

JUROR PUT ON A SUBSTITUTE

Flagrant Irregularity Alleged in a Big Damage Suit.

NEW TRIAL CONSEQUENTLY ASKED

Jessup & Jessup, Attorneys for the Defense in the Malin-Traction Company Suit Make the Charge That Juror Daniel Finnegan Allowed Another Man Named Patrick Mack to Serve in His Stead—Some Interesting Depositions.

One of the most novel and sensational reasons that has yet been advanced in the local courts as the basis of a petition for a new trial, is that which Jessup & Jessup make their grounds in applying for a retrial of the damage case of Patrick Malin et al. against the Scranton Traction Company, in which a verdict for \$2,350 was rendered in favor of the plaintiffs at the recent special term of common pleas court.

It is no less than an allegation that a juror drawn on the case allowed another man to substitute for him in the trial. Daniel F. Finnegan, of Prospect avenue, is the juror who, it is claimed, tried the case by proxy, and Patrick Mack, a resident of the same neighborhood, is alleged to be the substitute.

According to depositions filed with the application, the deception was discovered the day following the rendering of the verdict and was disclosed by Thomas Medvin, an office boy in the employ of Jessup & Jessup.

He was present during the drawing of the jury and when he heard his employers discussing the verdict he volunteered the information of the irregularity which is now alleged.

He says that when the name of Daniel F. Finnegan was called another man, Patrick Mack, stepped up and took a place in the box.

THE BOY WAS SURPRISED.

He knows both men well and was greatly surprised to see Mack represent himself to be Finnegan, but, possibly believing that he was not supposed to see such things, he did not mention it until the verdict, perhaps suggested to him that he should speak of it.

At all events, he started an investigation by the agent of the Casualty company, which was the real defendant in the suit, and this investigation satisfied the attorneys that their office boy was not mistaken.

Finnegan was visited and questioned closely. He claimed that he had served on the Malin case, but when pressed to tell what position he occupied in the jury box he gave evasive answers.

It is also alleged that when asked about Patrick Mack being a juror, Finnegan made the claim that Mack also served on the jury, which however the records deny. A visit to the county commissioners' office showed that Finnegan's fees had been received for by "Daniel T. Finnegan," while Juror Finnegan has "D. T." for a middle letter according to his own admission.

ATTORNEY POSTS AFFIDAVIT.

In the depositions, there is also an affidavit of the agent of the Casualty, who claims to have closely watched the progress of the case, that no one resembling Finnegan served as a juror on the case while Mack, who has been since pointed out to him as Mack, was a juror.

Some interesting arguments are expected when the matter comes up for a final hearing. O'Brien & Kelly were attorneys for the plaintiffs.

ORIOLES STILL ON STRIKE.

Hanon Starts South with but Seven Baltimore Players

Only seven of the Baltimore started Monday in charge of Manager Hanon for the training grounds at Macon. Those who went were McGraw, Naps, O'Brien, Pond and Kitson, Demont joining the aggregation at Washington. Robinson was kept back by a sick wife, but Kelley, Keeler, Jennings, Bowerman, Corbett and Clarke, the striking combine, are still firm in their declaration that they will not sign nor train with the team until their salaries have been raised. Jennings started south tonight, but went direct to Athens, Ga., to train the University of Georgia club in direct disobedience of Manager Hanon's orders.

Telegrams have been received during the day from Corbett, Bowerman and Keeler, renewing their pledges to stick to the combine and appealing to the others to stand firm. Corbett wants \$3,000.

FATHER WANTS DAMAGES.

Says His Fifteen-Year-Old Daughter Was Falsely Imprisoned.

A somewhat unusual suit was brought Monday by James Mathers, of Dorranston, Luzerne county, against P. D. Wert and the Humane society of Wilkes-Barre, of which he is agent. The plaintiff asks \$5,000 damages for the alleged false imprisonment of his 16-year-old daughter at the instance of the society.

About ten days ago Mr. Wert, in pursuance of a complaint which had been lodged with him, went before Alderman Donohue, of Wilkes-Barre, and swore out a warrant for the arrest of the girl on the charge of incorrigibility. In the language of the warrant it was charged that the arrest was instigated "on account of her viciousness and depravity being beyond the control of her parents."

The girl was brought before the alderman, who delivered her into the custody of the Humane society. She was kept in the society's building for three days, when her release was secured on a writ of habeas corpus.

AN AUSTRIAN EX-JUDGE.

He Expects to Practice Law in Luzerne County.

In the probatory's office today there registered as a law student, Juror Czurka, an eminent legal practitioner, of Austria, who is honored with the degree of LL.D. Mr. Czurka now resides on Carey avenue, this city, and is undoubtedly the first Doctor of Laws to register in this country as a law student. He passed the preliminary examination and will study in the office of Attorney P. A. O'Boyle.

Mr. Czurka was seen this afternoon by a Times reporter and said he received his degree of Doctor of Laws in the University of Lemberg, Austria. He practiced law in that country and was also a judge of the Superior court there for a time. He came to this country several years ago and hopes to do well among his countrymen here. He expects to be admitted to the Luzerne county bar in November.

Mr. Czurka is a gentleman of middle-age, of pleasing address and gentlemanly deportment. There are only a few attorneys in this city who have the degree of LL.D. after their names, but a law student who is also a Doctor of Laws is a novelty.—Wilkes-Barre Times.

JUROR WASHBURN DISCHARGED.

His Employers Were Compelled to Dismiss Him.

"Yes, it's true that I'm out of work," said Al Washburn, of Freeland, one of the men who was on the jury during the trial of Sheriff Martin and his deputies, "I worked for Hont Bros., wheelwrights. They told me on Saturday at quitting time to be at work on Monday for sure. About 8 o'clock in the evening one member of the firm called at my house to see me. I was not at home and Mr. Hontz asked my wife to get the keys of the shop. She gave them to him and he said to her 'Tell your husband he need not come to work. We have to dispose of him. If we don't we'll lose our customers. The Poles and Hungarians demand of us to discharge him.'"

"Well, this is a big country," said Mr. Washburn, "and I'm not afraid of not being able to secure a job, but it is tough to be turned down for doing one's duty."—Hazleton Sentinel.

LAST OF THE APPEALS.

Board of Revision Is Nearly Ready to Make Inspections.

The last hearing by the board of revision and appeals was granted yesterday morning. The board adjourned indefinitely during the afternoon to give City Clerk Lavelle time to prepare the data necessary for use in several hundred personal inspections of properties by the board.

It is probable that the board will begin its inspections on Saturday. The work must be finished before June 1, the date on which the returns must be made to the city treasurer for collection.

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is the Best Spring Medicine In The World

It makes the weak strong. We sell and recommend it.

MATTHEWS BROS.

320 Lacka. Ave.

TEACHERS' INSTITUTE AT MONTDALE

Programme That Has Been Prepared for the Occasion.

There will be a teachers' institute in the Methodist Episcopal church at Montdale, Saturday afternoon and evening, March 19. Teachers, patrons and directors are invited. The first session will commence at 1 o'clock. Following is the programme:

Music.....By the Choir
Recitation.....Miss Alice Foster
Writing.....Prof. M. J. Lloyd
Recitation.....Clarence Lewis
Music.....By the Choir
Mensuration.....Prof. M. W. Cummings
Essay.....Miss Alice Fenstermacher
Guitar Solo.....Miss Lucy Williams
Elementary Arithmetic.....Supt. Taylor
Duet.....Miss Maud Vosburg, Miss Maggie Travell
Declaration.....Mr. James Wilson
Violin Solo.....Prof. F. H. Green
Music.....By the Choir
Adjourned till 7 o'clock.

EVENING SESSION.

Music.....By the Choir
Recitation.....Miss Ella Wheeler
Essay.....Miss Minnie Foster
Vocal Solo.....Mrs. Emma Lewis
Essay.....Miss Joanna Cure
Recitation.....Miss Anna Ball
Violin Solo.....Mrs. Anderson
Address.....Mr. Z. T. Cure
Vocal Solo.....Mrs. Anderson
Lecture, "Words and Books."
City Superintendent Howells

THE NEW TEA REGULATIONS.

Somewhat Inoperative, Because Teas Previously Imported Do Not Come Under Its Provisions—Considerable Discontent Among Dealers.

The new tea regulations which went into effect a few months ago through an act of Congress are not doing all that were expected to do in the way of preventing the sale of impure, spurious and adulterated teas. Regulations provide that all teas containing a certain percentage of dust, determined by a sieve test, or showing "summy" matter, determined by an infusion test, shall be debarred entry at any port in the United States. The good work done by this government was followed up by similar legislation on the part of Canada, and the result has been to prevent importation into this country and Canada of millions of pounds of cheap, trashy teas.

Dealers, however, say that the scope of the law is not great enough. They find that teas far below the standards provided by the government are being offered for sale, and investigation shows that very large stocks of teas are held that could not possibly come in under the provisions of the new law. Some of these teas were imported in anticipation of the passage of the law, but many of them have been held here for years—an unchangeable article, but now being foisted on the public. The discussion in progress has again called attention to the machine-made teas grown in Ceylon and India. In addition to the fact that in all the processes of manipulation, they are handled by modern machinery, thus obviating contact with the hand, they go to the consumer in the virgin state, no artificial coloring matter being used in their preparation. The consumption year after year shows a phenomenal increase, due to their innate merits, purity and cleanliness.

OBITUARY.

Miss Emma Thompson, elder daughter of Crandall Thompson, of Green Ridge, died at the Hospital yesterday after a brief illness. Few faces in the city were more familiar to our people than that of this gentle lady, as framed in the soft gray hair, pleasantly met the gaze of the throngs who have entered the Allright Memorial library. Since the opening of this institution Miss Thompson has been one of its most valued attendants, having a desk in the reading room and being in charge of the reference department. Her culture and her eagerness to assist the student and the reader who frequented the library gained her not only the respect and appreciation of students, but their warm friendship. It is at the Green Ridge library that her presence will be missed even more, for during several years past she has been doing a noble work in the library and has done much to further the interests of culture in that community, while her faithful attendance to the duties of her position was well deserving the measure of commendation she received. Miss Thompson was dearly loved by her co-workers as the public librarian and there was sincere grief in every heart as the sad intelligence of her death was told. It has been less than a month since she was at her accustomed place in their midst and the sight of the vacant chair brought tears to every eye. Until last Saturday it was hoped that she would recover from the severe attack of rheumatism from which she suffered and for which she was under treatment at the hospital; but on that day she was stricken by an apoplectic stroke, since which time although perfectly conscious she was speechless. Death came at 8 o'clock yesterday afternoon, as she was surrounded by her father and brother's family and her pastor, Rev. F. S. Balkentine. During her illness the hospital has been besieged by hosts of friends with sympathetic inquiries. The remains were removed to her father's home on Sanderson avenue. The hour of the funeral which will be held at the Church of the Good Shepherd, is not yet announced.

Mrs. Ann Richards, relict of the late Jenkin Richards, was stricken with heart failure yesterday at the residence, 1299 Washburn street, about 9 o'clock and died in a few moments. The deceased was almost 60 years of age and has not enjoyed the best of health during a period of four years past. She was unable to perform her household duties and had done so yesterday morning. Shortly before 9 o'clock she left her granddaughter, Miss Bessie Thomas, and went upstairs. A few moments later, Miss Thomas heard a noise as if some one had fallen. She hurried upstairs and found the aged lady prostrate upon the floor. She instantly summoned assistance but death had already come. The deceased was born in Merthyr Tydvil, North Wales, and came with her family to this country in 1869. They first resided at Pittston for six months and moved here where she has since resided. Four children, two daughters and two sons, survive her, being children of a first marriage. They are Mrs. John W. Williams, Miss Mary Williams, David H. and Evan L. Williams. Their father died shortly after they came from Wales. Mr. Richards has been dead about eight years. The one son, Evan L. Williams, and the granddaughter, Miss Thomas, resided with the deceased. She was a member of the First Welsh Baptist church and until ill health prevented, was very active in all branches of the church work.

Charles O. Skeer, a well known coal operator, died at his residence in Mauch Chunk Sunday morning, March 15. He was born in Kingston, Luzerne county, November 23, 1818. About 1842 he went to Mauch Chunk and was employed in the coal business. He was a member of a partnership with Dr. G. B. Laiderman and under the firm name of Laiderman, Skeer & Co., conducted a mining and coal business. The mines were located at Nesquehoning and at Stockton. At the time of his death Mr. Skeer was treasurer of the Mauch Chunk coal company. He was at one time a director of the Lehigh Valley Railroad. He was a Mason, being a past master of Carbon lodge, 242. Mr. Skeer was twice married. His first wife was Marion, the adopted daughter of Judge Asa Packer. In 1850 he married Mrs. E. F. French, who survived him. Two half sisters survive, Miss Anna Skeer, who lives in East Mauch Chunk, and Mrs. Hazlett, of this city. Mrs. John B. Skeer of Bloomsburg, is the widow of a half brother. Miss Emily Packer, who lives with Miss Skeer in East Mauch Chunk, is a niece. Funeral services took place at the house yesterday afternoon at 3.15 o'clock. Interment was private.

Mrs. David D. Jones, 73 years of age, died early Tuesday morning after one day's illness, at the residence, rear of 33 North Filmore avenue. The deceased was not enjoying the best of health for several weeks past, but nothing serious was anticipated. About 10 o'clock Monday morning she complained of being quite ill and a physician was summoned. Early in the evening a paralytic stroke occurred which ruptured a blood vessel in the brain and caused her death. She was born at Baisley, North Wales, in 1825, and came to this country in 1869, locating with her husband at Scranton and has resided here since. She was well known for her many charitable traits and attended the Primitive Methodist church, formerly in West Scranton, now at North Scranton. One son by her first marriage, George Hughes, of Australia; her husband by a third marriage, and two step-sons, Daniel and Joseph Jones, survive her. The funeral will be held Friday afternoon at 3 o'clock from the residence. Interment will be made at the Washburn street cemetery.

Mrs. Elizabeth Hislop, wife of Joseph Hislop, died yesterday morning in the Lackawanna hospital. Mrs. Hislop resided at 67 East Market street, and has been sick for the past two months. Recently her relatives hoped the treatment at the Lackawanna hospital would be beneficial and had her conveyed there, but despite expert medical attendance she died rapidly. Mrs. Hislop was 42 years of age and a woman highly esteemed by her many friends. She is survived by a husband and two children. The funeral will take place tomorrow afternoon at 2 o'clock from her late home on East Market street. Interment will be made in Forest Hill cemetery.

BLOOD POISON

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Write COOK REMEDY CO., 451 Madison Temple, Chicago, Ill., for proofs of cures. Cures all. Worst cases cured in 15 to 35 days. 100-page book free.

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127 and 129 WASHINGTON AVENUE.

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We don't sacrifice style to get service. By choosing wisely we got both and we ask no more because our goods are trusty.

Special attention is directed this week to our

60c Redfern Serges

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The former in all colors, including black. The Vigoreaux in all the desirable mixtures.

Connolly & Wallace

127 and 129 Washington Avenue.

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WOLF & WENZEL, 240 Adams Ave., Opp. Court House. PRACTICAL TINNERS and PLUMBERS. Sole Agents for Richardson-Boynton's Furnace and Ranges.

Boned Turkey Croquettes, Salads of All Kinds, Weddings, Parties; Experienced Men. All orders promptly attended to. Order can be left at 124 Washington Ave., or can be seen at Jonas Long's Sons' Cafe.

James Lavelle, 13 years of age, and a son of Mr. and Mrs. Patrick Lavelle, of 211 Erie street, succumbed last evening to an attack of pneumonia after only a few days' illness. The lad was a bright, sunny fellow, and his death has caused the deep sympathy of his friends and neighbors. Funeral announcement will be made later.

A SURPRISE.

People who never wore Spring Overcoats are this season being tempted by our prices and styles. These cold nights they find comfort in them and escape the doctor's bill. Have you seen them? We think, with many others, that they are the best qualities and most strikingly stylish garments we have ever offered.

"That Top Coat We Have Been Talking About." Made in the very latest style, 36 inches long. A coat that is not too long and not too short, comprising all the new fabrics in brown and tan covers, lined and tailored as a coat should be. Our Price \$8.00.

"That Box Top Coat We Have Been Talking About." We know of no other coat in our experience at the price that has had the style and finish of this one. It is a full box put up in a way that shows the tailor's brains. The cloths are of that new shade of covert and blue grey mixed. Lined and piped to the edge with the best Italian cloth. Our Price \$10.00.

"That 'Pool' Spring Coat We Have Been Talking About." The way this coat hangs you can see it is a trick in the cutting, having that overhanging full appearance. The colors are those worn by the best dressers, serge lined throughout; made in every respect the same as a coat costing double the money. Our Price \$12.00.

"That 'Pool Spring Special' We Have Been Talking About." A strictly up-to-date copy from the English tailor, made of domestic and imported cloths, in all the latest and popular shades, with those broad overlaid strap seams, lined throughout to the edge with imported silk serge, making a strikingly stylish garment that any custom tailor will charge you \$30 for. Our Price \$15.00.

Don't Pass Our Windows if You Have Respect For Your Pocketbook.

SAMTER BROS., Furnishers, Hatters and Clothiers.

SEVEN

THE LINDEN

SISTERS HAIR GROWER AND SCALP CLEANER ALL DRUGGISTS.

RAILROAD NOTES.

At the earnest request of the public the Reading company has placed several of their passenger trains between Philadelphia and Shamokin back to their old schedule.

Two passenger crews are now engaged on the Jersey Central between Mauch Chunk and Tamaqua, one being dispatched with by the late economical arrangement of trains by that company.

It is rumored that the Reading company intends erecting several offices at Tamaqua for the accommodation of its officials now located at Shamokin, but whose headquarters will possibly be at the former town.

The pictures of the original Major Bykes is in the possession of David Jamieson of Olyphant. Mr. James was his first engineer and he with the fireman and brakeman are taken with the engine. At the breaking out of the war all three were drafted. At the close Mr. James returned to Olyphant where he ran the stationary engine on the gravity for a number of years. He never heard of his companions thereafter.—Carbonada Herald.