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PERRY BROTHERS

205 WYOMING AVENUE.

Ice Cream.

BEST IN TOWN. 25c Per Quart.

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Always Reliable. All kinds of transfer work promptly and satisfactorily done.

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In the City Who is a Graduate in Medicine. 420-422 SPRUCE STREET.

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Eye, Ear, Nose and Throat. Office Hours—9 a. m. to 12:30 p. m.; 2 to 4. Williams Building, Opp. Postoffice.

CITY NOTES

BOOKS ARE READY.—The county assessment books are now ready at the commissioners' office.

BOWLING MATCH.—The Elk and Scranton Bicycle club bowlers will meet tonight on the Elk alleys.

REHEARSE THIS EVENING.—The Elm Park Christmas chorus will rehearse this evening at 8 o'clock.

MEETING TONIGHT.—The regular meeting of King's Daughters and Sons, Friday evening, will be followed by a social.

AT TRADERS' BANK NOW.—The Scranton Clearing House is now located at the "Traders' National bank, and the clearing of week ending Thursday, Dec. 7, 1899, are \$1,250,015.

PRELIMINARY INSPECTION.—The preliminary inspection of the Thirtieth regiment will be conducted next week. They will be held in the armory and be in charge of the various majors.

SINKING FUND COMMISSIONERS.—The sinking fund commissioners will meet this morning at 11:30 o'clock to take action on the proposition to purchase the Edison water park improvement bonds for the sinking fund.

CASE CONTINUED.—The case of the Scranton Railway company against A. H. Coons, the contractor, has been continued until tomorrow. Coons was arrested Wednesday on the charge of obstructing the railway tracks in South Scranton.

ESTIMATES ASKED FOR.—Controller Howell is sending out written requests to the heads of the various city departments asking for estimates of the amount required for the fiscal year beginning April next. This is being done considerably earlier than usual this year.

PAY DAYS.—The Delaware, Lackawanna and Western company paid yesterday at the Storrs shaft. The employees of the Payson and Bristol will be paid today. The Delaware and Hudson company paid yesterday at the Eddy Creek, Olympian and the Delaware mines, Mill Creek.

PARLOR SOCIAL.—The Writing Workers' Missionary circle will give a parlor social at the Penn Avenue Baptist parsonage on Main avenue, this evening. An entertainment will be given and refreshments served.

"THE MODEL,"

VIENNA CAFE AND RESTAURANT, E. MOSES, PROP., 221-223 WASHINGTON AVENUE, OPP. COURT HOUSE.

Dinner Table d'Hote, Breakfast, Luncheon and Supper a la carte.

Refreshments served in any style. All kinds of delicacies of the season served in cafe or delivered to families in any quantity desired.

The Catering a specialty. Freshly baked fancy groceries and smoked goods, Salmon, Sturgeon, White Fish.

NO LONG TERM FOR MAYFIELD BURGLARS

FIRST COUNT OF INDICTMENT TAKEN FROM JURY.

Even if Convicted They Cannot Be Given More Than Four Years Apiece—Jury Went Out at 11 O'Clock Yesterday Morning and, Much to the Surprise of Many, Was Still Out at Adjourning Time—Milkman on Trial for Embezzlement.

The Mayfield burglary case was given to the jury at 10 o'clock yesterday morning and at adjourning time they were still out. It was the general opinion up to the time of the closing address that the jury would not be out any longer than the time that would be required to write out their verdict.

THE BEYNON TESTIMONIAL.

Superb Concert at the Lyceum Theater Last Night.

There was a flattering attendance at the testimonial concert last night at the Lyceum for Thomas Beynon, both as to numbers and representation. The Second Presbyterian congregation was out en masse, and the learned people of the city occupied prominent places in the house.

Thomas Beynon is about to go to New York to study with Sauvage, and his valuable work here renders his absence a distinct loss to musical circles.

Mr. O'Brien asked for the privilege of making the closing address, to which he was entitled, he claimed, by reason of the defense not having offered any testimony. Court, however, denied the request.

The closing address was limited to a half hour on each side. Mr. O'Brien strove to impress on the jury that every man is innocent until he is proven guilty; that if a defendant chooses to rely on the weakness of the prosecution and not offer testimony in defense, the law directs that his silence is not to be prejudicial to him.

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LARGEST SENTENCE EVER IMPOSED HERE

KINNEY GETS NINETEEN YEARS AND SIX MONTHS.

The Simpson Wife Murderer Pleads Guilty and Judge Edwards Fixes the Crime at Second Degree—Exhausted His Mercy in Doing This and Felt It His Duty to Give the Maximum Penalty, Less Six Months—Can Be Lessened Five and a Half Years.

Nineteen years and six months' imprisonment in the Eastern penitentiary is the penalty imposed by Judge Edwards on John F. Kinney, the Simpson wife murderer. Kinney is 27 years of age.

He pleaded guilty of murder when arraigned for trial yesterday and it was left to the court to fix the degree of the crime. Many witnesses were called by both sides and after hearing their story Judge Edwards adjudged the crime to be murder of the second degree.

District Attorney Jones at once moved for sentence and Kinney was called before the bench. After a few preliminary remarks Judge Edwards said that in sentencing Kinney guilty of only second degree murder he had extended to him all the mercy that the circumstances warranted. Then he sentenced him to the maximum penalty, minus six months, which subtraction was made necessary by the law requiring that all persons shall be released in the summer months.

Kinney made no answer when asked if he had anything to say before sentence should be pronounced, and his attorney, M. A. McGinley, could only ask the court to exercise its utmost mercy.

KINNEY WAS LNMVED.

Without the slightest emotion Kinney received his confinement to a living death and walked back to the prisoner's dock with firm step, while his features were vainly endeavoring to indicate of terror by the crowd in the court room, which a moment before was itself shocked into a general "Oh" by the words, nineteen years and six months at separate and solitary confinement.

The good behavior Kinney can shorten his sentence five and one half years.

The story of the crime, as told by the witnesses, was that Kinney was drinking heavily on the night of the third of July last, and all day on the fourth. About 8 o'clock in the evening he was in a friend's house and was one of several who had finished a quart bottle of whiskey. He went out the back way and started down the main street, where he met and shot his wife, sending one bullet into her head and another through her heart.

He continued on to Carbondale and gave himself up. A new revolver and a box of cartridges were found on his person.

The contention of the defense was that by reason of Kinney's long debauch he was in a condition which precluded the possibility of his forming a deliberate intent to kill. Judge Edwards based his decision on the ground that if a jury passed on the case it would undoubtedly experience a reasonable doubt of his having premeditated the murder.

SUDDEN PASSION PRESUMED.

The fact that the Commonwealth could not show that Kinney's meeting with his wife was not accidental was what saved him from the gallows. The presumption followed, or at least could be presumed, that the crime was committed in the sudden heat of passion, without deliberation or premeditation.

Kinney and his wife were not on good terms, but lived together. As he said himself, just before starting down the road, "Mary would be all right only for her folks." Ellen Dolan, Mrs. Kinney's mother, who was with her when she met her husband, says that Kinney stopped his wife and asked her for money. Mrs. Kinney answered that she had given him all the money she had excepting \$2, and she needed that for the house. Mrs. Dolan walked on and was some distance away when she heard the shots and Mrs. Kinney's screams.

This is the second time in the history of the county that a murderer has pleaded guilty. The other case was that of Severino Abbate, who killed John H. Babin on Labor Day, September 6, 1897, at the corner of Birch street and Schimpf's corner, as a result of some insulting words which passed during a quarrel. He shot Raymond four times and afterwards shot Frank Russa, a neighbor, whom he thought was running out to intercept a flighter who was hovering regular routine work had been transacted thoroughly enjoyed their annual banquet.

The affair was conducted by a committee composed of Al Fowler and Alex. Naugle, and in the course of the evening speeches were delivered by the former, Chairman Rehrig and other members present.

WASHINGTON.

Holiday Tour via Pennsylvania Railroad.

December 28 has been selected as the date for the Personally-Conducted Tour of the Pennsylvania Railroad to Washington. This tour will cover a period of three days, affording ample time to visit all the principal points of interest at the National Capital, including the Congressional Library and the new Corcoran Art Gallery. Round-trip rates covering railroad transportation, for the round-trip, hotel accommodations, and guides, \$14.50 from New York, \$12.50 from Trenton, and \$11.50 from Philadelphia. These rates cover accommodations for two days at the Arlington, Normandy, Riggs, or Exhibit House. For accommodations at the Hotel's, Hotel, Metropolitan, or National Hotel, \$2.50 less. Side trips to Mount Vernon, Richmond, Old Point Comfort, and Norfolk at greatly reduced rates.

All tickets good for ten days, with special hotel rates after expiration of ticket coupons.

For itineraries and full information apply to Ticket Agents: Tourist Agent, 1196 Broadway, New York; 4 Court Street, Brooklyn; or address Geo. W. Boyd, Assistant General Passenger Agent, Broad Street Station, Philadelphia.

Finest wines and cigars at Lane's, 320 Spruce street.

For morbid conditions, take Beecham's Pills.

Smoke the "Hotel Jermyn" cigar, 10c.

THE STATE COUNCIL.

Representatives of the Jr. O. U. A. M. Will Assemble in This City Early in January.

The announcement in yesterday morning's Tribune that the state council of the Junior Order of United American Mechanics would resume its interrupted session in this city next month came as a surprise to the local members of the order, who, though they expected the announcement, did not believe it would come so soon.

The members of the local committee who had in September's convention in charge have not yet received official notification, but they expect it now at any time. They will, of course, have the convention in charge. The sessions will probably be held in the Lyceum, as before, and will probably last only one day, as the only business to be transacted will be the receiving of acceptances from the members of those councils desiring to abide by the decision of the national judiciary committee and pay the per capita tax of 15 cents and the election of one representative to the national council.

Such latter was the only unfinished business when last September's convention was so suddenly ended by the revocation of the state council's charter.

It will be remembered that a majority of the delegates attending the convention here voted down the proposition to pay the per capita tax of 15 cents from the state council bill for the purpose of contributing to the expense fund of the latter. The charter of the state council was accordingly revoked by the supreme council and the matter left to the national judiciary committee for a final decision.

This committee met in Philadelphia during the middle of November and heard both sides of the case, the proceedings lasting several days. Their final decision was given out a short time ago. This decision is that the imposition of the per capita tax by the national council was in pursuance of the powers granted that body by the national laws of the organization and was, therefore, perfectly legal.

It is further ordered by the committee that each council throughout the state desirous of paying over the per capita tax do so before Jan. 10, 1900, in case to be a member of the state council. It is for the purpose of receiving this money that the convention in January will be held and, as the time limit is placed at Jan. 10, it will probably be held during the first few days.

About two-thirds of the councils throughout the state are now desirous of paying the tax and there is a possibility of the other third coming around. Of the thirteen councils in this county all but two are willing to abide by the judiciary committee's ruling.

MASTER PAINTERS MEET.

Banquet Given at Builders' Exchange Last Night.

The Master Painters' association held its regular business meeting last night in the Builders' Exchange in the Board of Trade building. A large number of the members of the association were present, many having regular routine work had been transacted thoroughly enjoyed their annual banquet.

The affair was conducted by a committee composed of Al Fowler and Alex. Naugle, and in the course of the evening speeches were delivered by the former, Chairman Rehrig and other members present.

LETTERS FROM THE PEOPLE.

Under this heading short letters of interest will be published when accepted, for publication, by the writer's name. The Tribune will not be held responsible for opinions here expressed.

Is Still in Business.

Sir: An item appeared in your paper today which is calculated to mislead the public and do me much injury. It stated I had been sold out by my landlord and left the impression that I had gone out of business. I desire to say that I am still in business, and am engaged and that my relations with my landlord are of the most amicable kind. John J. Skelly.

Scranton, Dec. 7, 1899.

DIED.

CARROLL.—In Scranton, Dec. 7, 1899, Joseph Carroll, aged 74 years, at the home of his parents, Mr. and Mrs. Charles Carroll, 51 Hampton street. Funeral announcement later.

JORDAN.—In Scranton, Dec. 6, 1899, James Jordan, aged 84 years. Funeral Saturday morning at 9:30 o'clock from the family home on Pittston avenue, Mass at St. John's Catholic church, and interment in the Cathedral cemetery.

NEWELL.—In Yateville, Dec. 6, 1899, Able R. Newell, aged 75 years. Funeral Saturday.

ROSS.—In Honesdale, Thursday, Dec. 7, 1899, Katherine Torrey Ross, wife of E. P. Ross, and daughter of E. P. Torrey. Funeral Saturday, Dec. 9, at 2:40 p. m., at Honesdale, Pa.

NO LONG TERM FOR MAYFIELD BURGLARS

FIRST COUNT OF INDICTMENT TAKEN FROM JURY.

Even if Convicted They Cannot Be Given More Than Four Years Apiece—Jury Went Out at 11 O'Clock Yesterday Morning and, Much to the Surprise of Many, Was Still Out at Adjourning Time—Milkman on Trial for Embezzlement.

The Mayfield burglary case was given to the jury at 10 o'clock yesterday morning and at adjourning time they were still out. It was the general opinion up to the time of the closing address that the jury would not be out any longer than the time that would be required to write out their verdict.

Mr. O'Brien argued in summing up for the defense, however, appears to have raised a doubt in the minds of some of the jurors as to the guilt of the accused. At 6 o'clock the jury, it was reported, stood nine for conviction and three for acquittal. Shortly afterwards they agreed.

When Judge Edwards came on the bench, yesterday morning, he announced that the jury was not to consider the first count of the indictment, common law burglary, for which the maximum penalty is ten years' imprisonment and \$1,000 fine. This left the jury to decide between the innocence of the defendants and their guilt on the second and third counts, statutory burglary by breaking in, and statutory burglary without breaking in, for which the maximum penalty is each instance, is four years' imprisonment and \$500 fine.

WANTED TO CLOSE.

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