore, Md.

G. F. WHIMS, TREASURER.
1409 W. Lexington St., Baltimore, Md.

H. A. WOOD, SECRETARY.
Maryland Med. College, Baltimore, Md.

R. R. BUNNER, HISTORIAN.
772 W. Lexington St., Baltimore, Md.

It does us good to be back again and see old faces and old friends. Epsilon started this year with nine old members.

We held a meeting on Saturday, October 24, and we are glad to report that three good members were added to the folds of Kappa Psi—Bro. F. S. McNeer of the Sophomore Class, and Bros. F. B. Huffman and A. L. Silcld of the Senior class.

With all our gladness we cannot but miss some of the old members who graduated last year, altho they did very good work since they carried away all the prizes. It is the hope of the present Kappa Psi boys to do likewise this year. They are working with that aim in view.

The outlook for the year is good and we expect to add several good men to the Fraternity this term.

Bros. Kolb and Robertson of the Class of '08 are resident physicians at the Franklin Square Hospital.

Bro. Dillon has located at Red Sulphur Springs, W. Va.

With best wishes for Psi, I am, Fraternally yours,
R. R. BUNNER, Historian.

Bro. Opie W. Swope, formerly of West Virginia, has been in practice for the past two years at Hartman, Colorado. Bro. Swope writes that he is in a small country town surrounded by a very beautiful country, which is thickly populated. He extends his best wishes thru "THE MASK" to his many friends in Kappa Psi, and especially to the boys of Epsilon Chapter. In sending in his subscription this distant Brother writes: "I am inclosing a check for \$1.50, the 50 cents to be used to help along some, and if each member would only send 25 cents extra when renewing, we would be much stronger than we are."

His old room mate, Masley J. Toney, M. D., is fifty miles away in Lasanimas, Colo.

ETA CHAPTER.

Meets Second and Fourth Wednesdays of Each Month.

GRAND FRATERNITY HOUSE, 1414 Arch Street, Philadelphia, Pa.

HUMPHREY M. BEAMAN, REGENT.

1933 Arch St., Phila., Pa.

F. P. VAN INWEGEN, SECRETARY.

823 Windsor Sq., Phila., Pa.

The doors of the Philadelphia College of Pharmacy have once more opened and the familiar sound of pestle and mortar ring out behind those sombre walls.

The corridors have the appearance of a waving throng with students eagerly rushing to and fro, relating their many exciting experiences of a romantic summer.

Kappa Psi men have all returned and are filled with that spirit which brings success. We have twenty-seven men to start with and, to make a long story short, one of the best outlooks for a most successful year in our history.

Bro. Houck has started his special work in the chemical laboratory, and we all wish him success in his strife for the chemical prize in May.

As the Chapter has not had a meeting at the time of writing this letter news is a little scarce.

Fraternally,

ETA CHAPTER,

FRANK P. VAN INWEGEN, Secretary.

IOTA CHAPTER.

Meets Every Saturday at 3 P. M.

ODD FELLOWS HALL, Mobile, Ala.

THOMAS MERIWETHER, JR., REGENT.

Care of Med. Dept., Univ. of Ala.,
Mobile, Ala.

RALPH C. WILLIAMS, SECRETARY.

Care of Med. Dept., Univ. of Ala.,
Mobile, Ala.

HENRY ABERNATHY, TREASURER.

Care of Med. Dept., Univ. of Ala.,
Mobile, Ala.

BALDWIN S. STUTTS, HISTORIAN.

Care of Med. Dept., Univ. of Ala.,
Mobile, Ala.

October again finds us in Mobile. Nearly all of our boys have returned and we are getting down to work. We are twenty in number. Those who have not returned are attending college elsewhere; among them are Bros. J. M. Moss and H. P. Morris.

The prospects for Iota are very bright this year, and we feel sure that this will be a very successful year. All of our boys are very enthusiastic and things are being put forward with much zeal. Material is very plentiful this year; in fact it's the best lot here for some time. You can rest assured that Iota is to the front selecting the best men. We have already taken in six who are well worthy of being Brothers of Kappa Psi.

Our loyal Regent Bro. Thomas Meriwether is now a benedict, having led his fair bride to the hymeneal altar on the seventh of October. We congratulate him.

It was quite hard to begin studying again, but we are at it in real earnest now.

Fraternally yours,

BALDWIN S. STUTTS, Historian.

THE MASK

KAPPA CHAPTER.

Meets Every Saturday Evening.

MACCABEE TEMPLE, 1820½ Fourth Ave., North, Birmingham, Ala.

C. G. ABERY, REGENT.
2117 Ave. H, South, Birmingham, Ala.J. R. CHANDLER, SECRETARY.
2117 Ave. H., South, Birmingham, Ala.J. C. ANTHONY, HISTORIAN AND TREASURER.
1516 Brown-Marx Building, Birmingham, Alabama.

The Birmingham Medical College opened on September 30th with a bright outlook for a good and prosperous year. The personnel of the freshmen and new students is better than ever before.

Kappa has fourteen old members actively at work looking to the good of Kappa Psi.

We have selected, and already initiated, six fine young fellows. They have gone to work to help us build up Kappa Chapter. We anticipate some good work this year and have already started the fireworks.

Ten of our men are in the Senior class, and we hope to carry the "Scarlet and Gray" at the head. This, however, has not been settled. We have a number who are capable of being standard bearers and of carrying Kappa Psi colors loftily over a class of thirty Seniors.

Bro. R. G. McGahey, Past Regent of Lamda Chapter, has decided to study medicine. We are glad to state that he has entered upon his studies at the Birmingham Medical College. Bro. McGahey is a graduate in pharmacy from Vanderbilt University and was the Charter-Regent of Lamda Chapter. He is an enthusiastic Kappa Psi man.

Bro. E. N. Harris was with us two days this month. He states that he is doing nicely in his profession and is striving for good results.

Bro. H. S. Armistead has entered his fourth year at Memphis. We are loath to lose him as he has been with us three years. We felt that we had a claim on him for the fourth year too.

The Alumni Brothers have been loyal and have been meeting with us. We are very grateful for the interest manifested, and trust that they will continue to lend us their presence and aid.

Bros. A. L. Glenn and J. I. Goodwin, pharmacy alumni and Charter members of Kappa Chapter, have shown especial interest in the Chapter this year. They have been present at every meeting.

Bro. Wade A. Martin, Past-Regent, always loyal and enthusiastic, has also been with us. He is married, settled down and practicing at Avondale, Birmingham, Ala.

Birmingham is a dry town now. There are only a few "Wild Cats," and they are blind in one eye and see very poorly out of the other. In fact, they are so blind that they can't keep out of the way of the dog catcher. It looks like by January 1st, 1909, there will not be enuf of these blind animals left to stack a Zoo.

We "played hooky" several times and went to the State Fair which was in Birmingham. There were pretty good races and lots of other attractions.

Wishing all the Chapters prosperity, and extending our good wishes to the Grand Chapter.

Fraternally,
KAPPA CHAPTER,
J. C. ANTHONY, Historian.

RETORT COURTEOUS.

CLERK—Mr. B., I have no clean towels to dust the display cases with.

Mr. B. (Manager)—I haven't any in my pocket, do you want my handkerchief?

CLERK—That won't do. I must have something clean.—H. J. G.

LAMBDA CHAPTER.

Meets Every Saturday at 7.30 P. M.

CHAPTER HOUSE, 2100 West End, Nashville, Tenn.

M. C. McNEELEY, REGENT.

Care of Kappa Psi, 2100 West End,
Nashville, Tenn.

A. D. RAMSEY, TREASURER.

627 Russell St., Nashville, Tenn.

M. H. FOSTER, SECRETARY-HISTORIAN.

Care of Kappa Psi, 2100 West End, Nashville, Tenn.

Good morning fellows, how are ye?

Well, we—those who survived—sallied into the “Athens of the South” with faint reverberations of annual banquets, final hops and fond farewells to “Our Girls” still agitating the Endolymph of the middle ear, but we didn’t loose any time with that when we realized we were only ten in number. We got busy, got the habit and at the present writing we have exactly doubled that number. Bro. Draper, our Past Regent, says if we don’t treble before school is out, he is in favor of making Honoraries of the girls *quantum satis ad XXX*.

We meet every Saturday evening, at 7.30 P. M., in the Lambda Chapter House, No. 2100 West End.

It was largely thru the efforts of Bro. McGahey, Past Regent, that we are now enjoying the comfort of our own hearth-stone, but our other *fratres in urbe* are not of secondary consideration in our love and appreciation, for Bros. Warner, Ramsey, Beall and Todd not only contributed of their own means but also of personal service in getting the house ready for us.

We never have consented to give up “Mc.,” but he just went to Birmingham, anyway, so if you don’t tote fair with him, Kappa, we’ll bid for him again.

Lambdoikia (Lambda house) is on the corner right across the street from the campus where you take the car, if you can get one, after the foot-ball game. We have a two-foot replica of the Fraternity pin suspended by gilded chains just above the entrance and Springaree and brook ferns to either side of the entrance.

In recognition of inestimable service to his Chapter by Bro. R. G. McGahey, Charter Regent of Lambda, we gave him a farewell dance the last Friday evening in September. The girls were unanimous in their commendations of Lambdoikia, so we are going to bring them over for another dance on the seventeenth.

During the summer Lambda’s men disposed themselves as follows:—

Bro. Norton, M.D., '08, began his practice at New Castle, Ala.

Bro. Guinn, M.D., '09, betook himself again to his Mississippi home.

Bro. Foster, M.D., '10, passed temporarily as the country doctor 'way down among the French in the land of Evangeline.

Bro. Butenshon, Ph.M., '08, entered business at home, Anniston, Ala.

Bro. Shoog, Ph.C., '08, has recently been elected business manager for the Baker Drug Co., Arcadia, La.

Bro. King, Ph. C., '08, is at work in Chattanooga.

Bro. “Windy” Morris made us a popcorn call when school opened. We don’t know just exactly what to say about the rest of the family at this writing.

We can’t see a thing ahead but progress and prosperity as soon as we young bloods become accustomed to team work and get used to shouldering the loads so ably borne by those who have gone before. Blessed be their memories forever!

If we are not mistaken in our physical signs normal labor will soon come on down here; and if all goes well, the birth of Kappa Psi baby Xi will be announced later.

M. H. FOSTER, Secretary-Historian.

THE MASK

MU CHAPTER.

BOSTON, MASS.

HENRY BARONE, REGENT.

Care of Mass. College of Pharmacy,
St. Botolph & Garrison Sts., Boston, Mass.

JOHN J. MURPHY, SECRETARY.

Care of Burder's Pharmacy,
308 Hanover St., Boston, Mass.

With a contagious spirit of good fellowship and fraternal enthusiasm, Mu Chapter launched itself upon the student body of the Massachusetts College of Pharmacy this year, with the set determination of anchoring Kappa Psi in Boston for all times. Altho we have lost the title of "Baby Chapter," we feel that Mu is still in its childhood.

Accordingly, with the full bloodedness of children, who have inhaled the invigorating salt air of Boston, we are on the scout path, hunting the promising material.

The close of 1908-'09 term will see Mu Chapter so firmly established that it will rank with the leaders in Kappa Psi. As it is Mu stands ready to take all the vim and strength of the new class and to get any real live seniors who may still be left.

At our first annual banquet, Mu presented itself before the faculty and local rivals by the declaration of its motto: "For the Student Body and the College." We feel that there is yet much to do and we are ready to do it.

While our friends, the enemy, are loud in their protestation of love for the members of the junior class, Mu men are silently working for the good of the cause and feel assured that the cream of the class will be ours.

Starting the initiating stunts with a senior and a junior as neophytes, Mu made things hum right at the beginning and added Brothers Herman Hensman, a junior, from South Boston, and Arthur Winfield Scott, a senior, from East Boston.

An enthusiastic meeting for the election of officers was called by Regent Sperry, and after a little spirited balloting the following were elected: Regent, Henry Barone; Vice-Regent, Walter G. Doherty; Treasurer, Frederick Breen; and Secretary, John J. Murphy.

On suggestion of Past Regent Wm. H. Doherty, who lately proved himself a hero at a severe fire in an orphan asylum in South Boston, the Secretary adds that the Chapter has declared itself strongly for "Bill," for President.

As my supply of hot air has run out, I will sign,

Fraternally yours,

JOHN J. MURPHY, Secretary.

NU CHAPTER.

Meets Every Wednesday Evening.

CHAPTER ROOM, ROPER HOSPITAL, Queen Street, Charleston, S. C.

W. G. THOMAS, REGENT.

16 Montague St., Charleston, S. C.

T. J. EARL, SEC. AND TREAS.

43 South Bat, Charleston, S. C.

JAMES LAND, JR., HISTORIAN.

Y. M. C. A., 208-210 King St., Charleston, S. C.

Nu met for the first time this term on Wednesday evening, October 7th. We had a very enthusiastic meeting. All of the old members were present except a few who had not arrived. We have fourteen members in Chapter at present, and all are hard and enthusiastic Kappa Psi workers. Each one will do everything he can to benefit the "Baby" Chapter.

Bro. L. J. Fouche, formerly of Eta Chapter, is with us this term studying medicine. He is a fine addition to our Chapter, as he will be able to tell us how the larger Chapters are run.

Bro. R. M. Ogilvie, Past Secretary and Treasurer, is back taking a post-graduate course.

The arrangements for the Convention are moving along rapidly, and we hope to make the Grand Council feel proud of the "Baby."

The headquarters for the delegates will be the Argyle Hotel, corner of Hasel and Meeting Streets. This is the most convenient hotel in the city and runs on the European plan. Prices are \$1.00 a day up. The sessions of the Council will be held in our Chapter Hall.

All the boys are looking forward to the coming of our Brothers in November. There will be a good time awaiting those who are lucky enough to get down this far in the "Sunny South."

"Old Bill" Baily wears a long face now. He read a notice that crap-shooters would be dealt with according to the Law.

A few of the boys have been singing "The Girl I Left Behind." We feel sorry for those love-sick fellows.

"Sally" says he is going to join the Philharmonic Society this season. He can certainly howl, "Please Go 'Way and Let Me Sleep," to perfection.

Bros. Earle and "Little Eddy" Law are sporting high this year, living on South Battery.

Bro. Hodges must be either married or in the penitentiary, as nobody has heard from him this summer.

We want another baby to come from somewhere. We don't want to be it at two sessions of the Grand Council. We are getting too old now. What are the prospects?

Fraternally,

JAMES LAND, JR., Historian.

❖ ❖ Alumni Chapters ❖ ❖

PHILADELPHIA CHAPTER.

G. COVELL DAVY, P.D., REGENT.
Coatesville, Pa.
FRANKLIN W. EARL, P.D., SECRETARY.
848 N. 63d St., Philadelphia, Pa.

DEAN B. CRAWFORD, P.D., VICE-REGENT.
5217 Walnut St., Philadelphia, Pa.
FRED. B. KELTY, P.D., TREASURER.
1037 Gerard Ave., Philadelphia, Pa.

The Philadelphia Chapter members have been resting up all summer and we are now ready for some good hard work this fall.

The Philadelphia College of Pharmacy has opened and we want the active men in Eta Chapter to feel that they can call on us at any time. We will be glad to do all we can to help them.

Our first meeting for this fall will be held on the last Wednesday of October, after the meeting of Eta Chapter.

The time is rapidly approaching for the Charleston Convention. We anticipate holding a dance soon, so we will have to get down to work.

Another of our members has fallen cupid's victim. Bro. W. W. Foster, Jr. (Ex-Eta), married Miss Ella T. Snyder, of Merchantville, N. J., on Wednesday evening, October 21, 1908. Those of us who have been so fortunate as to meet Miss Snyder are unanimous in pronouncing her charming, and the Philadelphia Alumni Chapter heartily congratulate both her and Bro. Foster. May all their days be happy ones. After the honeymoon they will reside in West Chester, Pa., where Bro. Foster is manager for the W. A. Pierce Pharmacy.

Bros. F. W. Earl and F. B. Kelty have returned from their vacation. They visited Boston and other places and say that "Down East" is certainly fine.

Bro. Jessup has opened a pharmacy in Lansdowne, Pa. None of his friends doubt his success, which he well deserves.

G. COVELL DAVY, P.D., Regent.

NEW YORK CHAPTER.

PASCHAL M. EVERTS, PH.G., REGENT.
2339 Broadway, N. Y. City.
J. FRANCIS BURT, PH.G., SEC.-TREAS.
144 Railroad Ave., White Plains, N. Y.

HASSOW VON WEDEL, PH.D., VICE-REG.
Livingston St., Dobbs Ferry, N. Y.
HENRY J. GOECKEL, PHAR.D., HISTORIAN.
249 Holland Ave., Van Nest, Bronx, N. Y.

New York Chapter started the term by going out in force to review the incoming classes which are now being work up into good Kappa Psi material. On the opening day, Bros. Eldridge, Alt, Lozier, Gaul, Reuter, McBride and Goeckel were on duty. To our joy Bro. Becker, an old Kappa Psi, was among the new class men, and with the true spirit appointed himself a committee of one to look over his classmates. The second day Bro. Fetterly, from Somerville, New Jersey, and F. W. Rugg, P. G. V. R., from Portland, Me., being in town went with the writer to see what was doing, and on the third day of school, Bro. L. R. Duckworth and P. E. Neilson took a day off and went and did likewise. Surely no one will say that the passive men of Gamma and the N. Y. members are dead.

On reviewing the assembled forces of Gamma, we found eight back in school, and with the addition Mr. Brett, a pledge from last term, in all 9 strong.

New York Chapter held its first meeting in conjunction with Gamma. We voted to give an informal meeting to Gamma, and invited members of the classes. The writer was unable to be present, but received a concise report of the affair as follows from Bro. E. A. Dupin, Phar.D., who is now in his third year at N. Y. College of Physicians and Surgeons:

"The 'Smoker' on the evening of October 13th, at Colonial Hall, was a success. There were about fifteen non-frat. men present, most of whom looked to be good material.

Among the passive members present were Bros. Press Eldridge, Le Roy Duckworth, H. von Wedel, Willard J. Ferrier, Harry Champlin, who is now in his second year at Bellevue Medical School, Paul E. Neilson, and E. A. Dupin.

Pipes and tobacco were passed around and refreshments both liquid and substantial were served during the evening. There was music, a general good time and an excellent Kappa Psi spirit."

Fraternally,

H. J. GOECKEL, Historian.

Bro. "Hank" Smith, Ex-Eta from Elmira, N. Y., and his wife spent a few days in New York the latter part of October.

BALTIMORE CHAPTER.

R. B. HAYES, M.D., REGENT.
2535 St. Paul St., Baltimore, Md.
JAS. A. BLACK, PHAR.D., SECRETARY.
Charles and Franklin Sts., Baltimore, Md.

J. DAWSON REEDER, M.D., VICE-REGENT.
639 N. Fulton Ave., Baltimore, Md.
JAS. H. BAKER, M.D., D.D.S., TREASURER.
1235 W. Baltimore St., Baltimore, Md.

I am sorry that I have no "notes" of Baltimore Alumni Chapter. We have had no meeting since the last issue of "THE MASK."

Fraternally,

R. B. HAYES, M.D., Regent.

Bro. J. S. Bowen, M.D., Past Grand Regent, has been very ill with pneumonia, ut is now convalescing.

Bro. R. B. Hayes, M.D., our Grand Vice-Regent, is kept busy these days. Besides attending to his practice he is on the clinical staff of the University Hospital and lectures to the nurses on materia medica. He also demonstrates in the clinical laboratory of the University, to say nothing of his work as chairman of our Legislative Committee.

Bro. J. Dawson Reeder, M.D., Past Grand Sec'y and Treas. will spend the winter in New York taking up special work in surgery.

"THE MASK"

(MEDICO-PHARMACEUTICAL.)

Official Publication of the Kappa Psi Fraternity.

\$1.00 A YEAR. Payable in Advance.

H. J. GOECKEL, Editor, 249 Holland Avenue, Van Nest, Bronx, N. Y.

RESERVED SPACES.—Members unable to secure advertisements for "THE MASK" can aid by having a space (1-16 of a page) reserved for \$2.00. The following Brothers have already done so. Who will be the next? Remit to the Editor.

Compliments of

R. B. Hayes, M.D.

Baltimore, Md.

Ex-Delta.

Compliments of

M. I. Samuel, M.D.

Wilmington, Del.

Ex-Delta.

Compliments of

P. M. Everts, Ph.G.

New York City.

Ex-Gamma, N. Y. Al.

Compliments of

Philip and Philip

Fruitvale, Cal.

Ex-Gamma.

Compliments of

Willard J. Ferrier, Ph.G.

Tompkinville, S. I., N. Y.

Ex-Gamma, N. Y. Al.

Compliments of

Raymond N. Graeff, P.D.

Lebanon, Pa.

Ex-Eta.

Compliments of

L. M. Kaufman, Ph.G.

New York City.

Ex-Gamma.

Compliments of

Geo. L. Holstein, P.D.

Lebanon, Pa.

Ex-Eta.

Compliments of

M. L. Tisdale, M.D.

Tusculoosa, Ala.

Ex-Iota.

Compliments of

Hassow von Wedel, Phar.D.

Dobbs Ferry, N. Y.

Ex-Gamma, N. Y. Al.

Compliments of

Le Roy Duckworth, Ph.G.

New York City.

Ex-Gamma, N. Y. Al.

Compliments of

Edward F. Shaefer, P.D.

Blairsville, Tenn.

Ex-Eta.

Compliments of

F. H. Harmening, P.D.

New Haven, Pa.

Ex-Eta.

Compliments of

Sherwood Dix, M.D.

Chattaroy, Mingo County, W. Va.

Ex-Epsilon.