Braces Body, Brain

Mariani & Co., 52 W. 15th st., New York, pub-

and he reported that a division of the

property was impracticable and fixed

erty at the fixed valuation and court

directed the bid to be enccepted. Friends of the defendant interposed

objection to the sale and asked to

defendant was a lunatic at the time

of the sale and had no sound minded

THE ORDER MADE. Judge Archbald grants the request

"The decree made October 6, 1897, ac

cepting the bid of A. D. Dean, plaintiff, to take the property at \$25,000, the

valuation fixed by the master, and

a recognizance in the sum of \$12,500,

as opened and vacated; and there-

upon an alias rule to accept or refuse

the property at the valuation, or to

bid a higher price therefore, and in

default to show cause why the same

should not be sold, is directed to is-

Abraham W. Brown, defendant, being

a lunatic, Ira T. Brown, his commit-

with authority to take such action

said lunatic in the premises as may

Suit Against S. N. Callender.

hrough Attorney E. C. Newcomb, be-

gan a sult in assumpsit yesterday against S. N. Callender, a local indus-

which they claim is owing them on a

In January last they bought of Cal-

Development company, paying there-

Marriage Licenses.

HEARING WASN'T HELD.

Owing to Alderman's Absence.

erts, who is charged with having as-

saulted Miss Alice Swingle, of Peck-

ville, on the old Boulevard, last week,

was not held last evening, on account

of the failure of Alderman Fidler to

at 8 o'clock, but the alderman did not

appear. Miss Swingle was present.

having left the Lackawanna hospital

only yesterday. She became so ex-

cited that her nervous system gave

way and she fell in a dead faint. She

was removed to her home in a car-

BORN.

put in an appearance.

Rebecca avenue, a son.

riage,

The hearing in the case of Bert Rob-

plaintiff, on fifteen days' notice,

after giving the

M. K. Edgar and G. F. Reynolds,

be necessary and proper.

stock deal.

ee, is appointed guardian ad litem

representative there.

in the following order:

lish a handsome book of endorsements

Sold by all druggists.

### Put a Piano



Knabe grand piano, regular price \$850; Vose piano, regular price \$500; sale Vose piano, regular price \$450; sale Ludwig plane, regular price \$375; sale Ludwig plane, regular price \$300; sale Martin Bros piano, regular price \$250;

The above are all 1ew planes and a guaran given with each plane. Easy terms or 10 per cent, from above price r cash. Some fine bargains in ascend lame anos. Sivet music at cost and less than cost

# PERRY BROTHERS

Scranton Pa.

ur store room is for tent.

Ice Cream.

25c Per Quart.

Telephone Orders Promptly Deliverat 221-327 Adams Avenus

#### Scranton Transfer Co.

Paggage Checked Direct to Hotels and Private Residences. Office D., L. & W Passenger

> DR. H. B. WARE, SPECIALIST

Fye, Ear, Nose and Throat Office Hours-9 a. m. to 12:30 p. m.: 2 to 4 Williams Building, Opp. Postoffice.



PUSPICAL OF INPANE. The Intern daughter Eighth serest, was buried at the Forest that and 7,30 a. m., on Sundays.

AN ALDERIANIC MARRIAGE - Addrman
J has T Bloom to retain anomied Rather to Gais
to from Parsons to be made and wife.
The

ANCHIER COMPLAINT: A deposation of cities the from the Secretarite word again com-princed to Mayor Most your age alout the missing contacting from Publisher's mercy re-regard word No. No. 102 both on Sundays. The look after the West Scranton mail. traver proceed to norty Rabitson to stop the time age for the same offence and was lined \$5.

WILL GO TO LAKE POYSTILLE. The around will be held at Lake People'lle on America. The division comprises employ a of the Eric. Delice are and Hodson and Ontario est in Northeastern Pennsylvania.

#### REUNION AT HARVEY'S LAKE.

Survivors of the 143d Regiment Will Meet There This Year.

Captain P. De Lacy, president of the Forty-third regiment of Pennsylvania volunteers, will go to Harvey's Lake today to arrange for the annual reunion of the survivors of that regiment, which will be held at Harvey's Lake on September 4 and 5, Attorney R. H. Helgate, of La cher.

Plume, will be the orator of the day and Attorney C. H. Soper, of this city, the poet.

SPEEDWAY NEWS.

#### The Speedway Hoter (Open All Year.)

A first-class city hotel on the his nervous system underwent, and mountain, and solicits the patronage the physicians are unable to say what

of the public.

Rifle Range is open.

Carriages leave Mears building corner at 6.15 a. m., 8.30 a. m., 6.15 p. m. Leave Speedway Hotel, 7.30 a. m., 5.00 p. m., 9.00 p. m. Chicken and Waffles every Tues day and Friday dinners.

> Breakfast, 6 to 9 a. m. Lunch, 1 to 2.30 p. m. Dinner, 6 to 9 p. m. Lunch all day in Cafe.

Arrangements for large parties by phone, 4674.

SAMUEL B. COX, Manager, P. O. Scranton Pa.

THE FORMAL TRANSFER MADE.

Casey Brothers Now Own the Ly-

ceum and Academy of Music. The formal transfer of the Lyceum and Academy of Music to Casey Bros., was made yesterday. The papers wer signed and the purchase money paid in the office of Welles & Torrey, attorneys for the parties controlling the Lyceum and the Blair estate, which owns the Academy of Music. Hon. C. P. O'Mailey, of Willard, Warren & Knapp, represented the purchasers, The exact consideration was not made public, but it was given out

that it was something over \$200,000. The purchase includes the Penn avenue lots fronting the Lyceum and a nine year lease on the Arcade property, through which the main entrance extends. The Penn avenue lots are to be improved with a fine business block. The entrance to the theatre will be through this block.

Burgunder & Reis, the present les ees, will continue in the management of the two theatres for the coming season at least. Their lease on the Academy of Music extends till April f next year, and that on the Lyceum till August 1, 1901. Whether or not they will be given the option of renewing the leases is a matter that has not as yet been taken up by the new owners,

As yet no local manager has been elected to succeed H. R. Long, who ecently resigned the position.

#### "HOG" ENGINES COLLIDE.

Conductor Cawley and Engineer Hazzard Injured in an Unique Early Morning Collision in Lacka-

wanna Yard.

By a collision, unique possibly in milroad annals, occurring at 1 o'clock his morning between two of the Lackawanna's new "hog" locomotives, in the Scranton yard, Charles Cawley, conducter, and John Hazard, engineer sustained painful, and in Cawley's

case serious injuries. The engines were on parallel tracks in the center of the yard. No. 888, one of the freight "hous" was at a standstill, No. 1007, a passenger "hog," was pushing second class train No. 14, bound for Hoboken, out of the yard on the track south of that on which No. 888 was standing.

The two tracks, it appears, are a trifle less than the standard distance apart, and when 1007 was passing \$58, the cabs, which protrude a few inches beyond the body of the locomotives, would not clear one another and as a esuit the north side of 1907 and the outh side of \$88 were ground into splinters.

Conductor Cawley was scated on the north side of the pusher and Engineer Hazzard was cooped up in his place on the right side of 888. Both were bruised and cut, and Conductor Cawley sustained a gash, supposedly from broken glass, on each side of the face extending the whole length of the checks and exposing the bone. Engineer Hazzard's principal hurt was a benised arm.

Conductor Cawley was taken to the Moses Taylor hospital and Engineer Hazzard to his home on Lincoln Heights. Conductor Cawley lives on South Seventh street.

#### WEST SCRANTON MAILS.

Carrying Contract Awarded to Trolley Company.

Postmaster E. H. Ripple received word yesterday from the postoffice department in Washington that the contract for carrying the mails between the general office and the West Scranton station had been awarded to the Scranton Rallway company, to become effective Aug. 1, and continue five

Five round trips daily will be made reministration of temperature it and K. of the Thirden on week days, two on holidays and count regresses, will not play this afternoon as one on Sundays. The schedule is as

Leave general office-6.30, 10.45 n. m.:

1.35, 4.25 and 6.29 p. m., on week days, Leave West Scranton station-8,45, 11.30 a. m.; 1.00, 4.30 and 7.30 p. m., on week days, and 10 a. m., on Sun-

The holiday schedule is not yet arranged. The railway company maintains a man at the postoffice to look after the carrying of the Dunmore and

#### BRASS THEFT CASES.

Another Chapter in the Wilkes-Barre Robbery.

Wilkes-Barre, July 27.—Another chapter was added to the gigantic brass thefts from the tailroads today by the re-arrest of John Fisher, the largest junk dealer in the city. The prosecutor was the Lehigh Valley railroad and the defendant was charged with larceny and receiving. At the hearing before Magistrate Pollock, the defendants was held under \$2,000 ball for trial. Two office employes, Lewis Association of the One Hundred and Michloski and Abram Troy, were also arrested and held in ball. It is alleged that the employes know a great deal about the brass that was brought to Fischer's place, they being employed as weighmen. The railroads now have sixteen cases against Fis-

#### LEUTNER'S CONDITION SERIOUS Doctors Can Not Say What the Re-

sult Will Be. Charles Leutner, the young drug clerk, who was so frightfully burned on the arm by an electric wire, Wednesday afternoon, continues in a critical condition at his home, 1999 Irving avenue. He is unconscious most of the time from the violent shock which

the ultimate result will be. At a consultation of physicians on the question of amputating the arm, it was decided to wait future developments before coming to a conclusion.

#### BAUER'S BAND CONCERT.

Large Audience Enjoyed the Music

at Court House Square. Bauer's band gave a very enjoyable oncert on the court house square last night, when a varied and interesting programme was rendered. The concert was listened to by sev-

Corporations Chartered.

eral thousand persons.

Harrisburg, July 27.—A charter was issued to-day to the H. J. Heinz company, Pittsburg, capital \$1,000, for the manufacture of pickles, etc.

Smoke The Hotel Jermyn cigar, 19c. | proceeded to have a partition

#### REFUSED TO ENJOIN TREASURER'S SALE

McDONOUGH PROPERTY CAN BE SOLD FOR CITY TAXES.

Judge Archbald Refuses an Injunction to Prevent the City from Selling Property for Taxes Which a Predecessor in Title Failed to Pay, Prevents Waste, but Decides That a Sale for School Taxes Can Not Be Had-Partition Aids Digestion, Sale Set Aside-Other Court House

Two opinions in equity cases were and Nerves. handed down by Judge Archbald yesterday. One refuses an injunction re-straining the sale of Catherine Mc-Donough's property for city taxes and allows it as to sale for school taxes. The other sets aside the partition sale in the case of A. D. Dean against Abraham Brown. Rule for preliminary injunction.

The bill in this case is very meager. The bill in this case is very meager. After estating the purchase by plaintiff on April 20, 18:18, by deed from Isabella C. Fisher, in whom the title was then vested, of Lot 25, in Block 19, in the Twentieth ward of Scranton, without knowledge of any school or city taxes being unpaid upon it, it alleges that the lot is about the control of the contr inpaid upon it, it alleges that the life is about on he would by the defendant as city tressurer or city and school taxes for the years 1891 to 895 inclusive, being advertised in the name of turbrew Merrick, there being no deed of record of the said Merrick and the plaintiff at the e of her purchase having no knowledge that ever had any interest in the said lot; that he said contemplated tax sale is under and by virtue of the act of the 23d of May, 1880, and an ordinance of the city of Scranton purusnt to it, and that the plaintiff is informed and believes it is illegal and void and will pass so title, but will cast a cloud upon her; and the thereupon prays for an injunction to re-strain the sale from taking place.

NOWHERE SUGGESTED.

Why it will pass no title, and how it will loud that of the plaintiff, or for what specific cases growing out of the facts we should strain the sale is nowhere suggested. Except for the oral argument therefore we should have no idea what we are called upon to decide, and night well decline upon this ground alone nterfere. But the questions raised are not cult of disposition and we will overlook the iencles of the bill and pass upon them, is conceded that this lot was at one t wned by Andrew Merrick, the party in whose ame it now stands assessed, he having pur-hased it of Mrs. Fisher, the plaintiff's grantor, by contract which was not put on record, and was subsequently surrendered. If that be so the assessment is valid and the taxes if otherauthorized can be enforced against the

The rule is that an assessment in the name the property as owner or occupant is sufficient; Stranch vs. Shoemaker, I W. & S. 186; Phila-delphia vs. Miller, 49 Pa. 440; Glass vs. Gilbert, 8 Pa. 200; so that if Merrick held the lot at the time the taxes were levied, or if before that his name had become linked with the title by reason of his purchase, the city could assess the lot in his name and was not bound to look

This part of the bill seems to be a more make-weight, however, the substantial purpose of it as disclosed by the argument being to assail the constitutionality of the act of May 23d, 1889, so far as relates to the assessment lien and collection of taxes in cities of the third class. The act it is said makes such taxes a special lien of absolute priority and indefinite duration, with distinct and peculiar results folwing a safe for their non-payment differing from those of any other judicial sale, thus offereding against the provisions of the constitution which prohibit the passing of any local ing that Callender was to re-purchase or special law authorizing the creation, exten-sion or impairing of liens, regulating the practice or jurisdiction of any judicial proceeding before the courts, or prescribing the effect of judicial sales of real estate. The questions which thus presented were fully considered in th vs. Meadow Brook Brewing Co., 3 Lacka. Jur. 145, and a conclusion arrived at, sustaining the constitutionality of the statute in all these particulars. We see no occasion for receiving didn't get it, and all efforts to get it from that position or repeating at length the reasons by which it was reached.

MUNICIPAL SUBJECT.

Taxes are a municipal subject, and may be dealt with specially in the different classes of cities just as they may be in boroughs or wiships. The difference in these several mu-cipalities suggests and justifies different treatnent in each to meet different needs and conons. Nor—adopting the line of argument months of the Second of the Secon the Hen of taxes in cities of the third class a w creation; it is merely an extension of laptation of one which already prevails in ities of the first and second classes, the act he three classes into substantial uniformity.

The certification of delinquent taxes to the
city freasurer and the sale by him of the land against which they are assessed and remain un-paid is merely a method of enforcing the lien tirely in conformity not only with that which pursued in other cities but also with that which prevails as to taxes in general. These

considerations fully sustain the lien of the city taxes new in controversy, and the prospective sale by the city treasurer which we are asked to enjoin,
With their priority and the indefinite duration of their lien we have at present nothing to do. How far either of these characteristics can be and we do not pass upon it. Neither do we as to the effect attempted to be given by the statute to a sale for such taxes. We leave all these problems where they are left by City vs. Whyte, 148 Pa. 419; Philadelphia vs. Kates, 150 Ps. 30; and 456 Dec. Co. S. Frick.

150 Pa. 30; and Safe Dep. Co. vs. Frick, 152 Pa. 251, to be met and disposed of when they are squarely raised.

The treasurer is therefore clearly authorized to sell the property for the city taxes which were assessed to and due from the plaintiff's predecessor. But as to the school taxes, on the rength of what is supposed to have been de

ided in Smith vs. Meadow Brook Brewing Co., Lacka, Jur. 141, it was conceded by counsel at e argument that he is not. That decision wever, it is to be noted, was based on the constance that it nowhere appeared in the se that the act of May 23d, 1889, P. L. 274, oxiding for the lien and collection of school ces in cities of the third class constituting a tle school district, had been adopted by the sol district of Scrunton as required; and at under the provisions of the general munici-l corporation act of 1874 no lien is given school taxes after the first of January fol-wing the year in which they have been levied less they are duly registered, no such registry being proved.

REGARDED AS ESSENTIAL. These were regarded as essential to the claim

there made, and in the absence of proof of them it was rejected. There is nothing, how-ever, in the present bill to suggest that the ons exist here and if it had not been conced by counsel that the treasurer had no right to sell for the school taxes in ispute we should have been inclined to require omething more of the plaintiff in that direcon than she has set out. She is asking for high order of relief and must affirmatively lege and prove all that is necessary to establish her right to it. But in view of the concession we are compelled to assume that the plaintiff if called upon could bring herself within the provisions of the law as laid down in the decision referred to, and we will therefore treat the case as though she had done so. And now, July 27, 1990, a preliminary in-junction restraining the defendant from making sale of the plaintiff's property for the school taxes set forth in the bill is allowed, the same to continue until the further order of the court; out an injunction to restrain the defendant from making sale of the said property for city

The case of Dean against Brown hinges on the lunacy of the defendant. The plainliff bought from a man named Tripp, a half interest in a sproperty in which Tripp and the defend-ant Brown were half owners. The transfer was made early in 1897 and in October of the same year Dean

#### Immediate and Lasting THIRTEENTH'S CAMP ORDERS ISSUED

PREPARING FOR THE ENCAMP-MENT AT MT. GRETNA. WORLD FAMOUS TONIC

mory on Friday Night, August 3. Rigid Discipline Will Be Enforced En Route, and Company Commanders Will Be Held Responsible for the Same-General Orders with Reference to the Inspections That Will Be Conducted at the Camp.

One week from this morning at 9 No other preparation has ever received so many voluntary testimonials from eminent peo-ple as the world-famous Mariani Wine. Refuse Substitutes.

yesterday:

perors, Empress, Princes, Cardinals, Archbishops and other distinguished personages. It is sent gratis and postpaid to all who write for it. gade, N. G. P.

Pursuant to G. O., Nos. 13 and 23, A. G. O. s.; G. O. No. 2, Division Headquarters; and The matter was referred to a master its valuation at \$25,000. At the sale which followed, Dean bid in the prop-Pennsylvania, Aug. 4 to 11th inclusive. have it set aside, alleging that the

All baggage must be delivered at the armory by 2 o'clock noon on Wednesday, Aug. 1.

The field, staff, regimental band and the companies of the First and Third battallons, and Companies E and G, of the Second battallon Companies E and G, of the Second calculated will assemble at the armory in Seranton on Friday evening, Aug. 3, at 8 o'clock sharp. Company I will join the regiment on route; campaign hats and leggings will be worn; all horses and equipment must be at the Delaware and adjudging the same to him, his heirs and assigns, upon his entering into Hudson station at 7 o'clock sharp on Friday evening, Aug. 3.

Rigid discipline will be enforced en route camp, and company commanders will be I strictly accountable for any violation. The transfer is hereby announced as on July 10 of Musician William B. Presser from Company M to Company A, and Musician Charles H. Foreback from Company M to Company C. Private William J. Torrey is hereby de-tailed as regimental clerk.

lowing: One morning report book. Fifteen blank company ration returns

with regard to the interests of the Five blank inspection rolls.

> No issues of stationery or blank forms will a made in camp from the adjutant general's department, sy order of L. A. Watres, Colonel,

D. B. Atherton, Adjutant, The companies of the regiment will trial promoter, to recover \$600 apiece, assemble in the armory at 8 o'clock on Friday night and an hour and onehalf later expect to be on the train ready for the journey to Camp Hawender \$100 shares each of the capital

stock of the Arizona, Eastern and nesday. Montana Smelting, Ore Producing and With reference to the inspections at camp, the following general orders

the stock at the expiration of six months at \$600, at the option of the At the end of six months the purchasers chose to re-sell the stock, and prescribed fifteen days' notice, waited upon Callender and asked for the promised \$600. They and regiments will be reported at intervals of

The inspection will be preceded by a review by the adjutant general, Officers to be dis-mounted at review. Inspection drills will fol-

Florence Zygman ......Seranton Katharine Majkut .....Peckville INSPECTION DRLLS. William Henderson ......Fell Isadore Andriulis ......Scranton Catherine Morris ......Parsons

mounting will be made, as far as possible, at the hour set for that ecremony in camp sched-Rating upon ceremonies, excepting guard nounting, will be made by an officer detailed Case of Bert Roberts Not Heard, for that purpose.
Ratings upon discipline will be made by the

spector general, and will be based upon ob rvations during the entire tour of duty. Conter taps, will be important factors in the

uarters of the various communds, on the da-amed for their general inspection. Ratings at this inspection will be made b

It Is Perfectly Reliable.

BUNCKER.-In Scranton, Pa., July 27, 1990, to Mr. and Mrs. Walter Buncker, of 123 South Smoke The Pocono, &c. cigar.

# Companies Will Assemble in the Ar-

o'clock, Camp Hawkins at Mt. Gretna will be formally opened. The regiment will leave here on the preceding The following regimental order with

reference to the company was issued Headquarters Thirteenth Regiment, Third Bri-

Regimental Orders No. 49.

1. O. No. 1. Brigade Headquarters, this regi-nent will encamp at Mt. Gretna, Lebanen coun-Camping parties as provided by the orders referred to will report to Captain John W. Kamback, at the armory in Scranton on Wednesday evening, Aug. 1, at 8:30 o'clock sharp, with two days' cooked rations. Assistant Sur-geon George A. Blanchard will accompany the camping party, with one man from the hos-pital corps to be detailed; the regimental com-missary, and the commissary sergeant will also company the detail.

RIGID DISCIPLINE.

sue, returnable September 10th next, at 9 o'clock a. m., of which the said parties are hereby respectively required to take notice; and the said There will be issued direct to each com-

Twenty blank company sick reports, medical

Five blank muster and pay rolls, Five blank abstract of daily roll calls.

kins. The advance detail leaves Wedhave been issued:

The several regiments of infantry will be in sected, on their respective parade grounds, it the following order: Those of the First brigade, Aug. 7: of the Second brigade, Aug. 8; of the Third brigade Aug. 9. Brigade commanders will designate the

The inspection drills will be counted to bat alien drill, extended order and outpost duty and will be under the direction of the bri The inspection of guard duty, including guard mounting, will be under the direction of the division inspector, and will cover the entire period of the encampment. Inspection of guard

of courters, the conduct of men off duty, and Books, papers and methods of conducting headquarters, and company correspondence and keeping of records, will be inspected at the

#### attalions, as a basis.

"We have sold many different cough + remedies, but none has given better satisfaction than Chamberlain's," says Mr. Charles Holzhauer, druggist, Newark, N. J. "It is perfectly safe and can be relied upon in all cases of coughs, colds or hoarseness. Sold by all druggists. Matthews Bros., wholesale and retail agents.

# 

Money, we're so often told, is the root of all evil, yet who among us have not wished at times that we might have tons of this root, but instead of idle wishing make a visit to China Hall and look at the bargains we are offering in China, Glassware, Silverware, Bric-a-Brac. Lamps, Etc.

Decorated Lamps, 9-inch globe, to match....... .75 Real Ivory Knives, triple-plated blade, set of six 3.00 Large China Decorated Sugars and Creams..... .60

Our Cut Glass was not damaged, but will sell at a reduction of 10 per cent. during Fire Sale only.

# George V. Millar & Co. China Hall.

134 Wyoming Avenue.

Walk in and look around.

Most every dependable make.

# Very Important Sale of

The wheeling season is only beginning. Soon the cool days of August and September will add to the pleasantry of the sport.

But the wheeling season is ending with us-we must have the room. So we've prepared for this general clearance-cut the prices right and left. Better buy now, if you've thought of a wheel. And

better buy here. For assortment of styles is very great.

# New York Life

Insurance That Insures. Policies incontestaable from date of issue. No restriction as to residence, travel or occupation, as to habits of life, or as to man-\* ner, time or place of death. Policies non-forfeitable after first premium is paid. One month's grace in the payment of premiums. Cash loans can be obtained at any time after the policy has been in force two years. Policies combine insurance and investment.

### B. H. BETTS, Agency Director

Scranton Branch Office.

607 to 615 Mears Building, Scranton, Pa.

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## FIRE SALE OF THE Mercereau & Connell Stock

Which consists of Sterling Silverware of all kinds, including Spoons, Forks, Toilet Ware and Novelties. Also a lot of Fancy Gilt and Porcelain Clocks. look over the price at which we are selling our stock:

Silver Shaving Brushes, were \$2.00 to \$3.50. \$1.00 Now..... Salve Boxes, were \$1.25 to \$3.00. 25c and 50c And everything else in proportion. Silver-plated Ware, including Tea Sets, Water Pitchers, Cake and Butter Dishes and hundreds of other articles at al-

most your own price. PENN AVENUE.