

Norton's Wall Decorations. Paper Hangings, Lincrust-Walton, Burlaps, Anaglypta, Wood Mouldings.

M. NORTON, 322 Lackawanna Avenue, Scranton, 32 S. Main St., Wilkes-Barre.

THE KOSY. A new Camera folds up like a book. Just Fits Your Pocket.

THE GRIFFIN ART STUDIO, 200 Wyoming Avenue.

WE DELIVER Fresh Pure Milk 5c a Quart. LACKAWANNA DAIRY CO.

DR. A. A. LINDABURY. Specialties—Surgery, Diseases of Women.

Chas. McMullen & Co. Have opened a General Insurance Office in the

Traders National Bank Building. Best Stock Companies represented.

P. J. REAP, Plumbing, Steam and Gas Fitting.

KEELEY CURE. For Liquor, Drug and Tobacco Diseases.

Scranton Transfer Co., HUGH J. KEENE, Manager.

A Neat, Clean Laundry. If you care for your health you will send your garments to a laundry.

LACKAWANNA LAUNDRY. 245 Penn Avenue. A. B. WARTMAN.

PERSONAL. Mrs. Franklin Haines, of Woodbury, N. J., has returned home from a visit here.

Miss Alletha M. LaForte, of North Main avenue, has accepted a lucrative position as stenographer and bookkeeper for Messrs. C. D. and H. P. Simpson.

John Beamish has resigned his position as advertising manager of the Free Press and intends to take up the study of law in the office of his brother, H. J. Beamish.

District Deputy Grand High Priest H. A. Zimmerman, of the Masonic fraternity, went to Montrose last evening to direct some important chapter work at the meeting of Warren chapter.

Special Bargain Today Only. 19 fine Oriental Rugs, \$15 each; reduced from \$25.

Smoke The Pocomo 5c. Cigar. The Wilkes-Barre Record may be had in Scranton at the news stands of the main branch, 404 Spruce and 503 Linden street; Mac, Lackawanna avenue.

DIED. ABRAHAM—In West Scranton, April 6, 1899, Margaret, infant child of Mr. and Mrs. Thomas Abraham, of 223 North Filmore avenue. Funeral Saturday afternoon at 2 o'clock. Interment in Washington street cemetery.

M'GINLEY INTENDS TO GIVE BATTLE

HIS FIGHT WAS LAUNCHED IN SELECT COUNCIL. Claims That His Term Does Not Expire Until the First Monday in May, 1900—Opinion by Ex-Judge Hand Presented by Mr. Roche Sustaining This Contention—Chairman Williams Treats the Democrats Generously in the Appointment of His Committees.

It looks as if the election of a city solicitor is to be attended with the locally fashionable election contest. The election of a successor to Mr. McGinley is set for next Monday night, the second Monday in May being the date prescribed by the act of assembly. At last night's meeting of select council, Mr. Roche led the Democrats in an attempt to kill the resolution calling the joint convention for this date, arguing that there will be no vacancy in the solicitor's office until the first Monday in May, 1900.

The question was brought up last night by the reading of the concurrent resolution, passed by common council last Monday, calling a joint convention of council for Monday next to elect a city solicitor and a member of the board of revision and appeals. Mr. Roche moved to strike out that portion of the resolution referring to the city solicitorship. There was, to his mind, no vacancy in the office next to elect a city solicitor and a member of the board of revision and appeals.

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EX-JUDGE HAND'S OPINION. My opinion is sought upon the question when does the term of office of the present incumbent of the office of city solicitor expire. The answer is to be derived solely from the Act of Assembly of 23d of May, 1889, providing for the incorporation and government of cities of the third class.

The present incumbent was elected and entered upon the duties of his office in July, 1887. Article X, section 1, provides that the council of each of said cities of the third class shall, in joint convention, on the second Monday of April, or as soon thereafter as practicable, elect by a majority of the members chosen to both branches, one person learned in the law, and qualified to practice in the Supreme court of this commonwealth, who shall be styled the city solicitor, and shall serve for the term of two years from the first Monday of May succeeding his election, and until his successor shall be duly qualified.

It is to be noticed that the Act of 1874 fixes a specific day for the election of city solicitor; the Act of 1889 fixes a specific day, "or as soon thereafter as practicable," and omits the words "biennially thereafter." Both these expressions are significant. Both acts fix a term beginning on a day succeeding his election and until his successor shall be duly qualified.

SUPREME COURT DECISION. It was decided by the Supreme court that the time for the election under the Act of 1874 was merely directory and did not preclude the election of a city solicitor at a subsequent date. It is to be remarked that there is a clear intention that the term of the city solicitor is not confined to two years; it is never less than that period and may be extended and has always been more than two years when the election has not been on the day first indicated or before the time first intended it should be made.

WORDS OF THE ACT. It is to be observed that in the Act of 1889, where the term is not two years from his election and entry into office, but "two years from the first Monday in May succeeding his election," also where his predecessor holds over under the law until "his successor has been duly qualified" (which fact ends the service of the predecessor), and there being a clear intent in the act to avoid a vacancy, the term of service provided for must be more than two years. The object of this is to preserve the day and month in the act, not the year, at which the solicitor should be elected and ordinarily begin his term; and also

to preserve to him his minimum of two years of service. At the expiration would leave the date of election, or at least the known term of service, without either a fixed date of commencement of service or ending of service for the purpose of a new election. The changes in the Act of 1889 omitting "biennially thereafter," as contained in the act of 1874, and inserting "or as soon thereafter as practicable," above referred to, relieve the situation of many perplexing questions which might arise, and under the construction above given preserve the right of the incumbent to his full term of minimum service, to wit, two years. They also avoid a vacancy which could not be filled, or which is unprovided for, as in the case of the predecessor's official duties terminating when the successor has been qualified and the duties of the latter not beginning until the succeeding May. The Act of 1889 in intent and letter at times lengthens the term of service of both the predecessor and successor beyond two years; the Act of 1874, if literally followed, would not effect this, but might shorten the term to less than two years. Hence the change.

I deem it unnecessary to refer to many cases on this subject analogous but not the same in point of fact and in the exactness of the law, which show a decided tendency in the Supreme court to cling to the letter as well as the spirit of the statute. I think the present incumbent has the right to hold his office until the end of two years from the first Monday of May succeeding his election, namely, the first Monday of May, 1900. (Signed) Alfred Hand.

THE HAND OPINION. "We ought to go slow in this matter," concluded Mr. Roche. "By careful and considerate action we may save to the city a large bill of litigation expenses." Mr. Chittenden remarked that it was very kind of the city solicitor to bring this matter up in this way in his efforts to save the city legal expenses, but Mr. Chittenden thought, the council were not the proper bodies to deal with questions of this nature when the term of the solicitor begins or ends. Their only duty was to elect a city solicitor on the day set by law. Mr. Sanderson said he would vote against Mr. Roche's motion, but he would look into the matter between now and Monday night and might act differently then.

The Roche motion was then put and was lost by the following vote: Ayes—Messrs. Kearney, Roche, Melvin, Shea, McCann, O'Boyle, Coyne, 7. Nays—Messrs. Ross, Thomas, Chittenden, Wagner, Schneider, Sanderson, Fellows, Schneider, Lansing, Williams, 10. Absent—Messrs. Finn, James, Frable, McAndrews—4.

Mr. Melvin moved to refer the matter to William Warren & Knapp for an opinion, but this was lost. Someone suggested that it be referred to the city solicitor, but the suggestion was not adopted.

FUNERAL OF H. F. AETHERTON. Services Were Conducted by the Rev. George E. Guild. Resting in the calm of death, the remains of the late H. F. Aetherton, late paymaster here of the Delaware and Hudson company, were viewed yesterday at the residence on North Main avenue, North Scranton, by a large concourse of friends. The handsome casket was almost concealed beneath the great quantities of beautiful flowers. Among those who called as a mark of respect were several prominent officials of the Delaware and Hudson company, viz: Superintendent C. R. Manville, of Carbondale; Auditor S. T. S. Heinz, of New York city; Secretary J. M. Olyphant and several others.

The services, which were strictly private, were conducted at the residence at 2 o'clock, and only the immediate members of the family were present. Rev. George E. Guild, pastor of the Providence Presbyterian church, of which deceased was an accepted member for the best part of his life, conducted the services and made a few remarks of consolation to the bereft family. At the conclusion of the service the remains were borne to the Dunmore cemetery and interred by John R. Thomas & Henry C. Aetherton, sons of the deceased; Dudley R. Aetherton, a nephew, and William R. Gates, assistant to the deceased as paymaster.

MANIAC AT HIS THROAT. Escaped Crazy Man Murderously Assaults a Trackwalker. George Martin, an insane patient at the Hillside Home, escaped last evening and attacking a track-walker, named Connor, near Clark's Summit, had him almost strangled when succor arrived.

The crazy man was taken to the county jail. He bears a cut on the forehead which was inflicted by a blow from the track-walker's lantern.

PROCEEDINGS ARE DISMISSED. Action of the Senate Committee on Kelly's Impeachment.

At Harrisburg yesterday the general judiciary committee of the senate made a report to the effect that the impeachment proceedings against Alderman Kelly of this city, be dismissed.

This terminates the long drawn out and expensive effort to remove Alderman Kelly from the bench.

VEGETABLES. The process used in preparing our vegetables assures you of the fresh vegetable in natural condition at one-quarter the price of market vegetables.

We offer sweet, choice Corn and Peas, N. Y. State, at 10c can; 3 for 25c; \$1 dozen. Fancy Maine Corn, 13c can; \$1.50 dozen. Lima Beans, 10c and 15c

E. C. COBURN, PHONE 5242.

GURRELL HANDS IN HIS RESIGNATION

WILLIAM THOMPSON APPOINTED AS HIS SUCCESSOR. The Veteran Police Officer Is no Longer a Member of the Force. Preferred to Retire Rather Than Resume Night Patrol Duty—Was on the Force for Twenty-Two Years and Never Lost a Day Through Illness—The New Patrolman Is a Twelfth Ward Man.

Police Officer Martin Gurrell yesterday resigned from the force, after twenty-two years of service. He is succeeded by William Thompson. The resignation and the nomination to fill the vacancy were sent to select council by Mayor Moir last night. The nomination was confirmed forthwith and unanimously. The resignation was transmitted in the following communication:

April 6, 1899. To the honorable the select council: Gentlemen—I have this day received the voluntary resignation of Martin Gurrell, patrolman. I accepted the same with regret, knowing as you do that in Mr. Gurrell's resignation the city loses a valuable officer. He served the city for twenty-two years as patrolman and one year as chief of the department. His devotion to duty, his high sense of honor and his sterling manhood made him at all times a model officer, and he now leaves the service of the city without a blot on his record. Respectfully submitted, James Moir, mayor.

When the nomination of Mr. Thompson was read, Mr. Chittenden moved to suspend the rules and consider the nomination forthwith. Mr. Moir moved as an amendment that it be referred to a committee, saying that he knew nothing of the nominee and that probably the other members were in the same boat. His motion was unanimously adopted. Mr. Chittenden moved to suspend the rules and consider the nomination forthwith. Mr. Moir moved as an amendment that it be referred to a committee, saying that he knew nothing of the nominee and that probably the other members were in the same boat. His motion was unanimously adopted.

AYES—Messrs. Ross, Thomas, Chittenden, Wagner, Schneider, Shea, Sanderson, Fellows, Schneider, Lansing, Williams, 10. NAYS—Messrs. Kearney, Roche, Melvin, Shea, McCann, O'Boyle, Coyne, 7.

Mr. Melvin moved to refer the matter to William Warren & Knapp for an opinion, but this was lost. Someone suggested that it be referred to the city solicitor, but the suggestion was not adopted.

PERMANENT FIREFMEN ARE GIVEN A PRACTICAL TALK BY HIS HONOR. The twenty-nine paid men of the Scranton fire department were marched in police headquarters at 3 o'clock yesterday afternoon and presented to the new mayor by Chief Hickey.

Mayor Moir said some complimentary things to them and then lectured them on the matter of discipline. When the mayor concluded the firemen gave him warm applause and then they marched out in single file, the mayor shaking each by the hand as he passed by.

They were afterwards photographed on the Mulberry street side of city hall by Fry.

BURNED HIS FOOT. Workman Steps Upon Some Molten Metal at the Blast Furnace. Stanley Gloski, employed as a laborer at the blast furnace, while at work about 1.30 o'clock this morning, accidentally stepped into some molten iron and his right foot was severely burned. He was removed to the Moses Taylor hospital.

Smoke The Popular Punch Cigar, 10c.

It Leads as Usual. The Spalding FLOREY & BROOKS, Agts.

Reduction in Dental Prices. We are doing the best dental work for less money than any other dentist in Scranton. No matter how low a price you get elsewhere you get still lower from us. We want to convince you of this and as an inducement to you to let us try, offer you some low prices that speak for themselves. These prices in effect until May 1st—positively no longer. We are responsible and reliable and refer you to any of the thousands of our patrons in this city and county.

A GOLD CROWN, 18K.....\$2.50 A GOLD CROWN, 22K, good weight, high polish, accurate fit, no brassy tinge, never wears out. Exact duplicate in gold of natural teeth. Others charge for such a crown as high as \$10. My price, \$5.00

BRIDGE WORK, or teeth without price, low cost, good, low price, \$2.50 FULL SET OF TEETH, good and durable, cannot be duplicated elsewhere for \$5.00

FULL SET OF TEETH, life-like in appearance, perfect union, never drops, never breaks, restores lost expression, good as natural teeth. Others charge for such a set you pay \$12.00. My price, \$8.00

GOLD FILLINGS, absolutely pure, high polish, accurate fit, low price, low price, 75c SILVER FILLINGS.....35c and 50c GOLD ALLOY FILLINGS, good color, best tooth saver. Do not dissolve. 50c 75c OTHER FILLINGS.....25c

The New York, Ontario and Western Railway Company propose running an excursion from all stations to New York city on Monday, April 10. Round trip tickets will be sold on the basis of a fare and one-half, and will be good for return passage up to and including April 15. With the Ontario and Western's excellent train service, and the low rates offered, it is anticipated that this will be one of the largest excursions ever run. Just at this season the large stores of New York will be displaying their Easter goods, and the theaters and other places of amusement offering the best of attractions. If you are seeking for a pleasant outing, and appreciate picturesque scenery, fine equipment and superior service, we have simply to say that you should not miss this opportunity. The date, remember, is April 10.

AN AFTERNOON RECEPTION.

Given by Mrs. John Simpson Introducing Her Eldest Daughter. Mrs. John Simpson gave a beautiful reception yesterday afternoon at her handsome home on Clay avenue, introducing her eldest daughter, Miss Stewart Simpson. The rooms were prettily decorated, white and green predominating. In the dining room American beauty roses were employed and their hue was repeated in the accessories of the costumes worn by a number of the young ladies who assisted.

Mrs. Simpson and Miss Simpson received in the front drawing room. The young debutante wore a charming white gown and carried American beauty roses. Mrs. Theodore G. Wolfe and Mrs. Charles Schlager presided at the table in the dining room, where Miss Lyndes, of Danville; Miss Marlon Musser, Miss West and Miss Clara Simpson assisted in serving.

About the rooms were Mrs. E. C. Lynde, Mrs. F. M. Spencer, Mrs. Chas. J. Powell and Miss Florence Simpson. Mrs. Schlager, Miss Millard, of Syracuse, and Miss Jo Hantgen served frappe.

Last evening Mr. and Mrs. Simpson entertained the house party and the ladies who assisted at the reception, at a supper.

WORMSER AGAIN ARRESTED. Secured His Release by Means of a Writ of Habeas Corpus. Morris Wormser, a New York man who is endeavoring to conduct a special sale in this city was arrested again yesterday and in default of bail committed to the county jail by Alderman Millar.

Wormser was arrested Wednesday for doing business without first paying the city license fee and was fined \$100 by Alderman Millar. He took an appeal to the quarter session and the matter is to be heard Saturday morning at 9 o'clock before Judge Gunster.

Wormser was again arrested yesterday and fined another \$100 and in default of payment was committed to the county jail. Immediately after his commitment his attorneys, O'Brien & Kelly, secured a writ of habeas corpus and had him brought before Judge Archibald, who ordered his release on the ground that an appeal in a like matter is now pending.

It is contended that the act on which the city ordinance levying the tax is based is unconstitutional for the reason that it is a restriction on trade.

MET THE NEW MAYOR. Permanent Firemen Are Given a Practical Talk by His Honor.

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DR. BARRETT. LEADER IN LOW PRICES. Barrett Building, 316 Spruce Street, Adjoining Hotel Jermya.

A PERFECT FOUNTAIN PEN.

Mr. Walter W. Winton, of This City, the Patentee—Edward P. Mucklow and J. Frank Seigel Are Manufacturing the New Pen. Mr. Walter W. Winton, of This City, who has for the past twenty years been working to produce a perfect fountain pen, has succeeded beyond a doubt. Messrs. Edward P. Mucklow and J. Frank Seigel, two of our best and most favorably known citizens are now manufacturing the new "Winton" pen. In producing the Winton pen, the inventor has overcome the great faults of the average fountain pen, i. e., flooding or irregular feeding.

The Winton pen will not flood, even though held pen down for an indefinite period, owing to an automatic feed arrangement which is simplicity in itself. The ink flows from the barrel into a trap, from thence through a gold conduit to the feeding apparatus which is attached to the pen. The simple construction allows the pen to be taken from the holder and replaced without any adjustment whatever, the same as the ordinary dip pen holder.

"That the Winton pen will be a financial success is a foregone conclusion, as its marked improvement over all other pens is bound to recommend it to fountain pen users wherever it is introduced.

The pens are already being manufactured in this city at the rate of five gross a day. The output however will be immediately increased to meet the demands now being made by dealers everywhere for the pen.

Fire Sale. Watch for opening of Welch, the Jeweler's Big Fire Sale. Everything must be sold, at 408 Lackawanna avenue, opposite Jonas Long's.

Smoke The Pocomo 5c. Cigar.

THE TRADERS National Bank. Capital - \$250,000. Surplus - 75,000.

JOHN T. PORTER, President. W. W. WATSON, Vice-President.

Pays Liberal Interest on Time Deposits. FRANK L. PHILLIPS, Cashier.

HOLDERS OF 25881 30907. Win the Prizes at FELTON'S. Removed to 119 Penn Ave.

Piano Bargains. A Fine Upright Grand Piano, elegant rosewood case, cost when new \$600. Our Price, \$250—\$10 Per Month.

The Best New Upright Piano ever offered in this city, fully guaranteed, \$225. Easy Terms.

One Elegant Briggs Grand Piano, in perfect condition, \$150. Easy Terms.

Get the latest music—"First Offense March," "Gibson Girl March," "Mollie, I Love You," song and thousands of others, 25c each, at Perry Brothers 205 Wyoming Ave.

Window Awning. There is no one feature which can so distinguish the home or be so productive of so much comfort and enjoyment to the family as Awning; at the Windows.

They have, however, heretofore been made to order only, and required the services of an expert to put up. It has practically been impossible to obtain them in some places remote from the makers, and everywhere the cost has been so great as to be almost prohibitive.

The Climax Awning. Is not only first-class, it is distinctly "gilt edge." It not only possesses all the features of an awning made to your order, but it improves upon and adds to them. It is HANDSOME, CONVENIENT, DURABLE, CHEAP.

It can be put up by anybody without tools or experience and guaranteed to fit.

For Sale Only at the ECONOMY. 225-227 Wyoming Ave.

BELL & SKINNER. Hotel Jermya Building.

S. & H. BOUQUET. Manufactured by SHORT & HIGGINS, No. 207 Lackawanna Ave.

MALONEY OIL AND MANUFACTURING CO. TELEPHONE 622. 141 to 149 Meridian Street, Scranton, Pa.

BURNING AND LUBRICATING OILS. PAINT DEPARTMENT.—Pure White Lead, Colors and Varnishes.

MATTHEWS BROS., 620 Lackawanna Ave., Scranton Pa. Wholesale and Retail DRUGGISTS.

ATLANTIC WHITE LEAD. FRENCH ZINC. Ready Mixed Tinted Paints, Convent, Econo-rial, Durak.

Varnish Stains, Producing Perfect Imitative Expansive Woods. Reynolds' Wood Finish, Especially Designed for Inside Work.

Marble Floor Finish, Durable and Dries Quickly. Paint Varnish and Kalsomine Brushes.

PURIFIED LINED OIL AND TURPENTINE.

LADIES SAILOR KNOX HATS. Have Arrived. CALL AND SEE THEM.

HAND & PAYNE, SOLE AGENTS. On the Square, 203 Washington Ave.

CUSTOM TAILORING. Is it no account unless it is GOOD TAILORING. WE DO GOOD TAILORING.

Made by tailors who get good wages for their labor and the man who pays in \$2.25 \$18.00, \$21.00, \$22.00 for a suit gets the full worth of his money. WE FIT the hard to fit or no pay better than many high priced tailors do, at as small a cost, and we carry a variety of styles to suit the most exacting ideas.

We also make a specialty of Ladies Tailoring London, & New York. The MILLER TAILOR.

Spruce Street, Opp. Commonwealth Bldg.

The Richart & Sanderson Oil Co., SELL THE CELEBRATED TIONA SAFETY OIL.

Insist on getting the Real. Made entirely from the Tiona Crude. High Grade Lubricating and Burning Oils of every description. 1321 CALPOUSE AVE.

The Climax \$1.50 Window Awning.

There is no one feature which can so distinguish the home or be so productive of so much comfort and enjoyment to the family as Awning; at the Windows.

They have, however, heretofore been made to order only, and required the services of an expert to put up. It has practically been impossible to obtain them in some places remote from the makers, and everywhere the cost has been so great as to be almost prohibitive.

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