THE SCRANTON TRIBUNE-TUESDAY, MARCH 15, 1898.



tion of the audience. Messrs, O'Brien, Men's \$6.00 Shoes, \$4.50; \$5.00 Shoes, Walker and McVeigh act well in lead-

what had been done or not done to-wards making public the sale of the goods which they purchased; nor was the sale so unattended by bidders as to suggest that it had not been duly advertised. Witt is they stood like any

But we have nothing of that kind here.

There is not a scrap of evidence to

oth r? ,r there, with a right to assume dia, the officer had done his duty. For any omission or irregularity in the execution of the writ not known to them, the constable was answerable and not they, and there is nothing to be now laid to their charge in consequence. There being no actual or legal fraud, therefore in the sale, 't was valid, and conferred upon the plaintiffs a good title, and the verdict in their favor must be allowed to stand."

THE MARVEL CASE.

In the case of Mary Marvel, by her next friend, John Grow, against George Phillips, Judge Archbald discharged the rule to set aside the verdict. This is a breach of promise case from Olyphant. George Phillips was engaged to marry Mary Marvel and went so far as to join with her in taking out a marriage license. He changed his mind, how ever, and the very next week married another girl. She sued and secured a verdict of \$500. Ex-Judge Stanton, attorney for the defendant, refused to go on with the case when it was called to trial, alleging that it had been discontinued and exhibiting in substantiation thereof an order of discontinuance made by the girl.

John F. Murphy, attorney for the plaintiff, held that the girl could not discontinue the suit, as it had not been brought by her but by her next friend, John Grow. "An infant," the judge says in his opinion, "when he comes of policy contract, but still the companage may discontinue an action brought lics have failed to pay over the insurin his behalf by a next friend, but prior to that time has no control over it. * It is of no concern whether the

suit is carried on with the consent of the infant or without it." To clear the record the court directed

that the discontinuance ordered by the Marvel girl be stricken off, and that the rule to set aside the verdict be discharged.

CANNOT BE REVOKED.

A decree of adoption once made cannot be revoked. So Judge Archbald decided in the matter of the petition of A. J. Rogan, of this city, to have revoked the decree by which the petitioner adopted Daniel Hagen. Mr. Rogan alleged that the boy was incorrigible; that he would not stay in his adopted home, and that he himself wanted to be relieved from the legal relations established between him and the Rogans.

Court says it might be better for both parties if their relations were severed, but court has no power to effect this. The statute authorizes court to decree an adoption but, in terms at least, it does not authorize us to undo what we have thus done.

The ordinary rule as to the judgments and decrees of court is that they become final and conclusive with the passage of the term at which they are made. Until that has run, they are within the control of the court which made them, but after that they cannot be interfered with. Judge Edwards overruled the excep-

tions to the findings of the trial judge in the case of the Equity Improvement company, of Scranton, against the Equity Improvement company, of Winchester, Va., in which judgment was rendered for the plaintiff in the sum of \$15,782.20, with interest from Sept. 1,

more riotous if there was a drinking against the borough of Archbald yester-day to recover \$500 for a horse which broke its leg by falling on the ice which it is alleged the borough negligently al-lowed to accumulate on the street. The account of C. H. Welles, trustee of

Notice was received yesterday of the appeal to the Supreme court of the case of the John Church Co. against M. W.

Emele Haberly, widow of the late Will-tam Robinson, and also trustee of Henry Armbrust, guardian of Amelia and Lena Robinson, minor children of the deceased, was confirmed finally in court yesterday. An alternative writ of mandamus was ssued yesterday at the instance of the Crescent Electric Light company against the borough of Winton to compel the borough to show cause why it neglects to pay two overdue bills for electric lightng amounting to \$5,265.90. The mandamus case against Treasurer Grier, of Dickson City borough, to com-pel him to show cause why the borough refuses to honor varrants issued to J. E. Watkins and H. W. Mulholland, com-

missioners in the recent contest, was to have come up yesterday, but owing to the rush of other matters was postponed until next Monday morning at 9 o'clock.

SUED TWO COMPANIES.

Catherine Krotky Sues to Recover on **Fire Insurance Policies.**

Catherine Krotky, whose hotel property at Richmondale was destroyed by fire Oet, 12, 1897, brought suit yesterday through Attorney R. D. Stuart to recover \$1,150 each from the Hartford Fire Insurance company, of Connecticut, and the Palatine Insurance company of Manchester, England. Mrs. Krotky alleges that she gave

timely and sufficient notice of the total destruction of her property to both companies and in every other way complied with the provisions of the ance money or give any reason for not doing so.

SAVINGS BANK IDEA ADOPTED.

Stevenson,

etery

are

York

of the pupils.

Pupils of No. 36 Make a Deposit in the Dime Bank.

The pupils of No.36 school on Frankin avenue have adopted the savings bank idea and yesterday Miss L. R. the principal, deposited

\$22.19 in the Dime bank in the name asked Judge Edwards in surprise. So many good results follow the

adoption of this idea that it is likely that in the near future every school in the city will have its savings account.

REMAINS OF MATTHEWS BURIED.

His Friends or Relatives None Attended the Funeral.

The remains of George Matthews, colored, whose body was found in the Diamond reservoir, Sunday morning, were buried yesterday by the Scranton poor district, in Washburn street cem-If he had friends or relatives in the and forty women attached their names city they did not accompany the re-

mains to their last resting place. Grateful Patients

G. P's. the doctors call them. found in every city, town and hamlet loud in their praise

"77" for Grip and Colds. At druggists; price, 25c., 50c., or \$' '0. Humphreys' Medicine Company, New

place established in the basement, as contemplated. This is the building in which a baby was shot and killed during a family brawl last May. Mr. Scragg, representing the application, showed that the house was a threestory structure, admirably suited for hetel purpose and that Mr. Dougherty is a reputable man who will conduct an orderly house.

wants a license is tenanted by four

families and that the said families are

Mr. Skipper's opinion, b

riotous kind of people, who would.

NO NECESSITY FOR 1T. The same opponents appeared against the application of John Uhase, of Larch street, contending that there was no necessity for the place. Attorney John J. Murphy, who appeared for the application, said it might be true that there was no necessity of a hotel in that locality for the "men, women and children" who signed the

remenstrance but for Mr. Uhase's countrymen who lived there in great numpers there was necessity. Michael Manley's application from the same neighborhood was similarly opposed. Mr. McGinley, representing

the application, made the statement that on the sustaining petition appeared the names of three men whose wives had signed the remonstrance. Mr. Dunn made the allegation that Burgess Powell had told him the place was conducted as a speak-easy. Attorney W. W. Lathrope appeared

in opposition to the application of Max Heller of "Blazing Stump" at Richmondale. He alleged it was not neces-Attorney H. C. Butler is asking for a license for John Owens, of Fell, said that court had listened all day long to

applications grounded on reasons to the effect that they were to be for the accommodation of the Polish, Italian or Hungarian residents of the locality. He would ask for a hotel license for the accommodation of the American people of the neighborhood. He then read the list of applicants from Fell and everyone of them, excepting Owens, bore a foreign-sounding

Mr. Timlin followed with the application of James Muldowney and started in with the assertion "My man is a Welshman. "What, Muldowney a Welshman?"

"That's what he swears to, Your Honor," said Mr. Timlin. "Well, that is the first time I ever heard of a man named Muldowney be-

ing a Welshman," rejoined Judge Edwards, at which there was general laughter. APPLICATION FROM WIMMERS.

MOOSIC Mr. Fleitz and Mr. Lathrope put up strong arguments, respectively, for and against the application of H. C. Bell, of Wimmers. Mr. Fleitz claimed that two-thirds of the voting population of Jefferson township, had signed the petition, while only forty-five men

to the remonstrance, Mr. Lathrope questioned Mr. Fleitz' assertion that two-thirds of the voting population was in favor of the license being granted. "That town gave a majority for Dr. Swallow and me last fall and I hardly think so many of them have gone back on their convictions in so short a time." "Well, if you think that all the peo-

ale who voted for Dr. Swallow last fall were Republicans and go banking on defeating license applications on the strength of it, there will be a whole lot of liquor license applications grant-

At the Linden. A grand double bill is the order at

ing roles.

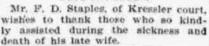
the Linden theater for the first three days of this week. The curtain raiser a one-act comedy, "Is Marriage a Failure," was given by Miss Alice Kemp and Charles H. McKinley in an excellent manner. J. F. McCabe and Frank Carlton were favorites. The little skit "A Bachelor's Troubles" by Bartling and Robison, is excruciately funny Percy Frutchey, of this city, whom many have heard of as a trick blcycle rider, astonished everybody by the wonderful dexterity with which he rides his wheel. A description of the things he does with a wheel are hardly to be believed. He kept the audience busy applauding him. Percy is the champion trick bicycle rider of Pennsylvania.

The bill ends with a delightful fourscene comedy entitled "Uncle Josh" Troubles," which is at once very amusing and highly pathetic. Mr. McKinley was Uncle Josh and Miss Kemp, little Dot. Manager Brooks announces that he will give one of Bittenbender's Scranton Special bicycles, '98 model, to the most popular lady in Scranton. The ballots are handed to each persor entering the theated to be deposited in a box as they leave after they have written the name of their candidate thereon. The contest will last two weeks and the progress of the voting will be announced from the stage each evening.

Creston Clarke.

When Creston Clarke appears at the Lyceum on Friday and Saturday nights it will be in a new romantic play, "The Last of His Race," in which Mr. Clarke will be assisted by Miss Adelaide Prince and company of exceptional strength numbering twenty. The romantic drama, the play that appeals to the emotions, the play that has for its foundation that al most forgotten factor, a plot, is after all the most enjoyable and elevating diversion presented upon the modern stage "The Last of His Race" is perhaps one of the best specimens of the romantic drama that has been produced within recon years. In it Mr. Clarke enacts a dual role, that of a paralytic old prince in the first act and a vigorous manly young artist in

the two succeeding acts. Card of Thanks.



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ER

\$3.91; \$4.00 Shoes, \$2.95; \$3.00 Shoes, \$2.45.

Ladies Shoes-\$4.00 grades, \$2.95; \$3.50 grades, \$2.45; \$2.50 grades, \$1.95.

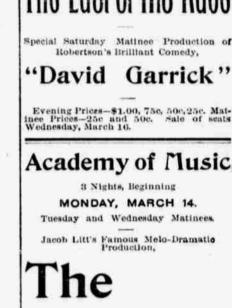
Boys' and Children's Shoes at like reductions.

Only a few days more of this kind of selling -we expect them to be our biggest days-for hundreds of people have been shod during this sale, and they're spreading the good news.

Its been a great sale-this distribution of thousands of pairs of medium weight tall and winter Shoes at prices so nearly half. Shoes for serviceable every-day wear; others for dress, but all of the most reliable makes. Styles from the natty English shapes down to the more sedate stand-bys.

If you can't come today, come tomorrow or the next day or when you can, you'll be sure to find something worth coming for.





Creston Clarke,

an Exceptionally Strong Company of 20,

in the New Four-Act Romantic Play,

apanied by Miss Adelaide Prince and

Woman In Black

By H. Grattan Donnelly. The best play over written of the greater Sew York life. Presented by the strongest ast ever seen in melo-drama

"Special"—The entire lower floor is re-served for mathees at usual prices for bal-ance of season.

THE LINDEN. Brooks & Ladwig, Lessees. A great double bill Monday, Lesseer. A great double bill Monday, Tuesday and Wednesday, in which Mr. McKinley and Miss Allee Kemp will be seen in some of their best specialities. Also Percey Fruichy, the Champion Trick Bicycle Rider. The whole concluding with the lauguable 3-act Yankee comedy. Yankee comedy.

JOSH WHITCOMB. Thursday, Friday and Saturday, with pecial Thursday matinee,

Kathleen Mavourneen The most beautiful of Irish plays Daily matinees, 10c to any part of house. Evening Prices, 10, 20 and 30 cents. Special matinee Saturday's for school children, 5c.

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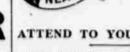
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Electric Batteries, Electric Exploders, for exploding blasts, Safety Fuse and Repauno Chemical Co's EXPLOSIVES



DR. SHIMBERG,



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