

Mannish Shoes

for Women
Button and Lace,
\$3.00
Per Pair.



They are par excellence the shoe of all shoes for outdoor wear; especially desirable for Fall and Winter use. They are at once the latest and most sensible, the most artistic and comfortable of all outdoor shoes for ladies. Also have them in \$4.00 grade, all sizes and widths.

SCHANK & SPENCER
410 Spruce Street.

DR. H. B. WARE,
SPECIALIST.
Eye, Ear, Nose and Throat
Office Hours—9 a. m. to 12:30 p. m. to 4 p. m.
1111 Main Building, Opp. Postoffice.

CITY NOTES

PASSED THROUGH SCRANTON—A man yesterday the Cornell football team passed through Scranton on its way to Princeton. The players dined at Har-
1878.

SECOND REHEARSAL—All members of the Fanny Mendelson society are requested to be present at the second rehearsal this afternoon at 4 o'clock at the Scranton Conservatory.

SOLD A LOT—The building committee of the board of control met last night and besides approving of a number of bills, will recommend the sale of a lot on West Market street to Mr. O'Malley, treasurer of the controller from the Third.

FAREWELL TO CLUBMATES—The Green Ridge wheelmen were entertained last night with a smoker by one of their number, Charles Carr, who next week joins the ranks of the departed. It was in the nature of a farewell to club life.

WAR SALAD—The New York, Ontario and Western newspaper has issued a leaflet advertising its fall edition to New York which contains a number of sentences from which the names of notable personages connected with the war are to be extracted.

A WATCH STOLEN—John Howells, of Des Moines, Ia., was arrested at the residence of his sister, Mrs. Margaret Hobbs, of Harrison avenue, on the charge of stealing a watch while he was visiting her Wednesday afternoon and a blaze four feet high shot upwards. The insulation had worn off. All the damage was to the wire and a slight scorching of the sign.

KEPT HER TRUNK—Mabel West, of 15 Lackawanna avenue, was arrested yesterday on a warrant sworn out by Liz Clayton before Alderman Howe alleging larceny by bail in detaining her trunk. Miss Clayton was one of the defendants' boarders. The evidence proved that the trunk was held for an unsettled board bill. She was discharged.

HARDWARE STORE CLOSED—Sheriff Pryor yesterday levied upon the hardware store of E. J. Moore, on the following property: Merchants' and Mechanics' bank, \$5.00 and \$2.00; B. P. Connelly, trustee, \$25.00; Roscoe Dale, trustee, \$45.25; Roberts, Werner & Co., \$1,322.70; Supper Hardware Co., \$125.44; Lehigh Store and Manufacturing company, \$316.47.

TAKEN FOR A BURGLAR—Dan Devine, a partially demented man who spent three or four years at the Hillside home, was mistaken for a burglar at an early hour yesterday morning by Patrolman Juhler in Railroad alley. Devine had a bag with him containing a variety of things all the way down from a collar button to a suit of clothes. They constituted his worldly possessions.

WANTED TO BE EXCUSSED—The hearing on Dr. Roberts' objections to Dr. Sully's nomination as "Independent Citizens" candidate for coroner will take place today before Judge Archibald. The matter was presented to Judge Gunster yesterday but being a fellow candidate of both he asked the attorney to submit the matter to Judge Archibald. This was acquiesced in, and Judge Archibald will hear the arguments today.

CHANGE OF TIME—On and after Oct. 24, 1898, trains Nos. 15 and 18 will be discontinued between Factoryville and Scranton. The time of train No. 11 will be changed as follows: Leave Scranton, 8:10 p. m.; Chincilla, 8:30; Clark's Summit, 8:47; Glenburn, 8:48; Dalton, 8:57; La Plume, 9:12; Factoryville, 9:40; Tupper, 9:59; arrive Nicholson, 10:00. All trains will be governed accordingly. On and after above date train No. 4 will stop at Clark's Summit.

OPEN TO THE PUBLIC—A number of persons inquired yesterday of the high school entertainment course is to be a strictly subscription affair. The question is a natural one, inasmuch as it is the first series of entertainments in which our public schools are identified. However, the course is open to the general public and tickets for each have indicated in our advertisement in another column. The subscriptions had to be assured before the course could be undertaken.

SCRANTON BUSINESS COLLEGE.
Miss Mary Golden has accepted a position by Davidow Brothers. Sent by the college.
Miss Beasy Early is keeping books for Gerlock and company, printers. Sent by the college.
A night student, who formerly worked in the shops, has secured a clerical position with a Washington avenue firm. It pays to attend the night school.
Three hundred and fifty-five students already in attendance and both sessions steadily increasing in numbers. New students have arranged to come next week and more the first week in November. Visitors are always welcome.

MURDER JURY IS STILL DIVIDED

NO VERDICT REACHED UP TO TWO O'CLOCK THIS MORNING.

Not Knowing That the Law Stipulates That a Homicide Jury Must Stay Together Until It Reaches a Verdict They Sent in Word That They Could Not Agree and Asked to Be Discharged—Other Doings of the Day in Criminal Court.

The Kenny murder jury was still divided at 2 o'clock this morning. They sent in word at the opening of court yesterday that they could not agree and asked to be discharged.

Judge Love sent back word that they could not be discharged; that they would have to stay together until a verdict was reached, as the law of this state stipulates. That was the last that was heard from them.

Nearly two score of criminal cases were dealt with in one manner or another before Judges Gunster and McClure yesterday and at 4 o'clock the afternoon session was announced that the list for the session was completed. All the jurors excepting those empaneled on cases under way were discharged with the thanks of the court.

William J. Brokenshire, charged with assault and battery on Patrick Gorman at Morris V. Morris' hotel, in Providence, was returned not guilty and the costs were divided between prosecutor and defendant.

In the larceny by bail and assault and battery cases prosecuted by Amanda Schommer against Julius Troy, verdicts of not guilty were found and the prosecutor saddled with the costs.

BOTS ESCAPE COSTS.
The costs were placed on H. Seidman, the prosecutor in the case in which he charged five little Providence boys with throwing stones and shooting at a Delaware, Lackawanna and Western passenger train.

William and Maggie Colburn were found guilty of keeping a house of ill repute and acquitted of the charge of selling liquor without a license. He was given a year and six months in the county jail.

A man named "Conrad" had broken into the home of George Propokovich, charged by A. M. Morse with trafficking in registered bottles. The county paid the costs.

There was no evidence at hand to substantiate Chief Gurrol's charge that the "Conrad" had broken into Jersey Central freight cars and a verdict of not guilty was directed.

Without leaving the box a jury acquitted Fred Harper of aggravated assault and battery upon Peter Teiber, the prosecutor's witness, stating that Teiber was the aggressor and that Harper justifiably used a club to protect himself. The affair occurred on Biggs street, Dunmore, June 3.

Mary King, of West Lackawanna avenue, failed to fully satisfy a jury that the laundry refused to give up a pair of canary birds entrusted to her care, and directed the prosecutor and defendant to pay respectively one-third and two-thirds of the costs.

A verdict of guilty was returned in the case of Mrs. Kate Malhorn, of the South Side, against Edward J. Nelson.

Not guilty, but pay the costs, was decreed in the case of Joseph Soseki, charged by Frank Mallone with assault and battery.

FOR HIS SICK SISTER.
Lawrence Gillen of Carbondale, plead guilty of stealing coal and coal oil and a curvy comb from the Delaware and Hudson Canal company. He attempted to excuse the theft of the coal on the ground that his sister was sick all last winter; they were too poor to buy coal and he had to have a curvy comb. He didn't explain about the curvy comb. He had been in jail twenty days, so Judge Gunster let him off with an additional ten days.

The costs were divided in the assault and battery case of John Sakaska against William Stokewich.

A jury was out at adjournment deliberating on whether or not Edward Nolan, of Moosic, poisoned twenty-six chickens belonging to his neighbor, William Steinmetz. The families were at loggerheads and Mrs. Steinmetz saw Nolan do so, she alleged, feeding something to the chickens a few hours before they were found dead. Nolan denied the charge and asserted that there was a plague prevalent in Moosic at the time which carried off chickens by the hundreds.

Constable Reese S. Davis, of Priceburg, was lacking sufficient evidence to convict John Kozlowski of selling liquor without a license and a verdict of not guilty was directed.

The case of Martha Williams against William L. Holbert was settled upon the payment of \$500.

Michael Carney plead guilty of the charge of larceny and receiving, preferred by William Blake, and was given three months in the county jail.

The case of Edward Lewis, charged by John McCabe, with receiving stolen goods, was given to a jury at adjournment time.

HAD PAID HIS LAWYER.
For want of evidence a verdict of not guilty was directed in the case of John "Tuffy" the boy charged with robbing John J. Gordon's store. There are no other charges against this boy, your honor, and I move that he be discharged." Colonel Fitzsimmons said when the verdict had been recorded.

"Have you paid your lawyer?" Judge Gunster asked the lad in serious tones.

"Yes, your honor, looking to Colonel Fitzsimmons for substantiation."

"Well, I guess you can go," rejoined the court.

Paul Powlock, Jacob Herzock, Albert Fessel, Thomas Swartz, Henry Erickson, Thomas Conroy, Fred Miller, Anthony Simon, George Miller, Anthony Drygaller, defendants in trivial cases that have been hanging fire for a couple of terms, escaped prosecution by reason of the failure of their accusers to put in an appearance. The costs were, in most instances, placed on the prosecutors.

AN OLD CRIME UNEARTHED.
Detective Moir Loses No Time in Unraveling a Burglary Case.
A burglary was committed on July 24 last year in Norwich, N. Y., which the Scranton police department unraveled yesterday after but two days' knowledge of it. On the night aforesaid the residence of S. W. Rice, a well-to-do merchant of Norwich, was

OPINION IN THE VAN HORN CASE

RECEPTIONS, TEAS, BANQUETS, ETC., Dainty Elegance in Candle Shades

Those with silk petals and iridescent effects are very striking. We have in addition to a large line of these shades—some new styles of candles, holders, etc.

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The opinion of the Supreme court affirming the judgment of the local court in refusing a new trial to George Van Horn, the murderer of Mrs. Josephine Wescott, was received yesterday by Clerk of the Courts Daniels. It was written by Justice Green and covers nineteen pages of typewriting.

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"No right of defendant was in any way impaired or affected by the mere fact of the view. It is not impairing a constitutional right in any conceivable sense. It is fairly within the discretion of the court to allow or refuse a view, and as no testimony could be taken it was in no way prejudicial to the defendant." Former rulings substantiating this decision were quoted at length.

It was alleged that Judge Archibald said "Every unlawful killing is presumed to be murder of the first degree" as shown by the stenographer's notes. This was amended by Judge Archibald by inserting in the certified copy of the charge the words "though not" before "murder of the first degree." He claimed the stenographer misquoted him. The stenographer positively held that he correctly reported the judge. On this point the opinion says:

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"This assignment can not possibly be sustained because the record as it comes to us gives no indication that the defendant was told anything was omitted from the charge, were in fact, we find it, and as we find it the instruction of the court was perfectly correct. But it is incredible that the jury could have been otherwise, because the defendant had broken down completely preceding part of the charge had expressly and much more fully charged the jury in precise accordance with the instruction as it now appears, and could not have charged as claimed by the defendant without stultifying himself. The defendant now asks us to decide that the words 'though not' were omitted in the charge as actually delivered."

"It is enough to say that we have no right to change the record in this manner. The defendant is not allowed to do it, because it is impossible to believe that the court could have given two such contradictory instructions in the same breath. Moreover the learned judge, in his opinion on the motion for a new trial, expressly stated that the words were in the charge as they were actually delivered, and that their absence from the stenographer's notes can only be attributed to the failure of the stenographer to hear them when his notes were made."

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"After a most painstaking, minute and careful reading of the whole of the charge, and again and again of the parts specially set forth in these several assignments, we are constrained to say that we do not regard these assignments as being sustained in any degree. No one can read the testimony in this case without being convinced that the offense committed was a most cruel, barbarous and cold-blooded murder, with every element of deliberation and premeditation, fully established by abundant testimony."

The attempt to make out a possibility of insanity was characterized as feeble by Justice Green. The theory that he was drawing the back of a razor across the throat of his victim, was so utterly preposterous that there could be no rational expectation that any jury of sensible men would give it the least consideration.

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Bright Lights

Are necessities for the long evenings. Our shelves and counters have been replenished, even to overflowing. Holiday numbers came a month too soon. Can't make more room, consequently prices at which they will go prevail.

China Bowl, China Shade, 9 inches in diameter, fine finish ring, 4 shades, 1 design, decorated with flowers and prominent white and tinted, worth \$1.00, now 74c

Squat Lamp
New Shapes, China Bowl, 8-inch globe, decoration of flowers and prominent tints, to be \$1.25. Early sale price **98c**

Parlor Lamp
Brass Foot China Bowl and 8-inch globe, No. 2 burner, 4 shades, 1 design, complete with chimney and wick, in cheap at \$2.00. Move 'em out! **\$1.24**

Parlor Lamp
24-inch high central draft burner, large base, No. 2 burner, 4 shades, 1 design, it should be \$5.00. It will go **\$2.98** quick at

Parlor Lamp
30-inch large base, 10-inch globe, decorations of Rhododendrons, was \$4.98 to make them go they'll be **\$4.98**

CASTORIA
For Infants and Children.
The Kind You Have Always Bought
Bears the Signature of *Dr. J. C. Watson*

A Fine Orchestra
Cannot be in every home, but a fine Piano or Organ may be, and that without worry or great expense to even people with most moderate incomes.

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FURS.
Furs made to order in the latest styles. Entire satisfaction guaranteed.

FURS REPAIRED
FURS RE-DYED
Fur garments made or repaired by me will be restored for the summer time of charge.

G. STRAUS,
The Only Practical Furrier in Town.
201 WASHINGTON VE. COR. SPRUCE ST.

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