

Lancaster Intelligencer.

WEDNESDAY EVENING, MAR. 7, 1906.

Let Them be Charitable and Just.

The state Senate, on the motion of Mr. Cooper, has amended the act to prohibit the issue of free passes by railroads...

And there is no danger that harm will come to the state by reason of its permitting and encouraging railroad companies in the issue of free passes for charitable objects...

On objecting to the amendment allowing charitable passes a senator said that no one would think of applying the penalty of the law to a railroad officer who violated it in the real interest of charity...

That delusive weather prophet, Wiggin, is more obdurate than a score of ghostly Banquets and will not down even with a whole country hurling its derisive taunts at his thermometrically constituted head...

The general appropriation bill introduced at Harrisburg provides for a legislative session of one hundred days, and if the important business now in various stages of dispatch in both Houses can be finished up by the 12th of April it will be a consummation most devoutly to be wished...

There are a number of features of the general appropriation bill which merit commendation, and its tendency is to economy in expenditures. There is a general purging down of contingent funds and salaries of legislative officials and employees...

other measures should give way to those prescribed by the fundamental law, as well as demanded by the highest public interest.

It is generally a safe rule for courts to refuse to allow that to be done by indirect action which the law forbids to be done directly. For good or bad, the federal constitution declares that "the judicial power of the United States shall not be construed to extend to any suit, in law or equity, commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state."

WE congratulate the people that enough Representatives were found with the courage to kill the Smull's hand-book job. It was without any other justification than that the members wanted the books to tickle their constituents with the free distribution of them...

SECRETARY FOLGER yesterday ordered that the word "cents" be added to the new five cent piece, to meet the requirements of the law.

VERMONT has amended her constitution so as to provide for the election by the people instead of by the Legislature of state auditor and state treasurer. Power once assumed thus by the people is seldom surrendered.

TENNESSEE proposes to pay fifty cents on the dollar and three per cent. interest on all but the "state debt proper," and the bonds of educational institutions within the state for which it is proposed to pay per by the contract rate of interest.

IN the next United States House of Representatives there will be 192 Democrats, 127 Republicans (counting the six Virginia Readjusters as Republicans), four Independents and two Greenbackers. The new House will have 365 members, making 163 a quorum for business.

SCATTERING municipal elections held yesterday in various towns indicate that the Independent voter is abroad and that partisan lines are not closely adhered to in local affairs.

EX-GOV. DOWNEY, of California, is recovering slowly from the injuries he received by the accident on the Southern Pacific railroad. His physician says the broken ribs are knitting satisfactorily, and there is every reason to believe that with care he will soon be able to leave his home.

FREDERICK LUNGER, who died at Davenport, Iowa, last Wednesday, aged seventy-five years, is said to have been the senior railroad locomotive engineer in the United States. He first came to this country in 1835, on the Albatross, an engine built by George Stephenson and run on the old State road from Philadelphia to Columbia.

REV. PHILLIPS BROOKS, of Boston, is reported to be dead at an Italian bath in Naples. He was first reported to have died on the 23d of March, the earliest date possible. It will not fall upon that day again in this or the following century.

That delusive weather prophet, Wiggin, is more obdurate than a score of ghostly Banquets and will not down even with a whole country hurling its derisive taunts at his thermometrically constituted head. He is bobbing around smilingly with emphatic predictions of a "big blow" on the 9th, 10th and 11th, and to give better assurances of his faith in its coming he has skipped over to Halifax with the intention of getting the full benefit of the great storm by feeling the Canadian winds go howling through his prophetic boues.

PHIPPS MUST COME BACK

The Canada courts return him. All the Judges of the Court of Appeals of Ontario decide that the Registrar Major should be returned. Toronto Dispatch to the Times.

There were plenty of lawyers, but no piles of law books, at the judgment in the Phipps appeal case before the court of appeals today. Phipps was represented by three lawyers, including Harkins, of Philadelphia. The commonwealth was represented by two. The judges of the court were Chief Justice Sprague and Judges Patterson, Ferguson and Burton.

THE question of the propriety of passing on the part of an audience, to express its condemnation of bad acting and worse plays, has never been more than casually discussed in this country, and possibly to this fact is attributable the seeming disfavor in which the indulgence of the action is held. However, there is scarcely justification for its suppression at times.

JO EMMETT mourns the death of Peggy Williams, the bright and natural child actress, to whom he has been married since they were still young. He was very pretty, with round face, brown ringlets, and laughing eyes, and her ways were very winning.

KAISER WILHELM's present to his son and daughter-in-law on the occasion of their silver wedding was a magnificent tea service. It was made in England, but the emperor's gift consisted of two cupboards and pieces to be made in Berlin, and these alone cost \$50,000.

GEN. PHIL SHERIDAN completed his fifty-second year yesterday, and, as the Chicago Journal says, wears his years like his honors, easily and well. The Loyolists are invited to meet him at a dinner in his honor in Chicago last evening.

EX-GOV. DOWNEY, of California, is recovering slowly from the injuries he received by the accident on the Southern Pacific railroad. His physician says the broken ribs are knitting satisfactorily, and there is every reason to believe that with care he will soon be able to leave his home.

FREDERICK LUNGER, who died at Davenport, Iowa, last Wednesday, aged seventy-five years, is said to have been the senior railroad locomotive engineer in the United States. He first came to this country in 1835, on the Albatross, an engine built by George Stephenson and run on the old State road from Philadelphia to Columbia.

THE CANADA COURTS RETURN HIM.

All the Judges of the Court of Appeals of Ontario decide that the Registrar Major should be returned. Toronto Dispatch to the Times.

There were plenty of lawyers, but no piles of law books, at the judgment in the Phipps appeal case before the court of appeals today. Phipps was represented by three lawyers, including Harkins, of Philadelphia. The commonwealth was represented by two. The judges of the court were Chief Justice Sprague and Judges Patterson, Ferguson and Burton.

THE question of the propriety of passing on the part of an audience, to express its condemnation of bad acting and worse plays, has never been more than casually discussed in this country, and possibly to this fact is attributable the seeming disfavor in which the indulgence of the action is held.

JO EMMETT mourns the death of Peggy Williams, the bright and natural child actress, to whom he has been married since they were still young. He was very pretty, with round face, brown ringlets, and laughing eyes, and her ways were very winning.

KAISER WILHELM's present to his son and daughter-in-law on the occasion of their silver wedding was a magnificent tea service. It was made in England, but the emperor's gift consisted of two cupboards and pieces to be made in Berlin, and these alone cost \$50,000.

GEN. PHIL SHERIDAN completed his fifty-second year yesterday, and, as the Chicago Journal says, wears his years like his honors, easily and well. The Loyolists are invited to meet him at a dinner in his honor in Chicago last evening.

EX-GOV. DOWNEY, of California, is recovering slowly from the injuries he received by the accident on the Southern Pacific railroad. His physician says the broken ribs are knitting satisfactorily, and there is every reason to believe that with care he will soon be able to leave his home.

FREDERICK LUNGER, who died at Davenport, Iowa, last Wednesday, aged seventy-five years, is said to have been the senior railroad locomotive engineer in the United States. He first came to this country in 1835, on the Albatross, an engine built by George Stephenson and run on the old State road from Philadelphia to Columbia.

TO A HAY MOW WITH MATCHES AND SET FIRE TO THE STRAW.

The girl was burned to death. The boy scalded, but died of his injuries. Five buildings of the St. Augustine normal school for colored students, at Reading, North Carolina, had been destroyed. Loss, \$30,000. No person was injured. The school is a Protestant Episcopal institution.

In Manchester, N. H., Mr. and Mrs. Frederick C. Sumner, a young couple, went out slight riding, talking with their infant daughter. It was intensely cold. The child was muffled to the eyes in soft robes and wrappings. When home was reached the baby was dead in its mother's arms. Her grief is heartrending.

THE famous race-horse of Austria Kinchem, which had won fifty-four races and had never been beaten, was shot on Monday owing to her having the glands. She was with foal. Kinchem was lately withdrawn from the turf, as she was unable to carry her weight. She was on a two freight train which ran Jerseyville, Illinois, on Monday night. Twelve cars were wrecked, a number of hogs and cattle were killed, and the conductor was injured.

Mrs. Lucinda Ballecom, aged fifty-eight, was burned to death in a suburb of Cleveland, O. Her clothing caught fire from the sparks from a pipe which she was smoking. In Moscow, O., Mrs. Prudie Vance, an invalid for years, committed suicide by tying a clothes line around her waist, then to a tree, and wading into a pond till she drowned.

By the fall of a platform at the new city hall at Albany, Eugene Caron was killed and another man had both ankles broken. A. K. Hamilton's lumber mill, near E. A. W. was burned yesterday. Loss, \$30,000.

AS THE POOL DIETH.

An incident of the funeral of the late G. Stebbins, N. Y., says: The burial of G. Stebbins, for twenty years editor of the Cuba, N. Y., Tribune, caused a sensation in Western Ohio, and will go down as one of the most curious episodes of the age. Stebbins was what might be pronounced an Ingersollite. For years he has been dying of consumption and for months he brooded over his approaching dissolution.

Stebbins died last Friday, the funeral taking place yesterday. Twenty-eight knights, in full regalia, attended the funeral. They sang the songs requested, in going and coming, and made an assignment in the quiet town, the citizens of which did not understand how such songs could be tolerated at a funeral. The mourners did not seem to mind the strange scenes of the obsequies.

As the grave when the earth clattered on the box and the knights started up the old war-words were impressive. As the last words died away the cemetery moved on, and when outside the cortege the sentimental song was taken up and sung with spirit. It was a strange sight. Stebbins was a member of the United States consul to one of the Philippine islands. A hurricane destroyed the island and he returned to journalism.

THE PASSION PLAY. A glimpse at its beauties and at its author. A writer in the Sun who could not believe that there could be any profanity or sacrilege in an exhibition which had received the endorsement of the good Catholic prelate in San Francisco, Archbishop Alemany, and of such ardent religious priests as the Jesuit fathers there, went to the recent dress rehearsal of Salmi Morse's "Passion Play," in New York, and thus describes what he saw.

QUARTER SESSIONS.

Continuation of the Amson cases. Various witnesses testify—Wertz telling his story regarding the fire—Brimmer called in rebuttal. Tuesday afternoon—Com'th vs. John Wertz, arson.

George Brimmer was recalled for cross examination, but nothing new was elicited. Charles Holman, an ex-police officer, testified that on the night of the fire he was on duty on East King street; saw Brimmer that night, between 10 and 11 o'clock, with Wertz and Draebach; they went into the alley between Schoenberger's saloon and Eber's grocery; they then went up East King street.

On cross-examination the witness stated that he met Wertz and Draebach about 12 o'clock on that night; they went out East King. Officer Charles I. Stormfeldt, of the police force, testified that he saw Brimmer on the night of this fire, on East King street near Eber's grocery store; Wertz and Draebach were with him; they were going to the store at that time. At Eber's grocery house; witness has been making diligent search for Draebach, but cannot find him.

Robert Stapleford testified, that on the night of the fire he saw Brimmer and Draebach; met them at the corner of 15 o'clock, Lime street between Church and Middle, near Landa's corner. Miss Agnes Powell testified that she lives in Middle street, right across from Landa's store; late on the night of the fire, she saw three men from her window; they were standing on the corner on the same side of the street; she could not recognize any of them; heard one say, "It will make a hell of a big fire."

Friedrich Hines testified that he resides on Middle street; on that night Draebach and Wertz came to his house between 12 and 1 o'clock; they were about the fifteen minutes, when Brimmer came out first; Brimmer was never at the house of witness before that on Saturday night. Jacob Fount testified that he was at Hines' house on that night; Draebach and Wertz came there about 12 o'clock; Brimmer came soon afterwards, and putting his head in, said there was fire. George Irwin corroborated Fount's story. The defendant called a verdict of acquittal, on the ground that there was not sufficient corroborative evidence in support of the accomplices, as is required by law. The commonwealth argued that corroborative evidence had been shown to the jury; it was sufficient to have the case go to the jury. The court decided that the case should go to the jury.

The defense called George Brimmer for further cross-examination. He was asked whether he told Walter Rogers in prison that Wertz was not at the cork factory fire, and he replied that he did not. The defense called W. T. Brown, ex-officer, who opened the case for the defense, stating what they intended to prove. The first witness called was the accused. He testified as follows: On the night of this fire I left my saloon at 10 o'clock, at the corner of East King and Duke streets I met Draebach and told him I was on my way home; he said he would go along; we walked up as far as Schoenberger's saloon, on East King street, which was being scrubbed; we did not go in, as the beer was all; we went up on the street and met Officer Holman at Knapp's, who said no saloons were open; we tried to get in Baer's, but could not; at the corner of Lime I said I was going home to Hines' house; he said to go with him to Hines' house; he then said, "I went with him down Lime to Middle and thence to Hines' house, where we arrived about a quarter past 12 o'clock; I lived at 222 East Fulton street; I had nothing to do with the firing of the factory; I did not see Brimmer at any time on that night; some one came to Hines and gave the alarm, but I did not see Brimmer that night until after the fire; I was not standing about firing any building; I was not with Draebach at the cork factory; when met by officers on that night." Officer Holman testified that he was on duty on East King street, and returned shortly before 11 o'clock, remaining until 12 o'clock; I was not in the neighborhood of Schoenberger's saloon between 10 and 11 o'clock; I did not see Brimmer or Stormfeldt saw that time. Edward Slat testified that he was in the cell with Brimmer since he has been in jail; he told witness that he, Snyder and Draebach burnt the cork factory and Wertz had nothing to do with it. Thirty-eight witnesses were recalled who testified that previous to this charge the character of the accused was good for honesty and behavior, and the defense then closed.

George Brimmer was recalled by the commonwealth, and testified that he was at Ulrich's saloon on that night with Draebach and Wertz, when a police officer came to arrest Lewis Reidenbach; witness recalled that to memory a short time ago. Court adjourned to 9 o'clock this morning. Wednesday morning—In the case of Com'th vs. John Wertz, charged with arson, B. Frank Eshelman made the opening speech for the commonwealth. He was followed by B. F. Davis and M. Brocius for the defense, and S. H. Reynolds closed for the commonwealth. Jury returned 12 o'clock. The jury preferred to wait until afternoon to be charged and court then adjourned to 2 o'clock.

Evangelical appointments. In Philadelphia yesterday at the annual session of the Eastern Pennsylvania Evangelical conference, Bishop Boyman announced among other things the following appointments: Reading, I. E. Knerr, P. E.; Reading, Eighth street, S. C. Campbell; Reading, Ninth street, S. C. Breyfogel; Reading, South-west, to be supplied; Friedensburg, H. J. Glick; Pottsville, I. J. Reitz and J. Reitz and J. H. Reitz; Lancaster, W. B. Knicker; Lancaster, Water street, E. B. Worman; Brownstown, A. Ziegenfus and A. Saylor; Millersville, J. W. Hoover; Cresskill, T. A. Hess; Conestoga, J. C. Kroes; D. B. and the best prices secured: 1793 cent, \$10; 1794 cent, unmeasured, \$10.25; 1795 cent, \$10.25; 1804 cent, \$10.25; 1816 cent, \$5.50; 1821 cent, \$10; 1847 and 1847 half cents, \$13.25 each; a very fine 1653 Massachusetts pine tree shilling, \$10.50; a 1652 pine tree threepence, \$13.50; a New England 1797, \$8; 1853 dollar, \$42; 1797 half cent, \$50; 1804 dime, \$6.25; an unmeasured 1796 half dime, \$9; a very fine 1796 half dime, \$6.25; 1856 eagle cent, \$2.70; 1861 Confederates states cent, \$7.10.

PHIPPS MUST COME BACK.

The Canada courts return him. All the Judges of the Court of Appeals of Ontario decide that the Registrar Major should be returned. Toronto Dispatch to the Times.

There were plenty of lawyers, but no piles of law books, at the judgment in the Phipps appeal case before the court of appeals today. Phipps was represented by three lawyers, including Harkins, of Philadelphia. The commonwealth was represented by two. The judges of the court were Chief Justice Sprague and Judges Patterson, Ferguson and Burton.

THE question of the propriety of passing on the part of an audience, to express its condemnation of bad acting and worse plays, has never been more than casually discussed in this country, and possibly to this fact is attributable the seeming disfavor in which the indulgence of the action is held.

JO EMMETT mourns the death of Peggy Williams, the bright and natural child actress, to whom he has been married since they were still young. He was very pretty, with round face, brown ringlets, and laughing eyes, and her ways were very winning.

KAISER WILHELM's present to his son and daughter-in-law on the occasion of their silver wedding was a magnificent tea service. It was made in England, but the emperor's gift consisted of two cupboards and pieces to be made in Berlin, and these alone cost \$50,000.

GEN. PHIL SHERIDAN completed his fifty-second year yesterday, and, as the Chicago Journal says, wears his years like his honors, easily and well. The Loyolists are invited to meet him at a dinner in his honor in Chicago last evening.

EX-GOV. DOWNEY, of California, is recovering slowly from the injuries he received by the accident on the Southern Pacific railroad. His physician says the broken ribs are knitting satisfactorily, and there is every reason to believe that with care he will soon be able to leave his home.

FREDERICK LUNGER, who died at Davenport, Iowa, last Wednesday, aged seventy-five years, is said to have been the senior railroad locomotive engineer in the United States. He first came to this country in 1835, on the Albatross, an engine built by George Stephenson and run on the old State road from Philadelphia to Columbia.

THE PASSION PLAY. A glimpse at its beauties and at its author. A writer in the Sun who could not believe that there could be any profanity or sacrilege in an exhibition which had received the endorsement of the good Catholic prelate in San Francisco, Archbishop Alemany, and of such ardent religious priests as the Jesuit fathers there, went to the recent dress rehearsal of Salmi Morse's "Passion Play," in New York, and thus describes what he saw.