

**DR. HAND'S CONDENSED MILK, WITH PHOSPHATES AND HYPOPHOSPHITES ADDED**

**TRADE MARK**

**DR. HAND'S Phosphated Condensed Milk**

It indicates the purest milk from field-fed cows—condensed in scrupulously clean buildings, by a process that preserves all the food qualities—to which has been added phosphates and hypophosphites, the same food properties found in wheat—the greatest body builders. It makes strong teeth and bones, firm flesh, steady nerves, quick brain and rich blood for infants and growing children. It is a wonderful restorative for aged or invalid persons. It is better for the table than fresh milk—rich as cream.

THE DR. HAND CONDENSED MILK CO., Scranton, Pa.

**SENSATION IN SELECT COUNCIL**

**SERIOUS ACCUSATIONS MADE BY MR. OLIVER.**

**He Charges the Superintendent of Police and Detective with Demoralizing the Police Force and Claimed They Drew Big Fees from the County—Condemned the Tactics of Appropriation Lobbyists Which He Said Were Damnable—Claimed He Was Threatened.**

Select Councilman Joseph Oliver, of the Fifteenth ward, made a sensational attack in select council last night upon Superintendent of Police, William H. Moore, and Detective Moir, and also interjected a few hot remarks about the lobbying which has been done in favor of certain items in the appropriation ordinance.

Mr. Oliver's remarks were made when the appropriation ordinance came over from common council, where it had been passed on third reading. Mr. Chittenden moved that the amendments adopted by the common council be concurred in, with the exception of the particular amendment directing the city clerk to certify certain balances into the judgments appropriation.

Mr. Oliver insisted that the amendments be read and when this had been done, he arose and began his remarks. He said:

I want to say that in my opinion this ordinance is a disgrace to the city and to the police force. I think this ordinance has done more to demoralize the police force of this city than anything else. When the detective is out of the city the police force do not make an important arrest and he returns, it seems as if he has got to get the credit for every arrest of any importance and crooks are permitted to go back to their haunts in Iowa, or Montreal or some other place.

**THE REASON FOR IT.**

I think I can explain why it is that the chief of police and detective are so anxious to make so many arrests. I wish the members of council would go down to the county commissioners office and see the chief of the city and the detective have drawn from the county treasury in fees. They would find as I have found that thousands of dollars have been drawn by these two officials, and a certain favored set of the policemen. They would find single warrants as high as \$200 drawn out.

The ordinary arrests of the police force are not permitted to draw their salary if they did the requirements of the ordinance. They would get no pay from the county. We are going to stand by and let this condition of affairs continue. This same temptation will exist just as long as we have an ordinance of this kind.

I have proof that what I say is true and I am ready to stand by it. I say if there's any way to be got for it, I will do it all around. I have positive proof that certain police officers of this city who have been arrested and fined here in town have given information about them to private detective agencies because they were sick of having the superintendent and detective getting credit for all arrests. They would not like it to be known for them to be arrested in these circumstances.

There are other items in this appropriation ordinance that are of a very objectionable nature. I would like to see the ordinance provided for the director of public safety's clerk and a salary of \$1,500 for the records clerk, a man who came out of the mines where he was earning \$300 a month, and began drawing \$1,500 from the city right away. Yet we are going to give him \$1,500 or \$200 more than we are giving the city solicitor's assistant, a lawyer, a professional man and a man with no special training. We are going to outlaw this business.

**HOT SHOT FOR LOBBYISTS.**

I want to say that there is a thing afoot about the tactics which have been used during the last couple of months to secure the passage of certain items in this ordinance. I want to say that they have been the most damnable that have ever been practiced in any city in all my knowledge. I myself have been threatened by the lobbyists.

Some of my friends on the police force have come to me and said, "Keep your opinion to yourself. If you speak out, they will get you out of the police force or a friend in the next breath. It is that way around here. No one is to be trusted and no one is to be trusted in this city. No, Mr. Chairman, it is not. It is high time, I say, for us to go over this ordinance carefully before we pass it."

Mr. Oliver was on his feet as soon as Mr. Chittenden spoke, and declared that the money which the superintendent of police got from the city was turned over to the city treasurer. Mr. Oliver disputed this and wanted a committee appointed on the spot to investigate the matter. No one seemed to second the proposition and he dropped it.

During Mr. Oliver's speech common council temporarily adjourned and the members all looked over to hear him talk. Mr. Chittenden's motion to concur in all the amendments except the one above referred to was passed by the following vote:

**FRANCHISE ORDINANCE.**

The street railway franchise ordinance was called up on second reading by Mr. Evans and Martin Flaherty, representing the Central Labor union, was given the floor and made a brief speech against the ordinance because of the objection to it raised by the City Engineer's company. The ordinance had been called up without the consent of its father, Mr. Vaughan and he recalled it, but not until Chairman Chittenden had ruled out of order a motion made by Mr. McAndrew to postpone action indefinitely.

City Solicitor Watson sent in an opinion declaring that the director of public works had power to appoint sewer inspectors. Bid for the construction of a sewer on Emmet street, Fourth avenue and Fifth avenue, was received from the firm of O'Boyle, who offered to construct it for \$212 per lineal foot. They agreed to construct sewer basins for \$1.64 per lineal foot. The bids were referred to committee.

Mr. Melvin offered an ordinance providing for the payment of a claim of \$186.92 to the Herley Asphalt company. Mr. Morrison offered an ordinance making houses of ill fame and speakeasies disorderly houses and giving the police power to arrest all persons found therein.

Mr. Costello offered a resolution directing the recorder, the city solicitor and the director of public works to go to Harrisburg and favor the passage of a bill providing for the condemnation of turnpikes. This was passed in select council but was referred to a committee in common council. In common council Mr. Partridge

**FIRST OPINION BY NEW JUDGE**

**RENDERED YESTERDAY IN THE HOLLAND-HAYES CASE.**

Judge Carpenter Decides That the Plaintiff Cannot Have Relief in Equity, Because All the Claims He Puts Forth Are Combated by the Defendant—Must Have Recourse to Trespass in Ejectment—Opinion Is Written in a Clear, Concise and Compact Style.

The first opinion by Lackawanna's new additional law judge, Hon. J. W. Carpenter, was rendered yesterday. It deals with the equity case of Michael Holland against Mary Hayes and others, which was heard before him in chambers on Wednesday and Thursday of last week. He decides that the plaintiff is not entitled to relief in equity, thus demitting the case to adjudicate in trespass or ejectment proceedings.

This opinion is written in the clear, concise and compact style that was characteristic of the reports Judge Carpenter was wont to write of the numerous cases he was called upon to adjudicate as referee or arbitrator. It is given in full below:

**Rule to continue preliminary injunction.**

The evidence shows that the plaintiff and the defendant, Mary Hayes, are owners of adjoining lots in the city of Scranton.

The defendant has commenced the construction of a porch on the side of her house, which, the plaintiff claims, extends some two feet over the line into his land. She has also, as he claims, moved her barn about the same distance over the line.

The defendant denies that either the porch or the barn is on the plaintiff's land, but claims that both are within the boundary of her own lot.

The plaintiff called a surveyor, who testified that he surveyed the plaintiffs' lot, and if the line as located by him is correct, both the porch and the barn are clearly over it and on the plaintiff's land. On the other hand, the defendant's surveyor with at least equal appearance of being right, so locates the line that the structures are both on the defendant's land.

The plaintiff bases his claim to relief on the additional allegation of long continued possession of the strip of land in dispute.

It is undoubtedly true that he has been in occupancy of his lot some thirty years, but his own testimony, as well as that of several of his witnesses, shows that the defendant, or her husband, who was then living, tore down the portion of the fence between the two houses about twenty-five years ago, at a time when he was building a new house, and that it has never been replaced, and there has been nothing to indicate where that portion of the line is; and Mrs. Hayes denies that the line as claimed by the plaintiff is the true line, or that it has ever been recognized or treated as a division line between the properties.

The plaintiff's right is questioned on every ground on which he puts it.

While it may be possible that a jury would decide in favor of the plaintiff, his case lacks the equity and precision required before equity will interfere by injunction. In *Shaw v. Fox*, 37 Pa. 263, Woodward, J., said: "Where the plaintiff's right has not been established at law, or is not clear, but is questioned on every count which he puts it, he is not entitled to remedy by injunction. It is not enough that he is able to produce some evidence of his right, when there is conflicting evidence in favor of the defendant. In a case so situated the plaintiff should first establish his right in an action at law, and then come into chancery if necessary, for the protection of the legally established right."

We do not deem it necessary to stay the defendant's action at law, until the right has been tried at law.

This case is very similar to *Fox vs. Mullen*, 5 Lackawanna Legal News, 215. The rule to continue the preliminary injunction is discharged and the injunction dismissed.

The attorneys in the case were Joseph O'Brien and M. J. Martin for the plaintiff, and C. C. Donovan and E. C. Newcomb for the defendant.

**FUNERAL OF J. P. ROBERTS.**

**Services Were Conducted at St. Luke's Church.**

The funeral of James P. Roberts took place yesterday afternoon from the home of deceased's father, George W. Roberts, of 518 Gibson street. The funeral was largely attended by friends, there being a number of fellow workers from the Delaware, Lackawanna and Western Railroad company's patron shops among the present. The floral tributes were many and beautiful. There was a broken scroll from the Lackawanna Iron and Steel works, from the "Comets" football team, of which deceased was a prominent member, and numerous other set pieces and bouquets. The services were held at St. Luke's church at 2:30 o'clock. Rev. E. J. Haughton officiating, and interment was made in the Forest Hill cemetery.

The pallbearers were: James Cummings, James Corbett, Henry Smith, Mr. Jeffries, Michael Murphy and Joseph Campbell. The flower bearers were Thomas Kern, Arthur Matthews, Anthony McDonald and John Owens.

**SPRING COURSE OF LECTURES.**

Arranged by Catholic Historical Society Last Night.

At a meeting of the Catholic Historical society, held last night, the programme for the spring course of lectures and entertainments was decided upon.

**GOING OVER THE EVIDENCE.**

**Attorneys for the Municipal League Engaged in Important Task.**

The attorneys for the Municipal League are going over the evidence adduced at the hearings before Alderman Fuller, with a view of deciding which, if any, of the seven defendants, should be presented to the grand jury. They will probably complete their task today, and either this evening or tomorrow an announcement will be made of the result of their review.

It is understood that the league will not prosecute the cases in which their attorneys advise them a conviction can be secured.

**FEE CASE TO GO HIGHER**

**Supreme Court Allows an Appeal from the Judgment of the Superior Court.**

The Supreme court has allowed an appeal from the judgment of the Superior court in the case of District Attorney W. R. Lewis against Lackawanna county, in which is bound up the question of whether the county officials shall be paid by fee or salary. The local court decided that the salary system should continue. The Superior court reversed the decision. An appeal was also allowed in the case of the borough of Taylor against the Postal Telegraph company. The borough levied a pole tax against the company under the authority of its local powers. The company opposed payment on the ground that it had no office in Taylor, and, as its poles and wires were used for inter-state commerce, they were not subject to local taxation. The local court decided against the company and the Superior court sustained the decision.

**SPRING COURSE OF LECTURES.**

At a meeting of the Catholic Historical society, held last night, the programme for the spring course of lectures and entertainments was decided upon.

On May 7 there will be a progressive entertainment, with music by the Lawrence concert orchestra. On May 14 there will be an illustrated lecture on "Catholic Landmarks in America," by Senator V. J. Dowling, a member of the New York state legislature.

On May 22, Dr. James E. Walsh of New York city, will lecture on "Shakespeare's Development of Dramatic Genius." On May 28 a reception will be tendered Dr. Rev. Bishop M. J. Hoban, by the members of the society. On this occasion music will be furnished by Bauer's orchestra. The programme for this will be prepared in a short time.

The tickets for the course are to be sold at fifty cents and may be had next Tuesday night before the lecture.

**COLOR PHOTOGRAPHY.**

The social, educational and beneficial association of International Correspondence school employees, gave a highly enjoyable entertainment last night at Duquesne hall. An illustrated demonstration of color photography by Louis Allen Osborne was the feature of the night.

He carefully described the process by which colors are reproduced in photography, and illustrated his address by a number of splendid stereographs.

The remainder of the programme consisted of a piano solo, by A. W. Walkey; a contralto solo, "Once in a While," by Miss Elsie Powell; a banjo, mandolin and guitar quartette's rendition of "Gambour's Lament," by Misses Burke, Lynott, Hurst and Boyce; and a song, "Sweet Annie Moore," by Tom Ghapel.

**POLICE AND ALDERMEN.**

John Henry was fined \$10 and costs by Magistrate Miles yesterday morning for driving a motor car without a license. Alderman Kason yesterday morning held George Schreier, an express driver, in \$200 bail on the charge of cruelty to animals.

Mr. Filmer and wife of 285 River street, were arrested yesterday at the instance of Adolph Joseph, who charged them with disorderly conduct. They were fined \$10 and costs by Alderman Kason.

**E. Robinson Sons' Famous May Bock Beer**

On tap Saturday and all next week. Try the New 5c. Cigar "Kleon." Guaranteed long Havana filler.

**THE People's Bank,** Mears Building, Court House Square. Capital Stock, \$100,000 Surplus, - - - 25,000 Savings and Business Accounts Solicited.

President - - - C. D. Jones Vice Pres. - - - G. F. Reynolds Cashier - - - H. M. Ives

**Ice Cream.** BEST IN TOWN. 25c Per Quart.

**LACKAWANNA DAIRY CO.** 717-727 Adams Avenue.

**Piano Tuning.** H. K. ZERBE, 96 Prescott Avenue. Best local references.

**CITY NOTES.**

**OPENING SERVICE.**—The opening of rural free delivery service took place at Elephant and down Wednesday.

**RETURN TALENTS.**—All members of the Young Women's Christian association, who have not returned the "talent," are requested to do so at once. The secretary wishes to close this account at once.

**PROF. MOORE'S LECTURE.**—The only city to be unusually favored next Tuesday evening, when Professor Willis L. Moore of Washington, D. C., will deliver his celebrated lecture on "Air and Storm Phenomena." Professor Moore is chief of the weather bureau at the national capital and has made all that goes to make up the weather a life study. A number of Scrantonians have heard him on this subject and say that he is one of the most delightful speakers on the lecture platform. Professor Moore will make his first appearance before a Scranton audience in the board of trade rooms next Tuesday evening, when he will deliver his famous lecture for the benefit of the Young Women's Christian association. The subject will interest you and the cause should appeal to you.

**Second Legislative District.**

Notice is hereby given to the Republican voters of the Second Legislative district of Lackawanna county that a primary election will be held on Saturday, May 15, 1902, at the regular polling places, between the hours of 1 and 7 o'clock p. m., for the purpose of electing two delegates to represent the said legislative district in the coming Republican state convention to be held in Harrisburg. The convention to compute the vote will be held on Tuesday, May 27, 1902, at 10 o'clock a. m., in the court house in Scranton. In accordance with the rules governing the district, the candidates will be voted on directly by the voters at the polls and must register with the district chairman his full name and residence address, and pay life assessment fifteen days before the election, or his name will not be placed on the official ballot, neither will any votes cast for him be counted.

The district vigilance committee in various precincts will conduct the election, and the result will be reported by the return judge to the district convention, which will be composed of judges of the various districts.

A written notice containing further instructions will be mailed to each member of the said district vigilance committee.

Frederic W. Philiz, Chairman Second Legislative District, Alfred E. Davis, Secretary.

**We offer subject to previous sale \$11,000 Ithaca Street Railway Co. FIRST MORTGAGE Gold Bonds**

66 Broadway, N. Y. Wilkes-Barre, Carbonate, Commonwealth Bldg., Scranton.

**CLOSED ITS SEASON.**

**Bicycle Club Wound Up Last Night in a Blaze of Glory—Percentage of Clubs.**

The Bicycle club bowling team closed the season in a blaze of glory last night on the Backus alleys by taking three games from the home team by the big total of 2421 to 2142. The club men are easy winners of the tournament, with their fine percentage of 822, as the second team in the race could not catch them, even if they won the twelve regular and postponed games they must yet play. Last night's match was scheduled for tonight, but was bowled on account of a number of the Bicycle club bowlers having other engagements on. The league averages are now as follows:

Club	Won.	Lost.	Pct.
Bicycle club	24	9	82.2
West End Wheelmen	21	9	70.0
Backus club	17	15	52.3
West End No. 2	12	15	44.4
Black Diamonds	12	15	44.4
Hils	9	15	37.7

Last night's game makes the Backus team drop from second place to a tie with the Diamonds and West Enders No. 2, which evidences the closeness of the bowling throughout. There was no phenomenal work last night, every member of the Backus team, save Hopkins, bowling like novices. Roper, of the Bicycle club, had the night's high score, 194, and also the top notch average, 178. The scores follow:

BICYCLE CLUB	1st	2nd	3rd
Duffield	127	145	154
Mitchell	114	119	131
Moore	102	118	125
Roper	102	181	194
Warrell	106	94	188
Totals	551	767	892

BACKUS CLUB	1st	2nd	3rd
Hopkins	161	147	177
McIntyre	167	174	181
Eldredge	155	147	160
Holl	152	143	156
Bowler	136	134	162
Totals	711	666	732

The Elks' bowling team will go to Wilkes-Barre tonight, where they will play their postponed game with the West Enders No. 2. The West End team will meet the Black Diamonds on the Bicycle club alleys.

As the closing games of the tournament, much interest is being taken in tonight's events and the bowling will be witnessed by crowds of spectators. While the bowling season proper may be now said to be at an end, there will still be a number of more games. Besides postponed league matches, there will be several exhibition games between the Green Ridge Wheelmen and the several league boys.

**CITY ENGINEER'S REPORT.**

Volume for Fiscal Year 1899-1900 Just Issued.

The report of City Engineer Joseph P. Phillips for the fiscal year of 1899-1900 has just been issued in book form and makes a most interesting and valuable volume.

It contains folded in the back two large maps of the city of Scranton, one showing all the paved streets and the other all the sewers. There is also a map showing the territory of the city prior to 1849.

The Steeplegraph Sepia Portrait, Made from photographs, by Schreyer, they combine the highest attainments of reproductive engraving and skilled rendering. The invitation to inspect them, at the studio, always holds good.

**E. Robinson Sons' Famous May Bock Beer** On tap Saturday and all next week.

**Silver-Plated Ware**

When rightly made, affords every satisfaction alike to giver and user; it cannot do otherwise, because it always wears and looks well, costs little, but greatly improves the appearance of any table it might be placed on. Our Pearl pattern is as neat as can be made; parts exposed most to use have extra plating.

Tea spoons, per set . . . \$1.60 Dessert spoons, per set . . \$2.90  
Table spoons, per set . . \$3.40 Soup spoons, per set . . \$3.00  
Forks, per set . . . . . \$3.40

Our guarantee with every piece.

**China Hall.**  
Geo. V. Millar & Co. 134 Wyoming Avenue  
Walk in and Look Around.

**Bicycles That Run Easy.**

It is most important that a bicycle should be easy running. Healthful exercise is beneficial, but hard work is injurious. The bearings of the "Scranton" guarantee lightness of running and its strength makes it the most durable wheel for all classes of riders. Prices to suit the pocketbook.

**BITTENBENDER & CO.**  
126-128 Franklin Ave.

**We Offer a Limited Number of Detroit, Rochester, Romeo and Lake Orion Railway**

**First Mortgage 5% 20-Year \$1,000 Gold Bonds.**

The above company operates an electric railway system running out of Detroit, Michigan, through one of the finest sections of the state. Eighty per cent. of the right of way is owned in fee simple. Lines are built according to steam railroad standards throughout, heavy rails with cedar ties on two-foot centres, permitting a high rate of speed to be attained by its passenger cars. The company also does a general freight business. The road is bonded for only \$14,200 per mile. Full information as to bonds, together with map of route, description of country, statement of earnings, etc., may be seen at our office. We have made a thorough investigation of the above property, and recommend these bonds as a safe and conservative investment.

**Title Guaranty and Trust Co.**  
516 Spruce Street.

**BRESCHER'S, 124 Wyoming Ave**

The "Leader's" Old Stand.

\$10.00, \$15.00 and \$20.00 Imported Silk Waists, . . . . . \$6.98

\$6.00, \$7.00 and \$8.00 Silk Waists, . . . . . \$3.98

**Today==Bargain Friday.**

There will be some wonderful selling here today and tomorrow, and you want to note carefully the opportunities presented. Not that this announcement represents the sum total of all the good things provided for the day—far from it, but enough is printed to make it worth your while to come, even if there were no unannounced bargains. And once more let us touch upon the point of quality. Dont for a moment imagine that we have any special grade of goods for Bargain Friday. We have a certain standard for merchandise that we consider it our duty to maintain, and when we quote low prices it means a price reduction pure and simple, the quality being uniformly standard—just as if you paid regular prices. And everything we sell comes to you with that guarantee of satisfaction that here means—your money's worth or your money back.

**Tailor-made Suits at Half Price. Come Early and Avoid the Rush.**