DEFENSE IN VAN HORN CASE

Mr. Wedeman Outlines What They Propose to Prove.

KILLING WAS ACCIDENTAL

Playful Prank of a Man Not Mentally Sound.

It Is Claimed That the Accused and His Alleged Victim Were Virtually Man and Wife; That the Cellar Was Their Rendezvous: That They Were Locked in Each Others Arms the Playful Accident Occurred .- Van Horn's Affeged Confession.

Insanity and accident, combined, are the theories upon which the defense in the Van Horn case will try to explain the killing of Mrs. Josephine Wescott.

The line of defense was laid before the jury at 2.30 o'clock yesterday afternoon by Mr. Wedeman. The story, as he told it, was plausible, and, even by the face of the commonwealth's very conclusive testimony-admitting the claim of the defence that certain portions will be proven untrue-the explanation is not lacking in any of the chief elements of probability.

After dwelling upon the sworn duty of Jurymen to go into the box presuming the detendant innocent and reminding them that the law directs them to consider circumstantial evidence secondary to direct or positive evidence. Mr. Wedeman proceeded to tell the story of the "unfortunate affair" as the defendant's side viewed it.

George Van Horn, he began, was a well-to-do, respectable, esteemed and intelligent citizen of this county some years ago. Then, he lived with his mother in Dunmore and was generally accredited with being a worthy son of a very worthy mother. He married and to better his condition he moved out west, accepting employment on a radroad, first in lown and then in Michigan, While working in this latter state he met with a very serious accident. One day while riding on the top of a freight car he was struck on the top of the head by the cross-beam of a bridge and thrown from the car and through the bridge, a distance of His scalp was torn from the top of his head and the skull was depressed, injuring the brain. For weeks and death, his wife all this time tendforced to withdraw from all secured they admitted, some years later she secured they admitted.

Next the detense offered the Saund secured the secured

MOTHER WILL GO ON STAND She will go on the stand, Mr. Wedeman said, and testify to what is averred above. His mother will go on tify that her son was in almost constant worry about the injury to his head; that he was far from being the same man, mentally, that he was before the accident; that frequently he would grasp his head between his hands and ry out: "Mother, I can't stand it. My head will burst," and then, strong man though he was, he would cry like a child.

time and living in this city.

Some eight or ten years ago Van became a boarder at Mrs. Wescott's. By that peculiar, insidious and indifinite something, which same students of human nature call affinity" as Mr. Wedeman put it, drew these two people together and from the very first they loved each other. There love was of the most ardent kind, but they could not openly avow it because of Mrs. that Lieutenant Davis and Detective We sest having a husband living. They were however, man and wife, virtually. "You may call it lifleit love" said Mr. Wedeman, but if ever two people did love it was George Van Horn and Mrs Wescott. For ien years there never was a time when their love and faithfulness for each other ceased. Except when he had taken some drink he wus the devoted lover of this woman. On lar statement in question might have these excepted occasions he was not himself. Drink affected him more than it did the ordinary person, with information that went into the story. full metal powers. It destroyed his Without reading the story be could not discretion and blurred his finer quali- be positive on that point. ties. It made him irresponsible for his actions."

"He lived with her and they enjoyed each others affections. In doing this however they were very regardful of the common decencies. Mrs. Westcott's daughter, Mrs. John Van Horn, however, formed an antipathy towards Van Horn and the result was that sho Their mutial love would not, however, allow them to long be seperated, and them, they met and agreed to continue their relations chandestruly. The celwas arranged that a white clothing killed Mrs. Wescott. hung from the side window should be

SHE WAS IN TEARS.

A witness would be put on the stand, Mr. Wedeman said, who would testify that she found Mrs. Wescott in tears one day and asking her what was the trouble was field that she, Mrs. Wes-cott, was afraid to live in Scranton because of her husband; that he had lust been to the house and she was afraid of him. The witness asked her if she wasn't afraid of George Van Horn and she answered "George Van Horn" No. No indeed."

As an instance of Van Horn's im- He and His Money Disappeared Toparred mental faculties Mr. Wedeman told of how the accused could not beir the name of the farmer at tilenburn for whom he worked last year and how it was necessary in subpoena directed to "the owner of the farmer just below the bridge, the other side of Clark's Summit etc."

the cellar. They had a long talk, sitting together on the cellar steps, and not a little of their conversation was regarding the possibility of their living together again as they had been. "Brace up and be a man," said Mrs. Wescott, "Go to work and when you are able to make a home for us, we

py together."
Van Horn joked about the scolding she was giving him and said: "Aren't you arraid to talk to me like that, see how easily I could kill you," at the same time drawing the back of his razor, as he supposed, across her

She withdrew her arm from about his neck and exclaimed: "George, George, you've cut me!" "Oh, I guess The not," said Van Horn, leaning down and looking at her neck.

THE SIGHT OF BLOOD.

The sight of the blood, which was beginning to show itself, sent a thrill of horror through him and, dropping his razor, he started upstairs after Mrs. Wescott, who had rushed out while he was standing dumbfounded at what he had done. Then he did what every other person would do in such a plight and amid the excitement of the moment, fled from the scene.

It would be further shown that Mos. Wescott gave Van Horn a dollar that night; that they usually our their say-There by Appointment and While ings together and that when Van Horn was in need of money he went to Mrs.

Wescott for it. That he said some of the rattlebrain things that the commonwealth alleges would be admitted, but that he went around like a lion roaring out on the streets that he would do bloody murder, in this or that particular way, and then escape in this or that fashion, checked one, may throw some light or would be shown to be as untrue as it the affair. Mrs. Kochner says her huspreposterous even for such a mentally deficient unfortunate as George Van Horn.

That Mrs. Wescott sought Van Horn's company; that she came to visit him where he would happen to be working; that she relented for the arrest which she was forced to make, and that she, in fine. from the first time they met loved George Van Horn devotedly and unceasingly. One particular witness, he said, would tell that on one occasion Van Horn and Mrs. Wescott, together with the witness, walked over from Hyde Park, not long before the killing. At the Linden street bridge Mrs. Wescott stopped and told Van Horn to wait there until she went ahead to see if everything was all right. Another witness would tell that Wescott sent word one night to Van Horn to come over; that the children were our and the coast was clear. Glaring discrepancies would be shown in the commonwealth's testimony and much of their now apparently strong case would be shattered. He asked the

give the defendant the benefit of every reasonable doubt. The defectse recalled several witnesses of the prosecution for cross-examination, among them Mrs. John Van Horn, who denied that her mother and George Van Horn lived as man and vife at any time and that she herself had expressed a willingness to pull the rope that would hang Van Horn.

jury to follow the evidence closely and

CONTINUANCE NOT ALLOWED. Mr. Wedeman wanted a continuance and weeks he hovered between life until Saturday, but it was not allowed. Thereupon he began his opening, erly and sellcitously nursing him. He When he had concluded two witnesses, recovered physically, but his mental Affred Reed and his son, Eugene Reed, powers were impaired. Such a change were called and in turn they tostified came over him that his wife, who pre- that Van Horn worked on their farm vious to the accident and during his at Glenburn during harvesting in 1896. illness, was most devoted to him, was He might have come to Scranton freforced to withdraw from his compan- quently in the evening or on idle days.

> to Van Horn's habit of playfully drawing his razor across Mrs. Wescott's threat was ruled out as not being evi-

Saunders' statements in effect are as man and wife. He gave her his wages and when he wanted money went to her for it. One time she her-rowed \$10 from Saunders to buy Van Horn a suit of clothes. At times Van Horn appeared to be a little off.

The next morning after the killing, Saunders says, he met Van Horn back of the Delaware and Hudson denot on Lackawanna avenue at 6.30 o'clock. Horn came to work in Scranton and They spake to one another. Van Horn saying he was going up country to look for work, and Saunders remarking that it was "--- near time" for him to get to work. Saunders was out of town on the preceding night and did not know of the killing.

> The defense next called J. F. Mitchell, city editor of The Tribune, to show Moir had given the newspapermen to understand that Van Horr in his confession said the deed was accidentally committed. Mr. Mitchell, in answer to various questions, tesufied that he printed such a statement and that the story of the confession was gotten from Lieutenant Pavis and Detserive Moin but, that it was possible the particu been secured from Captain Edwards. from whom he also seemed part of the

The case was adjourned until Saturday worning.

CLOSING EVIDENCE.

The closing evidence on the part of the Commonwealth was from Hiram Helm, who testified to Van Horn havirg made threats; Mrs. Joseph Brown and her daughter Laura of Clifton, at whose home Van Hern stopped for receeded in forcing them to live apart, der; Chief of Police Rolding, who identified the razor; and Lieutenant John soon after the daughter came between them, they met and agreed to continue brought Var. Horn back from Wadena, Iowa, and who allege that he confessfar was chosen as a fendezvous and it | ed to there each menarately that he

On cross-examination Lieutenant the signal for a trest. This plan was Davis denied that he told the newsacted upon and it was during one of paper men who handled the these meetings that the unfortunate affair occured."

SHE WAS IN TEADS.

Dayle deficient that the handled the story of the return of the prisoner. Mr. Charles of the Republican; Mr. Main, of the Truth; and Mr. Mitchell, of The Tribune that Van Horn in his confession said he had committed the deed accidentally, Mr. Thayer read a newspaper clipping purporting to be an interview with the Ecuterant in which he said

witness if he had been quoted correctly. He denied over having made such a statement. KOCHNER AND HIS \$70.

what is averred above and asked the

gether Last Friday.

Andrew Ko hner, of 1132 Licyd street, has disappeared. The police have been notified that he left home last Friday with a team of horzes which he sold for \$70 on that day, and has not been seen since.

Kochner is married and is 35 years old, the left home last feeling the sold business; also thoroughly unlerstands the seneme of accounts as applied to any the of pushness address COMPETENT, 123 larch street, city. rder to secure this witness to get a | for \$70 on that day, and has not been

other side of Clark's Summit etc."

Van Horn would go on the stand. Mr. Wedeman said, and tell the detailed steps of the saff occurrence, which in curbine is a stallowed. The signals were exchanged as usual and they met in The fact that Kochner, on the morn-

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full sized package. Send for free book on stomach discases to Stuart Co., Marshall, Mich.

ing of his disappearance, left home before his wife arose and that he were "best" suit beneath the black checked one, may throw some light on land has been murdered. Her friends gay he is in Amsterdam or Binghamton, N. Y., where he has relatives.

BROWN LEFT A WHITE TRAIL,

Didn't Know It and Alderman Howe Let Him Off With the Costs.

John Brown's ash wagon has holes in its bottom part and John's horse vent marching through Oakford court. near the Jermyn, yesterday, leaving behind a trail of white. One of Street Commissioner Dunning's men scented At the Linden street bridge the trail and gave chase until be reached Brown, a colored man, several blocks away. When before Alderman Howe, Brown

stated that he didn't know the mischief going on behind his back. He paid the costs and was discharged.

ONE MONTH'S FIRE RECORD.

Flames Cause But \$50 Damage, Least in Five Years.

According to the records of the fire department, the loss by fire last month was less than \$50. This is the smallest monthly loss in five years. In order that there shall be no mis take in the figures. Chief Hickey's clerk was yesterday directed to visit ien-

ants where slight fires occurred and property owners and confirm the department's figures. The loss will in any event be close to the amount There was almost the usual number of alarms, but the efficiency of the department prevented any but trivin! damage.

A GREAT COUNTRY THIS.

Isaac Fuller Startled by the Positive Facts About Scranton.

Isiac Fuller, of Poughkeepsle, N. Next the detense offered the Saund. Y. a former resident of this vicinity, and for many years one of the best known editors of New York state, writes as follows concerning the Great-

er Scranton edition of The Pribune "The Positive Pacts About Scrapton, seem almost ineradible when I the stand, he further said, and will test that Van Horn and Mrs. Wescott were reflect that seventy-five years ago I lovers and practically lived together went from the head of Wyoming valley to a grist mill at Slocum Hollow, now the site of the city of Scranton, with a grist of wheat, passing through a ferest and fording the Susquehanna river at Pittston. A great country

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SITUATION WANTED-A YOUNG MAN wants work in store, clerking or book-keeping. Business college graduate. Can give good reference from last employers. Ad-gress JOHN THOMAS, 510 Charles street, City.

STUATION WANTED TAKING CARE of horses or any other kind of work, Address F. B., Tribane office.

STITUATION WANTED - BY YOUNG girl in office or clerk; permanent posi-tion desired. Address CLERK, Tribune.

BUTCHER - THOROUGHLY EXPERI-enced in all brachese of the trade, seeks employment. Address RUTCHER, 210 Wayne avenue, Providence. STUATION WANTED-MRS. FANNIE Hart, practical latindress, lace curtains a specialty. Call at 512 Taylor avenue and give me a tria.

SITUATION WANTED-BY AN EXPERI-enced girl to work in a small family, or do second work. Best of reference. Address 641 Harrison avenue, Scranton.

CITUATION WANTED-TO TAKE HOME S washing, froning, or go out by the day, scrubbing or any kind of work. Address 129 Blickens court.

STUATION WANTED-TO DO COOK-Sing in a private family; must sleep home Address, 113 Linden street, City. SITUATION WANTED-AS FOREMAN or night watchman experience Address, B. T. T., Tribune.

STRUATION WANTED-BY AN EX-per enced grocery cierk; even years in general store. Reference furnished. Ad-dgess, flox 81, Mayfield, Pa.

SITUATION WANTED-BY AN EXPER-lenged house teeper. Call 332 Blakety street, Dunmore, Pa DOSITION WANTED BY EXPERIENCED A stenographer, will also do elerical work; notafrald to work, references. X. Y. Z. Trib.

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THE ANNUAL MEFTING OF STOCK holders of the Cross Fork Water Company will be held Friday, bee, 10th, at 10 a m, at the office of the Lackawanna Lumber Co., far the election of directors and such other business as may properly come before the meeting. J. L. CONNELL, Secretary.

LEGAL.

IN RE: ESTATE OF JAMES M. EVER-hart late of the city of Scranton, Lacka-wanna county, deceased. Public notice is herecy given that as administrator I will exwanna county, decreased. Public notice is herecy given that as administrator I will expose to public sale at the arbitration room in the court house, of the city of Scranton, county of Lackawanna, on Monday, Dec. 13, 1897, at 2 o clock p. m. simrp, the balance of the personal property of the late lames of the personal property of the late lames of the personal property of the late lames of the personal property containing the following: Judgmen against Joseph Walker, \$171.60; L. P. Burrows, agreement with James M. Everhart, dated Junes, 1896; note against Joseph Walker, July 15, 1892; for \$233.37; mortgage, W. H. Beynolds against Jennie M. Rafferty and hasband, assigned to James M. Everhart, aprount due \$185.03; interest from April 18, 1897, recorded in (Lackawanna county M. B. 36, P. 104; Pueblo Land company, 29 Shares; note against Brooks Campbell, \$20; indgment against H. is. Smith, No. 258, September Term, 1891, revived 1895, for \$124 30; jadgment against H. is. Smith, No. 258, September Term, 1891, revived 1895, for \$124 30; jadgment against H. is. Smith, No. 258, September Term, 1891, revived 1895, for \$124 30; jadgment against H. is. Smith, No. 258, September Term, 1891, revived 1895, for \$124 30; jadgment against H. is. Smith, No. 258, September Term, 1891, revived 1895, for \$100, accured by two lots in Lansdown, Delaware county, Pa.: receipt for \$1,500, for faterest James M. Everhart. The said property to be sold to the highest and test bidder. Terms, cash. I. F. EVERHART, Administrator of the Estate of the Late James M. Everhart, Deceased.

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