HEARING WILL BE HAD TOMORROW

BOTH ASPHALT REPAIR SUITS TO BE ARGUED TOGETHER.

Judge Gunster Was About to Postpone the Mandamus Case Until Argument Court When Mr. Burns Vigorously Protested and Succeeded in Having It Set Down for Tomorrow—Answer Filed Setting Forth the Grounds for Controller Howell's Refusal to Certify the Contract.

But for the persistence of Attorney I. H. Burns, yesterday, in the arguments on the answer to the Barber Asphalt company's rule for a mandamus on Controller Howell, the repairs of the asphalt streets would have been delayed, with scarcely any doubt, for at least a couple of months and probably a year.

When the answer of Mr. Comegys was presented, the court wanted to defer the whole matter to argument court, which meets on July 3, and the respondent was not averse.

Mr. Burns, however, contended strenuously against this, pointing out the urgency of the case and the fact that, if the matter is not finally decided during the week of argument court, a decision will likely be delayed until August, as court adjourns July 9 for the midsummer vacation.

Judge Gunster thought the case could be decided sooner by having the hearing at argument court, but finally deferred to Mr. Burns and fixed the hearing for tomorrow morning at 9 o'clock, at which hour the arguments will be heard in the injunction case brought by Mr. Comegys in the name of William Farrell and H. Campbell, to restrain Controller Howell from certifying the repair contract.

THE CONTROLLER'S REASONS.

The answer of Mr. Comegys for Controller Howell is as follows:

(1) Prior to the beginning of his term of office as city controller, E. J. Robinson held that position, and while holding it, was made a party to a certain suit or action in the court of common pleas, sitting in equity, wherein one E. Morris was plaintiff and E. J. Robinson, the city of Scranton, and the Barber Asphalt Paving company were defendants. In that suit it was among other things decreed by the court "that said E. J. Robinson, as city controller, be prohibited and restrained from certifying said contract," meaning the contract between the city and the Barber company, dated December 13, 1898, and providing for the repairing of the asphalt paved streets of the city for a term of ten years, for the reason that the contract was illegal and void.

(2) On or about June 6, 1899, and after there had been a change in the city's executive department and a complete reorganization of the councils had taken place, the contract in question was brought to Controller Howell by a person in no way connected with the city department; to wit, the attorney for the Barber Asphalt Paving company.

(3) That Controller Howell has no assurance that the alleged contract was either prepared or executed by an official of the city of Scranton having the right power and authority to do so, the person who was in the office when the contract was executed being not now in office, his term having expired on April 3, 1899.

(4) That the alleged contract, while in form and language different, it is, in effect and substance, the same as the alleged contract of December 13, 1898, which the court declared illegal and void, and it was drawn by an attorney for the Barber Asphalt company.

SOME OTHER REASONS.

(5) That there was no appropriation of money for the purpose of the alleged contract when it was alleged to be executed.

(6) That the alleged contract fails to designate the item of appropriation on which it is founded.

(7) That at no time has there been a sufficient appropriation to meet the requirements of this alleged contract, which calls for a sum largely in excess of the amount supposed to have been appropriated for the purpose on June 5, 1899.

(9) That no bond to secure the proper performance of the terms of the contract has been given by the Barber Asphalt company. (It has been said the bond is lost, strayed or stolen.).

(10) That $4,780 was due and payable May 1, 1899, while not one penny has been earned so far.

(11) That the contract expires on January 27, 1899, and it is no longer a ten-year contract.

Mr. Burns filed a demurrer to the answer, alleging that it was insufficient.

Common Pleas Court.

The trespass case of B. P. Lowery against H. Driesen will be given to the jury this morning. The defense is that the plaintiff went into the dressing room in question when it was dark, and after being told to wait until a clerk could light the gas. In this way, it is argued, Mr. Lowery was guilty of contributory negligence.

In the Winton-Pancoast coal case, arguments are being made to the jury. They will be concluded by noon today it is expected.

A verdict of $1,295.28 was yesterday returned in favor of the plaintiff in the case of Patrick Brown against T. C. Robinson.

Election Contests.

The following witnesses were yesterday examined in the Langstaff election contest:

Dalton—M. L. Jackson.

Newton—D. S. Price, Samuel Lasher, John Siglin, Andrew Strong, F. L. Jennings, A. E. Newhart, H. S. Beemer, C. Fahs, T. G. Davis.

Benton—C. Hale, G. B. Reynolds, O. H. Newcomb, W. S. Smith, Orrin Smith, N. B. Carpenter J. W. Wallace, E. S. Newton, W. H. Seamans, S. B. Wedeman, Enos Ridgeway, B. F. Taylor, John Kirk, H. W. Seamans, W. M. Freeman, A. B. Carpenter, S. W. Spencer, H. W. Proper, A. J. Green, P. M. Green, Thomas Patterson, Leonard Stanton, J. S. Clarkson, A. W. Brundage, George T. Taylor, A. Stoddard, J. C. Green, C. B. Reynolds.

Scott—Ralph B. Newton, H. G. Newton, Charles McKenney.

Sheriff's Deeds.

The following deeds were acknowledged in open court yesterday by Sheriff C. E. Pryor:

To the Taylorville Building and Loan association for the property of Mary Mullin in Lackawanna township; consideration, $68.22.

To the Co-operative Building Bank for the property of John and Annie Billen in Winton; consideration $765.

To Michael Hand for the property of Mary Edmunds in Mayfield; consideration $381.

To Charles P. O'Malley for the property of E. O. Sardanelli in Old Forge; consideration $301.

To the Taylorville Building and Loan association for the property of William and Ann Corbett in Old Forge; consideration $39.17.

To the Citizens' Building and Loan association for the property of Charles, John, Mary and Annie Bartosch in Ransom township; consideration $150.

Marriage Licenses.

Arthur A. Keene..1423 Lafayette street
Grace A. Griffin.....Clark's Summit
John Tomas ..... Dunmore
Mary Golden .....Dunmore
Frank T. Carpenter..528 Harrison ave.
Georgia Judd.....818 Pine street
Peter J. Gavin .....Carbondale
Sabina T. Duffy .....Carbondale

COURT HOUSE NEWS NOTES.

E. G. Hughes yesterday filed independent nomination papers as a candidate for common council in the Fifth ward.

Patrick J. McDonnell, collector of taxes for Archbald borough, filed his bond yesterday and it was approved. It is in the sum of $47,000 and the sureties are Henry Revels, Patrick McDonnell and Justus Bishop.

Collector Thomas Thomas, of the Sixth and Eighteenth wards, settled his duplicate for 1898 with the county commissioners yesterday.

ACCIDENT AT MT. PLEASANT.

Another Workman Painfully Injured in the New Shaft.

Thomas Connors, of Jackson street, a sinker at the Mt. Pleasant mine, fell down the new shaft at 7 o'clock yesterday morning, a distance of seventy-five feet, and sustained a broken leg, and injuries about the back, face, hands and body.

Connors and three companions were descending into the mine in a bucket, when the former loosened his hold and fell out backwards to the bottom.

He was picked up by several men at the foot and taken to the West Side hospital, where he is being treated.

SOLDIER DISAPPEARS.

Failing to Procure Employment, Henry Hart Leaves Home.

Henry Hart, a member of Company M, Eleventh regiment, United States infantry, who did service in Porto Rico, has disappeared from his home on Breaker street, and has not been seen since Tuesday morning.

Hart became despondent over his failure to procure employment and his relatives are worried, fearing that something may have happened to him. He is 25 years of age, and served as a corporal in Company M while in Porto Rico.

HEPTASOPHS CONCLAVE.

Delegates from Scranton Are After the 1901 Convention.

An effort will be made at the Supreme conclave of the Improved Order of Heptasophs in Buffalo, N. Y., next week to bring the 1901 conclave to Scranton.

Thirty-four delegates from this city and nearby towns will leave tomorrow over the Delaware, Lackawanna and Western road in a special car.

Charles B. Handrick, of North Scranton, is a candidate for supreme sentinel.

UNIVERSALISTS' CONVENTION.

Annual Session Held at Athens—Officers Elected and Reports Read.

Athens, Pa., June 15.—The state convention of the Universalist church convened here yesterday. The business session consumed much time and the following nominations were made: President, Dr. E. C. Sweetzer, Philadelphia; vice-president, Joseph Smith; secretary, Joseph K. Mason, Philadelphia; trustee for one year, C. W. Gabell, Philadelphia; three years, Hon. C. S. Russell, Towanda; John C. Dassalet, Philadelphia, and W. H. Linden; committee on fellowship, Dr. E. C. Sweetzer, Philadelphia; William H. Hart, jr., M. J. Long, Rev. James D. Tillinghast, Towanda; Rev. O. R. Beardsley; delegates to the general convention, Messrs. Wyeth, John C. Dessalet, Philadelphia; Dr. A. G. Rogers, Reading; Rev. J. H. Ballou and W. H. H. Gore, Athens; occasional sermon, Dr. Joseph K. Mason, Philadelphia. The above were unanimously elected.

E. M. Tiffany was elected to fill the vacancy on the official board caused by the resignation of Dr. Sweetzer. Individual pledges amounting to $223 were raised for state missions.

At the afternoon session Dr. Rogers, of Reading, gave an interesting talk on Sunday school work. Mrs. S. C. Benjamin, of Scranton, gave a report of the work being done in the Electric City. Dr. Bisbee, of Boston, editor of the Universalist Leader, also spoke. The general convention will be held in Boston in October.

In the evening Rev. O. R. Beardsley gave an address. Dr. Rogers, of Reading, followed. Rev. — C. Sweetzer, of Philadelphia, spoke on missionary work. The convention adjourned to meet in Linesville in 1900.

GRAMMAR A EXAMINATIONS.

Held at the High School Yesterday Afternoon.

Superintendent Howell and the principals and teachers of the Grammar A schools conducted the annual examinations of the Grammar A pupils from the various schools at the High school yesterday afternoon.

The examinations were in arithmetic, geography and spelling, and were as follows:

The spelling test was on the following words:

Gorgeous, laudanum, alienate, recipe, divisible, analysis, courageous, veranda, mattress, welfare, pheasant, hyphen, isthmus, champagne, judgment, toothache, malaria, corruptible, indictment, Milwaukee, counterpane, surgeon, February, Wednesday.

Additional examinations will be held this afternoon in geography and grammar in the same departments.

MUNYON'S GUARANTEE.

Strong Assertions as to Just What the Remedies Will Do.

Munyon guarantees that his Rheumatism Cure will cure nearly all cases of rheumatism in a few hours; that his Dyspepsia Cure will cure indigestion and all stomach troubles; that his Kidney Cure will cure 90 per cent. of all cases of kidney trouble; that his Catarrh Cure will cure catarrh no matter how long standing; that his Headache Cure will cure any kind of headache in a few minutes; that his Cold Cure will quickly break up any form of cold and so on through the entire list of remedies. At all druggists, 25 cents a vial.

If you need medical advice write Prof. Munyon, 1505 Arch st., Phila. It is absolutely free.

Easy to Take
Easy to Operate
Because purely vegetable—yet thorough, prompt, healthful, satisfactory—
Hood's Pills

E. Robinson's Sons
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Manufacturers of
OLD STOCK
PILSNER
435 to 455 N. Ninth St., Scranton, Pa
Telephone Call, 2333.

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

TO TENDER-SKINNED MEN
Shave with CUTICURA SHAVING SOAP, and before cleansing the face rub on a bit of CUTICURA Ointment, the great skin cure. Wash off with CUTICURA TOILET SOAP and HOT WATER. This simple, inexpensive treatment will make shaving a pleasure and comfort to those with tender, inflamed, easily irritated skin.
Sold throughout the world. POTTER D. AND C. CORP., Sole Props., Boston. "All About the Skin," free.

"TAKE TIME BY THE FORELOCK."
BABY CARRIAGES AND GO-CARTS

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—at
Thos. Kelly's Stores, 131 and 133 Franklin Avenue

The Boy
Fed on good bread will develop brain and muscle. He will amount to something when he grows up.
"Snow White"
Flour makes the kind of bread that a growing boy ought to have. It makes light, wholesome, nutritious bread. The kind of bread that boys LIKE.
All grocers sell "Snow White."
"We only wholesale it."
THE WESTON MILL CO.
Scranton,
Carbondale, Olyphant.

Connolly and Wallace
SCRANTON'S SHOPPING CENTER.

Pretty Cottons Hold Court

Beautiful Piques at Less Than Half Price

Fill much of the White Goods department this week. Plenty of room for you—their friends.

Everybody remembers their scarcity last year—those buying to sell find them too plenty now.

And Piques are as dearly loved as ever. But there are always stock-straightenings going on, and one of the principal Pique makers has handed us a few thousand yards to be sold **at half price and less.**

At 12½c a Yard
Striped and Polka Dot Printed Piques, in various colors and strictly new designs, the regular 25c quality.

At 18c a Yard
Whytlaw's celebrated Scotch Piques in beautiful plaids and stripes, woven colors, not printed, and positively washable; the regular 50c quality. Choose at 18c yard.

At 25c a Yard
Piques, white, with silk stripes or plaids of beautiful color woven in. These regularly 50c.

At 50c a Yard
Silk Plaid Piques of the highest grade and finest quality; white grounds with pink, blue, violet and green plaids; also combinations of the same colorings. Regularly 85 cents.

CONNOLLY & WALLACE, 127 and 129 WASHINGTON AVENUE

MOUNT PLEASANT COAL
At Retail.
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 806; telephone No. 1762, or at the mine, telephone No. 272, will be promptly attended to. Dealers supplied at the mine.
MOUNT PLEASANT COAL CO

A Chair Bargain..
Hand Polished, Mahogany Finish
Rocker
Richly carved with dainty spindle back and arms, value $4.00. Special price,
$2.95. $2.95. $2.95
See Our Line of
BRASS AND METALLIC BEDS
Bought before the recent advance. Prices to surprise you.
WILLIAMS & M'ANULTY

MYER ✱ DAVIDOW,
307 LACKAWANNA AVENUE.

Another Day of Great Shoe Bargains Here.

In this great sale of Summer Footwear everything Is priced at a figure that will make the quickest selling ever known in the city.

Look at the Low Prices:

Men's fine Vici Kid Shoes, in Russet and Black, made by the Commonwealth Shoe Co., of Boston, to sell at $3.00. Our special price only $1.98.

All sizes lace and congress Men's fine Calf Shoes, in Russet and Black, all styles of toes, hand sewed, worth from $2.50 to $3.00, at $1.69 and $1.98.

Men's fine Russia Calf and Patent Leather hand sewed, made by Hataway, Sole and Harrington, of Boston, Mass., to sell at $4.00. Our special price only $3.00. B, C, D and E widths.

Men's $1.50 Tan Shoes only 98c.

Men's Tan Shoes, all sizes, at 69c.

Men's heavy working shoes at 98c.

Ladies' Shoes and Oxfords

Ladies' fine French Kid Shoes, L. C. heel, worth $4.00, at $2.98.

Ladies' Fine Patent Leather shoes, made by Gray Bros., worth $4.00, at $2.98.

The above are only a few of the many bargains. We invite you to call and examine our goods before buying elsewhere and you will surely save money by it. Remember, we are headquarters for popular-price shoes and the cheapest shoe store. Extra Help to Wait on You.

Ladies' fine French Kid Turn Shoes, made by Gray Bros. and John Kelly, worth $4.00, at $2.98. A, B, C, D and E widths, button and lace.

Ladies' fine Dongola button and lace shoes worth $2.00 and $3.00, at $1.49, $1.69 and $1.98.

Ladies' fine Tan Shoes, cloth tops, worth $3.00, at $1.98.

Ladies' Russet shoes worth from $2.00 to $2.50, at 98c., $1.29 and $1.49. All sizes and all styles.

48 pair Ladies' Russet shoes at 69c.

Ladies' fine Kid Oxfords, all styles and Southern Ties, made to sell at $2.50 and $3.00, at $1.48, $1.69 and $1.98.

200 pair Ladies' Fine Oxfords in Tan and Black at 49c. and 98c.

Misses' Shoes at 49c. and 98c.

Little gents' shoes, Tan and Black, at 59c.

Children's shoes at 25c., 49c., 75c. and $1.00.

Men's and Boys' Rubber Sole Slippers at 29c.

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The Cheapest and Busiest Shoe Store,
307 Lackawanna Ave. Branch Store: 14 S. Main St., Pittston.

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The essential qualities are efficiency, ease of running, durability. These are found in the highest degree in the
Columbia Bevel Gear Chainless.
The running gear practically takes care of itself. Weather and road conditions do not affect its absolute uniformity of action. **Columbia and Hartford Chain Wheels** show the greatest advance in chain wheel construction. **Prices $25 to $75.**

Complete line of Pierce and Stormer Bicycles at popular prices.

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

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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.
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