

Lancaster Intelligencer.

TUESDAY EVENING, FEB. 21, 1882.

The Supreme Court's Opinion. Doubtful things are very uncertain, and supreme court decisions may be classed among the doubtful things of the first water.

And now here in Pennsylvania our supreme court comes along with a decision nobody at all expected, declaring that there isn't any perceptible difference between salary and wages, and that when the Legislature was directed by the constitution to be paid such salary and mileage as should be fixed by law, it was not forbidden to give itself a per diem pay in addition to its salary.

The ground of this decision of our court is that a legislative act must not be pronounced unconstitutional unless it is clearly so: the doubt must be resolved in favor of the Legislature's act. The strength of this position cannot be disputed: though the decision of the sister state of Tennessee, to which we have referred is based upon the opposite idea: there the doubt was resolved against the legislative act.

When the present city campaign shall have ended, we feel confident that the public will be well satisfied with the result, and our Republican contemporaries as much ashamed of their candidate and his cause as we were after the Boring fiasco. They have supported Stauffer with no more zeal than they endeavored to elect Boring, and they have been about as much put to their trumps to find argument for the one as they were for the other.

But to such an extent, in the minds of our Republican contemporaries "party is everything," that to elect Stauffer they were willing to go any length in misrepresenting a mayor of exceptional fitness and his admirable municipal policy. They have had the assurance to claim that Stauffer favored a policy of no expenditures in increase of appropriations, though in every year of his administration the appropriations were overdrawn and at its close \$300,000 of floating debts had been incurred, which were met by the MacGonigle administration in such a manner that he besides this reduction of \$15,000 in the bonded city debt has been made. Although Stauffer's police force was demoralized by inherent weakness and the want of personal character of its members, his defenders have had the audacity to claim it as "the best the city ever had."

Robert Gamble, aged 45 years, living at Cooperville, who had a leg cut off by a right on the Pennsylvania Railroad at Frankfort Junction on Sunday evening, died at the University hospital, in Philadelphia, to which institution he was removed, the same night.

the two Republican magistrates, whose fees last year for dismissed cases alone amounted to nearly \$5,000; although the Republican newspapers were zealous in favor of a paid fire department, the adopted scheme originating in one of their offices, and being supported in councils by one editor of the other, they have allowed the mayor to be misrepresented in their columns on this subject, while their candidate was displaying his "facility for lying" by being on both sides of this fire question.

In short, a more illogical, evasive and deceitful campaign was never carried on than that which has been made for Stauffer, by himself, his newspapers and his friends. It is significant of its weakness, and although these devices may have deceived the ignorant and misled the weak, we are confident that when the votes are counted and the result declared it will be seen that while a "facility for lying" may elect a man once or twice to office it cannot be persevered in with uninterrupted success.

ONE vote often won an election. The neglect to poll yours may be fatal to some cause or candidate that you esteem. Go and vote.

ONLY a few hours will elapse until the polls close. You may yet have time to get in your ballot for MacGonigle and good city government.

THE polls close at 7 p. m. Do not neglect your chance to poll your ballot for good city government.

In Philadelphia the cause of municipal reform is booming. Help it along in Lancaster by voting for MacGonigle.

LITTLE time is left. Go and vote.

The Examiner says "the party is everything" with the Examiner, of course.

In view of his impending political demise Stauffer may have the reflection of knowing that happy is the corpse that the rain falls on.

The York Daily, which has recently changed hands, has been considerably enlarged, being increased to twenty-eight columns much longer than in the old form. A press of advertising matter also necessitated the issuing of a supplement. In its announced determination to give York a paper worthy of its size and growth, and fully representing an enterprising and public-spirited community, the Daily has our best wishes for success, and the ability and energy which characterize it under the new regime promise to make it representative of its community and a credit to penny journalism.

It is a very proper and graceful thing for Rev. Dr. Nevins's associates in the ministry and his fellow citizens to celebrate the anniversary of his birthday with such exercises as are described in the account we print of the celebration at Cerravona Place last evening. No other of our fellow citizens has attained his world wide fame, and though full of years, as he is of the honor and respect of his fellow men, his eye is not dim nor his natural force abated. He begins a new year with the kind wishes of hosts of friends that he may be spared for many more.

Some interesting local reminiscences are printed on our first page to day. The story of the forged letter sent to President Buchanan, which is here first published, illustrates at once the trust reposed in our late esteemed fellow citizen by the president, and the further notable fact that the political allegiance of Mr. Peters was not conditional on money favors. Mr. Demsey throws some light on the big Zarahara "claim" against the government for alleged expenses incurred in and about "the Christiana riot" and raises the pertinent inquiry as to who have been backing the enterprise and who are partners in it.

Senator LAMAR, who, while crossing a street in Washington the other day, was struck by a carriage and hurt, and has gone to his home in Mississippi to consult his family physician.

FLOOD IN THE WEST.

DESTRUCTION IN THE OHIO VALLEY.

CRIMES AND CATASTROPHES. THE TRAIL OF FIRE AND FLOOD. Some Tragic Occurrences of Recent Happening.

THE WESTERN FRESHETS. All the streams flowing in torrents to the Mississippi, James River, and Great Districts.

Great excitement has prevailed throughout the Ohio Valley to-day, on account of the swollen streams. The Ohio river is fifty-four feet above its normal stage, and people living even four blocks from the river front, in Cincinnati, have been obliged to vacate the lower portions of their houses. Along the levees the water has reached the second story of many of the poor people's dwellings.

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The Southern railway bridge has a draw span to let the river steamers up the stream, but because the draw is closed, Newport bridges all the steamers are now imprisoned. The Ohio & Mississippi, Cincinnati, Indianapolis, St. Louis & Chicago, Cincinnati & Baltimore, and Cincinnati, Hamilton & Dayton railroad tracks are being washed out.

Chief Justice Sharswood delivered the opinion of the court, saying: "To justify a court in announcing an act of the Legislature unconstitutional and void, either in whole or in part, it must be able to show some exception or prohibition clearly expressed or necessarily implied in the Constitution."

The present contention would have arisen on the most approved lexicographers, the words wages and salary are synonymous. They both mean one and the same thing, a sum of money periodically paid for services rendered.

THE TRAIL OF BLOOD. Death in Various Forms—Crime and Debts. Near Hazelgreen, in Wolf county, Ky., on Friday, Wilbur Day, shot George Fountain, inflicting a fatal wound. An old quarrel and drunkenness caused the shooting.

James O. Terry, inspector of bulls and member of the state artillery, had his hand blown off last evening. A Mobile while firing a salute to Felix, King of the Carnival.

Some Recent Fires that Resulted Fatally. On Saturday night the dwelling of Jos. Deslivieres, near Fort Covington, was destroyed by fire and the mother of Mr. Deslivieres, aged 80 years, was burned to death. The residence of Henry Stevens, near the same village, was also destroyed by fire.

LEGISLATORS' EXTRA PAY.

THE SUPREME COURT SUSTAINS IT.

The Decision of the Dauphin County Court Reversed—Definition of the Words "Wages" and "Salary"—Institution of the New Constitution.

The supreme court yesterday decided in favor of the members of the Legislature the question raised by Charles S. Wolfe as to the payment of legislators for services rendered beyond the regular one hundred days, and awarded a peremptory mandamus upon State Treasurer Butler to pay the extra \$300.

The Dauphin county court decided that the act of 1874, giving an extra per diem allowance of \$10 for each day of services over one hundred days, conflicted with that clause in the constitution which provides that the members of the General Assembly shall receive such salary and mileage for regular and special sessions as shall be fixed by law, and no other compensation whatever for services upon a committee or otherwise.

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DUELING IN THE OLD DOMINION.

THE GOVERNOR VETOES A BILL AGAINST THE CODE.

Governor Cameron, of Virginia, has vetoed the bill passed by the Legislature that state to prevent public dueling. The governor says he approves the object of the bill, but he thinks one of its sections is retroactive, and that it leaves a witness on his own confession subject to the political disabilities prescribed by the constitution, to wit, disfranchisement. The decision of the court of appeals of Virginia, in the case of Cullen vs. the commonwealth, is cited, in which the court below required a witness to testify after his refusal for the reason that he would criminate himself. The court decided that such legislation was unconstitutional.

The cases of Congressman Wise and Senator Riddleberger, and of the latter and Richard F. Beirne, editor of the State charged with violation of the law against dueling, were yesterday before the county court in Richmond, Virginia. Counsel for the accused opposed the examination of any witnesses present on the ground that their evidence, while it might fasten guilt on the principals, would end to criminate themselves as participants. The court decided that the ground was well taken, and discharged the witnesses, well pleased by any settlement by the grand jury.

The case Against Byron Dismore. The matter of the indictment of Charles A. Byrnes for alleged criminal libel against W. F. G. Shanks, formerly an editor of the New York Tribune, came up for trial yesterday in the court of sessions, Kings county, New York, before Judge Moore, who Byrnes, in an affidavit, admitted that he was charged with libel against Shanks, and that the charges against Shanks were not true. A motion to dismiss the case was then made by counsel and granted, Mr. Shanks being only desirous of a vindication.

LOCAL INTELLIGENCE.

LIVE STOCK FREIGHT CARS. To Be Run With Air Brakes.

One of the air line stock trains, lately put on the Pennsylvania road, left Harrisburg on Sunday, and was composed of twenty-seven cars until it reached Columbia, when two cars were detached, giving it twenty-five for the run to Philadelphia. The idea is to make three runs, average twenty cars each, one from Harrisburg to New York with little delay as possible, and as few unloadings for feeding as the condition of the cattle will permit.

Meeting of the Merchants' Street Railway Company. The annual meeting of the stockholders of the Lancaster & Millersville railroad company was held yesterday afternoon at 2 o'clock, in Roberts's hall, Lancaster.

Despita the inclemency of the weather a good-sized audience assembled in the open house last night to witness Augustus D. Hart's latest New York comedy, "The Passing Regiment." Although the play is almost devoid of plot, it proved to be one of the most pleasing entertainments of the season.

On His Mute. An Irish tramp entered Esleman's saloon, East Chestnut street, yesterday afternoon and began to abuse and threaten everybody therein. Officer Adams was sent for and arrested the fellow, who resisted stubbornly all the way from the saloon to the station house, where he was finally lodged and locked up for a hearing. He gave his name as Jack Kelly.

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DR. NEVIN'S BIRTHDAY.

POPULAR TRIBUTE TO A VENERABLE ABLE MAN.

A Gathering at Cerravona Place to Honor Two of our Best Reformers and Ministers.

There are few residents of our community older, none more highly respected wherever he is known, and no other with such world-wide reputation as Rev. John Williamson Nevins D. D. of Cerravona Place, ex-president of Franklin & Marshall college and of the Reformed theological seminary. Dr. Nevins was born in Franklin county, on February 20, 1803, and hence is now entering upon his 80th year. His career as a scholar and teacher is well known, has reached over six decades, having been graduated from Union college in 1821, studied theology at Princeton where he was for a time teacher and became the author of "Bible Antiquities" in 1828. For ten years he was a professor in the Presbyterian theological seminary in Allegheny, and since he accepted a call to the Mercersburg theological seminary his history has been a large part of the history of the Reformed church. His teaching and preaching, his books, pamphlets, lectures and review articles, and his services as professor and president in the literary and theological institutions of his church have placed him in the front rank of theologians, and in Germany he is generally held as the profoundest and most original theological thinker in this country.

For the past ten years or more Dr. Nevins has been living in scholarly retirement at Cerravona Place on the Columbia turnpike, west of this city, and is in remarkably good health, of vigorous body and clear in mind.

In accordance with the custom of his family and friends, the anniversary of his birthday, occurring yesterday was duly observed last evening by a pleasant social gathering, which included some of his neighbors and fellow citizens, representatives of the Reformed literary institutions and a number of the members of the Lancaster classis, among the latter Rev. John G. Fritchey, who is by little more than a year the senior of Dr. Nevins. Among those present last evening were Revs. Drs. T. G. Apple and Theo. Appel, Gerhard, Dabbs and Gast; Revs. J. G. Fritchey, D. W. and C. S. Gerhard, W. F. Lichtler, A. A. Peter, J. B. Kleffer, J. H. Pennabaker, H. A. Friedel and C. T. Frey.

The company being assembled in the parlor of Dr. Nevins's residence, a telegram was read from Rev. P. S. Davis, D. D. of the Reformed Church Messenger, expressing his regret at being unable to be present. The college choir sang "The Church's One Foundation," from Miss Alice Nevins's "Hymns and Carols." Rev. Dr. Gerhard offered a fervent prayer. After which Rev. Dr. Apple, as a representative of the literary institutions addressed Dr. Nevins as follows:

Rev. Dr. Nevins: It is not easy to express in appropriate words the thoughts of our case, and rejoice with you and neighbors and fellow pupils have gathered here to offer you their heartfelt congratulations on this 79th anniversary of your birthday. We congratulate you on reaching an age accorded comparatively few of our race, and rejoice with you in the measure of health and strength vouchsafed to you in the good providence of God; for as we meet you here to-night your "eye is not dim nor your natural force abated." The weight of years rests gently upon your shoulders, and your familiar countenance, marked indeed by lines of thought as we have always known it, still beams upon us with its wonted radiance, unclouded by with the highest celestial light that betokens the calm evening of the soul in good and noble order, with that especially do we rejoice in the ripened vigor of spiritual and intellectual life that continues unabated. Though retired from the more ordinary offices of a teacher among us, yet in your regular ministrations and in the presence of your fellow-pupils we still enjoy the benefit of your ripened powers. The spirit of your life and life-work still presides over the institutions in which for many years you labored, and your visible presence among us continues to attract to you the affectionate regard and reverence of your old pupils.

Indeed I feel that in a certain sense I speak for them here to-night. In spirit they are always with us when an occasion arises for a formal presentation of our respectful and heartfelt greeting, and in letters they express their warm affection for the honored guide of their lives. Many generations of them have come and gone since the earliest of them received the benefit of your instructions, but wherever they are, scattered abroad in the world, and fighting the battle of life, they carry with them the earnest affection for the honored guide of their lives. Cerravona has become a Mecca in their thoughts, to which, on an occasion like this, they would count it a privilege to turn their footsteps. For these absent ones, as well as for those here present, I present this affectionate greeting.

This reference to the past calls up reminiscences of which it would be a pleasure to speak in this festive hour. But to do so would unduly occupy the time for those personal congratulations your friends would like to present. Therefore I will allow myself to give brief utterance to but one thought in this connection which is suggested by your long and honored life: it is the untiring and unshaken devotion to truth which has ever characterized the researches of your great mind and labors as a Christian teacher and minister of the Lord. The attainment of wisdom is not reached to those straight and easy paths of human thought with which many are satisfied, but rather in that pathway of faith illumined by Him who is Himself the way, the truth, and the life. Grappling with the deepest problems of thought with those great intellectual powers with which God endowed you, and standing in the front rank of Christian philosophers, where your honored name is known both in America and Europe, your life has been taught us that in whatever ways the mind may be led and guided in seeking the truth, its greatest success and victory will be found alone in the diligent and earnest pursuit of the truth which you have led us in as a great struggle for the truth as it is in Christ, will remain as an encouragement and an inspiration for those who come after you when you shall have gone, and where your honored name is known both in America and Europe, your life has been taught us that in whatever ways the mind may be led and guided in seeking the truth, its greatest success and victory will be found alone in the diligent and earnest pursuit of the truth which you have led us in as a great struggle for the truth as it is in Christ, will remain as an 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