LANCASTER, PA., TUESDAY, OCTOBER 5, 1886.

BEFORE JUDGE LIVINGSTON.

favor of plaintiff for \$20.

IN THE COMMON PLHAS COURT.

beth Keller, the narr was amended, the de

endant pleaded surprise and the case was

ship.

The defense was that Mr. Landis bought and paid for the cigars and they became his

property legally.

In the replevin suit of James Bryson,
assignee of Maria Kemper, vs. Daniel Kemper
verdicts by consent were entered in favor of

In the suit of Curtis Miller vs. George Nees, plaintiff suffered a voluntary non suit.

In the suit of Martin Shirk, vs. Lyman

Bitzer, action of damages to recover for the

loss of services of plaintiff's daughter by rea-son of her seduction by the detendant, a verdict by consent was entered in favor of plaintiff for \$100.

The defense was that the testator at the

tion of his property was not in accordance with his declarations while he was of sound

mind.

His property under the will was left absolutely to his widow to dispose of at her death as she and his executor thought proper. The contestants are two brothers of decedent.

In rebuttal witnesses were called to prove that the testator was of sound mind when he made his will. Among the witnesses was the physician who attended him in his last illness.

John L. Hartman, R. A. Evans and A. C.

Kepler were appointed viewers to vacate part of West Marion street.

The exceptions to the auditor's reports in the estates of Patrick and Annie Daily were discussed and the report absolutely con-

NEARING THE SEASON'S END.

The Philadelphia Club Wrests : I Plans

From New York's Glants.

The League games yesterday were: at Philadelphia: Philadelphia 8, Kansas City 0:

at New York: Chicago 9, New York 7; at Washington: Detroit 4, Washington 3; at

The Association games of yesterday resulted as follows : At St. Louis : Athletic 2.

St. Louis 0; at Cincinnati: Mets 6, Cincinnati 4; at Louisville; Brooklyn 4, Louisville

put out four men.

The Bradford and Altoons clubs played

again yesterday. Crowell washit for 19 with a total of 24 hits, and at the close the score stood 11 to 9 in favor of Bradford. The Philadelphia pitchers are again doing

The injunction against Smith, the pitcher,

has been dissolved, and it is believed that he will finish the season with Detroit and play with New York next year.

played first base and Conway left field. Brouthers and Rowe laid off. The Philadelphia club stepped into third

place yesterday by downing Kansas City, and they are quite likely to remain there to

and they are quite likely to remain there to the end.

Phenomenal Smith pitched for Detroit against Washington. He was very effective in the first part of the game, but in the eighth and ninth innings five hits were made off him.

Healy, of St. Louis, was hit a great deal barder in Boston vesterday than usual.

to run riot; the result is that he is a wreck

White and Mack get the suiks and play is uneven, burn style, while the rest of the mer

Io as they please."

The left-handed twirlers of the Association

Morris, Ramsey and Kilroy, are great pitchers, but they are also the biggest babies in the profession. — Pittsburg Times.

The managers of the big ciubs are tearing up the clubs of the smaller associations to find

material for next year.

Tom Brown, of the Pittsburg, is a great sprinter and one of his specialties is making

Purcell, of the Baltimores, was fired from

Purcell, of the Baltimores, was from a roan as L Louis theatre the other night because he insisted upon sitting in a better seat than he had paid for.

Irwin, Philadelphias short stop, is little bigger than Billy Zecher, but when it comes to a dispute with Anson or any of the big ones he is there.

Bennett, of the Detroit, has done the fines

back stop work of any catcher in the country this year.

McGarr has been doing great work for the

Athletics in the field as well as at the bat. Yesterday the Mayflower club of this city

went to Gordonville and defeated the nine of that place by 19 to 2. A feature of the game was McGeehan's fine catching. The game in Washington this morning re-sulted as follows:

Several hundred persons witnessed the runing race at the Three Mile House, Berks

ounty, yesterday afternoon between Stufflet

& Eyrich's Shoestring, of Reading, and J.
L. Bard's Maud, of New Holland. The
owners were to have ridden their horses
themselves, but this they refused to do at the
last moment and other riders were engaged.
There were two one and a half mile dashes
for a \$500 purse. Shoestring won without
much trouble in 3:06 and 3:03%. The race
lacked interest or excitement.

Shooting at Pigeous.

A shooting match took place at Griel's brick

1 1 1 0 0-3 1 0 0 1 1 1-3 0 0 1 1 1-3

yard Mondayafternoonjbetween Wm.Rhodes George Kautz and H. Resb, three employes

As it was a tie the men shot off at two birds each and each killed one. The match will be shot off again next week.

The conditions were five birds, five desurrance, with Rhode Island rules.

acked interest or excitement.

scores were ; Rhodes Kautz Eesh

irst on "bunted" balis.

Boston : Boston 7, St. Louis 6.

BEFORE JUDGE PATTERSON.

A CELEBRATED CASE.

THE RIED-IN-HAND TURNPIRE THE AUBINOT OF TWO OPINIONS.

The Court Divides on Exceptions Filed to B port of Viewers-Judge Patterson in Favor of Ordering Toll-Ciates to He Erected and Judge Livingston Dissents.

After the completion of the Bird-in Hand turnpike company a petition was presented by the officers and viewers were appointed to inspect the road, and they reported that the road had been completed in a workman-like manner, and recommended the court to grant a license to the company to erect gates and receive toll.

To their report exceptions were filed, signed by a large number of citizens, setting forth that a biti in equity is now pending in the court of common pleas, of Lancaster county, to determine whether it is lawful for the said company to occupy and appropriate
"The Old Philadelphia Road" to its own use ; that they have the right to travel free and uninterrupted over the old road, and that the court should not make an order, allowing tolls to be collected at the preser

Judge Patterson, on Monday afternoon

read the following opinion : The court must pass upon the exceptions noted above, however reluctant they may be to make a deliverance in a matter having no foundation in law. The exceptions are en-tirely matter of fact addressed exclusively to the discretion of the court and not wanting in any matter of law bearing upon and regulating the proceedings excepted to. They neither point or affirm any defect in form or sub-stance in the report of the viewers. They embrace on allegation, the truth or falsity of which is to be or can be determined by the sourt here, under the established rules of law or practice. They ask that this pro-ceeding may be made an exception to the rule of practice, that it mey be stayed because a bill in equity is pending to test the legality of the work or undertaking of the turnpike company. The bill in equity has been before the judges of this court and duly considered, as we think, according to the well-established rules in equity, and the preliminary injunction decreed upon that bill was dissolved, the court saying that the question at issue was one of importance and in their opinion should be adjudicated and determined on its merits. That action of the determined on its merits. That action of the court left the parties now excepting entirely free to proceed and have decided eventually by the supreme court of the common wealth, whether the turnpike company was proceeding according to law or not. And here we will ask the exceptants as was asked in the argument, how can this court be expected to exercise their discretion in the face of the law that is free from ambiguity and mandatory in its terms?

face of the law that is free from ambiguity and mandatory in its terms?

Clauses, of section 30, of the act to provide for the incorporation and regulation of certain corporations, approved April 29, 1874, provides as follows: "Whenever such corporation shall have finished five miles or more of road, or if the entire road be for a shorter distance, then, when completed, the court of quarter sessions, of the proper county shall appoint forthwith threes, lifely indictous and distinct. forthwith threeskillful, judicious and disinterested persons to view and examine the same and report on oath or affirmation, whether the said road is so far executed in a competent and workmanlike manner, according to the true intent and meaning of this act, and if their report shall be in the aftirmative, then the said court shall by its order, under the seal of the court, permit and suffer said cor-poration to erect and fix such and so many gates upon and across the said road as will be necessary and sufficient to collect from all persons otherwise than on foot the same toils as is herein authorized and granted."

It follows, as no irregularity or defect has been made to appear in the proceedings authorized by the law above quoted, the court is bound to give effect to the clause of the act of 1874, above quoted, and that an or-der under the seal of the court must issue to is. Accordingly the exceptions filed to the reports of viewers on September 6, 1886 are all discharged and overruled, the report absolutely confirmed, and the proper aereupon directed to be prepared by when it will be duly issued

Judge Patterson then added the following paragraph to the opinion after his signature:

"And now, October 4, 1886, the president judge dissents from the above opinion, and Hefore the clerk had time to file Judge Patterson's opinion, Judge Livingston sent to the clerk the following dissenting opinion Judge Livingston's Opinion.

The charter of this company contains ro express authority or right granted to build or construct a turnpike on this old public road, a road which has many years since been legally appropriated to public use and never abandoned.

abandoned.

Two blils in equity have been filed in and are now pending in this court and served upon this company, each of which distinctly denies the right of the company to build their turnpike on the public road. One was filed October 5, 1885, the other November 10, 1885, in which answers are filed but no 1885, in which answers are filed but no further steps have been taken by the com-pany to settie their rights but remain in this court open, disputed and unsettled. They might have had them tried long since.

A corporate power can never be created by implication, nor extended by construction, as no privileges are granted to corporations unless expressed in plain unequivocal words testifying the intention of the legislature to grant them in a manner too plain to be misunderstood.

understood.

And as (so far as I have had time since adjournment of court to examine them) it appears to me that neither the act of assembly of January 26, 1849, nor that of April 29, 1874, nor that of the supplements thereto, contain anything authorizing turnpike companies to take and appropriate public roads, or property already appropriated to public use for the bed of their turnpike and I have found no decision of the supreme court under them authorizing such appropriation under the right of eminent domain, without authority from the legislature without authority from the legislature granted in their charter

The question raised in these bills and now before the court for adjudication is a very important one—whether or not a turnpike important one—whether or not a tornpike company without express authority given by the express terms of its incorporation, its charter, can appropriate a public road, laid out and opened legally, the damages paid by the county to the land owners along its route and in actual use as a public highway; lay a turnpike upon it and compel the public to pay them tell for passing over it. The turnpike company has made no compensation nor offered to make any compensation for damages and filed no bond to hold them liable for damages.

for damages and filed no bond to hold them liable for damages.

As the right of this company to build this turnpike on a public road its whole route, including their right to take toil upon it and all other matters connected with it, as appears by the bills filed, are unsettled, disputed and undetermined, I dissent from the opinion and judgment of my colleague which he has just read, and I object to its filing and entry as the judgment of this court, and I also dissent from and object to any authority or license being granted by this court to said company to erect toil gates and collect or take toil on said turnpike route until their right to do so shall be fully established in law or equity. equity.

Other Legal Complications. The next question to be argued before the court is whether one judge can issue an order to direct toil gates to be erected where the other judge dissents. It is expected that the question will be called before the court at an early day.

Last evening B. K. Jamison's taily-ho coach "Rambler" arrived in this city from Reading. It had on board Mr. Jamison and his son W. S. Jamison, and Mr. and Mrs. Hunter Eckert, of Reading. Mr. Jamison and his son had drove from Philadelphia to Reading and the others joined them at the latter place. They stopped at the Stevens house over night and this morning started for Columbia accompanied by Misses Reynolds and Rengier, of this city. The coach will go through to York and Chambersburg. Traveling by Tally Ho.

burg.
A faily-ho owned by a gentleman named
Miller, of Philadelphia will arrive in Lancaster from York this evening.

AGRICULTURE AND HORTICULTURE.

Meeting of the County Society-Crop Reports,
Essays and Discussion on Several Subjects.
The October meeting of the Lancaster
County Agricultural and Horticultural society ld in the hall of the Y. M. C. A., thi

city, Monday afternoon at 2 o'clock.

The following named members were present: John H. Landis, president, Millersville, John C. Linville, secretary, Salisbury: Levi S. Reist, Oregon; Casper Hiller, Conestogs; Daniel Smeych, F. R. Diffenderffer, W. C. Pyfer, J. B. Hippie, J. M. Johnston, D. M. Swarr, city; Sylvester Kennedy, Gap; M. D. more; Peter S. Reist, Warwick; J. Frank Landis, East Lampeter; Webster L. Her-shey, West Hompfield; D. B. Herr, Manor; A. L. Leaman, East Lampeter; L. Yeager, East Lampeter; John McAllister, Conestoga; David Landis, Manor.

CROP REPORTS. Casper Hiller, Conestoga, reported a good prop of apples and plenty of eider, with vinegar enough to furnish a local supply for three years; late potatoes yielded only 75 bushels to the acre; early potatoes 250

75 bushels to the acre; early potatoes 250 bushels.

John C. Linville, Salisbury, reported that nearly all the fall wheat had been sown, but not in very good condition, as the weather has been too dry to cause it to sprout; pasture is becoming short from the same cause to the great disadvantage of those who bought estile largely; coru also is rather short, the early fields showing best.

M. D. Kendig, Manor, reported wheat all sown, and suffering for rain; the corn crop is fair; the purchase of cattle has been light, owing to the dry weather, short pasture and lears of pleuro-pneumonia. The rainfall for September was 2 3-10 loches.

W. H. Brosius, Drumore, reported corn an average crop; wheat fairly started; pasture short, on account of dry weather.

THE CHRYSANTHEMUM SHOW.

W. C. Pyfer, of the committee on chrysar themum show, reported good progress in making arrangement for the show; many lady amateurs will exhibit in lots of from six to a dozen varieties. The show promises to be largely attended, the teacher's institute be largely attended, the teacher's institute being held the week of the show, will help to swell the attendance.

ESSAY ON BAGGING GRAPES. Casper Hiller read a short essay on bagging grapes. His method is to enclose the clus ters in two-pound Manilla paper bags; he slips the bag over the cluster, closes it at the top, and fastens it by tying a soft wire around it. A small opening in the lower end of the bag allows the moisture to pass out. This method of tying prevents mildew and rot. Mr. Hiller presented specimens of grapes cared for in this way during different stages of growth. The bagged grapes were far su-perior to those unragged on the same vine. Clusters bagged when half ripened were well preserved but not so good as those that were

bagged earlier.

Daniel Smeych said he had tried bagging but met with no success, except with the Duchess and Woerding varieties. Seven other varieties, including the Delaware, rotted in the hours.

in the bags.

John C. Linville said he attached the bagaround the clusters by means of pins. The best grapes grown by Sylvester Keenedy were trelised against the wall of his house, and were entirely free from rot or mildew.

AGRICULTURAL SCIENCE. John C. Linville read an essay on the above subject. He held that the advanced agriculture of Europe and America deserve the name of agricultural science, that the agriculture of Lancaster county is as good as the best, and that the Lancaster Agricultural society deserves the name of a scientific or ganization, because in its discussions from time to time it has enlarged the scope of the farmer's scientific knowledge, and greatly benefited the farmers of the county and the

benefited the farmers of the county and the community generally.

Wm. H. Brosius, Drumore, said the Lancaster county farmers were scientific farmers, equal to those of any other part of the world; in the various agricultural branches, they are fully equal in ability to the men who follow any other profession.

Levi S. Reist said that gentlemen who had traveled largely in the South and West had declared the farms of Lancaster county to be the heat had ever seen.

DEATH OF JACOB B. GARBER.

Jos. F. Witmer announced the death of Jacob B. Garber, one of the founders of the n gricultural and Horticultural society, an for many years up to the time of his death, a yice president of the society. He moved that a committee be appointed to draft resolutions relative to Mr. Garber's death, and report at next meeting. The motion was agreed to and the chair appointed Jos. F. Witmer, Casper Hiller and Wm. H. Brostus sald committee. THE BEST BREED OF HOOS.

In answer to the referred question as to what breed of hogs is the best, Wm. H. Bro-sius said be preferred the Chester Whites as being the most profitable for the breeder, though their meat is not quite as good as the Poland spotted pags and some other breeds.

Casper Hiller said the meat of the Jersey
Reds is finer than that of any other breed. An objection to them is that they are no

good breeders, the litters rarely exceeding four or five.

Jos. F. Witmer preferred the Berkshire breed to any other. He had grown them for twelve years past and had good success with

Sylvester Kennedy said the reason Western sylvester kennedy said the reason western pork growers preferred the spotted breeds of hogs to the Chester Whites is because they produce more lean in proportion to the fat than other breeds of hogs. The hog breeder cannot make as much profit from the sale of lard as he can from the sale of meat : henc

REPERBED QUESTIONS. What will be the future of tobacco raising u Lancaster county? Referred to M. D.

How can farmers' sons spend their winter wenings most profitably? A. L. Leaman.
What are the good points of a specimen
chrysanthemum? W. C. Pyfer.
Does it pay the Lancaster county farmer
to engage in stock raising? John McAl-

All the above questions are expected to be answered at next meeting. PRUITS EXHIBITED.

A fine display of apples, grapes and pears was spread before the society. J. Aldus Herr, West Lampeter, showed 13 varieties of grapes; Levi S. Reist, of Oregon, three varieties of apples and two pawpaws; Daniel Smeych, city, seedling peaches and pears; J. G. Rush, Willow Street, six varieties of apples; Casper Hiller, an elegant display of Adjourned.

SALES OF REAL ESTATE.

The Properties That Were Recently Sold Drumore East by Auctioneer Kiing. HUBERS, Oct. 4.-J. M. Kling, auctioneer, sold for the administrators of Christiana Mayer, a farm containing 127 acres and 100 perches to E. M. Eshleman, of Conestogs, for \$90 per acre; 46 acres and 12 perches with smal houses on it to John Hildebrand for \$34 per acre': 15 acres without improvements, to same at \$51 per acre. Five acres and 146 perches of timber to E. M. Stauffer, at \$51.25 per

At the same time, for the heirs of Nathaniel Mayer, a farm containing 134 acres and 12 perches, at \$58.25 per acre, to William McElvain, of Andrews Bridge.

Eight acres and 154 perches of wood land in Providence township, to John Hildebrand, at \$21.25 per acre. On the 30th of September he sold for J. M. Biemensderfer, near the Unicorn, a farm con-taining 93 acres, to Benjamin Herr, for \$76.50

Gratefully Acknowledged. The managers of the Home gratefully acknowledge the following donations: C. H. Fiannegan, wash machine; Rohrer & Bro., a number of plants for lawn; Miss M. Rudy, two crocks of apple butter; Miss A. Danner, bread; a friend, peaches; Mrs. E. McMellen, a basket of clothing.

To-day the 29th annual exhibition of the York County Agricultural society will be-gin, and it will be one of the largest and most successful yet held there. OLD TOBACCO SELLING.

FOUR OR FIFE HUNDRED CASES DIE PORED OF LAST WEEK.

Two-thirds of the Transactions in New York 2,350 Cases, are on Pennsylvania Goods. The New Crop Curing Finely and Packers Keeping an Eye on It.

Business in old leaf and also in the crop o 85 Lancaster county tobacco continues to be little shy in reporting their transactions, R. H. Brubaker sold 200 cases '85 leaf; Isaac Kauffman sold 140 cases of old tobac California firms; Skiles & Frey sold 75 cases in small lob; Harry Kauffman sold 50 cases '83 to Bachman & Co. It is supposed that 200 or 300 cases changed hands that have not been

reported.

The '86 crop now on the poles is curing finely. Prospective buyers have been looking att in different parts of the county, but we have heard of no sales being made.

New York Market, From the U. S. Tobacco Journal. A lump sale of 1,500 cases of '85 Pennsylvania Havana seed at about 15 cents lent vania Havana seed at about 15 cents lent zest and importance to our market this week. Nothing is more apt to inspire confidence in the future to the seed leaf trade, than the transfer of packings from first hands to job-bers or manufacturers; but again nothing also is so apt to inspire the first hand to rush into the country and pay extravagant prices to the growers than just such sales at just such a time of the year. In New York state, as well as the Housa-tonic Vailey, the restless packer is already at

tonic Vailey, the restless packer is already at work securing the '86 crop of leaf. The re-ports of the prices that are being paid 15 to 24 cents are certainly untrue when referring to the aggregate. In some instances this is prob-ably correct, but insane our packers are not. ably correct, but insane our packers are not. Five or six years of confinement to losses have certainly cured them. The business of the month has been large,

plaintiff for \$100.

The suit of Ezra Reist vs. Edward S. Sturgis and C. W. Sturgis was attached for trial this morning. This was an issue to determine the validity of the will of Augustus Sturgis, deceased, late of Warwick township. Plaintiffs found that the will was executed on De-18,686 cases having changed hands.

Havana—Fillers were sold to the extent of 500 bales at from 60 to \$1.05. Sumatra—The demand continues fair. Sales, 200 bales, at \$1.10 to \$1.40. The defense was that the testator at the time of the making of the will was not capa-ble of so doing, that he was not of sound mind, that he took sick ten days before his death, that his will was made only a few hours before his death, and that the disposi-

Gans' Weekly Report. Sales of seed leaf tobacco reported by J. S Gans' Son & Co., tobacco brokers, No. 121 Water street, New York, for the week ending October 4, 1886:

ing October 4, 1886:
1,800 cases 1885, Pennsylvania, Havana, 12@17c.; 400 cases 1883, Pennsylvania seed leaf, 9@114/c.; 150 cases 1881, Pennsylvania seed, 13@14c.; 200 cases 1885, Ohio. 54/@61/c. 70 cases 1884, Ohio. pt.; 250 cases 1885 state Havana, 12@15c.; 180 cases 1884, do. 9@11c.; 200 cases 1885, New England Havana, 19@25c.; 200 cases 1885, Wisconsin Havana, 8@10c. Total, 3,450 cases.

STORE ORDERS LEGAL They Are so Decided by the Supreme Court

Denouncing the Opinion The most important case decided by the upreme court on Monday, was that of G. A. Godehids & Co. vs. Frank Weighman, error to common pleas of Northumberland county. The question at issue was the legal ity of the store order system under the act of June 29, 1881, Judge Gordon in giving the opinion of the

court says:

"The orders given by the delendants and received by the plaintiffs constituted a proper set off. The first, second, third and fourth sections of the act of June 29, 1881, are utterly unconstitutional and void, inasmuch as by them an attempt has been made by the legis-lature to do what in this country cannot be done; that is, prevent persons who are sai justs from making their own consai juris from making their own con-tracts. The act is an infringement alike of the rights of the employer and the employe; more than this it is an insulting at-tempt to put the laborer under a legislative tutelage which is not only degrading to his manhood, but subversive of his rights as a citizen of the United States. He may sell his labor for what he thinks best, whether money or goods, just as his employer may sell his

or goods, just as his employer may sell his iron or coal, and any and every law that proposes to prevent him from so doing is an in-fringement of his constitutional privileges and consequently victous and void. The judgment of the court below is reversed and new trial ordered."

abor element. T. A. Armstrong and John instello, president of the Pittsburg Miners sociation, advise miners and others affected to the decision to begin at once an active war-are on the system and not to let up until it abrogated.

Additional Supreme Court Opinions. In addition to the cases decided by the st reme court noted on Monday, the following are reported: Dr. A. M. Miller vs. Mrs. Eshleman, affirmed; Penn fron company vs. Diller, reversed. In the suit of Rehill vs. McTague, a former Lancastrian, and which was decided in the lower court in favor of McTague, the supreme court affirmed the

Letters Granted by the Register The following letters were granted by the egister of wills for the week ending Tues

TESTAMENTARY.—Jacob E. Meifinger, decased, late of Manor township; Eliza Mel inger, Manor, executrix.

Jacob Kurtz, deceased, late of West Cosalico township; Samuel S. Keller, West Co-

Healy, of St. Louis, was hit a great deal harder in Boston yesterday than usual. The Athletics played great ball yesterday. Atkinson held the champions down to two hits and he was supported admirably. The Sporting Life says Jake Goodman, the ball player, is in the hat business in Reading. This is a piece of news to Jake, who makes his home in this city and is regularly employed at the Penn rolling mill.

Pete Browning, of Louisville, intends making sli the big batters of the American Association hustle for first place. Although it is said he patronizes the beer "storea."

An old base ballist in speaking of the Louisville club said: "A team composed of such players ought to form the nucleus of a club that would win the pennant. The trouble lies with the team management. Jim Hart can't handle men properly. Browning could easily be the greatest player on the diamond, but he is allowed to get drunk. Kamsey is the greatest pitcher in the world, but his vicious habits are given free rein and allowed to run riot; the result is that he is a wreek. alico, executor. Jane Goodman, deceased, late of Columbia corough: Sarah J. Goodman, Columbia, ADMINISTRATION. -- James Potts, dece

ate of Lancaster city; Jennie Potts, city, administratrix.

Abraham Lines, deceased, late of Cones-toga township; Christian H. Lines, Cones-

loga township; during the control of Hempfield, administrator.

What is Going on in Lincoln

LINCOLN, Oct. 4 .- Mr. Harry Brubaker will commence the manufacturing of cigars in a tew weeks; also Hiram Miller. Both factories will employ a number of hands.

Mr. Deppy, of Kansas City, Mo., was the

guest of his sister, Mrs. Philip Royer, over Sunday.

Mr. Milton and Israel Bender moved with their families to Litiz on Tuesday.

Mr. S. P. Bard moved with his family to Panding on Tuesday. eading on Tuesday. Several severe frosts have been felt in our

vicinity.
Miss Lucinda Martin, daughter of David and Maria Martin, died last week after a lin-gering illness of 29 years, being confined to bed for the last four years, Funeral services will take place on Monday, with interment at Steinmetz's cemetery, near Shoeneck. De-ceased was aged [42 years, 9 months and 27 days. Rev. Harley and Rev. Gipple offi-

Emma, intant child of James Reinhold, died of cholera infantum and was buried on Saturday, with interment at Swamp church. Rev. E. L. Brownmiller, officiated. Mr. Daniel Irwin, butcher, was in Staunton, Va., last week purchasing cattle. He shipped Dr. John M. Myers and family, of Virginia,

Kuights of the Golden Eagle Anniversary. There was a full attendance of members of Blue Cross Castle, No. 46, Knights of the Golden Eagle, at their meeting on Monday evening. The occasion was the celebration of the eleventh anniversary of the institution of the order in Pennsylvania. A num-ber of selections were read by John R. Mc-Michael; there was instrumental music and A. B. Hassier, eaq., delivered an address on the growth and object of the order.

Steam fire engine No. 3, (the old American) which was sent to Manchester, N. H., about two months ago to be rebuilt, was returned to Lancaster this morning. The firemen are busily engaged in cleaning her up, and getting her into a presentable condition. The arrival of the steamer will be duly announced to city councils to morrow night and the fire committee will fix a day for giving it a trial.

THE KNIGHTS OF LABOR. An Issue to Determine the Validity of the Will of Augustus Sturgis on Trial.

The jury in the suit of Abbie M. Boyd va. Rachael Kirkpatrick, rendered a verdict in General Master Workman Powderly's Address to the Order. In the suit of Lavina B. Kegerise va Eliza

A PAPER THAT WILL ATTRACT ATTENTION.

The next suit attached was that of A. P. Neff vs Jacob B. Landis. This is an action of replevin to recover two cases of eigars. The facts of the case as detailed by plaintiff's witnesses was, that in May, 1833, G. G. Landis, a son of defendant, purchased a large lot of eigars from York county dealers. They were shipped to Lima, Ohio, where young Landis represented that he was in business. The terms on which the jeigars were purchased were cash, but after their shipment Landis saked for ten days time for payment. Mr. Neff began making inquiry as to his eigars and learned that they had been shipped to the detendant in this suit, at Rothsville, and he then had a writ of replevin issued and an issue was granted to accertain the ownership. souri Pacific and a Thoughtful Review of the Failure of the Eight-Hour Law-His Opinions on Child Labor-Some Words Concerning Himself,

RICHMOND, Oct. 5 .- The chief topic of terest among the Knights of Labor here today, is the controversy had by two or three of the delegations in regard to the entertain ment of colored delegates at the hotels here Representatives of District 49, who were re fused accommodations because one of their number (Terrill,) is a colored man, are boarding at a hotel run by a colored man and occupying quarters over a livery stable, while the Baltimore district representa tives are congratulating themselves that they had their way at the St. Charles in inducing the proprietor by threats of withdrawal to entertain Edwards, of one of their colored delegates. The object of insisting upon impartial receptions to colored knights in the South, is to impress the colored laborers with the sincerity of the leaders of the organization and to work its way South where the greatest number of accessions to membership is reported during last year. Little or nothing can be found out concern

ing the deliberations of the convention. The committe on credentials have not yet reported. All are waiting on General Master Workman Powderly's address, the substance of which is here presented:

ADDRESS TO THE GENERAL ASSEMBLY. Hon. T. V. Powderly Talks Upon the Course of the Knights in the Late Trouble on the Southwestern Railroads.

The substance of Master Workman Powderly's address is as follows: If we are guided by the experience of the past, and act accordingly, we can place the order upon a foeting so safe and sure that no assaults from its enemies can injure it. If we are not guided by that can injure it. If we are not guided by that experience; if we fail to read aright the signs of the times, and we closed this general as-sembly without having improved on the past, we will fail to properly represent those who

GREAT GROWTH OF THE ORDER. The rapid increase in organization since the Hamilton session of the general assembly was most marvelous. An examination o the reports of the general secretary and treasurer for the year ending Juty 1, 1886, will show that in one year 4,686 assemblies have been organized. Thousands have been attracted to the order through mere curiosity others have come for purely selfish motives while the great bulk of our new recruits hav joined us for the good they could do.

Quite a lew have entered our order for the purpose of redressing existing wrongs and before waiting to learn anything concerning the Knights of the order have plunged into rash and ill-considered strikes. The troubles coming from this direction began while the last general assembly was in session. The car drivers of St. Louis were organized under promise of the organization that they would receive aid in case of a strike. Even before the receipt of their charter they were on strike. Their proceedings were character-ized by such other disregards for our laws such other disregards for our laws chings that the paid and well known agents of their employers, the detectives, had no difficulty in securing passage of motions of a violent character. It is an established fact that men who were employed by detective agencies, stood upon the floor, made inflammatory speeches, and urged that the property of the street car companies be destroyed. It was only the good sense of the men that prevented such outrages from being perpetrated, although these agents of a nefarious spy system induced some, desperate men to blow up the cars upon the streets. For these out-The St. Louis car troubles were but the beginning of the tidal wave of strikes, and boy-cotts which swept over the country and which strained the strength and resources of your general officers almost beyond their power of endurance.

EXPLAINING CHARGES AGAINST HIM. The Southwest strike began when the time and the attention of the officers were taken up with other matters of vital im-portance. No notice of the contemplated action was given to us and we knew nothing whatever of the causes leading to it until it had been in progress several days. It has been asserted that I condemned the men while they were on strike, No such state-ment ever passed my lips. The only statement ever passed my lips. The only state-ment of mine that could be made to ap-pear in the light of a condemnation was that contained in my secret circular of the 13th of March, a copy of which is here-with submitted. I did not approve of that strike. I could not approve or that strike. I could not do so since confidence enough was not reposed in the general execu-utive board to give them a chance to examine into the grievances which the members of D. A. 101, complained of. It was only when the threat was made to stop every wheel in the United States and engage the whole or-der in the difficulty that I raised my voice in denial. I did that in defense of the order and the country. I am quite willing to assume all the responsibilities attached to the act, and would do the same thing again under similar circumstances. That the men of the Southwest suffered wrongs is true; that they were many and grievous, and it is my firm belief the railroad companies, with a firm belief the railroad companies, with a full knowledge of what these grievances were, precipitated the fight themselves at a time when it would appear to the world that the strike was for a significant cause.

Atter referring to how he was sustained in his action in this strike, Mr. Powderly goe

THE EIGHT HOUR MOVEMENT. THE EIGHT HOUR MOVEMENT.

The eight hour movement which took place May I, was not successful, except in cases where employers and employers were acting in harmony, or where employers were willing to adopt the plan. In many cases the old system of working long hours has been revived. I cautioned our members against rushing into this movement. I had the right to do it, and am firm in the belief that had I not done so great loss would have been entailed upon vast numbers of assemblies.

A reduction of the hours of labor is necessary, and sooner or later must be had, but

A reduction of the hours of labor is necessary, and sooner or later must be had, but we must not forget that in many places the ten-hour plan has not been adopted yet. It may do very well for an organization which looks after the interests of but one craft, or calling to neglect those who stand most in need of help; but a Knight of Labor must never close his eyes to the wants of the humblest of his fellow creatures. The yery discussion of the sudden introduc-The very discussion of the sudden introduc-tion of the eight-hour plan injured business, so much so that in many places men were re-duced to half time or thrown out of employment. Altogether three millions of dollars of work was left undone, because of the un-certainty in regard to taking contracts or in certainty in regard to taking contracts or in making engagements to perform work. Never was it more clearly demonstrated that "an injury to one is the concern of all" than in the movement I am speaking of. The house builder, through uncertainty as to how many hours his employes would work for him, made no contracts to erect buildings and the carpenter was thrown out of employment; the men who made the window glass, the men who made the nails—in fact every man or woman engaged in the manufacture of articles which go towards building a house have suffered in consequence of the movement inaugurated May I. Before the eight hour plan is adopted, the Knights of Labor and the trade unions of America must lay aside their jealousies and differences, come together, name a day on which to put the plan into execution, adopt the plan of action which must be gradual and such as will not inflict injury upon either employer or employe.

THE MAN AND THE MACHINE.

THE MAN AND THE MACRINE. Before a short hour system that will be o my benefit to mankind can be inaugurated the relation which the workman bears to the

labor saving machanic must undergo a radical charge. Shorten the hours of abor under our present system and the streets will be emptied of their Idie thousands. More machines will be erected and more children called into service to feed them. The assertion that the advocates of short hours desire to stop production is false. It is to make production general, healthy and have it keep pace with the wants of the consumer, keeping all men employed, so that idleness will disappear and the producer remain a consumer to his fullest capacity, that we desire a shortening of the hours of labor. Visit our large and small factories, and you find that the mechanic of the past is but the feeder of the machine of the present. We already hear of machines in course of perfection which will set the type, and mould the cigars faster than human hands can do the work, and electricity will soon take the throttle lever from the man who runs the locomotive. The day will soon dawn when these agencies will be doing their work; and when that day does come the mechanic, now so proud of his calling, will stand face to face with the alternative. come the mechanic, now so proud of his call-ing, will stand face to face with the alternative

with the man who works for \$1 per day," will either seek to crowd the \$1 a day man out of his place or accept the crumbs of char-ity to sustain life. History will repeat itself and the fight for existence will be waged with unreleating fury.

The remedy for this is that the machine must become the slave of the man, instead of keeping the man in attendance. The plan of cooperation through which the workman may control the machine he operates, must one day supercede the present system. CHILD LABOR.

of asking for charity or the adoption of the cal-ling of the street scavenger. When that day comes the man who now seeks to array labor against labor in asserting that the \$3 man should not move in the same society circles

The 13th article in our declaration of prin-ciples read "the probibition by law, of the employment of children under 15 years of age in workshops, mines and factories." The end sought for in carrying this declaration into effect is not that the child may live in idleness; it is not that mere adults may be employed. It is that the child of the poor man may be enabled to acquire an ed-ucation to equip him for the duties which in the future fall upon him as a man and a cit-

izen.

It should be a part of the duty of every assembly to ascertain the number of children who do not attend school in its vicinity, learn what the causes are and take steps to have them attend school.

have them attend school.

I ask that a special committee on education be appointed to prepare and recommend to this general assembly a plan for the better education of the American youth.

Regarding the difficulties over trades unions, Mr. Powderly suggests that the aggrieved party, whether Knight of Labor or trade unionist, submit his case to the president of his Union and if there desired, then dent of his Union, and if there desired, then CONCERNING HIMSELF.

I point back to a record of seven years of service and ask the question; If, while holding a position such as no man living or dead eyer held before, with the full blaze of public scrutiny shining upon my every action, with public opinion as ready to condemn as to applaud, I have displayed a lack of nerve or backbone why is it that a million men and women of nerve, backbone and common sense, have gathered around common sense, have gathered around the standard which was placed in my hands seven years ago by the founder of the order himself? If I have been proven a weak man why do so many strong men support me? I dislike to speak of these matters, but I believe that in justice o yourselves and me you should know thom.
I will now speak as I have never spoken to
session of the general assembly before Representatives have been instructed to vote Representatives have been instructed to vote for me for general master workman. I feel complimented, but release every member from his obligation to vote for me. You are free to vote for any other man you choose and if you act in ac-cordance with my wishes you will select another to fill my place. This I leave in your hands. I stand ready to serve in this order in any carelity either as general master order in any capacity, either as general master workman or private in the ranks. In voting for general master workman do not be guided by sentiment or sympathy, but vote in the best interests of God's own laborers and the cause of united labor. It is because I believe it to be my duty that I talk so plainly, and here, face to face with labor's representative men and women, is the place

It has been charged that between members serious disturbances have taken place; ruptures have occurred of a serious character. These statements have a damaging effect when told to the unwary. The first assertion is utterly false, for between the board and myself there has been no rupture or even a difference. Every attempt to divide us has been a failure. That we have constituted ourselves a ring to manage affairs is true, that is what you elected us for. For myself I say, may it never be other-

26 YEARS FOR JIM HENRY.

The Sentence That a Lancastrian Received For A telegram was received Monday evening by Alderman Deen from District Attorney G. D. McGuire, of Howard county, Md. stating that Constable Barnhold and James Carberry, of this city, need not go to Balti-more to testify in the case of Leentau, alias more to testify in the case of Leentan, alias James Henry, charged with burning John W. Rhine's barn, in Howard county, as Henry had pleaded guilty to the charge. A letter was also received from Detective George W. Seibold, of Baltimore, stating that George W. Seibold, of Baitimore, stating that Henry had pleaded guilty when arraigned in court in Baltimore before Judge Duffy, but that he had not yet been sentenced. Seibold predicts that he will not be sentenced to be hanged, but that he will "get a dose" at the hands of Judge Davies. He will first be taken to Howard county to receive sentence for the charge of stealing Mr. Khine's mare, of which he was convicted a few weeks age, f which he was convicted a few weeks ag-He will then be taken back to Baltimore for burning the barn, to which he pleads guilty.

A dispatch late this atternoon from Baltimore states that Leentau received a sentence of 26 years for his crime.

On Saturday last Linnæus Rathvon, on behalf of Monterey Lodge, No. 242, L O. of O. F., made a complaint of embezzlement against Adam Oblender, late treasurer of the against Adam Oblender, late treasurer of the lodge. It appears that Oblender, who had been for some years treasurer of the lodge, was succeeded last April by E. E. Soyder. Oblender had in his possession at the time about \$900 belonging to the lodge which he failed to turn over to his successor, but having promised to do so from time to time, the lodge did not press the case against him until Saturday last, when a warrant for his arrest was issued by Alderwarrant for his arrest was issued by Alder-man Deen, and placed for service in the hands of Constable Weaver. Mr. Oblender was "not at home" when the officer called, nor did his family know where he was.

EDS. INTELLIGENCER: Do any of your readers know if Filbert alley, situated be-tween High and St. Joseph streets, belongs to Lancaster? If so, why put up with slop nuisance? Now, I am a man of moder-ate circumstances and can't afford to buy a new pair of trousers each week, to say noth-ing of the frequent "shines" and the dreadful

August Kasper was a room mate of Peter Delzeit at St. Joseph's hospital. This norning Kasper skipped out and with him \$3.50 and some clothing belonging to Mr. Delzeit. Complaint was made against Kasper before Alderman Barr, and officers are on the lookout for the thief.

Three Young Men Arrested. Henry Doebler, John Kreider and Henry Howater were arrested Monday evening on warrants issued by Alderman A. F. Donnelly charging them with committing an assault and battery on one of the Russian colony in the southeastern section of the city. They were held for a hearing.

The Roaches Get a Large Contract, CHESTER, Pa., Oct. 5 .- John Roach & Son have received the contract for building three new 3,000 ton ships for the United States and

PRICE TWO CENTS

THREE SEVERS ACCIDENTS. umbia Lad Falls and Fractures His E

Regular Correspondence of INTELLORMORA.

Columnia, Oct 5.—On Monday afternora a five-year-old son of Jacob Wanner, living on South Fifth street, was playing at a see considerable distance. He received a free ture and dislocation of the left elbow joint The necessary attention was given by

Samuel Douglas, a young son of Urish Douglas, living in Washington borough, tell from a walnut tree, sustaining a dislocation of the right elbow. The fracture was reduced

of the right elbow. The fracture was reduced by Dr. Binkley.

Mrs. Martha Ortman, wife of William Ortman, of Washington borough, met with a painful accident while engaged in picking peaches. She was standing on some staps from which she accidentally fell, striking her arm against a pole cutting a severe gash in the wrist. The tendons were completely severed and the accident was a severe out. The injuries were attended to by Dr. Binkley.

Installation of Officers. Installation of Officers.

D. D. G. M. E. J. Erisman, of Lanc D. D. G. M. E. J. Erismau, of Lancaster, was present at a meeting of Susquehaum Lodge, No. 80, of Old Fellows, held last night, and conducted the installation of the following officers: Noble grand, F. B. Musser; vice grand, John A. Mouk; assistant secretary, John A. Horn, and the usual number of subordinate officers. Town Notes.

The regular monthly meeting of the Vigi-

ant Fire company will be held to-night. A wagon attempted to pass across the Reading & Columbia railroad, in front of engine 321, of that road, coming down the track. The rear end of the wagon was struck and pushed for some distance but no damage A broken pinion at the mili of the Colum

A broken pinion at the min or the Columbia iron company caused a stoppage at this mill for a short while, until the necessary repairs could be made.

Miss Callie A. Hamilton has composed a very pretty piece of music, entitled the "Callie Waltz," which she has just received from her publisher. The music is one of the finest productions of Columbia's favorite plantat.

Rev. C. D. Harp, of the United Brethren church, delivered two interesting sermons on last Sunday on the subject of "Intemperance and Its Cure." The first afternoon market will be held on

MISSIONARY MEETING IN MARIETTAL services in the Reformed Church-The Salva-

Thursday of this week.

tion Army New Occupy a Tent.

MARIETTA, Oct. 5.—A very interesting nissionary service was held in the Reformed church Sunday evening, by the Harbaugh Missionary society. Rev. J. H. Pannebecker, of Columbia, delivered an address and was followed by several others. The singing was under the charge of Miss Moyer, of Free-

The Presbyterian pulpit was unoccupled Sunday, the pastor, Rev. G. M. Hickman, being at present in Philadelphia. All the other churches were well attended. The Salvation Army have vacated the rink and are now holding their services in the wigwam. Financial and other difficulties have been disturbing the Army for some time. Last week they were compelled in hold their meetings in the open air and they paraded up and down Market street, occasion-

ally stopping to deliver a prayer or exhorta-Next Saturday Mr. Adam Balm will open the rink for the season. It will be under the management of Mr. James Steinle, of Philadelphia.

Mr. Chas. D. Moyer, of Freeburg, was in
town on Saturday. Mr. Moyer is well known
here, and is a graduate of F. and M. college.

AT THE OPERA HOUSE. Frederick Bryton Plays "Forgiven" With Sac

Frederick Bryton was greeted by a large audience in Fulton opera house last evening when he made his first appearance before a Lancaster audience. The play presented was 'Forgiven," in which Mr. Bryton has scored a big success this season. The piece is antic drams and a good one. The intere never flags, but increases from the first to the last act. Mr. Bryton plays the leading character, that of Jack Diamond, in a masterly way. He is a very handsome man and an actor of great ability. There is about him a finish and delicacy that will no doubt make him very successful. The company supporting Mr. Bryton was strong. Miss Grace Thorne in a charming manner played Annie Dennison. She is a very natural actress and her work made a good impression. Harry Harwood was funny as Daniel Peabody, as was also Marie Bingham in the character of Cordelia Dennison, aunt of the heroine. It fell to the lot of Henry Bergman to set the part of Willard Graham, the villain, and he did it successfully. The audience was pleased with both the play and company, and the appliause was liberal. erly way. He is a very handsome man and

The Musical Societies.

As the fall and winter amusement season has set in, the different societies and musical organizations of the city are making prepar-

ations to enjoy themselves.

The Cecilian society, of which Prof. Hall is The Cecilian society, or which Frot. Hall is grown so fast that it has been found necessary to secure a larger hall, where the same warming will be focated on East King street near Centre Square, and a very pleasant house warming will be given for the active and contribution, members on the accession of the

tributing members on the occasion of the opening.
The Liederkranz singing society has been The Liederkranz singing society has been busy at work and they will open their campaign with a sociable and hop on Wednosday evening of next week. Prof. Hass has arranged a fine programme for that occasion. The hall was recently improved. The ottomans have been recovered and very handsome new stage fixtures have been added and the ladies room refurnished. A new and elegant book and music case has been put up and everything presents a fine appearance.

Burglary and Robbery. Last night the house of John Eshleman 314 Low street, was broken open by burglars, who stole I7 bottles of wine from the cellar. Entrance was effected by first breaking open the back cellar door, and then getting into rooms above by means of false keys. It is not known that they stole anything

Before the Mayor. The mayor disposed of eight cases this morning, half of whom were lodgers. One drunk was discharged, two paid costs and Susan Proctor, a disorderly female, who defied the Lancaster ward officer to put her off

from the upper rooms.

The Vigo Bay Treasure Company Advices from Vigo, Spain, to parties in-terested in the Vigo Bay Treasure company terested in the Vigo Bay Treasure company have been received, stating that from a chart recently obtained locating the treasure vassels, one of the vessels has been found in the locality as indicated and that operations are pushed vigorously with heavy machinery, and in a short time developments of great interest are looked for.

terest are looked for. TELEGRAPHIC TAPS. Hon. John G. Carlisle has been nominated for Congress in the 6th Kentucky district. Welty McCullough has been nominated for Congress by the Republicans of 21st Pennsylvania district.

At Jersey City, N. J., John Ratsadels killed Marcus Katz this morning in a dance because

The New Jersey Republican state convention met to-day in Trenton, and adjourned until 5 p. m.

WEATHER INDICATIONS.

WASHINGTON, D. C., Oct. 5.
Eastern Pennsylvania, New Je
Delaware and Maryland, fair was
northoasterly winds, nearly stationary