#### LIVE NEWS OF THE INDUSTRIAL WORLD

PROMISE OF ANOTHER INDUS-TRY FOR SCRANTON.

Company Is Being Formed to Manufacture Overalls, Pants and Shirts On an Extensive Scale-There Is a Big Demand for Such Goods Through This Region-New Division Freight Agent for the D., L. & W. Company Has Taken Charge. Fred Warner Promoted.

A movement is on foot to form a company to take charge of the overalls, working pants and shirt factory in the Gould building on Linden street and manufacture these goods on an

extensive scale. Very few people, even business men. are aware of the quantity of this class of goods consumed in the anthracite coal region. It is estimated that the company supply stores, department stores and general stores use over 250,-000 dozen annually and not 5 per cent. are now being produced in this territory. This manufacturing business of over one million dollars annually is going to other localities, which means just so much loss to Scranton. The success of this class of industries in Newburg, Poughkeepsie, Binghamton and other towns not so favorably located is well known and needs no comment. If the stock is subscribed and if the industry receives the support of our business people it can be made a success in Scranton, for it is in the coal regions, where the largest percentage of these goods are sold, as the miners, railroad men and machanics are the largest consumers.

It is estimated that an annual business of \$150,000 can be done here on a capital stock of \$50,000 and it ought not to be difficult to raise this amount this hustling city. The factory will employ over 200 hands, with an annual pay roll of over \$30,000.

It is proposed to hold an organization meeting in the office at the factory, Friday, Oct. 6. Theodore A White, of Dunmore, has been secured us local manager and the success of this gentleman as a maker and salesman of overalls and shirts in this territory is well and favorably known.

D. E. Taylor, George B. Jermyn, P. B. Finley, F. S. Godfrey, L. S. Tv F. Ketchum, J. A. Stuats, Q. B. Partridge and others are the subscribers and are promoting this enterprise. Scranton's success as a manufacturing center depends on the diversity of its industries and this is one which should be supported here, where the goods

#### Company Is Forging Ahead.

"Talk about railroading," said a Arrand D., L. & W. railroader, who seldem talks shop to those who enjoy his acquaintance, "let me call your attention to a feature of the present sitnation on this road under its present managers. You recall the recent adjustment between the management and their train hands, whereby the men received a tremendous advance in their pay? Well, almost everybody orders ahead for a year for automobile condered how the company could af- axles. tord to increase expenses by ever a partial trial LIST FOR the running of trains, and to tell you the truth, I wondered myself until I tot making comparisons. For instance, Valstead, or Great Bend, was formerly headquarters, and a large round house and shops ware located there, as were the homes of many rallcoaders. But it is a division headto long r and the rou d house and shops are empty and will 154. soon be removed altogether. Why? Well, because trainmen must run away | 355. beyond that point new and cover more miles than they did before: the engineer gets more for his time than he 357. did before, but he more than earns the increase he receives, so you see there 258, is a gain there instead of a loss to the company.

Then there were special rates to 360. favored companies around Scranton. There were ice companies, milk shippleg companies and others, all doing splendid business, but not paying the some rates that similar commanies said on other roads. There is an end of that, and now everybody pays the same rate for freight carrying.

"There were no Sunday trains formerly, because Sam Slean did that like o disturb the peaceful Sciebath; the present management believes that the S booth was made for man, if they beleve anything, and certain it is that they believe that it was made for the D. I. & W. callway, for they are runrung Sunday trains for excursions intthe cities, fr in the towns and from the cities into any old place that anybody is pleased to think they should like to There is big meacy in thatmore than in the regular passenger traffic. There is now a Sunday paper train that earns the biggest kind of the deal, and the Herald, World and Tribune came in on the pay. The old management did not think it would pay them, nor could they make the time, but Conductor Peter McCann took the train through humming within the limit for the new management, and the result of all this is that ther is over a million dollar increase in the business done so far this year. That simply goes to show that there is still room at the top, as the college men put it, and the top is a minhty limited space as I see it.'-Wilkes-Barre

#### Stone Cutters' Trouble.

James F. McHugh, national secretary and treasurer of the International Stone Cutters' association, was expected to address the local Stone Cutters' union in Cassesse's hall on Lackawanna avenue yesterday afternoon a 2 o'clock, but he did not arrive.

There is a factional fight among the workmen which requires settlement and the matter has been referred to Mr. McHugh for adjustment.

#### Division Freight Agent.

C. A. Ten Broeck, the newly appointed freight agent of the Delaware, Lackawanna and Western company, assumed charge of the office in this city yesterday. His territory includes the business between Binghamton and

Loss of Appetite. Horsford's Acid Phosphate Strengthens the stomech and creates a good appetite for feed.

ne bears name Horsford's on wrappe

WARNER'S SAFE CURE has blessed the world for twentyfive years.

It has saved thousands of lives and is to-day the only known specific for all diseases and weaknesses of the kidneys and liver.

Hoboken, including the Bloomsburg di-

Mr. Ten Broeck was formerly identified with the Wabash and Lackawanna Dispatch at New York, and succe ds C. A. Rapello, who is now assistant general freight agent, with headquarters at Hoboken.

Needn't Ring Up This Fare. Charles Dodwell, a conductor on the Central Railroad of New Jersey, who is well known to every commuter on the line between Dunellen, where he

lives, and Jersey City, is in good luck. A short time ago he received notification from an English law firm that by the death of an uncle in Fauland recently he would become a beneficiary in the estate left by the relative. The share in the preperty Conductor Dodwell's share will be sufficient to provide bire with an independent competence for the rest of his days.-New

#### Civil Engineer Promoted.

Fred Warner, who has been employed in the civil engineering department of the Delaware, Lackawanna and Western company for several years, has been promoted to be division engineer of all lines west of Washington, N. J. Mr. Warner is a young man and was losely identified with Chief Engineer Archbald and is well equipped by study and experience for his new position.

Patrick McManiman, of Luzerne street, has been engaged by the Delaware, Lackawanna and Western company to deliver coal from the Hyde Park, Continental, Hampton and Archbald mines.

A charter was issued by the state department yesterday to the Sharon of \$3,000,000. Senators William Flinn Christopher Magee, of Pittsburg, are

the directors of the company. A syndicate of Pittsburg capitalists, headed by A. Leopold Weil, are negotiating for the purchase of the Sheldon Axle works at Wilkes-Barre. The plant is the largest of Its kind in the country, having a capacity of 400,000 axles a year, and employs 1,000 men, It is working day and night and has

[Concluded from Page 3.]

352. John Caden, surety; Annie Caden, prox. Pesor Sokal, surety; Mrs. Jusil

Richard Price, surety: William Anthony Gillespie, Agnes Gillesde, surety; Emma Drien, prox.
B. Lesh, surety; E. F. Rosen-

Fox, surety; Louis Friedman, Sebastian Rozell, desertion: Thank-

ful Rozell, prox. Ann Gammons, surety; Mary A.

Casey, prox.
Nora Rolls, surety: Mary A. H. R. Hulbert, appeal from summary conviction; T. B. Jackson

summary conviction; Samuel M. Miller, pros. Margaret Henderson, appeal from summary conviction: Albert Hen-

#### NEW MILFORD.

Special to The Scranton Tribune

New Milford, Oct. 2 .- Colonel C. C. Pratt. J. C. McConnell, J. J. Hand and Charles Tucker went to New York last yeek to take in the Dewey reception pights

At 11.20 Wednesday, Sept. 27, L. Belle McCollum and Harry A. Lyons were united in marriage at the Episcopal church.

Mr. and Mrs. George Shay and son Carleton, of Peckville, visited relatives in town last week. Miss M. A. Dickerman entertained

her friend, Miss Mary Ward, of Glen Ridge, recently, Miss Alice Gardner, of Montrose, vis-

ted relatives in town last week. Miss Clara Inderlied is visiting in Walton, N. Y.

An entertainment was given at the pera house last Friday evening by Mr. and Mrs. Dixey for the benefit of the Columbia Hose company. During evening Mons. Dubec greatly the pleased the audience with the drama. Saved from the Flames," acted by his roupe of animal actors.

On Thursday, Oct. 5, at St. Mark's church will occur the marriage of Miss May Butterfield to Mr. Ernest Moss, of

Meriden, Conn. Miss Nettie Millard, of Heart lake, called on friends in town the first of the week

Rev. R. N. Ives, pastor of the Presbyterian church, is takin a two weeks' vacation Arthur Hawley, of New York, is vis-

itin his mother. Mr. and Mrs. David Shay, of Peckville, were guests of Mr. and Mrs. William Van Cott the past week.

#### He Hit It.

In the midst of a stormy discussion gentieman rose to settle the matter in dispute. Waving his hand majestically, he began: "Gentlemen, all I want is common

"Exactly," interrupted another; "that is precisely what you do want."-Illus-trated London News.

his fathers?

Hardly Gathered. "And so the old man was gathered to

"Well, you could hardly call it gathered dynamite explosion, you know."-Odds

#### STREETS LAID OUT. Soon after August, 1883, and as early as Soon after August, 1885, and as early as 1894, the Iron company had laid out the whole tract between Prescott avenue and the Roaring brook into building lots. Ar-thur avenue and the extension of Mul-berry street are laid out as streets on the

thur avenue.

ine of lands of the Lackawanna Iron

INJUNCTION IS

plot of these lots. Many of these lots have since been sold. By deed dated July 26, 1894, the Lackawanna Iron and Coal company conveyed to the city a part of this tract for public park purposes, a part of what is well known as Nay Aug park, and the conveyance for this part calls for Arthur avenue as one of the

boundaries, and the map attached to the deed shows not only Arthur avenue but also Mulberry street plotted thereon. Mulberry street has been graded and used by the public for a number of years. It is the chief avenue of approach to Nay Aug park as well as the chief exit from the city to the Elmhurst boulevard, and Arthur avenue is one of the boundaries of Nay Aug park. There can be no question but that both streets were dedicated public use by the Lackawanna fron d Coal company,

and Coal company,
But what appears to be conclusive on
the question of whether these streets be
public streets in addition to the evidence
of dedication by the Iron company, is the
fact that by the ordinance of January 16,
1995, the authorities of the city assumed
numbered control over those streets and estate is valued at about \$20,000, and municipal control over these streets, and as there is only one other relative to the Valley Passenger Railway company, share in the property Conductor Dodhat authority by accepting the provis-ons of that ordinance in express terms, am of opinion that the streets in question are public streets and that before any passenger railway can legally be con-

structed thereon the consent of the city therety must be first obtained, if it has not already been obtained.

Article 17, section 9, of the constitution of 1874, provides that "Ne street passenger rallway shall be constructed within the limits of any city, borough or township without the ectsent of its local authorities," and the act of May 14, 1889, section 15, P. L. 217, under which the plaintiffs are incorporated, repeats the language of the constitution.

While I do not doubt at all the right of the Lackawanna from and Coal company or of their grantees, the Scranton

pany or of their grantees, the Scranton Traction company and its successors, to erect such railways ar they see fit upon their own private property, provided they do not injure anyone else, I am clearly of the opinion that after private property has been dedicated to public use as a highway and has been recognized as such by the municipal authorities, that no one has the right to/construct a street passenger railway thereon without the con-sent of the municipal authorities. Alle-Steel company, Sharon, with a capital gleny vs. Millville Railway Co., 159 Pa

PLAINTIFFS' CONTENTION. But as already said the plaintiffs con-tend that they have obtained the consent of the city to the construction of their railway. The ordinance of January 16, 1895, undoubtedly gives the Valley Passerger Railway company permission to extend their tracks and to erect all necessary appliances to operate said extension with electricity as a motive power, to lay out the necessary passing branches my out the recessary passing branches over and along the toutes therein mentioned, expressly including Mulberry street from Prescott avenue to Arthur avenue, and Arthur avenue from Mulberry street to Gibson street. Counsel for the defendants, however, contend that the Street Railway company, not

that the Street Railway company, not having completed the construction of the lines mentioned on the portions of the streets now in question, the franchise granted on the portions of the streets where such tracks were not completed worth 35.69.

The COMING TERM that the Street Railway company, not having completed the construction of the lines mentioned on the portions of the franchise granted on the portions of the streets worth 35.69.

We also have about three hundred Ladies' Solid Silver Rings, worth 50c, and dies' Solid Silver Rings, worth 50c, and the ordinance, became ipso facto forfeit-ed to the city under the sixth section of follows: "Whenever said passenger railway company shall not have been com-pleted the construction of the lines mentioned above or of the lines mentioned in

he ordinance approved the 15th day of January, 1893, to which this is a supple ment, within two years from the approval of this ordinance, the franchise granted on the portions of any street where such tracks have not been completed, shall be forfeited to the city." I do not see my way clear to accepting the view taken or question by the counsel for the defendants.

In the case of borough of Archbald vs. the Carbondale Traction Co., 3 Lacks. Andrew Ponchision, appeal from Jurist. 297, a very similar question arose and it was held by the learned president judge of this court that in the absence of any action on the part of the borough the grant of the consent of the borough could not be considered as revoked. Forfeitures are not favored either in law or in equity, and among the least favored are those which are founded on mere de-

The charter of a corporation may be for charter of a corporation may be forfeited either for a not-user or a mis-user of its franchise, and in determining the question the same principles of forfeiture on fallure to perform the conditions which are applied to grants of individuals are to be applied to grants of corporate powers. 3 Wood's Rallway Law, page 711; People vs. Kingston & T. Co., 23 Wendall 193.

ABOUT FORFEITURE.

The early dectrine of a forfeiture being self-operating was very much re laxed in Galey vs. Kellerman, 123 Pa. 491, and subsequent cases. And following that case it has been held, as to a provision in an oil lease, that a failure by the lessee to fulfill any of its covenants shall work an absolute forfeiture, and the intended for the protection of the lesso he has the option either to declare the forfeiture or to affirm the continuance of the contract, and if he does not choose to avail himself of the forfeiture it cannot be set up by the lessee as a defense upon the action of the lease. Wills vs. Manuturers' Gas Co., 130 Pa. 222. That was a case wherein the grantee

or lessee sought to avail nimself of the forfeiture clause. In Westmoreland Gas Co. vs. DeWitt, 139 Pa. 235, the lessor sought to avail himself of the forfeiture clause, but it was held that the clause in the lease providing for a forfeiture thereof in the event of a default by the lessee in the performance of his covenant, is not self-operating so as to make the forfeiture talse place ipsa facto upon the occurrence of the default, but being for the benefit of the lessors it resis with him to enforce or waive it. It was contended in this case that the

default in payment ipso facto created a forfeiture, or in other words, that the forfeiture was absolute, and self-operating, without regard to the acts or wishes of the parties, but the court held that such a construction was utterly unten-able, and that it was contrary not only to the settled rules of law but to the nanifest intentions of the parties.

If the city had acted upon its undoubted right to forfeit the grant at the expira-tion of two years and before the plain-tiffs had constructed their railway, an entirely different question would be pre-

#### The Non-Irritating Cathartic

Easy to take, easy to operate-Hood's Pills

#### ented. But the city did nothing. On the MADE PERMANENT Hand years after the time had expired and without objection permitted the plaintiffs to continue expending their money in grading the streets, in laying their tracks, erecting their poles, string-[Concluded from Page 6.]

ing their wires, etc., until the railway was, as has already been said, within a few hours of completion. It cannot be of Mulberry street from the center of Harrison avenue, southeasterly to the center of a proposed street called Ar-thur avenue; thence northeast along cen-ter line of said avenue to the division contended for a moment that as between private parties such conduct would not be a waiver of the right to forfeiture.

and as has already been shown, the city stands on on higher ground than a pri-vate individual. and Coal company and the so-called Beckett estate. And in consideration thereof the Traction company agreed to grade the proposed portion of Mulberry street and the proposed portion of Ar-I am of opinion that the injunction should be made permanent. It is ordered that notice of the filing of this opinion be given by the prothonotary to the par-ties or their attorneys, and if no exceptions thereto are filed in the proper of fice within thirty days after the service of such notice final decree will be entered thereon. Counsel for the plaintiffs are requested to prepare and submit final decree for approval.

#### Mistaken Identity.

Attorney-You say you had called to see Miss Billings and was at the house

at the time the burgary was committed?
Witness-Yes, sir.
"Then how did it happen that when
the prisoner dashed into the room and
assaulted you, you leaved through the
window and went home, making no atempt to defend the lady or give the

"I thought it was her father.



Take Cuticura Resolvent Because it is so pure and wholesome that, mothers can give it freely to children of all ages. It cools and cleanses the blood, and is of the greatest value in speedily curing disfiguring, burning, scaly humors, rashes, and irritations, when taken in connection with hot baths of CUTICURA SOAP, and gentle anointings with CUTICURA, the great skin cure and purest of emollients.

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Fine Diamond Rings at \$5.00, worth Solid Gold Band Rings at \$1.25, worth \$3.50.

Solid Gold Band Rings at \$1.90, worth \$2.25.
Gold Filled Cuff Buttons, 50c., worth Cuff Buttons, previous prices \$1.00, now

Gent's Solld Silver Watch, Elgin movement, \$3.50. Ladles' Sterling Silver Watches, worth \$5.50, now \$3.75. Gent's Nickel Watches, S. W., price \$3.50, now \$1.75.

Rogers Bros'. Spoons, warranted, 50c. Rogers Bros', Butter Knives, Sugar Spoons, Pickle Forks, 37c., previous price

75c., will close them at 10c. each. Special sale now going on at Davidow Bros. Attend as we are offering goods at one-fourth their original value. Extra Heavy Solid Silver Thimbles at

#### Davidow Bros 227 Lackawanna Ava.

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Broadway and Eleventh St., New York, Opp. Grace Church.-European Plan. Rooms \$1.00 a Day and Upwards.

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SCRANTON'S SHOPPING CENTER.

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Much interest centers nowadays at our Dress Goods Department. Shelves and counters are crowded with new stuffs. Newcomers are daily arriving and they are all leaders of their class, just as this store is a leader in their showing.

So the visitors at the dress goods display increase daily and learn the latest decrees of fashion makers, and see the fabrics in patterns to be seen nowhere else in Scranton. Among the recent arrivals are some of the heavier fall stuffs.

Homespun Cheviots, Clay Diagonals, Camel's Hair Cheviots, Bourette Homespun Cheviots, Two-Toned Diagonal Cheviots, Camel's Hair Plaid Cheviots, Mohair Boucle Cheviots.

All in Various Qualities, at Prices from 75 Cents Yard Up to \$2,50

# Connolly & Wallace,

127 and 129 Washington Avenue.

### Tramps

Always appreciate good bread and butter about as much as anything you can give them. We would not encourage tramps for anything, but we sometimes think if they could be fed for awhite on some of mother's

good bread made of "Snow

White" men and better citizens. Good bread is a great civilizer, and those nations are the most progressive where they have the

Snow White is sold by all grocers. "We only wholesatelt."

THE WESTON MILL CO. Scranton, Carbondale, Olyphant.

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will get goods as represented-giving

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The Dickson Manufacturing Co.

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A full line now in.

Coats, Leggings, Belts,

Vests, Shot, Shells, Clean-

ing Rods, etc. A com-

Prices Right.

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