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PERSONAL.

W. R. Shurtis, of Boon, Ia., is the guest of his daughter, Mrs. Olof Turnquist. Secretary D. B. Atherton, of the board of trade, is engaged on business in New York city. Miss Anna Mason, of South Main avenue, has returned from California, where she spent the winter. Rev. Dr. George J. Lucas returned last evening from Washington, where he attended the consecration of Rt. Rev. Bishop Gorman.

THEY ASK FOR AID.

Usual Conditions Extended by Three Prospective Manufacturing Concerns. Three distinct manufacturing ventures were launched yesterday through the board of trade, but the conditions exacted make it improbable that any of the three will be brought to a definite issue.

Letters were received from parties representing respectively a silk, a machinery and a tongueless buckle manufacturing concern, but in each instance it was provided that the board should furnish a free site and secure subscriptions for stock. For over a year the board of trade's manufacturing committee has disappointed the subscription policy, so it is unlikely that any of the propositions will receive consideration.

Uniformed colored porters are in charge of day coaches to show all attention to the passengers on the Nickel Plate Road.

Pillsbury's Flour mills have a capacity of 17,500 barrels a day.

SPRING GOODS

And we are showing the best styles ever offered.

Dark Red Russet

Is the popular color for this season's wear.



Schank & Koehler,

410 Spruce Street.

FISHER WAS ACQUITTED

Jury Brought in a Verdict Last Evening.

THEY TOOK SEVERAL BALLOTS

It Was the Shortest Murder Trial in the History of Lackawanna County. The Defendant Exhibited Great Happiness.

Never before in the criminal history of Lackawanna county has the trial of a man indicted for murder taken up so soon as the trial of the case of Charles Fisher, the young Russian Poleander, charged with taking the life of Michael Rotoski, at the Ridge, in Archbald borough, on Feb. 10 last. The case opened at 10 o'clock Monday morning and required until 2:30 in the afternoon to select a jury. Then the testimony for the commonwealth was begun, and it was finished at 11 o'clock yesterday morning. The testimony for the defense was very limited, and was all heard by 2 o'clock in the afternoon. The case went to the jury at 2:35. Judge Edwards in his charge said the jury could not find a verdict of first degree. At 3 o'clock last night a verdict of not guilty was returned.

John Valvoski was the first witness for the commonwealth yesterday morning. In his house the fight took place. He denied that he saw the blow struck; he saw Fisher with a chair in his hand and saw Rotoski fall on the floor, but did not see the blow. He was the last witness the commonwealth had, but Attorney Ballentine made a motion that the court order the jury to go out to call Joseph Valvoski, who was an eye witness of the murder and who had been subpoenaed. Mr. Jones objected, stating that the man had been doing his best lately to assist the defendant. Judge Edwards decided that Valvoski should be put on the stand and he was called. He testified that soon after Rotoski came in a fight started. Rotoski struck the defendant first with his fist and then the latter picked up a chair with both hands and dealt him a blow on the head. Here the commonwealth rested.

STORY OF THE DEFENSE. Attorney Ballentine opened for the defense. It would be shown, he said, that the blow which killed Rotoski was inflicted by Michael Fisher and not the defendant. A few character witnesses were sworn and they testified to the defendant's reputation as a law-abiding citizen.

Warden Thomas Jay, of the county jail, testified that the defendant had two ugly cuts above the forehead and was bruised on the sides and back when he was brought to prison. County Detective Leysch was put on the stand to tell why Michael Fisher, an important factor in the case, was not present. Mr. Leysch said he had a subpoena for him and endeavored to find him, but was unsuccessful. Fisher had skipped out.

The defendant was next put upon the stand. He cannot talk English and his testimony was interpreted by Martin Woyshner. He weighs 165 pounds and is an able bodied young man for one who will not be 20 years old until next October. He presents a peaceable appearance and was dressed in a neat suit of blue clothes.

He came to this country from Russian Poland three years and seven months ago and lives in Pittsburg, Wilkes-Barre and Archbald. To the latter place he came in November, 1895. He worked in the breaker and on the day of the murder there was no work. On that morning he was at Valvoski's house. Michael Fisher and Joseph Caspaso were there and they drank a pint of whisky, several quarts of beer and afterward got into a quarrel. They were indulging in the contents of the keg when Rotoski came in about 2 o'clock. Rotoski's wife was after him to go home and Michael Fisher tried to prevent him from going with her. Rotoski and Michael Fisher began quarreling. The defendant tried to separate them and was struck in the face for his efforts at peacemaking.

WHY HE LIFTED THE CHAIR.

He said he lifted the chair to ward off the blow which was aimed at him. Michael Fisher, in the affray, struck Rotoski on the head with a flatiron or something of that sort. The defendant was covered with his blood and his shirt that he wore on that day splattered with his own blood was offered in evidence. The defense then rested. County Detective Leysch was called in rebuttal. He swore that the defendant told him the day after the murder that the cuts he had were received in a fight with Michael Fisher and Rotoski was fatally wounded.

Attorney W. Gaylord Thomas made the closing plea for the defense and said he instructed the jury that the defendant who struck the fatal blow, District Attorney Jones went over the evidence and in concluding he urged the jury to show by their verdict that human life is sacred and no man has a right to take it.

Judge Edwards began his charge to the jury a few minutes before 3 o'clock. The law, he says, holds human life most sacred, and no one is allowed to take it unless under the most exceptional circumstances. In the case of the murder of Michael Rotoski, the jury could not find the defendant guilty of murder of the first degree. The law and the evidence did not warrant such a conviction.

NO FIRST DEGREE VERDICT.

He then explained the difference the law makes between manslaughter and murder. As he took away from the jury the consideration of murder of the first degree, and the defendant was charged in the indictment with two counts, murder and manslaughter, the verdict must be either murder of the second degree or voluntary manslaughter.

Judge Edwards said it was his duty to instruct the jury on a few general principles of law. One of these principles, and it has become a leading feature in England and America, is that every defendant is presumed innocent until he is proven guilty; another is that the burden of proof is on the commonwealth, and the defendant must be proven guilty beyond a reasonable doubt. The defense offered evidence to prove that Michael Fisher had struck Rotoski with a flatiron before Charles Fisher struck him with the chair. Referring to this feature of the case, Judge Edwards said that if the jury believe that the two Fishers aided and abetted each other in a common purpose to inflict bodily harm on the deceased, and that his death was the result of such common purpose, then he would be guilty of the same as if the blow he struck with the chair was the one which resulted in death. The jury retired to deliberate upon a verdict at 2:35. It was the shortest murder case on record in this county.

VERDICT OF NOT GUILTY.

At 7:30 last evening the jury in the Fisher murder case brought in a verdict of acquittal. Judge Edwards had told the jury when he gave the case into their hands that if they should not agree until after court adjourned he would come to the court house at 7:30 and receive the verdict then if they had agreed.

Court Messenger A. S. Newton turned the lights in the main room at 7:30; a few minutes later Deputy Warden T. J. Price led the defendant in handcuffed, and a little later Attorneys W. Gaylord Thomas and C. J. Ballentine, who defended him, made their appearance. Besides those, only Deputy Clerk of the Courts T. P. Daniels and a few citizens were present when Judge Edwards came upon the bench.

The jury filed from their room into court in charge of Tipetaves Butto and Keller. Harry G. Dunham, cashier of

the Dime Deposit and Discount bank, was foreman of the jury. He was first and had the sealed envelope containing the verdict. It was handed to Judge Edwards, who tore it open, glanced at it and returned it to Clerk Daniels, who read it aloud. "Gentlemen of the jury, heaven unto you the verdict as the court hath recorded it. In the case wherein the commonwealth is plaintiff and Charles Kosloski, alias Charles Fisher, defendant, you say you find him not guilty." They nodded assent, and Judge Edwards, turning to them, said briefly that their verdict was possible under the evidence. He bowed they were not put to any great inconvenience and excused Mr. Dunham from further attendance at this term of court.

THE DEFENDANT HAPPY.

As the jurors were leaving the court room Attorney Jones and Ballentine shook hands with each one of them. Mr. Price asked the court what to do with the defendant and was told that there being no other charge against him he should be given his liberty. Fisher was so happy that he laughed hysterically for a minute or two. He had a short conversation with his attorneys, and they advised him, as he is just entering the threshold of manhood, to learn a profitable lesson from his experience and never be again in a criminal court again as a defendant.

The advice pleased him and he said that he would follow it out. He had other resolutions to make which were to leave the Ridge and never go there any more. Having no money nor any friends he decided to go back to jail for the night and leave this morning to begin life anew. He was in jail seventy-one days yesterday. A Tribune reporter asked Mr. Dunham how the jury stood and he said that several ballots were necessary. When they went out it was about six for conviction and six for acquittal. The court ordered the jury to go out to call Joseph Valvoski, who was an eye witness of the murder and who had been subpoenaed. Mr. Jones objected, stating that the man had been doing his best lately to assist the defendant. Judge Edwards decided that Valvoski should be put on the stand and he was called. He testified that soon after Rotoski came in a fight started. Rotoski struck the defendant first with his fist and then the latter picked up a chair with both hands and dealt him a blow on the head. Here the commonwealth rested.

OTHER CRIMINAL CASES.

Simon Arushas Tried Before Judge Gunster for Felonious Wounding.

Judge Gunster was on the bench in No. 2 court room and the first case came was against Simon Arushas, charged with feloniously wounding John Kaditus on New Year's Day in Lukan's speak-easy on Lloyd street. Joseph Mullins and Joseph Lohusky were accomplices of Arushas, but the three were indicted separately and Attorney C. H. Soper for Arushas would not consent to have the three cases tried together. Assistant District Attorney John M. Harris conducted the case for the commonwealth.

On the above date Kaditus and the three defendants were in a room at the County Jail. A drunken war started and Kaditus got five billiard cues smashed over his head. He was so badly used up that for several days he lingered between life and death at the Lackawanna hospital. Arushas claimed that there was a free fight in progress and that he acted in self defense. Mrs. Mary Lukan, who is now in jail for running the place without a license, was a witness for the commonwealth. The jury got the case about 3 o'clock and they slept in the court house all night.

LAWRENCE ON TRIAL.

Allan Lawrence, the bandmaster, was put on trial next for receiving stolen goods. Assistant District Attorney Harris represented the commonwealth and Attorney John F. Scragg, the defendant. The charge against Mr. Lawrence is that he purchased a hand instrument that he knew was stolen. When the Ethel Tucker theatrical company was here several months ago one of the members of the band that accompanied it stole a horn from the property of the company and sold it to a man in Forest City, who afterward sold it to Mr. Lawrence. The case was begun a short while before adjournment.

Daniel Davis and Timothy Roney, two young men who were indicted for stealing a pair of boots from Alton Klier, plead guilty and were sentenced each to pay a fine of \$1 and spend 11 months in the county jail.

When the murder case went to the jury the case of Constable J. S. Miller against Lee W. Nicholson was called, but Mr. Scragg, the defendant's attorney, was engaged in No. 2 and the case was continued until today.

SOUTH SIDE CASE.

The assault and battery case of Stephen Kainer against Charles Sauer was then called. District Attorney Jones represented the commonwealth and Attorneys A. A. Vosburg and W. S. Hulslander the defendant.

He is a boy about 18 years old. He and the prosecutor live on the South side in the Nineteenth ward and they had a dispute about some trivial matter. Sauer employed physical force as one of his arguments. The case will be resumed today.

CONTINUED ONE WEEK.

Hearing on the Twentieth Ward Aldermanic Contest.

The argument on the rule to quash the petition of the contestant in the Twentieth ward election was made returnable Monday, but it did not take place for the reason that the progress of other matter engaged the attention of the court, and it was postponed until next Monday, when the April term of argument court begins.

Attorneys John J. Murphy and T. V. Powderly, representing John J. Ruddy, the contestant, have asked to quash John E. O'Malley's petition for a contest on the ground that the names of some of the signers to it were procured by coercion; others did not give their consent, and others who signed it were not citizens for one or another of the various disqualifying causes.

Y. W. C. A. NOTES.

The noon-tide meeting yesterday was well attended. Miss Carson made some earnest remarks and the beautiful solo which Miss Florence Robertson sang was enjoyed by all present. Every woman is invited to embrace the opportunity of attending the Bible reading today at 4 o'clock. Bring your Bibles.

Miss Sara Carson, of New York, arrived here Monday at 1:04 p. m. She will have charge of the meeting every day and every evening this week at the Young Women's Christian association rooms. Each service will be made helpful and joyous. Special music will be furnished.

A gospel meeting was held last night at 7:30. Mrs. Jayne, Miss Anna Huber and the Young Women's Christian Association Chorus club assisted with special music. Every woman and every girl is invited to attend these services.

The rooms of the Young Women's Christian association have been brightened nearly every day the past week by the generous gift of beautiful roses from G. R. Clark & Co., florists.

Stole a Keg of Wine.

Charles Richardson and David Eagan, of the Sibley, were arraigned before Burgess Griffin of Taylor, Monday evening, charged with taking a keg of wine from the home of George Breasey. They were held in \$200 each, Jacob Bender becoming their security.

THE PEOPLE BELIEVE what they read about Hoot's Sarasaparilla. They read that it is an honest medicine, and that it cures what is a way you should only get Hoot's.

HOOT'S PILLS cure all liver ills, relieve constipation and assist digestion.

VERDICT IS NOT GUILTY

Finding of the Jurors in the Luce-Bateman Case.

IT WAS RETURNED YESTERDAY

On the First Ballot the Jurors Stood Nine for Acquittal and Three for Conviction—Case Was Tried in an Able Manner.

John S. Luce and W. G. Bateman were acquitted of the charge of an attempt to commit arson. The verdict of the jury was rendered in court at 2:30 yesterday morning.

The fire occurred on Monday night, Oct. 22, 1894, at 9:45. Messrs. Luce and Bateman were arrested on Dec. 14, following the fire, and the case was down for trial several times since, but was continued for one reason or another until it was taken up a week ago yesterday. The evidence of the commonwealth took up two and one-half days and that of the defense as much more. The evidence closed Saturday and on Monday the closing arguments were made. The case went to the jury at 5:30 that afternoon.

It is due to the attorneys engaged on both sides to comment upon the able, thorough and splendid manner in which they conducted the trial. Assistant District Attorney John M. Harris, Hon. John P. Kelley and Attorney Joseph O'Brien represented the commonwealth and the following prominent array appeared for the defendants: Attorney George S. Horn, Major Everett Warren, Attorney A. J. Colborn, Jr., Attorney John P. Scragg.

On the first ballot the jury stood nine for acquittal and three for conviction. Monday night the jurors could not arrive at a conclusion, but yesterday morning before court opened other ballots were taken, which resulted in a verdict of not guilty being returned.

COMING ATTRACTIONS.

Charles L. Davis will present his well-known play, "Alvin Jostlin," at the Frothingham tonight. It is said that this will be the last opportunity the actors will have of seeing Davis and his play. No expense has been spared to make the farewell season a memorable one from a scenic point of view. Besides this a strong and well balanced company has been engaged. During the sixteen years that Mr. Davis has been before the public as "Uncle Alvin" he has made millions laugh at his eccentricities and quaint sayings. He is the originator of the Yankee farmer character and has played the part of "Alvin Jostlin" over 5,000 times. His \$100,000 worth of diamonds will be displayed today in the window of Rexford's jewelry store on Lackawanna avenue.

Walker Whiteside, who has won a prominent place for himself among American tragedians, will produce "Hamlet" at the Frothingham Friday night. When Mr. Whiteside appeared in New York city some months ago although practically unheralded he succeeded in winning approbation such as is seldom accorded a new comer in the Eastern metropolis. To the Eastern critics it was a genuine surprise that "So good a thing" dramatically could come out of the west. It is a note that he has achieved his worthy success in plays closely associated with the career of the late Edwin Booth, and that critics elsewhere have with peculiar unanimity commended his work with that of the greatest Shakespearean actor of the day.

On Saturday afternoon and evening theater-goers will have a new and different offering. "On Erin's Shores" at the Frothingham. It deals with an interesting epoch in Irish romance, yet the story is told in quite an original manner, and the play is amply supplied with comedy and exciting situations. Appropriate costumes are worn by the different members of the company, which includes Edmund G. Moroney, in strong dramatic work; James W. Reagan and Fannie Gonzalez, as comedy characters, and various others who display great versatility throughout the performance. Special scenery is used, and some picturesque effects presented, notably, a ruin "Ruined Castle," with a rustic bridge and the moon shining brightly on the waterfall below.

WM. PRYNN'S CONVERSION.

It Was Celebrated Last Night by Rescue Mission Converts.

Yesterday was the fourth anniversary of the conversion of William Prynn at the Rescue mission, and the event was celebrated at the mission last night. In the audience were eighteen converts.

Beginning at 7:30 o'clock began a praise and testimonial meeting, which lasted nearly two hours. It was led by Prynn, the object of the celebration. He is the janitor of the Coal Exchange, and an evangelist, took an active part in the service, which was followed by a social period and the serving of light refreshments in the basement.

Exercises of Raymond Institute.

In addition to the published programme of the John Raymond Institute during the evening, exercises, which is to be given on Thursday evening, the committee have secured H. E. Hilschman,

the famous autoharp player of New York city, who will render two selections. Students of the institute and members of the association should apply today at the association office for reserved seat checks for themselves and friends. All seats will be free. The exhibit of educational work is now being arranged by Educational Director Burroughs, and it will be a striking object lesson of the growth and influence of this department of the Young Men's Christian association work.

THE MOON TOO FAR NORTH.

Fierce Storms May Follow Its Southward Course—Prof. C. Cole's View of the Phenomenal Heat That We Have Experienced During the Past Two Weeks.

On April 10 the moon passed over the celestial equator northward, and on April 14 we noticed by the vibrometer that the lunar rays photographed upon the degree lines were 24 degrees higher than ever before recorded by the vibrometer. On April 18 the extreme point of the moon's north declination, (declination, in astronomy, means the distance from the equator), an increase of 24 degrees were recorded. As a rule the distance of the moon's north and south departures from the equator is about 29 degrees on either side, so that the extremes are 58 degrees. But on April 18 the moon's north declination was 32½ degrees, which was the cause of the unprecedented warm weather that we have experienced during the month of April.

The moon will swing back to the equator on April 24 and then travel southward until April 30, and it she makes the same strain on her south declination as she did on her north, a young blizzard will be almost sure to follow on her trail as she swings back toward the equator, which point she will reach on May 7. If she falls short of her usual south declination 3½ degrees that will balance things and fine weather will continue; but if she does not, a sweeping cold wave will kill the fruit and do untold damage in many parts of the world.—Professor Cole, in Storms and Signs.

Frogs Croaking, Not Us.

Something New

always here, with many firms hard pressed. Our ready money brings us many bargains. We add a small percentage and quick selling does the rest. We will look for you this week. For Tuesday and Wednesday a few specials.

Scissors

A reliable maker just made us 800 pair. Knowing the steel and workmanship to be A, we had a name "Rexford" stamped on them. 5 inch up to 9 inch. No 50c scissors. Better, and the price for two days only,

17c

Pictures

The art room is rich with just what you want, a pleasant place to sit and rest. You are welcome to buy or visit. We place on sale to-day a hundred real signed etchings, on plate paper, size, 20x25 inches, worth a dollar. Pick them out.

20c

Frames to fit them. Prices small for this sale, 10c moulding 4c foot, 20c moulding 10c foot, 30c moulding 35c foot, made and all.

Fruit Knives

Triple plate, fancy handle, steel blade, six in nice box, worth \$1.50; 75c the set.

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The Laughlin Semi-Vitreous China Open Stock Dinner Pattern. We are able to supply all, having received a large shipment. Handsomely decorated, full gold, rose-plate, dinner set, \$12.00, or select such pieces as you want.



Tea and Toilet Set, Silverware, Rockwood Libbey's Cut Glass, Etc.

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