### REFUND OF COAL TAX MADE BY OPERATOR, **BUT GOES UNCLAIMED**

Commission Says Not One Convalidated Law Has Asked Money Back

AMOUNTS TO \$10,000,000

Dealers and Brokers Get Benefit of sumer Who Paid Under In-Decision Holding Statute Was Illegal

In spite of the many weeks that have apped since the courts decided the coal ar of 1913 was unconstitutional and a money collected should be returned the original source, the State commis-n, appointed to supervise its distribu-n, has not received one appeal from r consumer to assist him in getting ok the cash said to have been de-nded by the dealer in the shape of reased prices while the law was in

Dated May 1, 1916.

pany, we summarize as follows:

1916 (estimated) \$4,000,000

000, in being paid out by the operators to the dealers and brokers on whom it was

Exjudge Gawthrop was unable to assign any reason for the failure of coal users to apply for aid. It has been several weeks since Attorney General Francis eral weeks since Attorney General Francis Shunk Brown assured consumers a way had been found to compel restitution where it could be shown the tax had been passed down to the consumer. The charge commonly made is that the dealers added 25 cents a ton to their coal to offset the tax so long as the law was in effect. The dealers almost universally say they absorbed the tax themselves without forcing their customers to share the burden.

While the absence of agitation has altered the plans of the commission some-what, so far as the holding of a public hearing, as was planned, was concerned, the investigation will not be dropped by the investigation will not be dropped by any means, ex-Judge Gawthrop said. The commission is collecting data from the operators, he said. This information covers the production in the period under dispute, the price before the tax was levied and after, and detailed figures of the amounts collected on the various sizes of coal. After the case of the operators has been disposed of the question will be taken up with the middleman and dealer. In this way, he pointed out, the commission would arrive finally at the case of the consumer to ascertain how far he had been called upon to share in the tax.

The large coal operators in the mean-

increased prices while the law was in effect.

Eix-Judge Robert S. Gawthrep, of West Caester, chairman of the commission, seid today that neither he nor either of the two other members of that body has had a complaint bearing upon the return of this tax. The levy, variously astimated at from \$2,250,000 to \$10,000.

**NEW ISSUE** 

\$14,000,000

Empire Gas & Fuel Company

First Mortgage and Collateral Trust Sinking Fund 6% Gold Bonds

(CLOSED ISSUE)

Authorized and Outstanding, \$14,000,000

BANKERS TRUST CO., Trustee.

Redeemable until May 1, 1920, at 102 and accrued interest; thereafter to May 1, 1923, at 103

Guaranteed as to Principal, Interest, Sinking Fund Payments and

all other Covenants in the Mortgage by endorsement on each bond

CITIES SERVICE COMPANY FOUR-MILL PENNSYLVANIA STATE TAX REFUNDED BY COMPANY

SECURITY: A first lien, either directly or through ownership of substantially all of the securities of subsidiary companies, on natural gas and oil properties

None of the companies whose securities are pledged will create any mortgage in-

EARNINGS: Net earnings of the properties to be owned by Empire Gas & Fuel Company and subsidiaries reported for the years ended December 31, as follows:

Estimated earnings for 1916 are based on net earnings for the first quarter of

SINKING FUND: Sinking Fund payments semi-annually, beginning November

IMPROVEMENT FUND: At least 60% of net earnings each year after interest and sinking fund payments must be used for improvements or extensions, or paid into the sinking fund for the retirement of additional bonds.

GUARANTOR: Net earnings of Cities Service Company (including its undistributed proportion of net earnings of Empire Gas & Fuel Company and other subsidiaries) for year ended February 29, 1916, reported as over \$4,300,000. These are derived largely from electric light and power business.

Delivery if, when and as issued to us

Price 100 and accrued interest, yielding 6%

Detailed circular on application

Kissel, Kinnicutt & Co. White, Weld & Co.

This information and these statistics are not guaranteed, but have been obtained from sources we believe to be accurate.

\$1,347,563

From a letter signed by Henry L. Doherty, President of Cities Service Com-

and accrued interest, and thereafter until maturity at 104 and accrued interest.

and leaseholds valued by conservative experts at over \$27,500,000.

\$1,861,532

debtedness unless pledged to secure these bonds.

1, 1910, will retire entire issue at or before maturity

The foregoing statements of earnings are

tion with the acquisition of the foregoing pr

the issue of these bonds are to be approved by

Montgomery, Clothier & Tyler

& Cotton, of New York.

checks to customers as fast as bills are presented specifying the sum due. The Lehigh Coal and Navigation Company, the third largest operator, is waiting for a final opinion from its legal department before making the refund.

### SHOOTS UP NEIGHBORHOOD

Bonnititis Said He Wanted to Prove He Was Not "Too Proud to Fight"

Hoping to intimidate a man who had, earlier in the day, challenged him to fight, Andy Bonnititis, of 7123 Germantown avenue, created considerable excitement last night in the vicinity of Allen lane and Germantown avenue, by drawing a revolver and firing in every direc-

When arrested Honnititis declared that he merely performed this bit of gun play in order to frighten a certain John Wardail, who, he said, had threatened to beat him up because he, Bonnititis, was too proud to fight. Bonnititis will be given a hearing this morning.

"Whose Baby?" Asks Bellefonte BELLEFONTE, Pa. April 19.— Whose baby can it be?" is the question that is being asked by the nurses at the Belle-fonte Hospital. Baby is a chubby girl, three weeks old, and is at the hospital while the authorities seek her mother, Quite in the manner of the waif in "The Two Orphans." she was found on the doorstep of the sisters' home at the Bellefonte Convent, asleep in a blanket arranged in a basket. She was dressed in clothes of good texture. Every threeclothes of good texture. Every three weeks-old baby in Bellefonte has been ac

Due May 1, 1926.

\$1,345,288

final confirmation. All legal steps to be taken in

d securities by the Empire Gas & Fuel Company and

atgomery & McKeehan, of Philadelphia, and Spooner

J. & W. Seligman & Co.

SOUTH FIFTY-SIXTH STREET ORGANIZES TO GET CAR LINE.

Councilmen and Residents Want Paschal to Lancaster Avenues Service

Determined to have what they say is a much needed trolley line on 56th street, between Lancaster and Paschal avenues, Vest Philadelphia Councilmen, residents and business men last night organized the South Fifty-sixth Street Business Association as the first step of the movement. Hope for success was derived from the annumerous of the Council of the Council of the Succession of the Succe announcement by Common Councilman Francis Burch that an ordinance passed in 1907 authorizes. Councils to petition the Philadelphia Rapid Transit Company to build frolley lines on any desired streets, and that if the company falls to start work after 90 days the city has the right to take the initiative and build. Unanimouse support of the movement was prom-ised by all present. Councilman Burch an-nouncing his intention of bringing the matter up at the next meeting of the Rallway Committee of the Allied Business Association.

The need of the proposed line was pointed out by Aloungo P. Young, who said its construction would relieve the traffic congestion now existing in the section, in which ciaim he was joined by Select Councilman Ira D. Garman.

Keep Informed

ular stock in which you are interested by calling our Mr. Knoll-Lombard 1885, Main 4458.

We buy and sell only in your interest; we have no favorite stocks.

6th & Chestnut sts., N. E. Cor. Members of Philip Stock Exchange

\$356555**%**556555565556655555556666

REAL ESTATE FOR SALE HOWLE VICTOR WATER HEATER

CANCER CAUSED BY GERMS. EXPERT OF U. S. BELIEVES

Pathologist Says He Has Produced Tumors in Plants

WASHINGTON, April 19. - Present ethods of studying cancer, the most baffling problem confronting physicians and surgoons today, must be abandoned in favor of new ones if results are to be expected commensurate with the needs of humanity, said Dr. Erwin F. Smith, a Government plant pathologist, in anhad made a discovery which will revolutionize current views as to the origin of

time for an entirely new set of ideas to rescue them from their self-confessed hopelessness. They have gone as far as they can go.'

Doctor Smith said he had found and developed a microbe which causes in plants a tumor practically identical with the most malignant type of cancer in man. He argued that since he had proved that a germ was the cause of cancer in plants, the solution of the human cancer problem will be possible only when the specialists begin to look for a similar germ.

Preparedness Banquet at Hazleton HAZLETON, Pa., April 19. - General C. Bow Dougherty, of Wilkes-Barre, who nouncing before the annual meeting of has been connected for many years with the National Academy of Sciences that he the National Guard of Pennsylvania, was the principal speaker at a preparedness banquet given last night by the Hazleton Board of Trade. General Dougherty as-"The cancer specialists of today," said
Dector Smith, "with a few exceptions are
lost in a swamp of form study, and it is
tacks of foreign foes.

BOY'S QUICK WIT SAVES HIM FROM TROLLEY WHEELS

Falls Lengthwise Between Rails and Lies Perfectly Still

If some corporation or business house is sacking a level-honded employe they will do well to engage Carl Kimbley, asthough he is only 4 years old. Carl ran out in the street in front of his home at 2411 North 11th street last night and a Lolley car struck him. He fell length wise between the rails and lay perfectly still while the car passed over him. The frightened motorman had jammed on the brakes and ran back frantically, expecting to find a hadly mangled little boy. He found the child quite pale, but otherwise uninjured.

"I saw the car coming and spread my-

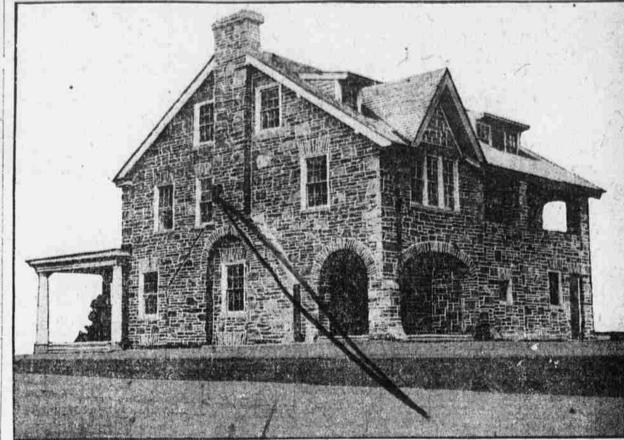
"I saw the car coming and spread my-self out in front of it," the child said. "I was scared, but it was better for me to lay still. If I hadn't the wheels might have hurt me."

REAL ESTATE FOR SALE

GERMANTOWS

REAL ESTATE FOR SALE GERMANTOWS

REAL ESTATE FOR SALE GERMANTOWN



This is a REAR VIEW Only of This Handsome All-Stone Residence

¶ Old Shade, 40 Years, Furnish Beautiful Setting

An Exclusive Germantown Situation

¶ Lot 400 Feet Deep

Spacious Front and Rear Porches, also Sleeping Porches

JOHN H. McCLATCHY, & OWNER. Office, Land Title Bldg. Both Phones

NUBURBAN



NOTE HOW NEAR PENFIELD IS TO CITY HALL

Only 3 minutes away from 69th Street Elevated Terminal -the nearest of Philadelphia's many suburbs. A beautiful, nearby residential tract, on which are 25 occupied houses, superb macadamized streets, granolithic sidewalks, curbs, gutters, gas, water, electricity, telephones, and a station on the property.

### **EVERY HIGH-CLASS IMPROVEMENT** IS ALREADY IN AT PENHIELD

Prices are just about half of bose asked in the immediate neighborhood. The reason for this a that the estate of Charles E. Wood must be settled, and his cannot be done until every piece of property in which the estate is increased is sold. Not only is the opportunity given you to buy for a home; but, at its present prices. Penfield is an investment that is positively sure to grow in value. A small deposit down then little monthly stallments. Remember, you're only two city blocks from Philadelphia's County Line.

Western at the 69th Street Elevated Terminal. You're at Penfield in 3 minutes for a 5-cent fare. Representatives are on the property every day, including Sundays.

A New Thoroughly Made 12.2

A New Thoroughly Modern 12-Room House, \$4875

# Clifford B. Harmon & Co.

1437 Chestnut Street

Bell 'Phone, Spruce 4976; Keystone 'Phone, Race 2938 Representatives on Property Every Day, Including Sunday

BEST BUILDING BARGAINS IN THE CITY Pickwick Street \$25 Deposit will Frankford Ave. 400 Built and Sold to Satisfied Purchasers MATTHEW W. DOUGHERTY, Builder

An ideal suburb; excellent location in beautifu 10 minutes walk on Garret road from the sixty-no of the Market Street Subway. Or two milutes' di et Terminal Collingdale or Media Short Line to Bywood Station. 150 Lots, 50 x 150 Feet for Sal Fully improved, including sewers. Garage privilege. Send to plan and price list. ord for first-year development. 17 Homes built and 14 more und way is

Built of gray stone to second floor and stucce above. A massive stone ch copped with Indiana limestone trim lends to the exterior a prepossessing carance.

The first floor consists of living

appearance.

The first floor consists of living room 12x25 feet, with practical stone fireplace, large dining room with bay-window facing south, kitchen, pantry and summer kitchen; well lighted, sanitary basement with laundry and toilet. Four bedrooms, with roomy closets, bath and sleeping porch on second floor. Storeroom on thisd floor.

The home is furnished throughout in period furniture and can be inspected daily or Sunday from 10 a. m. to 4 p. m., or by appointment.

Price \$75500, terms to suit purchaser, without furniture. Lot 50 x 154 feet. Adjoining ground can be purchased.

Colonial, Dutch Colonial and modern type of homes, \$5500 to \$5000. They are detached homes built on large lots. Bywood is a restricted suburn.

V. GILPIN ROBINSON
ALBERT F. DAMON, Jr. FRANK W. STOUT, Sales Manager, Mail Address, Upper Darby P. O. -Lansdowns 830. Agent on the Premises Every Day Knew Byweed, you'll want to live there.

FARM AND GARDEN

FARM AND GARDEN



Garden and LawnFurniture

Many designs to choose from, Special designs furnished. We make every kind of Pergoins, Garden Seats, Arbors, Trellinges, es, Porch Furniture, Window Boxes, etc.

CATALOGUE ON APPLICATION FREDERICK R. GERRY CO.

1835 Market Street, Philadelphia

## Pennsylvania Railroad Company and Its System

"Every stockholder and bondholder of the Pennsylvania Railroad and underlying Companies should make an effort to obtain a special circular letter just issued Edward B. Smith & Co., giving a comprehensive and interesting review of the annual report of that -The Evening Telegraph company."

We shall be glad to furnish copies soon request. Correspondence invited on any investment subject.

## EDWARD B/8MITH & CO BANKERS

ESTABLISHED 1892 Members New York and Philadelphia Stock Exchanges BROAD AND CHESTNUT STREETS, PHILADELPHIA 80 PINE STREET, NEW YORK

ALLENTOWN, PA.

BRANCH OFFICES

NEW LONDON, CONN.