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The Intelligencer.

The Vote on a Convention.

It is always slow work getting the election returns from the outlying parts of this "young and growing commonwealth."

Table with columns: Precinct, Majority, Margin, etc. Lists precincts like Hancock, Broome, etc.

Majority against as far as reported.

The Register's estimate of Saturday morning in the remaining counties would give the Conventioners the State by 1,251 majority.

The official count will be made to-morrow by the Commissioners of Election.

A CHALLENGE TO THE CONVENTION.

Dispatch to the Cincinnati Gazette. CHARLESTON, W. VA., August 25.

The returns of the election held throughout the State, yesterday, on the question of a Constitutional Convention, are yet meagre.

At the time I sent my dispatch of last night it was impossible to state the full extent of the ravages of the fire.

The fire originated on Main street, in a bakery owned by D. Coburn, and the wind blowing strong from the east, the flames soon enveloped a furniture store adjoining, owned by Vaughan.

They spread east and west, sweeping everything before them in their career, until a sudden change in the wind to the north checked their career here, but the buildings on the opposite or south side of the street caught fire, and all except two were consumed before the flames could be got under.

They spread on the north side to the east and west, and on the south side to the east and west, until they reached the brick buildings and jail, which were entirely destroyed.

A prisoner named John Shannon, who had been placed in jail the evening before, was burned to death before assistance could reach him.

Altogether twelve brick and seven frame buildings and several stores, including the building used for the court, the jail, the following is a statement of the losses and insurance on the north side:

Gale & Gardner stock, valued at \$17,000, \$1,000 saved; insured for \$14,000; the building was owned by C. D. Vaughn, whose losses on this and his furniture is about \$5,000, nearly covered by insurance.

On the south side of the street, the base loss \$1,200, insured for \$1,000; B. H. Truscel, law office, library and papers, missed loss \$3,000, insured for \$1,500; Miss McKen & Vaughn, milliners, loss \$1,200, covered by insurance.

In the rear rooms was the Masonic Hall, loss \$2,000, insured for \$1,000; the building was owned by Wm. A. Gardner, insured for \$750.

The adjoining building and stock of furnishing goods, owned by C. F. Lynn, loss \$4,000 on stock; the next building of Wilcox & Brigham, was occupied by West, Bradley & Bay, who dry goods, loss on stock \$17,000, insured \$10,000, loss on building \$7,000, nearly covered by insurance.

In the upper rooms, occupied by G. A. Deming, dentist, and E. E. French, photographer, the stock was a total loss; no insurance.

On the opposite side of the street every business house but two were destroyed, including the building owned by Chester & Badger, and occupied by Sarger & Badger with drugs and hardware.

The second floor in front was used as the city council room, and the rear room was occupied by Judge Kiver, President of the Chicago & Rock River Railroad Company; personal loss \$4,000; the building was owned by Wm. A. Gardner, destroyed, but the records and account books were saved.

The building owned by Martin Maus, and occupied by Creaver & Harris, agricultural implements, flour, feed, &c., and a saddlery, the loss is not estimated. The next came a loss of \$2,000, insured for \$1,000; the building was owned by Wm. A. Gardner, destroyed, but the records and account books were saved.

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BY TELEGRAPH.

ASSOCIATED PRESS REPORT.

Exclusively to the Intelligencer. (By the Western Union Line. Office North-west cor. of Main and Monroe streets.)

DREADFUL RAILROAD ACCIDENT.

A Passenger Train Run Into Near Boston.

A Locomotive Plunges through a Car Full of Passengers.

The Boiler Explodes in their Midst.

A Combination of Horrors.

The Train Takes Fire and Three Cars Burn Up.

Crushed, Scalded, Boiled, and Burned to Death.

Twenty-four Killed outright—Forty or Fifty Wounded.

Names of the Dead and Wounded.

ANOTHER.

Collision on the Erie—Four Men Killed and Many Wounded.

Baggage and Smoking Car Telescoped.

Criminal Carelessness of Employees.

BOSTON, MASS., Aug. 26. A frightful accident occurred to-night on the Eastern road at Revere, seven miles from Boston.

The train started behind time, and while stopping at the station the Portland lighting express overtook and telescoped it, killing twenty-one passengers outright—of whom three were women—and wounding some forty or fifty more.

The cars took fire, and two or three were consumed. Most of the wounded were scalded and had their limbs fractured. A large number of physicians and surgeons were in attendance, and many of the wounded belonged mostly to Lynn and Salem.

BOSTON, Aug. 27. The appalling railroad accident at Revere last night causes intense excitement to-day. Large crowds visited the scene of disaster.

The railroad officials have cleared away the debris and ruins, and the road is in running order again.

At the time of the collision the accommodation train for Beverly had its red signal lights behind and the red signal hoisted at the mast-head of the signal post for the express to hold up, which it did at Revere, but subsequently proceeded, and was under full headway when near Revere station, the engineer evidently not being aware of the proximity of the Beverly train until within perhaps sixty yards.

He then whistled down brakes, but not soon enough to avert the calamity. Some of the passengers in the cars of the accommodation train heard an ominous whistle, but it was too late.

On the collision the express at great velocity, and the engine struck the rear-most car full in the center and forced its way in the telescopic manner two-thirds the length of the car.

The smoke stack was instantly knocked off and the boiler penetrated at the distance named into the rear car, the rear part of the latter being smashed into a thousand splinters and throwing the debris out on either side.

Of the tender and the rear half of the car not a fragment as big as a house window could be found. The forepart of the engine was utterly demolished, its pistons bent and its rods broken.

The car was crowded with people, each seat being occupied, and many standing in the aisle. Among these the locomotive rushed quickly as a flash just as the Beverly train had started, mangle and killing in a most frightful manner.

But this was not the only and perhaps not the worst visitor to the unfortunate passengers. Simultaneously with the collision the head cap of the boiler was broken, and in an instant the wretched sufferers were shrouded in clouds of hissing steam and deluged with boiling water, which brought instant death to many wounded, and will prove fatal to the others, who had probably not been otherwise seriously injured.

The Beverly train was just moving when the collision took place. Its motion did not prevent injury to the cars in front of the last one.

The coupling between the two rear cars broke, and the platforms of the cars were jammed up together, with the smoking car overlapping the baggage car, and the rods and timber inextricably tangled.

Fortunately the entanglement was not so great that the passengers succeeded in getting out quite speedily, and happy was it for them that they did so, for the kerosine oil lamps upset and their contents spilled upon the upholstery, and in an instant the smoking car was in a blaze.

The flames traveled with great speed, and in an instant all three of them were embraced in the fiery folds. These were subsequently moved up the track half a dozen rods, and allowed to burn until there was nothing left of them.

An effort was made at first to put out the fire, but this was prevented, and the flames were useful in lighting up the dreadful scene for the wounded. The work of rescuing the victims at once commenced, assistance being soon furnished, and as headquarters by the Locomotive Engineer Brotherhood, which was promptly organized.

The Forest Hoop Company, which returned from an excursion to Providence, were on the ground having seen the fire burning. Dozens of the poor creatures were jammed with the wood and iron work and could not get out the axle was applied vigorously and a rope was applied to the sides of the cars and all the remaining frame work pulled asunder.

The dead and mangled bodies were taken out and carefully and speedily placed on the platform or in the depot. Some were pinned with splinters, some had arms and legs broken, while others were mangled beyond recognition.

Many, in fact majority of the dead were apparently from bruises, but the peeling skin and deathly pallor which overspread the face and flesh, told plainly that the steam and scalding water had been a frightfully and effective agent of death.

The following is a list of the killed up to the present time:

H. P. Shattuck, of Lynn; C. B. Shattuck, of Lynn; Susan F. Cheney, of Lynn; William H. Jefferys, of Lynn; E. F. Sargent, of Providence; Ella Pierson, of

WASHINGTON.

WASHINGTON, August 26.

THE VACANCY IN THE REVENUE OFFICE—A REVENUE OFFICER'S OPINION.

The following is the decision of Attorney General Sherman on the question of the vacancy in the office of the First Deputy Commissioner of Revenue.

DEPARTMENT OF JUSTICE, WASHINGTON, August 25. Hon. G. S. Boutwell, Sec'y Treasury.

Your letter of the 23d inst. requesting my opinion upon the question whether there is a vacancy in the office of First Deputy Commissioner of Revenue. The facts in the case I understand to be these: That Mr. Pleasonton, the Commissioner, has been suspended by the President under the tenure of office act of April 5th, 1869, and that Mr. Douglas, First Deputy Commissioner, has been designated by the President to perform the duties of the office of Mr. Douglas, Deputy Commissioner.

The holder of an office vacates by the acceptance of another office. He does not vacate it by temporarily performing the duties of another office, when such a temporary performance is permitted by law. Under the tenure of office act Mr. Pleasonton is still Commissioner of Internal Revenue, because his term had not expired. He has not vacated his office by the advice and consent of the Senate, and there has been no appointment by and with like advice and consent, of a successor in his place.

Attorney General Forney, in an opinion not yet published, (April 23, 1870), uses this language in relation to these acts: "The word 'suspended' imports that the person suspended is still the incumbent in the office, and that the interruption of his duties is temporary and provisional." The 2d section of the act of April 5th, 1869, in its direction to the President on the subject of nominations at the commencement of each session of the Senate, clearly distinguishes between offices which are suspended and the office incumbents which are suspended. The Commissioner of Internal Revenue is in the latter category. By temporary appointment to perform the commissioner's duties, Mr. Douglas does not vacate the office of commissioner, though by a special provision of the tenure of office act he becomes entitled to the salary and emoluments of commissioner while he performs the duties of that office.

The question then occurs whether the deputy commissioner can, without vacating his office, receive an appointment to perform the duties of Commissioner of Internal Revenue. The act of March 3d, 1867, the 6th section provided for the appointment of a deputy commissioner, and prescribed among his duties that of Acting Commissioner of Internal Revenue in the absence of that officer (13th Statute 735-6). The act of June 20th, 1868, the 10th section of the act of June 30th, 1864, Statute, 2241. The duty thus prescribed is again recognized by the 4th section of the act of July 13th, 1865, (14th Statute, 170). This it appears to me, is not a special provision, but a general one, and it is not to be construed as a special provision, but a general one, and it is not to be construed as a special provision, but a general one.

The act of July 23, 1868, authorizes the temporary supplying of vacancies in the executive Departments provided, in the second section, that in case of death, resignation, absence or sickness of the chief of any such office, the duties of such office shall, unless otherwise directed by the President, be performed by the chief of such office or such other person as he may appoint or designate in writing, and such other person as he may appoint or designate in writing, and such other person as he may appoint or designate in writing.

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