

Lancaster Intelligencer.

TUESDAY EVENING, JAN. 22, 1884.

Verdict in the Nutt Case.

A new law of murder is established in Pennsylvania, and a senator of the United States came down to do it. He sat in Congress, he said, and saw men go out from it, do the deed that Nutt did, and come back acquitted to their seats. He sits in Congress with Mr. Thompson of Kentucky, who slew deliberately a man accused of despoiling his wife, and who returned to his seat with the verdict of a Kentucky jury saying he had done no wrong. When the honor of a female of your family is assailed by a man, truly or falsely, assume it to be false, "take a shotgun and shoot him down." So I would have done it, United States. "I would have done it, God forgive if I would not."

The jury adopted the view of the law the Senator proclaimed. It approved the law of Mr. Thompson's Kentucky jury. It did it in as bald a case; in one which afforded hardly a semblance of cover to the doctrine that a man believed to have seduced a woman is given over by the law to the woman's kin to be slain on sight, after days of cooling time and deliberate reflection and preparation, even while the victim is feeling from his destroyer.

On the trial of Nutt there was no denial that he had killed Dukes while he was seeking to escape; that he laid in wait for him and thrice shot him in the back, out of a pistol with which he had been practising mark shooting the same day with his uncle. The evidence of deliberate killing was complete and indisputable. In his defence the plea of insanity was set up and evidence of his mental weakness was introduced to show his friends were introduced to show his mental weakness. But when his advocates appeared before the jury, they did not rest upon this evidence, but advanced the doctrine of "irresistible impulse" as a sufficient excuse for their client's act. And, abandoning this in turn, strode on still further to the invocation of the senator of the United States, "Take a shotgun and shoot him down." This final position requires no doctrine of "irresistible impulse" to sustain it. It is wholly at variance with the "irresistible" idea. It teaches that it is a duty to avenge the offense with a shotgun. It proclaims it to be right to slay the man accused of wronging woman. And surely the right and a duty are not to be resisted.

The truth is that the senator of the United States got very much mixed on the question of "irresistible impulse" as an excuse for murder. He wanted to acquit his client and draw tears from his audience and sustain his fame for eloquence; repute for logic he has little. Irresistible impulse in itself is no excuse for crime; for most men who do wrong are for the moment incapable of resisting their desire to do it. Otherwise this excuse would be as effective an excuse of Dukes seduction, if there was seduction, as of Nutt's murder. "Irresistible impulse" to be a reasonable defence must control an unreasoning mind; as every sound mind is presumed by the law to be capable of resisting wrongful impulses. The crime itself can never be allowed to demonstrate the mental unsoundness; such reasoning in a circle would acquit every prisoner. "Irresistible impulse" in its legal sense, was so imperceptible an element in the Nutt case, that the senator of the United States did well to abandon it for his doctrine of justification. It is true that claim had no just foundation; and that the judge shook his head from the bench as the advocate proclaimed it and ignored it in his charge to the jury. But the jury took not the law of the court, but of the senator. And so it has come to be declared in Pennsylvania that murder is not murder, when the deed is done to avenge a woman's wrong by the man's brother; or perhaps it may be even the man to mean that a son shall be protected in killing his father; and thus the venetia is established in Pennsylvania. God save the commonwealth!

Tully's Introduction.

A bill has been introduced into Congress by Mr. Tully, the title and avowed purpose of which is "to prevent the use of the United States mails to advertise noxious and dangerous medicines, foods, and compounds." The provisions of the bill and the means adopted by which it proposes to reach the end it has in view, are among the most remarkable ever proposed by federal legislation. It is intended to prevent that "no advertisement of any kind or nature or advertising device of any medical preparation, compound or prescription, or any punch, bitters, cordial, or similar compound or preparation to be used as a medicine or mixed with food, liquor, wine, or any other substance used as a beverage or as food or medicine, shall be placed in or carried in the mails of the United States until the exact formula for the preparation thereof, together with a sample of the same, be placed in the patent office of the United States, with a sworn affidavit of the correctness of such formula and the genuineness of such sample and the examination thereof by the proper officers designated therefor in said patent office, and the issue of a certificate that said substance is not noxious or dangerous to health." Such a certificate is only to be had upon payment of \$20, and upon the finding of "experts" that the formula submitted to them is innocuous and "not dangerous to life or health." This comprehensive measure would require not only that the experts in the patent office decide among tens of thousands of medical prescriptions and compounds what is and what is not dangerous to health, but also what is and what is not an advertisement of them. As scarcely two experts can be found to agree upon the virtue or the vice of medical preparations, the difficulties of securing qualified men for the duty is obvious; but, that once surmounted, these inquisitorial officials, would virtually have power not only to sit in judgment on all the proprietary medical preparations in the country, but to exclude from or admit to the mails all the

newspapers or periodicals of any kind, which advertise them. Every publisher, before he could be sure that his publications would pass through the mails would have to ascertain that every advertiser in it of a medical prescription or compound had a certificate for his preparation from the patent office experts. There may be a good deal of idleness in patent medicines and a great deal of humbug in their advertisements, but if to suppress such avoid these, such censorious tomfoolery as Mr. Tully's bill proposes has to be established, the public had better bear the ills it has than fly to others known not of. Political quacks are worse than the empirics in medicine.

The Philadelphia Controversy.

There is universal regret and sincere sympathy expressed over the death of Controller Jeffries, of Philadelphia, stricken down upon the threshold of an official career which he had a chance to make one of credit to himself and an agreeable disappointment to those who opposed his election. He was a decent man personally and the strenuous opponent which once defeated him and again ran him 18,000 behind his "bet," was directed rather at the political influences which dictated his candidacy than at himself. He had started fairly in his official position and the public was disposed to give him fair play. It seems an indelicate thing to canvass the success or failure before the grave has closed upon Mr. Jeffries, but there seems to be an irresistible popular impulse to do this in view of the very recent struggle for the office, the fact that the appointment is in the hands of the governor who had to fill the vacancy just a year ago, and the belief that the appointee will have the advantage in the contest that will ensue for a four year term in it. Quite naturally the name of Mr. S. Davis Page occurs as the one most likely to find favor with the executive. He was Gov. Pattison's selection a two-months since; his administration of the office fully vindicated the propriety of his appointment; it was so eminently satisfactory that he commanded the unanimous nomination of his own party and the support of the Committee of One Hundred, and he ran 18,000 ahead of his ticket at the recent elections. Besides as the appointment is but for a year, Mr. Page's recent efficient organization of the office and his fresh acquaintance with its duties would seem to make him conspicuously the man who could best discharge its requirements during the interim before the vacancy can be filled by election. Attorney General Casidy is reported to have said in Philadelphia, that "of course the governor won't appoint Mr. Page," and Secretary Stenger to have expressed the opinion that Mr. Page's recent defeat at the polls would militate against his appointment. It is not likely that either of the members of the cabinet said more than the governor himself, who, with becoming dignity has told the reporters that the appointment was not a matter for him to talk about, at least until after the funeral of Mr. Jeffries.

Unrealized Land Grants.

Unrealized land grants must, and were unto them who stand in the way of their going.

Tired, retired or retiring statesmen.

will be glad to hear that there is one place on earth where the fishing is good. Reports caught 800,000 tons of fish last year.

A distinct view of the Pecos.

in the southwestern sky, can at present be had with the naked eye. A glance at it through good opera or field glasses is more satisfactory.

The Sixpence task is being attempted.

in New York of making a newspaper reporter tell where he derived certain information. It is nearly time for the public to know that the reporter in his official capacity is a news absorber, and when he comes into proximity with an object seeking with items, a certain amount of absorption sets in which even the reproval of intelligence cannot explain.

If the appropriations committee of the House insist on spending money, why not let the Mississippi river take care of itself for one year and devote that amount to the beginning of a national library building in Washington?

There are a half million of books in the present structure, so hopelessly disarranged, that hunting for a given volume is as futile as searching for a needle in a hay stack.

Wealth people often have tummy troubles to gratify which they will spare no expense; but the whim of a Vanderbilt, N. J., citizen, reputed to be worth \$20,000,000, who amuses himself by stealing small sums like \$2,000, surpasses belief. Now that the alleged wealthy citizen has disappeared for parts unknown, the horrible suspicion is floating around that the supposed wealth is about as solid as the insubstantial fabric of a vision.

Mr. Joseph Whitworth, owner of the Gap nickel mines, having investigated for himself the appearance of the recent splendid twilight glows, writes to the Ledger that he is convinced they result from volcanic dust scattered through the atmosphere from late eruptions in Java and elsewhere. By gathering clean snow, melting and evaporating it, he has secured grains of dust which the microscope shows to have the characteristics of volcanic glass.

Collector Robertson, of the New York custom house, whose appointment was the cause of the Conkling-Garfield quarrel, has been allowed to hold his place under Arthur, but it is not made a bed of roses for him. He complains of being harassed from Washington; and while he can make no removals without authority from the treasury headquarters, appointments and removals are frequently made without consent of the collector, and even without any consultation with him. All of which shows that under a Stewart administration and even the dispensation of civil service reform there are more ways to kill a dog than by choking him with butter.

Mr. William H. Vandewater, the richest man in this country ever had, is not popular. He probably neither seeks nor

THE ASTOR BALL.

A SCENE OF EASTERN MAGNIFICENCE.

The 100th anniversary of the arrival in this country of the first Astor family, was celebrated by a grand ball on Monday evening at the Waldorf-Astoria Hotel. The ball was given by Mrs. William Astor, who has been the only woman to give a ball of this kind in this city. The ball was a magnificent affair, and was attended by a large number of the aristocracy of the city. The ball was given in honor of the 100th anniversary of the arrival in this country of the first Astor family. The ball was a magnificent affair, and was attended by a large number of the aristocracy of the city. The ball was given in honor of the 100th anniversary of the arrival in this country of the first Astor family.

FEATURES OF THE STATE PRESS.

Carlisle is to have a new Democratic paper, to be called the Standard. C. J. B. Bratton will be its editor.

Many a man, says the Altoona Tribune, is now dragging out a miserably unhappy existence because he started wrong.

Many able editors are losing their heads over the Nutt trial. The Reading Times thinks the verdict should be "Guilty—but justifiable."

The Harrisburg Patriot and Philadelphia Evening Telegraph have both put on funny new coats of type which add very much to their appearance.

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REMEMBRANCE A VERDICT.

The Famous Nutt Murder Case Decided by the Jury.

The jury in the Nutt case returned a verdict of guilty. The jury was composed of twelve men, and they deliberated for several hours before reaching their verdict. The case had been a long and difficult one, and the jury's decision was a relief to many who had been following the trial with interest. The verdict was announced in the courtroom, and the judge pronounced it. The jury's decision was a landmark one in the history of the law, and it was widely expected that it would have a profound effect on the legal system.

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A FATAL CASE.

Wm. Steigerwalt, carpenter, residing at No. 23 North Pine street, while going to the office on Monday morning, was struck by a horse and killed. The horse was driven by a man who was not identified. The accident occurred on the corner of Pine and Market streets. The victim was taken to the hospital, but he died shortly thereafter. The case is being investigated by the police.

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