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Pianos,  
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The latest in Sheet Music, both popular and classical.  
If you don't see what you want ask for it, and we will procure it in three days time. A few second-hand Pianos and Organs cheap for cash, or on easy payments. Must make room for new stock.

PERRY BROTHERS  
205 WYOMING AVENUE.

Ice Cream.  
BEST IN TOWN.  
25c Per  
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CREAM, ICES AND FROZEN FRUITS  
420 Spruce Street.  
Masonic Temple.

C. S. SNYDER,  
The Only Dentist  
In the City Who Is a Graduate in  
Medicine.  
420-422 SPRUCE STREET.

TEETH  
Reduced prices for the next 15 days as follows:  
Gold Crowns.....\$2.50.  
Gold Fillings.....50c.  
Best Set of Teeth.....\$4.00.  
Silver Filling.....50c.

Crown and bridge work a specialty. If you have any dental work to be done call and have your teeth examined free of charge. Painless extractions.

Dr. Edward Reyer  
614 SPRUCE ST. OPP. COURT HOUSE.

DR. H. B. WARE,  
SPECIALIST.  
Eye, Ear, Nose and Throat  
Office Hours—9 a. m. to 12.30 p. m.; 2 to 4  
Williams Building, Opp. Postoffice.



CITY NOTES

"FAIR PLAY"—A letter with this signature cannot be printed until we know the writers real name.  
THEY WERE PAID.—The janitors and night school teachers were paid yesterday for the month of December.  
SCARLET FEVER CASES.—There were ten new cases of scarlet fever reported to the secretary of the board of health yesterday.  
MEETING POSTPONED.—The board of health meeting, which was announced for last evening, was postponed until this evening, owing to the severe weather.  
CAYUGA WILL RESUME.—The Cayuga mine, which has been idle during the past week owing to repairs, being made, will resume operations on Monday.  
LARCENY AND RECEIVING.—John Fox was last evening committed to the county jail by Alderman Nicholas Glick, of Pell township on the charges of larceny and receiving.  
HERRON INQUEST.—Coroner Roberts will conduct an inquest in the court house this evening in the case of the late George Herron, who was found dead in the Roaring Brook.  
UNION CARRIAGE SHOP.—The Carriage and Wagon Workers' union, No. 8, has succeeded in organizing Conrad Pfeil's shop on Pittston avenue, as a union shop. He has been authorized by the union to use the label on all his work.  
COLEMAN INQUEST.—The inquest which was to have been held by Coroner Roberts last night in Alderman Pfeil's office in the case of Thomas Coleman, who died from injuries received in the Marvino mine, was postponed. Several of the witnesses in the case were unable to appear owing to injuries received in the explosion, and it was decided to hold the inquest at a later date.  
A Card.  
We, the undersigned, do hereby agree to refund the money on a 50-cent bottle of Greene's Warranted Syrup of Tar if it fails to cure your cough or cold. We also guarantee a 25-cent bottle to prove satisfactory or money refunded.  
C. Thompson.  
M. J. Vetter.  
A. W. Musgrave. Albert Schultz.  
David M. Jones. C. Lorenz.  
Fryer's Pharmacy. F. L. Terpe.  
H. M. Cole. Chas. P. Jones.

WISHEDDOD AT TAYLOR.  
Will Be Held in Welsh Baptist Church, Washington's Birthday.

The committee of the wisheddod of the Taylor Welsh Baptist church on Washington's birthday, Feb. 22, 1900, has decided on the following programme:  
1. Chief choral competition, "The Sea Hath Its Perils," Pheasant. Not less than 15 numbers. Prize, \$5, and \$5 to successful leader.  
2. Choir of children under 15 years of age, "There is No One Righteous," Gospel Hymns Nos. 2 and 6; page 138. Prize, \$1.  
3. Double quartette, "Who Knows What the Bells Say," by Parker. Prize, \$1.  
4. Trio, "Fair Flora Deaka," by Danby. Prize, \$1.  
5. Duet, soprano and alto, "O, Lord We Adore Thee," by Danby. Prize, \$1.  
6. Bass or baritone solo, "How Willing My Fraternal Love," from Samson, by Handel. Prize, \$2.50.  
7. Alto solo, "The Promise of Life," F. F. Cowan. Prize, \$1.50.  
8. Tenor solo, "Then You'll Remember Me," Baffo. Prize, \$1.50.  
9. Soprano solo, "Glory to God in the Highest," Johns. Prize, \$1.50.  
10. Congregational tune for men over 20 years of age. Prize, \$1.  
11. Children's solo, under 15 years of age, "Some Sweet Day," Gospel Hymns 5 and 6; page 106. Prize, \$1. Second prize, 50 cents.  
12. Reading music at sight for four. Prize, \$1.  
13. Essay, Welsh or English, for Taylor contestants, "The Influence of the Sabbath Schools." Prize, \$3.  
14. English recitation for adults, "The Fate of Virginia," from "Standard Recitations No. 2." Prize, \$2.  
15. Welsh recitation for adults, "Boxer the Leading Horse," from Wynnyddog. Prize, \$2.  
16. Children's recitation under 15 years of age, "Only Waiting," from Household Words. First prize, \$1; second prize, 50 cents.  
17. Impromptu speech. Prize, 50 cents.  
18. Reading at sight. Prize, 50 cents.  
19. Spelling Bee, ten words. Prize, 50 cents.  
20. Naming words on a given letter. Prize, 50 cents.  
21. Answering ten Scriptural questions. Prize, 50 cents.  
Names of adjudicators will appear later. Address of secretary, John C. Richards, Taylor Pa.

FIRST ANNIVERSARY.

Twentieth Century Literary Society Banquet in Guernsey Hall. Very Enjoyable Affair.

The members of the Twentieth Century Literary society held a banquet last evening in Guernsey hall, in honor of the first anniversary of their organization. Mr. William McCracken acted as toastmaster, and speeches were delivered by David Griffiths, Wallace Mackay, E. R. Maycock and Lynn Adams. The chaplains were Mrs. Farnham and Mrs. Moore. Harley Zintel rendered several selections on the guitar.  
Those present were: Phoebe Mackay, Eva Lewis, Edie Holden, Ed. Shaw, Minnie Wilson, Anna Lewis, May Davis, Alice Harvey, Vina Knapp, Olive Swartz, Elizabeth Hoermann, Della Davis, Stella Trepp, Grace Devine, Grace Maycock, Edna Caryl, Minnie Deibel.  
E. R. Maycock, David J. Griffiths, George Evans, William McCracken, William Shaw, Milton Moore, Wallace Mackay, Edward Davis, Harry Caryl, Percy Bennett, Rexford Farnham, Howard Yost, Lou Roberts, Guthrie Wells, Herbert Hill, Lynn Adams, Frank Matthews, Grove Swartz.

GERM THEORY DISCUSSED.

Dr. Allen's Views Regarding Contagion in Library Books  
Health Officer Allen's assertion that contagion is being spread by books circulated by the city's public library provoked much discussion in various quarters yesterday. In order to believe in this theory one must be a believer in the germ theory of disease. Superintendent Howell, in speaking of the matter yesterday, said that he is not prepared to pose as an authority on the germ theory, but he can cite one incident which came under his personal observation.  
This was the case of a child who became suddenly afflicted with diphtheria and whose books were used by another child the day following without the knowledge of the teacher. The next day that child became afflicted with disease.  
What course Dr. Allen intends to pursue in the matter is not definitely known, but it is understood that he favors the temporary closing down of the library. He is given the power to do this by the act of assembly under which he acts in closing the schools.  
PLEASING ENTERTAINMENT.  
Reception Tendered to W. A. Berry at Meeting of R. R. Y. M. C. A.  
The regular monthly entertainment of the Railroad Young Men's Christian association was last evening given at the rooms of that organization on Lackawanna avenue. A very enjoyable programme of vocal and instrumental music was rendered, following which a reception was tendered to Assistant Secretary W. A. Berry, who left the city for New York city last night, and who will accept the position as secretary at New Durham, N. J.  
The reception was also given in honor of W. A. Burton, of Hallstead, Pa., who will fill Mr. Berry's position. J. R. Troch made a speech in behalf of Mr. Berry's fellow workers in the association and presented him with a handsome interlocking Oxford bible. Mrs. Berry was also presented with a fine silk umbrella.

PHARLOS INJURED.

Nanticoke Miner Severely Burned While at Work.  
William Pharlos, a miner in the Bliss mine, at Nanticoke, was badly injured yesterday afternoon by the premature explosion of a blast which he was preparing. The charge exploded before he was prepared for it and as a result he was seriously burned.  
He was taken to the Moses Taylor hospital yesterday afternoon, where it was discovered that his injuries consisted of burns about the face, hands and arms.

WATER COMPANIES UNITED.

New Haven Plant to Control Suburban Systems.  
New Haven, Jan. 26.—The New Haven Water company has absorbed the property of the West Haven Water company of this city and will extend the local system to the suburbs in the near future. The West Haven company is capitalized at \$100,000 and owns over thirteen miles of pipes.  
ORIGINAL LEASE OF COAL.  
(a) The coal was originally leased December 15, 1854, for a term of 20 years from April 1, 1863, by William Swetland to Lewis and Howells, who within the next year sank a slope to the coal seam in the east part of the property; the mouth of the slope was about where the ton of the present shaft is and the breaker practically in the same location as the one now in use at the distance of twelve or fifteen feet from the single railroad track then

JUDGE ARCHBOLD'S  
LENGTHY OPINION

IN THE CASE OF THE MT. PLEASANT COAL CO. VS. D., L. & W.

History of the Proceedings and Law Bearing on the Case—Report of Trial Judge on the Bill to Restrain the Defendant Company from Interfering with the Building Across Its Right of Way of an Overhead Bridge—Grounds on Which the Injunction Was Refused.

Judge Archbold's opinion in the case of the Mt. Pleasant coal company against the Lackawanna Railroad company, in which the former sought to compel the latter company to allow them to construct an overhead crossing near the Mount Pleasant breaker, is as follows:

This is a bill to restrain the defendant company from interfering with the building across its right of way of an overhead bridge or structure for the conveying of coal from the plaintiff's breaker on one side of the railroad to pockets to be erected on the other.  
The facts in the case are as follows:  
First—The Mount Pleasant Coal company, plaintiff in the bill, is a corporation organized under the general corporation laws of Pennsylvania for the purpose of mining, preparing for market and selling anthracite coal; and is the lessee and owner of all the coal underlying certain parcels of land in the city of Scranton containing some 227 acres, formerly belonging to William Swetland, and known as the Williams tract, and also of certain surface water rights and privileges to be used and exercised in connection with the mining of the said coal; and under and subject to certain covenants and conditions said company is engaged in the business of mining the said coal from the said tract and preparing and shipping it to market.  
Second—The Delaware, Lackawanna and Western Railroad company, the defendant in the bill, is a public corporation formed by the consolidation of several other public corporations created by sundry acts of the state of Pennsylvania, beginning in 1832 and concluding in 1858; and owns and operates a certain line of passenger, freight and coal railroad running through the city of Scranton, the eastern terminus of its main line being at Hoboken, New Jersey, and its western terminus at Buffalo, New York. By the Act of April 26, 1855, P. L. 302, it is made subject to the general railroad laws of the state of Pennsylvania.  
Third—On January 23, 1854, William Swetland, the then owner of the said coal tract, by deed duly executed and recorded, granted and conveyed to the defendant company, its successors and assigns, "for the purposes of its railroad," a strip of land across the said tract described as "about fifty perches in length, bounded by the grade, track and survey of the railroad of said company, and six perches in width, said railroad survey being in the center of said strip of land, and the said strip of width as the necessary slopes of excavation and embankment may in case of the construction of a double track require." This strip of land being only intended to be employed for the right of way for the railroad of said company. To have and to hold the said piece or parcel of land unto said company and their successors and assigns so long as the same shall be by them required for railroad purposes." This deed appears in full as Exhibit "A" attached to the complaint in this case, and a copy thereof is made a part of the findings in the case without further recital herein.  
At the time this deed was executed the strip of land which was so conveyed and which is now the east or south-bound track of the defendant company. Since then two other tracks have been laid upon it, to wit, the east or original one, the first of these being the north or west-bound track in 1871, and the other a siding for general purposes in 1882.

RAILROADS RIGHT OF WAY.

Fourth—Superficially the right of way of the railroad divides the Williams tract into two parts, the one lying easterly lying between the railroad and the Lackawanna river, containing about forty acres, and the other lying westerly of the railroad, containing about 187 acres. On the latter is located the shaft, breaker building, engines, boilers, breaker machinery, screens, scales and coal houses, and other mining fixtures, and improvements of the plaintiff company necessary for mining the coal beneath the tract, hoisting it to the surface, and breaking, screening and conveying it to the breaker. The breaker building is located close to the railroad, its most easterly foundation being but eight feet and the structure itself about ten feet from the track. The westerly rail of the south-bound track, and a switch extends from that track under the structure of the breaker on which coal cars are run below the coal pockets to be there filled with prepared coal for transshipment to market.  
Fifth—The surface of that part of the tract lying east of the railroad is used by the plaintiff company as a dumping ground for the culm and refuse necessarily made in the process of mining, breaking, screening and conveying coal, and is the only place where the same can be conveniently dumped or deposited, and access to it is had by means of an overhead wooden trestle and bridge proceeding from the breaker and extending across the defendant's railroad at an elevation of about twenty-two feet from the ground level. The foundations and has a span across the tracks of the railroad of about forty-six feet; it is twenty-five feet wide and carries two narrow-gauge mining tracks, one to convey the culm from the breaker to the dump and the other to return the empty cars to the breaker again; the loaded cars are shifted by means of a small mine locomotive engine and the empty cars returned to the breaker by gravity.  
Sixth—The appearance and relative location of the breaker, the railroad tracks and the bridge and culm dump are as shown in the photographs, plaintiff's exhibits fourteen to twenty inclusive, which are admitted and made a part of the findings in the case supplementary to and explanatory of what is herein set forth.  
Seventh—The defendant railroad has never taken into its possession nor occupied the full width of the right of way granted to it across this track by William Swetland in 1854, nor the mine fixtures of the plaintiff company deposited and materially encroach upon the said right of way; but this has been with the acquiescence and consent of the said railroad, the relations between it and the several parties who from time to time have owned and operated the mines on this property being most intimate.

THE PROPOSED BRIDGE.

The proposed bridge is not to be connected in any way with the present culm trestle which at its nearest point is about ten feet from the breaker; rather it is to be set up, and upon the erection of the new structure the culm trestle will be torn down and abandoned, the culm being conveyed over the breaker by gravity.  
Eighth—These were the existing conditions when the present Mount Pleasant Coal company, on November 23, 1896, became the owner of the property in question, which time it has continued to carry out the contract with the railroad company for the sale and delivery of the coal which it has been obliged to deliver by the way in which the contract was being carried out on the part of the railroad company, on July 12, 1899, the Mount Pleasant Coal company made a new contract with the New York, Ontario and Western Railroad company, also a coal carrying road, for the transportation of its coal to the breaker on the railroad of the said New York, Ontario and Western Railroad from it and delivering the culm dump on the lower level along the bank of the Lackawanna river. In order to connect the Mount Pleasant breaker with it, it is proposed to build a switch and three thousand feet long, starting at a point a little above the breaker and on the opposite side of the Delaware, Lackawanna and Western railroad from it and crossing the culm dump and running down at a grade of about three and one-half feet to the hundred, to unite with it at a point on its main line at the height of at least twenty-seven feet above the breaker, and then proposed, as part of the same plan, to build coal pockets at the upper end of this switch, which is opposite the breaker, and to connect the breaker with the railroad company will be run and from which they will be loaded with coal; and as a necessary adjunct to this the coal must in some way be conveyed to the breaker on the side of the pockets on the other across the tracks of the defendant railroad.  
Ninth—To effect this the following plan has been proposed:  
(a) It is proposed to build an overhead How truss wooden bridge or structure stretching across the tracks at the height of at least twenty-seven feet and extending in width the whole front of the breaker some ninety-six feet up and down the railroad. It was at first intended to support this bridge on the side of the breaker by a bent of timbering resting on the present easterly stone foundation of the breaker, building eight feet from the side of the railroad, and on the other side by a similar bent resting on a foundation to be built fifty-five feet from the other, but as these abutments would be within the right of way claimed by the railroad under the Swetland deed, the offer was made at the trial to lengthen the span to such distance as the court might direct in order that this might be avoided.  
(b) On this bridge is to be constructed a system of eleven belt conveyors of the best quality of rubber belting, nine of them twelve inches wide, one eighteen inches, and one twenty-four inches—running over moving pulleys at the breaker, and being kept in place by the sagging of the belts, will be conveyed across and dumped off without more into the pockets on the other side of the breaker. The other side of the bridge will run in a separate compartment which will be added and boarded over and in, and the bottom of the bridge will be tightly closed with tongue and groove iron or copper to prevent danger of fire from sparks thrown out by passing locomotives. The same precaution will be taken with the rest of the structure if deemed necessary by the court.  
Tenth—The proposed bridge is not to be connected in any way with the present culm trestle which at its nearest point is about ten feet from the breaker; rather it is to be set up, and upon the erection of the new structure the culm trestle will be torn down and abandoned, the culm being conveyed over the breaker by gravity.

OBJECTIONS FILED  
AGAINST FELLOWS

JOHN DONAHOE WANTS NOMINATION PAPERS NULLIFIED.

Letter Claims He Is the Regularly Nominated Candidate of the Democratic Party in the Fifteenth Ward and Asks Court to Declare Fellow's Certificate of Nomination Invalid. Hearing Set Down for February 3. Contents of Petition Filed by Attorney Donovan.

Attorney C. C. Donovan, representing John Donahoe, filed objections yesterday to the certificate of nomination filed by Horatio T. Fellows, of the Fifteenth ward. He is the present select councilman from the Fifteenth ward, and was defeated for the Republican nomination by Joseph Oliver. He then filed nomination papers as the candidate of the Democratic party. Mr. Donahoe is the regularly nominated candidate of that party in the ward and therefore wants Mr. Fellows' paper nullified. His petition is as follows:

To the honorable judges of the court of common pleas of Lackawanna county.  
John Donahoe, being duly sworn, says that at a caucus of the Democratic electors of the Fifteenth ward of the city of Scranton, held on the 12th inst., he was duly nominated for the office of select councilman from the Fifteenth ward of the city of Scranton, on the 20th inst., at a caucus of the Democratic electors of that party in the ward and therefore wants Mr. Fellows' paper nullified. His petition is as follows:  
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