SAYS HE WAS VERY DRUNK

CASE HINGES ON THE TRUTH OF THIS CLAIM.

The Suit of Fowler Against the Meadow Brook Water Company Is to Turn on the Question as to Whether or Not the Plaintiff Was Too Drunk to Have an "Agreeing Mind"—Conductor Cawley Sues Lackawanna Company for $30,000. Other Court Matters.

As foreshadowed in yesterday's Tribune, the case of John F. Fowler against the Meadow Brook Water company is made to hinge on the question of whether or not the plaintiff was drunk when he signed the agreement relinquishing to the company all claim to the tools and machinery which were being used by himself and his partner, John T. Williams, providing they were relieved from their losing contract on the East mountain tunnel.

When the case was resumed yesterday morning, Mr. Fowler took the stand and testified that he was drunk and irresponsible on December 1, when his partner, Mr. Williams, submitted to him the agreement which bears his name, and that if he signed it, he did it unknowingly, for he has no recollection now of having attached his signature. One of his statements was that he was drinking whiskey at this time as freely as the average person drinks water.

His wife admitted that her husband signed the paper, but claimed he was on the verge of delirium tremens at the time. Dr. J. J. Roberts testified that two days after the date of the agrement he was called to attend Mr. Fowler and found him suffering from excessive alcoholism. Two neighbors Mr. and Mrs. Reese, testified that Mr. Fowler was on a protracted debauch at this time.

The attorneys on both sides and Judge Carpenter, who is trying the case, agree that there is no similar case in any of the books. There are various cases dealing with some of the features of this one, but none in which the same question is raised.

It is settled law that the act of one partner binds the other, if the act relates to the carrying on of the business of the partnership. It is also undisputed that if a party signs an agreement or contract while drunk it is voidable on motion of the party that was drunk.

This case, however, does not come wholly within the scope of these findings. On the one hand, it is claimed that the agreement in question was a carrying out of the purposes of the partnership, while the plaintiff avers it was not.

Then as to the main question, the competency of the plaintiff to make a contract, it is contended on the one side that he was too drunk to have the "agreeing mind," which the law requires, while on the other it is argued that it is not proven he was thus incapacitated and that even if it was proven the court should declare the agreement binding inasmuch as it was advantageous to him.

After the law points had been argued Judge Carpenter adjourned court until tomorrow morning that he might have time to look up the law.

Owing to the continued illness of Judge Edwards, no other cases were taken up and it is not likely any others will be taken up this week, except by Judge Carpenter, as Judge Edwards does not expect to be out for some time to come, and Judge Kelly is not yet feeling well enough to go on the bench.

Conductor Cawley Brings Suit.

Through Attorneys Joseph O'Brien and M. J. Martin, suit was instituted yesterday by Charles Cawley to secure $30,000 damages from the Delaware, Lackawanna and Western Railroad company for personal injuries received in an accident in the Scranton yard.

Cawley was conductor on one of the "hog" engines that was pushing a southern-bound train out of the yard, one night last winter. Standing on a parallel track was another "hog" engine. The distance between the two tracks at this particular point was less than is usual, and the consequence was that the left-hand side of the cab of the moving engine caught the right hand side of the cab of the standing engine, wrecking both cabs and severely injuring Conductor Cawley, who was on the left-hand side of the cab of the moving engine.

His face was cut by glass, and as a result of this, his mouth is drawn to the let side of his face. His spine was also injured, it is alleged, and to such an extent that he is permanently incapacitated from following any laborious occupation.

Doings in Divorcedom.

A rule for a decree in divorce was granted yesterday by Judge Carpenter, in the case of Elizabeth White against George White. The hearing is to take place before Judge Kelly, May 23, at 4 p. m.

May 20, at 4 p. m., was fixed as the time for a hearing in the case of Anna J. Gerrity against Michael L. Gerrity.

Liquor Licenses Granted.

Joseph Allomas, of Throop, was yesterday granted a liquor license for the remainder of the year.

Application was made by Mary Carey for the transfer to her of the license granted Elizabeth Klapuska, of 602 Eynon street. The hearing was fixed for May 27 at 9 o'clock a. m.

Marriage Licenses.

John Tomko .....[illegible]
Suzanna Catchuna .....[illegible]
Thomas Veciy .....[illegible]
Sarah M. Dudley .....[illegible]
Vito Rivaello .....Old Forge
Rosella Nasi .....Old Forge

COURT HOUSE NEWS NOTES.

The will of John Saunders, late of Old Forge, was admitted to probate yesterday. Letters testamentary were granted to Margaret Saunders. The will of Mary Kilker, late of Dalton, was admitted to probate. Letters were granted to Frank Kilker.

In the case of Mary Duffin against the city of Scranton, it was ordered yesterday by court that the plaintiff submit to a physical examination of her organs of vision at the office of Dr. Grant, Friday, May 17, at 4 o'clock p. m. Her physicians are to have the privilege of attending. This is the case in which a verdict of $7,500 was returned for the plaintiff for injuries she is alleged to have sustained by falling over a large wheel left lying on the sidewalk on Adams avenue, and in which a new trial was granted.

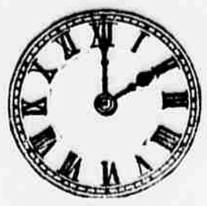
JONAS LONG'S SONS. | JONAS LONG'S SONS. | JONAS LONG'S SONS.

No better evidence of public appreciation is needed by us than the fact that big crowds attend these great

FRIDAY AFTERNOON SALES

We need not look for the reason. The best kinds of merchandise at unusual prices tells the story. Today's list should be carefully read by all. Surely you will find some wanted articles in it.

Sale No. 1



Begins Promptly at 2 O'clock.

IN THE BASEMENT

At 2 o'clock every Friday afternoon, you will find unusual interest centered in the basement. This is due to the unmatched opportunities to buy the very best goods at prices far below the every day prices.

WINDOW SCREENS—Two points about these window screens are worthy of your special notice—the size and the way they are made. They are made of hard wood, best quality of wire, and are adjustable to any size from 19 to 31 inches; the height is 18 inches. For one hour, each **14c**

DINNER SETS—An opportunity that only comes once in a while. 100-piece Dinner Set, English semi-porcelain. These sets have underglaze decorations, in peacock green and brown. For one hour the set **$5.98**

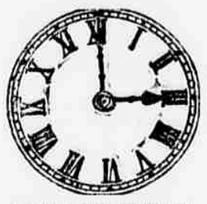
CUP, SAUCER AND PLATE—25 dozen sets, made of English semi-porcelain with underglaze decorations of peacock green and dark blue; the cups and saucers are regular size, the plates are 7 inches—just six to a customer. If you want the benefit of this great bargain be on hand early. We will not be able to promiseany after 2:30. Price for the set **10c**

COFFEE POTS—Three sizes—3-4, 1, 1 1-2 quart. These coffee pots are made of opal agate and peerless enamel, and are worth not less than 22 cents each. Friday, for one hour **10c**

TUMBLERS—The best lead blown tumblers on the market. You know what this means. They come in one size only, the regular table size. For one hour, each **2½c**

EARTHEN BAKERS—Enough for all comers, notwithstanding the smallness of the price. Friday for one hour, each **5c**

Sale No. 2



Begins Promptly at 3 O'clock.

DRESS GOODS—Thrice less than regular price for one hour. All wool homespuns 56 inches wide, in grey, browns and blues. Regular value 75c. 42-inch striped Zebeline Suitings in red, castor, reseda and blue. Regular value 75c. All wool French Venetians in cadet and blue, old rose and red. Regular value 69c. 44-inch Silk and Wool Novelty Plaids and Black and White Checks. Regular 69c value. For one hour or Friday, any or all of the above at, per yard **45c**

RUGS—This is one of the best items ever offered; it is a full size rug, made up in an attractive way; there are four or five colors in the rug, so woven that they produce a very pretty effect. Friday, for one hour, each **39c**

LACES—We will not attempt description of this especially good offering. Suffice it to say, that it is a Nottingham All-Over Lace, 19 inches wide, including lace stripe and scroll effects. It comes in white and cream only. Friday for one hour, the yard **29c**

Second Floor

KNEE PANTS—Cheviot Knee Pants for boys, good weight fabric; the colors are plain blue and brown. There is also some mixed ones in the lot. The same are taped to the waist band, is of good heavy duck, full cut; sizes 3 to 14 years. Friday for one hour **21c**

Main Floor

RIBBONS—All-Silk, Satin and Gros Grain Ribbons—in No. 9 and 16. There is also a No. 16 All-Silk Taffeta in the lot. Regular value 15c. Friday for one hour, the yard **7c**

NOTIONS—Three items at little prices:

SAFETY PINS—A splendid quality of Safety Pins in nickle and black; all sizes. This Safety Pin is made with a patent guard and sells regularly at 6c. Friday, the card **4c**

HOOKS AND EYES—Two dozen on a card. This is a patent Hook and Eye. It is not the hump hook and eye, but the principal upon which it is made is the same. Friday, per card **1c**

SPOOL COTTON—Brooks' Spool Cotton, white and colors. For one hour, Friday, three spools for **5c**

Sale No. 3

Begins Promptly at 4 O'clock.

Second Floor

BOYS' BLOUSE SUITS—Washable Blouse Suits for boys, in neat and dark effects, the combinations are plaids, stripes and checks. Around every collar you will find a whistle and cord. The collars are of the large sailor style with deep shields, 30 styles to select from, materials are duck, cheviots, crashes and galetas. Friday, for one hour **49c**

Main Floor

BED SPREADS—The best dollar spread that we know of will be sold for 85c Friday. It is a full size spread, comes in a variety of patterns and is worth $1 every day in the week. Friday, for one hour, each **85c**

HOSIERY—Ladies' Colored Hose in a variety of fancy stripes and figures. This line sells regularly at 15c; for one hour on Friday we will sell them for, the pair **11c**

BOYS' UNDERWEAR—Boys' Balbriggan Underwear in grey and ecru—the shirts have long sleeves, the drawers come in two lengths. You willingly pay 25c any other time. Friday for one hour, each **19c**

Second Floor

SKIRTS—Seersucker Skirts in fancy stripes. They are made with a corded ruffle and are cut full width and come in all lengths. Friday for one hour, each **49c**

WRAPPERS—Ladies' House Wrappers in a variety of colors. It is well made, although you would hardly expect it to be cut as full as the dollar one. Friday for one hour, each **46c**

EMBROIDERIES—A splendid assortment of lawn and cambric embroideries, ranging in width from 2 to 5 inches; worth at least 15c a yard. Friday for one hour, the yard **10c**

Fourth Floor

PORCH OR LAWN SETTEES—We are sure this special offer from our Summer Furniture Store will find a hearty welcome. It is a settee that is substantially made, is portable and folds compactly, has six slats in seat and three in back; strongly braced and riveted. These settees are made in three finishes—red, green or natural. For one hour Friday, each **45c**

Jonas Long's Sons

Don't you think it's time you ordered your Biscuit and Wafers in the In-er-seal Patent Package?

The following biscuit and wafers are now to be had in the In-er-seal Patent Package: Soda, Milk, Graham, Oatmeal and Saltine Biscuit, Bauquet and Vanilla Wafers, Ginger Snaps and Sultana Fruit.

INER SEAL

Look for the trademark design on the end of the package.

NATIONAL BISCUIT COMPANY.

RAILROAD TIME TABLES.

PENNSYLVANIA RAILROAD

Schedule in Effect March 17, 1901. Trains leave Scranton:

6.45 a. m., week days, for Sunbury, Harrisburg, Philadelphia, Baltimore, Washington and for Pittsburg and the West.

9.38 a. m., week days, for Hazleton, and for Sunbury, Harrisburg, Philadelphia, Baltimore, Washington and Pittsburg and the West.

2.18 p. m., week days, (Sundays 1.58 p. m.,) for Sunbury, Harrisburg, Philadelphia, Baltimore, Washington and Pittsburg and the West. For Hazleton, week days only.

4.27 p. m., week days, for Sunbury, Hazleton, Pottsville, Harrisburg, Philadelphia and Pittsburg.

J. B. HUTCHINSON, Gen. Mgr.
J. B. WOOD, Gen. Pass. Agt.

Delaware, Lackawanna and Western

In Effect Dec. 2, 1900.

South—Leave Scranton for New York at 1.10, 3.00 5.50, 8.00 and 10.05 a. m.; 12.55, 3.33 p. m. For Philadelphia at 8.00 and 10.05 a. m.; 12.55 and 3.33 p. m. For Stroudsburg at 6.10 p. m. Milk accommodation at 5.40 p. m. Arrive at Hoboken at 6.30, 7.18, 10.28, 12.08, 3.15, 4.18, 7.10 p. m. Arrive at Philadelphia at 1.00, 3.23, 6.00 and 8.22 p. m. Arrive from New York at 1.10, 6.32 and 10.23 a. m.; 1.00, 1.52, 5.43, 8.45 and 11.20 p. m. From Stroudsburg at 8.05 a. m.

North—Leave Scranton for Buffalo and intermediate stations at 1.15, 6.35 and 9.00 a. m.; 1.55, 5.48 and 11.55 p. m. For Oswego and Syracuse at 6.35 a. m. and 1.55 p. m. For Utica at 1.10 a. m. and 1.55 p. m. For Syracuse at 9.00 a. m.; 1.05 and 5.18 p. m. For Nicholson at 1.00 and 6.15 p. m. For Binghamton at 10.20 a. m. Arrive in Scranton from Buffalo at 1.25, 2.55, 5.45 and 10.00 a. m.; 3.30 and 8.00 p. m. From Oswego and Syracuse at 12.40 a. m.; 12.55 and 8.00 p. m. From Utica at 2.55 a. m.; 12.28 and 7.30 p. m. From Nicholson at 7.50 a. m. and 6.00 p. m. From Montrose at 10.00 a. m.; 3.20 and 8.00 p. m.

Bloomsburg Division—Leave Scranton for Northumberland, at 6.45, 10.05 a. m.; 1.55 and 5.50 p. m. For Plymouth at 1.05, 3.40, 8.50 p. m. For Kingston at 8.40 a. m. Arrive at Northumberland at 9.35 a. m.; 1.10, 5.00 and 8.45 p. m. Arrive at Kingston at 8.52 a. m. Arrive at Plymouth at 9.00, 4.32, 9.45 p. m. Arrive in Scranton from Northumberland at 9.42 a. m.; 12.35, 4.50 and 8.45 p. m. From Kingston at 11.00 a. m. From Plymouth at 7.55 a. m.; 3.20 and 5.35 p. m.

SUNDAY TRAINS

South—Leave Scranton at 1.10, 3.00, 5.50, 10.05 p. m.; 3.33 and 8.00 p. m.

North—Leave Scranton at 1.15, 6.35 a. m.; 1.55, 5.48 and 11.55 p. m.

Bloomsburg Division—Leave Scranton at 10.05 a. m. and 5.50 p. m.

Lehigh Valley Railroad.

In Effect March 3, 1901.

For Philadelphia and New York via D. & H. R. R., at 6.45 and 11.55 a. m., and 2.18, 4.27 (Black Diamond Express), and 11.30 p. m. Sundays, D. & H. R. R., 1.58, 8.27 p. m.

For White Haven, Hazleton and principal points in the coal regions, via D. & H. R. R., 6.45, 2.18 and 4.27 p. m. For Pottsville, 4.27 p. m.

For Bethlehem, Easton, Reading, Harrisburg and principal intermediate stations via D. & H. R. R., 6.45, 11.55 a. m.; 2.18, 4.27 (Black Diamond Express), 11.30 p. m. Sundays, D. & H. R. R., 1.58, 8.27 p. m.

For Tunkhannock, Towanda, Elmira, Ithaca, Geneva and principal intermediate stations, via D., L. & W. R. R., 8.08 a. m.; 1.05 and 5.40 p. m.

For Geneva, Rochester, Buffalo, Niagara Falls, Chicago and all points west, via D. & H. R. R., 11.55 a. m., 3.33 (Black Diamond Express), 7.18, 10.41, 11.30 p. m. Sundays, D. & H. R. R., 11.55, 8.27 p. m.

Pullman parlor and sleeping or Lehigh Valley parlors cars on all trains between Wilkes-Barre and New York, Philadelphia, Buffalo and Suspension Bridge.

ROLLIN H. WILBUR, Gen. Supt., 26 Cortland street, New York.

CHARLES S. LEE, Gen. Pass. Agt., 26 Cortland street, New York.

A. W. NONNEMACHER, Div. Pass. Agt., South Bethlehem, Pa.

For tickets and Pullman reservations apply to 309 Lackawanna avenue, Scranton, Pa.

Delaware and Hudson.

In Effect Nov. 25, 1900.

Trains for Carbondale leave Scranton at 6.20, 7.53, 8.53, 10.13 a. m.; 12.00, 1.20, 2.44, 3.52, 5.29, 6.25, 7.57, 9.15, 11.15 p. m.; 1.10 a. m.

For Honesdale—6.20, 10.13 a. m.; 2.44 and 5.29 p. m.

For Wilkes-Barre—6.45, 7.48, 8.43, 9.38, 10.43, 11.55 a. m.; 1.28, 2.18, 3.33, 4.27, 6.10, 7.48, 10.41, 11.30 p. m.

For L. V. R. R. points—6.45, 11.55 a. m.; 2.18, 4.27 and 11.30 p. m.

For Pennsylvania R. R. points—6.45, 9.38 a. m.; 2.18 and 4.27 p. m.

For Albany and all points north—6.20 a. m. and 3.52 p. m.

SUNDAY TRAINS.

For Carbondale—9.00, 11.33 a. m.; 2.44, 5.32, 5.47, 10.32 p. m.

For Wilkes-Barre—9.38, 11.55 a. m.; 1.58, 3.28, 6.27, 8.27 p. m.

For Albany and points north—3.52 p. m.

For Honesdale—9.00 a. m. and 3.52 p. m.

Lowest rates to all points in United States and Canada.

J. H. BURDICK, G. P. A., Albany, N. Y.
R. W. CROSS, D. P. A., Scranton, Pa.

Central Railroad of New Jersey.

Stations in New York—Foot of Liberty street, N. R., and South Ferry.

TIME TABLE IN EFFECT NOV. 25, 1900.

Trains leave Scranton for New York, Newark, Elizabeth, Philadelphia, Easton, Bethlehem, Allentown, Mauch Chunk and White Haven at 8.30 a. m.; express, 1.10; express, 5.50 a. m. Sundays, 2.15 p. m.

For Pittston and Wilkes-Barre, 8.30 a. m.; 1.10 and 3.50 p. m. Sundays, 2.15 p. m.

For Baltimore and Washington and points South and West via Bethlehem, 8.30 a. m.; 1.10 and 3.50 p. m. Sundays, 2.15 p. m.

For Long Branch, Ocean Grove, etc., at 8.30 a. m. and 1.10 p. m.

For Reading, Lebanon and Harrisburg, via Allentown, 8.30 a. m. and 1.10 p. m. Sundays, 2.15 p. m.

For Pottsville, 8.30 a. m. and 1.10 p. m.

Through tickets to all points east, south and west at lowest rates at the station.

H. P. BALDWIN, Gen. Pass. Agt.
J. H. OLHAUSEN, Gen. Supt.

Erie Railroad, Wyoming Division.

Time Table in Effect Sept. 17, 1900.

Trains for Hawley and local points, connecting at Hawley with Erie railroad for New York, Newburg and intermediate points, leave Scranton at 7.05 a. m. and 2.25 p. m.

Trains arrive at Scranton at 10.30 a. m. and 9.10 p. m.

NEW YORK ONTARIO & WESTERN RAILWAY COMPANY.

Time Card in effect Dec. 30th, 1900.

SCRANTON DIVISION.

207 Mixed	205 Sun. only	201 Pass.	STATIONS	202 Daily	206 Sun. only	208 Sun. only
		PM		AM		
		7 10	Ar. N.Y., W.42d St. Lv.	8 00		
	AM	PM			PM	PM
	10 45	1 05	Ar. ...Cadosia...Lv.		2 05	4 30
	10 40	12 56	...Hancock... "		2 14	4 35
	10 31	12 46	...Starlight... "		2 22	4 45
	10 21	12 31	...Preston Park... "		2 31	4 55
	10 15	12 26	...Winwood... "		2 41	5 05
	10 00	12 10	...Poyntelle... "		2 50	5 14
	9 50	11 58	...Orson... "		2 56	5 23
	9 40	11 48	...Pleasant Mt... "		3 06	5 30
	9 35	11 43	...Lakeside... "		3 08	5 34
	9 26	11 35	...Forest City... "		3 19	5 43
PM	9 14	11 23	...Carbondale Yd "	AM	3 30	5 51
6 40	9 10	11 20	" ...Carbondale... "	7 00	3 45	5 54
6 36	9 00		...White Bridge... "	7 03		
6 34	9 03	11 14	...Mayfield, Yd... "	7 05	3 45	5 58
6 29	9 00	11 11	...Mayfield... "	7 08	3 49	6 01
6 28	8 58	11 09	...Jermyn... "	7 09	3 50	6 03
6 26	8 53	11 04	...Archbald... "	7 13	3 51	6 09
6 22	8 50	11 01	...Winton... "	7 18	3 56	6 12
6 18	8 46	10 57	...Peckville... "	7 23	3 59	6 16
6 14	8 42	10 53	...Olyphant... "	7 25	4 00	6 21
6 11	8 40	10 50	...Priceburg... "	7 29	4 07	6 24
6 06	8 35	10 48	...Throop... "	7 34	4 10	6 27
6 05	8 35	10 45	...Providence... "	7 35	4 14	6 31
6 03	8 32	10 43	...Park Place... "	7 38	4 17	6 32
6 00	8 30	10 40	Lv. ...Scranton... Ar.	7 40	4 20	6 35
PM	AM	AM		AM	PM	PM

Additional trains leave Carbondale for Mayfield Yard 6.45 pm except Sunday, and 7.50 pm Sunday only, arriving at Mayfield Yard 7.00 pm and 8.05 pm.

Additional trains leave Scranton at 7.00 pm Sundays only, stopping at all stations to Carbondale, arriving at 7.45 pm, and train leaves Mayfield Yard for Carbondale at 6.45 am daily, arriving at Carbondale at 6.55 am.

Rates 2 cents per mile.

Lowest Rates to all Points West.

J. C. ANDERSON, Gen'l Pass'r Agent, New York City.
J. E. WELSH, Trav. Agent, Scranton, Pa.

SUMMER FURNISHINGS

Our new stock of fabrics specially adapted for this season, is now complete and comprises all the new novelties in

Porch Rugs Porch Curtains

Fibre Carpets

Straw Mattings Summer Draperies

WILLIAMS & McANULTY

Temporary Store—126 Washington Ave.

Carpets. Wall Paper. Draperies.

Men's Underwear

We have it, all colors, all sizes, all kinds; ranging in price from 25c to $2.50 per garment, sizes from 28 to 50 inches. Positively the most complete line of Men's Underwear in town. It will pay you to call before buying.

Louis H. Isaacs

412 SPRUCE STREET.

Have you tried our 10c Linen Collars.

THIRD NATIONAL BANK

OF SCRANTON.

Capital $200,000. Surplus $525,000.

United States Depositary.

Special attention given to BUSINESS, PERSONAL and SAVINGS ACCOUNTS, whether large or small.

Open Saturday evenings from 8 to 9 o'clock.

WM. CONNELL, President.
HENRY BELIN, JR., Vice Pres.
WM. H. PECK, Cashier.

E. Robinson's Sons

Lager Beer Brewery

Manufacturers of

OLD STOCK PILSNER

485 to 455 N. Ninth Street, SCRANTON, PA

Telephone Call, 2333.

ATLANTIC CITY HOTELS.

THE NEW RUDOLF.

Ocean Front. Atlantic City, New Jersey's famous health and pleasure resort. Largest on the Coast. Most approved. Hot and Cold Sea-water baths in house, free to guests. Special Spring Rates. Orchestra and dancing.

CHAS. R. MYERS, Owner and Prop'r.

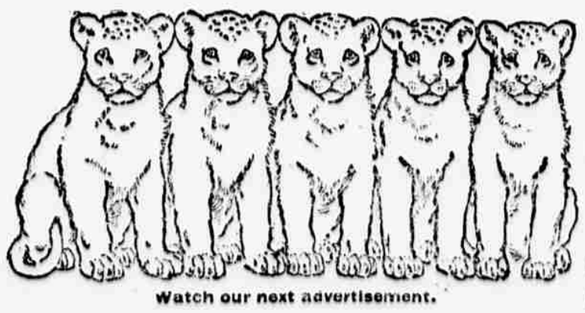
GRAND ATLANTIC HOTEL AND ANNEX.

Virginia Ave. and Beach, Atlantic City, N. J. Sixth year: 350 beautiful rooms ensuite, single and with bath; hot and cold sea-water baths in hotel and annex. Location select and central, within few yards of the Steel Pier. Orchestra, offers special spring rates, $12 to $18 by week; $2.50 up by day. Special rates to families. Coaches meet all trains. Write for booklet.

CHARLES E. COPE.

LION COFFEE

A LUXURY WITHIN THE REACH OF ALL!



Watch our next advertisement.

All Alike!

LION COFFEE

is always the same.
One package is just like another.
It is uniform in every respect.

IT NEVER VARIES.

If you like one package you will like all

LION COFFEE.

LION COFFEE is not glazed or coated with egg mixtures and chemicals, but is an absolutely pure coffee, full of strength and flavor.

In every package of **LION COFFEE** you will find a fully illustrated and descriptive list. No housekeeper, in fact, no woman, man, boy or girl will fail to find in the list some article which will contribute to their happiness, comfort and convenience, and which they may have by simply cutting out a certain number of Lion Heads from the wrappers of our one pound sealed packages (which is the only form in which this excellent coffee is sold).

WOOLSON SPICE CO., TOLEDO, OHIO.