DR. HAND'S
Condensed Milk
Phosphates and Hypophosphites Added without change of taste.
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UNION LABEL

CITY NOTES

WILL SERVE SUPPER.—The ladies of the Elm Park church will serve an elaborate supper Thursday evening.

PAY-DAYS.—The Delaware and Hudson trainmen south of Scranton were paid yesterday and several Lackawanna trainmen also received their December earnings at the local pay office.

GUS HEILMAN KILLED.—Gus Heilman, aged 85 years, living near Tobyhanna, was struck by a Lackawwanna train on Monday and instantly killed. He is survived by a wife.

THEFT OF A DOG.—Robert McHugh, of Dunmore, was held under $800 bail by Alderman Millar yesterday on the charge of stealing a dog. Chief of Police Robling is the prosecutor.

EIGHTH WARD CAUCUS.—There will be a Democratic caucus held at the St. Charles hotel Friday evening, January 18, to nominate candidates for assessor, register of voters and election boards.

SOCIAL SESSION.—The Scranton Lodge of Elks will hold a social meeting at their rooms this evening. A very interesting programme is to be given. It will probably be one of the most interesting sessions of the year.

ACCUSED OF ASSAULT.—William Lally, of Emmett street, was arrested yesterday on the information of his mother, charging him with assault and battery. He will be given a hearing by Alderman Millar at 7 o'clock tonight.

CHARGED WITH THREATS.—George Reed, of Newton township, was arraigned before Alderman Millar yesterday on the charge of threatening to kill preferred by John Padden. He waived a hearing and entered $300 bail for his appearance in court.

STRUCK BY RAIL.—Alexander Kroski, of 313 Elm street, was struck in the side by a rail at the South mill yesterday and badly bruised. He may be internally injured. He was taken to the Mosea Taylor hospital.

FINED $3.—Hugh Wall, of Howard place, who was arrested by Patrolmen Connery and Hart Monday night for being drunk, demolishing furniture, driving the family out of doors and creating a general disturbance, was fined $3 by Alderman Kasson in police court yesterday.

HELD COURT MARTIAL.—Major B. Rush Field, of Easton, held court martial at the armory last evening in the cases of fifteen men charged with non-attendance at drills. Lieutenant Newberry, also of Easton, acted as clerk. Commissary Sergeant Hermans, of this city, was marshal.

THE ANNUAL PEW LETTING.—The annual pew letting of the Penn Avenue Baptist church was held last night and was attended by a goodly number of the congregation. A considerable amount in premiums for the first choice was realized and nearly all the regular pew holders took seats again for the coming year.

NEW HALL.—On account of the increase of membership of the Scranton Clerks' association, Local No. 211, it has been necessary to get larger quarters. The Carpenters' hall on Wyoming avenue is the new home of the Clerks' association, where they will meet the first and third Thursday nights of each month. The regular meeting is tomorrow night. All clerks are requested to be present. Important business is to be transacted.

YEAR'S WORK.—At last night's meeting of the General Phinney Engine company the annual report of the foreman was presented and showed that in 1900 the company responded to thirty-five alarms and seven still alarms. It was in actual service fifty-six hours and thirty-four minutes and laid 10,150 feet of hose. The steamer ran twenty-four hours and twenty-one minutes at fires, and unassisted the company extinguished eleven fires. Two hundred and ninety-three members were in attendance at the fires.

THE COMING FETE.—Miss Eager is delighted with the material she finds among the young people who have rehearsed for the coming Marie Antoinette fete. Several dances are not yet ready but a number have been through one rehearsal and seem to be very clever in catching the steps. The dances are very charming, the music unhackneyed and attractive. Several groups of children will rehearse this afternoon, while tonight the usual number of dances will be taught. There was a very successful rehearsal last night in the board of trade building. Among the dancers for the Marie Antoinette fete will be the court dance, the Alsatian, Hungarian, Russian, Dairy Maids and Pages, fire dance, etc.

THE JUBILEE SINGERS.—The Fiske Jubilee singers entertained a crowded house last night at the Second Presbyterian church. They were a fine looking company of colored people. The ladies wore blouses with black skirts and the uniformity of attire added to their attractive appearance. They comprised a double quartette, with beautiful voices which gave indications of culture and taste. They sang jubilee songs, the rich melodious tones which seem to be bred only in tropical climes, thrilling the listeners' hearts. They all had the singularly fascinating timore, the mellow softness recognized as a heritage of the African race and their intelligent rendering of the selections made their music indeed a treat. The men's voices were adequate in sweetness and flexibility to make a harmonious ensemble effect and every member of the company was a soloist. A more enjoyable evening of song can scarcely be imagined.

FUNERAL OF MR. O'MALLEY.

Services Were Held from the Late Residence in Philadelphia.

William O'Malley, formerly of Wilkes-Barre, was buried from his late residence, South Broad street, Philadelphia, on Monday morning. At the church of Epiphany a solemn high mass of requiem was sung by the pastor, Father Nash. The Rev. William Morrison, O. S. A., of Philadelphia, was deacon; and the Rev. James Hussle, of Plains, sub-deacon. The Rev. Father Brehony, of Manayunk, was master of ceremonies. Other priests in the sanctuary were: Rev. Father Lavelle, of Hyde Park; Rev. Richard McAndrews, of Wilkes-Barre; Rev. Father Hurst, of Ashley, and Rev. Father E. J. Phillips, of Hazleton,and Fathers Barrington, McArdle, Hannigan, Shields, McManus, Gormley, Masterson and Prendergast, of Philadelphia.

The Right Reverend Monsignor Mooney, chancellor of the arch-diocese of New York, and Chaplain Charles H. Parks, U. S. N., also of New York, were present. Services in Holy Cross cemetery were conducted by the Rev. John O'Malley, of Kingston, a brother of the deceased.

The pall-bearers were: M. W. Morris, of Pittston; William Higgins, of Philadelphia, John M. Ward and John Cassidy of Wilkes-Barre. The carriers were Doctor Charles Hoban, Dr. Elwood R. Kirby, Dr. Joseph Walsh, Captain Ambrose Higgins and George Donnelly, of Philadelphia; and R. J. Walsh, of Wilkes-Barre.

The children of the parish schools showed their appreciation of medical services rendered them by the son of the deceased, Dr. Joseph O'Malley, by attending the mass in a body.

Among others in attendance were Dr. Austin O'Malley, of the University of Notre Dame; Mr. Richard Marks O'Brien and wife; Dr. J. J. Barrett and wife, M. F. Wymbs and wife and Frank B. Brown, of Scranton; Mrs. A. C. Campbell, Mrs. Hussie, Miss O'Malley and Mrs. Kelley, of Wilkes-Barre.

THE BOARD OF CHARITIES.

Business Transacted at Last Night's Meeting.

The report of Treasurer Kelly at last night's meeting of the Board of associated Charities, showed the finances of that organization to be in a much more flourishing condition than they have been for many months. The announcement made at the last preceding meeting that the board needed money resulted in an influx of generous contributions which have paid all outstanding debts and left money in the treasury.

The annual subscribers to this excellent charity have been sending in their donations, and as a result, the financial state of the board now leaves little to complain about. At last night's meeting, there was an animated discussion on the subject of professional beggars with which the city is now infested. Several cases of particularly objectionable mendicants were brought up and the public is warned against Mrs. Mingle, whose modus operandi consists in visiting one house, artfully finding out from the good wife who lives in the neighborhood, and then going to these latter and declaring that the first victim sent her to them for alms.

Another woman against whom the board warns all people is one Mrs. Connolly, who takes up contributions alleging that she is collecting for local charitable institutions.

A motion was made by Mr. Kelly, and seconded by Mr. Gibbons, endorsing the prison board's action in setting tramps and vagrants at work mending the streets and roads.

The report of the agent of the board, Mrs. W. B. Duggan, showed that from Dec. 18 to Jan. 13, sixty-nine applications for relief were made and fiftyone investigations took place. In forty-one cases the applicants were found worthy and aided and in ten cases were found unworthy. Employment was found for four, medical aid for one, lodging and meals for one, transportation for one. Two applicants were sent to the House of the Good Shepherd and three were sent to friends.

Two cases were referred to the Home for the Friendless, three to the Foundling Home, and one to St. Patrick's Orphanage. Two persons were arrested for various causes, and three were referred to the proper authorities. Legal advice was secured for two persons and advice and direction for eighteen.

To Cure the Grip in Two Days
Laxative Bromo-Quinine Tablets.

We offer subject to previous sale
$12,000
Economy Steam Heat Company
Gold Bonds
5 Per Cent. Free of Tax. Mature 1930.
This company was organized in 1886, and has been successful from the start. It is the only steam heating company in the city of Scranton, and is controlled by representative men. The bonds are considered to be a desirable investment.
E. R. Curwell & Co.
66 Broadway, N. Y. Wilkes-Barre.
Carbondale.
Commonwealth Bldg. Scranton.

COOPER CASE WENT OVER

DECLARATION WAS AMENDED BY PERMISSION.

City Solicitor Pleaded Surprise and the Case Was Continued—Man Is Sued on a Note Which He Declared He Never Signed—Jury Evidently Believed What He Said. An Action for Large Damages Brought Against the Scranton Railway Company.

The case of George Cooper, of Eighth street, against the city of Scranton, for $10,000 damages caused by the overflow of a sewer, is again off the list for the present. When the case came up before Judge Kelly yesterday, Judge Willard, who appeared for the plaintiff, asked for and secured permission to amend his client's declaration.

The original declaration declared that the water had overflowed on Mr. Cooper's property because the catch basins were too small. This was amended so as to declare that the city negligently allowed them to become clogged with debris, thus causing the overflow of water. City Solicitor Vosburg pleaded surprise when the declaration was thus amended and moved to have the case continued, which was done.

Mr. Vosburg succeeded in having the case non-suited last September on the ground that if the catch basins were too small it showed an error of judgment on the part of the city engineer, for which the city could not be held liable. Non-suit was afterwards stricken off.

VERDICT FOR COMPANY.

In the case of P. McGraw against the Clark Tunnel Coal company, Judge Edwards directed that a verdict be rendered in favor of the defendant. The plaintiff sued before an alderman to recover wages, which he alleged were due him. The alderman decided against him because he believed that he wasn't able to show that the company was indebted to him. Judge Edwards directed the above-mentioned verdict, after the plaintiff rested. He was unable to make out a case.

The case of Peter Lutowski against M. Zatkowitch was heard before Judge Edwards. Lutowski sued to collect on a judgment note for $30, alleged to have been made by the defendant. The latter contended that he din't make the note and claimed he could not write. The jury found a verdict in favor of the defendant, evidently believing that he didn't make the note.

In the case of the Crescent Electric company against the borough of Winton, judgment in the sum of $1,244.66 was entered by mutual agreement of both parties to the suit, in favor of the company.

In the case of George W. Adams against Sarah Hollenback, Judge Edwards directed that a verdict be given for the plaintiff for the property described in the writ of replevin and that he be allowed six cents damages.

The jury in the case of O. M. Fletcher against W. W. Williams brought in a verdict yesterday awarding the plaintiff $36.67.

THOSE PAVE CASES.

In the cases of the city of Scranton against E. B. Sturges and Robert Hurley the court refused a motion to strike off the plea and allow the defendants to demur.

The Sturges case is on the list for today. It is an action in assumpsit brought to recover the cost of laying an asphalt pave on Washington avenue in front of a property owned by Mr. Sturges, who alleges that the work was improperly and negligently done.

Rule Made Absolute.

Judge R. W. Archbald yesterday handed down an opinion making absolute a rule to show cause why judgment should not be entered without costs in the case of R. L. Ginsberg & Compnay against the Scranton Railway company. The opinion follows:

"The plaintiffs, under the evidence, were entitled to a much larger verdict than they obtained, and one which would have obviated any such question as is now raised. But as it stands, it is under $100 and no affidavit having been made as required by the statute, and the case in its nature being one of which a justice of the peace or alderman had jurisdiction, the verdict does not carry the costs. The action is assumpsit and it arises out of an agreement by the defendant to sell the plaintiffs a lot of scrap steel at so much per ton. It thus falls within the express terms of the statute fixing the jurisdiction of justices and presumptively according to the amount recovered it should have been begun before a justice and not in the common pleas. Rogers vs. Ratcliffe, 23 Pa. 184.

"It is true that it is a suit for damages and that the amount claimed is far in excess of the jurisdiction of a justice under the act of 1810, but that is not what controls. Necessarily, in every instance where a question of this kind arises, the case, according to the amount demanded, whether it be debt or damages, is apparently beyond such jurisdiction, but this will not excuse an affidavit such as the statute calls for, if the amount recovered chances to fall within it. There may be decisions which seem to hold otherwise, but we cannot follow them. That a justice has jurisdiction even where the suit is one for damages for breach of a contract such as this, is abundantly sustained by the authorities. Hunt vs. Wynn, 6 Watts 47; McCahan vs. Hirst, 7 Watts 175; Todd vs. Figley, Ibed 542; Conn vs. Shinn, 31 Pa. 14; Shannon vs. Madden, 1 Phila. 254; McCafferty vs. Crew, 153 Pa. 311; Green vs. Patterson, 3 Superior 354.

"The rule is made absolute and judgment is directed to be entered on the verdict for $59.77, with interest, without costs."

They Want Heavy Damages.

John and Mary Brown, husband and wife, yesterday brought suits for heavy damages against the Scranton Railway company, through their attorney, Ira H. Burns.

Mrs. Brown was a passenger on one of the street cars which were in the serious collision near Duryea on July 8 last. It is contended that at that time she was badly injured, being unconscious for several hours. It is alleged that her sight and nervous system were seriously injured and that she will never be entirely well again.

She sues for $20,000 damages and her husband sues for $10,000 damages for the loss of her services and for money expended in medical treatment, etc.

That Minooka Case.

Judge Edwards yesterday decided to grant a rule to show cause why an alternative writ of mandamus should not be issued to compel John J. Coyne, T. J. Coyne and P. J. O'Neill, members of the election board of the South district of Lackawanna township, to count and return the vote of the Democratic primaries held last Friday.

On Monday, Patrick Higgins, who was the anti-Coyne candidate for supervisor, through his attorney, John P. Quinnan, asked court for a writ of mandamus. Judge Edwards at that time expressed it at his opinion, that court had no jurisdiction in the matter, but decided yesterday to grant the rule and let Mr. Quinnan show, if he can, that court has power in the premises.

The rule is returnable next Saturday morning at 9 o'clock, when arguments will be heard.

Presentments Today.

Today the grand jury will make presentments to the court in the cases of the magistrates it has been investigating.

The court will, in all probability, direct the district attorney to prepare indictments and they will be reported by the jury in its final report tomorrow afternoon.

Yesterday's Marriage Licenses.

James J. McGuinness	Scranton
Nora A. Cuff	Scranton
Charles Stevens	Sterling, Wayne Co
Ella Lesher	Sterling, Wayne Co
Patrick J. Martin	Scranton
Mary Gilmore	Schultzville
Lester E. Butts	Scranton
Janette M. Turnbull	Scranton
James Casey	Olyphant
Mary Barnum	Olyphant
Michael Pilsavage	Scranton
Marie Lonock	Scranton

COURT HOUSE NEWS NOTES.

E. C. Wert, who was appointed as justice of the peace of Dunmore to fill the vacancy caused by the death of A. A. Kretzer, yesterday filed his bond in the sum of $1,000 with Prothonotary Copeland.

An order was made yesterday by the court directing that in the matter of the alleged insanity of Jennie Howell, notice of the appointment of a commissioner be served upon her uncle, John T. Richards.

In the case of Fenner & Chappell against E. R. Griffiths, defendant, and the Jackson Street Baptist church, garnishees, Judge R. W. Archbald yesterday handed down an opinion. He says: "The rule is made absolute, and Arja Bohan, executor of Morgan Bohan, deceased, is allowed to intervene pro esse sue as a party defendant with the garnishees, an issue to be made up with the attaching creditors as plaintiffs and the garnishees and the said executor defendants, in which the writ of attachment shall stand as a declaration and the defendants plead nulla bona thereto."

HAS NOT ORDERED APPEAL.

What Mr. Keller Says About the Viaduct Case.

Luther Keller has not yet definitely decided whether or not he will take an appeal to the supreme court in the viaduct equity case. The opinion of Judge Kelly would seem to safeguard the interests of the affected property owners and, as that was the purpose of the suit, its object has been accomplished. Judge Kelly said the city is liable for the damages that may be caused by the erection of the viaduct, though the amount of them may not be determined until after it is built. Mr. Keller said yesterday:

"I believe for the good of the city this case ought to be appealed and the question at issue definitely decided. It is of the greatest importance to the city and we ought to have the decision of the state's highest court on it before we stop. At the same time, I do not personally feel called upon to carry this case up. I will decide in a day or two what course I will pursue."

MR. MERRIMAN ELECTED.

He Is the New Select Councilman from the Thirteenth.

Curie L. Merriman, manager of the Paragon Plaster and Supply company, was elected select councilman in the Thirteenth ward at a special election held yesterday to fill the vacancy caused by the death of A. B. Lidstone. There was no opposition. Mr. Merriman is a Republican.

The vote by districts follows: First district, 25; Second district, 55; Third district, 31.

ANNUAL MEETINGS.

Annual meeting of the stockholders of the Theodore A. White Manufacturing company was held Tuesday and a 5 per cent. dividend declared. The total amount of business for the year was $85,000, $30,000 of which was paid out for labor; $10,000 of treasury stock to be taken up and added to the working capital.

The following officers elected for the ensuing year: Theodore A. White, president; J. Lawrence Stelle, vice-president; L. R. Stelle, secretary and treasurer; directors, W. F. Ketcham, D. D. Evans, O. B. Partridge, R. J. Matthews.

The annual meeting of the stockholders of the Scranton Iron Fence and Manufacturing company was held in the office of the company on Capouse avenue at 3 o'clock yesterday afternoon.

The following officers for the ensuing year were elected: F. G. Krugerman, president and general manager; Conrad Schroeder, vice-president, and A. L. Frink, secretary and treasurer.

The board of directors of the Scranton Bedding company met yesterday and elected the following officers: President, Dr. N. Y. Leet; vice-president, H. E. Paine; secretary and treasurer, T. H. Benton. The directors are as follows: Dr. N. Y. Leet, H. E. Paine, Luther Keller, Conrad Schroeder and A. D. Stelle.

The stockholders of the Scranton Illuminating, Heat and Power company yesterday met and elected the following board of directors: William F. Hallstead, George M. Hallstead, E. M. Stack, M. W. Collins, Franklin Howell, T. G. Wolfe and E. D. Mullen. The directors will organize this morning.

Too Indefinite

Up and down the lanes of life, one is ever meeting folks who possess a surplus of ideas. As the proverbial dog is full of fleas, they are filled with schemes; and all would pan out wondrous profits—could they once but have a chance.

Few chances to materialize are afforded such folks; they are too indefinite. And, sad to say, few such ever recognize their failing—ever see the weak point of their great planning.

'Twould be a pleasure to point such persevering people in the direction of success—they earn it, many times over. Had they but early settled down to the plain policy of SAVING, society would long since have richly rewarded their rare energy.

The suggestion is practical—the way ever open. The wished-for results are certain.

Savings Department
TRADERS NATIONAL BANK
Cor. Wyoming and Spruce

NEW TRIAL IS REFUSED

SAD BLOW FOR DEWILTON SWEET, THE FISHERMAN.

Judge Edwards in a Lengthy Opinion Handed Down Yesterday Took All the Props from Under the Cherished Idea of Piscary by Prescription Which Has Prevailed in the Neighborhood of Bassett's Pond, Where Sweet Did the Fishing That Caused the Litigation.

Judge H. M. Edwards handed down an opinion yesterday in the famous Bassett pond fishing case, otherwise the case of D. C. Gibbs against Dewilton Sweet. The matter came before the judge in the shape of a rule for a new trial, which he discharges. The opinion follows:

In this case we give the jury binding instructions to find in favor of the plaintiff for nominal damages—six cents. The trespass consisted in the defendant's fishing in Bassett pond, the property of the plaintiff.

The plaintiff traced his title to the pond and adjoining land from the commonwealth by warrants, surveys, patents and subsequent conveyances. We held as a matter of law that the land under the waters of Bassett pond belonged to the plaintiff. It is located in part on two warrants, the Jonathan Hall and Richard Hall. It covers over fifty acres of land. In none of the conveyances do we find the pond specified as a boundary. Indeed, all the conveyances which have been brought to our attention, excepting one, which we shall refer to hereafter, describe the lands which are conveyed by courses and distances, regardless of the pond as such.

It is well settled that in grants of tracts of vacant lands by William Penn, or his successors, during the proprietary times, and by the commonwealth since, streams not navigable, falling within the lines of a survey were covered by it and belonged to the owner of the tract, who might afterwards convey the bond of the stream to one person and the adjoining land to another: 2 Pet. 64; Coovert vs. O'Conner, 8 Watts 470. But when such a stream forms the boundary of a tract the grantee acquires a title ad filum aquae.

NO RIGHTS IN THE POND.

The defendant in the case at bar owns a farm whose nearest line is some distance away from the pond. Whatever the rights of a shore owner may be, he has none. So far as Bassett pond is concerned or his right to fish therein, his property might as well be in Scranton. His main contention is that he has fished in this pond annually for over thirty years. He has availed himself of this privilege weekly during the fishing season, without let or hindrance, openly and notoriously, but in common with others, and he, therefore, claims that his right so to fish is presumptively based upon a grant from the owner—a right by prescription.

This contention in our judgment is clearly untenable. If a prescriptive right to fish can be acquired in this manner, then there are hundreds of fishermen in this county who, having fished in the same streams annually for more than twenty-one years without objection, may hereafter claim the privilege as a right that cannot be interfered with by the owners of the land through which the streams run. * * * A prescriptive right to fish based upon periodical excursions to a pond or stream in common with others, for any number of years, cannot be acquired. To presume a grant upon such a basis is obviously unreasonable.

The very question now before us is discussed with considerable vigor by Justice Sharswood. He says: "But if the right claimed here has been a mere ordinary way in gross, the evidence would not have been sufficient to create the presumption of a grant. Had it been set up as appertenant or annexed to a several fishery in the river or to adjoining lands, had there been a dominant and servient tenement, if the plaintiff had prescribed in que estate, in him and those whose estate he had, it might have been otherwise. There is a manifest reason for a distinction in the nature and amount of the evidence required in case of such an easement and one merely in gross.

THE PRESUMPTION.

"There is a certainty as to the owners and occupiers of the land to which the appurtenancy is predicted, which does not exist where the claim is in gross. A fair presumption arises of knowledge that the exercise of it is under a claim of right. This is absolutely required in all cases of prescription: Washburne on Easements 86. The circumstances of the enjoyment must be such that the knowledge and acquiescence of the owner may be presumed. Gray vs. Bond, 2 Brod. & Bingh. 667. Lex intendit vicinos vicini facta scire. If I should see the owner or occupier of an adjoining lot or farm or his servants constantly crossing my land to the highway, I may with reason and without being unneighborly, dispute it and insist upon an acknowledgement that it is only permissive so that it may not grow into right. But if a stranger with whom I may well be presumed to be unacquainted or his son or collateral heir after his death walks over occasionally and especially at long intervals, on what ground is it to be inferred that I know it to be under any pretense of title? Must a farmer see to it that every one who crosses his field to gun or fish asks his permission? Could a man establish a presumptive right by showing that regularly every year for twenty-one years and more on the Fourth day of July he had, in view of the proprietor, walked up to his well or spring and without his permission draw a bucket of water? As well might an angler, resorting constantly to some shady spot on the bank of a stream, set up in process of time a presumptive right against the owner of the soil of passage and of fishery. Many a lover of the sport for more than a quarter of a century has pursued every season one of our mountain brooks for miles of its course for the speckled trout with which they abound."

We need not discuss this phase of the case any further. We are satisfied that the defendant has not acquired a prescriptive right to fish in Bassett pond.

TWO QUESTIONS RAISED.

The defendant's counsel raise two other questions requiring some consideration. The first relates to a claim of adverse possession by one William Finn to a strip of land about two acres in extent "bounded on the east by Bassett pond," as described in a deed offered in evidence by the defense from O. L. Hallstead to William Finn, dated March, 1874. We admitted the deed at the trial with some hesitation. We wanted to examine it in connection with other numerous title papers proven by the plaintiff. We do not now think it has any bearing on the case, because the deeds in evidence showed that Hallstead, in conjunction with William Hartley, the title being in both, had already conveyed to David Leisen, in 1859, "Bassett pond and lands adjoining, not conveyed in other deeds." Hallstead had nothing to convey in 1874. But the defendant went a step further. He offered to show adverse possession in William Finn of the land described in the Hallstead deed of 1874, in order to prove title in Finn to the thread or center of the pond. Briefly stated, the argument of the defendant would be thus:

1. Finn had adverse possession of a strip of land bounded on the east by Bassett pond.

2. The pond being a boundary, Finn owned the land to the center of the pond.

3. The particular act of fishing by the defendant for which he was sued being on the Finn side of the pond, although he fished all over the pond at other times, the plaintiff could not recover in his suit.

This argument opens up an interesting question. If Finn's adverse possession of the strip of land referred to were successfully proven would he own the land to low water mark at farthest, or would he own the soil to the center of the pond? We have not been shown any authority in Pennsylvania on this exact point, nor have we, with the limited time at our command, been able to find any ourselves. There are numerous cases in our state defining the rights of riparian owners on navigable rivers and on unnavigable rivers, streams and creeks. We shall here summarize the principles found in adjudicated cases:

STATE OWNS SOIL.

1. In Pennsylvania the state owns the soil of its navigable rivers. The soil has never been granted to any one. Ebb and flow of the tide is not necessary in this state to make a river navigable. Owners of land on each side of such

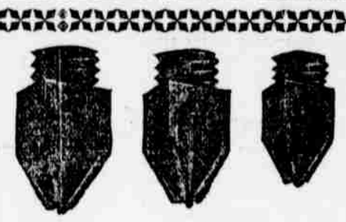
(Continued on Page 8.)

It May Be
That some of your friends will be married soon. That means a present. What will you give them? A perplexing question to be sure. Not half as perplexing as it seems if you'll come here. Cut Glass, we have Libbey's, in fact we're their agents. Haviland & Co's French China, you won't find a better stock anywhere. If we attempted to innumerate all the good things we have this paper wouldn't hold them, so come and see for yourself at
China Hall.
Geo. V. Millar & Co. 134 Wyoming Avenue
Walk in and Look Around.

TEETH

Extracted Absolutely Without Pain.
Our system of PAINLESS Dentistry is far superior to the old method of doing work. We both fill and extract teeth without the least particle of pain. Our prices for the present are extremely low, and if you are in need of any Dental work. Call and have your teeth examined.
Gold Crowns..... $3
Gold Fillings..... $1
Bridge Work (Per Tooth)..... $3
Set of Teeth..... $5
All work guaranteed for 10 years. Call and have your teeth examined free of charge. Satisfaction or no pay.
We make a specialty of fine Crown and Bridge Work and it will pay you to call and get our prices before going elsewhere. All work absolutely Painless.
Dr. Reyer, Dentist
514 Spruce St., Opp. Court House.

Schimpff, the Jeweler,
That's the name. You've heard it a good many times—most every time in fact, when jewelry is the topic of conversation, for the one implies the other.
Schimpff, the Jeweler,
Has much to show you in the Gift li e—more than you'll see in most other stores. Not only more, but something "different"—novelties that appeal to you, because of their novelty.
Schimpff, the Jeweler,
Has everything going in the jewelry line. Think of what you want; it's there. Prices, too, are less than you think, when you consider that no matter what you buy, quality is apparent.
317 Lackawanna Avenue.

The New Neversli) Asphalt Removable
HORSESHOE CALK.

Horse cannot slip and will outwear three sets of any other calk manufactured.
BITTENBENDER & CO., 126 and 128 Franklin Ave.
SOLE AGENTS.

MERCEREAU & CONNELL
Jewelers Silversmiths
NOW OPEN IN OUR NEW STORE WITH A NEW STOCK FOR THE HOLIDAYS.....
Diamonds Watches Silverware
Fine Jewelry Cut Glass Leather Goods
OUR STOCK FOR EXTENT, VARIETY AND FINENESS IN EVERY DEPARTMENT IS NOT EXCELLED IN THIS LOCALITY.....
OUR WELL-KNOWN GUARANTEE GOES WITH EVERY ARTICLE...
ALL ARE WELCOME.....
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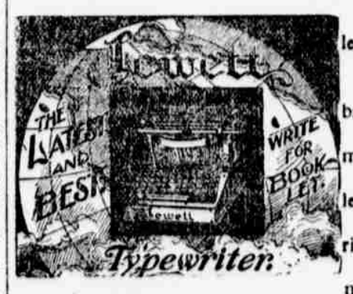

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