THE FARCE CONTINUED.

CIL COMMITTEE.

nated the Scheme.

NEW ADVERTISEMENTS.

Offer this week

300 doz. Pure Linen Huck Towels at 6%c each.
Usual price \$1 25 a doz. 300 doz. Pure Linen Huck Towels at 10c each, Usual price \$1.50 a doz.

500 doz. Pure Linen Huck Towels at 121/2 each. Usual price \$2 a doz. Equally as great bargains throughout the finer Equally as great bargains throughout the finer grades and in our immense assortments of Bleached and Unbleached Taole Damasks, % and % Napkins, D'Oylies, Tray Cloths, Scarts, Hemstitched Lines Sheets, Pillow Cases and Sheeting, Linens, Embroidery, Crashes, etc., etc. Also a complete line of the celebrated makes of Brown & Liddle's Table Cloths and Napkins to match, at the very lowest prices.

Over 1,000 from which to select, from \$1.50 AN EXTRA BARGAIN IN

These we control absolutely for this market, and are positively the greatest values ever offered.

Cor. Fifth Ave. & Market St.

THE CHEAPEST, THE BEST

PLACE TO BUY CARPETS AND CURTAINS

10,000 Yards Wilton velvet carpets, with borders to match, from \$1.00 per yard up.

30,000 Yards body brussels carpets, of the celebrated Lowell, Bigelow and Hartford makes, from \$1.00 per yard up. 40,000 Yards tapestry brussels carpets, 50 Smith's and Roxbury makes, 50 cents per yard up.

10,000 Pairs lace curtains, imported direct by us, 75 cents per pair up. 5,000 Pairs chenille and turcoman curtains from \$4 a pair up.

THOUSANDS OF RUGS, ALL SIZES AND GRADES. Parties contemplating furnishing their houses

EDWARD GROETZINGER, 627 and 629 Penn Avenue.

Largest exclusive carpet house West of New York All goods jobbed at the lowest Eastern

BIBER & EASTON.

A lot of Ladies' Print Wrappers, nicely made, reduced from \$2 to \$1.

A lot of French Flannel Shirt Waists marked down to close out from \$2 to \$1.

WILL SAYE YOU MONEY

JELLIES AND PRESERVES.

Here we have a subject dear to the hearts of all good housekeepers. This year it is dear not only to the hearts but to their pockethooks. With peaches and pears at 5c each, and other fruits in proportion, home-made jellies are out of the question. Freights on perishable fruits are very high, almost prohibitory. But frieghts on fruits concentrated into jellies and preserves are more reasonable. So we are able to help you out of your dilemma. Give you your jellies at about the usual cost of your home-made ones, and save you all bother in making

FINE NEW JELLIES,

Four (4) pounds, 25c. A ten (10) pound pail of jelly, 70c.

30-pound pail, \$1 80. No charge for pails, ELEGANT NEW PRESERVES,

Eleven (11) cents per pound. A ten (10) pound pail of preserves, \$1 05. A 30-pound pail, \$3 15. No charge for pails.

HOME-MADE APPLE BUTTER.

'Twill make you think of the days when you swung on the low, screading branches of the orchard in boyhood's time, or the idle moments when you lay on your back and gazed through the thick leaves at the fleecy clouds, chasing each other by. Or more tender yet—that big copper kettle and the days when you almost broke your back stirring apple butter under the old shed in the yard. HOW THE WORDS THRILL YOU.

HOME-MADE APPLE BUTTER.

Three (3) pounds, 25c. A ten-pound pail, 80c. A 30-pound pail, \$2 40.

You are wondering what you will eat this winter? Try these goods and you will cease to worry. Send for weekly price list and order by mail. Orders amounting to \$10, without counting sugar, packed and shipped free of charge to all points within 200 miles. On fifth page of our price last see our special discount to our order. Infants' long and short cloaks, white

our price list see our special discount to outtown trade. MARSHELL, 79, 81, 83, 85 and 95 Ohio street,

Cor. Sandusky street,

ALLEGHENY.

Hugus & Hacke

COUNCILS ARE ROUGHLY TREATED. A State Council to be Formed in Harrisburg -Will be Affiliated With the Federation of Labor-Although the K. of L. Origi-They Want Police and Fire Protection When

RED PAINT SCATTERED LIBERALLY

ported progress and Mr. McGaw was ac-The citizens of the Eleventh ward, Alle corded the floor. He wanted to know why gheny, are stuck in the mud, and last night the matter could not be settled and how long 85 of the voters held an indignation meetthe farce is to be continued. The committee ing in the Eleventh ward school house. The was not all present, and he is getting tired or audience represented two-thirds of the voters the delay in the case. He said he did not beof the ward. The principal cause of comlieve the committee ever intended to make a plaint was the condition of California ave-F. Carroll was admitted as a delegate nue at Superior street, where a fill of 12 feet from L. A. 10,604, Theatrical Assembly. W. S. James resigned from the Executive Board, assigning as his reason that he was is being made. The mud there is so bad that the streets are impassable, and the citizens in that locality have to make a detour unable no attend the board meetings. William F. Davenport was elected to fill of about a quarter of a mile in order to

the vacancy.

A communication was received from the Of course they were mad. John D. Bailey German Typographical Union No. 9, in-closing \$4 60 for the relief of the Dunbar was called to the chair, and in taking it he made a few remarks in which he ruffled up sufferers.

A communication was also received from the feathers of the city government for not the Central Labor Union of Erie, with ref-

erence to sending delegates to a convention to form a State trades council to be affiliated with the American Federation of Labor. The convention is to be held at Harrisburg, It was decided, however, that owing to the conditions under which the Central Trades Council here is formed, being composed of delegates from a mixture of unions and assemblies, some being under the Federation of Labor, some of the K. of ... and others connected with neither oranization, it would be inadvisable to send delegates to the convention.

This announcement of the Eric Central
Labor Union, it is asserted, is but stealing demic.

the thunder of the Pittsburg Central Trades Council. Some time ago circulars were sent out by the Pittsburg Trades Council to the Trades Councils of the various cities in the State relative to the | and when he finished only the shreds formation of a State trades council. The State of the Councilmanic robes were council was to be composed of delegates from the local councils, irrespective of the general organizations. The Philadelphia council, though, did not respond, and Reading was not quite ready. Atter a lapse of a few months, however, the Erie union started a similar movement, but with the intention of making it a Federation of Labor organization.

WILL ENTERTAIN THE VISITORS. Delegates to the British Institute Will See

All the Sights. A programme has been arranged for the entertainment of the delegates to the British Iron and Steel Institute on Thursday, October 9. It includes excursions by both rail and water, to the mills and glasshouses, to Davis Island Dam or up the Monongahela. Before the visitors leave New York they will be shown a programme from which they can choose whatever excursion they desire to take and then the ocal committee will be advised before the arrival of the guests where each delegate

desires to go.

The Monongahela House will be made the headquarters of the local committee, all day where it will have representatives all day to look after the visitors.

Marbl. Cutters' Officers. The new local Union No. 1 of the Western Pennsylvania branch of the Marble Cutters' National Union held a meeting last evening and elected the following officers: President, Samuel Swan; Vice President, J. M. Huddell; Recording Secretary, Arthur

G. Smyth; Treasurer, Paul Frenzell; Guar-dian, Charles Myler. Industrial Notes.

THE National Tube Works Company, at Mc-Keesport, has arranged two puudle depart-ments for the use of coal. THE machinists of Robinson, Rea & Co.,

who went out on a strike over a shop grievance a couple of weeks ago, returned to work yes-terday. DISTRICT MASTER WORKMAN EVANS, who

has been paying his quarterly visit to the as-semblies at Butler, Pa., is expected home to-PRESIDENT SMITH, of the A. F. G. W. U.

returned yesterday from a tour among the Eastern factories. He reports association matters to be in good shape. THE last of the employes of the Westing-

house shops, in Allegheny, left for Wilmerding yesterday, and the Pennsylvania Fuel Gas Company will occupy the old building imme-diately. THE employes of the Uniontown Construc-

tion Company, who struck last week for nine hours, will go back to work to-morrow, the firm having agreed to grant the demands after

VISITORS TO PITT-BURG EXPOSITION Can Make \$50 Clear

Last year it cost us upward of \$2,000 to

exhibit at the opening Exposition. We have been kept so terribly busy this sum-mer, however, in selling our pianos and organs, and banjos and mandolins, and guitars and brass horns and sheet music. that we actually found no time to get up an exhibit for this year's show. However, we propose to give our customers the benefit of this great saving, so that anyone who will buy a piano or organ, or any other instrument, during the continuance of the fair, will get the benefit of an extra reduction in price of goods of 5 and 10 per cent. Visitors to the show can therefore make some \$50 by calling on H. Kleber & Bro.'s Music Store, 506 Wood street, and buying one of their instruments. They are the sole agents for the famons Steinway, Conover, Gabler, Opera and Emerson pianos; also for the wonderful Vocalion church organs, and the mouse and dust-proof Earbuff parlor organs. Anything in the music line which you canmen objected to the schedule and so notified not get at Kleber's is not worth having. Don't fail to call at Kleber's, Wood street, three doors above Fifth avenue, Pittsburg, Pa.

A Boom.

Never before at this season has there been such a heavy trade in the drygoods business as at present. All stores are busy. In Allegheny, at Thornton Bros., it has been almost impossible to get near the counters. This firm hes a cash business, and as Exposition vistors are cash buyers, they crowd to the ab ve store.

Pittsburg & Lake Erie R. R. September 26, Niagara Falls and return September 26, Toronto and return, \$5 75. Special train with sleeping cars leaves at 6:15 P. M. Mr. F. G. Blackford will go through with the party. WFSu

> and colors. Largest and best line we have ever shown. Many special values. A. G. CAMPBELL & SONS, 27 Fifth ave, SILK DEPARTMENT.-We are showing black and colored silks at values that are creating the largest sales ever known.

Infants' Furnishings.

HUGUS & HACKE. WE pride ourselves on making perfectfitting clothes. Our stock of woolens is not excelled in size, quality or variety by any one. E. SCHAUER, 407 Wood st.

DICKSON, the tailor, is turning out nobby

Fall Suitings.

They Pay Taxes. . L. McGaw attended the meeting of the Central Trades' Council last night in the

hope that something definite would be done with his case. The committee simply re-

reach their homes.

having the work finished. Then Gilbert Follansbee took the ene and the Councilmanic robes of the city fathers were torn in twain. He said the city charged them the highest rate of taxation and yet left them in a condition where they were practically out of the world. It was impossible to reach their homes. Patrol wagons could not get into that locality and in case of fire the department would be useless with the present condition of the streets. Besides this, sewers and drains are torn up and left open, causing much sickness, which threatens to result in an epi

BOASTING THE CONTRACTORS. When Mr. Follansbee retired the fight was taken up by Thomas Keenan, Sr., left. He denounced the methods pursued by the city in the grading of California avenue as dilatory and improper. He said the contractor had not even made an attempt to maintain a roadway. Mr. Keenan was followed by a number of others and each address was roundly cheered.

Then a set of resolutions were drawn up

to be presented to Councils. D. B. Oliver objected, and said Councils ought to be notified before such action was taken. Rob-ert McAfee and Dr. Joseph Langfitt took a similar stand, while John R. Henricks favored the resolution When the votes were counted Messrs. Oliver, McAiee and Langfitt were alone in their glory.

The resolutions state that while the citizens recognize the improvements in the grading of California and Superior avenues.

they are suffering at present from serious inconveniences from which they demand immediate relie'. The contractors have the recent rains have made the streets impassable, thereby making impossible the delivery of household goods and endangering property in ease of fire.

cents per yard up.

50,000 Yards ingrain carpets, all grades manufactured, from 25 cents per yard up. made no effort to maintain a roadway, and LADIES UNABLE TO MAKE CALLS.

No effort has been made even to maintain a footway, and the lady residents are unable to reach trains or electric cars. Former sewer connections have been disturbed, and present condition of these streets prevents LINOLEUMS, CORTICINE, OIL CLOTHS new connections being made, so that many drains are uncovered and empty into the open streets, thus already resulting in sickness, which threatens to develop into an epi-The contract calls for the completion of

the work by October 1, but as this has been rendered impossible by the delay, the citizens ask "That these streets be covered with broken stone so as to allow a free passage way for not only individuals and or-dinary vehicles, but also for the fire department and police patrol, for which protection we are paying the highest rate of municipal

taxation. The resolutions close as follows: Resolved, That the copies of these resoluthe Road Committee, to the City Engineer, t the Board of Health and the Association o

FURNITURE upholstered and repaired. HAUGH & KEENAN, 33-34 Water st.

FOR strictly first-class fitting trousers go o E. Schauer's, 407 Wood at.

DICKSON, the tailor, is turning out nobby fall suits at reasonable prices.

MARSHELL, THE CASH GROCER,

considerable trouble with people selling to be used has been patented and will be used under a rule of the association, and of course, any using it will do so by means of a counterfeit and will be guilty of a misde-

ing Over Time. required the men running them to work two hours and ten minutes extra time. The

Superintendent Burns.

Mr. Burns notified the men that they would be paid extra for all the extra time put in, but the men still protested against the schedule going into effect, and the old schedule was replaced.

SELF-HEATING FURNACE.

experimented upon in the Homestead mills. It is an extension to the furnace in which ingots are placed after being taken from the molds. The initial heat is retained, and the ingots heat themselves.

The same kind of a furnace is in successful operation in many of the European mills, and it is thought it will be a success

Local Assembly No. 7247, K. of L., com posed of bakers, held a largely attended meeting last night. It was the first meeting and hold regular meetings during the winter. The next meeting will be held October 4.

Fighting the Knights. At the meeting of the Building Trades Council last night, a resolution was adopted L., after Monday, September 22.

Spreading Their Union.

declaring that members of organizations belonging to this council could not work with ers of Painters' Assembly 1397, K. of

CAN YOU USE THEM?

A Few of Many Fresh Bargains:

Chevron Jacket at \$8. A very nobby garment. Astrakhan collar, cuffs, etc., with

Plush Jacket, \$8. A perfect fitting garment of excellent material and finish. This would be good value at \$10, but we offer it as a leader at \$8.

Scotch Cheviot Jacket at \$8. A very dressy garment with vest front, two rows smoked pearl buttons, shawl collar, etc.

Medium-weight, extra grade Cloth Jacket, in tans, brown and stone color, vest front, shawl collar, bound on edge and cuffs, with elaborate braided fronts. This very stylish jacket we offer at \$10.

Jaunty Shoulder Capes in Seal Plush at \$7.

These have cord and tassel and make a wonderfully stylish garment for a low price. Ladies' Blazers edged with gold and silver cord, handsome cord and tassel. We

immense variety in fresh goods, but we call your attention to some excellent bargains in Towels at \$1 50, \$2 50 and \$3 per dozen. In finer Towels we offer no end of pretty things in dainty borders, hemstitched, etc. Embroidery Crashes, in all widths, at lowest Country Blankets.

In superior qualities, both white and scar

505 and 507 MARKET STREET.

M'KEESPORT

CITY BONDS. A new issue of \$85,000, running thirty years;

interest, 41/2 per cent; denomination, \$1,000.

For an absolutely safe and permanent in-

vestment these bonds are peculiarly desira-

For sale in such amounts as desired WM. M. BELL se21-08

\$100 Per foot, worth \$150. Lot 36x125, adjoining Schenley Park entrance, 1 min. from Duquesne Electric road. This is a decided bargain. M. F. HIPPLE & CO., 96 Fourth ave.

#### A CLEAR TITLE TO THE POOR FARM MAY BE GIVEN TO BLACK & BAIRD.

Judge Ewing Holds That the Law Was Complied With in the Sale of the Property-Defining the Power Vested in Conneils.

Judge Ewing's opinion on the sale of the Poor Farm is as follows: The parties by writing filed have agreed that

the Court shall pass upon the whole case made by the pleadings and affidavits without a mas-ter's intervention and enter a final decree. There are really no facts in dispute. The allegations of fact contained in the bill are adsitted by the answers, except that of collusion between the parties proposing to purchase, and that is equarely denied by the answers, and

complainant's counsel abandon that allega-The proceedings in relation to the opening of the proposals, as set forth in the complaint, were in strict accordance with the previous or-

dinance of Councils directing the advertisement for proposals to purchase.

The Pittsburg City Poor Farm, situate in Mifflin township, Allegheny county, with all the improvements thereon, was wholly paid for by the sale of property belonging to the city and by taxes levied on the entire city therefor. At the 14th of June, 1887, the legal title to this property was in the Board of Guardiaus of the Poor of the City of Pittsburg. This board was elected by the City Councils, and performed the municipal functions of caring for the poor of the city. The board was but a trustee of the title with no interest ofherwise in the

property. It was in no sense a private corpora-tion. By act of March 22, 1877, it was declared to be a department of the city government, POWERS TRANSFERRED. By act of May 25, 1887, this board was au rized to sell the Poor Farm, with consent

of Councils, and from the proceeds purchase other lands in Aliegheny county and erect buildings thereon, and pay the balance into the By virtue of the act of June 14, 1887, relating to cities of the second class (i. e. Pittsburg),

the powers and duties of the Board of Guardians of the Poor were taken away and transassuming for the present the acts to be contitu tonal and as we interpret them, upon the rganization of the city government under act of June 14, 1887, all the powers and the act of June 14, 1887, all the powers and duties of the Board of Guardians were ended, unless it was the duty of executing a formal conveyance of the property in question to the city. They were then mere naised trustees, and while it may have been their duty to convey the legal title, such conveyance was not necessary to the ownership of the city. After the term of office of all the members of the board who were in office June 14, 1887, had expired, and when the ordinance took effect, February 1, 1888, the said board did execute and deliver to the city of Pittsburg a deed conveying to the city all the interest and title of said board to the property in question, to wit: and board to the property in question, to wit: mly 24, 1890. No other members of said board and been elected after June 14, 1887. In our punion the city had the title to said property the the right to convey it in accordan

The twelfth section of the act of June 14, 1887, provides that the Councils of large cities small have full power and authority to provide by ordinance for the relief and employment of the poor of said cities, and for that purpose shall have power and AUTHORITY TO SELL and purchase real estate and improvements and erect such improvements as may be deemed necessary for the proper care and maintenance of said poor. This power is, of course, to be exercised in accordance with the law in relation therete, whatever that may be. In this case an evanance of Conneils, duly passed, is necessary. Such an ordinance, directing the sale of the Mifflin township Poor Farm, belong-

fixed. It differs essentially from the case in relation to the purchase of a poor farm argued with this case. If then the various acts of assembly cited in relation to cities of the second be constitutional and valid we see no good objection to the validity of the proceeding unless a decree of court was necessary. By act of Assembly of Aoril 28, 1887, it is enacted that the Courts of Common Pleas of the several counties shall have jurisdiction and are nevely authorized to decree a public or private sale of any poor house property or real estate held for the relief and employment of the poor in any county, city, borough, township

the poor in any county, city, borough, township or poor district at such times and in such parts or parcels and upon such terms as in the opinion of any such court may be. CONSIDERED MOST ADVANTAGEOUS. The second section provides for the petition the overseers, directors or managers, and that the sale shall only be ordered after a full and careful investigation by the Court, and provides for the investment of the proceeds by direction of the Court. The third section of the act contains a general repealing clause of all acts inconsistent therewith. Does this act become a part of the law governing the sale and parchase of property for poor purposes be-longing to the city of Pittsburg (i. c., cities of

is our opinion, raise the only doubtful ques-tion in the case. Counsel for the defendants have argued very forcibly and ingeniously that special and local legislation in regard to po-districts is not forbidden in the Constitution districts is not forbidden in the Constitution of the State, and in this they are supported by a suggestion of the Supreme Court in the recent case of the Oversears of Jenks township vs the Commissioners of Sheffield township. With great respect for the learned Judge mak-ing the suggestion (who was a distinguished member of the Constitutional Convention) we cannot agree with this view until it shall be so decided by him or up the Supreme Const. ecided by him or by the Supreme Court, It is true that the seventh section of the third At it is true that the seventh section of the third article of the Constitution does not in the precise word prohibit local legislation for poor districts as it does for school districts, and for this very good reason—the care of the poor had always been considered a municipal function and affairs of countres, cittes, townships and horseigns, for which local laws are prohibited in the second paragraph of section 7. While

stricts as something separate and insame reasons will apply to other the Constitution where school districts are mentioned and poor districts are not

THE LAW IS GENERAL. It seems to us that the act of April 28, 1887, is a general law providing for the sale and purchase of property, and for the care of the poor. These acts in relation to the care of the poor and the property held for the care of the poor in cities of the second class can only be sustained, and as independent of the general law, on the ground of the legislative power to classify cutes. That this power exists is an open question. To what extent is a difficult and doubtful question.

case of Howard versus the city o' Pittsburg, they gave reasons for sustaining as valid, the act of June 14, 1887, as against the title and to the main provision of the act, the main objections raised being substantially the same as in this case, it was not necessary to report but simply re er to them as reasons holding the acts in relation to the poor affairs of cities of the second class to be con-

## IT WENT TOO FAR,

In conclusion the decree was refused and

THE COUNTY. Special Legislation Necessary Before the Stewart Form Can be Bought-The Court's Power in the Premises-No Suspicion of Fraud or Collusion.

THE CITY CANNOT PURCHASE OUTSIDE

In the suit to prevent the purchase of the Stewart farm in Westmoreland county, hearted ship and trainmen watched over his Juage Ewing says: This bill is filed by the citizens and taxpay-

defendants, to purchase at the price of \$700 an was affirmatively recommended by the Fiacre a tract of land containing 267 acres in Westmoreland county for the location of a building for the care and maintenance of the poor of Pittsburg, which is alleged and admitted that the city officers are about to pur-chase unless restrained therefrom by the in-

unction of the Court. The bill sets forth and the answer admits the various steps taken in relation to this inchoate purchase. There are no disputed facts in rela tion thereto, except the allegation that the price proposed is \$300 to \$400 per acre beyond the market value. The Chief of the Department of Public Charities followed out instruc-tions directing him to advertise for ten days for proposals for a Poor Farm. He was not bound to receive additional proposals after that time. There is no evidence of bad faith on the part of any officers, and the Court would not, if it had the power, interfere with the exercise of their discretion in accordance with law. Though we might, under the circumstances, have thought t advisable to reject all the proposals as either being largely beyond the market value, or that a sudgen and enormous advance had come in regard to country properties in this region, which might soon subside. The ordinance of July 11, 1890, authorizing an advertisement for als for the sale of a farm to the city, contains no offer or authority to purchase any particular property at any price, much less to re-

move the place for caring for the poor to a NECESSITATES AN APPROPRIATION. The acceptance of bids and purchase of property is, in our opinion, a legislative act of the Councils, and if valid, necessarily involving the appropriation of money so as to require for its validity before it takes effect to

be presented, duly engrossed and certified, to

the Mayor for his approval.
It is conceded that the joint resolution has not been presented to the Mayor for his ap-proval, and that it was not intended so to be. This defect might be cured if there were no incurable error in the proposed purchase. The city of Pittsburg is one of the municipal cor-porations of the county of Allegheny. The care and maintenance of the poor of the city care and maintenance of the poor of the city is and has long been treated as a municipal function and duty. The act of June 14, 1887, in relation to cities of the second class, P. L., page 395, vesus the power within the Department of Public Charities. They have power within the proper limits and in the legal manner to purchase real estate for this purpose. Municipal functions must usually be performed within the territory of the municipality unless the power to go beyond the territory of the municipality unless the power to go beyond the territory. formed within the territory of the municipality, unless the power to go beyond the territorial ilmits is given by statute, or unless it may be implied because essential to carry into effect those powers which are expressly granted. They cannot purchase or make improvements or hold real estate beyond their limits without such authority. "A power therefore given to a municipal corporation to purchase real estate without money does not authorize it to purchase or improve outside its territorial limits," 104 Pennsylvania Supra.

There is no pretense of any express grant to the city of Pittsburg to go outside the county of Allegheny to purchase a Poor Farm. There is clearly no necessity to go out of the county, as is shown by the affidavits filed in the case, and as is well known to everyone reasonably acquainted with the territory of this county.

THEY WENT TOO FAR. If the city can go to Westmoreland county to

exercise this function of caring for the poor, it might with equal power and authority purchase land for the purpose in West Virginia or the law, and no such power exists in the late or on the subner. So far as we have been able to on the subject. So far as we have been able to examine, the uniform rule in Pennsylvania where it has been deemed advisable for a municipal corporation to purchase or acquire land outside its territorial limits, has been to procure an express legislative grant of the power so to do, or to ratify or confirm it after it has been done. The city of Pittsburg and the city of Allegheny have several acts of assembly authorizing the poor authorities of the respective cities to purchase land for that purpose in Allegheny county. In March, 1843, the "Overseers of the city of Pittsburg," were authorized to sell a property and purchase "another within the county."

In 1846 a considerable part of the land now held as a Poor Farm was purchased by Councils, and by the act of March, 1847, their action was confirmed. The act of Assembly, approved May 25, 1857, entitled "An act relating to the acquisition, purchase and sale of real estate by the Boards of Guardians for relief and employ of the poor in cities of the second land outside its territorial limits, has been to

ing to the city, was dely passed and formally approved by the Mayor, as set forth in the answer of the city of Pittsburg. It emacted that the protectly known as the "City Farm," the land in question, should be sold and conveyed, and prescribed the duties of the city officers in the promises, providing finally for the sale, and prescribed the duties of the city officers in the promises, providing finally for the approval and acceptance of the bid by the City Council, which has been given by the joint resolution. This joint resolution has not been laid leftered the Mayor for his approval.

We are of the opinion that this joint resolution was not such legislative action as under the statutes required the approval of the Mayor. He had aiready approved the ordinance directing the sale of this specific property had the terms and conditions of the third section provides that the money realized from the sale of property as authorized in the

seperty and the terms and conditions of the ale, everything except the mere price was executed at differs essentially from the case in chase and payment of a new farm or site and the erection of buildings thereon. POWER OF COUNCILS LIMITED. By the act of March 22, 1877, the Poor Board was declared to be a part of the city government. It did not require legislation to make it such. So stood the law, when by an act approved June 14, 1887, entitled "An act in relation to the government of cities of the second crass," the duties of the Board of Guardians was transferred to Councils and the

Department of Charities.

Section 12 enacts, "the Councils of said cities shall have full power and authority to provide by ordinance for the relief and employment of the poor of said city and for that purpose shall have power and authority to sell and purchase have power and authority to sell and purchase real estate and improve and erect such improvements as may be deemed necessary for their care and maintenance."

Counsel for defendants contend that this section gives Councils unlimited power to purchase real estate without regard to locality. We are of the opinion that, standing alone, it would not confer any power on Councils to purchase land for such purposes outside the city limits. Also that the preceding acts cited conferring power on poor authorities to purchase lands for such purposes within the county of Allegheny is an extension and not a limitation on their general powers to purchase and hold real estate. is an extension and not a limitation on their general powers to purchase and hold real estate, and that the act of June 14, 1887, is not consistent with the other acts except in so far as it substitutes the City Councils and Department of Charities for the Board of Guardiaos. The City Councils have made an agreement to sell the Poor Farm in Mifflin township, and very properly intend to apply the proceeds to the purchase of another tarm. But no approximate purchase of another larm. But no appropria-tion of this or any of this fund has been made for the purpose. We are of opinion that the act authorizing the Board of Guardians to sell

act authorizing the Board of Guardians to sell and apply the proceeds to the purchase of land, etc., in the county, is to be read in with and be-comes a part of the law transferring the duties of the Board of Guardians to City Conneils. This view of the law renders it unnecessary for us to discuss the other grounds of complaint set forth in the bill and argued by counsel. NO SUSPICION OF FRAUD. If the provisions of the general act of April 28, 1887, in force at the passage of the act of May 25, 1887 and June 14, 1887, are applicable, and the powers of sale and purchase are sub-ject to the general law and therefore to be ex-

ercised under direction of the Court of Com-mon Pleas, it would alone be conclusive in favor of the complainant. Since the argument of this case and since since the argument of this case and since the preparation of the foregoing opinion, the parties have very wisely, by their agreement in writing duly filed, put the case in shape for final decree. There is really no important question in dispute, the evidence fails to raise any suspicion or fraud or collusion with the vender on part of any city officer or want of good faith, and the market value of the land is

## as usual a question on which the witnesses easily differ. There is therefore bothing in the case but a question of law. Let a final decree for injunction be prepared as prayed for.

To be Dedicated on the Southside in

#### A NEW CATHOLIC CHURCH Continuing Judge Ewing said that in the

October. The beautiful new Polish church of St. Adelbert, at the head of Fi teenth street, Southside, will be dedicated on October 5. The ceremonies attendant upon the dedication of a Catholic church are always grand and impressive. The societies from the different churches of the Southside, and stitutional, nor until reversed by the Sualso those of Pittsburg and Allegheny, will preme Court did they feel inclined to change

take part in the ceremonies.

The new church is built in Romanesque style, and no large pillars to obstruct the view. It will seat 1,700 people. The galleries alone will accommodate about 500 people. The rector, Rev. L. Miskiewicz, is very anxious to have the dedication over before bad weather begins.

Reached His Parents.

James Eisenberg was sent to Beaver Falls

yesterday over the Lake Erie road. He is

a 4-year-old boy who came from Germany.

His parents live in the former town. The

fellow was labeled, and the kind-

ers of the city of Pittsburg against the city and its officers to restrain them from entering into throat diseases exclusively. Office, 720 Penn

## BROKE ITS PROMISE

The Failure of the City to Keep Its Pledge Will Spoil the

BEAUTY OF THE NEW POSTOFFICE. Architect Malone Says a Great Improve-

ment is Retarded.

CHIEF BIGELOW BLAMES COUNCILS Supervising Architect Malone, of the Government building, made a call at City Hall yesterday on an important mission. He desired to see some members of the Board of Awards in regard to the grading of Fourth avenue by the city to conform with the foundation of the building. The board was to have held a meeting yesterday,

but the members failed to get together and Mr. Malone was unsuccessful in finding any of them. During the afternoon a representative of THE DISPATCH accompanied the Superin-

tendent to the building and had the situation explained. Mr. Malone said: "When the Government decided to erect this building the city agreed to make the grade of Fourth avenue, from Smithfield to Grant street, conform with the grade of Third avenue between the same limits. Though a number of years have elapsed no move of any sort has vet

been made. That the work should be done is manifest from many standpoints. A NECESSARY IMPROVEMENT. "It certainly is one of the important improvements needed in the lower part of the city. So far as the building is concerned it will be greatly disfigured on that avenue for all time. Relying on the promise of the city to keep its contract, the foundations of the structure were laid in accordance with the promised grade line. The proposed grade to reduce the hump would cut the street down about six feet at the highest point, Cherry alley and Fourth avenue, and would not be a very expensive work. On the other hand it would be of immense advantage to the thoroughfare, and all the

property owners favor it, so that no objections would arise from this source, It it not done, however, as I stated, the building will be disfigured permanently." On examination it was found that the en-tire front of the building on Fourth avenue, with perhaps the exception of a few feet on the Smithfield street corner, is below the present street grade from one to six feet according to the increase of the hump up the thoroughfare. At the avenue entrance a broad flight of eight steps have been laid.

It the city does not make the grade, four of

HAVE TO BE BURIED UP

in making the building yard level with the street. A wall 50 feet long from Cherry alley down will have to be built, and this will leave the corner rooms, one of which is to be used by the superintendent of mails, about five feet below the surface. Another well will have to be built along Cherry alley between the avenues, which will to an extent obstruct that part of the building The urgent necessity of the case will be seen when it is stated that the Government | form a route to Buffalo shorter than the is preparing contracts for the completion of the work at once, which will leave it in con-

would be liable for damages to Uncle Sam for removing the fences and pavements and ing the work mentioned above, which would be quite heavy. Continuing his talk, Mr. Malone said: "The progress of Fourth avenue has been retarded for years owing to this hump. Below Smithfield street a number of magnificent buildings are now in course of con

time.

formity with the present grade unless the city acts promptly. Should the cut be made

at any time after this is done, then the city

out that promise. I notice that whenever ing done it is attended to promptly. not in a complaining mood, but this is a matter that interests everyone who takes pride in the new building, and it should receive attention. Chief Bigelow, of the Department of Public Works, and also a member of the Board of Awards, was seen last night. He said that the board could not get Councils to act in the matter, and he was about certain that it would have to go over for another year. He was aware of the fact that this would

SHOULD KEEP ITS PROMISE

"I fail to see why the city cannot carry

knock the improvement out, as he knew the Government intended to act at once. He expressed regrets and said it was a shame to beauty and usefulness of such a splendid building, and he was sorry to see it It Mr. Bigelow is right in his surmise the promise of the city will come too late to avert what Mr. Malone considers a very se-

### rious mistake on the part of the municipal-LOVE, SUNSHINE & CO.

A Combination of Names That Amused an Observant Man. "Did you ever notice the names of busithe street?" remarked a man yesterday with an observant turn of mind. "On the principle that present company is always excepted, I won't refer to the names of busi-

ness firms in Pittsburg. But what do you think of this for a combination. "A few days ago I was in a neighboring town, when I was attracted by this sign, 'Love, Sunshine & Co.' The two should go together, but whether in this case the partners loved each other, and in consequence there was much sunshine, I didn't stop to It struck me as peculiar, and couldn't help stopping and looking at it. Such names, combined as they are, ought to make men famous in spite o the saw that there is nothing in a name, anyhow. 'Irish & Euglish' was another sign that caught me. Just at this time, when these two classes have no particular love for each other, the association of the names resem-bles the tying down of the lion and the

#### lamb. Heren'ter look at the names that compose partnerships, and you will fre-MR. HOLB ROOK APPOINTED.

He Succreds Mr. Patton as Superintenden of the B. & O. Elliott Holbrook has been appointed Mr. Patton, who resigned to accept the position of General Manager of the Pittsburg and Western road. Mr. Holbrook will commence his new duties to-morrow. Last spring he resigned a similar position

#### been the engineer for the Staten Island division of the Baltimore and Ohio. Few changes, if any, will be made by the new Superintendent. He is capable and popular with the men. THE SURVIVORS TO MEET.

on the Lake Erie, and since then

A Petition for a Pension for the Arsenal Explosion Survivors.

A general meeting of the survivors of the arsenal explosion will be held to-day at 2:30. The meeting will be addressed by Rev. McGuire and others. A petition will be presented to the friends of the survivors for signatures to be placed before the next Congress for their consideration.

The petition asks Congress to pension the survivors of the arsenal explosion. There are about 30 now living. Some are in mod-erate circumstances, while others are in a very poor financial condition.

#### VERY QUICK WORK. CAN'T GET CITIZENS. THE LAWRENCE BANK STATEMENT FILED

AHEAD OF TIME. Balance of \$199,249 38 in the Hands of the Assignee to Distribute Among 3,000

Creditors Whose Claims Aggregate 81,010,995 16. The Fidelity Title and Trust Company, assignee of the Lawrence Bank, filed a first and partial account vesterday, three months ahead of the time allowed by the court.

The first charge to itself is the money re ceived from the former assignee, amounting to \$27,790 06. From notes, proceeds of the sale of Long & Co.'s mill and material, and from various other sources, \$211,241 36 has been received. Of this amount \$11,991 98 assignee receiving \$9,172 57 of it on 5 per a balance on hand for distribution of \$199,-

249 38. A schedule of liabilities was also filed. which shows a total of \$1,010,995 16. All the creditors of the bank are shown, a total of about 3,000, who will not receive more than 20 per cent. Some of the creditors have large amounts due them, notably A. H. Ahlborn, \$14,189 03; Carnegie, Phil & Co., \$10,000; Michael Flannagan, \$16,-611 22; George T. Jacoby, \$30,200; William Mackey, \$15,225; the Pittsburg Bridge Company, \$32,369 63; Z. Wainwright & Co., \$11,925; J. Z. Wainwright, \$11,859, and

others.

The smaller creditors, however, are in great number, many of their amounts being for but a few dollars, and some of them being below the dollar mark. One is for but 36 cents, and another for 62 cents. There was no statement filed to show that the assets would be increased. IN HONOR OF GARIBALDI.

Local Italians Have a Banquet and Deliver Patriotic Speeches. The annual banquet of the Garibaldi Club was held at the Duquesne last evening. It was the twentieth anniversary of the unification of Italy, and a number of local and loyal Italians were present. Dr. Nardi is President of the club, and acted as toast master. Among the invited guests were Mayor Gourley and Coroner Mc-Dowell. District Attorney Johnston and Sheriff McCandless also had invitations, but

were unable to attend. The American and Italian flags were used to decorate the room. At one end of the table was the flag of the Italian people, which Dr. Nardi had secured in one of the battles. In his address he stated that he had fought at Antietam and Gettysburg for the American Republic. Garibaldi used to write to him every month inquiring after his health and welfare. Patriotic speeches were made by the Mayor and Coroner Mc-Dowell. The menu was all that could be wished for, and the members had a most delightful time. Frequent illusions were made to the patriotism of Garibaldi.

A SHORT LINE TO BUFFALO

How the B. & O. Intends to Tap Buffalo and Surrounding Territory. It is now stated in railroad circles that the Baltimore and Ohio road has secured control of the Allegheny and Snenango, and, with the assistance of other lines, will Allegheny Valley by 30 miles. The Pittsburg and Western will be used to Butler, the Allegheny and Shenango to Mercer, from thence the road will be extended to Franklin, where it will connect with the Western New York and Pennsylvania.

ering of late between the Baltimore & Ohio and Pittsburg and Western is now made clear. The B. & O. has been anxious to get into Buffalo and the oil regions. Through the Valley and the P. & W. it has struction, and several have been completed since the Government work began. Between The new combination will give Pittsburg Smithfield and Grant streets not a single another outlet to the North, and will be of w

larly the coal trade.

making the route to Buffalo 239 miles long.

It is claimed that all the mysterious dick-

TO EXPLAIN THEIR OBJECTS. American Mechanics Will Hold an Open Mass Meeting. The public meeting in Lafayette Hall next Saturday evening, in the interest of the principles and objects of the Junior Order of United American Mechanics, will be conducted under the auspices of the Past

Councelors' Association, an organization of the Past Councilors of the various councils in Western Pennsylvania. A general invitation has been extended to all the mempers of patriotic organizations and the public to attend. No admission fee will be charged and an interesting and entertaining programme of musical and lit-erary taste will be presented. Among those who will take part in the programme are:
Addresses by Mayor Gourley, Superintendent of Mails Stephen Collins, S. T. Trent,
Esq., W. T. Kerr, E. Lindsay Grier and
Rev. M. D. Lichliter. Eastern Ohio and
West Virginia will send delegates to the

meeting. KICKED ON THE CHARGES The Chief Mourner Refused to Pay the Expressage on a Corpse. Usually when a man has lost a near relaness firms on their signs as you walk along tive, his heart is heavy and sad, and he thinks little of financial matters and kindred subjects, but is inclined rather to discuss the virtues of the deceased. In the days of the Pittsburg and Western express, before it was merged with another company, a

#### down as "over charges on a corpse. The incident has been regarded by the employes as a standing joke, and has been carefully handed down from the musty past. They still tell about it with a chuckle on the other side of the river.

WRECKED ON THE PANHANDLE.

An Engineer Slightly Hart by an Exploding Stop Cock. The third section of an east-bound freight train ran into the second section at Skelley's station, on the Panhandle road, yesterday afternoon. The second section was pulling off the main line on to a side track when the stop cock of the engine on the third section blew off and knocked Engineer Faight back into the tank. For a moment he was blinded by the escaping steam, and before he could stop his engine it crashed into the section Superintendent of the Pittsburg division of ahead of it. The locomotive and the caboose the Baltimore and Ohio road, to succeed were badly wrecked. The tracks were blocked, and the passenger trains were held for several hours.

#### Engineer Faight was slightly bruised by the accident. WHERE THEY HAVE GONE.

nati on the B. & O. road was run as usual last evening. "One of the Finest" company went to Columbus and Cincinnati, the Creole Burlesque company will go to Balti-more this morning, and the Seven Sisters at the World's Museum are scheduled for New York. The Marie Wainwright company goes to Cleveland. 1206-Gallinger's-1106 Penn Ave. Guns, guns, guns, guns, guns, guns, at Gallinger's, 1200 and 1106 Penn ave. WSu

The special theatrical express to Cincin-

Movement of the Theatrical Companies for This Week.

IF your complaint is want of appetite, try Angostura Bitters before meals. DICKSON, the tailor, is turning out nobby

National Organizer A. B. Smyth is receiv-ing congratulations from all sides for his efficient work in organizing. Chief Bigelow Unable to Find Enough American Laborers. H. L. M'GAW SCORES THE TRADES COUN-

THE CITY CHARTER IS AMENDED. Delegates Will Not be Sent to Harris-

burg by the Trades Council. DOINGS OF A DAY IN LABOR CIRCLES

The question of the employment of foreign labor by the city departments came has been paid out for various expenses, the up in the meeting of the Finance Committee assignee receiving \$9,172 57 of it on 5 per yesterday afternoon. As the city charter cent commission for the handling, leaving now stands all heads of departments, clerks and employes must be citizens of the United States and residents of Pittsburg for at least six months. The question has recently been raised that the charter was being violated in the employment of foreign laborers, and Controller Morrow refused to pay those who did not come within the re-

quirements. An amendment was offered by Mr. Keating providing that the employes should simply be citizens. Mr. Robertson said it was unnecessary to make any change in the ordinance as there are plenty of Americans willing to work, and they should be given it in preference to others. Mr. Keating thought American laborers scarce, and said that in going over his own pay roll, after he gets past the puddlers, the list was principally made up of foreigners. Chief Bigelow stated he had never had any trouble before in securing labor, but the time has come, not only here, but in other

cities as well, where American laborers are hard to find. He has been trying for a month to get 50 laborers for Forbes avenue, and could not secure them. Mr. Bigelow stated that with-in the past week 500 Italian laborers came to this city.

Mr. Robertson still objected and stated that the ordinance as it stood allowed the employment of foreign labor in case no other

Controller Morrow stated that under the

could be secured.

present ordinance he would refuse to pay any foreign laborer employed.

Messrs. Keating, Robertson and Chie Bigelow finally put their heads together and the following amendment was prepared: That all heads of departments, clerks and employes shall be citizens of the United States; provided, however, that if the several chiefs of departments shall find it impossible to obtain sufficient of the ordinary day laborers, that in such case they shall have the right to employ laborers with requirements and qualifications other than as prescribed in this section. The amendment was carried and the ordi-dinance was affirmatively recommended.

LIVELY TIMES AT BRADDOCK. Starting the Fight Between the K. of L. and A. A. of I. and S. W. Great interest is being taken in the efforts to organize the men at the Edgar Thomson works at Braddock. Last night a meeting was held in Hibernia Hall, and early in the evening some 200 men gathered there, H. F. Dempsey and Thomas Clark, organizers of District Assembly 3, Knights of Labor, were present. The result was that the men were or ganized into a local assembly. This is merely intended as a starter, as there will

be another meeting held in the same hall

A special from Braddock last night said:

The men who were taken into Knights of Labor last night were chiefly blast furnace-men, as the rules of the Amalgamated Associa-

next Friday night.

tion do not permit their joining that organiza-tion. The talk of rivalry between the two as sociations here for the honor of organizing the men is not borne out on the face of everyday events, as there is nothing on the surface to indicate other than the usual personal and factional feeling incident to the apparent clashing of two strong organization Nevertheless it is said that President Weihe, of the Amalgamated Association, was also in Braddock last night for the purpose of watching the proceedings at Hibernia Hall and to organize a lodge to be composed

of the employes of the converting an

and the heaters, rollers and straighteners.

A NEW UNION STAMP

blooming mills, the finishers in the rail mil

To be Put on the Bottom of All the Union Made Flint Glassware. All goods manufactured in union glass houses hereafter will be stamped. About a dozen stamps to be used for that purpose ar rived at the office of the American Flint Glass Workers' Union yesterday. They are of steel made in the form of a steneil. The stamp is in the shape of a shield with the letters "A. F. G. W. U." inclosed. The stamp is not more than three-quarters of an inch in size and will be placed on the bottom of all patterns, made by union work-men. The stamp will make a very slight

indenture in the molds and will be hard to

G. M. Murphy, a mold maker, who de-

signed the stamp, said yesterday afternoon the association had heretofore been given

detect on the goods.

OBJECTED TO THE SCHEDULE. Street Car Drivers Protested Against Work-A strike was threatened on the West End body was shipped to some point on the road. The clerks were surprised the next day to line yesterday morning. The management receive a sharp note from the chief mourner put up a new schedule to be in force during demanding the excess paid, which he put the Exposition season, and providing for two extra cars at night, which would have

> A New Apparatus Being Introduced Into the Homestend Milin. A new self-heating apparatus is being

Reviving Their Local. the local has held for several months, but the members intend to revive the organization

The marble cutters' next national convention will be a decided success. New unions

are being formed all over the country, and they will be represented in the convention. Leave your order now for suit or overcost they will be represented in the convention.

EUROPE - TICKETS TO AND FROM
Europe by leading lines; good berths secured; drafts, letters of credit, money orders,
foreign coin, passnorts, etc.; we sell at New
York rates. MAX SUHAMBERG & CO., 527
Smithfield st., Pittsburg, Pa. Established 1896,
au24-64-wsu

BLANKETS.

White Blankets, Gray Blankets, Blue Blankets, Pink Blankets, ited Blankets, Plaid Blankets, all sizes and all grades, at prices that

COMFORTABLES.

Elderdown, Sateen-Covered Comfortables AT \$5 EACH.

se21-MWFSu THE LARGEST.

GROETZINGER'S. 20,000 Yards moquette carpets; all the confined exclusively to our house) at \$1.25 to \$1.50 per yard. Borders to match.

this fall, are notified that we have every grade of floor and window furnishings of the latest paterns made.

handsome front loops,

Ladies' Blazers in navy and black at \$3.

pronounce these extra value for \$5. Housekeepers. Take Notice! Our Linen Department offers not only

let, at \$4, \$4 50 and \$5. BIBER & EASTON.

Bank of McKeesport Building, McKeesport, Pa.

# a contract with H. S. A. Stewart, one of the street, Pittsburg, Pa.