

LANCASTER DAILY INTELLIGENCER TUESDAY JULY 10. 1883.

Lancaster Intelligencer.

TUESDAY EVENING, JULY 10, 1883.

A Public Wrong.

Judge Boyer, at Norristown, has refused the injunction asked for by the Reading railroad company to forbid the laying of a branch of the Pennsylvania railroad upon Lafayette street, in that town. The decision, we understand, was based upon the ground that the special injury threatened to the Reading railroad company did not warrant the injunction; but yet the decision goes in effect further, in that it declares that the road-bed of a street may be occupied by a railroad company because of the necessities of commerce.

We hope that the time is at hand when our roadways will receive adequate protection from the courts or the Legislature against the impudent encroachments of railroads. If the law is as laid down by Judge Boyer, then the relief must come from the Legislature. But we do not believe that he has correctly stated the law. It may be the law, as it will be construed by the supreme court, for there is no telling what that tribunal will decide. But it is not the law, as the sense of the people will decide it, that a railroad may be laid upon the bed of a street that was laid out for the convenient passage of men and horses and wagons so as to deprive the men and horses and wagons of that free use of the roadway which is their prerogative. These rights of the ordinary uses of roadways have long been trampled upon, we know, clear as they are. The power of the railroads has secured them the privilege from the courts and Legislature of crossing roadways at grade and at speed, with a simple warning from their whistle. This has been given them under the plea of necessity; and it would be a good plea if a true one; because necessity is not to be withheld. But it is not necessary that a railroad should cross another road at grade. It can always be taken above or below it, and always should be. The user of the road, whose ancient right has been interfered with by this modern invention, is entitled to be protected against any interference with his right which is not dictated by an absolute necessity. He does not even receive damages when he is injured at a crossing unless he can prove that he stopped and listened and was in every way alert to avoid the accident. Such is the responsibility imposed upon him by the wise men who enjoy as supreme court judges free passes and other distinguished favors from railroad companies. The day of the trying of such men on the bench is not far off, and soon the places that know them will know them no more, nor any of their kind.

When that time comes such law as that which Judge Boyer would give us will be condemned. It will not be declared to be a necessity of commerce that railroads be laid upon and along the streets of a town, its engines and cars to run side by side with the horses and wagons and men who formerly enjoyed its exclusive use. The rail road is very well. It is a necessity; but it must be laid down so as to infringe the least upon ancient rights. It is well that the Pennsylvania branch should go through Norristown; but it should go through above its streets or below them, not on them. If it is raised so high as not to interfere with the passage beneath of the tallest wagon, then there will be no unnecessary interference by it with the streets of Norristown. Building its abutments where they will not obstruct the use of the roadway and raising its superstructure so as to be out of the way, the courts and the Legislature may permit a railway to go through a town and along or across a road without unnecessary injury of driver for whom the roads and the streets were laid out. The borough authorities of Norristown probably agreed to give the Pennsylvania branch the privilege of using the roadway of its street; but those authorities have not or ought not to have that power. City councils are not uniformly nor even ordinarily wise, nor always honest. They may not give the birthright of their people away. This town of Lancaster has suffered long from the stupidity and supineness of its authorities in facing railroad oppression; when the railroad was yet in its infancy, the Philadelphia railroad was drawn by our ancestors from the line around the city to which it has just returned, and the cost of grading the track into the city was paid by it to secure the entrance into its centre. That folly was excusable in that early date in railroad experience. But since then it has been repeated in the permission given to the Reading railroad to traverse one of the city streets through its whole length; a privilege that ought never to have been granted, and that would be unendurable if the traffic over the road was great. And now the Pennsylvania railroad has been allowed to take its line along the edge of the city making no provision for bridges where the city streets, laid out, cross it, and crossing the many turnpikes it meets at our gates either at grade or by bridges whose abutments stand far into the roadway, where the railroad crosses above or whose superstructure greatly narrows it, where the railroad passes below. It is true that these turnpike and road crossings are not generally within the city limits, and that the responsibility for their incumbrance rests upon the turnpike managers and township authorities. But the fact of this common submission from so many sources to this railroad aggression only emphasizes the cowardice found on all sides in constituted authorities when they are called on to resist a great railroad corporation. So that now it lies in the hands of the people to do the work, and the indications are that they will do it thoroughly.

DENNIS KEARNEY, the wild Sand Lot orator of the Pacific slope, has again opened his jaws to howl again. O'Donovan Ross is no longer heard, and what dire destiny infests Kearney on the public now?

The world has had all sorts of stupendous and fatal accidents and terrible calamities from wind, water and fire; and now the three great infections—cholera, yellow fever and smallpox—are bringing death. It would be interesting to know what is coming next.

With Senator Cameron in Europe and Mitchell in Dakota, the clowns who gather at the Republican state convention at Harrisburg to-morrow will look around for some indication of the fine Roman hand of the Donegal statesman, and some of them, at least, will baffle the freethinkers if it is not discovered.

Down in Memphis, Tennessee, another duel was fought yesterday between two newspaper men, but it was quite an impromptu affair. The editor of the *Memphis World* was suddenly attacked by a correspondent, and firing began promptly on both sides. The casualty was one man wounded. These gentlemen proceeded in the wrong way. They should have heralded the affair in all the newspapers in the land. Such action gives *elicit* to the trials of the present day.

THE number of yellow fever stricken vessels that are quarantined near Southern ports is so significantly large that much apprehension is felt for a repetition of the ravages of the plague in the South. The country has not forgotten when so short a time ago some of the Southern cities were overrun with the disease, and it is to be fervently hoped that strict sanitary arrangements will enable the authorities not to eradicate it at least to check its further progress.

YESTERDAY four men were sentenced in Dublin to various terms of penal servitude. They were charged with being implicated in a murder conspiracy which had for its object the blowing up of the Weston house at Galway in March, 1882. There has been a good deal of ability and sagacity demonstrated by the English and Irish detectives in ferreting out the perpetrators of crime, which goes as far as any other thing in checking the secret murders which for so long disgraced the Irish cause.

THE Count DeChambord still lives, Pilon Plou's manifesto remains unissued and the fighting Paul de Cassagnac of the *Pays* is no farther towards royalty than before. Certainly this state of affairs is not his fault, for ever since he was sent on the amphibious food of royalty and received his imperialistic ideas at the fauille Tuilleries, he has been firm to the cause of the Bonapartes and a bitter opponent to the Republicans, against whose representatives his riper has ever been turned, often with deadly results in lonely spots of the Belgian frontier. M. de Cassagnac is not the most prominent, but he is one of the most powerful and relentless foes to popular government in France, although he avows his undying love for his country, and with his paper to disseminate his views and principles, he wielded no small influence among his followers.

At a meeting last evening of the Jefferson Democratic association of York, and of which Lieutenant Governor Black is president, a letter from Governor Butler, of Massachusetts, was read. In it the governor has the following, concerning Jefferson: "To no man does this country owe so much as to Jefferson. But for him our form of government would have descended into a government of the few, which is worse than an actual despotism, for in that the people have only to contend with the vice, ignorance and extravagance of one tyrant, in a government of the few the people have many tyrants to contend against, until they become an intolerable burden, only to be removed through such a tremendous upheaval as was the French revolution. From this Jefferson's example and teachings have thus far preserved us. If the country wanders much farther away from Jefferson's doctrines and the burdens of monopolies and special privileges increase much more a despotism must be the result, if the people are not obliged to appeal to other means."

PERSONAL.

PRINCE ALBERT VICTOR matriculates at Cambridge this year.

EDWIN BOOTH and Emma Abbott have been visiting the Kaaterskill falls.

JAY GOULD'S health has improved since he began taking daily excursions in the Atlanta.

PROF. CHAS. W. JASON, organist and teacher in the Fourteenth Holy Martyrs' church, is on a visit to his parent, Peter Jason and wife, No. 414 St. Joseph street, this city.

WM. MORTIMER a one handed composer in the office of the Carbon, (Pa.) *Advertiser*, fastens his stick diagonally across the "E" box, and sets, corrects and distributes \$8,000 ems of solid minor each day.

ANNE LOUISE CARY RAYMOND has repeatedly made considerable gifts to the Maine general hospital, her latest being \$250 for a free bed for one year, a timely contribution to the needs of that institution.

GAY WATERS, the recently elected pastor of the Fourth Christian church in St. Louis, has also joined the reportorial staff of an evening paper, and the *Post-Dispatch* believes his newspaper work will improve his preaching.

ANNIE DICKINSON begins to star at Harrisburg September 10. She has just issued a prospectus in the name of her manager, Jason Wentworth, of Boston, by which it would appear that Miss Dickinson will play, in addition to her role of *Hamlet*, that of *Lady Macbeth*.

REV. A. H. MILLER, of Rock River, says there is living in his charge Searl Reynold, eighty-four years old, who has always been a reader of the *Book*; but about fourteen years ago, after a severe sickness, he began to grow more tired to it, having since then read 200 times an average of once every twenty-five days.

SIRNARD EDMUND has been charmed by Mount Taconic in Washington territory. "I have been to the Swiss mountains," he says, "and I am compelled to own that, incredible as the assertion may appear, there is absolutely no comparison between the finest effects that are exhibited there and what is seen in approaching this grand isolated mountain."

CUNISTON M. SPENCER, the millionaire inventor of the repeating rifle, last year employed a nurse from a hospital in Providence to attend his wife who was dying with consumption. The young lady's name is Georgeza Rogers, and she is the daughter of a retired sea captain. She was so attentive to the invalid as to exhort first Mr. Spencer's gratitude and his love; and on Thursday last the millionaire and the nurse were married. He

is fifty years of age and she is twenty five. They will sail for Europe this week.

SENATOR JONES, of Florida, has been having a great time in Ireland. When he reached Balbriggan, his native place, he found nearly the entire population turned out to receive him, and though he has few relatives at present living there, and the principal object of his trip was to visit the family graves in Balbriggan churchyard, he found the streets arched with evergreen trees and buildings festooned with ribbons and flowers and the populace in holiday attire. He was received at the station by a large delegation, and was presented with an address by the town commissioners.

FOREIGN MATTERS.

The Count DeChambord's Condition.

The Count DeChambord passed a sleepless night and was slightly feverish. He was extremely weak Monday morning.

The fit of vomiting from which the count was suffering last night ceased this morning and had not since returned. The patient has been able to retain solids to a limited extent. It is possible that the count may be able to receive General Baron de Charette shortly.

It is supposed that the Count DeChambord's left lung is affected. He is often given morphine for the relief of pain.

A dispatch from Rome says: "It has been arranged that if the Count De Paris becomes the recognized claimant of the monarchy in France he shall come to pay his respects to the pope."

Turkey and America.

At Constantinople a Turco American commissioner has been appointed to examine into the question of the establishment of a petroleum depot. The porto has addressed a note to General Wallace, the American minister, pointing out that it notified him of Turkey's withdrawal from the treaty of commerce with America on the eve of its expiration and invited him to negotiate for the conclusion of a new treaty.

The Team at Wimbledon.

The American rifle team began practising at Wimbledon on Monday. The members practised at the 1,000 yard range. The wind was rather strong, unstable and tricky.

Out of a possible 35 C. W. Hinman and F. J. Rabbeach each scored 29. J. M. Pollard scored 24, W. L. Cash 22, and Mr. Bent 17.

NETS AND MUSICAL INSTRUMENTS.

Matters of Interest From All Directions.

The Odd Fellow's hall and two other building in Redwing, Minnesota, were burned on Sunday night. Loss \$25,000.

Fifty American wheelmen, representing the principal clubs in the United States, who are making a tour through Canada, arrived at Toronto, Ontario, yesterday.

H. W. Higham, the English bicyclist, yesterday defeated John S. Prince, the American champion, in a twenty mile race at Rochester, New York. Time, 1 hour 9 minutes, 57 seconds.

Great forest fires are reported south of Kalama, Oregon; the losses already are estimated at \$200,000. At Oak Point six miles of railroad and two locomotives have been destroyed.

The schooner Willie H. Higgins, from Philadelphia, with coal, struck on Five Finger Bank, early yesterday morning, sprang a bad leak. She was towed into the harbor at Lowes a few hours afterwards.

The steamship Nantes, which sailed from New Orleans on Sunday evening for Liverpool with a cargo of cotton and grain

grounded on Mud Lump, in the South Pass. Tag boats have gone to her assistance.

Leading Orangemen in Canada deny that they intend to have a procession in Montreal on the 12th inst. They say that the only celebrations will be held in "out-of-door places" by the Ontario brethren, who have refused to sign such a paper, and it is said that George Eldridge & Co., whose claims in regard to military competitions will insure the Americans a full amount of practice. Thus they will obtain the same amount of practice as the English team will. The complimentary tickets entitle the Americans to shoot free, unless they compete for prizes, in which case they must enter in the usual manner.

The Press.

From W. Bourke, Governor's Fourth of July Speech in Tammany Hall.

Above all, let us on this day, when our political conduct is before us for inspection, resolve that free speech shall never be invaded in this land of liberty and of law. While we can discuss public measures and public men we are all lawmakers, for we are forming that public opinion which in a free country controls statesmen and shapes their policy and legislation. As an element of free speech, a free press must always be the object of zealous care in a well-ordered community.

The importance of free newspaper discussion, forming as it does a channel for the interchange of ideas among widely scattered portions of the country, but closely allied in interest, can never be overlooked.

It is true that the liberty granted to the press may often be abused and frequently degenerated into license. Indeed, the exact bounds to which it should be confined has been the subject of much speculation. But to my mind the absolute liberty which it is permitted is the best guarantee against any gross abuse of its privilege.

A newspaper to be influential or profitable must secure public confidence. This it can only get by fidelity to public interests. If it degrades its privileges to the service of base purposes, if it makes character the sport of wanton malignity, if it relays slanders as news and wickedly invades the domains of truth and honor in its discussions, it will experience proper retribution in the loss of circulation, decreased profits and the forfeiture of public support.

The National Democratic Convention.

N. Y. Sun.

We second the motion that Saratoga shall be selected as the place for holding the national Democratic convention in 1884. It is a delightful spot; everybody likes to go there; and it possesses ample hotel accommodations for the greatest throng that may be collected.

We do not know any other place that unites extraordinary attractions and conveniences in so great a degree as Saratoga.

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NEWS IN BRIEF.

CLIPPINGS FROM THE DAY'S MAIL.

The Way the World Goes—Crimes and Accidents in Many Places—Other Minor Paragraphs.

A passenger train and a gravel train on the New England railroad ran into each other on a curve near Plainfield, Conn., last evening. The engineer and fireman of the gravel train jumped off and escaped. George Knickerbocker, engineer of the passenger train, remained at his post, reversed the engine and was crushed to death. His brother, the fireman, escaped by jumping off. The baggage car was smashed to pieces, and C. W. Church, the Adams express messenger, of Hartford, and C. Griswold, of Waterbury, were thrown 40 feet into an adjoining field. Griswold's body was thrown over the telegraph wires and was immediately killed. The passenger car was probably fatal. The passengers were both shaken up. Charles A. Welsh, telegraph operator at Plainfield, is said to be responsible for the disaster, in neglecting to give the passenger train orders to wait until the gravel train went by.

A passenger train on the Woods-ocket division of the New York & New England railroad was thrown from the track yesterday morning near Medway, Massachusetts. The engine and one car fell down an embankment and several persons were injured. The disaster was caused by a plank crossing a draw under one of the cars.

MATTERS OF LABOR.

A few more of the ringleaders in the Elly mines in Vermont were arrested yesterday morning and taken to Chelmsford jail. Sheriff Berry has returned home, and states that his opinion, no further riotous demonstrations will be made by the miners.

The acting comptroller of the currency has authorized the following banks:

The Owego national bank, of Owego, N. Y., capital \$50,000; the national bank of El Paso, Illinois, capital \$50,000, and the First national bank of Greenville, Texas, capital \$50,000.

The weavers at the Bourne mill at Fall River, Mass., struck yesterday morning on account of a change in their wages from day pay to payment by the piece. They claim that it is a reduction, while the management of the mill claim it will make no difference and be fair. The mill makes Canton flannel.