

COLUMBIA DEMOCRAT, STAR OF THE NORTH AND NORTH
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CASE CALLED AT 11:17 A. M.

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 at-
tempting 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 right to testify in propria persona.
Generally the prisoner, not wishing to ex-
ercise this right too hastily makes no an-
swer to the question, but has the jury sworn
upon a voir dire (to make true answers), and
asks him if he has formed or expressed an
opinion as to his (the prisoner's) guilt or
innocence. 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
remainder of the panel is exhausted, or as-
sent to his being sworn in the case. If the
last, the defendant 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
subject of capital punishment, and if he has,
challenges for cause. Persons unfamiliar
with the proceedings will be able to understand
the following:

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J. W. HALL, F. H. H. H. H. H. H. H. H. H. H.
L. E. FINE, CHAS. W. WOOD, GEO. H. BROWN,
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Commonwealth vs. Harmon A. Kramer,

Oyer and Terminer, Columbia
County, Pa.
For Commonwealth.

DISTRICT ATTORNEY JOHN M. CLARK, CHAS.
R. BUCKALEW, AND BROCKWAY & EL-
WELL.

For Defendant.

A. C. SMITH, H. E. SMITH, AND JOHN G.
FREEZE.

CASE CALLED AT 11:17 A. M.

WEDNESDAY, SEPTEMBER 5,
REPORTED BY S. N. WALKER.

George A. Clark testified that the boxes
and papers were his, large and small book
boxes; that he used the collar for his coat;
that he was in the room at the time of the
fire; that he was in the room at the time of
the fire; that he was in the room at the time
of the fire; that he was in the room at the
time of the fire; that he was in the room
at the time of the fire; that he was in the
room at the time of the fire; that he was
in the room at the time of the fire; that he
was in the room at the time of the fire; that
he was in the room at the time of the fire;

John K. Grotz sworn, said he had been
acquainted with defendant some eight or
ten years. Thursday morning, about two
o'clock he was waked by his girl, upon an
alarm of fire, dressed, went out on the street,
heard a cry of fire at McKelvy's corner,
did not certainly recognize the voice,
was told that the Exchange Hotel was on
fire, and went directly there; could see no
fire, thought there was none, went into
the hall and one of the girls was coming out
with a trunk, asked her where the fire was,
she said up in the gangway, he saw smoke
coming out of the left wing, the upper win-
dow next the main building; then went
and looked in at a window and saw fire in a
box of papers in the left wing; met Kra-
mer in front of Mrs. Kent's house on the west-
ern, and asked him when he went to bed
that night; he said he lit the last cigarette
about half past eleven, then, as soon as he
could get ready, about a little before twelve
went to bed himself.

Elizabeth Keifer sworn, said she was
chamber-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 undistur-
bed.

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

George Cameron sworn, said that he was
porter and waiter at the hotel, was
waiting about eleven o'clock to show a guest
to bed (a traveling salesman), wanted to go
home and said to Kramer that the stranger
ought 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
door, and he does not know whether it was
locked up or not; but that after locking
the key was always put in the money draw-
er, to which Kramer had access, acting as
clerk and bartender in the absence of the
proprietor and of the regular clerk.

Warren Bates sworn, said that he was also
porter and waiter at the hotel, on duty
alternately with Cameron, had shut up at
night after the seven o'clock train, if there
were no passengers, the girls locked the din-
ing-room door and put the key in the office
money-drawer, and slept in a room in the
basement of the east wing near the alley-door;
on Tuesday before the fire in the afternoon
he saw Kramer down in the cellar back in
a corner where he had a box on a shelf
which he used to keep lamp globes but no
lamps, looking for something; asked him
what he was looking for, and he said "oh
nothing"; went out and came back; and
the witness peeped through the cellar win-
dow and saw him going toward the whiskey
cellar. Afterwards saw him in a closet back
of the wash room, looked in, rattled at the
door and he unlocked it, said nothing to me
nor I little; there was nothing in the room
but little tall stove, no wood, some old
weeping of brooms, anything we wanted
to take from the room; he had a key to the
whiskey cellar, so have I, 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 mark-
ed on the draft wash-room, was fastened on
the fore part of the evening of the 22d of May.

Rebecca Keifer sworn, said that before
the fire Kramer occupied No. 27, that she
assisted to clean the room about three weeks
before the fire; Kramer 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 there.

Elizabeth Bann sworn, said she found
the key to the west wing locked at
the time of the fire, unlocked it and got out,
the key was in the door on the inside, there
was no other outside door except from the
washroom.

James Klecker and his brother George
testified to finding cotton-waste moist with
oil behind a strip torn from the wall of
the sample-room; George saw some paper
matches there.

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

J. J. Brown, J. C. Brown, George E. El-
well, C. R. Brockway, and William R. Ringrose
identified a brace and bit found in the
cellar as one sometimes used by defendant,
and the last two witnesses described a hole
bored in one of the coal oil barrels, six bit
inches, making together an opening about an
inch in diameter from an inch and a quar-
ter to an inch and a half.

William R. Ringrose described the open-
ing in the barrel as made by six-inch holes,
bored in the ends of the barrel, one a
quarter to an inch, and three-thirds wide.
He also testified that he visited the defend-
ant several times in jail,