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TWO CENTS

SCRANTON, PA., TUESDAY MORNING, MARCH 26, 1901.

TWO CENTS

FEARFUL TORNADO

Sweeps Over the Southern Section of Birmingham, Ala.

TWENTY-FIVE ARE KILLED

Only Five of the Victims Are White. Eighteen Bodies Already Recovered from the Debris—Scores of Injured Have Been Removed to the Hospitals—Destruction of Property Estimated at a Quarter of Million Dollars—The Storm Strikes the City in the Extreme Southwestern Corner and Plows Its Way Eastward, Leaving a Path of Desolation 150 Feet Wide—List of the Dead and Wounded.

Birmingham, Ala., March 25.—Shortly before 9 o'clock this morning a fearful tornado swept over the southern section of this city, travelling in an easterly direction.

The number of killed is estimated at twenty-five. Only five of them are white. The destruction of property is placed at a quarter of a million dollars. Eighteen bodies have been recovered from the debris up to dark and scores of injured have been removed to the hospitals.

Among the dead are: Dr. C. G. Chapman, of the firm of Kelly & Chapman, who conducted a private infirmary in this city, and the wife and infant child of Hon. Robert J. Lowe, chairman of the Democratic state executive committee.

List of the Dead.

Following is the list of identified dead:

- G. C. CHAPMAN.
- MRS. ROBERT J. LOWE.
- INFANT CHILD OF Mrs. Lowe.
- ALFRED W. HAYES.
- LITTLE DAUGHTER OF B. B. Hudson.
- J. MYRO, colored, collector Union Mutual association of Mobile.
- CARRIE HUDSON, colored.
- MAGGIE BLYNNS, colored.
- CARRIE HENRY.
- LEZZIE BLISS, colored.
- Order for W. R. Hill, colored.
- UNKNOWN CARPENTER, struck by flying lumber.

The Injured.

The following are injured: Mrs. B. H. Thomas, Mrs. W. H. Thomas, Mrs. Mary Laughrin, Mrs. J. Ferguson, Mrs. Myrtle, Carrie Flint, colored.

The more seriously injured among the white people so far as reported are: John Dillon, Hambricht Detro, Mrs. Souton, T. L. Holton, Mrs. Lynch and daughter, Frank Krimsey, W. B. Thompson.

Many colored people were also injured more or less severely.

The storm struck the city in the extreme southwestern corner and plowed its way eastward, leaving a path 150 feet wide through the entire southern section extending from Green Springs on the west to Avondale on the east and continued its course on until its fury was spent in the mountains beyond Irondale, a small town six miles east of the city.

The morning dawned cloudy and sultry and grew more threatening as the day advanced.

Clouds began to gather and shortly after 9 o'clock sharp lightning flashed from the southwest. The air became heavy and stifling. The velocity of the wind suddenly began to increase and soon from out of the overcast sky the dreaded funnel-shaped cloud made its descent. Hugging close to the earth, it passed through the city in leaps and bounds, with terrific force, and was away to the east before people generally realized what had happened.

Altitude of the Cyclone.

The altitude of the cyclone was not more than seventy-five feet. The negro shanties and cottages in the lowlands in the path of the storm were the principal sufferers. The larger residences on the higher ground suffered only slightly. The large trees on the hillside of St. Vincent's hospital were torn up by the roots and large masses of stone were twisted out of the ground and broken and scattered all over the driveways of the entrance to the institution.

From Eighth to Tenth street the wind bounded like a rubber ball and when it again descended it struck and demolished five small houses. Skimming close to the earth, it then swept through a small pine grove, tearing the trees up by the roots and hurled them through the air like arrows.

Beyond the grove the storm cloud swooped down on a negro settlement and the frail cabins were crushed like egg shells, not one being left in the pathway of the storm. Carrie Elma, a negro, was buried beneath the debris, but most of the negroes escaped with slight injuries. Eastward the storm swept, cutting its way through another strip of woods, striking the Second Presbyterian church, demolishing the structure.

East of the church is another negro settlement where much havoc was wrought among the frail shacks, seven of which were swept away. A number of small houses were levelled between Sixteenth and Seventeenth streets.

the scene is one of complete demolition. The frame cottages were reduced to flattened piles of debris, every tree being either crushed down or uprooted, and tangled telephone poles and that tangle of wires made a mass of destruction. Not any of the occupants had warning and were unable to escape from their homes before the storm wrenched them. They made their escape from the piles of wreckage by their own efforts or were rescued by workers after the storm.

On Thirtieth Street.

On Thirtieth street the wind struck the residence of Robert J. Lowe, leveling it to the ground and instantly killing Mr. Lowe's four weeks' old child and fatally crushing Mrs. Lowe, who died within fifteen minutes after being removed from the wreckage.

The cook was badly hurt and may die. Mr. Lowe and the nurse escaped with slight bruises.

As soon as the storm passed, a number of men rushed to Mr. Lowe's residence and by heroic efforts rescued the buried bodies. Other houses in this vicinity were wrecked, but none of the occupants were killed. Many sustained serious injuries.

In an eastward direction the storm swept everything in its path of seventy-five yards width until it passed beyond the limits of the city, struck the Lake View hill, about Thirty-fourth street. There were no houses of any description in its path after it had passed the city limits and consequently there was no damage until it reached the mountain.

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Several houses were levelled to the ground and up to this writing several bodies had been recovered. A number were injured and great property loss was entailed.

Resemmer, Pratt City, Ensley, North Birmingham and other suburban towns were visited by the storm and in each of these places much destruction was wrought, but no loss of life is reported. Many houses were demolished at Pratt City, including a number of churches.

Rain Follows.

A terrific rain storm followed the wind and greatly retarded the work of relief. Mayor Drennan and many of the city officials were quickly on the scene, and a relief station was established.

The dead were removed to the various undertaking establishments, while every available ambulance in the city was pressed into service in removing the injured to the hospitals.

Tonight a mass meeting of citizens was held and a relief fund was started and a temporary committee organized to take charge until tomorrow at noon when the mayor will take up the work at the head of a new committee.

Several thousand dollars have been already subscribed and the necessary money needed to relieve the situation will be raised immediately.

AN OPEN LETTER TO PRESIDENT M'KINLEY

The American Peace Society Appeals to the Chief Magistrate to Bring the Cruel War to a Close.

Boston, March 25.—The American Peace society today voted unanimously to publish an open letter to President McKinley. The letter in part follows:

The war mania of these last few years outrages the conscience of the civilized world. The most advanced nations have been guilty. Our attack on Spain, justified by many on the score of humanity to the outside, is but one of the passions of war, which still reign in the Philippines.

We earnestly appeal to you to exert your power to the utmost to bring this cruel war to the earliest possible termination and merchandise to prohibit all those acts of torture by our soldiers, or under surveillance of our officers, which have been officially reported and which would have been immediately to America a few years ago.

We appeal to you to issue a proclamation to the Filipinos over your own signature, pledging to them the fullest rights and liberties, with all possible magnanimity in your own good judgment.

The war mania is equally rampant in the bloody and protracted efforts of the British to crush and subvert the republics of the West Indies. We regret that the influence of America is not used to obtain terms for the fierce short of national humiliation.

The war mania has spread into China and has threatened to engulf the whole of the world. In our threats to subvert the civilized nations in universal war.

Barker Pleads Not Guilty.

New York, March 25.—Thomas G. Barker, who pleaded not guilty to the murder of John Dillinger in Alton, Ill., on March 23, was arraigned today in the United States district court today where he pleaded not guilty and was held for trial in jail of \$10,000.

Condon Held to Bail.

New York, March 25.—Joseph A. Condon, the postoffice clerk arrested in San Francisco on March 3 on the charge of having in October, 1900, stolen registered mail to the amount of \$45,000, was arraigned before Judge Thomas in the United States district court today where he pleaded not guilty and was held for trial in jail of \$10,000.

Still Booming Carnegie.

New York, March 25.—The Associated Press. New York, March 25.—The legislative committee of the Twenty-first Assembly District Republican club held a meeting tonight and adopted resolutions endorsing Andrew Carnegie for mayor of Greater New York. A committee was also appointed to communicate to Mr. Carnegie and secure his consent to be a candidate.

Pennsylvania Pensions.

Washington, March 25.—Pensions have been granted as follows: John B. Fish, Scranton, \$20; Andrew C. Hegeler, Drinker, Lackawanna county, \$12.

Ended in a Draw.

Louisville, Ky., March 25.—The Jack Bonner-Kid Carter boxing contest tonight ended in a draw.

VAUGHAN BILL PROGRESSING

Dr. McLeod and Mr. Daniels Unable to Arrest Proceedings at Harrisburg.

OBJECTIONS TOO LATE

Today, However, Mr. Coray, of Luzerne, Will Introduce a Resolution Giving the Opponents of the Bill an Opportunity to Put Forth Their Objections Tomorrow Evening. The Scranton Delegation of Objectors Greatly Exercised Over Their Failure to Obtain a Hearing—Will Petition to the Governor to Veto the Measure if the House Adopts It.

Harrisburg, Pa., March 25.—It is now possible for the Vaughan bill, relating to liquor license fees, to become a law before April 1. In the house tonight a resolution was adopted, by an overwhelming viva voce vote, making the bill a special order on second reading for Wednesday morning at 11.15 o'clock and on third reading at 11.15 o'clock Thursday morning. The efforts of the opponents of the bill to secure a recommitment for the purpose of granting them a hearing, were futile. Tomorrow, however, Mr. Coray, of Luzerne, will introduce a resolution giving the opponents of the resolution the use of the house, Wednesday night, to put forward their objections to such of the members as are to be enlightened.

Rev. Dr. James McLeod, representing the citizens' committee opposing the bill, and Charles E. Daniels, attorney for the committee, came here today to secure a recommitment of the bill. Ex-Sheriff Charles Robinson and his private attorney, Hon. C. P. O'Malley, were on hand to oppose this project.

Representative Scheuer, who has charge of the bill in the house, went away Friday with the appropriations committee, and before going asked Representative Philbin to introduce the resolution to make the bill a special order for Wednesday and Thursday.

Representative Philbin did not wish to act further in the affair, because it does not concern his district, but that the matter might not go by the board, he called the attorneys of both sides together and asked them to agree upon some plan which he could favor without appearing to oppose the bill that his absent colleague had entrusted to his care.

Attorneys Could Not Agree.

Mr. O'Malley and Mr. Daniels consulted, but could come to no agreement, so Mr. Philbin announced that he would content himself with presenting the special order resolution as he had agreed.

In presenting the resolution, Mr. Philbin explained that it was necessary to enact the bill before April 1 or it would be worthless, and in a few words told why this was so.

Mr. Coray, of Luzerne, said he and Mr. Philbin both agreed that the opponents of the bill had a right to have a hearing and if the special order resolution was passed, a hearing could not be had. It was a very unfair proposition, he said, to refuse the opponents of the measure a hearing. He would agree to make no objection to the special order resolution if the friends of the bill would first agree to have it recommitted.

Speaker Marshall here interrupted with the remark that it was now too late to make objection. Mr. Coray sat down.

By way of explanation it should be stated that if one member objected a resolution for special order cannot be considered.

Mr. Vandyke, of Westmoreland, protested that it was unfair to deny a hearing on the bill. Mr. Voorhees, of Philadelphia, the stalwart's floor marshal, spoke against delaying the bill. Mr. Baker, of Columbia, one of the Democratic leaders, urged the house to adopt the resolution, as the bill was a good one and must be passed this week to be effective. After learning that the Vaughan bill has been before the legislature since March 5, Mr. Colville, a stalwart leader, took the floor and said it struck him that the opponents of the bill were rather dilatory in coming forward with their request for a hearing.

The vote was then taken and it was overwhelmingly in the affirmative, the few nays that were heard being confined to the insurgent corner.

Will Apply to the Governor.

Rev. Dr. McLeod and Attorney Daniels said after the session that if the house adopts the Vaughan bill they will apply to the governor to veto it on the ground that it is unconstitutional. If this fails they will take the matter into the courts. They are very much exercised at their failure to have the bill recommitted. They are in consultation tonight with Mr. Philbin and Mr. Coray regarding the resolution Mr. Coray is to introduce to provide them with an informal hearing. Whether or not they will take advantage of this opportunity will be decided upon after advising with the other members of

the citizens' committee on their return to Scranton tomorrow.

In the Senate.

The senate held a short session tonight and cleared the calendar of bills on first and second reading. The most important bills to pass second reading were those relating to the Philadelphia board of revision of taxes. These bills were amended. To correct a few typographical errors and they were then passed without opposition. They will come up for final passage tomorrow.

The senate reconsidered the vote by which the bill providing for bicycles on the sidewalks was defeated. The side paths in townships and levying a tax on bicycles was defeated. The bill was then laid aside for the present.

REPUBLICANS ASKED TO SUPPORT GUFFEY BILL.

Result of a Conference Held at the Governor's Mansion.

Harrisburg, Pa., March 25.—At a conference of the Republican leaders held at the governor's mansion tonight it was decided to request the Republican senators and members of the house to support the Guffey bill, return bill with the understanding that the bill will be the brain of the party column should be allowed to remain.

It was also decided to ask the Republicans of this town to support the Guffey bill to the constitution providing for personal registration of voters in the cities and to take up and pass the appropriation bills now on the calendar.

FIRST FATAL MINE EXPLOSION

One Man Killed Instantly; Five Others May Die from Injuries.

Disaster at Connelville.

Connelville, Pa., March 25.—The first fatal mine explosion to occur in the new mining region of Fayette county happened today. One man was killed instantly, five will die and ten are burned and crushed so terribly that it is doubtful if they will recover. The injured men have been brought to the Cottage State hospital, and as a result of the explosion the mine is on fire. The cause of the explosion was an accumulation of gas in the heading of the Gates mine, one of the new mines opened up this spring by the American Steel and Wire company, which has lately been merged into the United States Steel corporation. The list of dead and injured are as follows:

Dead: An Italian, name unknown.

Injured: Robert Nelson, mine foreman, terribly burned, thought at first to be dead; will die before morning. Gibson Gilmore, of Danbar, an American miner, burned and blackened from head to feet; not expected to live. David Ramsey, small boy, a driver, burned from head to feet, also crushed and bruised; not expected to recover. James Murphy, of New Salem, American miner, burned about head and arms. Michael Solok, a Slav miner, badly crushed and holed. Alexander Bullington, Slav miner, crushed and arms broken. George Yonkora, Slav miner.

Objectionable to Japan.

In the absence of the Japanese minister in London, Baron Hayashi, Mr. Matsui, first secretary of the Japanese legation, who was interviewed this afternoon by a representative of the Associated Press, made a comprehensive statement of the issues involved. He said:

Russia's insistence, China's helplessness and the probable victory of Russian diplomacy tomorrow will bring us to the brink of a dangerous situation in which none of the powers is so deeply concerned as Japan. Even if the secret treaties have been nullified as is alleged, the changes are so trifling as to make the detriments thoroughly objectionable to Japan.

Assuming that China signs the treaties I suppose Great Britain, Germany and the United States will protest to Russia. But that is about as far as they will go and about as much as they will get. With Japan it is a matter of fighting.

The question is whether we are to fight Russia now or to fight her later on. She has no right to Manchuria, and if she secures Manchuria she will be on the way to securing Korea.

Our greatest liability is our own policy in adhering to the crisis. Their eyes are wide open and they will not be driven to precipitate action by the jingits of Japan, who are openly clamoring for immediate war. Yet if they see that war is unavoidable they will not hesitate to strike.

No Fear of Result.

Japan has no reason to be afraid as to the result. Many reasons occur to the average Japanese mind in favor of forcing at the present moment a struggle which must come eventually. The chief reason against so doing is the fact that Japan is just beginning a new industrial era which would be temporarily killed should we endeavor by force of arms to prevent Russia's encroachments.

If we follow the lead of other powers and our own tradition, we realize that we must sit down tamely and see any other nation step in and make treaties similar to those which China seems on the verge of signing with Russia. This would mean the partition of the Chinese empire and the end of the "open door."

If we do it, we naturally think we would have the moral support of the United States which has been the champion of these principles since the days of the "open door" and also of Great Britain and Germany.

Struggle Over Article XV.

Paris, March 25.—The chamber of deputies was in session until a late hour last evening in order to conclude the debate on article xv of the law of associations, which was finally adopted by a vote of 318 to 227. The only serious struggle now expected is over article xv which deals with the property of religious orders, and in this matter the government is not inclined to adopt an uncompromising attitude.

The Weisbard Inquest.

New York, March 25.—Coroner Zecca held an inquest today into the case of Meyer Weisbard, the jewelry peddler whose body was found out up in a trunk on January 16. The jury came to the conclusion that death had been caused by wounds of the body from knives or other sharp instruments and by some person or persons.

DEATHS OF A DAY.

St. John, N. B., March 25.—The Rev. Dr. John Swery, bishop of the Roman Catholic diocese of St. John, is dead, aged 80 years. Bishop Swery leaves many institutions and churches built under his direction as monuments to his career.

JAPAN READY FOR A WAR WITH RUSSIA

Her Leading Statesmen Believe That a Conflict with Minions of the Gzar Is Inevitable.

A DANGEROUS SITUATION

The Question Is Whether the Struggle Shall Begin Now or Later. Russian Control of Manchuria, They Believe, Would Mean a Partition of the Chinese Empire and the End of the Open Door—Japan Has No Fear of Result of a Clash with Russia, but Hesitates on Account of the Effect of War Upon the Industries of the Country.

By Exclusive Wire from The Associated Press.

London, March 25.—The Chinese minister, Sir Chih Chen Lo Feng Lu, called at the foreign office and urged the British government to bring pressure to bear in order to prevent Russia from securing the necessary signatures of the Manchurian agreement. The foreign office is still in the dark tonight as to whether the agreement will be signed or allowed to lapse when the time expires, March 26. The officials of the Japanese legation are inclined to believe Russia will succeed in getting the necessary signatures.

The situation is still more complicated, owing to the fact ascertained by a representative of the Associated Press today that these are two secret treaties, one of which is to be signed at St. Petersburg, dealing with Russian military control of Manchuria, and another to be signed at Peking, dealing with her civil powers. The Chinese appeals for support have failed to produce any direct result, however, from Great Britain or apparently from any other power to St. Petersburg, for Russia persistently adhered to her contention that the secret agreement concerns no one except herself and China.

On this ground Great Britain's request for copies of the agreement was abruptly declined.

It is explained at the foreign office here that it would be a dangerous and useless breach of diplomatic procedure to endeavor to enter upon expostulations with Russia which would only be based upon information supplied by the Chinese.

In other words, the copies of secret treaties and alleged modifications of them recently given to the powers by the Chinese are worthless documents and will remain such unless Russia herself chooses to communicate the text of the actual treaties and modifications.

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THE NEWS THIS MORNING.

Weather Indications Today:

RAIN, WARMER.

- General—Tornado Sweeps Over Birmingham, Ala.
- For a Hearing in the Ripper Case. Japan Wants to Fight Russia. Vaughan Bill Advanced.
- General—Carbondale Department.
- Local—Bad Sanitary Condition of No. 23 School. Opinion on the Election Contest.
- Editorial. Note and Comment.
- Local—Committee Goes to Harrisburg to Protest Against the Vaughan Bill. Estimates Committee Uses the Pruning Knife.
- Local—West Scranton and Suburban.
- General—Northeastern Pennsylvania. Financial and Commercial.
- Local—Tangle in the Sills Strike. Court Proceedings. Live News of the Industrial World.

PRESIDENT MITCHELL HAD NO CONFERENCE

No Conference with J. P. Morgan. Senator Hanna Has Nothing to Do with the Strike.

New York, March 25.—President Mitchell, of the miners' union, sent the following statement to Wilkes-Barre today:

"I have had no conference with J. P. Morgan or any other railroad president or coal operator. Contrary to reports, we, the committee, did not come to New York in response to any invitation. So far as I know, the miners have not up to this time been offered or granted any concessions. Of course, we all hope to accept the strike and are putting our most urgent efforts to that end. We came to New York for the purpose of holding a conference, if possible, and in doing so we are simply carrying out the wishes expressed by a majority of those who attended the last conference at Hazleton."

Senator Hanna, who is in town, visited several places in the financial district today. When asked whether his presence here had any connection with coal strike rumors, the senator replied emphatically that it had none.

"I am here on other matters," he said. "I have nothing to do with this affair, and I know nothing about it save what I have heard and read these last few days. I have not been concerned with regard to this matter at all."

The Herald tomorrow will say that the operators of the anthracite coal mines and the executive officers of those railroads that are largely interested in that industry are unanimous in the opinion that there will be no strike until after April 1 in the Pennsylvania coal region. They seemed to be equal positiveness in the assertion that as an organization the United Mine Workers will not be recognized by the operators. It seems to be pretty well established that Mr. Mitchell will not have an opportunity of holding a conference as the representative of the United Mine Workers with any of the anthracite operators or any person representing them. The operators are averse to giving any recognition to the organization.

Robert M. Oliphant, president of the Delaware and Hudson company, said: "I do not believe Mr. Mitchell will have the temerity to order or advocate a strike. The Mine Workers have no grievances; they are being paid liberally and are contented. The large coal carrying roads are not at all concerned."

RECORD TO BE SOLD.

Master in the Suit to Set Aside the Assignment for Benefit of Creditors Files Report.

Philadelphia, March 25.—Assistant Attorney General James M. Beck, master in the suit pending in the United States circuit court to set aside the assignment of the Philadelphia Record, property to Assignees George Hetzler, Jr., and Richard Y. Cook, and the transaction was therefore void. He decrees that the Record shall be disposed of at public sale and settle claims in dispute amounting to over two million dollars.

The master filed a voluminous report reviewing the entire litigation. After deciding that the United States circuit court had jurisdiction to decree a sale of the Record, the master discusses the various claims against the Singery estate, which he finds aggregated over \$2,000,000. The indebtedness of the Chestnut Street National bank alone was \$1,140,000.

The main question was the validity of a certain assignment by which Singery, shortly before his death, transferred his interest in the Philadelphia Record to George H. Earle, Jr., the plaintiff, who was the receiver of the above bank. This assignment was claimed to be invalid, it being argued that Singery was insane at the time he executed it. Mr. Beck decides that Singery was sane, and that the transfer is valid, and that the court should enter a decree to sell the stock and bonds of the Philadelphia Record, which were the subject of the assignment. The litigation affects 9,000 out of 10,000 shares of the capital stock of the Record company, and 475 bonds of \$1,000 each out of the total issue of 500 bonds.

Bed of Coal Discovered.

Coneland, Md., March 25.—There is much excitement at Cherry Hill, N. Va., on the Baltimore and Ohio railroad, sixty miles east of Coneland, over the discovery of a rich vein of anthracite coal at the depth of eight feet, while being a well on the Anderson farm.

HEARING TO BE ALLOWED IN RIPPER CASE

Prominent Scranton Attorneys Appear Before the Supreme Court at Philadelphia.

NO ARGUMENTS HEARD

Judge Knapp, Representing Recorder Moir; Joseph O'Brien, Representing Retainer McDonald, and Deputy Attorney General Fleitz, Representing the Commonwealth, Petition for Hearing in Ripper Case—Justice Mitchell Allows Petition to Be Filed, but Will Hear No Arguments Upon Judge Archbald's Opinion Regarding the Constitutionality of the Ripper Bill—The Petition Filed.

Philadelphia, March 25.—Ex-Judge H. A. Knapp, representing Recorder Moir; Joseph O'Brien, representing Retainer McDonald, and Deputy Attorney General Fleitz, representing the commonwealth, joined in a petition to the Supreme court, this morning, to advance the time for hearing the appeal in the second-class city "ripper" case.

Ex-Judge Knapp presented the petition, and made the brief accompanying explanations:

"I would ask the court to indulge me—Judge Knapp was proceeding to say, when Justice Mitchell interrupted with a remark: 'We will not hear arguments on the matter at this time.'"

"I do not wish to make an argument," Judge Knapp rejoined. "I simply want to orally impress upon the court one matter contained in our petition. It is this: If this act is declared unconstitutional, the city of Scranton will be left without any organized form of government. It is therefore urgent that the act should be finally passed upon by your honorable court before the legislature adjourns, so that in case the act is unconstitutional a new form of government can be supplied for Scranton."

"The appeal is actually pending," queried Justice Mitchell.

"It is," answered Judge Knapp. "Let the petition be filed," said Justice Mitchell.

Mr. O'Brien and Deputy Attorney General Fleitz signified the acquiescence of their parties to the motion to advance the case, and at this the incident closed.

The Petition.

As petition is informed and believes, the governor has not yet appointed the recorder for the cities of Pittsburg and Altoona, the only other second class cities in the state besides Scranton, and is delaying action with reference to such appointments as long as the limitation of thirty days fixed by said act will permit, for the purpose of avoiding the possible confusion which would result from such appointment in case the act is for any reason is declared unconstitutional.

It is of the utmost importance to the cities of Pittsburg, Altoona and Scranton, the cities of the state, that all questions of the constitutionality of the said act should be determined at the earliest practicable moment. Under previous legislation cities of the second class had executive officers who were chosen by the voters at the time of their election, and the governor is required to appoint in his place a city recorder, who becomes master under the act of 1897, the chief executive officer of the city.

Under preceding legislation the heads of departments who controlled all the executive branches of the city government, in case the vote of the city council. Under the act of March 7, 1901, all heads of departments are appointed by the city recorder and are removable by him at pleasure. The heads of departments, in turn, have power and authority to appoint and remove their deputies and subordinates.

In consequence of these radical changes in the organization of all of the executive departments of the city government, in case the petition should proceed to exercise the powers and duties conferred upon him