Lancaster Intelligencer.

THURSDAY EVENING, AUG, 30, 1883,

The Electric Light Poles. The New Era joins with us in echoing the voice of the people against the un-

sightly poles. It agrees with us that the city has not invested the Maxim com pany with any power which it may itself have to put up the poles, and that the property holders are justified in cutting them down. The Examiner " guesses ' that the poles will go up and stay up and seems to be quite in love with them. much respect for its law.

We concede that if the city under takes to put up these poles, the question of right which it will raise with the sides, and which will require the adjudication of the courts to settle. This question has two branches; first, can the city put up any obstruction at all on the streets, that extends beneath their surface, for the purpose of lighting the streets with electricity? and scondly, if it has this power, must it not use it so as to make the obstruction as small as possible? Upon this latter point we have little doubt. If the city has the power to erect posts on the sidewalks it does not carry the power to put up large wooden poles where small iron ones will do the work : or where the wires may be strung upon the trees, or laid under ground.

But it is denied that the city has any authority at all, unless it is expressly conferred upon it by the Legislature to obscurity in the examination in Liverpool dig down under the surface of the ground to plant posts therein, even for the necessary purpose of lighting the city. The use of the ground beneath the surface belongs to the adjacent property holder ; the city having at common law only the boys over there that I will do my utmost thin, plate-like crystals of feldspar. use of the surface as a roadway. The power to build sewers has been conferred by act of Assembly. So the privilege more harm to the Irish cause than all the of laying water mains has been express- others of his class combined. Unfortunately given by statute. The power to erect ly he possesses a large following of warm gas posts was conferred by the Legislature upon the gas companies.

sidewalks is inherent in it, what becomes this mode of warfare in the past should of the right of the property owner to ex cavate his sidewalk? Do those who claim that the city can plant poles on the not see. The Parpell policy of continuous sidewalks, without the consent of the property owner, claim that the latter cannot excavate under the sidewalk autonemy, and the quicker this truth is without the consent of the city? We impressed on the dynamiters and their folhave never heard that the right of the lowers, the bester it will be for Ireland and property owner to utilize the space under | the world. the side walk has been denied. It is constantly exercised; and not only this, but the space under the street has been utilized by the adjacent property owner. The Conestoga steam mills, on the oppoan underground passage beneath the street. Has the city the right to forbid this use of the ground beneath the street? The fee of the ordinary road is in the adjacent property owners, each holding to the centre. It is held subject to the public right of way and the right of emirent domain in the state which controls the property owners' rights above and below the surface. Where a town has been laid out, the streets boundaries of the lots, the town prebably has a right to such use of the street as is necessary to the public comfort; but that does not confer the power of obstructing unnecessarily the primal use of the street as a thoroughfare; and we hold that large wooden poles to sus tain the electric wire are such an unnec essary obstruction, since iron poles, or trees or underground wires make them unnecessary. The wooden poles must go.

The Right of Representation.

Somebody over in Berks county has made a blunder in regard to the election of delegates to the next state convention. Under the rules of the party the repre- of the potency, the results and the forces sentation in the state convention is now which impel them, of the wonderful eleby representative districts, not by senatorial and representative districts; it never was by counties. Under these rules and the existing apportionment the city of Reading, a separate represen tative district, is entitled to five members and that part of Berks county which is outside of Reading and is another district is entitled to eleven. The right of each of these districts to elect its own delegates independently of the other is as clear as the right of the Laneaster or Lehigh Democrats to choose their delegates free from interference on the part of their Berks brethren. In the excitement of the late county convention in Berks, however, it seems that the delegates from the country insisted upon their right to par ticipate in and control the election of the delegates from the city district of Reading. This is all wrong and if persisted in will precipitate a needless and utterly unjustifiable contest upon the state convention, of the kind which the new rules of the party sought to rid not given to the flames until mature confuture conventions from. Under the sideration and deliberation had been had old system of electing senatorial delegates by several counties, disputes and contests frequently arose, which it was to prendunce upon the expediency of their hoped the party would be exempt from suppression. It is scarcely probable, howwhen the system of representation was simplified so as to give each representative district the separate and exclusive right to elect its own delegates. This right cannot be infringed. If the delegates to the last county convention in Berks, were, under the local regulations of the party there, the proper per. sons to choose the delegates to the next state convention, then obviously the delegates from the first representative district, the city of Reading, should have chosen the five state delegates, from that district; and the delegates from the second district, "all of the county of Berks not embraced" in Reading, by the state of the second district, and the delegates from the second district, "all of the county of Berks not embraced" in Reading, by the state of the second district, and the delegates from the second district, and the second district, and the delegates from the second district, and the second district is not at all creditable to the judgment of the newspapers which avail the number of the newspapers which avail the number of the number of the newspapers which avail the most interesting of the recent collection. It breathes an air of cynical indifference of the second district is not at all creditable to the judgment of the newspapers which avail the warriers of the terrible disturb ances must be fully 75,000, but the number of the newspapers which avail the warriers of the second district is not at all creditable to the judgment of the newspapers which avail the warrier should have chosen the eleven state delegates from the second district; neither district has any right to interfere in the choice of the other. If the city delegates can be brought to ratify the selections made for them that will be a very easy abilition of the whole matter; but if not the was uninhabited.

A dispatch from the Javanese coast and sum the sea.

A

which can be a determination in favor of the right of each representative district to its own separate representation, as the rules of the party expressly pro- Seventy-five Thomsand Lives 1 est-Town

Ir is a "discovery," indeed, that is reported from Schuylkill county in the investigations of a contested election case. The "farmers of the lower end" are reported to have been voting illegally because, as one of the dispatches says, " they have all paid their taxes on property, but none on their occupation. They thus lose their citizenship, and are We do not admire its tas'e and have not voters." This is all nonsense. The of fire and sulphurous ashes. At the payment of any state or county tax within two years qualifies the voter. It property owners is one which has two tional classification. The "discovery" in Schuvlkill county is a mare's nest.

WHY are not the electric wires attached to the trees? The owners of the they need not be. The electric wires being insulated can be carried through the branches without difficulty. The over a wide extent of territory. wooden poles must go.

Is the people pool their issues on the pole question, the unsightly masts must

In the memory of the present generation O'Donovan Rossa has been mixed up in all the Irish conspiracies hatched on either side of the Atlantic. The bloodthirsty Jeremiah has again emerged from of James McDermott, the alleged dea mite conspirator. On a card discreased on the person of the latter at the time of his arrest, the following Delphic declarato help destroy the common enemy." This arrant blatherskite has probably done in the extermination policy taught by the If the authority of the city to dig up the Fenian leader. The unhappy results of not be lost on Irishmen of the present, but extremity of Point St. Nicholas, on the there are none so blind as those who will and aggressive parliamentary agitation

APPALLING as have been many of the numerous catastrophes which have oc- were heard and the columns of fire and curred during the present year, none will smoke on the southeast corner of the more fatal than the terrible calamity that site sides of Prince street, belonging to has come upon the island of Java and its greatest quantities of lava, rocks, pumice John Farnum & Co. sare connected by inhabitants by the eruptions of volcanoes and the sympathetic disturbances of the surrounding sea. Seventy-five thousand is now the computed number of killed, but daylight came it was seen that an enor the inability to correctly calculate the death rate may easily underrate it. No occurrence in recent times has been so ex tensively destructive to human life and to the earth upon which it happened as this disaster, which has caused not only so many deaths, but has annihilated some and caused the almost total disappearance of dedicated to public use, and made the other towns upon the island, while the por tentous swell of waters rushing upon the land with frightful velocity and extension have eaten away the earth, as bread might soak and crumble in its grasp. But aside from the disastrous results of this dire calamity, are the interesting geological 65 miles, had gone out of sight. The phases which it presents. The savants of waters of Welcome bay, the Sunda straits our time have heretofore been compelled, in their learned and absorbing investigations regarding the earth's formation and its characteristics, to rely upon evidences sometimes conclusive, oftener apocryphal, of the action of the earth in remote ages. With this great and calamitous, yet mysterious, event on the island of Java, is pre sented a distinctive and valuable display ments of the globe which we inhabit.

> LONDON literary circles have been thrown into quite a flutter of excitement by the publication in the Athenaeum of some contemporary correspondence relating to the poet Byron, which seems to throw considerable light on portions of the career of that gifted, but unfortunate man. The correspondence in question consists of several letters that were interchanged by Lord Byron, his wife, and the poet's sister, Mrs. Augusta Leigh. The letters that situated, was so completely dammed by passed between the poet's wife and sister the lava and debris that its course was breathe a warmth of affection inconsistent changed and from Franiero Bastion it with the historical impression of their coldness toward each other. Their steadfast devotion and trusting reliance on one tent as to rise high on the Castor batter. another during the whole of the sad time when Byron was indulging in the wildest libertinism are the only redeeming fea- the meuth of the Tangerang river and tures of the sorrowful story. Whether or not the world would have been the gainer by the publication of the poet's memoirs none can know, but certain it is they were with those best calculated to know their contents, and who were thereby best able ever, that his memoirs would have added anything to his fame. With all his transcendent genius Byron was a bitterly malignant hater and there is little doubt but that in his effort to vindicate his own conduct he would have discharged all the venom of which he was possessed on the heads of those whom he fancied had wronged him. His vindictiveness in this respect was shown in his triumph at the

DESTROYED JAVA.

THE GREAT VOLUMNIO EBUPTIONS Destroyed—Fifty Square Miles of Territory Swallowed Up.

Further particulars of the great volcani eruption on the island of Java, which have just reached London from Batavia, show the disaster to have been even more widespread than reported in yesterday's advices. At noon on Sunday the eruption and shocks were supposed to have reached their greatest height, but late in the afternoon and evening the vio-lence of the disturbances suddenly increased and the island of Java seemed not. under the constitution, qualified about to be completely buried in a mass same time the enormous waves began to dash with greater force upon the shores, coming in some places far up into the indoes not matter what kind of a tax it is terior, and great chasms opened in the so that it comes within the constitu- earth and threatened to engulf a large proportion of the island's people and buildings. About midnight the most frightful scene of the whole disturbance took place. Suddenly the enormous luminous cloud, similar to that which was seen over the Gunung Gunter, but much trees would probably consent to this use greater in extent, formed over the Kandof them, if they were not injured, as ang range of mountains which skirt the southeast coast of the island. The cloud gradually increased in size until it formed a canopy of lurid red and whitish gray

During this time the eruptions increased and streams of lava poured incessantly down the sides of the mountains into the valleys, sweeping everything before them. Here and there a stream of lava would enter an arm of the sea or come in contact with the waters of a river. Then the nearest incandescent lava, as it protruded from the great stream, would suddenly produce boiling heat and rapid vaporization, but the superficial consolidation that almost immediately ensued would prevent any further contact. The fissures that opened in this thin crust as it solidi-fied would emit torrents of vapor, extend ing high into the air and making a adous hissing and seething sound, as if a thousand locomotives were simultaneously letting off steam. Here and there tion from Rossa was found: "Tell the in the lava streams were innumerable arranged in trains, one behind the other, in the direction of the flow of the current, and felspathic spherolites were rapidly formed in the vitreous matter, resembling those which form in the slag of a glass doubtedly sustain much damage. furnace. One of the most singular rease blooded Irishmen, who thoroughly believe of the eruption was the carrying in the midst of the molten lava of a bed of solid ice of enormous size, which had been emitted from one of the craters, carried along by the current and landed on the northeast corner of the island. This bed of ice was surrounded by a thick envelope of sand and scoriae, which are such nonconductors of heat that a red hot stream can alone effect the desired result of Irish of lava running over them will not melt snow. It is supposed that ice had formed the crust of some vast subterranean lake.

> About two o'clock on Monday morning the great cloud suddenly broke into small sections and quickly vanished. At the same time the most frightful rumblings island ceased to ascend, while the craters in the other parts of Java seemed to open and ashes yet vonfited out. The hissing of the sea became so loud as to be almost deafening, and the waves rushed up on the shore to an unprecedented height. When mous tract of land bad disappeared, ex tending from Point Capucin on the south, to Negery Passoering on the north, and west to Low Point, covering an extent of territory about fifty miles square. In this were situated the villages of Negery and Negery Babawang. Of the people inhabiting these places and the na tives scattered sparcely through the for ests and on the plains none escaped a frightful death. This section of the island was not so densely populated as the other portions and the loss of life was comparatively small, although it must have aggregated fully 15,000 souls. The entire Kandang range of mountains, extending along the coast in a semi circle for about and Pepper bay on the east and of the Indian ocean on the south had rushed in and formed a great sea of turbulent waters Here and there the peak of a high crater was exposed for a moment by the receding of a great wave, and occasionally a puff of brownish gray smoke or a slight shower of rocks showed that the volcanoes still continued in active subaqueous eruption. The debris of the submerged and destroyed buildings was tossed hither and thither over the tumultuous waters, the only

The town of Tanerang, within twenty. five miles of the city of Batavia, was half the population, mostly Javanese, numbering about 1,800, perished.

At Speelwyk, near Point Salcis, the red hot rocks set fire to the houses and swept away all the thickly settled portion of the town. About ten bazaars belonging to flowed down to and through Tygers street and joined the waters of the river Emerades, swelling that stream to such an exies. Fijelenking was almost totally destroyed and a large number of lives were lost. The Islands of Onius, five miles off twenty miles east of Batavia, was completely inundated and the floating dock there was totally destroyed. Caataye, Claps and Tronwers islands, off the por tion of Java which disappeared, are out of sight and not a vestige of them is left Baby and Cherybo islands, off the north coast, but small in extent, lost the few houses and inhabitants upon them.

In Batavia the loss has been largely in creased since the former reports. coof of the governor's house was crushed in by a mass of heavy mud and three of the retainers were killed. The town bridge was destroyed, the Diamond and Pearl bastions were badly damaged and the Burran redoubt was destroyed. On Dayans, Malabar and Lions streets, the principal avenues of the city, the damage is very great, Fort Aatyol is entirely destroyed. The town of Faggal was severely shaken and few buildings were left stand

The aggregate loss of life from the

stood the sea now flows. The aspect of the Sunda straits is much changed and navigation is dangerous.

The tidal wave completely destroyed

Anjier. The loss of life among both Europeans and natives at North Bantam was enormous. Since noon Wednesday everything has been quiet. The sky is clear and communication with Serang has been restored.

A STURM ON THE COAST.

Extensive Damage at Atlantic City-Car-cases of Cattle Washed Away. The high tides of the past few days a Atlantic City have been greatly augmented by the northeest storm which has prevailed. At times the wind blew a gale and vessels had to keep far out at sea. Navigation hereabouts was out of the question. Gradually the sea worked up the beach and soon the work of destructiou began. Portable structures were moved back out of danger, but many bath houses, booth and frame shops were de-molished by the waves. The board walk was broken up in many places and the en tire strand is strewn with wreckage. Every foot of the board walk between the Atlantic City pier and the foot of the United States avenue is smashed to pieces and several shops and pavillions are wrecked.

There is not a place on the beach from that has not been damaged to some extent by the high tide and heavy surf and the total loss will not be less than \$75,000. Long before high water the board walk began to wash away, and by high water the beach along the centre of the city was a mass of debris. Bath houses, restau rants, photograph galleries and stores with dwellings attached, which were built so far from the surf that it was thought that no sea could reach them, were undermined and carried bodily into the ocean and beaten by the waves into fragments. Two hours after high water the tide had fallen but little, and great anxiety is felt about the next high water, as the wind from the northeast is increasing in force, and should it continue until high water to day the damage will be more than double. The surf was by far the heaviest ever seen. The branch of the Camden and Atlantic railroad company along the beach front to South Atlantic City was badly washed, and the passengers who took the late train were compelled to abandon the train and walk a distance of five and a half miles. All the railroad tracks except the West Jersey, are submerged, and will un-At Long Branch.

The beach has been badly washed away in some places. The undertow was too strong for bathing and the Plymouth Rock was unable to run to the ocean pier. Late yesterday afternoon the tide began running over the track of the New Jersey Southern railroad, opposite the highlands of Neversiuk. The track was undermined in several places and the waves ran over into the Shrewsbury river. At some points the sand from the beach was piled upon the track to a depth of nearly three feet. Passengers from New York were transferred around the washout in boats. A train load of stone was sent to the scene and a large gaug of laborers was set to work repairing the damage. Superintend ent Blodgett said the track would be ready for the passage of trains before morning A bad washout is reported on of the Pennsylvania railroad near Berkeley The trains to and from Philadelphia are running over the New Jersey Southern road between Whiting's and Farmingdale so as to reach Long Branch.

Cattle Washed Ashore. The bodies of 13 steers were washed up along the shore between Seabright and Highlands Station. Several more were to be seen floating in the heavy surf. The smell from the bodies, which must have been rolling in the water for several hours, is not pleasant, nor is their presence agreeable to bathers. The carcasses will no doubt lay on the beach and putrify, unless private enterprise starts in and buries them, as the authorities have no fund to stand any such expense. The bodies are supposed to have rolled or been thrown from the English steamer Tower Hill or Lydian Monarch, which left New York on Saturday bound for London. The vessel was laded with beeves. She was so top heavy that in the quiet waters of the upper bay she rolled to such an extent that curiosity was expressed over her coming trip, and predictions were made that she would lose part of her cargo. The supposition is that she encountered a heavy sea with the result as stated above.

Poison in Cake. Nat M. Smith, of Nashville, received from the post office a box of cake, accompanied by a letter signed "Annie L Sullivan," dated New Albany, Ind., with a Louisville postmark on the envelope. The letter explained that the cake was wedding cake and announced the marriage of the sender. Mr. Smith ate two pieces sign left that there had once been inhabi- of the sender. Mr. Smith ate two pieces ted laud where all was now a waste of of the cake, and discovering a bitter taste suspected it contained poison. Shortlyafter he was quite ill from the effects, and was only restored after some hours by swept away by the lava streams and fully physicians who were called in. An analysis showed that the cake contained strych nine. Smith does not know Annie L. Sullivan, and is at a loss to divine the motive for this attempt to poison him.

The Connecticut Tobacco Urop. property is very large, but no lives are known to have been lost. The river Jacatra, on the banks of which Port and the connecticut and Housatonic valleys indicate that the grown for 100 to banks of which Port and Housatonic valleys indicate that the grown for 100 to banks of which Port and Housatonic valleys indicate that the grown for 100 to banks of which Port and Housatonic valleys indicate that the grown for 100 to banks of which Port and Housatonic valleys indicate that the grown for 100 to banks of which Port and Housatonic valleys in the connecticut and Housaton Reports to the New England Homestead full average yield, while excelling in quality The total acreage is reduced fully 15 per cent., with one-third increase in Havana

> FEATURES OF THE STATE PRESS, Lock Haven is to have a new morning daily about October 1.

> Progress is quite certain that the remo val of the state capital to Philadelphia is only a question of time. Truth crushed to earth will rise again,

and so will Blaine and his friends, says the West Chester Republican. The Greencastle Press says the pasture on some of the streets in that town is ex-

On account of the frequency of divorces and their trivial causes, the Reformed Messenger trembles for the future of so-

Prof. E. G. Klose, the principal editor of the Moravian, has succeeded to the business management of all the publications of that denomination in Bethlehem. The Altoona Times has entered upon its second year abler and spicier than ever. As an expounder of sound Democractic

doctrine, it has done much for the Democracy of Blair county.

PUBLIC MEETINGS.

VARIOUS SOCIETIES IN SESSION. Kev. Thos. Mitchell to Defend Christ

Other News in Brief. The Freethinkers' convention opened yesterday in Rochester, about 800 delegates being present. Committees on busi ness and resolutions were appointed, H. L. Green, of New York, being chairman, of the former, and Courtland Parker of the latter. The speakers yesterday were F. L. Brown, Jay Rappel, Samuel C. Putnam, C. Fannie Allen and George Chainey, the latter devoting himself to the clergy. Rev. Thomas Mitchell, of Brooklyn, is to speak in defence of Christianity to-night, and the convention "has decided to give him all the time he de-

sires." The national convention of deaf mutes, in session at New York yesterday, elected the following executive committee: T.A. Froelich, New York ; J. T. Elwell, Penasylvania; Robert Patterson, Ohio; D. W. leorge, Illinois; Geo. T. Dougherty, Misouri; S. J. Vail, Indiana; T. A. Holmes, Massachusetts: W. H. Werk, Connecticut; Oscar Kusman, Rhode Island; D. S. Rogers, South Carolina; T. Brown, New Hampshire; Hiram P. Hunt, Maine; T. L. Brown, Michigan: Walter McDougal, New Jersey; James S. Wells, Maryland; G. W. Steerod, West Virginia; and Rev. Job Turcer, Virginia.

A business meeting of the Grand Army of the Republic encampment at Gettysburg was held yesterday, when it was decided that the encampment next summer should be held at Bellefonte, Pennsylvania. The adjutant general reported 371 posts, 30-500 members, and \$16,647 expended in relief and charity during the quarter ended in June.

The American Dermatological association met yesterday morning at Lake George. The president, Dr. R. W. Tay or, occupied the chair. Papers were read by Drs. Piffard, of New; Graham, of Foronto; Stilwagon and Van Hartingen, of Philadelphia, and Atkinson, of Balti-

The fourteenth annual convention of the fire underwriters of the northwest began yesterday in Chicago. About 200 representatives of companies doing business in the northwest and Ohio, Indiana, Tennessee, Kentucky, Iowa, Wisconsin and Kansas were present.

The seventeenth annual convention of the American institute of architects opened yesterday in Providence, Rhode Island. Thomas V. Walker, LL. D., of Philadelphia, the oldest member of the institute.

The grand lodge of Good Templars of New York is in session at Syracuse. Yes terday afternoon a Tuscarora Indian girl enlivened its proceeding by "an exhibition of her remarkable musical powers." Of Commercial Interest

On Monday next a number of experts who have been appointed by the cotton exchange throughout the country will meet in New York for the purpose of selecting standard samplers as a guide in classification. At a meeting yesterday afternoon Abraham Allen, jr., was appointed expert for the New York cotton exchange and Thomas Fenner substitute.

At a meeting of the New York metal

Reports from over one hundred tobacco growing towns in the Connecticut and Housatonic valleys indicate that the crop for 1883 will be a full average in yield and excellent in quality. The first bale of new North Carolina

cotton arrived at Norfolk, Va., yesterday. It was classed as strict middling and solo for 13 cents a pound. The patent office has this week issued 421 patents, 13 designs, 19 trade marks

and 12 labels. There have been four reissues. Twelve patents were issued to The plans for the new silver vault to be constructed in New Orleans have been

completed. It will have a storage capacity of 20,000,000 standard silver dollars. The Mexican government has published regulations for the construction, conservation and operation of railroads.

The Track of Crime. John Woolver has been arrested at Perry, Mich., for fatally poisoning Henry Cut-cher with strychnine. Cutcher was recently married to a young woman whom

Woolver loved. Gilbert Dubers yesterday visited his brother in law, Richard Magee, near Colfax, La., to collect a debt of thirteen dollars. Magee could not pay and Dubers shot him.

Daniel McKay and Thomas Ewing and Henry Satchwell were lying beside the road near Wadesboro, N. C., yesterday, when Wm. Sheppard, who was passing, playfully aimed his gnn at them. The weapon was discharged, mortally wound ing McKay and Ewing and badly injured

John Fletcher shot and killed the telegraph operator at Spring Hill station, Utah, yesterday. There was an old grudge between the men.

During a row at the canning works at St. Joseph, Mo., yesterday, Mary Fuhey threw a box at a boy. It missed him, but hit Caroline Hupp and killed her.

Death on the Ses. A life preserver, which was torn and bore evidence of having been in recent use and which was stamped with the name 'C. H. Northam," was found on Tuesday afternoon, upon the shore of Vineyard Sound. A party of children playing upon the beach, near Falmouth village, saw the body of a man floating in the surf, but they ran away and told no one until it was

too late. The body is supposed to be that

of one of the missing men from the yacht

Mystery. The navy department was informed yesterday of the accidental killing of Lieu. enant Boutelle Noyes, on board Rear Admiral Crosby's flagship at Yokohama. The casualty was caused by the fall of a top-gallant mast. Lieut. Noyes leaves a widow and two children.

The Fire Record. F. B. Hemingway's fruit cannery at Clinton, Iowa, was destroyed by fire on Wednesday. Loss, \$60,000. Insurance small.—The dry house of the Duluth lumber company, with a quantity of lum ber, in Duluth, Minn., was burned yesterday morning. Loss, \$25,000.—The boat store and general offices of the Diamond Joe line of steamers in Dubuque, Iowa, were burned yesterday morning. Loss, \$28,000.—The fifth story of mill No. 3, o the Pepperhill company, at Biddeford, Me., was burned out last night, and the other stores were damaged by water. The loss

As no other jurors except those in the Kissinger case were needed the others were discharged before noon to day.

near Hudson, New York, yesterday, six men were severely injured, one of whom, Patrick Cougher, of Troy, is not expected to recover.

PERSONAL.

EMPRESS EUGENIE, who has suffered om dyspepsia, walks much and continues o improve in health and spirits. COUNT DE CHAMBORD'S coffin bears plate inscribed: "Henri V., by the race of God, King of France and Na-

REV. DR. G. STRICKER, of Atlanta, Ga., has been elected a professor in the Union theological seminary of the state of Vir-

LORD CHIEF JUSTICE COLERIDGE bas written to the secretary of the committee of arrangements for the proposed bar dinper to the chief justice in Toronte, that his numerous engagements in the United States will prevent him from visiting Canada.

M. ALEXANDRE Dumas has written a etter complaining of the brilliancy of stage decorations, and, above all, of stage dresses. The actresses think, he says, more of their costumes than of the piece, and "the genius of the author is lost in the art of the milliner.' BANCROFT, the historian, is over eighty

three years of age, he has a fame of iron

and a brain as bright as that of a youth.

He is of middle height, lean and wiry. His thin, thoughtful face is lengthed by his long, silky beard of sable silver, and his thick gray hair is combed back from a broad, high, brawny forehead. He has light blue eyes, and a complexion darkened by the winds of his daily horseback rides. PRESIDENT ARTHUR was at "Camp Campbell," foot of Yellowstone Lake, on

the 27th inst. He went fishing in the afternoon, and "caught 35 fish weighing 45 pounds." It is stated that "the head of an extinct species of rhinoceros and the vertebræ of a large fossil saurian in an excellent state of preservation were found on the shore of the Lake near the camp by the surgeon and naturalist of the party, W. H. Forwood.

GOVERNOR CRITTENDEN, of Missouri, becoming augry at the infractions of the Sunday law in St. Louis. . In a recent interview he is reported to have said: " I am an anti Prohibitionist from the soles of my feet to the crown of my head, but I feel with the people that if a law is to be defied in St. Louis, and I have to choose between lawlessness and prohibition, I am a Prohibitionisc. Under such a provocation prohibition will carry the state by fifty thousand majority.'

COMMON PLEAS COURT.

Two Cases of Local Interest BEFORE JUDGE PATTERSON.

Inquirer printing and publishing com pany vs. Rev. H. S. Rice, D. Rine Hertz O. S. Rice, A. W. Zug and H. F. Hermes This was an action to recover the amoun of \$174.75. From plaintiff's testimony it appeared that in 1881 the defendants were officers of the Lancaster county mutual aid society, a fire insurance company. Hermes, who was the general agent, at a meeting of the directors, was authoriz ed to have job printing done, which he did. A charter was granted to the company, but before it was recorded or they had exchange yesterday an amendment to the written any policies, the company obligatory on the day of official notice of the exposure made at that time failure instead of "on any one of five of the management of life insurance comdays succeeding," as was heretofore the paules. It was proven that the plaintiffs rule. After Saturday next the fees for printed a lot of blanks and delivered them initiation will be \$1,000. At present they to the company. Major Fasnacht, deputy recorder, testified that the charter had never been recorded. The counsel for the in the public streets, for the reason that plaintiff alleged that as the charter was not recorded, the act of Assembly authorizing the granting of charters had not been complied with and this was no corporation; the individual members of the society would then have to be held liable. The records of the court of Dauphin county were offered to show that the company had been dissolved.

The defense asked for a non suit on the ground that the defendants were sued as individuals. They claimed that it must be shown that the defendants individually contracted for the printing before they could be held liable, and that they authorized Hermes to have the printing done. The court refused to grant the non suit. The defense was that as the defendants did not individually order the printing or authorize it, they cannot be held liable for the bill, contracted by Hermes, as agent

for the company. After some testimony had been heard for the defence, the court ordered a verdict to be taken in favor of the plaintiff for \$196.71, and that a rule be granted to show cause why judgment should not be entered in favor of the defendant non obstante

veredicto. BEFORE JUDGE LIVINGSTON.

J. Shuman Kline and Mary K Kline, his wife, in right of said Mary K. Kline, for merly Mary Kissinger, and Harry Kissin ger, by his mother, Mary K. Kline, vs. the city of Lancaster. This is an action to recover damages for the loss of a husband and father, which was caused, as is al leged, by the neglect on the part of the city to properly construct and keep in repair a certain alley gutter at Cherry and Orange streets.

After the jury was sworn the defense raised the question as to the right of the plaintiff to proceed further in this action as the case had been tried before, and upon judgment being entered for plaintiff the supreme court had returned it quod judicium reversiter without awarding a venire facias de novo ; and further that the act of 1713, under which plaintiffs claim to have enewed the action, was not applicable to this case, as the action did not belong to the class referred to by said act.

The court suggested that the only plea of not guilty was probably insufficient. The defendant then filed a special plea setting forth the action of the supreme court and praying judgment in favor of the defense. The plaintiff demurred to plea and was joined in it by the defence. The court heard the argument and sustained the demurrer, overruling the special

The plaintiff then opened their testimony proceeding to show that Henry M. Kissinger, now deceased, who was the husband of plaintiff, was a teamster in the employ of Balmer & Co., who delivered goods for the Pennsylvania railroad company on July 22, 1878. On that day he was engaged hauling boxes filled with tobacco from the freight depot to the warehouse of Skiles & Fry, opposite the Presbyterian church in Cherry alley. He was seated on the top of the front box and in that position attempted to cross the gutter at Cherry alley. While driving carefully, as is New Era. alleged, he having passed safely over the gutter before on that day, he was jostled from his seat by the improper construction of the gutter, it being from 15 to 18 inches in depth; he astride the tongue of wagon and whilst in that position endeavored to recover control of the horses

in order to stop them ; the animals became unmanageable and Kissinger was thrown under the wagon, the wheels of which without the slightest regard to the rights passed over him, injuring him so severely or wishes of the citizens. The huge poles that he died in a few days. It is alleged that have been put up on a number of our on the track just above Ashland. The engine struck the eleepers, but was running slowly and no damage was done.

A train on the Wahash railroad western a training slowly and no damage was done. dangerous for driving over; they now seek to make the city liable for the result of This paper has protested on more than one the alleged neglect, which it is claimed caused the death of the decased. A large number of witnesses were called

to prove these facts. Jurors Discharged. THE MAXIM POLES.

SUME FURTHER LEGAL OPINIONS. be Chizens object to the Treepassers and Some of Them Threaten Merist : nco

-The Wooden Poles must Go. The uneightly poles of the Maxim electic light company, and the impunity with which the company's agents take posses sion of private property for their erection, continue to be subjects of general discussion among the people. The almost universal sentiment is that the company has no right to put them on private prop-erty without the owners' consent, and the owners whose properties have been taken ossession of, so far as we have been able to investigate, have almost unanimously objected to the trespass. The opinious of several members of the bar have been published in this paper. Here follow the

views of several others : Wm. Leaman, esq., holds that, while the primary use of streets is to afford the public a convenient and unobstructed right of way, there are secondary uses to which they may be put by the city, among which are the laying of gas and water pipes below the surface, and the erection above the surface of lamp posts, awnings, telegraph poles, &c., and the planting of shade trees, all of which may be done without materially obstructing the streets. He agrees with Solicitor Johnson that the city, in making a contract with the Maxim company to light the streets with electric lamps, gave the company the right to use all necessary appli-ances to accomplish that result, provided it can be done without material ob of the streets.

G. Clem. Kennedy, esq., believes that the city has exclusive control over the streets and can delegate to individuals or corporations its right to lay water or gas pipes, dig sewers, or erect lamp posts or poles for telegraph or other purposes; and that the city may, if it choose, remove door steps, cellar doors, awning posts and awnings, shade trees, or anything else that obstruct the streets. He holds that the city, if it be deemed necessary, may authorize the building of a sewer on South Prince street, between Farnum & Co.'s No. 1 and No. 2 cotton mills, though by so doing the underground railway connecting

them would be destroyed. D. G. Baker and J. B. Amwake, esqs., incline to the pinion that the electric poles are being put up with due warrant of law. J. W. F. Swift, B. F. Montgomery, A. D. Fritchey, W. D. Weaver and A. F. Hostetter, esqs., deny that the Maxim company has any rights in the premises, or that the city has conferred upon the com pany any authority to put up the unsight

ly chestnut saplings.
In reporting an interview had with H. C. Brubaker on Tuesday, we inadver-tently misrepresented that gentleman's views in denving to the city the power to lay water and gas mains and dig sewers. by the omission of the words "except by legislative enactment " He says : "It is a well settled principle of law that a municipal corporation, as well as all other incorporate bodies, derive their powers either directly from their charters or from special statutes which are in effect supelements to the charters. In England express legislative sanction is necessary to warrant the laying down of gas pipes, water pipes, &c., in the public highway; and so which can be parted only by the Logislature or some local or municipal authority empowered by statute to confer [Dillon on municipal corporations, sec. 546 and 551.] For example, the city of Lancaster by its charter of 1818, had no such authority was expressly given therein. The act of March 21, 1836, was passed giving it power to "enter private roads or highways, as may be necessary, and to occupy, dig, ditch and lay pipes through the same, and to raise, alter and

J. Hay Brown says that under the English law the streets are the "king's highway," over which all his subjects have a common right of way. Under American law the highways belong to the people and all have equal rights to their unobstructed use. For municipal purposes the city authorities elected by the people have undoubted control over the streets from wall to wall, subject always to the greater right of way. They can order the erection of lamp posts, fire plugs, poles, &c., and permit the erection of awning posts, porticoes, door steps, &c , provided they do not become nuisances, or materially obstruct the common right of way.

M. Brosius, esq., says that the city has entire control of the streets, subject to the right of way, and can delegate its power to a corporation or individual to erect poles or do any other work deemed necessary for the public good. George Brubaker, esq., doubts the right

of the Maxim company to place their poles on the pavements without the consent of the property owners, but he wants to see the streets well lighted and if he had ten properties he would give the company permission to put up poles on all of them so that he might have the benefit of the

The following named citizens strenu ously objected to the poles being placed in front of their premises, but their complaints were unheeded: John C. and Charles Hager, West King street; Flinn & Breneman, Chas. Buchmiller, Mrs. Gruel, Mrs. Reese, Wm. M. Shrum, M. Geisenberger, North Queen street ; H. E. Slaymaker, North Duke street.

In taking up the flag pavements to make way for the poles, the workmen have in many instances broken the flags by their careless handling of them. A number of these have been left lying upon the pavements as eyesores to the owners and stum bling blocks to passers-by. Several accidents have happened in consequence, but none of them serious, so far as we have

Many of the poles are placed directly in front of the main entrance to private residences and places of business. The pole at the corner of West King and Market is placed almost directly in front of the street crossing, and so close to an iron awning post on the opposite side of the crossing, that it is almost impossible to pass between them. On market days this crossing is used almost as much as any other in the city, and a stout person with a market basket on his arm will be obliged to step aside into the mud and walk around the pole to get upon the crossing.

PR: VATE VS. CORPURATE RIGHTS.

The time seems to have come when some decision should be reached defining a citizen's right to his own premises as against the encroachments of municipal arrogance and the still more unwarrantable assumption of authority on the part of private corporations. Heretofore it has been the custom of councils in this city to grant all the privileges asked of them by telegraph and telephone companies This paper has protested on more than one occasion against this course, and although

the vicious system has gone steadily for-The contract of the city with the Maxim electric light and power company has once more called up this question, and in a more offensive shape than ever before,

AND THUNK W

the sentiment of the whole population is nearly unanimous in the same direction.