

## RAISING THE TAXES.

An Increase in the Present Levy Likely if Litigants Win Their Suits.

## CHAOS IN CITY FINANCES.

By the Abolition of the Board of Assessors and Their Work.

## ALL IMPROVEMENTS WOULD STOP.

Large Property Holders File a Far-Reaching Bill in Equity.

## VALUATIONS DECLARED EXCESSIVE.

A step that has been feared for several months by some of the city's more conservative officials, was taken yesterday by a number of property holders who recently appealed to court against the assessments of the city's Board of Assessors. It was in the shape of a bill in equity, filed in Common Pleas Court No. 1, and if all the claims in it are granted it will produce chaos from one end of the city to the other, and from which extrication will be a long and arduous task for months to come. The plaintiffs ask, in a word, that the whole triennial assessment, upon which the present year's tax rate is based, be annulled and set aside, and that the present year's taxes be collected on the assessment made by the ward assessors.

The first effect of such a ruling by the Court would be to stop the collection of taxes, stop work on city improvements, and eventually to compel either a new tax levy at a much higher rate than the present one, or the abandonment of many of the costly and much needed general improvements proposed for this year.

Afraid of Serious Results. When the triennial assessment was first announced and the objections from all quarters came in thick and fast, a few of those interested in the welfare of the city government expressed a fear that it might result in a complete overthrow of the assessment if anyone should take the necessary steps to that end. Subsequently, the assessors had a conference with a large delegation of attorneys representing the dissatisfied property owners, and it was generally but erroneously supposed that some plan had been arranged by which the appeals that had been filed in court would be settled. As the first complaints were simply filed in the form of appeals it was thought the present dangerous proceeding would not be attempted. Now that has come, the general belief is that serious results will follow.

The prominence and standing of those connected with this suit are evidence of its earnestness. The attorneys for the plaintiffs are D. D. Bruce, George Shiras, Jr., C. C. Dickey, W. E. Jennings and W. R. Negley. The plaintiffs are Paul H. Hacke, James McKay, Charles J. Clarke, Mary R. Murland, Rev. I. S. Hartley and wife, Frances M. White, Agnes G. White, Georgiana White, Joseph T. White, and I. S. Hartley, William White and Joseph Rafferty, trustees of Jane M. Ward; Alexander Murdoch, J. E. Murdoch and J. M. Shields, for themselves and such other owners of real estate and taxpayers of Pittsburgh as may see fit to join with them. The defendants are the city of Pittsburgh, J. F. Dennison, Treasurer; E. S. Morrow, Controller; W. R. Ford, Delinquent Tax Collector, and Frank P. Case, J. J. Larkin and Philip Hoer, Assessors.

Take Exception to the Assessment. The plaintiffs, after describing the property owned by them in various wards in the city, recite the triennial assessment made by the Assessors under the act of May 5, 1876, under which it is the duty of the Board of Assessors to take as a basis of assessment the duplicates of the assessments of the various wards as furnished to them by the County Commissioners, the said duplicates being the assessments made by the ward assessors. It is the duty of the Assessors, it is alleged, to simply revise, equalize or alter the assessments found on the duplicates of the Board of Assessors, if any errors or inequalities are found therein by the board on examination.

The board, it is charged, in making the triennial assessment in violation of the act, made it without having had copies of the ward duplicates furnished them, or having made any revision or equalization or examination, as required by law. The assessment was made, it is further charged, arbitrarily and in violation of the law, of all the real estate in the city before any ward duplicates were returned by the ward assessors, and that any attempted revision or equalization in the triennial assessment was made solely upon the said primary assessment, which differed from and was largely in excess of, that made by the ward assessors, afterward made.

Declare the Assessment Unenforceable. Under the third section of the act of 1876 it is the duty of the Board of Assessors to return to Councils in January of each year of the total value of the real estate and taxable property in the city with specifications of classification built up, rural or urban, agricultural property, including unimproved land. In February the board made a return and certified to the total value though at that time they had not had the duplicates of the ward assessors and had made no classification. The classification, it is charged, made after the return to Councils, was contrary to the act of 1876, arbitrary and illegal, and results in unequal taxation of the real estate. Continuing, the bill recites that after the millage of 12 mills was levied, the assessors, without authority of law, and receipts or exonerations to many taxpayers, amounting in all to over \$30,000, which receipts were accepted by the Treasurer and credit given to the taxpayers on their taxes for 1892.

It is charged that the assessment is not bona fide, but made at an excessive valuation and above the proper values for taxation purposes; far in excess of values as shown by the ward duplicate with intent to evade the constitutional limit fixed for the indebtedness of cities of this State, and to enable those who have charge of the expenditure of the city's money to make extravagant and uncalculated expenditures.

The Board of Assessors, it is next charged, has no valid and legal existence for the reason that the act of May 5, 1876, creating the board conflicts with section 20, article 3 of the Constitution, which prohibits the General Assembly from "delegating to any special commission any power to levy taxes or perform any municipal function whatever."

In conclusion, it is asked that the Court set aside the assessments as void and illegal because not made in compliance with the law and because the Board of Assessors have no authority to levy taxes or perform any municipal functions; also, that the city officials be restrained from collecting taxes or filing liens, or allowing exonerations, and that the assessments on the plaintiffs' properties be fixed at the values returned by the ward assessors and the city officers directed to give them receipts in full for this year's taxes on payments so determined by the millage on those valuations.

The assessors had not been notified of the

## TO FIX HIS FENCES.

Senator Quay Will Come to Pittsburgh in His Own Interest.

## ALARMED AT DALZELL'S STRENGTH.

He Arranges for the Republican County Chairman to Meet Him.

## LOCAL DEMOCRACY WELL WORKED UP.

The Republican chairman of all the counties in Western Pennsylvania will come to Pittsburgh to-morrow to confer with United States Senator Quay, who will be in the city at that time. The Senator will arrive in Pittsburgh either this evening or to-morrow morning. His most intimate friends and political lieutenants in the city have no definite information as to the exact time of his arrival. It is expected that he will arrive from Washington at his Beaver home to-day. The Republican chairman has been notified of his coming and all of them have been requested to meet him here. The Senator has arranged for rooms at the Hotel Duquesne where he will open his headquarters and will receive his constituents for one day only. Colonel Glenn, who is a candidate for Secretary of the State Committee, is already in Pittsburgh.

There is considerable speculation among the Republicans as to what political business Mr. Quay will have with the district leaders throughout the State, but it is generally admitted that his effort at this time is to arrange for the election of Quay members of the next Legislature.

There is yet considerable doubt about the action of the members of the Legislature even in those counties where Senator Quay carried the popular vote. The Dalzell people claim that in nearly every county where Quay carried the popular vote the Dalzell candidates for the Legislature have been endorsed and will be elected. This claim by the Dalzell people has not been publicly made, but it has been circulated to an extent, and has finally reached the Quay lieutenants and has set them to thinking and investigating, and this, it is claimed, has prompted Senator Quay in coming to Pittsburgh, and has also influenced him in the question of setting the place of the costs upon his claim.

## FORESTERS BANQUET.

One Hundred and Seventy-Five Delegates to the Annual Meeting of Foresters of America Attend the Annual Spread of the Order at the Central Hotel.

Langorous music, delicate perfumes and an atmosphere of festivity floated about the corridors of the Central Hotel last night and marked the holding of the banquet in the long dining parlors of the Ancient Order of Foresters of America.

The tables were loaded with the season's delicacies and the hearty jollity and good will of the guests marked the banquet as one of the most successful yet held. Just without the banquet rooms, partially hidden by the great shade leaves of palms, was the orchestra, from Hays Post No. 3, G. A. R., furnished by Joe D. Easton, and during the evening the soft, euphonious tones floated away from the banquet rooms.

About the table were seated the Foresters of the number of 175 and a tasty menu lay before each plate. At the head of the table seated the toast-master, the Hon. Alfred Marland. The toasts were carefully selected and interestingly responded to. The toast "Our Visiting Representatives" was responded to by El Moon, of Philadelphia. The other toasts were "The City of Brotherly Love," responded to by Thomas Stevenson, "Pittsburgh," by Thomas J. Ford; "The Ladies," by G. A. Thompson, Jr.; and "The Press," by T. J. Miller.

The morning and afternoon sessions were devoted to the consideration of amendments to the State laws and constitution of the grand lodge.

## A MOTHER'S GREAT GRIEF.

She May Die on Account of Her Son's Arrest.

James McGuy and William Hughes, of the Twenty-fourth ward, Southside, and employed in the Republic Iron Works, were arrested last night by Officer Brown on the charge of being suspicious persons. They were suspected of robbing an old man named John Ryan, a laborer for the Pittsburgh, Virginia and Charleston Railroad.

Ryan was thought to be drunk, and when last seen he was in company of the two suspects. About 11 o'clock yesterday morning he was robbed of \$10 in money and other personal effects. They are both in the Twenty-fourth ward police station, and will be given a hearing this morning.

Hughes' father called at the police station and wanted to bail him out, but could not do so. He said the young man's mother was prostrated over the affair. She had been seriously ill for some time past and was getting better. She is now unable to talk, and it is feared she will die. The old man left, saying the boy would have his mother's funeral to attend as soon as he got out.

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Members of the Old M. T. Church in Social Remembrance.

The first session of the closing exercises of the First M. T. Church was held in the old building last night. It was a social reunion of the members and friends of the church. Rev. J. F. Dyer made some remarks about the past of the church, and of what it had to do in the future. The large crowd broke up in groups, and the partaking of some light refreshments, told and retold stories of the old building. Later in the evening there were a number of impromptu speeches.

To-night all the societies of the church will meet, and Rev. D. S. Stephens will make a talk on Sunday appropriate farewells services will be held.

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He is Scheduled to Give Pittsburgh a White Coat To-Day.

Those who were out in the world early enough this morning no doubt saw where Jack Frost had made his bed. At least the weather people were banking last night on having frost this morning, but not enough to hurt the fruit. This depends on how the weather clears during the night, and all indications were strong against such a turn.

This spell of cold weather, which is causing so many hard things to be said, is not an unusual thing. Every year now a little Jack of winter can be expected during the month of May.

All of yesterday the temperature hovered at 50, neither gaining nor losing. This is considered an unusual thing by the weather forecasters.

The Lost Found.

Wednesday evening somebody broke into the yards of the Storage Company, at the foot of Twenty-sixth street, and carried off several valuable iron castings. Last evening Officer Sam Miller found them under the trestle work, between Twenty-fifth and Twenty-sixth streets, on the river bank.

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## WILL TURN ON THE LIGHT.

Sheriff Shumaker Denies Having Struck His Inmate Prisoner, and He Threatens to Sue for Slander—He is Notified to Appear at the Inquest.

## MORE POWER THAN THE CHIEFS.

He Can Annul All Contracts by Refusing to Sign Them.

## AN OPPORTUNITY TO MAKE MILLIONS.

A question of considerable importance was raised at City Hall yesterday in connection with the fight now on between the Mayor and Controller on one side and the department chiefs and City Councils on the other, in which is involved the Mayor's right to approve or disapprove city contracts.

The claim is made, and it seems well founded, that if the Controller's position as indicated in his communication to Councils last Monday, is sustained by the courts, the Mayor will have far more absolute power in the letting of contracts than the department chiefs and Councils combined.

In fact he will be able, it is claimed, to simply doing nothing when a contract distasteful to him, either for legal, personal or other reasons, is presented, to totally prevent its being awarded or carried out in any way. The same line of argument, it is claimed, makes every contract entered into for the city since 1874, including the nine or ten years of the present Controller's tenure of office, illegal, and every dollar of the many millions expended has been improperly and illegally spent.

The Mayor Must Approve. Briefly stated, the Controller's position is that the approval of a contract or any other measure of Councils is either a joint resolution of Councils or must be by joint resolution, and as such must go to the Mayor for approval.

The general verdict of City Hall people is that the Controller's position is untenable and the customs of Congress and various State Legislatures are quoted to show it. It is claimed that when the charter act of 1887 gave to the chiefs of departments executive powers equaling the Mayor's, it was intended to give them supervision of the city, it authorized them to enter into any contract or other agreement necessary in the operation of their department, subject to the approval of Councils.

If it had been intended by the framers of that act to give the Mayor the authority to annul the contracts of the chiefs, they would have inserted some provision for having a contract passed over the Mayor's disapproval, it is claimed, instead of leaving it so that if the chiefs refuse to sign a contract, it would fall and could not be signed by any other power in the city government be awarded or carried out. That, it is claimed, would be the result if the Controller's position should prove to be correct.

Neglect to Sign Would Veto. If a contract for building a free bridge, for instance, should come before the Mayor, not necessarily the present incumbent, but his successor, and he should have some reason not to wish the successful bidder to get the contract, all he would need to do would be to refuse to sign the contract. That would settle it. No bridge could be built until a contractor agreeable to the Mayor received the award, or until a new Mayor would be elected.

There is no provision anywhere in the city laws for the Mayor's signature to a contract. In the case of an ordinance or resolution it is provided that if the Mayor fails to show his approval in writing, or either by his signature or his veto, within a period of ten days after final passage, the measure becomes a law, and if he chooses to veto a three-fifths vote of Councils is necessary to pass over the disapproval. There is nothing of the kind in the case of a contract.

It is claimed, however, that the Controller is wrong on this question, despite his quotations from the law and apparent familiarity with the subject, unless the charter act itself is unconstitutional. As to that point, it is claimed no act could be constitutional that would give the executive more power than the legislative body over which his authority extends. One section of the charter act says:

"The head of each department shall make monthly reports to Councils of the condition of his department, showing the number of employees, the character of contracts made by his department, the state of its finances and of other matters which he may deem worthy of their consideration."

Arguments of the Other Side. As there is no provision for the Mayor's consideration of the contracts of a department, the above is quoted as showing Councils' friends that the chiefs have power to award contracts. The ordinance passed to put the charter act into effect, they say, is sufficient. It provides that the chiefs may let contracts subject to the approval of Councils, and it is claimed, nothing further is necessary—the ordinance covers all. Any number of contracts can be let under it, as any number have been let since its passage. The same line of argument, it is claimed, that would give the Mayor the right to approve a contract would require his signature to every pay roll of every bureau of the city government every month in the year, and they could not be paid without it.

All the discussion going on in relation to this important subject refers to the principle, not the present Mayor. The ground is generally taken that the present Mayor cannot be executed by the chiefs, and possibly a corruptible person might some day get the place. If politically biased he could practically stop the wheels of government and let contracts for \$100,000 a year out of his office—if the Controller's position is correct.

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Mothers, Bring Your Little Ones To Amfrech's gallery, 71 Fifth avenue, and get 12 cabinets for \$1 or a life-size crayon for \$3.50.

## THE MAYOR ABSOLUTE.

Controller Morrow's Position, if Correct, Gives the Executive MORE POWER THAN THE CHIEFS.

## HE CAN ANNUL ALL CONTRACTS BY REFUSING TO SIGN THEM.

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## THE PRODUCT TOO LARGE.

Blast Furnaces Are Being Operated Too Steadily to Allow Much Improvement in That Business—The Output for the Month of May.

## CONTINUATION OF OUR GREAT BARGAIN SALE.

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## SPRING DRESS GOODS.

We call your attention this morning to the following entirely new items. They are fully in keeping with the spirit of this great sale. The goods at the prices will speak for themselves. Come this morning:

## A CHANGE TO RAPID TRANSIT.

The Contract Let for the Equipment of the West End Road. At a meeting of the West End Street Railway Company yesterday afternoon the contract for the equipment was awarded to the Westinghouse Company. The order is for 25 cars, which will require 50 motors and four 100 horse power generators.

Booth & Fling yesterday commenced tearing up the old tracks, and it is expected the change to a rapid transit line will be completed by August.

NO matter where your rooms are located if they are desirable they can be rented by advertising in the To Let Rooms Cent & Word Columns of the Daily and Sunday DISPATCH.

## WHEN IT COMES TO YOUTH'S SHOES.

## SIMEN.

Will give you values that for service and general makeup, combined with low prices, will save you money.

Youths' Veal Calf Tip Button Shoes at \$1; Sizes 11 to 2, Solid Leather.

Unequaled for Wear.