

Special Inducements On all our Pianos and Organs— LUDWIG, BRIGGS, VOSE And Others.

Perry Brothers 203 Wyoming Ave. SCRANTON AMATEUR PHOTOGRAPHY KEMP'S, Wyoming Avenue HUNTINGTON'S BAKERY GHEAM, ICES AND FROZEN FRUITS

C. S. SNYDER, The Only Dentist In the City Who is a Graduate in Medicine.

DR. H. B. WARE, SPECIALIST. Eye, Ear, Nose and Throat

CITY NOTES FOR A DECISION—Australian Paddy Gorman and Jimmy Judge will fight 20 rounds for a decision in Muscle hall, Sept. 25.

FUNERAL TODAY—The funeral of the late James E. Francis will take place at 3:30 o'clock this afternoon from the family residence, 1200 Money avenue.

A SPECIAL CONVOCATION—Scott Doherty, grand chancellor of the Knights of Pythias, will hold a special convocation of the Grand lodge at Castle hall of Reside lodge at North Scranton, Tuesday night, Sept. 19.

OPEN AIR CONCERT—There was a parade of the Crystal Horse company, headed by the Lawrence band, through the principal streets of the central city yesterday.

PAY DAYS—The Delaware, Lackawanna and Western company paid on the southern division of the road, and at the Cayuga and Bribbin mines yesterday.

WAY IT OCCURRED—A letter received from E. B. Horne yesterday explains how his name was mixed up with that of the man who committed suicide in a Philadelphia hotel Saturday night.

FOR THE PHILIPPINES—The following men enlisted by Lieutenant Thomas Murphy for the Philippine army: John James Carbetti, Clarence Rozelle, John McHale, John Dunaway, Allison Thornton, Thomas Casey, Joseph Newman, John Pyche, of Company C, Thirtieth regiment; Elmer Shannon, of Company A, Thirtieth; Amzi Miller and Thomas Shooner.

SIGNED BY THE MAYOR—The following resolutions were yesterday returned to City Clerk Laywell by the mayor's signature: Fixing a nominal valuation of \$200 a year for ten years on the Klotz silk mill; directing that bonuses be placed on the Matton street bridge; authorizing the city clerk to publish the petition for paving Centello court, between Vine and Olive streets; providing for the erection of a fire hydrant at the corner of Whosey avenue and Linden street; awarding to the Barber Asphalt company the contract for paving Clay avenue, between Pine and Myrtle streets; exempting the taxco of Thomas Ruddy, of the Seventh ward and David Y. Jones, of the Fifteenth ward.

ALLIANCE CONVENTION. Names of Those Who Participated in Exercises Yesterday. The Christian Alliance convention, which began Sunday morning, was largely attended at all the sessions during the day. A. D. Jackson, of New York, gave a helpful Bible study on "Waiting on God," at 9:30 a. m. Rev. E. P. Whiteside, of Pittsburgh, preached at 10:30. Rev. and Mrs. F. H. Smit, who have recently returned from Palestine, spoke in the afternoon of their visit to that land and the mission stations of the alliance, of which Mr. Smit is home superintendent. At night addresses were given by a former priest and also Mr. Whiteside. Yesterday the following took part: At 8:30 a. m., R. F. Armstrong, of Pittston, gave a Bible reading upon "Prayer, the Command to Pray, Its Purpose and Conditions." Mrs. Anna Medley, of Boston, followed with an address upon "The Will of God," and Rev. F. H. Smit spoke upon "Humility," from Philippians, second chapter. At 2 p. m. A. D. Jackson led a spirited testimony meeting, after which addresses were given by Superintendent E. D. Whiteside upon "The Man of Prayer," and Mr. Smit upon "The Unity of the Body, or Church of Christ." Mr. and Mrs. Smit sang "Yielded to God." The New York quartette arrived in the afternoon and sang one of their stirring songs. They will sing at all the sessions and will also speak during the convention. They are among the prominent alliance workers of New York state. Rev. Howard Smith, from the Soudan, Africa, is expected today, and tomorrow Miss Louise Shepard will arrive. The sessions are held from 9 to 12, Bible study and addresses, 3 to 4:30, addresses also at 7:30 p. m. The visiting friends will speak and sing. The public is cordially invited to all the services. The tent and tabernacle are located on Jefferson avenue, near Delaware street.

NEW CASUALTY COMPANY. Organized to Carry on the Business Heretofore Done by the American Mutual Indemnity Co. The Pennsylvania Casualty company, with a capital of \$100,000 and a surplus of \$50,000, was organized yesterday at a meeting held at the office of W. W. Watson, Traders' National Bank building. The stockholders of the company, composed of gentlemen prominent in financial and business circles in Scranton, Philadelphia, Mauch Chunk and elsewhere, elected the following board of directors: Thomas R. Brooks, coal operator, Scranton; William Connell, coal operator and president of Third National bank, Scranton; A. C. Fuller, treasurer, Scranton; J. R. Galt, president, Scranton; J. E. Galt, vice-president, Scranton; J. W. Klinger, secretary, Scranton; J. H. Klinger, general superintendent, Scranton; J. W. Klinger, general superintendent, Scranton; J. W. Klinger, general superintendent, Scranton; J. W. Klinger, general superintendent, Scranton.

CONVENTION OF BAPTISTS. Sunday Schools, Abington Association and B. Y. P. U. Will Meet. The annual convention of the Sabbath schools connected with the Abington association will be held at the Providence Wesleyan Baptist church, North Scranton, commencing this morning at 10 o'clock. Short addresses will be made and officers elected. Rev. R. M. Roderick, Ph.D., will read a paper on "The Teacher and His Message." In the afternoon, Mrs. L. M. Gates, of this city, will read a paper on "Missions in the Sunday Schools," and Rev. J. R. Ellis and Miss S. C. Krigbaum will also speak. Rev. James Hughes will speak in the evening. Tomorrow and Thursday, the ninety-second anniversary of the Abington Baptist association will be observed in the same church. Sessions will be held morning and afternoon, and tomorrow evening the annual rally of the Baptist Young People's union will be held. For information call on any ticket agent of the Lackawanna road, or address F. J. Moore, general agent Nickel Plate Road, 251 Main street, Buffalo, N. Y.

STEAM HEATING AND PLUMBING. P. F. & M. T. Howley, 231 Wyoming ave.

SMOKE THE POPULAR PUNCH CIGAR, 10c.

REEDY RE-ASSERTS HIS FORMER CLAIMS. AVERS CITY SOLICITOR'S OPINION DOES NOT HOLD GOOD. At the Request of the Finance Committee of the School Board, He Submits an Opinion on the Matter of the City Controller's Claim for Compensation from the School District, in Which the Opinion of City Solicitor Vosburg is Dealt With. Friday night last the finance committee of the board of control held a meeting to consider the Controller's claim for compensation as it appeared under the new light shed upon it by City Solicitor Vosburg's opinion. Attorney D. J. Reedy, the school board's solicitor, was at the meeting by invitation and pointed out to the committee his opinion, which was not good law. The committee requested Mr. Reedy to put his objections in writing, that they might be presented in ready form to the board. Mr. Reedy complied in the following communication.

MR. REEDY'S OPINION. September 7, 1899. Board of Control, City of Scranton School District. Gentlemen: Again replying to the communication of the city controller, addressed to my office, asking for an alternative view of the law, and in which an opinion from the city solicitor sustaining his position is enclosed, I would say: The only act of Assembly, the constitutionality of which has never been passed upon by an appellate court in this state, which imposes upon the city controller the duties in connection with the school district, is the act of May 30, 1879, P. L. 254, which provides: "He shall have supervision and control of the fiscal concerns of all departments, bureaus and offices of the school district." "He shall have supervision and control of the fiscal concerns of all departments, bureaus and offices of the school district." "He shall have supervision and control of the fiscal concerns of all departments, bureaus and offices of the school district."

ORDINANCE NOT A LAW. The act in case cited it was held that an ordinance was not a "law" as contemplated by the constitution. It is the effect of the decision of the act of 1874 provided it should not be increased or diminished by ordinance, which shall not be increased or diminished during his term of office. "No alteration of authorities is necessary to make the foregoing clear. In the very reading it is emphatic that the city controller's salary shall not be increased or diminished from that fixed by ordinance. The case of Baldwin vs. Philadelphia, cited by the solicitor, as stated in my former opinion, is not applicable. It concerns the city treasurer's salary, and under Article III, section 5, of the constitution, which is as follows: "No law shall extend the term of any public office, or increase of emoluments after his election or appointment."

NO AUTHORITY FOR IT. A careful examination of the statutes and authorities of Pennsylvania fails to reveal any express or implied authority for the payment of money from the school treasury to the city controller. The school district is a corporation created by the act of 1854 which shows that it is to receive salary only from the city which alone passes ordinances. To make this inference stronger we need only read the act of 1888 which shows that in the minds of the legislature it was considered that the city controller was not entitled to compensation from the school district and that Act it was sought to do so. Salary is defined "The periodical compensation to men in official and some other situations." 21 Am. and Eng. Ency. of Law, 412. Com vs. Butler, 50 Pa. St. 522. An additional allowance to the controller, from the school district, to be given in his employment in my judgment be an increase of his compensation as fixed by the ordinance of the city councils which allows him the sum of \$5,000 for salary, clerk, and incidentals.

Just a Cough. This is its story: At first, a slight cough. At last, a hemorrhage. At first, easy to cure. At last, extremely difficult.

Ayer's Cherry Pectoral. It is no doubt about the cure now. For over half a century Ayer's Cherry Pectoral has been curing coughs and preventing consumption. Two sizes: \$1.00; 50c. Keep one of Dr. Ayer's Cherry Pectoral in every household. Write the Doctor.

supreme court, in which the validity of the present school board of this city is attacked. In an opinion by Judge McPherson of the supreme court, handed down, it was held, that the chartering of a school board by the city controller was unnecessary as the 25th section of the act of 1874 is unconstitutional for the reason that no reference is made to school districts in the title of the act. If the act falls then the city controller is not bound to supervise the district, countersign warrants, etc., of the school district, but until such time as the supreme court renders such a decision the city controller to perform such services and without any compensation from the school district. Respectedly yours, David J. Reedy, solicitor.

SCUTT HAS DISAPPEARED. But His Horses and Wagon Have Been Found. Saturday afternoon two horses were found tied to trees in a strip of woodland about half a mile from the main road that runs through Austin Heights. A short distance away was a farm wagon with a bushel of potatoes and a few heads of cabbage in it. There was no trace of the driver. The horses and wagon are now in John Surbur's barn at Babylon and an effort is being made to locate the owner. He is supposed to be William Scutt, who resides between Falls and Hansons street. He was seen driving the team toward Austin Heights Friday afternoon, but nothing has been seen or heard of him since.

THAT NAY AUG LOOP. Hearing Before Judge F. W. Gunster in the Injunction Proceedings. The Witnesses Sworn. Before Judge F. W. Gunster, in court room No. 2, yesterday, there was a hearing in the injunction case of the Seymour Electric Light Company against the City of Scranton and Mayor James C. Mather, with reference to the Nay Aug park loop. The company was represented by Major Everett Warren and the city by City Solicitor A. A. Vosburg. D. D. Reed, civil engineer for the Scranton Railway company, was the first witness called. His testimony was mainly with reference to the amount of cutting the company was required to do on Mulberry street and Arthur avenue before these streets were laid in such shape that a track could be laid. C. C. Mattes, who has charge of the land of the Lackawanna Iron and Coal company, testified that he drew up the agreement with the trolley company giving it permission to lay a track on Mulberry street and Arthur avenue in consideration of certain grading the trolley company agreed to do. This agreement was dated Aug. 18, 1892. City Engineer Phillips testified that he gave the lines to the company according to which the tracks were laid. Frank Shillman, jr., manager of the street car company, was also put on the stand. He described the present route to Nay Aug park which, he says, gives them practically a double track. On the work of grading and construction his company has expended between \$6,000 and \$7,000. The plaintiff rested with Mr. Shillman's testimony, reserving the right to call ex-mayor and Mulberry street marked on it. The deed of Nay Aug park was also offered in evidence. It mentions Arthur avenue as one of the boundaries. Assessment maps of the city were also introduced in evidence. The boundaries of the park which has Arthur avenue and Mulberry street are marked upon them. All of this evidence was for the purpose of showing that there had been recognition by the city for years that these were public streets.

Returns of Constables. Yesterday was the quarterly return day of the constables of the county and the returns were somewhat more numerous than usual. They were as follows: Scranton, Second Ward, Bernard Davis, constable—Charles Connell, keeping tipping house. Scranton, Eleventh ward, Joseph F. Woelker, constable—William Shick, tipping house. Scranton, Twentieth ward, Joseph Moore, constable—A. L. Danley, Thomas Gallagher, Anthony Washner, Ernest George, keeping tipping houses. Dunmore, Third ward—Philip Hoffman, constable—P. A. Bender, keeping tipping house. Returns made at request of Burgess Van Poyck: Dickson City, First ward, Richard Barron, constable—William Thoman, keeping tipping house. Carbondale, Second ward, E. J. Neary, constable—Thomas Casey, keeping tipping house. Archbald, Third ward, William Doughter, constable—Patrick Cororan, Richard Keough, and P. M. Gaughan, keeping tipping house. Old Forge, Fred Addison, constable—Daniel Mitchell, Mrs. Mary Youngsoda, Mrs. Stephen Duffala, keeping tipping house. Constable Peter Gerrity, of this city, reported that George Street, in the Third ward, has been so neglected that it is now almost impassable.

The Langstaff Contest. In the Langstaff election contest the following witnesses were examined yesterday: Fourth ward, Second district—Henry W. Ferber. Fourth ward, Fourth district—Samuel Jones, George Coombs, Charles Coombs, T. C. Davis, J. J. Hopkins, W. H. Reese, David Stanford, Reese R. James, Thomas Van Poyck, Charles Hatford, Frank Gleason, Charles Carson, E. Jencks, Andrew Johnson, Anthony Sharkey, Joseph French, George F. Thomas, Robert Armstrong, L. L. Jones, Frank Francis, William E. Reese, Eva Hagao, Thomas Stone, Lewis Arps. Eleventh ward, First district—Charles J. Mirtz. Thirteenth ward, Third district—N. C. Benson, Edward Brandt, John J. Heller, T. C. Stackhouse, John Walker, C. T. Bellamy, T. K. Benson, Thomas Walsh, F. M. Sloat. South Abington—J. D. Aylesworth, H. G. Smith. Benton township—N. S. Davis, Waverly—Andrew Terwilliger. Dalton—Louis McLoskey. Ramsdell—J. D. Hopkins. Newton—C. J. Thomas.

Injunction Against Mullen. Hon. John R. Parr yesterday obtained an injunction to restrain Thomas Mullen from excavating and laying the foundation for a building on land on the east side of North Main avenue, of which Mr. Parr claims to be the owner. An injunction was granted and is made returnable Saturday. Mr. Parr is represented by Attorneys H. M. Hannah and T. P. Duffy.

Yesterday's Marriage Licenses. Thomas McCusker ..... Dunmore. Katie B. Purcell ..... Dunmore. Michael Gallagher ..... Old Forge. Agnes Eagon ..... Taylor. Frank Wheeler ..... Spring Brook. Bertha Simpson ..... Hazard Home. Jacob J. Hemmer ..... Scranton. Emily Gaughan ..... Scranton.

BORN. LYNETT—In Scranton, Sunday, Sept. 10, 1899, to Mr. and Mrs. Edward J. Lynett, a son.

DIED. ASSIION—In Scranton, Sept. 9, 1899, at the residence of J. C. Zurliff, 641 Clay avenue, Charlotte Assiion, aged 78 years. Funeral Tuesday, Sept. 12. Services in the Presbyterian church, 11 o'clock. Interment in Pittston avenue cemetery.

FIRST DAY OF FALL TERM OF COURT. GRAND JURY MET AND CONSTITABLES MADE RETURNS.

They Reported a Greater Number of Violations of the Law Than is Their Wont—Grand Jury Has an Abundance of Work on Hand—An Old Law Invoked to Checkmate the Borough Council of Winton—Witnesses Examined in Election Contest—Marriage Licenses. Court resumed sittings yesterday morning after the long summer vacation and from now until the first of next July it will swing along almost without interruption. Contrary to expectations, no opinions were handed down yesterday. After the motions were disposed of the grand jurors were called and sworn and H. C. Du Bois, of this city, appointed foreman. Judge H. M. Edwards delivered an exhaustive charge, going over in detail the duties and obligations of a grand juror. It is expected that upwards of 1,000 cases will come before the jury during the week. A number of important ones were called up yesterday. Several cases against Daniel O'Leary, the burglar who entered more than a score of houses on Hill and in Green Ridge, were considered and the libel cases of Colonel E. H. Riche against Richard Little and Michael O'Toole, of the Scrantonians, were also heard.

An Old Law Invoked. For the first time in this county the court was asked yesterday to quash an indictment under the provisions of the borough act of 1851. The attention of the court was called to the law by Attorney C. P. O'Malley, who represents Thomas Mack of Winton, a stockholder of the Seymour Electric Light Company. The company in question was organized some months ago and soon after its incorporation was granted a franchise by the borough council of Winton permitting it to install a plant and erect its wires along various streets of the borough. It also appears that at some time later the council passed another ordinance authorizing the proper officials to enter into a contract with the Seymour company to light the streets of the borough for a term of five years. Recently other ordinances were passed by the borough council revoking the franchise and contract. This act is held by the Seymour company to be illegal and yesterday the court was asked to quash the last or revoking ordinance under the provisions of what is known as the old borough act of 1851, which provides that an appeal can be taken by any person aggrieved by the passage of an ordinance by a borough council, said appeal to be taken when the first grand jury meets after the passage of the ordinance. Judge Edwards ordered the papers filed and the case will come up later for consideration by the court.

Returns of Constables. Yesterday was the quarterly return day of the constables of the county and the returns were somewhat more numerous than usual. They were as follows: Scranton, Second Ward, Bernard Davis, constable—Charles Connell, keeping tipping house. Scranton, Eleventh ward, Joseph F. Woelker, constable—William Shick, tipping house. Scranton, Twentieth ward, Joseph Moore, constable—A. L. Danley, Thomas Gallagher, Anthony Washner, Ernest George, keeping tipping houses. Dunmore, Third ward—Philip Hoffman, constable—P. A. Bender, keeping tipping house. Returns made at request of Burgess Van Poyck: Dickson City, First ward, Richard Barron, constable—William Thoman, keeping tipping house. Carbondale, Second ward, E. J. Neary, constable—Thomas Casey, keeping tipping house. Archbald, Third ward, William Doughter, constable—Patrick Cororan, Richard Keough, and P. M. Gaughan, keeping tipping house. Old Forge, Fred Addison, constable—Daniel Mitchell, Mrs. Mary Youngsoda, Mrs. Stephen Duffala, keeping tipping house. Constable Peter Gerrity, of this city, reported that George Street, in the Third ward, has been so neglected that it is now almost impassable.

The Langstaff Contest. In the Langstaff election contest the following witnesses were examined yesterday: Fourth ward, Second district—Henry W. Ferber. Fourth ward, Fourth district—Samuel Jones, George Coombs, Charles Coombs, T. C. Davis, J. J. Hopkins, W. H. Reese, David Stanford, Reese R. James, Thomas Van Poyck, Charles Hatford, Frank Gleason, Charles Carson, E. Jencks, Andrew Johnson, Anthony Sharkey, Joseph French, George F. Thomas, Robert Armstrong, L. L. Jones, Frank Francis, William E. Reese, Eva Hagao, Thomas Stone, Lewis Arps. Eleventh ward, First district—Charles J. Mirtz. Thirteenth ward, Third district—N. C. Benson, Edward Brandt, John J. Heller, T. C. Stackhouse, John Walker, C. T. Bellamy, T. K. Benson, Thomas Walsh, F. M. Sloat. South Abington—J. D. Aylesworth, H. G. Smith. Benton township—N. S. Davis, Waverly—Andrew Terwilliger. Dalton—Louis McLoskey. Ramsdell—J. D. Hopkins. Newton—C. J. Thomas.

Injunction Against Mullen. Hon. John R. Parr yesterday obtained an injunction to restrain Thomas Mullen from excavating and laying the foundation for a building on land on the east side of North Main avenue, of which Mr. Parr claims to be the owner. An injunction was granted and is made returnable Saturday. Mr. Parr is represented by Attorneys H. M. Hannah and T. P. Duffy.

Yesterday's Marriage Licenses. Thomas McCusker ..... Dunmore. Katie B. Purcell ..... Dunmore. Michael Gallagher ..... Old Forge. Agnes Eagon ..... Taylor. Frank Wheeler ..... Spring Brook. Bertha Simpson ..... Hazard Home. Jacob J. Hemmer ..... Scranton. Emily Gaughan ..... Scranton.

BORN. LYNETT—In Scranton, Sunday, Sept. 10, 1899, to Mr. and Mrs. Edward J. Lynett, a son.

DIED. ASSIION—In Scranton, Sept. 9, 1899, at the residence of J. C. Zurliff, 641 Clay avenue, Charlotte Assiion, aged 78 years. Funeral Tuesday, Sept. 12. Services in the Presbyterian church, 11 o'clock. Interment in Pittston avenue cemetery.

FRUIT JARS GILCHRIST Will admit the hand to arrange fruit or clean jar. The largest fruit can be canned whole in this jar. China Hall. Millar & Peck, 134 Wyoming Ave.

THE POPULAR HOUSE-FURNISHING STORE. Dockash Stoves and Ranges Don't put off buying the heating stove you need for this winter till snow flies. FOOTE & FULLER CO., 7 Years Building, 140-142 Washington Ave.

SUMMER IN COLORADO. The Colorado Special Only One Night to Denver. CONRAD A Great Blow! Expect the other kind about Aug. 26 when the Hawes and Miller Hats will be on sale.

Steam and Hot Water Heating. Estimates cheerfully furnished on Electrical and Heating Work. Chas. B. Scott, 119 Franklin Avenue.

SUMMER RESORTS. PENNSYLVANIA. Elmwood Hall Elmhurst, Pa. Open All the Year. DR. W. H. H. BULL, ELMHURST, PA.

THE WINOLA, An Ideal Health Resort, Beautifully Situated with Full Lake View. G. E. FREAR, LAKE WINOLA, PA.

CASTORIA For Infants and Children. The Kind You Have Always Bought. TRIBUNE WANT ADS. BRING QUICK RETURNS.