COMMENTS ON NEW CHARTER

SENTIMENT IS DIVIDED AS TO ITS MERITS.

Councilman Chittenden Says That While It Has Serious Defects It Is Desirable on the Whole Because It Centralizes Power and Responsibility in the Mayor—Councilman Roche Believes That It Will Mean the Establishment of an Autocracy and Democracy's Death Knell.

The announcement that a new and complete second-class city charter had been introduced in the state senate by Senator Muehlbronner, of Allegheny, and that it had been referred to committee and reported favorably upon, was received with great surprise in this city.

Chairman Chittenden, of the councilmanic second-class city committee, said last night that he would call a special meeting of the committee at once for the purpose of considering the new act and discussing the advisability of dropping the amendatory act already prepared. The comments on the new act heard were varying. Some saw every good in it, and some saw every evil. Said Select Councilman C. E. Chittenden:

"This new bill is the one we must look to, for there is no question but that if any second-class city measure goes through, this will be the one, because it will receive the support of Senator Quay and his followers. There are good points about the charter and there are bad points, but the former outweigh the latter. Taking the charter as a whole, I should say that it is much more suited to the needs of Scranton than the present general act.

Centralizes Power.

"I like the charter because it centers even more power and responsibility in the mayor than do the amendments which we contemplated introducing. The objection will be raised that it centers too much power in the chief executive, but my opinion is that it isn't possible to do that.

"I don't like the method of electing councilmen provided by the charter. The election of select councilmen at large means that the dominant party will return each member of that branch and the plan of permitting gerrymandering by joining wards not having 1,000 taxables to other wards is wrong, because it would mean that the party in power could so arrange things as to keep the common council, also, almost entirely of the same political faith as the select and the administration.

"This would mean the elimination of the minority and I think that this is not right, because a healthy minority is a very good check on any legislative body. That feature of the bill should be amended. I would favor electing part of each council at large, because there is a great deal in the theory that the entire people of a city can choose better men than only a part of a city.

"That feature of the bill giving the governor power to appoint the first mayor, I, of course, am unalterably opposed to, but I'm afraid we can't change that. That will be bad for the two years he will have to serve, but after that we will be all right. The charter, on the whole, is good because it takes the executive power from councils and centers it in one man whom the people can get at."

Is Opposed to It.

Select Councilman John E. Roche, also a member of the committee, said when asked for an opinion:

"This charter should be fought bitterly by the people of this city, unless they want themselves placed under the dominance of a political machine for the rest of their lives. Put that charter into effect and make me mayor and I'll establish a machine that will out-Tammany Tammany. It provides for almost an autocracy and is designed to take from the people the powers which are rightfully theirs.

"If it ever goes into effect in this city it will mean that the Democratic party, in whose ranks are nearly half our citizens, will never be able to raise its head again. It will rob it of even a minority in councils and give one party complete sway and power. It can't be amended satisfactorily, because every line seems to be dominated by the idea of one man power.

"The people of this city should arise and protest as far as they are able against its passage. A committee should be sent down to Harrisburg at once to do everything possible to prevent it from becoming a law."

Select Councilman D. W. Vaughan took the matter philosophically. Said he:

"There's no use of us worrying, for anything we can do or say isn't going to cut any more figure with that legislature than if we sent a committee to Russia to dictate that country's Chinese policy. Scranton isn't going to be considered in this deal at all."

Mayor Moir was seen in the afternoon, before a complete copy of the act had reached the city. He said he would express no opinion until he had carefully studied the whole act.

The total number of resident taxables in the city, according to the list recently compiled by the assessors, is 25,373. This would allow, under the new charter, twelve select councilmen and twenty-five common councilmen.

According to accounts in the Pittsburg papers of yesterday, the Pittsburg chamber of commerce on Monday considered the amendatory act prepared by the councilmanic committee. It didn't meet with universal approval. The chamber was opposed to the plan of limiting the terms of office of the heads of departments and believed they should hold office during good behavior. Opposition was also manifested to the idea of having the select council confirm the appointment and removal of heads of departments by the mayor.

The Complete Bill.

The full text of the new second class city act introduced Monday night at Harrisburg, follows:

AN ACT FOR THE GOVERNMENT OF CITIES OF THE SECOND CLASS:

Be it enacted by the senate and house of representatives, etc.:

ARTICLE I.

Section 1.—In cities of second class the executive powers shall be vested in the mayor and in the departments authorized by this act. The mayor shall be the chief executive officer of the city, and shall be at least 25 years of age, and have been a citizen and inhabitant of the state five years, and an inhabitant of the city for which he may be elected mayor five years next before his said election, unless absent on public business of the United States or of this state, and shall reside in said city during his term of service. He shall give bond in such sum as shall be determined by councils. The mayor shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of three years from the first Monday of April next ensuing his election, and serve until his successor is duly elected and qualified. But he shall not be eligible to the office of mayor for the next succeeding term or to any other office or position in the city during the period of two years next succeeding the expiration of his term of office. If two or more candidates be equal and highest in votes, one of them shall be chosen mayor by a vote of the majority of all the members of the incoming councils, in joint convention assembled, immediately upon their organization. When a vacancy shall take place in the office of mayor a successor shall be elected for the unexpired term at the next municipal election, occurring more than thirty days after the commencement of such vacancy, unless such election should occur in the last year of said term, in which case a mayor pro tempore shall be chosen by councils in joint convention by the votes af the majority of members elected. And the person elected mayor shall hold office until the expiration of said term and until his successor shall be duly elected and qualified, and it shall be the duty of the president of the select council to issue a proclamation for such joint convention to be held not less than ten, nor more than twenty, days after such vacancy shall take place. Until the vacancy is filled the president of select council shall act as mayor. It shall be the duty of the mayor:

Duties of the Mayor.

First—To cause the ordinances of the city and the laws of the state to be executed and enforced.

Second—To communicate to councils at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require.

Third—To recommend by messages in writing to the councils, all such measures connected with the affairs of the city and the protection and improvement of its government and finances as he shall deem expedient.

Fourth—To call special meetings of councils, or either of them, when required by public necessity.

Fifth—To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city.

The mayor shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month, and at such meetings he may call on the heads of departments for such reports as to the subject matters under their control and management as he may deem proper, which it shall be their duty to prepare and submit at once to the mayor. Records shall be kept of such meetings and rules and regulations shall be adopted thereat for the administration of the affairs of teh city departments, not inconsistent with any law or ordinance, which regulations shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office, position and promotion, and of selecting, appointing and promoting those found to be the best fitted, without regard to their political opinions or services.

Mayor's Power of Removal.

Sec. 2. The mayor may, by a written order to be transmitted to select council giving his reasons therefore, remove from office any head of department, director or other officer appointed by him. Duing the recess of select council he shall have power to fill all vacancies that may happen in offices to which he may appoint, subject to the approval of the said select council at their next session, and if such appointment shall not be rejected within thirty days after said select council shall have convened, the same shall be considered confirmed. The several heads of departments shall present to the mayor annually on or before the first Monday of February, a report of their proceedings during the preceding year, and he shall transmit the same to councils with any recommendations he may think proper to make. The mayor ay disapprove of any item or items of any bill making appropriations and the part or parts of the bill approved shall be the law, and the item or items disapproved shall be void, unless re-passed according to the rules and limitations prescribed by law for the passage of bills over the mayor' veto.

The mayo shall, as often as he may think proper, appoint three competent persons to examine without notice the accounts of any city department, trust officer or employe, and the money, securities and property belonging to the city in the possession or charge of such department, trustees, officer or employe, and report the result of such investigation.

ARTICLE II.

The Executive Department.

Sec. 1. There shall be the following executive departments:

First—Department of public safety.
Second—Department of public works.
Third—Department of receiver of taxes.
Fourth—Department of assessors.
Fifth—Department of city treasurer.
Sixth—Department of city controller.
Seventh—Department of law.
Eighth—Department of charities and correction.
Ninth—Sinking fund commission.

No department shall be created other than those herein enumerated. Councils shall provide by ordinance for such bureaus, clerks or other subordinate officers as may be required for the transaction of the business of the departments. Each department shall have power to prescribe rules and regulations not inconsistent with any law or ordinance or with the provisions of article I hereof, nor its own government, regulating the conduct of its officers, clerks and employes, the distribution and performance of its business, and the custody, use and preservation of the books, records, papers and property under its control. Each department shall furnish to the mayor or councils or either branch of councils such information as he or they may at any time demand in relation to its affairs. The heads and members of all departments, and all subordinate officers, clerks and employes shall give bonds as may be fixed by ordinance.

ARTICLE III.

Department of Public Safety.

Section 1—The department of public safety shall be under the charge of one director, who shall be the head thereof. The care, management, administration and supervision of the police affairs, and all matters relating the public health, to the fire and police force, fire alarm telegraph, erection of fire escapes, and the inspection of buildings and boilers, markets and food sold therein, shall be in charge of this department. No person shall be employed in this department as a policeman or fireman who is not a citizen of the United States, or who has been convicted of crime unless pardoned, or who cannot read and write understandingly in the English language, or who shall not have resided within the state at least one year preceding his appointment.

The superintendent of police, whenever directed by the department, shall appoint and cause to be sworn in any number of additional patrolmen to do duty at any place in the city designated, by and at the charge and expense of the person or persons who may ask for such appointments. They shall be subject to and obey the orders, rules and regulations of the department, and conform to the general discipline and special regulations thereof.

Power to Meet Emergencies.

The mayor may, upon any emergency or apprehension of riot, or mob, take command of the police force and appoint as many special policemen as he may deem advisable. During their service the special appointees shall possess the powers and perform the duties of regular employes of the department and shall receive such compensation as shall be authorized by the mayor, not exceeding that of the regular officers of the force performing corresponding duties.

The department shall make suitable regulations under which the officers and members of the fire, telegraph and police force shall be required to wear an appropriate uniform. It shall be a misdemeanor punishable by fine not exceeding five hundred ($500) dollars and imprisonment not exceeding six (6) months, or either or both, in the discretion of the court, for any person to falsely personate, by uniform, insignia or otherwise, any officer or member of the department.

There shall be created and established by ordinance a pension fund to be maintained by an equal and proportionate monthly charge made against each member of the fire and police force, which fund shall be safely invested and held in trust by the commissioners of the sinking fund and applied upon such terms and regulations as councils may by ordinance prescribe for the benefit of such members of the fire and police force as shall receive honorable discharges therefrom by reason of age or disability, and the families of such as may be injured or killed in the service; but such allowance as shall be made to those who are retired by reason of the disabilities of age shall be in conformity with the uniform scale.

Limit to Power of Dismissal.

No policemen or firemen appointed under this act shall be dismissed without his written consent, except by the decision of court, either by trial or inquiry, duly determined and certified to the mayor, which court shall be composed of persons belonging to the police or fire force, equal or superior in official position therein to the accused. Such decision shall only be determined by trial of charges, with plain specifications, made by or lodged with the director of the department of public safety, of which trial the accused shall have due notice and at which he shall have the right to be present in person. The persons composing such court shall be appointed and sworn by the director of the department of public safety to perform their duties impartially and without fear of favor, and the person of highest rank in such court shall have the same authority to issue and enforce process to secure the attendance of witnesses, and to administer oaths to witnesses, as is possessed by any justice of the peace of this commonwealth. Such charges may be of disability for service, in which case the court shall be one of inquiry, whose decision may be for the honorable discharge from the service of the person concerned, or for neglect or violating of law or duty, inefficiency, intemperance, disobedience of orders, or unbecoming official or personal conduct, in which case the court shall be one of trial, and its decision may authorize the director of the department of public safety to impose fines and pecuniary penalties, to be stopped from pay, or to suspend from pay or duty, or both, for a period fixed by them, not exceeding one year, or to dismiss from the service.

It shall be lawful for the director of the department of public safety at his discretion to suspend from duty before trial any person charged as aforesaid, until such trial can be had, with or without pay, as such court shall afterward determine, but no trial shall be delayed for more than one month after charge has been made. The finding of the court of trial or inquiry as aforesaid shall be of effect until approved by the mayor.

The board of health and the building inspectors shall remain as heretofore, but shall be attached to the department of public safety.

ARTICLE IV.

Department of Public Works.

Section 1—The department of public works shall be under the charge of the director, who shall be the head thereof. Water works and gas works owned and controlled by the city, the supply and distribution of water and gas, the grading, paving, repairing, cleaning and lighting of streets, alleys and highways, the construction, protection and repair of public buildings, bridges and structures of every kind for public use, public squares, real estate (except such as now or hereafter may be used for educational or police purposes), surveys, engineering, sewerage, drainage and dredging, and all matters and things in any way relating to or affecting the highways, footways, wharves and docks of the city, shall be under the direction, control and administration of the department of public works.

ARTICLE V.

Department of Receiver of Taxes.

Section 1—The receiver of taxes shall be the head of this department, and shall hold his office for the term of three years, and until his successor is chosen and qualified. The receipt and collection of funds derived from assessments, taxes, water rents, licenses, permits and rents from markets, landings, wharves and other public property and interests shall be attached and subordinate to this department, and be subject to its supervision, control and direction.

No person shall be eligible to the office of receiver of taxes except a citizen of the city, resident therein for seven years next preceding his election, unless he shall have been absent on public business of the United States or of this state.

The receiver of taxes shall be charged by the controller with the full amount of all tax duplicates and also with all others accounts placed in his hands by the proper officers for collection, and shall make daily returns to the controller of all money paid and by whom paid. The councils shall by ordinance provide when taxes or water rents may be payable and may allow discounts for prompt penalties and impose penalties for default. The office of collector of delinquent taxes is hereby abolished.

ARTICLE VI.

Department of Assessors.

Section 1—This department shall consist of three persons who shall have been residents of the city for at least ten years. They shall from time to time make all valuations for purposes of municipal taxation. They shall classify and divide all real estate in the city into three classes, viz.: Built up, which shall pay full rates; suburban or rural, which shall pay two-thirds, and agricultural, which shall pay one-half. The councils shall by ordinance make all further needful rules and regulations for the government of the department.

ARTICLE VII.

Department of City Treasurer.

Section 1—The city treasurer shall be the head of this department and shall hold his office for a term of three years and until his successor is chosen and qualified. No person shall be eligible to the office of treasurer except a resident of the city, a resident therein for seven years next preceding his election, unless he shall have been absent on public business of the United States, or of this state, and he shall not be eligible to election for the next succeeding term. The city treasurer shall receive the proceeds of all public loans and shall demand and receive from the proper officers all moneys payable to the city from whatever source, and pay all warrants duly issued and countersigned. No money shall be drawn from the city treasury except by due process of law, or upon warrants on the treasurer signed by the head of the appropriate department and countersigned by the controller, which shall state the consideration of the same, and the particular fund or appropriation to which the same is chargeable. The treasurer shall keep the accounts arising from the several sources of revenue and income separate and distinct from one another, and shall make daily deposits of money received by him in such banks or institutions as may be designated by councils and shall make specific reports daily to the controller of all receipts and deposits, and of all moneys withdrawn from the treasury, and shall present and verify his cash account in such manner and as often as may be required. All the moneys of the city received by any officer or agent thereof shall be deposited daily in the city treasury.

ARTICLE VIII.

Department of City Controller.

Section 1. The city controller shall be the head of this department; he shall hold his office for a term of three years, and until his successor shall be duly chosen and qualified. The city controller shall

1. Prescribe the form of report and accounts to be rendered to his department and shall have the inspection and revision of the accounts of all other departments and trusts.

2. Audit the accounts of the several departments and trusts, and all other accounts in which the city is concerned, and submit annually to councils in such manner as may be ordinance be directed a report of the accounts of the city, verified by his oath or affirmation, exhibiting the revenues, receipts and expenditures, the sources from which the revenues and funds are derived, and in what manner the same have been disbursed; which report shall be published in pamphlet or book form.

3. Keep separate accounts for each specific item or appropriation made by councils to each department, and require all warrants to state specifically against which of said items the warrant is drawn. Each account shall be accompanied by a statement in detail in separate columns of the several appropriations made by councils, the amount drawn on each appropriation, the unpaid contracts charged against it, and the balance standing to the credit of the same.

4. He shall not suffer any appropriation to be overdrawn or the appropriation for one item of expense to be drawn upon for any other purpose, or by any department other than that for which the appropriation was specifically made, except on transfers made by ordinance of councils, or unless sufficient funds out of which said warrant is payable shall actually be in the treasury at the time.

Questionable Warrants.

5. If any warrant presented to the controller contain an item for which no appropriation has been made, or there shall not be a sufficient balance of the proper fund for the payment thereof, or which for any other cause should not be approved, he shall notify the proper department of the fact; and if the controller shall approve any warrant contrary to the provisions hereof he and his sureties shall be individually liable for the amount of the same to the holder thereof.

6. Whenever a warrant or claim shall be presented to him he shall have power to require evidence that the amount claimed is justly due, and for that purpose may summon before him any officer, agent or employe of any department of the city or any other person and examine him upon oath or affirmation relative to such warrants or claim.

7. He shall also perform all duties required of him by law or ordinance not inconsistent with the provisions hereof. Detailed statements of the receipts with the expenditures of the several departments shall be made on the third Monday of each month to the controller. Every contract involving an appropriation of money shall designate the item of appropriation on which it is founded, and shall be numbered by the controller in the order of its date and charged as numbered against such item, and so certified by him before it shall take effect as a contract, and shall not be payable out of any other fund; and if he shall certify any contract in excess of the appropriation properly applicable thereto, the city shall not be liable for such excess, but the controller and his sureties shall be liable in damages for an amount not exceeding such excess, which may be recovered in an action on the case for negligence by the contracting party aggrieved; provided, that so much of this section as enacts that a contract certified by the controller shall not be payable out of any other fund that item of appropriation against which it is numbered shall not apply to such contracts for public improvements as are referred to in article 15, section 1, hereof.

Officers' Accounts to Be Scrutinized.

The controller shall, at the end of each fiscal year, or oftener if so required by councils, and also upon the deaths, resignation, removal or expiration of the term of any officer, audit, examine and settle the accounts of such officer, and if he shall be found indebted to the city the controller shall state, account and file the same in court of common pleas of the proper county, together with a copy of the official bond of such officer, and give notice thereof to him or his legal representatives; and if any person or persons affected thereby shall be dissatisfied with such settlement he or they may appeal therefrom.

The appeal, with his or their exceptions to the account as stated, verified by the oath of the person or persons appealing, shall be filed in the office of the prothonotary of said court within 10 days after the service of notice. The appellant shall, within 10 days, enter security to be approved by the court to prosecute the appeal with effect and pay the costs and the debt and interest, which may appear by the judgment of the court to be due to the city. The balance of account as shown by the settlement filed as aforesaid shall constitute a lien on the real estate of the officer so indebted, and his sureties, from the date of the filing thereof, which lien shall continue for the period of five years from the date of the filing. A writ of scire facias to enforce the lien shall be issued thereon within six months, which shall contain a clause warning the sureties, or the executors or administrators of the officer, or of his sureties, to appear and make defense, and the case shall thereupon be proceeded with to final judgment according to law. Notice of the audit shall be given by the controller to the officer or his legal representatives before the final statement of the account, and if desired by such officer or his legal representatives opportunity shall be given for a hearing. A copy of such notice with an affidavit of the proof of service thereof shall be filed with the statement of account as evidence of service of notice.

ARTICLE IX.

Department of Law.

Section 1. The department of law shall consist of a city solicitor who shall be the head thereof, and who shall hold his office for a term of three years, and until his successor shall be duly chosen and qualified. The department shall have as many assistants and clerks as may be authorized by ordinance. The solicitor and assistant solicitors shall be attorneys-at-law, admitted and qualified to practice in the courts of this commonwealth. The city solicitor shall

First—Be the legal adviser and act as attorney and counsel for the city and all its departments and offices.

Second—Prepare all contracts to be made with the city or any of its departments and endorse on each his approval of the form thereof before the same shall take effect and be the custodian of all such papers and records as may be designated, and perform such other duties appertaining to his department as may be required by law or ordinance.

Daily Reports to Controller.

Third—He shall make a return daily to the city controller of each item of money or moneys received by or through him or his assistants by virtue of his office, including all fees and perquisites for the preparation of any contracts, bonds or other instruments of writing, or such as may be derived from any other subject matter connected with the city or its affairs, and shall pay daily such amount to the city treasurer. All contracts, bonds and other instruments of writing in which the city is concerned shall be prepared in the office of the city solicitor, and he shall receive for the city a reasonable fee from the persons for whom such contracts, bonds or instruments may be drawn, to be fixed by ordinance, and he shall approve all security required to be given for the protection of the city, and a proper registry shall be kept by him of all such contracts, bonds and instruments. No department of the city shall employ any other solicitor, but assistant counsel may be employed in any particular matter or cause by the mayor, with the consent of councils, but he shall be selected by the city solicitor. Judgments recovered against and payable by the city remaining unpaid, with the interest due and to become due thereon, shall be reported to the councils by the city solicitor at their first session after the same shall become payable, and if there shall be no funds in the treasury provided for and applicable to the payment thereof the amount shall be raised in the next levy of taxes. Such judgments shall be paid, in the order of their priority, out of the first moneys paid into the city treasury on account thereof by reason of such levy, but if there be any moneys in the treasury not otherwise appropriated, councils shall direct the payment therefrom of the judgments in the order of their priority, and the plaintiffs in such judgments shall have the right to enforce compliance with the provisions hereof by mandamus or other proper process, but shall not have the right to collect or compel the payment of any such judgments in any other manner, or out of any other funds of the city.

ARTICLE X.

Department of Charities and Corrections.

Section 1. The department of charities and corrections shall be under the charge of one person, who shall be the head thereof, to which department shall be confided the care, management, administration and supervision of the charities, almshouses, hospitals, houses of correction, and all other similar institutions the control or government of which is entrusted to the city. The head of this department shall keep a correct, complete record of all the proceedings, which shall always be open to the inspection and examination of the mayor and of any committee appointed by councils or either branch there of, and shall appoint all officers and servants required for the several institutions under his management. Councils shall have power to provide by general ordinance for all things needful for the proper and efficient management of the said institutions and the said department not inconsistent with the provisions of this act, and all able-bodied paupers, vagrants and other persons admitted or committed to any of the said institutions may be required to work upon the public streets or roads or elsewhere.

ARTICLE XI.

Sinking Fund Commission.

Section 1. The sinking fund commission shall consist of five persons. Those first appointed under this act shall divide themselves into classes by lot so that the terms of one of the members shall expire each year. All vacancies shall be filled by appointment for the term of five years. All moneys applicable to sinking funds shall be under the charge of the commission, and shall be used for the extinguishment of the city debt. Such funds as are not immediately applicable for such purpose shall be invested in the purchase of loans of the city, or if the same cannot be procured to advantage, then in bonds of the United States or the state of Pennsylvania. Councils shall make all necessary rules for the government of this department.

ARTICLE XII.

Election and Appointment of Departmental Officers, Clerks and Employes.

Section 1. The city treasurer, city controller and assessors shall be chosen by the qualified electors of the city at the regular municipal elections.

Sec. 2. The mayor shall nominate and by and with the advice and consent of the select council appoint the following officers, who shall hold office during the terms for which the appointed mayor was elected, and until their successors shall be respectively appointed and qualified.

1. The director of the department of public safety.
2. The director of the department of public works.
3. The receiver of taxes.
4. The city solicitor.
5. The director of the department of charities and correction.
6. The members of the sinking fund commission.

Sec. 3. The directors or chief officers of departments shall appoint all subordinate officers, clerks and employes. The directors or chief officers of departments may by written order, giving their reasons therefor, remove or suspend subordinate officers and clerks,provided the same is not done for political reasons. In case of such removal the director shall appoint a successor who shall hold office subject to confirmation within 10 days after such appointment by the select council if then in session, or within 10 days after the beginning of the next succeeding session if such appointment is made during a recess.

Sec. 4. All officers, clerks and employes, except the assistants of the city solicitor in the several departments and sub-divisions thereof or any board attached thereto, shall be appointed by the head of the said department, but from and after the passage of this act no such appointment or any promotion of any subordinate officials, excepting only of assistants or laborers employed for special or temporary purposes and the professional experts and such others as are specially excepted by this act, shall be lawful except when made under and in pursuance of rules and regulations providing for the ascertainment of the comparative fitness of all applicants for appointment or promotion by a systematic, open and competitive examination for such office, which rules and regulations it shall be the duty of the mayor and heads of departments to make and promulgate as speedily as possible. One of the said rules shall provide that any personal solicitation of the officers of said board, or of the appointing power in favor of any candidate by any person whomsoever unless fraudulently done in order to injure him, shall be taken and deemed to have been done at the instance of the candidate himself and shall disqualify him from competing at any such examination or appointment for and during one year thereafter.

Sec. 5. The assistants to the city solicitor shall be appointed by the mayor in conjunction with the city solicitor.

ARTICLE XIII.

Impeachment of Municipal Officers.

Section 1. Municipal officers shall be liable to impeachment, suspension and removal from office for any corrupt act or practice, maladvance, mismanagement, mental incapacity or incompetency for the proper performance of official duties, extortion, receiving any gift or present from any contractor, or from any person seeking or engaged in any work for or furnishing material of the city, or from any incumbent or occupant of, or candidate or applicant for, any municipal office, and for wilfully concealing any fraud committed against the city.

Complaint in writing may be made to the court of common pleas of the proper county by not less than 20 freeholders of the city, each of whom shall write his occupation and residence opposite his signature, charging any municipal officer with any offense, setting forth the facts on which the said charge is founded, supported by the oaths or affirmations of at least five of the complainants according to the best of their knowledge, information and belief. If in the judgment of the court there appears to be reasonable ground for such proceeding, the court shall direct the complaint to be filed of record and grant a rule upon the accused returnable on a certain day to appear and answer the same.

Committee of Investigation.

If on the return day of the rule the court shall find a sufficient cause for further proceedings, it shall appoint a committee of five competent and reputable citizens to investigate the charges contained in said complaint, who, having first been severally sworn or affirmed to perform the duties of their appointment with fidelity, shall have full authority for that purpose to examine the books of the office held by the accused and any papers filed therein, and examine witnesses under oath or affirmation, whose attendance the court shall enforce, if necessary, by subpoena and attachment.

It shall be the duty of the committee to make a written report to the court of the facts found by them, which shall be filed of record, accompanied by the testimony taken, within three weeks next after their appointment, unless the time shall be extended by the court upon their application. In any stage of the proceedings, if the public interests so require, the court may, by an order to be filed of record in the case, suspend the accused from office until he shall be tried and acquitted.

If the committee or any three of them shall find that any charge made as aforesaid is well founded, they shall in their report so state in specific form, and in such case the court shall cause a certified copy of the whole record, with the specification of the charges against the accused, to be transmitted to the select council, which shall be assembled within ten days thereafter in a special and open session as a court of impeachment, and the members shall be severally sworn to try and decide the same according to the evidence.

Notice to the Accused.

A copy of the specifications shall be served on the accused, or left at his last place of residence, at least five days before the commencement of the trial, and he shall be entitled to be heard therein in person, or by counsel, and to produce evidence in his defense, and the prosecution before the select council shall be conducted on the part of the city by the city solicitor.

The president judge of the said court of common pleas, or in his absence an associate judge thereof, shall preside during the trial and shall decide finally all questions of law and evidence that may arise in the case. He shall have the power to issue subpoenas for witnesses and compel their attendance by attachment, and the production of books, papers and documentary evidence required or called for by the said court of impeachment, and to punish witnesses or others for contempt as fully as any court of the commonwealth may lawfully do in a case.

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Get the genuine. Refuse substitutes.
IS SURE
Salvation Oil cures Rheumatism. 15 & 25 cts.

The decision of the court of impeachment shall be entered upon the record of its proceedings and certified by the clerk to the court in which the complaint was filed. If the accused shall be found guilty on any of the specifications the said court of common pleas shall enter judgment accordingly and declare the said office vacant.

ARTICLE XIV.

Councils.

Section 1. The legislative power shall be vested in two bodies to be designated as the select and common council.

Sec. 2. The select council shall consist of one member for each 2,500 resident taxables in the city and shall be chosen by the qualified electors of the city-at-large. The common council shall consist of one member for each 1,000 resident taxables and shall be apportioned among the wards and chosen by the voters by wards. Where any ward shall not have sufficient resident taxables to entitle it to one common councilman, such ward shall be attached to an adjoining ward for the purpose of choosing one or more members of common council, and to elect this ordinances shall be passed.

Sec. 3. Members of select council shall be chosen for a regular term of four years and members of common council for a like term of two years. But at the first election under this act the members of select council shall by lot divide themselves into two classes, as nearly equal as possible, and the term of one class shall expire in two years and that of the other in four years, and thereafter all vacancies occurring in regular terms shall be filled by election for four years.

Residence of Councilmen.

Sec. 4. Members of select council shall have been residents of the city for it least five years before their election and members of common council shall have been residents of the ward which they represent for at least three years.

The removal of any member of select council from the city or of any member of common council from the ward he represents shall forfeit the membership of such person and his place shall be filled at the next regular municipal election occurring more than 30 days after such removal.

Sec. 5. No member of councils shall hold any other office, position or employment under the government of the United States, the state of Pennsylvania, the county in which such city is situate, or in such city, except notary public or commissioner of deeds.

Any member of councils violating this section shall at once forfeit the office of councilman and shall not act as such during the term for which he was elected, and it shall be the duty of the mayor to order an election to fill the vacancy in case more than a year of such member's term shall remain, otherwise the office shall remain vacant.

Sec. 6. The said council shall hold two sessions in each year at such time as shall be prescribed by ordinance. The said sessions shal

[Continued on Page 6.]

To Cure the Grip in Two Days.

Laxative Bromo-Quinine removes the cause. ••

WORN OUT AND NERVOUS WOMEN CAN REGAIN HEALTH AND BEAUTY

BEAUTIFUL WOMEN WHO PRAISE PERUNA

Miss Florence Allan, a beautiful Chicago girl, writes the following to Dr. S. B. Hartman concerning his catarrhal tonic, Peruna:

75 Walton Place, Chicago, Ill.

"As a tonic for a worn-out system, Peruna stands at the head in my estimation. Its effects are truly wonderful in rejuvenating the entire system. I keep it on hand all the time, and never have that 'tired feeling,' as a few doses always make me feel like a different woman."—Florence Allan.

Miss Cullen Was Exhausted from Over-Study.

Miss Rose Cullen, President of the Young Woman's Club, Butte, Mont., writes:

921 Galena street, Butte, Mont.
Peruna Medicine Co., Columbus, O.:

Gentlemen—"Peruna has many friends in Butte. I cannot say too much in praise of it. While finishing school I became very nervous and exhausted from over-study. I was weak and sick, and could neither eat, sleep nor enjoy life. A couple bottles of Peruna put new life in me. I find by having it in the house and taking a dose off and on it keeps me in fine health. A large number of my friends place Peruna at the head of all medicines."—Rose Cullen.

Miss Jouris Grew Strong in Two Weeks.

Miss Emma Jouris, president of the Golden Rod Sewing Circle, writes from 40 Burling street, Chicago, Ill., the following enthusiastic letter concerning Peruna:

Peruna Medicine Co., Columbus, O.:

Gentlemen—"Recently I suffered quite severely from the after effects of la grippe. As the doctor did not seem to help me I bought a bottle of Peruna. I had certainly no idea that any medicine could help any one as that did. Day by day I felt better, and in a little over two weeks I was as strong and well as ever. We keep it in the house constantly, and if any of the family feels badly a few doses strengthens them."—Miss Emma Jouris.

Peruna is not only an excellent remedy to give during the acute stage of the grip, but it constitutes the remedy par excellence for the after effects which are sure to follow an attack of the grip.

WOMEN NOT SICK.

But Miserable, Weak, Nervous, Tired, Dyspeptic, Sleepless and Melancholy.

The number of women who consider themselves as really sick or invalids are few in comparison to the number of people who feel miserable month after month, but will not give up, continuing to do their regular work.

This class of people do not think they need to take medicine. Indeed they dread to begin taking medicine for fear they will get worse instead of better. The fact is, however, there is no class of people who receive more prompt and lasting benefit from medicine than this very class.

If one has a poor appetite, is tired, debilitated and worn out, Peruna quickly invigorates the whole system. We have hundreds of letters from women who were weak and nervous all the time until they began the use of Peruna. Peruna is especially adapted to protecting against and curing nervous diseases of run-down women, as the testimonials of Miss Allan and Miss Cullen indicate.

People recovering from acute diseases find Peruna to be without any equal as a strengthening medicine, as in the case of Miss Jouris.

School girls overtaxed with study ought to take Peruna.

An excellent little treatise on "Health and Beauty," written especially for women, by Dr. Hartman, will be sent free to any address by The Peruna Medicine Co., of Columbus Ohio.