

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 There by Appointment and While Locked in Each Others Arms the Playful Accident Occurred—Van Horn's Alleged 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 Westcott. 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 that the accused, even in the face of the commonwealth's very conclusive testimony—admitting the claim of the defense that certain portions will be proven untrue—the explanation is not lacking in any of the chief elements of probability. After dwelling upon the horn duty of jurymen to go into the box presuming the defendant 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 railroad, first in Iowa 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 fifty feet. His scalp was torn from the top of his head and the skull was depressed, injuring the brain. For weeks and weeks he hovered between life and death, his wife all this time tending and soliciting nursing him. He recovered physically, but his mental powers were impaired. Such a change came over him that his wife, who previous to the accident and during his illness, was most devoted to him, was forced to withdraw from his companionship. Some years later she secured a divorce and is now married a second time and living in this city.

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 the stand, he further said, and will testify 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 cry out, "Mother, I can't stand it. My head will burst," and then, strong man though he was, he would cry like a child.

Some eight or ten years ago Van Horn came to work in Scranton and became a boarder at Mrs. Westcott's. "By that peculiar, insidious and indolent something which some students of human nature call 'affair,'" 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. Westcott's husband living. They were having a man and wife, and Mr. Wedeman, but if ever two people did love it was George Van Horn and Mrs. Westcott. For ten years there never was a time when their love and faithfulness for each other ceased. Except when he had taken some drink he was the devoted lover of this woman. On these exceptional occasions he was not himself. Drink affected him more than it did the ordinary person, with full mental powers. It destroyed his discretion and injured his finer qualities. It made him irresponsible for his actions.

"He lived with her and they enjoyed each others affections. In doing this however they were very respectful of the common decency. Mrs. Westcott's daughter, Mrs. John Van Horn, however, formed an antipathy towards Van Horn and the result was that she succeeded in forcing them to live apart. Their mutual love would not, however, allow them to long be separated, and soon after the daughter came between them, they met and agreed to continue their relations clandestinely. The cellar was chosen as a rendezvous and it was arranged that a white cloth hung from the side window should be the signal for a tryst. This plan was acted upon and it was during one of these meetings that the unfortunate affair occurred."

SHE WAS IN TEARS. A witness would be put on the stand, Mr. Wedeman said, who would testify that she found Mrs. Westcott in tears one day and asking her what was the trouble and told that she, Mrs. Westcott, was afraid to live in Scranton because of her husband; that he had just been to the house and she was afraid of him. The witness asked her if she wasn't afraid of George Van Horn? No, No indeed.

As an instance of Van Horn's impaired mental faculties Mr. Wedeman told of how the accused could not remember the name of the farmer at Dunmore for whom he worked last year and how it was necessary in order to secure this witness to get a subpoena directed to "the owner of the farmer just below the bridge, the other side of Clark's Summit etc."

Mr. Wedeman said, and told the detailed story of the accident, which in Scranton is well known. The signals were exchanged as usual and they met in the cellar. They had a long talk, sitting together on the cellar steps, and now 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. Westcott. "Go to work and when you are able to make a home for us, we will go away some place and live happily together."

Van Horn joked about the scolding she was giving him and said: "Aren't you afraid 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 throat. She withdrew her arm from about his neck and exclaimed: "George, George, you've cut me!" "Oh, I guess 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. Westcott, 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 tried to calm the excitement of the moment, fled from the scene. It would be further shown that Mrs. Westcott gave Van Horn a dollar that night; that they usually put their savings together and that when Van Horn was in need of money he went to Mrs. Westcott 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 street that he would do bloody murder, in this or that particular way, and then escape in this or that fashion, would be shown to be as untrue as it is preposterous even for such a mentally deficient unfortunate as George Van Horn. That Mrs. Westcott sought Van Horn's company; that she came to visit him where he would happen to be working; that she related for the arrest which she was forced to make, and that she fled from the first time that she met loved George Van Horn devotedly and unceasingly. One particular witness, he said, would tell that on one occasion Van Horn and Mrs. Westcott, together with the witness, walked over from Hyde Park, not long before the killing at the Lindber street bridge. Mrs. Westcott stopped and told Van Horn to wait there until she went ahead to see if everything was all right. Another witness would tell that Mrs. Westcott sent word one night to Van Horn to come over; that the children were out 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 jury to follow the evidence closely and give the defendant the benefit of every reasonable doubt.

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ing of his disappearance, left home before his wife awoke and that he wore his "best" suit beneath the black checked one, may throw some light on the affair. Mrs. Kochner says her husband has been murdered. Her friends say he is in Amsterdam or Hinghamton, 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 and John's horse went marching through Oxford court, near the Jersey, yesterday, leaving behind a trail of white. One of Street Commissioner Dunne's men scented the trail and gave chase until he 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 mistake in the figures, Chief Hickey's clerk was yesterday directed to visit ten tenements where slight fires occurred and the property owners and confirm the department's figures. The loss will in any event be close to the amount stated. There was almost the usual number of alarms, but the efficiency of the department prevented any but trivial damage.

A GREAT COUNTRY THIS. Isaac Fuller Startled by the Positive Facts About Scranton. Isaac Fuller, of Poughkeepsie, N. 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 Greater Scranton edition of The Tribune:

"The Tribune published at Scranton, second edition, which when I went from the lead of Wyoming valley to a great mill at Slocum Hollow, now the site of the city of Scranton, with a great of wheat, passing through a forest and forming a Susquehanna river at Pittston. A great country this!"

DOG LOST. Advs. Under This Head One Cent a Word. FEMALE DOG, WHITE, 11 MONTHS OLD, and white faced, \$5.00 reward will be paid if returned to F. B. MCGOWAN, 122 Washington avenue.

CITY SCAVENGER. A. BRIDGES CLEANS PRIVY CAULDS and cess pools, improved pumps, etc. BRIDGES' PROPERTY. Leave orders 1100 N. Main ave. or Electric drug store corner Adams and Mulberry. Telephone 0049.

SITUATIONS WANTED. CHAS. COOPER, CITY SCAVENGER. All orders promptly attended to, day or night. All the latest appliances. Charges reasonable. 719 Scranton street. No use 1125 Washington street.

SITUATIONS WANTED. A YOUNG MAN wants work in store, clerking or bookkeeping. Business college graduate. Can give good references. Contact employers. Address JOHN THOMAS, 510 Church street, City.

SITUATION WANTED—TAKING CARE of losses of any other kind of work. Address J. L. FRIDMAN, 1214 Erie street.

SITUATION WANTED—BY YOUNG girl in office or clerical position desired. Address LERK, Tribune.

BUTLER—THOROUGHLY EXPERIENCED in all branches of the trade, seeks employment. Address R. L. BURKE, 210 Wayne avenue, Scranton.

SITUATION WANTED—MRS. FANNIE Hart, practical hairdresser, has certain specialties. Call at 512 Taylor avenue and give me a trial.

SITUATION WANTED—BY AN EXPERIENCED girl to work in a small family, or as second work. Best of references. Address 641 Harrison avenue, Scranton.

SITUATION WANTED—TO TAKE HOME washing, ironing, or go out by the day, scrubbing or any kind of work. Address 113 Linden street, City.

SITUATION WANTED—AS FOREMAN or night watchman, experience. Address B. F. TRIBUNE.

SITUATION WANTED—BY AN EXPERIENCED housekeeper. Call 332 Erie street, Dunmore.

POSITION WANTED BY EXPERIENCED stenographer. Will also do clerical work not afraid to work, references. N. Y. Z. Erie street.

SITUATION WANTED—BY A MAN 25 years old, married, of good address and strictly temperate, has had 2 1/2 years practical experience in the manufacture and sale of goods, also thoroughly instructed in the science of accounts as applied to any line of business. Address COMPTON, 129 1/2 Arch street, City.

SITUATION WANTED BY AN EXPERIENCED clerk, 18 years 10 months experience, good salesman and of good moral character, well acquainted in all parts of the city, a good hand at bookkeeping with references. Address ROY, care of Tribune.

BOARD AND ROOMS WANTED. Advs. Under This Head One Cent a Word. A GENTLEMAN, WIFE AND CHILD, 8 years old, want the comforts of a home in a quiet suburb, near the city, in a desirable location. Willing to pay for comforts. Address, care Lock Box 115.

FURNISHED ROOMS FOR RENT. Advs. Under This Head One Cent a Word. TWO ROOMS, WITH BOARD TO BE had at the "Navy" Alway board.

FOR RENT. Advs. Under This Head One Cent a Word. FOR RENT, FIRST OF JANUARY—a pleasant 7-room house on Dudley street; all improvements. Rent \$10.00. Apply 217 Madison avenue, Dunmore, or G. F. CORRELL, 235 Church street.

FOR RENT—STORE, WYOMING AVENUE, near Traders' Bank. Possession April 1st. RENT, \$3.00. W. S. SQUIRE, 235 Jefferson avenue.

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WANTED—WELL-KNOWN MAN IN every town to solicit stock subscriptions; a monopoly; big money for agents; no capital required. EDWARD C. FISH & CO., Boston Book, Chicago, Ill.

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WANTED—LADY AGENTS IN SCRANTON to sell and introduce Snyder's cork lining; experienced canvasser preferred; work permanent and very profitable. Write for particulars at once and get benefit of holiday trade. T. B. STEVENS & CO., Cincinnati, O.

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