THE SCRANTON TRIBUNE-WEDNESDAY, MARCH 16, 1898.

WAVERLY "NOVELS" APPEAR IN COURT

One Committed for Contempt and Second Chased Away.

CHARLEY LEE'S LICENSE AGAIN

Intimated That Signatures Were Secured to the Application by the Use of Money, and Openly Charged That the Anti-Saloon Element Stoned Signers -- Tom Durning Applies for a License -- All Applications Heard and Adjournment Made Until Friday about this time and was called to tell

Waverly, as usual, held the front and center of the stage in the annual icense court force. The hearing of the one application from that quiet little borough yesterday had more interest attached to it than all the rest put together.

One witness went to jail for contempt, another was dismissed from the stand because he was making such a ridiculous exhibition and there dereloped from the evidence the fact that the good people of the borough, to put It lightly, go to extremes, in fighting for and against the granting of the license. On the one side it was broadly intimated that signatures to the petition were secured through the use of money, and on the other it was alleged that men who had signed the petition were stoned on the street by anti-saloon enthusiasts.

The applicant, Charles E. Lee, was represented by Attorney R. H. Holrate. The remonstrance was repre-sented by Attorney W. W. Lathrope. The remonstrance alleged that there was no necessity for the place, that Lee was an unfit person to keep a hotel, and that he had permitted gambling at his place. Judge Edwards stated that the matter of necessity of the hotel had been passed upon before, and the court did not care to bear anything further on it. This saused Mr. Lathrope to confine himself to showing that Lee did not conduct the place properly.

WAS AGAINST LEE.

His first witness was Abner Dix, who knew a thing or two and wasn't to be played by any smart aleck law-

"Do you think Mr. Lee is a fit person to conduct a hotel?" asked Mr. Lathrope, after the preliminary questions had been answered. "No, I don't," sharply returned Mr.

Dix. "In my judgment, he ain't no fit person. "Tell us what you base your opin-

on on," interrupted Judge Archbald, "We want facts." "Well, my judgment is just as good

us anybody else's."

"That may be, but what is there wrong with him, in your opinion?" wurt asked.

"One thing, he ain't honest. (Laughler.) No, he ain't, nuther, Laugh as you mind to, Charley Lee. I know what you did. Do you know he bought t load of hay from me for \$19. He got ne bamboozled when he was counting he money to me in his bar room and theated me. Yes, he did. When I got to hum I found one of them air dollar is an' he give me was doubled up ke and 'twas counted twice. Only 8 was thar when I got hum and unted it over myself."

"You signed Mr. Lee's petition, didn't

BOTH COUNCILS as Everill approached the bench. "This man is drunk." "Your-hic-Honor, you do me wrong," spoke up Everill, with an air of injured innocence. The judge did him further "wrong" by committing him for contempt. He

Contractors and the City Involved in will serve twenty-four hours and pay Some Disputed Accounts. When Sheriff Pryor had escorted the

tottering Everill out of court, 'Squire THE E. J. Feeley came up and gave testimony in favor of the application. Mr. Lee was a fit man to run a hotel, the

'squire thought, and as to the gambling he knew personally that the losers were never required to pay for the drinks or in other words, it was not obligatory He also knew that Mr. Lee had prohibited betting on pool games A. F. Decker, the other absent wit-

a fine of \$10.

replied.

to a church.

ness for the remonstrants, came in why he had ordered his name erased from Lee's petition.

"What bearing has that on the case?" asked Mr. Holgate.

A half hour or more of the session "It will show how difficult it is for of the select branch was consumed in an applicant to get twelve signers to his petition in Waverly," Mr. Lathrope reading and approving eighteen pages of minutes of previous meetings. Attorney R. A. Zimmerman, repre-senting Peter Stipp, contractor, was

"If you want to go into that," re-marked Mr. Hoigate, "I can show that permitted to make a statement in refthey have stoned people up there for signing the petition." The testimony erence to some complicated claims and accounts among his client, P. T. Mulliwas not desired by the court. gan, the Hunt & Connell company and Andrew Mahoney, the last witness the city in connection with Mulligan's called by the remonstrants, said he Columbia avenue sewer contract. The wasn't qualified to judge whether or Hunt & Connell company, it appears not Lee was a fit man to keep a hotel. "My judgment ain't no good," said has on file with the city controller bills against the contractor amounting to Mahoney. He was excused. \$3,157 for money and materials furn-

THE WALSH LICENSE.

up at 7 o'clock in the evening.

Remonstrances were presented against

a little more house and a little less

Undaunted, the attorney persisted in

LITTLE TOO SMALL.

petition."

his arguments.

umed his seat.

in Savicz' place.

They were not considered.

When the application of William H.

Moyer for a hotel license for a new house he is building on Sanderson

street, Throop, was presented by Mr.

Horn, Mr. Soper claimed the attention of court and saying he represented a

number of citizens of Throop, objected

to the granting of the license on the

ground that there were enough hotels

there already. Mr. Horn and Mr. New-

comb, attorneys for Max Swartz, an-other Throop applicant, alleged that

Mr. Soper represented opposition hotel-

keepers and demanded that he should

name his clients. Court insisted on Mr.

Soper making answer and he reluct-

aptly admitted that he was attorney for

ness.

ished on the contract. Stipp's claim is Attorney W. J. Hand presented the \$136 for brick. The assertion is made opposition of the First Presbyterian by the Stipp people that while the Hunt church to the granting of a wholesale license to E. J. Walsh at the corner of & Connell bills exceed the amount due Mulligan from the city, the bills are Washington and Lackawanna avenues.

incorrect and excessive to the amount of several hundred dollars, and if cor-There was no objection to Mr. Walsh, he said, but the sentiment of a Chrisrected would leave a sufficient balance tian community is against locating a in the hands of the controller to pay liquor house in such close proximity Stipp. Two resolutions in connection with Hon. C. P. O'Malley, Joseph O'Brien the controversy had been introduced. and George S. Horn spoke in favor of One provided for the payment of \$136 the granting of the license. They to Stipp, the other permitted the showed that Mr. Walsh had been grantparties to contest their claims before ed a transer to this place and on the the city solicitor, his verdict to guide strength of it had entered into a fivecouncils in the matter. year lease and spent nearly \$3,000 in remodeling the store. The opposition Mr. Roche offered a motion referring the dispute to the city controller, of the church developed and the trans-

the city solicitor and all the parties fer on some technical ground was reinterested for an agreement if possible. voked. It was also pointed out that The resolution was adopted after Mr. the church intends to move from its Lansing, of the judiciary committee present location in the near future, havhad reported the views of the control ing given an option on the property to

ler and solicitor on the matter. C. P. Davidson. It was vouched that Mr. Walsh would use only the front RECEIVED WITHOUT DEBATE. door, which fronts on Lackawanna avenue; that there would be no drinking The 1898 appropriation ordinance was on the premises and that he would reported by the joint estimates comcontinue his present custom of closing mittee through Mr. Chittenden. It

was received without debate or comment and ordered printed. the applications of Michael Sewak and Mr. Finn introduced a resolution which was adopted and hurried into

Andrew Simoniak, of Winton, by Attorney John F. Murphy, representing the lower branch for concurrence dithe Greek and Polish Catholic churches. recting the city clerk to advertise the Ex-Judge Stanton was making an petition and names of the petitioners earnest plea for his man Simoniak, layfor a pavement on Providence road, ing great stress upon the fact that he and North Main avenue from Court had a large, sustaining petition. Judge street to the city line. This is one o Archbald looked up from a photograph the legal steps necessary in the final of Simoniak's dwelling, in which he provisions for the extensive improvecontemplates keeping the hotel, and rement. marked: "It might be better if he had

ated by Lindermann & Skeer in the A knotty point was raised by Presi placed to drain the mines dent Sanderson when on second reading The Lehigh Valley Coal company decided to erect a new breaker at vale, near Wilkes-Barre, in place o was called the common council ordinance amended in select council providing for the cleaning of paved streets old Horton, which will be torn Work was on Friday suspended by contract. President Sanderson relegated the chair to Mr. Chittenden and nitely. A large force of men will to work on the new breaker and t be built as rapidly as possible. The suggested an amendment for the pro-

"Why, judge, look at the size of the house," remarked Judge Archbald, and then seeing that it was all day with his petition, Judge Stanton allowed a and North Washington avenues who broad smile to steal over his erstwhile pay the street department a stipulated share of the expense of keeping sweep- the old Horton. serious countenance and he slowly reers permanently on certain paved sec-

ready too much burdened with expense for lights. Among several concurrent resolutions WERE IN SESSION approved one directs the street com-missioner to fence in Luzerne street between Ninth and Meridian streets,

the thoroughfare being in a dangerous condition at that point. The meeting adjourned to meet next Tuesday night as did common coun-

APPROPRIATIONS FOR 1898 Common council had a lengthy and busy session and strange to say ther

was not even the semblance of a speech Reported and Referred to the City although Mr. Flanaghan and all the Clerk for Printing .- Knotty Point other orators of the body were in attendance. Raised by President Sunderson on The ordinance establishing the big the Contract Street Cleaning Ordi-No. 19 sewer district extending from the river back to Keyser valley and nauce--Many Measures Passed Third Rending in Lower Branch. To Meet Again Tuesday Night.

journed sessions last night.

taking in the Sixth, Eighteenth, Fifteenth and part of the Fifth and Twen-ty-first wards, passed third and final readings, as did also its sequel the or dinance providing for the construction Both branches of council met in adof a sewer system, which will be as a

sort of skeleton to the district. There was no comment or opposition, but some of the members voted "aye" in a half-hearted manner.

The ordinance providing for a main sewer on North Main avenue, Providence road and Philo street; the ordinance providing for the opening of a sixty-foot street from the southerly end of Spruce street bridge to Prospec avenue; the ordinance providing for the creation of the office of plumbing inspector; the ordinance providing for Main avenue and Tenth street, also passed third reading.

PASSED TWO READINGS. The following ordinances passed first and second readings: Providing for the transfer of \$50 from the unexpended balance of the appropriation for the purchase of the Columbia's chemical wagon to the appropriation for Fifth ward street repairs; providing for flag stone sidewalks on West Linden street Clay avenue, between Myrtle and Pine streets; providing for a fire alarm box at the corner of Rockwell place and Gilbert street.

There was passed on third reading ordinances providing for electric lights at the corner of Washington avenue and Delaware street, Capouse avenue and Poplar street, Hyde Park avenue and Sadie court, Jackson street and Morris court, Linden street and Oakford court and Raymond court, between Sp and Linden streets.



Custom and tradition has designated St. Patrick Day as the Annual Opening of the Carpet Season. Thus today our store news talks Carpets---and it's mighty interesting reading whichever way you look at it.

NOT AN OLD PATTERN IN THE STOCK

That would be news of itself in some stores, but not in this one---where everything is new. There is absolutely not a pattern in the entire stock but what has been manufactured for this season's selling. There is not a Carpet Store in Northeastern Pennsylvania with a stock of such magnitude or with patterns of such life and grace as those we show. There is not a Carpet House in the entire State with such perfect light to display goods as here---permitsidewalks on Washburn street between ting the closest scrutiny of detail and finish.

In No Other Store Are Prices So Low as Here

That's a fact beyond dispute. We've proven it to you in other stocks. We'll prove it to you in Carpets. But not with old stocks---patterns that are blood relation to a score of years back. Every yard must bear the stamp of newness and price lowness ---backed by our liberal guarantee; as liberal as you wish to make it. Just a few prices are mentioned today---to show you the sham and folly of efforts at competition :

and Raymond court, between Spruce			
and Linden streets. On first and second reading ordinanc- es were passed for electric lights at the	Ingrains	Brussels	Mattings
following places: Dougherty street and Summer avenue; Reese street, in front of the German Lutheran church; Charles street, near the McLaughlin property; corner of Rockwell place and Gilbert street; corner of Bloom ave- nue and Cayuga street. A resolution was adopted on motion of Mr. Reagan directing the street com- missioner to fence in Luzerne street, between Ninth and Meridian streets.	Granite Ingrains, unsur- passed for durability and hard service, yard 30c Lowell, super and all wool, fine selection of pat- terns, yard 60c and 65c	Body Brussels, yard \$1.00 Tapestry Brussels, yard, 50c to 85c Best Moquettes, yard 85c Domestic Axminsters,yd, 1.25 French Axminsters, yd 1.30 Wilton Velvets, yd 1.00	and Japanese Mattings, 12c to 35c yd Linoleums From 40c yard up Oil Cloths
the readway being in a dangerous con- dition.	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		
MINING NOTES. Coxe Bros. & Co. have leased part of the old abandoned collieries recently oper- ated by Lindermann & Skeer in the lower part of Luzerne county. Pumps are being placed to drain the mines.	JONAS	LONG'S	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
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s, sir, I didn't sign it for Lee Ben Green, he got me to sign harley set 'em up for me and e used to set 'em up for me once hile in the hot weather, you Charley ain't a badow that

you asked him to take your off the petition afterwards, did

Yes, but when I went there Ben treen said it was all right, and Charley dapped me on the back and they put ne off that way, you know."

READY FOR HOLGATE.

The witness was then turned over br cross-examination. "Mr. Dix."

"Well, I'm ready for you, Mr. Holfate."

"You heard there was some money poing around up there, eh?" "Yes, I did. I hearn how they gave

t to a rich man to pass around and then Mr. Baylor, attorney for Olchefmly those rich fellows got any of it. and the poor trash could sign for nothng

"And you wanted some of that money hat was going around?" "Yes, I did."

"And that's the reason you wanted our name taken off?"

At this juncture Judge Edwards inerrupted and told the attorneys not o ask the witness any more questions. Such an exhibition as this in a court f justice-" but in charity the judge efrained from finishing his comment. Watson H. Stone, the next witness, aw Lee and some of his customers haking dice for the drinks at the bar n one occasion

Leslie Tyler, an 18-year-old boy, tesified that he played pool in Lee's lace, and had to pay for the game then he was the loser. "Isn't that customary?" Judge Ed-

tards remarked. "It may be, but it is gambling, I

ontend," replied Mr. Lathrope. Edward Everett and A. F. Decker wo other witnesses subpoenaed by the emonstrants, dld not answer when

beir names were called, and an atichment was issued for them. While waiting for them the other side abmitted some character testimony. ev. A. B. Browe, pastor of the Waver-I Baptist church, when asked if he bought Charles E. Lee was a fit perconduct a hotel, answered in a uarded way: "As fit as any man as ir as I know." On cross-examination said he had signed the remonstrance gainst the place, and then qualified is answer as to Lee's fitness by exlaining that he meant that Lee was ood enough for that kind of business. le knew nothing against Mr. Lee's

NOT A DIFFICULT TASK.

George E. Stevenson thought Mr. Lee fit person in every respect to conduct i hotel. Mr. Lathrope asked the witless concerning the applicant's repuation in the community for morality. dr. Holgate raised the point that this ras not cross-examination and further aid that in an antagonistic community t is not very difficult to manufacture bad character for a man.

Edward Everill, one of the witnesses br whom an attachment had been isued, strolled into court at this junctire and Mr. Lathrope called him up to estify

"Mr. Lathrope, you o"ght not bring Bock Beer on tap in all hotels and res-his man here," said Judge Archbald, taurants Thursday.

When the application of Thomas J. tions of those thoroughfares. If pave-Durning, of 1624 Luzerne street, was ments were to be cleaned by contract. called, Judge Edwards, with some feel- President Sanderson thought it might be impossible to continue the private ing, asked: "How dare Tom Durning system unless some provision in the come into this court and ask for a premises was incorporated in the ordi-nance under discussion. license?"

"I presume he has as much right as any other man, he has fourteen signers," said Mr. Sando, his attorney. value of the measure by citing that \$11,-000 for street cleaning was appropriat-"Well, he would need fourteen hun-

ed in 1897, \$15,000 was asked for 1898 dred signers before I would grant him a license," remarked the judge. and contractors were ready to guarantee the work for about the same as the George Savicz, of 1024 West Lackacost to the city in 1897 and with more wanna avenue, met with exceptions in the shape of charges preferred by Wilblocks to clean. President Sanderson contended that liam Olchefski, one of his own counhe had not objected to the principle of trymen. The accuser and John Kopet-

ski, testified that they bought liquor the ordinance. there on Sunday and that gambling MR. ROCHE'S VIEWS. was permitted there Sundays and week days. John J. Murphy, attorney for

It was suggested by Mr. Roche that the applicant, brought out the fact that the doubts in relation to the present Olchefski had been arrested for comarrangement between the street demitting assault and battery, with partment and property owners were recriminal intent on Savicz' wife and moved by the clause in the ordinance to the effect that bids should be reski brought out the fact that this arceived and the contract awarded by rest was subsequent to one which Savthe street commissioner according to icz made to recover a month's pay which he alleged he lost in gambling

by him. Mr. Lansing thought the ordinance Attorneys F. P. Hoban and P. W. should provide for the arrangement Stokes appeared for the application of. now existing between the street de-James McGovern, of the McGovern partment and property owners. Bros., Lackawanna avenue, who wants Further consideration of the matter to conduct a restaurant in the rear vas, on motion of President Sanderson, end of the Williams building, on Linden postponed until the next meeting. street, opposite the postoffice. Mr. Ho-The mayor's nomination of Edward ban, in speaking of the necessity of Pethrick as additional permanent man the place, said among other things for Columbia Hose company was conthat it was in the heart of the newspaper district, and would be a great firmed. The amended select council ordinance convenience to the men in that busiproviding for sidewalks, curbing and THE TRAVER CRUSADE.

grading on the east side of Clay avenue That the Traver crusade is having its ed third reading. effect was evidenced by the presentation of five Nineteenth ward applications that had been filed too late.

between Myrtle and Price streets pass-One negative vote was recorded against the final passage of a common ccuncil ordinance providing for an additional electric light in he Second ward. President Sanderson voted against it and said he would vote

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Opening of the

day, March 16.

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which has not been in good shape since the explosion and fire of a year or more ago, is nearly restored to a condition to resume former shipments. The gas is nearly all cleared out and the gangways nd airways are opened in good shape Two slopes are being sunk, one in the Hillman and the other in the Baltimere seams. This opens new coal areas, so Mr. Manley sought to outline the that the production can be kept up for some time. They will be ready for full work in about two months.

The Delaware and Hudson Canal com-pany has decided to open up a mina on the hillside back of Larksville, Luzerne county, and with this in view has leased lots from Charles Lawson, ten lots from William Jacquish and twelve from Harrison Nesbitt. The company has been making investigations for some time and after securing possession of the property had a survey made. The vein which has been found is sixteen feet in thickness. The new opening will produce 500 tons daily and will give employment to a large number of hands. The coal can be mined very cheaply, as all expense of pumping machinery will be avoided. The new plane will run up the mountain side from a point opposite the Boston colliery. From the top of the plane they will also build a railroad on the side of the mountain specifications, schedules, etc., prepared and when the plane and railroad are completed the coal will be brought from the new opening to the Boston breaker, where it will be prepared for market. The recent tapping of the old and aban-loned Buck Mountain colliery by Coxe Bros, & Co, has developed that in six sep-arate basics there still remains to be mined more than 20,210,000 tons of good coal. The water has been drained from the old workings through a tunnel a mile and a half long, the mouth of it being in the Laurytown valley and the water empties into the Lehlgh river. The coal from several of the lifts will be taken through this tunnel and then hoisted over a plane 1,500 feet in length, and by a thirty-ton mine lokie hauled to the break-er, to and one-half miles distant, fifty to sixty cars in a trip being whirled that distance at the rate of twenty miles an hour. The old deserted village of Buck Mountain is assuming new life again, and many new blocks of houses are being erected on the foundations of those that were torn down a few years ago and moved to a mining patch in Schuyikill county. In a month or to probably 569 against any other light ordinances that men and boys will find work at this colmight be called up as the city was al- liery. SUMMANAMANANANANANANANANANANANANA ANNOUNCEMENT.



F. C. Pilger and Dominick Corcoran, two present hotelkeepers at Throop corners, where Moyer intends to locate. All the remonstrances noted as having been filed from time to time, were presented and heard. When the list had been finished at 4 clock p. m., court heard some further

arguments on the brewery license question told of at length yesterday. The main question is whether or not there shall be one license issued for all the combine's breweries or a separate license for each. There is also just a possibility that the combine may be called upon to show under what law it claims the right to conduct more than one brewery in a county

Court adjourned until Friday morning.

E. Robinson's Sons'

sale at one-third the original measured prices.

UNIVERSITY OF A CONTRACTOR

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the first of the f