

RATE BILL CLAUSE IS KNOCKED OUT

One Referring to Commodities Is Declared Unconstitutional at Philadelphia.

JUDGE BUFFINGTON DISSENTS

Coal-Carrying Roads Win Important Point, and Stocks Are Imme- diately Affected.

Philadelphia.—Declaring it to be drastic, harsh and unreasonable and an invasion of the rights of the States, and therefore repugnant to the Constitution, the United States Circuit Court for the Eastern District of Pennsylvania dismissed the suits of the federal government to enforce the commodities clause of the Hepburn railroad act against the anthracite coal-carrying railroads of the State.

Judges George Gray and George M. Dallas filed opinions dismissing the suits, and Judge Joseph Buffington dissented, but did not file an opinion. The commodities clause prohibits railroad companies to transport in interstate commerce any article or commodity manufactured, mined or produced by them or under their authority.

The case was argued in June. United States Attorney General Bonaparte delivering the principal argument for the government. The effect of the commodities clause, if constitutional, would be to confine the mining of anthracite coal by the railroads for use in Pennsylvania only, or compel the railroads to sell all the mining property they are interested in either directly or indirectly.

The decision of the court did not come as a great surprise. It is almost certain that the case will be appealed directly to the United States Supreme Court.

New York.—The coal stocks were affected by the announcement that the Pennsylvania courts had declared the Hepburn commodities clause unconstitutional.

THIRTY-FOUR INJURED

Erie Railroad Officials Think Wreck Was Caused by Enemies of Company Opening Switch.

Meadville, Pa.—Thirty-four persons were injured in the wreck of Erie train No. 4, at Geneva, Pa., a small station eight miles west of here. Erie officials believe the wreck was caused by enemies of the railroad opening a switch shortly before the passenger train arrived, and are trying to trace the friends with bloodhounds. A key was used to open the switch, the lock being found hanging loose from the bar. Thirty-one of the injured were passengers and three members of the train crew. A majority of the passengers hurt were Italian and Greek laborers, traveling second class in the combination car. The property loss is estimated at \$20,000.

The Americans injured in the wreck are: Mrs. Myrtle Baldwin and 5-year-old daughter, Lucile of Van Buren, Ind., both painfully bruised; John McMill, aged 22, Meadville, fireman, cut and bruised; Edward Cox, aged 39, Meadville, thigh broken and left tibia fractured, serious; Fred Jackson, aged 31, Brooklyn navy yard, W. P. Ramilly, Rochester, N. Y., chest bruised, not serious; W. H. Chadwick, Suffern, N. Y., badly shaken up. The train was running at the rate of 50 miles an hour. The engine was overturned and the entire train left the track when it struck the open switch.

British Embassy Is Robbed. Washington, D. C.—Burglars entered the British Embassy at night and stole from the room of the housekeeper, Miss Clara Childs, a sum of money, most of her jewelry and a gold watch and chain. The police arrested George Chism and William Owen on suspicion.

TAILORS ARE PLEASED

Pittsburg Garments Compare Favorably With London Work.

The second day of the Merchant Tailors' local exchange of Pittsburg exhibit at the Hotel Lincoln attracted many prominent Pittsburgers. The clothes received very favorable comment and astonishment was expressed at the high grade of garments being turned out by local tailoring houses.

An interesting comparison of clothes made in this city was drawn with those coming from England. A sack and waistcoat was loaned the exchange by a customer of the London house, which, it is claimed is the maker of King Edward's clothes. A full dress overcoat from a London concern was also on display. The show will be open this afternoon and evening.

Much stimulus was afforded the stock market last week by a number of developments, not least of which was the decision by a Philadelphia federal court that the commodity clause of the Hepburn rate law is unconstitutional.

HARRIMAN TO BUILD SCHOOL

Plans New York Institution to Aid Worthy Young Men in Gaining Education.

Middletown, N. Y.—E. H. Harriman plans to build a free school to aid worthy young men in gaining an education unobtainable otherwise on account of lack of means. If the plans of the railway magnate, the best known educators of the country will be asked to become members of the faculty of the school to be situated at Arden, Orange county.

TAFT PREPARES FOR TOUR

Would Like to Invade Tennessee and Will Then Stump Middle West States.

Cincinnati, O.—William H. Taft's first campaigning tour will begin Wednesday, September 22, if the candidate's present desires are observed. Mr. Taft indicated that he would much like to talk with National Chairman Hitchcock after Mr. Hitchcock has conferred in Chicago with Senators Dixon and the western managers concerning the proposed itinerary. The arrangements to have the National League of Republican Clubs hold a rally in Cincinnati September 22 was made known to Mr. Taft by Arthur J. Voris. After the meeting of September 22 it is regarded as not unlikely that Mr. Taft will accept the invitation he has received from the Kentucky Bankers' association and address them at Lexington September 23.

Mr. Taft has expressed a desire to speak in Tennessee and it is pointed out here that he could extend the Kentucky trip to Nashville and Chattanooga and from there go to St. Louis and Kansas City, and thence into other middle western states.

DISTRESS IN GLASGOW

Unemployed Call on City Officials, Demanding Work.

Glasgow.—A remarkable scene was witnessed at the offices of the City Council. Crowds of unemployed gathered in George Square before the Council convened and a delegation of 12 was admitted to the meeting. The councilors received the delegation by rising from their seats. The spokesman of the unemployed said that never before had there been such distress in Glasgow.

"Every house unit," said this man, "is entitled to food. We make no outrageous request; we are only here to spread for the souls of men and women. They demand work."

The chancellor said the council would do all in its power to help those who need work.

Large bodies of troops were held in reserve in anticipation of rioting. The men, however, have decided to refrain from demonstrating for one week in order to give the council an opportunity to adopt measures for the improvement of the situation.

The police arrested a Socialist who incited a man to resist arrest. He threw pepper in the eyes of the constable before they secured him.

Wheat Crop Moving

St. Paul.—According to the general freight agents of the Northern railroads which run through the wheat belt of the Northwest, this year's wheat crop movement has just started and it is from two to three weeks earlier than in last year. Reports received from Duluth and Superior show that the movement the last days of last week indicates receipts of from 500 to 600 cars daily in those two cities for trans-shipment down the lakes.

Germany and Europe

It is announced by the French foreign office that all the powers signatory to the Algeciras agreement except Germany have approved the French program for dealing with the situation created by the overthrow of Sultan Abdul Aziz, by his brother, Mulai Hafid, and assumption by the latter of the prerogative of the sultanate.

Miss Coghlan Gets \$125,000 for Mine. Halifax, N. S.—Gertrude Coghlan, the actress, has struck it lucky at her summer home at Fortune bay, Prince Edward Island. On the property which Miss Coghlan inherited from her father a platinum mine has been found and Miss Coghlan has sold it to a Montreal firm for \$125,000.

Rioting at Procession

Budapest.—The socialists created serious disturbances during the Eucharistic procession, which was held in connection with the Catholic congress now sitting here. The police used their swords to restore order and 50 of the rioters were arrested.

FOUR SHOT IN HOTEL

Lynching Said to Have Been Narrowly Averted After Row.

Cumberland, Md.—Four men were shot and a lynching narrowly averted as the result of a row in a hotel at Frostburg Saturday night. The wounded are: Charles Martin, aged 45 years, a salesman of Chambersburg, Pa., shot in breast, bullet embedding itself just below heart, may die; Joseph Bruno, 24, Eckhart, Md., bystander, shot in abdomen by stray bullet, condition critical; Constable Bartolon of Frostburg, flesh wound in back, and J. W. Campbell, aged 42, shot in leg while escaping from hotel.

H. J. Heinz, the wealth Pittsburg burg, has added a \$25,000 Sunday school auditorium to his numerous benefactions to Winona Lake assembly, Winona, Ind.

The steamer Malinhead was badly damaged in a collision with the Corinthian at Crane island, 30 miles below Quebec. The Corinthian was outward bound from Montreal and the Malinhead inward bound.

LEPER FOUND IN NICKLEODEON

Had Been Passing Out Tickets to the Patrons.

New Orleans.—John Mouton, a leper, who escaped from the Louisiana leper home in Iberville parish, about a year ago, was found here selling tickets at a nickel theater. He said he went from the home to St. Louis in company with three other lepers who escaped at the same time with him. Mouton said he did not know what had become of his companions. He will be returned to the home.

WRIGHT BREAKS ALL AIRSHIP RECORDS

After Flying for 57 Minutes, 31 Seconds Early in the Day, He Again Ascends.

NEW MARK OF 62:15 SECONDS

Third Trip He Takes Army Officer With Him and Again Succeeds.

Washington.—Orville Wright in three flights at Fort Myer established new aeroplane records that assure the success of the official trials before the army board. War on land and sea will find in the aeroplane, it is now conceded by military men, a valuable means of reconnaissance and possibly of attack.

Two flights of approximately one hour each, another flight in which two men were whirled through the air for upward of six minutes, were the achievements of the Wright brothers aeroplane. That these flights will be surpassed by Orville Wright during his trials at Fort Myer, is conceded.

The first flight, made in the morning, in which the machine circled the drill grounds at the fort 57 times in 57 minutes and 31 seconds, was surpassed in the evening, when a flight of 62 minutes and 15 seconds was made.

Not satisfied with breaking all distance and time records for a heavier than air flying machine, Mr. Wright took Lieutenant Frank P. Lahm, the aeronaut of the signal corps, for a spin around the drill grounds, making a new record for a two-man flight.

The morning flight was witnessed by only a handful of enthusiasts, but the news spread so rapidly that fully 1,000 persons gathered on the military reservation across the Potomac from the National capitol to see the afternoon event.

LARGER SIGNAL CORPS WANTED

Administration Is Determined to Increase the Army in Any Old Way.

Washington.—With the utility of aerial navigation as an adjunct to the army in time of war, practically demonstrated by the phenomenal flight made at Fort Myer during the past week by Orville Wright, with the activity displayed by foreign governments in securing aerial navies, and with the advantage of maintaining constant communication between the various units of an army in time of war strikingly illustrated in recent international conflicts, military authorities are arguing the necessity for increasing the strength of the signal corps of the army.

Indeed, there is now awaiting the action of the military committee of the senate a bill providing for doubling the strength of the signal corps. While the officers of the cavalry, artillery and infantry arms of the service believe that their respective organizations should be enlarged, in official reports and in other ways these officers have shown also that they are agreed upon the urgent needs of a larger signal service.

MURDER IN SUNDAY SCHOOL

Girl Is Stabbed to Death While Playing Organ.

Charlotte, N. C.—Miss Willie Bullinger, aged 19, was stabbed to death Sunday by Ion Rader, aged 21, while she was at an organ playing the closing hymn at Sunday school. Rader leaped suddenly across several benches and with a pocketknife stabbed the girl once in the back and twice in the breast. She died instantly.

Several months ago Rader was committed to an insane asylum and in his ravings he often mentioned Miss Bullinger's name. Recently he was discharged from the hospital as cured.

CHOLERA IS EPIDEMIC

Dread Disease Is Spreading Rapidly in St. Petersburg.

St. Petersburg.—The Asiatic cholera in St. Petersburg is increasing, and each day that passes brings a larger number of cases. Up to noon September 12, 23 deaths and 109 new cases had been reported at the hospitals. The scourge continues to find its victims almost exclusively among the lower classes. -In one quarter, for example, there reside 10,000 workmen, who have the services of but one doctor. There are no water mains in this section and the people drink the polluted water of the canal.

Thaw Changes Prisons

Saratoga, N. Y.—Sheriff Lane of Westchester county, who is a delegate to the Republican State convention, learned that Harry K. Thaw had been transferred from the Dutchess county jail to his custody. He telegraphed instructions to the warden of the White Plains jail to place Thaw in the hospital ward of the prison on his arrival there.

DRUGGISTS' SYNDICATE MEETS

3,000 Retailers from Every State and Territory, Except Alaska, in Convention in New York.

New York.—Three thousand retail druggists from every State and Territory, except Alaska, are in New York attending the third annual convention of the American Druggist syndicate. The convention will last for three days, an elaborate business and social program having been arranged by the secretary, C. H. Goddard.

FOREST FIRES RAGING

Flames Eat Their Way to Cities' Limits—Car Shops Destroyed.

Duluth, Minn.—Forest fires are still doing great damage. The heavily timbered Isle Royale in Lake Superior was ablaze and hundreds of camps were in jeopardy. Fires have also broken out near Duluth and at Lester Park, a suburb. The burning bush threatened great damage. A dispatch from Menominee, Mich., says:

The car shops of the Wisconsin & Michigan Railroad at Peshtigo were burned and fire from the woods is endangering the city. The loss to the railroad is estimated at \$70,000. Reports from the country around Marinette are that the forest and brush fires are raging. Farmhouses near Coleman and Grover have been destroyed. Although the Soo Railroad fires are menacing and it is predicted that unless rain comes soon there will be huge property losses. The town of Dunbar is surrounded by fire.

HARRIMAN BUYS CARS

Scatters Orders and Cuts Down Original Estimate.

New York.—Contracts were placed for the big freight car order for the Harriman lines, the Union and Southern Pacific. It had been expected all along that the order would aggregate 7,000, but it developed that the number was cut to a little more than 5,000 cars.

Firms obtaining the contracts were: Cambria Steel Company, 1,600 cars; Standard Steel Company, 470 cars; American Car & Foundry Company, 2,000, and Barney & Smith Company, 1,000 cars. The combined order aggregate \$5,070,000.

SUNDAY USES HAMMER

Evangelist Destroys Plates and Forbids Publication of Sermons.

Hammond, Ind.—While scores of employes stood aghast "Billy" Sunday, the evangelist, armed with a sledge-hammer, destroyed \$3,500 worth of plates containing an edition of his sermons in the press room of a publishing company. After completing the task and scattering the broken bits of metal about them, the evangelist put on his coat, warned those present that he would repeat the act if an attempt was made to issue the edition and walked rapidly from the place.

The action is the climax of a fight that Sunday has been waging against the publication of his sermons.

DUEL FATAL TO TWO MEN

Alabama Citizen and His Son-in-Law Dying from Wounds Received in a Fight.

Selma, Ala.—John G. Morris and his son-in-law, J. Kirk Phelan, are dying from wounds received in a revolver duel. The men are members of prominent Alabama families. Trouble had existed between them for some time. After they had emptied their pistols at each other, both men being wounded, they used the weapons as clubs and continued the fight until they could stand no longer.

Scarcity of \$1 and \$2 Bills Exists.

New York.—The national and state banks and trust companies throughout the country have cash reserves that have been equalled seldom in the financial history of the country, but there has developed a scarcity of small bills, which is beginning to embarrass many bankers and their customers. "The lack of \$1 and \$2 bills is the more extraordinary, because it occurs at a season when small money is ordinarily plentiful and because in the panic last fall the Treasury turned out small bills as rapidly as the printing presses could work them off."

Awaiting the Stock's Arrival.

The Hague.—Queen Wilhelmina, who, it was announced a week ago, expected an heir to the throne of Holland spends most of her time now in private apartments and receives visitors only on urgent affairs. She walks occasionally in the park.

London Trade on Decrease.

London.—The August statement of the board of trade shows decreases of \$32,722,000 in imports, and \$35,062,000 in exports. The principal import decreases were in grain, flour and raw materials and the decreases in exports were in manufactured goods, of which \$15,000,000 was in cotton, wool and textiles.

Fear Gigantic Strike.

Nottingham.—The greatest railroad strike ever seen in England is forecast in the opening session here of the Trades Union Congress at which delegates representing 1,750,000 English workmen are in attendance. The sentiment for a strike of all railroad employes in the United Kingdom is most pronounced.

May Buy Franklin's House.

Paris.—Michael J. Doyle of Philadelphia, announced that he had secured an option for an American syndicate upon the house in this city occupied by Benjamin Franklin when he was cultivating friendly relations with France during the American Revolution. Mr. Doyle declines to give the names of those interested.

Cholera Epidemic Threatens.

St. Petersburg.—The fact that Asiatic cholera exists in St. Petersburg has been established beyond doubt. The body of the woman who died in this city has been examined and the bacilli of cholera found. The present weather conditions are favorable to the spread of the disease and the authorities are making preparations to combat a rapid increase in the number of cases. The Russian winter is close at hand, but experts distrust the efficacy of the cold to check the scourge.

TOWN OF BLAIR IS WREPT BY FIRE

Business District of Clairton's Next Door Neighbor Is Wiped Out.

ANNEXATIONISTS ARE ANGRY

Claim Obstructionists Prevented Borough Obtaining Fire Protection.

Flames originating in a tailor shop from an overheated tailor's goose, followed by an explosion of gasoline, wiped out practically the entire business district of Blair, a thriving little town adjoining Clairton, entailing a loss conservatively estimated at \$45,000. The place was at the mercy of the flames because several non-resident property owners are said to have so far succeeded in preventing the annexation of Blair to Clairton.

Blair has never enjoyed any fire protection, and it was not until the fire department of Clairton and East and West Elizabeth came to the assistance of Blair that the flames were got under control and finally extinguished.

A water plug and a few feet of fire hose would have been all that was necessary to extinguish the flames five minutes after their origin. The residents of Blair heaped anathemas on the property owners who have prevented Blair from getting proper fire protection.

REDS CAUSE SMALL RIOT

Berkman, Goldman and Other Anarchists Try to Capture Labor Meeting.

New York.—An attempt was made to turn a meeting of unemployed workmen into an anarchistic demonstration and for half an hour the big meeting hall in Cooper Union, where the meeting took place, was the scene of wild excitement, during which red flags were raised, the police denounced and incendiary speeches made.

Alexander Berkman, the anarchist, was dragged from the hall by the police and locked up.

A young woman, who gave her name as "Mary Smith," and who stood by Berkman, was also arrested, and Emma Goldman, recognized leader of the "Reds" in this country, was ordered to leave the hall.

SEA SERPENT KILLED

Irish Fisherman Shoots It—Only Thirty Feet Long.

Belfast.—A message received here from the Copeland Islands, a small group off County Down, says a local fisherman shot a snakelike sea monster and secured the body. It is 30 feet long and 6 feet in circumference and has a fan-shaped tail and a head like a seal. Many photographs of it have been taken.

Insanity Will Be Jordan's Defense.

Boston, Mass.—Insanity will be the defense of Chester Jordan, the self-confessed murderer of his wife. To defend him, the principal in the Somerville trunk murder will have one of New York's most noted criminal lawyers backed by the millions of Jesse L. Livermore the young cotton speculator. Livermore is Jordan's brother-in-law and it is understood that he engaged Attorney William F. S. Hart, who is here preparing his case. Hart gained fame several years ago by his defense of Police Captain Chapman in the sensational "Seeley dinner case."

Alleged \$173,000 Thief Goes Free.

Chicago.—George W. Fitzgerald, accused by the State authorities of the theft of \$173,000 from the United States treasury here, was freed by Judge Chetlain, United States Sub-treasurer Boldenweek, acting on instructions not to disclose evidence gathered by the federal authorities, thereupon dismissed the case.

Water Famine Alarming.

Cumberland, Md.—Western Maryland is suffering the inconvenience of a water famine consequent on a long drought and the mountain streams are being dammed to procure a supply of drinking water for the towns. The Potomac river here is at the lowest ever known and navigation has been crippled on the Chesapeake & Ohio canal. Rigid rules as to the waste of water are being enforced throughout the whole region.

Navy Paymaster Insane.

Parkersburg, W. Va.—James C. Mills, paymaster on the battleship Chicago of the United States Navy, became suddenly insane at the Hotel Monroe, where he was a guest. Chief of Police Oliver and Patrolman McManus had a battle with him before he was subdued.

Charles K. Lord Dead.

Philadelphia.—Charles K. Lord, president of the Tonopah & Goldfield Railroad Company and formerly vice president of the Baltimore & Ohio Railroad, died at the Presbyterian hospital. He had been ill for weeks with Bright's disease.

Thieves Scared Away from Big Booty.

Gulford, England.—The wedding jewels of Mrs. John Ward, who was Miss Jean Reid, daughter of the American ambassador almost fell a prey to burglars. The thieves entered Mrs. Ward's apartments and secured gems and wedding gifts worth a vast fortune. They had laid their booty on a table preparatory to packing it in grips, when they were scared away, escaping through a window. So hurried was the flight of the burglars that they took with them only a few small pieces, worth about \$500.

PACKAGE OF \$50,000 MISSING.

Express Company Running Down Mysterious Theft in Oregon.

Portland, Ore.—A package entrusted to the care of the Wells Fargo Express Company at Salem, Ore., by J. R. Albert, president of the Capital National bank of that city and addressed to Joseph M. Meyers in this city, containing notes and other valuable papers representing over \$50,000, is strangely missing.

As soon as the robbery was reported to the express company detectives were put to work, and their efforts to unearth a clue to the perpetrators of the robbery have not, it is believed, been entirely unsuccessful.

How the theft was accomplished is almost as great a mystery to the express company officials as is the identity of the thieves. From the best information at hand it is understood that the package contained jewelry, promissory notes and other papers valued at over \$52,000.

TOURISTS LOST IN FOG

Four Found on Mountain Nearly Frozen to Death.

Geneva.—After climbing the Jungfrau, Ormiston Smith, an English Alpinist, found four German tourists—two women and two men—in a frozen condition.

They had climbed the mountain and, becoming lost in a fog, had wandered about for 48 hours. All were nearly dead from exposure and lack of food. The men had dug holes in the ice, in which they placed the women. Their hands and feet were frozen. Mr. Smith and his guides carried the exhausted tourists down the mountains some distance to the Concordia hut, where they received adequate treatment, and were then removed to the Gindelwald hospital.

FOUR CREMATED IN HOTEL

Scores of Others Badly Hurt in Fire at Denver.

Denver.—Four men lost their lives and a score of persons were injured, several of them seriously, in a fire that gutted the Belmont hotel, a three-story building at 1723 Stout street. The dead are: Edward Moore, real estate agent, Philadelphia, killed jumping; John D. Kane, Colorado Springs, suffocated; George Bode, Middletown, N. Y., died at hospital of injuries sustained by jumping.

In the opinion of officials of the fire department the hotel was set afire and a rigid investigation is being made.

NELSON CONQUERS GANS

Nelson Inflicts Terrible Punishment on Ex-Champion, and Scores Decisive Victory.

Colma Arena.—Battling Nelson clinched his claim to the lightweight pugilistic championship by defeating Joe Gans for the second time at Colma Arena. The fight ended in the twenty-first round, when Gans, beaten down by a succession of blows from his sturdy conqueror, failed to get upon his feet within the count of ten. The veteran colored fighter was severely punished, but the champion, too, bore the marks of battle. From the first clang of the gong to the last moment Nelson forced the fighting, never giving ground, and gradually battered down his older and less vigorous opponent.

Gans succumbed in the twenty-first round after being unmercifully trounced. Nelson in this round rained right and left blows to the jaw and body and Gans sank to the floor.

INDICTED FOR ARSON

Officers of Firm Charged With Causing \$1,500,000 Fire.

New Orleans.—Julius Lipps, manager; Abe Wolf, secretary and treasurer of the Central Glass Company of New Orleans, and John Eckert, an employe of that company, were indicted by the grand jury on the charge of arson in connection with a fire which caught ten days ago burned over a portion of three blocks in the business section of New Orleans, causing a loss of \$1,500,000.

The fire originated in the building occupied by the Central Glass Company.

Jap Premier Has an Economy Policy.

Tokyo, Japan.—Marquis Katsura, the new premier and minister of finance, outlined a policy of rigid economy for Japan in an address before the Bankers' club. He declared that the patriotism of the people of Japan was as necessary now, when economy was necessary to restore confidence and credit, as during the Russo-Japanese War, when he was foreign minister.

New Pittsburg Corporation.

Dover, Del.—Articles of incorporation were filed here for the American Sales Company, Pittsburg, to act as general agents and managers for societies, etc. Incorporators, Allen K. Gillespie, Frank B. Kelley, J. K. Gillespie, all of Pittsburg, Pa. Capital stock \$100,000.

Vineyards Are Devastated.

Rheims.—The vineyards throughout the entire champagne regions have been devastated by mildew. The crops have been practically destroyed and the output will be only 2,000,000 bottles instead of 45,000,000, which represents a loss to the growers of nearly \$20,000,000.

Measure Volume of Water in Ohio.

Cincinnati, O.—The first measurements of the kind ever attempted in Cincinnati were taken from the suspension bridge to determine the volume of water flowing in the Ohio river, by first ascertaining the velocity of the current. The work is being carried on under the direction of Engineer A. H. Horton and is to determine the feasibility of a general reservoir system at the headwaters of the streams for controlling the flow of water.