

LOWRY FINDS FOR JENKINS

REFEREE ALLOWS HIM A VERDICT OF \$5,416.

Decides That He Is Legally Entitled to His Salary as Delinquent Tax Collector Because Former City Treasurer, if Appointed, Never Qualified for the Office by Filing a Bond as Required by Law—City Solicitor Watson Preparing Assignments of Error.

Attorney M. W. Lowry, who was appointed to hear the evidence in the case of George W. Jenkins against the city, rendered a decision yesterday in which he found for the plaintiff, awarding him a verdict for \$5,416, the exact amount sued for.

Mr. Jenkins was suing to recover his salary as delinquent tax collector for the thirteen months beginning July 1, 1901, and ending July 31, 1902. The Supreme court had already decided in favor of his original title to the office, and the point in this suit was as to whether or not he had been removed from office.

In his opinion, Referee Lowry points out that while it is claimed that former City Treasurer Robinson was appointed as delinquent tax collector in July, 1901, there is no documentary evidence to prove this, the letter which Recorder W. L. Connell sent, making the appointment, having been lost.

Admitting, however, that Mr. Robinson was appointed to the place, the referee points out that he never qualified. Upon his own admission he never filed a bond, and it is set forth as a well established principle of law that a man is entitled to hold office until his successor shall have been duly elected and qualified.

If Referee Lowry's interpretation of the law is the correct one, then Mr. Jenkins is in reality the collector of delinquent taxes at the present time and is entitled to draw salary at the rate of \$5,000 per year, which is the maximum fixed by the act.

City Solicitor Watson, however, isn't satisfied that Mr. Lowry's interpretation is the correct one, and he is at present engaged in preparing a list of exceptions to the finding.

AN ENJOYABLE DANCE. Successful Social Event Conducted by Telephone Girls.

The young women employed at the local exchange of the Central Pennsylvania Telephone company gave a dance last night at the Scranton Bicycle club, which was attended by upwards of a hundred couples from this city and towns up and down the valley. Excellent music was furnished by Bauer's orchestra.

The young ladies in charge of the affair were as follows: Miss Emma Heffron, Miss Gertrude Heffron, Miss Elizabeth Lees, Miss Bertha Hold, Miss Katherine Russell, Miss Follie Warren, Miss Martha Meyer and Miss Anna Burkhouser.

The patronesses were as follows: Mrs. C. E. Davis, Mrs. George Davis, Mrs. Henry Sively, Mrs. Edgar Tiel, Mrs. C. B. Wells and Mrs. M. Howley.

THEATRICAL.

Burlesquers at the Lyceum.

"The Major and the Judge," labelled a musical comedy, was presented at the Lyceum last night to the openly expressed disgust of a large part of a rather small house. "The Major and the Judge" is a combination of burlesque and low comedy, not bad in its way, but wholly out of place in the Lyceum. How a booking agent could ever have sent it to a house such as the Lyceum, which boasts that it plays only the best, is a mystery that some one ought to throw some light upon for the sake of the reputation of the house.

A number of gentlemen and ladies who went to the Lyceum under the impression that they were to see a musical comedy left during the second act, one of the gentlemen remarking "we can see burlesque at the Star and for a good deal less money."

The third act was made up almost entirely of low comedy of a coarse nature, furnished by Tom Lewis and Sam J. Ryan, the joint stars of the burlesque. It is not bad that the otherwise fine line of attractions at the Lyceum this season should be marred by three or four that had no license whatever to be booked for that theater.

Special Matinee Today.

"Looping the Loop" will be the attraction at the Academy of Music the last three days of the week, starting with a special matinee today.

"Looping the Loop" is the kind of a novel musical comedy that young and old enjoy because it evolves around characters everybody knows so well. It is an all comic picture and musical farce comedy enrolled in three acts and shows the life pictures of the funny characters made popular by pictorial newspapers. The piece is presented on an elaborate scale as regards scenery, costumes and scenic effects. The chorus of twenty-five handsome singers introduce all the latest musical selections which lends beauty and melody to the funniest comedy of the season. Special matinee prices: Gallery, 30 cents; balcony, 45 cents; lower floor, 25 cents; children, 15 cents to lower floor.

"Eight Bells," Saturday.

The Brothers Byrne, with a clever company of comedians, pantomimists and young women, present their rollicking aerobatic comedy, "Eight Bells," at the Lyceum, Saturday afternoon and evening. The play is a musical farce-comedy with a spectacular pantomime. John Byrne is a master of the art of planning a play that will be full of mechanical effects, the sudden use of which is amusing in the extreme. The school yard scene in the first act brings the leader on the stage, and the many escapades of the boys in tricking their worthy

master are ludicrous indeed. Comedians, indeed, is the duel between the father and prospective father, and the perplexing question of Guskie, "who do I belong to?" might be asked by each one of the audience for such a delightful jumble of music, nonsense, magic and pantomime is enough to turn a most sober head.

"Sky Farm," Next Week.

Every dramatist is a believer in last impressions. The four acts and seven scenes of "Sky Farm," which is coming to the Lyceum next week, have accordingly climaxed that interest and satisfy the auditors. In the first act the minister's housekeeper makes a most interesting discovery; in the second, the Fox defeats the Bear; in the third, Nature comes to the assistance of an apparently helpless young matron, and in the last act, a little child breaks through the Ritzness of a rich adamant parent's heart and causes the curtain to fall upon a scene of reconciliation and merriment that sends everybody home with better feelings toward their fellow-men.

NINE LISTS OF WORDS.

Young People Waking Up to the Value of the Junior Educational Contest.

Yesterday was a good day in The Tribune's Junior Education contest. There were nine lists of words received, six of which came from young people who live outside of this city. The boys and girls are apparently waking up to the great opportunities offered them in this contest. A prize of \$200 is not often placed in their way. There will be twenty happy youngsters on Christmas day. The lists received yesterday came from:

- George Wheeler, Elmhurst. William H. Chandler, 711 Linden street. H. Florence Cooke, Hawley. George Dickson, 325 Twelfth street. L. Bernard Stanton, Factoryville. Rachel Davis, Clark's Green. Annie Watson, 710 Tunkhannock street, Pittston. Ruth Bell, 79 Salem avenue, Carbondale. Albert Rosenberg, 316 Penn avenue.

One of the largest home publications, the Woman's Home Companion, wants a man or woman in this city to conduct a Magazine Route. It is a chance for any energetic person to work up a monthly income regularly. If you are now canvassing for anything else, it will be a profitable side-line for you, and we advise that you address at once Circulation Department, Woman's Home Companion, Springfield, Ohio.

They Pay the User.

If you wish a half-tone or line cut, let the Scranton Tribune make it for you. Our equipment for this work is complete and up-to-date. We have facilities for doing the finest sort of work at lowest prices and what's more, we do it. A trial order will convince you.



Mrs. Laura L. Barnes, Washington, D. C., Ladies Auxiliary to Burnside Post, No. 4, G. A. R., recommends Lydia E. Pinkham's Vegetable Compound.

"In diseases that come to women only, as a rule, the doctor is called in, sometimes several doctors, but still matters go from bad to worse; but I have never known of a case of female weakness which was not helped when Lydia E. Pinkham's Vegetable Compound was used faithfully. For young women who are subject to headaches, backache, irregular or painful periods, and nervous attacks due to the severe strain on the system by some organic trouble, and for women of advanced years in the most trying time of life, it serves to correct every trouble and restore a healthy action of all organs of the body."

"Lydia E. Pinkham's Vegetable Compound is a household reliance in my home, and I would not be without it. In all my experience with this medicine, which covers years, I have found nothing to equal it and always recommend it."—Mrs. LAURA L. BARNES, 607 Second St., N. E., Washington, D. C.—\$8000 forfeit if original of above letter proving genuineness cannot be produced.

Such testimony should be accepted by all women as convincing evidence that Lydia E. Pinkham's Vegetable Compound stands without a peer as a remedy for all the distressing ills of women.

COMMISSION WANTS MORE CO-OPERATION

[Continued from Page 3.]

Nathan McNeal, a Lehigh Valley engineer from shaft No. 40 went out on strike when the engineers were called out and could not get back.

Earnings in 1901.

Mr. Gowen brought it out that the witness earned \$75 in 1901; also that shaft No. 40 started up in August, three months before the strike ended. George Simmonds, a pump runner had a similar story to tell. Mr. Gowen contented himself with the development of the fact that Simmonds left his position voluntarily, and that it was absolutely necessary for the preservation of the mines to put a man in his place.

P. J. McCormick, check-weighman at Olyphant colliery, No. 2, of the Delaware and Hudson company, explained how he kept his accounts. First of all, he said he keeps a daily sheet, giving the total weight of coal sent out by each miner and the amount of dockage. It is compared every day with the company weighman's list. At the end of the month the sheet is posted for public inspection.

The total output of the breaker at No. 2 last year was 414,491 tons. It prepares the coal from No. 2 shaft, Grassy Island shaft and Grassy Island slope. The total dockage was 13,912.

There are two beams on the scale. One is gross and the other net. One hundred pounds on the gross beam will register eighty-eight pounds on the net beam. The gross beam registers 2,136 pounds when the net beam registers 2,800 pounds. The report of the mine department was presented to show that 80,000 tons more were prepared at this colliery in 1901 than the miners were given credit for.

Mr. Torrey explained that the excess represented the smaller sizes, which by agreement the miners do not claim credit for. In response to questions by Mr. Torrey, the witness said there was no general complaint on the score of dockage or tonnage. The dockage was only about 3 per cent, he said.

The 896 Pounds Excess.

In answer to questions by Commissioners Gray and Watkins, the witness admitted that the 896 pounds excess above 2,800 pounds required from the miners, represents the allowance made for what were unmarketable sizes when the agreement was made in 1877, and that the dockage is a penalty for impurities.

Mr. Torrey brought out the fact that in 1877 the miners used a rake which times three inches apart and that anything that couldn't be raked up was not sent out. Now, however, the witness said, all coal, no matter how fine, is sent out and the most of it is marketed.

P. J. Hogan, check-weighman at the Eddy Creek colliery of the Delaware and Hudson company at Olyphant, testified that the total output in 1901 at this colliery was 268,185 tons, and the dockage 13,800 tons. The output, according to the report of the bureau of mines, showed an output of 242,250 tons.

Mr. Torrey contented himself with adducing the fact that the witness is paid by the miners and receives \$2.50 a day of ten hours.

The consideration of conditions at the collieries of C. Pardee & Co. was then taken up, despite a request from Mr. Gowen and Mr. Torrey that it be postponed until Attorney Dickson could arrive from Philadelphia. Judge Gray was sorry the commission was unable to accommodate Mr. Dickson.

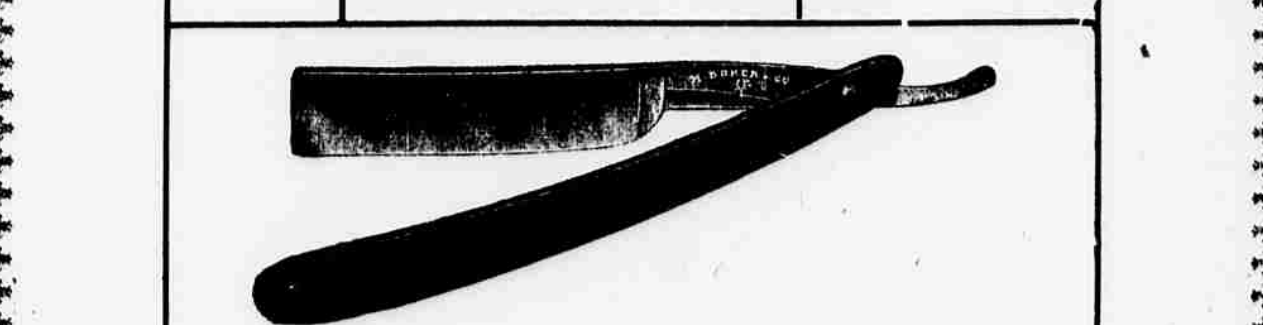
The first witness called by Mr. McCormick was from the Harwood colliery of C. Pardee & Co. at Hazleton. James Sweeney was his name. He said he was married and had seven children. His wages were about \$35 or \$40 a month on the average. Laborers were paid \$1.78 a day. The ventilation in the Harwood was all right, he said, and that the company never docks him.

THERE NEVER WAS A TIME when the buying public was as critical as now. Gift giving this year is going to be more sensible than ever before.

Gift giving this year is going to be more sensible than ever before. The choice of a gift is determined by its quality, appearance and usefulness. If for eleven months in the year you make satisfactory purchases here it is not at all strange that during this month you will plan to buy your gifts here also. Cut out the following list. We think it will help you.

CHRISTMAS SUGGESTIONS

Table with columns: Persons, ARTICLES, Memoranda. Lists gift suggestions for Father, Mother, Sister, Brother, A Boy, and A Girl.



Our Cutlery department is a store in itself. Here's just a list of articles and prices to assist you in your choosing.

- Star Safety Razor.....\$1.50
Star Safety Razor Sets.....\$2.25 to \$15.00
Curly Safety Razor.....\$2.00
"Tree Brand" Razors.....\$1.25 to \$2.50
Traveling Razor Set.....\$3.50
Pair Razors, in case.....\$4.50 to \$6.50
Seven-Day Razor Set.....\$13.00 to \$15.50
Manicure Sets.....\$3.00 to \$19.50
Scissor Sets.....\$2.75 to \$5.50
Sewing Sets.....\$3.50 to \$15.00
Pocket Knives.....50c. to \$12.50
Torrey's Razor Straps.....25c. to \$2.50

140-142 WASHINGTON AVE. FOOTE & FULLER COMPANY

Robert Richardson, from the Harwood, to that he could earn about \$35 a month. The witness hadn't seen a mine inspector in a long time. When he did see him, the mine boss accompanied him. Some miners, he said, would be afraid to complain to the inspector when the boss was present, but others would have no hesitancy to do so. He thought eight hours was long enough to work in the mine at a shift. He knew of an instance of a man being

locked three and three-fourths cars out of fifty-one. At 3:29 Mr. Darrow announced that the miners had no more witnesses present, except four whom it was agreed should not be called until tomorrow, and, accordingly, Judge Gray declared adjournment.

Proceedings in Book Form. Recognizing the widespread interest taken all over the country in the testimony and argument before the Anthracite Strike Commission, The Tribune will print in convenient book form the reports appearing in its columns from day to day, and will offer a limited edition of copies for sale at \$1 each. The volume will consist of several hundred pages, eight by eleven inches, and will appear as soon as the commissioners render their decision. The daily reports in The Tribune miss nothing of essential interest and are the fullest and most accurate reports printed in any newspaper. Orders should be sent to The Tribune now as the edition is liable to be exhausted.

Civil Service Exams. On July 6, a civil service examiner will be conducted in the government building for the position of inspector of boilers in the steamboat-inspection service. On Jan. 30 an examination will be conducted in the immigration service in the following languages: English, German, Bohemian, Polish, Russian, Croatian, Hungarian, Roumanian, Bulgarian and Slavonic languages. On Jan. 30, 11, an examination will be conducted for a place as electrical engineer in the United States signal corps.

30 STAMPS 30 With a Dollar Purchase, Friday, Saturday and Monday, day, December 12, 13 and 15. Great Winter Sale of Ladies', Misses' and Children's Coats, Ladies' Capes, Suits and Skirts, Furs, Furs, Furs, Fine Silks, Dress Goods and Waistings

Ladies' Fancy Hose In great variety25c up to \$2.00 Underwear and Hosiery Boys' and Girls' Fast Black Hose.....12 1/2c Boys' and Girls' Black Cat Hose.....25c Misses' Fine Ribbed Hose.....25c Ladies' Fast Black Hose.....15c Ladies' Fine Black Hose.....25c Ladies' Maco Black Hose.....25c Children's Fine Fleeced Underwear.....15c to 20c Ladies' Heavy Fleeced Underwear.....25c Ladies' Fine Jersey Ribbed Underwear.....50c Ladies' Natural Grey Underwear.....15c Ladies' White Wool or Natural Underwear.....\$1.00 Ladies' Extra Fine Underwear.....\$1.50 Ladies' Union Suits.....50c up to \$5.00 Men's Fast Black Hose, 3 pairs.....25c Men's White Foot Hose.....15c Men's Extra Fine Hose, Black or Tan.....25c Men's Dark Fleeced Underwear.....20c Men's Light Fleeced Underwear.....20c Men's Fancy Fleeced Underwear.....50c Men's Natural Underwear.....50c Men's Jersey Ribbed Underwear.....50c Men's Heavy Wool Underwear.....\$1.00 Men's Light, Fine Wool Underwear.....\$1.00 Men's Heavy Double Breasted Underwear.....\$1.75

Cut Out This Coupon Present at our office, purchase \$1.00 worth of goods or more and you will receive 30 stamps. Dec. 12, 13 and 15 MEARS & HAGEN. 415 and 417 Lackawanna Ave