

BIG CORPORATIONS IN EQUITY SUIT

GAS AND WATER COMPANY ENJOINS LACKAWANNA.

Complains That the Railroad Company Is Dumping Refuse Along the Boaring Brook Which Pollutes the City's Drinking Water. Partners in a Disagreement—Two Trespass Suits Filed—Judge Weand, of Montgomery County, Assists in Common Pleas.

On petition of the Scranton Gas and Water company Judge John J. Kelly yesterday granted a preliminary injunction restraining the Delaware, Lackawanna and Western Railroad company from making a dumping ground of a strip of land lying between the railroad and Boaring brook, above No. 7 reservoir. A rule to make the injunction perpetual was also granted. It is returnable Wednesday next.

The Gas and Water company claims to own the land between the railroad and the brook at that point, alleging that it was purchased from the Pennsylvania Coal company, together with much other land on both sides of the brook between the No. 7 and Elmhurst dams, for the purpose of preserving the purity of the water.

The railroad company, it is claimed, dumps ashes from its engines and the detritus of its machinery on the southerly side of the railroad embankment. This finds its way on to the company's land and in some places the foot of the embankment is overhanging the waters of the brook. There is a bend in the stream towards the bank at that point and in times of high water the refuse is washed into the stream and carried down to the distributing reservoir. Oil-soaked cotton waste, scraps of rusty iron, ashes, coal and cinders are mentioned among the deleterious matters which the company dumps on to this bank.

Affidavits supporting these allegations are made by President W. W. Scranton and Chief Engineer William M. Marple. President Scranton also avers that he has repeatedly served notices on the railroad company to abate the nuisance, but it still continues. Welles & Torrey are the plaintiff's attorneys.

Cases in Common Pleas.

Judge Henry K. Weand, of Montgomery county, came here yesterday to hear arguments on a rule for a new trial in the embezzlement case against Frank J. Waverly, and after finishing with that accepted Judge Archibald's invitation to give a hand in disposing of the common plea list.

He was installed in the Superior court room and Judge Archibald presided before him the case of A. L. Martin against George Hofnagle, in which a \$250 diamond stud and the Dickson City brewery robbery figure.

Mr. Martin pawned the diamond with Green for \$100 and redeemed it just before the forfeit time with money borrowed from Mr. Hofnagle. The diamond was left with Mr. Hofnagle as security and he placed it in the safe at the Dickson City brewery, of which he is general manager. The brewery, it will be remembered, was robbed and the diamond with all the other valuable contents of the safe carried away. Mr. Martin sued Mr. Hofnagle for the difference between the loan and the value of the diamond, but the jury found that Mr. Hofnagle was acting as bailee for Mr. Martin's wishes and under contingent instructions from Judge Weand found for the defendant. R. A. Zimmerman appeared for the plaintiff and Joseph O'Brien for the defendant.

Judge Weand next took up the case of Mrs. B. M. Ruland against her son-in-law, Frank L. Ross. Ross owned a house and farm at West Abington. Mrs. Ruland issued an execution against him and bought it in. Mrs. Ross, her daughter, now claims the property as her own, alleging that it was transferred to her through Avery Brown by her husband seven months before the execution issued on her mother's judgment. Voseburg & Dawson and C. H. Soper represent Ross, and E. C. Newcomb and Clarence Valentine the plaintiff.

Judge Archibald, in the main court room, succeeded in bringing about an amicable settlement of the case of the Fock Lumber Manufacturing company against the Dolph Coal company, and then took up the case of Tobias Stine and others against James Green, a lumber suit from Ransom township.

Stine sues Green for taking timber from a tract of land to which he claims title. Green defends by setting up a claim to the land. H. M. Hannah represents the plaintiff. The defense is looked after by James H. Torrey and Walter Briggs.

In the case of William P. Jones against Elias Potter, before Judge Edwards, in No. 2, a juror was withdrawn and the case continued for settlement.

Judge Edwards then took up the case of Everett Warren, receiver for Gilmore & Duffy, against Frank H. Jermyn. The suit is for a balance of \$100 on the purchase money for the interest in the firm by which Mr. Jermyn succeeded Mr. Gilmore. Mr. Jermyn defends on the ground that by a corrected inventory, in which Mr. Gilmore acquiesced, he is the firm's creditor to the extent of \$21, instead of a debtor in the amount claimed. Major Warren and Hon. C. P. O'Malley represent the plaintiff, and Hon. M. E. McDonald the defendant.

The case is being tried with eleven jurors. One of the twelve, John Ledger, a miner, of Fell township, took a fit soon after going into the box and had to be carried from the room and given medical attendance.

Locks His Partner Out. Equity court was appealed to yesterday by Attorney Joseph F. Gilroy to settle a disagreement existing between Thomas C. Wilmot and James Meehan, partners doing business as contractors, dealers, and stockholders under the firm name of Wilmot & Meehan.

The partnership was formed January 22 last with a nominal capital of \$100. Wilmot was to receive \$25.00 a day for acting as foreman and Meehan \$1 a day for keeping the books. The profits were to be divided in the proportion of seventy-five and twenty-five per cent. Wilmot to get the big share.

Mr. Wilmot complains that Mr. Meehan has not been faithfully carrying out his part of the contract; has locked the doors of the office against him,

and has made offers to debtors to settle for much less than the amount of the firm's claim providing the payment was made in cash to Meehan. Wilmot asks that he be appointed receiver to wind up the partnership affairs. Court granted a rule to show cause why the prayer should not be granted.

Two Trespass Suits Filed. Mrs. Maggie Matzenavitch brought suit yesterday by Attorney George S. Horn to recover \$5,000 from the Scranton Railway company for the death of her young son, Adam, who was killed by a trolley car on Capouse avenue, between Phelps and New street, one evening in March last. The boy had been in the country but a short time. His father is dead and the death of her boy left the mother alone in the world.

By Willard, Warren & Knapp, Thomas McCourt yesterday brought suit against the city of Scranton to recover damages done his property on South Washington avenue by a defective city sewer.

Three Cornered Ejectment Suit. Miss Elsie Cobb brought a suit in ejectment yesterday against R. F. Barber and Frank Cobb, to recover possession of a nineteen acre tract of farm which both defendants claim under sheriff's deeds.

Miss Cobb claims under her father's will, fifteen years ago, when her father died, he divided the farm among his five sons, stipulating, however, that they should pay their sister \$500. She consented to an arrangement whereby she was to take a sixth part of the land instead of the \$500, and accordingly a nineteen acre tract was surveyed and set aside for her. The land has since been sold by sheriff's sale as the property of her different brothers. She now proposes to wrest the possession from both claimants.

Marriage Licenses.

Pelegrino CaribaldiOld Forge
Rosalia MundarbanaOld Forge

COURT HOUSE NEWS NOTES.

Charles P. Havens, a veteran of Company F, One Hundred and Forty-fourth New York infantry, was yesterday granted a peddler's license.

Attorney C. E. Oliver yesterday filed an application for a charter for the Washburn Street cemetery company, of which the incorporators are Gwilym Jones, Philip Rinsland, Benjamin Jones, Thomas Wagner and C. E. Oliver. The capital stock is \$25,000. The company proposes to maintain a public cemetery on the Jones-Rinsland tract in Washburn street, near the present Washburn Street cemetery.

LIONS FOR NAY AUG PARK.

Plan on Foot to Secure Two For the Menagerie. A movement is on foot to buy two cub lions from Boston, the street fair man, for the menagerie at Nay Aug park.

It will cost about \$300 to buy them and Park Commissioner Bedford yesterday circulated a subscription list, and from various public spirited citizens succeeded in getting more than half of the necessary amount. He has no doubt about his ability to get the required sum.

Boers Visit the Library.

Washington, May 24.—The Boer delegates visited the capitol today and were escorted by Mr. Sulzer to the house of representative gallery, to the Supreme court and the congressional library.

LAST LECTURE OF THE GRIGGS SERIES

HE SPOKE ABOUT THE SPIRIT OF VENICE.

Many Illustrations Were Given of the Beautiful City—Gave a Brief Description of the Causes Which Built Venice and Drew a Vivid Portrait of Her in the Zenith of Her Power—Venice Now Lives Only on Her Wonderful Past—It Is Death in Life.

Much to the regret of a large number of the devotees of art and literature, last night closed the series of lectures given by Professor Edward Howard Griggs. So decided has been the vogue of these lectures that efforts to secure another course will at once be made by Miss Amy Gerecke, to whose enterprise and taste is due the past six weeks enjoyment of great themes presented by a master mind.

The subject of the final lecture was "The Spirit of Venice" and with it were shown many illustrations of the "White Swan of Cities."

Professor Griggs has the superb gift of unfolding the inner, mystical significance of his subject, the quality of life, the indefinable beauty of meaning which a less sensitive nature is incapable of feeling, not to say expressing. For instance, when he said "The greatest work of art in Venice is her own beauty" he gave the keynote of color which dazzled his listeners throughout the evening. When he read in his almost appealingly musical voice the rich, passionate lines of Browning from his "Tosca of Galuppi" the voluptuous radiant splendor of Venice was borne in upon the audience as few paintings could impress.

SPLENDOR OF VENICE.

"Yes, you, like a ghostly cricket, creaking where a house was burned; Dust and ashes, dead and done with Venice spent what Venice earned."

"Dear dead women, with such hair, too—what's become of all the gold Used to hang and brush their bosoms? I feel chilly and grown old."

The speaker gave a brief description of the causes which built Venice, and drew a vivid portrait of her at the zenith of her power, when Orseolo, or blind old Dandolo, brought her added glory. He contrasted her with Rome as narrowing down from a democracy to an oligarchy, an aristocracy instead of broadening from patrician exclusiveness to the idea of a republic. Her isolation, the protection of her sea wall made her the ruler of the world with her merchant ships.

The same sea wall as wider waterways were opened, brought her decline in more modern days. She enriched herself with the spoils of every land, and when Napoleon with his barbaric bands swept down and robbed her of her treasures it was only the eternal justice of mortal affairs.

Venice now lives only on her wonderful past in the glories of her yesterday. It is death in life and life in death. Were it not for the tourist she could no longer exist. We preserve the memory of her days of grandeur. She has such unearthly beauty, so warm, so rich in life and color, and yet but a monument of a dead yesterday.

The pictures shown, although under difficulties because of a broken lantern, were beautiful and characteristic. San

Marco, the Piazzetti, the Palace of the Doges, the Campanile and the columns of St. Mark were given from various points of view. The Bridge of Sighs and the Rialto, the interior of the Duca, Palace, the Greek horses and many lovely scenes along the Grand Canal and across the narrow streets were shown. Among the paintings reproduced were Paul Veronese's Marriage of Cana, Feast in the House of Levi; a detail of Giorgione's "Pete Champagne," Tintoretto's "Adam and Eve," Titian's "Dionysus and Ariadne," and the "Presentation of the Virgin in the Temple."

INDUSTRIAL JOTTINGS.

Following is the make-up of the Delaware, Lackawanna and Western board for today:

8 p. m.—R. Cator. Thursday, May 25.
10 p. m.—E. M. Hallett.
11 p. m.—A. J. McDonnell.

WILD CATS, SOUTH. Friday, May 25.
12.30 a. m.—P. J. O'Malley.
2 a. m.—O. F. Keeney.
4 a. m.—H. V. Collins.
6 a. m.—J. Devine.
8 a. m.—W. D. Wardell.
10 a. m.—W. D. Wardell.
11.30 a. m.—G. Hill.
1 p. m.—A. J. McDonnell.
2 p. m.—D. Wallace, with Brock's men.
4.30 p. m.—A. J. Winter.
6.45 p. m.—J. Duffey.

SUMMITS.
4 a. m. south—S. Finerty.
6 a. m. north—G. Frountelker.
12 noon, north—Nichols.
4 p. m. south—Melane.
6 p. m. south—Laird, with J. Gerrity's men.

FILLER.
10 a. m.—Beavers. FISHERS.
2 a. m. south—Moezer.
11.30 a. m. south—Moran.
7 p. m.—J. Burkhart.
10 p. m. south—C. Givley.

PASSENGER ENGINES.
2.30 p. m.—Magovern.
6.30 p. m.—Hilp Cats North.

HILP CATS NORTH.
2 a. m.—M. Hennessy.
4 a. m.—J. Bink.
7 p. m.—J. Burkhart.
9 a. m.—A. Gerrity.
10.30 a. m.—O. Randolph.
1 p. m.—R. W. Peckins.
2 p. m.—C. Kingsley.
3 p. m.—M. M. Medigan.
4 p. m.—A. Winter.
5 p. m.—J. O'Hara.
6 p. m.—J. Fitzpatrick.
8 p. m.—S. Caroway.
11 p. m.—C. Townsend.

Test of New Railroad Train.

The first practical test of the train designed by Frederick U. Adams, of Chicago, with a view to reducing to a minimum the atmospheric resistance of railway carriages while being drawn by locomotives and the consequent saving of fuel, was had on the Baltimore and Ohio railroad.

The results, Mr. Adams says, exceeded his expectations. Six cars were coupled to a fifty-two ton engine, equipped with screens of steel and iron, so that lines of the train from the cab of the engine to the end of the rear coach were continuous. Eighteen miles were made in sixteen minutes between Baltimore and Washington. Running into Washington ten miles were covered in eight minutes.

The test was a private one, but Mr. Adams has arranged with the Baltimore and Ohio officials to make a series of runs between Washington and Jersey City next week for the purpose of ascertaining possible speed and fuel consumption as compared with trains of the existing construction.

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Connolly and Wallace

SCRANTON'S SHOPPING CENTER.

An Unexpected Offer of White Waists

Crisp and fresh, clean as a whistle--all in styles made this season. One of the best makers, who is already back from Europe to start work for fall, turns his summer stock over to us for a white sale. Every woman in Scranton is interested. All the waists are new—not a soiled garment in the whole lot. There are no yoke backs, all are latest cut. Some with dress sleeves and flare cuffs, others with shirt sleeves and stiff cuffs, all with laundered collars. These are the prices:

- For \$1.00--Best \$1.25 Waists.
For \$1.25--A Variety of Splendid \$1.50 Waists.
For \$1.50--Waists Worth from \$1.75 to \$2.00
Others from \$1.75 Up to \$10.00 Each.

For the higher-priced goods many of the materials were imported. All are beautifully made. Some with all-over open work, some all-over embroidery fronts, some of white lawn embroidered all-over with silk figures. All waists of highest character, neatly made and in good taste all through the line. A most remarkable May offering.

CONNOLLY & WALLACE, 127 AND 129 WASHINGTON AVENUE

The Careful Buyer. Knows that our stock is bought at first hands and that we can save our customers the recent advance through thoughtful buying at old prices. See our new Hand-Made Tokio Rugs, All Sizes Bamboo Porch Shades. Many New Arrivals in DRAPERIES, CARPETS AND MATTING. WILLIAMS & McANULTY 129 WYOMING AVENUE.

E. Robinson's Sons Lager Beer Brewery. Manufacturers of OLD STOCK PILSNER. 435 to 455 N. Ninth Street, SCRANTON, PA. Telephone Call, 2333.

THIRD NATIONAL BANK OF SCRANTON. ORGANIZED 1872 DEPOSITORY OF THE UNITED STATES. CAPITAL \$200,000 SURPLUS 500,000. WM. CONNELL, President. HENRY BELIN, Jr., Vice-Pres. WILLIAM H. PECK, Cashier. Special attention given to business accounts. Three per cent interest paid on interest deposits.

Clothing Values Of Interest. Following we mention a few of the many bargains abounding in this store. We say "Bargains" and mean just what we say. Won't you call on us and allow us to prove to you that what we say is so? \$8 for men's elegant all-wool Sack Suits, in fine fancy chevrons—our special make. They're equal to any \$12 suit you'll find elsewhere. \$10 for men's pure worsted serge Sack Suits, single or double-breasted vest, firm front or soft roll, the very acme of perfection and fit, and is like tailor made. \$12 for men's Oxford grey and pure worsted and Vicuna Suits—our own special make, every seam reinforced, double stitched with silk. For your own satisfaction compare them with suits sold at \$15 in other stores. Bring the Youngsters Here--We'll Clothe Them. They are just as ambitious to make a smart appearance as their elders. We take great pride in properly fitting the little fellows. Children's Vestee and Sailor Suits, ages 3 to 10, a big assortment of the latest effects, in plain blue sailors; vestees have small collars, fancy, single and double-breasted. Price \$1.75. Five Styles of Sailor Suits. Ages 3 to 10 years, of navy blue yacht flannel. Handsomely trimmed with souchate braid and made with separate shields. Regular \$3.00. Our Boys' Knee Pants Section. Is larger than any three in the city. We have placed some extra special values here for this sale at 98c., 75c., 50c. and... Big Boys' Suits. Ages 14 to 19 years, pure all wool, Plain blue, black and fancy mixtures, very stylish and up-to-date, sell usually for \$9. For \$5.00. Ages 3 to 16; smaller sizes in Sailor, Vestee. Little Men's styles—larger sizes in plain double-breasted. For \$3.98. Big Boys' Suits. Ages 14 to 19 years, pure all wool, Plain blue, black and fancy mixtures, very stylish and up-to-date, sell usually for \$9. For \$6.50. H. J. COLLINS 222 LACKAWANNA AVENUE.

MOUNT PLEASANT COAL At Retail. Coal of the best quality for domestic use and of all sizes, including Buckwheat and Birdseye, delivered in any part of the city, at the lowest price. Orders received at the office, Connell building, Room 404; telephone No. 1742, or at the mine, telephone No. 272, will be promptly attended to. Dealers supplied at the mine. GUNSTER & FORSYTH, 222 1/2 PENN AVENUE. MOUNT PLEASANT COAL CO. BUY THE GENUINE SYRUP OF FIGS. MANUFACTURED BY CALIFORNIA FIG SYRUP CO. NOTE THE NAME.