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HATTON CASE MAY GO OVER

ATTENTION OF COURT CALLED TO IT YESTERDAY.

Municipal League Asked for a Continuance Because Its Attorney Cannot Come Into Court Now—Application Vigorously Opposed by Attorneys for Hatton—If the Case Cannot Be Tried This Week It Will Go at the Head of the List for the Next Term.

Application was made to Judge Edwards yesterday afternoon for a continuance of the case of the commonwealth against H. C. Hatton, who is charged with perjury by the Municipal League in connection with certain testimony he gave before Alderman Fuller in the league case against former Select Councilman Simon Thomas.

The request for a continuance was made by Attorney F. E. Beers, who said that the attorneys, J. H. Torrey and E. C. Newcomb, who had charge of the case for the league, are unable to come into court at this time, Mr. Torrey being engaged in the trial of an important case in the United States court and Mr. Newcomb not desiring to come into court because of the campaign he has on hand. An important witness for the prosecution, C. G. Boland, they have not as yet been able to subpoena, Mr. Beers said.

A vigorous protest against the continuance of the case was made by Attorneys Joseph O'Brien, John F. Scragg and G. M. Watson. They said the case has already been twice continued at the request of the league and that Hatton was in court demanding a trial and was entitled to it; that he was a poor man and could ill afford to be put to the expense of having witnesses present term after term. Judge Edwards said Hatton was entitled to a trial, but he did not desire to force the league to trial in the absence of its attorneys. Attorney Beers was asked how soon Mr. Torrey would be through in United States court and said he might be on Thursday. Judge Edwards said that if Mr. Torrey is able to take up the trial of the case Friday it will be proceeded with. He advised Mr. Beers to have the subpoena served on Mr. Boland for Friday. If the case cannot be tried on that day it will be put at the head of the list for the next term.

Nathan Cobb Convicted.

Nathan Cobb, an old man 65 years of age, was convicted before Judge Edwards of feloniously wounding Constable Edward J. Neary, of Carbondale, on the night of May 13, last.

Earlier in the day Cobb had trouble with Daniel Dempsey and William Osborne and stabbed both of them. He then retired to a little house he occupied, near the Powderly mines at Carbondale, where Chief of Police McAndrew and Constable Neary went in search of him.

Cobb was in the house and they called to him, telling him who they were and what they wanted. Chief McAndrew stationed himself in front of the house and Neary went to the rear. Neary heard Cobb rushing toward the front of the house and started forward to tell the chief. As he was returning to the rear door, Cobb opened it and ran away, pursued by Neary, who commanded him to stop and fired his revolver in the air.

Cobb went some distance further and stumbled and fell. When he arose to his feet, Neary was almost upon him. The constable demanded that Cobb stop and throw up his hands, and he did both. When Neary got within a foot of him, down came the hands. In one was a knife and in the other a revolver. The knife lodged in Neary's neck and made a frightful wound, missing the jugular vein by an eighth of an inch. Cobb made good his escape after stabbing Neary, and was not arrested until last month, at the home of relatives in Greenfield township.

Attorney Ralph Levy was assigned to defend Cobb, and made a gallant effort for him. Cobb said that when he heard the men outside of his house he thought it was Dempsey and Osborne and, being afraid of them, ran away. When he was pursued and a shot fired, he still thought it was the men he had the trouble with, and when he stabbed Neary he thought it was Dempsey or Osborne who was his victim. Cobb's record is a bad one. There are two other felonious wounding cases on the present list against Cobb.

MINOR CRIMINAL CASES.

Roger Gillis was convicted of having embezzled $41.10 funds of the Sons of St. George of Providence, of which he was treasurer until about six months ago. Gillis offered no evidence in defense.

A verdict of not guilty was taken as to Martin Morrison, charged with being the father of the child of Sarah Jane Sweet. The parties live in Carbondale, the child is now dead and the young woman had no desire to prosecute.

Samuel Edwards, of Bellevue, age 17 years, was convicted of being the father of the child of Miss Edna Heller, of Seventh street, age 19 years. The child was born a year ago and is blind. Miss Heller stated that the offense was committed in her own home one night in January, 1900, after Edwards escorted her home from a party. He remained at her home for the rest of the night. She admitted that she had been intimate with others besides Edwards, but that was two years prior to her offense with him.

Patrick Heler was acquitted of committing an assault and battery on Mrs. Kate Manley, of the South Side. The costs were put on the county. It was a neighbor's quarrel and it was alleged that Heler pushed the woman off his premises and knocked her down. He admitted pushing her away from his place, but denied striking Mrs. Manley.

Herman Haas, an 18-year-old Dunmore young man, was tried on a charge preferred by Annie Collins, also of Dunmore, whose child was born Aug. 2 last. Haas denied absolutely that he had been at all intimate with the young woman, but the jury did not believe him. The verdict was guilty.

Mrs. Lizzie Shea was acquitted of the charge of committing an assault and battery on her neighbor, Mrs. Mary Kendrick. The costs were divided between the parties, who live in West Scranton.

Mrs. Marry Ann Hannon, of Sadie place, West Scranton, was charged with malicious mischief by her sister-in-law, Mrs. Theresa Sheridan. Not guilty was the verdict and the costs were divided. The case was the outgrowth of a bad feeling which existed between the relatives.

A verdict of not guilty, costs divided, was also returned in the case of Liveryman F. E. Everetts, charged with assault and battery by Undertaken John E. Regan. Regan owed Everetts a bill and the latter sent an officer to collect it. This Regan did not like, and on July 11, he called on Everetts and told him so. He alleges that Everett [illegible] him out and kicked him. Everett says Regan was abusive and he put him out. He denied the kick.

Miss Josie Joyce was called for trial, charged with an assault and battery on Miss Maggie Burns. They are from the red light district. The court was informed that they had buried the hatchet and a verdict of not guilty was taken.

Leon Hughes, a 12-year-old boy, on June 10 got in a freight car at the switch at the Stowers packing house, at Pine Brook, loosened the brake and ran the car out on the main line of the Delaware and Hudson, almost causing the wreck of a passenger train. The boy pleaded guilty and Judge Edwards suspended sentence and remanded the boy to the custody of his father, who promised to see that the youth keeps out of mischief in future.

When court adjourned for the day Martin McDonald, John Gerrity and Martin Moore, of Archbald, were on trial before Judge Little in court room No. 2, charged with breaking into a Delaware and Hudson freight car and stealing three kegs of beer.

Richard Joyce pleaded guilty to stealing a watch and some clothing from Edward Coddington, who conducts a restaurant in Carbondale, and by whom Joyce was employed as a waiter. It was shown that Joyce was drunk at the time of the theft and that heretofore he has been law-abiding. These facts and the further one that Joyce has been in jail for sixty days induced Judge Edwards to let him off with a fine of $1, costs and sixty days in jail.

At adjourning hour Arthur Howell, a Dunmore youth of 18, was on trial, charged with being the father of the child of Freda Barth, who also lives at Dunmore. Her mother, Mrs. Mary Barth, is the prosecutrix, and Mrs. Howell sits at the defendant's table with her son.

Martin Crane, a boy, was tried for stealing $5 and clothes from his home in South Scranton. He had been away for a time, and, returning, entered the house through a second story window and took the money and clothes, it is alleged. His story was that he was compelled to secretly enter the house to get his clothes, which his people would not give him. The jury was out at adjourning hour.

INDUSTRIAL JOTTINGS.

The Lackawana Board for Today. George Frounfelker Appointed Yardmaster at Kingston.

Following is the make-up of the D., L. & W. board for today:

TUESDAY, OCTOBER 15.

Wild Cats, East—8 p. m., J. W. Devine; 10 p. m., M. J. Hennigan; 11 p. m., George Thomas.

WEDNESDAY, OCTOBER 16.

Wild Cats, East—1.30 a. m., M. R. McLane; 4 a. m., J. Burkhart; 5 a. m., M. Langones; 8 a. m., William Hoar, with G. T. Staples' crew; 10 a. m., O. Kearney; 11 a. m., F. Hallett; 2 p. m., D. Haggerty; 3 p. m., O. W. Fitzgerald; 6 p. m., W. J. Moser.

Summits, Etc.—6 a. m., east, J. Carrigg; 8 a. m., west, W. H. Nichols; 11 a. m., west, Thompson; 6 p. m., east, J. Hennigan; 8 p. m., M. Golden; 7 p. m., west from Cayuga, M. Gilley; 7 p. m., east from Nay Aug, E. McAllister.

Pushers—4 a. m., Widner; 6 a. m., S. Finnerty; 8 a. m., Houser; 11.30 a. m., Moran; 6 p. m., A. J. McDonnell; 7 p. m., Murphy; 9 p. m., W. H. Bartholomew; 10 p. m., Lamping.

Passenger Engines—7 a. m., Gaffney; 7 a. m., Singer; 10 a. m., J. H. Masters; 10 a. m., F. L. Secor; 7 p. m., Stanton; 8.30 p. m., McGovern.

Wild Cats, West—5 a. m., J. H. McCann; 7 a. m., John Gahagan; 10 a. m., L. D. Lattimer, with Widner's crew; 11 a. m., F. Wall; 1 p. m., T. Donahue; 2 p. m., M. Carmody; 3 p. m., A. E. Ketcham; 4 p. m., P. Cavanaugh; 5 p. m., O. Randolph; 6 p. m., C. Kingsley.

NOTICE.

Conductor J. J. Duffy will run No. 62, with Rafferty's crew, Oct. 16.

Conductors D. Haggerty and O. W. Fitzgerald and crews will attend second course instruction at the air brake instruction car at 10 a. m., Oct. 16.

Conductors W. J. Mosier and F. Van Wormer and crews will attend 2 p. m. class at air brake instruction car Oct. 16 for second course.

Conductors D. Doherty and E. M. Hallett and crews will attend 8 p. m. class at air brake instruction car Oct. 16 for second course of instruction.

Brakeman Frantz reports for Conductor C. W. Dunn.

Brakeman Elsgood reports for Conductor W. A. Bartholomew.

This and That.

The Lackawanna railroad station has been ornamented by a substantial new sign on the side facing Lackawanna avenue.

George Fraunfelker has been appointed yardmaster at Kingston for the Lackawanna Railroad company, to succeed L. L. Edgar. F. J. Mosely, of Dallas, Texas, formerly with the Texas and Pacific Railway, has been appointed stenographer to Superintendent E. M. Rine.

Imperial Crown China Entree Plates, 25c.

Just think what this means. A plate, beautifully ornamented in pink floral design, gold rimmed. Wednesday and Thursday will be your only chances to make your money do such wonders, at Gruener's First Anniversary Sale, 205 Wyoming avenue. **

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$4 **Lackawanna Railroad** $4

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YOU CANNOT afford to miss this opportunity to visit Buffalo and the Pan-American Exposition. The **Four Dollar Tickets** are good going in the day coaches of any Lackawanna train on **October 18, 25 and 30,** and for return the following day.

$6==Five=Day Excursion==$6

Five-Day Excursion Tickets, sold at **Six Dollars**, are good going in the day coaches of any Lackawanna train on **October 15, 19, 22, 26 and 29,** and for return within five days, including day of sale.

$8==Ten=Day Excursion==$8

Ten-Day Round Trip Excursion Tickets are on sale every day at **Eight Dollars,** good for return within ten days, including day of sale.

Bear in mind that all the above tickets are good on all trains in both directions.

All Lackawanna trains land you at the foot of Main street Buffalo. Electric cars run direct from the station to the Exposition grounds or hotels.

For further information, call on or telephone the local ticket agent at Lackawanna avenue passenger station. Telephone, 265-3.

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