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BEWARE OF COUNTERFEITS. THE GENUINE POPULAR PUNCH CIGARS. Have the initials G. B. & CO. imprinted in each cigar.

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DR. C. D. SHUMWAY, SPECIALIST. In Diseases of the Lower Bowel, Hemorrhoids, Fistula, Fissure, Protrusion, Ulceration, Etc., 308 Washington Ave., Opp. Tribune Building. Office Hours—9 to 12, 2 to 5.

WEEK OF COMIC OPERA.

Wilbur Company Will Be at the Frothingham Theatre.

The Wilbur Opera company will open a week's engagement at the Frothingham Monday evening. The company is stronger than ever this year, strengthened by a valuable addition of living pictures.

Notwithstanding the enormous amount of time, labor and capital devoted to the living pictures, the operas have not been slighted in the least. If anything, they have been elaborated the coming season, and presented with a perfection of detail. Entirely separate and distinct costumes are worn in each opera.

At the request of hundreds of his patrons, Manager Wilbur has this year revived the beautiful marches and entrancing drills which were formerly such a feature of his productions, and reproduced them with an entire new set of costumes, and with marvelous light effects.

Twenty-four girls are used to perform these military evolutions, which will be given several times during the coming week. The repertoire for the week is as follows: Monday night, "Two Vagabonds"; Tuesday night, "Fra Diavolo"; Wednesday matinee, "Dorothy"; Wednesday night, "Marilyn"; Thursday night, "Bohemian Girl"; Friday night, "Boccaccio"; Saturday matinee, "Marilyn"; Saturday night, "Grand Duchess".

The engagement will open with a matinee Monday admission free, but only ladies admitted.

"We have used Hood's Sarsaparilla in our family for several years and have been highly pleased with it as a blood purifier and tonic."—Mrs. S. J. Van Fleet, Wallsville, Pa.

HOOD'S PILLS cure all liver ills.

Men's Elegant Russet Shoes for \$2.50 and \$3.00 at the Five Brothers' big cash store today, worth \$4.00 a pair.

Ask Your Dealer for McGarragh's Insect Powder, 25 and 50-cent boxes. Never sold in bulk. Take no other.

The New Lager. Call for Casey & Kelly's extra fine lager beer. Be sure that you get it. The best is none too good.



OPINION IN THE BOSCHINO CASE

District Attorney John R. Jones Received It from Supreme Court.

WAS WRITTEN BY JUSTICE STERRETT

Affirms the Clear, Concise and Thorough Manner in Which District Attorney Jones Presented the Commonwealth's Case and the Able Charge of Judge Gunster to the Jury.

Justice Sterrett wrote the opinion handed down in the Supreme court Wednesday affirming the verdict of murder of the first degree in the Boschino homicide case. The opinion speaks of the fair and impartial trial the defendant received, the clear, concise and thorough manner in which the evidence of the commonwealth was presented to the jury and the adequate instructions given by Judge Gunster as to the law applicable to every phase of the case.

The line of argument of District Attorney John R. Jones before the Supreme court is followed out by Justice Sterrett. The justice in summing up declared that the case was fairly and correctly tried, and there appears to be nothing in the record of which the defendant has any just reason to complain.

District Attorney Jones received the opinion yesterday and it is as follows: "The case is one of the highest grade of felonious homicide. The evidence tends strongly to prove that the deceased, Frank Conforti, was the victim of a wilful, deliberate and premeditated murder; and the only serious question of fact for the jury was whether the defendant was the guilty agent. The testimony adduced and relied on by the commonwealth is established by the facts, is merely circumstantial, but also direct and positive. Three of the commonwealth's witnesses testified, in substance, that they were at or very near the scene of the alleged murder, at the time it was committed, and that they saw and recognized the defendant as the person who fired the fatal shot. If their testimony was believed by the jury, they could have little if any difficulty in reaching the conclusions of fact on which their verdict must necessarily have been based.

BOSCHINO DID THE SHOOTING. "After testifying fully and circumstantially as to what occurred on the Sunday afternoon of Nov. 11, when the deceased, the defendant and other persons were together, including the altercation that then occurred, etc., the separation of the company shortly before the deceased was shot, and the direction in which some of them went, Antonio Imbrano, one of the witnesses referred to, proceeded to say in substance that he went up the hill towards his home, and when he was near the middle of the railroad he heard two shots and saw the deceased, Conforti, fall near the stump; that these shots were fired by Boschino, and two or three minutes afterwards he saw him fire three shots more; that at the time the shots were fired Boschino was in the bushes, on the right side, and Conforti was on the path, walking towards the railroad, in the direction of his home, etc.

"Rocco Salvatori, another of said witnesses, testified substantially that he saw somebody—Boschino, as he believed—shoot from the bushes, and Conforti dropped, and, as he fell, he uttered an exclamation indicating that he was at least seriously wounded; that, as it appeared to him, the witness, Conforti, heard a noise in the bushes immediately before the shots, and turned, and, as he turned around, he was shot; that at first he heard two shots, and then Boschino advanced a few steps and fired three more shots.

CONFORTI'S BODY FOUND. "John Myran, the third witness, testified to having heard two shots, and he then turned back a few steps and faced somebody in front of him, who fired three shots; that Boschino, the man who fired the three shots, ran towards the Lackawanna railroad; that he (witness) was scared, ran in the bushes and came to where Conforti was lying, looked at the body and saw blood coming out of the mouth, then went home and told those who were there. He also testified that when the first two shots were fired Conforti, who was standing in the path, fell, etc.

"According to the testimony of Dr. Kelly, the coroner, he made a post-mortem examination on Monday, Nov. 12, and found a small, circular wound between the second and third ribs at the right edge of the breast bone, which passed through both cells of the heart, the left ventricle of the heart and through the root of the left lung; and the bullet was found in the cavity of the left lung, with considerable blood, etc. He also testified that this bullet wound was the cause of Conforti's death.

"It is not our purpose, nor is it necessary, to further summarize or refer especially to the evidence. It is sufficient to say that the testimony above referred to and a great deal of other evidence, much of which is purely circumstantial, tended to prove not only the commission of a wilful, deliberate and premeditated murder on the person of the deceased, but also the defendant's participation therein, as claimed by the commonwealth. On the other hand, the testimony of the defendant himself and other evidence introduced in his behalf, tended to show that he was not a party thereto; that at the time the fatal shot was fired he was at the place where the shooting was done, but was then at his own house some distance away from

the scene of the alleged murder. As the learned trial judge—referring to this branch of the defense—very properly said: 'If the defendant was at his own home when the fatal shot was fired, of course he could not have fired it himself.'

CASE WAS FAIRLY TRIED. "No question is raised as to the admission or rejection of testimony. We are satisfied from an examination of the record before us that all the evidence introduced by both parties was properly before the jury, and was clearly and to their exclusive consideration. It appears to have been fairly and impartially submitted to them with clear, concise and fully adequate instructions as to the law applicable to every phase of the case. Sixteen requests for instructions were made by the defendant's counsel, in which the law, relating to the burden of proof, the nature and effect of a reasonable doubt, and other matters pertaining to the defense, was stated in terms most favorable to the defendant. These requests were all affirmed with the exception of one, and the jury were thus provided with a clear and reliable guide in considering the evidence and in endeavoring to arrive at a correct conclusion as to the guilt or innocence of the defendant. In addition to that the instructions contained in the general charge were, as already intimated, fully adequate and substantially correct. In connection with these instructions the testimony was impartially reviewed by the learned trial judge, and the rights of the defendant were carefully guarded.

"An examination of the record with special reference to the specifications of error—all of which were to the charge—has failed to convince us that any of them should be sustained. The subjects of complaint in the first three, together with the fifth and sixth, are respectively excerpts from the charge. In neither of these, severed as they are from the context, does there appear to be any substantial error. When read in connection with their respective contexts, every doubt as to their correctness vanishes. In other words, the charge as a whole, including the portions complained of, is clearly correct.

THE FLIGHT OF DEFENDANT. "The excerpt, relating to the flight of the defendant, recited in the first specification, was immediately followed by statements which brought into view the defendant's theory of the case. The same may be said as to the third specification in which reference is made as to the alleged alibi. Indeed, the entire paragraph from which that excerpt is taken is substantially the language of this court in Watson v. Commonwealth, 52 Pa. 418.

"It is the special duty of the court to call attention to discrepancies in the testimony, and we are satisfied that, in the discharge of that duty, there was no error in charging as complained of in the second specification. Nor can the court be convinced of error in giving instructions to the jury, as requested by the defendant, and hence the fourth specification should be dismissed. As we have seen, the defendant's counsel presented sixteen requests for instruction. If other instructions were deemed necessary, they should have been requested.

COURT BELOW IS AFFIRMED. "We find nothing in either of the specifications that requires further notice. The case was fairly and correctly tried, and there appears to be nothing in the record of which the defendant has any just reason to complain.

"The judgment of the court below is affirmed, and it is ordered that the record be remitted for the purpose of execution."

DONATIONS TO THE HOME.

Gratefully Acknowledged by the Officers of the Institution. The Home for the Friendless gladly and gratefully acknowledges gifts from the following donors:

Mrs. J. L. Strout, fruit and jelly; Mrs. A. E. Hunt, flowers; Misson, Band Grace Reformed church, bed clothing; Charles D. Neuffer, 25 boys' hats; Jenkins & Morris, hats; Guild of St. Hilda, reading matter; Zedler's bakery, quantity of bread and cake; Mrs. E. N. Willard, clothing; Mrs. C. H. Lindsay, quantity of clothing; Mrs. W. W. Waters, literature; Ethel and Fred Woolworth, birthday cake; Mrs. W. H. Perkins, fruit; Huntington's bakery, quantity of bread and cake; Mrs. Simon Rice, provisions; Rohrwasser's bakery, bread; Mrs. William Shafer, reading matter; Mrs. J. A. Robertson, medicine, fruit and vegetables; Mrs. Edward Siebeck, children's clothing; Eastern Star Lodge, (Hyde Park), ice cream and fruit; milk donated several times each week by Mrs. C. P. Matthews, Mrs. John Sherer, Mrs. E. N. Willard, Mrs. Everett Warren, Mrs. George Catlin, N. B. Ashley, Lackawanna Hotel, box crackers; Trinity Lutheran church, provisions; Mrs. O. Lyons, carpet rags; Mrs. D. E. Taylor, flowers; Morel Bros., garden plants; Mrs. R. W. Luce, jelly; Mrs. R. H. Prear, cake; Christian Endeavor society, Second Presbyterian church, quantity of clothing; Mrs. W. W. Waters, fruit, vegetables, etc.; Miss Jennie Reynolds, carpet rags; Mrs. N. Y. Leet, clothing and reading matter; O. J. Beemer, 500 fresh buns; Mrs. M. J. Wichtman, quantity clothing; Mrs. H. A. Crossley, canned fruit; Goldberg & Burres, barrel bread and rolls; Everett Brothers, fish and vegetables; Miss Reid's class, missionary money; J. J. Fahrneholt, hair cutting for children; Consumer's Ice company, ice daily; deserts from Mrs. C. D. Simpson, Mrs. G. L. Dickson, Mrs. Alfred Hand, Mrs. W. H. Perkins, Mrs. William Connell.

Perfection in Cake-Making. Housekeepers frequently wonder why it is that they cannot make biscuit and cake that are light and palatable and that taste as delicious as the biscuit and cake made by their mothers and grandmothers, the delightful memory of which even to this day creates a sensation of pleasure to the palate. The trouble arises from the highly adulterated flour which even to this day is used in the preparation of these goods. The adulterated flour contains large quantities of lime, earth, alum, and other adulterants, frequently from the use of which the flour and consequently very so much in strength that no person can tell the exact quantity to use, or properly combine them, to insure proper results. From using too much or too little, or because of the adulterants in them, bitter, salt, yellow, or heavy biscuits or cakes are frequently made. These adulterants are also injurious to health.

All this trouble may be avoided by the use of the popular Royal Baking Powder. Where this preparation is employed the place of cream-of-tartar and soda, its perfect leavening power always insures light, baky, digestive biscuit, cakes, and pastry, that are perfectly wholesome and free from the impurities invariably present when the old raising preparations are employed.

The Royal Baking Powder, we are informed by the most reliable chemists, is perfectly pure, being made from highly refined ingredients, carefully tested, and so exactly prepared and combined that it never fails to produce the best and uniform results. An additional advantage in its employment comes from the fact that bread or other food made with it may be eaten while hot without fear of indigestion or any unpleasant results, while being equally sweet, moist, and grateful to the palate when cold.

Pillsbury's Flour m.s.s have a capacity of 37,000 barrels a day.

DAMAGES AWARDED MRS. LUXEMBERGER

A Verdict of \$2,500 Against the Scranton Traction Company.

ANOTHER SUIT AGAINST COMPANY

It Was Called After the Luxemberger Case—Miss Bridget O'Connor, of Taylor, is the Plaintiff—Verdicts Were Taken in Five Suits—Court Will Convene This Morning at 8.30.

Mrs. Mary Luxemberger was awarded a verdict of \$2,500 against the Scranton Traction company for the injuries she received on Jan. 8, 1894, in an accident in which a Taylor street car jumped the track on the grade below the Round Woods. Her husband, Peter Luxemberger, sued the company for damages on account of her injuries, necessitating expense for medical attendance, etc., and he was awarded \$500. The two actions were tried together. The total verdict is \$500 more than the amount the Traction company offered to pay the plaintiffs without going to trial.

Another suit against the Traction company was then called before Judge Archibald. Miss Bridget Connors, of Taylor, is the plaintiff and her attorneys are Hon. John P. Kelley and Joseph O'Brien. Horace E. Hand, and Judge W. H. Jessup represent the company. Miss Connors is 23 years old. On April 2, 1894, about 2 o'clock in the afternoon she was a passenger on a Taylor car inward bound.

When the car left the Robinson street switch on the West Side, it jumped the track and rolled down the 5-foot embankment to Ninth street. She was thrown violently against the side of the car and sustained an injury which has since left her in poor physical condition.

HER PHYSICIAN'S TESTIMONY. Dr. William Haggerty was her principal witness, and he testified that for three months after the accident he attended her daily, then his visits became fewer, about every other day, and after she got around so as to be able to walk out she has visited his office twice a week for treatment. It is possible that in time she may fully recover, but not very probable, he said, that she will ever become fully restored.

On the part of the defendant Motorman Joseph De Nils, who was in charge of the car, testified that all due diligence was observed by him, and that it was an unavoidable accident. Drs. N. Y. Leet, W. E. Allen and J. E. O'Brien were sworn as experts to prove that the trouble of which the plaintiff is suffering could be caused by some other reason than the accident. Mr. Kelley, in cross-examining Dr. O'Brien, asked him whether or not he is an expert witness for the company. The doctor answered that he has been called a half dozen times to testify in two years. The case will be resumed at 8.30 this morning. Miss Connors asks damages in the sum of \$10,000.

GAVIGAN TRESPASS CASE. Judge Edwards charged the jury in the trespass suit of James Gavigan against the Atlantic Refining company, but a verdict had not been returned at adjournment. The jury agreed about 5 o'clock, sealed the verdict, and will hand it to the court this morning.

The suit of the Ingersoll-Sergeant Drill company against the Greigsville Salt Mining company was tried before Judge Edwards, and a verdict for the defendant was returned. Attorneys J. M. C. Ranck and C. W. Dawson appeared for the plaintiff and Major Everett Warren and Hon. C. P. O'Malley were attorneys for the defendant.

In 1891 the Salt company let the contract to sink a salt mine at Greigsville, N. Y. The contractors leased the machinery they needed from the Ingersoll-Sergeant company. The contractors failed to pay for the use of the machinery and a suit for the debt, which was \$1,625.24 with interest from Oct. 22, 1891, was brought against the Salt company. The latter held that they were not responsible for the debts of the contractors, and after hearing the case the jury took the same view.

SOME VERDICTS TAKEN. In the suit of Mary Roberts against the city of Scranton a verdict for the plaintiff was taken for \$93.75; in the suit of E. H. Evans against the city a verdict of \$190 was taken; and in the suit of James H. Connors against the city a verdict of \$400 was taken. These were suits for damages alleged on account of grading.

A verdict of \$24.70 was taken for the plaintiff by agreement in the suit of John Cappulinsky against Paul and Catharine Drubund. The amount was for wages due on a contract made to raise the defendant's house.

Excursion to St. Louis Mo. In order to accommodate those who desire to attend the Republican National convention to be held in St. Louis, Mo., June 16th, the Erie Railroad company have arranged to place on sale special excursion tickets to St. Louis and return, at the rate of fare one way for the round trip. These tickets will be good for return passage on or before June 21. The Erie is the natural route from this section of the country to St. Louis, and the accommodations are superior in every respect to all others. Be sure your ticket reads via this popular line.

Ladies' Southern Ties at the "Five Brothers."

ECONOMICAL BUYERS

Always watch for our annual "oddware" sale. They know what it means—that it means useful, desirable Crockery of almost every kind at half regular prices. That a piece of Crockery is "odd" in our stock doesn't imply that it's any less desirable to you, and you can buy it for half.

China Hall, MILLAR & PECK, 134 Wyoming Ave. Walk in and look around.

The Glass Sale Starts today. In our west window your eyes can read the story. A new design so near to real cut glass that you, like us, will hardly believe it imitation.

Berry Sets Or for ice cream, large dish and six small. 48c.

Cream and Sugar To match, for berries, the two pieces 15c.

Tea Set Four pieces, Butter Dish, Sugar, Cream and Spoon Holder, 48c.

A hundred shapes we say nothing about. Come and see.

THE KEELY CURE Why let your home and business be destroyed through strong drink or morphine when you can be cured in four weeks at the Keely Institute, 721 Madison Avenue, Scranton, Pa. The Cure Will Be Investigation.

REXFORD'S, 303 Lacka. Ave.

THE KEELY CURE

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THE KEELY CURE

SPRING SUITS AND OVERCOATS

For Men, Boys and Children. An elegant assortment at prices that are very low considering the quality, make-up, etc., is being shown at our store. If you are thinking of buying a Spring Suit call in and look at our stock—it will do you good, and as, too, of course. We are almost sure you will buy—cannot resist.

OUR HAT AND FURNISHING GOODS DEPT. Is replete with everything that is new and stylish; all the latest styles and colors. Call in and be convinced.

We Have On Hand THE BEST STOCK IN THE CITY. Also the Newest, Also the Cheapest, Also the Largest.

CLOCKS IN ALL FASHIONABLE STYLES. Porcelain, Onyx, Etc. Silver Novelties in Infinite Variety. Latest Importations.

Jewelry, Watches, Diamonds. R. E. ROGERS, Jeweler and Watchmaker, 240 Lackawanna Ave.

WE FIT ALL MEN. No matter what their size, their shape, their looks or color of their eyes. Our clothing is fit. Your suits fit and our prices are so reasonable as to fit your sense of what is proper and fair. We invite your patronage. If given an opportunity we will deserve it.

BOYLE & MUCKLOW, 416 LACKAWANNA AVENUE.

TAKE CARE OF YOUR EYES and your eyes will take care of you. If you are troubled with headaches or nervousness go to DR. SHIMBURG and have your eyes examined free. We have reduced prices and are the lowest in the city. Special spectacles from \$1 to \$2; gold from \$4 to \$6. 433 Spruce Street, Scranton, Pa.

THEY FIT. LADIES' SHIRT WAISTS COMPLETE ASSORTMENT OF SIZES. We Can Fit Misses from 8 to 12 Years Old.

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