

WATER SUIT IS CLOSED

Judge McPherson and the Attorneys Will View the Dams.

THEY WILL GO TO GOLDSBORO

Trip to Be Made This Morning—Evidence for Defendant Taken—The Court Went to W. W. Scranton's Residence. The Closing Arguments.

This morning Judge McPherson, with the attorneys and others interested in the equity suit of the Lehigh Coal and Navigation Company, and others against the Scranton Gas and Water Company, will go to Goldsboro and take a view of the Lehigh river, the dams built by the defendant, and they will also take a survey of the watersheds of the Roaring Brook and Lehigh. The dams are about 2,600 feet from Goldsboro station of the Delaware, Lehigh and Western.

The case is ended with the exception of this trip today. The defendant's case was opened in the morning by Judge Hand, and what they could not do in the evening, will be done this morning. Mr. Dunning, who is the engineer of the Gas and Water Company, was the first witness examined. After him was called ex-County Surveyor A. H. Dunning, Jr., and what they could not do in the evening, will be done this morning.

Mr. Dunning was recalled and gave some statistics about the population of the city and county. The city of Scranton has only 90,000 inhabitants and in 1890 the census was 100,000. At present, he thought, the city has reached the 100,000 mark.

George E. Scudder, county surveyor of Monroe county, gave testimony concerning the dimensions of the dams on the Lehigh, and so did E. L. Jenks, another engineer, Isaac Case and E. L. Harney, who testified that the Lehigh is 60 feet wide at Goldsboro.

The court then adjourned to the residence of W. W. Scranton, president of the Gas and Water Company, who is ill and could not come to the hearing. Mr. Scranton said that the Roaring Brook, Stafford Meadow Brook and Lehigh are the only sources of supply for the city of Scranton. He testified to the number of dams built by the company along each of these streams.

ATTORNEY PEPPER'S ARGUMENT. When court returned Attorney George Wharton Pepper began his argument for an injunction. He said it could not be denied that the legislature has the power to grant to a corporation or company the exclusive right to the waters of any navigable stream in the state to use or sell the water.

This right granted to the Lehigh company did not extend to the water for domestic purposes or for a reasonable amount of it for manufacturing purposes. But the riparian owners could not take water from the stream and divert it to non-riparian use, such as the Gas and Water company is doing by pumping it through a pipe line to the Roaring Brook, down which it flows twenty miles for use in Scranton.

As the city has no funds with which to do this work it is likely that the Lehigh company will do the work itself and collect from the city as it did on the former occasion which brought about the long and expensive litigation terminated Monday by the supreme court decision.

RIFLE PRACTICE SEASON

Members of the National Guard Must Visit the Regimental Ranges.

ORDER FROM HEADQUARTERS

Officers Requested to Impress Upon Their Men the Importance of Rifle Practice and to Urge Them to Strive for Excellence in Marksmanship.

WANTS THE DEED REVOKED.

Mrs. Mary Berry Will Not Part With the Farm so Easily. An equity suit was commenced yesterday by Mary Berry of Madison township, against her son, A. D. Compton. Attorney John F. Straeg represents the plaintiff.

Mrs. Berry is an old woman and she desires the court to enjoin the defendant from taking possession of the 56-acre homestead which is surrounded by 22 last the defendant confronted her in a deed signed over by her to him, and she is ready to prove that she is the true owner of the property in consideration of \$500.00 paid by her to the defendant.

LETTERS FROM THE PEOPLE. Under this heading short letters of interest will be published, by the writer's name. The Tribune will not be held responsible for opinions here expressed.

THE AMERICAN IDEA

Editor of The Tribune. I have read in your columns during the past week, under the head of West Side News, several items which, judging from their content, would seem to have been written by someone in sympathy with the Salvation Army. I would not notice these items referred to, but for the fact that they reflect upon the American Volunteer movement.

Another One Will Probably Have to Be Met Ere Long. Notice was yesterday served by Attorney W. W. Watson, of the Providence and Abington Turnpike company, upon the directors of the decision of the supreme court, sustaining the validity of the contract for keeping the city's portion of the road in repair, and directing them to proceed within five days to put the road in proper shape.

AMERICAN VOLUNTEERS. Movement Will Be Launched in This City Next Sunday. The American Volunteer movement will be launched in Scranton next Sunday. Meetings will be held in First Presbyterian church, Washington avenue, at 3.30 p. m., and in Simpson Methodist Episcopal church, Hyde Park, at 7.30 p. m. Colonel Pattle Watkins, Captain Lindsay, of Ballington Booth's staff, and Captain Masland and Lieutenant Green will address the meetings.

THE KEELER CURE. Why let your home and business be destroyed by a disease that can be cured in four weeks at the Keeler Institute, 725 Madison Avenue, Scranton, Pa. The Cure Will Be Investigation.

DEATH OF MARY E. MARTIN

A Popular Young Lady of Olyphant Passes Away.

After a lingering illness of several months duration, Miss Mary Elizabeth Martin passed away yesterday morning at the home of her mother, Mrs. Ellen Martin, on Delaware street, Olyphant.

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ALL MUST PRACTICE. Company commanders will be required at the end of the rifle practice season to prefer charges for neglect of duty, against every man who has failed to practice at least one company in the purpose and also against those who fail to qualify after having qualified in any previous year.

FOR QUALIFYING. For qualifying as second or first-class marksmen, five consecutive shots are allowed at 200 yards and five at 300 yards. If a marksmen is a second-class marksmen, he shall be considered as having qualified for the season, but will be allowed to qualify as second-class marksmen every succeeding year that they remain in the service.

THE COMPETIONS. The team competitions for the Brigade and regimental trophies, presented by the state, and for the McClellan silver trophy, will take place at the state rifle range as heretofore, and additional matches will be shot as follows: A match between teams of four men from each corps of cavalry, one of 300 yards for an individual gold medal presented by the general inspector of rifle practice.

COMING ATTRACTIONS. Tonight Lillian Russell and her fine supporting company will produce her new opera, "The Goddess of Truth," at the Grand Opera House.

Pepper and Salt. Shakers, cut little, decorated by hand and silver tops. Worth 25c. 8c.

REXFORD, 303 LACKAWANNA AVENUE.

THE NEW Shoe Store OF CROUCH BROS. & BETTY, IN THE MEARS BUILDING.

THE KEELER CURE. Why let your home and business be destroyed by a disease that can be cured in four weeks at the Keeler Institute, 725 Madison Avenue, Scranton, Pa. The Cure Will Be Investigation.

24 notes with a purity and sweetness, he would discover in Miss Yaw the prodigy of the present age. With a deeper and richer lower register than that of Azzurri, Miss Yaw sings from G below middle C to E flat above the sixth ledger line upon the staff with a purity of tone that is astounding.

Charming Effie Ellsler will be at the Frothingham on Saturday night at which occasion she will be seen in a perfect production of Dunbar's "Camille." This popular actress is always welcome and sure of a distinguished patronage.

DECEASED WAS A YOUNG LADY OF LOVABLE DISPOSITION, ADMIRABLE AND BELOVED BY ALL HER ASSOCIATES. Miss Martin was born in Olyphant 25 years ago. She was a graduate of Millersville State Normal school in the class of '92, and has been employed as a teacher in the public school of the borough for seven years.

Attorneys Hulstader & Vosburg, representing Enos Flynn, yesterday entered a judgment to be entered against the old Wayne Mutual Life Association for \$4,000 and costs. This was a suit on an insurance policy, and the defendant is an Indiana company, service was made on the insurance commissioner.

RHEUMATISM is caused by lactic acid in the blood. Hood's Sarsaparilla neutralizes this acid and completely and permanently cures rheumatism. Be sure to get only Hood's.

REXFORD'S Everybody. Says it's dull. Not so here, busy every day, and we're going to keep that way. We know we have to offer special values, but there never was a time when manufacturers offered us so much for our dollars.

Knives and Forks. Not a bit of use going without a set or two extra. So handy when company comes. Regular price of best Rogers' triple plate is \$5 the doz. Through lucky buying we can let you have a few dozen sets for \$2.50 the Doz

Fountain Pens. Ask anyone, all will say the same—Paul E. Wirt makes the best. The price has always been, until we kept them, \$2.50, here now with gold pen, patent filler and box, \$1.48.

REXFORD, 303 LACKAWANNA AVENUE.

THE RAZOR BLADE. LAWN MOWER. Is fitted with an improved Cutter Bar of soft steel tempered in oil.

IT TOUCHES THE SPOT. SOLD EVERYWHERE.

BLANK BOOKS. Of all kinds, manufactured at about notice, at The Tribune Office.

TAKE CARE OF YOUR EYES. and your eyes will take care of you. If you are troubled with headache or nervousness or any other eye trouble, get COLLINS' EYE LINDING.

YOUR RUBBER PLANT

Or palm will be more effective as an ornament if you have it in a pretty Jardiner. You can get one in plain color, suitable for any room, or in elaborate decoration of flower sprays or conventional design.

WALK IN AND LOOK AROUND

China Hall. WHEICHEL & MILLAR, 234 WYOMING AVENUE.

LADIES' KNOXSTRAW

AT M'CANN'S THE HATTER, 205 WYOMING AVENUE.

DUPONT'S POWDER

Manufactured at the Wapwallopen Mills, Luzerne county, Pa., and at Wilmington, Delaware.

HENRY BELIN, Jr.

General Agent for the Wyoming District. 118 WYOMING AVENUE. Scranton, Pa.

BOYLE & MUCKLOW

WE ARE NOW LOCATED IN OUR New Store. 130 Wyoming Avenue.

MERCEREAU & CONNELL JEWELERS, 130 WYOMING AVE. CALL UP 3692.

SPRING SUITS AND OVERCOATS

For Men, Boys and Children. An elegant assortment at prices that are very low considering the quality, make-up, etc., is being shown at our store.

OUR HAT AND FURNISHING GOODS DEPT

Is replete with everything that is new and stylish; all the latest styles and colors. Call in and be convinced.

Also the Newest. Also the Cheapest. Also the Largest.

CLOCKS IN ALL FASHIONABLE STYLES. Porcelain, Onyx, Etc. Silver Novelties in Infinite Variety. Latest Importations.

Jewelry, Watches, Diamonds. A. E. ROGERS, 216 Lackawanna Av.

Our garments for the inspection of all. We are not afraid of close scrutiny by the public.

THE DOCTOR IS NOW LOCATED OVER THE FAMOUS SHOE STORE, 326 LACKAWANNA AVENUE, WHERE HE MAY BE CONSULTED ON ALL CASES OF EYE, EAR, NOSE AND THROAT TROUBLE.

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