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# THE MAYOR'S POWER

To Annul a Municipal Contract by Refusing to Sign It Now

BEING TESTED IN THE COURTS.

A Widow Asks \$20,000 Damages for Her Husband's Life.

STREET ACT OF 1856 IS SUSTAINED

The necessity and legality of the Mayor approving the awarding of contracts has at last reached the courts for adjudication. Yesterday, in Common Pleas No. 3, a rule was issued on Controller Morrow to show cause why he should not countersign a warrant for the payment of a bill proper-Iv contracted.

The petition for the mandamus was filed by Johns McCleave, attorney for Henry & McCance, who are in the feed business. The petitioners state that under an ordinance of April, 1891, Chiel Brown, of the Department of Public Safety, advertised for proposals for furnishing feed, etc., for the horses of the department. On April 14, 1892, Henry & McCance submitted their bid on feed, hay, onts, corn, bran, etc., and filed their bond in the sum of \$40,000. The filed their bond in the sum of \$40,000. The Controller submitted the bids to Chief Brown in the Conneil Chamber, and he awarded the contract to Henry & McCance. On April 25 Conneils approved the award, and the contract was made. In accordance with it the petitioners fur-nished the teed, etc., and at the end of June, 1892, submitted their bill for the feed transford for the twomth. The bill

furnished for that month. The bill, amounting to \$509 81, was presented to the Controller. He, however, refused to countersign the warrant for its payment because the contract had not igen presented to the Mayor for his approval. The petitioners claim such approval is not neces-sary and want the Controller compelled by a mandamus to sign the warrant. The rule issued is returnable September

10, when the case will be argued.

# KILLED BY A BRAKE-WHEEL

# Mrs. McMu'len Asks \$20,000 Damages for

Her Husband's Death, A statement was filed yesterday in the suit brought by Mrs. Celia McMullen against Carnegie Bros. & Co., Limited. She asks \$20,000 damages for the death of her husband, Hugh McMullen, who was an employe of the company. He was em-ployed as a brakeman in the mill yard of the Elgar Thomson Steel Works in Brad-dock. On November 11, 1891, it was stated he was thrown from a car by a brake-wheel flying loose. He fell on the track and was run over, dying in a few hours. The accident, it is charged, is due to the thread on the break-rod having become worn and the company, it was held, was responsible. Twenty thousand dollars damages are asked for his wite and children.

## SUSTAINED THE ACT

### Governing the Opening of Streets In Boroughs.

Judge Porter yesterday handed down a decision in a stated case between the borough of Sewickley and S. D. Jennings. The case involved the repealing of an act of 1856, relative to the opening, widening, etc., of streets, by the act of 1891, and con-cerned the jurisdiction of the 'Quarter Sessions Court. Jennings had refused to pay an assessment made by a Board of Viewers

an assessment made by a Board of Viewers appointed by the Quarter Sessions Court on the ground given. Judge Porter, however, held that the act of 1856 was not repealed, the Quarter Sessions Court had power and judgment should be entered in favor of the borough for the amount of the assessment.

Sues a City Contractor.

One of Them Has a Running Fight With United States Marshals and Escapes-Pursuit of the Murderers of George Wellman Ends in a Hard Battle. BUFFALO, WYO., July 25 .- When Tom Hathaway was under arrest on suspicion of murdering George Wellman last May there was found no evidence him and he was released. At the time it was stated that Hathaway evidently knew more than he

TERRORS OF THE WEST.

divulged. He was subsequently arrested by the United States Marshal and taken to Cheyenne where he made a confession im-plicating three men in the murder. Yesterday morning Deputy United States Marshals Hale and Smith accompanied by Scouts Frank Geroud and Little Bat, of Fort McKinney, and Robinson, left Buffalo in the direction of Gillette. At Stone Ranch they found Jack Long and a man named Starr, whom they attempted to ar-rest. Long was secured, but Starr escaped on his horse and was followed by Deputy Smith, and a running fight was kept up for several miles. Starr when close pushed, stopped on top of a knoll where he could stand off the marshals. In this manner he escaped. Cheyenne where he made a confession im-

escaped

escaped. Conflicting reports have been brought in, but the best found ed information is that Long was taken in Suggs a prisoner with Scont Geroud. The two entered a saloon, when Long's friends attempted a rescue. During the fight which followed Long and others were wounded. A courier left Suggs while the fight was in progress and the re-sult is not known. The Marshals and posse were sumed with remeating shotkyma loaded suit is not known. The Marshais and posse were armed with repeating shotguns loaded with buckshot and the chances are that a number of men are wounded. Authentic information is anxiously awaited. Keiser, the soldier who is in jail in Buffalo, has mentioned the names of Smith, Tarlander are being connected with

Taylor and Long as being connected with the plot in May to burn down Ft. McKinney. Little credence is given to his state-ments by the officers of the fort, as he has the reputation of being unreliable. It is evident that a number of soldiers were in the plot to destroy Ft. McKinney, but evi-dence showing the head instigators of the scheme has not been made public. Well-man at the time of his murder had been recently commissioned a deputy United States Marshal, since which event the United States has sought to discover his murderers.

# FOUGHT FOR HOURS.

Picnickers Indulge in a Pattle Which Lasts Until Many Are Injured-Trouble Started by Shell Game Fakirs, Who Ply a Profitable Business.

MASCOUTAH, ILL, July 25 .- News has just reached here of a bloody riot at a Turner pionic at Queensiake, seven mites south-east of here, in Clinton county, late last evening. The fight lasted about two hours, and was bloody from start to finish. Six strangers, thought to be from St. Louis, came to Queenslake in the morning and ran a shell game near the picnic grounds during the day. A number of men lost

during the day. A number of men lost heavily betting on the games. Toward evening a dispute arose between one of the manipulators of the shells and an outsider. The trouble soon spread and a free fight followed, in which revolvers, knives, slingshots and clubs were used in a reckless fashion. When the north-bound St. Louis train on the Louisville and Nash-ville Railroad rescind Ouasuslate the fighville Railroad reached Queenslake the fight was at its height. Coach windows were was at its height. Coach windows were broken and lamps smashed, but fortunately no passengers were injured. An eye wit-ness said there appeared to be 25 men in-volved in the fight when the train pulled out. The gamblers finally gave up the fight and took to the woods and made their escape. Twe or three of them are badly hurt, but the full extent of their injuries is not known. not known.

Upon the other side Peter Miller, a hotel Upon the other side Peter Miller, a notei keeper of Venedy, was cut up in a frightful manner, and it is thought cannot live. David Sheldon, a nail mill worker of Belle-ville, was shot four times and had his finger mashed off. He is also in a very bad con-dition. Joseph Miller, of New Memphis, had one ear cut off and one eye knocked

John Lawler yesterday entered suit out. George Kraut and Herman Miller, of



THE

The 8c, 10c, 121/2c CHALLIES all placed on one counter at 4c. This includes all the extra widths and the 121/2c Printed Crepes. About 500 yards of WOOL CHALLIES

in short ends go at IOc yard.

1Oc will now buy these regular 40c goods.

Back on the next counter are about 200 REMNANTS of WOOL DRESS GOODS which we will sell at the following rates:

40c goods at about 17c per yard; 50c goods at about 21c per yard;

75c goods at about 41c per yard;

\$1 and \$1.25 goods at about 63c per yard. Now, turn to the Silk Counter. A lot of SILKS in PRINTED INDIAS and JAPANESE at 25c per yard, in short lengths.

\$1 and \$1.25 CHANGEABLE PRINT-ED INDIA SILKS at 50c per yard-the last cut.

\$1.50 and \$1.75 Indias (our best qualities) all at 80c per yard.

Please remember that our GINGHAMS are the celebrated D. & J. Anderson's choicest styles (no high class patterns reserved) and we sell them at 17c, not 25c, 31c and 40c as you pay elsewhere.

ollars reduced.

ANDERSON BLOCK.

OFFICE, 106 GRANT ST.



435-MARKET STREET.-437

E'D rather take \$5 to \$10 less for our Made-to-Measure Suits than to carry them to next year. You'll find \$20 and \$25 Suits better value than ever. Same can



against Evan Jones, the contractor, for \$5,000 damages for injuries. Lawler was employed by Jones when the latter was constructing the Thirty-third street sewer. On August 4, 1890, Lawler was up on a derrick when the guy ropes gave way and the derrick fell. Lawler was carried with it and in the fall had both legs crushed and broken and was otherwise badly hurt.

# Objects to Being Arrested.

Andrew Phartresser yesterday entered suit against William Brose for damages for alleged false arrest. He alleges that on July 20, Brose sued him before 'Squire Wehnes for larceny. He was arrested, but as the charge was false upon receiving a hearing he was discharged. He now wants damages. A capias was issued for Brose's arrest.

# BRAVERY OF A MOTHER.

### She Resca-s Her Child at the Expense of Her Own Safety-Her Baby Girl Was Saved, but She Was Probably Fatally Irjured.

LONG BRANCH, N. J., July 25 -A thrilling scene was enacted last evening in front of the Star Hotel, in which Mrs. Mary Ruhling performed an act of bravery which saved her child from a horrible death, although she may lose her own life.

Mrs. Ruhling, with her two children. Katie, aged three, and Edna, aged three months, board at the Star Hotel. The trains of the New Jersey Southern Railroad pass this house. Last evening, while seated on the piazza holding her infant daughter Edna in her arms, she was startled by hear-ing screams and looking up saw her little daughter Katie on the railroad track in front of an approaching engine which was coming from the West End. Without hesi-tating and still holding her baby in her arms Mrs. Ruhling rushed trantically to the rescue of her child.

She paid no heed to the shouts of a dozen persons to keep back. The engineer saw the dauger of Mrs. Ruhling and her two children and reversed the engine. Mrs. Ruhling dragged little Katie from the track when the locomotive was but a few yards away. Almost the next instant the brave mother was struck by the cow-catcher and thrown a considerable distance from the track. The baby was knocked out of her arms and fell a tew feet from where Mrs. Buhling lay bleeding and unconscious.

Physicians, after making an examination of Mrs. Ruhling, found that she had received a severe gash in the head and a dis-located hip and internal injuries. The baby was not seriously hurt. Mrs. Ruhling regained consciousness an hour after the accident and asked it her children had been killed.

#### Horses and Mules,

Horses and Mules, The Arnheim Live Stock Company (lim-ited), at 52 Second avenue, Pittsburg Pa., have just received 75 ined of draught, carri-age, speedy roadster and general purpose horses. Anyone wishing to purchase a horse or a team should not fail to call at their stables. They guarantee to sell for less money and their stock give better satisfac-tion than any other dealers in Western Pennsylvania. They take pleasure in show-ing their stock to all who may call, if wish-ing to buy or not. Their mule yard on Second avenue is filled with 300 head of choice pit and draught mules, all well broken.

# REAL ESTATE SAVINGS BANK, LIM.,

401 Smithfield Street, Cor. Fourth Avenue Capital, \$100,000. Surplus, \$75,000. Deposits of \$1 and upward received and nterest allowed at 4 per cent. TTS

For Sair.

A full blooded Percheron mare, hazel dark gray, four years old, registry N 14,284, at Arabein Live Stock Company (limited) stables, 52 Second avenue, Pittaburg, Pa. Full pedigree will be given to purchaser.

Queeuslake, were also badly used up. A dozen more were more or less injured, but none seriously besides those named. It was reported here that one man was shot upon the railroad trestle and fell into the lake. The report cannot be confirmed.

# ENIGHTS ON A PILCRIMAGE.

#### Thousands of Them Will Leave for the Encampment at Denver Next Month.

CHICAGO, July 25.-Chicago Knights Templar will be well represented at the Twenty-fifth Triennial Encampment to be held at Denver, August 9 to 13. S. O. Spring, of Peoria, the Grand Commander of the Illinois Grand Commandery, has been actively engaged for months preparing for the departure. Although too early to give a correct list of the Sir Knights in Chi-cago who will attend the conclave, it is estimated that fully 1,000 will leave this city, and from 2,000 to 3,000 in the State at

large. The extremely low rates that have been inaugurated by the Santa Fe road will st-tract many outsiders, and it is safe to say that Illinois will send at least 5,000 people to witness the opening ceremonies at Den-ver. The Grand Commandery of Illinois will be escorted by Peoria Commandery No. 3, and the trip will be made over the Chicago, Burlington & Quincy Railroad.

# TWO BOSTONIANS IN JAIL.

#### They Have Four Serious Charges Entered Greenough Street and Gas Alley. Against Them.

James Monroe and George Weaver were brought from Boston, three miles above Mc-Keesport, yesterday and placed in jail for trial at court. There are four cases against Monroe. He is charged with entering a building with intent to commit a felony and three charges of larceny against him. There is one charge of larceny against Weaver.

'Squire Richardson sent the men in to jail, but further particulars are unavailable, except that Weaver is held in default of \$2,500 bail.

