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Vose and Sons,
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Vocalian Church Organs, Carpenter Parlor and Pneumatic Symphony Organs, Angelus' Criterion Music Boxes. Finest line in the city of Violins, Mandolins, Guitars and Banjos.

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Always Reliable.
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CREAM, ICES AND FROZEN FRUITS
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C. S. SNYDER,
The Only Dentist
In the City Who Is a Graduate in Medicine.
420-422 SPRUCE STREET.

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DENTIST
514 SPRUCE ST. OPP. COURT HOUSE.
All Kinds of Dental Work Done at Extremely Low Prices.
22k Gold Crowns \$5.00.
Gold Fillings \$1.00.
Best Set of Teeth \$5.00.
Silver Fillings \$1.00.
Crown and Bridge work especially. If you have any Dental work to be done call and have your teeth examined. Gas administration in all operations. Are made painless by the aid of electricity. Painless extraction.

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SPECIALIST.
Eye, Ear, Nose and Throat
Office Hours—9 a. m. to 12:30 p. m.; 2 to 4.
Williams Building, Opp. Postoffice.

UNION LABEL

CITY NOTES

FOR TONIGHT'S CONCERT.—Tickets for the Wesleyan Glee club concert at St. Luke's parish house tonight can be had at Hand & Payne's, or at Phelps' pharmacy.

COMMITTED FOR ASSAULT.—George White, of Old Forge, was last night committed to the county jail by Alderman Ricketts. White was charged with assault and battery.

JUDICIARY COMMITTEE.—The judiciary committee of select council will meet tomorrow evening in the city clerk's office just before the regular meeting of the branch of council.

COUNTRY DANCE.—The Scranton Liederkreis will hold their country dance Thursday evening at the hall on Lackawanna avenue. Bauer's full orchestra will furnish the music for the occasion.

NO INQUEST HELD.—Coroner Roberts viewed the remains of Michael Ruschak yesterday, the man who was killed on the Delaware and Hudson railroad near the Marine shaft, and decided that an inquest was unnecessary.

NOT SERIOUSLY INJURED.—James Crawford, of Throop, who was struck by a trolley car Christmas night and who it was feared was seriously injured, is reported by his physician, Dr. Jacobs, to have sustained no broken bones or other severe hurts.

ROLLING FUNERAL.—The remains of the late Joseph Bolding were yesterday interred in the Catholic cemetery. At 9:30 o'clock a high mass of requiem was celebrated at St. Peter's cathedral by Rev. J. J. Loughran. The body was born to the grave by the following pall-bearers:

GRANDST DISPLAY AT "THE MODEL,"
DELICATESSEN EMPORIUM.
Fresh invoice of finest table delicacies. Imported Hares, Landlagers, Sausages, Nova Scotia Salmon, Patties of all kinds, imported and California Fruits and Jellies, Naidelmann's Delicacies, Herring in Wine Sauce, Italian Chestnuts, Lett Bueche, Marzipan and Honey cakes of all descriptions, and full line of fancy groceries for the holidays. Catering orders taken now for the holidays. Dinner Table d'Hote, Breakfast, Lunch and Supper a la carte. Openers served in any style.
221-223 Washington Avenue.

ACCUSED OF NON-SUPPORT.—Yesterday morning Elizabeth Harcher, of Pricus, before Alderman Kasson swore out a warrant for the arrest of Andrew Harcher, her husband. She accused him of desertion and non-support of her and their child. Alderman Kasson had heard the case, he held the defendant in \$300 bail, in default of which he was committed to the county jail.

TAKEN TO THE HOSPITAL.—Lena Cabotachnick, the deaf mute girl, who Sunday afternoon attempted suicide, in Raymond court, was removed to the Lackawanna hospital late Monday night. The wound she inflicted upon her throat when she tried to cut it with a razor was but of a trifling nature, but she became sick as an after effect. The doctors there say she is in no very serious condition and that her sickness is only the result of melancholy and despondency.

FOUR WERE COMMITTED.
Alleged Burglars Given a Hearing Before Alderman John T. Howe. Identification of Goods.

Frank Courtright, Joseph Fitzgerald, John Crow and "Maime" Crow, the gang of alleged burglars rounded up on Christmas day by Chief of Police Robling and the local police officers, were yesterday morning taken before Alderman John T. Howe for a hearing and by him committed to the county jail.

Besides the defendants and the police officers, several members of the families of H. B. Best, of Carouse avenue, Mrs. F. S. Pauli, of Sanderson avenue, and Professor John T. Jones, of Main avenue, the homes of all of whom had been plundered by the defendants.

They identified the various articles found in the possession of Courtright, Fitzgerald and the Crows as their own property, and the justice then committed to the county jail all four of the burglars. They will there await trial on the charges of burglarizing their homes.

All of the spoils captured have now been identified with the exception of several silver knives, forks and spoons. It is not known to whom they belong, but it is supposed that they are the plunder gained from some out-of-town robbery.

Courtright is the only local man mixed up in this affair, but the others are well known to the Scranton police as suspicious and disreputable characters. Crow, it is said, recently served a term for a burglary committed at Pottsville.

JOHN MORRIS, OF PROVIDENCE.
Man Claiming to Be Such Is at Pittston Hospital.

A middle-aged man, roughly dressed, giving the name of John Morris, and stating that he was from Providence, was received at the Pittston hospital Christmas night with an arm fractured, his head cut and his body badly bruised. He said he had been assaulted and robbed and thrown from the bridge at Lackawanna station.

According to the story he told at the hospital, several friends who had been in Pittston, looking for work, were going to Scranton by way of the trolley. They rode to Duryea and then walked to Lackawanna to take the car on the Taylor extension. Upon arriving at Lackawanna Morris discovered he had forgotten his umbrella and went back to Pittston. Returning to Scranton he took the same route and while going across the bridge at Lackawanna he was set upon by four masked men, who took his watch and what little money he had and then threw him from the bridge to the rocks below, a distance of twenty-five feet. When he recovered consciousness he called loudly for help and succeeded in bringing assistance. A local physician set his broken arm and dressed his wounds and then had him sent to the hospital.

Inquiry made at Providence failed to discover that there was any John Morris missing. A telephone message to the Pittston hospital brought the information that the patient now claims his home is in Nanticoke.

SHERIFF AT ELMWOOD HALL.
Sale Was About to Be Had When a Claimant Intervened.

Elmwood Hall, at Elmhurst, which was conducted during last summer as a sanitarium, was to have been sold at sheriff's sale yesterday, but a postponement was caused by the intervention of Dr. C. W. Roberts with a claim of ownership. The sale must now await the outcome of an interpleader suit.

The execution creditors, William Ingham & Company and the Hunt & Cornell company, represented by Welles & Torrey, experienced no little difficulty in having a levy made. The hall was kept locked against them and, as the law does not countenance a forcible entry the sheriff's man had to haul it to the premises and await his opportunity. It came after a long and weary vigil and he was not slow in embracing it. How he got in does not develop, but it is said he found an upper window unfastened and clambered in through it.

How the institution became insolvent is more than the company controlling it can explain, and the manager, Dr. Bull, has as yet failed to help them out of their dilemma.

SCRANTON TALENT IN DEMAND
Judge Edwards Is to Conduct the Cincinnati Eisteddfod.

Judge and Mrs. H. M. Edwards leave tomorrow for Cincinnati, to attend the big national eisteddfod to be held there New Year's day. Judge Edwards has been honored with the position of conductor, of the three seasons, and adjudicator in the literary contest.

The eisteddfod will be held in Music Hall, which has an auditorium capable of seating 5,000, and is claimed to be accidentally the best large hall in the United States.

The cash prizes to be distributed amount to \$2,000, and over twenty chairs are entered for the three principal prizes. T. J. Davies, Mus. Eac., of Pittsburg, formerly of this city, is one of the adjudicators of music.

Smoke the "Hotel Jermyan" cigar, 10c.

DIED.
HUGHES.—In Scranton, Dec. 25, 1899, Gerald Hughes, son of Mr. and Mrs. M. J. Hughes, aged 1 year ten months. Funeral this afternoon at 2 o'clock from residence of parents, 3 Grace street. Interment in Hyde Park Catholic cemetery.

THAT OFF-RAISED OFF-RAZED FENCE

POPLAR STREET BARRICADE TO COME DOWN AGAIN.

Judge Edwards Dismisses the Preliminary Injunction Preventing the City from Interfering with the Delaware & Hudson Company in Maintaining the Fence by Which the Company Seeks to Avoid Having a Crossing Over Its Tracks at Poplar Street.

Down came the Poplar street fence again. Judge Edwards yesterday refused to continue the Delaware and Hudson company's preliminary injunction against the city, under the protection of which the fence was erected, and this morning the mayor will order the street commissioner to re-raise the fence.

Last June, when the Bolt and Nut company selected the site for its works, the Delaware and Hudson company raised a fence along its tracks, blocking what would be the extension of Poplar street. The city tore down the fence and laid a plank crossing. Then the company tore up the crossing and re-erected the fence. The city once more tore down the fence and then re-laid the crossing.

By this time the company reached the courts and secured from Judge Edwards a preliminary injunction restraining the city from interfering with the maintenance of the fence. At once the company again put up the fence and took up the crossing. Yesterday Judge Edwards decided that there were not grounds enough to make the preliminary injunction permanent and dissolves it. This leaves the city free to exercise its superior force in gaining possession of the crossing and it proposes to do so at once. The case is set down for a final hearing next Tuesday, when all the features of the case will be presented.

MAY GO UP AGAIN.
Should the permanent injunction be granted, the fence will go up again and the crossing will be removed. Should the court, however, decide that the crossing is a part of Poplar street and not a portion of the company's right of way, the fence and crossing will stay down and the thoroughfare will remain open to the public.

Appended is the full text of Judge Edwards' opinion dissolving the preliminary injunction:

The Northern Coal and Iron company and the Delaware and Hudson Canal company, lesses, vs. the Real Estate Trust and Roland D. Thomas, street commissioner. Rule to continue preliminary injunction.

The question involved in this case relates to the extension of Poplar street over and across the railroad tracks of the plaintiff company. The plaintiff claims that Poplar street is opened only to the eastern side of the tracks. The defendant denies this and contends that the street has been lawfully opened across the tracks to the Lackawanna river.

When the bill of complaint and injunction affidavits were presented to us, our intention, in allowing a preliminary injunction, was to preserve the status quo between the parties until their rights could be established at a final hearing. The allegation which induced us to grant the injunction is to be found in the seventh paragraph of the bill, which states that the street commissioner of the city of Scranton tore down the fence which had been erected by the plaintiff along the said right of way and proceeded to lay a crossing along the railroad tracks, thus extending Poplar street beyond its westerly terminus by force.

WOULD JUSTIFY INTERVENTION.
Such action would be unwarrantable and would justify instant intervention by the strong arm of our equity power. At the hearing on the rule to continue the preliminary injunction we continued the parties on both sides to testimony showing the condition of matters existing before the present controversy arose. At this hearing it appeared clearly that the fence referred to in plaintiff's bill was erected in June of this year. This was the fence which the city authorities removed, claiming that it was an obstruction to the use of Poplar street. The building of this fence and its removal originated the present contention between the parties.

The right of the plaintiff to build and maintain the fence referred to and to prevent the public from crossing the plaintiff's tracks is not by any means clear. At least it is not so clear as to warrant us in continuing the present injunction. The evidence already taken directly and incidentally involves several questions. We are content with merely stating what these questions are.

First—The use that has been made by the public of the alleged extension of Poplar street across the plaintiff's railroad tracks before the erection of the fence in June, 1898. Were the pedestrians who crossed these tracks daily before that time merely trespassers or did they have the right to cross as travelers over city roads?

Second—Was Poplar street to the Lackawanna river dedicated to public use by the Lackawanna Iron and Steel company, and did the plaintiff company acquire its right of way subject to this public use? On this question reference is made to the map of the town plot of the city of Scranton and to the exemplified record in the case of the Lackawanna Iron and Steel company vs. the Baltimore Coal and Union Railroad company.

WHERE RIGHTS ARE IN DOUBT.
Where the relative rights of the parties in the present contention are in doubt we

do not feel justified after the preliminary hearing, in continuing the injunction. The doubt between the parties is an open one, involving a right vigorously asserted on one side and as vigorously denied on the other. The railroad company and the city must settle their dispute at a final hearing.

This can be done speedily. The defendants have filed their answer. We know the issues and the court cannot be heard next week. Since under the present equity rules, it is possible to bring a case to a final hearing so promptly, the judges of this court are very reluctant to grant a preliminary injunction in the first instance. We may do so to prevent irreparable injury to preserve the status quo between the parties.

As to the law applicable to the present case there can be no question. It is stated in the cases in various ways. "A preliminary injunction will not be granted unless the plaintiff show a clear right and immediate and urgent danger of irreparable injury." "Where the plaintiff's discharge and the defendant's injunction will not be granted where there is a material dispute as to the question of right. The case at bar in the present condition is clearly governed by these principles.

For the reasons herein given the rule to continue the preliminary injunction is discharged and the said injunction is dissolved. It is not necessary to make any further order as the answer is already filed.

Suits by Dismissed Employees.
Formal declarations were yesterday filed by each of the workmen in the suits brought against the city by the former crematory superintendent and assistant, D. O. Thomas and James T. White, to recover pay for alleged overtime.

ERIC COMPANY FILES ITS FORMAL ANSWER
DEFENSE OF ITS POSITION IN BIG CORPORATION WAR.

Claims That the Erie and Wyoming Valley Railroad Company Cannot Legally Take Possession of the Canal Bed at the Disputed Point, Because It Owns a Competing and Parallel Line Just Across the River and Because It Will Impair the Contract It Has Made.

Willard, Warren & Knapp, attorneys for the Erie Railroad company in the suit brought by the Erie and Wyoming Valley Railroad company to prevent the blocking of the canal at Lackawaxen, under the Erie company's bridge, have prepared and filed their answer in Judge Purdy's court.

The claim of the plaintiff that it has a fee simple title to the whole of the disputed premises and that it and its predecessors in title have enjoyed practicable and undisputed possession of the same for more than forty years is denied. The Delaware and Hudson company and the Erie, the defendant alleges, held joint possession of the premises prior to the year 1859. This joint possession was amicable, peaceable and continuous until the June 20, 1859, when the Delaware and Hudson company having deserted the premises, the Erie took full possession, peaceably and lawfully of all the space beneath its bridge, giving bond to the Delaware and Hudson company to indemnify it against any possible damage that might accrue.

NO RIGHT OF POSSESSION.
The Erie and Wyoming Valley company, it is averred, has no right of possession to the premises under any title or valid conveyance from the Delaware and Hudson company, or any other party, and has no standing in court to question the defendant's right to do or perform any of the acts alleged in the plaintiff's bill to have been done and performed by the defendant.

It is admitted that the Delaware and Hudson company had free passage for its boats under the bridge prior to the time of the alleged occupancy of the whole premises by the defendant, but the occupancy in question was without protest or objection on the part of the Delaware and Hudson company.

The Erie's right to the premises, it is claimed, is founded on an express grant from Russell F. Ford and wife, dated March 3, 1848, and by express grant from the Delaware and Hudson company dated May 1, 1848, both recorded in Pike county. Further the defendant says:

That the premises and property described in the first paragraph of the bill, at the time of the alleged purchase and the time of the plaintiff's bill to have been done and performed by the defendant, were unlawfully purchased by said plaintiff, and said purchase was an utter violation of section 4 of article 17 of the constitution of Pennsylvania, wherein it is prescribed that no railroad, canal or other corporation shall be created or purchased by the purchase of the legislature or any franchise of or in any way control, any other railroad or canal corporation owning or having under its control a parallel or competing line.

OWNED A PARALLEL LINE.
And this defendant, on information and belief, charges that at the time of said purchase the said plaintiff owned a railroad on the opposite side of the Lackawaxen river, located between Lackawaxen and Hawley, in the state of Pennsylvania, then and since seven or eight miles long, and not distant to exceed from two hundred to eight hundred feet, at any point, from the canal bed, works, etc., described in the first paragraph of plaintiff's bill and in parallel thereto, and was a competing line, and the route of the plaintiff's railroad is almost identical with the route of the canal, with the simple difference that they are on opposite sides of the Lackawaxen river.

Our information and belief as to the ownership of the said railroad by the plaintiff is founded on the declaration of the plaintiff as to its ownership of said railroad, contained in an agreement between the plaintiff and the defendant, bearing date the 22d day of June, 1859.

And for further answer the defendant says: "That if the said declaration of the plaintiff, as to its ownership of said railroad, is untrue, then we say that we are former and believe, the said railroad belongs to the Pennsylvania Coal company, and that the said last named company is the owner of a very large tract of the canal stock of the Erie and Wyoming Valley Railroad company, and, virtually, controls the same, and the said Erie and Wyoming Valley Railroad company, being so owned and controlled, has no right to purchase or in any way control the parallel and competing canal line of the Delaware and Hudson company.

FUNERAL OF D. O. FREDERICK.
Remains Were Taken to Lewistown, Where They Will Be Interred.

Funeral services were conducted yesterday morning at the late home of D. S. Frederick, at 329 Madison avenue. A sermon was preached by Rev. C. M. Giffin, D. D., of the Elm Park Methodist Episcopal church, and other services were held in Lewistown, where the body was removed yesterday morning at 10:05 o'clock on the Delaware, Lackawanna and Western railroad.

FUNERAL OF MRS. HARVEY.
Held from the Home of Her Son, Alfred Harvey.

The funeral of the late Mrs. Dolly Harvey took place yesterday afternoon from the home of her son, Alfred Harvey, 1338 North Washington avenue. The services in the house were conducted by Rev. M. McKee, of the Christian Science church, and music was furnished by a quartette composed of Mr. and Mrs. Alfred Lerry and Mr. and Mrs. Arthur Geer.

SCRANTON BUSINESS COLLEGE NOTES.
Day and evening sessions will reopen on Monday evening next, Jan. 21. New students are already enrolling. Many ladies and gentlemen from city and country will come during January.

SMOKE THE "HOTEL JERMYN" CIGAR, 10c.

Mrs. Winslow's Soothing Syrup.
Has been used for over FIFTY YEARS by MILLIONS OF MOTHERS FOR THEIR CHILDREN WHILE TEETHING WITH PREVENTS CHOLERA, DIARRHOEA, CHILD SOFTENS THE GUMS, ALLAYS ALL PAIN, CURES WIND COLIC, and is the only remedy for ALL INFANTS. Sold by all Druggists in every part of the world. Be sure and ask for "Mrs. Winslow's" and take no other kind. Twenty-five cents a bottle.

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A Fine Effect
Is obtained where candies, with beautiful tinted shades shed their radiance around, lending their rich decorative effect to parlor and table. Never were they more beautiful. We have the latest in Shades, Decorated Candles, Candelabra and Candle lamps as well as accessories shade holders, Bobeches, etc., at remarkable low prices.

China Hall.
Miller & Peck, 134 Wyoming Ave.
"Walk in and look around."

A COMFORTABLE CHRISTMAS GIFT

Cold weather is sure to come and with it the need of Furs. What better gift than a nice piece of fur for the neck a new Muff, or perhaps an Electric Seal or Persian Lamb Coat? We quote a few of the prices:

- Brown Marten Scarfs, natural color.. \$6.00 to \$15.00
- Brown Marten Scarfs, dyed..... 3.50 to 5.00
- Electric Seal Scarfs..... 2.00 to 5.00
- Mink Boas, some as handsome as Sable 4.00 to 18.00.
- Sable Fox Scarfs, beauties..... 10.00 to 15.00
- Handsome Collarettes, all prices..... 3.00 to 60.00
- Real Russian Sable Boas..... 30.00 to 40.00
- Electric Seal Coats..... 30.00 to 50.00
- Alaskan Seal Coats..... 150.00 to 250.00
- Persian Lamb Coats..... 100.00 to 140.00

F. L. Crane, The RELIABLE Furrier.

Raw Furs Bought. Furs Repaired.
Prices Reduced. Horsemen

Watches
Solid silver watches, American works, were \$10.00, now \$6.00.
James Boss make, filled watch, jeweled movement, warranted, for \$4.50.
Solid Gold Watches at wonderful prices—\$10. \$20 and \$25, every one a bargain.
Ladies' solid silver watches, hand engraved, hunting case, American movements, warranted, for \$6.75.

Rexford Co.
132 Wyoming Ave.
225 Lackawanna Ave.

Never Slip Removable Calks
Bittenbender & Co.
126 and 128 Franklin Ave.

Pianos and Organs
During the holidays at Bottom Prices. Beautiful Upright Pianos for \$150; unequalled in the city for the money. ORGANS, five or six octave, nearly new, as low as \$45. Don't fail to come and look over the bargains before you conclude a purchase.

Davidow Bros.
Jobbers in Jewelry,
227 LACKAWANNA AVE.

Guernsey Hall Bldg
J. W. GUERNSEY, Prop.
313, 316 and 318 Washington Ave.
SCANTON, PA.

Little Oil Heaters.
The Popular House Furnishing Store.
Just the thing for warming sleeping rooms where it's best not to keep fire all day. We have them in several sizes, some as low as \$4.50. They are powerful little heaters, free from smoke or odor.

Foot & Fuller Co.
Nears Building,
140-42 Washington Ave.

Davidow Bros
227 Lackawanna Ave.
Everett's

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

EVERETT'S LIVERY,
230 DIX COURT. (REAR CITY HALL)