## THE SCRANTON TRIBUNE-TUESDAY, JANUARY 8, 1901.



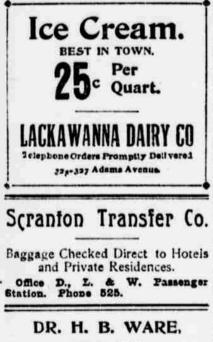
An Excellent Combination.

The pleasant method and beneficial The pleasant method and beneficial effects of the well known remedy, SYRUP OF FIGS, manufactured by the CALIFORNIA FIG SYRUP Co., illustrate the value of obtaining the liquid laza-tive principles of plants known to be medicinally laxative and presenting them in the form most refreshing to the taste and acceptable to the system. It is the one perfect strengthening laza-tive, cleansing the system effectually, dispelling colds, headaches and fevers gently yet promptly and enabling one dispelling colds, headaches and levers gently yet promptly and enabling one to overcome habitual constipation per-manently. Its perfect freedom from every objectionable quality and sub-stance, and its acting on the kidneys, liver and bowels, without weakening or irritating them, make it the ideal layating laxative.

In the process of manufacturing figs are used, as they are pleasant to the taste, but the medicinal qualities of the remedy are obtained from senna and other aromatic plants, by a method known to the CALIFORNIA FIG SYRUP dy are obtained from senna and Co. only. In order to get its beneficial effects and to avoid imitations, please remember the full name of the Company printed on the front of every package

## CALIFORNIA FIG SYRUP CO.

BAN FRANCISCO, CAL LOUISVILLE, KY. NEW YORK, N. T. For sale by all Druggists -Price 50c. per bottle.



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neck and fled.

Tribune.

lay,

Word."



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morrow. Arrangements have been made for a conference today between the operators, em-ployes and officials of the United Mines Work-**BUSY DAY IN** re, and all differences are expected to be satfactorily adjusted.

PAY-DAYS .- The Delaware, Lackawanna and Western company paid yesterday at the Dia-mond, Manville and Storrs minut. Tomorrow the employes of the collicrics around Pittston, IT WAS THE FIRST REGULAR SESSION OF THE NEW YEAR. Kingston and Plymouth will be paid. The Delaware and Hudson company paid yesterday at the No. 2 mines and Eddy Creek at Olyphant. New Officials' Commissions Received.

**KEEPING DISORDERLY HOUSE.-Warrants** were issued by Alderman Millar yesterday for the arrest of Kate Mulliern and a woman known as Mrs. Feency, on the charge of keeping a disorderly house in Dunn's Patch, South Washing-ton avenue. William H. Fisher is the prosecu-tor. The women will be arrested and givin a hearing this morning at 10 o'clock.

SPECIAL MEETINGS.- In the Universalist church, on Pine street, between Adams and Jefferson avenues, Rav. N. S. Sage, LL. D., will give a series of sermons commencing January 18 as follows: Sunday morning, January 15. Three Divorce Decrees Granted. W. B. Christmas Appointed. The first regular term of court for "True Service and Its Reward"; Sunday even-ing, January 13, "Peace Through Conflict" the year 1901 opened yesterday, with Judges R. W. Archbald, H. M. Edwards Monday evening, January 14, "Why Doenn't God Kill the Devil)" Tuesday evening, January 15, and John P. Kelly on the bench. Kill the Devil?" Tuesday evening, January 15, "Ishmael, Praise or Blame"; Wednesday even-ing, January 16, "Christ's Temptation"; Thurs-day evening, January 17, "The Progress of Lib-eral Thought in the Church and the World"; Friday evening, January 18, "Principal or Policy," Rev. L. L. Lewis will preach January 20, morning and evening, Rev. James D. Till-inghast, state superintendent, will preach Jan-uary 25, 26, 27, 28, 29, 30 and 31. Every even-ing at 7.30, Sunday morning at 10:30. Its first act was the reception of the commissions of Judge Kelly and Sheriff Schadt. When these had been read by Clerk Williams, the new sheriff's appointments and the appointment of W. A. Phillips as county detective by District Attorney Lewis were presented and approved.

**INQUEST ON THE** DEATH OF DAVIS

Jury Declares He Was Killed by Barnatto Papa-Only Two Witnesses Were Heard.

Grand Jury Charged. Only two witnesses were examined by Coroner Robe ts at the inquest last In charging the grand jury yesterday night in the Dew y hotel tragedy, of Judge Archbald called attention to the last Friday night, when Harry Davis, alleged corruption in the municipal afthe ex-pugilist, was fatally gashed in fairs of Scranton and advised the jurthe throat with a razor in the hands ors that it was within their power to of Barnatto Papa, an Italian barber. investigate it by summoning witnesses These witnesses were Frank Reiley, and indicting any person they found the bartender, and Harry Hess, one of evidence to warrant it. the crowd of spectators. Their stories He also took occasion to warn them of the affair tallied in the main essenagainst being swerved from their full tials with that printed in The Tribune duty by fear, favor or prejudice. Saturday morning. The jury retired to the grand jury Davis was attracted to the back room and proceeded to pass upon the room with the others in the barroom bills prepared by the new district atby the noise of a scuffle. Papa had torney, W. R. Lewis. been fighting with Arthur Davis, and after the bartender separated them, Papa sat on a chair in the corner. sullenly glaring at his former antagmagistrates and indicated that this was a matter of proper investigation.

Harry Davis walked around the table that was between him and Papa, and approached him as if to calm his apparent rising wrath. Just as Davis got formation. within arm's reach, Papa sprang at

him, threw his left arm about his neck and drawing the right from where it had been resting in his coat pocket, The only return of a constable which

Davis' every action in coolly taking David Miller for keeping a speakeasy. off his coat, collar and tie, and the The constable took occasion to explain capture of Papa just outside the hotel. his untoward conduct by accompanywere told in detail as related in The

s many speakeasies as

that there were no speakeasies in his bailtwick, Judge Archbald remarked in that very expressive way so characteristic of the president judge at times:

ed by adding desertion to the causes for the action. JURORS WERE The injunction in the case of the New York, Ontario and Western com-THE COURTS pany against the Northern Coal and Iron company was continued until March 1, 1901.

In the case of Freeman Leach against Fred Gumaer, a rule was granted to show cause why the sheriff should not turn into court the money he now has in his hands, resulting Without Authority of Court They from the sale of the defendant estate.

It was made returnable January 14, 1901. at 9 o'clock a. m. A rule was granted in the case of Alex. Schlanta against the Springfield Fire and Marine Insurance company, to compel the defendant to furnish the plaintiff with a copy of the insurance policy on which the case is founded. In the case of the Langeliffe Coal company, limited, against the New

York, Susquehanna and Western Coal company, the hearing was fixed for February 4, 1901. Judgment was opened as to Anna Scott in the case of E. C. Newcomb, trustee, against Scott and Beale, and in the case, in the case of Foster against Reese, jugdment on the lease was ordered opened.

#### An Immense Sewer District.

R. A. Zimmerman, William J. Jeffries and W. F. O'Brien, viewers of the Second district sewer in Dunmore, filed their report yesterday, and it was confirmed, by court, conditionally. The total cost of the sewer is \$234,-644.22. It is thirty miles in length has 182 basins, 300 manholes and 100 lamp holes. The system practically covers the whole of Dunmore borough and is the largest sewer ever projected in ion of Judge Kelly follows: Lackawanna county.

It will start at Gibbons' hotel, on Sport hill, and empty into the Fourth district main sewer in Scranton, near the Boies Wheel works. for judgment non obstante veredicto must

#### Marriage Licenses.

trial, however, we are called upon to dispose of a somewhat important question, raised in the fifth reason assigned, viz.: that "the jury, af-ter they had retired for the purpose of consul-tation in the case, visited the place of the accident without the knowledge or presence of any person representing the defendant and with no cautionary instructions as to consultation

## COURT HOUSE NEWS NOTES.

A charter was vesterday granted for the Or der of Father St. Nicholas Cudotworeiz. A charter was yesterday granted to the Bene ficial Society of Northern Italians, of which Ferdinand Arigoni, Emilio Morisini and Luigi Gardellao are diretors Joseph J. Walsh and Charles Schumaker were

yesterday appointed overseers of today's special election in the Sixth ward. Warren Howey, convicted at a recent term of

ourt of assault and battery, presented himself or sentence yesterday and was fined \$5 and costs The bill of \$25 of Attorney M. P. Cawley, com-nissioner in the contested election of A. F.

illespic, was approved by court yesterday and by the county. Walter B. Christmas, of Providence, was yes erday appointed by Judge Archbald to succeed

counsel in the case. But two of the jurors were examined, and what effect, if any, this action meelt as an auditor of the Scranton poor disrict. The term is three years. of the fury had in the making up of their ver-dict, does not appear. Felix Yaros, of Old Forge, filed an application

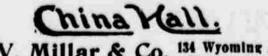
for a liquor license yesterday. He was the first to apply this year. He was also the first It was misconduct on the part of the jury to take it upon themselves to visit the location of the accident without permission of the court. to apply last year and was refused. Attorney P. F. Longhran yesterday brought suit for H. Montgomery & Co. against the Del-

although no doubt unintentional. "Receiving evidence out of court is improper conduct in aware and Hudson company, to recover \$113 for a car load of hay which was burned while lying urors, and will, if influential, violate their verdict. This occurs when jurors \*\* visits the locus in quo without the permission of the court, \*\*\*," 12 Am & Eng. Ency. of Law, on a switch at Avoca. The plaintiff claims that the car was placed on an isolated switch where t was inconvenient. 376.

## NOTICE TO THE PUBLIC.



the table when you can buy a 112-piece Decorated English Porcelain Set for \$9.50P Maybe you can afford something a little better. If you can, we have a dozen dainty floral patterns in natural colors for \$11.00 that you can't duplicate elsewhere for less than \$15.00. The easy way to make money is to save it.



Geo. V. Millar & Co. 134 Wyoming Avenue 



## Schimpff, the Jeweler,

That's the name. You've heard it a good many timesmost every time in fact, when jewelry is the topic of conversation, for the one implies the other.

## Schimpff, the Jeweler,

Has much to show you in the Gift li e-more than you'll see in most other stores. Not only more, but something "different"-novelties that appeal to you, because of their novelty.

## Schimpff, the Jeweler,

Has everything going in the jewelry line. Think of what you want; it's there. Prices, too, are less than you think, when you consider that no matter what you buy, quality is apparent.

317 Lackawanna Avenue.

and will outwear three

sets of any other calk

Diamonds

Silverware

OUR STOCK FOR EXTENT, VARI-

ETY AND FINENESS IN EVERY

DEPARTMENT IS NOT EXCELLED

IN THIS LOCALITY. . . . . . . .

OUR WELL-KNOWN GUARANTEE

GOES WITH EVERY ARTICLE. . .

ALL ARE WELCOME. . . . . . .

Watches

manufactured.



BITTENBENDER & CO., Franklin Ave.

SOLE AGENTS.

Ŷĸĸĸĸĸĸĸĸĸĸĸĸĸĸĸĸĸĸĸĸĸĸĸĸ

NOW OPEN IN OUR NEW STORE WITH A

NEW STOCK FOR THE HOLIDAYS . . . .

The judge also called attention to the large number of apparently uncalled for transcripts returned by the

The jury will give attention to this matter. They have asked the county commissioners to furnish them with in-

Returns of Constables.

Exchange of Seasonable Courtesies,

Grand Jury Charged, Constables

Returns Received, Equity Session

Begun and a Large Batch of Opin-

ions and Orders Handed Down.

Ex-Judge W. H. Jessup arose, when

court was ready for regular business,

and in a few timely words on behalf of

the members of the bar, wished the

court a happy new year. Judge Arch-

A large batch of opinions and orders

were handed down; the grand jury

was sworn and charged; constables'

returns were received, and a session of

equity court commenced.

bald made an appropriate response.

was referred to the district attorney was that of Constable Woelkers, of the tightly clutching an open razor, he drew the blade quickly across Davis' Eleventh ward, who reported Mrs.

ing the report with a statement to the effect that he was directed to report The mark over Papa's eye, so Hess declares, was caused by his head bumping the sill of the door, when the place by Mrs. Amelia Bokelkamp. When Constable J. C. Moran, of the Twelfth ward, made his usual report Bartender Reilly caught him by the

'V. hy don't you constables vary this

thing now when you have the oppor-

tunity, and report that there are not

with persons in the vicinity of the plaintiff's place of business on Penn avenue." WENT TO THE SCENE. From an examination of the depositions taken

in support of this allegation, it appears that after the case was given to the jury, and after they had had dinner at one of the hotels, they went in a body in charge of the tipstaff to the place where the accident occurred, and while there some of the jurors stepped across the atreet, as though stepping off the distance by way of making measurements. Just how the jury came to do this does not appear, but one of the jurors testified that during the progress of the trial he heard the foreman express a desire to see the location of the accident, and heard him say something about the grade of the street upon which it occurred. No request was made to the court for leave to visit the place in question, and we may assume that the tipstaff conducted the jury to the scene at the request of some of the members, without the permission of the court or the kuowledge of the parties or

SULTED IN NEW TRIAL.

Took It Upon Themselves to View

the Scene of the Cause of Action,

and When the Defeated Defendant

Complained of This, the Court

Granted a New Trial-Judge Ed-

wards Deals with Cornelius

In the matter of the application for a ne

Smith's Latest Sensation.

# **CITY NOTES**

MEETING TODAY,-The Central Christian Temperance union will meet this af-ternoon at 3 o'clock in Guernsey's hall.

CARS IN COLLISION .- A Providence and Green Ridge trolley car collided yesterday at Penn avenue and Carbon street. Both cars were mewhat damaged.

AT RESCUE MISSION .- Secretary W. W. Adair will conduct the meeting at the Rescue mission tonight, W. J. Long and J. H. Hartman wil sing during the service

DR. BATESON'S LECTURE .- Dr. Batesion will deliver a lecture on "Medical Myths and Superthis evening in Morell hall, Green Ridge. The lecture is free.

TO INSTALL OFFICERS .- Scrauton camp, No 7395, Modern Woodmen of America, will hold a special meeting this evening to install officers and transact other important business.

CANDIDATE FOR SELECT COUNCIL .-- William Perry has announced himself as a candidate for select councilman of the Thirteenth ward to fill the vacancy caused by the death of A. B. wise seemingly possessed of sense and judgment have fallen.

ONLY TWO CANDIDATES,-Only two can

dates for the Republican nomination for alderman of the Sixteenth ward had registered with Secretary W. E. Davis last night, the last time for registration. These were Phillip J Vetter and Joseph Kline.

DAVIS FUNERAL .- The funeral of Harry Davis, who was killed in the Hotel Dewey, will take place this afternoon at 2 o'clock from his home, 719 Schnell court. Services will be conducted at the house, after which interment will made in Washburn street cemetery. Friends are invited.

STRIKES WILL BE SETTLED .- National Organizer Fred Dilcher is authority for the state-ment that the strikes at the Mount Pleasant and Oxford mines will be settled imm redintels and the men will return to work probably to

We offer subject to previous sale any part of \$10,000 **Gold Bonds** 

Free of Tax. Five per cent. Mature 1910, These bonds are secured by a first mortgage on some 2,000 acres of land and water in Pennsylvania and New Jersey, some of it within forty miles of Jersey City, together with storage houses, rall-youd rights of way, etc., with distributing houses, etc., in Hoboken, Newark, Par-erson, Philadelphia and other cities, The company has a shipping and storage capacity of 600,000 tons. Price and full information on applica-tios.

A. Paine, John J. Kauffman and G. A. Williams. Session of Equity Court.

MR. HURLBURT'S TALK. Only one case came to be heard in equity court, yesterday. It was that of the Delaware, Lackawanna and West-

He Spoke Last Night in Second Presbyterian Church. Rev.

hair and attempted to stop him.

Winebrake, T. Owen Cl

The jury brought in a verdict to the

effect that Davis came to his death

by a wound inflicted in his neck by

Barnatto Papa. The jurors were Police

Lieutenant John Davis, Dr. A. J.

King and others, the sult in which it is C. E. Hurlburt conducted attempted to upset the issue of \$14,000 two interesting meetings yesterday at school bonds of Lackawanna township the Second Presbyterian church. The school district. continuation of the subject of the day

Major Everett Warren, representing before, "The Power of God." At 4 the plaintiff, argued to have the case o'clock he led a Bible study and folcontinued on the ground that it was lowed last evening with a discourse not regularly on the list. Court reon "Development of the Power of God served its decision until today. by the Spirit." This evening the topic Cases continued were: Winton Coal will be "Development of the Power by company, Ltd., against Dolph Coal the Cross." Wednesday night, "Devel-opment Through the Throne." Thurscompany: Peter Sutton et al., against E. S. Callender, et al.; Charles J. Reogh against the Scranton and Pitts-"Development Through the

ton Railway company; David Spruks In the course of his remarks Mr. against J. L. Connell & Co., and Scran-Hurlburt alluded to the misconceptions ton Dairy company against H. E. frequently entertained regarding faith. Haney. He said there is no such thing as blind The two cases of Ellen McAndrew faith. It is either ignorance of God's against George M. Okell et al., were design toward men or the folly of a

discontinued on payment of costs. robellious child. In these days of al-The cases of Luther Keller against most apostasy there are those who the city of Scranton, et al., and B. S. profess to believe that if they believe a Robinson against Michael J. Gerrity in hard enough it will become the are open. truth. If they believe hard enough

## Three Divorces Granted.

Judge John P. Kelly yesterday granted divorces in three of the recent cases submitted to him: Samuel M. Lewis against Carrie Lewis; Annie Davis against James Davis, and Sarah J. Boland against John P. Boland. Desertion was the ground of action in the Lewis case. They were married

day was the day of their marriage.

Buffalo and she was still living with

Desertion was also the cause of ac

tion in the Davis case. They were married August 25, 1894, by Rev. W. R.

Cochrane, of Old Forge. Shortly after-

[Under this heading short letters of interest will be published when accompanied, for publica-tion, by the writer's name. The Tribune does not Secure responsibility for opinions here expressed.] March 7, 1895, by Rev. Henry F. Lee pastor of the Mariners' church, Philadelphia. He was a member of the "Hands Across the Sea" Dramatic Not Provided For. company, and she a member of the Helen Moran Variety company. Thurs-

Sullivan.

him since.

Editor of The Tribune Sir: A paragraph in yesterday morning's Re-

they can believe a hand off or on-it

is but the madness of insanity but a

actusion into which a few people other-

The service of tonight is to be in-

LETTERS FROM THE PEOPLE.

tensely interesting.

ublican conveys the information that the work Friday they separated, and Saturday of the Rescue mission has been provided for for another year. I regret that this is very far from the bride ran away with an actor named Sullivan. correct. The deficit for the year 1900 is still to be made up, and unless the directors receive The cause of her desertion was the discovery of an answer to the groom's inniediate assistance, in addition to what has telegram to his home announcing his ome in already, the work of the past year

marriage and asking for a remittance. will remain partially unpaid for. For this year, 1901, the mission can count The answer was such as to discourage the belief she held that her new upon a large sum to begin and continue work through the opening months, but it will not be provided with necessary funds for 1901 unless husband's rich relatives would send their blessing and a free ticket to easy street. He saw her once since in all old friends and many news ones make a lib-

eral response. The directors have received many generous gifts, and they feel deeply grateful to kind friends who are willing to deny themselves in order to keep the mission doors open, but their anxieties for the past year's maintenance are not over and the problems for 1901 remain un-

solved. Very truly yours, W. E. Plumley, Secretary, Scranton, Jan. 7.

### HOSPITAL NOTES.

Removal Sale.

Built Fisher, of Penn avenue, was taken to the Moors Taylor hospital yesterday suffering with several fractured ribs, as the result of falling Dunmore. March 19, 1898. into the pit at the Lackawanna round he Richard Gallagher, a 16-year-old boy living is Little England, was taken to the Lackawanna hospital yesterday afternoon, suffering with a contused left leg and abrasions of the skin. Gal-lagher was run over by a car in the Manville mine last week and sustained the above injuries. Frank McGinty, of Luzerne street, door tender at the Hyde Park shaft, caught his heel in the latch at the mine yesterday, badly crushing it. He was taken to the Moses Taylor hospital.

Attend Nettleton's Removal Sale. one fourth reice. Washing-Pase against William Pase was amend-

'he Scranton Railway company deevidence, to better pass upon the credibility sires to give public notice of the folthe witnesses, etc. It is on the presumption that lowing changes which have been nea view will throw some additional light on the questions at issue that jurors are in some cases allowed to visit the scene of the accident. There cessitated by the recent advance in wages granted to its conductors and ]

can be no other purpose in allowing a view. So when a view is had the jury certainly receives motorment First-After this date, January 7, evidence out of court, and as we have already said it is certainly improper without the per-1901, no complimentary pass books or

ern Railroad company against Thomas free tickets of any kind will be issued, except as required by existing contracts, over which the company has no control, and to persons continuously employed by the company. Outstanding pass books will not be renewed after expiration.

No persons whatever will be carried free on the cars of this company, except children under three years of age Persons who are deserving of free transportation will appreciate that It is impossible to discriminate in matters of this kind, and that the only equitable plan is to abolish all free transportation.

Second-On and after January 15 1901, the transfer system will be abolished and no transfers will be issued to connecting lines. We appreciate many of our patrons, but in view of ity of the witness or any other disputed fact, the fact that in these prosperous times if the jurors, without the permission of the court all classes of men are receiving high wages and that the conductors and motormen will receive whatever bene-

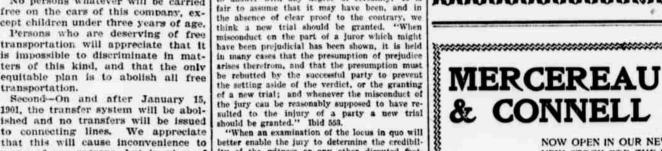
fit may result to the company,we trust that the public, which has generously extended its sympathy to the motormen and conductors in endeavoring to secure higher wages, will continue such sympathy to the practical extent

of approving and acquiescing in this action Scranton Railway Company. By Frank Silliman, jr.,

General Manager.

## mission of the court, and the knowledge of the parties, and when prejudice results a new trial should be granted, 12 Am. & Eng. Ency, of Pl. and Pr. 549. OUESTION OF PREJUDICE.

Was the defendant prejudiced? We are unable answer with any degree of certainty. It is



for the express purpose of acquiring such in-formation a new trial should be granted, unless it is clear that such misconduct could not have influenced their verdict." Ibid 588. "A trial judge is incompetent to decide that a verdict was not affected by outside influence to which the jury had been exposed." Churchill vs. Emerick 56 Mich. 536.

We are therefore of opinion that a new trial should be granted upon the fifth reason assigned, and it is therefore unnecessary to consider the other reasons.

And now, Jan. 7, 1901, the motion for judg-(Continued on Page 8.1

## **Our Annual** clearance Sale NOW ON.

BARGAINS IN ALL Fall and Winter Goods

Coats, Capes, Tailor Suits, Silks, Dress Goods, **Blankets and Comforts** and Underwear.



That Is a Book Case

dewelers

Silversmiths

Fine Jewelry

Leather Goods

Coal

No. 132

Exchange

Avenue

Wyoming

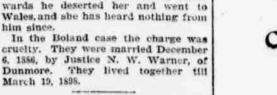
Cut Glass

If you've books, if you're going to have more books, this is the kind of case to buy. Comes in sections-each one a unit-thorough, dust proof. Buy as many units as you need. Arrange them to suit the convenience of your home Keep your books right.

We want to show this new system of Book Cases to you, whether you are interested or not-we'll make you interested.

Scranton Carpet & Furniture Co. REGISTERED.)

415-417 Lackawanna Avenue.



Minor Orders of Court.

In the case of the West Ridge Coal company against C. S. Von Storch and others, a supplemental bill was allowed to be filed, and the Elk Hill Coal and Iron company was added as a plaintiff. The plaintiff company seeks relief from paying the prescribed minimum royalty because the leased veins

## are found to be faulty, in that they "pinch out." The libel in the divorce case of Myra



Sensible and cheap.

A Book Case