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## CITY NOTES.

"Hands Across the Sea" will be the attraction at the Academy of Music this evening.

The South Side St. Vincent De Paul society gave a very interesting entertainment at College Hall last night. It was largely attended.

Mrs. Edith Richards-Heckle will sing for the new class and chorus that will be formed in the Moscow M. E. church this evening by Tallie Morgan.

George Brown was yesterday appointed guardian of Mary Sweet, the 13-year-old colored girl. She was then taken in charge by the ladies of the Home for the Friendless.

The pantomime "Robert Macaire" continues to be well received at Wonderland. The piece proves a good drawing card and Harry Thorne, the author, and Manager Davis have received many compliments on its production. "The Serious Family" is rendered each evening and continues to amuse the patrons of Wonderland.

### NANTICOKE DEFEATS SCRANTON.

**Exciting Basket Ball Played at the Armory Last Night.**

The game of basket ball between Nanticoke and the Scranton Young Men's Christian association teams was contested at the armory last night and resulted in a victory for the visitors by a score of 9–3. That the game is winning its way into public favor was attested by the large number of spectators. Every seat in the armory was occupied and a large number had to stand.

The teams lined up as follows:

| NANTICOKE. | | SCRANTON. |
|---|---|---|
| Callett | Home | Coleman. |
| Griffin | Right Forward | Davis. |
| Riswick | Left Forward | Tomlinson. |
| McKinnon | Center | Bercher. |
| McFadden | Right Center | Jay. |
| Evans | Left Center | Mowwer. |
| Bache | Right Guard | Mallin. |
| Riswick | Left Guard | Foster. |
| Tibbetts | Goal | McGouldrick. |

Umpire—George Jay, Scranton.
Referee—Dr. Gotling, Nanticoke.

The game was announced to begin at 8 30 o'clock, but owing to a discussion over rules play was not begun until after 9 o'clock.

In the first half Nanticoke made 5 points, 1 goal and 2 fouls; Young Men's Christian association, 2 points from 2 fouls. In the second half Nanticoke scored 4 points, 1 goal, 1 foul; Young Men's Christian association, 3 points, 1 goal.

Special mention is due to plays of Jay, Foster and Bercher. These three men won repeated plaudits by their feints, ginger and all-around good game.

Last night's game was a play off of a tie game and is the first of a series of three games. A return contest will be played at Nanticoke on a date to be announced later.

### MARRIED.

BRADLEY-SEELEY—At the home of the bride, East Market street, Scranton, Pa., Feb. 21, 1894, by Rev. M. D. Fuller, Humphrey Bradley and Mrs. Francis Seeley, both of Scranton.

### DIED.

MARQUART—In Scranton, Feb. 21, 1894, Mrs. Catherine Marquart, aged about 52 years. Funeral Saturday at 1 p. m., from her late residence, at 501 Prospect avenue. Interment in Dunmore cemetery.

# OUT DOOR RELIEF LEGAL

**Judges Archbald and Gunster Agree that Poor Directors Have Power to Grant It.**

## CONSIDER THE LAW AT LENGTH.

**Judge Gunster's Opinion Disposes of the Exceptions to the Report to Auditor R. H. Hodgate—Says There Can Be no Doubt but that Out Door Relief Can Be Legally Granted—Judge Archbald Concurs.**

Judge F. W. Gunster handed down an opinion in court yesterday disposing of the exceptions to the report of Attorney R. H. Holgate, the auditor appointed by the court in the matter of the appeal of John Gibbons and others, directors of the Scranton Poor district, from the yearly settlement of the auditors of the district.

The exceptions are overruled and the report of the auditor is confirmed finally, which means that the directors of the district have the power to grant outdoor relief after the applicant has made affidavit before two magistrates, provided the case is found to be one worthy of relief. In his opinion the judge says:

The exceptions filed to the report of the auditor in behalf of the poor district challenge first, the jurisdiction of the court over an appeal from the yearly settlement of the auditors of the Scranton poor district, and second, the power of the directors of said district to afford relief to poor persons otherwise than by requiring them to be removed to and kept at the poor house excepting such cases where the wives or the children of soldiers in the actual military service of this state or of the United States, and excepting, also, cases where the applicants are afflicted with contagious diseases, or where from actual sickness, or otherwise, it shall be absolutely impossible to remove them to the said poor house. The questions raised are of great importance to the residents and taxpayers of the district, and we have endeavored to give them commensurate examination and consideration.

QUESTION OF JURISDICTION.

The judge first takes up the question of jurisdiction, which he discusses at length, reaching the conclusion that the common pleas court of Lackawanna county has jurisdiction over the appeals from the settlements of the auditors of this poor district. He then takes up the question of out door relief, and after considering the act of April 9, 1862, and its supplement of April 1, 1863, as well as the act of June 13, 1836, says:

These provisions are ample authority for granting out-door relief, and if as is contended by counsel for the district, it was intended by the proviso to the ninth section to grant such authority, the proviso was entirely superfluous. The power and authority was already granted by the sixth section of the act. * * * There may be districts in the commonwealth where the directors or overseers of the poor have no power to grant out-door relief, but we know of none. The general law expressly provides for it. Why should it not be so in the Scranton Poor district? Why should the wife and children of the soldier in active service be granted it when, if he dies in the service, his widow and orphans must go over the hill to the poor-house? Or, if he be so fortunate as to survive, and comes home maimed and disabled, with an honorable discharge in his pocket, and a pension that barely enables him to starve with any degree of respectability, why should he be denied a pittance from the community he defended, unless he is willing to have it doled out to him as an inmate a by poor house.

I do not believe that this community asked for legislation authorizing such a state of affairs in 1863, nor do I believe that the legislature of that year would have granted it if it had been asked for.

THAT CONSTRUING ACT.

The supplement of 1863 purports to put a construction upon only the ninth section of the act of 1862. It says so in express language. If it had been the intention of the legislature to put that construction upon the whole act it would have been very easy to say so. If then the view hereinbefore expressed in regard to the nature and purpose of the ninth section of the act of 1862 be correct, then the general power of the directors to afford out-door relief upon proper orders was not affected by the supplement of 1863 at all, and the effect of the construction put by the legislature upon the ninth section by said supplement becomes plain and clear.

It simply took away from the directors the discretionary power given them of affording out-door relief to such persons as were charges upon or who were receiving relief from the old districts, without first obtaining orders of relief, except in cases of wives and children of soldiers and in cases of contagious diseases or where from actual sickness or otherwise it was absolutely impossible to remove them to the poor house. In other words, it compelled the directors to procure an order of relief before they could furnish any outdoor relief to anybody, except in the excepted cases, whether the poor persons were a charge upon or receiving relief from any of the old districts or not. There was no no doubt a reason for this. It is well remembered that the affairs of at least some of the old districts had been grossly mismanaged.

REASON FOR PRECAUTION

No doubt the names of unworthy persons had found their way into the poor books, and in one way or another these persons had become charges upon or were receiving relief from the district. They were willing to subsist on the public if they could, but they might prefer supporting themselves to going to the poor house and as I understand it, it was to scrape off these barnacles that the supplement of 1863 was passed. It put them upon the same footing as other applicants for outdoor relief and compelled them to procure an order of maintenance from two magistrates before the directors of the new district were authorized to make new and first inquiry into the merits of such cases and no doubt contributed largely toward weeding the unworthy ones out.

These views of the act of 1862 and 1863 give them both a legitimate and reasonable construction, borne out and sustained by the letter as well as the spirit of the law and consistent with the construction which has been placed upon it by the officials and the people of the district for more than a quarter of a century.

No exception appears to have been filed to the auditor's findings of fact. Indeed the facts are virtually admitted. We may enter judgment therefore without directing an issue or the intervention of a jury. If the parties desire a formal judgment we will enter it on notice.

The exceptions are overruled and the report of the auditor is confirmed finally.

JUDGE ARCHBALD'S OPINION.

Judge Archbald filed an opinion in the matter of the exceptions by the directors of the Scranton poor district to the report of the district auditors surcharging them with money expended for outdoor relief. The whole subject of outdoor relief will thus be seen, it having been brought to the attention of the court in the shape of two appeals. Judge Archbald agrees with the conclusions of Judge Gunster concerning the powers with regard to out door relief granted to the directors of the Scranton Poor district. In closing his opinion he says:

I cannot close without a caution against the indiscriminate use of this power (meaning out-door relief). It confessedly is open to imposition from those who do not scruple to misrepresent their condition different from what it really is and for whom a suggestion of removal to the poor house affords the only corrective test. It is also to be observed that the discretion of granting relief of this kind is one to be exercised by the whole board of directors rather than by any one member of it acting alone. But this, after all, is mere matter of suggestion and falls outside of the immediate legal question involved in the appeal. Upon that I concur in the opinion that the appeal from the settlement made by the district auditors is well founded and that the report thereon made by the auditor appointed by the court to consider the same be confirmed.

### ONTARIO AND WESTERN EMPLOYES.

**Local Agents Show New Yorkers About Scranton's Interesting Points.**

District Passenger Agent Filteroft and Superintendent C. T. Metzgar of the New York Ontario and Western railroad were yesterday piloting a large number of the New York employes about the city. They had taken advantage of the Washington birthday holiday by taking a special train for Scranton to view the points of interest about the most progressive city in Pennsylvania.

The party was composed of the following: T. W. Smith, chief clerk general freight and passenger office; W. Mulloch, general freight office; J. H. Messinger, motive power department; W. Munsie, James M. Fleming, auditing department; W. W. Court, general freight office; T. F. Macksey, general coal office; E. J. Macksey, car accountant's office; M. C. Boyd, sales agent; C. T. Duke, S. C. Tivers, general coal office; Louis H. Post, Sidney S. Solomon, Thomas G. Pratt, cashier, general freight office; W. T. Sanborn, W. E. Barton, auditing department; H. A. Hugason, auditor; W. E. Badurie, jr., Ed McCann, T. M. McCann, Charles A. Clark, general coal office.

District Passenger and Freight Agent Filteroft and Superintendent Metzgar were assisted in entertaining the Ontario and Western young men by Frank Smith, of Carbondale, general shipping clerk at Mayfield, and his assistant, John Campbell, P. B. Williams, and W. E. Thayer, J. S. Swisher and C. F. Lippincott, of the Jersey Central road. The party visited the South works under the guidance of E. W. Tewksbury and afterward viewed Scranton's splendid public buildings. After dinner they went on a special car to Providence, where they visited the West End breaker and explored the colliery under the direction of General Manager J. H. Rittenhouse. At 6 o'clock the New Yorkers left on a special train to participate in the skating carnival at Lake Poyntelle.

At the Westminster, where the party made its headquarters while in the city, one of the Ontario and Western men said to a TRIBUNE reporter:

"New York and Scranton are the only two cities in the entire east. We thought this city was a small mining place but were surprised to find a live, hustling and progressive city of 100,000 population. Every one of our crowd is delighted with Scranton."

### A QUIET MORNING WEDDING.

**J. E. Kern and Miss Myrtle Sayers United at the Bride's Home.**

Rev. Warren G. Partridge, of the Penn Avenue Baptist church, performed a pleasing ceremony yesterday morning when he united in matrimony John E. Kern and Miss Myrtle Sayers, at the home of the bride's parents, Mr. and Mrs. Hiram Sayers, at 1305 Academy street.

The wedding was a very quiet one, and was attended only by the relatives and a few immediate friends of the bride and groom. The ceremony was performed in the parlor and was delightful in its simplicity. Mr. Kern and Miss Sayers were both unattended. The bride wore a blue serge traveling costume with duchess lace and carried bridal roses.

A wedding dinner was served, after which Mr. and Mrs. Kern left at 12 30 for a tour that will include New York, Boston and Washington.

Mr. Kern is one of the best known newspaper writers of this part of Pennsylvania. He was connected with the Scranton Times in the capacity of city editor when that paper was under the management of A. A. Chase and P. A. Barrett. He has been a valued member of the Republican staff for over nine years, and for the past five years has been the city editor of the paper. His writings have given him a name that is familiar in newspaper circles throughout the entire state. During his career as a writer Mr. Kern's happy and cheerful disposition has won for him hundreds of staunch friends all of whom join in wishing him unbounded joy during his married life. Mrs. Kern is a decidedly handsome young woman of the brunette type, who has a great number of loving friends on the West Side.

### THE FIRST RAY OF SUNSHINE.

**It Has Flitted in Upon the Poor Man's Aspirations.**

To the masses, heretofore, the possession of a library has been but a fond dream, the waking from which has been but disappointment. Halls of state universities, palatial homes and occasionally the professional man's sanctum were the abode of such luxuries. The advent of the Encyclopedia Britannica, in its present state of perfection at the price and on the easy terms, was the first ray of sunshine that flitted in upon the poor man's aspirations. It is truly a library covering fully and accurately all human knowledge. From a condensed cyclopedia for the convenience of people owning libraries it has gone through nine revisions, each time being enlarged until the present edition, completed in 1889, embraces twenty-five large quarto volumes, a total of 21,000 pages, besides about 2,000 pages of supplemental matter written since 1890.

THE TRIBUNE'S offer will be extended for only a short period. Do not miss the opportunity. Decision is half the battle in this matter.

## AMUSEMENT NOTES.

The English melo-drama, "Hands Across the Sea," the attraction at the Academy tonight and tomorrow afternoon and evening, is a play that is said to be most interesting and full of exciting scenes and situations. It is a stage story that has met with as great a success in America as it did in London, because of the really human spirit that pervades the work, the carefully formulated sentiment, the contrasts of humor and pathos and the various unique and happy surprises presented.

The comedy element of "The District Fair" is one of its chief features. The absence of horse play is especially noteworthy. Characters that make you laugh heartily by natural acting called forth through unforced situations. You will get all the fun you want in "The District Fair," which will be the attraction at the Academy of Music on Tuesday evening.

**Music Boxes Exclusively.**
Best made. Play any desired number of tunes. Gautschi & Sons, manufacturers, 1030 Chestnut street, Philadelphia. Wonderful orchestrial organs, only $5 and $10. Specialty: Old music boxes carefully repaired and improved with new tunes. **

McBRIDE'S new Turkish bath. Everything new. 506 Spruce street, opposite Court House. **

# HAS DONE GOOD WORK

**Satisfactory Returns Shown by the Board of Associated Charities.**

## BENEFICIAL IN ITS WORKINGS

**The Organization Was Not Effected to Give in Charity—Its Agent Can Only Investigate—This Rule Is Inflexible. Many Cases Have Been Found to Be Unworthy — Applicants Who Prove Themselves Imposters.**

The Board of Associated Charities commenced active operations in the relief of the poor in this city on Dec. 16, 1893, with headquarters in the municipal building, Mrs. W. B. Duggan being appointed agent of the organization and that the agent has not been inactive is clearly proven by the weekly reports furnished to the organizations by the agent at the meetings held in the Albright library.

Many of those intended to be benefited are unaware of the rules and regulations governing the organization. In the first place the association was not formed to give aid in any form from the organization. It was formed for the purpose of investigating all cases that might arise so that relief might be offered to the worthy.

The board of associated charities has no fund out of which to relieve distress. The agent listens to the appeals of those who have been driven by misfortune or other cause, to seek relief, and at once makes an investigation, visiting the homes of all who apply, and no relief is afforded without such investigation.

RELIEF TO DESERVING.

In all cases where the applicants are found to be deserving, relief in some form is administered. Many of the cases are found not deserving, and it may be well to state how the organization distinguishes between deserving cases and those that are not. In the former many conditions are taken into consideration. The head of a family may be out of work for a long time either through illness or because work can not be obtained. There may be serious illness in the family that may have sapped all the resources, and in many cases widows with large families are to be found who have been left uncared for by the death of husband and father. Some cases are found where parents may be deemed unworthy, but they have children that must be provided for. In all such cases relief is administered for the sake of the children.

Mrs. Duggan, the agent of the association, informed a TRIBUNE reporter yesterday that there were many cases where charity applied would be sinful. She has found some families so habituated to begging that they can not get along without resorting to this method and now they try to get the best of the organization by conveying the impression that they are in want. On investigation the shallowness of the claim is exhibited. Other undeserving cases are found where the provisions given in relief are purloined immediately for whiskey, and of such there have been several instances.

DISTRIBUTING RELIEF.

Recognizing that one person could not perform the duties that would be imposed, the poor directors decided to engage the services of an agent to assist Mrs. Duggan. Accordingly, on Dec. 19 Mrs. Pettigrew was chosen to that capacity, and her duties are to give assistance to deserving applicants. She fills out orders for relief and uses the fund raised by Mayor Connell for that purpose.

In addition to this other modes of relief are adopted. In many cases the applicants are members of some church that has a charitable society connected with it and in all such cases the pastors are notified of the families' condition. Other cases are found where families may be found in want with illness in the family and in such cases Mrs. Duggan, after investigation, reports the same to the poor board and relief is administered from that source. In no case is Mrs. Duggan authorized to afford relief herself. Her duties are simply and purely to investigate and report.

Since becoming agent for the Board of Associated Charities Mrs. Duggan has visited 287. Some of these have had to be visited more than once, and in all 400 visits have been made. Of the total number visited, two out of every three are found to be worthy and the balance have been found to be impostors. This latter class, of course, protests against what they consider the injustice of the system, but the rules governing the agent are inflexible and cannot be violated.

HAS PROHIBITED BEGGING.

The associated charities has been in existence about two months, but in that time much good has been accomplished. Begging on the streets has been prohibited, and that class who have been improvident and who have resorted to artifice and deceit to obtain a livelihood are getting out of the old ruts and are seeking to earn a living by honest methods.

The association has also provided work in many instances both for men and women, while many have been sent to charitable institutions. Many have been helped to go to friends and relatives in different parts of the state.

Mrs. Duggan, the agent of the charities, and Mrs. Pettigrew, the disburser of the mayor's fund, have been unremitting in their attentions and their labors. They have frequently worked as late as 10 p. m.

### BICYCLE CLUB JOLLIFIES.

**Its Members Have a House-Warming on Washington's Birthday.**

The Scranton Bicycle club celebrated Washington's Birthday by a species of house-warming at the club house on Washington avenue.

The festivities were informal and the afternoon was devoted to dancing, cards and other amusements. The merry company departed early in the evening satisfied that they had appropriately observed the anniversary of the father of his country.

### SCHOOL BOARD TO ORGANIZE.

**Charles H. Von Storch a Candidate for President.**

The school board will meet for reorganization next Tuesday. C. H. Von Storch will, in all probability, be its next president.

There will be no opposition to E. D. Fellows for secretary. His work during the past year has given great satisfaction.

**Bucklen's Arnica Salve.**
The best salve in the world for Cuts Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price 25 cents per box. For sale by Matthews Bros. **

# WOLFE BERNARD SHOT

**Surrounded by Four Policemen When Officer Lowry Fired on Him.**

## HE WAS A DESPERATE CHARACTER

**Had Been Attempting Burglary—Fired on Sergeant Zang and Officer Jobler—A Night Chase—Four Officers Surround Bernard's House—His Wound Is Serious—Officer Lowry Repentent.**

"Wolfe" Bernard was shot and seriously wounded by Officer Thomas Lowry on the South Side at an early hour yesterday morning. Bernard had previously shot at Sergeant Zang and Officer Jobler while trying to force an entrance into Mr. Henzleman's house. Bernard was surrounded by four officers when he was shot, and was taken to the Lackawanna hospital, where his case is considered almost hopeless.

At 1 o'clock in the morning Sergeant Zang and Officer Jobler were on their way to the flats. A young man came running down Cedar avenue toward Pittston avenue and said that a man was trying to force open the shutters of Christian Henzleman's house. The officers hurried to Henzleman's and while Jouler watched in front Zang went to the rear and had passed nearly around the building when a man was seen passing from the rear toward the flats.

FIRED AT OFFICER JOHLER.

He was recognized as "Wolfe" Bernard, who for many years had been considered a hard character and a desperate man who would hesitate at no crime to escape arrest. The two officers gave chase. Bernard turned and fired twice, one of the bullets passing so close to Johler's head that he could plainly hear the whiz of the ball. Bernard had too good a start to be caught, and disappeared in the darkness.

The two officers repaired to the station house and with Officers Lowry and Jones started out for what might prove an all night hunt for Bernard. Johler and Jones were detailed to watch the house where Bernard boarded while Zang and Lowry started on a general round of the man's haunts to locate him. They were not successful and finally joined the officers watching the house. Johler and Jones waited in front and Zang and Lowry went to the rear and settled themselves for an all night watch.

HOW THE SHOT WAS FIRED.

In a short time a man was heard feeling his way along toward the house from the rear. It proved to be Bernard and he had a revolver in his hand. Zang commanded him to halt, but he backed away twenty feet and pointing his weapon first at the sergeant and then at Lowry was evidently about to fire when the latter took a snap shot at him. Bernard staggered and was in the act of firing when Zang made a leap upon him and bore him to the ground. Bernard shoved his revolver into a pile of snow as he fell, with the evident intention of hiding it. A doctor was sent for to attend the wounded man, but before his arrival Bernard was taken to the hospital in Undertaker Miller's wagon, accompanied by Zang and Lowry.

BERNARD AT THE HOSPITAL.

Dr. McAndrews immediately set about probing for the bullet, of 38 calibre, but Bernard was in a state of collapse from shock and the probe was withdrawn. His pulse at the time was not perceptible and he had a very high temperature. The bullet entered the fleshy part of the upper left arm in the rear and then into the armpit and on into the chest, where it lies somewhere beneath the collar bone. Until he gets stronger no attempt will be made to remove the missile.

A TRIBUNE reporter saw Bernard at the hospital yesterday. He weighs 160 pounds and is about 5 feet 10 inches in height. His forehead is prominent immediately above a pair of small blue eyes set close together and retreats to the top of his head. His countenance is forbidding and does its part in bearing out the reputation its owner has as a bad man. Since his advent to the hospital Bernard has asked to see his children but made no mention of his wife who has not been living with him and is said to be instituting proceedings for divorce. He will not talk about the shooting.

LOWRY DID HIS DUTY.

Officer Lowry is repentant over the deed, but his superior officers exculpate him from any blame, as some one of the quartette of officers would have been wounded and perhaps killed if Bernard had not first been winged. Lowry is considered one of the bravest and most faithful of Scranton's policemen.

At midnight Dr. McAndrews said Bernard was better and the bullet would be probed for today if he continued as well.

### VOTES WILL BE COUNTED TODAY.

**Clerks Who Have Been Chosen to Do the Work.**

In court yesterday morning clerks were appointed to compile the vote cast at Tuesday's election in the county. George L. Peck and R. J. Beamish were named as reading clerks; M. W. Lowry and John B. Collings as recording clerks, and E. H. House and H. W. Mullholian as file clerks.

The returns were brought into court and then, out of consideration of the fact that it was the birthday of the father of the country, an adjournment was taken until today.

Anheuser Busch Beer.
Louis Lehmann's, 825 Spruce st. **

Best Sets of Teeth, $8.00
Including the painless extracting of teeth by an entirely new process.
S. C. Snyder, D.D.S.
135 WYOMING AVE.

READ
The new offer made to Tribune readers on page 7. It is the best one yet made public.

# CASE OF DR. A. E. BURR

**Judge Archbald Dismisses the Exceptions to the Return of Inquest.**

## THE FIGHT WILL BE CONTINUED.

**Dr. Burr's Attorneys Will Take Steps to Have the Case Heard Before a Jury in Common Pleas Court—Judge Thinks Jurors Have Right to Take Note of Testimony if They Feel so Disposed.**

In an opinion handed down by President Judge Archbald, yesterday, the exceptions to the inquisition which found Dr. A. E. Burr an habitual drunkard, were overruled and the request confirmed.

The first exception was that jurors took notes of the testimony at the hearing, but the judge did not consider that sufficient ground for setting aside the inquest. He says that in the trial of a case of any magnitude he would find it difficult to remember the facts without notes, and if any juror recognizes in himself the same inability, he does not feel like rising up to condemn him.

The second exception based upon an alleged exclusion by the commissioner of evidence to show that the subject of the proceedings was fully competent to manage his business affairs was overruled for the reason that no bills of exception were given and the commissioner not being required to note down the testimony, nor report the proceedings had before him, there was nothing to bring up the rulings of the commissioner from review.

THE COMMISSIONER'S CONDUCT.

The third exception complained that Commissioner Hawley, before whom the inquisition was held, went into the jury room after the jury had retired to deliberate and instructed them in certain irrelevant matters, thus influencing their findings. Of this Judge Archbald says:

This is in substance a charge of misbehavior and we have therefore a right to look into it. The evidence, however, falls very far short of sustaining it. Mr. Hawley, no doubt, went into the room where the jurors had retired to deliberate, but it was at their request, to further instruct them upon certain points, and after he had answered their questions he immediately retired. That he attempted in any way to influence the jury in its findings has not a particle of evidence to sustain it. Counsel for the acceptant knew of the call made by the jury and had opportunity of going into the jury room with the commissioner as to an open session of the request. The communication was therefore neither private nor without notice and affords no just ground for our interference.

The fourth exception charged that the jury was influenced in its findings by the false statements of one of its number based upon his own alleged knowledge that Dr. Burr was wasting and mismanaging his property, rolling up debts against it and not paying the interest on his mortgages. Regarding this the judge says:

CANNOT IMPEACH THEIR VERDICT.

The testimony of jurors cannot be introduced to impeach their verdict, and there is very little upon which to do so, if what they have sworn to could in fact be received. We are narrowed down to the testimony of Dr. Burr alone. We will not criticise the method by which this evidence was obtained, for Dr. Burr was probably entirely innocent of intentional eavesdropping, nor do we mean to say that we will listen to nothing brought to us in this way. But we cannot be expected to encourage it.

If we are to set aside the findings of juries upon what somebody chances to overhear of their discussions, from the neighboring corridor, we shall have no end of applications based on such echoes from the jury room. We will not, therefore, move in any such case unless there be the most substantial occasion for it. There is nothing of the kind here and the exception must be overruled.

The fifth exception has been practically disposed of by what has been said above, and the sixth is merely a general exception without specifications and need not be considered.

Dr. Burr's attorneys do not propose to give up the fight. They will at once take steps to have the matter heard before a jury in common pleas court.

LOW PRICES RULE WITH US.
THIS IS ESPECIALLY SO IN
... PLUMBING and TINNING.
REPAIRING: Good Work.
126 PENN AVE.
Henry Battin & Co.

ONE
Word in regard to extracts. No article that is used in cooking is more subject to dilution than flavoring extracts. For instance, a gallon of Extract of Vanilla can be produced costing $15 to $18, or it can be reduced by the use of alcohol to a cost not exceeding $2 per gallon. An inferior vanilla bean can be bought for $2 50 a pound, whereas a strictly first-class bean of delicious flavor will bring $9 to $10 per pound. So you can see how very easy it is to have a bottle of vanilla or any other extract that can be sold for about the cost of the bottle, label and cork. But this is not the quality most good housewives wish to buy. In fact, most of them will say "the best is none too good for me." Appreciating this fact, we have had put up by a thoroughly reliable party a line of Extracts that we can guarantee as being as FINE AS IT IS POSSIBLE TO PRODUCE. There is one point in connection with diluted extracts which is quite apt to deceive. Upon drawing the cork from a bottle and smelling or tasting the contents, it may appear to be very strong, but when used this artificial strength entirely disappears and you imagine you forgot to put in any flavoring. You did not forget, but you have used an extract that is built up by some other material than the true flavor and which quickly evaporates when uncorked. We have just received the first invoice of these extracts, the whole of which could be carted off on a wheelbarrow, and yet the bill amounts to $427. We have the different kinds as follows:

8-ounce Bottle, 55c.
4-ounce Bottle, 28c.
2-ounce Bottle, 15c.

These are all full weight bottles, not what is ordinarily used and known to the trade as short-weight bottles, there being about one-fourth difference in a full and short-weight bottles. We respectfully recommend these extracts if you want genuine flavors. We think you will be surprised at the difference in the results of this and that you have been using, even if you have been getting the best best you could.

THE
Scranton Cash Store,
F. P. PRICE, Agt.

Dr. Hill & Son
Albany
DENTISTS
Set teeth, $5.50; best set, $8; for gold caps and teeth without plates, called crown and bridge work, call for prices and references. TONALGIA for extracting teeth without pain. No other. No gas.
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HOME BAKERY.
We have a large assortment of
PLAIN AND FANCY CAKES,
ICE CREAM and WATER ICES
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Our Lackawanna avenue restaurant open until midnight.

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COURT HOUSE SQUARE.
All kinds of Laundry work guaranteed the best.

BROWN'S BEE HIVE
This Week

| | |
|---|---|
| LADIES' KID GLOVES, $1 quality, 89c. | Men's and Boys' Winter Caps, assorted, 10c. each. |
| MILLINERY PRICES cut HALF. | Boys' Winter Gloves, LEATHER FRONT, CLOTH BACK, 19c. a pair. |

One-third off regular prices allowed in Cloak and Fur Department.
Small lots in all departments at Way Down Prices.
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