

HERE IT IS.

Copy of Affidavit

Filed In the Cleveland U. S. Court

By Akron's Three City Commissioners.

Will be Used by the Telephone Monopoly

To Defeat the Suit Brought Against It by the City.

Monday when the DEMOCRAT exclusively announced that City Commissioner John Crisp, O. L. McMillen and A. T. Paige had signed affidavits, which were intended to be used by the Central Union telephone monopoly in behalf of its litigation with the city, these three officials were indignant.

They took occasion to tell their friends that the DEMOCRAT article was untrue and that it was without foundation. The DEMOCRAT made an effort Monday to get a copy of the affidavit, but it had been removed from the files of the United States Circuit court by the attorneys for the Central Union Telephone company.

When a DEMOCRAT reporter called at the office of Attorney S. G. Rogers and asked him if he had the affidavit of the three Commissioners, he replied that he had, but added:

"I was told by General Solicitor Richardson of the Central Union Telephone company to keep the affidavit on my inside pocket. That is where it now is. I shall furnish copies of it to the City Solicitor. He can do with them as he pleases. I must refuse to show the affidavit to you." Thursday the DEMOCRAT was given a copy of the affidavit.

Here is evidence of the fact that the DEMOCRAT was telling the truth when it printed the news that Commissioners Crisp, McMillen and Paige, intentionally or otherwise, had taken action which will be used by the Central Union Telephone company to win its law suit with the city.

The affidavit of the Commissioners, filed by the telephone monopoly in the United States Circuit court, follows:

"In the Circuit Court of the United States, Northern District of Ohio, Eastern Division.

"The City of Akron, plaintiff, vs. The Central Union Telephone Co. and John F. Druckemiller, defendants.

"The State of Ohio,) ss. Summit County,)

"Albert T. Paige, John Crisp and O. L. McMillen, being first duly sworn, say that they are members of the Board of City Commissioners of the city of Akron, Ohio, duly qualified and acting, and have been City Commissioners since the first day of May, 1888, continuously until the present time; that on or about the 25th day of January, 1889, the Central Union Telephone company submitted a certain plan or plat of a certain conduit and underground work to be placed and constructed in certain streets and alleys of the city of Akron as mentioned and designated in an ordinance passed No-

ember 14, 1888; that thereafter said plat or plan was referred to Frank F. Loomis, the Mechanical Engineer of the city of Akron; that thereafter said Frank F. Loomis reported and requested that the said Central Union Telephone company furnish him with certain specifications with respect to said plan or plat, which specifications were immediately furnished by said company; that thereafter said Mechanical Engineer made a report to the Board of City Commissioners in favor of the plan submitted to him and reported that the same was proper, practicable and complete in every respect. Thereafter, to-wit, on the 3d day of May, 1889, Mr. M. J. Carney, general manager of the Central Union Telephone company, L. G. Richards, general counsel of said company, and E. M. Jackson, superintendent of construction of said Central Union Telephone company, held a conference with said Board of City Commissioners, at which meeting there were present Commissioners Crisp, Paige, McMillen and McGarry; that in reply to a question put by Mr. Richardson with respect to said plan and profile, as to whether the same met with the approval of the Board and was satisfactory, each of the members of said Board replied that the plan and profile of the underground work so submitted as heretofore stated and reported upon, was satisfactory, and each of said Commissioners stated that said plan met with their approval, and these affidants now say that the said plan and profile now meets with their approval and that they have no objection whatever to offer against the same.

"Affiant further says that on said 3d day of May and repeatedly since said 3d day of May, until date of the making of this affidavit, said Central Union Telephone company has requested permission to put its wires and cables underground in accordance with said plat or plan heretofore submitted to this Board."

"A. T. PAIGE, JOHN CRISP, O. L. McMILLEN.

"Sworn to before me and signed in my presence by the said Albert Paige, John Crisp and O. L. McMillen, and by them severally, signed in my presence this 8th day of June A.D. 1899.

"W. A. SPENCER, Notary Public.

"M. J. Carney's Affidavit. With this same affidavit, two others were filed. One was sworn to by M. J. Carney, general manager of the Central Union Telephone Company. He says the company started to put in conduits with the approval given by the Board of City Commissioners on May 3, 1889.

Local Manager's Affidavit. John F. Druckemiller's affidavit is a long one. It gives in detail the different events leading up to May 3, 1889. The following is quoted: "On May 3, 1889, every City Commissioner expressed himself as satisfied with the plans submitted. On or about May 20, 1889, the Board of Commissioners duly passed a resolution providing that the defendant company should be permitted to put in conduits in the streets, conditional upon making certain rates. * * *

At the dictation of the Probate Judge of Summit county, who appoints the Board of Commissioners, the following resolution was passed:

The resolution rescinding the approval is then given. The affidavit continues:

"The defendant company is advised that its remedy for the location of its conduits, poles, wires, etc., in the event it cannot agree with the city by application to the Probate Judge of Summit county, that affiant believes there are no differences existing between the Telephone company and the Board of City Commissioners of Akron, except such as are attempted to be brought about by the interference of the Probate Judge and others."

The spectacle is a remarkable one. The City Commissioners have retained Judge Phillips of Cleveland to look after the city interests. Three members of the Board then sign an affidavit, the sole purpose of which is to strengthen the case of the Central Union telephone monopoly.

LAST LINKS.

RECRUIT ACCEPTED—Wm. Ernest of Wooster, who recruited at the local office, has been accepted for foot service in the Philippines. Robert Canfield, of Cleveland, who recruited here, has been rejected.

PATRIOTIC CONCERT—The Eighth Regiment band of this city, will on the evening of July 3 give a concert at Urbana. On July 4 it will accompany the Sons of Veterans of that place to Bellefontaine.

EXAMINATION OF APPLICANTS—The City Commissioners have told applicants for positions in the Fire department to appear at No. 1 Engine house Saturday at 10 o'clock for examination.

WILL CONTEST IT—Mr. Emil Gammeter has served notice on the City Commissioners that any effort to close the streets around Perkins Park for fair purposes will be resisted in the courts.

IMMENSE

Field of Coal Found.

Six Hundred Acres of Land Under Lease.

Supply Will Last For Many Years.

Will be Developed by Akron Coal Company

Shafts Are to be Put Down at Once.

The older citizens of Akron will remember well the great boom in the Silver Creek coal district about 15 years ago when that prolific body of coal was struck, how business in that section was given new life and hundreds of men given employment. Of late years the output has been gradually working out.

A new life will soon be infused into the district, and again that community will be all hustle and bustle in the profits of a new development.

A new field of genuine Massillon coal has been discovered about five miles south of Silver Creek, in Wayne county. It is supposed to be the largest body ever discovered in the Massillon district and the field has been thoroughly tested. It will be operated by the Akron Coal Co., which will likely be reorganized and new capital taken in. The developments will be of inestimable value to Akron and towns adjacent.

When approached on the subject this morning, James P. Loomis, manager of the Akron Coal Co., would say nothing beyond that such a deal was contemplated and would likely be consummated in a few days. The deal is now pending with parties in New York.

Two weeks ago a DEMOCRAT reporter heard of the rumor. A quiet investigation was at once begun. Information gained thus far is as follows: After tests made in the new district some months ago were proven very satisfactory, work of leasing land was at once begun. Now 600 acres are under lease.

The coal runs in a body of from 4 to 5 1/2 feet. Shafts will be sunk and possibly by July 1 a large force of men will be at work making preparations for developing the field.

Indications are that the coal output will last for many years, as at present the estimate is that from 1,500,000 to 2,000,000 tons will be yielded.

It will take about 90 days to sink the shafts and work of mining the coal will likely commence in October.

This remarkable discovery means plenty of good domestic coal for Akron for many years. The coal is of a superb quality.

Hundreds of new men will be given employment. 100,000 cars of coal, 20

CANNON & SWAIN Berries and Pineapples.

If you contemplate buying a quantity of either for preserving we would advise you to come early in the forenoon, when the goods are fresh and assortment large.

Picnic Supplies. The picnic season is here and we are prepared to help you make up a good list of eatables for your picnic basket, from our large and varied stock of appetizing things at a small cost.

Mineral Waters. And Summer drinks of all kinds. Don't forget us when in need of BITTERS, TEA or COFFEE. TELEPHONE ORDERS receive the best of attention. Your interests are looked after just as though you were here.

CANNON & SWAIN Cash Grocers.

114 S. Howard St. Phone 287.

WONDER

Created by the Power of Boy Phenomenon.

Many Afflicted People Received Relief at His Hands.

PERSONAL.

Mrs. A. L. Foster and son of New York city are visiting her parents, Mr. and Mrs. F. G. Stipe.

Mrs. John Coats of Titusville, Pa., is in the city to spend several weeks with her parents, Mr. and Mrs. Considine of Coburn st.

Miss Bertha Voss pleasantly entertained the senior class of Spicer school at her residence on East Exchange st., Monday evening. The evening was spent in various games and music. Light refreshments were served and all enjoyed a good time.

Misses Ella Rogers and May Overholt, teachers in the public schools, left Wednesday night for Butte, Montana, where they will spend a few weeks vacation.

Frank Sawyer of Toledo, is the guest of W. T. Sawyer and other Akron friends. He left Summit county in 1898.

Adam Bolles, of the city, left Wednesday evening for Denver.

W. E. Langdon, ticket agent of the Erie, is at Buffalo attending the meeting of the Imperial Council of the Mystic Shrine.

Weddings at Manchester. Miss Ida Messner and S. Werner of Akron were united in marriage at the home of the bride's parents, Mr. and Mrs. Moses Messner, Tuesday evening.

Thursday at high noon Albert Simmons, of Canal Fulton, and Miss Mary Bittinger were married at the home of the bride's mother, at Manchester, Rev. J. C. Schaff, officiating.

Beese-Bernell. At 8:30 Wednesday evening John Beese, of South Akron, and Miss Mary E. Bernell, of Sixth ward, were united in marriage by Rev. J. P. Sala at their newly built and elegantly furnished home on Lake street. The groom is the proprietor of the Beese meat market in South Akron.

Golden Wedding. Mr. and Mrs. Geo. Cregue, of Sufferfield, are celebrating their golden wedding anniversary today. Akron people who left for Sufferfield this afternoon to assist are: Mr. and Mrs. H. C. Berg, Chas. Wohlwend, Miss Maime Wohlwend, Mrs. Mary Wohlwend, Geo. Wohlwend, Ed Berg, Miss Emma Wohlwend and Mr. and Mrs. Valentine Berk. The party left in a wagonette.

Warner-Whytelaw. A pretty home wedding occurred at the home of Mrs. J. M. Whytelaw, 114 Vine st., on Wednesday, June 14, at 2 o'clock, when her daughter, Miss Jessie C. Whytelaw, was married to Mr. S. L. Warner, of the Klages Coal & Ice Co. The ceremony was performed by Rev. A. E. Scoville, who used the ring service, and was witnessed by the near relatives of the contracting parties. The bride and groom plighted their troth under a festoon of daisies, and after receiving the congratulations of those present departed for a wedding trip. They will reside on Fountain st.

DEATHS. TAYLOR—Amanda, wife of Henry Taylor, Coventry tp., aged 48 years, 8 months and 22 days, died Thursday June 15, of cancer of the stomach. She had resided in Coventry for 45 years. Funeral Saturday at High St. Church of Christ.

LAWN FETE—The Bible class of St. Paul's Episcopal church will give a lawn fete at the home of Mr. and Mrs. William Buchtel Friday evening.

PICNICS—American Cereal Co. employees will picnic at Hiawatha park June 23. Excursion over C. A. Richard Inskeep stopped the machinery. As it was his shoulders and right side were badly bruised. He is unable to work.

MARTIN

On the Witness Stand.

Said He Was Not Paid For His Services.

Did Not Make Direct Denial of Charges.

Justice W. H. Elliott of Peninsula Resigns.

Visitors at Clerk's Office—Court House News.

The only witnesses introduced by the defense in the case of the State vs. S. A. Martin, were the defendant and O. W. Baum.

Martin testified that he had organized the Akron State Building & Loan company and that he had never received any compensation for his services. He did not make a direct denial of the charge against him but said that if he had taken any money, it was not more than enough to pay him for extra services. Thursday the State put on witnesses to rebut the evidence of the defendant.

Justice Resigned. County Clerk Hershey has received the resignation of W. H. Elliott of Peninsula, elected Justice of the Peace at the last election. His term commenced April 17, 1899, and would have expired April 17, 1902. It reads: "Please to Notice that I Have Resigned as Justice of the Peace for Boston Township."

Made An Inspection. County Clerk Castleman of Stark county, accompanied by two stenographers, visited County Clerk Hershey's office Thursday for the purpose of making an inspection of the manner in which the records are kept in this county. They were much pleased with the system.

Court Briefs. The will of Alden W. Parker has been filed. He gives his property absolutely to his wife, Lavana B. Parker.

Judge Kohler will make an assignment of cases for Judge Nye, Friday.

The injunction in the case of Nellie M. Hower vs. The American Cereal company has been continued until Monday, June 19.

Marriage Licenses. Edward E. Zeigler, Barberton, 22 E. Isadore Miller, Barberton, 24 Frank Gardner, Copley, 25 Edith Swan, Bath, 22 John J. Pontius, E. Liberty, 22 Hattie M. Walker, E. Liberty, 19 John Beese, Akron, 29 Mary E. Bernell, 29

FUNERAL NOTICE—Funeral services over the remains of Leroy P. Summers will be conducted at the residence of his parents, Mr. and Mrs. Edgar W. Summers, 146 South Broadway, Saturday afternoon at 2 o'clock. Interment in Glendale cemetery.

Site For Elks' Fair. The Elks' fair the week of July 16, will be held in Hall's park, or on the vacant lot on East Market street, between Arch and Nebraska streets. The last named site is the more favorable.

LOOK AT THE

Summer Attractions in our show windows

Porch Furniture REFRIGERATORS HAMMOCKS

And most important of all for the little folks Children's Carriages -AND- Go-Carts

Our stock is complete in all these lines.

B. L. Dodge

124-126 S. Howard st.

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Monster June

2-Days' Special Sale

Friday and Saturday, June 16 and 17, at the "BIG STORE OF LITTLE PRICES"

J. J. BRASAEMLE

5c and 10c Store P. R. SMITH'S Old Stand

The gathering of superb values is not a matter of unimportant detail. It represents the vast army of housewives and home-makers. AN AGGREGATION OF MONEY SAVING ITEMS. All you have to do is to come and take advantage of these bona-fide reductions, as the value giving is without precedent.

Table with 3 columns: Item, Worth, Now. Items include Pot cover, size 8 to 10; Rising sun stove polish; Asbestos stove mats; 12 bars P. R. S. soap; Box paper, 24 sheets paper, 24 envelopes; Vegetable brushes; Bottle blueing; All kinds spices; Carpet tacks, 12 papers; 1 galvanized glazed crocks; Enamel stove polish; 6 yards valencien lace for; Climax Russet stove polish only; Machine oil; Extract of lemon and vanilla; Mixed bird seed; Writing ink; All colored crape paper; Washing powder; Blue decorated plates; No. 1 plain lamp chimneys.

Second Floor

Table with 3 columns: Item, Price, Price. Items include Meat broiler; Wash bowl and pitcher; Green and gold water sets; White and gold water sets; Glass punch bowls; 6 foot stepladder; 5 foot stepladder; Screen doors; No. 8 all copper boiler; No. 9 all copper boiler; 7 pieces gold band glass berry set; Crystle berry sets; Crystle berry sets; Blue decorated cups, and 8 saucers, 6 cups; 6 saucers.

Remember we are headquarters for Fire Works and Flags, wholesale and retail.

GOODS DELIVERED TO ALL PARTS OF THE CITY.

J. J. BRASAEMLE

5c and 10c Store "P. R. Smith's Old Stand"

Phone 138. 118 S. Howard St.

The Saving of Money

by the use of Royal Baking Powder is considerable. Royal is economical, because it possesses more leavening power and goes further. Royal saves also because it always makes fine, light, sweet food; never wastes good flour, butter and eggs. More important still is the saving in health. Royal Baking Powder adds anti-dyspeptic qualities to the food.

There is no baking powder so economical in practical use, no matter how little others may cost, as the Royal

Does Your Head Ache? Are your nerves weak? Can't you sleep well? Pain in your back? Lack energy? Appetite poor? Digestion bad? Bile or pimples? These are but some of the results of congestion. If the contents of the bowels are not removed from the body each day, as nature intended, poison substances are sure to be absorbed into the blood, always causing suffering and frequently causing severe disease. There is a common-sense cure. Ayer's PILLS They daily insure an easy and natural movement of the bowels. Price, 25c a box. All druggists. Ayer's Sarsaparilla with the pills will hasten recovery. Write the doctor just how you are suffering. You will receive the best medical advice without cost. Dr. J. C. Ayer, Lowell, Mass.

THE WEATHER: Generally fair and cooler tonight-Fair Friday.