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Ice Cream.

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25c Per Quart.

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CITY NOTES

PRINTERS' BALL.—This evening the Printers' union will hold its annual ball at Music hall.

SHOULD BE REMEMBERED.—Devotion days at St. Joseph's Foundling Home will be today and tomorrow.

SOCIAL ADJOI'RNED.—The devotional social, announced to be at E. K. Hill's, 220 Madison avenue, this evening, is adjourned. Notice will be given later.

MORE DONATIONS.—The managers of the Home for Friendless acknowledge with thanks a donation of \$5 from T. H. Dale, and another of \$2 from Mrs. Elizabeth Watkins.

DINNER AND SUPPER.—Thursday, Oct. 26, a dinner will be served from 12 to 1:30 o'clock and a supper from 8 to 9 o'clock, by the ladies of the Penn Avenue Baptist church, in the church parlor.

VERY SUCCESSFUL.—County Commissioner John Denuth and Clerk Fred K. Miller at Lake Ariel yesterday, fishing. They returned with a nice string and report bats and pickerel both plenty and cheap.

ASSIGNED TO NANTICOKE.—Rev. James A. Martin, who has been assistant priest at St. Paul's church, Scranton, was yesterday assigned to the pastoral of St. Francis' church, at Nanticoke, to fill the vacancy caused by the transfer of Rev. John Judge to Sugar Notch.

APPLICATIONS CLOSED.—The application list for the civil service examinations for the government positions of letter carriers and postoffice clerks closed on Monday. There are thirty-five who de-

****+*****+*****+*****+*****
"THE MODEL,"
VIENNA CAFE AND RESTAURANT,
E. MOSES, PROP. 221-223 WASH-
INGTON AVENUE, OFF. COURT
HOUSE.

Dinner Table d'Hote. Breakfast,
Luncheon and Supper à la carte.
Oysters served in any style.
All table delicacies of the season
served in cafe or delivered to fam-
ilies in any quantity desired.
Fine Oysters a specialty.
Fresh invoice of fancy groceries
and smoked goods, Salmon, Stur-
geon, White Fish.
*****+*****+*****+*****+*****

DOINGS OF A DAY IN ARGUMENT COURT

INTERESTING CASE GROWING OUT OF CITY BANK FAILURE.

ONLY WITNESS WHO CAN ESTABLISH THE
EXISTENCE OF AN ALLEGED BOND IS
KEPT FROM TAKING THE STAND BY
REASON OF THE FACT THAT OTHER
PARTIES TO THE ACTION ARE DEAD.
CASE IN WHICH THE REGULARITY OF
MANY LACKAWANNA DEEDS DEPENDS.
OTHER COURT MATTERS.

AMONG THE RULES ARGUED YESTERDAY, BEFORE JUDGES ARCHBALD, GUNSTER AND EDWARDS, IN ARGUMENT COURT, WAS ONE FOR A NEW TRIAL IN THE CASE OF J. H. GUNSTER, ASSIGNEE, AGAINST WOLF & WARREN AND OTHERS, IN WHICH A VERDICT FOR THE DEFENSE WAS DIRECTED BY JUDGE ARCHBALD AT THE LAST TERM OF COMMON PLEA COURT.

THE SUIT IS ONE OF THE ACTIONS BROUGHT TO RECOVER ON THE BOND OF THE LATE GEORGE A. JESSUP, EX-CASHIER AND EX-VICE-PRESIDENT OF THE DEFUNCT SCRANTON CITY BANK. THIS PARTICULAR SUIT IS AIMED AT THE SURETIES ON A \$25,000 BOND ALLEGED TO HAVE BEEN GIVEN BY MR. JESSUP AS VICE-PRESIDENT. THE ALLEGED SURETIES WERE DR. B. H. THROOP, ALFRED BEARDSLEY AND EX-JUDGE W. H. JESSUP. WHEN THE CASE CAME UP FOR TRIAL, PLAINTIFF ATTEMPTED TO ESTABLISH THE EXISTENCE OF THE VICE-PRESIDENT BOND BY THE PAROLE TESTIMONY OF EDWARD MERRIFIELD, A FORMER STOCKHOLDER AND DEPOSITOR OF THE BANK.

THE DEFENSE OPPOSED THE ADMITTANCE OF MR. MERRIFIELD'S TESTIMONY ON THE GROUND THAT HE WAS AN INTERESTED PARTY AND AS THREE OF THE OTHER PARTIES IN INTEREST WERE DEAD, THE PROPOSED WITNESS' LIPS WERE, UNDER THE LAW, SEALED REGARDING ANYTHING IN WHICH THEY WERE MUTUALLY INTERESTED.

THE PLAINTIFF ANSWERED THIS BY OFFERING TO PROVE THAT MR. MERRIFIELD HAD DISPOSED OF HIS STOCK AND CLAIMS TO HENRY ARMBRUST SOME TIME BEFORE THE SUIT WAS INSTITUTED.

THE DEFENSE HELD THAT THIS TRANSFER OF INTEREST WAS DONE SOLELY TO MAKE HIM COMPETENT AS A WITNESS AND WAS TO BE PRESUMED NOT TO HAVE BEEN BONA-FIDE.

COLORABLE TRANSACTION.

JUDGE ARCHBALD DECIDED THAT WHILE THE TRANSFER COULD NOT BE RIGHTLY CHARACTERIZED AS THE DEFENSE WOULD HAVE IT, THE CIRCUMSTANCES, NEVERTHELESS, MADE IT IN THE EYES OF THE LAW A "COLORABLE" TRANSACTION AND DISQUALIFIED MR. MERRIFIELD. THIS CLOSED THE CASE, AS THE PLAINTIFF COULD NOT PROCEED FURTHER. A RULE FOR A NEW TRIAL WAS FORTHWITH GRANTED AND THE ARGUMENTS ON THIS WERE PRESENTED YESTERDAY.

MAJOR EVERETT WARREN AND JAMES H. TORREY REPRESENT THE DEFENSE. S. B. PRICE AND CHARLES H. WELLES ARE THE PLAINTIFF'S ATTORNEYS.

ONE OF THE CASES HEARD YESTERDAY INVOLVED THE QUESTION AS TO WHETHER OR NOT THE LOCAL COURT CAN DIRECT THE SATISFACTION OF A JUDGMENT ENTERED IN LUZERNE COUNTY, WITHOUT HAVING THE MATTER EXEMPLIFIED TO THIS COUNTY. UNUSUAL INTEREST ADDS TO THE CASE BY REASON OF THE FACT THAT THE LOCAL JUDGES HAVE DECIDED THE MATTER BOTH WAYS. THERE IS NO PRECEDENT IN THE CASE BEYOND THIS. IT IS AN IMPORTANT MATTER, BECAUSE OF SO MANY DEADS OF LACKAWANNA COUNTY PROPERTY BEING RECORDED IN LUZERNE.

THE TITLE OF THE CASE IS JENKIN NICHOLS AGAINST FRANK OLLENDICK.

THE CASE OF RIES & BURGUNDER AGAINST PETERS BROS. BROUGHT OUT A NOVEL DEFENSE. THE PLAINTIFFS SUE TO RECOVER PAYMENTS FOR THE PRIVILEGE OF PRINTING THE LYCEUM AND ACADEMY OF MUSIC PROGRAMMES, \$39.65 PER MONTH FOR THE FATHER AND \$22.75 PER MONTH FOR THE LATTER. THE DEFENDANTS NEGLECTED TO MAKE THE PAYMENTS AND UPON BEING SUED OFFERED THE DEFENSE THAT THEY WERE INDUCED TO TAKE THE CONTRACT UPON REPRESENTATIVES MADE TO THEM BY MANAGER HARVEY LOWELL, THAT THEY COULD EASILY CLEAR \$200 A YEAR ON THE VENUE, WHICH PROVED TO BE A FALSE REPRESENTATION INASMUCH AS THEY LOST MONEY. THEY ALSO AVER THAT EVERY OTHER PARTY WHO HAS HAD THE CONTRACT CAME OUT A LOSER AT THE END OF THE YEAR.

DISPOSITION OF OTHER CASES.

OTHER CASES ON THE LIST WERE DISPOSED OF AS FOLLOWS: EXETER MACHINE WORKS AGAINST MADERIA COAL COMPANY, RULE FOR JUDGMENT; CONTINUED. CITY OF SCRANTON VS. JOHN A. COLLINS, ESTATE, RULE TO STRIKE OFF HENRY C. SCRANTON VS. MARY MOORE, RULE TO STRIKE OFF; CITY OF SCRANTON VS. ROGER MC GOWAN, RULE TO STRIKE OFF CLAIM; CITY OF SCRANTON VS. MARY PRITCHARD, RULE TO STRIKE OFF CLAIM; CITY OF SCRANTON VS. DAVID WILLIAMS, RULE TO STRIKE OFF CLAIM; CITY OF SCRANTON VS. MARY WILLIAMS, RULE TO STRIKE OFF CLAIM.

COURT HOUSE NEWS NOTES.

AN OPINION WAS RECEIVED FROM JUDGE S. H. MILLER, OF MERCER COUNTY YESTERDAY REFUSING A NEW TRIAL IN THE CASE OF HENRY SAHM VERSUS WILLIAM J. BERGEN AND OTHERS.

EDWARD C. BOURAY WAS YESTERDAY APPOINTED GUARDIAN OF NELLIE, EDWARD J., AND WILLIAM BOURAY, MINOR CHILDREN OF W. H. BOURAY, AND HIS BOND WITH J. D. WILLIAMS AS SURETY WAS APPROVED.

A SUIT IN EJECTMENT WAS YESTERDAY INSTANTIATED BY ISABELLA C. FROBER, AGAINST DENNIS LALLY TO GAIN POSSESSION OF A LOT IN BLOCK 41 AT THE CORNER OF STONE AVENUE AND PALM STREET, IN THIS CITY. CONEGOGY AND BEVAN ARE ATTORNEYS FOR THE PLAINTIFF.

UNCALLED FOR LETTERS.

MAIL MATTER THAT THE POSTOFFICE HAS NOT DELIVERED.

LIST OF LETTERS REMAINING UNCALLED FOR AT THE SCRANTON POSTOFFICE, LACKAWANNA COUNTY, PA., OCT. 25, 1899. PERSONS CALLING FOR THESE LETTERS WILL PLEASE SAY "ADVERTISED" AND GIVE DATE OF LOSS.

EZRA H. RIPPLE, P. M.

AMERICAN BUILDING AND TRUST COMPANY.

W. B. BART, JOHN BERMONT, ARTHUR BERRY, GENE BRANNER, MISS MAY BROWN, BRUNNIO PHAR, WM. BEVAN.

MISS FLORA G. COLLINS, MISS KATE CONKLIN, FRANK CONCHESTER, MRS. O. E. CUMMING, PHILLIP CARLIN.

A. L. DINECK, A. C. DICKSON, MISS MARY DODD, MRS. MARY DEGRAD, MRS. HARRIET DEWITTE.

DANIEL EVANS.

MRS. GAVIN, MRS. HATTIE GATES, EDWIN GIBSON.

MRS. KITTY HASTINGS, HERBERT HEWITT, THOMAS HARRIS, MORTIE HELLER, MRS. C. HANLEY, ARTHUR B. HULL, MR. HEWITT, LURA HARVEY, WILLIAM HOGAN, E. L. HARRINGTON, LOYD HUMMEL, MRS. M. HILL, MRS. MARY ANN HOPKINS.

P. M. JORDAN, MISS FLORENCE JONES, CLARA KLOSES, JOHN KELLY, FLOYD KIMBLE.

JOHN J. LAVELL, MRS. JOHN LYMAN, JOHN LARMOUGH, HY. H. LANGHAM.

GEO. MOORE, REV. H. P. MORGAN, MISS MAGGIE MURRAY (PHOTO), W. S. MACE, N. RAY MYERS, D. M. MILES, MARY MURRAY, MARY MURRAY, MRS. MARY MURRAY, MARGARET MURRAY, B. J. McGEEHIN, LOU McHOLISTER, JOHN MCKENNY.

WM. P. POTTER.

REV. RICHARD L. ROBERTS, CHARLES P. ROSSER, J. ROSTAUN, FRANZ RAUB.

P. M. SCHAFFNER, D. S. SPALDING, HENRY SHAFER, F. SIMMONS, MRS. HENRY SHERMAN, ED. SCRANTON, MISS LAURA SPANGERBURG, MRS. WM. SHAETER, CALVIN SWINGLE, MICHAEL SMITH, R. E. SNYDER, THOS. E. SHOENER, A. L. SLIFER.

BERNARD T. STEPHEN, STEPHEN TREAT, AUGUSTUS T. TUCK, STEPHEN TREAT, AUGUSTUS T. TUCK, STEPHEN TREAT, AUGUSTUS T. TUCK, STEPHEN TREAT, STEPHEN TREAT, STEPHEN TREAT, STEPHEN TREAT.

F. VARELLA & CO.

MRS. GEO. WILLIAMS, MRS. ELIZABETH A. WEBB, MISS LOUISE WILLIAMS, MRS. NELLIE WINTERS, MRS. L. T. WELL, T. H. WATSON, MRS. MARY WELLS, MRS. EMILY WATSON.

FRANCIS W. WILCOX, STEPHEN WILCOX.

THIRD CLASS MATTER—LEONIA A. BENNETT.

FOURTH CLASS MATTER—PACKAGES—MRS. WILLIS HARRY, 112 Elm street; JAMES MYERS, WILLIAM NEVEL, F. N. RICE, MRS. G. R. SOLVESTRE, REV. E. THOMAS.

For a summer cough,

Or a winter cough;

For a night cough,

Or a slight cough,

Or a cough which

"hangs on."

Ayer's
Cherry Pectoral

off non-suit; E. S. GREGORY AGAINST L.

J. GREGORY, DIVORCE.

THE LIST IS CLEARED UP TO DATE. COURT

WAS ADJOURNED SHORTLY AFTER NOON YES-

TERDAY.

She Wouldn't Come Back.

Henry Bulger was yesterday di-

vorced from his wife, Debra Bulger, by

Judge Edwards.

They were married Dec. 27, 1886, and

lived together till Jan. 15, 1886.

The defendant is a resident of Buffalo

and Mrs. Bulger was a Dunmorean.

After their marriage they went to Buffalo to live.

Mrs. Bulger did not like the place

and moved to Dunmore.

Her husband thought she returned home

simply to visit her relatives but it was

proved that she did not intend to go

back. He came on to induce her to

go with him back to Buffalo, but on