am not related to either of the defend- read to render a verdict. Accepted.

against capital punishment; not related published. Challengest by defense. to either of the parties; read account of burgh papers. Accepted.

case; expressed an opinion; don't think to capital punishment. Accepted. I could give an impartial verdict on the

evidence. Excused. dence. Excused.

Josiah Newman-Read about the care : capital punishment. Accepted.

Jacob L. Manges-Heard about the aside by the Commonwealth. render a verdict on the evidence; no ports in Herand; have formed an opin-sworn evidence; read account in Somer-the same tracks that came across the little man and Mr. Umberger and Mrs. der was on Wednesday and the scruples against capital punishment; not ion; could render a verdict in accordance related to either of the prisoners; read with evidence; not opposed to capital in the daily papers. Excused for cause, that the men who made those tracks were me and the big, tall man was out in the of the case in the Somerset Henane, punishment; am not related to parties; Zacharias Christner-Live in Summit the men who committed this murder and dining-room; the little man said the fall Accepted.

verdict on the evidence; no scruples could divest myself of all prejudices. expressed no opinion; have not been on the day of the murder; we will show that coming down from Jenner the horse it before; have seen graagainst capital punishment; not related Challenged for cause. to either of the prisoners; read account of case in the Somerset HERALD. Challenged by defense and excused.

Christ Koontz-Read about the case capital punishment; not related to either my wife. Challenged for cause. of the prisoners. Stood aside,

ERDAY MORNING SESSION.

proached by anyone in regard to the case: monwealth. read account of the case in the Somerset

John Marteeny-Read a good deal of Stood aside by Commonwealth. the case; made or expressed no particu- Wm. Enfield-Am not related to parties; lar opinion; I could render an impartial but read and heard about the case; exveriliet. I am no relation to any of the pressed an opinion; am afflicted with parties and have no conscientious reru- neuralgia and heart disease. Challengples against capital punishment; parties ed for cause, have talked to me about the case; no John Fisher-Not related to any of the aside by the Commonwealth.

aside by the Commonwealth.

Paineas Sayder-Have heard and read lenged by the Commonwealth for cause. aside by Commonwealth.

John Shaw-Read about the case : ex-

tions scruples; in regard to capital monwealth. relation to the parties. Stood aside,

case; formed or expressed no opinions; the case on the evidence. Accepted. Democrat but not the Hanstor: Don't cused, Accepted.

Moses Weaver,-Heart of the case; capital punishment would influence me Challenged by defense, in determining the guilt or innocence of John G. Boyer-Live at Stonycreek

and expressed an opinion; could render related to any parties in the case; read a verdict though according to testimony; about the case and formed an opinion; live close to Jenner township; my opin. could not give an impartial verdict on ly consider all the evidence in the case, ion was formed on what I heard; my the evidence. Excused.

made the arrests. Accepted. formed. Challenged for cause.

the care, and formed partial opinion, but fense. could be governed by evidence; have no John Geisel-Live in Paint township; conscientions acruples against capital am not related to any of the parties in

Henry A. Shafer-Live in Somerset by any one. Stood aside, township; have read HERALD and Johnsbut could be governed by the testimony; capital punishment; heard and read of live 6 miles from Umberger's; former opinion or prejudice would not interfere deriverdict on the sworn evidence; was the killing substantially as given freshed and mouth of did not understand any dark of the killing substantially as given freshed.

against capital panishment. Shool aside, this case; have formed and expressed an ville; and not related to the parties; no that there were two tracks coming this Mr. Umberger"; the little fellow soid the case; expressed an opinion; could could render an impartial verdict; am punishment; read and heard of the case; this way to a point below the Haynes stir up the fire and give them chairs at evidence; have no conscientious scruples. Rauch; read mostly, what the Herano by anyone in regard to the case. Challand then across the mendows down be. "You are strangers," and the little man was a handle-

Jacob J. Wolfersberger-Live at Rockcase in Somerset Herann; also in Pitts wood; have read and heard much about the case, and have an opinion; could be A. J. Sterner-Have heard about the governed by evidence; am not opposed

Jacob R. De ter - Real and heard all render a verdict according to the evi- ment; am not related to any of the parties. Stool aside by the Commonwealth.

Frederick R. Shaffer-Live in Alle-Have not expressed any opinion; could theny township; am a farmer; heard render a verdict on the evidence; not re- about this case; formed no opinion; am lated to the defendants; no objection to not opposed to capital punishment and

Channey F. Keefer-Live in Stonycreek Stood aside by the Commonwealth. township; am a farmer; heard and read Christian Koontz-Laborer; live at er side of the mountain, coming this happened-be was hurt too had.

ease; expressed no particular opinion; summoned as a juror on the case; have cused. Wm. II. Walter-Herman Umberger here no conscientious scrupies against expressed an opinion; but would be uncapital punishment; I have not been ap- influenced by it. Stood aside by Com- was married to a first coosin of mine;

sion as togniit or innocence; could try case; expressed an opinion; could renthe case according to evidence. Accepted, der a verdict according to testimony,

person came to see me as to whether parties; read and heard about the case these men are guilty or innocent. Stood and expressed an opinion; but could render verdict on evidence; was visited John H. Lowry-Rend about the case by John Fisher from Bedford County, in the Meyerstale Connected; formed who talked about the case; said he punishment. Excused. nor expressed no opinion; no one ap- thought evidence would not be against of the decemants the collection innocence the prisoners; thought what he said ples; I um a son of Daniel Lowry. Stood am not opposed to capital punishment. Challenged for cause.

George Cramer-Am not related to the a little about the case; haven't expressed parties; not opposed to capital punishan opinion exactly; could render an im- ment; read and heard about the case partial verdict; have conscientions sern- and formed an opinion; been talked to

James W. Bender-Live in Stoystown; pressed an opinion; could not render a read about the case; formed an opinion verdiet uninfluenced by that opinion, as to what he read; could give a verdict according to the evidence; has no scru-Herman Martz-Heard about the case; ples against capital punishment; not reexpressed no opinion; have no conscient lated to prisoners. Stood aside by Com-

punishment was not approached by Jeremiah Henry-Live in Upper Turany person concerning the case; I am no keyfoot township; heard some talk about the case; formed no opinion; nobody saw a carpenter; not related to parties; no amounting to from \$15,000 to \$30,000. John W. Beck.—Read some about the me in regard to the case; could decide scruples in regard to capital punishment;

think I saw it in the Pittsburgh Disputch; J. F. Kautz-Live in Jennertown; am Wm. E. Boyls talked to me about the a carriagemaker; very distantly related case but not as to my finding as a jaror; to the Umberger's; have heard and I am a farmer; Boyts asked me what I read of the case and formed an opinion; thought of the case; it was a more con- if the sworn testimony agreed with what parties; no scruples against capital pun- called to prove it to be a correct repreversation between neighbors; I think it he had previously heard it might have

case. Excused, Adam B. Shaffer-Live near Jennerexpressed no opinion; have conscient town; not related to any of the parties; tious scrupies against capital punish- read and heard about the case; formed HERALD. Accepted. ment; it would be against the rules of an opinion; could give a verdict on the our church to go on such a jury; the fact evidence; read of the case in Somerso; that I have conscientious scruples against Henaud and the Pittsburgh papers.

the defendants. Challenged for cause, related to the Nicely's. Excused.

John H. Hite-Heard about the case | Wilson Hawn-Live in Elklick; not

wife is related to the constable who Francis May-Live in Upper Turkeyfoot; have heard and read about the John Endsley-Read and heard a good case; formed no opinion; was approachdeal about the case, and made up an ed by no one in regard to the case; am opinion; couldn't render a verdict en- not related to the parties; have no serutirely free from the judgment already ples about capital punishment; read of the case in the Somerset HERALD and Joseph Sarver-Read and heard about Pittsburgh papers. Challenged by de-

punishment; stood aside by Common the case; heard and read of the case; formed no opinion; was not approached

L. H. Auman-Live in Somerset tov a charged. town Tribune; have formed an opinion ship; am not related; no samples against At 3 p. m. the District Attorney, F. W. man than the other, and one man wore

W. W. Davis - Read and heard much William J. Meyers-Live in North- berger. As to the connection of these the little man had gum boots on; and shown at the bearing. Positive that hand little man was in the could render verdict according to evi- parties; have no scruples in regard to er said :

Pastip Weisel-Have not read about dence; have no opinion now on it; it capital punishment; read of the case; the case; have expressed no epiteion; would require more evidence than I have read Somerset Democrat; formed no night, certain gentlemen started to see had on, and the tall one took his off. opinion. Stood aside by Commonwealth, if there might possibly be any tracks I opened the door and let them in; harekeenlifele of this kind at conscientions acroples against capital way from the Westmoreland side, down that, and then Mr. Umberger told us to formed no opinion; was not approached church, where they went into the fields the stove; then Mr. Umberger says: are it was for langed by defense.

dore Kimmel were called and sworn to half of where Umberger lived. Umber, elry that has been taken between here it had been in take charge of the jurors who had been ger's house is by the road, and there is a and Jenner, and we are hunting it up, pocket would not it of tipstaves L. M. Scott and Daniel S. will try to show that the same tracks ed Frank Heiple's and Mr. Friedline's did not have overally on at one talked to me as a juryman about it ; Miller, who were instructed to take their that came up the mountain came down bouses, and they would have to search am not sare whether he had an case; expressed an opinion; could not have no scruples about capital punish charges to A. E. Pisel's boarding house this side of the mountain, and that they his house, too; it was their business, and to dinner.

AFTERNOON SESSION.

jurors in the Umberger case.

live two miles from Perry Umberger and township; not related to any parties in robbery; we will show you that one of man had his face hurt; when they went Josiah Gohn-Read about the case; six miles from Jennertown; never talked the case; have no scruples in regard to the defendants whom you have on trial into the room I asked the big man how and hair; hair miles expressed an opinion; could render a to Perry Umberger about it; I think I capital punishment; read about the case; here to-day, was seen leaving Ligonier he happened to get hurt, and he said not a natural beard; approached by any one about the case. you by several witnesses that both of scared and the hugzy upset and he hurt and long before; hair or

opinion; could render a verdict on the scruples in regard to capital punishment; or two of the Somerset county line, and man, Mrs. Umberger, Mr. Umberger, and five or six feet from him formed an opinion; could render a ver evidence; am not opposed to capital did not read about the case, but heard that they were walking very fast. dict on the evidence; no scruples against punishment; Umberger was an uncle to about it; expressed an opinion; could We will show you that these two de is a good bit of fun in searching houses; the rice; dof not sell Mr. render a verifiet on the evidence accord- fendants, that we have arraigned here, so many people refuse the back room," L. D. Sine-Am not related to any of ing to the witnesses; have been talked were seen at the Haynes church, three and he laughed, and changed his chair, the parties; read and heard about the to about the case. Witness stated that Fred F. Walker-Have heard of the case; no one has approached me since he was subject to falling spells. Ex- of the mountain, about four miles from

no scruples in regard to capital punish-E. E. Pugh-Not related to any of the ment; heard and read of the case; ex-HERMED; have not reached any conclusparties; read and heard much about the pressed an opinion; could not render a

T. W. Black-Live in Confidence; not the men who were there that night. mercial-Gazette. Accepted.

township; farmer; not related to the the other man. Accepted.

Moses Barron-I live in Middlecreek ples against capital punishment. Chal- since summoned as a juryman. Stood township, have heard and rend about the stances. case; have expressed an opinion but could render a verdict according to the evidence : have no scruples against capital punishment. Challenged by defense.

Francis Faller-Live in New Baltimore; have no scruples against capital punishment; heard about the case, but have read nothing; expressed no opin-

Frank Grangerheard and read about the case; expressed believe we can, with a great many others Have no conscientions scraples against Jeremiah J. Livengood-Asked to be no opinion; could render verdict on the that I have not time to detail to you now capital punishment; Read the Somerset excused on account of sickness. Exthe case; read Somerset HEEALD and some of the Pittsburgh papers. Chal-stand indicted,

lenged by defense. A. J. Sembower-Live in Upper Turder verdict according to the evidence; not been approached by any one since lows:

The jury, as accepted, is composed of Miller, Josiah Newman, Jacob D. Manges, Fred F. Walker, John W. Beck, John H. Hite, W. W. Davis, D. J. Wolfersberger, Jeremiah Henry, T. W. Black, C. W.

Weigle, A.J. Sembower. The universal comment is that the jury is a good one; one that will careful-

and a true deliverance make,

Counsel for the defense asked leave to withdraw the motion for a severance, which was granted, and defendants ordered to be tried together. The jury was

opinion or prejudice would not interfere der verdict on the aworn evidence; was the killing substantially as given fies across his chin and had brown overails one of the men, which the witness did tyles soon learn with my rendering a verdict. Chal- not approached by any one about the quently heretofore in the papers, and as on with yellow stripes, and an overcout; the handlest halfs on Mr. Bienecker Could neighbors; then handlest halfs on Mr. Bienecker Could neighbors; then handlest halfs on Mr. Bienecker Could neighbors; then had not approached by any one about the papers, and as on with yellow stripes, and as on with yellow stripes. case. Stood aside by Commonwealth. testified to by Ella Stearn and Mrs. Um- the fall man had leather boots on, and not say how many handkerchiels were the tall min was

Next day after this occurred, or that most talking; they bitle man kept his no hat my in the went into the woods above Umberger's they had to do it. house. We will show this by the con- So Mr. Umberger and If they had to The Court resumed the selection of dition of the snow, indicating that there search of course they could search, but hearing Dave Nicely were persons walking around there; leav- he said they coubln't find anything handkerchief he J. J. Shaffer-Live in Jenner town- ing some sacks to show that they had there; it was the little man that done was the one or one like it ship; not related to parties; no scruples taken a lunch there. We will show you the talking; so Mr. Umberger told me to be got burt on the night of am not related to the parties. Stood in regard to capital punishment; have that the same tracks that went into those get a light and I went in the kitchen and his horse had run away and heard and read of the case; expressed woods, afterwards came out and started got a light and they went into the par-only conversation i ever had a Nelson Baker-"armer; read the re- an opinion; could render vertict on the towards Umberger's, and that they were for and into the best-room to search; the at Umberger's and Squire set Henano and Johnstown Tribene, also mountain. We will attempt to show you Umberger, I believe, went in there, and Spring Rauchs I these defendants were met on the oth- himself, but he didn't know right how it book natural; looked at his hor much about the case and expressed an Ursina; not related to the parties; no way, late in the afternoon, within a mile While they were searching - the little see; the lump was rightly a mile way, late in the afternoon, within a mile way, late way,

ley that same evening.

From these facts, and from a compariverdict according to the evidence. Ex- sou of the boots or shoes these men had on, we will try to show you that these are

related to the parties; no scruples in re- In addition to that we will put on the thing at first, and he came out again; of the man; did not tell a gard to capital punishment; heard and stand Misa Ella Stearn, the hired girl then he said he had forgotten to look read about the case; expressed an opin- that was there that night, who should by under the bed, and they went in to see ion; could give verdict on sworn evi- the door leading from the dining-room under the bed; the little man and Mr. dence; have not been approached by to the parlor while one of these parties Umberger went in and the little girl was the man had a mustacher as heavy any one about the case; read accounts in stood there talking to her-asked him along, and she came out and says to Mrs. her than his; did not tell Somerset Henann, also Pittsburgh Con- what was the matter and sympathized Umberger, "Grandpap wants you to come had light blue eyes, not Simon L. Manst-Live in Elklick town- thrown out of the buggy and burt and went in the tall man walked in, too; did not tell Mr. Thom ship; have scruples in regard to capital having his face tied up. She was only that was the second time they searched; me tall man was a red bood is the width of the door from him all the the tail man walked into the bed-room given a description of the Neel C. W. We'g'e-Live in Quemahoning time the investigation was going on by the time of the second-search; he hadn't Charles or Lawis Vancer at

sartiss: no scruples about capital pun-ishment; heard and read about the case; stand and absolutely mentry men; see warred show to pull out the middle expressed no opinion; read Somerset will swear that the two defendants ar- drawer, I think; I didn't see that HERALD and Johnstown Tribune; could raigned here are the men who were In a couple of minutes they came out; render verifiet on the sworn evidence, there that night. She will positively the tail man and the little man came out

as to their identity.

If we can show you these facts, as I

The first witness called was Henry Rauch Esq., who had made a plan of the keyfoot township; not related to the Umberger dwelling and was simply ishment; beard and read about the case; sentation. He explained it to the jury, was before I was summoned as a juror, some weight; not approached about the have not formed an opinion; could ren- and when he left the stand Miss E la Stearn was called and testified as fol-

> the house of Herman Umberger at the hat; the piece is out of the rim that I the following gentlemen : Ephraim D. time the murder was committed, was spoke of; that was on the back of his Mr. Umberger said be could go be the called and testified to

that evening, and witness.)

there was a rap at the door and I left them in and they came in and sat before Have fived at Umberger's about a month at- around the clothes but could a The Court then ordered a jury drawn the coal stove; when they came in I was together; The parties came on the porch thing; we then went into the for an unimportant case to be tried this sitting at the table, close to the parlor between 7 and 8 o'clock; it was dark; had again; then he said he had a evening, and twenty-four jurors were door-between the parlor door and the the hump lit before they came in ; had been thing and must go back and called who, together with the twenty- table; Mrs. Umberger was sitting in in the room about 5 minutes; Was sitting at bed; that Mr. Umberger four now impanneled, were ordered to front of the table, along side of me; we the table; had been washing dishes before; die and come along; I did be in attendance on the court Monday, gave the two men chairs in front of the came in and afterwards lit the lamp; it was and the little girl came and the balance of the jarors were dis- coal stove and they sat down there with a little after dark when they came into the grandpa wanted me to their backs toward me; one was a taller house; should say between 7 and 8 o'clock; wanted the bureau pol about case, and formed an opinion; ampton township; am not related to the defendants with the crime, Mr. Bieseck- had his pants in his boots, and had a kirchiefs was across the large man's face; ger: Mr. Umberger reached

Joseph C. Hoffman-Live at Hoovers going away. We will try to show you they came to and said: "Good evening low Jennertown to within half a mile of wild; "We are from Bedford; we are an sure this is the Tipstaves Wm. P. Huston and Theo- Jennertown, and within a mile and a constables, and have a warrant for jew- of three Niceles's accepted, and were ordered to take them knob or hill above, where one can see said we will search every house from saw Dave Nicely at Rench to the West End Hotel for dinner. The both ways and all around Umberger's Jenner to Johnstown unless we find the before the night of the jurors stood aside were placed in charge property, up and down the road. We jewelry; " he said that they had search. him by his voice, the way he

the little giri-the tall man says; "There had a brown hat on with or four miles down this way from the top after the little man went in to search. where he could see; he moved close to never saw the little the front door where he could see the recognized him at the Jennertown, and six miles from Umber- bed-room and the parlor; I was about as did not see him from ger's; we will show you that two men looking like these passed down that val. In the far as from here to there for it from the far as from the distance of about twelve feet] from the speak then; exald not tell be tall man then; there was a lamp lit and be spoke; do not know standing on the table and he was facing Bauch's went in a carrie

The little man went into the bed room to search, and he said he didn't find any. know whether he asked me he a with him; he saying that he had been n," and she went in then; and after she man who took been in before; he was sitting talking tify them at the hearing in Ja-

identify them from the clothes they first; I think they came pretty close wore, their voices and other circum- together; I hardly know which one came on the ground; ca out first, but Mr. Umberger was in there shoes on ; did not Mrs. Umberger will bear out Ella and he came out, too, and then the little line; a good many po-Stearn in testifying to the same fact- man walked back to him and says, "Now during the night that these are the two men-and her your money or your life," and then draw- came from ; beard little grand daughter, Nunnie Horner, ed the revolver up toward him, and then at Adem Friedline's lisand will corroborate the other two witnesses I ran out, and as soon as I was out on got to Friedline's was pretty a the parch I heard the shot; I was on the whou I heard the porch when the first shot was fired: I can church at the school house, only took Mr. Umberger's life but carried over to Adam Friedline's and carne back them came to the house in about balf an hour, and when I came back I found Mr. Umberger lying on the floor dead and the parties gone.

[Handkerenief shown.] This is the handkerchief he had tied around his jaws. [Witness shows how the handkerchiefs were arranged.]

These defendants were before Source Rauch in Jennertown; I was present and nour; I asked Mos Steam to do the saw them; they were also before Judge they asked how far it was to 5 and Baer on a hearing; I was there and saw they were from disdford County; and them, and I saw them in the court house had a search warrant for some peak yesterday evening; I have seen them to- was lost by a politica; have tage day; they are in the court house now, name; they asked if we had a love

he sat by the stove; his hat had a piece attle girl were at the house; he is summoned as a juror; read Somerset as eve-witness describes the summone, out of the rin; I think I could recog-Miss Ella Stearn, who was living at nize that hat; [but showed]; that's the hend.

the circumstances. The large man's nose was not covered use kitchen and brought a light a On the 27th day by the han-Exerchief; I saw his eyes and we then went into the partor with his of February I was part of his face where there was no hand- little girl, Mr. Umberger and mystwo miles on the kerchief; he had an overcost on and around and he finally said other side of Jen. overalls; I couldn't recognize the overner, at Mr. Her coat; it was a dark coat; he had brown tunn Umbe. " a 1 striped overalls and feather boots: 1 drawers; I opened the top had lived there can't tell what kind of overalls or pants since the 20th day the little man had; his pants were dark; be then asked that I open of June; there was I don't know whether they were striptwo fellows came ed or not; he hat dara clothing on- topened the drawer and Mr. I across the porch on [Overalls shown and recognized by the that he had a little money

Cross-examined by General Coffroth. brown derby hat on and he done the could not see any of his hair in front; had drawer and took the m

beard him talk with the little man had a mak firest do not know that to my about what kind of looking hig one was ; did not say to Me did not see Joe Raim; young Hay Saylor. Mrs. Nancy Umberger, sworn-Au

of Heroun Uniberger; was at to night of Title of Febr in and asked for Mr. Um! and sat by the store for about a le-The witness points out the defendants.) and we had but he was not at The little man kept his last on when Mr. Umberger, myself, Mass Steam per out of his pock a and real to as looked what it was, he put it peachet again; suid he would around the nonsecured look for the not find anything; the girl wont or ling there and then went is then he wanted me to ed through it and then asked another drawer; I opened the pocket-books; he said you in them; he then went to the