Lancaster Intelligencer.

WEDNESDAY EVENING, OCT. 6, 1880.

Grant on Hancock.

Grant is being so thrown into the forepart of the Republican battle as to afford color to the suspicion that after the Indiana election he will take Garfield's place as the candidate. After a conspicuous silence in the campaign and after he had lately expressed great confidence in the reconstructed state of Southern feeling, suddenly Grant faces about, takes the stump and raises the bloody shirt. And now we are supplied in addition with a dish of personal abuse of Hancock which a political divine named Fowler is made the medium of serving up to the public. He seems to have done the job bunglingly, because his report of his interview with Grant at his home in Galena a couple of weeks ago is scarcely out before Grant hastens to say that it is full of mistakes. Its tenor manifestly, however, was in depreciation of Hancock who he declares was "a very fair corps commander, but was never thought of for any great place." Grant furthermore pronounces that Hancock was a good soldier up to 1864, when he became "crazy to be president" through the vote he got then in the Democratic national convention. "He is ambitious, vain and weak," says Grant; who then went on to give Fowler the inside history of Hancock's order No. 40, which Fowler gives us, but Grant now says "he did not get hold of the points" correctly. In which we sympathize with Fowler, because the point of Grant's story is hard to see. It should be referred back to its author for revision. It seems to be an insinuation that President Johnson and General Hancock were engaged in an effort to reappoint a governor whom Sheridan had removed, the aim being to swindle the state out of four millions of levee bonds; Reverdy Johnson being paid a quarter of a million to help along the swindle, which Grant's obstinate virtue alone stopped. Now, surely, in view of Grant's frequently exhibited easy virtue towards like jobs, and the established reputation of Andrew Johnson for stern opposition to them—to say nothing of the fair character of Reverdy Johnson and General Hancok for honesty—this will be a very tough tale for the people to swallow, and they will hardly do it on the present inducement.

And then is it not a conspicuous case of the pot calling the kettle black for Grant to charge that Hancock is "crazy to be president?" A more conspicuous instance of craziness in that direction has never been presented that Grant himself has shown in seeking a third term, alone of the presidents, and against a protest of the people that was strong enough to overthrow him in the house of his friends. He may well be said to be crazy to be president. To Hancock, as to every other citizen of the country but Grant, the presidency may be an honorable object of ambition. Grant alone is dishonored in seeking it; and yet he dares to upbraid another for desiring it. Audacity could no farther go. It surely does not lie in Grant's mouth to charge upon Hancock ambition as a crime; or vanity as an offense; or weakness, in the sense of partisanship, as unfitting him for the presidency. Of vanity, ambition and that sort of weakness, Grant himself is a shining example. What would he not do for his party? When did he ever fail it? It is this which made him strong with it. He was acceptable to its leaders, as its earnest and servile tool. His independence never was a stumbling block to them. No man could have been a blinder or more unscrupulous party servant.

That Business Men's Meeting.

Our Republican fellow citizens who thought it would be such an effective idea to get up an organization of the business men, to march in the Garfield parade and to preach in the Garfield crusade, have our sympathy in the failure of the idea to pan out according to expectation. It is like a great many plausible looking ideas that don't work well when they get down to practice. If every good idea on the surface proved to be good at the kernel this world would be too delicious a place to live in entirely, and would be no longer only a fleeting show for man's delusion given, full of disappointment and misery, and but a penetential place of discipline for a happy hereafter. That is what was the matter with Chairman Cessna's nice canal boat and amiable mules. The idea undoubtedly looked well on one side; but it didn't stand continued inspection, seeing that a canal boat is a slow sort of a thing for a live campaign and terribly out of fashion anyway. Away back in the log cabin days it might have worked, joined on to the hard cider enthusiasm. And this, by the way, would have been a good year to load up the canal boat with that seductive beverage; apples being so plenty. If Chairman John had not been too good a temperance man to think of it he might even have floated his canal boat in cider. But probably even that would not have saved it. There are some things that saltpetre won't save; and they look promising too, and you can hardly tell what is the matter with them; but they do go off in the most surprisingly sudden way and in the bloom of their youth; there they lie, pretty to look upon, but ashes to the lips, like a Dead Sea apple.

That was the case with that "business men's" meeting. The forty "business men" who assembled together did not seem to have the "hang" of their idea quite at their finger ends. Prof. Wickersham, who is not a conspicuous business man, seemed to be most fully impressed with the business idea of presenting Garfield as the business men's candidate; while our tall friend Peters was intent upon getting the business men to walk in martial style with heads up in the torchlight procession, headed by a band of music and jingling their cash at every step; and to aid the crushing demonstration, an enthusiastic business man who has a store in a stable on an alley moved that they turn out in black clothes and tall silk hats. The company quivered at the suggestion, and when Clothier Myers dilated upon the business idea that all this business men's glory would call upon business men's cash, they silently stole away; and Brother Wickersham had to scratch around for his committees among business men who were not there.

It was notable of this business men's meeting that the business men were absent, and that the few in attendance were stalwart Republican politicians. The meeting might have been styled "the Hog Ring meeting" or the "Bull Ring meeting," with more justice, because there were more representatives of these rings present than of the business ring. And thus was proved the fallacy of this business idea; and that is why it came to grief so soon and died in its young bloom. Pledging the business men to Garfield was an excellent idea; but it was desperately spoiled by the average style of the business men who were turned up to support it. Its beauty could not have been damaged worse by the confluent smallpox.

THE *Examiner* is hard pressed for campaign matter when it consents to publish about so excellent a citizen as Mr. J. B. Shelly, of Mount Joy, the story which it prints in its yesterday's issue. It seems to be a lie out of the whole cloth, and must have been known to be false, on its face, by anyone acquainted with Mr. Shelly.

But what can be expected of a paper which re-publishes that rebel flag from the Hot Springs, Arkansas, paper, in which it appeared unintentionally, after the editor of the paper has so explained, without giving that explanation to its readers, but on the contrary explicitly declaring that such explanation had not been offered. The *Examiner* lives on lies, and its party will die of a surfeit of them.

THE sensible communication from "A Hancock Republican Soldier" which we print to-day contains suggestions that will commend themselves to fair-thinking people of whatever political faith. He points out the hollowness of the Republican outcry against the solid South, when that portion of the country is manfully supporting the brave general who successfully fought to suppress their rebellion, and he queries how there can be a bar erected between the two great portions of a common country on political matters, while there exists a community of interest in business, material, religious and social relations. The inquiry is an apt one, and the answer will be rendered in no uncertain tones; for the country, like our correspondent, is tired of sectionalism in politics, and will signify the desire for reunion in the election of General Hancock next month.

THE awkward squad of so-called "business men" who are frantically but vainly attempting to get up a scare and induce business men to fear that their pecuniary interests will suffer if Hancock is elected, seem to forget the fact that in the summer of 1863, when they were trembling in their boots and packing up their valuables and shipping them to Reading, Philadelphia and other places of safety, Hancock and his legions were fighting and bleeding at Gettysburg to save these business men from the wrath of Longstreet and Mosby and Key and Ackerman, who are now the recipients of fat offices at the hands of a fraudulent Republican administration.

PERSONAL.

Senator WALLACE spoke to an immense meeting in Williamsburg last evening.

Rev. Dr. A. A. WILLITS resigned yesterday the pastorate of the West Arch Street Presbyterian Church of Philadelphia.

EMMA ABBOTT told a reporter that she is one of the strongest and healthiest women ever born and never has any pain from her head to her toes.

Mr. WINANS, the former Baltimore millionaire, who now lives in England, had taken an immense deer forest in Scotland, and devotes himself to deer driving. Sometime he and sons butcher thirty beasts a day.

The report that WM. P. FUREY, esq., had resigned the editorship of the Altoona *Sun* was incorrect. Owing to ill health and at his own request the directors of the *Sun* publishing company gave Mr. F. a month's respite from journalistic labors which, his friends will be glad to hear, has been improved to his great physical relief and rapid improvement.

Yesterday was the last day upon which ISAAC P. CHRISTIANCY, minister to Peru, could have filed an answer to his wife's cross bill for a divorce, but he failed to do so. It is asserted that an answer prepared by Mr. Christiancy in South America is in the hands of his lawyers, "but is of such a nature that the latter refused to file it."

The Presbytery of Philadelphia Central, at its afternoon session yesterday, adopted the committee's report upon Prof. WALTER Q. SCOTT lately of Wooster university, which declared its judgment, after a careful examination, to be that his character as a Presbyterian minister is not impaired and his doctrinal soundness is not to be impugned.

In its notice of the handsome wood carvings on exhibition at the Cincinnati exposition, the *Commercial* of that city says: "A musical cabinet by Miss SALLIE EHRMAN, of black walnut, is a study, full of interest and beauty. The upper portion is enclosed for volumes, the lower is devoted to open shelves for sheet music. Each of the panels composing the door and ends of the cabinet is devoted to the memory of some master. The names of Bach, Beethoven, Mozart, Wagner, Haydn, Handel, &c., are carved on scrolls, and the background is composed of flowers or foliage that are emblematic of the great master, his music or his nationality. The upper back panel, and perhaps the most noticeable, is dedicated to St. Cecelia, with a charming background of wild roses, that are cut, with about half of an inch only of relief, yet with a freedom that leads one to think they are as natural and redolent as veritable leaves and blossoms."

The Tammany and Irving hall committees met yesterday to settle the question of the New York mayoralty, and after a most harmonious conference determined to defer the settlement until after the Indiana and Ohio elections.

NORTH AND SOUTH.

Considerations for Intelligent People.

For the INTELLIGENCER.

I am a veteran soldier and fought for three years against the Confederates when many of the loudest-mouthed politicians who are denouncing Hancock were skulking at home. I am disgusted with the conduct of some of my late fellow Republicans who are trying to keep alive sectionalism, and who are forever denouncing the South whose worst fault now seems to be that it is solid for the election to the presidency of one of the bravest generals who fought against it. When I saw the alacrity and hearty good will with which the South rushed to his support I made up my mind to give my vote to the cause of reconciliation and reform. The longer the campaign has continued and the more thoroughly the Republican policy has developed, the more fixed I have become in this opinion. To listen to the speeches, the newspaper arguments and the curbstone chatter of our Garfield Republican friends, one would think that people of the North have no kinship, nor interest, nor community of feeling with the South. I have observed from the *Reformed Church Messenger* that the Potomac synod of that church is to meet in Woodstock in the Shenandoah Valley. So there must be some persons down there engaged in the Christian work of this denomination. And there are Catholics and Methodists and Baptists and Presbyterians and all other denominations. If the people of those states are fit to dwell with us in Christian fellowship and brotherhood and to partake of our religious communion, why not to participate with us in political association? There are good Free-Masons in the South, and Odd Fellows, and American Mechanics, and Knights of Pythias, and members of many societies which have branches North! How can we consistently recognize so many of the people of the South as brothers in the Lord and in these fraternal associations; how can we deal, buy and sell and trade with them, and yet presume in political affairs to exclude them from the consideration which we claim for ourselves? There is neither Christianity, common sense nor patriotism in the Republican argument. No more of it for

A HANCOCK REPUBLICAN SOLDIER.

MINOR TOPICS.

ARKANSAS registers about 4.000 majority against the state repudiation amendments of the constitution.

IN sentencing Jersey Blue for six months in jail for elopement, the judge said that he was sorry that the law would not permit him to impose a heavier penalty.

THE *Reformed Church Messenger* was glad to see in the Pan-Presbyterian alliance that Dr. McCook and his committee on decorations placed a banner on the walls of Horticultural hall, in honor of St. Patrick.

THE Lancaster *Examiner*, which promised to have something to say about the disbarment case after the supreme court got through with it, has nothing to say except to doubt that the opinion was telegraphed to the INTELLIGENCER and *New Era* on Monday. Nevertheless every word of it was sent aver the wires of the W. U. telegraph as it can ascertain by inquiring of Manager D. H. Potts.

GEN. GEO. WASHINGTON STEWART, of Spruce Creek, Huntingdon county, is the Democratic father and leader of a whole Democratic drum corps. He has five boys and while he blows the fife, each of the younger Stewarts, running from Alexander the Great down to George B. McClellan, beats the drum. The half-dozen Stewarts constitute an organized drum corps which is a feature of Democratic parades in Huntingdon county.

THE ELECTIONS.

Democratic Victory in Delaware.

The "little election" for assessors and inspectors in Delaware favored the Democrats in Wilmington yesterday and they paraded the streets and made as much noise as the Republicans did in September. The total city vote on assessors foots up: Democratic, 2,880; Republican, 2,862; Democratic majority, 18. On the inspectors' ticket the Republicans have a majority of 114. The discrepancy is chiefly attributable to some cutting of the Republican assessor candidate in the Seventh ward. The election passed off quietly, with the exception of a lively fight between whites and blacks in the Ninth ward, in which several heads were cut. Returns from a majority of the hundreds indicate a Democratic majority of 200 in New Castle county, 500 in Kent and 250 in Sussex, about a thousand in the State.

Gain for the Democrats in Connecticut.

Of 145 towns heard from 75 have been carried by the Republicans, 55 by the Democrats and 5 are evenly divided. There are but few changes from last year. The Democrats claim a gain in the aggregate. Local issues predominated in most of the towns and the result has little political significance. New Haven and Bridgeport held no election. In Stratford Wm. Stankard, Republican, was arrested for buying votes and held in $1,000 bail on two counts.

STATE ITEMS.

The epizooty has appeared in Wilkesbarre.

Mrs. Letitia Lawton, aged 101 years, died on the 2d inst., in Philadelphia. Mrs. Lawson was born in Donegal, Ireland.

The Democratic campaign committee of Philadelphia have appointed a committee to inquire into the facts relating to the late district attorney's convention.

Hon. F. P. Dewees, of Pennsylvania, has written a letter to the chairman of the National Greenback Labor party of Pennsylvania, withdrawing from the canvass as the nominee of that party for judge of the supreme court of Pennsylvania.

Near Pittston, James Loughery, eighteen years old, was on his way home from a hunting excursion with a companion named Pat Clipper, when the latter's gun caught in the branches of a tree and was discharged, the contents lodging in Loughery's brain, causing death in a few minutes afterwards.

Three Children Burned to Death.

A most heart rending accident occurred in Loville, a suburb of Jacksonville, Fla. About two o'clock Mrs. William Clarke had just finished the family meal and two of her children had taken seats at the table, while a third stood by her, near a gasoline stove, the reservoir to which she was about to fill. From some explained cause the vessel of gasoline which Mrs. Clarke held became ignited and a fearful explosion occurred, filling the room instantly with a volume of intense flame. Mrs. Clarke and her three children were burned in a most terrible manner. The three children have died and there is little hope of the recovery of the mother.

BENCH, BAR AND PRESS.

Opinions of the Newspapers of the Country.

They Prefer Judge Sharswoods Law to Judge Patterson's.

N. Y. Herald.

The latest attempt at muzzling the press has ended as disastrously as all the others. Two editors, who were also lawyers, having expressed in their journal some opinions upon the conduct of a Pennsylvania court, were disbarred by the presiding justice; yesterday the chief justice of the state vacated the order.

Unquestionably Right

Philadelphia Evening Bulletin.

The decision, which is in accord with one made by the late Chief Justice Gibson in a case exactly similar many years ago, is unquestionably right, and the repetition will be a warning to all self-sufficient and tyrannical judges of lower courts that may presume to degrade a professional man who may have criticised him in the journals or in any other public manner.

Sat Down Upon.

Pittsburgh Post.

Judge Patterson of Lancaster will scarcely meddle with the Democratic editors of the Lancaster INTELLIGENCER in the time to come. The supreme court sat down upon him in a more emphatic manner than is customary with that distinguished body.

What it Established.

Pittsburgh Times.

According to the decision of the supreme court, as stated in Judge Sharswood's opinion, a lawyer who is also a journalist is not precluded from criticising the official conduct of a judge. And even should the lawyer's criticism amount to a gross libel, the judge may not at his discretion strike the legal libeler's name from the list of attorneys. No doubt, in such a case, the judge has his remedy like any other citizen, and may appeal to the courts for redress.

No Muzzling the Press.

Pittsburgh Leader.

The decision of the supreme court in the Steinman-Hensel case yesterday is founded on common sense as well as law. To say that because an editor happens to be a lawyer he cannot cricise the actions of the court in his paper without making himself liable to expulsion from the bar seems absurd. In the smaller cities and towns very many of the newspaper publishers are also practitioners at the bar, and could they be dealt with as the proprietors of the Lancaster INTELLIGENCER have been dealt with at the hands of the judge of the courts of their county it would virtually amount to the muzzling of a large portion of the press so far as any criticisms of the judiciary is concerned. A newspaper is responsible for its publications, and the supreme court has wisely decided that that is sufficient protection to any man who feels himself to have suffered from any publication, without going outside to injure the publisher in any private or professional business in which he may be engaged.

A Judgment to Elicit Applause.

Easton Express.

The decision of the supreme court, in reinstating to the list of the members of the bar, Messrs. Steinman and Hensel, of the Lancaster INTELLIGENCER, who had been disbarred by Judge Patterson, will receive the applause of the press and bar of the state, and all fair-minded men.

Reasonable, Just and Liberal.

Reading Eagle.

The decision of Judge Patterson was like the edict of a cruel king, while the opinion of the supreme court is reasonable, just and liberal law.

The Star Chamber Abolished.

Columbia Herald.

Judge Patterson has been reversed in the Steinman-Hensel case, and the result will probably be that we will nevermore have a star chamber proceeding in Lancaster county, especially regarding lawyer-editors.

It was Expected.

York Daily.

The decision is as was universally expected, excepting in one respect, that is: The irate judge should in some way, have been made to pay the costs. We can see no reason why a judge on the bench, making a false accusation or a damaging ruling, should not be as liable to pay costs as any other man, under similar circumstances. In such a case a judge is no better than a mule driver; and in this case he should have been made to pay the costs and not saddle them upon the tax-payers. We have yet to see the first respectable journal in this or any other state, that has not heartily condemed the arbitrary action of Judge Patterson in the case referred to, and it is a pity that innocent people are compelled to pay for his misdoings.

A Terrified Pardon Board Organ.

Harrisburg Telegraph.

The decision is that a judge feeling himself libeled by a newspaper publication must seek the same remedy as a district attorney, a legislator, or a man in any public station—the remedy by indictment for criminal libel or by suit for damages. A judge cannot of his own motion cite an attorney who is also an editor into court and disbar him for a libelous publication on the court. This is the pith of the decision, and, however much it may seem at variance with received opinion, must be accepted as the law of the state. Its only effect may be to restore Messrs. Steinman and Hensel to the list of attorneys; but there is danger it may result in licensing unprincipled newspapers to attack our courts whenever judicial opinion, however well based in law, is contrary to the opinion of great masses of our people.

Now for the District Attorney.

Lancaster New Era.

If this be the duty of the lawyer in regard to bringing to the notice of the people who elect the judges every intance of what he believes affects their capacity or integrity, for the reason that he has better opportunities for observing and forming a correct judgment of their fitness for the position, is it not equally his duty to do so in regard to that other office which in the administration of public justice is second only to the office of judge? We, of course, refer to the office of district attorney. And we need go no further for an illustration to enforce our meaning than the origin of the very case which called forth the opinion from which we quote. The court of Lancaster county, which ought to be above suspicion of assuming "a position too monstrous to be entertained for a moment," is to-day humiliated and suffering reproach, simply because public justice was prostituted in its honorable presence by a district attorney with his assistant, ignoring their obligations to the court and the commonwealth, through their zeal to serve "the best political workers of a ward."

Right and Proper.

Philadelphia Evening News.

The decision takes strong ground in favor of the right of lawyers to criticise judges where they exceed their powers, and fully rebukes the autocratic pretensions of Judge Patterson. It is right and proper, and will exert good moral influence.

Snap Judgment Reversed.

Philadelphia Evening Chronicle.

The opinion is such a one as might be expected from that eminent jurist, Chief Justice Sharswood. The opinion as reported to-day gives sufficient reasons, which reasons rest solely on the law, why Judge Patterson's action in disbarring the lawyers for what they did as editors was hasty, ill-advised and contrary to the laws of Pennsylvania.

Judge Patterson had his remedy for libel, but that was not to his mind. He was determined to take a snap judgment on the lawyers, in a court where he could be prosecuting attorney, witness, judge and jury, and where he could make effective for a time the sentence which before the mock hearing he had determined to impose. This hot-headed prostitutor of a sacred office has had his short-lived satisfaction. Now the disbarred attorneys have the sweet revenge which the law awards them. They are restored to the rolls, and to-morrow, if they please, may appear professionally at the bar of the Lancaster county court, in spite of Judge Patterson. If this be not revenge enough an action for damages will lie against Patterson and if there shall be honesty enough at Harrisburg when the Legislature meets again Patterson might even find himself interested in impeachment proceedings, for which the ruling of the supreme court would make an excellent foundation.

Whatever these gentlemen may do or decline to do it is settled by the highest judicial authority in the state that a lawyer is not to suffer in his office of attorney—which is his property—for what he does as editor; and that an offending lawyer cannot be deprived of his office of attorney "unless by the judgment of his peers or the law of the land—this last phrase meaning, as we have been taught by Lord Coke, 'due process of law.'"

Our townsmen Colonel McClure and Rufus E. Shapley, esq., are to be congratulated upon the effectiveness of their learned and eloquent appeals in a case which is already celebrated and which will occupy a prominent place in the books. Messrs. Steinman and Hensel are to be congratulated on their triumph in a just cause.

LATEST NEWS BY MAIL.

James Moorehouse, sick of hydrophobia at Elizabethport, N. J., died on Monday night.

The first day's registration of voters in New York city, yesterday, showed a total of 75,570, about 16,000 more than in 1876.

The official majority against the Repudiation amendment in Arkansas has reached 3660, and it is believed the complete returns may make it 4,000.

The freight steamer Rossmore, from Liverpool for New York, sixteen days out, put in to Halifax, N. S., on Monday night, for repairs to her machinery.

The chooner C. J. Smith, with a cargo of oysters, went ashore near Long Point, N. J., in a fog, on Monday night. It was thought yesterday that she could be floated.

Napoleon Lafra, of Dodgeville, R. I., was arrested yesterday for attempting to drown his five-year-old daughter by throwing her into the river at Pawtucket.

Adam Krebs was fatally stabbed by William Pollock, in Williamsburg, N. Y., yesterday morning. They quarrelled about a colored girl both were visiting.

Joseph Abbott was convicted at Elmira, N. Y., yesterday, of having murdered a fellow convict in the penitentiary last April, and was sentenced to be hanged on November 19.

The national board of health was advised yesterday of a death from yellow fever in New Orleans, on Monday night. Steps were taken by the local health authorities to prevent the spread of she disease.

The second annual exhibition of the National fair association of the District of Columbia, opened yesterday. Congressman Blackburn, of Kentucky, delivered an oration.

The steamer European cleared from Savannah yesterday with 7,000 bales of cotton and 190 tons of phosphate rock. It is the largest cargo of cotton ever cleared from any port in the United States.

Two of the largest and most valuable buildings of the extensive works of Holmes, Booth & Hayden, in Waterbury, Conn., were destroyed by fire last evening. The loss is estimated at $200,000.

Frank Hooper and Chester Addison are believed to have been drowned while crossing Allen Pond, near Lewiston, Me., on Sunday. The boat and their hats were found near a small island.

George Parmenter, aged 14 years, died at Branch Shore, N. J., on Monday, from an overdose of chloral administered by a domestic, who misunderstood the physician's directions.

The internal revenue bureau is informed that the gang of armed men who forcibly rescued property held for violation of the revenue laws in Dalton, Ga., last Friday night, wore black masks and gowns, and had their horses covered with sheets.

Robert Magil, colored, was arrested in Harrisburg, last night, and committed for a requisition from West Virginia, on the charge of attempting to poison his wife, three children and step-father, in Charlestown, last week.

P. A. Bolden, a section foreman on the Denver & South Park railroad, was fatally shot by John Doolittle, at Como, Col., on Monday morning. They had quarrelled "about an old shanty which the section man had been sleeping in."

The annual movable committee of Colored Odd Fellows of the United States, Canadas, and West Indies met yesterday in the Hall of Delegates, at Richmond, Va. Grand Master Faucett presided, and reported the order to be very flourishing.

The whaling bark Hidalgo arrived at San Francisco on Monday night, from the Arctic seas. She has no news of the Jeannette or the missing whalers. The revenue cutter Corwin was seen on the 26th of August, off Point Belcher, steering southwest.

Professor Jacob Boll, of Dallas, Texas, died in Wilbarge county, in the "Panhandle" of that state, last Wednesday, while making a scientific exploration of that section. He was a native of Switzerland, a favorite pupil of Agassiz, and was distinguished as a scientist.

George Trust, white, convicted of manslaughter, in having killed Wm. A. Robinson, colored, was sentenced in Baltimore yesterday to four years and seven and a-half months' imprisonment in the penitentiary. He has been in jail four months and a-half since his conviction.

News has been received at San Francisco from Sydney, N. S. W., that the captain and crew of the Esperanza have been massacred, the mate and a seaman of the wrecked vessel Ariel poisoned, and the second mate and a government agent murdered by the natives of the Solomon Islands.

The formal dedication of "Rugby," the English colony in Tennessee, took place yesterday. There was a large attendance. Religious services were conducted by Bishop Quintard, and a poem was read by Miss L. Virginia French. Addresses were then made by Mr. Thomas Hughes, M. P.; Cyrus Clark, manager of the colony; Judge Temple, of Knoxville, and others.

A Submarine Volcano.

Commander Huntington, of the United States steamer Alert, reports that while on a surveying cruise in the Pacific ocean he saw a submarine volcano rise near the island of San Alessandro. First a volume of vapor arose as though a vessel were blowing off steam; then breakers appeared, and finally "an immense black mass" was upheaved. Mud and ashes were emitted, the ejections being accompanied by dull reports and a sulphurous odor. Several days were spent in a reconnoisance and one of the boats of the Alert was sent to within a hundred yards of the volcano. A reef or island was found to be in process of formation, and a specimen of the bottom was obtained. At night flames were seen issuing from the spot. Soundings were obtained in from 5 to 29 fathoms. The volcano bears north, 44 degrees west, three miles distant from the landing place, on the southwest end of the island.

James Loughrey, aged 18 years, was accidentially shot dead by Patrick Clisham in a hunting excursion near Pittston, yesterday.

LOCAL INTELLIGENCE.

THE DRAMA.

Mr. Jefferson as "Bob Acres."

The audience that assembled at Fulton opera house last evening to witness Mr. Joseph Jefferson's impersonation of *Bob Acres* in Brinsley Sheridan's comedy of "The Rivals" was the largest as it was the most cultured that has gathered there during the present season, and the fact that every seat in the house was occupied was not less creditable to the people who filled them than it was complimentary to the eminent actor whose name constituted the magnet of attraction. Mr. Jefferson is pre-eminently a favorite with our play-going people, and his successive appearances in this city—always heretofore, as far back as the memory of the majority of his admirers hereabouts extends, at least, in the character of *Rip Van Winkle*—have been uniformly greeted with large audiences, comprising in large measure the best cultivated local dramatic taste. The announcement that he was to favor his friends here with a new impersonation served in addition to whet their appetites for the feast which the mere fact of his coming assured, while at the same time, it must be confessed, it served to dispel the impression that Mr. Jefferson was a one-part actor, which existed very generally in the minds of those who were unacquainted with this versatile actor's bygone triumphs as *Asa Trenchard, Caleb Plummer, Dr. Pangloss, Salem Scudder, Mr. Golightly*, and a dozen other personations that still linger in the memory of old play-goers and are remembered only to be admired and extolled.

"The Rivals," as every one who has read that delightful offspring of the same witty pen that gave birth to the "School for Scandal," is a sterling comedy that ranks in merit with the latter work. The wit of its dialogue, the humor of its situations, the felicitous conception and arrangement of its characters, all place it above any necessity for the sensational and adventitious features characteristic of more modern comedy, and the refreshing breeze of good old-fashioned humor that swept through the house from the time the curtain rolled up on the scene which discovers *Sir Anthony Absolute* in conversation with *Mrs. Malaprop* till it fell upon the epilogue was a most grateful relief from the atmosphere of burlesque burdened so heavily with forced fun that has of late been filling the nostrils of our people until they are well-nigh sickened by the loud-smelling infliction. The comical anties and grotesque affectations of *Bob Acres*, whose arrant cowardice and braggadocio would in any one else be contemptible, but in *Bob* are only ludicrous; the linguistic eccentricities and self-supposed shrewdness of dear, delightful old *Mrs. Malaprop*; the bluster and fiery temper of *Sir Anthony Absolute*, and the base deception of his hopeful son *Jack*, all contribute their peculiar phases of humor to a composition that is a perennial fountain of mirth. Mr. Jefferson's *Bob Acres* is the finished production that every one acquainted with his capacity would expect it to be. He has the happy faculty of grasping the animating spirit of the role he undertakes and reflecting with all the beauty of outline and strength of substance the author's meaning; his fidelity to the ideal is proverbial, and the piece of work that leaves his hand is fashioned with the skill of the true artist, shapely and beautiful. The play-wright's purpose in his creation of the character of *Bob Acres* is completely developed in the impersonation of Mr. Jefferson, the good-natured country squire, possessed of the desire for "polish" and affecting the ways of the city: a jolly fellow in his way, who only needs to be seen to be liked, but upon whom the sobriquet of "Fighting Bob" sets with the awkwardness of a garment intended for a man ten times as big and a thousand times more belligerent. In the challenge scene Mr. Jefferson's appreciation of the humor of his role is conspicuous, and his desperate efforts to retain his courage in the face of his bumpkin servant's terror were intensely amusing.

Mr. Jefferson is to be congratulated on his good sense in surrounding himself with such thoroughly competent support; for "The Rivals" is one of those exacting pieces that demands thorough attention to all its details; and prominent as is Mr. Jefferson's part it is not so all-important as to obviate the necessity for a full cast of almost equal merit to sustain the performance at uniform strength. Mr. Jefferson's impersonation, comprising as it does one of the best pieces of pure fun to be seen on the stage, shines like a star, but its lustre does not dim the brilliant performance of the excellent actors about him. Mrs. John Drew, as *Mrs. Malaprop*, carried off a good portion of the honors so liberally bestowed during the evening. The stately decorum with which she slaughters the king's English is the refinement of appreciative humor, and every blunder is made in the spirit of fervent conviction. The scene between *Mrs. Malaprop* and *Captain Absolute* is one of the cleverest things in the whole piece, and the *Captain's* loud ha ha, showing how keenly he appreciates the ludicrous humor of the affair, communicated to the audience and set the house in a roar. The bit of illustrative stage business with the letter, she giving to *Absolute* by mistake one of the love letters of *O'Trigger* instead of the intercepted epistle of the mythical *Beverly*, was done with a bridling simper that were simply irresistible. Mr. Barrymore's *Capt. Absolute*, while Mr. Frederick Robinson as *Sir Anthony Absolute* gave a most excellent piece of comedy-acting. In the quarrel scene with his son, no less than in his subsequent discovery of the sharp trick that hopeful has played upon him, and his enjoyment of the joke, he furnished a very clear idea of his capabilities. Mr. Charles Waverly as *Sir Lucius O'Trigger*, proved himself a comedian of genuine merit, and manifests a thorough apprehension of his part. Miss Rosa Rand scarcely developed all the possibilities of her role of *Lydia Languish*, and the addition of a little ginger would not unfavorably affect her rendition of the part. The less important characters were sustained in satisfactory style, and the entire performance was one that will linger pleasantly in the memories of those whose good fortune it was to be present.

Reformed Classis.

The Synod of the Reformed church in the United States will convene in Meyerstown, Pa., October 20th. Following are the delegates from Lancaster classis: Revs. W. H. H. Snyder, J. P. Moore, S. Schweitzer, D. B. Shuey and J. H. Pannebecker, *primarii*, and Rev. S. P. Brown, A. R. Thompson, G. W. Snyder, J. S. Stahr, and Dr. F. A. Gast, *secundi*.

Elders.—E. J. Zahm, S. W. Hersh, Geo. Mengel, Jacob Gorgas, and Henry Martin, *primarii*, and J. R. Suter, A. T. G. Apple, J. L. Hoffmeier, P. E. Gorgas, and M. Horst, *secundi*.

Fatal Accident at the Steel Works.

About 10 o'clock yesterday morning a man named Alexander Hill, of Columbia, who was employed as a hod carrier at the new building at the steel works near Harrisburg, fell from a scaffold, a distance of 25 feet to the ground, breaking his back. He received immediate attention at the hands of a Steelton physician, after which he was taken to the hospital, where at a late hour last evening he was reported to be in a precarious condition, with no possible hope of recovery. His age is about 55 years and he has a wife and children residing at Columbia.

LANT'S APPEAL.

Decision of the Supreme Court, Reversing the Court Below.

The following is the opinion delivered by Judge Sharswood, reversing the decision of Judge Patterson, which nullified the will of Mrs. Mullen and distributed her property under the intestate laws:

Lant's Appeal.

Appeal from the decree of the Orphans' Court of Lancaster County:

SHARSWOOD, C. J.

There are some matters involved in this controversy which must be assumed if not conceded as not in dispute. First, that the instrument purporting to be the last will and testament of Elizabeth M. Dunn, dated February 8, 1876, cannot take effect as a will, having been revoked by her marriage with the appellee on the following day. Probate of it was refused by the tribunal having exclusive jurisdiction as far as personal property is concerned, and its decree unappealed from is conclusive. Second, This revocation was by the positive provision of the statute 8 April, 1833, S. 14, Pamph. 2, 250: "A will executed by a single woman shall be deemed revoked by her subsequent marriage" This law was not known to her and not adverted to by her counselor called in by her to give his advice and prepare the instrument. It was certainly not thought by her that such a result would follow. She did not mean it to be revoked by her marriage. On the contrary both she and her counsel meant to make a disposition which would be effectual after the marriage which was to be celebrated within twenty-four hours after that paper was executed. The execution of the will at the time and under the circumstances was a plain mistake. Had it been postponed only a few hours until after the marriage ceremony was performed it would have been a valid and effectual disposition of her property. Third, There was a contract made by John A. Mullen, the intended husband, at or about the time the instrument was executed, by which she was to have the power "to dispose of her fortune by will or otherwise any way she pleased." That this was the contract is established by the most conclusive testimony confirmed by the admission of the husband afterward, who put his refusal to give effect to it, not on the ground that he had not freely and fairly so agreed, but that because it was not in writing he was not bound by it. In this he was mistaken, for a parol ante-nuptial contract such as this, being in consideration of marriage, which is a valuable one, is unquestionably binding on the parties. (Gackenbach v. Brown, 4 W. and S., 546.) That he knew and considered at the time the instrument in question was executed that it was intended to carry out and give effect to his ante-nuptial agreement is proved by the clearest and most convincing evidence.

If, as it has been earnestly contended, the decree of the court below must be affirmed and the entire personal estate of the decedent awarded to the appellee, then it is not to be disputed that there must be some palpable defect in equitable jurisdiction in this commonwealth, to render necessary so gross an injustice, so revolting to the moral sense of what is right and wrong. We think, however, that fortunately there are two very familiar and well settled principles of equity, often recognized and applied by our courts which prevent such a result. One of these principles is, that whatever a chancellor on the facts of a case would have decreed to be done the courts will consider as having actually been done. Another principle is, that wherever a person has the legal right to dispose of property and means to do so, the form of the instrument adopted for the purpose, if at law ineffectual, will be disregarded, and it will be reformed so as to be made effectual.

Suppose, then, that at the time the paper of February 8, 1876, was executed by Elizabeth M. Dunn, she had filed a bill in equity setting forth the ante-nuptial contract made by John A. Mullen and the marriage about to be solemnized, and praying that it might be carried into execution by some instrument of writing to be signed by him, what would have been the decree of the court? Surely upon the undisputed facts the prayer of the bill would have been granted and the decree would have been either that the husband and wife should join in a conveyance to trustees in trust for the separate use of the wife with full power in her to dispose of the same in her life time by sale or gift, and after her death by a will in writing, or any writing in the nature of a last will and testament. Such is the ordinary form of such powers in marriage settlements. If the complainant was willing the court might decree simply that the husband himself should execute a declaration of trust to the same effect. Nothing is better settled than that a court of equity in decreeing the specific performance of marriage articles will make such a decree as will give full effect to the intention of the parties without regard to the legal construction of the words in them. Thus, if by the words according to their legal construction, a fee tail would be vested in the parties or either of them, a strict settlement will be decreed to the husband or husband and wife for life with remainder to the children of the marriage, successively in tail, according to the most approved form of deeds of marriage settlements. (2 Story Eq. Jur. Sect. 983 and authorities there cited.) Now, if we are to consider as having actually been done what a chancellor would have decreed to be done, then we have at the time of the execution of the paper of February 8, 1876, either a conveyance to a trustee or a declaration executed by the husband to the same effect. Surely then under such a declaration or deed of settlement this paper, though ineffectual as a will under the statute, was still a writing in the nature of a last will and testament, a clause introduced into such powers for the very purpose of providing against mere technical objections which would prevent the instrument from being admitted to probate as a will. It was a disposition of property to take effect at death if not revoked by the party during life. That is a writing in the nature of a last will and testament. This paper was so intended beyond all question. It was executed under and in pursuance of the contract on the eve of the marriage—indeed it might almost be said to have been in the consideration of equity cotemporaneous with the ceremony—executed for the express purpose with the knowledge and consent of John A. Mullen of having just the effect here stated. It makes a most liberal provision for him and upon every principle of equitable estoppel his mouth ought to be shut from interposing on objection to its full enforcement.

The case too is equally within the second principle of equity adverted to: a paper executed by a person who had a perfect legal right to dispose of her property, and intended to do so, but by a plain mistake of the scriveners it was drawn in the form of a will when it ought to have been a deed or declaration of trust. Surely it must be in the power of a court of equity in this commonwealth to correct so gross and palpable a mistake—to reform the instrument and decree it to be such as it ought to have been so as effectually to carry out the intention of the parties.

Decree reversed and record remitted to the orphans' court of Lancaster county, that distribution may be there made according to the principle of this opinion—the costs of this appeal to be paid by the estate.

Railroad Accident.

This morning about 8 o'clock Neal Gallagher, an employee of the Pennsylvania railroad company, while engaged at work with a steam stone breaker near Valley Creek, bridge was struck by engine No. 287 and very seriously injured. Dr. Hoopes, of Downing