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LIVE NEWS OF THE INDUSTRIAL WORLD

PURPOSE OF DIAMOND LAND CO. NOT YET KNOWN.

Mr. Foster Says That the Plot Was Purchased for Building Purposes but Just What Will Be Located There Is Not Known Yet as the Purchasers Have Not Organized. Mr. Browning Has the Same to Say Regarding the Land Purchased by Him.

The Diamond flats land embraced in the purchase made by Messrs. Foster, Browning and others, comprises sixty-six acres, and four acres were purchased by Attorney Browning. The purchasers in both deals have not yet organized, and aside from the closing of the negotiations, nothing has been done.

Mr. Browning stated that nothing will be done until the company is formed, and plans arranged for utilizing the land. It is contemplated, however, to erect a plant for the construction of steam heating apparatus.

Regarding the statement that a Pittsburg steel concern was interested in the purchase of the land bought by Messrs. Foster and Browning, the former said yesterday that any announcement at this time was premature. The land was purchased, Mr. Foster said, for building purposes, but just what will be located there is not known, as the purchasers have not held a meeting yet, and will not until next week.

Improved Steam Valve.

A patent steam valve for the heating of passenger coaches has been invented by John R. Deisher, an employee of the Pennsylvania railroad residing at Pottsville, which will probably be adopted by the railroad companies throughout the country. The new device, which weighs about four pounds, will take the place of the four or five valves now used.

The valve is placed in the center of the passenger coaches and a steam pipe from the engine passes through it. By turning a small lever the steam can be shut off from any car desired while the steam passes along into the other cars. By leaving the lever open part of the steam passes into each car and the back one is as well heated as the front ones. Another lever closes the valve on the rear car preventing any of the steam from escaping. The invention relates to a mechanism distributing to cars where radiators are used. After the steam passes through the cars it is returned by a vacuum pump or other device on the locomotive to the boiler. Its object is to provide an improved construction of valve mechanism connected with the radiators in the cars and the boiler of the engine whereby superior advantages are secured with respect to efficiency in operation.

The inventor is looking for capital to manufacture the valve.

This and That.

It is said that miners are leaving Shamokin and other sections of the region for Kansas and Arkansas.

The Kingston (N. Y.) Express says that there is talk of the Delaware & Hudson canal being sold by Mr. Cockendall to the Pennsylvania Coal Co. The idea conveyed is that the Erie & Wyoming will be continued from Hawley to the Hudson river, or that the Pennsylvania company will operate the canal from Hawley.

A number of changes have been made in the freight department of the Ontario & Western at Carbondale. Frank Vaughan has been moved to Jersey and Jay Nagle to Winton, where he will take charge of the signal gates.

The twenty-three mines of the Delaware, Lackawanna and Western railroad company, went on a nine-hour day shift yesterday, to continue for an indefinite period.

At the Boston colliery of the D. & H. Coal Co. at Lakeville the breaker boys went on a strike yesterday morning for higher wages, and the mine and breaker were idle yesterday. The boys allege that last month those getting 70 cents a day were promised a raise to 75 cents, and those getting 75 cents to 80 cents. They say they worked the past month with that understanding, but when they received their pay found that they had been paid according to the old scale.—Wilkes-Barre Record.

A delegation from the Central Labor Union headed by President Martin Flaherty, visited Carbondale Wednesday evening and placed the boycott of the local theatres before the unions there, for the purpose of asking their assistance. Last evening a similar delegation visited Wilkes-Barre and placed the matter before the Central Labor union of that city.

The Forest City collieries of the Hillside Coal and Iron company, employing over 1,200 men, have been closed down since last Monday. Almost the entire business of the town depends either directly or indirectly upon the mines so that the shut down is a serious consideration. The cause of the shut down is not authoritatively known. W. A. May was out of the city yesterday and no one could be found to speak for him. There is an impression abroad in and about Forest City that the action of the company was prompted by an impending strike.

DEEDS ACKNOWLEDGED.

Sheriff Pryor Formally Announces Transfers Made by Him.

Sheriff Pryor Thursday morning acknowledged deeds of property to the following persons:

Charles S. Wetherill, for land in Dunmore, sold as property of Charles S. Wetherill, administrator of Sarah Carr Wetherill and Charles S. Wetherill. New Schiller Building and Loan association, for land in Dunmore, sold as the property of Johanna Zankl, administratrix of Conrad Zankl consideration \$22.50. Washington National Building and Loan association, for land in Madison, Pa.,

sold as the property of Emily Brown and Reuben Brown consideration \$1,500. Pennsylvania Savings Fund and Loan association, for land in Scranton, sold as property of Jacob Mock consideration \$2,800.

German Building association, for land in Olyphant, sold as property of Maria Waugh, et al. consideration \$44.77. D. L. Pickett, for land in Olyphant, sold as the property of Thanga Basaglia, et al.; consideration \$45.45.

J. W. Carpenter, for land in Ransom, sold as property of William H. Yeager; consideration \$25.00. Citizens' Building and Loan association, for land in Scranton, sold as property of Henry Zawadzki; consideration \$700.

Pennsylvania Savings Fund and Loan association, for land in Scranton, sold as property of Jacob W. Mack; consideration \$5,500.

Mary Ellen Long, for land in Scranton, sold as property of W. J. Long, et al.; consideration \$53.82. Henry S. Davies, for land in Scranton, sold as property of Jacob F. Hammes and Anna D. C. Hammes; consideration \$1,350.

Charles Robinson, for land in Scranton, sold as property of Nicholas Colle; consideration \$18.25. H. S. Keller, for land in Scranton, sold as property of Patrick Judge; consideration \$28.25.

Bridget Millen, for land in Scranton; consideration \$53.82. Pennsylvania Savings Fund and Loan association, sold as property of Charles Moninger; consideration \$53.17.

Anthony Mills, for land in Scranton; consideration \$74.65. Charles X. Kerr, for land in Scranton, sold as property of S. G. Kerr, Son & Co.; consideration \$15.93.

VOSBURG MAKES REPLY.

Another Opinion on the City Controller's Right to Extra Pay for Doing School Board Work.

Below is another opinion from City Solicitor Vosburg supporting City Controller Howell's claim for compensation from the school district for handling the school accounts. It is virtually a reply to Mr. Reedy's opinion of last week, which assailed the ground taken by Mr. Vosburg in his original opinion:

Edoras Howell, Esq., City Controller: Replying to your second inquiry as to your relations to the school district, I would say, that under the forty-first section of the act of May 23, 1874, each third class city was constituted one school district and by the thirty-ninth section of the same act, the city controller is given the supervision and control of the fiscal concerns of all departments of the city and school district.

But there is a serious question about the constitutionality of sections thirty-nine and forty-one of the act of 1874, for at least two reasons: First—The act contains more than one subject, and

Second—The subject of school districts is not stated in the title. I am informed that Judge McPherson has held that this section of the act of 1874 is unconstitutional, and that the countermanding of school warrants by the controller is therefore unnecessary and the authorities seem to support this view of the matter.

See Ayer's appeal, 122 Pa., page 283. Of course under this aspect of the case, you cannot be compelled to perform duties imposed upon you by an unconstitutional act of assembly.

Furthermore, the act of 28th May, 1889, § 1, 27, which regulates the municipalities of this state, so far as its provisions are in conflict with the act of 1874, declares fully the duties of the city controller, and nowhere in this act are any duties imposed upon the school district imposed upon him. The act of 1889, article six, section 2, provides that "All acts or parts of acts inconsistent herewith, or supplied by the provisions hereof, be and the same are hereby repealed." This provision apparently repeals the inconsistent provisions of the act of 1874 with respect to the duties of the city controller, even if that act is held to be constitutional in that part which relates to school districts and the city controller's relation thereto. In my opinion, therefore, you cannot be compelled to act as auditor or controller for the school district.

On the question of compensation, I refer to the decision of the Rothrock vs. School District, 131 Pa., page 62, where it is held, that in the absence of any act of assembly or provision made by the school district for his payment, the city controller cannot recover for services rendered the school district; but the Supreme court intimates very strongly in that case, that if the controller is specially employed by the school district as an individual, and not simply on account of being controller of the city, he could recover compensation for services rendered.

So it seems that the city controller should employ you by special appointment, and not ask you to perform your duties as "ex-officio" controller of the school district.

It is significant that the act of 1889 has no provision that the city controller's salary shall be increased during his term of office and, under either aspect of the case, whether the sections referred to in the act of 1874 are unconstitutional or not, or if not unconstitutional, they have been repealed by the act of 1889, there is no legislative prohibition to the increase of his salary or emoluments during his term. If prohibited, it must be under the constitutional provision and as I have already advised you, this only prohibits an increase by law, which in *Estlin vs. Philadelphia*, 99 Pa. 150, was interpreted to mean by an act of assembly.

There is nothing then in the constitution that prevents an increase by some other method, and I fail to see how a payment by the school board would violate the constitution.

Further than this, as I have already said, I do not see how the hiring of a clerk by the school board to perform this work, to be paid by the body direct, could be considered a payment to you in any sense of the word.

As the matter now stands, I think you are fully justified in requiring the action upon the part of the school board, by which you are specially employed at a fixed compensation, before continuing to perform the duties required of you by that body.

THEATRICAL.

"Queen of Chinatown."

"The Queen of Chinatown" comes to the Lyceum theater on Monday and Tuesday evenings next. The play, which is a story of life in the great Mongolian quarter of New York, Chinatown, shows in the third act an opium den in all its oriental grandeur with magnificent tapestries and hangings. A portion of the scene is the burning of the building. The first scene is the most modern that stagecraft can devise, and as realistic as can be produced anywhere without actually burning the theater down. At Hazleton, Pa., where the company played recently, the citizens had not been educated up to the latter day realism and when they saw the modern fire scene, with its long darts of

red flame, twisting and turning from every conceivable quarter and corner and bursting as well from the floor, they rose in horror and rushed with one accord to the street. Luckily, there happened to be some cool heads in the audience, which prevented a stampede.

Of the incident, the morning paper of Hazleton, the following day, after favorably reviewing the performance, said: "Following closely upon this scene was the burning of the opium joint, and it was so real that the audience rose en masse and rushed to the doors. It required the combined efforts of a number of men to keep the audience from stampeding. Returning to their seats every person in the house enjoyed a hearty laugh, and for their benefit the fire scene was again repeated."

The Gaiety.

It is a source of gratification to our theater-going citizens to learn that Manager Walsh, of the Gaiety theater, has engaged to appear at his house on Monday, Sept. 25, McIntosh and Davis' company in "A Hot Old Time in Dixey." Mr. Tom McIntosh is well known here as a clever colored comedian, and Mr. Davis is equally well known as the author of such popular songs as "The Fatal Wedding," "Bargaine Coach Ahead," "Down in Poverty Row," "He Carved His Mother's Name Upon the Tree," etc.

This attraction will be a decided treat to all lovers of clean, refined musical performances, good singing, dancing and vaudeville, rendered in a way that only the colored people know how to do it. This attraction is so far ahead of the average colored show that there can be no comparison between them. Matinee daily.

Repertoire Next Week.

Miss Katherine Rober, supported by a company of clever artists, company, on Monday, Sept. 25, in "The Girl Successes that Lay Never Played at Popular Prices." Notwithstanding the expense of all these great New York productions, the prices will be popular, 10, 20 and 30 cents, daily matinees commencing Tuesday, 1,000 seats at 10 cents.

Otis Harlan Coming.

Otis Harlan comes to the Lyceum theater on Saturday, Sept. 30, in a new comedy. It had its first production at Poughkeepsie last Monday night and the Poughkeepsie Enterprise, a very conservative publication, says the following of it:

HARLAN HAS A SURE HIT.

"They tried it on the dog," as the say in the profession, here last night, and the Poughkeepsie critic, which has seen a good many theatrical experiments, never saw one that it liked better. It was Otis Harlan's debut as a star and the trial of a new play, "My Innocent Boy," by George R. Sims, of England, in which country the scene is laid. The piece has been successfully played in London, but last night's performance was its first in this country. It was remarkably smooth for a first night.

"Mr. Harlan impersonated a young architect, who is widowed with a 17-year-old daughter in a boarding school and who, having kept his first marriage always a secret, marries a beautiful girl with the blessing of his father, who thinks him in truth his 'innocent boy.' It is the complications that arise out of the architect's efforts to keep his secret from his wife and father that causes all the fun of the farce.

"Harlan interpolates several bright original songs of his own composition. The supporting company is first class and Harlan has to share laughs with Joseph Allen, who played an exceedingly funny pater familias.

"New York will see 'My Innocent Boy' on Oct. 2, and it looks from here like a great hit."

This Was in Kansas.

"How much longer," asked the tourist from the East, as he stood on the platform of the journey, "have we got to travel through this desolate forest?" "All the way across the state," responded the conductor. "This isn't a forest. It's a cornfield."

"Glorious heaven!"—Chicago Tribune.

"Who Gives to All Denies All."

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- Solid Gold Band Rings at \$1.00, worth \$1.25.
- Gold Filled Cuff Buttons, 50c, worth \$1.25.
- Cuff Buttons, previous prices \$1.00, now 75c.
- Gent's Solid Silver Watch, Elgin movement, \$3.50.
- Ladies' Sterling Silver Watches, worth \$5.50, now \$3.75.
- Gent's Nickel Watches, S. W., price \$3.50, now \$1.75.
- Rogers' Iron, Spoons, warranted, 50c.
- Rogers' Iron, Butter Knives, Sugar Spoons, Pickle Forks, 50c., previous price 75c.
- Ladies' Solid Gold Watch, Elgin movement, \$4.50.
- Ladies' Gold Filled Watches at \$6.50, worth \$13.50.
- We also have about three hundred Ladies' Solid Silver Rings, worth 50c. and 75c., will close them at 30c. each.
- Special sale now going on at Davidow Bros. Attend as we are offering goods at one-fourth their original value.
- Extra Heavy Solid Silver Thimbles at 35c.

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