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GOTTSCHALK & LEDERMAN, Proprietors,

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SPRING STOCK OF READY-MADE CLOTHING It comprises Ffty Different Styles of Material, well selected and well made. We think this is about double the size of any other stock shown in Lancaster city.

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WE SHOW THE LARGEST STOCK IN THE CITY!

CALL AND SEE OUR MOQUETTE CARPETS.
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By calling and looking through our Immense Stock we can convince you that we have as we say the Largest Stock in the City.

WE CAN SHOW YOU THE LATEST STYLES. WE CAN SHOW YOU THE NEWEST COLORINGS. WE CAN SHOW YOU THE CHOICEST PATTERNS. WE OFFER THESE GOODS AT THE LOWEST PRICES.

We also have an Elegant Assortment of RUGS and MATS, WINDOW SHADING and FIXTURES, FLOOR and STAIR OIL CLOTHS.

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No. 25 EAST KING STREET.

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HAVE JUST RECEIVED ANOTHER INVOICE OF

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WHICH THEY ARE SELLING MUCH BELOW THEIR VALUE.

Tinware, Wood and Willow-ware, Table Cutlery, Spoons, Buckets 10 cts., Brooms, Floor Oil Cloth 25 cts.

DON'T FAIL TO CALL AND GET BARGAINS.

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DARKER'S GINGER TONIC. DARKER'S HAIR BALSAM.

MEDICAL.

PARKER'S HAIR BALSAM.—The Best, Cheapest and Most Economical Hair Dressing Never fails to restore youthful color to gray hair. 50c. and \$1 sizes.

PARKER'S GINGER TONIC.—Ginger, Buchu, Mandrake, and many of the best medicines known are here combined into a medicine of such varied powers, as to make it the greatest Blood Purifier and The Best Health and Strength Restorer Ever Used. It cures Complaints of Women, and diseases of the Stomach. Bowels, Lungs, Liver and Ridneys, and is entirely different from Bitters, Ginger Essences, and other Tonics, as it never intoxicates 50c. and is sizes. HISCOX & CO., Chemists, N. Y. Large saving buying \$1 size.

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Cards. In Great Variety at

L. M. FLYNN'S. BOOK AND STATIONERY STORE, No. 42 WEST KING STREET.

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Valentines! IN GREAT VARIETY.

NOVELTIES, At the Bookstore of

John Baer's Sons,

Nos. 15 & 17 North Queen Street.

SIGN OF THE BOOK.

Lancaster Intelligencer.

FRIDAY EVENING, MARCH 10, 1882.

THE ACT OF 1876 UNCONSTITUTIONAL.

AN ABLE OPINION BY A LEARNED JUDGE.

AN ABLE OPINION BY A LEARNED STREET ALEARNED JUDGE.

AN ABLE OPINION BY A LEARNED STREET ALEARNED JUDGE.

AN ABLE OPINION BY A LEARNED STREET ALEARNED JUDGE.

AN ABLE OPINION BY A LEARNED STREET ALEARNED STREET A

By Analogy Is Not the Medical Registry Act of 1881 Unconstitutional?

TORK COUNTY QUARTER SESSIONS. -- CON'TH VS. WASSON.--CRIMINAL LAW.-- ACT APRIL 17, 1876. WASSON.—CRIMINAL LAW.—ACT APRIL 17, 1876.
—EX POST PACTO LAWS.

The act of 17 April, 1876, which provides "that it shall be unlawful for any person except physicians or surgeons to engage in the practice of dentistry, unless such person has graduated and received a diploma from the faculty of a reputable institution where this specialty is 'taught, or'shall have obtained a certificate from a board of examiners duly appointed and authorized by the provisions of this act to issue such a certificate," and then provides a penalty for this offense, and afterwards except those who have been in continuous practice for three years, applies to persons practicing at the time of its passage.

The detendant was convicted of the offense described in the above Act. At the time of its passage he was a practicing dentist, though for a less term than three years. Held, That the act deprived the defendent of his property or estate in his profession, which he enjoyed at the time of its passage, in some other way than by the judgment of his peers or the laws of the land."

The act, as far as this defendent is concerned, imposes a punishment for an act which was innocent when done, and is therefore expost facto, within the constitutional provision.

The act, so far as this defendent is concerned, would prevent his pursuing a profession for which he has fitted himself, on which his livilhood depended, and which he was following at the time of its passage. This is an attempt to punish him for an act done prior to the statute, and hence unconstitutional.

MOTION IN ARREST OF JUDGMENT. G. W. M'ELROY FOR MOTION. -EX POST PACTO LAWS.

to be given to an act of Assembly.

act is to forfeit the estate of the defendant

which he enjoyed at the time it was passed, and thus deprive him of his property by a process rather ministerial than judicial,

But apart from this view of the ques-

tion, we are of opinion that this act of

1876, so far as it applies to the defendant

imposes a punishment for an act which

was innocent when done, and is therefore

ex post facto, within the constitutional prohibition.

Said Chancellor Kent, in defining ex post facto laws, "All laws passed after the

act and affecting a person by way of pun-

constitution. But we are told there is no

attempt here to punish the defendant for any act done by him prior to the statute,

and that it was only necessary for him to abandon the practice of his profession to

Can it be that there is no punishment

inflicted by an act which takes away from

self for this profession, and you engaged in the practice possessed of all the qualifi-

cations required to satisfy the existing

laws and commend you to the public, but

since then we have discovered that the

public welfare requires that such skill as

you profess shall be avouched by a diplo-

ma, and as you have not got it, and did

not require it, we make this law relate

back to the time you began to practice,

your occupation, upon which the support of your family depends—your act was in-nocent before this law was passed, but we

This was substantially the argument ad-

dressed to the supreme court of the United

States in Cummins vs. the state of Missouri, before referred to. The constitution

of the state provided a test oath, which in

form created a qualification for office, and

attached certain conditions as essential to

the right of the citizens to engage in the

various professions, callings and pursuits

enumerated in the act. No one questioned

the right of the state to prescribe these

qualifications and conditions, but when it

was attempted to apply the test to those

post facto law.

Said Mr. Justice Field, delivering the opinion of court, "disqualifications from office may be punishment, as in cases of the court of the court

conviction upon impeachment. Disqualification from the pursuits of a lawful avo-

cation, or from positions of trust, or from

the privilege of appearing in the courts,

or acting as executor, administrator or

guardian, may also, and often has been

imposed as a punishment. # * * Pun-

ishment is not restricted to the depriva-

tion of life, liberty or property, but also

embraces deprivation or suspension of

whether such punishment was within the

constitutional prohibition-and after elab-

orate research and argument it was held

to be a bill of pains and penalties and ex

post facto within the meaning of the con-

Said the court, "the theory upon which our political institutions rest is, that a'l

men have certain inalienable rights-that among these are life, liberty and the pur-

suit of happiness; and that in the pursuit

positions, are alike open to every one and

It were vain and futile so to declare if

the qualifications for these avocations may

class, until under the guise of the public

weal, all opposition is driven from the

In the cases referred to, there was noth-

The court then proceeded to inquire

political or civil rights."

avoid the penalties prescribed.

effect says te him-

legislative enactment, and that nothing re-mains to him but the annihilation of his business, or submission to the pains and penalties imposed upon him by the stat-We can but think, that the effect of the

MOTION IN ARREST OF JUDGMENT. G. W. M'ELROY FOR MOTION.
E. D. ZIEGLER AND W. F. BAT STEWART, CONTRA.

February 20, 1882, Wickes, P. J. The defendant in this case was indicted for practicing dentistry in violation of the provision of the act of April 17, 1876, P. L. 39. It provides inter alia as follows: that it shall be unlawful for any person (except physicians and surgeous) to engage in the practice of dentistry, "unless such person has graduated and received a diploma from the faculty of a reputable institution where this specialty is taught" that makes an action done before the passage of the law and which was innecess.

or shall have obtained a certificate from a board of examiners duly appointed and authorized by the provisions of this act to issue such certificates.

Sec. 6 provides for indictment in the quarter sessions, and a penalty of not less than fifty nor more than two hundred dollars; it further provides for the recovery by the patient or his heirs of all fees that shall have been paid for services rendered in violation of this act.

Sec. 8 provides that the provisions of the act shall not apply to persons who which his livelihood depends? Which in practice of dentistry in this state for three | your time and money in preparing your years or over at the time or prior to this

The defendant had never been graduated from an institution where this specialty was taught, nor had he ever appeared before the board of examiners appointed under the act-he had, therefore, received no diploma or certificate. He was, however, engaged in the practice of dentistry at the time the act was passed, but for a less period than three years. and you-must pay the forfeit, or abandon Upon this state of facts we are asked to your occupation, upon which the support arrest the judgment :

1st, Because the act was not intended to apply to persons practicing at the time make the continuance of it criminal." of its passage, although for a less period than three years, and :

2d, Because if so intended the act is unconstitutional and void as to them. We think the first position is not tenable because it would seem to be a necessary implication from the section which provides that the act shall not apply to those who have practiced three years prior to its passage, that it was intended to embrace all those who have been so engaged for a less period of time. It is said we must read the statute as if it did not contain that proviso at all, but it is an estab-lished rule in the exposition of statutes tioned, it was held to be in the nature of a that the intention of the law-giver is to be bill of pains and penalties, and to inflict a deduced from the whole and of every part punishment within the meanings of an ex of a statute taken and compared together, penal in its character and retrospective (14 P. F. S. 495 and 17 P. F. S. 485) we cannot get rid of its plain phrascology and read out of it words which clearly indicate

the intention of the Legislature. The second proposition, however, presents a much more serious question. It must be conceded upon principle and authority, that among the rights reserved to the states, is the right to determine the qualifications for office-and the conditions upon which its citizens may exercise their various callings and pursuits within its limits, and it is not questioned in this case, that the act in controversy is quite within the reserved power of the state so far as it is prospective in its operation; nor is it said to be unconstitutional simply because retrospective in its action, for such legislation is nowhere prohibited stitutional prohibition that "no state unless it works the destruction of rights shall pass any bill of attainder, or ex post previously attached, or has some other facto law." said the o Is the act in question, so far as it ap plies to this defendant, open to objections

of this character? The fundamental law of the United States and of the state of Pennsylvania of happiness all avocations, all honors, all alike prohibit the taking of the citizen's life, liberty or property, unless by the judgment of his peers or the law of the land.

It were vain and futile so to declare if

They also prohibit the passage of any the qualifications for these avocations may ex post facto law or bill of attainder. If be added to or changed time and again, therefore, the act under which the defend- perhaps in the interest of some dominant ant was indicted, does one or the other or all of these, either directly or indirectly, it cannot be permitted to stand, and it will not save the statute to say that it was Valentines and Valentine passed in pursuance of that power which passed in pursuance of that power which ing to prevent the proscribed class from the state may exercise over matters of discontinuing their employment and en-

courts of justice."

nternal police.

Is a man's profession or employment at its threshold by an impossible condiinternal police. his property? and what do we mean by tion; but the court said in effect, no-this judgment of his peers or the law of the is practically punishment for past conduct land? In the case of Cummins vs. the and no matter under what form presented, State Missouri, 4 Wall, 277, the supreme it is an attempt to sweep away the consticourt said, "the learned counsel does not tutional rights of the citizen before the dangerous front of bare faced power. use these terms—life, liberty and property
—as comprehending every right known to
the law. * * He does not include Nor does it save the obnoxious feature of the act in question, that those affected under property those estates which one may acquire in professions; though they are often the source of the highest emoluby it may appear before the board of examiners it creates. If the statute did not forfeit their rights, there would be no ments and honors." The learned counsel necessity for a method by which to rein-

who appeared for the commonwealth constate them. VALENTINE CARDS who appeared for the commonwealth conceded the defendant's right to practice his profession as property in contemplation, but the argument proceeded on the ground that the process by which it is sought to deprive him of it, is what the constitution means by "due process of law." But I do not so understand it. Said that the act was passed entirely in the in-Thompson, J. in Fetter vs. Wilt 10 Wr. | terest of the public, and will produce the 460, "'Judgment of his peers,' is a term best practical results. It, nevertheless, of expression borrowed from Magna operates disastrously upon a class, whether Charta and it means a trial per pais or by the country, which is a trial by jury. The words 'or the law of the land,' have the same origin and are to the same effect as and remits them to the hall of some "repair to the hall o

'due process of law' in the bill of rights utable institution' or sends them before in the constitution of the United States, a "board of examiners" armed with the and it means judgment of the law in its absolute power to end their professional regular course of administration through careers.

We can but think such legislation is

The question before the court in that ase was the constitutionality of act of 22d pril, 1822, which authorized the seizure the fundamental law. We therefore arrest case was the constitutionality of act of 22d April, 1822, which authorized the seizure judgment. and sale of the enumerated articles, if used

With perfect truth it has been remarked that the avenues leading to an early grave have often been opened by a cough or cold. All Throat and Lung Affections instantly cured by Dr. Bull's Cough Syrup. Price 25 cents.

For aged men, women, weak and sickly children, without a rival. Will not cause headache. Brown's Iron Bitters. m6-lwd&w "How do you manage," said a lady to her friend, "to appear so happy all the time?" "I always have Parker's Ginger Tonio handy," was the reply," and thus keep myself and family in good health and spirits. See adv. ml-Imdeod&oow straint upon the offender's right to con-tinue his business elsewhere, whereas the act in question must result in driving per-

sons, situated as is the defendant, for the further prosecutions of his profession.

"Due protess of law," means not a legislative, but a judicial act. The judgment of the law as expressed through the courts Frightful Misery. Mr. Wm. Pomeroy, Bangor, Me., writes:
"I have for a long time suffered from continual constipation, making my life a misery, and causing headache and frightful cramps.
Mr. Thomason (who has been lately visiting in Buffalo), induced me try the Spring Blossom. It has perfectly cured me." Price 50 cents. For sale at H. B, Cochran's drug store, 137 North Queen street, Lancaster. can alone produce the effect, here sought It is no answer to say, as was said at the

argument, that the prosecution now pending is the "due process of law" contemplated by the constitution. It rather proceeds upon the theory that the defendant's rights have also been swept away by Who that has ever lived any time in the country but must have heard of the virtues of Burdock as a blood purifier. Burdock Blood Bitters cure dyspepsia, biliousness and all disorders arising from impure blood or deranged liver or kidneys. Price \$1. For sale at H. B. Cochran's drug store, 137 North Queen street, Lancaster.

Visible Improvement. Mr. Noah Bates, Elmfra, N. Y., writes:
"About four years ago I had an attack of bilious fever, and never fully recovered. My digestive organs were weakened, and I would
be completely prostrated for days. After using
two bottles of your Burdock Blood Bitters the
improvement was so visible that I was astonished. I can now, though fi years of age, do a
fair and reasonable day's work." Price \$1.
For sale at H. B. Cochran's drug store, 187
North Queen street, Lancaster. in his profession-to destroy a vested right and wholly different from that which is meant by the "judgment of his peers or the law of the land."

CLOTHING, UNDERWEAR, &C.

WANAMAKER & BROWN.

Clothing that Wears Well.

Year after year our customers return because they are not disappointed in the kind of Clothing we supply them. With all our reasonable prices we insist on the goodness of the materials The stock of Men's and Boys Overcoats and Suits is still quite

WANAMAKER & BROWN. Oak Hall, Sixth and Market streets, Philadelphia.

A. C. VATES & CO

Some of modest and sober color. Some livelier in pat tern and style, while others are made up more for hard usage than for appearance All, however, are cut and trimmed in the most approved and unexcelled manner. Prices are no higher, but rather less, than last season. You cannot lose anything by looking at them.

A.C. YATES & CO..

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RARE CHANCE. A SUIT OF

FINE CLOTHES

OVERCOAT

Made Up to Order at Cost Price.

In order to reduce my heavy stock of FINE WOOLENS

I shall make them up to order for the NEXT THIRTY DAYS for Cash only at cost price. This is without exception the greatest re-duction ever made in FINE CLOTHES, and is done to make room for our heavy

desirious of securing first choice for SPHING employed for that purpose. WEAR can do so now, and the goods will be tained for him.

Remember the above reduction is for Heavy Weights and Cash Only.

H. GERHART, TAILOR,

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BROMN'S IRON BITTERS.

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will cure dyspepsia, heartburn, malaria, kidney disease, liver complaint and other wasting diseases

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enriches the blood and purifies the system -cures weakness, lack of energy, etc., Try a bottle.

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IRON BITTERS

is the only Iron preparation that does not color the teeth, and will not cause head ache or constipation, as other Iron prepar-

BROWN'S

IRON BITTERS

Ladies and all sufferers from neuralgia, hysteria and kindred complaints, will find it without an equal.

For sale at COCHRAN'S DRUG 'STORE 127 and 139 North Queen street, Lancaster.

m3-lwd&w

This is the way many describe their feelings. How many hundreds are there who feel the same way? It would surprise us if we knew what proportion of humanity are alling from some disorder or another, which could be easily cured if taken in time, and gone about in the ri-ht way. But most people go about it in the wrong way, and then fancy there is no use trying any more, and consequently get worse instead of better.

A weak or an overworked man can implifice.

no use trying any more, and consequently get worse instead of better.

A weak or an overworked man can imbibe treely of whisky and for a short time brace up with imaginary strength, but it will not be long until he will be weaker than before.

What, then, is the right way? The only permanent way is to take a remedy that will build up and invigorate the system. This can only be done by beginning at the origin of life, which is the Blood. No one whose blood is pure and healthy can be sick.

Burdock is a root that has more life-glving qualities than any other root, herb, or plant, and if your blood is weak or impoverished, take Burdock Blood Bitting, and a pure, healthy action of the blood will be sure to follow.

Sold by H. B. Cochran, Nos. 137 and 139 North Queen street, Lancaster, Pa. 1eb25-toApri*

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Fever, Diphtheria, Consumption, Catarria
and Chronic Throat Diseases are due to
neglect of common Sore Throats. Children
frequently lave wet feet; sore throat follows
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DIPHTHERIA CURE. It will positively
cure the worst form of sore throat and eradicate the germ of any disease subject to it. A
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BARGAINS. CLOSING OUT SALE of a large importation, having arrived too late for the holidays, at cost of production in Switzerland, about 1-2 and 1-4 their value that same quality instruments could be sold for in this country. They are mostly of the large and medium size and, with few exceptions, of High Class Musical Boxes as sold in Geneve, but far superior to the ordinary instruments generally sold in this country, and need only be seen or heard to be appreciated. Musical Boxes with bells, drums, castanets, celestial voices, mandoline, diva-harmonie, overture, tremelo-piccolo, sublime-harmonie, harp-zither attachment, etc., also two and three mainsprings playing from 10 to 50 minutes by one winding. Musical Albums.

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EDGERLEY & Co.,

CARRIAGE BUILDERS, - MARKET STREET,

Rear of Central Market Houses, LANCASTER, PENN'A.

In the case we are considering no punishment for past conduct may be intended—certainly no act criminal in itself was committed by the defendant, under the law as it stood prior to the enactment of this statute. Indeed, it may be onceded that the act was passed entirely in the in faz-udav

DAGS. RAGS. RAGS.

The highest Cash Prices paid for all kinds of Rags, Old Books, Carpets, Woolen Cloths, Bagging Rope, Gum Shoes, &c., &c. I will call on persons having any of the above articles if they will drop me a postal

WM. F. HENNECKE.

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