

THE MODERN HARDWARE STORE. Going Out Camping. This summer? Perhaps we can help you in getting up your outfit. You may need an oil stove, a hammock, a coffee pot or some cooking utensil. The Modern Hardware Store can supply your wants. See window display. Foote & Shear Co. 119 Washington Ave.

Scranton Investor. Vol. 2. Connell Building. No. 6. STOCKS AND BONDS. Ten shares of the Title Guaranty and Trust Co. stock for sale. Fifty shares of the United States Lumber Co. stock for sale at \$24. Twenty-five shares of the International Text Book Co. stock for sale at \$14. Economy Steam Heat and Power Co. bonds for sale at \$95. Twenty-one shares of Clark & Snover Tobacco Co. preferred stock for sale at \$133-1-5. MONEY TO LOAN. We want everybody to know that we have money to loan on Scranton real estate. We loan quickly and cheaply. You are cordially invited to come and see us. Offices open evenings. Use elevator.

R. E. Comegy & Co. Phone, 109. The Hardenbergh School of Music and Art. Season 1902 - 1903 opens Thursday, Sept. 18. Most modern and approved methods. Send for prospectus. Carter Building, 604 Linden street.

PETER N. HAAN. Livery, Boarding, Heavy Teaming and General Draying. New Stables, 1415 Mulberry Street. New Phone—2057.

If You Are Considering. The purchase or sale of any high grade stocks or bonds, better consult us. We make a specialty of this kind of securities. I. F. MEGARGEL & CO., Rooms 206 & 207, Commonwealth Bldg.

Slippery Stuff. When drawing your pay lay aside a portion of it for a rainy day by using our savings department. THE PEOPLE'S BANK.

UNION LABEL. POLICE COURT CASES. P. H. Liske, alias "Mike White," who was arrested in Centre street by Superintendent Day for being drunk, disorderly and using abusive language, was fined \$5 in police court yesterday morning. J. Dillon, who was arrested on similar charges, also paid a fine of \$5. Mrs. Elizabeth Dailey, a homeless wanderer, who was picked up by the police Thursday night, was discharged yesterday.

RICH OR POOR. We save you money and appreciate your trade. We are the LEADING IMPORTING AND RETAILING TEA COMPANY in this country, having more varieties than any other three companies combined. It will be apparent to you that the immense output that we have for goods gives us a DISTINCT advantage over our competitors and enables us to give more value and better quality for your money than any other store. A. & P. Blended Creamery Butter, per lb. 24c A. & P. Blended Coffee, per lb. 15c Choice Drinking Teas, per lb. 40c 20 Pounds Fine Granulated Sugar, \$1.00 THE ONLY HOUSE that actually saves you cash for cash. The Great Atlantic and Pacific Tea Co., 411 Lackawanna avenue, 321 North Main avenue, Phone, 72-2. Prompt delivery. New Phone, 12.

INJUNCTION IS DISSOLVED. OLD FORGE RAILWAY FRANCHISE LEGALLY GRANTED. It Was Alleged in the Bill of Complaint in the Equity Proceedings That the Franchise Was Procured Fraudulently and Corruptly by Means of Bribes and Gifts Distributed to the Councilmen of Old Forge—In His Opinion Judge Edwards Divides the Costs. Judge H. M. Edwards yesterday handed down an opinion in the equity case of Charles J. Keogh and others, property owners of Old Forge, against the Pittston and Scranton Street Railway company. The purpose was to prevent the company from operating a trolley line through Old Forge, it being alleged that the franchise was obtained through the councils by bribery. The criminal charge of bribery against General Manager Silliman of the Scranton Railway company, tried some months ago and resulting in an acquittal, was an outgrowth of this same transaction. The opinion of Judge Edwards follows: "The plaintiffs' bill of complaint attacks the right of the defendant company to construct and operate a street railway in the borough of Old Forge, Lackawanna county. Several grounds of attack are set forth in the bill, but the evidence on the final hearing relates mainly to the charge that the ordinance giving the consent of the authority to construct the said street railway was procured fraudulently and corruptly by means of bribes and gifts distributed to the councilmen of the borough of Old Forge by the agents of the defendant company. PLAINTIFFS' MOTION TO AMEND. After the evidence on both sides was closed, plaintiffs' counsel moved to amend the bill and the record of the case by adding the name of the Scranton Railway company as defendant, and by inserting the ordinance of August 28th, 1899. Defendant objected and we held the motion under advisement, reserving our rule to continue the preliminary injunction until the motion was argued. The amendment was not supported by affidavit nor was there accompanying it, either orally or in writing, any explanation of the reasons for presenting it. The subject-matter of the amendment being evidently known to the plaintiffs' counsel since 1899, especially after the several hearings on the rule to continue the preliminary injunction, had before the late Judge Gunster. Under the equity rules and under all the decisions, the motion for the amendment was late and was objectionable also because it was not supported by affidavit. But, subsequently, at the argument of the case before me, the argument having been postponed for the convenience of court and counsel, defendant's counsel agreed that the bill be amended so as to cover and include the ordinance of August 28th, 1899, although still objecting to the addition of the Scranton Railway company as defendant. This agreement, in my judgment, amounted to a waiver of any informality in the petition to amend, as well as of the delay in presenting it. I am, therefore, disposed to grant the amendment as prayed for. And this action is highly desirable in this case, because it brings upon the record the whole subject of controversy, as well as all the parties in interest. An objection to this ruling is here noted for the defendant. FINDINGS OF FACT. Counsel on both sides have presented numerous requests for findings of fact, which I shall answer each request specifically in the proper place. It will not be necessary, therefore, to repeat all the details set forth in the requests and in the answers thereto. It may be stated in a broad and general way that one special finding of fact controls and determines the controversy between the parties to this case. Was the passage of the second ordinance, the ordinance of August 28th, 1899, procured by bribery? All other questions in the case are incidental to this main inquiry. 1. The first ordinance giving the Pittston and Scranton Street Railway company the right to construct a street railway in the borough of Old Forge was passed June 5, 1899. This is the ordinance attacked by the plaintiffs' bill. While the ordinance was pending in the council, the company's agent distributed passes to all the councilmen. The passes were books, each containing tickets for one hundred five-cent rides. After the passage of the ordinance and while the defendant company, through its agents, was preparing to build the street railway, on July 18, filed their bill in this case and secured a preliminary injunction restraining the defendant from proceeding with the construction of the railway. At the hearing of the rule to continue the preliminary injunction before Judge Gunster, the evidence on the construction of the passes to the councilmen was substantially the same as at the final hearing. Judge Gunster held that the giving of the passes to the councilmen under the circumstances, was sufficient proof of bribery to invalidate the ordinance, and he therefore continued the injunction. I take the same view of the matter as my late learned colleague did, and I adopt his finding, which was in substance that the ordinance of June 5, 1899, was procured through corrupt means. But it is immaterial now what the influences were that secured the passage of the ordinance in question, because it was repealed by the council on August 14, 1899, and the defendant company acquiesced in the action of council repealing the ordinance by presenting the subsequent ordinance of August 28, 1899. Judge Gunster, in asking for a modification of the injunction, on the ground that this second ordinance was free from all taint of bribery. Therefore the ordinance of June 5 is a dead letter, from whichever point of view it may be considered. 2. This brings us to the consideration of the ordinance of August 28, 1899, hereinafter, for convenience, called the second ordinance. It was under this ordinance the street railway was constructed. The plaintiffs claim that the second ordinance is void, like the first and for the same reason; that the two ordinances are substantially alike; that they were passed by the same councilmen; that the influences which secured the passage of the first ordinance continued to operate in connection with the second, and that the repeal of one ordinance and the subsequent passage of another was only a subterfuge. To substantiate the plaintiffs' contention, certain evidence has been offered, which will now be considered. A.—The distribution of the free passes to the councilmen while the first ordinance was pending. It appears that after Judge Gunster continued the practice, the passes were called in by the company and surrendered by the councilmen when the tickets had only been partly used. This was done some time before the introduction of the second ordinance. B.—The payment of fifty dollars to Councilman Killoyne. This money was paid by P. W. Gallagher, claim agent of the Scranton Railway company. It is not clear when this money was paid. Killoyne says it was paid after the passage of the second ordinance. P. W. Gallagher is the main witness upon whom the plaintiffs rely to prove the payment of money to councilmen for the purpose of influencing their official action in connection with the ordinance. But Gallagher himself testifies that the money was paid for expenses. Gallagher says: "I want to state that I did not enter into any arrangement with Killoyne at all for the purchase of his vote, but he assisted me

Wonderful Progress of a Child Aged Six. Scranton, April 22, 1902. Mr. J. Alfred Pennington, Dear Sir:—It gives me great pleasure to note the wonderful progress my little daughter, Verna, aged six, has made in the short time she has studied at the Conservatory. I had doubts as to the desirability of having such young children study the piano; but her progress far exceeds our expectations and I want to thank you for the kindly interest of yourself and faculty, and assure you of my intentions to have her continue under your tuition. Yours truly, J. H. HISBING. "Description of Course" in New Prospectus.

M'CLAVE & BROOKS PLANT. Extensive Buildings Now Under Way on the Old Noy Aug Park Tract in Pine Brook. Construction work is well under way on the new \$60,000 plant of the McClave & Brooks company, adjacent to Poplar street, on the tract which was formerly Noy Aug grove. When completed it will be one of the most extensive manufacturing plants in the city. Following are the main buildings and their dimensions: Machine shops, 160x180; office building, 42x52; storehouse, 100x180; barn, 200x40; oil and asphaltum storages, 12x17; blacksmith shop, 20x40; storage building for scrap iron, pig iron, sand, wood and coal, 170x176; engine and boiler house, 36x70; pattern shop, 40x70; pattern storehouse, 40x70. With the exception of the cupolas and storehouses, the buildings will be one story in height. They are being constructed of steel framing and corrugated iron for the most part, and are most modern in every respect. The buildings were designed by Edward Langley, architect, whose offices are in the Connell building. A bridge has been constructed across the Lackawanna river at Poplar street to make the works approachable from C. D. Sanderson's company, 1009 Hudson railroad. The Ontario and Western railroad skirts the western end of the plant. McClave & Brooks deal principally in grates and blowers, the inventions of Mr. McClave. Their business has grown so rapidly that the present comparatively new plant on Seventh street is too small to meet the demands of their trade. In a very few years this industry has grown to proportions which make it one of the leading manufacturing establishments of the city.

FOR THE SUMMER HOME. Contributions That Are Acknowledged by the Treasurer. The treasurer of the Men's guild of St. Luke's church, desires to acknowledge receipt of the following cash contributions for the summer home at Amount previously acknowledged, \$29.25 In memory of L. B. D., 2.00 Mrs. Susan Jermyn, 2.00 Miss M. E. Sanderson, 2.00 H. E. Yewens, 5.00 A. Friend, 2.00 Mrs. W. H. Perkins, 2.00 Mrs. Alice M. Winton, 4.00 A. Friend, monthly contribution, 5.00 C. S. Weston, 20.00 Francis Sprague, 20.00 Kate G. Price, 20.00 Total to date, July 18, \$121.25

COURT HOUSE NEWS NOTES. Jacob Kline yesterday, through Attorney A. A. Chase, began action against the Scranton Steel company to recover for damage done to his property by the floods of last spring. David W. Phillips yesterday registered as a law student with Taylor & Lewis. Miss Clara Miller registered with Carpenter & Fleitz. The Odd Fellows of Jermyn yesterday made an application to the court for a charter. The subscribers to the articles of incorporation are: W. J. Tornow, Joseph T. Roberts, Michael Roberts, Richard Mellow, W. C. Nicholson. Today. \$175 cash will buy a \$350 piano. Call at Guernsey hall if you are interested in this offer and examine the piano carefully. This offer holds for today only. J. W. Guernsey, Prop. SCRANTON BUSINESS COLLEGE. Day and evening sessions of the Scranton Business College will reopen Tuesday, September 2. Write, call or phone (882) for information. Buck & Whitmore, corner Adams and Linden. Typewriter for Sale. Special today. Smith Premier for \$15. "Snoot," Guernsey building.

CONCLUSIONS OF LAW. There are no legal questions involved that require discussion. I find: 1. That the ordinance of June 5, 1899, known as the first ordinance, is invalid. 2. That the ordinance of August 28, 1899, known as the second ordinance, has not been successfully attacked, and is valid and is binding upon the borough of Old Forge. 3. That plaintiffs' bill of complaint should be dismissed and the injunction dissolved. After considering the plaintiffs' and defendant's conclusions for findings of law and fact, the opinion closes with the following decree: Now, July 18, 1902, this cause having been heard in a regular term of court, and having been argued by counsel, it is ordered, adjudged and decreed that the plaintiffs' bill of complaint be dismissed, and that the injunction dissolved, the costs to be paid one-half by the plaintiffs and one-half by the defendants. Let the prothonotary enter a decree and give notice to the parties and their counsel. Unless exceptions are filed within ten days, decree absolute. The annual excursion of the Scranton Liederkreis will take place Monday, July 21, to Mountain Park. Bauer's full band and orchestra. Tickets, 75 cents; children, 50 cents. Trains leave at 8.30 a. m. and 1 p. m.

KELLERMAN IN SECOND PLACE. BROKE TIE BETWEEN HIM AND OSCAR KIPP. Homer Kresge Also Made an Advance Yesterday in The Tribune's Educational Contest—Herbert Thompson and Maxwell Shepherd, of Carbondale, Added to Their Scores—Charles Dorsey Has an Even 100 Points.

Standing of Contestants. 1. Charles Burns, Vandling, 446. 2. A. J. Kellerman, Scranton, 341. 3. Oscar H. Kipp, Elmhurst, 330. 4. Fred K. Gunster, Green Ridge, 297. 5. Wm. T. S. Rodriguez, Scranton, 264. 6. Herbert Thompson, Carbondale, 227. 7. Albert Freedman, Bellevue, 220. 8. Maxwell Shepherd, Carbondale, 177. 9. Chas. W. Dorsey, Scranton, 100. 10. L. E. Stanton, Scranton, 94. 11. Wm. Sherwood, Hartford, 79. 12. Homer Kresge, Hyde Park 61. 13. J. A. Havenstrite, Moscow, 60. 14. Harry Madden, Scranton, 58. 15. Frank B. McCreary, Hallstead, 44. 16. Miss Beatrice Harpur, Thompson, 40. 17. William Cooper, Priceburg, 38. 18. Grant M. Decker, Hallstead, 37. 19. Lee Culver, Springville, 33. 20. Hendrick Adams, Chinchilla, 33. 21. Walter Halstead, Scranton, 27. 22. Henry Danvers, Providence, 25. 23. Louis McCusker, Park Place, 23. 24. Hugh Johnston, Forest City, 23. 25. Miss Jane Mathewson, Fritchville, 19. 26. C. J. Clark, Eckville, 18. 27. Louis Gere, Brooklyn, 18. 28. Miss Edna Coleman, Scranton, 18. 29. John Mackie, Providence, 16. 30. Eddie Morris, South Scranton, 15. 31. Fred Kibler, South Scranton, 15. 32. Thomas Dempsey, Olyphant, 13. 33. Elmer Williams, Elmhurst, 13.

Insanity Due to Nervous and Mental Troubles. PAIN'S CELERY COMPOUND. The Great Tower of Safety and Rock of Health in the Hot Weather. Nervous diseases when aggravated by mental disturbances produce more causes of insanity in the hot weather than at any other season of the year. Nervous headache, nervous dyspepsia, sleeplessness and chronic constipation induce depression of spirits, extreme weakness, morbid fears, despondency and languor; from these, dread insanity comes slowly but surely. Nervous sufferers have a dread of hot weather. Finding themselves deeper in the pit of misery than they were in the spring and early summer, they are in utter despair. There is hope for you, dear reader, if you are one of the sufferers. You stand in need of Paine's Celery Compound, that great builder of the nervous system. Its vitalizing action commences with the first bottle you use. The volume of blood immediately increases in the arteries, and the body is fully fed and nourished. Your appetite becomes regular and natural, the nerves and brain are strengthened, and you have impulses of health that cheer the soul. This remarkable remedy will truly meet your case and give you a new life; it will lay the foundation for happiness and long years. We counsel you to try this marvelous summer health-restorer at once, and enjoy the blessings of health.

THE GIANT CABINET COPYING PRESS. This machine has a pressure of 72 pounds. You can see what this looks like in our Display Window. REYNOLDS BROTHERS, - - Hotel Jermyn.

A GAS RANGE will remove all anxiety as to the Coal Supply for your kitchen, and will also save your wife much of the drudgery of housekeeping. Cooking with Gas is as cheap as coal, is cleaner, and much more convenient. We are offering to our gas consumers Double Oven Gas Cooking Ranges for \$9.75 and up. This price includes putting them in your kitchen ready for use. All connections free on first floor. How About Hot Water? A Hot Water Heater connected to your kitchen boiler answers that question. We have them. Price connected, \$10. Fuel gas, gross \$1.00; net 90 and 60 cents per thousand. Ranges and Hot Water Heaters on exhibition at our sales-room, No. 126 Washington Avenue. OPEN EVENINGS UNTIL 9 O'CLOCK. Scranton Gas & Water Co.

Leading Contestants for July. First Prize—Birdseye Maple Writing Desk. Second Prize—Waterman Gold Fountain Pen. 1. C. W. Dorsey, \$5. 2. A. J. Kellerman, 5.4. 3. A. J. Kellerman, 5.4. 4. Herbert Thompson, 4.4. 5. Maxwell Shepherd, 3.2. 6. Fred Kibler, 1.5. 7. Frank B. McCreary, 9. 8. Miss Mary Yeager, 8. 9. L. E. Stanton, 8. 10. Charles Burns, 7.

An Ideal Family Resort. Lake Clemo offers unusual advantages as an ideal family summer resort. Business men with families can secure good accommodations at the Lake Clemo hotel, an up-to-date summer hotel, under the management of William Hanley, Jr. Good train service to and from Scranton is given by four trains each way daily. Fine fishing, bathing and boating. Twenty-eight miles via Erie railroad. For rates, Wm. Hanley, Jr., 429 Spruce st. Dr. Lindabury, Surgeon, diseases of women a specialty, 215 Connell building. Hours: 11 a. m. to 4 p. m.; 7 to 8.30 p. m.

Straw Hats for Men At Two-third Their Value and Less. Men never had a chance to buy good Straw Hats at such low prices. At prices like these the Hat Department should and will be crowded all day today. French Palms, that sold at \$3 \$4, now \$2.00. Knox Rough Hats, small and Palms, \$1.50. \$7 Palms, \$4. \$1.35. Some Nice Panamas Reduced. Hand & Payne, Cor. Washington Ave. and Spruce St.

Free Ten extra stamps for every sale over \$1.00 at

NETTLETON'S Bring this Coupon. Mid-Summer Sale. For this week 200 Pairs Ladies' Misses' and Children's Oxfords at 50c, 75c, \$1.23 and \$1.48. 250 Pairs Ladies' Dongola Shoes at 98c, \$1.29, and \$1.49. 225 Pairs Men's Shoes, 98c, \$1.68 and \$2.00. Opposite Connell Building 134 Washington Ave.

Complaints Having Reached Us. That people are soliciting work in our name, we wish to notify the public that we have no agents out whatever. Have you seen our 'STORM KING' UMBRELLA? Guaranteed to stand all storms or money refunded. Scranton Umbrella Manufacturing Co., 313 Spruce Street.

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Lubricating and Burning OILS. Maloney Oil & Manufacturing Company, 141-149 Meridian Street. OLD PHONE 62-2. NEW PHONE 2881.

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Special Fanny Georgia Peaches 49c basket; \$2.50 crate. Rocky Ford Melons, 5c, 10c and 15c; large crates, \$2.50. Finest Red Caps and Georgia Water Melons. E. G. COURSEN