TO PERMIT OF LOCAL LAWS

EASY SOLUTION OF THE SECOND CLASS CITY DIFFICULTY.

Report of the Special Committee of the State Bar Association on the Advisability of Repealing the Constitutional Provision Against Local Legislation-Would Practically Permit of Cities Framing Their Own Charters and Do Away with Classification Scheme Altogether.

Apropos the second class city discussion, the appended report is reprinted from The Tribune of July 7,

It contains the findings of the special committee of the Pennsylvania Bar association on the advisability of repealing the constitutional provision against local or special legislation. The report was adopted at the annual meeting of the bar association, held in Wilkes-Barre, July 6 and 7, 1899, and it is likely to be laid before the coming legislature. The committee which framed the report was composed of James H. Torrey, of this city, chrirman; George F. Baer, of Reading, and M. W. Jacobs, of Harrisburg. The report:

To the Pennsylvania Bar Association. The undersigned, appointed a committee at the last meeting of the association, in pursuance of the following resolution which was then adopted (see page 329 of report for 1:98):

Resolved. That a special committee of three be appointed by the president to consider and report at the next meeting of the association advisability of adopting an amendment to the state constitution which shall effect the re-peal of so much of Article III, section 7, as prohibits the passage of any local or special law regulating the affairs of countles, cities, townships, wards, boroug'ss or school districts, together with such amendatory provisions for notice of proposed local or special acts as shall notice of proposed local or special acts as shall safeguard the communities affected from hasty or ill-considered legislation," respectfully report:

The importance of the subject committed under this resolution can hardly be exaggerated.

As introductory to the statement of the action recommended by your committee, it may be well to briefly review the history of the constitutional and legislative enactments of the com-monwealth on the subject of local and special

Prior to the constitutional convention of 1873 there was practically no constitutional limits tion upon the power of the legislature to pass local and special laws. At the time of the mest ing of that convention it was generally recognized throughout the state that the practice passing local and special laws upon every variety of subjects had grown to be an abuse so serious as to be unbearable. It was stated in debate in the convention that during seven years prior to 1873 there had been passed 8,755 private, acts. It was frequently asserted during the proceedings of the convention, and never denied, that the determination of the people to root up the practice was the controlling motive in the gathering the most sweeping, far-reaching and drastic measures. In no other country, and in no other state hibition of this character of legislation

REASONS FOR THE ACTION

Article III. Section 7. relating to local and special legislation, occupies less than forty pages, most of that being occupied with the discussion rities. of amendments to the committee's report, which were rejected. Your committee in considering this matter, very naturally turned to the debates of the convention for the purpose of obtaining sems light upon the reasons which led to the sciential of the particular provisions which were have been compelled in such joint efforts. submitted to us. The entire proceedings upon that subject may be incorporated in this report without unduly extending it. They are as fol-The next paragraph will be The chairn

ad as follows: "Regulating the ities, cities, townships, wards, bor-col districts.' The question being taken the par graph was agreed to.

of the convention was well ex-remarks of Mr. Beebe (2 Constitu-566), when Article III, Section tional Debates

wideration, as follows: this paragraph and the section will those things which it is expected are to assist in destroying this great ith is special legislation and the ips lixit has gone forth that it shall be hereafter That subject is very fully bandled section. Let us therefore put it through at a 'typ forty' pace, wont for word and lin and if anything is needed to make it is add it quickly and cheerfully."

That provisions to sweeping in character, to much under the impulse of prejudice ntment, should not have proven in all satisfactory, is hardly to be wondered the contrary it is surprising that so has resulted. Many of the e been successfully evaded, as witness that prohibiting the creating of corporations or amending, renewing or extending the charters Probably from two-thirds to threefourths of all the special laws under the old sysem come under this prohibition and the special privileges secured under such charters were cause of the discontent then felt with the power of the legislature.

OPENED THE DOOR.

the adoption of the constitution, general legislation upon the sub-corporations has gradually opened e doors so wide that, it it is not now ne it is likely very soon to be, that persons can form corporations for any purpose and write their own charters without any necessity for in-voking the aid of the legislature to endow them with such special privileges as they desire to The temper and action of the convention of 1873 are well stated by the present chief jus of the supreme court in Ayres' appeal, 122 266; "The pernicious system of special leglitation, practiced for many years before, had besidne so general and deep rooted, and the evils regulting therefrom so alarming that the people of the commonwealth determined to apply remedy that promised any hope of relief. Doubtless it was a proper appreciation of the magnitude of these evils as much as anything else that called into existence the concention that framed the present constitution and in-duced its adoption by an overwhelming vote. One of the manifest objects of that instrument was eradicate that species of legislation and substicute in lien of it general laws whenever was possible to do so. This is so clearly apparent that no unbiased mind can contemplate the secenth section of article three and Lindred provisions without reaching that conclusion. That ection contains a schedule of nearly fitte lific subjects of previous special and local legis lation and ordains that the general assemble shall not pass any local or special law relating to either of them. As an additional saleguard, n cases where special legislation is not expreprohibited, the next section declares no local properties will shall be passed unless norice of the intention to apply therefor shall have been whished, etc.

Enough, perhaps too muca, has been said wire re-rence to the general subject of local and special legislation as regulated by the constitu-We will turn to the particular subject o'al and special legislation referred to in the giove resolution, namely, that regulating afairs of municipalities. In considering pactical effect of the constitutional provisions is worthy of remark, as indicating the egienous occasioned thereby, that the work of Him. John F. Sanderson upon the Validity of Statthe twenty-five years succeeding the adoption the constitution of 1874 contains altogethe pages, of which ninety pages are devoted to abjects other than those with reference to lead or special legislation, about ten pages to me subject of local and special legislation in meral and all the bulance of the book or near

alone has been the object of constant attack and has constantly been sought to be evaded, both in the legislature and the courts. This fact is in itself sufficient evidence of the galling and burdensome character of the restriction.

HUNDREDS VETOED.

Without seeking to be exact, it is rafe to say that since 1874 hundreds of acts of assembly have been vetced on the ground that they were in violetion of this prohibition of the constitution, and almost as many have been declared unconstitutional by the courts. It is neither safe nor fair to set down the continual efforts to escape the constitutional prohibition to the perversity of the pecule or the wilfulness of the versity of the people or the wilfulness of the legislature. On the contrary they demonstrate the deep scated and general discontent upon the part of the numicipalities of the state with he restrictions imposed by the constitution.
It is unnecessary for your committee, address

ing a body of lawyers, to present any extended review of the rulings of the supreme court upon this particular prohibition of the constitution. A short year after the constitution went into effect the court was confronted with the problem arising out of the practical impossibility that pre-cisely uniform legislation could be adopted for all cities of the commonwealth, large and small, and in order that the prohibition might not paralyze all legislation for the benefit or relief of the cities of the state, the court was forced to recognize the power of the legislature to classify cities, a power which had been as-sumed and exercised by the legislature in the act of May 23, 1874, providing for the incorpora-tion and government of cities and dividing the cities of the state into three classes, a most admirable piece of constructive legislation, framed by the late lamented Senstor Wallace, and commonly known as "The Wallace Act" (Wheeler vs. Philadelphia, 77 Pa., 338).

The power of the legislature to classify cities according to population having thus been recog-nized and confirmed, the logical inference which the legislature and the municipalities affected were not slow to draw, was that classification of other municipalities and classification upon other bases than that of legislation and classifi cation of cities more numerous than three would be equally permissable. The consequence was the opening of a Pandora's Box of special acts under the guise of general laws, which for years agitated the municipalities and flooded the courts with litigation, until the supreme court, speaking by Mr. Justice Paxson, in the case of Morrison Backert, 112 Pa., 322, felt it necessary to use the following language referring to this provision of the constitution: "It is our purpose to adhere rigidly to that instrument, that the people may not be deprived of its benefits. It ought to be unecessary for this court to make this judicial declaration, but it is proper to do so in view of the amount of legislation which is periodically placed upon the statute books in entire disregard of the fundamental law. Much of this legis lation may remain unchallenged for years, only to be overturned when it reaches this court In the meantime parties may have acted upon it, rights may have grown up and the inconveniences and losses entailed thereby may not be inconsiderable. As we view it, this note of warning at this time is needed."

There can be no doubt of the sincerity of the court in making this sweeping declaration. In view of some of its more recent decisions a doubt is, however, suggested whether a more complete equaintance with the "inconveniences and losses entailed thereby" has not somewhat weakened declared un-the heroic resolution of the court. For exam-ple, the court in the case of Chalfant vs. Edwards, 173 Pa., 246, in declaring unconstitutional certain acts consolidating districts and regulating affairs in cities of the second class, appeared to tion of school districts was not permissable, yet of the convention. As in all human affairs, the intensity of the feeling upon this subject led to rolling to the schools in cities of the third class. some of which had been operated for twenty of the union up to this time has there been a 1874, the court has been so much embarrasced enacted such complete and comprehensive prothat the case of the Commonwealth ex rel, Felvs. Gilligan, involving the organization of the school district of the city of Pittston, in which the lower court followed Chaifant vs. Edwards, Although the proceedings of the convention fill has been argued and reargned and upon an equal ly divided court is now waiting a third argu-

It would be instructive to review the efforts of cities of the third class by conferences, conven ompromise by giving up many provisions while seemed locally important; that the legislature has often reformed provisions which had been fully agreed upon by the representatives of the when all the cities had agreed upon certain provisions which they thought it important should be grafted upon their charters, and had sucecded in passing them through the legislature tion of the executive veto.

It is evident that in the constitution of 1873 pendulum swung to its utmost limit in the natter of special legislation, and while it is not desirable that it should swing back again to the other extreme, it seems clear to your con mittee that some relief should be given to the ainfold inconveniences and limitations orea

sioned thereby SOME PARTICULARS.

To specify a few of the particulars in which he result of these constitutional prohibition are unsatisfactory and injurious, we name the

tollewing: First-While the purpose of the constitutions rovisions was to prohibit local and special legalation absolutely in the majority of cases, and require in excepted cases the publication of notice of any such legislation proposed to be adopted, the effect of classification has been to eave the legislature free to pass local and special legislation with reference to the city of Philadelphia, the only city of the first class, and for the twin cities of Pittsburg and Alle gheny, the only ones of the second class, without any notice whatever.

Second-The cities of the third clasumbering about twenty-five, are compelled to adapt themselves to a rigidly unifrom system. which is not altogether agreeable to any and extremely cumbersome to some of the num-

Third-This results, as to cities of the third class, in a condition which may well be de-scribed as that of arrested development. The problems involved in the evolution of municipal government are among the most weighty and serious which now engage the attention of triotic publicists. In order that the effor more or less diverse and experimental, to im prove municipal conditions should be su ful, it is necessary that there should be degree of freedom for independent action independent action. As to the cities of the third class in this state such freedom is absolutely precluded. which has come to be recognized as a valuable right and are most jealously guarded, receives no recognition whatever in the present sys-

Fifth-As at present interpreted, the admiboroughs and townships varying almost infinitely in their population, area and social and com-mercial conditions, must be absolutely uni-

WOULD AFFORD BELIEF.

The constitutional amendment which committee recommends is designed to afford relie from the evils and inconveniences of the present rigid constitutional restrictions withou again throwing the door wide open to hasty, ill onsidered and injudicious legislation. It provides that the municipalities shall be at if o initiate such changes in their charter provisions as their experience and necessities dic tate. The principle of the initiative and refer borrowed from Switzerland, where it ha been in successful operation for centuries, is beoming more and more resorted to as the safest and fairest method of securing local independ-ence without the sacrifice of central control. In the states of Missouri, California, Washington and South Dakota, this principle his ben adopted in its most complete form, and with most satisfactory and beneficent results, the city charers of those states being formulated and adopted the inhabitants in their entirety and submitted to the legislature for approval or disap proval. No case has yet occurred where char-ters so adopted by the people have been re-

jected by the legislature. Dr. Oberholtzer, in his work upon "The Referendum in America," page 103, says: "This movement to separate our city and state governments, which has reached the stage of practical experiment in the three states mentioned is, in truth, only the develops all the best of the later tendencies in all the best of the later tendencies in thought regarding this system. Such a solution of the problem has been looked upon by all record competent students of municipal government as the only true plan of reform."

The produpte of the referendum is not noted

in Pensylvania. The vote of the people is required under the present constitution for the increase of nurricipal indebtedness beyond two crease of municipal indebtedness beyond two per cent, the incorporation of boroughs and cities, the location of county seats, the pur-chase of lands for puris and the division of wards in cities, the building or purchase of water works and electric light plants in bor-

oughs, and in various other cases.

It seemed to your committee that to make a repeal of the constitutional provision specifically sentioned in the resolution of the association effective, it was necessary to also repeal two cial legislation. Our recommendation, therefore, involves the repeal of the following consistiutional provisions, contained in Art. III, Sec.

THE PROHIBITION.

"The general assembly shall not post any local or special law " " regulating the affairs of counties, cities, townships, wards, bor oughs or school districts incorporating oughs or school districts " " incorporating cities, towns or villages, or changing their charters " " creating offices or prescribing the powers or dunes of officers of counties, cities, moroughs, townships, election or school districts." districts."

In compliance with the suggestion of the reso ution contained in the following language gether with such further amendatory provisions for notice of proposed local or special acts as shall safeguard the communities affected from hasty or ill-considered legislation," we have pro rided for a method in the nature of an initia-tive, providing that no local or special law of the kinds permitted by the amendment shall be passed until they have been adopted at an elec-tion of the voters of the locality affected.

In view of the definite intimation by supreme court in Chalfont vs. Edwards supreme court in Chailont
the question whether the proper preliminary
steps had been taken for the passage of any
local or special law would be considered a legislative question which would be absolutely prelative question which would be absolutely presumed to have determined affirmatively by legislature in the absence of admission to the contrary, we have added a provision giving the courts definite power to determine the question whether or not the submission of the local or special laws authorized have been actually made and whether or not they have been adopted i scoordance with the requirements of the constitutional amendment.

tional amendment.
Your committee, therefore, recommends that
the association takes steps to procure the introduction and passage by the legislature of the
following amendment to the state constitution:
"The general assembly may pass any local or
special law regulating the affairs of counties,
the state of the stat

cities, townships, boroughs or school districts changing the charters of cities or boroughs and creating offices or prescribing the powers and duties of officers in counties, cities, beroughs, townships, election or school districts. But no such local or special law shall be passed until at least thirty days prior to the introduction into the general assembly it shall have been submitted in suca manner as is, or may be provided by law to the qualified electors of the county, city, township, borough or school district affected by such local or special law at a general or special election and a majority of the votes cast at such election shall have been voted

in its tavor.
"There shall be no presumption either of law or of fact that there has been a proper sub-mission to and consent of the electors to any such local or special law when the question of the constitutionality of such law is at issue in any legal proceedings, and, if the court be not been legally made and given, the law shall be

> James H. Torrey George F. Baer, M. W. Jacobs., Committee,

THEATRICAL.

ATTRACTIONS THIS WEEK.

Lyceum.

Tuesday and Wednesday-"Quo Vaills," Mat-nee Tuesday, New Year's Day. Thursday-Burke's Vande-ille company, Mat-Friday-"All on Account of Eliza."

Academy of Music. First Three Days-"Remember the Maine Last Three Days-"Span of Life."

The Gaiety. First Three Days "New York Circ."

"Quo Vadis" at Lyceum. Audiences that tested the capacity of the ho aw the splendid production of "Quo Vadio," given at the Lyceum yesterday afternoon and evening. It is the stage version made by Stadsaus Stange, the incidental music being by Julian The idea of Henryk Sienkiewicz's grad ork is preserved in an admirable manner in the tage version, which is presented with lavis

crited in the following acts and wences sene 2, Gardens of Auliut Plantins. Act II—Nero's gardens and pulace at Rome Ace III—Petronics' villa at Autium.

Act IV-Garden at Linus' house, t, interior of the Mamartime prison, Ace VI-The exterior of the circus, with

iew of arena. The company was excellent. Myron Calicplendidly presented the cowardly, vain Nero who opsigned thousands of Christians to the flames furnish him inspiration for a poem. Carling F. Robr was much admired for her work as ppoen, the empress, and Alice Chandler was sweet and trusting Christian maiden Lygia, and wafers to the guests. Pretonious of Laure Rus was a fine piece work and Wilfred Lucas as Vinicus and ter Law as Tigellinus greatly distinguished them-

The play will be presented at the Lyceum again

More Delightful Vaudeville

Who that ever saw the original production hat rollicking, sprightly and laugh-provoking arce comedy, "Later On," but does not recall that happy comedian, Joe Hart, of the once mo eas team of furmakers, Hallen and Hart. Several ears ago be went on the vandeville stage in supany with pretty Carrie De Mar, and since Hart, since his vaudeville engagements, has writ n all the sketches in which he and Miss De far appear, and it goes without saying that they ne not only clean and witty but exceedingly intertaining, in all of them mirth and mose have part and the acting, singing and dancing of the famous team are irresistibly pleasing. With the forthcoming company comes these great ead-liners: The Great Henri French, the ted comic juggler on the stage; Dempsey Mack and company, in a highly analysing comes sketch; Coakley and Huested, two of the no ittractive singing and dancing comedians eve rought to this city; Lozelle, an aerial acrobawork is as unique as it is astounding; Miss Laura Comstock, a singer of rare merit whose econ warbling delights beyond measure ie Prouty brothers, elever singing and talking medians, whose funny stories will split your less with laughter, and Prince Albene and May to Brant, in as ciever a second eight act as was ever witnessed. All these artists combine to nake a performance whose artistic mirth canno impracted, and whose naming features can of be surpassed. Every act and sketch is new nd up to date and is clean and clever. At the yesum theater tomorrow, alternoon and evening

"All on Account of Eliza."

There is little speciation of the warm reception hick will greet these popular players, and Clara Liquian, when they appear at he Lyceum next Friday evening, to present for the first time in this city, their new and re-markably successful councily, "All On Account of lisa." As to the audience, a heavy advance sale

odicates its size.

Mr. Mann and Miss Lipman will be surrounded by admirers only, for that is what their audi-ences are composed of in this city. Their new comedy is by Leo Ditricustein, author of a num ber of successes. He is said to have supplied the two principal parts, which fit their imperson aters like the traditional glove. Mr. Mann and Miss Lipman will therefore be seen at their best

Two Men Lost.

By Exclusive Wire from The Associated Press. Berlin, N. H., Jan 1,-A searching party ha for Mount Washington, in an endervor o find William H. Bodwell, correspondent of the New York Herald, who was lost on the mountain vesterday, while attempting to make the ascent with two other men. Bodwell, with Chester Stiles, of Cambridge, and Ray Evans, of Gorham cent up the mountain up foot for the pury

FIRST DAY OF THE CENTURY

IT WAS VERY PLEASANT AND GREATLY ENJOYED.

Nearly All the Stores, Shops, Factories, Etc., Were Shut Down and Thousands Flocked to the Theaters and Other Places of Amusements. Annual Reception at the Y. W. C. A .- Those Who Had Numbers on the Very Excellent Programme Rendered

The first day of the twentieth cen-tury was wonderfully pleasant for this season of the year, and as a consequence the city's streets were thronged yesterday from early morn till late at night with thousands of pleasure-

seekers Though the sun wasn't out very long. there was only the suspicion of cold in the air. The business places throughout the city with, of course, the shrines of Bacchus excepted, were as usual closed all day, as were also almost all the large manufacturing establishments.

The only industry of any importance which kept its men at work was the Lackawanna Iron and Steel company. the South mill and the blast furnace being operated all day. The theatres were packed with the usual enthusiastic holiday crowds and in the evening hundreds attended social events of various kinds.

Y. W. C. A. Reception. The cozy rooms of the Young Wo-

men's Christian association on North Washington avenue were thronged last night with hundreds of the friends of the association, the occasion being the New Year's reception. The rooms were beautified with flow ers and potted plants and presented a

delightful appearance. The general secretary, Miss Savage, was assisted in receiving by the following ladies: Mrs. J. A. Lansing, Mrs. E. D. Fellows, Mrs. L. M. Gates, Mrs. W. D. Kennedy and Miss Hannah Deacon.

From 7 to 8 o'clock there was a gymnastic exhibition in the gymnasium by a number of the pupils under the direction of Miss Hall. There was also a brief but exciting basket ball game played by teams picked from the members of the class. The music accompanying the exhibition was furnished by Miss Ada Bone.

Between the hours of 8 and 8.30 o'clock a musical programme of exceptional merit was given in the concert room by the pupils of Miss Jul'a Clapp Allen. Charrot's "Energetic Fiddlers" was splendidly rendered by a string quartette, consisting of Miss Edna Caryl, Miss Marie Hill, Miss Ina Walters and Lida Houser, accompanied on the piano by Miss Laura Meldrum. The quartette rendered several other selections during the evening, including a minuetta by Daube.

Elsie Powell's beautiful contralte voice was heard to excellent advantage in Dudley Buck's "Sunset." while Miss Robertson sang a lullaby, by Demer. One of the best numbers on the programme was a tenor solo by Tom Gippel, of the Second Presbyterian church, who sang most charmingly Denza's

'The second part of the evening's programme was in charge of Miss Ada flone, who kindly consented to assume charge in the absence of Miss Ri hmond. Miss Grace Duncan sang delightfully a coon song, "Don't You Cre, Ma Honey," and Mr. Schwartz, a barjo player of rare skill, rendered seve al

Miss Anna Strickland, of Buffalo, a cherming young woman who is the holiday guest of Mr. and Mrs. Arta Williams, and who is possessed of a full, rich and resonant soprano voice of unusual range, sang Bedall's "The Pirth of the Opal," and a selection from "Mignon." Mrs. Verna Mitchell Long gave several plano solos in her usual accomplished manner and Misc Matthews sang exquisitely "For All Eternity." The accompanists were Miss Laura Meldrum, Miss Iren? Kann and Mrs. Arja Powell.

During the evening the members of the cooking school, under Miss Smith. prepared and served delicious cocoa

New Year's Praise Service.

The new century was welcomed yesterday morning between the hours of 9 and 10 o'clock, with a praise service in the lecture room of the First Presbyterian church, attended by a large number of the parishioners of both this and the Second church. The two pastors, Rev. Dr. James

McLeod and Rev. Dr. C. E. Robinson, made brief addresses dwelling upon the hopes and fears, and dangers of the coming century. The hymns were sung with a wonderful zest by those present and it is considered to have oeen the most successful New Year's service ever conducted in the church,

Twentieth Century Ball.

The Twentieth Century ball conducted by Camp 439, Patriotic Order Sons of America Eugle Pife and Drum orps, at Music Hall yesterday afternoon and evening, was largely at-tended. Music for dancing was furnished by Prof. Johnson and Lawrence's orchestra. The committee of arrangements

William J. Meister, chairman: A. L. Bahr, F. Jones, C. W. Snyder, Γ. W. Rice, J. Roth, H. Chase, H. C. Sames, C. Sames, H. Weiss, F. C. ler, F. Deising, A. J. Hammen, F. Kelterman, H. Kiefer, W. Frantz, F. W. Herrman, J. W. Smith, J. Evans and James F. Ledger.

Killed His Father's Antagonist.

By Exclusive Wire from The Associated Press, Eatondon, Ga., Jan. 1 .-- Will Turk, a boy 17, today shot and killed Kimball Aiken, neghere. Thomas Turk, a prosperous country mer-chant, was engaged in a fight with Aiken, also a cooperous merchant, when he called on his coung son Will to shoot Alicen. The boy did not hesitate, but fired at once upon his tather's an tagonist, who fell dead.

Spanish Cabinet Crisis.

ly Exclusive Wire from The Associated Press. Madrid, Jan. 1 .- It is said that the resignation Rear Admiral Ramos, minister of marine, I hamber of deputies of the government's scheme for increasing the navy. The crisis is general, but no official announcement will be hefore tomorrow, when the cabinet

Saw Three Ships Founder.

By Exclusive Wire from The Associated Press London, Jan. 1 .- The captain of the bark Idun hich has arrived at Cardif: reports that during he gale Friday he saw three vessels founder is Bristol channel and he believed that as man as twenty-five lives were lost

INSURGENTS ON THE RUN

[Concluded from Page 1.]

was present during the entire proceedings, but did not vote or answer to roll-call. Senator Sproul, of Delaware, is responsible for the statement that Beaver will abide by the caucus. Previous to the taking of the vote, Representative Bliss, of Delaware, rising to a question of personal privilege said that there had been misrepresentation regarding several votes in the house caucus of last night, and in view of this fact he would urge that senators and members in voting should rise in their place, that everybody present could see them and that there would be no possible opportunity for charges of impersonation.

As the names of certain men who had been counted in the anti-Quay column were called and they announced their vote for Mr. Quay there was demonstration of great approval on the part of the great crowd present The caucus did not begin until 9:15, and speeches were so numerous that It was not until 11:20 that a result was reached. The Quay people are jubilant over the result of the caucus, as the number present exceeded their expectations, and they claim that before the vote is taken on joint ballot for senator they will have many more than the number necessary to elect. Mr. Quay himself is quoted as saying that he expects 121 votes in the caucus. The news of the result of the gathering was taken to him by his friends and party leaders from all over the state visited him and extended their congratulations upon what they claim is a certain victory for stalwart Republicanism and party regularity.

The Antis Meet.

While the caucus was in session in the house chamber a secret meeting of the anti-Quay Republicans was held at their headquarters at the Commonwealth hotel. At the close of the meeting the pledge of the anti-Quayites binding themselves together to oppose

Mr. Quay's re-election was made pub-The pledge contains 68 names. among these being the name of the late William F. Stewart, of Philadelphia, who died after he had signed the paper, and John P. McTighe, who attended the senatorial caucus and voted for Mr. Quay. This leaves 67 who have signed the pledge, not counting Mr. McPherson, who absented himself from the house caucus and voted for General Koontz. The pledge was accompanied by the following statement:

"Representatives Beaver, of Juniata, and Hoskins, of Eric, did not attend the Quay senatorial caucus tonight having called at the anti-Quay headquarters during the evening and announced that they would not vote for Quay for sepator. In addition Representative Neebe, of Allegheny, too de-clared that he will not vote for Mr. Quay. Mr. Neebe, who is sick at his authorized Senator Flinn to speak for him."

Those Who Took the Pledge. The pledge, together with the list o

signers, follows: We, the undersigned members of the next get ral assembly of Pennsylvania, hereby pledge urselves that we will not, under any circum vote for the election of M. S. Quay United States senator; not will we enter any ancus called and controlled in his interest

William Frinn, J. Bayard Henry, Samuel Weiss, Robert S. Edmisica, John S. Weller, C. L. Magee, Samuel M. Ray, William F. Stewart, James Clarency, William M. Turner, Mahlon L. Savage, Gi P. McCandlass, George M. Hosack, William V Nishet, Robert McWhinney, Thomas J. Taylor, William P. Winner, Frank G. Edward: difficult selections on that instrument, John K. Thompson, Benjamin F. Welty, Samoe Grob, George J. Hartman, William T. Mahon, Edward A. Boyce, Frederick A. Godebarles, Wil am H. Koontz, George B. Tiffany, Andrew B. Hitchenek, John P. Emery, J. H. McLarn, Lau cens C. Thomas, David Martin, Hampton W. Rice William Drury, Alexander Stewart, John W. Crawford, William Reed D. Wadsworth, El'na Abranis, Charles Shano, Robert A. Linton, Charles F. Hesselbarth, John P. McTighe, Henry Hall, Charles F. Hesselbarth, John P. Moere, William Kirker, Joel Crawford, Joseph E. Bamilton Frank F. Lomax, Harry Wilkinson, William M. Allison, Joseph Alexander, Among M. Dout). Thomas J. Reynolds, E. Benjamin Bierman, Elisha A. Coray, Phillip L. Drumm, James Foster, John S. Arnold, Samuel A. Kendall, George C 10th, Athert W. Johnson, James V. Clark, David

M. Anderson, A call was issued tonight for a caucus of the house and senate Democrats on the evening of January 14 for the nomination of a candidate for United States senator. Colonel James M. Guffey, of Pittsburg, will probably be chosen the caucus nomine

FUSION MOVEMENT

IS ABANDONED.

Senate Organized by the Election of William P. Snyder.

y Exclusive Wire from The Associated Press Harrisburg, Jan. 1.-The senate or ganized by the election of William P. Snyder, of Chester, for president p He polled the full Republican tem. The Democrats voted for William E. Miller, of Cumberland. The other officers and employes of the senate will be chosen at tomorrow'. ession. William T. Marshall, of A! legheny, was chosen speaker of the house by a majority of one vote over General William H. Koontz, of Somer Five Democrats joined with 55 Republicans to elect Mr. Marshall, ne other Democrat was present, but did not vote. The rest of the Democrats and the anti-Quay Republicans voted for General Koontz. The Republican state committee will report tomorrow a list of officers and employes of the house. A meeting of committees from the

Democrats and anti-Quay Republicans was held this evening, at which the fusion movement for control of the ofees of the house was abandoned.

Governor Stone's biennial messagwill be delivered to the senate and house at tomorrow's session. It will be read and then a recess will be taken by both bodies until the evening of Jan. 14, to allow the presiding officers to prepare the list of standing committees.

WAS SKINNED WHILE ALIVE. Report of Horriple Treatment of a

American Soldier by Finipinos. By Exclusive Wire from The Associated Press. West Superior, Wis., Jan. 1.-In a letter written from the Philippines just before the recent election, to his folks in this city, Captain Harry W. Newton says that at that time the

encroachements of the natives were worse than they had been at any ime during the year previous. As one nstance of their ferocity he writes: "Just the other day they jumped a letachment of our 24th, numbering twenty-two men, capturing sixteen of them. One of them was found terribly



ANDERSON, of Virginia, is at present in Washington, D. C., as Corresponding Secretary of the Higher Educational League, of that city. Cured of la grippe by Peruna.

MISS FRANCES M. ANDERSON, cases and have been gaved; but tens of thousands have not yet heard, and think the first tens of thousands have not yet heard, and continue to suffer on, dropping into the grave one by one. writes from the "Astori Washington, D. C., the following: "About two months ago I was

taken very ill with la grippe and was obliged to go to bed. I took three bottles of Peruna with very beneficial results, and was able to leave my bed in a week and regained my usual strength very soon. "I have nothing but praise for Pe runa, and recommend it to those sim-

ilarly afflicted whenever I can."-Frances M. Anderson. La grippe is, strictly speaking, epi-la grippe, and my hearing was fully restored. My health is better than it ty of acute catarrh which is so contagious and runs a course more or less definite, the same as scarlet fever.

whooping cough, etc. During the acute staxes of is grippe it is not a very fatal disease, but the condition in which it leaves the system has caused the death of a count-

less number. Indeed nearly every person who has had la rippe within the last three years finds himself more or less de ranged by the pernicious effects of this disease. The majority of those who tion. I am now in better health than have escaped death finds life scarcely worth living.

vast multitude of peop! If this could only know with what certainty my and promptness Peruna would relieve my of all the bad effects which by grippe has brought upon them, who untold amount of suffering would

Thousands have already heard how quickly this remedy will cure in these;

Peruna cures catarrh in all stages and varieties, whether scute or chronic, and is therefore the most effective remedy ever devised for removin all derangements which follow grippe.

Samuel M. York writes from Union Grove, Ala., the following letter:
'Dear Sir:—Last week I was taken with la grippe and catarrhal deafness.
I wrote you for advice and followed your directions. After taking two bottles of Peruna I found myself well of

has been in five years. "My wife improved in health very such after taking Peruna.—Samuel M. York.

Miss Caroline J. Kahl, Otisco, Ind., writes as follows "Three years I had la grippe and pulmonary trouble. I was very sick. I had hemorrhages of the lungs nearly every day for a year, and three bottles of your Peruna cured me. The doctor said I had consump-

I have been for many years. "I highly recommend Peruna to all neighbors and friends. Peruna is my favorite medicine. I shall always have Peruna in the bouse."—Miss

Caroline J. Kahl. Address the Peruna Medicine Co., of Columbus, O., for a free copy of "Winter Catarrh." which treats of the dis-

mutilated showing signs of being skinned while yet alive."

HAS AN ENOCH ARDEN. Rich Miner Returns Home to Find His Wife Married to another.

By Exclusive Wire from The Associated Press. Seattle, Wash., Jan. 1 .- A tale of rea! Enoch Arden comes from the Klondike Fifteen years ago, James Chapman was an employe of Whit man, Barnes & Co., a big manufacturing concern of Akron, O. He rose to be head bookkeeper, but finally the western fever took him and he left for California. He wrote regularly to his wife and sent her money, but he could not make the fortune that he sought Then he went to Alaska, and for sev-

eral years nothing was heard of him. When gold was found in the Klondik Chapman at last made a fortune. He found some of the richest claims on Bonanza creek, and he determined to go back, to Ohio. After fifteen years he found his wife married to another Unlike Tennyson's hero, he did not go away without making himself known but he made no scene, as the woman could not be blamed. He returned to Dawson and has recently turned his claims into money.

GOLF TOURNAMENT.

ly Exclusive Wire from The Associated Press Arlantic City, N. J., Jan. 1 .- The Foxhill Gold inh of Staten island today deteated the Atlan ity Country club in a match golf game birty-six boles by the norrow margin of two in the first 18 the Atlantic City cinb led by one good playing of E. S. Knapp, the visitors ma aged to win out on the last two holes. Sing captained the Foxbills, and Work, the Atlant tity Country clob. The links were in fine cou

wind. A large crowd witnessed the contest.

Freight Trains Collide. ly Exclusive Wire from The Associated Press. Vicksburg, Miss., Jan. L.-A telephone message o the Herald from Fayette says that two heaeight trains on the Yazoo and Mississippi Valle outh of here at 9 o'clock tonight, and that ven men of the eight in the crews were killed, An engine has left for the scene of the wrock

McMillan Succeeds Himself.

By Exclusive Wire from The Associated Press. Lansing, Mich., Jan. 1,-Senator James McMil lan, of Octroit, was this afternoon nominated by the joint Republican caucus of the legislature which will convene tomorrow in the state capital, to succeed himself. Senator McMillans' re-elec-tion to his third term in the senate 's assured

enses peculiar to winter. BICYCLE RACE AT BOSTON.

Walthous Comes in Ahead on a Hurricane Finish.

By Exclusive Wire from The Associated Press. Boston, Jan. 1.-In a hurricane finish tonight Bobby Walthour again finished first in another day, the second, in the six-day bicycle race at Park Square garden. Fischer's closing spurt was such a surprise that he caught the other riders napping. He had been plodding along behind the bunch when, at the pistol report for the last mile, he pedalled out into a good lead, making the others work hard to overtake

hlm. The day was a quiet one, with but few spills. The forced retirement of Gougoltz, the sturdy Frenchman, was the cause of much regret.

The men are all in fair shape and riding well. Ryser, Accoutrier and Fredericks were the others who quit.

RECRUITS FOR THE FAR EAST. Second Provisional Battalion to Be

Organzied at San Francisco. By Exclusive Wire from The Associated Press. San Francisco, Jan. 1.-Orders have been received at the headquarters of the Military department of California to organize a second provisional bat-tation at the Presidio. The number of recruits in the newly organized camp has increased to such an extent that it will soon be necessary to organize a

regiment. Portland, Ore., Jan. 1.-The United States transport Thyra sailed for Manila with 500 horses and a cargo for the army in the Philippines.

Colorado Fusionists.

By Exclusive Wire from The Associated Prast. Denvey, Col., Jan. 1 .- At tonight's caucus of the fusion members of the legislature, which will neet tomorrow, B. P. Monigomery, of Cripple reck, was agreed upon for speaker by a vote of S to 27, for Colonel Briscue, of Douglass coun-Mr. Montgomery is the leader in the house of the forces tavoring Thomas M. Pa United States senator to succeed Edward O. Wolcott. The fusionists have 55 of the 65 members of the lower house.

Editor Killed. By Exclusive Wire from The Associated Press. Pittsburg, Jan. 1.-3. P. Saln, for the past even years city editor of the Volksblatt, elty, was almost instantly killed tonight by seing thrown by a street car. He was of age and has been connected with German newspapers in this city many years. Mr. Sala, was boarding a car near his home to go to his office and in some way was thrown backward, breaking his back in the fall.