

## "GUILTY OF MURDER IN FIRST DEGREE"

### Bert Delige Must Atone For the Horrible Crime of Rape and Murder. DETAILS OF THE TRIAL

The Jury Renders its Verdict at 8:55 O'clock on Saturday Evening—Closing Events of the Trial—Delige Makes No Defense—Confessions Admitted.

#### THE VERDICT.

At 5:15, p. m. Saturday evening the case was given to the jury and they retired. They arrived at a verdict at 8:55. It was that they find Bert Delige "GUILTY OF MURDER IN THE FIRST DEGREE."

#### CLOSE OF THE CASE.

The Closing Arguments and Charge of the Court.

At 11 o'clock all testimony was submitted to the jury.

Legal questions were then submitted to the Court.

As there was no testimony offered by the defense the closing argument was allowed to be made by Col. E. R. Chambers for the defendant.

At 11:25 court adjourned until 2 o'clock p. m.

#### SATURDAY AFTERNOON.

Court convened at 2:05 p. m. At once, ex-District Attorney N. B. Spangler, associate counsel for the Commonwealth, began to address the jury. In his introductory remarks he clearly defined the character of the trial, the duty of the counsel for the Commonwealth and for the defendant; also the duty of the jurors to render their verdict from the evidence, without prejudice to the prisoner or his race, and without consideration for the consequences.

Mr. Runkle insisted that this was a crime against the peace and welfare of the whole county. That as prosecuting officer, he had done his duty and appealed to them to render a verdict consistent with the evidence—that of "Murder in the first degree."

At 3:27 Col. Chambers began the concluding argument. He characterized the evidence of three kinds: 1, indefinite; 2, definite evidence, missing; 3, the confessions. Col. Chambers claimed Delige was drunk from drinking whiskey, beer and cider down at Pine Top.

He ridiculed the evidence of the tracks as indefinite; that the razor was broken and no effort was made to secure the missing parts.

In regard to confessions, he argued that his client had made a half dozen conflicting confessions, and these were secured under a "sweating" process, with the assistance of the minister. Bert was drunk when he decided to assault the woman, but had formed no intent to commit murder.

Mr. Chambers admitted that Delige assaulted the woman, but that under her threat of his exposure in the morning, and in a flash of violent temper, without malice aforethought, or deliberation, and while in a drunken condition, he cut her throat. There was no malice or intent, therefore it was only murder in the second degree.



Hon. Ellis L. Orvis, President Judge.

### TESTIMONY IN THE CASE

#### Brief Summary of What Each Witness Said During The Trial.

(The following is a continuation of the proceedings in the Baudis murder trial from the regular edition of The Centre Democrat, issued Friday morning. That issue contained the proceedings up to the time of the address of the District Attorney, W. G. Runkle, to the jury in which he outlined the important facts that he expected to prove to the Court and jury; showing that Bert Delige committed a rape, and then murdered Mrs. Hulda Baudis.

This is not a verbatim report, but a brief summary of the salient points of the various witnesses. For brevity sake we have eliminated all the frequent repetition, and facts that have been gone over, as well as those things that are known to the reader and generally understood.—Editor.)

#### THURSDAY AFTERNOON.

(Reported by S. D. Gettig, Esq.)  
**Edward Baudis:**—Lived at Scotia ever since I remember. Am a son of Hulda Baudis; have five brothers and two sisters. Last saw mother living, Saturday dinner time October 15, 1910. I went to Unionville, came back here on Monday noon; mother was dead, saw her in the room in her house near Scotia. She had her throat cut. I am the prosecutor.

**Thomas Baudis:**—Sworn by Runkle. Am 11 years old. Sunday, October 16, 1910, I was at State College and visited my sister. Ate supper at the College at about four o'clock. Got home about 8:55 p. m. Sister Mary and Grandfather were at home. I went into the house, then heard a cry in the field and went out. It was mother's voice. I ran out and found my mother lying there. She did not seem to be dead; did not see anybody. Heard someone. It sounded like he was going down the path in the direction of the cornfield. Could hear person run for a minute. Heard him out towards the woods. I ran in and told my sister Mary, and Mary and Grandfather went out. I ran over to Blooms. The running seemed close, going towards Scotia. Found mother in a sod field. Mr. Bloom and others came there. She was lying on her back. Saw no blood there; was not long.

**Mary Baudis:**—Am a daughter of Hulda Baudis. Last saw her alive, about 3 o'clock, Sunday afternoon, October 16th, 1910. I cooked supper, next saw mother about 7 o'clock. Heard a noise and Thomas went out and came back, and we went out. She was lying on her back, hands up and her bonnet by her side. I screamed and people came. I did not know how mother was killed till that night at two o'clock.

**John Sulzer:**—(This man a German)—Thomas H. Harter sworn as interpreter. I lived with my daughter Mrs. Baudis at Benore. I am in my 32nd year. I lived at Scotia for 25 years. My daughter was at home that day. She left home about 5 o'clock; she was in good health. Next saw her lying in the field dead about 7 o'clock. I heard a cry, then went out in the field and found my daughter lying on the ground. The voice I heard it, was my daughter's voice I believed. I heard her call three times. I touched her and found her cold; she did not show any signs of life.

**R. E. Cronemiller:**—Lived at Scotia for about twenty-seven years; know Bert Delige the defendant, and knew Hulda Baudis. Sunday, October 16th, heard crying, and went over and found Hulda Baudis lying there on her back. Her bonnet was lying on the ground and her glasses were sticking in her hair, and noticed that her throat was cut. It was after 7 o'clock. We stayed there till Dr.

Coons came, then got orders from the coroner to carry her to the house. Others came there while I was there; nearly all the people in Scotia were there. A number of us took her to the house, was not sworn as a juror when we moved the body. The coroner came about midnight.

**Wilson H. Ghaner:**—Live at Scotia, have lived there about 19 years. Know Bert Delige and Hulda Baudis. Heard cry of the children while at church. Went over and found Mrs. Baudis lying on her back with her throat cut. Between a quarter and half a mile from the church to Baudis'. She was dead; telephoned to Bellefonte. Helped carry Mrs. Baudis to the house; was on the inquest.

**Dr. D. M. Huff:**—Live at Milesburg. Am physician. Am the coroner of the county. Got there about 11 o'clock empaneled a jury and verdict was rendered. Found Mrs. Baudis with her throat cut, the larger vessels of the neck severed. The throat was cut from ear to ear and on the cervical vertebra, there were five distinct marks. The throat was cut with a sharp cutting instrument. Did not see the body until it was moved to the house, about one o'clock. I had given instruction to remove the body to the house and the person who first found Mrs. Baudis' body was to remain. I examined the body for criminal assault, found none. The shoes and the stockings were not removed. Made no microscopical examinations.

**Dr. S. G. Coons:**—Live at Stormstown for 12 years; am a physician. Got there about 8:30 and saw she had her throat cut. Was there when Dr. Huff examined her; found cut in her throat.

**J. B. Heberling:**—Live at State College; undertaker. Knew Mrs. Baudis in her lifetime. I took charge of the body about six o'clock in the morning; found her throat cut from ear to ear; black mark on the left leg and a little depression on the left hand; the mark was across the third and little finger; the mark on the leg was a bruise, a black and blue mark on the outside about the size of a silver dollar.

#### FRIDAY MORNING.

**J. H. Wetzel:**—Live in Bellefonte; am surveyor and have made a draft of the vicinity of Scotia, from measurements on the ground showing paths, public roads, the Delige house, Baudis' house, church, Red Row and boarding house, works, etc. Cross-examined—Designated the place where murder was committed; it is 334 feet from Baudis house to place of murder; there is no sod on mud dam, nothing but yellow clay.

**Rilla Ghaner:**—Live at Scotia, in Red Row; knew Hulda Baudis, also Bert Delige; always knew him. Saw Mrs. Baudis October 16, at my home; she came there about 5:30 in the evening. Mother and sister were at home; she stayed until 6:50 p. m., when she left. I think she had a dog with her; she went up the road; I met her on the road; I went out for water; she was going west, towards John Haugh's store; it was about the distance of the court room from our house; we live in third house. Saw Bert Delige; saw him right behind Mrs. Baudis; he and Aaron were traveling in the same direction; it was a bright moonlight night. Saw some boys, brother John and other boys; saw no one else. Mrs. Baudis, Bert and Aaron were all going toward the west. In going to church I passed Mrs. Baudis, Bert and Aaron; Mrs. Baudis was ahead; they were about eight or ten feet behind her. Bert and Aaron were together; they were going in the direction of their house. I went to church; church convenes at 7:30 p. m.

**Aaron Delige:**—Live at Scotia; born and raised there; 30 years old; cousin to Bert. Knew Mrs. Baudis since I was small. Live with my aunt; boarded there for five years. October 16th, 1910, I was at Pine Top, below Waddie. Left Pine Top at 5 o'clock; Bert was with me coming home. We came home by the road from Waddie. We passed the Red row and the boarding house. We passed Ben Daywalt's boy and others. We turned with the boys at Rearick's coal house. Bert was with me. Saw Mrs. Baudis at the coal house. She said, "Good evening Aaron, and Bert." No one was with Mrs. Baudis; did not see the dog. She was going towards Haugh's store; we were going the same way. We started right after she left. We went out to the hill to the path that leads towards our place. That was last time I saw her alive. We got home about 7 o'clock. It was a nice moonlight night. I sat down and took off my shoes and fell asleep. I slept till about 10 o'clock. Bud and my aunt were there at the house. Bud is Bert's brother. Last saw Bert when I went in the house with him; did not see him go out. Did not see Bert again till about 10 o'clock when I got to bed. He was in bed. I slept with him. I got up about 5 o'clock, and first heard of the death of Mrs. Baudis is Monday morning; Walter told me. Went to Pine Top on Saturday afternoon. George Dickson, Tom Miller, George Meyhew and others went down for some beer. Had two kegs beer (four-gallon kegs); had whiskey. I had a quart. Do not know how much whiskey was there, but know there were two quarts there. Had cider. There was a barrel of cider. Drank beer first, then whiskey, then cider. Bert drank his share. The drink I had made me go to sleep. It wasn't very long till I went to sleep after I got home. Had a pint on Sunday morning. The liquor was all gone when we left Pine Top. Drank the pint before breakfast. The cider was not all.

**Thomas Daywalt:**—Live at Scotia, son of Daniel Daywalt, knew Mrs. Baudis; knew Bert Delige. On Sunday evening, October 16th, I was at church, at Scotia. It was a moonlight night. Saw Mrs. Baudis on my way to church at John Haugh's store. She was going towards Haugh's store. Last saw her on top of the hill just before the 7 o'clock church bell rang.

**Harry Murtorf:**—Live at Bellefonte. Saw Bert Delige that evening, opposite Jake Ghaner's shoemaker's shop. He wore a dark suit, black stiff hat. I was coming to Bellefonte. He was walking pretty fast. He was walking on the railroad. I saw him. Did not speak to him. He did not speak to me; it was very clear. Am positive it was Bert Delige. Was 7 o'clock; was nearly full moon. He wore a dark suit, dark hat, noticed no collar. Helped carry Mrs. Baudis to the carriage. Have known him about 18 years.

**Mrs. Harry Murtorf:**—Wife of Harry Murtorf. Saw Bert Delige that evening; he was traveling in the same direction we were driving. He was walking right along side of the carriage on the edge of the railroad. Wore a dark suit and dark hat. It was about 7 o'clock; we could see it was light.

**Mert Cronemiller:**—Live at Scotia, 12 years old, know Bert Delige since I remember anything. Am son of Reuben Cronemiller. Sunday, October 16th, started for church with several of the boys. I had to go to the bushes. We went towards Baudis'. It is the church path. We went back into the bushes near the flint pile 25 or 30 feet. There was a man came along that road. He was a dark man, dark suit and derby hat. He was

walking real fast towards Baudis'. Did not say anything to him. He was a black, not very tall, stout looking man, pretty heavy. It was 7 p. m., or after.

**Orin Kline:**—Live at Bellefonte; did not know the defendant. Down to Scotia on the 16th of October, we left exactly at 7 o'clock. I noticed a man along side. It was a colored man, he was walking and going in the same direction; he wore a dark suit and dark derby hat. It was close by the shop on the opposite side.

**Carl Cronemiller:**—Not sworn. Age 10 years. Boy stated he did not know the nature of an oath, as a test of his intelligence and ability to testify said: Boys do not tell the truth sometimes, and they are punished and sometimes pay a fine. Good boys go to heaven, bad one to the bad place. Am required to tell the truth. The law would punish me and so would God. (The defendant excepted to the testimony of the witness offered. Objection overruled by the

Court. Boy was sworn.) Live at Scotia. Father's name Reuben. Know Bert Delige for four or five years. Sunday evening, October 16th, started for church and with some other boys went back behind the bushes near the road leading to Baudis'. We were at the end of flint pile, off of road 25 or 30 feet and saw a man. He was dark, wore a dark suit, black derby hat, he was going towards Baudis'. He was walking, going fast and said nothing. Do not know Bert.

**James Hilliard:**—Live at Scotia, age 41. Live in Red Row; employed at Scotia; knew Mrs. Baudis since living at Scotia. Know Bert Delige nearly seven years. First learned of Mrs. Baudis on Monday morning. Went out on Monday morning, saw a lot of people there. I went over there looking for tracks and trail. First found tracks at wire fence at corn field, about 180 or 190 feet from where body was found. Body was found in sod field; wire fence divides sod from corn field. The path from cornfield to sod field is crooked; trailed him in the corn field, then to the path to Scotia. Found no tracks from there to the woods. Found blood on the top rail; these spots are on the west side of the top rail. The rail was sawed out, wrapped up and taken care of. Next found tracks on the edge of the old mud dam; a scrub willow was there. Went to the north right side of the church path, clear across the old mud dam. Know where Baudis' home is. Know where she was found. Helped make survey of Wetzel draft. Found the tracks through the corn field out to the path. Do not know the number of rails in the fence; timber around there, foot prints found after getting out of the woods at the scrub willow. The land was dry on the 15th and 16th of October last. Followed the prints from the willow across the mud dam. The prints were distinct; the steps were about four-foot-nine to five-foot-four; the prints were going north. Next found the prints along side of the fence. Found them across the public road again at the sand car, where they turned west, down over the cut; then turned to right and north, from there to other railroad in old road with sand, found prints that were going north. It measured eleven and a half strong; heel two and a half. Turned to the west by an old road, found tracks; there are a good many sand bars on this road. Could see the tracks plainly; trailed clear to the Delige home. The opening is west of road, going to Delige home. Measured the shoes, and tracks, all measured the same time. Shoes were taken off Bert near scrub willow. The tracks then were very plain. Shoes were put in the track. I could not see if the shoe fit the track. The measurement of shoes and track corresponded.

**CROSS EX:**—First discovered the tracks on Monday morning the 17th between 5 and 9 o'clock. Bert was brought down there sometime that day. Mr. Runkle, Mr. Ghaner, and others were along. A whole lot of people were around there, maybe a dozen; were kept away. First track measured was in the cornfield; measured 8, 10 or 12, something like that, with my rule. In the sand the man's were a little larger like in the clay. There were places that we could not follow the foot prints. The prints on the old road corresponded with the tracks in the mud dam. The shoes newly half-soled. The tracks did not quite measure all alike.

**REDIRECT EX:**—The tracks from the church were very close, those on north were much farther away, problem left there early in the morning to keep people away from the tracks. Each track was marked with a stick. Wm. Harris was left to guard the tracks.

**RECROSS EX:**—Do not know who put the sticks up. Did not see them put up. The shoes were fit in after Bert was arrested.

**William Harris:**—Lived at Scotia all my life; work on railroad. October 16th was at Stormstown; came home on the morning of the 17th; was not at Baudis' home, was at the scrub willow. I was put there to guard those tracks. There were little sticks stuck along those tracks so no one would disturb them; stayed there until the tracks were all measured. There were a good many people there; was there when the sheriff came with the defendant. Saw tracks measured. Saw Bert Delige's shoes put in the tracks. As near as I can tell, whole of Scotia was there. The shoes fit the tracks.

**CROSS EX:**—Committed to guard between 9 and 10 o'clock. I went there with the crowd, probably ten or fifteen in the crowd. Do not know when the foot prints were made, I did not measure them; kept no account of them. On guard on the tracks on the mud dam. The shoe was fit in four tracks; left in two tracks and the right one in two.

**R. E. Cronemiller:**—Was at Baudis' place all night. First tracks found after 7 o'clock. Church path and tracks together at scrub willow; tracks in the northernly direction; tracks were going further away from church path. He had been running, then stopped; they looked fresh. Saw rail on fence at the woods with blood, most of Baudis' house. Followed the trail to the log at the pump house. The mud dam is south and east of the woods. The mud dam

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District Attorney W. G. Runkle.

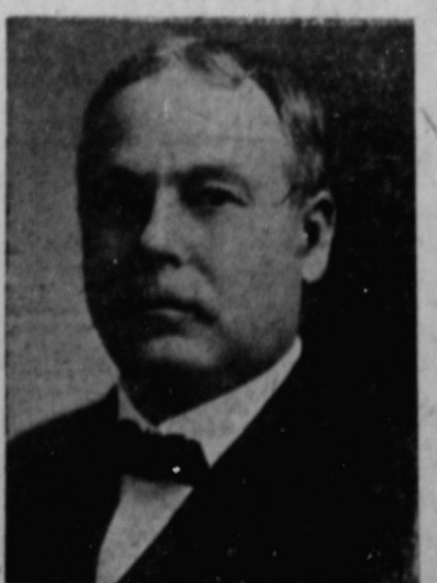
Mr. Spangler then related the story of the crime at Scotia, and carefully reviewed the testimony in a clear, logical, impressive manner. His remarks were devoid of sentiment or display of feeling, and appeared to impress the jury.

Mr. Spangler concluded by appealing to this jury to find a verdict consistent with the testimony which he designated as nothing less than murder in the first degree.

Following Mr. Spangler, the District Attorney, W. G. Runkle, began his address to the jury at 2:51 p. m. His remarks in reviewing the testimony were to point out from the evidence the motive of Delige to commit criminal assault on the woman and murder followed.

Bert Delige had a fair trial. He was given every opportunity for a defense, but asked for none. The Commonwealth wove a network of testimony around him that would have brought conviction, even without his voluntary confession in the jail. The trial was orderly and a reflects credit upon Centre County's courts of justice. Bert Delige was given the full protection of the law, and now it is in order for him, upon his conviction, to suffer the full penalty of the same law that protected him during the trial. Thus the blood of Mrs. Baudis will be avenged and the majesty of the law and the dignity and respect for our courts has been maintained.

#### Attorneys for Defendant.



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