The Sunday Car Question—Has the Legislature Power to Delegate its Enacting Authority?

To the Editor of The Evening Telegraph:—

The *Press*, in its issue on Friday, under the head of "Sunday Cars—Debate in the Senate," after attempting, upon a pure technicality, to correct the error of Speaker Hall, who stated that "the observance of the Sabbath was part of the common law of England and the United States, and that such law was local and could not be decided upon by citizens at a local election," ventures to assert that the question as to running the cars on Sunday in this city is entirely local; and that if a majority of the votes of the citizens at an election should be in favor of the cars running on Sunday, "*such* a law" would be "constitutional."

We have long been under the schoolboy impression that the *legistative* power of the State was *vested* in the *Legislature*, consisting of a Senate and House of Representatives, whose exclusive province is the *enactment* of *laws*. The Constitution of the State so declares, and therefore all other *power* to *enact* laws must be excluded.

For the benefit of the *Press* and its learned juridical writers, that laws must be passed by the Legislature, and cannot be by a vote at an election, we refer to a decision of the Supreme Court of our State, made nearly twenty years ago, in the case of Parker vs. Commonwealth, reported in 6 Barr's Reports, page 507. There the Supreme Court held that "under the Constitution of Pennsylvania, legislative power must be exercised by the Legislature created by that Constitution. Hence the act of 1846, giving the citizens of certain counties the power to decide by a vote whether the sale of vinous and spirituous liquors shall be continued within such counties, and imposing a fine for the sale of such liquors, where a majority of the voters had been against such sale, is unconstitutional."

As the Legislature, according to this decision, cannot delegate its power to enact laws to the people in their primary capacity, it is not perceived, even under the enlightened legal notions of the *Press*, how the *people* at an election can assume power to enact laws even local in character. COKE.

CITY INTELLIGENCE.

[FOR ADDITIONAL LOCAL ITEMS SEE OUTSIDE PAGES.]

THE FIRE DEPARTMENT.—The Neptune Association, connected with the Neptune Hose, have presented to Mr. John Englehart, one of their members, a very beautiful gold fire badge. Its engraving represents Old Neptune, with his seahorses. It is otherwise handsomely ornamented.

Thirty-seven kegs of powder last week were seized and sold for the violation of the ordinance which prohibits more than a certain quantity to be in one location at a time. It brought $703·75, which goes to the Association for the Relief of Disabled Firemen.

The Humane Engine Company were the recipients, last week, of a black Shetland pony from J. Henry Askin, of Delaware county.

This week there will be here a delegation of the Liberty Fire Company, of Reading, and also one from the Northern Liberties' Association, of Washington. They come to attend the ball of the Fairmount Engine, on Wednesday night, at the Guards' Hall.

The Mechanic Steam Fire Engine Company housed a new hose carriage on Saturday afternoon. The machine was built by Mr. E. Young, after the model of the green carriage used by the Phœnix Hose of this city. The cost was about $500.

APPROPRIATIONS FOR SPECIAL PURPOSES.—The following sums were expended in the several city departments during 1866:—Department of Police, $144,345·31, of which amount the sum of $113,452·55 was for the purchase of the Water Works at Germantown; Department of Highways, $95,453·41; of Water, $344,105·26; Department of Schools, $131,645·55; Board of Health, $22,591·69; Surveys, $7,614·33; City Commissioners, $12,956·99; Clerk of Councils, $27,210 74; City Solicitor, $11,579·07; Trustees of City Ice Boat, $95,000; of Markets, Wharves, and Landings, $4482·84; for cleaning the streets, $5553·63; City Treasurer, $2000; City Property, $40,455·04. Making a grand total of $945,073·56.

DESPERATE FIGHT IN A DRINKING SALOON—MAN SHOT.—About 8 o'clock last evening a disturbance occured at a tavern at Thirteenth and Callowhill streets, and, after considerable fighting inside the building, the combatants were forced into the street. Policemen made their appearance and endeavored to arrest some of the parties prominent in the row, but an attack was made on the officers, and a rescue attempted. This was resisted, and in the course of the effort to retain the prisoners, Officer discharged a pistol, the ball taking effect in the leg of Charles Osborne, causing a painful wound. Osborne was taken to the Hospital. The policemen succeeded in quelling the disturbance and arresting several of the parties concerned.

RECOVERY OF STOLEN BONDS.—Some time ago, the $16,000 worth of bonds that were stolen from Mr. Haug were returned by the thieves. Last Saturday, the tin box stolen from the office of Mr. James H. Newbold, broker, on Monday morning last, was recovered in the cellar of an unfinished house in Spring Garden street, with all the promissory notes and drafts in it, but not the $6000 worth of Government bonds. The recovery was due to an anonymous note left at the Central Police Station.

BADLY BEATEN.—Last evening James Durnell, while in a saloon at Race and Water streets, was attacked and severely beaten about the head and body. His injuries were of such a character that it was found necessary to take him to the hospital, where his wounds were dressed. Subsequently he was removed to his home, at Twenty-sixth and Callowhill streets.

WOMAN FOUND DROWNED.—An unknown white woman, aged fifty years, was found drowned in the Delaware yesterday, opposite No. 22 South Delaware avenue. She had brown hair. The deceased had evidently been in the water a long time. The Coroner took charge of the body, and sent it to the Green House.

BUSINESS AT THE HAY MARKET.—During the past week 305 loads of hay and 60 of straw were weighed and sold at the Farmers' Hay-Market, North Seventh street. The supply was light, and the demand quite active. Best quality timothy hay sold at $2@2·35 ℔ 100 lbs. Straw sold at $1·60@1·70.

A DESERTED BABY.—A male infant, about three weeks old, was found yesterday morning on the steps of a house in Jones' alley. It was taken in charge by the family residing in the house.

STABLE BURNED.—A frame stable, in Front street, near York, owned by Daniel Lins, was burned about one o'clock on Sunday morning. Loss about $600.

MASSE'S NEW OPERA.—The new opera, by M. Victor Massé, *Le Fils du Brigadier*, has been produced at the Opéra Comique, Paris, and is another success for that fortunate theatre. The libretto, like that of *Le Voyage en Chine*, is quite a comedy of itself, and the music is said to be quite up to the mark of the composer of *Le Noces de Jeannette* and *Fior d'Alisa*. Crosti, who, at a few days' notice, took the part of the "Brigadier," which was destined for the clever Coudere, who is disabled by a throat complaint, made quite a hit; Sainte Foy and Prilleux had two capital comic characters, and with Montaubry as the tenor, and Marie Rose, Mesdames Gerard and Revilly, the new opera went off finely.

MARINE TELEGRAPH.

For additional Marine News see First Page.

ALMANAC FOR PHILADELPHIA—THIS DAY

SUN RISES	5·26	MOON RISES	11·29
SUN SETS	6·17	HIGH WATER	0·00

PHILADELPHIA BOARD OF TRADE.

SAMUEL E. STOKES, GEORGE N. TATHAM, ANDREW WHEELER. } MONTHLY COMMITTEE.

MOVEMENTS OF OCEAN STEAMERS.

FOR AMERICA.

Peruvian	Liverpool	Philada	Mar. 9
Atlantic	Southampton	New York	Mar. 9
Olympus	Liverpool	Boston	Mar. 9
C. of Limerick	Liverpool	New York	Mar. 9
Palmyra	Liverpool	New York	Mar. 12
C. of Washington	Liverpool	New York	Mar. 13
Virginia	Liverpool	New York	Mar. 13
New York	Southampton	New York	Mar. 13
Nestorian	Liverpool	Portland	Mar. 14
Europe	Havre	New York	Mar. 14
Chicago	Liverpool	New York	Mar. 14
Delaware	Liverpool	Philada	Mar. 20
Great Eastern	Liverpool	New York	Mar. 20
Ottawa	Antwerp	New York	Mar. 23

FOR EUROPE.

Malta	New York	Liverpool	Mar. 27
C. of Limerick	New York	Liverpool	Mar. 27
Africa	Boston	Liverpool	Mar. 27
Hammonia	New York	Hamburg	Mar. 30
Merrimac	New York	Havre	Mar. 30
Atalanta	New York	London	Mar. 30
Erin	New York	Liverpool	Mar. 30
C. of Washington	New York	Liverpool	Mar. 30
Columbia	New York	Glasgow	Mar. 30
Australasian	New York	Liverpool	April 3
Europe	New York	Havre	April 6
Atlantic	New York	Bremen	April 6
China	Boston	Liverpool	April 10
Ottawa	New York	Antwerp	April 13
Bellona	New York	London	April 13
Arago	New York	Havre	April 13
Havana	New York	Havre	April 17
St. Laurent	New York	Havre	April 20
Baltic	New York	Bremen	April 20
Mississippi	New York	Havre	April 27
Fulton	New York	Havre	May 11

COASTWISE, DOMESTIC, ETC.

Star of the Union	Philada	New Orleans	Mar. 30
Santiago de Cuba	New York	Greytown	Mar. 20
Moro Castle	New York	Havana	Mar. 30
Costa Rica	New York	Shanghae	April 1
Colorado	San Fran.	Yokonama, etc	April 3
N. America	New York	Brazil	April 22
S. America	New York	Brazil	May 22

Mails are forwarded by every steamer in the regular lines. The steamers for or from Liverpool call at Queenstown, except the Canadian line, which call at Londonderry. The steamers for or from the Continent call at Southampton.

ARRIVED YESTERDAY.

Br. barque Hector, Newell, 16 days from Sombrero, with guano to Moro Phillips. Towed up by tug E. A. Souder.

Brig Maria White, Bryant, 9 days from Charleston, with lumber to Merchant & Co.

Steamer S. F. Phelps, Brown, 24 hours from New York, with mdse. to W. M. Baird & Co.

Steamer Monitor, Jones, 24 hours from New York, with mdse. to W. M. Baird & Co.

Steamer Black Diamond, Meredith, 24 hours from York, with mdse. to W. M. Baird & Co.

CLEARED SATURDAY.

Steamship Saxon, Matthews, Boston, H. Winsor & Co.
Steamship Chase, Crossman, Providence, Lathbury, Wickersham & Co.
Barquentine Deveronside, Mutch, Cork, for orders, P. Wright & Son.
Brig Angenora, White, Matanzas, Warren, Gregg & Morris.
Steamer Chester, Jones, New York, W. P. Clyde & Co.
Steamer Mayflower, Robinson, New York, do.
Steamer A. C. Stimers, Knox, do. do.
Steamer Philadelphia, Fultz, Washington, do.

ARRIVED SATURDAY.

Steamer E. C. Biddle, McCue, 24 hours from New York, with mdse. to W. P. Clyde & Co.

Steamer Beverly, Pierce, 24 hours from New York, with mdse. to W. P. Clyde & Co.

Steamer G. H. Stout, Ford, 24 hours from New York, with mdse. to W. P. Clyde & Co.

Barque Thomas Dallett, hence for Laguayra, was towed to Morris Liston's, and anchored there at 5 P. M. on Friday. Ship Morning Star, for Antwerp, was at anchor off Bombay Hook at the same time. Wind fresh from E. NE.—Reported by tug E. A. Souder.

MEMORANDA.

Ship Betty, Nutzhorn, for Philadelphia, cleared at New York 23d inst.

Ship Thos. Harward, Strickland, for Philadelphia, cleared at Liverpool 7th inst.

Ship Saranak, Turley, for Liverpool, cleared at New Orleans 16th inst.

Steamship Norman, Crowell, for Philadelphia, cleared at Boston 22d inst.

Steamship Tonawanda, Catharine, for Philadelphia, sailed from Savannah 23d inst.

Brig R. B. Gove, Harkness, hence, below New Orleans 16th inst.

Brig Alma Jane, Flynn, from St. Martin's for Philadelphia in 10 days, remained at Hamilton, Ber., 4th instant.

Brig Moses Day, Eldridge, for Philadelphia, sailed from Helvoet 7th inst.

Schr Rescue, Kelly, for Philadelphia, cleared at New York 23d inst.

Schrs Annie Magee, Ketchum, and D. S. Mershon, Ayres, hence, at Salem 21st inst.

Schr M. Fletcher, Pendleton, hence, at Belfast 19th instant.

Schr J. G. Craig, Craig, hence, at Portland 21st inst.

Schr Casper Heft, Shoe, for Philadelphia, sailed from Richmond 20th inst.

Schr Fred. Hall, Rogers, hence, at New London 21st instant.

Schrs Marianna, Davis; Pennsylvania, Adams; and Roanoke, Barrett, hence, at Richmond 21st inst.

Schr Lizzie D. Small, Tice, for Philadelphia, sailed from Providence 22d inst.

Schr Aid, Somers, hence for New Bedford, at Newport 21st inst.

Schr Ada A. Andrews, Kelley, hence for Portland, sailed from Bass River 21st inst.

Schr R. H. Shannon, Dilks, hence, at Fall River 21st inst.

Schr Thos. T. Tasker, Allen, for Georgetown, S. C., cleared at Charleston 19th inst.

Schr M. E. Nason, from Providence for Philadelphia, sailed from Holmes' Hole 21st inst.

Schr North Pacific, Erick, hence, at New Bedford 22d inst.

Schr Hattie, Carter, from Belfast, and I. D. Howard, McDuffie, from Portland, both for Philadelphia, remained at Newport 21st inst.

Schrs M. Tilton, Fitzsinger; R. W. Tull, Robinson; S. S. Godfrey, Godfrey; M. V. Cook, Falkenburg; D. Gifford, Tirrell; A. Trudell, Barrett; W. Wallace, Scull, and H. A. Rogers, Frambes, hence, at Boston 22d inst.

Schrs E. & L. Marts, Marts, for Boston, sailed from Charleston 22d inst.

Schr Charles McCarthy, Godfrey, for a port in Cuba, cleared at Mobile 13th inst.

Schr E. T. Allen, Corson, for Wilmington, N. C., cleared at Charleston 19th inst.

PAPER HANGINGS, SHADES, ETC.

NEW SPRING STYLES

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During our investigations in the treatment of disease in its various forms by the agency of electricity, we have obtained very many valuable and startling facts, which, added to the previous though limited information possessed by other and less fortunate operators, place us beyond all previous knowledge of this mysterious agent. During the course of our practice we have treated and cured, through the knowledge thus gained, many thousands, and by means of our new discoveries have established ourselves as the most successful Medical Electricians in this country or Europe.

Electrical investigation has proved that the human body acts on the principle of the galvanic battery. The brain, mucous and serous membranes, the skin tissues, and fluids, constitute the negative and positive forces, and every action, whether mental or physical, is the result of these antagonistic forces. Digestion, respiration, circulation, secretion, and excretion are due solely to electrical influence. There is a polar action established throughout the nervous system which connects with every part of the body, establishing and preserving a proper balance of the electrical element which constitutes health, and a disturbance of which causes disease. There are strictly but two conditions of disease—one of inflammation, or positive; the other, weak, debilitated, negative—and as electricity contains these two conditions in the action of the positive and negative currents, all we have to do is to neutralize the disease and restore proper healthy action.

Among the chronic diseases in which electricity has been and is daily being, by our agency, of the greatest utility, a cure being rapidly effected after the failure of all other means, are:—

1. Epilepsy, Chorea, or St. Vitus' Dance, Paralysis (Hemiplegia), Neuralgia, Hysteria, Nervousness, Palpitation of the Heart, Locklaw, etc.
2. Sore Throat, Dyspepsia, Diarrhœa, Dysentery, Obstinate Constipation, Hemorrhoids, or Piles, Bilious, Flatulent, and Painter's Colic, and all affections of the Liver and Spleen.
3. Catarrh, Cough, Influenza, Asthma (when not caused by organic diseases of the heart), Bronchitis, Pleurisy, Pleurodynia, or Rheumatism of the Chest. Consumption in the early stages.
4. Gravel, Diabetes, and Kidney Complaints.
5. Rheumatism, Gout, Lumbago, Stiff Neck, Spinal Curvature, Hip Diseases, Cancers, Tumors (those last named always cured without pain, or plasters in any form).
6. Uterus Complaints, involving a mal-position, as Prolapsus, Antroversion, Retroversion, Inflammation, Ulceration, and various other affections.

For information desired upon other diseases, application may be made at the office, or by letter.

MRS. BECKWITH has entire charge of the Ladies' Department, and all delicacy will be used towards those who entrust themselves to her care, in female diseases, it is universally successful in her hands.

For the convenience of those desiring information, we give (by permission) a few names of persons, among the best business men and others of this city and elsewhere, whom we have treated and cured:—

A. H. Stewart, Mill Creek, Huntingdon county, Pa., cured of rheumatism of fifteen years' standing; Mrs. J. Y. Cumming, Kishicoquilas, Mifflin county, Pa., cancer of the stomach; John Kirkpatrick, New Castle county, Del., cured of a cancer in the breast in three weeks; Francis Gottwalls, No. 1816 Hamilton street, absorption of a tumor weighing eleven pounds; Jacob Vandegrift, Odessa, Del., severe case of diabetes; G. T. Boulden, firm of Boulden & Co., No. 36 S. Water street, paralysis on the left side, cured in three weeks; E. McClam, No. 329 Juniper street, dyspepsia and nervous debility; Lieutenant Robert Wilson, V. R. C., dyspepsia cured in seven days; R. J. Robertson, Fox Lake, Wisconsin, bronchitis, catarrh; John C. Carter, Commander United States Navy, Brooklyn; bleeding piles and fistula of forty-six years' standing; Charles H. Hammond, Western National Bank, Baltimore, dyspepsia and sick headache, of twenty-five years' standing, cured in three weeks; William Rowbotham, No. 1327 Front street, obstinate piles, cured in three applications; C. A. Byran, lumbago and dyspepsia, of ten years; N. B. Baldwin, late pastor of the Olivet Baptist Church, Philadelphia, nervous prostration, after three applications; C. D. Cooper, Port Jervis, N. Y., severe case of catarrh; William Holtzworth, No. 257 Market street, ulcerated bowels, dyspepsia, orchites, etc., of seven years' standing; Hon. J. M. Butler, No. 726 S. Tenth street; J. W. Bradley, No. 66 N. Fourth street; Colonel G. W. Sweney, Walnut street, below Eighth; George O. Evans, No. 1632 N. Fifteenth street; Mr. Pelouze, Chesnut and Third streets; Brigadier-General A. J. Pleasonton, No. 918 Spruce street; George Douglass, Fifth street, above Chesnut; M. C. Sadler, No. 63 Arch street; C. S. Emack, No. 433 Chesnut street; A. L. Whiteman, corner of Third and Market streets; J. H. Andrews, No. 912 Pine street; M. Errickson, No. 1322 Pine street; Thomas Simpson, No. 1314 Front street; W. R. Smith, No. 1029 Hanover street; George L. Buzby, Nos. 931 and 933 Market street; Thomas Drake, Germantown; William Stevenson, Sixth and Market streets; C. Marshall, No. 519 S. Ninth street; Mr. Harris, No. 1406 Master street; Thomas Gregg, Vineland, N. J.; Brigadier-General A. Pleasonton, St. Louis, Mo.; Mr. ——, Camden, N. J.

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GRAND MATINEES
WEDNESDAY AND SATURDAY, at 2 o'clock.
Great change of Programme, including the wonderful
BUTTERFLY TRICK.
The Equipoise of All Right on
FOUR LADDERS.
And all the most astonishing feats, by the entire Imperial Troupe.
NOTICE.
Special arrangements will be made with Schools, on favorable terms, for the grand Matinee on WEDNESDAY, March 27. For particulars apply at the Box Office. Academy of Music, between the hours of 9 A. M. and 3 P. M.
WEDNESDAY EVENING, March 27.
BENEFIT OF HAMAI KARI SADAKITCHI.
FRIDAY EVENING, March 29.
BENEFIT OF THE WONDERFUL BOY,
"ALL RIGHT."
SATURDAY AFTERNOON AND EVENING, March 30,
Positively last appearance of the Troupe in Philadelphia.
Prices of admission as usual. No extra charge for reserved seats.

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POSITIVELY LAST WEEK OF
MISS HELEN WESTERN.
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CAPTAIN KYD;
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Robert of Lester ..... Miss HELEN WESTERN
ACT I.—THE CAUSE.
"There's many a man who oft has heard
The name of Robert Kyd,
Who cannot tell, perhaps, a word
Of him or what he did."
ACT II.—THE EFFECT.
ACT III.—THE FIGHT.
ACT IV.—THE DOOM.
SATURDAY AFTERNOON, March 30
GRAND FAMILY MATINEE.
MONDAY, April 1,
MR. JAMES E. MURDOCH,
WEDNESDAY AFTERNOON,
GRAND FAMILY MATINEE.
See extra advertisement elsewhere.

NEW CHESNUT STREET THEATRE.
EXTRA MATINEE,
EXTRA MATINEE,
EXTRA MATINEE,
WEDNESDAY AFTERNOON, March 27.
WEDNESDAY AFTERNOON, March 27.
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WEDNESDAY AFTERNOON, March 27.
BENEFIT
OF THE OFFICER OF THE THEATRE,
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On this occasion
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will appear in
TWO PIECES,
THE FRENCH SPY
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Admission to Matinee, 50 Cents. Children, 25 Cents. Doors open at 1½ o'clock. 3 23

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Wednesday and Thursday, "OURS."
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Seats secured six days in advance.

WALNUT STREET THEATRE, N. E. corner of NINTH and WALNUT Streets. Begins at 7½ o'clock.
GREAT DRAMATIC EXCITEMENT.
LAST NIGHT OF EAST LYNNE.
MONDAY EVENING, March 25,
The Charming, Youthful, and Versatile Artiste,
MISS LUCILLE WESTERN,
when she will perform her great impersonations,
LADY ISABEL AND MADAME VINE,
in the original and only Drama play, entitled
EAST LYNNE; OR, THE ELOPEMENT,
the merits of which are nightly attested by
SOBS AND TEARS OF SYMPATHY.

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Doors open at 7 o'clock. Commencing at 8 o'clock
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