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Datly Intelligencer.

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LANCASTER, PA., March 28, 1890.

Calling in the Court. Governor Hill, of New York, has strong babts of the constitutionality of the Saxton ballot bill, which has passed the Legislature and awaits his signature. He asks the Legislature to unite with him in a request to the court of appeals of the state to give its opiniou luforally upon the constitutionality of the soure. The Republicans of the Senate object to so doing for divers reasons ; the real one, which is a disinglination to follow the Democratic governor's lead, not, however, being among them. It seems to be considered that there is a game of politics being played; and there is a suspicion that the ruling leaders of peither party care to have the new system of voting adopted, but are only anxious to avoid the danger of

opposing a popular measure. The governor's idea of shouldering the responsibility upon the sourt may be plausibly defended, the strongest thing to be said in its favor being that, as the court will have to decide the constitutionality of the law, it is better that it should decide it before it becomes a law. But this reasoning applies to all legislation and would make it advisable that the highest court of a state should determine the constitutionality of all proposed laws ; or all, at least, as to which there may be a doubt ; of which there are a good many. If this is deemed a a good practice, clearly it should be done under a general law, which should require the court, upon the request of the Legislature or governor or both, to declare its opinion of the constitutionality of any proposed law. This is the regulation in some of the states, but it is not the law in New York ; and the objection to Governor Hill's proposition h that it calls upon the court of appeals to to something that the law does not require it to do.

It is urged that the court will not under the circumstances be disposed to do what the governor wants to ask it to do; and it is very likely that it will not; and It is not clear that it should. The practice of courts is to decide only the question in the case regularly before them, and to refrain from giving their attention to any other matter; and it seems to be a good practice. Courts have well defined duties and powers, and a tendency to overstep them is not a good There is even too much tendency among them to forget that they are appointed simply to construe and cause to co executed the laws as they are made. One of their favorite transgressions is to seek to amond the law. A court, If asked to decide upon the constitutionality of an unmade law, will become even more a part of the law making power than it tends to be now. It may be well that it should be regularly joined with the Legislature and the goverless of makin instead of being allowed to pursue its disposition to subsequently smash them when they do not suit its ideas of the fitness of things. We would then at least have the advantage of knowing that we cannot have a law that the supreme court does not like, before we get it; and not have it only to lose it. If supreme courts had time at their disposal to labor with the governor and Legislature in getting out laws that will stand after they are made, it might be a good thing to so arrange matters. But supreme courts naturally are overworked, or claim to be; and could hardly take on this additional labor. The determination of the constitutionality of a law should be, one would think, not too much for the governor and the lawyers of the two Houses of the Legislature, with the attorney general at hand to give them counsel ; and doubtless a decent care would secure any legislation from over-throw by a decent court. The trouble is that political feeling and personal interest come in to bias the judgment and if the court is also thrown into the arens, there is reasonable fear that it may be in like manner influenced. Certainly there is need for more perfect legislation. Clearly the constitutionality of a bill at least should be settled before it becomes a law ; and if it can only be settled by getting the decision upon it of the highest court before it is enacted, let us have this done.

total cost to the government of maintaining the various agencies and fulfilling treaty obligations, also the cost of policing the frontier against them with the army, and the huge expenses of the Indian wars since the last census and every item of government expense trace-able to Iudian affairs. The result might show an amazing expenditure per Indian, and on the whole it might be cheaper to corral them all in one great Indian school and employ a highly edu cated private tutor for each untutored Lo.'

MANY papers reprint articles from the INTELLIGENCER and a few habitually forget o give credit for them. The compliment is appreciated, but when we see a journa strutting in our feathers we feel like skinning it alive.

Ir there is truth in the last news from Brazil the provisional government is in a very bad way. The story runs that the sarrison of Rio Janeiro recently became disaffected and was ordered to the south. The troops refused to go and the governnent cancelled the order.

LUDWIG VON ROMAYER, the man from Germany who organized a bureau in San Francisco for securing rich American wives for poor foreign noblemen, has committed suicide, and it is said that h did so in terror of a certain Count Von Wueffer, who was expelled from the German army by Emperor William on the publication of letters written by him to Romsyer. Count Von Wueffer was savage over his disgrace, and a letter received in San Francisco from Berlin said that he was on the way to California to take revenge on Romayer. Romayer was rather flighty, and from his talk his friends got the impression that he expected to make a fortune out of the marriage bureau, as he said California girls were crazy for titles. Now, if he had reversed his reason ing and said that German barons were erazy for American girls, nobody would have thought him crazy.

THERE is anxiety because the steamship City of Paris is forty-eight hours overdue at Liverpool, but there is no occasion to get scared over so slight a delay. With broken machinery she might be at sea in safety for many days, but these fast lines are patronized by people who do not appreciate the ocean and want to get over it in a hurry. Their misery and sea-sickness call for pity, but there seems to be no reason to fear their loss.

PERSONAL.

GENERAL CROOK left no property except war papers valued at a thousand dollars. BARON BIEBERTTEIN, & minister o Baden, has been nominated to succeed Count Herbert Bismarck.

JOHN BURNS, the Socialist leader of Lon-don, is seriously ill, and has been ordered by his physicians to rest for a month at least.

Hox. WILLIAM L. Scorr has sent a check for \$5,000 to aid his suffering em-ployes at Mount Carmel, and has prom-ised more if needed. word for him.

GEORGE H. HIGOINS, in 1876, was cutting stone for a living, and was employed on the new court house at Warren, Pa. While the new court house at Warren, Pa. While at work with hammer and chisel Mr. Higgins thought he would rather work inside the building than outside. In four years from the day he conceived the idea of reading law he was admitted to practice in the very structure his hands had helped to erect. From that time on his upward progress has been rapid, until to-day he stands in the front rank of Warren county's bar. He is now a Republican candidate

bar. He is now a Republican candidate for president judge of that county. DR. LANCASTER, a London physician and the results to his class in chemistry. The body operated upon weighed 154.4 pounds. The lecturer exhibited upon the platform 23.1 pounds of carbon, 2.2 pounds of lime, 22.3 ounces of phosphorus and about one onnce each of sodium, iron, potassium, magnesium and silicon. Besides this solid residue Dr. Lancaster estimated that there ware 5.55 cubic feet of excess meighbor were 5,595 cubic feet of oxygen, weighing 121 pounds; 105,000 cubic feet of hydrogen, weighing 15.4 pounds, and 52 cubic feet of

ARCASTER DAILY hreeds in May in tail trees ; the eggs being clear, sometimes marked. The sharp-skinned hawk, some twelve hawk. In color it is very similar to the shove, as also in structure and habits. Its gegs are strongly and heavily blotched with brown, and so strikingly different in color to those of Cooper's havr. These are the only hawks which are brown, and so strikingly different in color to those of Cooper's havr. The large esgle-like red-tail will some function those of cooper's havr. The large esgle-like red-tail will some function those of cooper's havr. The large esgle-like red-tail will some function those of the special will some function those of the special will some function the special but in the main he is a destroyer of vermin-annal quadrupeds and insects captured in field and mesdow. The flight of this species is as grand as that of the the turkey buzard. The rough-legged hawk has been known for field mice, and is in every way most of field mice, and is in every way most of field mice, and is in every way most in the shart of the species is as grand and the for field mice, and is in every way most of field mice, and is in every way most of field mice, and is in every way most of field mice, and is in every way most work whitis holdings. I have never, to bars addre a resemblance to the red-tail. Wery similar in size, structure and habit to they sam and breed regularly in this notatity, and though a pair reside through-out be year and breed regularly in this notatity of fure, and for these it scarches con-should have the structure mile of the should have a sidenously in its notice should have and for these it scarches con-should nost assiduously in its notice should a very useful bird. Those do the familiar to the most cannal observer, is, is functive creatures, our native mile of the should fare, and for these it scarches con-should have a sidenously in its notice should have a sidenously in its notice should a very usoli bird. Those do

The famous duck hawk, about cosmopoli-tan, and a perfect marvel in flight and in adroitness for capturing its prey, no doubt does often take the game and water birds. In fact, it not infrequently takes the wounded or falling bird from the sports-man, but so distant and wary is it in its habits that it may be said to be unknown in the poultry yard, and it is not sufficiently numerous anywhere to make it an object of persecution in behalf of the sportsman. Besides it is a bird of such note in history, having been a special desideration in the days of hawking, and of such dignified and daring habits as to merit general respect and immunity. Probably the little sparrow hawk is, among us, by far the most useful of its kind. Its trim little figure, perched in a tree by the wayside or coursing over the

tree by the wayside or coursing over the open field, must be known to all. Like the European kestral, it is especially noticeable from its elegant and graceful manner of hovering. Being so generally distributed over our country, its habit of nesting in holes in trees has been quite generally observed and widely known. The name of the fine little hawk is misleading, for it does not so frequently kill sparrows as its name would imply, but it is a constant and most voracious destroyer of insects and mischievous little quadrupeds. Probably no other bird tree by the wayside or coursing over the

destroyer of insects and mischievous fittle quadrupeds. Probably no other bird destroys so many grasshoppers. Spare, then, this elegant little falcon. Remember, be is the farmer's faithful friend and servant. Learn to distinguish him by the black stripes over his crown and down the sides of his face, and always speak a good word for him.

A Lad Shoots His Sister.

While several children were playing in a yard in Woodstock, Maryland, on Thurs-day, a 6-year-old son of Reuben Carey pointed a rifle at his 3-year-old sister Edna. At the same time he told her that she had better try to catch the ball. The child did as diracted and she had a finan and was as directed, and she lost a finger and was fatally shot in the head.

The safest and most reliable remedy for the suad diseases of the baby is Dr. Buil's Haby Syrup. It contains nothing injurious. Price 20 cents a bottle. If you live in a low, marshy district, where the miasma arising from decaying vegetable matter, pollutes the atmosphere, the use of Laxador becomes an absolute necessity. It drives malaria from the system at once and costs only 25 cents. costs only 25 cents.

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the pocket or go to bed with ? Safe, warm as toast, handy as a pocketbook, and only 25c. More and more doctors will be

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Costly Mr. Lo.

It is claimed that a very interesting feature of the eleventh consus will be the information gathered concerning the Indians. Mr. Thomas Donaldson, of Philadelphia, has charge of this branch of the work and it will be managed through the government Indian agents of each tribe. He says that the physical, moral and actual condition of the Indians will be noted, and particular at-

tention will be given to the tribes that are self-sustaining. It has been doubted whether the Indians are really decreasing in numbers, as their mortality from disease, war and hardship was no doubt very great in the good old days when they roamed over the country without blaukets, matches or gunpowder and died like flies for want of simple medicines. The tenth census was supposed to be the first approach to anything like accuracy In Indian enumerations, as it was very difficult to get at the numbers of the wild tribes. Now even the Sioux, Crow and Blackfeet have been brought within measuring distance, and the new census compared with that of 1880 ought to settle the question of decrease. The Indian population is now roughly estimated at two hundred and fifty thousand, or ten thousand less than the population of Lancaster and Berks counties at the last census. It is pretty certain that in spite of their comparatively small numhers the Indians of the United States give more trouble than any other element of the population, and excepting the people who draw pensions they probably cost the nation more. The probably cost the nation more. The trouble and expense of Indian affairs is partly due to bad Indian policy, partly to the finnate "cussedness" of the sav-age himself and largely to the villainy of whites.

The census of the Indians should be

JOHN RUTTER HIESTER died on Wednesday at his residence in Pottstown, in his 74th year. Mr. Hiester was a leading citizen and farmer of northern Chester cilizen and farmer of northern Chester county, taking an active part in business and politics, but moved to Pottstown several years ago. He was a son of Dr. Samuel Hiester, a prominent physician, and his grandfather was General John Hiester, of the Revolutionary war, who was a first cousin of Governor Joseph Hiester. The mother of deceased was Margaretta Rutter Hiester, a descendant of the fourth generation from Themas Rutter. the fourth generation from Thomas Rutter, who first manufactured iron in Pennsyl-vania (at Pool Forge, on the Manatawny creek, in Lower Berks) in 1715-16. The wife, three daughters and two sons of John R. Hiester survive him.

A PLEA FOR THE BIRDS.

Great Usefulness of Birds of Prey-Bad Policy to Destroy Them.

J. H. Langille, in Baltimore Sun.

D. A. Langille, in Baltimore Sun.
Probably in no respect are the people more mistaken than concerning the economy in nature of the birds of prey. They know that hawks, and also owis, sometimes kill chickeas, and they therefore conclude that bawks and owls should be shot. So Peterkin starts out with gun, new or old, as the case may be, and shoots indiscriminately any hawk or owl he may find. Even our most intelligent citizens, having in their thoughts some vague notion of sharp claws and hooked bills take it for granted that every hawk and every Legislature passing a law to encourage the destruction of birds of prey, and every farmer popping over a bird of this class, one and all take it for granted that they are in the service of their country. Not many years since the state of Pennsylvania offered a large premium on the heads of hawks and owls indiscriminately, and in one year paid ont of its treasury \$35,000 for the destruction of 40,000 hawks and wis. (1 write from memory, but think I am correct in my figures). Some of the citizens of the state being acquainted with the bill of fare of this class of the state. Probably in no respect are the people of the citizens of the state being acquainted with the bill of fare of this class of birdswith the bill of fare of this class of birds-notable among such was Dr. Harry B. Warren, of West Chester, Pa.-were alarmed at the consequences of such a law, and took measures to have the stomachs of the birds shot examined by specialists under the microscope and officially re-ported. The result was that only 5 per cent, of these birds of prey were found to contain any remains of the domestic fowls in their stomachs, while the remaining 95 per cent, were proven to feed on noxious insects, destructive quadrupeds, etc. So it turned oat that while the farmer was kill-ing five enemies to his premises he was turned out that while the farmer was kill-ing five enemies to his premises he was also killing ninety-five friends. Therefore, as one aptly said, they concluded to "en-dure the ills they already had rather than fly to others that they knew not of." It annoys the ornithologist exceedingly to see, as he is riding through the country, the remains of our various hawks hancing

to see, as he is riding through the country, the remains of our various hawks hanging by the feet in the trees about the farmers' yards. About eighteen miles from the city of Washington a few winters since one wide-awake and eccentric farmer had the remains of twenty-nine hawks hanging in a tree in his front yard all at once. The tree looked as if it bore hawks, and he no doubt felt very complacent over his mis-chievous slaughter. To all such careless and indiscriminate

To all such careless and indiscriminate marksmen it may be well to say that the investigation in Pennsylvania just referred investigation in Pennsylvania just referred to is not the only testimony in favor of the great utility of the birds of prey. Now that the conintry is awake on the question a good many are noting the contents of the craws of the different hawks and owls. All, however, are telling the same story. Only a few of these birds are destructive to the continue of them are highly

only a life of these birds are destructive to the poultry yard. Most of them are highly beneficial to the rural districts. Of the hawks, those especially destruc-tive, first, those of the genus accipiter-Cooper's hawks and the little sharp-shin. Cooper's hawks and the little sharp-shin. The former will undoubtedly make havoc among the hens, and the latter among the chickens. They also destroy a great deal of game and many small birds. They are birds of the most rapid and dashing flight, always taking their wild prey on the wing. Cooper's hawk is of good size, some is inches long, of a fine ashy brown, blackish on the head. The under parts are white, with fine cross streaks of light reddish. Common in these Eastern states, but not found in the tanadas in any considerable numbers, it is more or less migratory, and supplemented with a statement of the numbers, it is more or less migratory, and

By its mild, soothing and healing properties, Dr. Sage's Catarrh Remedy cares the worst cases of nasal catarrh, also " cold in the head," (oryza, and catarrhal headaches. F.S.dw What Three Applications Did. "I was troubled very much with sore feet. *Three applications of Thomas' Extectric Oil en-*threly cared them. Nothing better in the mar-ket." Jacob Butler, Reading, Pa. For sale by W. T. Heeb, Nos. 137 and 139 North Queen street, Lancaster, Pa. A Family Gathering. Have you a father ? Have you a mother ? Have you a son or daughter, sister or a brother who has not yet taken Kemp's Balsam for the Throat and Lungs, the guaranteed remedy for the cure of Coughs, Colds, Asthma, Croup and all Throat and Lung Troubles? If so, why? When a sample bottle is gladly given to you /ree by any druggist, and the large size costs only 50eand \$1. The Kind We Like.

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tion as the only pure, uniform and reliable whiskey in the market. Send for an illustrated book descriptive of its merits. DUFFY MALT WHISKEY CO.,

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Scrofula in Children. "In the early part of 1857 scrofula appeared on the head of my little grandchild, then only is months old. Shortly after breaking out it spread rapidly all over her body. The scabs on the sores would peal off on the slightest totch, and the odor that would arise would make the atmosphere of the room sickening and unbearable. The disease next stacked the eyes and we feared she would lose her sight-make the atmosphere of the room sickening and we feared she would lose her sight-funcent physicians of the country were con-suited, but could do nothing to relieve the little innocent, and gave it as their opinion, 'that in case was hopeless and impossible to save the child's eyesight. It was then that we de-cide to try swift's specific (s. s. s.) That med-beine at once made a specific (s. s. s.). That med-beine at once made a specific (s. s. s.). Mas. Retrib Brancary, Seima, Kansas. Cancer of the Nose.

Cancer of the Nose.

Cancer of the Nose. In 1875 a sore appeared on my nose, and grew rapidly. As my father had cancer, and my hus-band died of it, I became alarmeet and consulted my physician. His treatment did no good, and the sore grew larger and worse in every way, until it was persuaded to take 5. S. S. and a few bottles cured me. This was after all the doe-tors and other medicines had failed. I have had no return of the cancer. Miss. M. T. MANEN, Woodbury, Hail County, Texas. Treatise on Cancer mailed free.

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