PROGRESS OF

Commonwealth's Evidence Not All in Yet in Olchefski Case.

DEFENSE OF THE BURGLARS

O'Neil Proves an Exceptionally Strong Alibi.

Reilly Tells His Story and Makes a Good Impression -- O'Neil Was Tripped Up by Major Warren -- Attorneys for the Defense Claim That No Case Has Been Made Out and Ask Court to Direct a Verdict of Acquittal.

Interest in the arson and burgiary cases now on in crimical court con tinues unabated. Large crowds were in attendence at both sessions yesterday and ducing the afternoon when the defense was being heard in the burglary case, court room No. 2 was so crowded that many of the spectators were compelled to stand. In this latter case the taking of testimony is almut concluded, in the Olchefski case the commonwealth is still presenting its evidence and will likely not conclude before adjournment today.

District Attorney Jones is winding the strongest kind of a chain of circumstantial evidence about the accused Olchefski. A raft of witnesses yesterday proved without doubt that the explo-sion was a criminal act and made it difficult to see how Olchefski is going to explain his way out of the mesh in which the testimony targles him.

Mrs. Veronica Nitch, who was on the stand at adjourning time, Monday, concluded her testimony yesterday morn-She told of the kerosene soaked furniture of the bottom of the chairs being cut and kerosene poured into the oakum padding.

Edward Hamm, of the corner of Elm street and Hamm court, into whose ouse Olchefski was assisted after the expression, testified to having carried the oil sosked bureau out of the Olchefski house. There were certain articles of clothing in the drawers, so soaked with kerosene that when they were wrung with the hands the oil would drip out. Oil also bespattered Olchef-ski's trousers, he said. While he was helping to carry out the furniture Mrs. Olchefski appealed to him to let the bureau go and save the plano as the latter was not insured. Both articles were saved.

MALIA TESTIFIED.

Charles Malia, another neighbor, tes-tified to having assisted in carrying out Charles Malia, another neighbor, testhe furniture and the discovery of the kerosene. He saw Olchefski soon after the explesion and assisted him to Hamm's house. Olchefski's face was as if by smoke or charcoal and his eye lashes, eye brows, mustache and hair were badly singed.

John Kline testified to having seen Olchefski pass I is house going from the store to his barn at 10 o'clock on the night of the explosion and that he had a large bag on his back. Mrs. Kline corroborated her husband on this point and added that the bag apparently contained some light material

Miss Lena Hemm told of having cared for Olch-fiki when he was assisted to her father's house, and that he told her he had retired at 9 6 clock that night. In the morning Mrs. Olchefski brought in some of her husband's clothing, but where she secured them the witness could not tell. When Olchefski had left, later in the day, she found that the stockings be had discarded were soaked with oil and that the bed in which he slept with his clothes on during the early morning was also olly and the odor of kerosene clung to the bed sheet even after it was twice washed. She also swore that she heard Olchefski tell Max Phillips that there were sixty-five sticks of dynamite in the cellar of the store. An hour after the explosion Mrs. Olchefski came to the house where her husband was and had with her a bundle containing women's and children's clothing

MUCH INDIGNATION.

On cross-examination she told that there was much indignation against Olchefski on the day following the explonion and that an angry crowd of people, most of them Polanders, gathered in front of the house and made threats of violence against him. She remembered having noticed a scratch on Olchefski's forehead while washing

Adam Michalowsky, who kept the saloon in the Olchefski building, swore that he talked with Olchefski in the saloon after 10 o'clock on the night of the explosion and that the latter did not leave the saloon until rearly 11 He also saw the kerosers scaked bureau, saw Mrs. Olchefski fully dressed only a few moments after the explosion and told that he and his family were obliged to flee in their night clothes.

P. E. Leonard was called to prove that Olchefski had tried to purchase

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to the explosion, but he could not posi-tively identify the defendant. THE TRIALS

James McHale, Eugene Dean and
Patrick Physin, three of the four boys
arning to ride a bleyele on
Pittston grenue near to the store at the time of the explosion and who had a narrow escape from being caught by the flying debris, described their thril-

dynamite from him a few days prior

ling experience. Thomas O'Hara, who was leaning over the gate in front of his father's residence, next door to the Olchefski store, watching the boys riding the bicycle, told that just a few minutes be-fore the explosion he heard a noise in the Olchefski store as of two pieces of iron striking together. His father, Michael O'Hara, told of the destruction of his property by the explosion and fire that followed.

OTHER TESTIMONY.

Kate Briedy, a washerwoman living on the flats, testified that Mrs. Olchefski brought her a large quantity of clothing to be washed, just a day or two before the explosion. On cross-examination she admitted that all the clothing needed washing.
Agnes O'Hara was called to prove

that Olchefski had carried goods away from his store at 12 o'clock at night about four weeks before the explosion but the testimony was not admitted because of the time being too remote. Detective John Moir and Chief Hickey told of the finding of the store goods in Olchefski's barn on the day follow-

bundles of clothes, line and the like, Mrs. Veronica Nitch, Mrs. Mary Krotosky.Chief Hickey and Edward Hamm identified the furniture taken from Olchefski's house. It was piled up within the bar enclosure and from its quantity and dilapidated appearance gave the place the appearance of a junk

ing the explosion. They consisted of

perfumery, bags of salt, fancy articles,

The commonwealth will continue this morning and among other things will show that Olchefski both admitted and denied that he had dynamite in his

BOGART BURGLARS. All the direct evidence on both sides of the Bogart burglary case is now on. The commonwealth concluded at 2 o'clock and the defense finished two hours later. The general opinion is that there is a strong possibility that the accused will be connected only of receiving stolen goods, although there is no question, leaving the law aside, but that two of them at least, Bixler and Johnson, are proper candidates for

George Jay, who saw a man on the Bogart porch at 6 o'clock on the evening of the burglary, was quite sure that the man was Johnson, but he would not swear positively to this. Johnson answered the description of the man he had in mind, and it was his firm impression that it was Johnson, but still he could not say that it was Johnson beyond all doubt.

Joseph Curt, who saw three suspic ious looking men going through Kressler court on the evening of the burglary, could not identify the accused as being the trio in question. The ones he saw looked to him to be larger

Henry A. Rickes, clerk in the American Express office in New York, identified the box that had been sent from his office to Frank Bixler in Chicago, but would not say that any of the three defendants was the man who

Morris were called as experts in penmanship to prove that the handwriting on the package and that of a letter written by Johnson during his incarceration in the county jail. Judge Gun ster decided that this was a matter for the jury

County Detective Thomas Leyshon took the stand and identified Johnson as a man he had seen in Lane's restaurant on the night previous to the burglary. City Detective Moir told of leran, of Chicago, in which various of the circumstances already related were brought out.

OPENING FOR DEFENSE. In his opening for the defense, Mr. Vidaver stated that they proposed to prove that the accused not only did not commit the burglary, but did not know that the box they called for con-

tained stolen goods. Bixler, he said, was discharged from he navy last summer, suffering from a serious ailment. He had a mate named Loomis, a New Yorker, who promised to send him something that would cure him. Some time after reach-ing his home, in Chicago, he received a letter from Leomis saying he had sent him a package and that he want-ed him to take care of it until he called for it. Bixler had in mind the promise of Loomis to send him something that would cure him, took it for granted that the package contained medicine, and when he went to the express office with the order which accompanied the letter, he said, naturally, that the package he expected contained medicine,

None of the trio had ever been in Scranton until the day they were brought here under arrest, Mr. Vidaver went on to say, and it would be proven by the bookkeeper of the hardware firm which employed O'Neil that he was at work in Chicago on the day that the burglary occurred.

Reilly was the first to be called to the stand. He proved himself to be an unusually intelligent witness and it is safe to say made a good impression with the jury.

He said his right name is James T. Reilly, that he is 19 years of age and a native of Minneapolis. He was employed as a clerk in the saddlery house f Dodsen, Fisher, Brockman & Co., Minneapolis, until March 24, 1897, when ie lost his place and started to work n his father's grocery store. He work-ed for his father until Sept. 30—the day of the burglary-and tiring of the drudgery of a grocery store, started out the rext day to look for work elsewhere. He went to St. Louis and in Mrs. Ehrhardt's boarding house, on Second street, he met Bixler, who was also boarding there and who like him-

self was looking for work. REMAINED IN ST. LOUIS.

He remained in St. Louis for nine days and failing to find employment, accepted Bixler's invitation to accompany him to Chicago, where the latter who is a mill hand was quite sure he could get a job, it being his home. Two days after their arrival in Chicago they were arrested. He never saw the box ontaining the jewelry, he said, and specifically denied having committed he Bogart burglary or of ever having been in Scranton before being brought here under arrest.

He was submitted to a scathing crossexamination by Major Warren, but he carefully avoided becoming entangled. In describing the incidents leading up to his arrest he stated that he left Bixler for a time on the morning of October 13, when the latter made his first visit to the express office. When he met Bixler again it was along in the afternoon. Bixler bethought himself that Mike O'Neil, with whom he was

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brought up in Youngstown, O., wa working in Chicago, and he decided to look him up and get him to go to the express office with him and identify They found O'Neil in a restaurant and the three spent the night together making the rounds of the town.

In the early morning, about 7.30 or o'clock they went together to the express office in a cab which they had seen using in their rounds of the town during the night. The express office was not open and they drove cff. A few blocks away they stopped at a restaurant to get breakfast. About 9 or 10 o'clock they went back to the ex-press office afoot and were arrested. To Major Warren's question as to why he had given the name of Harry Johnson, he said that he did not want his real name to get into the papers. He admitted that he and Bixler purchased complete new outfits of cloth-

ing upon their arrival in Chicago. Bix-

ler paid for the clothes but he, the

vitness, contributed half the money.

He denied that he admitted to Chief Robling that he had been as far east as Michigan in June, picking strawber-O'NEILL ON THE STAND," Michael O'Neil was next put on the He gave his age as twentyeight, and said he was employed in the hardware store of D. W. Bosley, Chicago. He was raised in Youngstown, and knew Bixler there. He de-

he was at work in Chicago on Sept. 30, 1897, when the burglary occurred.
On cross-examination Major Warren. referring to the meeting on Sept. 13, in the restaurant in Chicago, said, after some preliminary questions: "Bixler introduced you to his friend, Johnson, I suppose

nied the burglary and contended that

"Didn't tell you anything about him,

"No, only introduced him." "Mercly said 'Mr. O'Nell, this is my friend Mr. Johnson,' or something like

"That's all." the court room, but the witness gave no indication of being aware of the damaging admission he had made. His attorneys, however, noticed it and when Major Warren was through with the witness, called his attention to what he had said and asked him if that was what he meant to say. He, of course, said no, and explained that it was "Reilly" and not "Johnson" that Bixler introduced him to. On cross-examination on the point he said he had been reading "Reilly alias Johnson" so much in the papers, that he got the

names confused. Major Warren asked him if he had not admitted to Chief Holleran, of Chicago, that he had been arrested on suspicion of holding a man up, but the

question was ruled out. "John G. Holt" was called by Mr Vidaver with a flourish. A well dressed and smart looking tall young man came from among the spectators and took a seat in the witness box. He was a resident of Chicago and em-ployed as bookkeeper for D. W. Basley, hardware merchant, 208 and 210 Washington boulevard. He was also time-keeper and his first duty in the morning was to go through the shop and check off the employes who were at work. Refreshing his memory from his time-book he testified that O'Neil was at work on September 30, 1897, and for some days before and after

Major Warren critically examined the time book but if he found any weak spots in it he gave no indication of it. An effort was made by the defense to show that O'Neil's employer paid the bookkeeper's expenses for his journey to Scranton to act as a witness, but court would not per-

DEFENSE RESTED.

At this juncture John Power O'Conner identified his notes of a conversa-tion between Reilly and Chief Robling. in which the former told the chief that had been in Michigan in 1897 and that Bixler had paid for his clothes in Chi-

Mr. Martin argued to have the case taken from the jury but Judge Gunster would not hear to it. Adjournment was made at this junc-

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