

LEON OLCHEFSKI DECLARED GUILTY

Convicted of Arson and Attempt to Defraud Insurance Companies.

HE DID NOT USE EXPLOSIVES

At Least, the Jury Was Not Convinced That He Did—Judge Archibald Asks the Jury to Make a Special Finding Incorporating the Technical Question Raised by the Defense, but It Declines to Do So.

Leon Olchefski is guilty. The jury returned yesterday afternoon at 1:25 o'clock and reported a verdict finding him guilty of the first two counts of the indictment, arson and setting fire to a building to defraud insurance companies. On the third count, that of blowing up buildings with explosives, a verdict of not guilty was rendered. The crime and punishment therefor are thus described by statute:

Arson—Maliciously and voluntarily burning or setting fire to, or causing or attempting to set fire with intent to burn, any factory, mill or dwelling house of another, or any kitchen, shop, barn, stable or other outbuilding that is a part of such dwelling.

Punishment—Fine not exceeding \$2,000 and imprisonment by solitary confinement at labor not exceeding twelve years. In case of the setting fire to a dwelling house the fine shall not exceed \$1,000 nor the imprisonment twenty years.

Blowing up buildings not parcel of a dwelling house—Setting fire to a dwelling house the fine shall not exceed \$1,000 nor the imprisonment twenty years.

Setting fire to any building with intent to defraud the insurance thereon.

Punishment—Fine not exceeding \$1,000 and imprisonment by solitary confinement at labor not exceeding ten years.

There was an interesting and quite unusual episode connected with the jury's return.

NEW LEGAL QUESTION.

When the case was being submitted to the jury, Saturday, the attorneys for the defense raised the point that Olchefski could not be convicted of arson, as arson is defined by the statute to be the burning of a building with intent to burn, and he is indicted for setting fire to his own building, for it is his own building, they contended, inasmuch as he has been a man and wife to be one. It was the first time a Pennsylvania court had been called to pass upon this question, and Judge Archibald seemed to give a decision impromptu. He said he would consider it and if the jury found that Olchefski committed the deed as would have the jury make a special finding subject to this point, he would instruct the jury to return a verdict of not guilty.

For the purpose of preserving the defendant's rights entirely in the matter, I am going to ask you to return a special verdict, incorporating the fact that this property which was burned belonged to his wife and was in his possession and the possession of his wife at the time, because as I suggested to you, there may be a legal question whether under those circumstances he could be guilty of what we know as the common law crime of arson, and therefore to assist you in making up this special verdict, I have put together what I think it ought to embody, and if it satisfies you, then I will ask you to make that return.

Then the judge read this special finding:

THE SPECIAL FINDING. We find that Helena Olchefska, the owner of the dwelling, named in the indictment was, at the time of the burning of the same, the defendant's wife, and was then and at the time of the possession and occupancy of the said dwelling with the defendant, Leon Olchefska, and that the said defendant did maliciously, wilfully and voluntarily set fire to and burn the said dwelling in manner and form as charged in the indictment, and if the court shall be of the opinion that the evidence is sufficient to constitute the crime of felonious arson, then we find the said defendant guilty thereof, but if the court shall be of the opinion that this is not sufficient to constitute the crime of felonious arson, then we find the said defendant not guilty thereof.

"Let me add to what I have said," continued Judge Archibald, "that I do not intend to control you in this matter and cannot control you; it is for you to say whether you will return just the general verdict which you have suggested or whether you will return a special verdict in the manner I have said to you. If you desire you may adhere to a general verdict or make the return such as is suggested."

Judge Archibald explained at length the significance of the special verdict and asked them to consult together as to whether or not they would find as he suggested. They retired and after fifteen minutes' deliberation returned and announced that they would agree to the special finding. Then Judge Archibald said:

SOMETHING OVERLOOKED. "Since you retired attention has been called to the fact that the indictment contains three counts and that the first two only charge the offense of felonious arson, that the other charges under a statute which have—by the unlawful and felonious, and felonious placing and throwing in, into, upon, against and near a certain building, to wit, the store and dwelling house of one Helena Olchefska, a certain quantity of gunpowder and other explosive mixture, to wit, a certain

SCRANTON MAN SAW THE VEENDAM RESCUE

President Zehnder, of the Dickson Company, an Eye-Witness.

WAS ON THE STEAMER ST. LOUIS

He Has Words of Great Praise for the Officers of the Two Ocean Liners Who Superintended the Rescue of 212 Souls Without an Accident. Gives a New Version of the Cause of the Disaster.

President C. H. Zehnder, of the Dickson Manufacturing Company, who reached Scranton Saturday evening from Europe, was a passenger on board the American line steamer St. Louis and witnessed the thrilling rescue of 212 passengers and crew from the wrecked Veendam, of the Holland-American line. He and Mrs. Zehnder were on their return home from a trip which began immediately after the holidays. At the Hotel Jermyn last night Mr. Zehnder readily consented to be interviewed by a Tribune reporter in reference to the rescue.

"People can say what they will about discipline, military and of other kinds, but let me testify right here that no discipline can be more perfect and absolute than that which I have just observed. It is a little technicality and we want to render a verdict which is entirely proper. We don't know just how to do it."

Foreman Allen addressed the court, and said:

"Well, your honor, it seems to be the opinion of the jury that this man is guilty, or was the cause of that fire, and the jury do not think it would be just to allow this thing to be thrown out on a little technicality, and we want to render a verdict which is entirely proper. We don't know just how to do it."

Judge Archibald—"Well, in making these suggestions I do not want to impose anything upon you at all. If it seems best to you that you should return just a general verdict of guilty or not guilty, and you think that is the simplest way to dispose of it and the best way, why that would be entirely satisfactory to the court."

At 2:30 the jury returned and handed up the following:

"We find the defendant guilty in manner and form as charged in the first and second counts of the indictment, and not guilty as charged in the third count."

They indicated that they did not want to have anything to do with the special finding. If Olchefska escaped on a technicality it would be no fault of theirs.

At the request of Mr. Scragg, of counsel for the defense, the jury was polled and all acquiesced in the verdict. The jurors were then discharged with the thanks of the court.

SENTENCES IMPOSED.

Bogart Burglars Will Go to the Penitentiary for Long Terms.

Judge Gunster on Saturday sentenced Frank Bogart and James T. Reilly, the Bogart burglars, Bogart receiving six years and three months and Reilly three years and three months in the Eastern penitentiary. Leniency was shown Reilly because of his youth.

In the case of Harry McLain and Charles Haendiges, the boys who plead guilty of robbing several central city stores, Judge Edwards announced that sentence would be postponed until the next term of court, pending investigations which are being made. The same action was taken in the case of the shoplifters.

Frank Shiffer, who confessed to petty forgeries, was called up and after a lecture was allowed to go, court announcing that sentence was suspended.

When Mrs. Emma Stephens was called up to be sentenced for the costs placed upon her in the case in which she was prosecuted for keeping a disreputable house, Judge Gunster said he was surprised that she had not been convicted, as the evidence clearly warranted it. The jury, he said, doubtless took a merciful view of the case and she should profit by it.

The jury in the case of Cornelius Ruddy, charged by Patrick Keilther with felonious attempt to kill, returned a verdict of not guilty.

IN COURT THIS WEEK.

Argument Term and Special Common Pleas Session.

Today will begin a week's session of argument court and the second of the special common pleas sessions to try Traction Company cases.

Judge McPherson, of Harrisburg, will preside in common pleas. The cases to be heard are those in which Susan Keator, Giles Stanton, Mr. and Mrs. Martin Hart and Catherine Sweeney are the plaintiffs.

THEATRICAL ATTRACTIONS.

Rhea Saturday Night.

Rhea was seen at the Lyceum Saturday night in her new play, "Napoleon," in which she assumes the character of Josephine, the only role she has heretofore been notably successful. The play is a good one in a dramatic way and was well presented Saturday night. William Harris appeared as Napoleon and Frederick Vroom as Prince de Talleyrand. Other clever members of the company are Miss Jane Lennox, Rachel Crothers and Lauren Reese.

Sowing the Wind.

"Sowing the Wind," the best play we have had from the pen of that most interesting and English playwright, Sydney Grundy, is a drama that has perhaps been a source of more discussion than any dramatic production seen in late years. It is in four acts and has for its main theme the social inequality of the sexes, namely the unlimited field for women's moral diversion, and the small world in which our women live, to keep in the good graces of society. This play will be presented here with a strong cast at the Lyceum Tuesday evening.

The Fast Mail.

A production of unusual magnitude will be given at the Academy Monday, Tuesday and Wednesday of this week. It is "The Fast Mail," as its name indicates. It deals largely with the railroad in its incidents, but it presents an abundance of effects that are daring in their magnitude and admirable in their execution. The steamboat is said to be a wonder of clever conception and masterly mechanical work and the railroad scene with its trains going at a terrific rate of speed, makes the stage seem like a piece of reality. The Niagara Falls scene is wonderfully beautiful, and it may be said is more elaborate than anything of the kind ever before attempted in this city.

Mr. Beane from Boston.

There are no more popular people in the dramatic profession than the Gormans, John, James and George, who appear at the Academy this week in their new comedy, "Mr. Beane from Boston," in which their many friends will find them more interesting and humorous than ever. This new drama is said to be a great one. John Gorman as Sylvester and George Gorman as Chauncey Maguire are two big hits this season, if we are to believe what the press says, and why not? Their former successes prove all the good things that may be said.

HEAVY SWELL RUNNING.

"One remarkable feature of the incident was that not even the most trivial kind of an accident happened during the rescue. The sea was not broken, but very heavy swell was running and the boats rose and fell many feet and pointed their noses in all directions while in transit between the two steamers and at the steamers' sides. One man while being lowered over the Veendam's rail had the lower part of his legs wet by a heavy swell, but that is the only case of wetting I know of."

Mr. Zehnder made the European trip for needed relaxation from business. He left here on the Normania of the Hamburg-American line and visited Gibraltar, Italy, Austria, Germany, Switzerland, France and England. In Germany he found more evidences of commercial thrift than in any other country visited.

At Dresden, Mr. Zehnder met Judge

A BARBAROUS SURGICAL OPERATION For the Cure of Piles.

Is not only intensely painful, dangerous to life and very expensive, but in the light of modern medical research and since the discovery of the Pyramid Pile Cure a surgical operation is wholly unnecessary. If you have any doubt on the point kindly read the following letters from people who know that our claims regarding the removal of the Pyramid Pile Cure are borne out by the facts.

From N. A. Stall, Ridge Road, Niagara Co., N. Y.: I received your Pyramid Pile Cure and tested it last night. It did me more good than anything I have ever found, and I remember this was the result of one night's treatment only.

From John W. Arnett, Batesville, Ark.: Gentlemen—Your Pyramid Pile Cure has done me so much good in a short time that my son-in-law, Capt. T. J. Klein, of Fort Smith, Ark., has written me for your address, as he wishes to try it also.

From A. E. Townsend, Henville, Ind.: I have been so much benefited by the Pyramid Pile Cure that I enclose \$1 for which please send a package which I wish to give to a friend of mine who suffers very much from piles.

From John H. Wright, Clinton, De Witt Co., Ill.: I am so well pleased with the Pyramid Pile Cure that I think it but right to drop you a few lines to inform you its effects have been all that I could ask or wish.

From P. A. Bruton, Llano, Tex.: Gentlemen—The Pyramid Pile Cure has done so much good for me that I will say for the benefit of others that after using only two days I am better than I have been for months.

The Pyramid Pile Cure is prepared by the Pyramid Drug Co. of Marshall, Mich., and it is truly a wonderful remedy for all forms of piles. So great has been the number of testimonial letters received by them from all parts of the country that they have decided to publish each week a number of such letters.

All druggists recommend the Pyramid Pile Cure, as they know from what their customers say that no remedy gives such general satisfaction.

Alfred Hand and family, of this city. They have engaged passage for home and will be here in May. Judge Hand has been greatly benefited by his long stay in Europe. Mr. Zehnder says, and is in perfect health, as are the other members of his family.

It is better to take Hood's Sarsaparilla than to experiment with unknown and untried preparations. We know Hood's Sarsaparilla actually and permanently cures.

Hood's Pills act easily and promptly on the liver and bowels. Cure sick headache.

Tribune

Classified Specials

HELP WANTED—1 CENT A WORD FOR RENT—1 CENT A WORD FOR SALE—1 CENT A WORD REAL ESTATE—1 CENT A WORD AGENTS WANTED—1 CENT A WORD

SITUATIONS WANTED

Free of Charge.

All advertisements inserted in these columns (excepting Situations Wanted, which are published free of charge), are payable strictly in advance. DON'T ask to have them charged.

HELP WANTED—MALE

RELIABLE MEN WANTED TO ADVERTISE. Send stamp for particulars. SOMERVILLE MFG. CO., Elizabeth, N. J.

WANTED—THREE GOOD WAITERS.

Must be first-class and present a good appearance. EDWARD G. FISKE & CO., Borden Block, Chicago, Ill.

WANTED—WELL-KNOWN MAN

in every town to solicit stock subscriptions; a monopoly; big money for agents; no capital required. EDWARD G. FISKE & CO., Borden Block, Chicago, Ill.

WANTED—LADY AGENTS IN SCRANTON

being experienced canvasser preferred; work permanent and very profitable. Write for particulars. T. E. SNYDER & CO., Cincinnati, O.

WANTED IMMEDIATELY—TWO ENERGETIC

salesmen to represent us in the city of Scranton, Pa. with other duties. Headful occupation. Write for particulars, enclosing stamp. GEO. CHELSEA COMPANY, No. 72 1/2 JOHN STREET, NEW YORK.

WANTED—TO RENT.

WANTED—HOUSE OF EIGHT OR SIXTEEN rooms, with ten or fifteen minutes walk of the postoffice; best preferred. Address H. A. R. Tribune office.

FOR RENT

FOR RENT—DWELLING HOUSE, MODERN improvements, corner of Mulberry Street and Third Street, Scranton, Pa. P. W. STOKES, 156 Wyoming Avenue.

FOR RENT, FURNISHED—A THIRTEEN

room house in Green Ridge, large front porch, modern improvements. Apply at 1804 Madison Avenue.

FOR RENT—FINE HOUSE IN 1500

block Washington Avenue, also equipped with modern improvements. Apply to H. HITCHCOCK & SON, Insurance and Real Estate, 404 Lackawanna Avenue.

502 MIFFLIN AVENUE, EIGHT ROOMS.

FOR RENT—FOR BUSINESS PURPOSES, 1030 S. Inquire 137 Penn Avenue.

300—HOUSES WITH EVERY MODERN

convenience and luxury, most superior location on the avenue. JONES, 311 Spruce Street. Open evenings.

300—OFFICES IN SUITE FOR DOCTOR

or lawyer, insurance agent, dentist, second floor, front opposite Hotel Jermyn. Steam heat, running water, decorations. Finely lighted, janitor, toilets. JONES, 311 Spruce Street.

FOR RENT—A GOOD BARN IN CENTRAL

city. Inquire at POWELL'S MUSIC STORE.

FOR SALE

FOR SALE—HORSE WAGON AND CONFECTIONERY TRUCK. Address CONFECTIONERY, Tribune office.

FOR SALE—A TEACHER'S TECHNICON.

FOR SALE—ALASKA MINING LAWS. HILLS & AUSHERMAN, attorneys, box 1108 Seattle, Wash.

FOR SALE—ONE 20-HORSE POWER

boiler, as good as new. THE WESTON MILL CO.

REAL ESTATE

FOR SALE—SPECIAL ATTENTION IS called to the Dickson Manufacturing Company and properties Wyoming and Penn. avenues; spacious brick buildings suitable for manufacturing, storage, etc. Railroad facilities for all. An ideal location for any heavy business. F. L. HITCHCOCK & SON, Real Estate and Insurance, 404 Lackawanna Avenue.

Q8,500 WILL BUY AN ELEGANT newly furnished house, 10 rooms, very complete; lot 110 by 181 feet; located near Green Ridge. Apply at 616 Spruce Street, first floor.

FOR SALE—FINEST LOTS IN SCRANTON for homes or investment. For rent—modern offices and stores; rooms; conveniently located; central; send or call for circulars. JONES, Real Estate, 311 Spruce Street.

KEYSTONE HOTEL, SITE AND LOTS on Broadway, near 11th Street, will be offered for sale Feb. 19 next, at one p. m. STOFFLET & SCHAFER, Stroudsburg, Pa.

FURNISHED ROOMS

H—422 Mulberry Street.

LOST

LOST—POCKETBOOK, ON LACKAWANNA Avenue, containing Franklin and Washington, containing some money and papers. Finder will be rewarded by returning it to 210 Penn Avenue.

LOST—BLACK SPANIEL, PUPPY, 2 months old; reward if returned to Metropolitan Club Store, E. MOSES, Manager.

ROCK CUTTING

CAREY BROS., ROCK CUTTING CON. Contractors. Apply, CAREY BROS., Box 35, Avoca, Pa.

SPIRITUALIST.

MRS. E. CUTLER, OBTAINED SPIRITUAL MESSAGES, FREE OF CHARGE, at 107 Diamond Avenue, sitting daily, excepting Sunday and Wednesday evenings.

CITY SCAVENGER

A. BRIGGS' CLEANS PRIVY VAULTS and cess pools, no odor. Improved pumps used. A. BRIGGS, Proprietor. Leave orders 1100 N. Main Ave. or Elbow drug store, corner Adams and Mulberry. Telephone 6944.

CHAS. COOPER, CITY SCAVENGER. All orders promptly attended to, day or night. All the latest appliances. Charges reasonable. 718 Spruce Street. House 1125 Washington Street.

SEALED PROPOSALS.

SEALED PROPOSALS WILL BE RECEIVED by the Spring Brook Water Supply Company for the construction of an embankment, containing masonry concrete wall, Gardner's creek in Flatts township, Luzerne County, Pennsylvania, as per plan and specifications on file at the general office, No. 18 N. Main Street, Wilkes-Barre, Pa. Bids will be opened on Friday, March 4th, 1898, at 10 o'clock in the forenoon. The Company reserves the right to reject any and all bids.

LEGAL NOTICE.

THE TRIBUNE PUBLISHING COMPANY, January 22, 1898. THE BOARD OF DIRECTORS OF THIS company has called a special meeting of its stockholders to be held at the general office of the company, at Scranton, Pa., on Tuesday, March 23rd, at 10 o'clock in the forenoon, for the purpose of voting for or against upon the question of issuing common and preferred stock.

E. H. RIPLEY, Secretary.

Connolly & Wallace

During The Cold Snap

We will sell the balance of the Waters' stock of Men's Heavy Driving and Working Gloves. Prices 25c., 50c. and 75c. Worth more than double these prices.

Will also sell a lot of Men's Natural Wool and Camel's Hair Striped Underwear, regular \$1.25 grade, at 75c. each. These are good cold weather specials.

CONNOLLY & WALLACE 127 and 129 Washington Ave.

AMUSEMENTS.

Lyceum Theater. One Night Only. Tuesday Evening, Feb. 15th. The Empire Theater (New York) Success Sydney Grundy's Masterpiece The Great Sex Against Sex Drama.

Sowing the Wind. Indorsed by Pulpit, Press and Public. Greatest Play of the Century. No theater goer can afford to miss seeing this great attraction. PRICES—25, 50, 75 and \$1.00. Sale of seats opens Saturday, Feb. 12.

THE SPORTING DUCHESS. With its great cast, including the famous English Comedienne.

FFOLIOTT PAGET, in the title role. Complete production, including the Great Derby Race with its thrillingly dramatic scenes.

Academy of Music. Three Nights, Commencing Thursday, Feb. 14. Usual Matinees. Lincoln J. Carter's Grand Scenic Production.

The Fast Mail. Ten Sets of Special Scenery. Flight of the Fast Mail. Niagara Falls by Moonlight, with Boiling Mist. Practical Working the Engine, and The Frolics with Its Illuminated Caboose. The Digo Digo. Realistic River Scene and Steamboat Explosion, and other startling Effects. Academy prices, 15, 25, 50.

THE GORMANS. The Kings of Farce! Comedy, in the New and Funny Play. Mr. Beane from Boston. A Great Comedy. Great Slings. Great Danes. Funny Comedians and Great Girls. PRICES—15c, 25c, 50c, 50c.

WALTER W. BRANSON, Chief of Jonas Long's Sons. Philadelpha * Caterer. Baked Turkey Croquettes, Salads of All Kinds, Wedding Parties, Experienced Men. All orders promptly attended to. Order can be left at 124 Washington Street, or can be seen at Jonas Long's Son's Cafe.

CHIROPODIST. CHRONIC RHEUMATISM AND INGROWING nails cured without the least pain or drawing blood. Consultation and advice given free. E. M. HETZEL, Chiropodist, 310 Lackawanna Avenue. Ladies attended at their residences if desired. Charges moderate.