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ARSON.

Commonwealth vs. Harmon A. Kramer, Over and Terminer, Columbia County, Pa.

For Commonwealth.

R. BUCKALEW, AND BROCKWAY & EL-

For Defendant. A. C. SMITH, H. E. SMITH, AND JOHN

WEDNESDAY, SEPTEMBER 5.

REPORTED BY S. N. WALKER.

When the prisoner had been arraigned and the indictment containing three counts, one for burning the Exchange Hotel on the night of the 22nd of May last, one for attempting to burn it on that night, and one for a subsequent attempt, had been read to him, he refused to plead to the indictment as joining two distinct felonies not joinable by statute, and asked the court to compel the Commonwealth to elect upon which charge she would go to trial. After argument, the court declined to do as requested, whereupon the defendant moved to quash the indictment. This motion being overuled, (and exception taken,) the defendant

pleaded not guilty; whereupon a jury was In the Oyer and Terminer each juror is worn singly, the practice being to call me at a time to the "tribune" in front of the bench, where he is told to look upon prisoner, and the prisoner to look upon the juror, and the prisoner is asked "what say you, challenge or no challenge?" he baving the right to twenty peremptory challenges Generally the prisoner, not wishing to exercise this right too hastily makes no answer to the question, but has the juror sworn upon a coir dire, (to make true answers, ) and asks him if he has formed or expressed an opinion as to his (the prisoner's) guilt or nnocence. Upon his answering in the negative, the Commonwealth who has four peremptory challenges, may either challenge or order the juror to stand aside, (whereupon he is passed, not "stood aside," until the

subject of capital punishment, and if he has, challenges for cause. Persons unfamiliar

the following: opinion, was challenged for cause.

Charles R. Housel, Wm. E. Johnson Aaron Grover, Thomas Merrill, Marvin Kline, and William Beishline, six, Ezra Hill, Jacob Artley, Chas. Reed, T. M. Mensch, Thomas Brobst, Septemius Hess, Allen White, Ezra Stephens, Dennisor Cole, George W. Ruckle, John F. Fowler and Geo. P. Dreisbach, twelve, were sworn to try the cause.

he case telling the jury that, though no eyewitness could be brought to swear that he testify to seeing him in such suspicious cirthe 22d at both the places, (the boxes of paper and the coal-oil barrels in the cellar, ed that night, that he had made inquiries of advised to insure, and prophesied fire, that

J. C. Brown, the first witness for the Com

boxes; that he used the cellar for his coal; he told Kitchen sometime before the fire to no use to waste time in fighting the fire. box up the papers, which he did, was away James C. Brown, recalled, testified to barrels, (that's the way he understood it,) that

DISTRICT ATTORNEY JOHN M. CLARK, CHAS.

PREEZE.

CASE CALLED AT 11:17 A. M.

remainder of the panel is exhausted,) or as sent to his being sworn in the cause : if the last, the detendant either accepts or refuses him; if the former, he is sworn to try the issue and takes his seat in the box, if the latter, he goes back to his place in the court-room. If the juror says he has an opinion he is challenged for cause, and, if the challenge is sustained by the court, is rejected. Such is the usual practice, except that, in capital cases, the Commonwealth first asks the juror if he has conscientious scruples upon the

John Cadman, Joseph Heckman, Archioold Patterson, Isaiah Yeager, Allen Shellhammer, William J. Allen, Nicholas Kindt. D. M. Thornton, James F. Kile, and C. C. French, ten jurors, were peremptorily chalenged by the defendant, and Willits Hartnan, who had formed and expressed an

District Attorney, J. M. Clark, opened saw the defendant set the fire, many would cumstances that the jury must infer his guilt, as, that he was seen in the afternoon of whence the fire first sprung, that he had no business there; that his bed was not disturbvarious persons in the neighborhood of the building in regard to their insurance, had after the alarm was given, he was found completely dressed, though he had been the ast man up that evening, and that subsequently he was met by Mr. J. C. Brown coming out of a room in which were several hundred ignited matches, some on the floor

and some on a table, scattered about. monwealth, was called now only to the matter of four drafts of the building (one of the the cry of fire or by the smoke, but that, at ter to an inch and a half. about half past one, on the morning of the 23d of May, he was roused in some way, heard a cry of fire, and a noise in the hall below, dressed himself as soon as he could, Market and Main; came back and looked although he claimed to be innocent, becau cellar. He did not knock at any door in his hall, saw no person there, but ran, screaming

George B Kitchen sworn, said he worked about the house and on the lot toward the boxes of paper, soon came back, spoke to witness and so out of the cellar. A couple information, arrested. of weeks before Kitchen had been down, gathered up the loose papers, put them in Kramer was put out on Friday evening the boxes, nailed them in and piled them up the 25th, he heard Mr. Koons tell Mr. in the corner. He thought strange of Krea- George E. Eiwell that the Sheriff might take

George A. Clark testified that the boxes

John K. Grotz sworn, said he had been indicating that it had been bored since the Kramer at work pumping out the oil, when equainted with defendant some eight or fire. He also found cotton-waste wet with he hollowed to Kramer, "what in the hell years. Thursday morning, about two oil lying in the neighborhood of this bar- are you doing there?" to which Kramer o'clock he was waked by his girl, upon an rel, which was eighteen feet from the other, answered "Kirk White ordered me to pump alarm of fire, dressed, went out on the street, after the fire, and north of it, the oil from this oil out into another barrel," and White heard a cry of fire at McKelvy's cor- that barrel had been pumped into another said "Yes, ser, I did." ner, did not certainly recognize the voice, lying right beside it. The cotton waste was told that the Exchange Hotel was on looked fresh and unsmoked. The outer door fire, and went directly there; could see no had been boarded up and "nailed shut," fire anywhere, looked in bar-room, could see ever since the fire. The center of the fire valuation on the building, insuring for \$22, no fire, thought there was none, went into had been apparently immediately under- 000,00, of which Koons had accepted, and the hall and one of the girls was coming out | neath the water-closuts in very close prox- had never asked to be increased, in this conwith a trunk, asked her where the fire was, | imity to the bored barrel and north-ward of | tradicting Frees Brown. she said up in the gangway, he saw smoke it. "On the evening of the 25th, about nine

coming out of the left wing, the upper windownext the main building; then went in front of Mrs. Ent's house on the pavethat night; he said he lit the last guest to went to bed himself.

Elizabeth Keiffer sworn, said she was hamber-maid, had charge of the rooms on the second floor of the east wing, including No. 27, occupied by the defendant, whose bed that night for the first time was undis

John B. Scott sworn, said he had a bakery n the block east of the Exchange, generally bakes at night, up sometimes till past midnight; the defendant sometimes inquired whether his stock was insured and what time ie got up in the morning, but not about his

was porter and waiter at the hotel, was waiting about eleven o'clock to show a guest o bed (a traveling salesman,) wanted to go some and said to Kramer that the stranger ught to go to bed and not keep him waiting, whereupon the defendant offered to assume that duty and let the witness go, which he did : that the girls had charge of the dining-room loor, and he does not know whether it was ocked up or not; but that after locking, the key was always put in the money drawer, to which Kramer had access, acting as clerk and bartender in the absence of the

proprietor and of the regular clerk. Warren Baten sworn, said that he was alporter and waiter at the hotel, on duty alternately with Cameron, had to shut up at night after the seven o'clock train, if there were no passengers, the girls locked the dining-room door and put the key in the office money-drawer, slept in a room in the basement of the east wing near the alley-door; on Tuesday before the fire in the afternoon ne saw Kramer down in the cellar back in issued a warrant that I placed in Mr. Woodcorner where he had a box on a shelf where they used to keep lamp globes but not lamps, looking for something; asked him to jail." what he was looking for, and he said "oh with courts will now be able to understand low and saw him going toward the whisky ellar. Afterwards saw him in a closet back door and he unlocked it, said nothing to me nor I to him; there was nothing in the room but little fall stoves, no wood, some old sweepings, brooms, anything we wanted to

> whisky cellar, so have I, don't know of any other keys. It was admitted by counsel that the out side door on the east side of the room marked on the draft washroom, was fastened on the fore part of the evening of the 22d of

Rebecca Keiffer sworn, said that befor the fire Kreamer occupied No. 27, that she assisted to clean the room about three weeks before the fire; Kreamer kept his clothes in that room in a box, his shirts, boots and coat. On Thursday night he slept in No. 47, in the west wing, third floor, was there

but one night, did not keep his clothes oack door out of the west wing locked at the time of the fire, unlocked it and got out,

estified to finding cotton-waste moist with to pick them up. coal oil behind a strip torn from the wall of the sample-room; George saw some parlo

Henry J. Clark sworn, said he was at th suilding some time after the fire, and that the door from the washroom was still fast-

J. J. Brower, J. C. Brown, George E. Elwell, C. B. Brockway, and William R. Ringrose identified a brace and bit found in the cellar as one semetimes used by defendant cellar, and one of each floor,) and of the bored in one of the coal oil barrels, six bit time and place of the fire. He testified that holes, making together an opening about an he did not know whether he was waked by inch in diameter, from an inch and a quar-

William R. Ringrose described the open ing in the barrel as made by six augur-holes. forming together an opening an inch and a quarter to an inch and three-eighths wide. got his clothes and started, yelling fire ! as He also testified that he visited the defendhe went; tried to get in elsewhere, but could ant several times in jail, and that Kreamer not till he reached Moyer's on the corner of suggested bribing the jury or some of them, for the fire; saw that the cellar and part of the case looked so strong against him, and of the floor of the west wing were on fire, because he was afraid that some of the courthe dining room floor about half burned out, monwealth's witnesses were unscrupulously the first and second stories of the east wing pursuing him and would swear to anything. apparently on fire-all originating in the Really, however, nothing was done; it was M. C. Woodward testified that he took

charge of the hotel after the fire, and, at the lar, and saw the brace and bit lying on the The dispute lasted until the last man aggestion of the deputy sheriff and of somebody else, ordered Mr. Kramer to leave, river; was in the cellar, somewhere between that Kramer objected, wanted to stay one three and four o'clock on the afternoon of more night, but that he Woodward insisted the day before the fire, sprouting potatoes, on his leaving forthwith, whereupon Krawhen Kramer came in, passed without mer asked permission to go up stairs for his seeming to see him, and went toward the things, which was granted; that he went, without a light, returned for one, went again, witness, and said he had been looking for a and again returned, when, at the instance of insurance adjusters, tell the defendant to from the clergy who stayed with them. beard to make a shelf for one of the girls, James C. Brown secretly to Woodward, he and went back again to the boxes and rum- was forcibly detained, and soon after, on aged about, and then came back past the warrant from Justice Brower upon Brown's

James C. Sterner sworn, said that before entire possession, might do as he pleased. | shortly before.

Ephraim Parks sworn, said that at the Evan Jones, sworn, said first that the order and papers were his, large and small book fire Kramer asked him if he had seen any- was "that he shouldpump that oil from them thing of Mr. Miller's trunk containing \$200. barrels in the cellar, if they was a-leaking, that W. B. Koons also kept coal there; that that must be saved, and told him it was of and afterwards, on cross-examination, that

from home the day before the fire, Tuesday; finding the two coal-oil barrels after the fire, they was a leaking." returned Wednesday at ten o'clock in the the one with the hole smoked and charred but the hole fresh and untouched by flame, White were standing looking down upon

box of papers in the left wing; met Kra- entirely dark; the hanging lamp at the angle he agreed to take his brother's mother-inmer that forenoon between ten and twelve, not lighted. When I passed the corner and law home on the following day after which entered the wing hall I saw a light shining he could be temporarily accommodated, and ment, and asked him when he went to bed through the transom of room forty-nine. I was requested to bring some matches when took a couple of steps, and then the light he came, (enough to last,) as the family were bed a little after eleven, then, as soon as he disappeared. I went toward my room, and nearly out. He denied having influenced could get ready, about a little before twelve as I approached my door heard a person jurors, and denied any confession of guilt ome out of forty-nine, close the door and from his brother to him. ome toward me in the hall. It was so dark that I could recognize no one, but as I was getting out my key to open my door he got lamp, and matches, but did not know that to me and I spoke to him, and after a little the matches came from Opera House. hesitation he answered me, made a remark, and I recognized the voice as Harmon A. Kramer's. By that time I had opened my and that rags and stuff, saturated with oil door. He passed me a step or two, struck a from cleaning lamps lay about promiseuously match on the wall, lighted a candle that he in the cellar. had in bis hand, and then came back to the door and waited till I fighted my lamp. I mer just about daylight on the morning of found there was very little oil in it, and remarked the fact to him, he then volunteered

to get some oil for me. I gave him the yard. amp, took a candle, and went out into the took a couple of steps toward the south end of the wing. He asked me where I was goiog. I told him I thought I would go down the back stairway. He then said I should take his candie to light me down, it was dark. I took it of him. He passed on with the lamp, and after he turned the angle of the hall (got out of sight) I went to room forty-nine and opened the door, went in, and ound quite a large quantity of matches lyng upon the table, and one box with the ends broken down, from which some matches had rolled out. I picked up the box, and found it hot, so hot that I was obliged to rop it. The other matches out on the small table had been stacked up there loosely with onsiderable air-passages left apparently by lesign. I went out, called in two insurance djusters, and then called M. C. Woodward and looked at the room. I went down, laid information before Justice J. J. Brower who

taken to the Justice's office, and committed nothing;" went out and came back; and Brower's office after the arrest, and, in conrubbing against something as he opened the

ward's hands, and Kramer was arrested-

J. J. Brower, recalled, said that Kramer nad told the same story in a confused way keep out of sight; he had a key to the to him, showing his torn pocket where the natches had been.

Wm. H. Butler, sworn, said he was ad ister for one of the insurance companies, that the matches on the table in room forty nine had never been ignited and were syste watically piled up "in a globular form," and hat several times that evening he had left his room and gone out into the hall, thinking he smelled a peculiar odor of something, e could not tell what, burning.

Freas Brown, sworn, said he was an Inurance Agent, carrying insurance, in varous companies of \$22,000,00 on the Exhange property real, about \$2,000,00 of which was now his own, that Kramer on Friday at the stable had commiserated Mr. Koons to him and also himself, telling him that he had been ordered to leave and didn't like to go but wished to stay one more night. the key was in the door on the inside, there He also heard Mr. Kramer say, after hi was no other outside door except from the arrest, that he had seen the matches in No. 49, in the afternoon, as he passed, the door James Kleckner and his brother George standing open, and went back that evening

William Krickbaum, sworn, said he wa cting as deputy sheriff on Friday when the evy was made, and told Harmon Kreamer, mong some others, to leave the premises nd that if he did not the goods would be renoved that evening; that he went through the building closing doors and window shutters of the rooms in both wings; that he was a room forty-nine three times that afternoon and saw no matches there; that he locked he unoccupied rooms on that floor.

Miss Alice Smith, sworn, said that she was forty-nine about fifteen minutes between alf-past five and six o'clock that afternoon of Friday; that there were in it then, I swing-machine, a work-stand, brackets, frames, eigar-boxes, and pieces of eigarboxes, but no shelf, although Mr. Brown had thought there was a shelf there. A. Noble, sworn, said that he had a tall

with Kramer in the bar-room, where Kram er was jingling a bunch of keys. He said to Kramer, "you have more keys than I have" 'yes," "said Kramer," "none but what is the keys were for, one was for the bar; one, for the baggage-room; one, for the front-door

Thomas E. Geddes, sworn, said he was it the alleyway leading towards the liquor celneed of the barrel bored, saw cotton waste

The Commonwealth rested at half-past four in the afternoon of Thursday, the 6th, 'ing." and A. C. Smith, Esq., opened the defense. James V. Kreamer, of Harrisburg, a brother of defendant, testified that the day afthe cellar, out of them barrels,

heard the same order. M. M. Russel, sworn, said that he heard a conversation between White and defendant about removing the oil, and suggested to

"he said he should pump the oil from them Wm. B. Koons, sworn, said that he and

He also said that Kramer had paid him a hundred dollars, in double harness, for board and that Freas Brown had put his own

John W. Kreamer, re-called, said that when his brother came to him to get lodging o'clock, I went to my room, No. 46, on the for Friday night, and could not because there and looked in at a window and saw fire in a third floor of the west wing. The hall was were already eleven persons in the family,

E. R. Tkeler, Esq., sworn, said he had bought of Harmon A. Kramer coal oil, a

Wm. H. Gilmore, sworn, testified that he had occupied a saloon in Exchange block

James Thomas sworn, said he saw Kra the fire looking for his hat amongst the things from the hotel in the Court-house

James C. Sterner recalled, said that just hall, locking my door after me, and then a little before he went to get his clothes, Kramer complained to him about having been ordered to leave, and said to him some thing the witness was not allowed to relate about being afraid of him, to which witness replied, "Oh, hell, I ain't afraid of you; go up stairs, and go to bed; nobody will bother

> Justice Brower and others identified the matches, brace, bit, &c. The matches were in three match-boxes and a cigar-box. One of the boxes was as if fresh from the store; two were burned inside, having no mark of fire on the outside. The open cigar-boxes contained the matches from the table together with a few picked up from the floor. The defense rested at 8:48 p. m., Thurs-

day Sept. 6, In rebuttal, the Commonwealth then called Samuel Burnside, who, being sworn, nd Sheriff John W. Hoflman, who came up said that he had bought lamp-wicks, a lantern, &c., of Kreamer at the Opera House. but saw no matches there, and thought he would have seen them if there had been any

Morris C. Sloan and George B. Kitchen were also recalled to contradict the evidence Morris C. Sloan, sworn, said he was at in regard to pumping oil, and with reference cellar through the windows. The evidence to his questions, said he got the matches in was then closed; whereupon counsel argued is store-room in the Opera House, and that | the cause to the jury in the following order; they had caught fire from his stumbling or Elwell for the Commonwealth; H. E. Smith and Freeze for the prisoner; and C R. Buckalew for the Commonwealth. The argument ended at five o'clock on Friday afternoon, when the Court proceeded to charge the jury upon the law applicable to circumstantial evidence and to answer the defend ant's points in order, closing a very careful and full direction to the jury at the time for djournment; and telling them they might seal their verdict and bring it in in the morning, which they did, saying they found

the defendant guilty. During the trial Kramer appeared in faultless attire, wearing a blue coat, light pants, white vest and a very heavy gold watch chain. He assumed an air ef indifference throughout, and when the verdict of the jury was announced, he evinced no emotion. As several exceptions were taken by counsel for the defense, in the course of the I am too busy. But if any sacrifices are trial, the case may be taken to the Supreme Court. There was no motion for a new

A Fine Point of Etiquette.

The finest point to which etiquette may be carried was recently illustrated by our friend Hyacinth, who announced the possibility of his going to Greenwood on Deco-

Hyacinth had a soldier brother buried in that cemetery, and Mrs. H. suggested that if he did go, he should provide himself with flowers to deck "dear Will's" grave. Late in the day he returned.

ration day.

"Did you go to Greenwood?" asked Mrs. Hyacintb. "Well, I'm real sorry you went off withut any flowers to put on Will's grave," said

the kind hearted little woman. "Oh, never mind." said the complacent Hyacinth-"I left my visiting card." Perhaps brother Will was just as well pleased with this delicate mark of atten-

twenty-five men over Waterloo Bridge, London, without toll being taken from them, and he won. He marshaled his men and "Then he went on to tell me what asked the tollman in a nonchalant way to count them. As soon as the last man had passed the turnstile and all were walking briskly away, he entered into a dispute with the tollman as to the number that had passed. "Twenty-five," said the tollman. "I yow it was twenty-seven,"asserted the other. was out of sight, when the speculator paid his half-penny and said: "Well, after all, it is no matter of mine. Good morn-

A minister was once riding through a secion of the State of South Carolina, where ter the fire he heard Kirk White, one of the custom forbade inn-keepers to take pay pump all that oil out, take all that oil out of The minister in question took supper with out prayer, and ate his breakfast without John W. Kreamer, sworn, said that he prayer or grace, and was about to take hi breakfast when "mine host" presented his bill. "Ay, sir," said he, "I am a clergy man!" That may be, responded Boniface "but you came here; slept like a sinner Kreamer to use a pump I had sold him and ate and drank like a sinner, and now you shall pay like a sinner."

## Poetical.

A BACHELOR'S GROWL.

Rates of Advertising.

I'm a grumpy old bachelor, I am seven and forty If I am a day,
If I am a day,
I am fussy and crusty,
And dry as a bone,
So ladies—good ladies—
Just let me alone.

Go shake out your ringlets. And beam out in smiles, Go tinkle your trinkets, And show off your wiles, Bewitch and bewilder

Wherever you can : But pray—pray remember I am not the man. I'm frozen to blushes, I'm proof against eyes ; I'm hardened to simpers. And stony to sigha; I'm not in the market

I sew my own buttons, I darn my own hose, I keep my own counsel, And fold my own clothes. I mind my own business, I live my own life; I won't—no, the dickens— Be plagued with a wife.

Who believe me their fate, There're two dozen widows Who'd change their estate Ther're silly young maidens Who bittsh at my bow; All-all bent on marrying me No matter how.

But I do fear my head My civilest speech is a growi and a nod; And that—Heaven save me!— Is "charmingly odd!"

I walk forth in trembling.

Just hear me, I proy ; I speak to you at If I don't marry you, Pray-don't marry me

A Fourth of July Oration that Made People Laugh. Bob Burdette, of the Burlington Hawkeye, ourst out of his sanctum on the Fourth of July and desolated a suburban town with an

oration, from which we quote : "Why have we assembled here to to-day? What means this vast concourse of people, these waving banners, these strains of soulstirring music, this glittering array or beauty, patriotism and intelligence? As I face this immense multitude I am impressed with one thought that flashes upon my very soul and struggles in vain for utterance. It is the thought that I am not going to be able to make one-half of these people hear a word I say. It is not a grand thought; it is not even a brilliant thought, but it is true, and the truth is worth far more than brilliancy; and I will tell the truth every time I get an opportunity. It isn't often that I get a chance. What with Tice's weather predictions and the President's policy, a man has watch his chances in order to get an opportunity to tell a truth once a week, and yet

Why, then, I repeat, are we assembed here to-day? To rejoice that we are a free peo-ple, endowed with the inalienable rights of life, liberty and the pursuit of happiness at onger range; that the precious boon and heritage of freedom is ours, bequeathed us by the fathers who fought, bled and died that I and mine and you and yours might breathe the air of fieedom; and we rejoice to-day, we are proud and happy and glad, glad, glad, that our fathers died for us instead of compelling us to die for them. They were great, great men; in fact they were

many of them, great grandfathers.

It is sweet to die for one's country; it cems to me that I, too, would gladly add my name to the great and good, and die for my country-of old age. I would die sooner if it was necessary, but I haven't got time. needed next centennial, they may call on me, and I will either call or send a hand. Our fathers died for us, they died willing-

ly and gladly. But if they could come back again and see what kind of a crowd they died for, quarreling over the President's olicy, wrangling over the currency, and some of them trying to pay a dollar's worth of debts with ninety cents worth of money, talking politics twenty-three hours a day and praying so seldom that our knees get rusty, drowned out by the rain, devoured by grasshoppers, they would if they had it to do over again, live nine thousand years and only die when they had to.

And yet ours is a glorious country-a wonderful, magnificent country. It is marvelous. As a high school girl would say, it is 'nice." Look abroad over our land, turn the pages of history, and see what the migoty genius of progress has wrought. But one hort century ago the corner stone of this mighty fabric was laid amid the thursier of cannon and the rattle of musketry, caropied by the smoke of battle and comented with blood, A little band of struggling, needy patriots, haif clad, poorly fed, with only a few dollars in the National Treasury. Today the sun of 101 years breaks upon the land-wherever it isn't storming-and where do we stand? A billion dollars in debt.

Our fathers died, but they had no rail roads. If they had they might have died with less expense and trouble before they got to the war. Our fathers never knew the ecstatic pleasure of leaning out a car window and getting a red-hot cinder as big as a pea in the eye before they could look at a tree. They had no telegraph; and never knew what a convenience it was to pay forty cents to send a message fifty miles, and then have the dispatch come lagging a day or two after the man had died of old age. They had no kerosene lamps, and they never knew what it was to light a kitchen fire and take a ballon ascension out of the same can. They had no United States Signal Service, and

with a tornado every wash day. Their wants were simple. They didn't need a great deal of weather, and what they had was regulated by the ground hog, and that reliable weather bureau never made a mıstake.

never had forty-five rainy days in a month,

What are the boasted liberties of the United States worth, if the cabbage worms chew up our krout crop before the fruit is