

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. Judge Archibald refused 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 then call the jury to pass upon the question whether or not Olchefski caused the fire and that court would say whether or not he committed a crime and what character of crime he had committed.

When the jury had handed up its verdict, yesterday, Judge Archibald addressed it as follows:

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 all times in the possession and occupancy of the said dwelling with the defendant, Leon Olchefski, 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 same is sufficient to constitute the crime of felonious arson, then we find the defendant guilty thereof, in manner and form as charged in the indictment, 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 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—unlawfully and maliciously and feloniously blowing up buildings, 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

quantity of dynamite, with the intent then and there to maliciously and feloniously destroy, burn, damage, etc."

"That is a little different offense from the one charged in the other two counts. If you returned a general verdict of guilty in manner and form as charged in the indictment, that would cover all that is charged in it."

"If you should make a special finding it seems to me your special finding should be confined to the first and second counts only, leaving your general finding to stand as to the third count if you so desire. So under these circumstances I would advise that you limit your special finding as to the first and second counts, in this way making a return of a general verdict and then a special finding. And as to the charge of felonious arson, contained in the first and second counts in the indictment, we find as follows:

That presents the matter in a little different form than what I said to you a few moments ago. I do not want to impose too much upon you, but simply guide you.

This is all for the purpose of more fully protecting the rights of the defendant, but the whole thing is within your control and must be your own adoption. You may take the suggestions of the court, but the verdict as rendered must be your own."

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."

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 on the St. Louis and among the heroic Holland officers of the Veendam. From what I saw personally on the former vessel and from what I heard about first-hand concerning the Veendam's crew, I shall always have the greatest admiration for the men who hold in their hands the lives of thousands of helpless souls crossing the Atlantic. Nobody could hear first-hand the story of the accident to the Veendam and of the subsequent incidents aboard her and see the final rescue of her human freight and the heroic efforts of the great ability, bravery and strength of character possessed by those in command of the big ocean liners.

CAUSE OF DISASTER. "The New York newspapers and the dispatches do not give the cause of the accident as we understood it aboard ship. It is published that the Veendam ran into a sunken wreck. That is untrue according to statements made by the officers of the Veendam. Captain G. Stenger, of the Veendam, said that about 5 o'clock in the afternoon the propeller flew off and the non-resistance to the engines caused them to "run away." Something had to break. It was the connections between the crank and the huge shaft. Before the engines could be stopped the whirling steel pounded holes in the ship's bottom as easily as though it had been made of egg-shell. Of course, torrents of water poured into the boilers and put the fire out. What followed illustrates the utter helplessness of the crew.

"Of the 212 passengers all were steered but four. Officers were put in the stateroom to keep the passengers there from becoming panic-stricken. They were given absolutely no particulars of the accident, but were allowed to go to bed. As soon as it became apparent that the crew was insufficient to work the pumps the male stateroom passengers were pressed into service. A sea anchor made of a huge spread of canvas was dropped and kept the vessel from drifting the waves and made her ride easier.

"Captain Stenger calculated from the rise of water in the hold that he could postpone for twelve hours a desertion of the ship. There were not enough boats to accommodate the passengers and all the crew, so lots of men were drawn to determine those of the crew who should man and command the boats and leave with the passengers in case help did not arrive. Those on the Veendam were to take charge on escaping on rafts and with life-preservers. The water was gaining so fast that a sufficient number of seamen could barely be spared to prepare the boats with provisions and instruments.

WERE ON THE WATCH.

"They were on the watch for the St. Louis, which was sighted about 1 o'clock Monday morning. Rockets had been fired at intervals since darkness began and the light was kept at sea to the signals of distress when the lights of the St. Louis were seen. Captain William G. Randle was in command of the American liner, which was stopped about a mile abreast of the Veendam and went steadily by a sea anchor of the same type as was used by the crippled boat.

"Soon a boat from the Veendam appeared at the side of the St. Louis. It contained Captain Stenger, who told Captain Randle of the accident. They conferred a moment and the men of the rescue and Captain Stenger was rowed back to his ship, followed by the boats of the St. Louis, each manned by ten oarsmen and an officer, who was steersman.

"The first thing swung over the rail of the Veendam into a St. Louis boat was a 6-month-old baby. When the boat contained sixteen babies and children and three women it was rowed to the St. Louis. The remaining boats, each contained sixteen adults. All the passengers were first transferred. Captain Stenger and the ship's surgeon were the last to leave the wreck.

"Captain Stenger's final act was to get back to the ship and the dinghies would have been a menace to those waters. Only a little over three hours was required to transfer all the passengers. We lost just four hours from the time the St. Louis stopped until she started away. In that time we drifted to over two miles away from the Veendam. Her stern had settled perceptibly and the bow was almost out of the water. The St. Louis started quickly away after Captain Stenger's boat.

"The flames burst from the Veendam's hatches and companionways, but the light in the sky could be seen until after daylight.

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, yet, and remember this was the result of one night's treatment only.

From Penn 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, Liano, 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.

TRIBUTE

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.

HELP WANTED—MALE RELIABLE MEN WANTED TO ADVERTISE FOR PARTIALLY SOBER VILLAGE 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—AS AGENT IN EVERY SECTION of the United States for a day made; sells at retail; also a man to sell Staple Goods to clients; best side line \$75 a month; large commission; no experience necessary. Clifton Soap and Manufacturing Co., Cincinnati, O.

WANTED—WELL-KNOWN MAN in every town to solicit soap subscriptions; a monopoly; big money for agents; no capital required. EDWARD G. FISKE & CO., Borden Block, Chicago, Ill.

HELP WANTED—FEMALE LADY WITH TACT AND ENERGY to travel for old established firm; permanent; \$10 per mo. and expenses. 1/2, care Tribune.

WANTED—MAKE BIG WAGES doing odd jobs and errands; will gladly send full particulars to all sending 2 cent stamp. MISS M. A. STEBBINS, Lawrence, Mich.

WANTED—LADY AGENTS IN SCRANTON; experienced canvasser preferred; work permanent and very profitable. Write for particulars to E. J. BROWN, 105 Broadway, N. Y.

WANTED—IMMEDIATELY—TWO ENERGETIC saleswomen to represent us in the sale of our new and improved "Milkmaid" brand of condensed milk. Write for particulars, enclosing stamp, to CHAS. COOPER, 1125 Washington St., New York.

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

FOR RENT. FOR RENT—DWELLING HOUSE, MODERN improvements, corner of Mulberry Street and Third Street, near P. W. STOKES, 156 W. Mulberry Street.

FOR RENT, FURNISHED—A THIRTEEN room house in Green Ridge, large front porch, modern improvements. Apply at 1004 Mulberry St.

FOR RENT—FINE HOUSE IN 1500 block Washington Avenue, also enclosed in front, with modern improvements. L. HITCHCOCK & SON, Insurance and Real Estate, 404 Lackawanna Avenue.

FOR RENT—MIFFLIN AVENUE, EIGHT ROOMS. FOR RENT—FOR BUSINESS CONVENIENCE, 1030. Inquire 137 Penn Avenue.

FOR RENT—HOUSES WITH EVERY MODERN convenience and luxury; most superior location on the avenue. JONES, 311 Spruce Street. Open evenings.

FOR RENT—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.

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.

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. 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 Problem Car with its illuminated Caboose. The Digo Digo. Realistic River Scene and Steamboat Explosion, and other startling Effects.

THE GORMANS. The Kings of Farce Comedy, in the New and Funny Play.

Mr. Beane from Boston. A Great Company. Great Singing. Great Dancing. Funny Comedians. Great Girls.

WALTER W. BRANSON, Chief of Jonas Long's Sons.

Philadelphus & 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.

WANTED—AGENTS FOR AN UP-TO-DATE Building and Loan Association; choice territory. For particulars call on Manager, The Westminster, from 3 to 6 p. m.

AGENTS—THE "MONARCH" IS THE best and cheapest telephone desk on the market; retail price, including one roll of paper, \$1.10; wholesale, exclusive trade, \$1.00. W. W. HAMILTON & CO., 21 Milk Street, Boston, Mass.

WANTED—AGENTS FOR GREATEST gas saving device manufactured. Details 25c. Big profit. OLIVER BROS., Rochester, N. Y.

AGENTS TO SELL OUR SOC. STORM A door, sample prepared upon receipt of price. AMERICAN STORM DOOR CO., Port Huron, Mich.

KLONDIKE—AGENTS WANTED FOR KENTON WADE—HARRIS MAN. Large illustrated book of Klondike, five hundred pages, price \$1.50; outfit 10c. Address NATIONAL BUSHING CO., Lackawanna Building, Chicago, Ill.

WANTED—SOLICITORS; NO DELIVERY; pay weekly; state age. GLEN BROTHERS, Rochester, N. Y.

AGENTS—WHAT ARE YOU GOING TO do about safe citizenship—price \$1. Going weekly, state age. GLEN BROTHERS, Naperville, Ill.

AGENTS—TO SELL OUR PRACTICAL gold, silver, nickel and copper electroplating; prices from \$3 upward; salary and expenses paid; outfit free. Address, write stamp, MICHIGAN MFG. CO., Chicago.

AGENTS—TO SELL CIGARS TO DEAL. A \$25 weekly and expenses; experience unnecessary. CONSOLIDATED MFG. CO., 48 Van Buren St., Chicago.

SITUATIONS WANTED. CITIZEN WANTED—MARRIED MAN. 28 years of age and 10 years' experience in general store as bookkeeper and clerk; can furnish references. Address: J. H. WELLS, general delivery, Scranton, Pa.

PROTESTANT YOUNG WOMAN WOULD like position as nursery governess or secretary for elderly woman; experienced; best New York city references. Address KATHARINE WELLS, general delivery, Scranton, Pa.

WANTED—A SITUATION AS A FIRST class cook, waitress, or chambermaid, and pie baker, city or country. R. D. WATMAN, Lebanon, Pa.

SITUATION WANTED BY SIENOG. A registered architect or an architect's assistant. Address M. W. A., care Tribune.

WANTED—A POSITION BY A GOOD girl in general household. Address 242 Franklin Avenue.

SITUATION WANTED BY A YOUNG man, willing to work at anything; age 22; well recommended. Address P. M., Tribune office.

SITUATION WANTED—A YOUNG MAN of good habits and ability desires a position of a clerical nature; has had four years experience in office work; references. 247 2/25 Kessler Court.

MIDDLE-AGED MAN DESIRES POSITION taking care of horses or work of any kind. Address 205 Washington Avenue, care E. W. FINN.

SITUATION WANTED—WASHING AND IRONING taken home or \$3 out by the day washing, scrubbing or any kind of work. Rear 420 Franklin Avenue.

BUTCHER—THOROUGHLY EXPERIENCED, seeks employment in market or retail business. HILTON, 210 Spring Street, Providence.

BUSINESS MEN—A BUSINESS MAN formerly of this city, a real estate broker and thoroughly reliable, wishes a position of responsibility and careful attention to details is requisite; is well posted in the city and country affairs and can furnish recommendations from our representative men, also bonds if necessary. Address H. 207 Linden Street, Scranton, Pa.

SITUATION WANTED—BY A YOUNG man, to deliver for grocery store or market; well acquainted in the city; references. Address SMITH, 310 Irving Avenue, city.

SITUATION WANTED—BY A YOUNG man, married man, willing to do any kind of work; has had experience in dry goods and grocery store, and can furnish best of references. CHARLES STANTON, Pockville, Pa.

SITUATION WANTED—BY A YOUNG man of good standing; has had three years experience in the heavy and under-laying business. Address WILLIAM MICHAEL, Pockville, Pa.

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 16, 1898, at 10 o'clock a. m., for the purpose of voting for or against the increase of the capital stock, and to vote upon the question of issuing common and preferred stock.

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