

MURDER IN FIRST DEGREE

Verdict of the Jury Assigns Van Horn to the Gallows.

ABBATE ESCAPES NOOSE

Pleads Guilty and His Crime Is Fixed at Second Degree.

The Absence of a Specific Intent to Take Human Life Leads Judge Edwards to Adjudge Raymond's Slayer Guilty of Murder in the Second Degree—Van Horn Is Unmoved by the Rendering of the Verdict. Both Murderers Are to Be Sentenced Saturday.

"Murder in the first degree" was the finding of the jury in the Van Horn case.

At 9:30 yesterday morning word came from the jurors that they were ready to render a verdict. Judge Archibald, who was sitting in No. 2, came into the main court room and directed that the prisoner be brought down. Half an hour later Van Horn, with manacled hands, was brought in by Keeper H. F. Forber and placed in the prisoner's dock.

The court house bell at 10:48 tolled the announcement that the verdict was about to be rendered and about ten minutes later the jury filed in and the foreman handed a paper to Deputy Clerk of the Courts Daniels. Judge Archibald opened it, read it over and returned it to Judge Edwards, who was sitting at his side, and then returned it to Clerk Daniels.

A deathlike silence prevailed when the clerk said, in a solemn voice: "Gentlemen of the jury, hearken to your verdict as the court hath recorded it. In the case of the commonwealth against George K. Van Horn you say you find the defendant guilty of murder in the first degree. So say you all." The jurors nodded assent.

E. W. Thayer, one of Van Horn's attorneys, asked that the jury be polled. Judge Archibald directed this to be done and each juror, as his name was called, stood up and in a firm voice answered: "Guilty of murder in the first degree."

Judge Archibald thanked the jury for its patient services and discharged them, without commenting on the verdict. Van Horn leaned lazily against a window-sill in the prisoner's pen during the proceedings, listening attentively, but with no apparent anxiety to what was going on. When it was all over he turned to Warden Simpson and casually inquired: "When will I have to come down again?"

Sentence will be imposed Saturday. Van Horn's counsel will ask for a new trial.

THE ABBATE MURDER.

As foreshadowed in yesterday's Tribune, Severino Abbate, the slayer of Vito Raimondi, did not have to face a jury. He pleaded guilty to the general charge of murder and after hearing the evidence of the commonwealth and the accused man's own statement, Judge Edwards fixed the grade of the crime as murder of the second degree.

Abbate was arraigned during the early morning, just before the Van Horn verdict was taken. At the defendant's table with him were his attorneys, John F. Scragg and John Harris, and John Cagliano, a law student, who has been looking after the interests of his accused fellow-countryman. Abbate's three brothers, his young wife and little child were also present, and among the prominent Italians who sat within the bar enclosure was M. Tiscar, the Italian consul to the Scranton district.

At the prosecutor's table with District Attorney Jones, chief of Police Keeling, the prosecutor, and the 14-year-old son of the victim, John Raimondi, Frank Russa, who was shot and almost killed by Abbate during his flight, was present as a witness for the defense. He was not allowed to testify, however, as court held his expert evidence had no immediate connection with the matter in hand—the fixing of the grade of crime.

The principal witnesses were Dr. Albert Kolb, Dr. S. P. Longstreet, who testified as to the nature of the wound; George Rosar, Henry Engle and Miss Mary Rosar, eye-witnesses of the affair, who told in substance that the four men, Raimondi, Sparoceno and the two Abbates, came along Birch street, talking loudly and jesting as if quarreling. Raimondi was about four feet in the rear of the others.

They all stopped suddenly and Abbate, drawing a revolver, fired downwards, the bullet striking Raimondi in the leg, below the knee. Raimondi threw up his hands and started to flee, when two more shots laid him low. One bullet took effect in the shoulder and the other in the breast, just above the heart.

STORY OF ABBATE.

Abbate was put on the stand and through the aid of interpreter Constant Morisini told his story. Raimondi, he said, approached him in a threatening manner with his hand reaching towards his hip pocket. Thinking he was about to draw a revolver, Abbate whipped out his own and fired at the ground, hoping to frighten off Raimondi. Then, as Abbate himself said: "I got all excited and did not know what I was doing."

Mr. Harris called the attention of court to the friendly relations that had existed between the deceased and Abbate, the former having been sponsor for two of Abbate's children. Mr. Scragg spoke of the evident absence of intent to kill. The two men had been together nearly all day, drinking and having a good time. They became engaged in a quarrel and during the heat of the excitement the shooting occurred. The testimony disclosed that Raimondi had his hand on his hip pocket, Mr. Scragg averred, and this, coupled with the fact that Abbate, as was apparent when he was on the stand, is a quick and nervous man, led him to draw his gun. There was no specific intention to take life, Mr. Scragg argued, for if Abbate premeditated killing he would not have fired towards the ground. There was not time between the firing of the first

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THE ONLY ONE.

THE PYRAMID PILE CURE THE ONLY PILE CURE RECOMMENDED BY PHYSICIANS AS BEING PERFECTLY SAFE.

Drawn Yesterday by Sheriff Clemons and Jury Commissioners.

SIXTY GOOD MEN AND TRUE CALLED FOR EACH WEEK TO PASS UPON THE MERITS OF THE CIVIL CASES THAT WILL COME UP FOR TRIAL—They Are Gathered from All Parts of the County of Lackawanna.

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Seth A. Bowney, watchman, Scranton. Fred Stevens, merchant, Dunmore. J. L. Hu, clerk, Scranton. Joseph Synbers, brakeman, Scranton. Michael Tolpan, miner, Carbondale. James J. Logan, justice, Dickson City. Martin Roach, laborer, Scranton. Owen Gurdick, gent. Scranton. Michael Murphy, mill hand, Scranton. C. W. Benjamin, clerk, Scranton. James Lewis, farmer, Covington. Robert Walker, miner, Carbondale. H. S. Stevens, farmer, North Abington. James Mulderig, miner, Dickson. E. S. Kotzman, brakeman, Scranton. E. L. Gilhool, miner, Carbondale. Edward Frable, clerk, Scranton. Jay Knickerbocker, agent, Elmhurst. Peter Dwyer, carpenter, Scranton. Louis Coon, foreman, Scranton. W. P. Bennett, clerk. M. F. Rhodes, harness maker, Scranton. John J. Loftus, superintendent, Scranton. D. E. Williams, clerk, Scranton. Thomas Lewis, miner, Blakely. P. A. Ball, teamster, Scott. J. C. McNulty, council, Carbondale. W. W. States, farmer, Benton. Stewart Belsacker, accountant, Scranton. E. C. Harden, miller, Carbondale. Peter O'Donnell, agent, Scranton. T. A. Black, druggist, Scranton. John A. Walker, bookbinder, Scranton. John McCabe, bartender, Scranton. Edward Gordon, miner, Carbondale. G. F. Harward, superintendent, Scranton. Edward Scott, laborer, Spring Brook. Morris V. Morris, hotel, Scranton. H. Winters, clerk, Dunmore. Frank Francey, merchant, Carbondale. R. D. Jennings, clerk, Scranton. W. Halden Evans, draughtsman, Scranton.

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Oscar Musigan, carpenter, Carbondale. J. C. Allen, carpenter, Scranton. David Moses, laborer, Spring Brook. G. A. Clearwater, lumber dealer, Scranton. Anthony Mahony, printer, Scranton. Michael Kearney, brakeman, Carbondale. Henry Dankewitz, carpenter, Carbondale. George Powell, carpenter, Carbondale. Joseph B. Rithols, moulder, Carbondale. John E. Guffney, gent. Scranton. Morris Duffin, clerk, Scranton. Charles C. Batin, clerk, Scranton. Eugene Dean, mill hand, Scranton.

WEDNESDAY, JAN. 12

Seth A. Bowney, watchman, Scranton. Fred Stevens, merchant, Dunmore. J. L. Hu, clerk, Scranton. Joseph Synbers, brakeman, Scranton. Michael Tolpan, miner, Carbondale. James J. Logan, justice, Dickson City. Martin Roach, laborer, Scranton. Owen Gurdick, gent. Scranton. Michael Murphy, mill hand, Scranton. C. W. Benjamin, clerk, Scranton. James Lewis, farmer, Covington. Robert Walker, miner, Carbondale. H. S. Stevens, farmer, North Abington. James Mulderig, miner, Dickson. E. S. Kotzman, brakeman, Scranton. E. L. Gilhool, miner, Carbondale. Edward Frable, clerk, Scranton. Jay Knickerbocker, agent, Elmhurst. Peter Dwyer, carpenter, Scranton. Louis Coon, foreman, Scranton. W. P. Bennett, clerk. M. F. Rhodes, harness maker, Scranton. John J. Loftus, superintendent, Scranton. D. E. Williams, clerk, Scranton. Thomas Lewis, miner, Blakely. P. A. Ball, teamster, Scott. J. C. McNulty, council, Carbondale. W. W. States, farmer, Benton. Stewart Belsacker, accountant, Scranton. E. C. Harden, miller, Carbondale. Peter O'Donnell, agent, Scranton. T. A. Black, druggist, Scranton. John A. Walker, bookbinder, Scranton. John McCabe, bartender, Scranton. Edward Gordon, miner, Carbondale. G. F. Harward, superintendent, Scranton. Edward Scott, laborer, Spring Brook. Morris V. Morris, hotel, Scranton. H. Winters, clerk, Dunmore. Frank Francey, merchant, Carbondale. R. D. Jennings, clerk, Scranton. W. Halden Evans, draughtsman, Scranton.

WEDNESDAY, JAN. 12

W. B. Stevens, weighmaster, Blakely. Francis Wren, farmer, Scranton. Elmer McHale, miner, Olyphant. Bernard Kennedy, clerk, Olyphant. Dudley Gordon, gent. Carbondale. Gus Kramer, butcher, Scranton. Richard Groves, farmer, Scott. T. P. Griffin, machinist, Scranton. Myron Larne, shoemaker, Ransom. James Gilbraith, shoe-maker, Moosic. Martin Campbell, mill hand, Scranton. Orlando Jones, miner, Scranton. Thomas Carpenter, farmer, Benton. J. J. Dunn, school teacher, Simpson. E. E. Maline, butcher, Blakely. William Williams, miner, Taylor. A. Walsh, school controller, Scranton. William J. Davis, laborer, Scranton.

MONDAY, JAN. 24

Walter Wambucker, laborer, Moscow. D. W. Kenyon, farmer, Greenfield. M. W. Swallow, farmer, South Abington. Daniel Steate, farmer, Scranton. C. F. Russell, laborer, Dunmore. Thomas Langan, laborer, Scranton. Orlando Wells, farmer, Greenfield. Frank Benoster, carpenter, Blakely. Constant Morisini, merchant, Scranton. Michael Manley, milkman, Scranton. Charles Wirth, laborer, Scranton. John Mahon, clerk, Scranton. C. J. Gardner, farmer, Benton. Wallace Moir, foreman, Scranton. Arja V. Powell, bookkeeper, Scranton. Peter Seiler, yardmaster, Dunmore. Charles Eichstedt, boiler-maker, Scranton. Joseph W. Hebling, teamster, Scranton. Thomas Henson, clerk, Scranton. William Thomas, clerk, Carbondale. James Mapleson, school director, Taylor. Thomas Rice, machinist, Scranton. George W. Hornaker, engineer, Scranton. John T. Phillips, electrician, Scranton. W. H. Cooper, harness maker, Scranton. Ernest Smith, farmer, Benton. Zechman Egan, clerk, Carbondale. George Tuthill, laborer, Blakely. G. B. Carson, merchant, Scranton. James Robinson, carpenter, Carbondale. C. E. Baker, merchant, Carbondale. Ira B. Holly, plasterer, Scranton. S. B. Walters, foreman, Blakely. Franklin Henson, clerk, Scranton. Reese Richards, miner, Blakely. Robert Judge, miner, Carbondale. Simon Rhoades, carpenter, Scranton. William J. Lewis, clerk, Carbondale. Allen Heckler, carpenter, Scranton. Henry B. Morgan, miner, Scranton. Thomas P. Hignation, gent. Scranton. Chas. W. Connolly, clerk, Scranton. George L. Coon, farmer, Newton. M. F. Fadden, hotel, Dickson. John H. Harris, farmer, Mason. Henry Griffin, plasterer, Scranton. Benj. Evans, laborer, Scranton. Henry Loftus, miner, Peil. Morris Lewis, farmer, Greenwood. Samuel Matthews, farmer, Spring Brook. John Evans, farmer, Madison.

WINTER WISDOM.

A Few Suggestions That Will Aid You During the Coming Months.

Don't be afraid of fresh air, but avoid draughts. Don't go out-of-doors for a second without extra covering. If you wear rubbers, take them off whenever you have an opportunity within doors. In selecting your winter underclothing, choose that which is warm and yet more or less open in texture. Take off your overcoat when you enter a warm place, whether office or private dwelling, even if your visit is to last only a few minutes. If you catch cold or develop a cough, get rid of it at once. This is better than feeling "blue" and thinking that pneumonia or consumption has marked you as a victim. The best remedy for a cough or cold (however stubborn), or a sudden chill, is pure whiskey. A dose of whiskey in water will impart a generous warmth to the whole body and keep off the diseases of the season. Don't forget that only pure whiskey whiskey has the strongest recommendations from the leading doctors as to its efficiency, and from the most prominent scientists as to its purity. It is the only standard medicinal whiskey. Take no other from your druggist.

TEETH EXTRACTED WITHOUT PAIN

By the use of my new local anesthetic. No sleep-producing agent. It is simply applied to the gums and the tooth extracted without a particle of pain. All other dental operations performed positively without pain.

TEETH \$8 FULL SET

WARRANTED 5 YEARS. These are the same teeth other dentists charge from \$10 to