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EIGHT PAGES—56 COLUMNS. SCRANTON, PA., FRIDAY MORNING, JULY 13, 1894. TWO CENTS A COPY.

THE TRIBUNE HAS A LARGER BONA FIDE CIRCULATION AMONG SCRANTON BUSINESS MEN THAN ANY OTHER MORNING PAPER

DEBS' SEASON OF EXALTATION IS AT AN END

Indications That the End of the Strike Is Not Far Away.

THOUSANDS APPLY FOR WORK

Business About Chicago Begins to Show Signs of Returning Vitality.

A FEW BUTCHERS JOIN THE STRIKE

Yet at the Stock Yards All is Life and Activity—The Situation Improving Daily—From Present Appearance the City Has No Further Need of Troops—Trains are Moving With Regularity and Business, Which Has Been in a State of Stagnation, Begins to Display Signs of Life. The Work of the Grand Jury is Continued and Many Witnesses Testify—President Agrees to Appoint an Investigating Committee.

CHICAGO, July 12.—Several heavy trains were sent in and out during the day. Of the 5,000 butchers in the yards less than 500 went out in compliance with the appeal of Grand Master Workman Sovereign, the remainder continuing at work.

The federal grand jury examined a large number of witnesses today concerning the sayings and doings of the officers and directors of the Railway union. Some of these were newspaper reporters who were asked to testify concerning the accuracy of interviews with President Debs and Vice-President Howard that had been printed in their papers. In one case a reporter declined to affirm an interview which he had written on the ground that it had been made by the blue pencil of the copy reader, while two others refused to respond to the interrogatories on the ground that statements to them in the reporter's capacity were privileged. The correspondents have been ordered to reappear before the grand jury tomorrow.

Many of the questions put to the witnesses today related to what was designated as "frenzied utterances" on the part of Debs and other officers of the union. This gave rise to the rumor that indictments for treason might be supplemented for those already found against the officers of the union. District Attorney Mitchell, however, denied that anything of the kind was contemplated.

A COMMISSION SECURED.

President Will Select Committee to Investigate Labor Troubles When the Strike is Over.

WASHINGTON, D. C., July 12.—President Cleveland informed a committee representing organized labor this afternoon that he would in the near future appoint a commission composed of three members of whom the United States commissioner of labor will be the chairman, under chapter 1, L. 63 of the laws of 1887 to inquire into and investigate thoroughly the causes leading up to the present labor disturbances of the country. This announcement was made at the executive mansion at 5 o'clock to J. W. Hayes, general secretary of the Knights of Labor; T. B. McGuire and C. A. French.

These gentlemen were called by an appointment arranged earlier in the day. They were shown into the president's working room, where they presented their credentials and made formal application to the president to appoint a board of arbitration under the law of 1888.

The president listened to the labor men as they presented their views, and then told them that as a condition precedent to making such an appointment, all strikes must be called off by organized labor and all violence and mob rule cease. He informed them that law and order must be restored before he took any steps looking in the direction of ascertaining the causes that produced the present condition of affairs. United States troops would be still retained in the disturbed sections to see that the order of the United States courts was enforced, inter-state traffic must be resumed and peace restored throughout the country. The labor committee was given to understand that this commission would be appointed apart from any demands made by the strikers for arbitration. In fact the commission would have under the law no power to arbitrate, but simply to investigate and report its conclusions to the president and to congress.

Private Secretary Thurber late tonight authorized the following statement in regard to the president's intended appointment of a commission: "Senator Kyle introduced to the president by appointment this afternoon a committee representing various labor organizations, who applied to him for the appointment of a committee to investigate the causes of the late strike and the occasion of the controversy between certain railroads which were affected thereby and their employees. The law passed on the first of October, 1888, especially authorizes the appointment of such a commission and defines its duties. It provides that the commissioner of labor shall be chairman and that two other commissioners shall be appointed by the president. It is apparent to the president that the parties were entitled to such a commission, under the law, he determined to organize it for investigation. The commissioners to be appointed by him have been selected and it will probably be a number of days before the appointments are announced."

GEORGE ON A RAMPAGE.

He Swears a Crowd With Wild Utterances at Cooper Union.

NEW YORK, July 12.—The labor demonstration at Cooper Union tonight was one of the most extraordinary outpourings of people ever seen in this city. It was a meeting which expressed indignation in the loudest way against the kidnapping and hooding of the name of President Cleveland so vehemently that Henry George, who was speaking, had to cry "what's the use?"

Daniel Harris, who presided, in a brief speech introduced Mr. George, who was the star speaker of the evening. He was more than usually vehement in denunciations of the use of federal troops to put down the strikers. In the stand they took, he said, Governor Altgeld and Governor Watts were right and the action of the president in sending troops was an arrogant assumption of authority. He would rather see all the railroad property in the country burned—all the rails torn up than to see them preserved by force of arms. The millionaires had made their money by robbery and debauchery—their purchases of judges and legislators—and now they wanted to preserve them by the bayonet. Then Mr. George entered into a lengthy condemnation of President Cleveland, who he said, from the first had taken the part of the capitalists against the strikers.

Nearly everybody seemed to have a remedy. Mr. George, however, differed from all their suggestions. He said the system would have to be fundamentally changed.

THE NERVE OF MR. COMPERS.

Requests the President of the United States to Come to Chicago.

CHICAGO, July 12.—The only action taken at the afternoon session of the labor conference called by President Compers of the American Federation of Labor, was the sending of a telegram to President Cleveland earnestly requesting him to come in person or send a representative to attend the conference. The telegram was as follows: "To the President of the United States: The gravity of the industrial situation of the country demands extraordinary and exceptional action of a conciliatory character at the hands of all men. Recognizing this fact the executive committee of the American Federation of Labor, and the undersigned, executive officers of the National and International trade unions and brotherhoods of railroad organization of America, are in conference in this city. We ask you, in the name of the working people and the entire citizenship of our country, to lend your influence and give your aid, so that the present industrial crisis may be brought to an end and to the advantage of the people of the country and the institution under which we live. We therefore ask you to come to Chicago, or if the state of public business does not warrant such a course, that you will designate some one as your representative. Sincerely yours, J. W. Hayes, general secretary of the American Federation of Labor and the four vice-presidents of the federation, Secretary Chris Evans and Treasurer J. Leonard and other executive officers of National and International unions, brotherhoods and associations.

WILL ENFORCE THE LAWS.

President Cleveland Refuses to Be Interviewed by Labor Leaders Until the Strike is Settled.

WASHINGTON, July 12.—J. W. Hayes, the general secretary of the Knights of Labor, T. B. McGuire and C. A. French, members of the executive board, who have been in Washington for the past three days in consultation with members of congress and local labor leaders will leave Washington tomorrow without accomplishing anything definite. Messrs. Hayes and French will return to Philadelphia, while Mr. McGuire has been called to Chicago by General Master Workman Sovereign. Since he has been here Mr. McGuire has had daily talks over the long distance telephone with Mr. Sovereign. McGuire declared his belief this evening that the strike might last three months longer. "It will cost the railroad a good deal of money before we get through," he said, "and they certainly will not be able to make any dividends for some time to come."

MEETING OF ENDEAVORERS.

Thousands of Young Christians Swam the Streets of Cleveland.

CLEVELAND, July 12.—The Christian Endeavor convention managers are filled with enthusiasm tonight over the unexpected success of the meeting in point of numbers. Evidently the people have recovered from their panic over the railway strike and are coming out to the streets as rapidly as the railroads can carry them. Special and regular trains have followed each other into the city all day loaded to overflowing with young people wearing tie bags of the society.

SOME STRIKE STATISTICS.

Interesting Reading for Labor Agitators. Furnished by Mr. Ballou.

HARRISBURG, Pa., July 12.—The forthcoming report of Albert S. Ballou, chief of the bureau of industrial statistics, contains complete statistics of the strikes that occurred in the states during the year. There were fifty-three strikes, or twice as many as occurred in 1892. Thirty-four of these were by the coal miners in the bituminous coal regions, 4 among iron and steel workers, 4 among carpet weavers, 2 among cotton weavers, 1 among oil mill manufacturers' employees, 2 among cloakmakers, and 1 among journeymen plasterers.

TRAMP'S COWARDLY DEED.

Violently Assaults a Defenseless Woman at Chester.

CHESTER, Pa., July 12.—A brutal assault that will probably result in the death of Mrs. Annie Deavers, was committed by a supposed tramp this afternoon at her home, Third and Reany streets. Mrs. Deavers, who is a widow 35 years of age, was alone in the house and went upstairs. A rough looking fellow met her at the top of the stairs and demanded money, at the same time throwing a cloth over her head and twisting it tightly around her throat. With this disengaged hand he struck the woman over the head with a heavy chair, and then, knocking her senseless to the floor, where he pressed his knees upon her breast and gagged and bound her.

REBELLED AGAINST ARTHUR.

Twenty-Eight Engineers Refuse to Go Out with Non-Union Crews.

COLUMBUS, O., July 12.—Twenty-eight engineers on the Columbus,ocking Valley and Toledo have rebelled against Chief Arthur's orders and refused to go out with non-union crews. Two trains left the Hocking Valley yards this forenoon—one the regular freight to Adams and the other a special train manned by twenty-five police to break the coal blockade at Nelsonville.

ACT OF A JEALOUS ARTIST.

Shatters His Sweetheart's Jaw and Then Commits Suicide.

NEW HAVEN, Conn., July 12.—Frank Dame, aged 34, a painter, this morning attempted to murder his sweetheart, Miss Georgia Allen, during a fit of jealous rage, and then shot himself in the temple. The wound he inflicted with a bullet passed through Miss Allen's jaw knocking out several teeth. The wound is not supposed to be fatal. Dame when found was unconscious and died shortly after 11 o'clock without regaining consciousness. Miss Allen's jaw is shattered and there are fears of blood poisoning.

WEATHER FORECAST.

WASHINGTON, July 12.—Forecast for Friday: For Eastern Pennsylvania, fair; continued warm; southwest winds; warm. South New Jersey, for Western Pennsylvania, generally fair; continued warm west winds.

THEY WILL NOW NEED NEW JOBS

County Controllership Law is Declared Unconstitutional by the Supreme Court.

JUSTICE MITCHELL'S OPINION

The Act Pronounced Invalid Because It Achieves Things in Its Body That Are Not Clearly Specified in Its Title—The Sentence Passed Upon Ex-Banker Rockefeller by the Luzerne Court is Affirmed by the Higher Tribunal.

PHILADELPHIA, July 12.

JUSTICE MITCHELL in the supreme court today rendered an important decision in the case Attorney General vs. Samuel W. S. Rockefeller, appellant from the common pleas court of Schuylkill county. The opinion is in full follows:

The act of July 8, 1893, P. L. 303, which does not in express terms prohibit the office of county auditors in counties having more than 100,000 inhabitants, does so in effect, transferring their duties and powers to a county controller. This is the manifest intent of the act, as gathered from all its provisions and as expressly indicated in section 1 which directs the election of a controller "in place of a county auditor," and section 15 which expressly abolishes the office of county auditors, and transfers the duties and powers thereof to the county controller. Such transfer, even without an express legislative intent, is the result of the act. The power and authority and jurisdiction of an office are the essence of the office itself, and are inseparable from it. To take them away totally is to destroy the office. Com. V. S. Act vs. Philadelphia, 121 Pa. 347, 351, 352, 353, 354.

The title of the act under consideration is "An act creating the office of county controller in counties of this Commonwealth containing 100,000 inhabitants and over, prescribing his duties." In this there is no indication of the purpose and effect of the act, and it is not clear from the title, so far as appears in the title, that the act is merely cumulative, in providing an additional county controller in counties of the above specified population in lieu of the county auditor, but that those who are familiar with the duties as existing in Philadelphia and Allegheny, would know that they are many the same as those of auditors in other counties, and therefore, the act is not cumulative. The object of that requirement is that legislators and others interested, shall receive direct notice in immediate connection with the act, of the subject, so that they may know or be put upon inquiry as to its provisions and their effect. Suggestions or inferences which are not clearly stated in the act, are not to be drawn. The constitution requires that the notice shall be contained in the title itself. In re, Road Co. vs. Philadelphia, 121 Pa. 347, 351, 352, 353, 354.

As this defect in the title is decisive of the constitutionality of the act, it is not necessary to discuss the other objections raised to it. Judgment reversed. ROCKEFELLOW'S SENTENCE AFFIRMED. Judge Fell headed down the opinion of the court in the case of the commonwealth vs. F. V. Rockefeller, in which the judgment of the quarter sessions of Luzerne county in sentencing the defendant to two years for embezzlement was affirmed. In disposing of the case Judge Fell said:

The only exceptions that required notice relate to the sufficiency of the indictment, which was drawn under the act of May 9, 1887. The act provides that any banker who shall receive money from a depositor with the knowledge that he (the banker) at the time involved shall be guilty of embezzlement. The indictment charges that the defendant, being a banker, and knowing that he was insolvent, received money from a depositor. The averment in the indictment being the language of the act, and is in substantial compliance with the rules of criminal pleading. The offense clearly and distinctly defined is the fraudulent receipt of the money of a depositor. The act is not to be nullified because it is called embezzlement, but by a construction which reads into the provisions the definition of that offense. The word is not well chosen but it is not necessary to discuss the propriety of its use. The indictment is sufficient and the trial is confirmed.

ROCKEFELLOW WILL BE TAKEN TO THE PENITENTIARY NEXT WEEK.

WILKES BARRE, Pa., July 12.—Ex-Banker F. V. Rockefeller, who was convicted yesterday of embezzlement, was committed to prison for the second time this afternoon. At the January session of the criminal court he was sentenced by Judge Lynch to two years and two months in the Eastern penitentiary. His counsel took an appeal to the supreme court later on. Today the court handed down a decision sustaining the lower court.

The county detective went to the banker's home and notified him to prepare to be re-committed. The parting between the aged banker and his family was a very effective one. He will be taken to the penitentiary some time next week.

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Neighbors found Mrs. Deavers with a broken jaw, her head cut in several places and otherwise injured. Her chances of recovery are doubtful. The fellow escaped, but the police and a crowd of excited citizens are searching for him.

PROGRESS MADE IN THE SENATE

Business Rushed Through Without the Usual Extended Debates.

THE STAR CHAMBER CONFERENCE

Republican Senators Are Excluded from Tariff Conferences—Sundry Civil Appropriation Bill Presented. The House Makes Its Best Record, Passing an Even Dozen Important Measures—Post Office Appropriation Bill Awaits President's Signature.

WASHINGTON, July 12.—Progress made by the senate today in the matter of the annual appropriation bills was on a par with that inaugurated by it at the beginning of the present week. Bills which in previous congresses have provoked long debates and occupied the time of the senate for days and weeks have slipped through during the few days, making Tuesday an important day. And if the same shall be maintained, there is no reason why the last of the great appropriations should not be cleared off the senate calendar with the close of this week or early next week. No less than five of them were passed before the adjournment on Wednesday and are now in the hands of conference committees. These were the naval, pension, military academy and diplomatic and consular, and one—the post office bill—has gone to the president.

PREDETERMINED TO HANG.

All Efforts to Save the Murderer of Carter Harrison Have Failed.

CHICAGO, July 12.—Prendergast must die on the gallows tomorrow. The last hope of escape from capital punishment was closed today for the murderer of Carter H. Harrison, Oct. 23 last. A more protracted and showier effort to save a murderer from death has never been made by lawyers for a client in the history of American jurisprudence. At 4 o'clock this afternoon the attorneys for the state and prisoner appeared in Judge Grosscup's court, he informed them that he had decided to overrule the motion for an appeal to the United States supreme court, which carried with it a refusal to issue an order for a stay of execution. This is the last straw which will break Prendergast's neck, as Governor Altgeld had in the morning telegraphed to the attorneys for the defense refusing their application for a reprieve.

STAR CHAMBER CONFERENCES.

The unusual, if not unprecedented, circumstances of having the conferences on the tariff bill, confined, so far, to the Democratic managers of the two houses, excluding the Republican conference, today, when it passed on the calendar are the result of a resolution offered by Mr. Hale, of Maine, directing the chairman of the senate conference, Mr. Voorhees, to inform the senate whether a full and free conference is being held. The resolution went over, under the rule, and will come up in the morning hour tomorrow.

RECORD OF THE HOUSE.

The house made its best record, except upon the passage of private pension bills, today, when it passed an even dozen bills of general character and agreed to senate amendments to two others. These latter were the more important, however, being the bill to provide for the admission of Utah into the union, and the post-office appropriation bill for the year ending June 30, 1895. They now go to the president for his signature, and if he acts promptly the post office bill will be the first to become a law.

DEFENSIVE ARMOR PLATE.

The Carnegie Harveysted Curved Steel is Easily Performed.

WASHINGTON, D. C., July 12.—Naval ordnance officers today fired two 12 inch projectiles at the Carnegie 17 inch harveysted curved steel plate, typical of 367 tons of armor, constituting one of the heaviest pieces of the United States battery of the battleship Oregon. The plate weighed 76,000 pounds, behaved under fire in a remarkable way, resisting the first shot, which had a velocity of 1,410 feet per second and utterly failing to stop the second shot, which went entirely through and pierced the 30 inches of oak planking.

TWO SERIOUS MINE ACCIDENTS.

Driver Boy John Lee Instantly Crushed to Death at Twin Shaft.

PITTSBURGH, Pa., July 12.—Two serious mining accidents, one of which had a fatal result, occurred here today. John Lee, aged 16, a driver boy in the Twin shaft of the Newton Coal company was killed just at quitting time this evening by being crushed between cars. Lee's body was taken to the family residence on Lambert street.

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150 Full Eleven-Quarter Marseilles Quilts at \$1.25 Each

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Opening Day

Next THURSDAY and FRIDAY, of Weichel's New Jewelry Store.

Every lady caller will receive a souvenir. Everybody welcome.

W. J. WEICHEL

The Jeweler, 408 Spruce Street.