Controller Will Propose That Council Ignore Opinion by City Solicitor Smyth

## HE URGES INDEPENDENCE

City Controller Hadley, it was stated in responsible quarters today, is preparing to challenge and even to reject City Selicitor Smyth's coninion that the entire future cost of the Delaware River bridge, of the sewage disposal system and of other such projects should be charged against the city's borrowing

Mr. Smyth's epinion, the most far-reaching in the history of municipal fnance, cut down with one slash, as it finance, cut down with one slash, as it were, the city's borrowing capacity from approximately \$53,000,000 to \$14,000,000. Such a reduction necestarily restricts permanent public improvements which may be provided for out of loan funds.

City Controller it was proposed in Council that there was nothing to do but to accept the opinion and be guided accordingly. The only counter idea but to accept the opinion and be gained accordingly. The only counter idea was that a taxpavers' suit might be started to determine whether the City Solicitor's opinion was definitely binding and conclusive. Now, however, acting under private legal advice, the City Controller plans to send a communication to City Council next Thursdessetting forth that neither the Conmunication
day setting forth that neither the Controller's office nor Council is bound to
shide by the Smyth opinion.
In their study of the legal and tech-

pical questions involved, advisers of Mr. Hadley have about renched the conclusion that the Controller and City Council can safely ignore Mr. Smyth's opinion and go ahead as if no such opinion had been handed down by the

epinion had been handed down by the city's law officer.

In brief, therefore, Council and the Controller may add another chapter to the present series of sensational financial developments by asserting complete independence of the City So-licitor's views. It is further asserted that such action on the part of Council and the Controller will in no wise imand the controller will in a wise in-pair the validity of any loans which may be authorized under the disputed limit of \$53,000,000. It is further in-sisted that instead of a taxpayer's suit being instituted by friends of the mabeing instituted by friends of the majority in Council or of the Controller,
to determine the legality of the Smyth
opinion, it would be up to Mr. Smyth
and the Mayor to take legal action if
they insist that Council and the Controller should be bound by the Smyth
opinion. In other words, the Controller, in his statement to Council,
will try to turn the legal tables on the
City Solicitor.

### See Political Import

ome of the majority members Comeil appear to feel that the Smyth opinion has a political import in that It is an alleged effort to hamstring the next city Administration which the Organization hopes will be under its centrol. That view overlooks, of course, the fact that the Smyth opinion

Bridge.

That plan, recently submitted to Council by the Mayor, would cost at least \$20,000,000, whereas the Smyth next year's meetings will be closen next year's meetings will be closen of the council of the council by the closen next year's meetings will be closen of the council of the co interfere with any plans by the munici-pality to give substantial financial Speakers from The up-hot of the present entangle-ment, it is felt, may be that the move-

ment to center control of all city and the county expenditures and construction in City Council, as the tax-levying and spending body, may attain increased importance. The assertion of indeimportance. The assertion of inde-pendence of the City Solicitor by the City Controller and City Council may strengthen Conneilman Develin's posi-tion that the municipal legislature, after all, has sufficient power right now keep a tight grip on the expenditures for such projects as the Art Museum, the Victory-Convention Hall and the Palace of Justice for the Municipal

## Says Council Is Free Agent

All along Conneilman Develin, the Independent leader in Council bas in Fisted that City Connell did not need thy additional legislation from Harris burg in order to have absolute and in-timate control over the building projects of the Park Commission, the County Commissioners or the Muncipal Court. He says all that is required is that Council appropriate funds for the pur-pose and have these funds spent and administered under the control of the City Architect and the city Department of Public Works, as it is now, Council copples the money, but it is spent by bodies acting under a separate and in-dependent county power, such as is the case with respect to the Park Commistion and the County Commissioners who hire their own architects and generally proceed independently, once they get a start from Council, Similarly it is proposed there is no

need for waiting five years for an amendment to the Constitution which would clear up the questions raised in the Smyth opinion, and that the City Controller can certify his own and not the view of the City Solicitor as to the extent of the city's borrowing capacity
The new City Charter apparently
does not make it incumbent upon county officers, such as the City Controller to accept the opinions of the City So licitor. Describing the duties of the Cuy Solicitor, the charter sets forth The City Solicitor shall be the legal adviser and act as attorney and counsel for the city, for all branches of the city Government, and for all departments

#### and officers of the city." No Precedent for Ruling

No Precedent for Ruling

In his statement to Council, ac ing on private legal advice, it is said Controller Haddey will say there is no precedent for the railing of the City Solicitor and that rulings of the past austain the con cation that the full cost of projects, which may required twenty to fifty years for their completion, should not at once be charged against the debit limit; that only the funds made available should be charged, just as the City Solicitor says that only funds made available for such projects as the Art Museum and Victory Hall need be charged against the borrowing camenty, by making that ruling with regard to local projects such as the Art Museum and Victory Hall controllers. local projects such as the Art Museum and Vicery Hall City Solicitor Smyth indirectly uphalds the hands of those who, like Councilman Develin, urge that their construction should be directly controlled themselves and the Departs. recily controlled, through the Depart-ment of Public Works, by City Coun-

til.

If the advance information as to the liadley's atenient to Council is borne out, when the statement is published, then the City Controller, as the fiscal officer of the city and county, will advise that the Smyth opinion be ignored and that the status before the rendering of the Smyth opinion shall prevail.

ANCIENT SILVER GIFTS



Some of the tankards and other dishes presented to the Pennsylvania Museum by members of several prominent families. The tankard in center of three in lower picture was made for Andrew Hamilton, archi-tect of Independence Hall, while that shown at top is the Ben Frank-lin tankard made by Boudinot

## when the Smyth opinion reached the KING ALFONSO LAUDS DOCTOR HERE ON FAMILY COINCIDENCE

Llanerch Physician Married Same Day as Ruler, and Their First Child Was Born on Same Date-Each Has Four Children

The 31st of May, 1906, was a notable day in the lives of two men. One was the king of Spain—the other a doctor it. Philadelphia. It was on that day that each was married and through the years their lives have been strangely similar. They were married on the same day and their first child was born on the same day and their first child was born on the same day.

To Alfonso, Jr., was born on May 10. I More, can be smight its elong and lappely in 1907, and to Dr. F. W. Sadler, of Lamerch, came a soa, Francis, Corresponding to the family that grew around the doctor, the royal family it. Marion for the four children in for the four children in found memories might one day meet.

To Alfonso, Jr., was born on May 10. Lamerch, came a soa, Francis, Corresponding to the family that grew around the doctor, the royal family it. Marion fond memories might one day meet.

The Allenso To 1150 to 11

in Horace Mann School: Frederick A.

Phila. Will Be Well Represented at Seventy-third Convention at Bethlehem

KANSAS GOVERNOR ON LIST

Superintendent of Public Instruction of Pennsylvania; Edwin C. Broome, superintendent of Philadelphia schools; Dr. Arthur J. Jones, of the University of Pennsylvania; Dr. George H. Reavis, of the University of Pennsylvania; Dr. George G. Chambers, University of Pennsylvania; Dr. Lee L. Driver, State Department of Instruction; Dr. Philip A. Boyer, of Philadelphia; Dean M. G. Filler, Dickinson College; Dr. James H. Moffait, Central High School, Philadelphia; Dr. Charles R. Richards

control. That view overlooks, of course, the fact that the Smyth opinion really hamstrings the present Administration, as, for instance, in its application to the Mayor's plan of widening streets in connection with the approach system to the Delaware River Bridge.

That plan, recently submitted to Council by the Mayor, would cost at Connection of the Pennsylvania Education Association; James Francis Cooke, Philadelphia: Dean Albert Heekel, Latter of the Pennsylvania Education Association in the new 82,000,000 Liberty High School Wednesday, Thursday and Friday.

Officers committees and delegates to the Pennsylvania State College: J. H. Minnich, Cofficers committees and delegates to the Pennsylvania State College: J. H. Minnich, Cofficers committees and delegates to the Pennsylvania State College: J. H. Minnich, Cofficers committees and delegates to the Pennsylvania State College: J. H. Minnich, Cofficers committees and delegates to the Pennsylvania State College: J. H. Minnich, Connection of the Pennsylvania Education Association; James Francis Cooke, president Leight University: Rertha M. Clark, William Penn High School for Girls, Philadelphia; Warren D. Renninger, Central High School, Philadelphia: Dean Albert Heekel, Latter of the Pennsylvania Education Association in the new 82,000,000 Liberty High School, Philadelphia: Dean Albert Heekel, Latter of the Pennsylvania Education Association in the new 82,000,000 Liberty High School, Philadelphia: Dean Albert Heekel, Latter of the Pennsylvania Education Association in the new 82,000,000 Liberty High School, Philadelphia: Dean Albert Heekel, Latter of the Pennsylvania Education Association in the new 82,000,000 Liberty High School, Philadelphia: Dean Albert Heekel, Latter of the Pennsylvania Education Association in the New York Pennsylvania Education Association

capacity to only \$14,000,000. Independent of these rival views it was used in other quarters that the necessary of the Smyth opinion might

Speakers from out of the State will. include Governor Henry J. Allen. of Kansas; Charles M. Schwab, head of Rabit. Bethlehem Steel Corporation; Stephen S Colvin, professor of Brown University; A. B. Meredith, Commis-University; A. B. Meredith, Commissioner of Education of Connecticat; Simeon D. Fess, United States Senator-elect from Ohio; Mrs. Milton Price Higgins, president of the National Congress of Mothers, of Worcester, Mass; William Mather Lewis, chief of the Education Service, United States Chamber of Commerce, Washington; Roy W. Hatch, professor of education, Columbia University; Gertrade I. Bigebay instructor in Horace Mann School. low, instructor in Horace Mann School. New York; Marie Hennes, instructor

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The Board of Judges of the Common Pleas Court will hold a special meet. member of the Board of Education to Board.

John Wannunker.

The board will take under cortider to fill the place held by her father, cration the names of three women who

She has been active in executive mat-

ing Wanamaker Death

JUDGES MEET TOMORROW

ganizations are Mrs. Barelay H. Warburton, vice chairman of the Republican State Committee; Mrs. I. H.
O'Harra, prominent in civic work and
O'Harra, prominent in civic work and
of the Republican Women's Committee
of Pennsylvania and was the right-hand
worker for Covernor-elect Pinchot during the recent campaigns. sister of the late Director of Welfare ing the recent campaigns.

Conty one man has been talked of as the likely choice of the Judges. He is Thomas E. Mitten, president of the Philadelphia Rapid Transit Company.

tions. The name of Mrs. O'Harra has been submitted by several personal and other letters to the members of the Wallis, former Commissioner of Immi-gration, New York; Thomas D. Wood, professor of education, Columbia Uni-versity, and Frank W. Wright, direc-

judiciary.

The call for the meeting of the Board of Judges was sent out by the President Judge, J. Willis Martin, in order that



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MRS. WARBURTON IN the School Board might not be hampered in its work because of a vacancy.

Many of the resolutions that came before the school officials require a twothirds vote-ten votes-for adoption, and a vacancy makes it difficult to as-SCHOOL BOARD LIST sure sufficient attendance at meetings to adopt such resolutions.

adopt such resolutions.

Miss Reilly, who is named by the Civic Club, has long been associated with educational matters. She is interested in polltical and civic betterment, and in 1921 was elected the head of the Philadelphia County League of Women Voters. She graduated from Bryn Mawr College in 1901. Her Name to Be Under Consideration for Vacancy Follow-

From 1907 until 1916 she was dean of Bryn Mawr. Since her resignation she has served as a director of the col-lege. She has been associated with the Bureau of Occupations, College Settle-ment, and other chilanthropic activities. Her name was placed in the foreground during the original drive to obtain the ing tomorrow afternoon to name a new nomination of a woman for the School

fill the vacancy caused by the death of daughter of John Wanamaker, is conhave been proposed for the vacancy, ters in the city for a long time. In There is strong likelihood a woman will 1914 she helped organize the Emergency Aid and later became president of it as her first step into the limelight The three names submitted to the Board of Judges by citizens and organizations are Mrs. Barelay H. War-

Ernest Tustin, and Miss Marion Reilly, formerly a dean of Bryn Mawr College, and long interested in educational affairs.

College and long interested in clucational affairs.

College and long interested in clucational affairs. Last spring she founded an annual exists a spring she founded an annual exists a spring she founded an annual exists. University, her alma mater, of \$50, to be awarded to the girl who is endowed with the greatest amount of those good qualities which the so-called "Flapper"

is supposed to lack.
Although no other names have been

Three hundred Gloucester County boys were in Philadelphia today for

boys were in Philadelphia today for their annual holiday sightseeing trip, under the direction of the Gloucester County Y. M. C. A. Special conches were attached to the local electric train leaving Glassboro over the West Jersey and Senshore Railroad this morning and picked up groups of boys at Pliman, Sewell, Wenonah and Woodbury.

The boys were conducted through this city under the direction of Ross Musselman, county secretary of the Y. M. C. A., assisted by several of the leaders of groups of boys. The itinerary included a visit to the Curtis Building and games and a swim at the Central Y. M. C. A., where there also will be an entertainment for the boys this evening.

### GEESE PICKED ON HIM

Railroad Worker Attacked by Flock Flying North, He Says

Engene McCafferty, signal inspector on the P. R. R., has had goosefish since an experience yesterday when passing over the Perkionen creek bridge, after inspecting a signal.

A flock of wild gerse attacked him, but he put up a fight and after striking several of the birds they flew of in a northerly direction.

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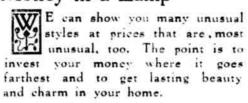
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