

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 the 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 Konigsmacher 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 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 SURGICAL CONVENTION. Business Proceedings and Subsequent Festive Scenes. The morning session of the American Surgical Association at Cincinnati, was occupied by the reading of papers by Dr. Yandell, of Louisville; Dr. Connor of Cincinnati; Dr. Sayre, of New York; and Dr. Marks, of Milwaukee. The afternoon was occupied in discussions of professional topics.

The banquet last night was set with sixty plates at the Gibson house. The dinner hall was exquisitely decorated with plants and flowers, under electrical lights. President Gross presided. No programme was prepared, and there was only a little impromptu singing. This morning the question of increasing the membership from the present limit of 100 to 150, or even 200 was up for action. Four vacancies were filled yesterday, and the present quota of membership is complete.

LABOR NOTES. General Rejoicing in Pittsburgh. The signing of the scales of wages by the iron manufacturers of Pittsburgh has caused great rejoicing among all classes in that city. A number of the mills are now running and all will resume on Monday. Most of them are shut down until that day to allow the men to attend the annual picnic of the Amalgamated Association at Beaver to-day. The mill mill in Belleville, Illinois, was running yesterday as usual, and it is said the Western mill will resume as soon as the damage by the late fire is repaired. Both mills work on the same scale as last year, and a used rate instead of the puddling system. The mill in East St. Louis was also running yesterday. The North Chicago rolling mill company's works at Bay View, near Milwaukee, were shut down yesterday morning, except the blast furnace, throwing 1,100 men out of employment. The works of the Calumet iron and steel company in South Chicago, except the blast furnace, closed on Thursday night. Their closing throws 800 men out of work.

CATTLE THEFT IN CUSTODY. The sequel of a Young Man's Travels Through a Mountainous Region. At Ashland, Oscar Wagner, a young man who has been arrested yesterday morning on a charge of cattle stealing. He has traveled under numerous aliases and is charged with cattle thefts in various parts of the country. He claims Shenandoah as his home, and as a large number of his wife have been expelled from there, he will have an answer for the charge to-day. He captured the cows while they were browsing on the mountain and drove them to town at a distance, where he disposed of them at such astonishingly low figures that suspicion was at once aroused. His stealings amount to near \$1,000.

Disasters of the Day. The disaster on the Grand Trunk road, at Stratford Vermont, on Thursday, was not caused, as at first reported, by the breaking of a bridge. A freight train was moved by the wind along the siding so that it was struck by a passing train and the engine and several cars were derailed. The bodies of the engineer and fireman have been recovered from the river. The injured brakeman will recover. The single mill of G. W. Turner & Son, near East Saginaw, Michigan was demolished yesterday morning by the explosion of a boiler. One of the employees killed and five injured, two fatally. By the bursting of a boiler near Bayou Chien, Louisiana, yesterday, two men were killed and eight men and boys severely injured. A small boat going out to a steamer at Shell Point near Tallahassee, Florida, yesterday, capsized in a heavy sea and Judge Baldwin and two other men were drowned. John Fitzgerald, John Walton and John Naussland, log drivers were drowned in the Muskegon river, at Horsey, Michigan, on Thursday.

The misfortunes of a Western Traveler. Lewis Laeger, aged 25 years, a grandson of the noted Lutheran minister, Rev. G. F. J. Laeger, deceased, returned to Hamburg from Montana territory, several days ago, presenting a pitiable sight. During last winter, while traveling in a stage, they were overtaken by a blizzard and snowbound, and several of the passengers were frozen to death. Mr. Laeger's injuries were so severe as to require the amputation of both legs just below the knee. The fingers of both hands were also amputated.

Police Cases. The mayor had before him this morning four cases of drunken and disorderly conduct. Two of the offenders were committed for ten days each and two were discharged on payment of costs. Two Fitzgeralds were arrested in the Pennsylvania railroad depot about 3 o'clock this morning for assaulting and knocking down an old man named John Garvey, in Manhattan yesterday afternoon. Fitzgerald acknowledged the assault, and the explanation of it said that Garvey had called him a "bummer." He was held for a hearing before Alderman Donnelly. Michael Gorman was arrested and taken before Alderman Fordney last evening to answer complaints of drunken and disorderly conduct and assault and battery preferred against him by H. B. Hammond, who charges that he was set upon and beaten by Gorman at the Leopard hotel on the evening following the Knights Templar parade. The accused was held for a further hearing.

Retrieved of Objections. As published yesterday the bill to allow the court here to sentence prisoners to the Eastern penitentiary was recalled from the governor to be cured of some objections which he had to the bill. It is a special to the INTELLIGENCER informant, Senator Mylin had the bill so amended as to relieve it from this objection.

Baseball Yesterday. At Reading: Active, 3; Merritt, 13; New York, 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; Etipape, of Louisville, 9.

LANCASTER'S FAX.

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 reported. 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; thence the bills failed for want of a sufficient number of votes.

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, (130-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, \$4,800, steam engine and boiler, (130-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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