

**DENIER SUIT FOR DAMAGES**

**IT IS ON TRIAL BEFORE JUDGE F. W. GUNSTER.**

Scranton Railway Company Maintains That It Was Not Responsible for the Death of the Child, and After the Plaintiff Rested Asked for a Non-Suit, Which Was Refused—Jury Went to Carbondale to View the Killen Property—Verdict in the Wrobelenski Case.

Before Judge F. W. Gunster in court room No. 2 a very interesting case was tried yesterday. The plaintiffs are Michael Denier and his wife Sarah Denier, who reside on Penn avenue, where the husband is engaged in business. The defendant is the Scranton Railway company.

On August 14, 1897, the 3-year-old son of the plaintiffs was so badly injured by one of the cars at the defendant company that he died in the Lackawanna hospital a few hours later.

It is undisputed that the boy was crossing Penn avenue near his home and that an inward bound Providence car run by Enoch Evans was passing along the track from Murray to Lincoln streets. The boy had crossed the track in safety when he collided with a bicycle ridden by Simon Ward. The child was knocked down by the collision and fell across one of the rails. The plaintiffs contend that this was some distance in front of the moving car, which, if in proper hands and supplied with proper safety appliances, could have been stopped in time to save the child from injury.

The defense is that the child and bicycle rider were alongside the track when the trolley below was knocked down and that he fell on the rails between the front and rear wheels of the car. In other words, the theory of the defense is that the bicycle and not the trolley company was the primary cause of the accident. The plaintiffs are represented by Attorneys George A. Lewis and ex-Judge W. H. Stanton and the defendant company by Attorneys Everett Warren and P. W. Gallagher.

**WITNESSES FOR PLAINTIFF.**

The witnesses who testified for the plaintiff were Simon Ward, the man who rode the bicycle; A. F. Rowley, Michael Denier, father of child; Harry Dorshimer, Dr. Feinberg, M. R. Constant, Frederick Phinney and Sarah Denier, mother of the child. Mr. Ward testified that he crossed the car track in front of the car to avoid a wagon which blocked the roadway. Just after he crossed the rails he struck a little boy and knocked him down. He was thrown from his wheel and before he could get on his feet and pick up the child, the car had run him down.

Mrs. Denier said the child was in charge of a boy named Ziemann when the accident occurred. After the plaintiffs rested, the defense asked for a compulsory non-suit, on the ground that no evidence had been produced to show that the defendant company was responsible for the accident.

The request for a compulsory non-suit was refused by Judge Gunster and the case for the defense was opened. Enoch Evans, who had charge of the car on the day of the accident, was the first witness. He said that when the child was knocked down by Ward they were both at the side of the car. He reversed the power and brought it to a standstill as soon as possible. When Mr. Evans' cross-examination was concluded court adjourned for the day. The case will probably take up the entire time of court today.

In court room No. 1 yesterday morning a jury was sworn in the case of Thomas Killen and others against the Carbondale Traction company and the city of Carbondale. The plaintiffs want to recover damages because the defendants changed the grade of a street in front of their property. After a jury was sworn it went to Carbondale in charge of Tipstaff Powell and viewed the property which it is alleged was injured by the defendants. The jury returned in the afternoon. The case will be put on trial. The Killen case will begin as soon as the former goes to the jury.

When the Killen jury went to Carbondale, another jury was sworn to try the case of Mathilda Farbig, administratrix of the estate of her husband, Frederick E. Farbig, against Eukene Schimpf. The plaintiff seeks to recover \$1,500, with interest from 1893, which she says is due her by the defendant on a property, part of her husband's estate, which she sold to Schimpf. The case will be on trial for the greater part of the day. The plaintiff is represented by Attorney C. H. Soper and the defendant by Attorneys C. H. Welles, J. H. Torrey and Joseph O'Brien.

In the case of Michael Wrobelenski against the borough of Archbold the jury yesterday returned a verdict of \$150 in favor of the plaintiff. It was the second trial of the case. On the first trial Wrobelenski was given a verdict of \$200.

**Sheriff's Deeds Acknowledged.**

In open court yesterday Sheriff Pryor acknowledged the following deeds:

**MUNYON'S**  
I do not believe there is a case of dyspepsia, indigestion, or any stomach trouble that cannot be relieved at once and permanently cured by my **DYSPEPSIA CURE**.  
MUNYON  
At all druggists, 25c a vial. Guide to Health and medical advice free. 1508 Arch street, Phila.

Property of Ellen McArthur and Thomas McArthur, in Dickson City, to Mary A. Cannon for \$1,200.  
Property of Jabez Cadwgan and William Cadwgan, in Scranton, to John D. Griffiths for \$52.96.  
Property of Michael Murray, in Carbondale, to Edwin Moon for \$355.  
Property of Thomas P. Brown, in Scranton, to Republic Savings and Loan association for \$16.71.  
Property of Patrick Ansbury, in Carbondale, to J. R. Shannon for \$72.  
Property of Michael D. English and Morala H. English, in Carbondale, to Morala H. English for \$43.71.  
Property of Mary Delaney in Scranton, to Casey & Kelly Brewing company, for \$25.  
Court made an order to the effect that other sheriff's deeds can be acknowledged Saturday.

**Bonds of Tax Collectors.**

The following collectors of delinquent school taxes filed their bonds with Prothonotary Copeland yesterday.

- Anthony McHugh, Fifth ward, John J. Fahy and M. J. Hainey, bondsmen, \$2,794.45.
- Michael Roche, Twenty-first ward, J. E. Regan and J. F. Wright, bondsmen, \$376.67.
- Thomas Marshall, Fourth ward, Reese W. Hopkins and Lewis H. Harris, bondsmen, \$2,794.45.
- Leola A. Stevens, Seventeenth ward, George W. Jenkins and Frank Washburn, bondsmen, \$890.65.
- Anthony Scanlon, Sixteenth ward, Frederick Connel and Martin Farrell, bondsmen, \$2,685.90.
- Thomas Saltry, Third ward, John F. Saltry and James H. Reilly, bondsmen, \$256.24.
- Patrick F. McDonnell, Nineteenth ward, Thomas Hartley and Michael Gibbons, bondsmen, \$2,179.44.
- Owen F. O'Malley, Sixth and Eighteenth wards, P. J. Casey and M. H. Griffin bondsmen, \$1,795.08.
- Benjamin Griffiths, Fifteenth ward, John F. Williams and John H. Wil- John F. O'Connor, Twentieth ward, E. H. Jordan, M. J. Connolly and John Hains, bondsmen, \$1,477.75.
- J. Walsh, bondsmen, \$2,253.71.
- Michael P. McCann, Seventh and Third wards, Michael Hannick and P. J. McCann, bondsmen, \$2,531.62.

**Wants a Jury Trial.**

George L. Wickenhoffer has filed his answer in the divorce proceedings brought against him by Eva L. Wickenhoffer. He says that since their marriage he has always conducted himself as a husband ought to do and he wholly denies that he ever beat or abused her, or that he ever treated her cruelly or that he ever gave her cause or obliged her to depart from his house. He avers that his wife left his house without just cause. All of this the respondent is ready to maintain. He asks for a jury trial.

**Suit Against City of Scranton.**

Bridget Harvey is the plaintiff in an action to recover \$5,000 damages which was brought against the city of Scranton yesterday. Her attorney is H. S. Alworth. Mrs. Harvey was walking along East Market street on April 17 when she stumbled against a post which, it is alleged, protruded three inches above the ground in the middle of the sidewalk. By reason of the fall she sustained a broken arm and other injuries for which she asks damages in the sum of \$5,000.

**Yesterday's Marriage Licenses.**

- John Kazomski .....Olyphant, Anna Gall .....Olyphant.
- Harry E. Beauman .....Peckville, Rose Anna Seymour .....Peckville.
- John Sullosky .....Peckville, Sophia Seid .....Peckville.
- John Hughes .....Wilkes-Barre, Maggie Reese .....Wilkes-Barre.
- Andrew Ambrosino .....West Pittston, Congetta Trardone .....Pittston.
- John Kope .....Olyphant, Annie Sfranko .....Olyphant.
- Thomas Sheridan .....Scranton, Bridget McLane .....Scranton.

**COURT HOUSE NEWS NOTES.**

Court yesterday confirmed finally the report of the receiver of Gilmore & Duffy with reference to the sale of real estate.

The bond of David J. Davis, treasurer of Taylor borough, was filed with Prothonotary Copeland yesterday. It is in the sum of \$12,000 and has for sureties Edward Williams, Martin Williams, William D. Reynolds and Edward E. Davis.

The bill of particulars of John E. Walsh, who is contesting W. H. Thomas for the office of constable of the Eighth ward, was filed with Clerk of the Courts Daniels yesterday. He challenges the vote of every one he suspects of having voted for Thomas on every possible ground. Altogether, 184 votes are challenged. That is a much larger number of votes than Mr. Thomas received altogether, but many of the votes are challenged for more than one cause.

**CONVENTION NATIONAL EDUCATIONAL ASSOCIATION, LOS ANGELES, CAL.**

Reduced Rates via Pennsylvania Railroad.

For the National Educational Association convention, to be held at Los Angeles, Cal., July 11 to 14, the Pennsylvania Railroad company will sell excursion tickets via direct routes from points on its line to Los Angeles, Cal., and return, at rate of single fare for the round trip, plus \$2.00 membership fee. These tickets will be sold, good going, June 24 to July 7, and when stamped by joint agent at Los Angeles, good to return, arriving at final destination, until Sept. 5.

For further information apply to ticket agents.

**GATHERED IN SOUTH SCRANTON**

**NEW NO. 3 SCHOOL BUILDING INSPECTED.**

Viewed Yesterday by a Number of Members of the Board of Control. The Building Committee Will Recommend Its Acceptance at the Next Meeting of the Board of Control—Lodge of Knights of Honor to Be Organized in This Part of the City—Other News Items.

The new No. 3 school building, the most recent acquisition in the city, situated on Pittston avenue, corner Hickory street, was given a thorough inspection by several school controllers and others who figure in that portion of the city's government.

Contractor M. J. Ruddy, who erected the building, and Architect John A. Duckworth, who designed it, guided the inspectors through the school. Controllers Peter Neuls, of the Eleventh ward, where the building is located, Shirer, Roche, Schwass, Leonard and Jayne, Superintendent of Repairs Harvey and Superintendent of Machinery Harris comprised the party.

The building is a twelve room one, with all the modern appointments. The rooms are large, extremely well ventilated and have excellent sources of light. A large fan in the cellar sends fresh air through every room. The building in its exterior appearance is very substantial. There is no effort at elaborate adornments.

At the conclusion of the tour of inspection the party expressed much satisfaction at the manner in which the building was finished. A few changes were suggested and at the next regular meeting of the board of control the building committee will recommend the acceptance of the school.

A year ago June 9 excavations were commenced for the erection of the structure. The cost of it is \$21,000 and the site was purchased for \$15,000. \$9,000 for each lot. Controller Neuls stated to a Tribune reporter last night that he will make a strong effort to have the closing sessions of the term in the new building and in the event that this cannot be arranged, the pupils attending the present No. 3 school will at the opening session enter the new building.

It has been currently stated that St. Mary's congregation will endeavor to purchase the old school building on River street, which adjoins St. Mary's convent.

**NUBS OF NEWS.**

In Storrs' hall, Monday night, a new lodge of the Knights of Honor will be organized. William J. Robinson, of Erie, grand reporter of the national order, has been in the city several days and has enrolled a large number of the leading men of this side. Hon. H. W. Allison, of Allentown, grand dictator of the order, will be present at the organization. Dr. Albert Kolb, of Cedar avenue, has been engaged as medical examiner. Mayor Mohr, who is a member of the order, will be present and give an address. A social session will follow.

County Commissioner John Demuth, Alderman Leites, Fred. Kirchhoff and James P. Best, of this side, and George K. Kirchhoff, of New York city, will spend today at Lake Ariel on a fishing trip.

Mr. and Mrs. S. S. Sprukes are at Washington, North Carolina, to remain several weeks.

Mrs. John Kieckler, of Birch street, is convalescing from a long and severe illness.

**HOOD'S PILLS**

Do not gripe nor irritate the alimentary canal. They act gently yet promptly, cleanse effectually and **Give Comfort** Sold by all druggists. 25 cents.

**MOUNT PLEASANT COAL**

At Retail.

Coal of the best quality for domestic use and of all sizes, including Buckwheel and Birdseye, delivered in any part of the city, at the lowest price.

Orders received at the office, Connell building, Room 306, telephone No. 172, or at the mine, telephone No. 212. Will be promptly attended to. Dealers supplied at the mine.

**MOUNT PLEASANT COAL CO.**

Repauno Chemical Co's HIGH EXPLOSIVES

**MYER DAVIDOW,**

The Cheapest Shoe Store in Scranton, 307 Lackawanna Avenue. The Cheapest Shoe Store in Scranton.

**It Has Always Been Our Aim to Be the Leaders in Popular Priced Shoes**

For Men and Women, and we are proud to say that we do the largest retail shoe business on the avenue. We cater to all. We can fit a lady that wears from 1 to 9 and from A to W in width. Button and lace and all styles at prices to suit any one from \$1.00 to \$3.50.

We have a large stock of Men's Shoes in willow calf, russet calf, vici Kid and Kangaroo congress and lace, all styles of toes and all widths, B to EE, at \$2, 2.50 and \$3, and they cannot be bought anywhere for less than \$4 and \$5.

Boys' Shoes at 98c and \$1.29. Misses' Shoes at 79c and 98c. Children's shoes at all prices.

We invite you to call and examine our goods before buying elsewhere. Remember, you will save money by it.

**MYER DAVIDOW,** The Cheapest and Busiest Shoe Store, 307 Lackawanna Avenue.

BRANCH SHOE STORE, 11 SOUTH MAIN STREET, PITTSBURGH, PA.

**PIMPLES PREVENTED BY CUTICURA SOAP**  
The most effective skin purifying and beautifying soap, as well as purest and sweetest, for toilet, bath, and nursery. It strikes at the cause of bad complexion, red, rough, itching, falling hair, and baby blemishes, viz., the clogged, irritated, inflamed, over-worked, or sluggish pores.

"TAKE TIME BY THE FORELOCK."

**BABY CARRIAGES AND GO-SARTS**



Car load just arrived. All styles, and prices the lowest. Workmanship guaranteed even on **THE CHEAPER GRADES.** Keep us in mind and you won't regret giving us your patronage—you will get goods as represented—giving you our easy terms of payment or very lowest prices for cash. Immense stock of Household Goods—Stoves, Carpets, Iron Beds, etc. Five large floors full to the ceiling—  
Thos. Kelly's Storrs, 131 and 133 Franklin Avenue

**E. Robinson's Sons Lager Beer Brewery**

Manufacturers of OLD STOCK PILSNER  
435 to 455 N. Ninth St., Scranton, Pa Telephone Call, 2333.

**THE MOOSIC POWDER CO.**

Rooms 1 and 2, Com'th B'ld'g. SCRANTON, PA.  
Mining and Blasting POWDER  
Made at Moosic and Rushdale Works.

**THE WESTON MILL CO.,**

Scranton, Olyphant, Carbondale.

**Family Jars "Snow White"**

Occur less frequently when the family bread jar is supplied with good bread made of **"Snow White"** Flour. It makes bread with a rich, brown, tender crust. It makes bread that looks good, tastes good and is good. It makes bread of which all women are proud. Grocers sell it. "We only wholesale it."

**THE DICKSON MANUFACTURING CO.**

Scranton and Wilkes-Barre, Pa., Manufacturers of LOCOMOTIVES, STATIONARY ENGINES, Boilers, Hoisting and Pumping Machinery. General Office, Scranton, Pa.

**LAFLIN & RAND POWDER CO.'S ORANGE GUN POWDER**

Electric Batteries, Electric Exploders, for exploding blasts, Safety Fuse and

**WESTON MILL CO.,**

Scranton, Olyphant, Carbondale.

**Connolly & Wallace**  
127 and 129 Washington Avenue.  
SCRANTON'S SHOPPING CENTER.  
**Ladies' Cycling and Golf Dress**

If correct, depends largely on the hang of the skirt. The Bicycle Skirt has been evolving itself from dark and chaos for almost ten years. Do you remember the early attempts that clung and bothered and flew around in spite of the little sand bags and lead weights in the hem? The experiments that failed so dismally, that bagged where they shouldn't and drew where they shouldn't, and "hung" with all the free abandoned grace of a dejected meat bag?

Now see these new styles and acknowledge that the world moves rapidly in these days. These skirts of ours are as near to perfection as such dress can be.

Graceful, suitable, practical and becoming, made from the right kind of goods, and made as they must be to get our tag on them.

**The Best of It All Is the Price Story**

It's short, and should be interesting to every lady with athletic tendencies.

- Six Skirts at \$1.00 each. Value \$2 to \$2.50.
- Seventeen Skirts at \$5.00 each. Value \$8 to \$12.00.
- Four Skirts at \$3.50 each. Value \$5.50 to \$7.50.
- Fifteen Skirts at \$7.50 each. Value \$12.50 to \$20.00.

**CONNOLLY & WALLACE,** 127 and 129 WASHINGTON AVENUE

**Have Your Lace Curtains Renovated**

We are sole agents for Scranton for C. C. Cafferty, Binghamton, N. Y., and can guarantee all work entrusted to our care to be perfectly satisfactory. Our patrons need have no hesitation in sending us all classes of fine laces.

**WILLIAMS & McANULTY,** Leaders in Carpets, Wall Paper, Draperies.

**35,000 Columbia Chainless Bicycles**

Are used daily, a sufficient guarantee that they are the best wheels manufactured. Price.... \$75

Columbia Chain Bicycles, superior to any and all chain wheels.... \$50

Hartfords, better than ever at popular prices, \$35, \$26, and \$25

Pierce and Stormers at \$25 to \$75

Pierce Racers.....\$50

**KELLUM & CONRAD,** 243 Wyoming Ave

**THIRD NATIONAL BANK OF SCRANTON.**

Special Attention Given to Business and Personal Accounts. Liberal Accommodations Extended According to Balances and Responsibility. 3 Per Cent. Interest Allowed on Interest Deposits.

Capital, \$200,000 Surplus, 425,000

WM. CONNELL, President. HENRY BELIN, Jr., Vice-Pres. WILLIAM H. PECK, Cashier.

The vault of this bank is protected by Holmes' Electric Protective System.

**The Spalding Chainless Bicycle.**

Have you noticed that there are more SPALDING CHAINLESS wheels being ridden today than all other chainless wheels combined?

**The Reason** Is that there has not been one dissatisfied purchaser of this model. Its mechanical superiority over other makes is plainly evident after a short trial.

Spalding Racer...\$60 Spalding Roadster 50 Spalding Chainless 75 FLOREY & BROOKS 211 Washington Avenue, Opposite Court House.

**You Stand in your own light**  
If you don't use our Headlight Water White Oil  
The oil that won't burn, doesn't smoke, doesn't stain, doesn't freeze, gives steady light that long journey shows you the way. Four good ones don't keep it, while one of ours will keep it for you. ATLANTIC REFINING CO.