

Lancaster Intelligencer.

SATURDAY EVENING, JUNE 2, 1883.

An Unsound Position.

McDowell Sharpe is an excellent lawyer and a conscientious legislator, but we do not appreciate the force of the position he took that it would be an ex post facto and therefore an unconstitutional law to prescribe a punishment now for acts heretofore committed, but subsequently to the adoption of the constitution, in violation of that instrument. The constitution forbade the consolidation of competing telegraph lines. When the constitution was adopted, it was undoubtedly unlawful to combine such lines. But the Legislature had not fixed the penalty for such violation. Now it does so; and the question is whether that penalty can be inflicted for the violations of the constitution prior to its being declared. It may seem a nice point to a lawyer; but to the common sense of a layman there can be no difficulty in deciding that those who violate the constitution, before the penalty for such violation is prescribed, run the risk of any penalty which may afterwards be imposed. They do an unlawful act, undoubtedly. Can they not be punished for it? Must not a reasonable time at least be allowed to the Legislature during which to provide the penalties called for by the constitution? And may that instrument be violated in the interim with impunity? If the law is the perfection of reason, no such absurdity will be declared by it. No wrong is done the offender; he has violated the constitution knowingly; and though he has done so in ignorance of the penalty to be imposed, he has not done it in ignorance that a penalty was commanded to be imposed, and when he has "gone blind" of his own free will, he cannot be permitted to plead his ignorance as his excuse.

In the councils elect the proposition to light the city by electricity they should accept the experience of other cities and require the wires to be laid underground. In addition to the objection to planting poles on the streets, there is a positive danger to be feared from the suspended electric wires. The report of the chief of the department of Philadelphia, made lately to the city authorities, portrays the character of this danger. Certainly our firemen have enough of difficulty and danger in their employment without adding to it other risks. It may be that the Philadelphia chief overrated the embarrassment to his department from electric wires; but he ought to be a good judge of it, and even if the dangers he sees are partly imaginary, if they are believed by the firemen to exist, they should not be hazarded when they can be so readily avoided as they may be by burying the wires. In Chicago this is done; and its practicability having been demonstrated and its desirability being clear, the authorities of other cities should impose this reasonable requirement upon electric light companies; at the proposed cost, the electric light for the streets seems to be desirable for Lancaster; but let it be introduced in the most approved manner.

Electric light for municipal illumination is certainly in accord with the demands of the times and the requirements of the city. Lancaster had good occasion to complain of the gas company when it had the contract for lighting the city and the oil lamps have certainly not been satisfactory. The proposition for electric light, which seems to meet the unanimous favor of the lamp committee, seems to be entirely practicable and not burdensome or extravagant in its cost. The offer is no doubt made in the expectancy that the light will prove so satisfactory that the city will buy the plant, which, it is claimed, can be paid for in the saving of five years use of the electric over the gas system. By this it may, the immediate proposition to try electric light, at slightly increased cost over gas and oil, is one that will commend itself to the public and no doubt councils will see it that way.

If, as seems probable, the reported reversal by the supreme court of the lower court in "Madden's appeal" turns out to be Madlem's appeal in the Ephrata church case, there is a likelihood of the approach of a termination to this famous litigation, with which our readers have become reasonably familiar in its tedious course through the local courts. It will be remembered that the case went up on an appeal from the action of Judge Patterson—Judge Livingston dissenting—in sustaining the Nolde trustees, and enjoining the Knigtmacher board from acting. The reversal of his decision is in effect to sustain Judge Livingston's position that the action of one judge, the other dissenting, is not the action of the court. And in view of the tendency of our judges to disagree the settlement of this question is of great importance to this community, and the enjoyment by its citizens of their liberty and property.

SENATOR REYBURN made the mid night ruling last night that the Bullitt bill, intended solely to regulate the government of Philadelphia, was a permanent amendment and could be added to a bill to provide a form of government for cities of the fifth class, and the Stalwart Republicans voted to sustain a ruling which was about as reasonable as to have decided that black was white. But to do that thing, when the exigencies of his party demand it, is what can always be confidently expected of Reayburn. The last remaining claims of the Bullitt bill to consideration from the Democrats cannot survive such desperate resorts by the Stalwarts to enact it; and whatever pride Mr. Bullitt may have in his measure ought to be waived to repudiate the devious ways by which the bosses endeavor to pass it.

THE newspapers which chuckled over the defeat of the free pipe line bill were rather previous in their exultation. It has become a law despite their unreasonable opposition, and the people whom they have tried to befoul and befuddle on this question will discover that their motives were not a consideration for the public good nor the rights of private

NEWS BY MAIL.

OUTRAGES BY BAPTIST STUDENTS.

How They Passed the Night in a New York Village. The citizens of Earlville, N. Y., are indignant over the cruelty and lawlessness of a party of students from Madison university who visited their village Friday night. Between 12 and 1 o'clock about 50 students drove into town from Hamilton. They hired a hall. The students, most of whom are studying for the ministry of the Baptist faith, assured the owner of the hall that their conduct was legitimate, and nothing out of the way should occur. When they had got possession of it, however, the lights were extinguished. Then it was learned that they were going to haze two young students who had been dragged from their beds, blindfolded, tied hand and feet and conveyed there. Two young men were taken up into the hall and placed in two barrels, into which several nails had been driven, with the points protruding on the inside. The barrels were rolled about the hall for an hour and finally thrown down two flights of stairs into the two outraged students could be heard a block away.

A fire was also built in the centre of the floor of the hall, and firecrackers and other fireworks were discharged promiscuously on the street. The persecutors shouted and fled rapidly. They then broke nearly every street lamp in town. Citizens were very much frightened. Mrs. H. B. Kinney and Mrs. Henry Marcy, who were lying dangerously sick, are said to be dying from the fright.

THE UNIVERSAL PEACE SOCIETY is still alive. It had an anniversary in New York yesterday and will be heard from some of these days. The New Jerusalem (Swedish) church assembly now in session in Boston shows gratifying ecclesiastical progress. The religious anniversaries are in full bloom.

THE Ledger suggests that "while no bad act of omission is likely to be charged against this Legislature, it really begins to look as if it will be chargeable with several serious sins of omission." True enough; and yet in a legislative body the sins of omission are the least dangerous. Besides, one reform Legislature cannot be expected to undo all the bad work of twenty deformed assemblies.

THE Vicksburg Herald, noticing the tendency of many of his misguided contemporaries, to foretell the results of the next Democratic national convention prefers to test its powers of vaticination by predicting who will not be the nominee. It bows out Tilden, Cleveland, Bayard, McClellan, Hancock, Randall, Thurman, Pendleton, McDonald, Voorhees, Field, Rosecrans, Hendricks and Hoadley. In at least thirteen out of these fourteen names the Herald is sure to be right.

BISHOP POTTER, has determined to defer any action upon the charges preferred against the Rev. R. Heber Newton until autumn. The postponement is due to two reasons. First, the infirm health of the venerable prelate, which has wholly unfitted him for the task of examining these charges with the care and consideration that are required in such a case; and second, a desire to divide the responsibility with the diocesan convention, which meets in October, as well as to allow of an investigation of certain counter-charges that have been lately brought forward, as to the orthodoxy of one of the three clergymen who have signed the presentment against the rector of All Souls.

THE New York Times is unduly excited because a "desperate murderer," who wrecked the railroad train at Ephrata and who has been protected by "the outlaws that infest this portion of the country," was admitted to bail. It cannot understand why the people here did not rise en masse, storm the jail and hang the murderer; or, they falling to do this, why the court did not speedily try and "railroad the atrocious murderer to the penitentiary." If the Times had kept up with the news it would know that this "desperate outlaw" was a half-witted boy 13 years old, and it would not have made itself ridiculous by trying to make Lancaster county infamous.

PERSONAL. JENNY LIND—her name is Goldschmidt now—is 63 years old.

GOV. HENDRICKS amuses himself with a pet white mouse.

COLERIDGE is to have a bust in Westminster Abbey at the expense of an American admirer.

WILLIAM L. SCOTT, of Erie has given a third donation to Hamot and St. Vincent's hospitals of \$10,000 each.

PRESIDENT GOWEN was run from Harrisburg to Reading yesterday in an hour—the quickest trip ever made on that road.

MAHONEY is doing all he can to stop the stampede from his ranks and is using threats and promises liberally.

GEORGE H. COLLINS, at whose works in Rhode Island the big Continental engine was built, is building the engines for the first cotton mills to be erected in China.

JOHN BRIGHT will be presented with a desert service and his own portrait at a celebration in Birmingham on June 18, of the 40th anniversary of his election to Parliament.

SUGGER SULLIVAN received \$420 yesterday for exhibiting himself as a very poor pitcher for the Athletic baseball club in an exhibition game with a picked nine.

MA. RICHARD H. PARKS, a young business man of Augusta, Georgia, was married on the 10th inst., and died on the morning of the 23d, of a quick consumption, the disease not manifesting itself until after his return with his bride from a short wedding trip.

ELDER S. T. B. GRACE has been appointed for the Middletown circuit, embracing Middletown, Marietta, Wrightsville and Lancaster at the annual conference of the Philadelphia and Baltimore African M. E. Zion connection just held in Philadelphia.

DIVORCED BY DEATH Instead of Law. Edward Facer, a farmer, residing in Barry township, Scotts Hill town, met with a horrible death yesterday morning at the head of the second Gordon Place. He was on his way to Pottsville to secure a divorce from his wife, who deserted him last fall. Boarding the last car of a loaded coal train, he was being rapidly borne down the mountain, when the doors of the car suddenly gave way and he was drawn underneath with the coal and terribly mangled and crushed. His head was completely severed from his body, and his arms were torn from their sockets. He had five small children. His wife resides with another man at Raven Run, in the same county.

Baseball Yesterday. At Reading: Active, 3; Merritt, 13; New York, 13; Detroit, 7; Brooklyn: Columbus, 5; Brooklyn, 4; Boston: Buffalo, 7; Boston, 5; Harvard, 13; Princeton, 4; Providence: Providence, 7; Cleveland, 3; Washington: National, 10; Eclipse, of Louisville, 9.

LANCASTER'S PAY.

The Finance Committee to Pay Their Salaries.

A meeting of the finance committee of city council was held last evening, and a large number of bills presented to them were read and approved. Bills for the salaries of the city policemen for the month of May were presented and the committee, acting under the advice of City Solicitor Johnson, refused to pay the bills, on the ground that the increase of pay made to policemen by resolution at the meeting of council in September last, was not made in legal form. Ever since the passage of the above resolution, Mr. Evans, of the finance committee has maintained that the increase of pay was illegal. The matter was referred to City Solicitor Landis, who gave an opinion that the increase was legal, and the policemen were regularly paid up to the present time, a majority of the finance committee approving the bills, and Mr. Evans dissenting.

Councils reorganized in April and a new finance committee was appointed. At the meeting of council in September last, Mr. Evans continued his opposition to the payment of the police bills, and secured an opinion from the city solicitor to the effect that the resolution increasing the pay was invalid. At the meeting last evening, the bills came up for approval. Mr. Evans and Mr. McLaughlin declined to vote, and Mr. Wolf and Mr. McPhillips voted to pass them; hence the bills failed for want of a sufficient number of votes.

The policemen have employed counsel to prosecute their claim, and the case will probably be speedily carried into and decided by the courts.

The ordinances and resolutions of council relative to police affairs appear to be a little mixed. The ordinances increasing the police force to nineteen men, and their pay, was passed Dec. 3, 1873, and one of its sections gives council the power to increase or diminish their number and amount of their salaries by resolution. Acting under the authority thus given, at a meeting of council held March 6, 1878, Mr. Evans, of select council, offered the following resolution, which was adopted and concurred in by common council:

"Resolved, That from and after the 1st day of June, 1878, the police of the city of Lancaster shall be paid \$30 per month each; one of said number to act as captain, to be paid \$40 per month, \$15,750, steam engine and boiler, (120-horse power), \$5,000, poles, wires, &c., \$1,312.50, total, \$25,062.50. 200 lights, machine and lamp, \$24,000, steam engine, boiler, \$4,100, and setting, \$150, 20,000 feet of wire and stringing, \$750; total, \$17,500. Lights and poles, \$40 per month, \$1,200, steam engine and boiler, (120-horse power), \$5,000, poles, wires, &c., \$1,312.50, total, \$25,062.50. 200 lights, machine and lamp, \$24,000, steam engine, boiler, \$4,100, and setting, \$150, 20,000 feet of wire and stringing, \$750; total, \$17,500. 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