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## THE WESTON MILL CO.,

BEWARE OF GOUNTERFEITS

THE GENUINE

ed in each eigar. GARNEY, BROWN & CO.,

MANUFACTURERS, COURT HOUSE SQ.

#### PERSONAL.

Miss Celia Langan, of Hawley, is the guest of Miss Mamie Langan, of Minooka. William S. Callahan, of Newark, N. J., formerly of this city, is visiting friends

Miss Kathryn Hart, of New York, is vis-iting her sister, Mrs. John Burnett, of Littden street. Mr. and Mrs. C. P. Plack and family,

en Ridge street, are visiting friends

District Attorney John R. Jones family left vesterday morning for a two weeks' stay at Lake George.

Miss Mary O'Brien, of South Washington avenue, is visiting friends in New York and Brooklyn,

Mrs. William Barlingame, of Tenth street, is entertaining Mr. and Mrs. J. B. Ormsiey and daughter, of New Albany. Someer avenue, are entertaining John Londergan, of New York, and Miss Minnie Londergan, of Hinghamton.

Clinton Wisner and Miss Wisner, of Warwick, N. Y., are at the Hotel Jermyn. Mr. Wisner is secretary and treasurer of the Stevens Coal company of Pittston. Mr. and Mrs. Phillp Rinsland, Mr. and

Mrs. Michael McMannes, Mr. and Mrs. Harry May and Mr. and Mrs. Charles Wiggins spent Suiday at Lily Lake and had an enjoyable time. Mrs. Walter Gorman, of Penn avenue

and son, Rev. Walter A. Gorman, of Ash-ley; Mr. and Mrs. John J. Brown and Miss Kittle O'Boyle, of Penn avenue, have gone to Far Rockaway, to remain two weeks. Miss Caroline A. Wolfe, soprano soloist

gansett Pier. Miss Wolfe possesses : H. H. Burroughs, who has been hend of the John Paymond institute of the Young Men's Christian association, will sever his connection with the association

the latter part of this week. He will so-flett life insurance for G. W. Phillips. James F. Doyle, well known in Scranton his former connection with the Valley House and St. Charles hotel, was mar-ried recently in Hammondsport, N. Y., to Miss Lillan Jones. They were married by Rev. Father O'Shea, at the parochial residence, in Hammondsport, Mr. Doyle is proprietor of the Fairchild House in

# **COURT REFUSED**

Poor Board Can Award Contract to Coho & Co., of New York.

Says a Court of Equity Will Not Inter-

JUDGE EDWARDS

nick Case Against the City. nick against Contractor Max Phillips

and the city of Scranton. Judge Edwards handed down an opinion in the atternoof refusing to iff's property will be injured to permit grant an injunction restraining the Scranton poor district from executing injunction will not be granted unless the the contract for the creetion of an electric plant at the Hillside Home.

The injunction was prayed for by Mar.

The injunction was prayed for by Mar. The injunction was prayed for by William H. Taylor, doing business under the name and style of the Scranton

Supply and Machinery company. Evidence was taken last week before Judge Edwards and arguments were made yesterday morning before him. Major Everett Warren and Attorney W. W. Watson represented the plaintiff and Attorney John F. Scragg, solicitor Best in Scranton of the board, and City Solicitor. The opinion of the court is as follows:

JUDGE EDWARDS' OPINION.

It is unnecessary to detail the facts of badly but by dint of considerable pattern plaintings bull of complaint. The evidence messages for the metropolis were ce does not disclose any serious contradictions as to the matter in dispute, The plaintiff in attempting to make out a case requiring the intervention of a court testimony of the individual members of he defendant corporation.

Taking the most favorable view of the

vidence, the plaintiff has utterly failed o make out such a case as would justify is in issuing an injunction. The contenion of the plaintiff is three fold. (I) That he submission of the matter of selecting not recommending an electric plant to the ome committee of the board, was irregular and without corporate authority. (2) That the plaintiff's bid was not fairly considered by the committee nor by the board, and was the subject of an unjust discrimination. (3) That the plaintiff was the lowest responsible bidder, and, there should have been awarded the con-

NO EVIDENCE TO SUSTAIN.

There is no evidence to sustain the first oposition. If the submission to the one committee in April of the question

He is the Young Man Who Beat His one committee in April of the question of recommensing an electric plant, was not as full and formal as might be de-sired in the exercise of corporate authority by the board, the acceptance of the report and recommendation of the committee by he meeting of July 17 was a complete rati-Nor do we consider the second proposi-tion tensible nader the evidence. All the months for this. olds were opened by the board at the meeting of July 10. They were considered by the committee July H. According to the and "Eddy." The committee concluded that the "Ideal" and 'Eddy' were the best suited for the purposes of the district and corported to the board July 17, the contract being then let to the lowest of the bidders proposing to furnish the "Ideal" ongine and "Eddy" dynamo. Aside from the technical right the board had to retain the technical right the technical right the board had to retain the technical right t

choice of one particular engine or dynamo in preference to another was wholly with-in the discretion of the board, and is not the subject of our supervision. THE THIRD ALLEGATION.

Street, is entertaining Mr. and Mrs. J. B.

Omisiey and daughter, of New Albany.

Mr. and Mrs. G. A. Hays, of North

Diamitiff that his bid was lower than any other. The difference, as we view the evi-dence one way or the other, is from about rion to sho; but the law is well settled, that he absence of any restriction in the councils: of incorporation, creating the de- Grantie andant corporation, or of any general statute regulating the subject, the board was not bound to accept the lowest bid.

Even under statutes requiring that contracts be let to the lowest responsible bill-lor, a wide latitude is left to the discretion of boards and councils in the selecthen, is the fatitude where there is no re- Donough avenue,

The broad principle of law applicable in such cases is that in the absence of any fraud or had faith, a court of equity will not interfere by injunction to control the Miss Caroline A, Wolfe, soprano sonor, in the Elm Park church choir, has entered upon a vacation which will include a visit to New York, Boston and Narra- or corporate officers. In this case the Beart of the Scranton Poor District acted beart of the Scranton Poor District acted by the law. We are asked to substitute not do. Within certain limits their prero-gative is supreme. If they commit errors of hadement, which we do not say that the bave done, we cannot correct them.

The rule in this case is discharged and the preliminary injunction is refused.

H. M. Edwards, A. L. J. CASE AGAINST THE CITY. \* Judge Gunster refused to grant a perpetual injunction in the equity suit of enough for Joseph Hannick against Contractor yesterday. Max Phillips and the city of Scranton.

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All sizes and widths.

Russet or Black colors.

had.

Mr. Hannick alleged that the construction of a stone wall on Ninth street and the corner of Nealis court will damage TWO INJUNCTIONS his property on that corner greatly, and he asked the court to intervene and enjoin the contractor from proceeding further with the work. A preliminary Arbi traters Trying to Adjust Affairs of injunction was granted, but after hear ing the evidence and the arguments of

It appears from the evidence that the says a Court of Equity Will Not Inter-fere by Injunction to Control the Exercise of Descretion Vested in Trustees or Corporate Officers. grade of Robinson street and certain por-tions of Ninth avenue and Jackson street. Judge Guuster's Opinion in Han- also providing for the grading of sale and avenue, and for the construction of improvements thereon, including Court yesterday disposed of two in-junction cases, the Scranton Supply nance makes no provision for the payand Machinery company against the ment of compensation to those whose Scranton poor board and Joseph Hanposed improvements, such persons are not without a remedy at law. For the pur-pose of this case it is sufficient to say that it is too doubtful whether or not the plain-

ounsel, Judge Gunster decided there was no cause for continuing the injunc-

tion and dissolved it. The opinion is as

follows:

tion is discharged, and the injunction heretofore granted is dissolved.

#### WIRES WOULD NOT WORK. Severe Storm Down the State Inter-

fered With Telegraphing. The telegraph wires to the south of Scranton would not work to Philadelphia after 6 o'clock last evening until nearly midnight because of a severe rain storm which ranged over the southeastern and eastern part of the state and through New Jersey. The

vals. The United Press wire over which of equity, was compelled to rely on the official record of the defendant's action as contained in its minutes, and on the lessimms of the influences, and on the phia, could not be worked at all and use had to be made of a Western Union wire, the first to be put in service be ginning at 12.20 o'clock.

transmitted from here at long inter-

No news could be obtained through the telegraphic offices here early in the evening of the nature of the storm or its extent. The failure of the wires to work properly was thought to be on account of their being "crossed" by the wind rather than being blown down. Beyond a mild rain storm in the middle of the afternoon accompanied by thunder and lightning, and threatening weather until late at night there was no sign of a severe storm in this city.

PALMER GONE BACK TO JAIL.

After serving a long term in the county jail William Palmer, of Dunmore, was sent back again yesterday by Alderman Wright. His former crime was assault and battery committed upon his mother, because she would not give him money for drink. He served nearly six

Two weeks ago he was let out and by the committee July M. According to the professed to have sown his last crop of professions, bidders were to furnish the wild oats. He said he had obtained 'Ideal' engine or its equivalent, and the Eddy dynamo or its equivalent. The Lackawanna Laundry company and plaintiff proposed to furnish an engine and dynamo which he claimed and warranted to be the equivalent of the "Ideal" came to town to get a wheel and he

ject thy and all bits, we consider that the able. He threw himself on the floor when the handcuffs were put on him, but an application of the constable's club brought him to his feet.

## NEW CITY RESOLUTIONS.

Mayor Signed a New Batch of Them Yesterday.

Mayor Bailey yesterday signed the following concurrent resolutions of

Granting Contractors Murray & Gilmore sixty days extra time for complexing the grading of Myrtle street; instructing the city engineer to secure an option on the westerly corner of Seventh and Scranton streets, or enough frontage to make a proper road width at tion of the quality of the materials to be that point; providing for a fire hydrant used and of the bladers. Much greater, at the corner of Laurel street and Me-

Mayor Bailey also signed a resolution appropriating from the incidentals and judgments fund \$150 each to Mrs. Mc-Carty, Henry Rifenburg and John Gehrens for damages caused by the construction of the Ferber court sewer through private property. The money roads in the county. The bonds are made within the discretion vested in them | was not appropriated by the joint esti- payable in lawful money of the United mates committee, though Mayor Conour discretion for theirs. This, we can nell had on Dec. 19, 1895, signed a resolution providing that the damages be ordinance.

THE SIGHT OF JAIL WAS ENOUGH.

How a Recreant Mayfield Polander Was Made Do His Duty. One glance at the county jail was

enough for Melita Osnik, of Mayfield, "Dont put me in there, I'll die," said he to Constable Mulderig, of that bor-

ough, who had him in charge. "In you'll go, if you don't do what's right," was the answer. Osnik hesitated a minute and then

with a sudden resolve he wheeled about and nodded affirmatively. The charge on which he was going to jail was that of betraying a young woman named Orena Kolanda. He is a laborer and she is a domestic. The fail had its proper effect, and

instead of going there, he was brought down town by the constable, the girl was sent for, they went to the court house and got a marriage license from Deputy Clerk of the Courts Emil Bonn and went back to Mayfield and were shape and fits to be married.

THEY WANT TO RIDE FREE.

Constables Appoint a Committee to See General Manager Silliman.

The constables of the county want free transportation on the Traction company lines. They feel entitled to it; and at a meeting of the Constables association held yesterday afternoon at Fallon's hall, Priceburg, a committee was appointed to confer with General Manager Frank Silliman.

The constables are after the "deputy" constables, . A resolution was passed which sets forth that no constable who appoints deputies shall receive the hand of fellowship from his brother officers in convention assembled. The next meeting will be held Wednesday, Aug. 5. In Germania hall, Cedar avenue

The Delaware, Lackawanna and Western Mutual Aid association will run an excursion to Pleasant Beach on Aug. 22. Fare for round trip will be

PARTNERS MAKE SERIOUS CHARGES

Kresge & Bunnell.

HAVE ANOTHER MEETING TODAY

t Is Said That Mr. Kresge Is Willing to Withdraw from the Firm if a Satisfactory Financial Arrangement Can Be Made .- Partnership Has Existed Only a Short Time.

There has been trouble brewing for ome time in the firm of Kresge & Bunnell, dry goods merchants doing business on South Main avenue. West Side. and as a result the partnership is about to be dissolved. Serious charges are made by both partners. Mr. Kresge intimates that his partner tried to aimflam in handling money of the firm, and Mr. Bunnell retorts by declaring that he was deceived by his partner when he purchased an interest in the firm. was deceived by his partner when Arbitrators selected by the warring partners are now endeavoring to agree upon some basis that win result in an amicable settlement of the difficulty. The original title of the firm was Kresge & Co., E. H. Kresge having a

two-thirds interest in the firm and his son, C. L. Kresge, who was manager of the establishment, one-third. Several months ago the elder Kresge became tired of the cares of business life and sold his interest in the firm to L. L. Bunnell, the new firm being known as Kresge & Bunnell. Apparently the affairs of the concern glided along very smoothly until the present difficulty

KRESGE ACCUSSES BUNNELL. Mr. Kresge became suspicious of Mr. Bunnell, and at length openly accused him of unfair treatment. This charge was denied, but the relations of the partners thereafter were strained, and it was decided to submit the settlement of their affairs to a board of arbitrators consisting of Joseph A. Mears, George Wallace, of the firm of Connolly & Wallace, and R. W. Luce.

The first meeting of the arbitrators was held last week and Mr. Kresge repeated the charge which originally caused the difficulty between the partners. He was asked to substantiate it by Arbitrator Wallace, and he called upon one of their clerks, Miss Davis, who, after some hesitation, said sh saw Mr. Bunnell charge himself with goods and afterwards erase the charge This statement brought forth an em phatic denial from Mr. Bunnell, who made the charge that Mr. Kresge had leceived him when he purchased his interest in the firm with regard to the condition of the business and the amount of stock carried.

ARE BEING CONSIDERED. These facts and many others de-

reloped before the arbitrators are now being considered by the three gentlemen above named. Mr. Kresge, it is said, is willing to retire from the firm if a satisfactory sum for his interest can be agreed upon. The arbitrators will hold another conference today.

### SEARCH WARRANT FOR A BULL DOG.

Was Issued at the Inst nee of S P. H rman, of Green Ridge.

S. P. Harman, of Green Ridge, had a arch warrant issued yesterday after noon before Alderman Millar against Michael O'Horo, who keeps the Mechanies' hotel on Penn avenue, near the Dickson works. The document was placed in the hands of Special Officer Byars, who will search O'Horo's place this morning to find a bull dog, claimed to be the property of the prosecutor.

Mr. Harman prizes the dog very highly and would not sell it for \$50. Some one stole it on March 5 last and he has since been looking for it. He heard that the dog was in possession of the defendant and took this means to recover it. He does not lay any blamon Mr. O'Horo,

Whoever stole the dog represented that he owned it and Mr. O'Horo had no reason to think otherwise, but the person who did the stealing will be traced and a warrant sworn out for his arrest.

## EFFECT OF THE SILVER CRAZE.

Treasurer of an Indiana County Unable to Sell Its Bonds.

Brazil, Ind., July 27.-W. H. Cutshall, treasurer of this county, has been endeavoring for past month to dispose off \$91,000 worth of county bonds issued for the construction of three gravel States, and this is where the hitch comes. Mr. Cutshall received a lette from W. J. Hays & Son, bankers of included in this year's appropriation Cleveland, Ohio, notifying him that they would not consider the purchasing of bonds unless they were made payable in gold,

Farson, Leach & Co., bankers of Chicago, notified the treasurer that they could not purchase the bonds un-

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MILLAR & PECK,

134 Wyoming Ave. "Walk in and look around."

til the financial skies clear up. Mr. Cutshall has received numerous letters from bankers similar to those mention ed above. As a consequence of the treasurer's inability to dispose of the bonds 500 men who will be given employment on the roads are idle.

#### ROBBED OF GEMS WORTH \$30,000.

Mr. J. J. Coogan Loses Valuable Diamonds at Narragansett Pier. Providence, R. I., July 27.-Diamond:

valued at \$30,000 were stolen at Narragansett Pier yesterday. The victim is Mrs. J. J. Coogan, wife of a New York real estate agent, who has been a summer resident of the pier for several years. Mrs. Coogan attended the Casino last night, and at that time she wore a diamond sun-burst and other valuable jewels, and she states that when she returned she left them on the bureau in her room.

When she started to dress for dinner last night she opened her trunk and discovered that the jewel case, with its contents, valued at over \$30,000, had disappeared. So far as is known there is no clew to the identity of the robbers.

#### AFTER NINETEEN MONTHS.

Richard R. Jones Grew Tired of Married Life and Left His Home.

Hon, T. V. Powderly, representing Mrs. Elvira Jones, of Olyphant, filed a petition in court yesterday for a divorce from her husband, Richard R. Jones, now living in Kingston, Luzerne county.

The petition states that they were married on July 7, 1883, at Kingston, and after nineteen months of married hap-piness, Mr. Jones deserted his wife and has since failed to provide for her.

Tones Up the System.

Green Grove, Pa., July 15, 1896,have taken quite a number of bottles of Hood's Sarsaparilla and it has done me a wonderful amount of good by toning up my system. Cora White, Hood's Pills cure indigestion. \*\*

## Popular **Picture** Pricing

Still hammering away at the pictures. The stream of frames that flows from shop to showroom scarcely pauses on its outward way. The prices are selling the goods. Our salespeople

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of a picture 20x24 inches in a frame of white enamel with gilt lining and 3 inch mat; all complete for

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a genuine etching on plate paper, size 20x24, in white enamel frame with gilt corners, for the same price,

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are samples of the art offerings at our picture sale. You'll miss it if you don't come in. Hunt the house over and make a list of what you need to fill up the bare spots on the wall, or replace those old pictures you're so tired of.

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WILLIAM S. MILLAR, Alderman 8th Ward, Scranton ROOMS 4 AND 5 GAS AND WATER CO. BUILDING, CORNER WYOMING AVE. AND CENTER ST.

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Particular Attention Given to Collections. Prompt Settlement Guaranteed, Your Bust-ness is Respectfully Solicited. Telephone 124.

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Coal of the best quality for domestic use and of all sizes, including Buckwheat and Birdseye, delivered in any part of the city at the lowest price.

Orders received at the Office, first floor, Commonwealth building, room No. 5; telephone No. 2524 or at the mine, tele-phone No. 272, will be promptly attended to Dealers supplied at the mine.

WM. T. SMITH.



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have beeome mere wrap. And want of it, the fellow." So, too, clothes help make the man and want of them the savage. To be well dressed not price in the price cutting race.

The mem the savage. To be well dressed not showlly & a laudible aspiration and the one difference between the American savage and the American gentleman. You will find our stock adequate to suit the most fastidious. We solicit the honor of

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COMPLEXION BLEMISHES

May be hidden imperfectly by cosmetics and powders, but can only be removed perma-nently by

HETSEL'S SUPERIOR FACE BLEACH. It will positively remove Freckles. Tan. Moth. Sallowness, and cure any diseases of the skin, such as Pimples. Acne. Black heads. Olliness, and renders the skin soft and beautind. Price \$1 per bottle. For sale at

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AYLESWORTH'S MEAT MARKE The Finest in the City.

The latest improved furnishings and apparatus for keeping meat, butter and eggs."

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in style, quality and price for every man and boy in town. We try to give better service than anyone else. We do give better goods. Drop in and get acquainted—needn't buy unless you wish. We want you to know us.

M. P. M'CANN, Hatter

Others are cutting on Straw Hats. Ours have been cut all season. KNOX AGENCY.

THE BEST STOCK IN THE CITY .

Also the Newest.

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JOHN B. SMITH & SON, Plymouth, Pa.
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COR. WASHINGTON AVENUE AND SPRUCE. Are now selling their Tan and Summer Weight Shoes at a Cash Cut Price Sale.

Men's Regular \$5.00 and \$5.50 Tan Bal., Men's Regular \$4.00 Tan Bal., now Men's Regular \$3.50 Tan Bal., now \$2.60. Men's Regular \$2.50 Tan Bals., now Ladies' Regular \$3.50 Tan Bals., now \$2.60. Ladies' Regular \$2.50 Tan Oxfords now \$1.90.

Misses' and Children's, Boys' and Youths' Tan Shoes at a very low price.

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