

THE SCRANTON TRIBUNE—FRIDAY, OCTOBER 14, 1898. HAVE YOU SEEN THE NEW LUDWIG PIANOS JUST ARRIVED?

We are loyal to the old reliable makes that we have handled from ten to fourteen years. If they were not up-to-date we would drop them at once, but the Knabe, Vose, Briggs and Ludwig pianos represent the most progressive firms in the world.

PERRY BROS. 205 Wyoming Ave.

Just Received. A new lot of the celebrated Florentine ware that will be sold at less than half the former prices.

DR. A. A. LINDABURY. Specialties—Surgery, Diseases of Woman.

COLUMBIAN DETECTIVE AGENCY. LIME BANK BUILDING, SCRANTON, PA.

MRS. GEO. CARR, Teacher of Piano. MR. CARR, Banjo, Mandolin and Guitar.

CHAS. McMULLEN & CO. Have opened a General Insurance Office in 117 Traders' National Bank Bldg.

Col Rate Camera and Supply House. Write or Call for Price List. KEMP, 103 Wyoming Avenue.

Lackawanna "THE LAUNDRY". 308 Penn Avenue. A. B. WARMAN.

PERSONAL. John H. Nallin, of Lackawanna avenue, was in Pittston yesterday.

PERSONAL. Miss Margaret Gibbs, of South Main avenue, spent last night at Nicholson.

PERSONAL. Mr. and Mrs. S. P. Fenner and family and Mrs. Search have returned from Rochester, N. Y.

PERSONAL. Mrs. J. H. Gilbood, of Quincey avenue, is visiting her cousin, Mrs. T. M. Goss, in Camden, N. J.

PERSONAL. County Commissioners S. W. Roberts, Clark C. F. Wagner and S. S. Jones, of Carbonate, left yesterday on an extended fishing trip in Pike county.

PERSONAL. Private Arthur J. Winchell, of Company A, Thirtieth regiment, is home on a furlough, having just left the Medico-Chirurgical hospital at Philadelphia after a long illness from typhoid.

PERSONAL. Private Will Griffiths, of Company A, Thirtieth regiment, returned to camp Meade yesterday afternoon after spending a week with his parents on Linden street. He was given a reception at his home Tuesday evening by a number of his friends, which was a very pleasant event.

BACK FROM EUROPE. Mrs. Robinson and Her Children Warmly Welcomed.

Mrs. Robinson, her daughter, Miss Lenahan, sons, Otto and Edwin, the latter city controller, reached the city last night at 8:45 o'clock over the Delaware and Western railroad from a stay in Austria and Germany of three months and a half.

Awaiting the arrival of the party at the station was a number of friends, including Hon. John H. Fellows, Sheriff Charles Robinson, John C. Durkin, J. George Eisele, Deputy City Controller Edward Eisele and Charles Rosar, clerk in Controller Robinson's office. A hearty cheer went up from the crowd as Mrs. Robinson and her children appeared on the platform of the car.

When seen by a Tribune reporter City Controller Robinson talked freely of the extended trip in the old country. With pleasing emphasis he began, "There is no place like America, and home." Ten weeks were spent in Carlsbad, Austria, a city which is famous as a resort for seekers of health.

"Little or no interest was manifested in the late war by the people of that country," said Mr. Robinson. "A few of the newspapers printed short accounts of its progress."

In Berlin, Leipzig, Hamburg and Cologne, principal cities in Germany, the same indifference as shown in Austria prevailed, especially so among the middle and lower classes. The Robinson party sailed from Bremen, Germany, nine days ago, reaching the Hoboken pier of the North German line yesterday just at noon, one day late.

Awaiting the party at the pier were Philip Robinson, City Treasurer, Richard Frank Vandine, Select Councilman, Robert Robinson, Albert Guthrie, Emil Schimuff and August Robinson.

Miss Robinson, who contracted typhoid fever in Carlsbad and for a time was in a dangerous condition, has since recovered.

BURGLAR CAUSES DEATH. Hand Car Was Used to Carry Away Plunder and a Collision Ensued Which Resulted in One Fatality—The Victim.

A collision occurred early yesterday morning on the branch of the Lehigh Valley railroad running from Babylon to the colliery at Austin Heights by which Richard Howell, of Pittston, lost his life, and John Carroll was seriously injured.

Earlier in the night four men supposed to be foreigners entered the section of Lehigh Valley at Ham at Harbertown, and after chloroforming the members of the family took a large amount of property from the building. Among other things they took six barrels of whiskey, which they carried away on a hand car.

Near the Babylon breaker they appropriated a hand car which was lying close to the railroad track and placing it on the rails loaded it with the barrels of whiskey. The intention was to run the hand car up along the Austin branch to some point where it had been agreed upon to hide the plunder. The road passes through a wild and sparsely settled territory.

The burglars had made but little progress with the hand car when an engine pushing a number of cars ahead of it came down the track. The men made no effort to remove the hand car from the track or give the alarm. They simply deserted their carrier and awaited results. When the collision occurred Howell and Carroll were standing on the hand car, a gondola. It was thrown from the track and turned upside down, killing Howell and seriously injuring Carroll.

When the other trainmen reached the overturned car they were greeted by a volley of bullets and had to throw themselves on the ground to avoid being hit. The bullets were fired by the burglars. After emptying their guns they took to the woods and the work of getting Howell and Carroll from beneath the car began.

Howell was 23 years of age and resided with his parents on Price street, Pittston.

A CORRECTION. Made Necessary by an Error in This Paper Yesterday.

TEN-YEAR CONTRACT FOR REPAIR OF PAVE CITY SOLICITOR M'GINLEY SAYS IT IS LEGAL.

He Submitted an Exhaustive Opinion to Select Council on Keller Ordinance Which Deals with Repair of Asphalted Streets—Amendments to Ordinance Which Make It a Roche Instead of a Keller Measure—Mr. Keller Said a Prominent Lawyer Supervised Wording of His Ordinance.

What was known as the Keller ordinance dealing with the repair of asphalted streets may be said to have changed its name to Roche at the select council meeting last night. Upon coming up in select, at the meeting before last it passed first reading and was referred to the paving committee in conjunction with City Solicitor McGinley. Three questions were raised:

First—Whether the city can enter into a ten-year contract? Second—Whether the city controller could certify the contract? Third—Whether it would bring the city debt above the constitutional limit.

The city solicitor sent in an opinion setting all these questions favorably to the passage of the ordinance, and when it came up in its regular order for second reading John E. Roche took the floor and said the Keller ordinance contained many omissions and duplications.

Therefore he offered a substitute which would overcome these defects. He wanted to substitute it outright, but Chairman Chittenden would not entertain the motion. Then he offered it section by section.

The principal feature of his amendment was to provide for an appropriation of \$1,000 to be included in the estimate for 1899. It was amended to provide for quarterly repairs instead of annual repairs to keep the contractor, as Mr. Roche put it, more in touch with his work. Another amendment provided that the city should not be liable on such streets as are out of bond. There are 150,000 yards of asphalted pavement and not more than 50,000 yards are out of bond at the present time. Mr. Roche makes the city engineer the person to make the estimate work. And he used the words "The streets shall be repaired and kept in repair" to amend a section of the original ordinance, which he said was not definite enough.

Mr. Keller when he heard of the amendments made of the ordinance, said the ordinance was drawn under the supervision of one of the best lawyers in the city, submitted to another prominent member of the bar, and finally to City Solicitor McGinley. The city solicitor's opinion on the questions submitted to him is as follows:

SOLICITOR'S OPINION. To the Honorable the Members of the Select and Common Councils of the City of Scranton.

Gentlemen: Three important legal questions suggest themselves in connection with the ordinance, to-wit: the validity of ordinance, the validity of contract, and the validity of the contract for the repair of streets now paved with asphalt.

First: Is it within the power of the city to make a contract for a term of ten years? Is it the duty of the controller to certify such a contract? Is the contemplated expenditure an increase of the indebtedness beyond the constitutional limit?

There is no constitutional or statutory provision limiting the terms of municipal contracts; and in the absence of such restrictions or limitations, municipalities have authority to enter into contracts of the same as other corporations or individuals. This was decided in the case of Black against Chester, 15 Pa. 301, the question at issue being whether the city of Chester had the right to enter into a five years' contract for lighting streets. The Supreme court held that the city had the right to make such an agreement, and that the contract did not conflict with any constitutional inhibition.

It is essential to the validity of a contract of this nature that it be certified by the city controller. The act of May 22, 1888, P. L. 393, provides that "every contract involving an appropriation of money shall designate the item of appropriation upon which it is founded, and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the controller on the contract before it shall take effect as a contract, and the payments thereunder shall be made from the fund appropriated therefor. If the controller shall certify any contract in excess of the appropriation made therefor, the city shall not be liable for such excess but the controller and his sureties shall be liable for the same, which may be recovered in an action at law by the contracting party aggrieved. It shall be the duty of the controller to certify contracts for the payment of which sufficient appropriation has been made."

M'COLLUM'S OPINION. In rendering the opinion of the court in the Chester case, Mr. Justice McCollum, stating this phase of the question, treated "if a contract involves an appropriation of money, it is the controller's duty to certify upon it the estimated amount of the expenditure thereunder chargeable against the item of appropriation on which it is founded. He does not make or supervise the estimates, but he is required to certify it upon the contract. If the contract is to be in full light or water for a term of years it is to be paid for monthly, quarterly or annually, he should certify thereunder for the ensuing fiscal year. In other words it is his duty to certify upon it the estimate made by the proper department in accordance with the fact. And in the case of commonwealth vs. George, 18 Pa. 301, it is found that the duties of the controller under this act are as follows:

Farinose, 13c, 2 for 25c Shredded Biscuit, 11c, \$5.00 case Coursens entire wheat Flour containing all the Gluten, 3c per pound, 75c per bag.

E. G. Coursen. Save Your Fine by buying your lamp at Jurisch & Co.'s, 433 Spruce street.

ARRANGING FOR THE MEETINGS PLACES WHERE THE SPEAKERS WILL BE HEARD.

Among the Distinguished Gentlemen Who Will Talk Here Are Governor D. H. Hastings, Colonel W. A. Stone, Adjutant General Stewart, General Adam King and Others—Local Speakers Who Will Discuss the Issues—Some Notes of a Political Nature.

Plans are almost perfected for the series of mass meetings that will be held in this county under the auspices of the Republican county committee. The arrangements for these gatherings are in charge of Attorney Fred W. Fletch, who has had a considerable amount of experience in this detail of campaign management.

Local speakers who will address these meetings are Major Everett Warren, A. J. Colborn, Jr., M. W. Lowrey, George M. Watson, Hon. John R. Farr, George Taylor, W. J. Lewis, H. M. Streeter, A. A. Vosturg, C. W. Dawson, C. E. Oliver, E. E. Robathan, H. H. Patterson, Hon. John F. Reynolds, John F. Scragg, John M. Harris, Thomas H. Dale, H. A. Zimmerman, John R. Jones, W. Gaylord Thomas and F. W. Fletch. These speakers will be reinforced by Hon. W. I. Schaffer, of Delaware county; Hon. Jeremiah Snyder, of Allentown, and Colonel D. F. Hughes, of Philadelphia.

FIRST MEETING. The first of this series of meetings will be held the latter part of next week or on Monday, Oct. 24. Governor Hastings is expected here next week or the week following and will address a meeting to be held in the central city.

On the night of Nov. 1, Colonel Stone will be in the city and address a meeting at the Lyceum theatre. On that day Colonel Stone speaks at noon at Honesdale and an effort will be made to have him deliver a speech at Carbonate on his way to Scranton. In Colonel Stone's party will be Adjutant General Thomas H. Stewart, General Adam King, Major McDowell, chief clerk of the house of representatives at Washington and General Henderson, of Iowa. Extensive arrangements for this meeting are to be made.

The last two weeks of the campaign will be lively and merry. Meetings will be held nightly and the issues of the campaign discussed by the able speakers named above. There is evidence of a growing interest on the part of voters in the coming election. This is felt in various ways, but notably in the many callers who visit headquarters either to tender their services or secure literature upon some point with reference to which a neighbor may be in doubt.

NOTES OF THE CAMPAIGN. The Junior Republican club is about to be reorganized. Attorney F. W. Fletch will next week deliver speeches at Selins Grove, Snyder county, and Tyrone, Blair county. He was invited to join Colonel Stone's party of speakers for a week, but was compelled to decline the distinction to devote his time to the meetings in this county, of which he has charge.

Democratic headquarters in the Guernsey building are open daily, but as yet have been unoccupied, save by the furniture.

SALE WAS SUCCESSFUL. Conducted Under the Auspices of the Girls' Sewing Society.

The Girls' Sewing society made a great success of their sale at the home of William Hanley last evening, taking in about \$85. The sale will continue this afternoon and many beautiful and useful articles remain to be disposed of by the young ladies who have worked so indefatigably for the poor. The rooms presented a very attractive appearance.

Those who assisted were: Mrs. Willis Kirkpatrick, the Misses Abell, Besie and Grace Sanderson, Miss Lillian Hanley and Miss Lillian Hanley.

A Good Set of Teeth for... \$3.00 Our Best Sets of Teeth... 5.00 Including the Painless Extraction.

DR. S. C. SNYDER. 321 Spruce Street, Opp. Hotel Jermyn.

BELL & SKINNER. Hotel Jermyn Building.

MATTHEWS BROS., DRUGGISTS. 320 Lackawanna Ave., Scranton Pa. Wholesale and Retail.

ATLANTIC WHITE LEAD. FRENCH ZINC. Ready Mixed Tinted Paints, Convent, Economical, Durable. Varnish Stains, Producing Perfect Imitation of Expensive Woods.

Raynolds' Wood Finish, Especially Designed for Inside Work. Marble Floor Finish, Durable and Dries Quickly. Paint Varnish and Kalsomine Brushes. PURE LINSEED OIL AND TURPENTINE.

KNOX HATS. For Ladies and Gentleman. FINE NECKWEAR. Hand & Payne. 203 Washington Ave.

Your Flour Bin "Snow White". Flour is a great favorite, and is giving universal satisfaction. There are hundreds of families who will use no other kind. There are others who would use no other kind if they once tried "SNOW WHITE." You ought to try it. All Grocers Sell It. "We Only Wholesale It." THE WESTON MILL CO. Scranton, Carbonate, Olyphant.

FIVE DOLLARS FOR WRITING A LETTER. In order to introduce my new line of Kimball Pianos and Organs I will pay FIVE DOLLARS to any one who will send me the name of any party who will buy a piano or organ of me. This will be paid when first payment is made on the instrument and to the first one who sends me the name. If you know of a neighbor who talks of getting one send the name in.

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MALONEY OIL AND MANUFACTURING CO. BURNING AND LUBRICATING OILS. PAINT DEPARTMENT.—Pure White Lead, Colors and Varnishes. 406. 406. No. 406 Lackawanna Avenue. That's our store number. The candy people have moved into 408 (The Old Kerr Store). We retain the upper floors and have cut doorsways on every floor so that we still have the largest carpet store in Scranton. A few little odds and ends seem to have no place in spite of our big store. These we wish to close at once.