

FATE NOW RESTS IN SEVEN MEN

"Ripper" Act Is in the Hands of the Supreme Court of the Commonwealth.

ARGUED BEFORE A FULL BENCH

Two of Philadelphia's Ablest Constitutional Lawyers, R. C. Dale and John G. Johnson, and Seven of the Leading Members of the Allegheny Bar Join with Seven Attorneys from This City in Presenting the Case to the Court—Pittsburg and Allegheny Submit Intervening Briefs—Many Politicians and Lawyers Present to Listen to the Arguments—Resume of the Contentions Advanced on Both Sides.

Philadelphia, Pa., April 23.—With the full bench of the Supreme court presiding today the opponents of the Pittsburg ripper bill made their final stand. The eleven members of the new charter were sworn to meet them, and the armies of legal talent exchanged right royally all their batteries of argument. The day closed with the result in doubt, and until the court is not in session that the bill either is or is not in accordance with the constitution, the local affairs of Pittsburg, Allegheny and Scranton will be somewhat in a state of uncertainty.

Having advanced the case on the list at the plea of the contending parties, it is the general opinion that the court will be no less expeditious in reaching its opinion. In the meantime, the leaders of both sides in state politics will be more or less on the anxious bench. The stalwarts were well advised before drawing up the bill, and naturally they are sure they will stand the test. But litigation at best is uncertain, and they are not counting their chickens before they are hatched. The great interest among Republicans in Western Pennsylvania, in the fate of the new charter, was attested by the presence in court of a big batch of politicians, who journeyed all the way from Pittsburg to listen to the arguments. Among those who sat through the proceedings were James E. Weyman, mayor of Allegheny, who will have to give way to Recorder Murphy, if the charter is sustained; City Attorney Clarence Burleigh, of Pittsburg; Recorder of Deeds George M. Von Bonhurst, James Francis Burke, ex-Lieutenant Governor, Allegheny; Representative John M. Kopp, and many lesser lights. Philadelphia's political leaders were not so well represented, but the court room was crowded with members of the bar.

The case was formally before the tribunal on the afternoon of the session of the Laekwanna county court, which had declared the bill constitutional, and sustained the validity of the appointment of James Moir as recorder. However, Pittsburg and Allegheny had taken exception to the array of counsel so far as the facts were concerned, was startling. Defending the constitutionality of the new charter were Richard C. Dale, of Philadelphia; A. A. Vosburg, H. A. Knapp and James H. Forey, of Scranton, and on behalf of the assailed law appeared Joseph O'Brien, M. J. Martin, I. H. Burns and Deputy Attorney General Fleitz, of Scranton; John G. Johnson, of Philadelphia; Knox & Reed, City Attorney Clarence Burleigh, of Pittsburg; Lewis McMillan and Wm. W. Smith, of Pittsburg, brought up the battalions of Pittsburg and Allegheny.

Mr. Burns Opens the Ball.

I. H. Burns, of Scranton, opened the argument. Calmly, dispassionately, he proceeded to discuss the measure and the relation it bore to the supreme court of the land. He stated that the array of counsel so far as the facts were concerned, was startling. Defending the constitutionality of the new charter were Richard C. Dale, of Philadelphia; A. A. Vosburg, H. A. Knapp and James H. Forey, of Scranton, and on behalf of the assailed law appeared Joseph O'Brien, M. J. Martin, I. H. Burns and Deputy Attorney General Fleitz, of Scranton; John G. Johnson, of Philadelphia; Knox & Reed, City Attorney Clarence Burleigh, of Pittsburg; Lewis McMillan and Wm. W. Smith, of Pittsburg, brought up the battalions of Pittsburg and Allegheny.

Mr. Burns Raises a New Point.

From this point Mr. Burns turned his attack on the provision by which the recorder, named by the governor, would hold office until April 1902. By this time, a spring election would intervene, which fact, the lawyer endeavored to demonstrate, was in conflict with the section of the constitution which gave to the governor the right of franchise. Voting, he contended, was a constitutional privilege, which the legislature could not take away.

In conclusion, Mr. Burns said: "The people of Scranton were not consulted about this bill. Without the approval or desire of the people of Scranton, the entire government of that city has been shipped to Harrisburg. What the legislature has done in the cases of the cities of the second class, it can do with cities of the first class. It can do that, where will it stop?" Richard C. Dale took up the fight

ANOTHER WAR OVER OLEO

A Bill Introduced to Appropriate \$4,500,000 for Completion of the Capitol.

PROPOSED COMMISSION

Ex-Lieutenant Governor Louis A. Watres a Member—An Error on the Forestry Resolution—Bill Prohibiting the Embalming of Bodies Without Coroner's Consent Is Defeated—Other Business in Senate and House.

Harrisburg, Pa., April 23.—W. A. Moyer, Jr., who was last week elected a senator from the Forty-third district in Pittsburg, to fill the vacancy caused by the death of his uncle, Christopher L. Moyer, was sworn in as a member of the senate today. Judge John H. Weiss, of Dauphin county, administered the oath.

The order of business in the senate this morning was the consideration of bills on second reading. After some routine matters had been disposed of the calendar was cleared. These bills were introduced: By Mr. Muehlbrock, of Allegheny, appropriating \$4,500,000 for the completion of the state capitol building, and providing for a commission to be composed of Thomas S. Bigelow and Harry W. Oliver, of Pittsburg; ex-Chief Justice Edward M. Paxton and John C. Bullitt, of Philadelphia; ex-Lieutenant Governor Louis A. Watres, of Scranton, and two persons to be appointed by the governor. The governor shall be an ex-officio member of the commission, and the structure must be completed by 1905.

Work Accomplished. Mr. Cummings, of Warren, rose to a question of privilege, and stated that he desired to refute the charges alleged to have been made in the newspapers by members of the house that the senate was "holding up" legislation sent over by the lower body. In supporting his refutation he read a statement of the work done by each body, as follows:

Table with 2 columns: House bills sent to the senate, Senate bills reported to the house, Bills passed by the senate, Bills passed by the house, Bills passed by both.

Scenes in Reichsrath. Members Call Each Other Dirty Liars, Reptiles and Traitors.

Vienna, April 23.—Violent scenes between the Christian Socialists and Herr Voelckl, the Pan-German, marked the earlier part of today's sitting in the Reichsrath. Herr Voelckl was denounced as a liar by Wohlmeier, and the former retorted: "You are a perfidious scoundrel. You are a disgrace to your party."

JAPAN IS IN EARNEST.

Will Draw the Sword Against Russia Should the Latter Persist in Designs on Manchuria.

Yokohama, April 23.—There is no doubt that Japan's deadly earnestness in her intention to draw the sword against Russia should the latter persist in designs upon Manchuria, has saved the situation in the far east.

VANDERLIP'S MISSION.

Will Feel Financial Pulse with a View to Floating a Russian Loan.

St. Petersburg, April 23.—It is asserted in political circles that the mission of Frank A. Vanderlip, former assistant secretary of the United States treasury, who arrived in St. Petersburg early last week in the interest of improved business relations between the United States and Russia, has not yet been defined.

Died on a Train.

Altoona, April 23.—Mrs. Margaret McDaniel, Elizabeth N. J., 66, who was taken to the hospital by the train from Altoona to Scranton, died on the train at Harrisburg. Her body was brought on to this city.

Ivory and Perry to Die June 5.

Harrisburg, April 23.—Governor Stone today issued a rule adopted a few days ago prohibiting the sale, giving away or bringing into the state of cigarettes, cigarette paper or any substitute therefor.

CUBANS WANT INDEPENDENCE

They Wish the Military Occupation of the Islands to Come to an End at Once.

PORTUNDO'S STATEMENT

The Leader of the Discontented States That the Spanish Merchants Are the Only Citizens Who Desire Annexation—The Commissioners to be Received Cordially at Washington and Will Be Guests at a State Dinner.

Washington, April 23.—The Cuban constitutional committee, which arrived here last night from Havana, left at 10:30 a. m. for Washington, General Rafael Portundo, one of the commissioners defended the Cubans' position as follows:

"Ninety per cent. of the Cuban people desire absolute independence. It is their wish that military occupation by the United States come to an end at once."

THE WRECK OF THE TURKISH TRANSPORT

From 180 to 200 Men Were Killed or Drowned—Desperate Fighting Between Soldiers and Sailors.

Constantinople, April 23.—The latest reports show that from 180 to 200 men were drowned or killed at the time of the wreck of the Turkish transport Aslan, near Yembogh, the first news of which was telegraphed from Jiddah, Arabia, April 1. According to the narrative of a survivor there was savage fighting between the soldiers and sailors for possession of the few boats belonging to the transport. The captain and a portion of the crew, the survivor adds, seized the boats and abandoned the ship, stabbing and belaboring the soldiers and pilgrims bound for Mecca, of which latter there were 300 on board who attempted to enter the boats.

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THE NEWS THIS MORNING.

- Weather Indications Today: CLOUDY AND UNSETTLED. 1. General—Arguments for and Against the "Ripper" Act. 2. Legislation at Harrisburg. 3. China Will Protect Foreigners If Troops Are Withdrawn. 4. Cuba Desires Absolute Independence. 5. General—Cardinal's Department. 6. Local—Forty-four Divorces Granted. 7. Editorial. 8. Local—Strike of Silk Workers Near an End. 9. High Scores at Bowling. 10. Local—West Scranton and Suburban. 11. General—Northwestern Pennsylvania. 12. Local—News in the World of Labor.

VICTORY FOR THE COAL COMPANY

United Mine Workers Refuse to Sanction Strikes, Brought About for Trivial Causes.

Wilkes-Barre, April 23.—The strike at the Prospect mine of the Lehigh Valley Coal company, which has lasted for a victory for the company. The 1,200 employees went on a strike early last week because a jig-tender in the breaker was discharged.

TOLSTOI EXILED.

Report That Author and Reformer Has Been Expelled from Russia.

Vienna, April 23.—The Deutsche Volksblatt says that it has authentic information that Count Tolstoi, the Russian author and reformer, has been expelled from Russia.

NEW JERSEY CENTRAL WAGE SCALE FIXED

The Railroad Officials and Representatives of Employees Agree Upon a Salary Schedule.

New York, April 23.—The Central Railroad of New Jersey today agreed with the representatives of the Trainmen on its new wage scale for the men. This agreement includes baggage-men, brakemen, switchmen, drivers, flagmen and others employed in the yards, as well as those on the road.

FREIGHT TRAIN IN A PIANO FACTORY.

Disastrous Wreck at Chester Caused by an Open Switch.

Chester, Pa., April 23.—A freight train on the Philadelphia and Reading railway was derailed at noon today at Foston by an open switch. The engine crashed into the wall of the Reading Piano company's warehouse, knocking down the end of the building and burying several men in the debris.

Big Mine Abandoned.

Shanklin, April 23.—Big Mountain slope No. 2, employing 30 men and boys, was permanently abandoned today in the Philadelphia and Reading Coal and Iron company because the expense of mining the coal has become too great.

Pantheon B Sold.

Levittown, Pa., April 23.—At Woodcock and Shanklin annual combination sale today, Pantheon B, a boy's outfit with a record of 2,905, by Van, over \$200, was sold to Bill Kenna, of York, Pa., for \$500.

BASE BALL.

Philadelphia, April 23.—The South side school keeps was shut today by two made men today. He will probably die. Let's assault men attacked him in his school, but he defied himself and his money with a clear mind. The men escaped without having secured any booty.

WEATHER FORECAST.

Washington, April 23.—Forecast for the United States: Continued cloudy and unsettled weather; probably light showers. In the West: Generally light showers. In the South: Generally light showers. In the North: Generally light showers.

CHINA OFFERS PROTECTION

Agreed to Be Responsible for the Safety of the Foreigners If Troops Will Leave Peking.

GUARANTEE TO BE GIVEN

Court Says Order Has Been Re-established Sufficiently to Permit of That—Attitude of United States Toward Punishment of Guilty Officials Misunderstood—Boxers Said to Be Planning an Uprising.

Washington, April 23.—It is understood that the Chinese plenipotentiaries in Peking are preparing to give a guarantee to the powers for the protection of all foreigners in China if the foreign troops stationed there are withdrawn. Thus far the retention of the foreign forces has been urged as necessary in order to preserve order and protect foreigners, but the Chinese authorities say that order has been so far re-established that the imperial government is fully able to direct the Chinese troops in such a way as to insure complete safety to the interests of all foreigners.

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