

**SMITH'S COUNCIL CAN CHANGE FARE RATE**  
**Smyth Declares Company and Service Board Must Agree to Altering Contract**  
**GIVES FORMAL OPINION**

City Solicitor Smyth's transit opinion, submitted today, follows: On transmission to this department a copy of the resolution of Council, of September 29, 1920, which refers to proposed ordinance 1907, known as the Public Service Commission, based on the valuation of the property used by the Philadelphia Rapid Transit Co. in the public use of the transit company. Philadelphia is given to that city to discontinue the privilege of transfer from one route to another on lines free of charge and to discontinue the privilege of transferring from one route to another on its lines upon the payment of a fare of eight cents within the limits of that fare.

It is suggested that the company should be permitted to alter its fare, after various resolutions, and to determine whether in case of the Council's action, it would be necessary to agree to the proposed change of fare, the said ordinance of July 1, 1907, and any other ordinance which might be passed, or whether the company, in consideration of such consent, could legally rescind any part or parts of the 1907 agreement. It is suggested, however, that the company, in consideration of such consent, could legally rescind any part or parts of the 1907 agreement, and to determine whether the company, in consideration of such consent, could legally rescind any part or parts of the 1907 agreement.

**Could Not Alter Contract**  
As to the first branch of this inquiry, I would say that the ordinance of July 1, 1907, or any part thereof could not be renewed or annulled by the action of the Council, or any other body, without the consent of the transit company, which would be necessary to the proposed change of fare.

**Joint Consent Needed**  
So far as concerns the mere agreement of 1907, which constitutes the greater part of the ordinance in which the transit company is embodied, it could be renewed or annulled by the action of the Council, or any other body, without the consent of the transit company, which would be necessary to the proposed change of fare.

**Mayor Backs Up Mitten Rise Plan**  
John A. Boyle, attorney for the Association, contended that Council has no control over the question of rates of fare. He sought to support from the public by reading excerpts from the report of the Council of 1913. He showed a mission to set in an ordinance of 1913. The speaker also cited a number of precedents in the way of opinions given by the commission to support his position.

**Explains Danger of Chaos**  
If the company went into the hands of a receiver, it would be necessary to alter the fare. It is suggested that the company should be permitted to alter its fare, after various resolutions, and to determine whether in case of the Council's action, it would be necessary to agree to the proposed change of fare, the said ordinance of July 1, 1907, and any other ordinance which might be passed, or whether the company, in consideration of such consent, could legally rescind any part or parts of the 1907 agreement.

position of applying municipal ownership, if necessary.

**Straphangers Are Heard**  
The proceedings are considerably brightened by the remarks of Silas M. Anderson. After his name was called, Councilman Cox asked Mr. Anderson whom he represented. He replied that he represented the straphangers.

**Mitten's Regime Thought**  
Mr. Anderson said he thought the whole question should be settled by the public. He declared that Mr. Mitten was working for the financial interests of the city and not for the citizens or the employees of the company.

**Past Profits Recalled**  
In the year 1912, he said, the P. R. T. made \$22,000,000 over and above a 6 per cent return. This money, he said, would have been sufficient to build the Frankford "L" and the Chestnut street subway.

**Can't Reduce Rent**  
It has been urged by some that rent might be obtained by P. R. T. effecting a reduction in the rents paid to underlying companies. This is an impossible feat, as the rent is determined by the public service commission.

**Woman Killed by Fall Downstairs**  
Elizabeth, Pa., Oct. 1.—Tripping over a carpet as she descended a flight of stairs at her home this morning, Mrs. John Martin fell and died an hour later. She was in her 60th year.

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**Comiskey Asked for Probe Last Year**  
Continued from Page One  
Comiskey, which consisted of contracts worth more than \$200,000, the drawing power of the team to attract crowds to games and other losses of good will, which Mr. Austrian estimates at \$300,000.

**MACLAY HOYNE GETS FACTS IN NEW YORK**  
New York, Oct. 1.—Two New York men whose names he would not disclose, but who, he said, are neither baseball men nor gamblers, voluntarily have taken to MacLay Hoyne, state's attorney general, a list of names of men who were active in Chicago before he left the city. The names of the men were not disclosed, but they were active in Chicago before he left the city.

**Tried to Bribe Phillies in 1908**  
Charlie Dooan Tells of Gamblers' Attempts to Corrupt Billy Murray's Team  
Charles Dooan, former manager and catcher of the Phillies, is authorized to state that in 1908, he was offered \$100,000 by Harry Covaleski, left-hand pitcher, kept out of the crucial series with the New York Giants.

**Riders Divided on Transfer Issue**  
Continued from Page One  
The riders are divided on the issue of whether to pay five cents for each ride now.

**Gambler Tempted 'Kitty' Bransfield**  
Worcester, Mass., Oct. 1.—William E. "Kitty" Bransfield, national league pitcher in 1908, today reacted to the story told by Charlie Dooan, former catcher and manager of the team, about attempts by gamblers to induce him to throw the game.

**Strikers Coming to U. S.**  
Mexico, Spain, Oct. 1.—(By A. P.)—More than 900 miners who have been on strike in the Rio Tinto district have decided to enter the United States and will leave Spain about the middle of October. Another party of 400 is leaving for another Spanish province.

**Miners Meet Lloyd George**  
London, Oct. 1.—(By A. P.)—Further steps were taken today in an effort to solve the differences between the coal miners and the mine owners, over which strike notices from the miners are pending after a conference with Premier Lloyd George this forenoon. Representatives of the two sides to the dispute appointed a small negotiating committee to consider the crisis.

**Wicker Furniture**  
Refined and Reupholstered  
Made over like new.  
Cramer Mfg. Co., Lombard 5338  
273 S. 5th St. Main 3415

**Quaker Doll Factory and Hospital**  
155 N. 6th St. Formerly 19 N. 6th St.  
The Quaker Doll Shop 10th and Market

**BANKS BUSINESS COLLEGE**  
It's the School for You  
Good places that will pay well and offer wonderful opportunities for young men and young women, who will get ready for their careers in the future. The college offers a course in Accounting, Bookkeeping, Short-hand (Pitman or Gregg Systems), Typing, Secretarial Work, Business Administration, Commercial and Industrial English, and a course in Business Education.

**Friends' Central School System**  
Central School Junior and Senior High School, located at 15th and Race streets. Elementary School, 15th and Race streets. Kindergarten, 15th and Race streets.

**Brown Prep**  
Broad and Cherry streets. Preparing for college. Excellent preparation for the University of Pennsylvania. Course of instruction includes Latin, Greek, Mathematics, and English. Tuition free. Boarding \$100.00 per year.

**Strayer's Business College**  
807 Chestnut Street, Walnut 354  
Strayer's Business College has room for a few more students at both its day sessions and its night sessions. The college offers a course in Accounting, Bookkeeping, Short-hand (Pitman or Gregg Systems), Typing, Secretarial Work, Business Administration, Commercial and Industrial English, and a course in Business Education.

**The Stevens School for Girls**  
A school providing the development which leads to womanhood and the highest type of citizenship. Faculty of highly educated women, with experience in teaching. Courses of instruction include Latin, Greek, Mathematics, and English. Tuition free. Boarding \$100.00 per year.

**Parce Post**  
LOW PRICES  
Knee Lining High Quality  
Knee Lining, 1/2 yard, 25c  
Knee Lining, 1/2 yard, 25c

**Down Coats**  
RE-COVERED  
Write or phone for sample and prices  
C. SCHMITZ, Mr. 1815 Frankford Ave.

**Full Dress**  
TUXEDO, CUTAWAY SUITS & PRINCE ALBERT SUITS  
TO HIRE  
Miller  
N. E. COR. 19TH & BALNBRIDGE STS.

**Diamonds Bought**  
OUR MANY YEARS OF EXPERIENCE  
WITH OUR GUARANTEE. Many diamonds needed at once? We will pay you from \$10 to \$1000 for your diamonds. We will pay you from \$10 to \$1000 for your diamonds.

**BELLAK RECORDS**  
RECORDS VICTOR RECORDS  
1129 CHESTNUT  
Educational Day School, Night School, Enter Any Time.  
Men's Overcoats \$3.00 UP  
Walter's Pawn Shop, 904 Vine Street

**U.S. Army**  
Reclaimed Field Shoes  
In Good Wearable Condition  
None C. O. D.  
Army Trading Co., 21-27 Clifton Street, Dept. L., Newark, N. J.

**U.S. Army**  
Rubber Hip Boots  
All brand new and perfect. These were purchased from the government as surplus stock.  
Size 7, 8, 9, 10, 11 and 12.  
Bargain Price \$5.40 Pair

**GLASSES**  
LOW PRICES  
Knee Lining High Quality  
Knee Lining, 1/2 yard, 25c  
Knee Lining, 1/2 yard, 25c

**Paint and Varnish**  
NO PROFITING WEEK SPECIAL SALE  
INSIDE FLAT WHITE  
A perfect snow white for inside use. Guaranteed to give white and art. Excellent. \$3.00 Gallon; \$1.00 Quart.  
WHITE SHIP ENAMEL  
A perfect snow white for inside use. Guaranteed to give white and art. Excellent. \$3.00 Gallon; \$1.00 Quart.

**William E. Hinch**  
1705 MARKET STREET—1706

**O. D. Army Woolen Shirts**  
On account of the large purchase of these shirts we can offer them again at a special price.  
1.35  
These reclaimed shirts are made of government standard wool, well finished and with pockets. Just the thing for work, camping and any rough work. A half dozen of these excellent shirts will save you a half dozen of the ordinary shirts.

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Reclaimed Field Shoes  
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Bargain Price \$5.40 Pair

**U.S. Army**  
Corduroy Trousers  
I see trousers like most exactly the one in dark shade. The quality of the corduroy is of the best. Made with soft hosiery flane on pockets and belt loops. Send for sample pair.  
Price \$4.90