

EASTER FOOTWEAR

Charming Patent Leathers.

Every stylish young woman will want a pair to wear with her Easter bonnet. These are very swaggy, superb quality, patent leather, with the popular round toe, straight across tips.

\$3.50.

If we didn't have them you'd have to pay the dealers \$4.00 to \$5.00



IN MEN'S we have the NEW-EST shape with new vesting tops, as good as other dealers ask \$5.00 for

Our Price, **\$3.50**

SCHANK & SPENCER,
110 SPRUCE STREET.



The Wilkes-Barre Record can be had in Scranton at the news stands of M. McIntyre, 129 Wyoming avenue, Lackawanna avenue.

CITY NOTES.

The members of the Scranton Caledonian club enjoyed a smoker in Bitter's hall last night.

Mr. Whittemore, the new choir master of the Providence Presbyterian congregation will meet the choir this evening for rehearsal.

St. Peter's society, of Bellevue, will conduct a social in Economy hall, on Wyoming avenue, Monday night. The Lawrence orchestra will furnish music.

Monday and Tuesday the county commissioners will hear appeals from the wards. The First, Second and Fourth wards appeals will be heard the first day, the remaining wards the next.

Private Thomas Russell, of Company D, Thirtieth regiment, was appointed corporal last evening, vice Corporal Isaac Brown, who was recently elected quartermaster, to succeed Reese B. Watkins.

The Pennsylvania Bicycle Protective association of this city has just issued an attractive card offering \$10 reward for the return of a stolen wheel registered with them, or \$20 reward for the return of the wheel and the identity of the thief.

The building committee of the board of control met last night and decided to ask that \$20,000 for new school buildings be included in the 1898 school appropriations. It was voted to approve Architect Duerworth's plans for a new No. 2 building.

The honor of participating as principal in the first marriage in the Meers building belongs to Miss Emma Wood and L. C. Howells, both of Meers. The wedding was held Thursday by Alderman Donovan who recently moved into offices in the building.

The kindergarten classes of the Young Women's Christian association will give a closing exhibition of their work in the auditorium of the high school building April 27. The classes have been drilling faithfully and many new features of the work will be given.

The Delaware and Hudson company paid yesterday at Baltimore shaft, found and silver and 400,000 lbs. of lead. The Delaware and Hudson company will pay today at the car shops and the Cayuga and Hudson mines.

The funeral of William Mahon, of Olyphant, will take place Sunday afternoon at 2 o'clock. Interment will be made at Carbonade. A special train will run over the Delaware and Hudson road that day leaving Carbonade at 12:45 p. m. and will stop at Jersey and Archbald. The Scranton train will leave at 1:45 p. m. The members of Scranton lodge of Elks will meet at 1:30 p. m. in the lodge rooms for the purpose of attending the funeral.

Beautiful Boxes.

Every customer buying a dollar's worth of goods today will be given gratis their choice of four popular boxes.

Meers & Hagen.

Wurtzburger Beck Beer on tap today at all bars.

A Fine Easter Gift.

Is a nice plant. See Clark's display, Meers' building.

Fresh Fish
and
Oysters
Every Day.

THE SCRANTON CASH STORE

ARGUMENTS THAT WILL BE PRESENTED

They Are For and Against Having Scranton Appeal Decree a Superseas

REASONS THAT ARE ADVANCED

Members of the Present Board Want to Prevent a Writ of Ouster from Being Issued Against Them Until After the Supreme Court Has Passed Upon the Appeal from Judge Archbald's Decision in the Quo Warranto Proceedings.

Before the Supreme court at Philadelphia printed arguments will be presented today for and against the rule to show cause why the appeal from the decision of the court of this county with reference to the school board quo warranto proceedings should not be decreed a superseas. The Supreme court decided not to hear any verbal arguments on this rule and what the attorneys have to say will be presented in the form of proper books. D. J. Reedy, solicitor for the school board, and D. J. Davis, one of the attorneys for the board of six, went to Philadelphia yesterday to present the briefs. They will remain in Philadelphia, in the argument of the case. The Pittston school board appeal, which will be heard Monday, the case is almost identical to the one from this city.

The decree of superseas is sought by the members of the present board to prevent the local court from issuing a writ of ouster pending a decision by the Supreme court on the merits of the appeal from the decision of Judge Archbald in the quo warranto proceedings. The argument for the superseas is in part as follows:

"This being on a rule to show cause why the appeal should not be decreed a superseas, it seems to us that the questions involved are:

First—The injury which may be done to the school district of Scranton, by enforcing an execution against the defendants.

Second—The want of proper officers to fill the offices of school controllers, if the appellants in this case are ousted.

Third—The possibility of error in the ruling of the court below.

THE ARGUMENT.

The first and second may be argued together. The city of Scranton was incorporated by Act of April 23, 1855, P. L. 1031, and its supplement of March 30, 1857, P. L. 632. * * * Up to the adoption of the act of May 23, 1874, the city of Scranton had four school districts. The legislature by an act approved May 3, 1887, sought to repeat the acts of 1855 and 1857. * * * Attention of the court is called to the title of this act. No mention whatsoever is made of the act of April 23, 1855, nor is it cited for repeal. Does the act of May 3, 1887, repeal the act of March 30, 1857?

Under the statement of facts as agreed upon, four hundred and twenty thousand dollars of bonds issued since 1874 are outstanding. Fifty-five thousand dollars were issued between the adoption of the act of April 23, 1855, and the passage of the act of May 3, 1887. If the act of 1874 is declared unconstitutional, then there was no city of Scranton in the school district, and the bonds are illegal and void.

Again, if the officers of the present controllers are declared vacant, there are no persons legally qualified to fill the offices. It is contended that a board of six directors, whose terms of office commence the first Monday in June, 1898, was elected by the school district of Scranton, but the right of the six directors to the office of school controller in the city of Scranton is disputed.

Great and irreparable injury will be done to the school district of Scranton by continued and incessant litigation. Until this question is finally disposed of, no change should be made in the personnel of the school board.

Mr. John Jernyn, who is the real party of interest in this case, is not a party to the record, and no opportunity has been given the court below to pass upon their title to the offices. Until such time as their title is passed upon, there are no other persons that are legally qualified to hold the offices.

NOT UNCONSTITUTIONAL.
Third—The act of May 23, 1874, P. L. 354, is not unconstitutional. It has been before the court in many cases, and almost every section of the act has been passed upon, including the forty-first section, and its constitutionality has been sustained.

In Com. vs. Evans, 192, Pa. St., 236, this identical question was before this court. Mr. Justice Paxton delivering the opinion of the court said:

"The city of Scranton is a city of the third-class and is divided into twenty-one wards. Under the forty-first section of the act of May 23, 1874, P. L. 354, each ward is entitled to elect one school controller. These elected from every numbered ward at said first election (1875) to serve for two years and thereafter from odd numbered wards for four years; thereafter, every two years, alternately, they shall elect one each, to serve for four years. It will thus be seen that the term of a school controller is four years."

In Scranton school district vs. Simpson et al., 121, Pa. St., 20, and in McCauley vs. Easton school district, 123, Pa. St., 28, the forty-second section of the act of May 23, 1874, was before this court, and its constitutionality sustained.

In Commonwealth vs. Taylor et al., 122, Pa. St., 47, also 123, Pa. St., the act of May 11, 1874, P. L. 369, which is similar in character to the act of May 23, 1874, was held to be constitutional.

In every case in which the forty-first section of the act of May 23, 1874, has been before the court or the lower courts, the inference is clear that its constitutionality is unquestioned.

The court below in declaring the act of 1874 unconstitutional, assumed to put forward as the principal reason that the act contained more than one subject which is not clearly expressed in its title.

The forty-first section of the act of 1874, as amended by the act of June 16, 1893, P. L. 285, is not objectionable to Article II, Section 2 of the Constitution of Pennsylvania.

ARE NOT THE SAME.

The township of this commonwealth, each with a population of two hundred souls, are not to be considered in the same light as a city the size of Scranton, with its population of 100,000 persons, its valuable and scattered school property, its number of teachers and varied interests.

The needs of the city of Scranton, and the capabilities of a board of six directors to properly administer its affairs, are proper subjects. In our opinion, for this court to consider, at least until the final disposition of this case.

In each ward there is at least one school house, and most have two and three; the school children attending the public schools number over 14,000; the area of Scranton is 104 square miles; the distance from the most northerly to the most southerly school, from the most easterly to the most westerly school is over five miles; directors are to serve without compensation or reward.

The interests of a city and school district, so far as their objects are concerned, are as important as each other. The teaching of our children and the building up of our institutions, in an ed-

DUFFY'S PURE MALT WHISKEY



FOR MEDICINAL USE
NO FUSIL OIL

A Dull, Stupid Feeling, A Bad Taste in the Mouth, Loss of Appetite, Sinking at the Pit of the Stomach, Headache, Pains in the Muscles and Joints, Feverishness, can be avoied by the use of this great whiskey.

Send for pamphlet.
DUFFY MALT WHISKEY CO.
Rochester, N. Y.

educational sense, are even more important than the building of sewers and bridges, the care of streets, paving, etc. Upon the success of our schools depends the success of our cities. The taxes collected by each are about equal.

The tendency of the act of 1874 is towards uniformity; its object is to increase the efficiency of the common school system; and legislation with these aims should be sustained by this court.

If the present board of controllers were ousted, it might be found later that they are the legal board, and great confusion, turmoil and injury would result in the transition from one board to the other. For these and other reasons we pray the court to make the rule absolute.

AGAINST THE SUPERSEAS.

In the argument against allowing the superseas the following appears:

Rule to show cause why the appeal from the judgment of the court of common pleas of Lackawanna county should be decreed a superseas.

This is a proceeding by quo warranto to oust the defendants herein named from the office of controllers of the Scranton school district.

It is contended by appellants in their petition, upon which the rule in this case was granted, that unless the appeal was decreed a superseas:

1. Great and irreparable injury will be done.

2. Chaos will be created in the school district of the city of Scranton.

There is but one question involved in this rule and that is whether or not your honorable court will continue in power for another year, a board of controllers claiming title to office under the act of 1874 after two different courts of common pleas of this commonwealth have declared such boards illegal and unconstitutional.

Courts of common pleas above referred to are those of Luzerne and Lackawanna counties.

It is admitted that the appellants were duly elected under the act of assembly, approved April 24, 1874, but said act so far as it relates to the management of common schools has been declared unconstitutional. (See case Chalton vs. Edwards, 124, Pa. St., 216.)

The judges of the court of common pleas of Lackawanna county are not the only common pleas judges of this commonwealth to declare that school controllers elected under act of 1874 show no valid title to the office which they hold and ordered them ousted.

JUDGE BENNETT'S OPINION.
Judge Bennett, of Luzerne county, in the recent case of Commonwealth vs. Pennsylvania, ex rel. vs. Thomas J. Galligan et al., 5 Kulp, 599, held the same view.

The facts set forth in the petition for a writ of quo warranto in the case of Commonwealth vs. Galligan et al., et supra, are identical with the facts agreed upon in this case, in the Gilligan case the board of controllers were declared illegal and ousted, an appeal was heard taken from the court of common pleas of Luzerne county and will be heard before your honorable court on Monday next, the 11th inst.

If your honorable court should sustain the lower court in the case of Commonwealth vs. Galligan, above referred to, and at the same time decree the appeal in this case a superseas, it would deprive two school directors who have been lawfully elected to serve for the term of the other four directors who will be ousted by one year.

Is it any argument in favor of continuing an illegal board to say that if said board is declared illegal, their actions in the past will be contested to sustain such a proposition would be to continue such boards forever?

Counsel for appellee are unable to discover any error and irregularity in the way that will be done the Scranton school district by ousting the present board of school controllers, who claim title to office, under the act of 1874 and seating on the 5th day of June, next, a regular set of directors who have been duly elected under the old law, and who are ready and anxious to get to work.

CHAOS WILL NOT RESULT.
It is contended that chaos will not result and that to a certainty a regularly elected board can conduct affairs as well as economically as the present unauthorised controllers.

The return of the court below to allow execution of the judgment of ouster at the present time, indicates very clearly that they had the best interests of the schools in mind, and that it was for the very purpose of preventing great and irreparable injury and the creating of chaos in the school district that said execution was refused.

We respectfully submit, therefore, that the question of awarding a superseas upon the judgment of ouster in this case should rest in the discretion of the judges of the court of common pleas of Lackawanna county.

F. C. Newcomb, James H. Torrey, H. A. Knapp and D. J. Reedy are the attorneys for the present school board in this matter. L. H. Burns and D. J. Davis are against the rule.

Cassey & Kelly's

Wurtzburger Beck Beer on tap today at all bars.

CASTORIA

For Infants and Children.

The medicinal value of Castoria is so well known that it is not necessary to say more.

MAX WEBER, Boot and Shoe Maker.
Best shoes to order from \$1.75 up. Men's wear by the dozen, at wholesale and retail, 50c. All work guaranteed.
127 Penn Avenue, SCRANTON, PA.

Dyspepsia.

Hearburn, Gas, Bile, Indigestion, Headache, Dizziness, Nervousness, are cured by Dr. Cass's Food. It moves all distensions, and a permanent cure of the most chronic and severe cases is guaranteed. Do not suffer. A bottle will convince the most skeptical.

SYMPATHETIC GIRLS.

They Stopped Work in the Meadow Brook Mill Because Foreman Fred Updyke Was Dismissed.

Ten young girls employed in the Meadow Brook silk mill, on Cedar avenue, went out on strike at 3 o'clock yesterday afternoon, giving the reason because Fred Updyke, a foreman in the mill, who was discharged Wednesday, would not be reinstated.

When the strikers proceeded to the office of John H. Brooks, the manager of the mill, and informed him of their decision, he asked the spokeswoman how the dismissal of Updyke in any manner concerned them. The girls stood motionless for a time, and finally one of them said:

"Well, poor Fred, is out of work, and he has no one to look after him, and we are going to quit."

"You are very foolish," said Mr. Brooks, as he resumed work on a letter he was writing.

Last night a Tribune reporter interviewed Mr. Brooks at his office. He said:

"This young fellow I discharged Wednesday because he would not do his work in accordance with the system adopted by our firm. These young girls who left their positions worked under him, and yesterday I worked in his place and did the work as I thought it should be done, and asked the girls whether the change was not as agreeable as the methods of Updyke."

"They stated it was much easier, and why they allowed themselves to be led away with such a wave of sympathy is more than I can understand."

The action of the girls will not cause much inconvenience at the mill, their position being in the finishing department. Updyke will not be reinstated.

PATROLMAN THOMAS IMPROVING.

Almost Out of Danger from Any Complications Now.

It is now two weeks and five days since Patrolman John D. Thomas, while patrolling the North Main avenue beat in West Scranton, was seriously stabbed by Francis Schaumann, of North Van Buren avenue, while attempting to arrest him in Martin Bird's hotel. Though for a few days the wounded patrolman was in a critical condition, as the result of good constitution and the care of him where he was removed to he is now nearly out of danger, even from any complications.

He has been out of bed and has dressed himself several times during the last few days, and has received the calls of many of his fellow patrolmen of the police force. Should he progress as favorably during the coming two weeks he, no doubt, will soon be able to walk outside.

A Request from Rev. C. J. Cooper.

The former students of the Allentown seminary and non-graduates of Muhlenberg college are kindly requested to send their names and present address to Rev. C. J. Cooper, of Allentown, Pa., for the purpose of compiling a mailing list in order to extend an invitation to the semi-centennial reunion to be held in connection with the commencement exercises of Muhlenberg college, June 22 and 23, 1898.

Anyone having possession, or knowing of, a catalogue of the Allentown seminary of the year 1857 or 1863 will confer a favor by sending it to or informing Rev. C. J. Cooper.

Will Go to Moonic.

A large delegation of members of 12th Assembly, No. 16, Magdalen Assembly, No. 23, Providence Assembly, No. 25, and Opah Assembly, No. 29, will meet at the hall of Esther Assembly on Monday evening about 5:30 o'clock to take the street cars for Moonic to Institute Maize Assembly, No. 29. District Deputy Grand of the ceremonies, Mr. Acker will have charge of the exercises. No. 29 starts out with a good number of applicants from the prominent ladies of Moonic and Avoca.

CATARH IN THE HEAD.

that troublesome and disgusting disease, may be entirely cured by a thorough course of Hood's Sarsaparilla, the great blood purifier.

HOOD'S PILLS cure nausea, sick headache, indigestion, biliousness. All druggists, 25c.

American Beauties.

three grades, very fine, at Clark's, the florist.

DIED.

BURGE.—In West Scranton, April 8, 1898, James Burge, 28 years of age, at the residence, 529 Roberts street, on the morning of the 9th day of June, next, a regular set of directors who have been duly elected under the old law, and who are ready and anxious to get to work.

WILLIAMS.—In West Scranton, April 8, 1898, Humphrey Williams, 52 years of age, at the residence, 107 Jackson street, on the morning of the 9th day of June, next, a regular set of directors who have been duly elected under the old law, and who are ready and anxious to get to work.

Interment at the Washburn street cemetery.

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WEDDING GIFTS

OUR SPECIALTY.

Our Store offers an endless selection of articles suitable for Wedding Gifts, and it is always easy to find just what you want here. We have just opened some large Imports which contain many choice pieces, useful as well as ornamental.

Remember, we are Sole Agents for

ROOKWOOD, LIBBEY'S CUT GLASS, Etc.

China Hall.

MILLAR & PECK, 134 Wyoming Avenue.

"Walk in and look around."

The Windup of Easter Trade

Today's buying will be sharp and quick. The numerous Easter greeting gifts left unselected will be bought today. A plentiful of bargain figures in the store—a few here to show you their richness. Can you resist them?

| | |
|--|--------|
| 17 unique shaped china after dinner cups and saucers—nicely decorated and at usual selling 39 cents. For Easter..... | 19c |
| 4 thin china teacups, decorated by hand and traced in gold—were \$1.25. For Easter..... | 49c |
| 3 handsome imported vases that were reduced from \$2.50 to \$1.25. For Easter..... | \$1.98 |
| 17 China fruit platters—nicely decorated—thin Dresden China. Were 29c..... | 11c |
| 4 Rose jars—fairly decorated. Reduced from \$1.98 to \$1.25. For Easter..... | 67c |
| 4 small, thin China creamers that were a quarter. For Easter..... | 8c |
| 5 after dinner China cups and saucers. Were 19c. For Easter..... | 8c |
| Sterling silver souvenir spoons—gold bowls. Worth 15 cents. For Easter..... | 29c |
| Salve boxes with sterling silver tops. For Easter..... | 19c |
| Hand decorated bisque glass jewel boxes. For Easter..... | 25c |
| Pin trays with hand painted flowers. For Easter..... | 10c |

The Rexford Co.

303 Lacka. Ave.

GALLEN'S. GALLEN'S.

"WE CLOTHE FROM HEAD TO FOOT."

Special Prices for Easter

In all Departments.

| | |
|---|--|
| Men's Fine Black Clay Worsted Suits The Proper Suit for Easter wear. Finely tailored and trimmed. Popular value \$15.00. SPECIAL PRICE \$9.80. | Children's Fancy Vestee Suits Blue, Brown and Mixed Cheviots. Made with large sailor collar and trimmed with 6 rows of Soutache Braid. Regular value \$4 and \$5. SPECIAL PRICE \$2.89 and \$2.23. |
| Men's Fine Covert Cloth Top Coats Cut short and boxy. Made and trimmed equal to custom made. Regular value \$12.50. SPECIAL PRICE \$6.90. | Boy's Strictly All-Wool Double Breasted Suits Plain and Fancy Scotch Cheviot materials. Finely made and wear resisting. Regular values \$3 and \$4. SPECIAL PRICE \$2.69 and \$1.79. |

Easter Hats for Men 97c, \$1.79, \$2.50.
Russet and Patent Leather Shoes for Everybody, 97c, \$1.97, \$2.97.
New Easter Neckwear 23c and 47c.

PENN CLOTHING AND SHOE HOUSE

137 AND 139 PENN AVENUE.

Prepared Paints

are an essential thing in housecleaning time. We have them. Needs no other preparing than to stir them a little. All colors to select from, in pint cans 10c

Neals Enamels

The best known for bath tubs, bicycles, chairs or any inside work. Six colors 15c

Varnish

Will put the finishing touch on your natural wood furniture. 10c

THE GREAT 4c. STORE

310 Lacka. Ave., J. H. LADWIG.

THE ONLY UP-TO-DATE WHOLESALE LIQUOR HOUSE IN THE CITY.

Everything that a first-class wholesale liquor house is supposed to carry in stock can be found at our establishment. We are sole agents for the Celebrated Waldorf Whiskies. Family trade solicited.

THE SCRANTON WINE AND LIQUOR CO.

129 Penn Ave. J. R. Cohen, Manager. Telephone No. 602.

LADIES

Clean your Kid Gloves with MILLER'S GLOVE LINE. For sale only by Meers & Hagen, headquarters for dressed and undressed Kid gloves in all the most desirable shades.

REISMAN

Daily, Weekly, Monthly Newspapers and Magazines. Books and Stationery, Fine Cards. 405 Spruce Street

Easter Roses Given Away.

On Saturday, April 9th, with every purchase amounting to \$1.00, we will give a beautiful rose. Your choice of the following varieties: Brides, Woottons, Perles and Bridesmaids.

MEARS & HAGEN,

415 and 417 Lackawanna Avenue, Scranton, Pa.