

JUDGE SMITH ON THE BENCH

HIS FIRST APPEARANCE IN OVER A YEAR

Has Been Seriously Ill but Now Seems to Be Very Much Improved. Dunleavy Case Was Argued by Attorney M. J. Martin and ex-District Attorney John R. Jones. Seeking to Quash the Appeal in the Spellman and Jones Case Against the City.

Judge P. P. Smith made his appearance on the Superior court bench at yesterday's session in this city, after an absence of over a year on account of illness. He looked as if he had about won his way back to health, but his voice is not as strong as it was.

The first case taken up was that of the commonwealth against Morgan H. Howells, an appeal by Howells from a decision of the quarter sessions in Luzerne county. Howells was indicted for imitating the labels of a drug manufacturing company. He sought to have the indictment quashed, but the court of Luzerne refused to do this and an appeal was taken to the Superior court. Attorney John M. Garman argued the case for Howells and M. J. Mulhall, late assistant district attorney of Luzerne, for the commonwealth.

The case of the greatest local interest argued was the appeal of A. L. Dunleavy from the recent sentence by Judge R. W. Archbald for selling liquor without a license. Dunleavy was convicted before Judge Love, of Belleville, at the October session of the Luzerne county court. Judge Love suspended sentence upon payment of costs, but at the December session Dunleavy was called before Judge Archbald and sentenced to three months imprisonment, a fine of \$500, and a fine of \$500. From this action an appeal was taken to the Superior court.

MARTIN'S ARGUMENT.

It was contended at the argument yesterday by Attorney M. J. Martin, who appeared for Dunleavy, that the action of Judge Archbald should be reversed for two reasons: "First—He was not the judge who presided over the trial which resulted in the conviction of the defendant and therefore could not sentence a man who was not tried before him.

"Second—The trial judge, before whom the defendant was tried, and during the term at which he was tried having directed him to pay the costs and thereupon the sentence be indefinitely suspended, we contend there was no authority in the president judge at a subsequent term of court to call the defendant in and impose a different and more severe sentence upon him."

In reply, ex-District Attorney John R. Jones, who appeared for the commonwealth, said he thought both of these contentions radically unsound and that neither of them was sustained by the authorities quoted. He thought the whole argument in false premises. Other cases argued were: The commonwealth of Pennsylvania to use of J. P. Briggs, guardian, appellant vs. Webster Remaley, R. M. Tubbs, et al.; appeal and cert. C. P. Luzerne county. Alexander Farnham for appellant, J. J. Creveling for appellee.

Mary O. Knobles, Hilda Nobles Williams, appellants, against John C. Piolet and others, commissioners of roads, Wysox township; appeal from the common pleas of Bradford county. J. C. Ingham for appellant, I. McPherson for appellee.

THE AYERS CASE.

Commonwealth against Benjamin Ayers, appellant, appeal from common pleas of Bradford county. I. McPherson for appellant and E. Overton for appellee.

A nol prois was entered in the case of Clara Gurtin against E. C. Cortright, sheriff, appellant, appeal from the common pleas of Luzerne county.

Major Everett Warren asked the court to hear arguments on a motion to quash the appeal taken by Mayor James Moir for the city in the case of Lieutenant Spellman and Patrolman I. P. Jones, who are being the city for their failure to furnish a receipt for the mayor had no authority to enter an appeal in the case and it was taken purely for the purpose of tying the case up for a year. The court will hear arguments on the motion to quash when the regular list has been heard.

The court will probably dispose of all the cases to come before it on Wednesday and will then hand down a batch of opinions.

REAR-END COLLISION.

Took Place on the Syracuse Division of the Lackawanna Railroad.

A rear-end collision occurred on the Syracuse division of the Lackawanna railroad at 11:10 o'clock Sunday night, in which passenger train No. 808 ran into the wild cat freight at Footsville, N. Y.

Plum J. B. Jacquemin, of the wild cat, was killed, and Engineer H. Mullcat and Fireman Fred Mercer, of the passenger train, were painfully injured. The engines were badly damaged, but none of the passengers or cars were injured.

The freight train was standing on a side track, when the passenger ran into the open switch and crashed into the wild cat. The reports of the wreck were received here yesterday.

How It Goes in Boston.

During the present cold and grip season thirty-five thousand and increased and eighty boxes of Laxative Bromo-Quinine have been purchased by the following wholesale drug houses of Boston: Gilman Bros. and Eastern Drug Co.

FOUND UNCONSCIOUS.

George Preston Lay Upon Bed Room Floor for Hours.

George Preston, a man about 65 or 64 years of age and a veteran of the Civil war, was found Sunday afternoon lying unconscious upon the floor of his bed room on the second floor of the Grand Army of the Republic building, on Washington avenue. The Lackawanna hospital ambulance was summoned, but Preston had recovered consciousness upon its arrival. However, he was taken to that institution for treatment.

It is thought that Preston had been lying in an unconscious condition seven or eight hours before the discovery of his prostrate body. Preston is subject

WEIGHT SOCIAL.

Successful Entertainment of Young Ladies of Baptist Church.

The young ladies of the Penn Avenue Baptist church last evening conducted the first of a series of entertainments for the benefit of the new church fund.

The male choir of the church sang several selections which were well received. Mrs. Bundage sang a solo and was encored. W. F. Jones, tenor, and Miss Jennie Edwards, soprano, both gave selections.

The entertainment last evening was called a "Weight Social," and consists in the weighing of each lady and subsequently the paying of each gentleman at a certain rate per pound.

After the musical programme had been rendered, refreshments were served.

ANNUAL MEETING OF THE BOARD OF TRADE

(Continued from Page 2.)

At the conclusion of the governor's address and the cheering which followed it, the diners gathered about his excellency and compelled him to hold an other informal reception. The banquet ended at 12 o'clock but it was fully an hour later before he was able to reach his hotel, the Jermyn, although he was intending to leave for Harrisburg on the 6:45 o'clock train this morning.

He was thoroughly tired after his trip to the city yesterday and upon his arrival at 5:30 he went direct to his room and took a nap for an hour. During his free moments he had as his hosts President Lansing, Secretary Atherton and Chairman Von Storch, of the banquet committee.

THEATRICAL.

ATTRACTIONS TODAY.

LAUREL—"Sorrows of Satan." Night.

ACADEMY—Maude Hillman company. Matinee and night.

GAIETY—Drinks' Vagabonds Baroque company. Matinee and night.

"Because She Loved Him So."

That delightful comedy, "Because She Loved Him So," which was adapted for the American stage by William Gillette, was presented the last night before a greatly pleased audience.

The comedy has been seen here on several occasions and has always had a hearty reception. A good company presented it last night.

The Hillman Company.

The Hillman company opened a week's engagement at the Academy of Music last evening, presenting as the opening attraction "The Painter's Wife." Miss Maude Hillman and Jerry Donavin, the two stars of the organization, appeared in the leading roles, and met with much success in their endeavors to please, and the audience was not slow in showing their appreciation with applause and outbursts of enthusiasm. Miss Hillman is as winsome as ever and seems to grow younger every year.

William Hillman is exceptionally clever comedian, his specialty being very amusing and entertaining. Mr. Hillman has appeared in this city several times, but as he is continually changing his line of work, he is always a welcome visitor to Scranton. Mr. Donavin, a young Scotchman, is also with the Hillman company, and sings several illustrated songs in a capable manner.

His voice is sweet and pleasing to an extreme, and he is a most successful comedian. His repertoire is strong and well balanced, each member capable of filling his or her respective role with credit. There is no doubt but that a big week's business will be the result of the introduction of a play which will put many high price attractions to shame and turn them green with envy.

Afternoon a beautiful comedy drama, "The Hidden Past," will be presented this evening. "Charley Best," Miss Hillman and Mr. Donavin will appear at this performance.

The Entertaining Vagabonds.

The Vagabonds' Baroque company, on the boards at the Gaiety this week, is above the average in the matter of meritorious features and gave entertainments yesterday afternoon and evening to a large and appreciative audience.

Their programme, entitled "The Lady and the Lohengrin" is among the most amusing and the olio numbers very good.

Lillian Waldman, the well known descriptive singer, made a very successful debut with her illustrated songs and the Three Nudes, who have been reduced to two Nudes, excelled their acrobatic work of previous nights. Tapark and Steel have the long faculty of raising a laugh by the introduction of one of the most ancient chestnuts in the way of an act that is seen in burlesque today, which is simple proof of their ability as entertainers.

Other numbers were well received by Edna Tapark, Morris and Daly, and the Muzant family. "The Vagabonds" will be seen at the Gaiety today and tomorrow, afternoon and evening.

SPECIAL ELECTION AT PHILADELPHIA.

By Exclusive Wire from The Associated Press.

Harrisburg, Jan. 21.—Speaker Marshall issued a writ today for a special election to be held Feb. 10, to fill the vacancy in the Sixteenth Philadelphia district created by the recent death of William F. Stewart, latter son of the house.

The writ for a special election to fill the vacancy in the senate created by the death of Francis A. Osborne, of Philadelphia, will be issued by Lieutenant Governor Gobin after the funeral on Wednesday.

A LAUGH IN CHURCH.

She sat on the sliding cushion, The dear, we women of four, Her feet, in their shining slippers, Hung dangling over the floor.

She looked to her good, she had promised, And so, with her big brown eyes, She stared at the meeting-house windows And counted the crawling flies.

She looked far up at the preacher, But she thought of the honey bees, Droning away at the windows, That whirled like angry bees, She thought of a broken basket, When curled in a dusky heap, Three sleek young puppies with frisky ears, Lay snuggled and fast asleep.

Such soft, warm bodies to cuddle, Such sweet little hearts to beat, Such swift, round tongues to kiss, Such sprawling, curly feet!

She could feel in her clasping fingers The touch of the satiny skin, And a cold, wet nose exploring The dimples under her chin.

Tion a sudden ripple of laughter Ran over the parted lips, So quick that she could not catch it With her rosy finger tips.

The people whispered, "Bless the child," As each one waked from a nap, But the dear, we women hid her face For shame in her mother's lap.

—Aesop.

REAL VALUE OF NUT FOOD

INVESTIGATED BY THE DEPARTMENT OF AGRICULTURE.

The Varieties Most Commonly Seen in This Country—Composition of the Various Kinds—Are Nuts Indigestible?—The Misnamed Peanut and Its Many Uses.

From the Washington Star.

The year-book of the department of agriculture contains the results of a number of experiments made during the past year with a view to determining the food value of nuts. They do not sustain the claim that they are full of nutrition. The following statements, concerning the general characteristics of the nuts commonly eaten in this country are chiefly taken from the report of the studies at the Maine station:

The almond is a favorite dessert nut in this country. By far the largest part of the almonds consumed is supplied by France, Italy and Spain. California, however, has grown the almond successfully, and the output of this crop is annually increasing.

The Brazil nut, as its name indicates, is a native of Brazil, whence it is exported in large quantities. It has not been successfully grown in the United States. It is chiefly used as a dessert nut.

The filberts found in our markets are chiefly varieties and crosses of two species. The nutce hazels are smaller than the European nuts, but have an agreeable flavor. The filbert is chiefly used as a dessert nut, but the ground nut is sometimes used for confectionery and in other ways.

In some European countries where it grows abundantly, a sort of bread is made from the ground nut.

THE HICKORY NUT.

The hickory nut, under which general name are included the nuts of several species of native trees, of which the shagbark is the most important, is one of our best-known nuts. The quality of the hickory nut is exceedingly variable, both in flavor and in the readiness with which the shell may be removed. The better varieties are highly esteemed, and by many are considered to compare favorably in delicacy of flavor with the English walnut. Large quantities of the nuts are eaten, and they are sometimes used in making cakes and confectionery.

The chestnut differs materially from the six nuts mentioned above as most commonly eaten. It contains about the same amount of protein, only one-fourth as much fat and six or seven times as much carbohydrates.

Indeed, its high starch content explains why chestnuts are so little eaten.

Peanuts have a fuel value of only ninety-six calories for each 100 parts of protein, and hence have a relative excess of protein. This is so unlike other vegetable foods, with the exception of the near relatives of the peanut, as peas and beans, that it is of great importance.

In this country nuts will probably never to any extent replace the cereal foods, as is the case in some sections of the Old World. Not only would the original cost prevent, but the labor involved in shelling and preparing nuts for the table would prove a serious obstacle to their extended use.

While nut meats are generally eaten without any previous preparation, they may be used in a variety of ways. Chopped nut meats are much relished for sandwiches and nut salads are not uncommon. The use of nuts in cakes, confectionery, creams, etc., has already been alluded to.

Many attempts have been made to prepare nut foods and to extend their use in various ways. Peanut butter, as it is called, is marketed to a considerable extent. This is said to consist of the kernels ground, with or without the addition of a small proportion of water.

Attention has been called to the fact that nuts form a very concentrated food. They should therefore be eaten with more bulky foods, and, except in the case of the peanut, with those richer in protein.

There are no reliable data regarding the indigestibility of nuts. The belief in their indigestibility seems to be widespread, and perhaps has some basis in fact. It is quite probable that if the nuts were properly prepared and eaten at proper times much of this prejudice would disappear.

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In many regions of the west and southwest, several varieties of pine nut are eaten.

THE PEANUT.

One of the fruits most commonly eaten in the United States under the name of nut is the peanut. Strictly speaking, this is not a nut, but the fruit of a leguminous plant closely related to the pea or bean. Probably three-fourths of the peanuts eaten are roasted. Part of the cheaper grades are used by confectioners for making peanut candy. A sweet and palatable oil can be made from the peanut.

It is pointed out by the Maine station that from fifty to sixty per cent. of the nuts most commonly eaten (almonds, Brazil nuts, filberts, hickory nuts, pecans and walnuts) are shell.

The protein is fairly high, but fat constitutes the largest part of the edible portion. The carbohydrates, which usually occur in large proportion in vegetable foods, are present in only small amounts. The chestnut is an exception, containing, as it does, nearly forty per cent. carbohydrates.

The percentage in coconuts, acorns and lichen nuts is also fairly high. The amount of nuts, excepting those last mentioned, contains nearly fifty times as much fat and less than one-fifth as much carbohydrates as wheat flour, and has about double the fuel value. A pound of unshelled nuts will furnish about half as much protein and the same amount of energy as a pound of flour. Owing to their high fuel value and low protein content, nuts would not make a well-balanced food when eaten by themselves.

This unsuitableness for a food by themselves is also increased by the potential energy being stored in the concentrated form of fat. This is no

Wrappers

Direct from a manufacturer who wanted to clean up his stock and didn't know any better way than to sell them to us at about one-half their actual value. You buy them at the same ratio as did we. Second Floor, one day—Today. Our Mr. Foote pronounces them the greatest values ever offered.

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| <p>LOT NO. 2</p> <p>These are manufactured from a heavy quality of fleeced black flannelette of handsome patterns, cut full on the hips, neat stitching, separate waist linings and embroidery, made by the maker to retail at one dollar. Sale price,</p> <p>69 Cents</p> <p>LOT NO. 4</p> <p>These are made up from an extra heavy quality of fine fleeced flannelette in assorted colors and neat patterns, with flounced skirt, finished seams and bound arm holes; shoulder capes handsomely trimmed with velvet and embroidery, the real value is \$1.50; sale price,</p> <p>98 Cents</p> | <p>Lot No. 2</p>  | <p>Lot No. 3</p>  | <p>Lot No. 4</p>  | <p>Lot No. 5</p>  | <p>LOT NO. 3</p> <p>Made up from a very choice quality of heavy fleeced flannelette, in some new and novel patterns. Full flounce, yoke collar and cuffs trimmed with fancy braids; made by the maker to retail at one twenty-five. Sale Price,</p> <p>89 Cents</p> <p>LOT NO. 5</p> <p>Very handsome wrappers, made up from a superior quality of Swansdown in fancy patterns and colorings; yoke, collar and straps are exquisitely trimmed with satin ribbon, separate fitted linings; made by the maker to retail at \$2.50. Sale Price,</p> <p>\$1.69</p> |
|---|---|---|---|---|--|

Wrappers made of standard heavy percale, warranted washable, but full on hips and skirt, colors of black, red and blue, perfect fitting, made by the maker to retail at 75 cents. Our Sale Price..... **55c**

JONAS LONG'S SONS.

reason, however, why nuts should not fill an increasingly large place in dietaries. Very few foods supply the needed nutrients in the proper proportion to form a well-balanced ration. Foods rich in fuel constituents need to be combined with other foods of relatively high protein content. The low percentages of carbohydrates in nut foods seem to fit them as one of the sources of food for diabetic and other persons who find it needful to avoid foods containing much starch or sugar.

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of weather, rain following cold and floods following rain, made the task hard beyond the comprehension of ordinary men. But there was that in the old Dutch stock of the Van Hornes, and perchance, in the American spirit of the Illinois-horn man, which caused him to hammer away at the problem until he finally succeeded. It is well to say in passing, that if William Van Horne had accomplished nothing else, his victory over the engineering difficulties afforded by the line along Lake Superior's north shore would give him fame enough for one man.

While the work of constructing the Lake Superior north coast line was progressing other portions of the great systems were receiving the attention of the tireless general manager and his assistants, The Rocky Mountains, that formidable barrier of interminable snow peaks, had to be pierced.

To those who have traveled over the Canadian Pacific from Montreal to Vancouver the feat of building even a single track railroad under such conditions and through such a marvelous country is almost past understanding.

The obstacles overcome along the north shore fade into insignificance when compared with those encountered after entering the majestic Rockies. Every conceivable engineering problem was encountered and overcome.

Festive bridges, cut and fill without number were employed, and to achieve all this money was spent with a liberal hand. It was like campaigning in a hostile country. To rout the forces of nature called for a vast army of men, and this army required a commissary corps as efficient as one accompanying a military body.

Pick and shovel, dynamite and blasting powder, formed the weapons of offense; temporary rails and engines, the transportation; great herds of Chinese and Indians the pack and the intricate and skillful Canadian, English and American engineers the staff, and at the head of it all, the general-in-chief, was William Van Horne, the Illinois boy, who, twenty years before, had started in his railroad career as a cub telegraph operator.

It was a smooth deal. The Whitney company bought the road at a lower price than had previously offered to the donors. They got in at about \$2, and now the stock is quoted at 112. In testimony of their appreciation of Vreeland's work in this deal, the Whitney syndicate sent him a check for \$100,000, which they could well afford to do.

"That's the price of the stock had been cut in two. All this time Vreeland had been studying the property. When it was placed in the hands of a receiver, Vreeland secured access to the statements which he ate up in short order. After a day or two of digestion he said to his chief:

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Williams' Lunches

Had to stop talking about them, because we became so crowded. Better facilities now. More room, more cooks, more waitresses, more everything. So we'll start talking again. The daintiest lunches in the city, served at a fair price. Everything baked fresh every day—right on the premises.

J. D. WILLIAMS & BRO.

312-314 LACKAWANNA AVE.

One Cent

A Word

Is all it costs to make your wants known through the columns of THE TRIBUNE; and there is no better advertising medium printed in Scranton.

SITUATIONS WANTED ARE INSERTED FREE.

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