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NO MORE EXTENSIONS.

Director Roche Tells Sewer Contractors That They Will Be Held to the Terms of Their Contracts.

Director of Public Works John E. Roche had a heart-to-heart talk with nearly all the contractors doing sewer work for the city, Thursday afternoon in his office.

Director Roche informed them that hereafter they will be held strictly to the terms of their contracts, and that he will fight the granting of any extensions of time by councils unless in the case of a rare emergency.

He pointed out that the cost of employing sewer inspectors is gradually mounting up to such an extent that in some instances it amounts to as much as 16 per cent. of the entire cost of constructing a sewer.

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FOR THE SUMMER HOME.

Contributions for Its Support Received Up to Date.

The summer home at Cresco for women and children will be opened on July 6 next, and will be presided over by Mrs. Weeden, who so fully won the hearts of the inmates last year by her kind, gentle and loving care of them.

Table listing contributions for the summer home, including names and amounts.

These donations afford an excellent start in the home work and as it is desired to increase its benefits by extending the season somewhat later in September, it is hoped and urged that donations will continue to the sum of \$1,000, which will be required to that end.

Flannel Suits are the most popular hot weather clothing this summer. We show the finest terms, and have them in price from \$7.50 to \$15. Come in and see us for nobby, up-to-date garments. Richards & Wirth, 325 Lacka. ave.

Silver Lake Assembly, Silver Lake. For above occasion ticket agent of the Lackawanna Railroad will sell special round trip tickets good going July 8th to August 23 inclusive, and returning up to and including September 1st, at \$7.20 for the round trip.

A Royal Array of summer excursions at Mahon's Shoe Store, 325 Lackawanna avenue.

PROMINENT MEN IN LITIGATION

HEARING IN THE BIG LUMBER COMPANY SUIT.

Congressman William Connell, C. D. Simpson, T. H. Watkins, W. G. Parke, J. W. Oakford and C. P. Davidson Among the Witnesses. Control of \$75,000 Worth of Stock and, Incidentally, Control of a Million Dollar Lumber Company is at Issue—Bad Faith Charged.

Never, possibly, before in the history of the county was there such an array of prominent citizens participating in a legal proceeding as there was yesterday in the first hearing before Judge Carpenter in the equity case of C. D. Simpson, William Connell and Thomas E. Jones against the Cherry River Boom and Lumber company, C. P. Davidson, J. W. Oakford, D. B. Hand, C. D. Jones, F. L. Peck and others.

Among the witnesses were Congressman William Connell, C. D. Simpson and Thomas H. Watkins, of Simpson & Watkins; Major J. W. Oakford, C. P. Davidson and W. G. Parke. Others were interested spectators were H. H. Brant, C. D. Simpson, Attorney Ezra H. Connell, Alfred Connell, S. M. Parke, A. H. Law, Walter Briggs, Charles H. Welles, Thomas Sprague, Dr. D. B. Hand, A. D. Dean, L. J. Williams and C. D. Jones, many of whom are stockholders in the defendant company. Attorney Harmon and G. F. Randolph, of the Baltimore and Ohio Railroad company, were also present as witnesses.

The attorneys in the case are Major Everett Warren and James H. Torrey, representing the plaintiffs, and S. B. Price, George L. Peck and Robert Peck, representing the defense.

Major Oakford, who is one of the defendants, is only such in his capacity as president of the defendant company. Personally he stands with the plaintiffs.

THE CAUSE OF ACTION.

The cause of the action was given in detail in The Tribune of June 19. Briefly, it is as follows: The Cherry River Boom and Lumber company was organized early last year, to develop a 77,000 acre tract of timber and coal land in West Virginia. The incorporators were C. P. Davidson, C. D. Simpson, J. W. Oakford, Henry Belin and F. L. Peck.

The company was incorporated with a capital of \$1,000, but this was eventually expanded to \$1,000,000, and the work of putting it out was begun. Various local investors were interested and induced to take stock.

When the company was about ready to begin work, the directors deemed it desirable to interest the Baltimore and Ohio people in the enterprise, and a committee, consisting of Messrs. Oakford, Simpson and Peck, waited on President Cowan, of the Baltimore and Ohio, and after some months of negotiating, succeeded in making a very favorable contract.

As a means of helping on the negotiations it was decided to let some of the Baltimore and Ohio officials know of the contract, and Mr. Simpson was given three calls for \$75,000 worth of the stock, at par, the calls to be good until the end of the year 1901. Mr. Simpson disposed of these calls to George F. Randolph, of the Baltimore and Ohio, and after some months of negotiating, succeeded in making a very favorable contract.

This action on the part of Mr. Simpson was ratified at a subsequent meeting of the board of directors.

MR. RANDOLPH HELD CALLS.

Mr. Randolph held the calls for a time and then assigned them to C. S. White, of New York. Later on, Randolph bought them back again and disposed of them to the plaintiffs. They sought to secure the certificates of stock covered by their call, but notwithstanding that the board of directors had ordered the president and secretary to save \$75,000 worth of stock to meet these calls, the certificates were not forthcoming when the calls were presented. Major Warren and Mr. Torrey waited on Secretary-Treasurer Davidson, June 13, and again on June 15, and offering the par value of the stock in legal tender and agreeing that the tender should be a continuing one. Mr. Davidson refused to turn over the stock to them, but instead intended to turn it over to other parties.

June 18, a meeting of a majority of the directors was held, at which the action of the previous year in assigning \$75,000 worth of stock to C. D. Simpson, and the right of the railroad officials, was rescinded and it was voted to dispose of the stock to friends of the directors present. Mr. Belin and Mr. Oakford, the directors who were friendly to Messrs. Simpson, Connell and Jones, were not at the meeting and received no notice of it. The notices were mailed at 5:40 p. m. The meeting was held at 8:30 o'clock the next morning.

To prevent the company from turning over this stock to any party other than the plaintiffs, injunction proceedings were brought, on Tuesday, June 18. Judge Carpenter granted a preliminary injunction as prayed for and a rule to make it permanent. The rule was made returnable yesterday morning.

Before the hearing was begun yesterday, the plaintiffs amended their bill by adding a paragraph setting forth that they purchased the options on calls because they wanted the stock in specie and not for the purpose of resale or speculation; that compensation in damages does not offer an adequate remedy, and that at all events there is no certain way of determining the value of the stock at present. In substance, the amendment is a demand for specific performance of contract.

ANSWER FOR THE DEFENSE.

The answer for the defense was filed yesterday by C. P. Davidson for himself, as treasurer, and for the company. Its averments are substantially set forth in these paragraphs: Four respondents aver and allege that C. D. Simpson has not in accordance with the terms of the resolution interested other parties in the

Cherry River Boom and Lumber company as owners of its stocks, by means of said options, but have caused them to assign to a third party, and they further aver that they are not the owners of the Cherry River Boom and Lumber company, for the purpose of obtaining control of the majority of the capital stock of said company, against the interest and in fraud of the other stockholders, and that it was expressly agreed at the time said resolution was passed, Aug. 23, 1900, that C. D. Simpson was acting in the interest and for the benefit of himself and other stockholders. And we aver that the said C. D. Simpson, under the terms of the resolution of Aug. 23, 1900, was a trustee for said defendants company, and in irregularly and fraudulently to issue the stock even hundred and fifty shares of stock in violation of a trust.

We deny that the company ratified any act, or any option or option, given to or by the defendants, and we further deny that the defendants were themselves stockholders or directors of the Cherry River Boom and Lumber company, and we further deny that the defendants, in the interest of C. D. Simpson and other stockholders, to obtain control of the capital stock of the Cherry River Boom and Lumber company, in violation of the terms of the resolution above recited. For this reason we have refused and do refuse, to issue stock to the holders of said options.

A TENDER OF \$25,000. We admit that certain persons, on behalf of the plaintiffs, tendered to the treasurer, G. P. Davidson, one of the defendants, the sum of \$25,000. We admit that he declined to receive the money and to issue the stock to the plaintiffs.

We deny the allegation of paragraph ninth of the bill, and aver that the plaintiffs have a full, complete and adequate remedy at law, in and to the sum of \$150 per share; that the capital stock of said company consists of ten thousand shares, and that it is held by numerous parties residing in the State of New York, and in other States.

We admit that a meeting of the board of directors of the Cherry River Boom and Lumber company was held on the eighteenth day of June, 1901, and that the said meeting was irregularly and illegally called; that at the time for which said meeting was fixed, June 18, 1901, at 8:30 o'clock in the forenoon a majority of the board of directors, to-wit: C. P. Davidson, F. L. Peck, G. D. Jones, D. B. Hand, C. S. Yocum and E. S. Peck, owning and representing a clear majority of the capital stock issued, who, with the exception of C. P. Davidson, are all the directors of said company met in the office of said company and unanimously passed a resolution awarding the stockholders the right to purchase among themselves the stock which Simpson, Connell et al. claimed.

And we further aver that this court has no jurisdiction in this case.

The bill is defective for want of legal plaintiff. And we further aver that the said bill is not sufficient in law. The plaintiffs have a full, adequate and complete remedy at law, and are not in need of equitable relief, and they pray for judgment in their favor, as if we had heard and determined to said bill, and pray to be dismissed with our reasonable costs and charges in this behalf most wrongfully sustained.

Mr. Jones was not in court, having gone abroad, but Mr. Connell, Mr. Davidson, Mr. Peck, Mr. Oakford, Mr. Parke and Mr. Watkins were present and told the details of how they came into possession of the options.

MR. WATKINS ON STAND.

The purpose for which the options were given to Randolph having been accomplished, and he being desirous of selling the options, offered them to Mr. Simpson one day in New York. Mr. Simpson called up his partner, Mr. Watkins, and asked him if he would take half of one of the options. Mr. Watkins said he would be glad to, thereupon Mr. Simpson bought one of the three calls, paying \$10,000 for it. On his return home, Mr. Watkins called on Mr. Peck and offered him a one-half interest in it.

Mr. Watkins corroborated Mr. Simpson and further stated that at that time the control of the company was not a matter of conflict. Mr. Connell stated that he, too, was innocent of any conflict for the control of the company when he bought the call. He bought some of the stock early in the history of the company and from time to time made other purchases in small lots when opportunity presented itself. Mr. Belin told him that an option for a \$25,000 block of the stock was offered for sale by Mr. Randolph, and advised him to take it. Mr. Connell sent for Major Oakford and asked him for advice as to whether or not he should purchase it. Major Oakford told him the option was all right, and Mr. Connell thereupon bought it. He was annoyed, he said, when he learned that he could not get the stock, but he had not the slightest intention, he said, to seek singly or with others, to gain control of the company, and knew nothing of any "muss" among the directors at the time he made the purchase.

Mr. Connell stated that he did not see the option. He heard Randolph had a call on a block of desirable stock and being advised that the call was all right he purchased it and presented payment for the stock certificate.

All three witnesses testified that there is no fixed value to the stock. Its par value is \$100 a share but offers of \$200 for it have been refused. Mr. Watkins added that the present litigation makes the value of the stock more speculative than ever.

ETHIOPIAN DISCLOSED.

While Mr. Watkins was being cross examined by Mr. Price, he was asked concerning the purpose of a proposed trust voting agreement. "Tell him. There's your chance. Tell him all about it," interjected Major Warren.

Mr. Watkins proceeded to follow his attorney's advice and thereupon the concealed Ethiopian emerged from the palling.

Mr. Watkins' disclosure was in effect that he had proposed forming a big lumber combine to buy out the Cherry River company, the Lackawanna company, which operates in Potter county, and the Newman company, which operates in Mississippi. The parties on the defendants' side in the present proceedings are largely interested in the Lackawanna and Newman companies.

"This band of conspirators here," declared Mr. Watkins, with some warmth, "were working at night to fix an arbitrary figure on the price of the stocks of the three companies should be held in the merging. I was willing that the matter should be left to any set of fair-minded men, and suggested Mr. Connell and Mr. Peck that he might like to select a third. I objected to Mr. Davidson."

An underwriting syndicate was also proposed, Mr. Watkins went on to say. This syndicate was to be composed of reliable men, with a view to buying for cash the holdings of any of the stockholders in any of the three companies who might not be satisfied.

SIXTEEN WERE GIVEN DIPLOMAS

COMMENCEMENT EXERCISES AT ST. PAUL'S SCHOOL.

The Pupils Gave a Splendid Entertainment Last Night Before an Audience Which Completely Filled St. Paul's Hall—A One Act Opera Presented by a Large Cast. Diplomas Presented by Rev. P. J. McManus, Who Also Made an Address.

The ninth annual commencement of St. Paul's Parochial school, connected with St. Paul's church, Green Ridge, was conducted last night in the spacious hall under the church, before an audience which, despite the great and almost overpowering heat, sat through to the end of the long programme.

Both the graduates and the other pupils who participated in the exercises displayed a degree of efficiency which told better than words of the great care which had been taken by the sisters in charge in preparing and drilling them, and which spoke volumes for the work done during the year.

The programme was opened with an entrance march, played by the following pupils: Violins, Masters A. Grewe, E. Blake, J. Walsh, E. Murray, J. McTague, F. Lutz, C. Loftus and the Misses M. Ferguson, E. Kennedy, L. Powell, C. Kelly, M. Dwyer, F. Tollman and J. Howley; mandolins, N. Cadden, W. McDonnell, M. Wakefield, N. Croghan; guitars, F. Wakefield and A. Lynott; piano, A. O. Connell.

PRESENTED WITH DIPLOMAS. The members of the graduating class filed on the stage to this march, and after an opening chorus were presented with the diplomas by Rev. P. J. McManus, the pastor. The members of the graduating class were as follows:

Regular Academic Course—Francis Joseph Gratton, Joseph Francis Danner, Mary Cecilia Egan, Mary Theresa Kelly and Agnes Mary O'Donnell. Commercial Course—Mary Theresa Kelly, Agnes Mary O'Donnell, Mary Cecilia Egan, Lillian Adele Dietel, Norah Agnes Pace and Anna Aloysius Roche.

The little girls of the school, attired in dainty white dresses and white stockings gave a pretty action song to music furnished on the piano by Margaret Johnson, and following them Joseph Francis Danner gave a declamation with fine voice and spirit.

One of the features of the programme came next, a debate by the boys on the question, "Should Our Mothers Vote?" All of the larger boys of the school took their places on the stage in the form of a semi-circle with Robert Loftus presiding as chairman. The discussion waxed warm and spirited and points of order innumerable were raised, the majority of them by "Tom Slowboy," a part very cleverly taken by Aloysius Grewe.

ONE ACT OPERETTA.

After a dumb bell drill by the smaller boys and a reading by Francis J. Grattan, a pretty little one act operetta, entitled "Snow White and the Seven Dwarfs" was given by the school. The scene was laid in a forest and the principal characters were impersonated by Miss Mary Barrett, Miss Florence Moffitt, Thomas Fay and Thomas Brock.

The other children took the part of the dwarfs and of the forest children.

SUMMER HOME FURNISHINGS

Some folks say any old thing will do for the country. We beg to differ with such people. Poor goods are dear at any price. Good goods, well bought, are cheap. If in need of any furnishings for the summer home, call in; look them over as there is no argument half so convincing as the evidence of your eyes. Dinner Sets, Toilet Sets, Lamps, Lanterns, Oil Cans, Stone Water Coolers, Mixing Bowls, Kitchen Knives, Silver-plated Ware, Ornaments, Plinques, Pipe Racks and other necessities.

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

On July 4th We Will Celebrate the 125th Anniversary of the Signing of the Declaration of Independence.

OUR FIREWORKS ANNEX is filled with the articles necessary to fittingly celebrate this great event.

FIREWORKS, FLAGS AND BUNTING of every description are here in great numbers.

We have made a special feature of an extensive line of Fireworks, Novelties, Set Pieces, etc. The kind you used to go to New York for.

J. D. WILLIAMS & BRO.

(Fireworks Annex.) 422 Lackawanna Avenue.

Regular Academic Course—Francis Joseph Gratton, Joseph Francis Danner, Mary Cecilia Egan, Mary Theresa Kelly and Agnes Mary O'Donnell. Commercial Course—Mary Theresa Kelly, Agnes Mary O'Donnell, Mary Cecilia Egan, Lillian Adele Dietel, Norah Agnes Pace and Anna Aloysius Roche.

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Special Bargains Saturday and Monday

100 pieces beautiful new Neck Ribbons, pure silk, soft finish, all late pastel colors, white cream, light blue, light pink, rose pink, rose, geranium, violet, navy, Nile, grass, etc. 25c goods. Special. 15c

White Lawn Collars—prettily made up with val. lace and insertion, a 50c collar. Special. 35c

Velvet Ribbons—Black satin back, not the best grade, but good enough for wash dresses. Apiece. 18c

Velvet Ribbons—Full line best at the lowest prices. Corsets—All fine grade and popular makes in the longer lengths at half price. 50c

Lace Insertions—Beautiful line of White Linen and Black Serpentine Insertions at 8c, 10c, 12 1/2c, 15c and up to. 50c

All Parasols at half price. Umbrellas, fast black, natural handles. 39c

Umbrellas, black twill silk, new handles. \$1.00

Umbrellas, black union taffeta silk, \$2.00 grade. 1.50

Palm and Japanese Fans, large. 3 for 5c

Shirt Waists—Just received 300 Fancy Stripe Madras and Percale Waists, all sizes, choice styles, a lot of waists made to sell at \$1.00. Our price. 59c

Lot 2, made to sell at \$1.25. Our price. 75c

Wash Goods New Arrivals Today. Lace Stripe Grenadines—White and colored grounds, with stripes and figures. Were 25c the first of the season. Now—new styles, at. 15c

Swisses—White and black fancy. 12 1/2c

All of our desirable 39c, 45c and 50c fine Colored Grenadine Silk Stripe Gingham, open work goods. 25c

Dimities—Another lot of Shear Fine Plain Dimities, all the new shades. 12c

India Batiste—Fine firm fabric sure to wash and wear. 12c

White Pique—34 inches wide. 10c

India Linons—See the qualities at 6c, 8c, 10c, 12 1/2c, 15c, 19c and. 25c

White Lace Stripe Muslins, Dimities, etc., for waists. 8c, 12 1/2c, 15c, 25c, up to. 50c

Counterpanes—Special at. 69c, 89c, \$1.00

Mears & Hagen

415-417 Lackawanna Avenue.

Meldrum, Scott & Co.

For the balance of the week we will offer special values in

Ladies' Lawn Waists

With plain and hemstitched tucks, lace and lawn insertings, etc., at

98c, \$1.50, \$1.85, \$2.25, \$2.85, \$3.95 and \$4.25

Materials, workmanship and fit as near perfection as possible, and prices lower than you will find on any similar line.

Special sale on Ladies' Mercerized and Wash Skirts At 98c Each.

Worth \$1.19 and \$1.25.

216 Wyoming Ave

Straw Hats

New Stock Just Arrived. All styles, from the \$1.00 Alpine Straw to the \$12.00 Panamas.

Don't forget we are headquarters for Summer Shirts, Underwear, Etc

Louis H. Isaacs 412 SPRUCE STREET.

Try Our Special 10c Linen Collars

Pocono Heights House

Accommodates 30; modern improvements; trout streams on premises; terms moderate; best references. Send for circular.

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Are calculated to insure prompt and efficient service in every department of banking. Perhaps you would like to try us.

The People's Bank

(Continued on Page 2)