NOTONLY NEWSBOYS, But Street Bailways, the Telegraph and the Telephone Affected by

JUDGE PORTER'S RULING.

The Strictest Interpretation of the Blue Laws of 1794 Upheld.

APPEAL TO THE SUPREME COURT.

Leading Citizens Demand the Speedy Revision of the Statute.

MORE HEARINGS BEFORE SOUISE ROHE

Judge Porter yesterday handed down his decision on the appeal of the Sunday newsdealers who were fined by Alderman Rohe. The opinion sustains the strictest interpre-tation of the letter of the Biue Laws of 1794. Major A. M. Brown, counsel for the defendants, at once filed a bill of exceptions, and the cases now go to the Supreme Court of the State. If the ruling should be adverse there the Legislature will act on the popular demand for the revision of the anonated statute.

Prominent attorneys who were seen last night held that under the decision of Judge Porter all street railways, telegraph and telephone companies, and, in fact, everything that was not a necessity in 1794, because it was not then in existence, would have to suspend operations on Sunday if prosecutions were inaugurated. Even the steam railways, according to many versed in legal lore, were amenable, though they might possibly be saved by Federal interference on the ground of inter-State commerce. The ruling draws the line between "facility" and "necessity," and in the former class is placed everything which science and American enterprise have brought into use in the past century.

Full Text of the Opinion

The only lengthy opinion is on the case of Thomas Matthews, which practically covers all of the others. It is as follows:

"It is established by the evidence in this case, that the defendant kept open his place of business on December 27, 1891, and that the Sunday papers of that date were upon that day sold therein, and that he received and caused to be delivered to his customers upon his route as a carrier, upon that day, the newspapers which had that day been published.

"This prosecution was instituted under the act of April 22, 1794, and the amendment thereto, approved April 26, 1855, the Inter act increasing the penalties as to Allegheny county. These acts like all others are to be construed solely with the view of ascertaining and enforcing the purposes set forth in it, and sought to be accomplished by the legisla-tion. The evidence clearly establishes that Allegheny county. These acts like Allegheny county. These acts like all others are to be construed solely with the view of ascertaining and enforcing the purposes set forth in it, and sought to be necomplished by the legisla-tion. The evidence clearly establishes that the defendant did perform 'worldly em-ployment' or business upon the Lord's Day, commonly called 'Sunday.' We have no power to repeal the act of 1794, nor to make its exemption of works for charity and nec-essity include works of mere convenience, That carrying on any business on Sunday may be profitable to the persons engaged in it, that it may serve the convenience, or taste, or wishes of the public generally, is not the test which the statute applies. The works of the exemption are works of neces sity and charity.

they see stended to apply to our people about 100 years ago, when we were but a handful of people scattered about a vast unsettled and partly uncivilized country. The street cars, the livery stables, the cooks and all the help about one's house comes under Judge Porter's decision and all would seem to be in the same position as the man who sells me a paper. Cooking and serving a meal is to my mind the same as printing and serving me with my Sun-day morning paper." day morning paper." Captain Thomas R. Kerr, the oil man

and Democratic politician, said: "Surely the old Blue Law will not stand in the face the old Blue Law will not stand in the face of advanced civilization, education and gen-eral advancement. I believe that all laws should be strictly obeyed, but I don't believe the Blue Laws, as we know them, should be accepted for our government. I be-lieve the old laws were resurrected more for the purpose of making money than to protect the city from any lawlessness or violations of good order.

Effect of the Decision

When Harry Metzgar, General Manager of the Telephone company, was asked for his opinion, he stid: 'I had no idea the light-ning would strike us. There is no denying that our business is a necessity. On week days we have 30 operators in the Pittsburg office and on Sundays only four. I can safely say that nine-tenths of our Sunday business is absolutely necessary. It is made up of calls for physicians, under-takers and carriages for fanerals. Of the other business, the portions which we entch are not sufficient to tell us whether it is a work of necessity or not. Of course there may be some business. We could not shut that out, but no more is done than is really necessary, and if an attempt were made to prosecute us we would fight it on that ground. "Judge Porter's decision, to say the least, is decidedly sweeping, and in substance it says that a law exists that will prohibit my that ground.

says that a law exists that will prohibit my servants from serving me my meals on Sun-day. It says substantially that street cars car not run on Sunday; that I cannot hire a horse and buggy in which to attend the funeral of my iriend on Sunday, and it seems a question if the undertaker can bury the dead on that day. Surely that decision does not mean what it says, and surely we have advanced beyond the reach or effect of the old Blue Laws, as they are called." Attorney W. J. Brennen said last night that the decision of Judge Porter was just-field by the law, which he thought was a relic of past ages. He said: "Judge Porter's de-cision sottles heyond question the power of the Law and Order Society to stop not only the sale of Sunday papers, but street cars, railroad trains, carriages, drays and medicines and even the preachers who we understand as working on Sunday. Under-stand me, I have no disposition to criticise "Law should keep pace with the advance-ment of civilization. The statutes that made good government in the last century do no apply now. Conditions have chanzed slightly since the day the Pilgrims landed on Plymouth Rock, or the time when a ten minutes' walk carried one beyond the the decision of Judge Porter, but I do think we have outgrown the Blue Laws as we call them. Civilization, education and religion have advanced beyond the narrow limits of those oid laws, and they stand as a blot

The Way to Make Them Obnoxious

"It is said the best way to make a law ob noxious is to enforce it, and I am satisfie

noxious is to enforce it, and 1 am satisfied that any attempt to enforce the Blue Laws will lead to their prompt repeal. The good people of the State do not want the Blue Laws and in my judgment the old laws will live but a short time." Councilman Robertson thought that Penn-sylvania should act with the Law and Order Society the same as it would with any other evil.

Society the same as it would with any other evil. "What's that?" asked the reporter. "Remove it by legislation," was the reply. I don't think it would be right to take as harsh steps with the society as the New Orleans people did with the Mafia, but I be-lieve it should be wiped from the face of the earth and the easiest way to do that is to modernize the Bine Laws. There will be no trouble to get the Legislature to act if the matter is properly presented. The Sunday newspaper is as much of a necessity to me as my breakfast, and usually comes before it. Why, after awhile those fundars, will mont a fellow to fast all day on Sunday, and not even smoke a cigur to pass away the not even smoke a cigar to pass away the time. What I am surprised at is that such a law as that of 1734 remains on the statute Views of a Noted Divine

Rev. Dr. MacIntosh, of St. Louis, who ha

een conducting a series of revivals at the Fifth Avenue Methodist Church, stated be fore leaving Pittsburg that in his opinion the Law and Order Society's extreme action is a detriment to civilization and 'the ad-

vancement of religion. "It is impossible to suppress the Sunday

newspaper," he said, "even if it was advisa-ble to do away with it. In my mind the

They are a parasite upon civilization or a swept away, or, like a boil, be opened to al-low the rest of the body politic to live in bretter health, and the soomer they are abol-ished or modified the better it will be for civilization, for the Government and for the public at large. Their enforcement is a step tackward, for they are a bar to prog-ress. The luxnrise of the eighteenth cen-tury are the necessities of to-day, and when the laws are changed good government and civilization will suffer." "Again, if Providence is so opposed to any work on Sunday, why is it that all functions arry people in a state of swapended anima-tion from Saturday until Monday. Why are the trees and flowers allowed to keep on prowing on that duy. Nature carries on its necessary labor. Why cannot main do the asue. The world is too big to come to a dead ston every six days." When Harry Metzgar, General Manager of the Telephone company, was asked for his opinion, he said: "Thad no idea the light-They are a parasite upon civilization or

THE

Law and Advancing Civilization.

Union News Company, was called to prove it. It was only a formality, and the \$25 and costs were imposed with the Alderman's usual promptness. Following that Mr. Mo-Clure pointed out a newsboy and said: "We'll try him now. We don't know his name, but that doesn't make any differ-ence." The information gave the boy's name as John Jones, but Mr. McClure said that was simply given for convenience the same as planacters in novels are called "Texas Jack," "Billy, the Blower" or anything simi-lar. MANY DIFFERENCES OF OPINION.

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PITTSBURG DISPATCH,

The Name Made No Difference, Some Members in Favor of a Reduction, The Johnnie Jones in this case happend o be Davy Conkling, and as such he was tried. The swell detective, Clinton, ap-peared against him and testified he had pur-chased a Leader from him at the Baltimore

and Ohio depot. "Is that the only paper you bought from Davy?" asked Mr. Brown. "Yes, sir."

Davy?" asked Mr. Brown. "Yea, sir." Are you sure it was a Leader?" "Certainly," answered the detective with a show of anger at having his word doubted. "The information says it was a Disparce," continued Mr. Brown. "That don't make no difference, "said Mr. Clinton, "It was a Leader, and that's all there is about it." "Just so," broke in McClure. "It doesn't make any difference what the name of the paper was; we bought it." "Tes it does make a difference. The case is discharged," said the Aldermañ, with a commendable amount of self-assertion. "No, no," said McClure, with his usual at-tempt to boss the Court. "We proved that worldly employment was performed— "By a boy," interrupted Mr. Brown with a smile that broke into general laughter as the Alderman called the next case. The other two convictions were of Frank Witt, who was charged with selling a St. Louis Republic at Union depot, and Randolph Brinnam with selling a Disparces at the same place.

Brinnam with senting a District of the list, but place. There were four other cases on the list, but as the deisndants were not present they were posspoued. The persons charged were all given assumed names. They are train boys running out of the city and Mr. Mo-Clure explained that his detectives had been unable to find out who they were

LOOKING INTO GAS PUMPA

Toledo Citizens Here for Some Scheme to

Increase the Gas Flow.

Vincent Emmick, General J. W. Green, Dr. S. H. Forbes and T. H. Tucker, of Toledo O., are in Pittsburg investigating the system of pumping gas wells, and to find out, if pos

Plymouth Bock, or the time when a ten minutes' walk carried one beyond the bounds of civilization. Tet the law is not altogether bad. The American Sun-day is a great institution and it should not be swent away. I believe six day's work is enough for any man, but still the great majority who rest on Sunday should not be deprived of those things which make it really a day of rest, and for that reason I say the law should be modified to sait the age. Street railways, newspapers, railroads, the telephone and the telegraph are necessities to us. The law, however, regards them as luxuries. My opinion of the meaning of the Blue Laws is that anything is a necessity that tends to the nrotection, the defense or sustenance of life. Thus, if a doctor rode on a street car to visit a patient, the car could be classed as a necessity buil if it was a person simply goiny to see his another, the car would then become a luxury. As the law is now it is oppressive, and must be amended to in-clude the modern ideas of necessities." Speaking for the great union and labor in-terests, B. F. Jones, ex-Chairman of the Republican National Committee, and the well-known iron master, mays: "It would in-volve the loss of hundreds of thousands of dollars every year to both capital and labor to shut down the iron and stoel mills on sundays. In our mills alone we employ from 4,600 to 5000 men. On Sundays the machinery needs overhauling just the same as a person needs a physician when one is sick. If this work was not done then the mills and the workmen would have to be idle on Mordays, and the reduction in wages would of pumping gas wells, and to find out, if pos-sible, if pumping the wells will prolong the gas supply. With the committee are Messrs. T. C. Boyle, Toledo Commercial; W. P. Mur-phy, Bee; A. J. Thompson, Blade, and J. M. Bloomer, Nees. Toledo has been embarrassed by the fall-ing off in her gas supply. A considerable amount of money has been expended in ex-periments to increase the supply, but to no purpose, and if the system of pumping the wells is satisfactory to the committee it will be adopted by that city. Finnes are now satisfactority used in the Murraysville gas field. Testerday the Visiting Committee called upon the officials of the Pittsburg gas com-panies and discussed in all its phases the pumping system. The Pittsburg people ad-vised in favor of the system. To-day the committee will go to the Monongahela field and inspect the pumps in operation. So far they are favorably impressed with the pumping setome.

sick. If this work was not done then the mills and the workmen would have to be idle on Monflays, and the reduction in wages would be felt in every home. It now requires men to work six days to support their iamilies, and what would they do if they could only work five. It is the same thing with keeping up fires in the blast furnaces. We must either do that or throw the men out of employment two days in the week."

they are favorably impressed with the pumping schone. In Toledo are the Northwestern and Mu-nicipal Gas Companies, both competing lines. The Municipal Company is owned by the city. It is under direct control of the Gas and Fuel Committee of Councils. It owns nearly 20 wells and many miles of pipe. The Gas Committee exercised as much diligenoe as the private corporation in securing gas land leases and sinking wells. People naturally patronized it, and for a time To-ledo had a new and valuable source of

A STILL-BORN RELOLUTION.

Colonel Streator Was Not Indorsed by the Randall Club This Excursion.

A largely attended meeting of the Randall

the telegraph and the Sunday newspapers were unknown when that law was passed, and if I were sitting in judgment on the question I think that I would decide that it does not apply to them. That they are all equally necessary is beyond question." Delinquent Tax Collector Ford said: "I am not surprised at Judge Portor's decision. He could only decide in line with the laws and the Sunterna Court decisions. It would be a A largely attended meeting of the kandali Club was held last night. Before the meet-ing it was announced that T. O'Leary, Jr., had with him a resolution indorsing Colonel Streator. of Washington county, for Ad-jutant General of the State. The announce-ment alarmed the friends of General Guthcould only decide in line with the laws and the Supreme Court decisions. It would be a perfectly reasonable thing for the news-papers and all others unjustly affected by the obnoxious Blue Laws to combine in making them so obnoxious that their repeal will be a public necessity. I consider a Sun-day, newspaper as necessary as a Sunday milk man." City Clerk Booth said: "It is possible to perfectly reasonable thing for the news-papers and all others unjustly affected by the obnoxious Blue Laws to combine in will be a public necessity. I consider a Sun-day, newspaper as necessary as a Sunday milk man." City Clerk Booth said: "It is possible to get too much of a good thing. The Blue Laws are a good thing in compelling a large

FRIDAY, MARCH 4, 1892. CHILDREN IN CRIME BUSINESS TAX ROW HELD AT BAY BY A WOMAN.

Appropriation Ordinance.

but Not the Abolition.

Three Constables Who Lacked Course Enough to Arrest One Woman-One Partly Responsible for Delay on the Faints, While a Mouse Trap Routs the Others-Her Final Arrest.

Alderman McNeirney, of the Eighteenth ward, tells a good story which has recently come up in his practice. It runs like this: "On January 15," said the Alderman, "George Girard entered execution before me against Joseph Schriver for \$9 62. Schriver lives on Moraingside

Some Members in Favor of a Reduction, but Not the Ablition.
 THE INCREASE IN THE VALUATION
 THE INCREASE IN THE VALUATION
 THE INCREASE IN THE VALUATION
 The Increase indications the Finance Committee will not be ready to report by next Manday, and the proposed special meeting of Councils for that day will probably be postponed. Several reasons are given for the change of programme. One is that the Controller supplies information desired concerning the revenues derived from various sources last year and the varrants outstanding, the latter item being generally known as the deficiency. The Controller has been in the East for the past week, but is expected home to-day, and will probably require two or three days to collaborate the facts and figures desired.
 Another reason given is that owing to the adopted by the Board of Assessors it will require several days yet to get an approximate of the taxable valuations of the propertilural will increase that soft to the property here to fore classified as rule or grinultural will increase the facts and fresh fin their minds, they more various booking sources the store the facts and figures desired.
 Multise desired.
 Another reason given is that owing to the adopted by the Board of Assessors it will require several days yet to get an approximate of the taxable valuations of the property here to fore classified as rule or grinultural will increase the string of the adoption of the property here to fore or a proposition to committee cannot come to the adoption for the committee cannot come to the adoption for the committee cannot come to the string on the cannot does and the string on the cannot the spoing on the string on the cannot the spoing on the string the facts and the string on the cannot the spoing on the string to the facts and the spoing on the string to the facts and the string the facts and the string ton the cannot the spoing on the cannot econont the spoing on t

BRAINS KNOCKED OUT

John Shillinger Is Instantly Killed by Duquesne Car.

John Shillinger, aged 14 years, was knocked down and instantly killed yester-day afternoon by a Duquesne Traction car on Larimer avenue, East End. Abont 3:20 yesterday afternoon young

Shillinger, with several companions, were playing tag on Larimer avenue, near Auurn street, when all of a sudden Shillinge ran across the street and just got in the cen The across the street and just got in the cen-ter of the track as car No. 39 struck him. He was knocked down and the first truck passed over him, crushing him to death and scattering his brains all along the track. The body was gotten out from under the car and carried to a house near by, where Dr. Pool examined it. He said death was in-stantaneous. Patrol waron No. 6 was called and the body was removed us his home at the foot of Orphan strest, Negley Bun. Charles Mohler, the motorman, was ar-rested and held under \$1,000 ball for the in-quest.

A Heavy Landslide in Allegheny.

A large landslide occurred yesterday after noon on the hillside over Sarab street, above Taggart street, Allegheny. It fell jus above Taggart street, Allegheny. It fell just under the incline at that point and unsettled the building of the Clifton Park office, in which the incline office is situated. The building was moved about ten inches and the steps leading up the hillside were also moved and were considered so unsafe that they were closed and travel upon them was stopped. The building itself was not con-sidered unsafe, but prompt action was taken to brace and support it. The incline piers were not damaged or displaced.

Near the Centenarian Line.

Mrs. Sarah Brown, one of the oldest resi dents of Pittsburg, was reported dying in McKeesport last night. Mrs. Brown is 98

BESIEGED BY ARCHITECTE.

Chief Eillet Makes a Few Rem Poor Farm Blatter.

A Pair of Young Girls Picked Up Chief Elliot is now being besieged by architects who want to build a poor house. The Chief thinks they are a trifle previous, The Chief thinks they are a time place to locate a poor farm building, and he thinks it would be expensive to carry them round. One thing he adds is that no architect will get a percentage for superintending the work. He says he will look after it himself. PRACTICING UNNATURAL DEEDS.

The Cab Driver Who Led Them on Receives

says he will look after it himself. "I am tired worrying about poor farms," he said, "but I am ready to tackle it as soon as some action is taken on the Alexander farm. My report has now been with the charities committee for some months, but it has never had a quorum since. The Alex-ander farm is a bargain, for it has lots of gas and plenty of coal and I don't know where such a good thing could be gathered up for the price. We have been fooled on two farms. The Kensington people are getting \$18,000 an acre for the Stewart farm, the Glew farm has since been sold for bigger money and it is to-day the greatest piece of gas territory in the country. If I had that piece of land I could make a tortune out of it in two years. The city might just as well have made the money out of the gas and still have had a poor farm for almost nothing.

The Leading Dry Goods House. Friday, March 4, 1892 JOS. HORNE & CO.'S

PENN AVENUE STORES. ary. The story of the girls was so damaging to Yonkers that he was arrested later in the

GRAND SPRING OPENING

BED

LINENS!

Ramor has it that several prominent young on are mixed up in the scandal, and still nore sensational developments may come We have received now our entire direct importations of Bed Linens for the coming season-a stock Latest Developments in the Anti-Licens far surpassing that of any Joursrown, March 3.-[Special]-A new phase of the fight of the temperance people developed to-day. On the section of the town on which the Johnson works are located, all the land was sold by Albert L. Johnson, who previous se son both in

quantities and in good values.

are a number of applicants for license from this territory, and the temperance people have employed attorneys to see if the condi-tions on which the ground was sold cannot These are the makes that have been tried and tested, and the years e enforced. In addition to the activity manifested by of experience with them proves their excellence above all others.

In addition to the activity manife-ited by the Protestant churches, the Catholic pas-tors have talked plainly to their people, de-nouncing the liquor traffic. As three-lourths of the saloon keepers are Catholics, their plain words have created a great deal of in-terest. Rev. Father Kittel, in a sermon to his congregation, advised all his parishoners not to sign petitions for licenses. We purchase them direct and can guarantee, therefore, the greatest possible advantage in prices.

Linen Sheetings:

Rev. Dr. Purves has decided, as intimated previously, to accept the offered chair at Princeton. This determination has been officially communicated to his church. Three special numbers, pure Irish flax, and all marvels of value at the prices named:

> 21/2 yards wide, 85c a yard. 21/2 yards wide, 95c a yard. 21/2 yards wide, \$1.10 a yard.

A Business Tax Dispute. While both these reasons are no doubt factors in the delay, it is understood the principal one is that the members of the Appropriations Committee cannot come to-gether on a proposition to recommend the abolition of the business tax. One part of the committee led by W. A. Magee wants to abolish the tax entirely. On the other side, Councilman Keating opposes the proposition. He is not as radical as some other members, and is willing to allow a cut of one-hail or one-third in the business tax rate. The argument of those in favor of re-taining the tax is that it is legal, fair and as equitable as any tax existing. Any tax. The argument of those in layor of re-taining the tax is that it is legal, fair and as equitable as any tax existing. Any tax, they claim, is a hardship, but taxes are a necessity for all that, and this one as much so as any other. They maintain that there are many firms doing business in this city who own no property here, live in Allegheny or the suburbs, yet enjoy all the advantages and benefits of the city's commercial stand-ing, as well as her local improvements, by simply paying the business tax.
If it is abolished they pay nothing, and the revenue that they have properly paid must be drawn on the property holders. They admit that there are strong arguments in favor of abolishing the tax, but no more nor stronger ones than theirs to retain it, and which are supported by many of the prop-erty holding business men themselves.
W. A. Magee said yesterday: "I think the tax ongit to be abolished, and it will be if I can influence Councils to my way of think-ing. I believe there are already a majority of mebers in favor of the proposition."

A Reduction, Not an Abelition.

A. F. Keating said: "I think the tax an equitable one, and while it might do no harm to reduce it somewhat it should not be abolished entirely. You will flud few thorough-going business men who will op-pose this tax." The new classification rule of the city as-sessors was not greeted with as much favor as had been expected. There seemed to be many who thought it would not stand a legal test, but the assessors feel confident. Assessor Larkin, in discussing it, said: "I was in favor of adopting this plan three years ago, but was opposed by nearly everyone. Those who have given the mat-ter consideration now agree with me. I went to Philadelphia hast Monday to see how it operated there. That eity covers lift square miles, and their system of faxation is essentially similar to ours. The mode of as-sessment, however, is different. They have the city divided into 20 assessment districts, and in each two intelligent, competent as-ments one proposed in each two A. F. Keating said: "I think the tax an

years of age, and resided in Pittsburg over

years. She has no

Closely following the capture of two oung girl frequenters of Chinese opium ens, the story of whose escapade was told in THE DISPATCH, the police yesterday ncovered a shocking story in reference to two others, almost as young. Late Wednesday night Laura Gray, aged 14, and Ida Lewis, aged 15, were picked up by Officer McNeil at Sixth street and Penn avenue. The girls were wandering aim-lessly about, and could not give a good ac-

at Night by the Police for

a Heavy Sentence.

WILL BE SENT TO A REFORMATORY.

count of themselves, so the officer sent them to Central police station. They were kept there over night and yesterday morning on being closely questioned, made some

startling admissions. They said they had been out with Henry Yonkers, a cab driver, who had taken them to several places along the wharves. It was further ascertained that they had been guilty of a crime not defined in the diction-

to Yonkers that he was arrested later in the day by Detective Robinson. In the evening Yonkers was taken before Magistrate McKenus for a hearing. He had little defense to offer in rebuttal of the statements of the girls, who testified to cir-cumstances as disgusting as were ever pre-sented in the Magistrate's court. Yonkers was then sentenced to pay a fine of \$50 and costs or 90 days to the workhouse. What to do with the girls was the next question. It was finally decided to take them back to Central station and later send them to the Reform school at Morganza un-less their parents desired to take some other course. Lust night Mr. Lewis, father of the elder girl, came to Central station and took

PRIESTS TAKING SIDES.

War Raging at Johnstown

made it a condition in the deeds that no liquor was to be sold on the premises. There

Parves Is Going to Princeton

The Ladies.

The pleasant effect and perfect safety with which indices may use the California liquid laxative Syrup of Figs, under all conditions, makes it their favorite remedy. To get the true and genuine article, look for the manne of the California Fig Syrup Co., printed near the bottom of the package.

elder girl, came to Central station and took his daughter away with him. He says he will send her to some institution, as he con-siders this the only way to break her of her bad habits.

sity and charity.

Street Railways Knocked Out.

"It cannot be contended under the evi-dence that the object of the defendant was to do charity or supply a necessity; on the contrary, it is quite clear that he was influ-enced by the usual motives which govern men when following their wordly avocations, the securing of trade, gathering in a compensation and laying away of profit. If we decide that necessity and charity mean convenience and all things which contribute to satisfy individual taste, we emasculate the to satisfy individual taste, we emasculate the statute and sweep away the guard which the Legislature threw around not only the mornis of society, but the physical health and well being of its members. To do this would be for the Court to assume legislative functions. Our duty requires us to construe the statute so as to accomplish its purpose, which was to enforce an observance of Sun-day. In the case of Sparhawk versus Union Passenger Railway Company Judge Strong said:

"It is not for me, called as I am to admin-ister the law as it is, rather than as the de-fendants may think it ought to be, to decide that what is but affording a facility amounts to necessity. The Legislature has not ex-empted from the prohibition acts which may conduce to the convenience of individuals. conduce to the convenience of individuals, or even large portions of the people. It must be presumed they, considered what incon-veniences would follow a problicition of worldly labor on the Lord's day. In view of them, as well as of the evil following from the absence of a prohibition of such labor, they enacted the statute of 1794. Their con-trolling object was to protect the com-munity from vice and immonility. This they attempted to do by declaring illegal all worldly labor and business except works of charity and necessity. charity and necessity.

The Public Convenience Overlooked.

"'But they did overlook public and indi vidual inconvenience. In the proviso of the act they declared how far worldly labor might be done, not necessary to the agent but contributing to the necessity of the others. The enumeration in the proviso of things allowed to be done shows what was intended by excepting works of necessity

intended by excepting works of necessity from the prohibitory clause." "Without disregarding every principle established for the interpretation of statutes, as well as the uniform decisions of the Courts of the Commonwealth upon the statutes in question, we cannot hold the defendant exempt from the operation of the act of 1794. He is therefore adjudged endity."

guilty." In the case of the Commonwealth versus Joseph Beck the Court says: "The testimony In the case of the Commonwealth versus Joseph Beck the Court says: "The testimony on behalf of the Commonwealth established that the clerk was in the employ of the inton News Company, at the Pittsburg and dake Erie Railroad station, is the city of Pittsburg; that the stand of the Union News Company in question was open on Sunday, January 24, 182, and that the defendant sold thereata newspaper. The testimony of Mr. Burke, a witness called on behalf of the defense, was that at the stands of this com-pary the practice was to sell newspapers, periodicals and magazines on Sunday. It is clear that the defendant violated the act of 173, and he is adjudged guilty." In the appeal of S. J. Irvin the Court says: "It is established by the evidence in the case that the defendant, a clerk of the Union News Company at the Baltimore and Ohio Station, on Sunday, February 27, sold new-papiers at the stand. The same is found in the case of John Brinham, who sold papers at the Union News Company's stand at the Union Depot on February 27, and of Frank Will, who sold papers at the same place on sunday, February 27." The appeals were dismissed in three other cases, but no opinions were filed.

VOICE OF THE PEOPLE.

Leading Citizens Demand the Speedy Modi-

so," when seen has night, adding: "Tam in favor of modernizing the haw of 1794, and will give such a move all the support I can at the next session of the Legislature. It is an outrage that a few fanatics can distate to the people in 'a government of the peo-ple, for the people and by the peo-ple. The majority are usually in the right and the members of the Law and Order Society need not delute themselves with a belief that they can bring the people of this State to accept their terms. Three or four men with eizhteenth contury ideas cannot iorce the citizens of Pennsylvania to give up their Sunday newspapers. It can't be done, and from my knowledge of news-papers, I believe they will be issued on Sun-day even if every carrier is fined once a week. There is satisfaction, however, in knowing that after the Legislature meets the Law and Order Society will have nothing to stand on." Position of Mayor Gourley.

Mayor Gourley wasn't a bit frightened yesterday when he heard of Judge Porter's was his own witness. He showed himself

"I guess THE DISPATCH will come out the same way as usual next Sunday," he said, with a smile. "The Law and Order Society is making a good bluff, but it isn't big with a smile. "The Law and Order Society is making a good binf, but it isn't big enough to suppress the Sunday paper. I think they made a great mistake in attempt-ing the move they are making. A law and order society might do some good if it worked in the right way, but there is no use in attempting to remove a mountain with a force of a half dozen detectives aided with rools a hundred years old. A Sånday newspaper is a necessity in the common un-derstanding of the term, if not in law. It would be a serious affair to have the Sunday newspaper suppressed, but it seems ridicu-lous to think that the men who compose the Law and Order Society could even attract the attention of the public." Attorney Marron gave it as his opinion has night that before 1891 the Law and Order Society will be wrapped in a shrond made from dol Biue Laws, and be buried so deeply that McClure and all his detectives will not be able to dig it out is a thousand years. "And what a pleasant thing it will be to forzet," he continued. "Like the experience of the man who got on a church steeple to defy the lightning, a gust of wind will come along and blow it out of the earth's atmos phere. And as a matter of fact, it seems to me that the people in the Law and Order Society have no more common sense and are no closer allied to religion than the man on the church steeple daring the lightning." The Decision a Swerping One.

decision

The Decision a Sweeping One.

"Judge Porter's decision is certainly a sweeping one," said Morris Mead, Superin-tendent of the Bureau of Electricity, last night. "Sunday papers are a necessity, so are street cars, so are telephones, the tele-graph and railways. Conditions change in a century and the laws should conform to the advancement of conform to the advancement of civilization. The underlying principle of the old Blue Law is that anything that implies work is not a necessity. The law has no right to make flesh of one and flsh of another. There is a question of whether it is lawful for the servant to cook dinner on Sundays. Carry out the principle of the law and it is doubtuil if it is legal to have fire and police-men work on the first day of the week. When I came here 18 years ago there were only 160 fire boxes, now there are 265. There were no police telephones. Then there were no telephones of any kind, but now they are a necessary element of city government. "Knock out the telephones and the street railways and then see the difference. We need both to preserve the fires and property of the elitzens as well as in the appreiten-sion of criminals. Might just as well arrest every operator and the ele-raph and the blank will be as great. Sun-day is the only day for thousands of people to visit their friends and relatives. They cannot all afford carriages, and are they to be deprived of this simply because a could be at five thousand, there was no need for any such things. They could drop out the back door and in five minutes could be at the house of anyone within the circle of their acquaintance. In the Days of Old. civilization. The underlying principle of the

Leading Citizens Demand the Speedy Modification of the Blue Laws. As I understand them,
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Ministing Citizens Demand the Speedy Modified Porter is a construction of the State of the Citizens Distribution of the Citizens Distribution of the Citizens Distribution of the State of the Citizens Distribution of the Citizens Distribution of the Citizens Distribution of the State of the Citizens Distribution Distributi

Laws are a good thing in competing a large class who would not otherwise do so to re-frain from Sabbath breaking. I don't be-lieve in a free for all Sunday as they have in the Western cities, but no law should inter-fere with our Sunday newspapers and other convention and would have a special train of sleeping cars to Chicago and return. A rate of \$15 00 is expected including fare, sleeping car and hotel accommodations. The club will ieave Sunday evening, June 19, and arrive home Saturday evening, June

EIGHT FINES IMPOSED.

The Demand for a Modern Statute.

Chief E. M. Bigelow said: "There is but

one way to get rid of the annoyance caused

by those back-number laws. I should dis-like very much to see all restraints removed

from Sunday observance, because I think

the day should be properly remembered, but I am not an extremist. The Legisla-

ture should repeal the Blue Laws and

give us something modern. The railroads, the telegraph and the Sunday newspapers

A:derman Rohe Disposes of Another Batch of McC:ure's Sunday Newspaper Dealer Cases-One Newsboy Manages to Escape the Dire Sentence.

"Twenty-five and costs," said Alderman Rohe eight different times yesterday, and with each sentence one more dealer in Sunday newspapers was placed on the roll of

Eastern Papers Also in It.

Frank Tarner, the son of Jacob, was called next. Agent McClure was sworn and testi-

fied that young Tarner was caught in the act of calling out "New York and Philadelphia

papers" He wasn't accused of sell-ing any, but the startling state-ment that he had offered for sale the wicked publications from the East was considered evidence of a fault so grievous that he was given the usual \$25 and costs

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criminals as crime was understood in 1794. Agent McClure was his own atforney at the hearings yesterday and in a number of cases

Al Carlisle, the politician, returned last night from Washington. He is an entpusi-astic admirer of ex-President Cleveland. to have been a good customer of the Sunday papers on February 28, and if hard labor is to be rewarded, it was the general opinion of the speciators that in the one day's work Mr. Carlisle said: "Mark my word for one thing: Cleveland will be nominated and elected President. There will be no free coinage bill passed by Congress." he earned every cent of the \$3 331/2 he was or is to be paid by the L. and O. Attorney J. D. Brown conducted the defense, and on account of the number of cases to be heard did not raise as many objections as in

PICKED UP BY THE POLICE.

JOBN BURNS and William Morgan, 18-yearformer hearings. Notwithstanding the frequent boasts of old boys, were given a partial hearing last night before Alderman Succop for tapping a till.

Notwithstanding the frequent boasts of Agent McClure, an effort was made to con-vict a young newsboy for selling papers, but as the detective named one paper in the interman another in his testimony, Alderman Rohe discharged the case. Mc-Clure protested in his usual domineering way, but the Alderman wasn't in his usual Law and Order humor, and refused to be discated to. CHARLES WALKER, of Swissvale, arrested Tuesday for embezzlement of funds from the Morey Incandescent Light Company, was held for court yesterday by Alderman Gripp.

Law and Order humor, and refused to be dictated to. The first case called was that of Jacob Larner, who keeps the Union news stand at East Liberty. Larner wasn't accused of selling a paper himself, but it was claimed his son did in the stand kept by Larner, and in the eyes of the Law and Order Society the father is responsible for the sins of the son. Alderman Rohe thought so too, and shut off a controversy between Attorney Brown and Agent McClure with thint old familiar re-mark: "Twenty-five and costs." WILLIAM WARR, who was arrested Wedness day for the larceny of a \$75 diamond pin from Mrs. G. M. O'Daniel, of No. 78 Fulton street, was given a hearing yesterday after-noon by Magistrate Gripp, and was held for Court. He was sent to jail.

Court. He was sent to jail. William R. WARNER, a clerk in the Penn-sylvania Railroad offices, entered suit before Alderman Donovan yesterday charging Thomas Weithaus, the Liberty street hotel keeper, with keeping a ferocious dog, which has attacked him. Weithaus gave \$300 bail for a hearing Saturday.

JOHN BLOOM had a hearing before Alder man Burns yesterday on a charge of assault and battery, preferred by his wife, Maggie Bloom. Bloom and his wife live in Alle-gheny. She alleges that he came home in-toxicated, beat her and kicked her in the stomach. Bloom was held in \$500 ball for a trial by contr.

rial by court. A. A. ALLEN, the employment agent arrested Wednesday on three charges of ob-taining money under false pretenses, had a

hearing resterday morning before Alder-man Gripp. Several witnesses appeared against him, telling the story as related in THE DESATOR. The evidence was so Strong that Allen was held for court in \$4,600 bail. WILLIAM BLEIEL, better known as "Buck,"

WILLIAM BLEIEL, better known as "Buck," was given a hearing last evening before 'Squire Conrad, of Mt. Oliver, on the charge of the inceny of a pocketbook containing \$138. He was held for court, and gave ball for his appearance. The pocketbook was dropped in a Mt. Oliver incine car on Tues-day last by Mrs. Jos. Pastorius, of Spike-town, and Bleiel was seen to pick it up. GROBGE E. Far entered suit before Alde

grievous that he was given the usual \$25 and costs. McClure also appeared against James M. Sharp, a storekeeper at \$201 Carson street, from whom the Law and Order agent testi-fied he got a Press. On cross examination Mr. McClure stated that his eagle detective eye had noticed a young girl sweeping the pave-ment in front of the store as he entered. "Are you sure you purchased a Press from Mr. Sharp on Sunday, February 28," asked Mr. Brown. "I am," answered Mr. McClure. "Did you sell a Press to Mr. McClure on Sunday, February 28," asked Mr. Brown, turning to Mr. Sharp, who had been sworn. "I did not. I didn't sell a single paper last Sunday," answered Mr. Sharp, decisively. "Why, yes you did," interrupted McClure. Rohe Could Not See It That Way. GROBGE E. Fav entered suit before Alder-man Donovan Sesterday, charging R. W. Cartwright with aggravated assault and bat-tery. Fry is a conductor on the Pleasant Valley line, and Cartwright owns a hardware store on Federal street, Allegheny, near Erie storet. Fry alleges that Cartwright quar-reled with him over the payment of his fare, and that during the quarrel Cartwright struck him in the face with his clenched fist. Bohe Could Not See It That Way. "Not a single paper," responded Sharp. "At the time you claim you bought the paper I was eating my breakfast." McClure did not offer any more testimony, and Mr. Brown insisted that it was simply

LAWRENCE KAMINSKI and Michael Pelker

LAWRENCE KAMINEN and Michael Pelker-witz entered cross suits against each other before Alderman Kerr yesterday for assault and battery. The men were both employed at Carnegie's Thirty third street mill. The quarret originated over a joke, and Kamin-ski alleged that Pelkerwitz hit him over the head with an iron bar, and Pelkerwitz says Kaminski hit him in the face with his fist. Kaminski was discharged and Pelkerwitz was held for court.

PEOPLE COMING AND GOING.

Theodore Low, formerly of this city, but recently Division Engineer and Engineer of Maintenance of Way on the Notioik and Western Eallroad, has been made Superin-tendent of the Lynchburg and Durham di-vision of that line.

the city divided into 20 assessment districts, and in each two intelligent, competent as-sessors, one representing each of the two political parties, who are appointed by the court, and each paid a salary of 2000 a year. They make an assessment every year, and the valuations are kept at about 90 per cent of the actual cash value of property. I don't know what the total valuation of the city is, but it is no greater in proportion than ours. The Board off Revision, corresponding with our County Commissioners or Board of Assessors, revise the assessments and hear appeals, taking testimony from both sides. A member of the board told me on Wednes-day that they had never had a case appealed to court since the frontage system was adopted. Philadelphia has fixed its tax levy this year at 18.65 mills, but there doesn't seem to be any dissatisfaction over it." 19, and arrive nome Saturday evening, June 15. On motion the President was requested to invite C. F. McKenus, Esq., to deliver his illustrated lecture, describing his tour through Europe, before the club. Several amendments to the bylaws were made, one change putting the fhancelal management of the club in the bands of the trustees. The election of marching officers for the Chicago excursion will be held at the next meeting of the club. The trustees are working to arrange entertainments for the members, and expect to make Thursday night a popular one at the club. Invitations to prominent Democrats to make addresses have been extended. Fire new members were elected, and three applications for membership received.

For Beating David Hickey, Until Now He In

Al Carlisle's Predictions.

nue, is lying at his house in a very danger ous condition and his life is despaired of, his condition being the result of a beating given him by Officer Edward Cross on Saturgiven him by Officer Edward Cross on Satur-day night last. It is alleged that on Saturday night Officer Cross placed Hickey under arrest and be-cause the prisoner made some resistance the officer attacked him with his mace and beat him in a terrible manner. Since that time Hickey has been coufined to his bed, and yesterday erysipelas set in and threatens the young man's life. An information for aggravated assault and battery was lodged against Officer Cross before Alderman Bich-ards and a warrant was issued for his arrest. In the meantime Officer Cross was sus-pended by Superintendent O'Mara for too free use of the mace. *

TALES OF THE TWO CITIES.

DRS. BLUNBURG, Hechelman, Elterich and Heckel have been appointed as the medical staff of the Gusky Orphanage.

OFFICER CROSS SUSPENDED

Lying at Death's Door.

David Hickey, a resident of Webster ave

The daily report of the Bureau of Health for yesterday shows three new cases of scar-iatina and four new cases of diphtheria. WILLIAM CURTIS, inspector at the Troy Hill stables of the Pleasant Valley electric line, was severely burned about the face yest day by a flash of flame from a furnace in the stable.

DR. LEWIS D. RADEINSEY and William Ber wick, of McKeesport, were brought to the city yesterday and placed in jall to answer two serious charges at court. The plaintiff is Mary L. Wampler. "NANON" will be the bill at the Duquesn

Theater to-night and the rest of the week. Miss Marie Tempest will sing the title role. Miss Gracie Golden, who has not yet ap-peared tills week, will be seen in the cast. CAR No. 20 Birmingham line and car No. 23

Duquesne Traction line collided at the cor-ner of Sixth avenue and Smithfield steest hortly after 1 o'clock yesterday afternoon. toth cars were wrecked, but the passengers acaped injury.

JOHN MCKENNA, a brakeman of the shift

Calls' BROWN yesterusy received an om-cial communication from Chief Engineer Humphries, of the Buresu of Fire, complain-ing of the No. Shose furnished by the Eureka Hose Company. Since December 1 not less than 55 sections of 15 have burst under a pressure of from 60 to 369 pounds. Chief Brown says he will make the company fur-nish new hose for that burst.

60 years. She has no children living, but is the grandmother of Alderman Donovan, of this city: P. A. McCullough, the Penn ave-nue druggist, and Capitain John Brown, of the United States Army. During her life in Pittsburg, she made made many friends, the most of whom are now dead. She lived on Penn avenue, near Thirteenth street, be-fore she went to McKeesport. Last Week's Mortuary Report. The mortuary report of the Bureau of Health for the week ending February 27, 1892, shows: Deaths by diphtheria, 5; lung

ildren living, but

diseases, 11: convulsions, 6: pneumonia, 20; bronchitis, 9; total, 107. Of these 34 were under 1 year of age, 19 from 1 to 10 years of age, 6 from 10 to 20 years of age, 20 from 20 to 40 years, 14 from 40 to 60 years, 12 from 60 to 80 years, and 2 from 80 to 90 years.

The Gas Finally Killed Him. Thomas Ewing, the hack driver, living st the Boston Hotel, Fourth avenue, who failed

to turn off the gas property Wednesday night, and was found nearly suffocated, died at the Homeopathic Hospital last evening at 8 o'clock. Physicians revived him for a time, but he was beyond recovery, and slowly sank. His body was taken to the morgue, and an inquest will be held.

Killed by a Shower of Molten Metal. Word was received at the morgue last night that a Hungarian 21 years old, emhight that a Hungaran 21 years old, em-ployed at the Edgar Thomson Steel Works, Braddock, was killed last night by a shower of hot metal striking him. The man's name could not be learned. The body is at Rus-sell's undertaking rooms in Braddock, where an inquest will be held to-day.

The Citizens Organiz-

Arrangements were made yesterday by Thomas Liggett, Councilman Baum and others to permanently organize the inde-pendent voters of Pittsburg. It is intended to extend the organization into every ward in the city, and the promoters of the scheme have confidence that they will be able to control municipal affairs.

H. KLEBER & BRO.

No. 506 Wood Street, Pittsburg, Pa., Agents for the Wonderful Vocalion Church Organs.

An \$800 Vocalion guaranteed the equal of a \$2,500 pipe organ. The most marvelous invention of the age. Write for catalogues. Also agents for the celebrated Steinway, Conover and Opera pianos. Musical instru-ments of every description. Everything in the musical line at lowest prices.

SEE our special values in English suit-JOS. HORNE & CO.'S Penn Avenue Stores. ings at \$1.

BISQUE OF BEEF herbs and aromati regulates the liver, tones the stomach.

SINGLE MONTH

BEAUTIFUL

CUT GLASS

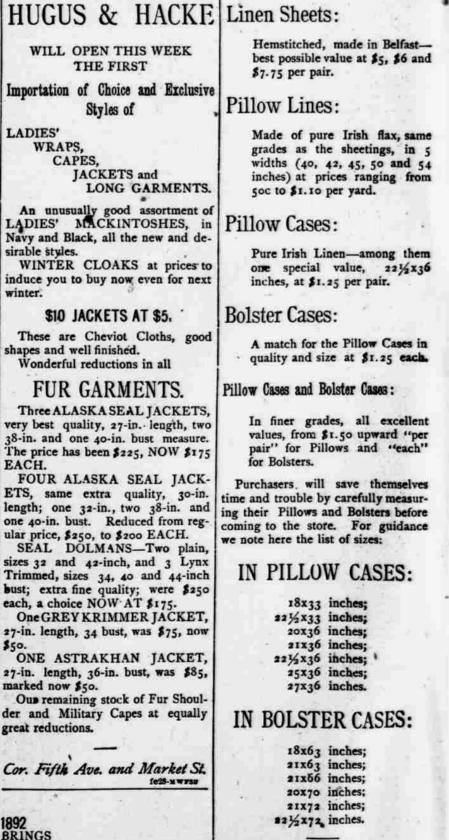
DESIGNS.

THE BEST EXHIBIT

MADE BY THE ADLETS FOR A

February, 1891, Adlets, . . 4,722 Increase due to Cent-a-Word, 4,023

The best previous increase for one month's small advertisements oc-curred in December last, when the gain was 3,011. These figures show the public's appreciation of a favorite medium for want advertising.



This complete Linen Department, stock direct from the manufacturers, in all grades and kinds of Linen The patterns this season are exceptionally rich in deep hold cuttings. Prices are more moderate, too. Excellent styles in Caraffes at 55, 55 and 58: Tumblers at 510, 515 and 520 dozen; Salad Bowis at 55, 510 and 515, and a host of novelties in Sherbet and Ice Cream Sets, Berry Rowis, Wine Sets, Pitchers, Fin-ger Rowis, etc. We devote one entire room to the display of Cut Glass. Goods, offers unexcelled advantages. Bear in mind that our spring importations are now on exhibition.

JOS. HORNE & CO. E. P. ROBERTS & SONS. FIFTH AVE. AND MARKET ST. 607-621 PENN AVE.

The body of James Folsey, who died at the Homeopathic Hospital yesterday, is hying at the Morgue. It was learned that Folsey came from Utica, N. Y., and his brother is quite an influential politician there. The Coroner telegraphed for in-structions, but at a late hour last night had received no response to his message. Last evening Peter Burns, who lives on Jones avenue, near Twenty-eighth street, notified the police at the Tweifth ward station that a man named Patrick Newell was lying at his home on Jones avenue sick with inflammatory rhuematism and that the family was in needy circumstances. The Department of Charities will be noti-fied. Caur BROWN yesterday received an off

ing crew in Jones & Laughlin's miliyard, had his left foot badly crushed yesterday afternoon. He was taken to the Southsido Hospital. It is not thought he will lose the THE Western Pennsylvania Humane So-

THE body of James Folsey, who died at

Was in February. The figures show: February, 1892, Adlets, . . 8,745

ciety yesterday received \$100 from Dr. John Morrison, of Canonsburg, and he was elected a life member of the society. Mr. Levi Wade, who was one of the first vice presidents of the society, contributed \$5, and was made a member of the society.