

TRoubles WITH THE DINNER CASE

DIFFICULT TASK TO GET IT TO A JURY.

This Is the Day of Attonement and the Plaintiff and Two of the Jurors Who Are Hebrews Objected to Having the Case Go on—Trespass Suit of Reese Hughes Against the City of Carbondale Given to the Jury.

Judge R. W. Archbald is having his own trouble in getting the case of H. Dinner against Mary A. Andrew tried. Monday a jury was sworn in the case of Reese Hughes against the city of Carbondale and it was sent to Carbondale to view the premises of Hughes, which are alleged to have been damaged by the action of the city in grading Salem street in front of it.

The Dinner case was then put on trial, the expectation being that it would only take a few hours to try it and the court would be free to take up the Hughes case when the jury returned. However, the Dinner case filled out the rest of the day and when court opened yesterday morning it was found that one of the important witnesses for the defense, James Devers, had to go to Wilkes-Barre to attend the funeral of his brother. He did not appear yesterday.

The Dinner jury, with a half tried case on its mind, was told to leave the box when the case got to the point where the testimony of Devers was needed, and not to discuss the evidence until the case was formally before it for consideration.

The Hughes case then had its turn and when it was given to the jurors just before adjournment, Judge Archbald told the jury with the half tried case to take their seats in the jury box this morning, when an effort would be made to finish the Dinner case, even if Devers is not present.

Right at this point there were some gentle expostulations. The plaintiff is a Hebrew and today is the Day of Attonement, on which the Hebrew religiously abstains from mixing up in worldly affairs. Mr. Dinner did not want to be compelled to come into court today. On the jury are Isaac Brown and Simon Segal, also Hebrews, and they informed the court that it would be very distasteful to them to have to do jury duty today.

Judge Archbald said he sympathized with the unfortunate position in which these gentlemen found themselves, but did not know how he could allow the half tried case to go over another day and directed that the case be proceeded with today.

In the case of Reese Hughes against the city of Carbondale the plaintiff alleges that his property was injured to the extent of \$3,500 by the grading of Salem street in 1893. The theory of the defense is that the property, if not actually benefited by the grading, was certainly not injured. Attorney E. D. Stuart appeared for the city, and Attorneys John F. Reynolds and I. H. Burns for the defense.

In No. 2 the entire day was consumed with the testimony for the defense in the case of Charles Liebenstein against the city of Scranton. The case will probably consume all of today.

To Oust a Constable. Depositions were taken yesterday on the rule to show cause why Frank Guglielmo, otherwise Frank Williams, should not be removed from his office as constable of the Second ward of Dunmore. The depositions were taken by Stenographer John Taylor. The petitioners, who seek the removal of Guglielmo, were represented by Attorney C. E. Daniels and Guglielmo by Attorneys Frank E. Boyle, L. P. Wedeman and John R. Edwards. The testimony heard yesterday was all on the part of the petitioners, and assistance was to the effect that they had on numerous occasions played cards and drank on Sunday in licensed places of the Second ward of Dunmore and in places that had no license. None of these places were ever reported by Guglielmo to the court.

The records of the license court were produced to show that places where liquor was sold on Sunday are regularly licensed places and that others in which drink was obtained were not license. The witnesses examined yesterday were Leonardo Mecca, Angelo Velosobio, Arthur Keene, Dominic Boccardo, Frank Morelli, Nicholas Lotter, Frank Pone, Charles J. Mertz and Vincenzo Pone. Testimony on the part of Guglielmo will be heard Thursday.

Decision Against Frothingham. An opinion has been rendered by Judge Albright, of Lehigh county, in the case of D. H. Beplogie against Arthur Frothingham, which he tried here last May, when a verdict was returned against Frothingham in the sum of \$1,250. Beplogie sued for alleged malicious prosecution on the part of Frothingham.

Judge Albright, in his opinion, says that there is no reason why the verdict ought to be disturbed; no valid ground for a new trial. Unless an appeal is taken to the Superior court, Mr. Frothingham will have to pay the \$1,250 and costs, or go to the county jail for sixty days.

The Patterson Will. The will of James Patterson, late of Winton, was admitted to probate yesterday and letters testamentary granted to James Strong. Patterson was a bachelor and leaves an estate valued at about \$6,000.

To William Patterson, Mrs. Lizzie Anderson and Mrs. Maria Robinson, a brother and two sisters, who reside in Ireland, he left \$1 each, and the remainder of his estate is divided, share and share alike, among Mrs. Annie Strong, of Winton; Thomas Patterson, of Canada, and Jane Patterson, of New York, also brothers and sisters.

Yesterday's Marriage Licenses. John Snyder.....Scranton Louisa Hartmann.....Scranton George E. Brixton.....Scranton Annie E. Coar.....Scranton Marmaduke H. Osborn.....Scranton Ashaway, R. I. Lillian Williams.....Scranton Jacob Gneek.....Jessup Mary Goodman.....Jessup Patrick Berry.....Scranton Anna McNulty.....Scranton

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A number of trainmen and miners out of work have been temporarily engaged to look after train jumpers and property along the main line. Mr. O'Keefe also states that there is no truth in the statement that these men will be called up before the officials of the Trainmen's union next Sunday.

At the Cliff Works. A narrow-gauge locomotive was turned out of the Cliff works yesterday afternoon, and was photographed. It was built for the Kool Sugar company, of Cuba, and will be shipped as soon as it is taken apart and boxed up.

Superintendent Delaney says that the strike has not in the least affected work at the shops, and that they have all the work they can attend to.

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Rine also volunteers the information that the Lackawanna trains are now running on time, and have been for some time past. He says about half the train crews on the road have been affected by the strike.

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This and That. J. M. Daly, superintendent of transportation, has returned from Buffalo, and says that there is an increase in the shipment of grain over the Lackawanna road, which is an indication of a boom in the transportation business.

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ALLAN PINKERTON'S START. Genesis of the Career of a Celebrated Sleuth.

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Philadelphia Grain and Produce. Philadelphia, Oct. 2.—Wheat—Steady; contract grade, Oct. 2, 1900, 100 bushels, 1.25 to 1.30.

New York Grain and Produce. New York, Oct. 2.—Flour—Steady, with a moderate trade; closing unsettled with the late break in wheat markets; \$1.25 to \$1.30.

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STOCKS. Bid. Asked. First National Bank 100 100.00

Scranton Savings Bank 100 100.00

Scranton National Bank 100 100.00

Scranton Trust & Savings Bank 100 100.00

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