COUNCILS CAN REMEDY

That Is the Only Source of Raiding Power for Mayor Gourley

SO THE CITY ATTORNEY DECLARES.

The Chief Executive Can Merely Direct, and Cannot Enforce.

GIST OF THE SOCIAL EVIL CURE

At the request of Mayor Gourley, City Attorney Moreland submitted his opinion of the Mayor's authority to compel officers to enforce the laws. The Mayor wrote Mr. Moreland that he had directed the Chief of the Public Safety Department to make informations and arrests and close disorderly houses, and he now wanted to know what power he had to compel the fulfilment of the orders.

In answer the City Attorney refers to the importance of the question, and quotes voluminous extracts from laws and ordinances covering the same. In Justice Williams' opinion five magistrates were supposed to have the same police power as the Mayor, but the latter's power is not diminished and ample latitude is conferred upon the Mayor and magistrates, but the right to arrest upon view is conferred by ordinance. This, the City Attorney says in his opinion, is mandatory and not directory. Several authorities are quoted to maintain this view, stating that where public interest or private right require a thing to be done, the word "may" is construed as meaning "must." Justice Williams in referring to the city of Pittsburg says the heads of her departments must look to the act creating them for their power.

He Has No Power.

Under this act, the City Attorney says the chief of the city has no power to arrest or imprison any violator of the law. The power to make arrests is vested in the Mayor and magistrates and police, but to hear and to act in these arrests rests with the Mayor, his appointees, and the magistrates. If the police of the city fail, neglect, or refuse to do their duty, the penalty is dismissed.

"The police," says the City Attorney, "are no longer under the Mayor, but are subject to the order of the Chief of the Department of Public Safety, who has the right to arrest on sight or warrant." The act makes the Mayor the "directing" power, and the Chief of the Department of Public Safety is simply given the management and supervision of police affairs, not the right to raid and arrest except as prescribed by law. Assuming that the Mayor has the right to direct and the police official refuses to act, there is only one remedy. The Mayor's duty is to submit the matter to Councils and they can enact such ordinances as will remedy the evil. Then if police officials refuse to act they may be dismissed by Councils. After holding that Councils are required to pass such ordinances relating to the peace and welfare of the city Mr. Moreland makes his points clearly.

The Gist of the Law.

First—The power of punishing offenses against the laws and ordinances relating to this city is devolved upon the Mayor and the five police magistrates appointed by the Mayor.

Second—You have the lawful power to direct the chief of the department, within the laws and ordinances, to enforce all such through his police, either to arrest on view where a breach of the peace is being committed in the presence of such officer, or by causing informations to be made. But such arrests, when made, can only be heard and determined by the proper magistrates.

Third—The right of the Mayor to supervise departments and direct the officers within their lawful duties does not confer the power upon you to order raids to be made nor to make arrests in any other mode than herein indicated.

Fourth—If a public officer should fail, neglect or refuse to obey the terms and provisions of such ordinances as may from time to time be enacted, the Mayor has the right, and I think it would be his duty, to report such failure or neglect to the Councils, or to the chief of the department in which the offending officer is employed, for such investigation and action as may be in such ordinances provided.

The Power in Councils.

Fifth—The chief of the department is chosen by Councils. He is an executive and de jure officer. Within the line of his duty he is unquestionably clothed with some latitude for judgment and discretion. He is required to report to Councils, from whom he derives his office, and to whom, and they alone, he is responsible. Councils can pass ordinances for carrying into effect the laws, and may direct therein the manner and time within which and by whom they shall be executed. A failure to perform in good faith the duties so imposed would, in my judgment, give the Councils right to take action, either by suspension or removal of such officers.

Sixth—The ordinance of 1869 empowers the police to enforce by arrest on view or upon information and warrant, persons offending against the acts and ordinances in part recited. Failing so to do they are liable to dismissal by the chief of the department.

I have given to your communication a most patient, thorough and impartial investigation, and can reach under the law no other conclusions than those stated. If the law fails or falls short of furnishing means for its proper enforcement the fault is not that of public officers. We cannot legislate. We cannot do ought else than accept the law, and then conscientiously execute it in a decent, orderly and proper manner. The remedy for defects is sound with the Legislature. Most truly yours,

WILLIAM C. MORELAND, City Attorney.

THIS EVENING,

From 5 Until 8:30 O'clock.

We will offer for sale about 950 men's cassimere and worsted pants, left over from medium and high priced suits, not a pair in the lot worth less than $3 and up to $5; to clear them off our tables you can take your pick for $1 39 a pair. Bear in mind, this offer is for Thursday, December 22, between the hours of 5 and 8:30 P. M. Only one pair sold to each person. P. C. C. C.,

Corner Grant and Diamond streets.

Holiday Excursions.

On December 24, 25, 26, 31, and January 1 and 2, the Pittsburg and Lake Erie Railroad Company will sell excursion tickets, good to return until January 3, inclusive, at one and one-third fare, between all stations, and also to Erie, Cleveland, Chicago, Dayton and intermediate points. Try the new fast trains, only 3½ hours to Cleveland, 8 hours to Buffalo and 14 to Chicago.

Fountain Pens.

A good one that can be relied upon is the Phœnix. Its chief advantage is a movable vent duct, by which the flow of ink can be increased or decreased. Open every evening. J. E. WELDIN & Co.,

429-431 Wood street.

Christmas Blankets.

All wool, country made, $3; red, $3 50, and special values at $4 50, $5 00, $6 00; also the celebrated California Mission Mills and North Star brands up to $40 00 a pair. See the bargains in Italian slumber robes. Open evenings this week.

JOS. HORNE & Co., Penn avenue.

WONDERFUL, ladies! A lot of ladies' fine lion kid, bright dongola and vesa kid button shoes with cloth tops, kid vamps and plain or patent leather tips. Regular price, $3 50; our price, $1 98 per pair.

KAUFMANNS' SHOE DEPARTMENT.

Good Morning

During Christmas week at all the stores of The Great Atlantic and Pacific Tea Company.

SPECIAL display of Christmas novelties in silk and satin embroidered suspenders.

JAMES H. AIKEN & CO., 100 Fifth avenue.

JAMAICA, St. Croix and New England rums at Max Klein's, Allegheny, Pa.

BUYER and seller meet through the medium of THE DISPATCH ads. They cost little and are effectual.

A VIGOROUS growth and the original color given to the hair by Parker's Hair Balsam.

Hindercorns, the best cure for corns, 15 cts.

GIFTS GONE ABROAD.

Big Increase in the Foreign Money Order Business Over Last Year.

Captain J. J. McCormick, the steamship agent, reports that the money order business abroad for holidays was 33⅓ per cent better than last year. He added that whether people were prosperous or not, they always remember their friends across the sea at Christmas time. As usual the Irish lead, and are closely followed by the Scotch, Welsh and English. A great deal of money was sent to Ireland in the last two weeks, and it shows the Irish are a very generous people. The average amount sent ranged from 2 to £5.

The Captain states that steamship business has been fair. A number have gone to Europe to spend the holiday season. Under the immigration laws, the companies are now permitted to carry in the steerage the father, mother, sisters, brothers and children of those in this country who may send for them. They are not in danger of being sent back as paupers. Other relatives can be brought over in the second cabin. Such passengers do not come within the scope of the immigration laws.

THE PITTSBURG FILTER COMPANY,

No. 30 Sandusky Street, Allegheny, Pa., Manufactures the

DAVIS FILTER.

Its use insures a constant and undiminished supply of clear, pure, bright, wholesome water for every household purpose. Send postal for catalogue and price list. Branch office, Room 409 Hamilton building, Pittsburg.

REAL ESTATE SAVINGS BANK, LIM.,

401 Smithfield Street, Cor. Fourth Avenue.

Capital, $100,000. Surplus, $81,000.

Deposits of $1 and upward received and interest allowed at 4 per cent. TTS

Fine Oil Paintings.

Positively the closing sale. About 40 of the choicest paintings to be sold to-day at 2 and 7:30 P. M., at the rooms of the Henry Auction Co., 24 and 26 Ninth street.

ONE DOZEN BOTTLES OF

THE GENUINE JOHANN HOFF'S Malt Extract EQUALS In Nutritive and TONIC Properties one Cask of ALE, without being Intoxicating.

It exalts the energies, stimulates the nutritive powers, improves the appetite and aids digestion. It can be used for man, woman or child.

Matchless as a tonic in convalescence.

Purchasers are warned against imposition and disappointment. Insist upon the "Genuine," which must have the signature of "JOHANN HOFF" on the neck label.

HOLIDAY PRESENTS.

OPERA GLASSES.

The Largest and Finest Assortment Ever Seen in This City.

Sold at Extremely Low Prices.

J. DIAMOND, OPTICIAN, 22 SIXTH ST., PITTSBURG

A handsome souvenir given to every purchaser. dei-53-TTSSu

HOLIDAY PRESENTS!

STIEREN 544 SMITHFIELD ST. OPTICAL SPECIALISTS PITTSBURG.

GOLD SPECTACLES, Eye Glasses and Chains. Lorgnettes, zylonite, shell and silver from $2 up

OPERA GLASSES, FIELD GLASSES,

Telescopes, Microscopes, and numerous other articles. de22-TTS

NEW ADVERTISEMENTS.

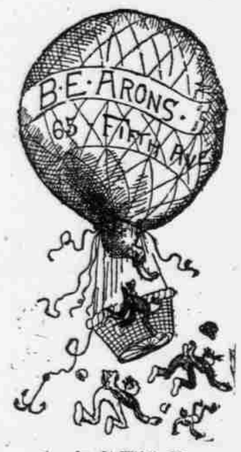
OPERA GLASSES AND HANDLES.

A very large assortment at specially low prices.

☞GOLD SPECTACLES for Christmas presents.

Chessman Optical Co.,

42 Federal St., Allegheny, Pa. de20-3



t in it With Us.

VOLTAIC DIAMONDS

Are going up higher in the people's estimation day by day. They don't need to be "boosted." The people you see at the opera, receptions, and at all fancy gatherings have them on. You often think they are genuine. They don't tell where they buy them, but "Arons" is the sole owner, and has no agents. All set in solid gold.

EARDROPS, $4.50 UP.
RINGS, $3.75 UP.
STUDS, $2.75 UP.
PINS, $3.00 UP.

You can wash and scrub them. They don't lose their brilliancy. Warranted for a lifetime. Send for Illustrated Catalogue free. B. E. ARONS, 65 Fifth Ave. de18

Javens

ELITE PHOTO GALLERY,

516 Market St.

Come now and get your PHOTOS before the holidays. Cabinets reduced. Use the ELEVATOR. no23-TTS

FLEMINGS

For the Holidays.

CALIFORNIA

Old Port, Pale Sherry, Sweet Muscatel, Angelica, Riesling, Catawba, Claret, Burgundy.

OUR success in handling and selling California Wines has far exceeded our expectations. We purchase these Wines direct from the original producers, coming from the most favored sections of the grape growing districts of the State. For table use or the sick room they are unexcelled.

FULL QUARTS, 50c EACH,
Or $5.00 PER DOZEN.

☞Orders by mail shipped promptly.

WINES!

WHISKIES: Old Export, '81, Guckenheimer, Golden Wedding, Gibson's, Private Stock.

IT would be impossible to procure finer or better Whiskies than we here quote. We take pride in calling attention to our OLD EXPORT. It is an old-fashioned, well aged Whisky.

QUARTS, $1.00, OR SIX FOR $5.00.

For Family, Medicinal or Social Use it has no superior.

☞MAIL ORDERS SOLICITED.☜

OLD EXPORT!

Our Drug Department is full and complete, embracing many novelties for the Holidays in Perfumeries and Toilet Articles.

JOS. FLEMING & SON,

Wholesale and Retail Druggists, 412 Market St., Cor. Diamond

de16-TTSSu

YOUGHIOGHENY COAL CO., LTD.,

Greenough Street and Gas Alley. OFFICE, 106 GRANT ST.

T. S. KNAP, MANAGER Telephone 1070.

Youghiogheny Gas and Steam Coal. White and River Sand.

☞Prompt service to manufacturers and consumers generally. Mills supplied with river sand. jh7-74-TTS

WE WANT YOU

To examine our goods suitable for holiday gifts and the prices on same.

1,500 watches of all kinds from $2 50 to $95.
4,000 gold rings of every description from $1 up.
125 pair genuine diamond ear drops, $7 50 to $1,000.
150 genuine diamond studs, $5 to $350 or solid gold spectacles at $3 and the largest stock of diamonds, watches, jewelry, silverware and clocks at lowest prices in the two cities.

K. SMIT, 932 and 934 Liberty St. and 703, 705 and 707 Smithfield St. and 311 Smithfield St.

Open every evening until 10 o'clock. de15-TTSSu

OPEN TILL 8:30 TO-NIGHT

KAUFMANN'S

OPEN TILL 8:30 TO-NIGHT

SWEET XMAS BARGAIN CAROLS

SILK SALE

Of unusual magnitude. Will enable you to surprise some one with a Silk Dress for her Christmas Gift.

THESE AT 75c PER YARD.

25 pieces Black Gros Grain Silk.
25 pieces Black Faille Francaise.
40 pieces Black Double Warp Surah.
10 pieces Black Taffeta Silk.

THESE AT 98c PER YARD.

10 pieces 24-inch Black Gros Grain.
10 pieces Black Peau de Soie.
10 pieces Heavy Black Crystal Silk.
10 pieces 24-inch Faille Francaise.
10 pieces Black Broche Glace.

THESE AT $1.39 PER YD.

10 pieces 24-inch Black Faille Francaise.
10 pieces 24-inch Black Gros Grain.
10 pieces Black Crystal Silk.
10 pieces Black Crystal Fancy Weaves.
10 pieces 24-inch Black Peau de Soie.

50 pieces Black India Silk, 39c YARD.

50 pieces Genuine Jap. Silk, 39c YARD.

20 pieces Black Broche Indias, $1.25 YARD.

50 pcs. Double Warp Black Surahs, 49c YARD.

Plush Garments

It used to be good policy to postpone the buying of a Plush Sacque until after the Holidays, when the prices would be reduced. This no longer holds good. We now reduce our prices just before the holidays, when goods are most in demand. Depend on it, you won't buy Plush Garments as low in January as you can get them here to-day. Two examples:

$15 For fine English Plush Sacques, 42 inches long; real seal ornaments; finely lined and finished; former price $22.

$14.85 For Astrakhan and Seal Fur-trimmed Plush Jackets of English make; best lining and finish; former price $20.

Newmarkets.

Reduced prices all along the line: Triple Cape, Watteau Dolgoruki and other styles—all must go! Prices are lower than you would have to pay for the cloth alone.

$8.50 For heavy-weight Beaver Newmarkets, with full, large Military Capes; black or navy, former price $13.

$10 For fine Serge Cheviot Triple Cape Newmarkets; medium weights; former price $15.

$12 For Imported Diagonal Newmarkets, with Watteau back, strap and bishop sleeves; former price $18.

DRESS GOODS.

Lansdownes, $1.10 Per Yd.

AND THEREBY HANGS A TALE.

Since we have opened our new Dry Goods Department the local dealers have set up a howl that we are killing profits. Our sale of Lansdownes last week at $1.10 per yard broke the camel's back. The manufacturer of these goods, Mr. William F. Read, of Philadelphia, was notified by our brethren in business, and wrote us a letter that we must stop selling Lansdownes at $1.10. Well, it'll be a cold day in July when Mr. Read, or any Pittsburg or Allegheny dry goods house, can dictate to us the prices at which we shall sell our goods. Our answer to Mr. Read and the local Dry Goods Ring is

$1.10 FOR LANSDOWNES.

We shall keep right on selling them at this price despite the wails and protests of high-price dry goods dealers. And it may as well be understood right here that we are in business to please the people, not any particular clique, corner or combination to hold up the prices.

ALL OUR $25 LADIES' SUITS DOWN TO $12.

FUR-TRIMMED JACKETS.

Between 3,000 and 4,000 are still left. They go at about half regular season prices, or about one-third the figures quoted elsewhere.

$5.98 For Black Cheviot Jackets, with Shawls of fine Astrakhan fur; former price $10.

$7.98 For Cheviot and Diagonal Reefers, in black, tan or navy; with full Shawl of Electric Seal; half-lined; bead ornaments; former price $14.

$13.95 For finest Beaver Cloth Reefers, with best Electric Seal Shawl Collar; half satin lined; corded edge all around; former price $25.

PLAIN CHEVIOT REEFERS, $2.98.

These are 32 inches long; have welt seams, box back and are worth $5.

$7.65 For fine Imported Cheviot Reefers, navy or black; 32 inches long; half satin lined; pearl buttons; former price $13.

$7.65 For fine tan, navy, black and mixed Jackets, with Watteau back and strap; Reefer front; half-lined; former price $13.

$16.50 For fine English Kersey Jackets, in black, navy, tan and brown; large Medici Collar; Empire Cuffs; former price $30.

Other Important Items.

$3.54 For choice from 2,000 Dress Patterns (each enough to make a dress) worth about $7.50. (See these displayed in new Fifth avenue window.)

Black Storm Serge, French goods, 54 inches wide, worth $2; at $1.50 per yard.

Fine Imported Broadcloths in navy, myrtle and black, 54 inches wide, worth $1.75; at $1.25 per yard.

All-wool Cheviot Suitings, worth 50c and 75c, at only 39c and 49c per yard.

A lot of fine Plaids for Children's Dresses, 46 inches wide, worth 60c; at only 39c per yard.

ALL OUR $25 TEA GOWNS DOWN TO $11

FUR CAPES.

The season for WEARING Fur Capes is eleven months of the year—the season for SELLING them is almost over. We have a big stock left, and must sell quickly. These prices will do it:

$3.25 For Black Coney Capes, 18 inches long; former price $6.50.

$7.45 For Canadian Seal Capes, 18 inches long; former price $12.

$19.50 For genuine Monkey Capes, with Electric Seal collar; former price $19.50.

$40 For real Seal Capes; former price $65.

FUR SETS.

No nicer Christmas present for a little girl than a Fur Set. Thousands of them here. Every one a sure bargain.

63c For Children's White and Spotted Coney Sets.

$1.19 For Children's Gray Silver Hare Sets.

$1.98 For Children's Natural Opossum and Raccoon Fur Sets; worth $3.

$1.98 For Children's very fine White Angora Fur Sets; worth $3.

ALL ALASKA SEAL GARMENTS MARKED AWAY DOWN.

3,000 FUR-HEAD SCARFS

To be disposed of before Christmas. Half regular prices to do it. The assortment includes Mink, Beaver, Nutria, Seal, Astrakhan, Sable, Marten, Stone Marten, Krimmer, etc.

$3.17 For genuine Mink Head Scarfs; dark, rich stripe.

MUFFS—Russian Hare—24c.

THESE FOR ONE DAY ONLY:

Natural Opossum Muffs	$1.29	Elegant Beaver Muffs	$2.25
Black Astrakhan Muffs	1.36	Finest Monkey Muffs	4.00
Fine Electric Seal Muffs	1.98	Genuine Mink Muffs	9.00
Real Seal Muffs	$9.00.		

FREE!

THIS COMBINATION EASEL AND PLAQUE,

Representing the landing of Columbus; a work of art suitable for the finest parlor; made of Porcelain Glass, the colors being burnt in, will be given gratis with every Lady's Cloak or Jacket bought before Christmas.

Laces and Neckw'r.

Lace Toilet Sets, 4 pieces, worth $1.25; 69c per set.

Finer Lace Toilet Sets, $3.

Silk Windsor Ties, in new designs, at 19c.

Hemstitched Changeable Silk Reefers at $1.

Embroidered Silk Windsor Ties at 25c.

Beautiful Lace Tidies from 7c to $2.

Embroidered Chiffon Jabots; worth 60c, at 39c.

LINENS.

A FEAST FOR HOUSEKEEPERS.

COUNTERPANES—50 fine Irish Linen Sets, cloth 2½ yards long; dozen napkins to match; value $6.00;

At $4.19 a Set.

100 dozen double Damask Napkins, ¾ or dinner size; worth $2.50,

At $1.98 Per Doz.

Fine double Damask Dinner or ¾ size Napkins,

$3.29 Per Dozen.

50 pieces Turkey Red and Cardinal Damask,

50c Per Yard.

75 pieces Watson and Armstrong celebrated 72-in. Double Damask Tabling; worth $1.50 per yard,

At Only $1.

$1.25 for genuine Marseilles Quilts.

89c for heavy Crochet Quilts.

$1.98 for British Marseilles Quilts.

$4.19 for heavily padded face Marseilles Quilts.

Pink, Blue, Yellow and Green Quilts, $1 to $15.

BLANKETS.

Big Tumble in Prices.

Heavy Gray Blankets, 79c a pair.

5 lb. Gray Blankets, $1.25 a pair.

5 lb. Plaid Blankets, red and black, black and white and blue and black; $3.75 per pair.

Fine White Shrunken Wool Blankets, $3.75 a pair.

Finest 6 lb. California Blankets, shrunk in the yarn, $5.50 a pair.

1,000 Slumber Robes; over 50 different styles; $1.50 quality; at only 89c.

Best All-Wool Country Blankets, red or white; at $4 a pair.

MILLINERY.

No quarter given to Trimmed Hats. The Knife of Reduction has struck all alike.

Elegant Trimmed Hats at $1.75, $2.50, $3.85 and $5.95, worth double.

Even worse reductions in Untrimmed Hats.

Finest French Felt Hats at 10c, 25c, 49c and 75c worth fully 5 times these prices.

Fancy Feathers at 5c, 10c, 25c and 49c. These are about quarter former prices.

Flowers for decorating and fancy work at 15c, 19c, 25c, 39c and 49c.

RIBBONS.

All widths, colors and qualities for fancy work.

No. 1 Ribbon, 10c for 10 Yards.

A full line of All-Silk Satin Ribbon at 5c, 9c, 12c, 15c, 20c and 25c; worth four times these prices.

A big lot of All-Silk Satin Ribbon, 2½ inches wide at 19c per yard. This is about one-third actual value.

Handsome Fringed Sashes for evening wear at 98c; worth $1.75.

WASH GOODS.

3 cases Simpson's prints, put up in Dress Patterns, at 75c per pattern.

Choice bordered Apron Ginghams, 10c a yard.

Crepe de Chene for evening wear, all shades; 25c per yard.

KAUFMANN'S 1,000 Salespeople. 50 Delivery Wagons. KAUFMANN'S