

EXPERT TESTIMONY IN PORTEUS CASE.

DOCTORS DIFFER AS TO CONDITION OF PLAINTIFF.

Some of Them Believe He is Suffering from Locomotor Ataxia and Others Are as Confident That He is Not—City Solicitor Vosburg Asks for a Non-Suit in the Trespass Cases Against the City—Pelton Cobb Jury Could Not Agree and Was Discharged.

There was a conflict of medical testimony yesterday in the trial of the case of Dr. J. S. Porteus, of Taylor, against the Scranton Railway company. Dr. Porteus is suing for \$25,000 damages for injuries he sustained by having his carriage run into by one of the company's cars on a bridge near Taylor in September, 1897.

After court opened yesterday morning, Dr. H. D. Gardner, Dr. S. P. Long, Dr. J. M. Stein were called as expert witnesses and gave their opinion that Dr. Porteus is suffering from locomotor ataxia.

Dr. W. H. Olmsted, of Taylor, testified to attending Dr. Porteus after he was injured in a runaway in 1892 and Dr. E. Weston, who attended the plaintiff after he was run into by the trolley car in 1897, also testified. The testimony of the last two witnesses was largely with reference to the nature of the injuries Dr. Porteus sustained in the two accidents.

DEFENSE OPENED.

That closed the testimony on the part of the plaintiff and Attorney C. P. O'Malley opened for the defense. John H. Brazer, the motorman, and W. H. Munson, the conductor of the car that struck Dr. Porteus, gave some testimony that the accident was unavoidable.

Miss Margaret McMullen and Miss Jeanette McMullen gave some testimony with reference to the accident, and Dr. W. K. Dolan was then called. He testified that he examined Dr. Porteus last June and at that time thought he was suffering from locomotor ataxia.

He made another examination of the plaintiff on Friday last and came to the conclusion that he was mistaken in his first diagnosis of the case. On Friday he found only one symptom, and that not a positive one, that Dr. Porteus is suffering from locomotor ataxia.

Dr. Ludwig Wehlan, who has examined Dr. Porteus on three occasions, was also of the opinion that he is not suffering from locomotor ataxia. He was of the opinion that the trouble is not caused by injury. Dr. Wehlan's examination in chief had been completed at the hour for adjourning and he will be cross-examined this morning.

AGAINST THE CITY.

Before Judge Edwards in the main court room three trespass cases against the city were tried. They all grow out of the building of a retaining wall at Robinson and Ninth streets by the city several years ago. The plaintiffs are Margaret O'Connor, Catharine Sullivan and Patricia Sullivan, all owners of property on Ninth street, and represented by Attorneys I. H. Burns and C. Conerys and the city by City Solicitor A. A. Vosburg and his assistant, David J. Davis.

A number of witnesses were called by the plaintiffs to show that their property was damaged to the extent of \$1,200 each by the erection of the retaining wall, which reduced the width of Ninth street at Neale's corner, where it intersects Robinson street. All of the properties alleged to have been damaged are half a block below the point where the street was narrowed and two of them are below the end of the wall. Damages are asked because it is alleged that ingress and egress to the properties has been made more difficult.

After the plaintiffs rested, City Solicitor Vosburg asked for a non-suit. The case then has not been a case of action shown against the city, there being no evidence of any taking of land or injury to property such as contemplated by the statutory provisions, and there being no negligence shown in the doing of the work provided for by the ordinance offered in evidence in this case.

NON-SUIT REFUSED.

The matter of non-suit was argued by Mr. Vosburg for the city and Mr. Conerys and Mr. Burns for the plaintiffs. Mr. Burns suggested that the case ought to be tried out and if the court was in after all the evidence was in it could then give binding instructions to the jury. In the event of the case going to the Supreme court and the lower court being reversed, the case would not have to be retried.

YESTERDAY'S MARRIAGE LICENCES.

Casper Weibel.....Taylor Katie Tabler.....Taylor Fred W. Terwilliger.....Scranton Louise P. Linder.....Scranton

COURT HOUSE NEWS NOTES.

The appointment of Andrew Franz as guardian of Mary E. Berger was yesterday made by the court. Charles Huester qualified as bondsman for the guardian in the sum of \$500.

PYTHIANS ENTER A PROTEST.

Believe They Have a Grievance Against State Grand Lodge Representatives of fifty-two lodges of the Knights of Pythias from the southeastern part of the state have met to consider certain grievances against the Grand Lodge of Pennsylvania, which is the executive body in this state.

As a result of the meeting, a memorial will be drafted and presented to every lodge of Pythians in Pennsylvania protesting against the action of the Grand Lodge. It is stated that members of the order in the western part of the domain have been charging that Philadelphia lodges have been in

Corsets very low priced.

For tomorrow's sale we shall offer again a large quantity of our 39c saten Corsets, in ecru, trimmed with lace, perfect fitting, formerly offered by us at a great bargain at 25c. As a very special attraction for tomorrow we shall place them on sale at..... 19c

An Advertisement of Really Sensational Friday Bargains--

We mean good goods at prices that you don't find elsewhere. This advertisement is of importance to every thrifty woman in this entire valley. Come early this morning and avoid the biggest rush.

Friday's sale of furs

The warm weather of this month has left on our hands a great deal more furs than we anticipated we would have at this time. In order to quicken sales, we shall make special prices on all furs beginning this morning, and shall offer these unrivalled values which it will be worth your while to investigate.

Table listing various fur items and their prices, including Electric Seal Collarettes, Persian Lamb Collarettes, etc.

We shall also place on sale about fifteen different kinds and qualities of Muffs at the lowest prices ever offered:

Table listing various muffs and their prices, including Genuine brown Marten Collarette, Red Fox Muff and Seal, etc.

Sale of dress goods

Table listing various dress goods and their prices, including Cashmeres, Mixtures, Plaids, and Serges.

Sale of wool undershirts

Big choice of all-wool Undershirts patterns, in light and dark colors, new and striking patterns, real value 95c; special on Friday at a one day price, only three to a customer. Each..... 45c



Scranton Store, 124-126 Wyoming Avenue.

Between 8 and 10 Today—Friday

The biggest and most astounding sacrifices ever made on a Friday in any store in the United States. Don't compare these sales with the shameful deceptions practiced elsewhere under the guise of great importance. Compare our prices and go where you can save the most money.

- List of items on sale: Handkerchiefs, Turkish towels, Dress goods, Nainsooks, Tusings, Outing flannels.

All day sale of domestics

- List of domestic items on sale: Table damask, Sheeting, All-wool flannel, Canton flannel, Glass toweling, Apron lawns.

Friday's sale of remnants

After eight weeks of active business in our dress goods department, we find ourselves overladen with remnants of all kinds. On these we have made prices such as you never saw before. Every remnant will be marked at half cost in order to effect a speedy clearance.

- List of various remnants and their prices: Serge, Cheviots, Novelties, Black goods, Whipcords, etc.

Cut prices on wrappers.

As a special bargain for Friday we shall offer two hundred extra good quality calico Wrappers, with flounce yoke-lined throughout, trimmed with braid, liberal width, in red and white, blue and white, grey and white and black and white, as good a quality as you pay 98c for; special price for one day only..... 55c

Prices on outer garments

The reductions we have made in this department are so numerous that it is almost impossible to quote full list of items. Our stock is so large that we were compelled to make special reductions, and shall continue to do so until the same has been considerably diminished.

Women's Silk Lined Suits—Fine kerseys, meltons, homespun and gulf suitings; some lined with silk throughout, others with silk lined jackets, and again others of reversible plaid suiting. The greatest variety in Scranton. Our price \$7.95 to \$35

Women's Silk Lined Jackets—Of kersey, meltons and homespun, lined with silk and made in the newest and most approved styles; value \$5 to \$25. Our price \$3.95 to \$20

Fine Furs—Undoubtedly the grandest display of fur sets and separate pieces—Capes, Collarettes, Muffs and Ruffs—in fox, lynx, German sable, marten, electric seal \$1.95 to \$50

Children's Reefers, some reduced in price..... 95c to \$8.00

Children's Greiches reduced in price..... \$1.25 to \$12.00

\$6 Ladies' Kersey Jackets at \$3.95—Of an excellent quality of Kersey in black only, made to retail at \$6—our price was \$3.95

\$15 Ladies' Satin Lined Jackets at \$9.98—The very finest quality of Kersey in black and ecru, strap seams, pearl buttons, every garment lined with Skinner Mfg. Co. satin, warranted to wear two years or a new lining given. This guarantee goes with every \$9.98 jacket. Real value \$15, here formerly \$12.95

\$8 Ladies' Frieze Jackets at \$6.45—These jackets are lined with silk throughout and are made of a good quality of black frieze, double stitched seams, pearl buttons, reduced from \$7.95 to \$6.45

\$10 Suits reduced to \$7.95—All our ten dollar suits for women will be marked \$7.95 tomorrow. Made of Kersey—jackets lined with silk and skirt with tulle. The real value of this suit is \$12. Special price on Friday..... \$7.95

Sale of flannelette Gowns

We offer as a special Friday attraction fifty dozen flannelette night gowns, as good as you ever bought at 95c. This is one of the most extraordinary values for tomorrow's sale. Special price 45c for one day only..... 45c

Sale of flannel waists

The regular price of these is \$1; real value is \$1.25. Hundreds of dozens were sold at the regular price, and only once in a great while we offer them at a special reduction. These waists are made of all wool flannel and are to be had in all the popular colors. Special price on Friday..... 65c

Sale of silk waists

Special sale on Friday of fifty very handsome Taffeta Silk Waists beautifully stenciled all over with silk, real value \$5.00. Formerly sold here at \$3.98. Special Friday price..... \$2.95

Judge Edwards decided not to grant a non-suit, but said he would hear arguments for binding instructions before charging the jury.

Assistant City Solicitor Davis opened the case for the defendant and before court adjourned the following witnesses were examined: W. H. Roe, A. B. Eylon, M. H. Holgate, John H. Fellows, J. B. Snyder, B. G. Morgan. They testified that the properties under consideration had been benefited rather than injured by the improvements made by the city at Robinson and Ninth streets.

The jury in the case of Mary A. Pelton against J. C. Cobb which retired at 4 o'clock Wednesday afternoon, could not agree and was discharged yesterday afternoon at 2:30 o'clock. It stood 10 to 2.

Sheriffs' Desds Acknowledged.

In open court yesterday Sheriff Fryor acknowledged desds for the following properties recently sold by him: Property of Henry George Koch, in Scranton, to Constantine H. Williamson; consideration, \$1,200. Property of C. W. Edwards, administrator, in Madison, to Emily Louisa Edwards; consideration, \$8.75. Property of Harry Singer, in South Abington, to Security Building and Savings Union; consideration, \$6.35. Property of J. C. Egan, in Scranton, to Peter Slipp, trustee; consideration, \$29.65. Property of W. J. Smith and James Barrett, administrators, in Canton, to J. P. Byrne, guardian of John B. Byrne; consideration, \$18.85. Property of Ringold Deppis, in West Abington, to E. C. Rozelle and Ruth A. Rozelle; consideration, \$61.21. Property of Sarah Higgins and Martin Higgins, in Dunmore, to J. E. Swift; consideration, \$12.25. Property of Mary Gudanski, administratrix, in Arebald, to German Building association No. 6; consideration, \$7.11. Property of Julia Pask, in Scranton, to R. L. Levy; consideration, \$29.80. Property of Margaret Wisley, administratrix of Joseph Wisley, in Carbondale, to John P. Reynolds; consideration, \$62.20.

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COURT HOUSE NEWS NOTES.

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As a result of the meeting, a memorial will be drafted and presented to every lodge of Pythians in Pennsylvania protesting against the action of the Grand Lodge. It is stated that members of the order in the western part of the domain have been charging that Philadelphia lodges have been in

street improvement bonds and judgments against the city for the city's share of the costs, for more than 98 or 2 per cent, less than their face value.

This is considered strange inasmuch as the city's financial condition is deemed to be in good shape. The explanation offered by some is that there is a doubt in the minds of many persons as to the right of the city to enter into these contracts without the city's share of the cost having been provided for.

ON AN INSPECTION TRIP.

Commissioners and Warden Simpson Examining County Jail System. County Commissioners S. W. Roberts and John Demuth, accompanied by Warden Simpson of the county jail, left the city on Wednesday for an inspection of the county jails in Potsville and Sunbury, with a view of especially examining the way prisoners are worked and the kind of work they are placed upon.

They are expected to return today and at the next meeting of the prison board will make a report of their trip and the suggestions offered, if feasible, will, no doubt, be carried out in this county.

BIG FIRE AT RIDGWAY.

Ross House Totally Destroyed—Loss \$40,000.

Ridgway, Pa., Nov. 16.—The Ross House, corner of Main and Mill streets, a four story structure owned by stockholders of Elk County National bank, was totally destroyed by fire yesterday. The origin of the fire is unknown, but it is thought it was caused by an explosion of natural gas used in lighting and heating the building. The valuation of the hotel is about \$40,000, on which there is an insurance of \$20,000. The fire companies were badly hampered by lack of water, broken hose and poor equipment, but by hard work the adjoining buildings were saved. It is the purpose of the owners to at once rebuild. The hotel was run by Charles H. Shanbacher.

Pennsylvania Postmasters.

Washington, Nov. 16.—Postmasters for fourth class postoffices in Pennsylvania were today appointed as follows: Dimick, Susquehanna county. R. L. Woodhouse, Hutten Hollow, Erie county. Irving Deedler, Loyville, Cameron county. G. W. Brown, Maze Juniata county. D. S. Cox, Oppenheimer, Bedford county. J. H. Lyons.

Admiration For Fluck.

London, Nov. 16.—Commenting on the disaster in the Pacific, the newspapers today enthusiastically note the calmness and pluck of the captain and crew of the vessel and say that "The sturdy manliness of the Americans and Germans will be warmly honored by every Englishman."

Not a Surprise.

It will not be a surprise to any who are at all familiar with the good qualities of Chamberlain's Cough Remedy, to know that people everywhere take pleasure in relating their experience in the use of that splendid medicine and in telling of the benefit they have received from it. Of had colds it has cured, of threatened attacks of pneumonia it has averted and of the children it has saved from attacks of croup and whooping cough. It is a grand, good medicine. For sale by all druggists. Matthew Broe, wholesale and retail agents.

PENNSYLVANIA DAY.

An Important Event in the Exposition Philadelphia, Nov. 16.—Pennsylvania day at the National Export exposition was observed today. The occasion was a great success. The weather was beautiful and large numbers of people from various parts of the state visited the big show. The railroad sold reduced rate tickets from various points, and many hundreds took advantage of this to spend the day here.

The features of the day were the exercises in the auditorium of the main building. The exercises began at 3 o'clock. At that hour the great hall was filled to its utmost capacity. Among those present were Governor Stone, State Treasurer Beacom, Mayor Ashbridge, Secretary of Internal Affairs Latta, Director General W. P. Wilson, and a number of others.

Director General Wilson called an assemblage to order after Innes' band had rendered a selection, and introduced John Hinkins, vice president of the National Export exposition and the president of the Franklin institute and the presiding officer. Mr. Hinkins made a brief speech, and then introduced Mayor Ashbridge, who welcomed the visitors to the city. Governor Stone responded in behalf of the people of the state. Among other things he said he had felt that the exposition should be encouraged and extended. He believed that six months from now it would be appreciated better than it is today. He suggested that the exposition be made a permanent affair. "It should occur every year," he said, "and the congress and the state and great city of Philadelphia should see to it that it does not lack in funds necessary to make it an annual success. The people of the world should be given an opportunity to see the industrial city of the world, in September and October and November are to be found samples of our surplus products; samples of the goods that we wish to export, and let merchants of the world come here and find anything and everything that we have to sell. Five years from now this exposition should be double in maintenance and in exhibits."

Director General Wilson was the last speaker and explained the relations of the commercial museums to the development of the trade of the country and its relation to the exposition. At the conclusion of Dr. Wilson's remarks, the assemblage was dismissed and it scattered through the buildings and on the esplanade.

DESERTE WIFE'S ORDEAL.

Theatrical Manager Left Her Penniless and Troubles Came Thick.

Trenton, N. J., Nov. 16.—The People's theater, popular play house, is closed, and William M. McVeagh, the manager, is missing. McVeagh billed a vaudeville company that drew large crowds, and it was thought that he was satisfied with the good fortune that was smiling upon him, but it seems that he had higher aspirations, and he suddenly dropped out of sight with the proceeds of the box office. Creditors missed McVeagh, and so did his wife. She was left without a dollar, and compelled to seek employment. She was engaged as a seamstress at the St. Francis hospital, where she earned enough to keep body and soul together by laboring early and late. Mrs. McVeagh lodged with Mrs.

Mary Hughes, but changed her quarters so that she might be nearer her work. She packed her trunk, but just as an expressman came to take it away a constable stepped up and arrested her on the charge of stealing a lot of silverware from her boarding mistress. In vain did Mrs. McVeagh protest her innocence. The officer was inexorable, and she was marched off to Justice Krumboltz' court. She insisted that her trunk be searched, and the court ordered a constable to comply with the prisoner's request. The trunk was rumaged, but no sign of the missing silverware was found and Mrs. McVeagh was discharged.

AMERICAN ORNITHOLOGISTS.

The Seventeenth Congress Held in Philadelphia.

Philadelphia, Nov. 16.—The closing session of the seventeenth congress of the American Ornithologists' union was held today in the Academy of Natural Sciences and proved to be the most interesting meeting of the bird congress. Dr. Merriam, the head of the bureau of ornithology of the department of agriculture at Washington, presided. About fifty ladies were among the audience. Dr. A. K. Fisher, first assistant to Dr. Merriam presented a paper reviewing at some length the work of the recent Harriman Arctic expedition, especially treating of some of the more interesting birds found in Northern Alaska and Siberia. He called attention to the fact that the common English sparrow was found in the extreme northwestern part of Alaska, where there is practically no summer. The Harriman expedition was formed in New York city last spring and with about fifty members spent the months of June, July and August in the frozen north, collecting data of importance to the scientific world.

An interesting feature of the session was the address of Nelson H. Wood, taxidermist of the National Museum at Washington, D. C., upon the subject of the "Language of Birds." Mr. Wood gave correct imitations of the sounds of birds, which he characterized as their language.

John W. Daniels, Jr., the son of Senator Daniels of Virginia, who has spent much time in Cuba, read a paper on the birds to be found there. Many other interesting papers of a scientific nature were read. The next congress will be held in Cambridge, Mass., where the union was organized.

BATTLE WITH A BURGLAR.

Desperate Thief Shows Fight, but Is Downed by Policeman Wilmington, Del., Nov. 16.—Officers Kelleher, Sherry and Tucker captured James Mundy in the act of burglarizing the store of the Delawares Electric and Supply company about 2 o'clock this morning. Policeman Sherry peered inside the store and saw Mundy behind a counter. He fired at the man, but his aim was not true. The shooting attracted Kelleher and Tucker. The three then entered the

building. As Sergeant Kelleher was about to leave the room alone Mundy pounced upon him and bore him to the floor. A desperate struggle ensued in the dark. Finally, Kelleher thrust Mundy's head through a pane of glass and in a trice plucked him to the floor. He was taken to the police station, where a razor and knives were taken from him. He said that two colored men were with him in the store with dynamite to blow open the safe. Mundy was identified by Detective Witrod and was held in \$1,000 bail.

Pennsylvania Pensions.

Washington, Nov. 16.—Pensions: Original, John Frederick, Scranton; \$8. Increase, Byron Oakley, Springville, Burlington, \$14 to \$17; Wallace Keesler, Gallatin, Wayne, \$6 to \$8.

How's This?

We offer One Hundred Dollars Reward for any case of Catarrh that cannot be cured by Hall's Catarrh Cure. Dr. J. C. Watson, Toledo, O. We, the undersigned, have known F. J. Cheney for the last 15 years, and believe him perfectly honorable in all business transactions and financially able to carry out any obligations made by him. West & Traub, Wholesale Druggists, Toledo, O. Walling, Kinnan & Marvin, Wholesale Druggists, Toledo, O. Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surface of the system. Price 50c per bottle. Sold by all Druggists. Testimonials sent. Hall's Family Pills are the best.

Tribune want ads, bring returns.

Ideal Tours

New York, Old Point Comfort, Richmond, Washington, Baltimore, Philadelphia. With time to spare for side trips, if desired. Skirting the sea coast for 15 hours in the beautiful fast new steamships of the Old Dominion Line and returning leisurely by rail. Tickets include HOTEL ACCOMMODATIONS at points named, as well as rail and steamer fares for the entire trip. Total cost, \$32.00. After shorter trips to Old Point Comfort and Baltimore, including cost of rail, for \$16.00 and \$17.50. Favorite ocean and rail route to Atlantic City. Special Rates on account of the Cotton States Exposition. Write for full particulars of these and other delightful trips to

OLD DOMINION STEAMSHIP CO.

Pier 26, North River, New York. H. B. Walker, Traffic Manager. J. J. Brown, Gen'l Pass' Agent.

Old Children

Many children look too old for their years. They go about with thin faces and sober manners not in keeping with robust childhood. If it's your boy or girl, give Scott's Emulsion. It will fill out the hollow places, increase the weight, and bring a healthy color to the cheeks. The improvement continues long after they cease using the Emulsion. Get Scott's. Scott & Bowne, Chemists, New York.

EVERY WOMAN... Dr. Peal's Pennyroyal Pills. Sometimes needs a reliable, monthly, regulating medicine. Only harmless and the purest drug should be used. If you want the best, get Dr. Peal's Pennyroyal Pills. They are prompt, safe and certain in result. The medicine (Dr. Peal's) never disappoints. Sold for \$1.00 per box. For Sale by JOHN H. PHELPS, Pharmacist, cor. Wyoming avenue and Spruce street.