

THE HOPKINS MURDER TRIAL.

Damaging Testimony Against the Prisoner—Evidence of How Bloody Murder Followed Abusive Treatment of His Family—Details of One of the Most Atrocious Deeds in the Criminal Annals of the State.

The trial of Wm. S. Hopkins for murder commenced on Tuesday morning at 9.30, the grand jury having found a bill of indictment against him for having killed his mother-in-law, Mrs. Hester Wighamman. A bill of indictment was also found against him for killing his wife, Mrs. Maggie Hopkins. It will be observed that the charge for which he was made to answer with his life in this case was not for the killing of his wife, who was the victim of his murderous pistol at the same time that his mother-in-law was slaughtered, and who was shot first. This may have been intended to avoid any plea that might have been set up in his defense on the ground of the alleged infidelity of his wife, and which could not apply to the ruthless murder of Mrs. Wighamman.

The circumstances of the terrible act are well known to our readers, it having occurred in the town of Philipsburg, on Sunday, 22nd of last September. Hopkins was married to the daughter of Mrs. Wighamman some two years and a half ago and had been living very discordantly with her and her mother. Some time before the murder he was charged with having beaten her, for which he was arrested and, afterwards discharged. He then went to Houtzdale, but returning shortly after, he got stealthily into the house by way of the cellar early in the morning in question, and coming suddenly upon his wife while she was washing the breakfast dishes, shot her, and then, proceeding upstairs, shot his mother-in-law, their deaths being the immediate result of the shooting. His subsequent unsuccessful attempt to kill himself is well known.

The prisoner was brought into court on Tuesday morning at the hour above stated, and appearing at the bar was ordered to stand up, when the bill of indictment charging him with having murdered Hester Wighamman was read, to which he pleaded "not guilty." Then came the drawing of the jury which was not attended with as much difficulty and delay as was expected.

The first one drawn was M. P. Holter, of Howard, who after stating that he had formed no opinion in regard to the guilt of the prisoner and had no conscientious scruples against capital punishment, was accepted. The second juror drawn was Geo. Eckel of Pine Grove Mills, who although qualified substantially the same as the first juror, was challenged by the defense. The third was Abednego Stine, of Half Moon township; he had no opinion in regard to the case and no scruples against capital punishment, but was set aside by commonwealth. Fourth, Henry Vaughn of Philipsburg; admitted to being hard of hearing; challenged by the commonwealth. F. B. Stover, of Bellefonte, had formed an opinion about the guilt of prisoner; set aside by defense. Geo. Gent of Spring Mills, the sixth drawn was the second accepted. Next was James Turner, of Howard, and the third accepted. Andrew Glenn, of College township; no scruples about hanging nor opinion about guilt of prisoner, but challenged by defendant. Levi Stump, of Potter township, same impressions about prisoner and capital punishment, but challenged by defendant. W. C. Farmer, of Potter township; same impressions, but challenged by commonwealth. Cornelius Houtz, of College, was the fourth juror selected. Mark Mooney, of Millheim, who was not opposed to hanging and had no opinion as to guilt of prisoner, was nevertheless stood aside. John Gunsallus, of Snow Shoe, was the fifth selected. Then came Henry Ellenberger, of Philipsburg, Wm. Harter, of Penn, Geo. Ocker, of Centre Hall and Simon Nihart, of Boggs, all of whom professed to have formed no opinion and had no scruples against capital punishment, but were set aside by either commonwealth or defendant. Edward Moore, of Ferguson, admitted to have formed an opinion and was accordingly stood aside by commonwealth. S. E. Royer, of Potter township, was the sixth selected. Balzer Weber, of Howard, was set aside because he was opposed to capital punishment. John Z. Uzzle, of Snow Shoe, was challenged although he was not opposed to capital punishment and had no opinion in regard to guilt or innocence of prisoner. Joseph Apt, of Spring township, seventh juror accepted. M. D. Mooney, of Snow Shoe, had the necessary qualifications but was challenged by commonwealth. John Meese, of Bellefonte, had the qualifications, but was also challenged by com-

monwealth. Jonathan Packer, of Boggs had formed an opinion and was stood aside. R. O. Way, a Quaker of Half Moon, was opposed to capital punishment and accordingly challenged. T. F. Adams, of Milesburg, qualified, but set aside by defense. Wm. Hopkins, of Howard borough, had formed an opinion and was opposed to capital punishment; challenged. W. G. Gray, of Philipsburg, had formed and expressed an opinion and was set aside. James Harris, of Bellefonte, was qualified, but challenged by defense. Joseph Schenk, of Howard borough, also qualified, but rejected by commonwealth. G. R. Quick, of Boggs township, was the eighth juror accepted. Henry Gentzel, of Spring township, was qualified, but was challenged. W. E. Irwin, of Philipsburg, had formed an opinion and was opposed to capital punishment; challenged for cause. Silas Dickson, of Burnside, qualified, but stood aside. S. S. Christman, of Philipsburg and Henry Norris, of Patton, were challenged for having formed opinions, and Geo. Wyland, of Patton, who had the qualifications, was also set aside. John Confer, of Snow Shoe, was the ninth juror selected. James Houser, of Denner township, who had formed an opinion, and Wm. Ellenberger, of Ferguson, who hadn't formed an opinion, were alike rejected, as was also James P. Frank, of Miles, who had the qualifications. The panel had now become exhausted. Abednego Stine was recalled and again rejected, as was also Henry Vaughn and W. C. Farmer. Upon being recalled Mark Mooney was accepted as the tenth juror. W. Ellenberger recalled and rejected, and Simon Wyland recalled and taken as the eleventh juror. After John G. Uzzle and M. D. Mooney were recalled and rejected the second time, Jonathan Packer, of Boggs, was accepted as the twelfth and last juror.

The jury as completed was as follows: M. P. Holter, carpenter, Howard; Geo. Gentzel, farmer, Gregg tp.; James Turner, farmer, Howard tp.; Cornelius Houtz, laborer, College tp.; John Gunsallus, farmer, Snow Shoe tp.; S. E. Royer, farmer, Potter tp.; Joseph Apt, mine boss, Spring tp.; G. R. Quick, carpenter, Boggs tp.; John Confer, lumberman, Snow Shoe; Mark Mooney, farmer, Millheim; Simon Nihart, teamster, Boggs tp.; Jonathan Packer, blacksmith, Boggs.

After the selection of the jury court adjourned until 2 o'clock, when the trial was resumed by the appearance of the prisoner and the swearing of the jury. Judge Furst then enjoined upon them the duty of keeping apart from the world during the continuance of the trial and holding no communication with any one concerning the case. The court directed the deputies to exclude all boys under 16 years of age from the court room during the continuance of the trial. The case was then opened by District Attorney Meyer for the commonwealth, who explained to the jury the different grades of murder. There was no question, he said, that the prisoner at the bar had killed the party for whose death he was charged with murder. If there was notice in a homicide it constituted murder in the first degree and it was for the jury to determine whether there was a malicious motive for the act which the prisoner had committed. He showed the deadly weapon by which that act had been done, the very character of which weapon implied a determination to kill. He entertained no doubt that the homicide, which was not questioned, could be proved to have contained all the elements of premeditated murder, and therefore he could ask a verdict of guilty of murder in the first degree from the jury.

COMMONWEALTH'S TESTIMONY.

The first witness for the commonwealth was W. R. Williams who showed a draft of the building where the homicide had been committed and the cellar window through which Hopkins gained entrance.

P. J. Myers showed from the draft the location of the rooms in the house, two down and two upstairs, and the location of the cellar stairs where the prisoner came up to do the shooting. He is a brother of Mrs. Wighamman and the last time he saw her was on Saturday before the murder, and the next time she was dead. On Sunday morning he was standing on his back porch and heard two shots. He ran to Alport's livery stable where he saw Hopkins on his knees bleeding. He said he had shot his wife and mother-in-law. Then witness went to Mrs. Wighamman's house and found Mrs. Maggie Hopkins lying dead on the floor in the kitchen. Started to go up stairs but came back and went to telegraph to Robert Wighamman, Mrs. Wighamman's son.

Robert Wighamman, son and brother of the two murdered women, testified that the occupants of the house had been Mrs. Hopkins, Seely Hopkins, Mrs. Wighamman and himself. He stated how on the Sunday morning of the murder his mother got breakfast for him and he started for Clearfield. The train was stopped at Graham's Station where he got off and was taken back

home and there found his mother and sister dead.

Charles Johnston testified how he had stayed at Mrs. Wighamman's with Robert all night before the murder, leaving the next morning. About half an hour after he left he was told that Mrs. Wighamman and Mrs. Maggie Hopkins had been shot. He went at once and found them both dead—both had been shot in the head. The wound in Mrs. Wighamman's head was on the right side. She was lying on the floor in the bedroom over the dining room. Mrs. Maggie Hopkins was lying in the kitchen with a bullet wound in her head. There was a pool of blood at the head of each of them.

Dr. G. D. McGirk, practicing physician of Philipsburg, testified that in passing Mrs. Wighamman's house on the morning of the murder he saw a man come out bare headed, in his stocking feet, and without a coat, and he started to run towards Alport's stable. Witness did not know who he was when he saw him come out of the house. Saw nothing in his hands when he came out. Saw this man snap a revolver at his head and heard shots at the livery stable. Saw him try to shoot himself. Recognized the prisoner as the person he saw that morning. Hedropped on the pavement after the third shot. After he fell down he grabbed for the revolver again, but some one took it before he got it. Saw him aim at his head and then dodge.

John R. Aikens testified that his plumber shop is across from the livery stable and near the Wighamman house. He was in his shop on the Sunday morning of the murder. When he came out on the street he saw Hopkins on Laurel street. Hopkins said "John, John, I have done the deed." He called to witness twice. He was then in the alley near the livery stable. Looked back and saw him have a revolver pointing it at his head. Witness ran away because he was afraid of him.

Dr. J. H. Peirce sworn: Was standing at the door of my office. Saw a man standing on the street with a revolver in his hand holding it to his head. I heard one shot and then I ran to the livery stable and found Hopkins to have wounds in the head which were scalp wounds. After fixing him up I ran to Mrs. Wighamman's house and found Maggie on the floor almost dead from a wound in the head. I went up stairs and found Mrs. Wighamman dead lying near the bed, one ball having struck at the left angle of the jaw, passing upwards; the other was in the head. This one must have produced death instantly. Myself and Dr. Buckingham held a post mortem examination. The first must have been shot upward; the second no doubt when she was on her knees.

Dr. Buckingham in his testimony corroborated Dr. Peirce as to the examination, testifying to the fatal character of the wounds.

Mrs. Blanch Myers and Mrs. Prudence Helmes, neighbors of the murdered women, testified to seeing them lying dead in the positions in which they had fallen when they were shot down.

Sheriff Cooke's testimony was to the effect that when the coroner's jury was held he took charge of the bull dog revolver, No 93401, with which the crime had been committed, and that he had kept it in his custody until he handed it over to District Attorney Meyer. It contained when he received it six empty shells and one chamber was entirely empty.

District Attorney Meyer testified to having received the revolver from Sheriff Cooke and it was the one presented in evidence before the Court.

At this point the court adjourned until 8.45 Wednesday morning, upon its convening at that time Fred Land was the first to testify. Was at Alport livery stable on the morning of the shooting; saw the revolver and had it in his hands, but did not examine it.

Samuel Rhule identified the revolver which was handed to him at Alport's stable and which he presented at the inquest.

J. J. Wighamman—Hopkins told me he would kill Hester Wighamman; told me at my house near Houtzdale; he showed a special ill will towards Mrs. Wighamman. He told me this when he was at my house with his wife; she left on the 2:27 train; don't know where he went; when he came back I told him his wife had gone home; our conversation was concerning their troubles; they walked from the station; he told me he would kill T. J. Myers, Esther Wighamman and Miss Emilie Clarkson; I told him I didn't want to hear that language in my house, that I preferred him to stay away if that was the manner in which he carried on; Mrs. Hopkins said she and her husband had some trouble; she told me Hopkins was abusing her and her mother, and asked me what they should do; told her they should move away by themselves apart from Mrs. Wighamman; Mrs. Hopkins said her husband would not do it; he was sitting by the side of his wife, and when she said this he reached for his hip pocket and with an oath declared he would kill Mrs. Wighamman, T. J. Myers and Mrs. Clarkson, or any other

person who would interfere with him and his wife; she also said he blamed her for not being true to him; he showed special ill-will towards her when in my house looking mad or cross like; so far as I can remember, this was the exact conversation that passed between us; he looked angry when he left. Hopkins told me at the same time that he would not go to housekeeping; told me he could not find a house to suit him; told him I would help him if he did rent a house.

Mrs. Jennie Wighamman sworn—Live near Houtzdale; am wife of J. J. Wighamman; frequently visited Mrs. Wighamman; Hopkins told me when in the yard digging post holes that he and his wife could not live with her mother as she was mean and stingy; these were their troubles; was there again latter part of July when Mr. and Mrs. Hopkins and Mrs. Wighamman was there; took dinner with them and they told me their troubles; Mrs. Wighamman said Hopkins was ill-using both of them, that was Maggie and herself; whole substance of the complaint was that he was not treating them right; Hopkins went out for awhile and when he came back he grasped Mrs. Wighamman by the throat and pushed her in the corner uttering an oath and asking her whether she had told me all about the fuss; Maggie also told me in Hopkins presence how she had to suffer at his hands; Hopkins then went out a second time; after he came back he picked up the stove poker and threatened to use it; he also said he would kill her—Mrs. Wighamman; he complained to me that the "old woman" was mean, stingy and dirty; he made no complaint to me against Maggie; said she was all right; I was afraid of him and took Maggie with me when I went away; came back the next day.

Cross-Examined—It was in July when I was there that he grasped Mrs. Wighamman by the throat. Cross-examination of this witness did not bring out anything new. Maggie told her invited gentlemen to the house one evening after she and her mother were in bed they brought some beer with them; next evening Hopkins invited Mr. Hughes to come to his house; Hopkins went out and told Maggie that if Hughes came before he (Hopkins) returned they should ask him to come in and wait for his return; Hughes came, was invited in as per Hopkins' request, and in about fifteen minutes Seely came back; from that time on Hopkins blamed Maggie with being too intimate with Hughes; it looked to me like a blackmailing scheme on the part of Hopkins to extort money from Hughes.

Mrs. Agnes McCulley, of Bellefonte, sworn—was visiting at Wighamman's in August last. Mrs. Hopkins and Mrs. Wighamman were at Dorsey Meyer's house one evening while I was there; Hopkins came in later in the evening and asked Maggie where she had been all evening, whereupon she answered "why, in here;" Hopkins then replied "yes, like hell;" Hopkins and Maggie then went home, afterwards heard them quarrel in the kitchen of his own house; heard him say he would shoot some one but don't know who it was he meant. This was Aug. 21st last; when Mrs. Wighamman and I got back Seely and Maggie were quarreling in the kitchen; he said he overheard some remarks at the Passmore House earlier in the evening derogatory to Maggie's character; he made threats to shoot some one but I did not hear who was meant.

Mrs. T. J. Myers—Live in Philipsburg, am the wife of T. J. Myers, know Seely Hopkins who is 26 or 27 years old; frequently visited Mrs. Wighamman; heard Hopkins make threats against Mrs. Wighamman; he would cut her hearts out; several times Mrs. Wighamman was chased out of the house by Hopkins; heard her beg of Seely for G. D.'s sake not to kill Maggie; about every time he went into the house the result was a quarrel between them; my house is only a lot's breadth from that of Mrs. Wighamman and could hear all loud conversation between the parties; Hopkins and his wife never lived happily together.

Robert Wighamman upon being recalled testified that three weeks before the murder Hopkins swore in his hearing that he would kill his mother, was very abusive towards her, frequently threatening to shoot and kill her.

Dorsey Myers: Went for constable Gortner on a Sunday morning about three weeks before the murder, to have Hopkins arrested for abusing his wife and Mrs. Wighamman. When he came back with the constable, found Hopkins in the wood house, had no warrant for his arrest. Tuesday following there was another fuss and I went to the house. I met him at the foot of the stairs and as he attempted to escape, and afraid he had killed some one and was trying to get away, I caught him and gave him several squeezes. Mrs. Wighamman was out getting a warrant for Hopkins arrest for abusing Maggie and herself, but he got away and remained several days. When he came back, officer Gleich arrested him and handed him over to Constable Gortner.

Mrs. Dorsey Myers: Heard Hopkins and Maggie quarrelling; live on the same lot with Mrs. Wighamman. During Summer Hopkins made frequent expressions against Mrs. Wighamman, saying that he was thirsty for her blood, and that he would kill her, cut her heart out and similar threats; he said that if it wasn't for the law he would kill her; then he said, "in the law I will not hang anyhow;" saw him choke Mrs. Wighamman because she would not use the butter knife to help herself to butter from the plate. Several times heard Seely and Maggie quarrel; went to the door but was afraid to enter for fear he would kill me; knew he was hurting her because she screamed; then went for my husband and screamed "murder;" after I had my husband at the house I went in.

Emilie Clarkson testified that she heard Hopkins frequently make threats against Mrs. Wighamman; several days before the murder he threatened to kill her; Mrs. Wighamman was her sister; he threatened to ruin her and his wife; he threatened to burn Mrs. Wighamman's house and also that of the witness, and would kill them all.

Officer Gleich testified to having arrested Hopkins on the Wednesday before the shooting on a warrant and before he could get bail handed him over to Constable Gortner.

P. J. Laport, Justice of the Peace at Philipsburg: When Hopkins was brought to my office immediately after the murder I said "Seely, what have you done?" He answered "I have shot Maggie and Mrs. Wighamman." When brought to my office he had no shoes or coat on; these garments were found at the house of Mrs. Wighamman. I had no trouble in getting Hopkins to make answer to all questions asked him. I committed him to jail.

Dr. J. W. Dunwiddie testified that he heard Hopkins say, "I shot Maggie and her mother," and when asked what he did it for he said, "for satisfaction; I did it for revenge."

J. M. Gleich's testimony he stated that when Hopkins was lying in the public building at Philipsburg after the murder and his attempt at suicide, he heard him say how he came from Houtzdale on Saturday; how he crawled in the cellar window; how he laid all night; how he shot his wife in the kitchen Sunday morning; his wife said, "go out, Seely;" then he put his arm around her and shot her; then he went up stairs and shot Mrs. Wighamman while she was on her knees; he bought the revolver at Rochester, N. Y.

FOR THE DEFENSE.

This was the close of the evidence for the commonwealth. W. F. Reeder, esq., then opened for the defense. The first witness on that side was Dr. P. G. Udell, a physician of Spencerport, New York, who testified that some fifteen years ago he treated Hopkins for a wound in the head; it was a scalp wound and not a fracture, and was not of a character to produce insanity.

Frank Marks, express manager at Osceola had been a friend of Hopkins; he was a jolly fellow; but last September while working as a carpenter on the Davis building at Osceola he came into the express office and was very quiet and showed some signs of trouble, but there was no appearance of insanity about him.

John R. Aikens of Philipsburg; Hopkins looked as if he was bothered about something; said he had got detectives out for his wife and Mrs. Wighamman.

Wm. Ferguson swore that he saw Hopkins at his stable the Saturday before the murder; he looked strange and asked for a piece of bread; went to the house and got him something to eat; he appeared to be in trouble about his bail.

Burt Hopkins, of Rochester, N. Y., sworn: Am a brother of the man on trial; on the 13th of September W. Seely Hopkins came to Rochester, walked into the house in a peculiar manner asked "How is the folks?" He followed me around like a dog and acted very queerly; he afterwards ran away and I had to get a horse and buggy and hunt him; I lived in Spencerport when my brother got hurt in the planing mill; during his sickness he was delicious and the covers were hard to keep on him during his sickness and he tore his mother's dress off; he has an uncle and an aunt in an asylum in England and they have been removed to several other asylums on account of their bad condition.

At four o'clock Wednesday afternoon the prisoner was put on the stand to tell his own story of the crime. He said he was 29 years of age last July; was born in Spencerport, N. Y., where he lived until 21 years of age. His father died in Rochester about 26 years ago; his mother is a ill living but almost dead from grief resulting from the situation in which he is now in. He came to Philipsburg eight years ago; he is a carpenter and worked for some time building cars. He married Maggie Wighamman about three years ago; they spent some weeks at Spencerport among friends, returned to Philipsburg and went to housekeeping which they tried for about three months but couldn't make things meet; then they

moved into the house with Mrs. Wighamman; there they lived an unhappy life almost all the time, always having some family trouble. On one occasion he brought home some meat and his wife wouldn't cook it but threw it out of doors; they then began quarreling, and after the quarrel Myers came in, took him by the throat and choked him. The trouble, he said, was caused by his wife and mother-in-law always picking at him. He decided ever having used violence towards his mother-in-law. He claimed that he paid rent to Mrs. Wighamman; she was dirty and stingy; she gave him no money and expected him to work for nothing for her; she did not assist in keeping up the table; in the family quarrels he often broke a chair. He remembered a great many things that happened before the murder, but was entirely oblivious of the circumstances of the crime, denying point blank that he had committed the offense with which he was charged. He didn't recollect going into the cellar of Mrs. Wighamman's house on the night previous to the killing of Mrs. Wighamman and his wife; he didn't remember lying under the cellar steps all night; he said he never knew of the shooting of his wife nor did he recollect going up stairs and shooting his mother-in-law. When asked when he heard in the newspapers since I was in jail and hearing of people talk about it." To the question whether he had not said that he wished he had killed more while he was at it, he replied, "I don't remember saying anything of the kind," and to attorney Spangler's question, "what are you here for?" he answered, "I suppose I am here to answer your questions, that's all." When the examination closed he was assisted off the stand by the Sheriff.

The evidence for the defense here closed, expecting two more witnesses from Rochester, N. Y.

COMMONWEALTH'S REBUTTAL.

One Thursday morning the prosecution called Paul McCulley who testified that he had worked with Hopkins several years at the carpenter trade and never saw anything in his conduct that would in the least indicate insanity; he always talked rationally.

Several other witnesses in succession testified that they knew and had been with Hopkins previous to the murder and saw nothing in him that indicated insanity.

Dr. Peirce, upon being recalled, said that there is no such thing as emotional insanity; he saw Hopkins the Friday before the crime and he was perfectly sane then, and he was the same on Sunday, the day of the shooting. He was positive that Hopkins is perfectly sane, and has been so all along.

Abraham Mills, one of the jail prisoners, testified that Hopkins told him that he was not one bit sorry for what he had done.

A letter was handed in in evidence, written by Hopkins at Fairport, N. Y., Sept. 9, 1889, in which he said that he "swill live to eat the goose that eats the grass of all the graves of his wife and mother-in-law."

The testimony on both sides was here closed, the two witnesses for the defense that were expected from Rochester having failed to make their appearance.

FOR THE PROSECUTION.

For the prosecution, Mr. J. C. Meyer, District Attorney, summed up the case. He was followed by W. F. Reeder, esq., for the defense, J. L. Spangler, esq., closed for the commonwealth. The speeches occupied about seven hours. At eight o'clock on Thursday evening the Judge began his charge to the jury, which was a plain presentation of the law applicable to the facts, as presented by the witnesses, to be judged of by the jury. At 9 o'clock the jury retired.

VERDICT, GUILTY.

The jury went out to determine upon their verdict at fifteen minutes of nine, the Judge announcing that Court would remain in session until eleven o'clock to wait for their decision. The Court House was crowded, and but few of the audience left the room, as the impression was that a verdict would be rendered before eleven o'clock. The greatest decorum was observed during the interval of waiting, conversation among the audience being conducted in a low tone. The Judge left the bench temporarily, and the prisoner was taken back to jail. There was the usual speculation as to what the verdict would be, but the impression was general that it would be for murder in the first degree. About ten o'clock Judge Furst returned to the court room and resumed his seat on the bench. Shortly after, a six was seen about the door of the jury room, and at fifteen minutes after 10 o'clock it was announced that the jury had agreed upon a verdict. The Judge notified the Sheriff to bring the prisoner into court, and requested the audience to make no demonstration upon the rendering of the verdict, whatever it might be. Very soon Hopkins, followed by the Sheriff, came through the back entrance, and at the same time the jury filed in. The prisoner received a trifling scold, but he soon recovered his usual stoicism. "Gentlemen of the jury, have you agreed upon your verdict?" asked the clerk, "the foreman answered "we have," and the paper containing the fatal decision was handed to the clerk who read from the first degree. A little twitching of the muscles of the face was all the emotion Hopkins displayed. The jury was then polled, each one declaring the character of the verdict. Then they were discharged, the court adjourned, the crowd quietly left the room, and Hopkins was led back to his lonely cell.