

MUST CLOSE CASE TODAY

(Concluded from Page 1.)

belief that we might thereby save time. The Fahey attorneys didn't want to go into an argument of this question, and insisted upon being allowed to develop their case before making arguments. The court agreed that they might do so. Shortly after this, the court announced it did not care to hear any more testimony at present from the Flynn side. "Let the other side be heard for a time," said Judge Weiss, addressing Major Warren. "If deemed expedient, we will hear more from your side later."

When court interrupted the hearing of the Flynn witnesses, an hour and a half had been consumed by Major Warren in evolving testimony similar to that presented at the session last night, from delegates who had been ousted by fake contests without a hearing or even any knowledge that their seats were being contested. One of the witnesses, Peter Gerrity, of the Third district of the Seventh ward, swore he did not know he had been ousted until he arrived here in Harrisburg. Another, Bernard E. O'Reilly, of the Second district of the Tenth ward, testified that the "Mayor of Minooka" told him at Hotel Schadt the morning of the convention that because he was not for Howell and Sando, he would not be allowed in the convention hall. Arrived at the convention hall, the witness said, he found Mr. Coyne blocking the doorway against all who had not been supplied with the blue Fahey tickets.

Were Not Present. For the enlightenment of the court, Mr. Olmsted stated that his side was ready to put on the stand a majority of the unopposed delegates, who would swear they were not in Music Hall when Howell and Sando were nominated. The Fahey side of the case was opened by recalling P. J. Hogan, secretary of the Melvin Hall convention. He produced the minutes, explained that the roll was made up by calling the districts and inserting the names of delegates who responded, and that a roll call on the Judiciary contest showed 115 delegates present. He admitted that he signed certificates of nomination of commissioners and inspector for the "Independent Democratic Party," but on cross examination testified that at the same time he signed certificates of the Democratic party. Secretary Cadden, of the Music Hall convention, testified that he did not call the full roll of delegates and contestants, and asserted that any one who was paying attention would have been able to hear him as he read the roll. He admitted that permanent organization was affected before the committee on contested seats made its report, and that the motion of Mr. Gibbons to substitute Flynn for Fahey was ignored. The motion was not presented, he said, until after the report of the committee on permanent organization had been "unanimously adopted."

The defense of the Music Hall convention was given in detail and in impressive manner by ex-Sheriff John J. Fahey, its chairman. After saying, in response to Mr. Stranahan's "inquiry as to his political faith," that he was a Democrat, Mr. Fahey proceeded to give an account of the convention as he saw it. Secretary Mahon, he went on to say, substituted him as secretary and instructed him to call the convention to order and perfect a temporary organization. He appointed Cadden and Corbett secretaries, and then had Cadden call the roll, which was done regularly and thoroughly. The delegates came forward and presented their credentials. Secretary Cadden then read the communication from the "executive committee," appointing him temporary chairman. There was no objection offered and during all the morning session there was a complete acquiescence of the convention in his acting as chairman under this method of selection.

Named Committees. He appointed the committees and then announced that a motion to adjourn was in order. P. J. Nealis made the motion to adjourn. It was regularly seconded and unanimously carried. Some cheering followed, and when it had subsided and as the delegates were about rising to vote, he announced from the platform in loud voice that all committees would meet at Hotel Schadt at 12 o'clock noon. At this juncture of the examination, Mr. Stranahan said to the witness, "It is due to you, Mr. Fahey, that I ask you if this is the motion to adjourn in the Fahey faction and if the Flynn faction in the Democratic party in Lackawanna county?" "There is not," emphatically replied Mr. Fahey, "Mr. Flynn and myself have been life-long personal and political friends. I never had the honor of being regarded as the leader of a faction and do not regard myself as capable of being the leader of a faction."

Mr. Fahey proceeded then to the events of the afternoon session. When the afternoon session had been convened he called for the reports of committees. The committee on credentials was not ready to report, and with the consent of the convention he proceeded to the next order of business, the reception of the report of the committee on permanent organization. It was presented by B. A. Kelly, of Carbonate, and on Mr. Kelly's motion the convention unanimously adopted it. Some time later, while the convention was waiting for the belated committee on credentials, and its chairman, J. E. McDonald, of Carbonate, was working his way to the front of the stage, he saw John F. Gibbons come forward and heard him make a motion to substitute Flynn for Fahey as chairman in the report of the committee on permanent organization. He informed Mr. Gibbons that his motion was out of order; that the report of the committee had been unanimously adopted, and that the motion to substitute was too late.

Signs of Disapproval. There were some evidences of disapproval following this decision. Mr. Flynn, Mr. Gibbons and others crowded about the front of the stage and made an uproar, while the report of the committee on credentials was being considered. Repeatedly the chair requested them to preserve order, but they kept shouting "Roll call," "Roll call," and some other things. Finally Mr. Flynn and some others left the hall. To the best of the witness's belief not more than thirty all told left with Mr. Flynn. After that there was no disorder, and the remainder of the business was conducted without interruption. Upon cross-examination by Mr. Olmsted, Mr. Fahey practically admitted

that the "programme" of his side was all cut and dried at a meeting in Hotel Schadt the night before the convention. All the men who were prominent in the Music hall affair assisted in the framing of the programme, or as Mr. Olmsted put it, "the conspiracy to defraud the delegates."

"Did you ever vote for Mr. Connell?" Mr. Olmsted asked. "No, sir, never," promptly replied Mr. Fahey. After a moment's pause, however, he asked permission to qualify this statement, and when told he might proceed, went on to say that four years ago, when I. H. Burns declined to accept the nomination for congress, he went into the Democratic committee and voted to endorse Mr. Connell's candidacy, as there was little or no hope of defeating him, and it was believed that with no opposition to Mr. Connell the chances of electing Judge Gunster would be greatly increased. It was because of his interest in his life-long friend, Judge Gunster, that he favored having no opponent to Mr. Connell.

Asked to Name Them. At the close of his cross-examination, Mr. Fahey was asked to name as many as he could of the Flynn delegates who remained in Music hall after the bolt. Mr. Fahey had testified on direct examination to the undisputed fact that he has a wide acquaintance among men who came to Democratic conventions, but the best he could do in the way of complying with Mr. Olmsted's request was to name three men, two Kearneys and A. Hernan.

At the opening of the afternoon session, Sheriff Charles H. Schadt was called to the stand and questioned by Mr. Stranahan regarding what took place at the door of the convention hall. The sheriff said he found eight or ten policemen at the door when he arrived at about 10 o'clock. He told the policemen that "blue" tickets had been distributed among the delegates and that they alone should be recognized. It was only about five minutes that those not holding blue tickets were prevented from going in. After that, everybody was allowed to enter. When the sheriff got inside, Mr. Mahon was reading a paper substituting Mr. Fahey as secretary. Sheriff Schadt then described the convention proceedings in practically the same manner as did Mr. Fahey.

John J. Coyne testified that Sheriff Schadt instructed him to assist at the door in excluding "yellow" tickets. An embargo lasted about six minutes. Mr. Coyne emphatically asserted that no one raised any objection whatever to the proceedings during the morning session. He was standing close to Mr. Gibbons at the afternoon session, and was sure that Mr. Gibbons' motion to substitute Flynn for Fahey was not made until after the report of the committee on credentials—the next order of business—was being read.

Cross examined by Major Warren, Mr. Coyne admitted he was a deputy sheriff and that Sheriff Fahey instructed him and the police officers to admit the "blue" tickets first.

The Fahey Version. The Fahey version of the convention was recited by Henry J. Brennan, of Carbonate, who was at the afternoon session as a spectator; ex-Councilman P. J. Nealis, the delegate who avows he made the motion to adjourn the morning session; C. G. Boland, another spectator; E. J. Lynett, a delegate, and John M. Corbett, one of the secretaries. At this juncture, the Fahey side rested, reserving the right to call other witnesses in rebuttal.

Major Warren then informed the court that he would call the delegates, one after the other, and show that there was not a quorum present in Music Hall when Howell and Sando were nominated. The other side demurred to this on the ground that rule 9 of the party requires only a majority of those present and voting to nominate. Mr. Olmsted read rule 10, which stipulates that no business shall be transacted without the presence of a majority of the delegates on the roll.

Judges Simonon and Weiss consulted over the two rules, and decided that it was necessary to have 96 delegates delegates present to conduct business. They did not definitely decide whether or not a man who was present and not voting could be counted in making up a quorum. The examination of the delegates began at 4:30 p. m., and was not concluded when court, at 5:45 o'clock, took a recess of an hour and a half.

Evening Session. The examination of delegates was resumed when court re-convened in the afternoon and continued until 9:30 o'clock, when adjournment was had. Major Warren simply asked each witness if he was at Music hall when Howell or Sando was nominated. One of the cross-examiners would then find out if he went to Melvin hall and, if so, did he vote for Connell. Occasionally some other questions were asked by the cross-examiners touching upon the make-up of the Melvin hall convention. One cross-examiner consumed twelve minutes with one witness in an evident effort to kill time. Judge Weiss told him he would have to recall the witness to this court examination, as there was no time being saved by allowing direct questioning on cross-examination. It was a polite means of the cross-examiner that he was not hurrying things, at least. The Fahey attorneys were not ready to report, and with the consent of the convention he proceeded to the next order of business, the reception of the report of the committee on permanent organization. It was presented by B. A. Kelly, of Carbonate, and on Mr. Kelly's motion the convention unanimously adopted it. Some time later, while the convention was waiting for the belated committee on credentials, and its chairman, J. E. McDonald, of Carbonate, was working his way to the front of the stage, he saw John F. Gibbons come forward and heard him make a motion to substitute Flynn for Fahey as chairman in the report of the committee on permanent organization. He informed Mr. Gibbons that his motion was out of order; that the report of the committee had been unanimously adopted, and that the motion to substitute was too late.

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HAVE YOU RHEUMATISM? Doctors Say That Every Human Ache Is Rheumatic. The Seat of Rheumatism Is in the Kidneys. Keep the Kidneys Healthy and Rheumatism Will Disappear. YOUR KIDNEYS ARE DISEASED.

A TRIAL BOTTLE OF THE WORLD'S GREATEST KIDNEY CURE SENT ABSOLUTELY FREE TO EVERY READER OF THIS PAPER WHO SUFFERS FROM KIDNEY, LIVER, BLADDER OR BLOOD DISEASE.



Thousands of Men and Women Have Kidney Disease and Do Not Know It Until It Has Developed Into Bladder Trouble, Rheumatism, Diabetes or Bright's Disease, Which Will Prove Fatal If Not Attended to Promptly. Pains in the small of the back, painful passing of urine, inflammation of the bladder, torpid liver, head aches, pains in the back, the head and neck, rheumatic pains and swellings all over the body, jaundice and oedema tell you your kidneys are diseased and are not able to do their work properly. If you have any of these symptoms great care should be taken to stop the progress of the disease and prevent it becoming chronic and prejudging the entire system.

IF IN DOUBT MAKE THIS TEST. Put some urine in a glass; after it stands 24 hours if you find a reddish bristly sediment in it, or particles floating in the urine or the urine is milky or cloudy, you will know your kidneys are in a diseased condition and are unable to perform their work, the result will be the bladder and urinary organs will become inflamed, uric acid will poison the blood, the stomach will become affected and unable to digest the food, the system will become straggled and the result will be a breakdown of the general health, with Bright's disease or diabetes, which will prove fatal if not treated with promptness and great care. Warner's Safe Cure will purify and strengthen the kidneys and enable them to do their work. It will cure rheumatism, rheumatic gout, diabetes, Bright's disease, uric acid poison, inflammation of the bladder and urinary organs and restores the patient's health and vigor.

WARNER'S SAFE CURE. The following letter is a sample of thousands of unsolicited letters received from grateful men and women who have been cured by Warner's Safe Cure: "Eighteen years' experience with Warner's Safe Cure ought to satisfy anyone. About eighteen years ago I was completely cured in four months of diabetes and rheumatism which had a pretty strong hold on me. I had suffered everything. The doctors had almost given me up. My faith in Warner's Safe Cure has grown stronger and stronger as I know a number of the members of the Boston police force who had suffered from kidney, bladder trouble and rheumatism have been entirely cured and are well and robust men today. In fact, every one that I have introduced to use Warner's Safe Cure has been greatly benefited by it." Station 16, Baylston St., Boston, Mass., August 17th. Lodge No. 24, K. P. Warner's Safe Cure is purely vegetable and contains no harmful or harmful drugs; it is free from sediment and is pleasant to take. Beware of so-called kidney cures full of sediment and of bad odors—they are harmful. It does not constitute. It is a most valuable and effective tonic. It kills the disease germ; it is a stimulant to digestion and awakens the torpid liver.

WARNER'S SAFE CURE moves the bowels gently and aids a speedy cure. CURES RHEUMATISM. If you decide Warner's Safe Cure is what you need you can buy it at any drug store, two regular sizes, one and \$1.00 a bottle. There is none just as good as Warner's Safe Cure. It has cured all forms of kidney disease during the last thirty years. It is prescribed and used by doctors themselves in the leading hospitals as the only absolute cure for all forms of disease of the kidneys, liver, bladder and blood. TRIAL BOTTLE FREE.

To convince every sufferer from disease of the kidneys, liver, bladder and blood, that Warner's Safe Cure will cure them, a trial bottle will be sent absolutely free, postpaid. Also a valuable medical booklet which tells all about the diseases of the kidneys, liver and bladder with a prescription for each disease, and names of the thousands of testimonials received daily from grateful patients who have been cured by Warner's Safe Cure. All you have to do is to write Warner's Safe Cure Company, Rochester, N. Y., and mention having read this liberal offer in this paper. The genuineness of this offer is fully guaranteed by the publisher.

before nominations for congress and Orphan's court judge had been reached; three voted for Howell and Sando, one had voted in both conventions, and ten were present at Music hall, but did not vote. Eight of these last ten did not vote because their names were not called. The other two refrained from voting because they did not choose to vote. One of the eight was T. J. Handley, of the Nineteenth ward, Second district. J. J. Murphy's name was called for that district. Some one responded, but it was not Mr. Murphy. Mr. Handley said he was one of these. Mr. Murphy said himself that he did not vote and had no knowledge of who it was that did vote. Major Warren announced just before adjournment that twenty more delegates will be called in the morning. "Court stated that the case must be finished tomorrow." T. J. Duffy.

COUNTY INSTITUTE.

It Will Be Held in Court House During Week of October 27—The Instructors Engaged.

At a conference held yesterday afternoon, between County Superintendent of Schools J. C. Taylor and Prof. Charles Hoban, superintendent of the Dunmore schools, it was decided to hold the annual institute of the teachers of the county and Dunmore in the main court room at the court house during the week of October 27.

The teachers have always objected to having the institutes conducted in the court house because of the poor acoustical properties. Last spring Superintendent Taylor leased the hall of the new Young Men's Christian association building for the institute, but at a conference held this week with Secretary Mahy he was informed that there was no certainty of his being able to have the hall this year at all. As the superintendent is desirous of having the institute over before the holidays, and as the week of October 27 is the only one during which the court house could be secured, he had to select the time agreed upon.

Among the instructors secured are the following: Dr. W. W. Stetson, superintendent of instruction, of Maine; Dr. Frank L. Jones, superintendent of instruction, of Indiana, and Miss Julia E. Rogers, director of the correspondence course in agriculture and nature study at the Cornell university. Mrs. Mary H. Hunt, of Boston, a director of the National Educational association, will also lecture. Mrs. Hunt is superintendent of Women's Christian Temperance union work for the world, and has been largely instrumental in securing the passage of laws in three-quarters of the states in the Union, requiring instruction by means of physiology on the evils of intemperance.

A meeting of the directors' association will be held in connection with the institute on Wednesday, October 29. The program committee of the association met yesterday to decide upon a programme. This committee consists of the following officers: President J. E. McAndrew, of Archbald; Vice-President John W. Reese, of Taylor; Secretary N. S. Davis, of South Abington.

DAY OF ATONEMENT.

Opening Service in the Madison Avenue Temple. Yom Kippur, or the Day of Atonement, was ushered in last evening and fitting services were held by the Anshe Chesed congregation in the temple on Madison avenue. During the service, a quartette composed of Mrs. Gutheiss, Miss Garagan, William Roberts and Ralph Williams sang, and the rabbi,

An Unimpeachable Combination.



The very finest Imported and Domestic Fabrics, patterns all new, designed, cut and made by the most skilled workmen in the United States, and the PRICE make a combination of merit which can be found only in the line of Men's Fine Clothing now on exhibition in our store. It will pay you to call and see this line if in need of a suit or overcoat

Our Line of Boys' and Children's Suits and Overcoats. Are so different from any other line in Scranton that we have no competition, the goods being manufactured especially for us.

To the Ladies of Scranton: When tired of searching for something new in Children's Fine Clothing, stop at Griffin's. You will find what you want.

M. H. GRIFFIN, Clothier, Hatter and Furnisher. 318 Lackawanna Avenue

A Special Shoe for a Special Class of Ladies. At this season of the year, when the weather is most uncertain and when one must use every precaution against taking cold, the school teacher and the young lady employed at office or store often finds when it is time to return home that she must journey through a storm with thin shoes and no rubbers. If you are in this class it is you that we want to interest in the L. R. D. M. Shoe for Ladies. We have placed our name on this shoe because it is the best ladies' shoe in Scranton and because it carries our guarantee. \$3.00. Buy either of the following 3 specials of Goodyear welt in solid heavy leather, extra heavy extension sole and military heel. Style A—Vici Kid vamp, mat kid top, patent leather tip. Style B—Enamel vamp, mat kid top and toe. Style C—Vici Kid vamp, top and toe. Either of these styles is a perfect protection to the feet. LEWIS, RUDDY, DAVIES & MURPHY. 330 Lackawanna Avenue. Next Door to new First National Bank Building.

Office Furniture THE LARGEST AND MOST COMPLETE LINE IN THE CITY. Everything that is new—everything that is desirable. Be sure and see our line and get our prices before you buy. Hill & Connell, 121 Washington Ave.

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COLDS

Scarcity of coal and the high prices of fuel means cold homes and much sickness. "While I don't mean to recommend the use of 77 instead of firewood, I do know that its use prevents and breaks up colds, prevalent even now, and promise to be more so as the season advances." Your office or shop may be cold, your home poorly heated, but if you take "77" you will be free from sickness, and recover sooner than your neighbor. The use of Dr. Humphreys' "77" restores the checked circulation, starts the blood coursing through the veins, and breaks up a cold. At all Druggists, 25 cents, or mailed on receipt of price. Doctor's Book Mailed Free. Humphreys' Homeopathic Medicine Co., Corner William and John Streets, New York.