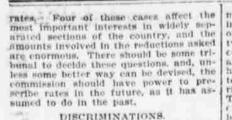
THE SCRANTON TRIBUNE-FRIDAY MORNING, DECEMBER 17, 1897.



The lack of power to prescribe maxi-mum reasonable rates also affects er-ders of the commission prohibiling disindividcriminations in rates between uals, commodities, or localities. Here the trader instead of the consumer or producer is more often affected, and as large money interests are often involved, there would be no lack of a complainant to prosecute. Usually the only way to corroct the discrimination is to change the rate, and there can be nothing in the way of reparation for wrong done in the past, particularly where the case is one of rel-ative rates to different localities, under the undue preference clause of the law. The commission having no power to pre-scribe a rate for the future, it may follow that it can not fix a differential as between related charges, and this should be covered by any legislation had upon this subject. One class of discriminations the commission never had power to cor-rect, even when It assumed authority to prescribe maximum rates. Such discrim-inations arise where service for compet-ing localities is rendered by different and ing localities is rendered by different and independent lines, as well as by a com-mon line. Competition by a line reach-ing only one of the places often pre-vents compliance by the others. The most bituelly contested cases before the commission are of this character. Here it is necessary to have power to fix the minimum as well as the meximum charse. While such power would pracince. While such power would prac-ally nover be exercised, it should ex-in order to secure observance of difchappe. tically' ccential rates and to prevent undue pref-

If the commission is given power to fix a rate, how are its orders to be made of-fective and what is to be the attitude of the courts toward such orders" if the The to fixed by a commission, the right of judicial inquiry may be secured by proceedings to directly review the order tixing the rate. A case before the com-mission proceeds exactly as it would procord in court, but its order now amounts to nothing. The carrier incurs no pen-alty ar loss if it chooses to disobey. In a suit brought in court to enforce the order, the testimony must be entirely retained, and neither party is confined to what was done before the commission. This over: usually decides upon a differ-ent state of facts, and when it refuses to enforce the order it apparently decides that the order was wrong, though upon the facts before the commission it may have been absolutely right. Some effect about be given to the trial before the commission. The present procedure tends tering the commission into discourte, and is growdy unfair to it and complain-ants who appear before it. The delay involved in an attempt to enforce an or-der of the commission in the courts is unjust and often fatal to regulation. The injust and often faint to regulation. The average time involved has been four years. The power of a regulating body, however limited, should be canable of tunnediate application. The carrier has now nothing to lose and everything to gain by continuing to charge the ex-cessive rate. Shippers are also deterred by the delay from bringing complaints. for while the case is pending the carrier may ruin the competing shipper in va-rious ways. If the commission could grant speedy relief this would not hap-

JUDICIAL REVIEW.

The testimony before the commission should be the record before the court, and the court should instruct the commission to take and send up any additional testimony found necessary. Penal-tics should be provided for disobedience ufficient to make compliance certain Provision should also be made for appli-cation to the court to enforce the order cation to the court to enforce the order by mandatory process. The problem of regulation is important and delicate, but the necessity for regulation is universally recognized. The act to regulate com-merce was passed in obedicate to pop-ular demand and to remedy admitted order to wards.

merce law, While the commission can. h a halting fashion, correct some forms of discriminations, adjust differences be tweer carriers and shippers informally conduct investigations and make reports and publish statistical information, it has, by virtue of judicial decision, ceased to be a body for the regulation of carrietz. Congress should understand this. The pecple should no longer look to the commission for a protection it is powerless to extend.

JOHN MORGAN HANGED.

Story of the Terrible Crime of Which He Was (onvicted.

Ripley, W. Va., Dec. 16 .- John Morgan was hanged here th's afternoon The drop fell without any unusual ineldents, except that Morgan broke down Curing the forenoon and spent the time erying. He recovered so as to go on the scaffold with composure The triple crime for which John Morgan was hanged was without oppar-

And Marken by

ent motive Mrs. Edward Greene, a widow, aged 70, her two daughters by her first husband, Alice and Matilda Pfost, and her son, James Greene, aged 20, lived a short distance from Ripley. An intimate friend was John Morgan, whom Mrs. Greene had taken in as an orphan boy and given a home. About three years ago he married, and fived apart from his benefactors. He was on friendly terms with them, however, and on Wednesday evening, Nov. 4. called at the house, and was invited to remain. About 4 o'clock the next morning Greene went out to feed the stock, accompanied by Morgan, who soon returned to the house alone. While the young women were busy with the breakfast preparations, Mr. Morgan suddenly picked up a hatchet and assaulted Matilda Pfost, striking her twice on the head. Morgan then turned upon Alice Pfost and felled her with the hatchet. Alice fled in a halfconscious condition, and gave the alarm. In the meantime, Morgan forced his way into the room of old Mrs. Greene, and after a desperate struggle on her part, slashed her to pieces with a hatchet. James Greene's mutilated body was found near the corn crib. Morgan was shortly afterward captured in the woods. The following day he was indicted, arraignes for trial, and confessed.

MISS DEKALB'S STRANGE CALLER.

Visitor Departs Without Seeing the "Woman in Black."

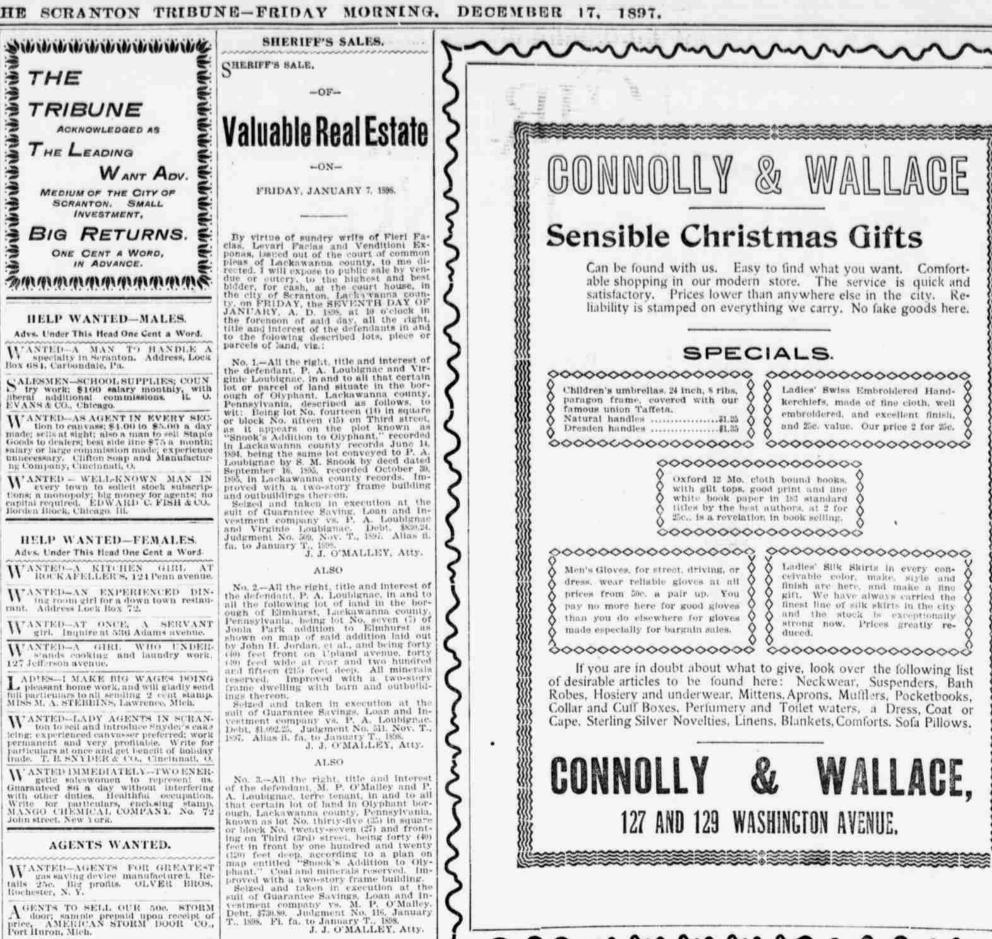
Norristown, Pa., Dec. 16 .- Yesterday afternoon a strange woman hovered around the entrance to the jail, and as she passed slowly up and down the sidewalk in the rain she paused now and then as though desirous to enter the structure.

Finally she asked a pedestrian if he thought the keeper would allow her to

asked the man. "Lizzle DeKalb," was her faltering reply. "I knew her once." The woman was advised to see the district attorney, but disappeared without making any further effort to reach the cell of "the woman in black."

James A. Clemmer, the other suspect ed accomplice in the Kaiser murder, was visited this morning by his father and a woman supposed to be the younger Clemmer's wife. Clemmer and the woman had a tearful conference, during which the prisoner's father gave way to weeping. The elder Clemmer says that, while the accused man has been wayward, he does not believe him guilty of the charge against him. Clemmer and Miss DeKalb will have a further hearing next Tuesday, when

it is expected, Edward F, Kane will appear as counsel for the former.



ALSO

K LONDIKE - AGENTS WANTED FOR Jarge illustrated book of Klondike, five No. 4.-All the right, title, interest, claim or demand, in law or equity, of Os-car Mayor, in and to the following de-scribed land: Being all that certain pieces or parcel of land situate in the township of Scott, county of Lackawanna, and state of Pennsylvania, hounded and de-scribed as follows: On the westerly side by public road leading to Green Grove, on the northerly side by road leading from said last mentioned road to Brown Hol-low, and also by lands of Newton, Win-ters and Gardner, on the casterly and southerly sides by lands of the Henry Church estate. Being the same premises conveyed to Edward C. Dimmick by deeds of Charles E. Silvius and wife and Louisa S. Silvius, duly recorded. Also the barn lot situate on the westerhundred pages; price \$1.50; outfit 10c, Ad-dress NATIONAL PUBLISHING CO₀ Lake-side Building, Chicago, Iii. WANTED-SOLICITORS: NO DELIVER-ing, no coalecting; position permanent; par weekly; state age. GLEN BROTHERS, nochester, N. Y. A GENTS-WHAT ARE YOU GOING TO do about Safe Clitzenship-price \$1. Go-ing by thousands. Address NICHOLS, Naperville, III A GENTS-TO SELL OUR PRACTICAL gold, silver, nickel and copper electro plasters; prices from \$3 upward; salary and expenses paid; outfit free. Address, wita stamp, MICHIGAN MFG CO., Calcago.

that certain lot of land in the city of Scranton, county of Lackawanna, and state of Pennsylvania, bounded and de-scribed as follows to wit: Being the cast-erly part of lot number (wenty-three (23)) in block furnher 'Sixty-three (53) of the Lackawanna iron and Coal Company's plot of lots, intended to be duly registered and recorded; said lot facing on Quincy avenue and being forty (19) feet in width on Quincy avenue, same in the rear; the lot being rectangular and ninety feet in depth, but ten (20) feet in depth of the frontage of said lot is restricted to bay-S. Silvius, duly recorded. Also the barn lot situate on the wester-ity side — the atoresaid road leading to Green Grove, as described in deed for the same from James Wheeler and wife to said Edward C. Dimmick. The two pieces or parcels of land contain seventy-five acres of land, more or less. All improved with one frame dwellnig house, two barns, basement and sheds attached, one granary and orchard. Being the same A GENTS-TO SELL CIGARS TO DEALS barns, basement and sheds attached, one gramary and orchard. Being the same premises which Edward C. Dimmick, by article of agreement dated the thirty-fist day of December, 189-, agreed then and convey to the said Oscar Mayo. Selzed and taken in execution at the suit of Joan Du Pout Dimmick and La-vina E. Dimmick, executive, of Edward C. Dimmick, deceased. Debt. \$3,501.38, Judg-ment No. 354, Nov. T., 1897. Altas fl. fa. to January T., 1898. RUSSELL, DIMMICK, Atty.

ALSO

SILVERSTONE, AMUSEMENTS. The Eye Specialist Academy of Music WHOSE offer is a MDDODLD

and his prices for spor

New Ice.

WELL, SAY. Have you examined the stock of Guns, Foot Balls

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PRACTICAL TINNERS and PLUMBERS

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PDOPID to the proper care of than elsewhere. A lass mentable indifferences to the proper care of the eyes seem to pass

Reis & Burgunder, Lessees. H. R. Long, Local Manager.

Thursday, Friday and Saturday, Usual Matinees.

that demand and to preserve an even of the years has demonstrated the necessity and jus-tice of such an act. As that law has been interpreted there can be no ef-fective regulation of interstate carriers. and if this is to be the act must be amended. A tribunal which can stand for justice and fairness between these carriers and the people must have power to fix a maximum rate, to fix a minimum rate in certain instances, and its orders must mean something.

BATE CUTTING.

It is one thing to scenre publication of the proper rate and another thing to secure adherence to it. Under the statute it is a criminal offense for a rail-way official to give, or a shipper to take, less than the tariff rate. At first it was impossible to obtain evidence of such rate because witnesses could not be compelled to criminate themselves. This was cured by an amendment of the law, which the Supreme court held constitu-tional in the Brown case. After that de-cision railroad managers loudly protest-ed their intention to maintain rates, but it soon began to be charged, and even tactify admitted by railway officials, that tariff rates were disregarded. In a re-cent investigation by the commission, officers of railways engaged in traffic to the Atlantic seaboard, who must have known whether rates had been departed from testified without exception that they had in all cases been maintained. Novertheless, the fact is well understood to be otherwise. The large shipper, trust, monopoly, reups the benefit of these cuts. The small shipper pays the full rate The honest shipper may be prevented from doing business at all. The same is also true with carriers. As a rule they want to obey the law. Under exist-ing conditions dishonest railway officials and dishonest shippers may compel ev-ery competing railway and every com-peting shipper to be dishonest also or withdraw from the business. How far this outrageous situation extends the commission has no knowledge, but it is certain that it exists to a considerable vitas, who may commit such offences extent; and that there is pressing need of a remedy is not denied. The carriers standing at his door, raising another flag claim that the remedy lies in the passage of a pooling bill.

POOLING.

As to the wisdom of this legislation the commission is not agreed. A major-ity of the commission think that pooling would improve the rate situation, and the present condition is so disastrous that they would be inclined to inderse in good faith any way out of it; but if pooling produces any beneficial results it necessarily does so at the expense of competition. By legalizing pooling the public loses the only protection if now has positive associated with the view of transportation agencies. Still, in view of the whole situation, a majority of the commission would be inclined to recommend that the expedient be tried if suitable safeguards are provided in advance; but this recommendation must be taken only with the limitation stated. The members of the interstate commerce commission wish to say in the strongest possible terms that they are unanimous in the opinion that to overturn the Trans-Missouri decision, to repeal the fifth section of the interstate-commerce act and cract in its place a pooling bill, thereby permitting and inviting unlimited com-

bernalting and withing minimited com-bination between carriers, would be lit-tle better than a crime against the peo-ple of the Collted States, unless this tribunal, or some other tribunal is at the same time invested with adequate powers of control, and that nothing less adverte that the product of the set than those outlined in thi port or their equivalent would be adeutinte

dut the commission also points out that congress is not powerloss to remedy the existing cvil of rate cutting without the second secon the system under which national banks exist. This is not now recommended, however, The commission does carnest-ly recommend that congress undertake the revision of the entire interstate comJAPAN'S PROTEST.

They are Not Satisfied With Hawaiian Annexation.

San Francisco, Dec. 16 .- Advices from Japan say the cabinet found that the absolute protest against Hawalian annexation was of no avail, and it concluded that it would be advisable to yield a point, and while not objecting to annexation itself to make an effort to insure the protection of Japanese interests. The United States government will be asked to guarantie that the annexation of Hawaii shall not interfere with the advantage hereto possessed by Jupan in the island. This will constitute the scope of Japan's policy even should congress

approve of annexation.

WORSE EVEN THAN WEYLER! From the New York Sun

The decree of Don Agustin Latorre, miltary commander of Nuevilas, was printed officially in La Lucha of Flavana, on Dec. 6. It has no parallel in the history of modern warfare. The famous decree issued in 1872 by Captain General Vatma-seda, a cruel law that aroused General Grant to indignation and drew forth the ringing protest of Secretary Hamilton Fish, is mild when compared with La-torre's inhuman order. Valmasela made war against non-combatants in the open country, but his decree gave them at least a chance to escape by hoisting a white flag, as a signal of neutrality, on the top of their dwellings. Latorre condemns to death, without previous trial or even the slight formalities of a Spanish courtmartial, any person "without distinction of sex or age," living in the city of Nuestanding at his door, raising another flag than that of Spain, even if the offender is a consul, or seeking refuge with women and children within the wall of a Spanish fortress. Defenceless women children two years old, aged people of either sex, are to be shot for such "offences," if the brutal order of the Spanish commander is sufficient.

enforced. This leaves Weyler far behind. Wey-

ler never dared openly to decree the mas-sacre of women and children. He never devied in an official proclamation the right of foreigners to seek protection in times of war under the neutral colors of their nation in order to avoid death at the hands of one or the other of the bei-ligerents. Weyler never formally ordered Spanish addiers to use their weapons against women and children fleeing for their lives. The authenticity of Latorre's decree cannot be questioned. It is an official document printed in a Span-ich newspaper. It is a notorious fact that every line published in Havana has been revised previously and authorized by two press censors of the captain general's of-fice and size docube the sector of the fice, and also by the secretary of the con-tain general, who affixes his seal to the eriginal copies before they are given to the press.

Is this Soulu's new-born magnanimity to the Cuban people? Is this Spain a change of policy after the reign of terror under Don Valeriano Weyler?

FURNISHED ROOMS FOR RENT.

Advs. Under This Head One Cent a Word, PARLOR BEDROOM, first floor, Suitable for two gentlemen, 635 Adams avenue

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CORNS, BUNIONS AND INGROWING mails cured without the least pain of drawing blood. Consultation and advices given free. E. M. HETZEL, Chiropodist, 380 Lackawanna avenue. Ladies attended at their residence if desired. Charges moder-ate.

A ers: 825 weekly and expenses: experi-ence annecessary. CONSOLIDATED MFG CO., 48 Van Euren SL, Chicago. FOR RENT. Advs. Under This Head One Cent a Word. JONES, 311 SPRUCE STREET-HOUSES stores, apartments. JONES, 311 Spruce street. S COND FLOOR OF 212 PENN AVENUE

D eight rooms, bath, modern improve-ments, P. W. STOKES, Attorney, 136 Wyoming avenue. $\overline{E}^{\rm 1GHT-ROOM HOUSE, BATH, MODERN}_{\rm improvements, 700 Electric avenue, Green Ridge, P. W. STOKES, Attorney, 136 Wyoming avenue.$

FOR SALE. Advs. Under This Head One Cent a Word. FOR SALE-ONE 20-HORSE POWER boiler, as good as new. THE WESTON MILL CO.

LOST. Advs. Under This Head One Cent a Word.

LOST-SMALL PACKAGE CONTAINING silk nandkerchief and neekwear, Finder will be rewarded if roturned to HAND & PAYNE, 203 Washington avenue.

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JONES, HEADQUARTERS FOR BEST, central, Scranton real estate Finest J central. Scranton real estate Finest central city lots for sale on easy terms at low price, with guaranteed title, near stores, tow pree, with guaranteed title, hear stores, churches, thenters, depoist payed strees, sewers, steam heat; rapid conancement; best investment. Seven minutes walk from postoffice Send or call for circular, JONES, Real Estate, 311 Sprace street.

VALUABLE FARM FOR SALE SIT-V ALUABLE FARM FOR SALE SIT-vated on the south side of Summit rake, in Newton township, six miles from Seranton, containing S5 acres, 55 acres in-proved, the balance covered with valuable timizer. Good fruit, good build ngs, good so i and well watered. Price, six thousand do hus, half down, the balance in yearly payments to suit purchaser, secured on premases. For information inquire of M. H. COON, Clark's Green.

SITUATIONS WANTED.

SITUATION WANTED-AS TEAMSTER, Statement of any kind of work. D. E. watchman or any kind of work. IL, 1201 Hampton street, city. STUATION WANTED-BY RELIABLE

main as night watch man, or any honest employment. r. R.J., 307 Oak street. CITUATION WANTED-YOUNG MAR-

N ried ann, can speak German and English, work of any kind; bartending pre-ferred. Address, A. H. B., 516 Pittston STORE.

S ITUATION WANTED-BY A YOUNG immu to take cars of borses or to do any kind of work. Address, M. J. F., 342 Eim street

E MPLOYMENT WANTED-BY A RE-table man as clerk, bookkeeper or tutor Expectations moderate. Hox 341. Dun-Expectati more, Pa

SITUATION WANTED BY A YOUNG man, 26 years of age: willing to work at most anything; can furnish good reference; temperate. Address, M. C. K., Tribunc office.

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STRUCTION WANTED-BY A BOY 10 years of ago, speaks three tanguages. For store, salous or increased boy. Apply o G. S., 715 Moosic strept ENPERIENCED BOOKKEEPER AND

clork desires situation Best references; st have work. Address Box 295, Dunmare, Pau

WANTED-BY A MIDDLE AGED ENG-inchilady, a simulion as housekeeper in a small family, wares no object to a good home. Address Mrs. M. A. COOK, General D-fivery, scranton, Pa.

depth, but ten (10) feet in depth of the frontage of said lot is restricted to bay-windows, porches, vaults and the like, as reserved in deed of the Lackawanna Iron and Coal company to W. H. Squarey, dated March 25th 1585 and recorded in the office for recording deals, etc. In and for Lackawanna county in deed book No. is, page 388, etc. Coal and min-rals re-served. Improved with a three-story frame dwelling house and outbuildings thereon. Frame dwelling house and output seized and taken in execution at the suit of Amelia S. Haupt vs. S. Y. Haupt, Debt, \$2,25,00, Judgment No. 350, Sep-tember T., 1897, Aluss fl. fa. to January T., 1898, WARREN & KNAPP, Attys.

WARREN & KNAPP, Auys.

SHERIFF'S SALES

ALSO

No. 8.-All the right, title and interest f the defendant, Emily A. H. Doyle, in nd to all that certain lot, piece or parcel f land, situate in Lehigh township, cour-

and to all that certain lot, piece of parcel of land, situate in Lebigh township, coun-ty of Lackawanna, and state of Pennsyl-vania, surveyed to Temple Hinds and ad-poining other lands of said Emily A. H. Doyle, and containing 49 acres of land, be the same more or less. Seized and taken in execution at the suit of C. Stegmaler & Son vs. Emily A. H. Doyle, Dobt 5200,00 Judgment No. 279, March Term, 1856. FL fat. to January T., 1898. M'LAIN & GIBBONS, Attys.

M'LAIN & GIBBONS, Attys.

ALSO Snyder's celebrated

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ALSO No. 9.-All the right, title and interest of the defendant, E. Damal, executor of Titus Hack, et al. deceased, in and to all that certain half lot or parcel of land, sit-uate, lying and being in the city of Scran-ton. Lackawanna county, and state of Pennsylvania, hounded and described as follows, to wit: Being the southerly half of lot num-bered twenty-three (23). In squares or block number forty-nine (49), and situate upon street called and known as Crown ave-nue, according to the Pawnee Coal Com-pan's plot of land in the city of Scranton. Said half lot being rectangular in shape. 25 feet in width in front, one said ave-

Said half lot being rectangular in shape. 25 feet in width in front, one said ave-nue, the same in rear, and 149 feet in depth. Excepting and reserving, however, to the legal owners thereof, all coal and min-eral beneath the surface of said lot, in the same manner and to the same extent, and subject to the same conditions, as the coal is reserved in said half lot in the fol-lowing two deeds, to wilt: 11) Margaret Simon, et. al., exceutors of Frederick Simon, to the heirs and logal representatives of Titus Hack, dated 29th day of April, 1855, and recorded in deed book No. H& gage 15. Improved with a two-story frame dwelling house and out-buildings thereon. Seized and taken in execution at the

Seized and taken in execution at the nit of Henry Winkler vs. E. Damal, ex-cutor of Titus Hack, deceased. Debt. [257,55] Judgment 'No. 692. November T. V. El & to Lowney Terms 1897.

1857. Fi. fa. to January Torm. 1858. ZIMMERMAN, Atty.



PERTY IS STRUCK OFF AND BALANCE IN CASH IMMEDIATELY AFTER SALE IS CONCLUDED. WHEN SOLD FOR COSTS, COSTS MUST BE PAID WHEN K cost price? It will pay struck OFF. STRUCK OFF.

ALL PROPERTIES ON WHICH ABOVE TERMS HAVE NOT BEEN COMPLIED WITH WILL BE RESOLD BEFORE AD-JOURNMENT.

FRANK H. CLEMONS, Sheriff.

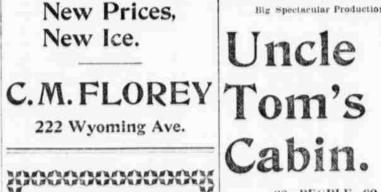
Sheriff's office, Scranton, Pa., Dec. 16.

B.BRIGGS CLEANS PRIVY VAULTS Α. A. and cess pools; no odor. Improves pumps used A. BlillGGS, Proprietor. Leave orders 1100 N. Main ave, or Eleave drug store, corner Adams and Mulberry, Telephone 6040.

Sole Agents for Richardson Boynton's Furnaces and Rangas.

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see the parade at noon.

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(PORMERLY WONDERLAND.)

Week commencing Monday, Dec. 13, 1897. IN THE CURIO HALL:

An Instructive Exhibition representing a Chinese Opium Joint

As a leading feature, with a long list of other Curio Hall attractions.

IN THE THEATRE: An Entertaining Programme, Headod by the Spectacular Act Entitled

Streets of the Orient. A New Show Every Week.

FIVE CENTS

Admits you to Curio Hall and Theatre, but SEATS in Theatre are charged for at low prices. Children, on Saturday af-ternoons only, pay the ball Five Cents, but get free seats in Theatre. Doors open at 2 and 7 o'clock p. m. GEO. E. DAVIS, Prostitor and Mgr., N. H. BROOKS, Assistant Manager and Lecturer.

Lecturer.

CITY SCAVENGER.

Judgment No. 25, 1528, to January Term, 1528, WOODRUFF, Atty.

ALSO No. 7.-All the right, title and interest defendant. S. Y. Haupt, in and to all

ALSO No. 5.-All the right, title and interest of the defendant, Joseph Roos, in and to all that certain iot or piece of ground with the buildings and improvements thereon created, situate in the Eighth ward of the city of Scranton. In the county of Lackawanna, and state of Pennsylvania, aforesaid, described ac-cording to a survey thereof made by A. B. Dunning, Jr., surveyor, dated March 2. 1833, as follows, to wit: Beginning at a point on the southeast side of Franklin avenue at the distance of two hundred and twenty (220) feet, southwestward from the southwest side of Linden street, containing in from or breadth on the said Franklin avenue twenty (26) feet and extending of that breadth in longth or depth southeastward one hundred and seventy (75) feet to Ray-mond alley; bounded northeastward by ground now or late of Mrs. Posten, south-wastward by said Raymona alley; nouth-ensity of the second day of March, A. D. 53, and miched to be forthwith re-corded, granted and conveyed unto the and poseth Roos in fee, subject to res-ervations as to coal and minerals as therein recited. All improved with a threestery offick store and dweiling nooms and a two-story double wood frame dwelling house.

Welling house. Seized and taken in execution at the sult of the United Security Life Insur-ance and Trust SCompany of Peursyl-vania vs. Joseph Ross. Debt. \$5,325,50, Judgment No. 25, Nov. T., 197. Lev, fa.

ALSO.