Strengthens

and Nerves.

Gives Appetite,

Produces Refreshing Sleep,

A Safeguard Against Mental

Diseases.

Dose-A small wine-glass full three times

ranged that three of their number, the

trustees above named, should take

charge of the park and conduct it until

such time as enough money was real-

ized to pay off Laine's indebtedness.

The trolley company felt morally, if

not legally obligated to help on the ad-

\$2,000 per year, to be used as a work-

ing capital and not to be distributed

074.69 to the trustees and that it has

been unable to secure an accounting.

Two Damage Suits Begun.

Favors the Annexation.

In its report to court, yesterday morn-

ing, the grand jury reported favorably on the petition for the annexation of

a portion of Lackawanna township to

The jury finds that all the prescribed

conditions have been complied with,

and that it is expedient to grant the

COURT HOUSE NEWS NOTES.

Court yesterday appointed Harlem Howe bur-gess of La Plume to fill the vacancy caused by

Burgess Tingley moving away. Frank Manarina, charged with criminal as

ult on Mrs. Nardallo, of Raymond court, was

A rule was granted yesteriday for the transfer of the hotel license of Simon Thomas, of 409

North Main avenue, to Isaac J. Evans.
Richard J. Watkins was yesterday appointed

o fill a vacancy in the office of minority in

pector of the Fourth ward of Taylor,

Judgment for the defendant was given yes

and township of Old Forge against Silas Ran-

audge Archbald, yesterday, dismissed the

eptions to the report of the viewers in the

natter of the condemnation of the Rearing Brook turnpike, within the lines of Dunmore

erough. The report of the viewers was con-

firmed finally.

Among the half hundred granted citizen papers

ay, was Miss Pauline Ammon, of Carbondale,

who wishes to have the protection of the United

Attorney Frank E. Donnelly, of the Luzern

or, was admitted to practice in the Lacka vanua courts, yesterday, on motion of Attorney

t Yale. For the past four years Mr. Dounelly

On motion of Attorney C. P. O'Malley, court

esterday made an order in the case of Jerreyr

Co. sgainst Elliott, McClure & Co., allowing he defendants to file in the recorder's office the

feed for the coal land embraced in the pare

plaintiffs had refused to accept the deed.

They were classmates and chuna

court. The

George H. Rice, with whom he is to form

been in John T. Levaban's office

States flag about her when she goes abroad next month on a visit to Fatherland.

w Judge Kelly in naturalization court.

the company.

jury.

Taylor borough.

prayer of the petitioners.

released on \$800 ball yesterday

necessity of a working capital.

ple as the world-famous Mariani Wine

lating tonic has no equal.

Sold by all druggists.

System

Body

Brain

You have the finest stock of

UP-TO-DATE PHONOGRAPH RECORDS

in the city." This a gentleman said in our store the other day. And

We pride ourselves on the quality of our records, not on the quantity. Call to buy a Phonograph and let us persuade you to buy a piano in-stead. You should have music in your home. A little right manage-ment and you can buy the wished for piano, and in the long run hard-

Our terms are easy and the goods the best possible, for the money. Knabe, Briggs, Vose and Ludwig

Ice Cream.

25° Quart.

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Best Set of Teeth, \$5. Silver Filling.

Cleopatra was the supreme beauty of her day, and it is said her teeth were perfect. We can't change the centour of your features, but we can give you perfect teeth. They will please you and please your friends, who like to see you look Dr. Edward Reyer

FIASPRUCE ST. OPP. COURT HOUSE. Open Wednesday and Saturday evenings,

DR. H. B. WARE, SPECIALIST.

Eye, Ear, Nose and Throat Office Hours-9 a. m. to 12.30 p. m.; 2 to 6 Williams Building, Opp. Postoffice.



MAY POCKET GUIDE.-The Scranton Pocket Juide and Business Directory for May is ready

BOARD OF CHARITIES.-The board of asso ciated charities of Scranton will not meet thu

FIRST TO PAY.-District Attorney John R. Jones was the first of the Republican candidates

MONTH'S MIND MASS .- A month's mind mass for the late Mrs. Patrick Joyce will be said in Hely Cross church, Bellevue, Thursday morning

ELM PARK COLLECTIONS .- The official state ment of the receipts of Elm Park church for the last conference year shows that \$18,587.76 was collected for church work.

LIGHT AND WATER COMMITTEE.-The light and water committee of common council will neet toright to consider the resolution fixing standard heighth for all electric light poles.

ACCUSED OF ASSAULT.-Michael Conway was yesterday arraigned before Alderman Howe on the charge of assault and battery preferred by Catherino Ferguson. He was held in \$500

FOX WANTS TO KNCW .-- I would like to know it Tim Murphy, of Pine Brook, wishes to wres-tle me or not. This challenge is for anybody se at age of 13 and weighing 312 pounds. Al.

CANDIDATES REGISTER.-The following can didates for jury commissioner registered yes terday with Chairman Vosburg, of the Repub county committee: Charles Wiggins and John Davis

FRANK HELD IN BAIL,-H. Frank, of Oakrd court, was yesterday arraigned before Aland non-support. He was beld in bail for his

SPECIAL MEETING.—St. Joseph's society will hold a special meeting in College half at 2.30 o'clock tomorrow afternoon. All members are requested to be present, as business of import ance will be transacted.

OPENS TONIGHT.-The annual convention of the Central Pennsylvania diocese of the Protest ant Episcopal church will open in St. Luke's church tonight. The convention will consist of about three hundred delegates, two-thirds of whom are laymen.

D. & H. PAYS.-The Delaware and Hudson company paid the trainmen porth of Scrauton and the employes of the machine shops at Carbondale yesterday. The Delaware, Lackawanna

GRIGGS LECTURE - Prof. Edward Howard

first part of Goethe's "Faust" Thursday night to the Albright library. It is hoped that putrons will appear punctually at 8 o'clock if thy care to hear all the address.

WEEKLY HEALTH REPORT,-There were 47 deaths last week, according to the report of the recordary of the board of health. There were enty-six cases of contagious disease reported being diphtheria and 11 scarlet fever.

FINED \$3.-Gertle West was arrangeed before Mayor Moir in police court yesterday morning on the charge of drumlenness, and was fined \$3. Sie was arrested by Patrolman Louis Gorr-litz. Saturday morning she appeared before the mayor charged with using profane language.

WILL NOT ATTEND, Mayor Moir yesterda, eceived a letter from the mayor of York, it of third class cities, to be held in that city thi week. The mayor has decided not to accept the nvitation, as he believes Scranton is already

THE BAPTIST MINISTERS.—The Baptist min isters of the city met yesterday morning in surch and listened to an excellent paper by Rev. M. R. Thompson, who contended that Christianity can learn much from some of the eathen religious.

LOST CHILD.-Mrs. Anna Turmiski, of Throop, ast night reported to police headquarters the isappearance of her 6-year old dauguhter. The hild had come to town with her parents in the afternoon. She was found on North Washington avenue and taken to the country jail, where her parents came for her.

REUNION .- A reunion of the Seventy-seventh regiment, Pennsylvania Volunteers, will be held Wednesday, June 6, 180, at 3 o'clock p. m., at Hotel Washington, Gettysburg. All comrades are earnestly requested to be present, especially survivors of the Battle of Shileh, to assist in locating positions of the regiment during that

DRUNK AND FIGHTING .- Patrolmen Conner and "Babe" Jones yesterday arrested a man on the charge of drunkenness and righting. When taken into custody he had in his hand an open knife, which had to be wrenched from him. He then threatened to kill the people with whom he had been quarreling. They will appear

PROFITABLE BUMMAGE SALE .- Rummage ales furnish a lucrative means of getting a lying or certainly would do so if the runnings nerchant could have the stock furnished gratis, as it has been during the past three weeks in this city. The recent sale conducted by the managers of the Home for the Friendless realzed \$510 for that needy institution

DISORDERLY CONDUCT .- woman giving her name as Mrs. M. Welsh was arrested yes-terday afternoon in front of a Lackawanna avenue salcon, where she was creating a disturb-ance, by Patrolmen Palmer and J. D. Thomas A revolver was found in her possession and she was taken to the Centre street police station, from which she was afterward released on a deposit being left for her appearance at police

PRINCIPALS ROUND TABLE.-The Principals Round Table met at the high school yesterday and heard an interesting discussion by Prof. H. L. Burdick, of the high school faculty on "Shorter Methods in Mathematics." He med a class of eight girls to assist in illustrat-ng his lecture. Methods used in banks and ousiness houses were particularly dwelt upon. It was decided to hold the annual banquet in Hotel Jermyn, Saturday, June 2. President Kemmerling will act as toastmaster.

BIDS FOR FIRE HOSE .- A special meeting the joint fire department committee of coun ils has been called for tonight, for the purupo of considering the proposals for hose just reeived by the city. There is an appropriation (only \$1,500 this year. Several of the bids submitted are below what the city has been paying for hose. For the last lot of rubber hose bought, \$1 a feet was paid and for cotton hose, 75 cents a foot. The same company that this was purchased from now offers to sell cotton hose for 60 cents a foot, while still another company offers it as low as 57% cents. It is believed that cotton hose will be purchased in stead of the more expensive rubber.

JERSEY CENTRAL EXCURSIONS-J. S. Swish er, district passenger agent of the Central Rail road of New Jersey, has returned to his office after several weeks' illness, and is busily enraged in booking excursions to Mountain Park. | Yesterday. The season opens on Wedresday, May 30, when the Jovial club, of Wilkes-Barre, will hold forth at this popular resort. A special train will be run from Scranton in connection with the excursion. Already sixty-three dates have been made by different churches, societies, etc., with ant in owed him the middle of September. The Ancient Order of Britons, who ran the largest excursion from this city to Mountain Park last season, have cured the grounds for July 4.

SPREADING TEMPERANCE GOSPEL -- Rev. W. H. Williams reports three very large Anti-Saloon League meetings last Sabbath. He spoke three times in Williamsport in a Methodist burch in the morning, the Young Men's Christian association in the afternoon, and in the Lutheran church at night. He leuves today for Montrese, where he will deliver four addresses, speaking in the different churches of Montrose He will return Saturday, and will conduct the gospel service at the Rescue Mission Saturday belping him in his work by encouraging the people who stand on the coforcement of law.

A CLEVER CAPTURE.-The local police wer esterday notified by the Wilkes-Barre authorities that city, had left the house and came to Scranton, taking with her a gold ring and \$20 in cash. A warrant was issued by Acting Mayor Holley, for her arrest. City Detective John Moir arrested the girl yesterday afternoon on the South Washington avenue flats, where she was visiting friends. The money was found in her possession, and in addition a telescope value filled with valuable dress goods' material. The Wilkes-Barre police were notified, and Chief Kline came to the city and took the girl back. all the stolen property with the exception of the ring being recovered.

Smoke The Hotel Jermyn cigar, 10c.

Reduced Fares to Washington, D. C., via Central Railroad of New Jersey, Account Imperial Council, Order of Mystic Shrine.

For the Imperial council Order of the Mystic Shrine, at Washington, D. sell tickets to the general public from all stations on its line, to Washington and return, at rate of one fare for the round trip. Tickets to be sold and good going May 19-21, returning to May 28, inclusive.

Smoke the Pocono cigar, 5c.

MARRIED.

DAVIS-BRONSON .- At the Lackawanna Method ist Episcopal parsonage, Saturday, April 28, 1900, by Rev. G. F. Ace, Mr. Burton E. Davis, of Scranton, to Miss Verna Brenson, of Scuth Caraan, Pa.

JACKSON-WHITMIRE.—In Scranton, Pa., May 14, 1990, by Rev. W. J. Ford, John Jackson of Moosic, and Miss Grace E. Whitmire, of

COURTENAY & CO.'S

Genuine Worcestershire Sauce

Usually Sold at 25c. This is the Genuine Worcestershire and Guaranteed the Best. Finest Ketchup, per bottle, 15c.

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BATCH OF OPINIONS FROM JUDGE KELLY

FIRST TO BE HANDED DOWN BY THE NEW JURIST.

One of Them Deals with the Sidebottom Checker Playing Case and Another the Question of Board Bills-"Pop" Laine's Debt Again in Court-Two New Trespass Suits Filed-Cases in Common Pleas Court-Judge Archbald Sustains the Report Concerning Toll Road.

Judge John P. Kelly yesterday filed five opinions, the first he has handed down since his elevation to the bench None of them were of unusual importance and only one of them contained anything that gave opportunity for interesting treatment.

This one was the case of the Shaffer estate, in which exceptions were taken to the report of Auditor Herman Osthaus by Isaac Sidebottom and his wife, whose claim of \$1,806 was dissolved. Part of the claim, it will be remembered by readers of The Tribune, was for time spent by Sidebottom in playing checkers with old man

Judge Kelly, after discussing the case interestingly, finds that the referee's judgment was correct and adds: 'If any injustice has been done the claimant it is due to his misfortune in being unable to furnish evidence sufficient to satisfy the requirements of the law in cases of this character."

In the case of Mary Coyne against

John Slane, Judge Kelly discusses and

decides the question at issue as fol-"Can one who has obtained a judgment for board for more than four weeks issue an attachment for a sum sufficient to pay for four weeks board. and after having collected such sum again issue an attachment on the same judgment to collect for an additional four weeks' board We think not. The attachment is in the nature of an execution and should follow the judgment. We know of no authority to justify the plaintiff in the judgment, the whole amount of which is due and payable, in issuing a series of executions so as to collect his judg-

ment in installments." In the case of the Dime bank to the case of Frank Suydam against John Brown and others, the exceptions to the report of the referee were over ruled and judgment directed to en-

ter for the plaintiff. The rule for judgment for want of sufficient affidavit of defense, in the wage case of E. E. Blockhard, administrator, against M. T. Keller, was discharged, Judge Kelly holding that the affidavit, while not all that might be desired, was not insufficient. chastity.

The appeal from the summary conviction in the case of the commonwealth against Anthony B. Ruddy was sustained. Nicholas George, of Ferdinand street, had Ruddy, his son-inlaw, arrested for driving on the sidewalk, and Alderman Meyers fined him \$5. The appellant claimed there was no sidewaik at the place in question. and nothing having the appearance of

In Common Pleas Court.

Judge Edwards in the main court coom and Judge Kelly in No. 2 are conducting the first week of the May term of common pleas, which opened

A verdict for the plaintiff in the sum of \$33 was secured in the case of E. M. 1 pp against J. J. Woodling. Lepp worked as a carpenter for the defend-He alleged Woodling owed him \$44 balance for wages. Woodling produced a check which he paid Lepp in December, 1897, and which was "payment in full to date." Attorney T. P. Duffy, who represented the plaintiff, argued to the jury that the "payment in full to date" was added after the check was returned from the bank, and pointed out a difference in the shade of the ink used to write the body of the check and that which was used to write the phrase in question. A. A.

Chase was attorney for the defendant A jury was out at adjourning time in the wage case of Frank H. Oakley might of this week. Mr. Williams says the against George H. Weiland, which was work of the Men's League in this city is reaching out to different parts of the state and John Benore & Son against Ferdinando tried before Judge Kelly. The case of Arigoni is on before Judge Edwards. It is a claim of \$150 for material.

In the case of O. M. Fletcher against M. E. Worden, a verdict for the plainof the fact that Mary Slavinish, an 18-year-old tiff in the sum of \$41 was mutually servant girl in the employ of Mr. Corry, of agreed upon.

The case of Thomas W. Davis against Susan Spencer, which was to be tried today, was continued. Major Warren and E. C. Newcomb, attorneys for the defendant, desiring to file a demurrer The case of John M. Cobb against Michael McCann, and A. A. Vosburg

Laurel Hill Park Case.

An answer was made yesterday by the Scranton Railway company, through General Manager Frank Silliman, jr., to the suit brought by John Benore Thomas F. Mullen and A. J. Atkinson, trustees, appointed by the creditors to liquidate the indebtedness of J. H. Laine in connection with the management of Laurel Hill park. Laine, it will be remembered, was

Knights Templar at Wilkes-Barre.

On account of the forty-seventh aniual conclave, Knights Templar of Pennsylvania, to be held at Wilkes-Barre, May 21 to 23, the Delaware and Hudson railroad will sell special tickets from all points in Pennsylvania to Wilkes-Barre and return at one way fare for the round trip. Tickets good C., May 22-24, the Central Railroad will given the lease for Laurel Hill park going May 24 and 22, and good for reby the trolley company and he failed, turn on or before May 23.

OPINION IN THE SCHOOL BOARD CASE

clared Constitutional-What the Court Has to Say About the Difficulties It Encounters Owing to the Restrictions of the Constitution. Act of 1874 in Its Main Features No other preparation has ever received no many coluntary testimonials from eminent people as the world-famous Mariani Wine. Affecting School District Is in Harmony with Act of 1854.

> dered by the Supreme court in the of twenty-one the legal body in cities

For everworked men, delicate women, sickly children this healthful, invigorating and stimu-It is conceded that the respondents were duly No other preparation has ever received so many voluntary testimonials from eminent peolegislation on a subject prohibited by section ? of article III of the constitution. The learned with heavy liabilities. The creditors got together and after a conference with the trolley company in 1895, ar-

"each of said cities of the third class shall con-stitute one school district." There is nothing new or peculiar in this, so far as it makes the district co-terminous in territory with the city, for the legislature has always constituted school districts of territory embraced in some of the municipal divisions of the state. Thus the act of May 8, 1854, section I, P. L. 617, which is justment and agreed to contribute the foundation of the existing statute law on the general subject, provides that "every township, borough and city * * * shall constitute a school district."

among the creditors while there was therein shall be the common property In March last the trustees brought suit to recover \$3,500, which amount it was alleged the company was owing under this agreement. In answer to this suit, the company says that one month before the suit was instituted it repossessed itself of the park through default on the part of the trustees to pay the \$1 a year rental that was agreed upon. Further, it alleges that the trustees violated the agreement by not using their best endeavor to make the city, and their separate election by the ele the park prosperous and in voting to tors of the several wards. These latter themselves \$500 a year for salaries as sions apply in terms only to cities of the class, and herein lies the substance of the The company claims to have paid \$6,-

Willaid, Warren & Knapp represent Mrs. Hugh Gaffney, of this city, instituted a suit yesterday, through Attorney M. J. Gilroy, to recover \$5,000 Hence the necessity for express classification for alleged slander. It is alleged that on February 8 , last, the defendant made allegations against the plaintiff's Bayley A. Fox, through Attorney a law which does not exclude any one from Charles L. Hawley, began proceedings to recover \$4,000 from William Craig for false arrest. Craig had Fox arother political and municipal divisions of the state when considered in their governmental carested for the larceny of a dog, and the case was ignored by the grand

pacity.

Classification of counties is, therefore, as permissible as classification of cities, and the legislature may determine what differences in situa-tion, circumstances and needs calls for a difference in class, subject to the supervision of the tion, to see that it is actual classification, and not special legislation under that guise." And the test in this respect is not wisdom, but good 187 Pa. 318. It has already been held in Sugar Notch berough, 192 Pa. 349, that "there is no constitutional objection to the classification of achool districts any more than of cities.

Both are included in the same clause of the constitution prohibitory of local or special legis-lation, and there is no argument against classification of any one that is not equally forcible against the other." What is classification? With reference to the present subject, it is the grouping sogether for purposes of Igislation of communities or public bodies which, by reason of similarity of situation, circumstances, requirements and convenience, will have their pubic interests best subserved by similar regula-

on the ground of necessity. But the necessity by this court in Wheeler vs. Philadelphia, 77 Pa. 338, was the necessity of escape from the intolerable inconvenience of uniformity of regulations under circumstances and needs essentially different. And in general, with reference to public matters and legislative usage, ncessity means great or urgent public venience. Thus viewers under the act of June 13, 1856, are required to examine and report whether the road desired be necessary for a public or

to their peculiar necessities. tue classification of school districts intended by the act of 1874 is upon lines of distinction genuine and as fundamental as its classification cities themselves. Both cities and school districts exercise functions which are governmental in character, and they necessarily run losely together. The legislature may recognize this fact and provide for the regulation of the two powers concurrently in the same territory so far as they relate to the same or similar maters, so that the same governmental functions as, for instance, the supreme power of arbitrarily taking the citizen's property by taxation, shall be exercised harmoniously over the inhabitants of the same district.

An illustration of this principle may be found in the act of 1854, which has worked so well in practice that for nearly half a century it has been the basis of all the statute law on the

FULL TEXT OF SUPREME COURT'S DECISION.

The Whole of the Act of 1874 De-

Following is the opinion recently renschool board case, declaring the board of the third class:

elected school controllers in accordance with the act of May 23, 1874, section 41, P. L. 254, and that they are properly qualified and entitled to hold the office, if the act is valid. But it is said that the act being one for the classification and regulation of cities of the third class, sec-tion 41 and those parts of the act which relate to school districts are void as local or special

ourt below so held. Section 41, which is in question, provided that

Section 41 then provides that "all the property district, and the members of the board of school controllers for the time being shall have power to levy and collect taxes and the same rights and powers in relation to real and personal property as is now by law conferred upon the school directors of the several districts of this commonwealth, and they shall govern and manage the public schools in the manner now provided by law for the maintenance of a sys-tem of education by common schools''; but fur-ther proceeds to fix the number of school con-trollers according to the number of wards in

IT IS A CLASSIFICATION.

The most cursory examination of this act dis closes that it is pro. tanto a classification of school districts, which by previous law as well as by its provisions, were co-terminous with the cities being legislated for. At the date of the act the constitution was just adopted, and its restrictions on the forms of expression of legislative meaning were not so prominent in the minds of legislators as they have since become. was not specially apparent. But the legislative intent is clear, and there is nothing unconstitutional in it. In Lloyd vs. Smith, 176 Pa. 213, it was said that the principle was established "that class, and applies to all the members of the class equally, is general. The same principle must make classification constitutional as to the

It is said that classification is only sustained

private road," etc.,
It cannot be contended that anything more is meant than public convenience. And many other illustrations might be given to the same effect. The strictest definition of necessary to be found in the books by Sterrett J. in Ayar's Appeal 122 Pa. 266, 281, is not essentially different "a necessity spring from manifest peculiarities learly distinguishing those of one class from each of the other classes, and imperatively demanding legislation for each class separately that would be useless and detrimental to the others. * * They are general laws because they apply alike to all that are similarly situated as

THE THE PARTY OF T



That she will leave if she ddesn't get presentable dishes for the table as it's impossible to make the most appetizing meal taste as it should on broken and chipped dishes; don't blame the girl when a handsome dinner set for 12 persons can be bought at our store for \$11.00, others ask you \$15.00 for inferior sets. SCRANTON'S LEADING . CHINA STORE.

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the dish or by the gallon, at the least prices.

quoted, provides "that every township, borough and city " * shall constitute and be a school district, subject to the provisions of this act, but any borough which is or may be con-nected with a township in the assessment of county rates and levies shall, with the said town-

EXTENT OF CLASSIFICATION.

How far classification in connection with cities night be applied to functions of the school boards strictly educational in character, such as the qualifications of pupils or teachers, the grading of schools, the course of study, etc., we need not now consider. This act does not interfere with any such matters, but leaves them all unchanged, as before, in the hands of the governing hodies. The act deals with business affairs which, though relating to schools, are in their nature municipal, and provides a similar system for those similarly situated.

It does not make the school boards part of the municipal government; they are left as inde-pendent as they were before. But recognizing that a large population compressed into a small territory may have the same necessity for a omewhat differently constituted board of government for the business affairs of its schools, that it has for its strictly municipal affairs, it provides a special system for districts so specially situated. This is the legitimate office of classification and therefore is not local or special within the prohibition of the constitution. The act of 1874 in its main features affecting school districts is in entire harmony with the act of 1854 and the general laws on the subject of schools. Whether the variations as to the boards of direction or control in the cities of

[Continued on Page 8.]

To be neatly and comfortably dressed your Shirts and Neckwear are of vital importance. have made special pro-visions for this season's goods and know that we can suit the most fastidious dresser.

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choice. It will be a capital investment.

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The manufacturer's guarantee covers every piano, and at any time within three years we will allow every dollar paid for any of above pianos to apply on the purchase of a New Stieff, the Stieff to be sold at regular cash price. Examine this stock and get first

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WE ONLY WHOLESALE IT Favorite Flour..... There is a peculiar pulatable quality in "Snow White" flour that is posand purity are other elements that make it popular among those who it sells for the same as other high grade flours. At all grocers in

bags and barrels.

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