CONTROLLER LLOYD OUT.

JUDGE LYNCH DECIDES THAT THE ACT IS UNCONSTITUTIONAL.

to Serve Uatil Their Terms Expire—An Appeal Taken to the Supreme Court.

Judge Lynch on Friday handed down an opinion in the controller case, in which he declares the act unconstitutional as applied to the present case and refuses the injunction asked for by Commissioners from preventing him taking office. His Honor quotes Justice Mitchell on the construction of the act, and, continuing, says; "The county auditors now in office were elected in 1893 and went into-office on the first Monday of January, 1894. Their term of office will not regularly expire until the first Monday of January, 1897. It is thus seen that the act of 1895 abolishes the office of county auditor during term of the officers, outst them from office and takes from them the salary fixed by law. If the legislature is invested with the authority claimed for it in this particular, and the act been passed directly after the election and commission of the auditors, they could, arbitrarily, and without fault or charge preferred, have been

and the act been passed directly after the election and commission of the auditors, they could, arbitrarily, and without fault or charge preferred, have been removed from office, the office by name abolished and another person not elected by the people installed in practically the same office by the governor.

"The first section of article fourteen of the constitution ordains that county officers shall consist of sheriffs, auditors or controllers, and such others as may, from time to time, be established by law.' Again, section two of article fourteen provides that county officers shall be elected at the general elections and shall hold their offices for the term of three years, beginning on the first Monay of January next after their election, and the seventh section of the same article directs that three county auditors shall be elected in each county where such officers are chosen in the year 1875 and every third year thereaf. tors shall be elected in each county where such officers are chosen in the year 1875 and every third year thereafter. By the provisions of the act of March 31, 1876, the salary of county auditors in Luzerne county is fixed at \$500, and section thirteen of article three of the constitution commands that no law shall extend the term of any public officer, or increase or diminish his salary or emoluments after his election or amoniument.

public officer, or increase or diminish his salary or emoluments after his election or appointment.

"If it be true then that county anditors are constitutional officers, that the present incumbents were elected by the people at the general election in 1893, entered upon the duties of their office on the first Monday of January, 1894, and that their term of office will not end until 1897, how can the legislature, without charges preferred or a hearing, arbitrarily remove them from office and authorize the governor to place a controller in their stead?

"When a qualified clizen is lawfully elected to and accepts such an office for the term dasignated by the organic law, it would seem that the legislature has not the power to take from the officer, before the expiration of the term and without charge preferred, the office and his salary. If such power exists it is at least incumbent upon the person who so asserts to point to the express warrant of law. I may be pardoned for saying that in my humble opinion any such authority would be extraordinary if not dangerous in times of great excitement or under party zeal."

His Honor quotes some authorities, and concluding, says: "It follows that if the above is a correct interpretation of the constitution and the law as laid down by the suspreme court, at least sections one and sixteen of the act of

of the constitution and the law as laid down by the suspreme court, at least sections one and sixteen of the act of 1895, which authorize an election in 1895, and the governor to immediately after the passage of the act appoint a person to act as controller in Luzerne county, is inoperative and in conflict with the constitution.

njunction is denied."
Judge Woodward concurs in the opin
on. Mr. Lloyd will go to the supreme

Severn's Friends Auxious.

Severn's Friends Anxious.

The declaring of the county controller act unconstitutional by Judge Lynch has caused consternation in Pottsville among the supporters of Benjamin R. Severn, who was recently re-elected controller after having been once deposed from office on the ground of unconstitutionality. In view of the decision of the Luzerne court the Schuylkill county commissioners have stopped further proceedings against Mr. Severn. Further action in the matter will be deferred until it is ascertained how Controller Lloyd, of Luzerne county, who will take his case to the supreme court, succeeds in his suit.

Viewers' Report Confirmed.

The report of T. W. McHugh, T. D. Jones and T. N. McNair, who were appointed viewers to divide Freeland into wards, which was presented to the court nearly a year ago, has been confirmed, and hereafter the town will have two wards, the North and South. Main street will be the dividing line, and this places the first and fourth districts in the North ward and the second and third districts in the South ward. The polling places will remain as at present.

At the time the viewers made the report there was much opposition maniferants, but nothing has been heard of the selection of the control of the contr

verdict for \$877.50 for the plaintiff.

Descried His Bride.

B. F. Shugard, of Wilkesbarre, was wedded on December 5 to Miss Mary Lock, a prominent young woman of Norristown. They began housekeeping at the county seat, and were apparently very happy. Last Thursday Shugard did not appear at his place of business and that evening his wife called to know why he had not come home to dinner. She was overcome when told that he had not been at work. She said he had left home early in the morning. There is no clue to his whereabouts. His wife is prostrated by the shock, and left for her home in Norristown on Saturday accompanied by her brother.

urday accompanied by her brother.

Fersook Her Husband.

Several months ago a Nanticoke resident named Polska gave his wife a steamship ticket for Edrope in order that she might visit relatives there. She was expected home last July, but did not return and recently the husband received a letter from an official in a Western town informing him that his wife had been married at that place last August to another resident of Nanticoks. The woman had not been in Europe at all. The steamer ticket given by the husband was returned in the same letter. The forsaken husband is left with several children.

the windows of William Moskaitas' saloon when he was arrested by Burgess McLaughin. After being locked up Mike started in to clean out his cell. He smashed the water bucket and tried to tear up the cot and was quieted only with a great deal of trouble. Next morning he was given a hearing and fined \$2.50, the costs and the amount of the damage done in the lockup. He paid.

paid.

Drawn as Jurors:

January 13.—Rudolph Ludwig, Freeland; John Trimble, Foster.

January 20.—Reuben Flickinger, Butler; Arthur P. Goedeeke, Jeddo; James
Timony, Hugh McManus, E. A. Oberrender, Hazle; James Lussenberg, Foster.

render, Hazle; January 27.—William Leib, Hugh Boyle, Hazle; Andrew Boyd, Foster. February 3.—Walter Richards, Foster; Conrad Crouse, T. Millnor Morris, Joseph Batt, Frank Gallagher, Hazle.

Patents Granted.
Reported by C. A. Snow & Co., Washington, D. C.

agton, D. C.
J. Lee, Plymouth, tap-seew plug.
C. S. Rhodes, East Strondsburg paratus for generating and applying

pors.
P. Towey, Silver Brook, valve.
W. E. Villinger, Williamsport, machin for manufacture of check-loops.

for manufacture of check-loops.

How's This!

We offer One Hundred Dollars Reward for sny case of Catarrh that cannot be cured by Hall's Catarrh Cure.

F. J. CHENEY & CO., Props., Toledo, Ohio.

We the undersigned have known F. J. Cheney for the last fifteen years, and believe him perfectly honorable in all business transactions and financially able to carry out any obligation made by their firm.

WEST & TRUKK, Wholesaie Druggists, Toledo, O.

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Hall's Catarrh Cure is taken internally, acting directly on the blood and mucous surfaces of the system. Price, 75c. per bottle, Sold by all druggists.

Testimonials free.

DRIFTON ITEMS.

DRIFTON ITEMS.

The workings known as the "low coal," in No. 1 colliery, which are now cleased by the Cross Creek Coal Company, will after January 1 be leased by G. B. Markle & Co., of Jeddo. As stated last week, the Drifton operators will, not renew the lease, and as the tract adjoins that of the Jeddo firms the latter think they can work it with some profit. It is reported that Markle & Co. will reach the coal by means of a tunnel that is to be driven from No. 4 Oakdale, and take the coal out on the Jeddo side of the hill. The miners here are thankful that the land will soon pass from the control of the Cross Creek Company, for the "low coal" has caused many a man's hair to grow gray before its time. The miners employed in that section will be given work in No. 2 colliery and in the "big yesh."

Henry Hartig attempted to commit suicide at his home on Wednesday. He tried hanging, but was cut down before the rope had time to do its work. Family troubles were the cause.

Cross Creek hall will be opened on Monday evening, when the Coxe ladies

Cross Creek hall will be opened on Monday evening, when the Coxe ladies will make their annual Christmas pres-ents to the children of the employes.

PERSONALITIES.

Miss Fannie A. Ferry, a daughter of Morris Ferry, of Washington street, will leave tomorrow for Washington, D. C., where she will enter the art academy in that city. Miss Ferry has already shown remarkable talent as an artist, and her work has been admired by competent judges of painting.

William C. Watson, editor of the Lehighton Press, called upon newspaper friends in town on Friday.

Charles Boyle, of Scranton, visited his

Charles Boyle, of Scranton, visited his parents at their home on Ridge street

New Officials File Bonds.

New Officials File Bonds.

The bond of James Martin, sheriffclect of Luzerne county, was approved
by Judges Woodward and Lynch on
Thursday and filed in the recorder's office.
The bond is in the sum of \$60,000, and
the sureties are John Martin, Christian
Kell, P. M. Gilligan, Charles Stegmaier,
Patrick Kelly and Henry Merrett.
Philip Richards, of Nanticoke, the recorder-elect who will assume the duties
of the office January 6, has also filed his
bond in the sum of \$23,000. George J.
Liewellyn, of Pittiston, and John Zukosky, of Plymouth, are his bondsmen.

ky, of Plymouth, are his bondsmen.

Tracks Again in Danger.

The Lehigh Valley Railroad tracks between Hazleton and Stockton are in a dangerous condition again, due to being undermined. Passengers have fears that a train-load of people will be dropped into the mines at that point some day. Many people in Hazleton who have occasion to travel to places beyond Freedand, such as White Haven and Wilkesbarre, take the trolley road to this town and the Lehigh Valley train from here, thereby avoiding the dangerous spot on the line.

Physician Sued for \$10,000.

Suit has been brought in court against Dr. Barton, of Plains, by Michael Bohan, of Parsons, for \$10,000 damages. In April last a son of Mr. Bohan had his leg broken in Laurel Run mines. Dr. Barton reduced the fracture, and, putting the limb in plaster, did not see the boy for eight days. Doctors O'Maley and Lathrop were then called, and amputated the leg. Blood poisoning set in, and the boy died on April 20. The parent now sues to recover damages.

parent now sues to recover damages.

Four More Sent Down.

Luzerne's colony in Cherry Hill was increased by four on Friday, when Sheriff Walters and Deputies Harry Llem, John Shea, C. Bart Sutton and William Kaiser left for Philadetphia, having in custody the following prisoners consigned to the eastern penitentiary: George Motzgar, 18 years 6 months; John King, 2 years 6 months; Mick Kilopera, 3 years 9 months; John Work, 2 years 0 months. There are more to follow.

Baptized on a Coffin

Baptized on a Coffic.

An unusual scene was witnessed at the burial of Mrs. John B. Miller, of Laurel Run. The body was taken to Wilkesbarre for interment and after the coffin had been placed at the side of the grave the four-days-old babe of the dead woman was taken from a carriage, placed on the coffin and baptized by Rev. John W. Nyval, pastor of the Swedish Lutheran church.

December 16.—Fair in the basement of St. John's Slavanion church. Open every evening.

Notice to Taxpayers.

Notice to Taxpayers.

Notice to Taxpayers.

All taxpayers of Freeland borongh who have not paid their taxes for 1895. December 31.—Seventh annual ball of the Tiggers Athletic Club at Freeland opera house. Admission, 50 cents.

Notice to Taxpayers.

Listence Taxpayers.

The Jeweler.

Schuylkill's Almshouse Troubles

that institution.
Cadwallader Biddle, secretary of the state board of charities and correction, and George W. Ryon, of Shamokin, are also interested in the reform movement and visited the almshouse and made a full investigation. They took the names of all the employes related to the pool directors and the number of children and families of employes being supported at the expense of the county. This new reform movement is the talk of the county.

May Reduce the Capital Stock.

May Reduce the Capital Stock.
The next meeting of the Nescopec Coal Company will be held at the office of the Upper Lehigh Coal Company in Mauch Chunk on January 26, and it will be one of importance to the stockholders.
The directors, Hon. John Leisenring, Samuel Thomas, Robert H. Sayre, Geo. D. McCreary and John Thomas, have recommended that the capital stock of the company be reduced to \$20 per share, and a vote will be taken on the proposition on the above date. The capital stock is now \$600,000, and if, the directors' recommendation is followed it capital stock is now \$600,000, and it, the directors' recommendation is followed i will be reduced to \$240,000. This will probably be done, as the mining operations of the company have been curtailed considerably of late, and there is no necessity for the present heavy capitally and the company have been curtailed.

A Taxpayers' Association.

A number of the heaviest taxpayers of the county seat have organized what is to be known as the Wilkesbarre Taxpayers' Protective Association, and a charter will be applied for. Almost 200 names are on the petition, which is being circulated. The association will commence work about January I, and thereafter will demand that an Itemized statement of the expenditures of money be published every month. They will also take an active part in the spring election. The chief object of the association is to protect clitzens from the abuses of poor municipal management, and, if the association is successful, similar ones may be organized in other boroughs where there is work for them.

Palmer May Be a Candidate.

Palmer May Be a Candidate.

There is some possibility of ex-State Attorney General Hon. H. W. Palmer, of Wilkesbarre, becoming a candidate for United States senatorship. In speaking to a reporter, Mr. Palmer said that he was not as yet prepared to formally announce himself as a candidate for the senatorship. Before doing so he would have to consider the matter and canvass the situation thoroughly. If the contest is to be a free and open one with a fair field for all who wish to enter, he expressed the opinion what Luzerne ought to stand as good a show of gaining the prize as any other section of the state.

A Philadelabler.

A Philadelphian Alleges Conspiracy.

A Philadelphian Alleges Conspiracy.

Aaron and Morris Wormser, of Nanti-coke, have been arrested on charges of embezzlement and conspiracy to defraud preferred by Morris Levy, a clothing manufacturer, of Philadelphia. The prosecutor claims the defendants bought goods of him worth \$5,000 and opened a store in Pittston, but that they were later sold out by the sheriff on executions amouting to over \$4,000. The sale later sold out by the sheriff on execution amouting to over \$4,000. The sal realized \$2,557. The manufacture claims there was a conspiracy to defran him. Bail was given in the sum of \$1,00 each for the appearance of the defer dants at Philadelphia.

Unusual Weather for December.

Lutheran church.

A Creditable Record.

Rev. J. J. Kunitz, pastor of St. Luke's Lutheran church for the past two years, has a creditable record since taking charge of the church. During his service as pastor he has preached 207 sermons, baptized 70 persons, confirmed 7, solemnized 7 marriages and officiated at 45 funerals.

PLEASURE CALENDAR.

December 16.—Pair in the basement of St. John's Slavanion church. Open every evening.

BRIEF ITEMS OF NEWS.

PARAGRAPHS GATHERED FROM ALL PARTS OF THE REGION.

oliver Burke's 'hoteleat Pittston was partly gutted by fire on Friday morning. Loss, 89,000; covered by insurance. The next Republican state covention has been decided upon by the state com-mittee. It wills be held on April 23 at

Miss Margaret, the daughter of Rev

owing to the inability to procure cer-ain witness, Joe Stracho, who shot Mrs. ireggo in the leg last Monday, was not iven a hearing last week. The case ill be heard this afternoon.

James McGroarty, of town, employe n the D. S. & S., had the second an

on the D. S. & S., had the second and hird fingers of his right hand bruised severely on Friday by having them caught between cars at Roan.

The very latest in New York and Philadelphia dress goods can be seen at A. Oswald's. Can and inspect them.

Soloman Bittner, of Jeddo, a veteran of the late war, has been granted a pen-sion by the government for disabilities incurred in the service. He will receive \$5 per month, and arrearages to the amount of \$3:30.

one injured out of 204,977.

We are sole agents for the "Fashichee. No other dealer in town has time. Our price \$2, guaranteed to vorth \$3. At the Wear Well.

The Lehigh Valley Coal Company at Pardee & Co. have given orders the coal must be left in the chutes pockets of their breakers at night durche winter months. The reason for the that the coal freezes and work can the state the coal freezes and work can

ngs.
Calvin Waldron, of South Hebert has resigned his position as engineer No. 5 Jeddo. Mr. Waldron and a friends are negotiating for a piece valuable coal land in the Indian ter tory, where they intend to locate in near future and commence minioperations for themselves.



TEA SETS \$7 to \$25.

WM. GLOVER, Jr.,

ynopsis of Local and Miscellaneous Oc-currences That Can Bej Read Quickly. What the Folks of This and Other Towns are Doing.

Eugene H. Baird.

Thomas Gill, a miner, employed in the Laurel Run colliery at Parsons, was crushed to death on Saturday by a fall of top coal, and his laborer, [Andrew Maych, was fatally hurt,

Owing to the hability to programs of

amount of \$350.

The Philadelphia Record is the first newspaper to distribute 1806 almanacs. The book is as interesting as ever, and the statistical and other information contained within the covers make it valuable in every office and home.

A number of the Lehigh Valley coal train conductors on the Hazleton and Beaver Meadow divisions were agreeably surprised last week when upon receiving their checks they discovered that they had been granted an increase of 10 per ent in wages.

and been granted an increase of 10 per ent in wages.

It is found from the returns of all the allroads in this state during the year that o every 432 employes there is one kill-d and to every twenty-three there is one njured. Ameng passengers there is one killed out of 4,323,718 carried, and one injured out of 204,977.

FOUR PIECES:

Sugar Bowl, Cream Pitcher, Spoon Holder, Tea Pot.

"Do unto others as you would be done by."

This, our motto, has proven to work like a charm. We have treated you well and you have M. HALPIN, shown your appreciation by you

lish Baptist church, has received a call from the congregation of the Baptist church at Cape May Court House, N. J. Ladies, don't forget to see the dress goods at A. Oswald's.

A delegation of the Citizens' Hose Company attended the ball of the Weatherly firemen on Friday evening. DePlerro's orchestra supplied the dancing music. Suits, Furnishings, Hats, Caps Gloves, Mufflers, etc., all of which must go. We'll not mention an prices this time. The bargains w are now offering must be seen to

> be appreciated. We wish you all success for the year 1896.

OLSHO'S

Clothing and Hat Store, 57 Centre street

GREAT BARGAINS IN

Dry Goods, Groceries and Provisions.

ns, Carpet, Boots and Shoes, ar and Feed, owner, and Feed,
Tobacco, Cigare,
Tin and Queenseare,
Wood and Willoware,
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A celebrated brand of XX flour always in stock.

Roll Butter and Eggs a Specialty My motto is small profits and quick sat I always have fresh goods and am turning my stock every month. Every article is guaranteed.

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Old Reliable House

MORRIS FERRY, Prop.

Rebuilt and fitted throughout with elght, steam heat and large sitting room a accommodation of patrons. The choicest wines, whiskies, brandies, gars, etc. Beer, porter and ale.

CONDY O. BOYLE Liquors, Wine, Beer, Etc.

The finest brands of domestic and imported whiskey on sale at his new and handsome saloon. Fresh Rochester and Ballentine beer and Yeungling's porter on tap. Centre - Street, - Five - Points.

COTTAGE HOTEL.

FRED. HAAS Pron The best accommodation for permanent and ransient guests. Good table. Fair rates. Barnely stocked. Stable attached.

Have you seen the

Fine Corkscrew Suits we are making to order

> for \$14.48

which are worth fully \$22. A nobby fit

and good trimmings guaranteed

two doors above Wear Well Shoe House, Freeland.

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All legal business promptly attended

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Mannufacturer of

Carriages, Buggies, Wagons, &c.

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Fire Insurance Agent.

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None but_Reliable Companies Represented. G. BONOMO,

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Cenire Street, Near South.

A large stock of first-class material to select from. Good workmanship and fair prices. A cood fit guaranteed.

Dr. N. MALEY, DENTIST. Second Floor, Birkbeck Brick.

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Baker & Confectioner. CENTRE STEEET, FREELAND.

CENTRAL : HOTEL LEADING HOTEL IN FREELAND
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Rates, \$2 per day. Bar stocked with fine hiskey, wine, beer and eigars. Sale and ex-LIBOR WINTER.

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OYSTER SALOON.

The finest liquors and cigars served at the ounter. Cool beer and porter on tap. GEO. SIPPEL,

MERCHANT - TAILOR.

A large variety of cloths always on hand. erfect fit guaranteed and style up-to-date. rices equally as low as any house in town.

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RESTAURANT EXCELLENT LIQUORS, BEER, PORTER, ALE, CIGARS, Etc.

TEMPERANCE DRINKS. VIENNA: BAKERY.

J. B. LAUBACH, Prop.

Centre Street, Freel CHOICE BREAD OF ALL KINDS, VAKES, AND PASTRY, DAILY. FANCY AND NOVELTY CAKES BAKED TO ORDER,

Confectionery & Ice Cream

applied to balls, parties or picnics, with all necessary adjuncts, at shortest notice and fairest prices.

Delivery and supply wagons to all parts of non and surroundings every day. DePIERRO - BROS.

=CAFE.= Freeland, Pa. Finest Whiskies in Stock.

Gilson, Dougherty, Kaufer Club,
Rosenbuth's Veivet, of which we have
Ktc: USIVE SALE IN TOWN.
Mumm's Extra Dry Champagne,
Hennesy Brandy, Blackberry,
Gins, Wines, Clarets, Cordials, Etc.

OYSTERS IN EVERY STYLE.

MEALS - AT - ALL - HOURS. Baths, Hot or Cold, 25 Cents.