

Griffin Art Shop

211 Washington Ave. Opposite Court House. Beautiful Burnt-Wood Bargains

Their exquisite pieces for artistic home furnishings are made in our own studio, hence the very low prices.

It will pay you to devote a little time to the study of our window. Its alive with new ideas.

"They Draw Well." Morris' Magnet Cigars. The best value for 5 cents. Try one and you will smoke no other.

E. C. MORRIS, The Cigar Man, 325 Washington Avenue.

In and About The City

Automobile Races at Speedway. The Automobile club will hold races on the Boulevard this afternoon.

D. L. & W. Fay Days. The Delaware, Lackawanna and Western paymaster began paying the train men yesterday for June, and will finish today.

Bond Approved. The bond of George F. Cushman, collector of taxes of West Abington township, in the sum of \$2,000, was approved by the court yesterday.

Reunion of Veterans. The Seven County Veterans' reunion, arrangements for which are being made, will be held the third Wednesday in August at Nay Aug Park.

Missing from Home. A. C. Nivell, of 827 Jefferson avenue, has been missing from home during the past week, having disappeared last Saturday night after telling his wife he would soon return.

Bankruptcy Hearing. Referee in Bankruptcy C. A. Van Wormer yesterday morning conducted a hearing in the case of John A. Codrington, of Hallstead, certain creditors of whom have filed a petition alleging him to be insolvent and to have committed an act in bankruptcy.

Must Moderate Speed. Director of Public Safety P. L. Wormser has decided that the reckless speed at which automobiles are being propelled along the city streets must be stopped.

For Fast Driving. James Rennie and Maggie Jones were arraigned before Magistrate Howe, in police court yesterday morning, charged with violating the city ordinance regarding fast driving.

Bankruptcy Cases. James C. Chatham, of Parandeville, Clinton county, yesterday filed a petition in bankruptcy in the office of Clerk E. W. Searle, of the district Federal court.

Mischiefous Small Boys. William Corbett, Jr., of Hemlock street, and Frank and Leo Ryan, of Prospect avenue, were arraigned before Alderman John T. Howe yesterday, on the charge of the new Rapid Transit company, of the Electric Rapid Transit company.

Are You Going to the Seaside Or to the Country?

If so, have The Tribune follow you and keep posted about your friends. Fill out this coupon and mail to us.

Tribune Publishing Company, Scranton, Pa., change my paper from Old Address to New Address

If you are not a subscriber you can fill out the two bottom lines, and the paper will be sent to you promptly. The Tribune costs 12 cents a week or 50 cents a month.

embankments and acting in a general disorderly manner. The boys' fathers went their bail.

Kept on Collecting.

Myron Jones, of Lackawanna avenue, a young man who has been employed as collector by Frank G. Lally, was yesterday committed to the county jail by Alderman Karson, in default of \$50 bail, imposed on the charge of fraud.

ARLINGTONS WIN TROPHY.

Champion Bowling Team of the City League. The final games in the City Bowling League were rolled on the Elks' alleys last night, and invincible Arlington's won two out of the three games played, thus winning the trophy for the series.

Table with columns for names and scores under categories: ARLINGTONS, INDEPENDENTS, and High average-Smith, 106 1-10.

FOR THE POLICE AND FIRE DEPARTMENTS

Plans of the Building It Is Proposed to Erect in the Rear of City Hall.

The plans submitted to common council Thursday night by Superintendent of Building Inspection F. L. Brown, for a joint fire and police house, to be erected by the city, at a cost of \$40,000, on the lot adjoining the city hall, facing on Mulberry street.

The primary use of the building is as a general fire headquarters. The first floor will be arranged for the accommodation of three companies, two steamers and a truck, with the attendant men.

Another apartment will be partitioned off, which will be utilized for a general repair shop and a storeroom for damaged apparatus. Underneath will be a cellar, used for the storing of fuel, and a tower will extend from the cellar up, which will be utilized for the drying of hose.

In the rear of the repair shop, facing on Dix court, there will be three stalls for the police patrol, ambulance and reserve apparatus of the fire department.

Three separate box stalls will be used for the care of horses, temporarily disabled, who will be brought here for hospital purposes.

In the front of the second story the chief of the fire department will have his room. Other apartments on this floor will be a parlor for the men, a separate room for the captain, a dormitory, locker rooms and baths.

In the rear of this floor will be the rooms of the bureau of police. Apartments for the fire alarm and telegraph apparatus will be located here, as will also feed and grain bins and hay lofts.

The first floor will be paved with asphalt, and the interior finished in brick.

STABBED WITH A FORK. Man Who Did the Stabbing Made His Escape.

A stabbing affray occurred at 8.30 o'clock last evening in a boarding house at 118 Franklin avenue, conducted by C. Battaglia.

Two of the boarders, Antonio Panatto and Peter Carbble, both about 18 years of age, became engaged in an altercation, and the latter plunged a table fork into Panatto's leg.

The police were notified, but Carbble had escaped. He will be arrested today.

Yesterday's Marriage Licenses. Joseph Skamich, of Scranton; Basil Busch, of Scranton; Vasil Kosty, of Scranton; Mary Feduzzo, of Binghamton, N. Y.

IMPORTANT CASES THESE

THEY WERE PASSED UPON BY SUPERIOR COURT.

Lower Court Sustained in the Case of George L. Peck, Trustee for Howard H. Beidleman and His Creditors Against William Connell and Reversed in the Case of George Cooper Against the City of Scranton—Opinion as Rendered in the Latter Case.

In the two cases from this county in which the superior court handed down opinions at Philadelphia Thursday important questions were decided. The court in this case was sustained in the case of George L. Peck, trustee for Howard H. Beidleman and his creditors, against William Connell.

Mr. Beidleman was in the book business on Spruce street in this city. On April 29, 1899, when he began business, he borrowed \$1,500 from Mr. Connell and gave him note for that amount. Along in 1899 Mr. Beidleman became financially involved and to protect the note of \$1,500 Mr. Connell had an execution issued on it.

Mr. Peck, as trustee for the creditors of Beidleman, began suit to collect from Mr. Connell the amount realized by the sale, alleging that the amount should be divided pro rata among the creditors taking the ground that as the execution was not issued until less than four months before Mr. Beidleman became a bankrupt under the bankruptcy act of 1898, the lien of the mortgage on preference on his note but must take his place among the other creditors.

POSITION OPPOSED. This position was vigorously opposed by Attorney Ezra H. Connell, who appeared for the defendant. He argued that it was not the purpose of the bankruptcy act to deprive a creditor his incentive to vigilance in collecting his claim from a debtor who happens to become an insolvent and that it would be a great injustice to rob a man of his right to collect on a note where it was manifest there was no attempt at preference on the part of the person owing the claim.

The court of this county sustained the position taken by Attorney Connell and decided against Trustee Peck who thereupon took an appeal to the superior court where Attorney Connell again argued the ground he advanced in the lower court. The opinion of the superior court was written by Judge W. D. Porter and endorses the contention of Attorney Connell as good law and good sense. There will be no division of the amount realized from the sale.

The other Lackawanna county case was George Cooper against the city of Scranton an appeal by the city from a verdict of \$1,400 awarded in favor of the plaintiff. It was the third trial of the case. On the first trial a non suit was granted on the ground that the city of Scranton was not liable for the damage caused by the water it was an error of judgment on the part of the engineers by whom the sewer was planned and the city was not liable for their errors of judgment.

On the second trial the declaration was amended to show that the damage was caused by the negligent manner in which the sewer was maintained by the city and a juror was withdrawn and the case continued.

The third trial resulted in a verdict for \$1400 in favor of Cooper and an appeal to the superior court was taken by the city. The opinion of that body written by Judge W. D. Porter follows:

THE OPINION. There was no dispute as to the facts material to the consideration of this appeal. The plaintiff was the owner of a block of houses fronting on the east side of Eighth street in the city of Scranton. Eighth street ran from Lackawanna avenue to the city hall.

The grade of the street had been a gradual descent from the former to the latter street, and a sewer was laid in the street in 1885 which carried off all surface water into the city sewer.

The proceedings were conducted in a regular manner and the physical changes required to make the streets conform to the newly established grades were made upon the ground. The change in the grade of Eighth street extended from Linden street south to a point about opposite the middle of the plaintiff's property, from which point after the work was completed, the grade of the street slightly ascended in such direction, south to Lackawanna avenue and north to Linden street.

The consequences was that the plaintiff's property was left opposite to the sewer, which formerly passed off the surface water from each end of the street flowed, instead of as formerly having an uninterrupted flow from north to south over the whole length of the street. This change of grade of Eighth street caused water, which formerly passed off in another direction, to flow upon the property. The plaintiff brought this action of trespass to recover damages alleged to have resulted from the flooding of his house and lots.

NOT CAUSE FOR ACTION. The mere omission of the municipal authorities to provide adequate means to carry off the water which storms and the natural formation of the ground throw upon city lots and streets, will not sustain an action by the owner of land against the municipality for damages arising from the accumulation of water. Cities are not bound to provide sewerage for the natural flow of the surface water, although they are bound to provide sewerage to construct such sewers, as in the judgment of the officers exercising the corporate powers, are necessary and expedient.

A Splendid Opportunity

WANTED—A few bright boys and girls, 7 to 14 years of age, to earn a year's instruction in singing. Easy work. Apply at the studio of Alfred Wooler, Carter building—second floor—804 Linden street, Scranton; Saturday morning, July 12th, at 10 o'clock.

This has no connection with the Tribune's Educational Contest. consequence of its public works; Wier vs. Plymouth Borough, 148 Pa. 568; Erie vs. City of Erie, 137 Pa. 421; Scranton, 133 Pa. 173. The plaintiff seeks to recover on this ground. The source of the injury complained of is thus stated in the case-books of the appellate courts in 1896 Linden street was graded. The ravine down which the water had theretofore flowed was dammed up. The grade of the street was raised, and the water was changed from a down grade of 15 per cent. from south to north to a grade of 1 per cent. from north to south for 240 feet on the east side of the street.

The result was, according to the testimony of a large volume of water was cast from Linden street upon the north end of Eighth street, which, together with the water accumulating for 240 feet on the east side of the street, was all accumulating in front of Cooper's property and cast into and upon the same.

A CORRECT STATEMENT. This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. 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This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct statement of the position taken by the learned counsel for the appellee here as well as in the court below. This leaves no doubt that plaintiff's cause of action has its foundation in the change of the grade of Eighth street, which, in consequence of the constitution of 1874, "municipal and other corporations and individuals invested with the privilege of taking private property for public use, and the compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, shall be determined by law." This is a correct