CASE DELVES IN ANCIENT HISTORY

BUIT FOR COAL ROYALTIES WITH INTERESTING FEATURES.

Title to the Property in Dispute Is Traced Back to the Days of the Revolution, When Some of the Best Coal Lands in These Parts Sold for Three Shillings an Acre-It Is the Oft-Tried Case of the Winton Coal Company Against the Pancoast Coal Company.

The much-tried coal case of the Winton Coal company against the Pancoast Coal company was again put on trial yesterday in common pleas court, before Judge George S. Purdy, of Honesdale, specially presiding. It is a suit for royalties amounting to \$10,000, but on its outcome fully double this figure depends.

It was instituted February 28, 1893, and referred to arbitrators who, in void any proceedings in which said November of the same year, found for forms shall be used," and the judge the plaintiff. This was appealed from and in December, 1894, it was tried before Judge Harold McClure, of Lewisburg. He directed a verdict for the defendant on the ground that an action of account rendered, instead of assumpsit, should have been brought.

The Supreme court reversed this finding and sent the case back for re-trial. It came before Judge Edwards in Janunry, 1896, and again the defendants were victorious. A new trial was asked for on the ground of error on the part of the trial judge and it was allowed. The case again went on the trial list and now, after dragging along for three additional years, comes up for its fourth trial.

The history of the case dates back to revolutionary days. A man whose identity was not preserved built a log house in what is now known as Throop borough and staked out a farm. He remained only a short time, when he quit his cabin and farm and, as far as the present sketch is concerned, disappeared.

THE SECOND OWNER.

In 1812 William Knapp squatted on the tract and built for himself a cabin at Anderson's corners, the traces of which are still visible. In 1828 he left the place, never to return, and two years later the place was purchased at sheriff's sale by Henjamin A. Bidlack, a Wilkes-Barre attorney.

Three years later Bidlack sold the surface, which is co-extensive with the present village of Throop, to Henry Heermans, conveying with it a half in terest in the coal.

Heerman's sold his interest to James Anderson, receiving one half of the Anderson sold his title to his sen. Allen Anderson, and son-in-law, James Savige. The Savige share depcended to the Pancoast Coal company.
Allen Anderson sold his share to W. W. Winton and A. H. Winton and they disposed of their right and title in the coal to the Winton Coal company.

The Pancoust Coal company gathered up all the scattered interests in the plot excepting that held by the Winton Coal company and began mining the coal. One-eighth of the total royalties was offered to the Winton Coal company, but it demanded a quarter, alleging that it had been given one-fourth interest by the My. W. Winton transfer.

DEFENDANT'S CLAIM.

The defendant claims that on account of the Bidlock reservation of one half, and the Heerman's reservation of one-half of the half conveyed to him by Bidlack, Anderson could only convey a quarter, and this being so, his son could convey but an eighth and the Wintons consequently could convey no more to the Winton Coal company. The plaintiffs allege that the Bidlack reservation was overcome by a purchase by Anderson from the Fisher heirs, who held a grant from the commonwealth.

The royalties on the eighth interest up to January, 1893, amounted to nearly \$10,000. The property originally sold for three shillings an acre.

Attorneys S. B. Price, I. H. Burns and John B. Collings represent the Winton company. The Pancoast company is represented by ex-Judge Jessup and ex-Judge Knapp.

Judge Gunster is engaged in trying the suit of Patrick Brown against T. C. Robinson. It is based on a \$300 claim for extra work on a sub-contract for the excavating for the Klotz silk mill in Carbondale. Ex-Judge Willard and Hon. C. P. O'Malley represent the plaintiff. Hon, John P. Kelly and R. D. Stuart represent the defen-

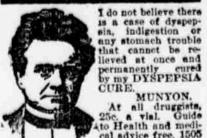
Bond Is Valid.

Judge Purdy filed an opinion yesterday declaring valid the bond given by J. S. Carter as administrator of the Lackawanna county estate of Jesse Stewart, deceased, of Belvidere, N. J. This means that the bondsmen of Thomas Stewart, of Belvidere, who died owing the Jesse Stewart estate \$10,779.46, will have to make good the indebtedness. Michael Miller, George Kinback, A. R. Raub and Warren & Wolfe, executors of the Throop estate, are the sureties.

When the administrator sued them on the Stewart bond, they tried to have letters of administration revoked by attacking his bond on the ground that It



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had but one surety, the Eastern Trust company, and was barred by the stat-

ute of limitations. Judge Purdy dismisses the objection to the bond by quoting the forty-third section of the Act of March 15, 1832, which says: "No immaterial variation from the forms given and prescribed in and by this act shall vitiate or render adds that, while the condition of the plaintiff's bond is not in the language of the statute, the general requirements of the conditions cover all that is em-

braced in the statutory condition. With reference to the question of the statute of limitations, Judge Purdy says the case of the Commonwealth vs. Patterson, 8 W. 515, shows that limitations to an action against surcties is not applicable to an original administration bond,

The Election Contest.

Forty witnesses were examined in the Langstaff-Kelly election contest yesterday. They were mostly from the farming districts above the moun-

Madison-Charles Edwards, William

Waverly-A. F. Sigfried, Henry Dix, Henry Cole, J. W. Mershon, Henry Gardner, Charles Gardner, D. L. Doty. Dalton-Grant Boardman, W. L.

West Abington-M. B. Dean, L. T. Jones, A. L. Ross, F. L. Ross. Benton-G. W. Green, W. H. Stod-Scott township-Stephen J. Cook.

Blakely-Hugh H. Harris. Glenburn-W, A, Buck, W. L. Ather-ton, E. H. Reed, Frank Hall, F. J. tle, C. M. Sherwood, B. J. Hall, George Northup, E. F. Brooks, T. E. Atherton, Jerry Buck, Andrew Layton.

Marriage Licenses Yesterday.

H	Michael DempseyOlyphant
y	Nellie McDonough Wyoming
	Wassil HalendaPriceburg
	Annie SlahtaPriceburg
	William HolmesScranton
	Harriet M. OpiePeckville
	Joseph MatthewaGouldsboro
ă	Linnie Schinnerling Thornhurst
3	Vane Kennedy
	Michael DoughertyDunmore
	Bridget CreanDunmore
	Patrick A. CostlettJessur
	Mary J. HynesJessup
	Walter PaleskiPriceburg
ī	Jennie Nicholska Throop
	Samuel EvansScranton
i	Nellie L. Owens Berwick
	Thomas Callahan Priceburg
	Sarah McGowen Priceburg
	COTIDE TIOTICE STRITE MORES

COURT HOUSE NEWS NOTES.

sum of \$4,000, as tax collector of Roaring Brook township. E. Simonson and August Hahn are his sureties.

W. A. Price, collector of Spring Brook, filed his 1898 duplicate yester-

Attorneys Charles E. Olver, John M. Harris and George H. Rice sat as arbi trators yesterday in the case of the Eclipse Bievele company against their former agent, M. T. Keller. The suit is for \$78. Mr. Keller admits the bill, but claims an offset of \$29 for repairs he alleges he was compelled to make on guaranteed wheels.

ADVERTISED LETTERS.

List of letters remaining uncalled for t the Scranton postoffice, Lackawanna county, Pa., June 14, 1899. Persons callng for these letters will please say advertised and give date of list.

Ezra H. Ripple, Postmaster.

Mrs. Alile Angle, Charles Artley, Charles Brown, Miss Beth Bower, Andrew Bock, Harry P. Burton, William Brown, G. W. Benjamin, George Beeacher, Mrs. Charles Brown, S. E. Bailey, Miss Lizzie Brown.
R. L. Connell, Miss B. Cawley, Mrs.

Mary Carey, Miss Mary E. Carey, John Cunningham. Company C. Thirteenth regiment; Mrs. Charles Crossley, E. M. arey, J. M. Cosgrove, Catherine Cad-

Louis Davis, Charles T. Davis, H. D. Doud, Miss Sarah Davis, Frank Evans, Mrs. Maggie Emmett. Mrs. Kittle Foote, Pete Forgotson, Miss Minuie Gratton, Michael Gibbons. Miss Nellie Hines. John O. Jones.

Dr. Kolo's Beautifier Mrs. Samuel Leose, Miss Mary Lewis Charles Loutz & Co., Mrs. Lewis. T. G. Mille, John Metzger, Mrs. James Mulrane, Joe Murray, William B. Wil-lard, J. B. McClung, Martin McGovean, Frank McAndrow.

Mrs. Bridget O'Rourke, M. G. O'Shaugh-

Warren H. Phillips. Guston Reincke, Miss Elizabeth Richmond, George Shipe, Miss Mamie Smith Rev. G. B. Smith, H. C. Swartz, H. C. Smyth, Mrs. George Simpson, Swisher, E. Laverne Safford, John ver, Mrs. S. J. Seeley, Mrs. Mary F. Sul-

wan. Mrs. Tennant, Miss Jennie Tillott, C.

Mrs. Tennant, Miss Jennie Tillott, C.
D. Taylor.
Mrs. Tillie Vannuys.
H. S. Wiggins, Miss Alice Wood.
T. G. Withers, Mr. Williamson, care of Glass Works; H. C. Wilson.
Italian — Giavanni Galloni, Jozef Czachow, Antonio de Sayer, Mogliazza Gio Bottista, Dalloglio Pietro Scalpelino, Corfino Storii, Felica Camella. Polish — Julijon Tomaszanski, Adam Jedlickej, Bonifacy Krupowis, Mike Scro-

winski, Antoni Scukowski, Meke Scron-lenski, Antoni Fiemcke, Baltbomiej, Jen Sadaski, Fred Walukey. Hungarian—Tomasz Picker, John Simko, Fomeso Mihal, Martin Labas, Michael Siejak, Majk Holowacz, Holod Gyor-gynek, Pomher Janis, Bruche Ris, care of

Japos Ris; Szalni Peter, Bellai Karoly urnak, James Alyek, Mayk Liwine, Boli-tromi Chutosa, Czizmar Josef, S. Tuvenk, Maik Warga, Vazil Guzy, George Nin-csak, Stif Binyko.

ARRANGING FOR CONVENTION Two Parties of Endeavorers Will Go

from Scranton. The eighteenth international Christian Endeavor convention will be held in Detroit, July 5 to 11. The societies Northeastern Pennsylvania will be

represented by a good sized delegation. Rev. G. W. Welsh, president of the Scranton union, will be the official representative of the union, but the majority of the societies of the city will also have delegates at the convention. The Pennsylvania delegation will go

over the Pennsylvania railroad, reaching Pittsburg by 9 o'clock on Tuesday morning, July 4. The special train will go from Pittsburg to Cleveland and the rest of the journey will be by steamer, giving a daylight ride on the lake. The trip will be a delightful one and the delegates from here have for the greater part signified their intention of joining the Pennsylvania general delegation at Pittsburg in order to enjoy the lake ride and reach Detroit with the main delegation. Information as to the details of the trip can be secured from C. E. Daniels, esq., assistant transportation agent for the state. One party is being formed to go over the Delaware, Lackawanna and Western and Wabash railroads, making the trip by rail. That party will be conducted by C. H. Chandler, of this city,

The convention will be a large one. The Pennsylvania delegation will probably number 2,000. Their headquarters will be at the Hotel Normandie.

List of Those Who Will Compos Saturday's Convention. Below is the standing committee of the Third Legislative district, which is to assemble in the arbitration room of the court house Saturday to fix a date

to the state convention: Benton-F. S. Tiffany, Fleetville. Covington-F. L. Hodgen, Daleville, Clifton-Walter Siglin, Clifton, Clark's Summit-M. M. Hufford, Clark's

Clark's Green-E. A. White, Edella. Chinchilla-Al Hobbs, Clark's Green. Dalton-F. M. Francis, Dalton. Glenburn-E. J. Northup, Glenburn. Gouldsboro-Herbert R. Drum, Thorn-

Greenfield-Marvin Pierce, Carbondale, Lackawanna township—South district, William Nicholas, Capoosa; West district, Dewitt Stanton, Moosie; East district, Back, Gray, Sloan Patch, Scranton; Northeast district—William Dady, Taylor; Southeast district. Frank Toole, Mi-

La Plume-Miles P. Gardner, Factoryille, Lehigh-Wantilus Slutter, Thornhurst. Madison-Eugene Noack, Moscow. Newton - Oscar Van Buskirk, Bald North Abipgton-W. B. Aylesworth

Craig. Old Forge-First district, John Cook, ton, E. H. Reed, Frank Hall. F. J. Old Forge; Second district, John Cook, Gardner, J. E. Edwards, H. J. Northup, T. G. Hall, Fred Kittle, Zach, KitOld Forge. Ransom township-First district, C. F. Snover, Milwaukee; Second district.

Snover, Milwaukoe; Second district, Charles Mayer, Scranton, Scott - Herbert S. Newton, Green Grove Spring Brook-T. J. Matthews, Spring

Brook. Brook.
Scranton—Sixth ward, Third district,
B. C. Green, Bellevue Mine, Scranton.
Taylor—First ward, Thomas Samuels,
Taylor; Second ward, Joseph Davis,
Taylor; Third ward, James Powell, Ir. Taylor; Fourth ward, James Price, Taylor; Fifth ward, George J. Powell, Taylor Waverly-N. C. Mackey, Waverly. West Abington-George H. Colvin. Dalton.

T. J. Matthews, chairman

Reduced Rates to Gettysburg via Pennsylvania Railroad, Account Dedication of the General Reynolds Monument.

On account of the dedication of the and prices the lowest. Workmanship monument of General Reynolds at Gettysburg, July 1, the Pennsylvania Railroad company has arranged to sell excursion tickets from points on its line in Pennsylvania, Delaware, Mary-James McDade filed a bond with the land and the District of Columbia to elerk of the courts yesterday in the Gettysburg at rate of single fare for the round trip.

Tickets will be sold on June 30 and July 1, good to return until July 5, inclusive.



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red, rough hands, falling hair, and baby blemishes prevented by Curi-CURA SOAP, a sure preventive of inflammation and clogging of the Pores. Sold throughout the world. Porran David ann Chem. Cour., Props., Boston. Howto Prevent Face Humors, free.

The best medicine o that money can buy is | Hood's Sarsaparilla. First, Because, it and strength. more concentrated merit and medicinal power in a bottle of / Hood's Sarsaparilla than in half a dozen bottles of others. Each bett le of Hood's Sarsaparilla contains onehundred doses-

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do any good what-ever. In fact, it is not what we THIRD DISTRICT COMMITTEE. what Hood's Sarsaparilla does, that tells the story of its merit. Its thousands of testimonidence worthy as if they from your als are as re for the convention to elect delegates Third, Bethere is no substitute Hood's Sarsaparilla. to sell something Dealers who try

> ting that Hood's is the standard and possesses merit impossible for others to reach. There are many other reasons why Hood's Sarsaparilla is America's Greatest Medicine, the Best That Money Can Buy. But if you will only buy it and try it yourself you will have reasons for faith in it stronger than them all-that of personal experience with, and personal knowledge of, its curative powers. Take it now. Get Hood's. It never disappoints.

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Coal of the best quality for domestic use and of all sizes, including Buckwheat and Birdseye, delivered in any part of the city, at the lowest price. Orders received at the office, Connell building, Room 808; telephone No, 1762, or at the mine, telephone No, 272, will be the mine, telephone No. 272, will be imply attended to. Dealers supplied

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The last of them reduced. The command to forward, march, out of the store was given to the parasol stock today. They will go at double-quick when the reduced prices become known, or we miss our guess.

\$2.00 and \$2.25 Parasols	\$1.50
\$2.50 and \$2.75 Parasols	2.00
\$4.00 Parasols	
\$4.50 Parasols	
\$5.00 Parasols	3.50
\$5.50 Parasols	3.75
\$7.00 and \$7.50 Parasols	5.00

Timely Towel Sale

Hundreds of dozens. The most wanted goods. The nick of timeliness, and the lowest prices ever marked on equal grades and quantities. This is the gist of a Connolly & Wallace linen story detailed below, that has even more than the usual economic importance. There couldn't be a time in the year when such a chance as this would be better appreciated:

At 121/2c-Huckaback, hemmed ends.

At 121/2c-Huckaback, fringed ends.

At 15c-Huckaback, hemmed ends, extra weight. At 15c—Huckaback, hem stitched, good quality. At 19c—Huckaback, hem stitched, extra large.

At 25c-Fine Quality Scotch Huckaback, hem stitched ends, large size.

At 25c-Damask Towels, with fringed ends, colored border and plain white. At 35c-Extra Heavy Irish Huckaback, hem stitched ends, damask borders, excellent value.

At 50c and 75c—Turkish Bath Towels of the natural linen, frictional and absorbent.

At 121/2c-Bleached and Brown Turkish Bath Towels, heavy quality.

At 25c-Big, Handsome White Turkish Bath Towels. At 50c-The Blanket Turkish Bath Towels, the largest towel ever made.

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15 pieces 73-inch, full Bleached Table Damask, per yard 45c.

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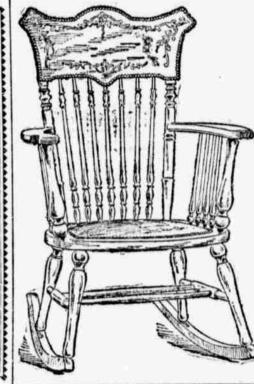
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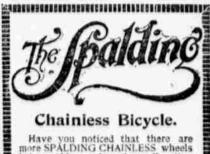
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WM. CONNELL, President. HENRY BELIN, Jr., Vice-Pres.

WILLIAM H. PECK, Cashier

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