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AKRON DAILY DEMOCRAT.

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228 South Main st.

VOLUME EIGHT. NUMBER 24

AKRON, OHIO, THURSDAY EVENING, MAY 18, 1899.

PRICE ONE CENT

APPROVAL

Of Telephone Plat

May Result From the Solicitor's Opinion.

Holds That the City Commissioners

Can Take the Action and Not Ratify Ordinance.

Senator J. Park Alexander Gives His Views.

The people of Akron have known for a long time that the Central Union Telephone company was making a desperate and final effort to gain some concession from the city. It was defeated in its attempt to grab a 25 year franchise, this game being blocked by the prompt action of the Citizens committee, which carried its case to the Board of City Commissioners. The Commissioners, acting upon a petition presented by the Citizens Committee, notified the Central Union company not to attempt to tear up the local streets or to do any acts under the pretended franchise granted by the Council.

The Central Union then took a new tack. The Commissioners were asked to grant the company the right to conduit the local streets. The Board, evidently feeling that to grant this right would be recognizing the validity of the ordinance, referred the matter to Solicitor Esq. gate for an opinion. He submitted the same Thursday morning, holding that the Board could grant the right without making the 25 year franchise ordinance valid. As yet, the Commissioners have taken no action in the matter. It was stated Thursday that the question would be taken up Saturday.

There are numerous prominent attorneys in Akron who do not agree with the Commissioners, in order to guard against danger of recognizing the alleged ordinance, passed by the old Council, should, instead of granting the Central Union company the right, order that corporation to put wires underground. The Board has the right to take such action, and by doing it, these could be no question raised as to their having refused to sanction the ordinance.

It is well known that the Citizens' Committee has steadily opposed the placing of the wires of the Central Union company in a separate conduit. It has insisted that the same conduit should be used by both companies. As the Akron People's Telephone company was given the original grant for this purpose, the committee holds that it should be given the preference. If the Central Union is to get under ground, it should

They made a rule that only medicines of absolute purity and safety could be admitted to the World's Fair.

When it came to sarsaparillas they accepted but one:

Ayer's

THE WEATHER:

Fair tonight—Cooler and fair Friday.

make some arrangements with the independent company.

Senator Alexander's Statement.
A DEMOCRAT reporter called on Senator J. Park Alexander, who is chairman of the Citizen's Committee of Fifty, Thursday morning and obtained the following interview.

"Should the city commissioners approve the plat for conduits for the Central Union Telephone company, do you think it would ratify the alleged franchise granted said company on November 18, 1898, by the city council?" queried the reporter.

"I am not a lawyer and I cannot tell what the courts might hold in the matter," said the Senator, "but there is one thing certain as to the duty of the present city officials and that is that they should exact of the Central Union Telephone company an acknowledgement of the invalidity of the ordinance of November 18, 1898, before the company is permitted to disturb a brick or move a shovelful of dirt in the streets."

"Is the Citizen's Committee of Fifty in favor of having the wires of the Central Union placed underground?" was asked.

"They company has been asked to put their wires underground for the last 10 years. There can be no earthly objections to such a change. In fact it ought to have been made long since, but the Central Union has persistently refused to do so and also refused and neglected to give the citizens of Akron first-class telephonic service. At last the people, in defense of their rights, have succeeded in securing the only relief obtainable. The Committee of Fifty passed a resolution unanimously requesting such a change. This is the whole case plainly stated. The only question in controversy is whether the city should permit the streets to be dug up for two lines of conduits. The Committee believes there should be but one system of conduits, which shall serve the interests of both telephone companies and all city wires."

POSTOFFICE MOVED—The postoffice at Cuyahoga Falls has been moved to the building owned by William Roethig, at a rental of \$240 per year.

THE STORM

Raised a Disturbance On Furnace Street.

Two Families Engaged In a Free For All Fight.

The terrific wind storm of Tuesday not only caused loss of life and damage to property, but it was instrumental in brewing a quarrel that will be aired in Police court.

The family of Isaiah Hartman lives at 238 Furnace st. The storm Tuesday afternoon blew a small building over, part of which landed in a neighbor's yard. When members of the Hartman family attempted to raise the building, it is claimed, they were assailed by Terrance Early and family and Helen O'Conner. They alleged they were attacked with brooms and boards. The set-to finally resulted in a neighborhood fight and Officer Greenlee was summoned.

Terrance Early swore out a warrant for the arrest of Miss Gay Hartman, on the charge of assault and battery on Ellen Earley. Joseph Hohn caused Helen O'Conner's arrest for assaulting Anton Hohn. Miss Hartman pleaded not guilty. She was released on a \$50 bond to appear Saturday morning, when the O'Conner case will also be tried.

Shortly after court had adjourned, Terrance Early swore to an affidavit charging Druzile and Ollie Hartman with assault and battery. Michael Donahue, who was arrested with the highwaymen Tuesday night, is still being held on suspicion. His case will be tried Friday morning.

William Tillman, colored, swore to an affidavit Wednesday, charging William H. Bradford, also colored, with disorderly conduct. As yet he has not been located.

James Matthews was assessed the usual fine for intoxication.

This morning Francis Seiberling filed a motion for a new trial in the assault and battery case of Henry Warner, the Grant st. motorman.

DENIED

The Report of the Match Combination.

O. C. Barber Says That Neither Company Has Been Approached.

The statement that the Diamond Match Co., with a plant located at Barberton, seven miles south of this city, and which is one of the largest, if not the largest, match manufacturing establishments in the United States, had completed arrangements for the absorption of all the independent companies, is without foundation, say the officials of that corporation.

Mr. O. C. Barber, president of the Diamond Match Co., in an interview with a DEMOCRAT reporter this morning, said: "There is nothing correct in the statement. It is merely conjecture. Such a deal may or may not be consummated, yet there is nothing to justify such a conclusion, which has no doubt been arrived at by those depending on street gossip for information. If the outsiders wish to trade with us, they have not as yet signified, to any great extent, their desire to do so."

When asked if the Diamond Match Co. had made overtures to the independent companies toward the absorption of their plants, Mr. Barber stated that no such step had yet been taken.

BOTH FRANCHISES

Referred to the Ordinance Committee of Falls Council.

The Cuyahoga Falls council has referred both telephone franchises to the ordinance committee, with instructions to report in one week. The Grant-Russell ordinance passed its second reading Wednesday night. The Nutt-Christy franchise has already been read twice. It was the first to be introduced. The other is identical the same, with the exception that it agrees to furnish two more free phones for the use of the village authorities.

TERRIBLE

Injuries Inflicted by the Cyclone of Tuesday.

A Sister of Augustus Humphrey Tells of the Storm.

Mrs. Lucia D. Bennett of 429 Center st., received a letter from her sister, Mrs. Maria Sandborn of West Richfield, describing the death of their brother, Augustus Humphrey, who was a victim of Tuesday afternoon's cyclone, as stated in yesterday's DEMOCRAT. While the letter was brief, it contained most of the important points relative to the manner in which the victim met his death. He was working near the barn on his farm, a short distance east of West Richfield, when the cyclone struck the building demolishing it badly and carrying some of the timbers and portions of the roof quite a distance. One of the pieces of roof fell on Mr. Humphrey, breaking his collar bone, several ribs and inflicting internal injuries. He was carried to his home and lingered in agony until Wednesday morning, when death came to his relief.

Mr. Humphrey was prominent and well known citizen of Richfield township, this county, where for a number of years he had been township assessor. A wife and one son, Ernest, who lives on the old homestead, survive the deceased, as do also the two sisters, Mrs. Bennett and Mrs. Sandborn.

Arrangements have not yet been made for the funeral, though it is thought burial will be made tomorrow forenoon. Mrs. Bennett left this morning to be in attendance upon the funeral service.

Those of our readers who have used Chamberlain's Cough Remedy will not be surprised to learn that the sale of this most excellent medicine has been extended around the world and that it is fast becoming a universal favorite in the treatment of coughs, colds, croup and whooping cough. The 25 and 50 cent sizes for sale by all druggists.

"ILLEGAL AND VOID"

Was the 25-Year Telephone Franchise Pronounced by the City Commissioners Six Months Ago.

After the citizens of Akron had held indignation meetings protesting against the Council's arbitrary granting of a 25-year franchise to the Central Union company last November, the City Commissioners notified the company by letter that the franchise was illegal and void and conferred no rights whatever upon the company. As an organized effort is being made to convince the people that the franchise ought to be recognized as valid, the letter written by the Commissioners, giving reasons why the franchise is worthless, is published below. It has never before appeared in print.

To the Central Union Telephone Company:

You are hereby notified that the ordinance purporting to grant to your company certain rights in the highways, streets, lanes and public places of the city of Akron, Ohio, entitled "An ordinance agreeing with the Central Union Telephone company, its successors and assigns, as to the mode of use of the highways, streets, lanes and public places of the city of Akron, Ohio, by said company's telephone lines and to provide telephone service for the various departments of the city," passed by the Council of the city of Akron, Ohio, November 14, 1898, did not have at the time of the passage and has not since received the approval or recommendation of the Board of City Commissioners of said city as required by law and is illegal and void.

You are, therefore, notified and requested to take no steps toward accepting the provisions of said pretended grant and to take no measures, incur no obligations, do no acts, nor use, nor occupy any of the streets, highways, lanes and public places of said city, on the faith of said alleged ordinance.

You are further notified that the bond required to be filed by you with the City Clerk of said city and to be approved by the Board of City Commissioners under the terms of said alleged ordinance, has not been and will not be approved by said Board of City Commissioners, and that said Board of City Commissioners will approve no bond, nor permit any acts to be done or rights to be asserted by your company under and by virtue of said pretended ordinance or grant.

JOHN CRISP,
O. L. McMILLEN,
DAN M'GARRY,
A. T. PAIGE,

Board of City Commissioners, Akron, O.,
Akron, O., November 23, 1898.

PREFERRED

Creditors Get All

Of the Assets of Grocer Morris Whitman.

Jury in Woods Case Cannot Agree.

Alleged That a Check Was Not Honored.

Conger Stocks Were Sold—Court House News.

An appraisal has been made of the property of Morris Whitman, the grocer, who filed a deed of assignment to H. E. Andress Tuesday.

The general creditors of the assignor will receive nothing on their claims. The grocer is a married man and the homestead exemption, with two chattel mortgages on his horse and wagon, will more than equal the valuation of all his assets.

Jury Cannot Agree.

The jurors who heard the Woods will case are having a difficult time in reaching an agreement. The case was given to them at 2:45 o'clock Wednesday afternoon. They have been in session ever since without coming to any conclusion. They were not kept at the court house over night, being permitted to adjourn over night.

Check Not Paid.

S. A. Drake has filed a petition in Common Pleas court, asking judgment against Charles E. McMillen in the sum of \$200. Drake alleges that McMillen in 1896 drew a check on the Akron Savings bank, which he now holds. When it was presented for payment he was informed that it would not be paid, as McMillen had no deposit there.

Partition Case.

Minnie B. Wright has filed a petition in Common Pleas court asking for a partition of real estate.

Sale of Stocks.

The Trust and Deposit company of Onandaga, N. Y., has reported to Common Pleas court that it has, acting under an order of sale issued in the case of the Savings Building & Loan company vs. A. L. Conger et al, sold stocks as follows: 426 shares Whitman & Barnes Manufacturing Co. to Harvey Musser for \$38,588.34; one-third of two shares M'Graws Land Tract company to G. C. Kohler for \$1,000, and 7 shares Muncie Land Co. to H. Musser for \$25.

Probate Court.

The will of Lucy R. Allyn has been probated. In the Johnston street damage cases the city has offered to confess judgments as follows: George Crisp \$500; Thomas Hunt \$200.

Marriage Licenses.

Walter C. Caskey, Sharon 25
Florence E. M. Sutton, Akron 17
Channey M. Woodring, Akron 24
Cora M. Bishop, Akron 21
Gustav F. Guenther, Cleveland 34
Jessie E. Brown, Barberton 18

NEW BLOCK

To be Erected by Barberton Savings Bank.

Annual Meeting of the Stockholders and Directors.

The stockholders of the Barberton Savings Bank held their annual business meeting this morning and elected directors and officers for the ensuing year. The directors elected are: N. Van Hynning, O. C. Barber, J. C. MacMillen, M. H. Crumrine, C. C. Bates, Amos Rhodes, Geo. W. Crouser, H. Kepler, B. C. Buel, E. M. Buel and Geo. W. Brewster.

Officers—President, E. M. Buel; vice president, M. Van Horn; secretary and treasurer, B. C. Buel; teller, G. J. Heckman. At the meeting it was decided by the stockholders to erect a new bank building on the corner of Tuscarawas and Fourth aves., and a committee, composed of Messrs. E. M. Buel, C. C. Bates and M. H. Crumrine, was appointed to make arrangements for commencing the work at once. The building will be constructed of pressed brick and brown stone. It will be a three-story structure, and will be erected at a cost of \$15,000. It is thought the building will be completed by the first of October. The first floor will be occupied by the bank, while the second will be fitted out for a public library, which O. C. Barber will donate to the people of Barberton. The third story will be used for an entertainment and lecture room.

Finitulence is cured by BERGLAM'S PILLS.

CHAMPION

High Kicker of the Equine Kingdom.

Thieffs Had an Experience With Weiner Brother's Horse.

Some time ago attention was called to a kicking horse owned by Weiner Bros.

It had created general havoc and threatened to clean out the neighborhood where it was kept stabled. A few days ago William F. Theiss started with a team of horses for Tallmadge. Unknown to himself, one of the team was Weiner's famous kicker. Just after reaching the Sackett farm, where there is a small hill, one of the animals stopped in his tracks, and without any warning began to lift his feet in a decidedly threatening manner. Theiss remembers seeing two shining horse shoes flash in front of his face. The next instant he was on his back, dodging pieces of the dash board and the wagon box. His left foot was bleeding and he was sore all over.

He managed to crawl out of the wreck and get a hold of the kicking horse. After much coaxing he got it near enough to a tree to tie it. Theiss abandoned the outfit then and there, hiring a farmer to bring him home. His foot was seriously injured and a surgeon was called to attend him. The Weiners have traded the horse to a Sharon farmer.

Cure that ingrown toe nail by using "Dr. Marvel's Ingrown Toe Nail Remedy" price 25c. For sale by all druggists.

DELEGATIONS

From Ohio Cities Will Attend Picnic

To be Given by the Grocers—Committee at Work.

The grocers have assurance from grocers at Columbus, Cleveland, Canton and Toledo that they will send delegations to the Akron grocers' picnic. The committee appointed to select grounds will visit various resorts throughout the state the coming week. It is said the nearby resorts will not offer a bonus large enough to cover expenses.

INCREASED EARNINGS

Of the United States Rubber Company—Annual Meeting.

The seventh annual meeting of the United States Rubber company, in which the India Rubber Co. is included was held at Brunswick, N. J., Wednesday. The report of Charles R. Flint, treasurer, showed the undivided earnings to be \$2,488,364 and surplus \$823,522, as compared with \$108,913 on March 31, 1898. The manufacturing companies earned during the year \$488,781 in excess of dividends paid.

BIRTHS.

PRINCE—To Mr. and Mrs. E. Prince, 200 Bell st., Tuesday, May 16, a daughter.

HILBISH—To Mr. and Mrs. John H. Hilbish, 116 North Union st., a son.

Thicker and Faster Than Ticks in a Minute

That's how the BARGAINS we present to you THURSDAY, FRIDAY AND SATURDAY

Will leave this store at the

3 Days' Special Sale 3

J. J. Brasaemle's

Successor to the P. R. Smith's 5c & 10c Store

"BIG STORE OF LITTLE PRICES."

Never has there been such a combination sale as this sale of useful articles at the following great saving prices, in fact the grandest bargain chance of the season.

	Former Price.	Now
Linen Toweling.....	8c	5c
6 White Plates.....	40c	25c
Eng. Tumblers.....	5c	3c
Spanish Heliotrope Soap, 3 cakes in a box	10c	5c
24 Sheets of Paper and 24 Envelopes.....	10c	5c
100 Clothes Pins.....	Only	5c
Earthen Tea Pots.....	20c	10c
Fine Glazed Crocks.....	5c	3c
Yellow Nappies.....	10c	7c
Enameline Stove Polish.....	5c	2 boxes for 5c
2-quart Covered Buckets.....	10c	5c
1 box Favorite Lye.....	Only	4c
Blueing.....	6 boxes for	5c
Ink.....	5c	3c
Large size Dust Pans.....	10c	5c
12 bars P. R. S. Soap.....	Only	25c
Brasaemle's Gly. Soap.....	10c	5c
Toilet Soap.....	5c	2c
Matches.....	10c	7c
Chair Bottoms.....	10c	5c
Linen Toweling.....	124	10c
Blue Cups and Saucers.....	20c	10c
Gold Dust.....	18c	10c
Chair Bottoms.....	Only	10c
4-quart Granite Pudding Pans.....	20c	10c
11 1/2 in. Granite Wash Basins.....	20c	10c
2-quart Coffee Pots.....	25c	10c
2-quart Granite Tea Pots.....	25c	10c
4-quart Tin Coffee Pots.....	20c	10c
Coffee Mills.....	25c	10c
2-quart Porcelain Kettles.....	20c	10c
14-quart Granite Dish Pans.....	40c	29c
Ironing Boards, all sizes.....	85c	73c
Sewing Tables.....	75c	58c
No. 8 XX Copper Bottom Boilers.....	85c	75c
No. 9 XX Copper Bottom Boilers.....	\$1.00	95c
10-piece Chamber Set.....	\$2.40	\$1.69
1-burner Oil Stoves.....	45c	33c
2-burner Oil Stoves.....	75c	65c
No. 7 U. P. Tea Kettles.....	45c	40c
No. 8 U. P. Tea Kettles.....	60c	50c
No. 9 U. P. Tea Kettles.....	75c	60c
2-pint U. P. Tea and Coffee Pots.....	35c	25c
3-pint U. P. Tea and Coffee Pots.....	40c	35c
4-pint U. P. Tea and Coffee Pots.....	50c	40c
5-pint U. P. Tea and Coffee Pots.....	60c	50c
Blue Steel Enameled Sauce Pans.....	35c	25c
Blue Steel Enameled Stew Pans.....	35c	25c
Blue Steel Enameled Sauce Pans.....	25c	18c
Blue Steel Enameled Stew Pans.....	25c	18c
Granite Tea Kettles.....	\$1.00	75c
4-quart Porcelain Kettles.....	25c	18c

Remember, we are headquarters for Door and Window Screens, Iron Express Wagons, Ice Cream Freezers and Flaps. WE ASSURE YOU LOWEST PRICES. GOODS DELIVERED TO ALL PARTS OF THE CITY.

J. J. BRASAEMLE,

Successor to P. R. Smith's 5c & 10c Store

Phone 138. 118 South Howard Street.

MILL-WRIGHT

Died Thursday Morning of Exhaustion—Old Citizen.

Hiram B. Housel, 1092 South Main st., aged 78 years, 1 month and 8 days, died at his home at 1 o'clock this morning of exhaustion. He has resided in Akron 36 years and was born in Coventry township. He was a mill-wright. Deceased was regarded as a pioneer in this vicinity. Funeral Saturday.

Grocers Will Close.

All grocery stores will be closed all day on Memorial day. This action was taken by the Grocers' association at its meeting last night.

The picnic question was discussed at length. No place or date has been decided upon. Another meeting will be held May 31, when the matter will be probably settled.

CHURCH APPOINTMENT—At the Diocesan Convention of the Episcopal church in Cleveland Wednesday, Rev. James H. W. Blake of this city was appointed a member of the committee on church building fund commission. Hon. U. L. Marvin was selected as a trustee of the ecclesiastical court.

We have not moved but our prices have.

Butterine Saturday Special

15c per lb.

P. S. Fancy Elgin Butter 17c per lb.

Cannon & Swain

DEATHS.

MOSER—John Moser, of Hawkins Station, near Botzum, aged 49 years, 11 months and 14 days, died Wednesday, May 17, of typhoid fever. Deceased was a cheese manufacturer. He had been sick six weeks. Funeral Friday at 10 o'clock at the house.