

"The Busy Corner." "The Smith Building." S. KANN, SONS & CO.

ALWAYS THE BEST OF EVERYTHING FOR THE LEAST MONEY.

Our Store Will Be Closed All Day Tomorrow, July 4, BUT Our Friday Remnant Sale Closing Out the Last Odds and Ends OF Saks & Co.'s Stocks Will Be Quite an Attractive Feature.

Thursday evening's Times and "Star" and Friday morning's "Post" will divulge the secret.

S. KANN, SONS & CO., The Busy Corner. The Smith Building.

IN THE BASEBALL WORLD.

Table with columns: Club, W, L, Pct. Includes American League and National League standings.

The Senators wound up their long stay at home yesterday by defeating the Athletics. The battle was a close one during the forepart, but toward the close Washington drew easily.

Washington 10 13 21 400 X 0 11 2 Philadelphia 10 11 13 9 0 6 6 12 2 Batteries—Patten and Clark; Platt and Powers.

Boston Wins From Baltimore. For the first time in a dozen games the Orioles were defeated by the Red Sox.

Three Straight for the Spiders. For the third consecutive time the Spiders succeeded in downing the Brewers at Milwaukee.

Another Victory for Chicago. The White Sox tightened their grip on the lead for the pennant in the Windy City yesterday by defeating Detroit.

City yesterday by defeating Detroit. Only six innings were played. The score: Chicago 2 0 2 1 0 0 0 0 1 0 1 1 2 Detroit 0 2 0 0 0 0 0 2 5 1 Batteries—Griffith and Sullivan; Siever and DeLoach.

CONVICTS FOR MOUNDVILLE. Fourteen prisoners to be taken to the Penitentiary tonight.

HURT BY A STREET CAR. Henry Butler brings suit for alleged personal injuries.

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THE COMMISSIONERS LOOK AFTER THE COMFORT OF HORSES.

Report of the Building Inspector for the Month of June—A Controversy Concerning the Removal of a Fence That Runs Across an Alley.

Andrew B. Duval, the Attorney for the District, today submitted to the Commissioners his opinion upon the communication of John B. Larner, attorney for Mrs. Heap, requesting the removal of the fence erected across the alley between lot 23 and part of lot 24, square 188.

On March 6, 1890, W. W. Corcoran, the owner of said square sub-divided the same into lots 10, 15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175, 180, 185, 190, 195, 200, 205, 210, 215, 220, 225, 230, 235, 240, 245, 250, 255, 260, 265, 270, 275, 280, 285, 290, 295, 300, 305, 310, 315, 320, 325, 330, 335, 340, 345, 350, 355, 360, 365, 370, 375, 380, 385, 390, 395, 400, 405, 410, 415, 420, 425, 430, 435, 440, 445, 450, 455, 460, 465, 470, 475, 480, 485, 490, 495, 500, 505, 510, 515, 520, 525, 530, 535, 540, 545, 550, 555, 560, 565, 570, 575, 580, 585, 590, 595, 600, 605, 610, 615, 620, 625, 630, 635, 640, 645, 650, 655, 660, 665, 670, 675, 680, 685, 690, 695, 700, 705, 710, 715, 720, 725, 730, 735, 740, 745, 750, 755, 760, 765, 770, 775, 780, 785, 790, 795, 800, 805, 810, 815, 820, 825, 830, 835, 840, 845, 850, 855, 860, 865, 870, 875, 880, 885, 890, 895, 900, 905, 910, 915, 920, 925, 930, 935, 940, 945, 950, 955, 960, 965, 970, 975, 980, 985, 990, 995, 1000.

Section 486, E. S. D. C. provides: The ways, alleys, or passages, laid out or expressed on any plat or sub-division, shall be and remain to the public, or subject to the use declared by the person making such subdivision.

"It appears that the entrance to this alley on I Street and on Sixteenth Street have been paved by the public; the intervening part of the alley, however, does not seem to have been opened; and for a long time a fence has stood and now stands across this alley preventing access to the applicant's property, and she desires to have said fence removed and the portion of said alley in the rear of her property paved.

"The records do not, so far as I have discovered, disclose any act on the part of the proprietor of said subdivision which would divest him or his assigns of the use of the alley or would constitute it a public alley.

"The very fact of the existence of the fence complained of (which belongs, I am informed, to the proprietors of the subdivision) tends to show that the applicant's acquisition of the property in any supposed change in the character of the uses originally declared, or of an enlargement of such uses from those of a private alley to those of a public alley, is not to have the fence complained of removed, inasmuch as I understand the heirs of the owner of the subdivision sold and conveyed the same to her by reference to said subdivision—that is to say, she may have enforceable private rights, but I am unable to advise from the date before me that the said alley is a public alley, or that the Commissioners have the authority to cause the removal of the fence across the same."

The Attorney for the District also submitted to the Commissioners today his opinion upon the application of Edward Scanlon requesting the remission of interest on the tax for the sub-division 52 square 67. The Attorney states that this lot is owned by John Flaveland. He also states that the lot was advertised and sold at the delinquent tax sale in 1885, for an unpaid assessment of general taxes.

Continuing, Mr. Duval says: "As respects taxation, the law subjects the real estate of all persons (including persons under legal disability, such as minors, insane, persons, etc.), to the same uniform burden; in other words, the law deals with the property itself. Nevertheless, in consideration of the fact of such legal disability, usually special provision is made for the remission of the property of such owners from tax sales.

"Such statutory provision was in force in 1885, when this lot was sold for taxes and 'bid off' to the District—for the fifth section of the act of Congress, approved March 3, 1857 (19 Stat. 375), which is declared by its concluding section to be the permanent tax law until repealed, provides: "That minors or other persons under legal disability be allowed one year after such minors coming of age, or being of full age, or after the removal of such legal disability, to redeem the property so sold, or of which the title has, as aforesaid, become vested in the District of Columbia, by the purchaser or purchasers, his, her, or their heirs or assigns, or from the District of Columbia, on payment of the amount of purchase money so paid therefor, with 10 per centum per annum interest thereon, as aforesaid, and all taxes and assessments that have been paid thereon by the purchaser, or his assigns, between the day of sale and the period of such redemption, 10 per centum per annum interest on the amount of such taxes and assessments."

"There is no provision of law, however, which authorizes the Commissioners to remit the penalties or interest on the unpaid tax, although the property may be owned by a person under a disability; in such case the penalty, etc., is in the same category as in the case of real estate owned by other persons; it is part and parcel of the delinquent tax, according to the decision of the Court of Appeals in England vs. the District of Columbia, and it consequently follows that the Commissioners are without authority to commute or remit the penalties or interest accruing upon the sale of said lot for delinquent taxes.

C. A. Snow, President of the Washington Steam Heating and Light Company, called the attention of the Commissioners to the suffering of horses standing all day in the sun in the rear of Seventh Street Market, east. He asked that permission be given for the horses to stand in the shade on C Street, as the weather is very hot.

The matter was referred to the Police Department, and Lieutenant McCathran, of the Fifth precinct, has reported as follows: "The wagon stand in front of the Eastern Market, on which the wagon stand is located, is north of C Street southeast, and south of North Carolina Avenue, C Street is narrow, the trees small, and there is very little shade on the north side thereof. The south side is improved by residences, and the placing of a wagon stand in front of their doors would be very objectionable. The south side of North Carolina Avenue, between No. 8 engine house and Seventh Street southeast, could be utilized during the heated term, under the condition that the drivers clean the roadway each day."

Mayor Sylvester, in forwarding this report to the Commissioners, approved the same. Commissioner Ross moved that the report be approved, and Mr. Snow informed in accordance therewith, in which the Board has concurred.

John B. Brady, Inspector of Buildings, today submitted to the Commissioners his report of the operations of his office for the month of June. He states that permits were issued for the erection of buildings as follows: 26, \$27,850; frame dwellings, 19, \$57,429; frame repairs, \$1,117,490; frame repairs, \$5,854; apartment houses, 20, \$575,500; store and dwelling, 3, \$12,000; store, 1, \$10,000; engine and boiler, 2, \$50,000; hotel, 1, \$15,000; hall, brick, 1, \$18,000; church, frame, 1, \$5,000; brick, 1, \$1,500; office, 1, \$12,000; workshop, brick, 1, \$1,500; workshop, frame, 1, \$250; stable, brick, 7, \$6,250; stable, frame, 3, \$500; sheds, frame, 43, \$1,502. Total, \$5,158,434.

The following summary shows the distribution of improvements in the different sections of the District and the value of the same: Buildings, northwest, \$95,000; buildings, county, \$300,720; buildings, northeast, \$75,400; buildings, southeast, \$200,000; buildings, southwest, \$10,664. Total, \$1,411,784. Repairs, northwest, \$10,454; repairs, county, \$2,300; repairs, northeast, \$1,400; repairs, southwest, \$3,822; repairs, southeast, \$2,894. Total, \$124,850.

W. A. L. Gresham, of 1619 Seventeenth Street northwest, has written to the Commissioners complaining of the nuisance caused by the chickens kept in a yard in the rear of his premises. He asks that the owner be required to dispose of them. Mr. Gresham will be informed that the Commissioners have no authority to take any action, and his only recourse will be the taking out of a warrant charging his neighbor with maintaining a nuisance.

The Commissioners have approved the request of H. A. Zech, of First and B Streets northwest, relative to the plumbing in premises 49 Ninth Street northwest. It is proposed to use wooden wash trays with an asphaltum lining for photographic purposes. In reporting upon the application the Inspector of Plumbing stated that the building regulations had reference to trays and sinks used for washing clothes and not to a case like that recommended that the request be granted.

Owing to the fact that the original order has been lost or mislaid, the Inspector of Plumbing has asked the Commissioners to issue a new order relating to the connection of premises 3318 Chestnut Avenue northwest with sewer and water main.

The Commissioners have approved a bill rendered by the Water Department upon premises 315 F Street southwest, and have sanctioned the turning off of the water until the same is paid. It was found by inspection that an additional charge should be made, and the bill in question was rendered.

Dr. William C. Woodward, the Health Officer, has forwarded to the Commissioners a recommendation that the present telephone in the new Smallpox Hospital be taken out and a phone on the metallic circuit substituted therefor. Dr. Woodward states that this change is desirable because the present telephone is one of the old style instruments, and that the metallic circuit is superior in giving and receiving messages through it.

Walter C. Allen, the Electrical Engineer, in reporting upon the recommendation asks that the Telephone Company be notified and the change requested.

Upon the recommendation of the Inspector of Plumbing, the Commissioners have approved the request of Mrs. Christian Heurich, for a permit to omit running a trap for a sewer system in the apartment house at 2100 New Jersey Avenue, First, and H Streets northwest.

The Opinion of Mr. Duval in the Mount Pleasant Controversy. Andrew B. Duval, Attorney for the District, today submitted to the Commissioners his opinion upon the communication of A. L. Sturtevant, secretary to the board of trustees of Mount Pleasant Congregational Church. This communication embodied a request for the exemption from taxation of lots 29 and 31, block 29, North College subdivision, and the question upon which the Attorney was asked to give an opinion was whether the property could be lawfully exempted prior to the time when it was used for church purposes.

Mr. Duval states that this property was acquired by the Congregational Church May 31, 1885, for the purpose of erecting a church edifice thereon. He states that excavation for the building was commenced in July, 1886, and that the church edifice was dedicated March 29, 1888, since which time it has actually been used for church purposes. Continuing, Mr. Duval says: "Congress has seen fit to exempt from taxation property used for educational, ecclesiastical, and other purposes. These exemptions have been provided at different times and upon different terms, and as a consequence they unfortunately lack any general system of uniformity. The provision in reference to the churches is contained in section 8 of the act of Congress approved March 3, 1857, and is as follows: "That the property exempt from taxation under this act shall be the following, and no other, namely: \* \* \* churches, and grounds actually occupied by such buildings, \* \* \* but if any portion of such building, house, grounds of cemetery, so in terms excepted, is larger than is absolutely required and actually used for its legitimate purpose and none other, or is used to secure a rent or income for any business purpose, such portion of the same or sum equal in value to such portion shall be taxed against the owner of said building or grounds."

"It will be observed," says the Attorney, "that the exemption is of churches and grounds actually occupied by such buildings, and seems to contemplate that the ground and building shall be actually used. For more than a quarter of a century the Assessment Department has considered and construed this provision of exemption from taxation to operate only from the date on which such church property is ready for occupancy for church uses. This, it seems to me, is a reasonable rule of construction.

"If the exemption allowed from the date of the purchase of the property upon which the church is proposed to be built, violence would be done apparently to the legislative purpose and none other, or is used to secure a rent or income for any business purpose, such portion of the same or sum equal in value to such portion shall be taxed against the owner of said building or grounds."

"I am of the opinion that the property shall be exempt from taxation if it is actually used for church purposes."

WEAK MEN CURED. Dr. Hove's Compound.

Cure Nervous Debility, Lost Vitality, Wasting, Weakness, Etc. A BOX, 5 BOTTLES, \$2.00. By mail in plain sealed box or all druggists. Howo Medicine Co., 152 Walnut St., Philadelphia, Pa.

Special Rates to Blumenthal, Va. Until further notice Southern Railway will sell tickets to Washington to Ashburn, Leesburg, and points beyond to include Blumenthal, at \$1.00 round trip, good on train leaving for Washington, Va., Sunday, returning on train leaving Blumenthal 5:40 p. m., same date.

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Honest Beer

The first brewery of Jos. Schlitz was a hut, but the beer that was brewed there was honest. That was fifty years ago. Today the magnificent Schlitz brewery forms a monument to that honesty.

From the very beginning the main object has been to attain absolute purity. In Schlitz beer pure yeast was first introduced in America. In the Schlitz brewery are all the inventions men have made for protecting beer from impurities.

Schlitz beer is even cooled in filtered air; then it is filtered, then sterilized. It is well-aged to avoid the cause of biliousness.

Ask your physician about Schlitz, the beer that made Milwaukee famous.

Phone 493 Schlitz, 615-21 D St. S. W., Washington.



TAXES ON CHURCH PROPERTY. The Opinion of Mr. Duval in the Mount Pleasant Controversy.

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THE EVENING TIMES WEDNESDAY, JULY 3, 1901.

Weather Indications. Partly cloudy tonight and Thursday; winds mostly light southerly.

Temperature at 9 a. m. 84; at 12 noon 82; at 3 p. m. 84; at 6 p. m. 82.

THE SUN AND MOON. Sun rises 5:20 A. M.; sets 7:26 P. M. Moon rises 5:21 P. M.; sets 1:34 A. M.

TIDE TABLE. Low tide 4:45 A. M. and 4:20 P. M. High tide 9:10 A. M. and 9:32 P. M.

STREET LIGHTING. Lamps lit today 5:07 P. M. Lamps out tomorrow 3:37 A. M.

AMUSEMENTS. Lafayette—"Captain Lettrelair," afternoon and evening. Chase—"New Grand-Polite vaudeville, afternoon and evening.

IN AND ABOUT THE CITY. Downtown Temperature. The temperature at Abbe's registered 85 degrees at 9 a. m., 83½ degrees at noon, and 88 degrees at 2 p. m. today.

The Vicinities of a Locksmith. A policeman told Judge Kimball today that George Fidara, whom he had in court on a charge of vagrancy, was a locksmith, and that he worked some, but spent nearly all of his money for whiskey and beer, and had been found drunk on I Street northwest many times. Fidara made no denial to the accusation, and in default of a fine of \$10 went to the workhouse for thirty days.

Marriage Licenses Issued. Marriage licenses were issued today to John B. O'Connor and Mary C. Griffin; Henry H. Craft, Pittsburg, Pa., and Camille M. Glueck; Benjamin P. Gaines and Theresa J. Hawker; Allen S. Rose, King George county, Va., and Rose Lee, this city; Walter H. Wills and Marion C. Geddes; George H. Olmstead and Bessie Stallings; James H. Robinson, Harper's Ferry, West Virginia, and Virginia I. Brown, this city.

An Extended Cooling Process. John and Thomas Penderbive, brothers, took numerous schooners of beer last night to cool off, and were in the Police Court today on a charge of disorderly conduct. A policeman said the men were noisy and cursed vigorously on New Jersey Avenue, and he took them to the Police Court. Judge Kimball imposed a fine of \$5 on each and in default they will serve fifteen days in the workhouse.

On the Wrong Side of the Street. James Duval, a colored boy, was in the Police Court today charged with driving on the wrong side of Seventh Street northwest. He said that he had a big load on his wagon, that his horses were very tired and hot, and that he had taken the wrong side of the road in order that he might get to the stable, thus giving his team relief. Judge Kimball said that he could not find fault with the lad for trying to be humane, and took his personal bond.

As Tharp's will be closed all day on the Glorious Fourth, orders for Berkeley Pure Rye should be sent in today. Phone, 1141. Special bicycle delivery.

Words of Praise for Mother's Bread. More than eleven hundred grocers in this city voice the sentiments of this one: Always Gives Satisfaction. "We have sold Corby's Mother's Bread since it first came out, and find it the most ready seller of any bread we handle and always gives entire satisfaction. We have more calls for it than any other brand."

Walker & Burks, 1013-1015 7th St. N. W. I am Uncle Sam's coal man. Why not yours? Drop postal for prices. WM. J. ZEH, 702 11th St. N. W., 6th and E Sts. N. W., 13th and D Sts. S. W.

REFRIGERATORS. A fine line of golden oak-finished Refrigerators, lined with charcoal absorbing, handsome, cast brass trimmings. Cash or Credit. \$4.48. Walker & Burks, 1013-1015 7th St. N. W.

Man's \$1 True Blue American Serge & Flannel Suits to Order. \$10.00. PELZMAN, Tailor, 505 7th St. N. W. BUSHY EVERY DAY. Selling screens. No let-up to the demand for these window screens at 14c. John B. Espay, 1010 Pa. Ave.