

Lancaster Intelligencer.

SATURDAY EVENING, MAR. 29, 1884.

A Divided Court.

It is not likely that the judges of our court, as at present constituted, will ever arraign anybody before them for contempt; for it is questionable if any one will ever make such an exhibition of contempt of them and their jurisdiction as they seem to take delight in publicly and privately avowing that they feel for each other. Within the present week Judge Livingston has taken occasion to publicly charge his associate with falsifying the record and to threaten him with disclosures which presumably he means to intimate would scandalize him; while Judge Patterson has filed an opinion in which he charges that the effect of Judge Livingston's prescription of an affidavit to the liquor sellers is to promote perjury, unless the oath is so extra-judicial that to take it falsely would not be perjury. This recent outburst of hostilities, or rather culmination of them in a public exhibition of judicial infirmities, is only the expression of a condition of things that has prevailed between them for years and which has been the scandal of the profession and a source of deep mortification to the members of the bar who would prefer— for everything that makes for the honor of the law—that the differences of the judges should not be paraded in full view of the public.

By reason of these unhappy differences the bar here is practically deprived of the benefit of a court in banc, the judges seldom conferring and the lawyers and their clients never getting anything more than the opinion of the one or the other of the judges who happens to write it; and the one who don't is never happier, it seems, than when his brother scores another reversal by the supreme court. When there is a dispute as to which one is entitled to decide the case and write the opinion, as in the Eprata church case, and the assent of both is requisite to a decree and neither will yield, the processes of the law are exhausted, the objects for which courts are created are defeated and litigants are cheated out of their rights by the stubbornness of the men. In the particular case, which has made so much bad blood between our judges, it is idle any longer to indulge in recrimination as to their proportionate share of responsibility. Judge Patterson may or may not be right in his claim that, having been first given the case to decide, he should have been allowed to make the court's decree; Judge Livingston may or may not be right in his charge that Judge Patterson changed the decision of the case agreed upon in their conference at the instance of outsiders; Judge Patterson may or may not be reasonable in his offer to call in a neighboring judge to decide the case; Judge Livingston may or may not be arbitrary in insisting that Judge Patterson should yield. Both are measurably wrong in maintaining the deadlock, which either can with entire dignity break, by allowing a decree to be entered for the sake of final judgment, even against his own judgment—as greater judges have done before—and retained the entire respect of the bar and the community, who always admire real judicial qualities.

It is said that when two goats meet on a pathway too narrow for more than one to travel over, the polite and magnanimous goat lies down and lets the other walk over him. When neither goat is polite nor magnanimous they stand there and look at each other until they have become objects of ridicule, and then both have to take the back track.

A Sonnet Opinion.

The New Era thinks that the Republicans who read Judge Patterson's January opinion, that tavern keepers should not be required to take the oath, made up for them by Judge Livingston, that they had not violated the requirements of their previous license, will become speedily convinced thereby that Judge Patterson is not fit to be a judge. We, however, are of the opinion that if nothing worse than this can be said to Judge Patterson's charge, the Republicans may vote for him with a very clear conscience. For that was a sound position to take. Judge Livingston had no right to ask the tavern keepers to swear that they had not violated their licenses. It was an extra-judicial and extra-reasonable oath. If the landlords had not observed their licenses the constables should have reported them; and if the court wanted to convict them of selling liquor contrary to law, it should have sought the evidence in another way than by forcing it out of their own mouths. Judge Livingston undertakes inquisitorial methods of legal procedure when he attempts to convict men by a forced confession. It won't do this in this latitude; and Mr. Atlee, the New Era's candidate for judge, is not going to be helped to the votes of sensible Republicans by its intimation that he agrees with Judge Livingston that tavern keepers may properly be made to convict themselves by a judicial thumbscrew.

If the estimate of Mr. Hawitt, made in his speech the other day, be a correct one, that half the alcohol made in this country is employed in the arts, there is no good reason, certainly, for levying the tax of from three to four hundred per cent that now falls upon this product. Whatever may be thought of the policy of a whisky tax or of the internal revenue system as the method of levying it, there is no more reason for imposing a federal tax upon alcohol and high wines used for medicinal, mechanical or art purposes, than there is for a like or greater tax on wheat or oil or iron.

As it is, any portion of the product of spirits which is shipped abroad escapes this tax and the foreigner gets an article, produced in this country, for from 18 to 27 cents a gallon for which the American has to pay from \$1.03 to \$1.17. In other countries excise laws, the Record tells us, discriminate between the uses of spirits, and surely our laws should do so, even if the internal revenue system is to be maintained. There is no

AN ANGRY POPLACE.

A MOB OF 10,000 SURROUND A JAIL.

On the evening of March 18th while Miss Annie M. Scheetz, aged 17 years, was returning from the De Kalb street car to her home, she was attacked by a mob of about 100 persons, headed by George A. Jones, a colored boy, aged 15 years, who lives with his parents on Beach street, below Saredo. He threw her off the car and an approaching train frightened him off.

Yesterday morning, at about the same place, Miss Scheetz was again attacked by a mob. She again threw her down. She offered him all her money, forty-five cents, but still detained her, when Robert French, a section boss of the Stony Creek railroad, appeared in view and Jones fled. Friday morning, at 1 o'clock, Jones was arrested in bed at his home. He confessed the crime, and committed him to jail for trial.

William G. Moore, a carpenter of Seranton, who has become violently insane, has been lodged in the city prison. He is his father's son, and is now fifty years of age, and he had not been in eighteen years, appeared at his residence. He was so overjoyed that insanity set in. The change in Moore's condition worked upon Hutchins in such a manner that he dropped dead Friday.

The very fine one hundred and sixty acre farm belonging to the estate of the late Jeremiah Van Reed, in Amity township, Berks county, has been sold to James Warren Van Reed, now five years of age, by the executors of the late Jeremiah Van Reed, in an interrupted succession in the Van Reed family for over 150 years. All the deeds and papers of the old homestead are in the hands of the executors, and run back to the proprietor, William Penn. Jacob Van Reed, who died in 1800, was the first owner, and over from Holland a century and a half ago, settled in Amity township, purchased the farm, and the place descended to his son and grandson. The fourth owner, Jeremiah Van Reed, was the great-grandson of the first owner. He lived longer than any of his sons, and the old homestead now goes in regular succession to his grandson, James W. Van Reed. At the sale of the personal effects of the old gentleman a mahogany chair 125 years old was purchased by relic hunters. The price paid for it was \$100. The young heir, more than 300 years old, and was brought over from Holland.

Charles Braithwaite, 31 years old, made a confession to Fire Marshal Wood, of Philadelphia, saying that on Thursday, June 23, 1883, he set fire to the granary stable of James Young, 320 Marriott street, in that city. The fire extended down Marriott street to Third, up Third to Christian and partly up Christian to Fourth, causing damage estimated at \$100,000. He denied a study to have a conference with the fire marshal and district attorney.

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HOME LATE COMMONWEALTH NEWS.

A Young Negro Struck and Killed in an Attempted Crime—Insanity and Death in Seranton.

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THE DEATH ROLL.

TWO AIDED RESIDENTS PASS AWAY.

On Sunday evening Wash. Shreiner and David Armstrong, Jr., while sitting at the table of the Walnut peddler, were struck by lightning, which occupied positions on the ends and sides of the room. The light is furnished by four handsome chandeliers, which John L. Arnold supplied.

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MICHAEL GROSS'S DEATH.

The Coroner's Jury Believes the Victim of Apoplexy.

The coroner's jury inquested into the cause of the death of Michael Gross, reassembled in the coroner's office at one o'clock this afternoon. The four young men who took Gross home were present. Their names were James A. Burke, Harry Eckley, Charles Powden and Harry Rogers.

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COLUMBIA NEWS.

FOR REVERENDS. GILBERTSONS. A Day Train Jumper a Fatal Leap—Violent Attempt to Wreck a Post-Office.

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