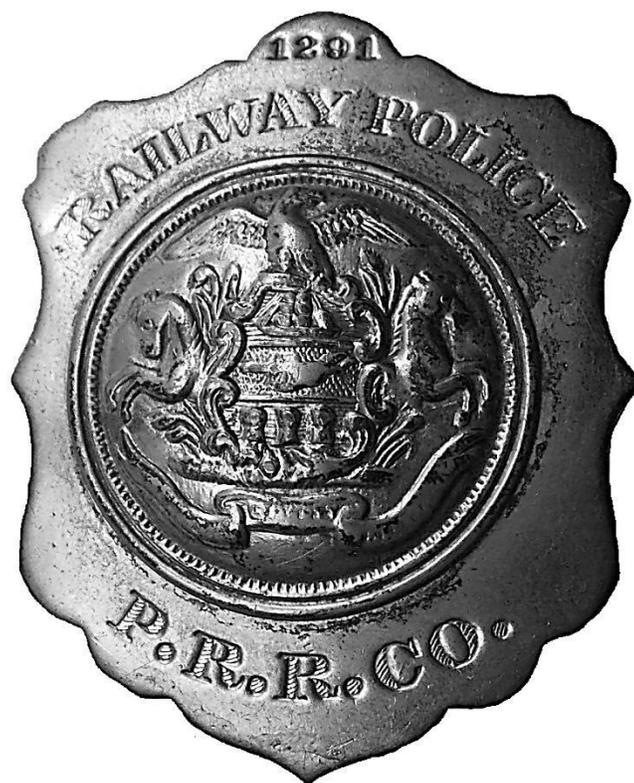


**The Death of Pennsylvania Railroad Police Officer
John L. Beisser
October 20, 1916
Wormleysburg Pennsylvania**



Randy Watts

Foreword

In early April 2016 a friend who was researching the operations of the railroad between Lemoyne and Marysville sent me a clipping of the October 20, 1916 murder of John L. Beisser, a Pennsylvania Railroad police officer, in Wormleysburg. After quickly reviewing the article I forwarded it to a friend, Mike Snyder, who works at the 911 Center, as a matter of information. Several months later I was contacted by Steve Spangler, Historian of the Cumberland County Law Enforcement Memorial Foundation to give a short presentation on the death of Officer John L. Beisser as part of the dedication of a memorial in his honor on October 19, 2016.

I felt that in order to do so I needed to fully understand the events relating to his death and began an effort to research those events in detail. The following document is the result of those efforts.

The transcripts of the trial were apparently destroyed some years back; at least none were discoverable in the Clerk of Courts' office or the Cumberland County Archives building. A log book of the Court was located but it provided only a few details on the events relating to Beisser's death and the subsequent execution of the man who shot him. The remaining information came from the newspaper accounts of the murder and subsequent trial published in Harrisburg and Carlisle.

I have copied the newspaper accounts where doing so adds to the understanding of the events that took place then. At the time the region was in the midst of a crime wave attributed to an influx of what the papers referred to as "Southern Negroes." In Central Pennsylvania, industries, especially the steel mills, and contractors who were engaged in several major railroad expansion projects, could not find enough labor, in part due to the disruptions of the war in Europe. A vast movement of people was unleashed as people from the south migrated north for jobs. In Harrisburg a police officer was shot and killed in June 1916; this murder and a number of other shootings and stabbings were attributed to the same group of recently arrived workers. The events covered here added to the public's angst.

The articles use the vernacular of the times and reflect the values of the time. The attempt here is to document the facts and actions relating to the death of Officer Beisser, not to express opinions or to pass judgment. If there is any good to come of this tragic situation it will come from what we learn from it and the changes we make as a result.

I was assisted by many people in preparing this narrative, especially by Brad Knapp who contributed the original article and much subsequent research that helped to pinpoint the location of the shooting. Local historian Abram Burnett also provided considerable insight into questions concerning the railroads of the time which proved very helpful. Cara Curtis of the Cumberland County Historical Society was quite helpful, as was Barb Bartos at the Cumberland County Archives.

This book is dedicated to the memory of Officer John L. Beisser.

Introduction

Sometime between 11:00 a.m. and noon, Friday October 20, 1916 Pennsylvania Railroad Police Officers John L. Beisser and Harry C. Chubb were shot by Archie Miller, a vagrant from Charleston, South Carolina along the Pennsylvania Railroad near Wormleysburg. Officer Beisser died almost instantly from his injuries; Officer Chubb survived but was seriously injured.

There was extensive coverage of the shooting after it happened but that coverage ended quickly and none of the stories provided an accurate or complete account of the events that occurred. This narrative is prepared to provide a summary of all the information available a century later. A brief synopsis will prepare the reader for what follows.

Two vagrants, Archie Miller and Jasper Fletcher, were hopping freight trains to return south after working in Jersey City, New Jersey. On the morning of October 20, 1916 they crossed the Market Street bridge from Harrisburg into Wormleysburg and began walking north along the tracks of the Pennsylvania Railroad. While doing so they met a tramp who warned them that there were railroad police in the area; at that point Archie Miller took a .45 caliber automatic pistol from his rear pocket, and holding it in his hand, concealed it under the bib of his overalls. A short time later they were spotted by two railroad policemen, John L. Beisser and Harry C. Chubb.

As Beisser walked toward them and started to ask them where they were headed, Miller pulled out his pistol, fired two shots at Beisser who fell dying and then shot Officer Chubb in the leg.

The shooting was witnessed by several trainmen who, along with others from the town, soon captured the pair along the river toward West Fairview. They were taken to Harrisburg and interviewed and when brought back to the scene to help police look for the weapons they had discarded were almost lynched by an angry crowd. The police officers protected them and got them back to Harrisburg from where they were later transferred to the county prison in Carlisle.

Miller was tried and convicted in February 1917. After a series of appeals he was executed in November 1917. Fletcher was never tried. Chubb later returned to work for the railroad and in 1940 was involved in an incident where he shot a trespasser in the railroad yards in Harrisburg.

A monument was dedicated at the Cumberland County Law Enforcement Memorial in Middlesex Township on October 19, 2016.

Participants

Officer John L. Beisser

John Lewis Beisser was born April 14, 1880 in Watsonstown, Pennsylvania. He was a veteran of the Spanish American War, having served with Co. D, 12th Regiment, Pennsylvania Infantry Reserves.¹

At the time of his murder he was 36 years old and resided with his wife in Lemoyne. The family had no children. According to testimony at the trial of the shooter it was established that he had married in November 1905.

He was employed by the Pennsylvania Railroad for about eighteen months. When hired he worked on the Baltimore division but six months prior to the shooting he was transferred to the Philadelphia division when they took over responsibility for the York Haven branch, on which the shooting occurred.²

*Beisser was a very popular officer. It is said by those who knew him that he was especially kind with those with whom he had to deal in the performance of his duties. It is firmly believed that neither Chubb nor Beisser intended arresting the negroes, but as in many cases, simply desired to warn them and order them not to trespass on the company's property, the railroad.*³

Beisser's widow attended the trial, sitting at the table with the prosecutors.

Officer Harry C. Chubb

Chubb resided at 1022 Market Street in Harrisburg. According to one report he had married about two months before the incident.⁴

Chubb's left leg was amputated in November after complications developed with the wound.⁵

Archie Miller - Shooter

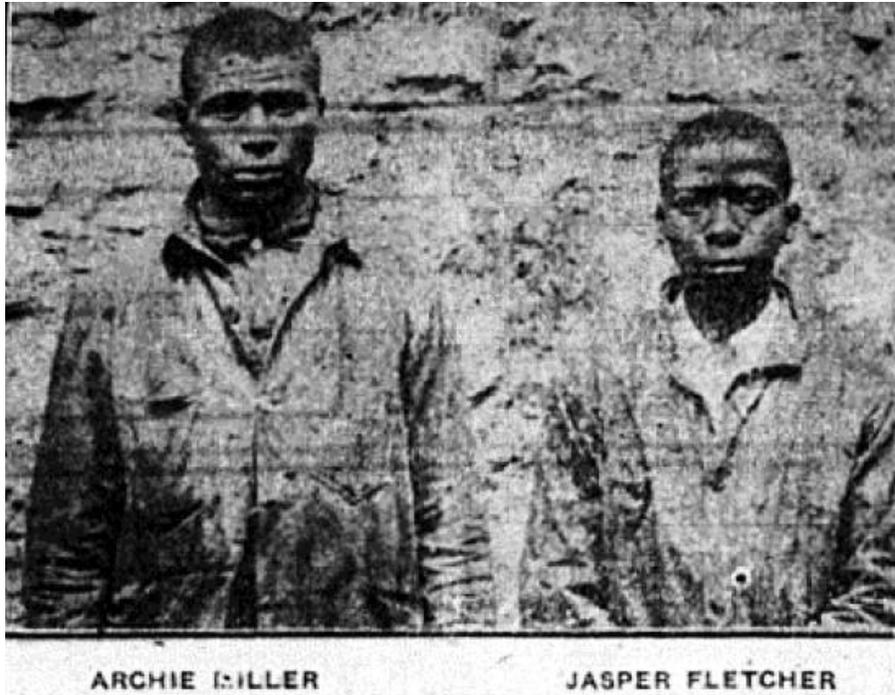
Age 24, Charleston, South Carolina.

Jasper Fletcher - Accomplice

Originally identified as Joe, age 17, Gainesville, Florida. The Evening Sentinel used the name Jasper Fletcher from the day of the shooting and their account of the trial used the name Jasper as did Judge Sadler in writing his denial of Miller's request for a new trial. Fletcher testified at Miller's trial that he lived in Louise, Florida, which is northeast of Gainesville.

*Fletcher said he had only known Miller for a short time. He confessed to being arrested for forgery in the South and having served a term of imprisonment.*⁶

*It appears that Miller, according to his story met or worked with Fletcher in Florida and that they met in Jersey City.*⁷ At Miller's trial Fletcher testified that he first met Miller in jail in Palm Beach, Florida and afterward in Jersey City, New Jersey.⁸



A photo from the *Evening Sentinel* of February 8, 1917 showing the suspects in the murder of Officer John L. Beisser and the wounding of Officer Harry C. Chubb.

The Scene of the Shooting

The newspapers did not establish the precise location of the shooting and it took some time to determine the approximate location for this narrative. Based on all the information available it seems most probable that the shooting took place on the lower railroad tracks in the area of Pine Street or north of there by no more than several hundred feet. The first report filed in the *Evening Sentinel* stated that Beisser was “shot and killed by a negro near the pumping station at Wormleysburg.”⁹ There was a railroad water tank nearby and the pumping station referred to may have supplied it.



The star marks the location of the Gregg House discussed below. The water tank was in the area of Walnut Street. The signal tower was to the north, out of the photo to the right.

The original house was torn down after being damaged by flooding in June 1972.

Bing Maps

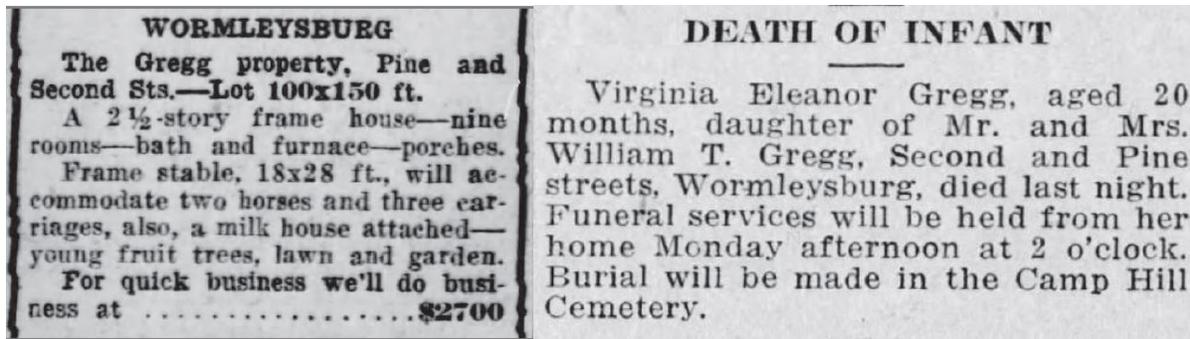


GS Tower at the point of grade separation between the original Northern Central tracks, which proceed directly ahead, and the tacks of the Low Grade, which diverge to the left. This location was about 600 feet east of the present Stella Street crossing. This view looks south, toward Lemoyne. The events described in this narrative took place down the tracks that diverged to the left. The tower was connected to Harrisburg via telephone and telegraph, which allowed for the prompt alerting of the railroad police there. CCHS Photo Archives

Newspaper accounts indicate that the area where the shooting took place was surveyed and maps were prepared for use in the trial and that a series of photographs were also taken. None of these are known to survive.

The accounts given in the trial refer to a water tank. No photographs or drawings exist to establish the exact location of the water tower. An article in 1907, speaking of an attempt to hold up the operator at the tower known as GS stated: “the lonely tower near the water tank close to Wormleysburg on the new low grade line of the Pennsylvania railroad.”¹⁰ Additional research indicates that the water tank was in the area of Walnut Street and that it may be faintly visible in the distance to the right of tracks in the photo above.¹¹

One of the witnesses to the shooting was Edith Gregg. She lived at 238 North Second Street which was at the intersection of 2nd and Pine Streets. A newspaper ad from the March 20, 1916 Harrisburg Daily Independent establishes the location. The street address comes from the 1920 census and the Edith Gregg was still residing there at the time. An infant daughter of the Gregg’s had died in March 1914 and the death notice for her gives the Gregg’s address as Second and Pine streets.¹²



Events Leading Up to Shooting

Travels of Miller and Fletcher

At the time of their arrest the two suspects gave somewhat confusing accounts of their recent travels. One person, H. G. Morton, formerly a superintendent of the E. N. Cooper foundry and machine works who had recently become a railroad employee thought that he recognized Miller as someone who had applied for work at the foundry about a month earlier.¹³

In Fletcher's confession he told the assistant county prosecutor of the shooting and his trip with Miller from Jersey City, N. J., to the place where the murder was committed. Fletcher said that he and his companion were on their way south and that they left Jersey City on Wednesday night stealing a ride by freight. They arrived in Norrisville (could be either Morrisville or Norristown) the following morning and remained there that day. Thursday night they boarded a train for this city (Harrisburg) but got off at Highspire and walked to this city.¹⁴

At Miller's trial in February Fletcher offered the following testimony:

October 16, 1916, (he and Miller) worked for the same people. Slept in shacks, was in same shack with Miller, left job in Jersey City with Miller on night of October 16. After receiving pay on the 17th, Miller stated that he had a gun in pawn. Witness gave Miller a \$5.00 bill and the revolver was redeemed. Miller bought an automatic, a .45 army Colt. The gun got out of pawn was a .45 Colt. Miller said he paid \$15 for it.

Fletcher was then shown a pistol of the same type and he said it looked like Miller's.

Miller bought cartridges, "steel jacket." When Miller gave witness (Fletcher) the gun he said, "I don't want you to let anyone see you with this gun." Witness spoke so indistinctly and so rapidly that that much of his testimony was difficult to hear. Came to Mainsville, N. J., got there on October 19 before day. In a "shack" they dried their clothes. Bought a pint of whisky, three drank it, (with another colored man). Miller drew revolver across nose of witness and said "break off and run so I can kill you." Miller gave him a flashlight. Rode all that night. Came to Highspire. Got off near a distillery, bought a pint of whiskey, buns and ham. Got on the railroad. (A person with whom they had traveled, but did not know left them at this point, which may explain how they determined what route to follow.)

Came on towards Harrisburg, drinking enroute. Crossed bridge, paying toll, turned to left. Got on the railroad track and turned to right, saw water tank. Finished drinking and eating and resumed journey toward water tank.¹⁵

The Shooting and Subsequent Events

Initial Contact

The reports the day of the shooting and the day after provided the following details:

Upon arriving at the western end of the Market street bridge, Fletcher said, he and Miller met a white man. They asked this man the way to Baltimore and they were properly directed. The man, however, according to Fletcher, warned them of many railroad policemen, but Miller remarked: "I ain't afraid of them."

They then walked to the railroad tracks, Fletcher said, when they saw two men walking towards them. "Here comes two cops now," Miller said, according to Fletcher, "now don't be scared to use that gun."

The two policemen walked up to them, Fletcher continued, and when Beisser got within an arm's length Miller pulled his revolver and fired. Fletcher said he started to run when Miller fired the first shot and while going down the tracks he heard seven or eight more shots fired. He said that he threw his gun away before he was captured by T. H. Fenicle, the brakeman who witnessed the shooting.¹⁶

The following is a continuation of Fletcher's trial testimony from above:

We met a white tramp, he told us a "bull" (meaning police) had chased him off a track and warned us. Presently they went down a low track, saw men coming on a high track near tower. Miller said "the bulls." Miller put his gun from right to left hand, putting it under his coverall apron.¹⁷

This is Fletcher's testimony; it is supported by trial testimony offered by Edith Gregg. Based on her testimony Miller got his gun ready for use just South of Pine Street. Beisser and Chubb must have been too distant to see this happen.

The Shooting

The account the day of the shooting read:

J. L. Beisser was shot and almost instantly killed and Harry Chubb perhaps fatally wounded back of Wormleysburg at noon today when two southern negroes opened fire on the men.

Beisser and Chubb were Pennsylvania Railroad detectives and had approached the negroes who were walking along the railroad lines.¹⁸

It was brought out at the inquest on Saturday that Beisser was able to return fire and had emptied his gun before his death.¹⁹

At the trial it was established that there were two entrance and one exit wounds on Beisser's body. One bullet passed through the upper lobe of his left lung. The other lodged near his spine.²⁰

Officer Chubb was hit in the left leg just above the knee.²¹ Early accounts indicate he was also shot in the chest but this seems to be incorrect based on later testimony.

Fletcher's testimony continued:

One of the men was tall, with dark suit and cap, other shorter. One asked "where are you going?" Miller said "that's where I'm going," and shot at the taller fellow. The man shot threw up his hands and said, "O Lord," and fell. Witness ran away, and after meeting him again Miller asked "did I kill him?"

A train was passing when the trouble occurred. Saw a brakeman; train slowed up and stopped. Heard some more shots. Witness ran when first shot was fired. Pulled his gun only to throw it in the river. Tall man and Miller were on high tracks. I (Fletcher) was behind Miller towards the river. Shown photographs he told what he recognized in them. Explained to jury where he and Miller walked and told of other points along the railroad. Witness also explained points on the map or plans.

Other accounts indicate that the shooting took place on the "third track" or refer to it as the "eastbound." This helps to verify that the shooting took place on the Low Grade tracks closest to the river. The tracks were numbered one to four, the track closest to the river was Track 4.

On cross examination he stated:

He stayed with Miller because he started with him. Was not excited by the shooting. Ran away because he thought it was time to run. We were fired at, was afraid of being shot....Did not know that the men shot were officers, there was nothing to show they were officers; saw no badges. I did not see the man fall. Heard him say "O Lord," and then ran. I saw Miller fire only once.

On further cross examination he stated:

...- we went to one another's cells. Miller stated lately that the officer tapped on his breast. I was charged with Miller with this murder too. I expect to receive punishment for what I did. Miller has been wanting me to say certain things but I am telling the truth.²²

After Fletcher finished P. C. Coble, justice of the peace for Wormleysburg, age 69, testified that he had seen the men run into some bushes. He and brakeman Fenicle searched Miller and found nothing. Later he found a revolver in the water. Shown the revolver he said it was the one. He was able to remove five bullets in the courtroom but the sixth was rusted and could not be removed.

On cross examination he stated the gun was in a holster when found in the river. The scene of the shooting was pointed out to him. "It was between Wormleysburg and West Fairview."²³

H. C. Chubb, of Harrisburg, a P. R. R. policeman, testified that he was patrolling the yards and was with Beisser. With the latter he walked down the track. They saw the colored men. Beisser said to them "where are you going?" Miller, shooting, said "there's where were going." He shot Beisser twice, the second time when he was falling. Miller then turned and shot witness. With photographs he showed the jury where the crime occurred. Beisser and Miller were on east bound track. Beisser, when shot put

hands to breast and said "oh, my." Beisser made no attempt to draw his revolver. Witness was in hospital 62 days as a result of the wound produced by Miller's revolver, and he lost his leg.

Cross examined – Beisser had a revolver. Miller was on eastbound low grade track and Fletcher was on another track. I said to Beisser, "I believe these are colored men of the company employed at New Cumberland." Beisser believed so too. I carried my revolver in a holster on my side. I fired two or three shots and Beisser five or six. Beisser had a six shooter he thought. Beisser fired his gun after the colored men twice and others in air.

Witness did not pull out his gun until Miller shot them. He was paying particular attention to the two men and was apprehensive about them; afraid they might shoot. Not, however, when he first met them.

He did not see Fletcher do any shooting nor have his gun out. Miller fired three shots. A train passed by right after the shooting. For three years he has been employed as a railroad policeman. He fired two shots after he fell and then lay still. Beisser had previously fired five shots.²⁴

Three railroad employees working on a train hauling a draft of cars from Marysville, Engineer Reese, Thomas H. Fenicle, flagman, and Brakeman Mendenhall, witnessed the shootings. Mendenhall was later credited with locating Jasper Fletcher.²⁵ It is believed this train was on the upper, or Northern Central tracks.

Fenicle testified that at about 11:35 a.m. he saw Miller put up his gun and shoot Beisser, while less than 20 feet away. Miller, he said, pointed the gun straight at Beisser.²⁶ Fenicle was personally acquainted with Beisser and Chubb.

During the preliminary hearing for Miller and Fletcher in Carlisle, Fenicle stated that after witnessing the officers being shot he got behind a freight car for safety.²⁷

W. E. Reese, of Harrisburg, a P. R. R. engineman, testified that he passed the scene of the shooting. Saw the colored men and officers on the low grade east of the tower. He saw Chubb and Beisser lie there. Chubb was bleeding, Beisser gasping for air.²⁸

Mrs. Edith Gregg, of Wormleysburg, testified that she was home that day. Saw the two colored men. Saw one of them pull revolver from left hip pocket and put it from left hand to right hand. She saw the shooting from her house. The colored men man then ran on down over the railroad bank to the river, towards and passed her house. With photographs witness showed jury points.

Cross examined – I was about 200 feet from the colored men the first time I saw them. Had just finished cleaning the dining room, which faces railroad. When she heard the first shot she went out to the porch, heard shot before Beisser fell.²⁹

This account suggests that the two walked further north, perhaps past Pine Street, and that Mrs. Gregg has to go outside to see what had happened. She did not testify as to seeing the shooting.

Capture and Arrest

The following accounts appeared on the 22nd:

T. H. Fenicle, of Marysville, a brakeman on the train on which the negroes were seeking to steal a ride, borrowed a shot gun from a nearby house and ran the murderers down.³⁰

The two men were scurried to the Harrisburg police station by railroad detectives....

Miller confessed to shooting after he had been questioned and cross-questioned by Superintendent of Detectives William L. Windsor and Captain Barclay, of the Pennsylvania Railroad.

Miller's story of the shooting did not tally with Fenicle's, who saw the murder. Miller, one of the negroes, said the detectives were pointing their revolvers at him when he opened fire. Fenicle said the negroes opened fire as soon as they saw Beisser and Chubb approaching.

Fenicle sounded the alarm at once. Whistles on engines on the line between Wormleysburg and West Fairview blew for help while Fenicle ran for a gun.

A posse of railroad men and Wormleysburg men scattered along the river bank and the surrounding hills. Captain Barclay with Lieutenant Cranford and Detective Haines, of the Pennsylvania railroad police commandeered an automobile here and helped make the arrest. Fenicle by this time had cornered Miller along the river bank and held him covered until the police arrived.

Miller refused to incriminate himself until Windsor found two 45-calibre shells in one of his pockets. He then confessed that he had shot.

"We were walking along the railroad trying to get on the freight train to get away from here," he said.

"We saw the cops. Then there was so much shooting that I don't know what happened. All I know is that I began shooting when everyone else did. Those cops was coming towards me with guns in their hand."

Under closer questioning Miller said he began shooting first. He was afraid he would "be beat up," he said. His excuse is that police are in the habit of pointing guns at him and then beating him with a blackjack.

According to Fenicle his train had slowed down to cut off nine or ten cars when he saw Miller and Fletcher walk down from what is known as the "high line" to the low grade tracks. (He may have been referring to the police officers but this is not clear.)

"I saw them walking towards the train," he said. "Then I saw the two railroad detectives walk towards them. Before the detectives got near, this big fellow, (he pointed to Miller), whipped out a big revolver and began to fire."

Fenicle was unarmed so that he could take no part in the affray. He summoned help and then ran for firearms to the nearest house. With the shot gun he ran Miller down.

I don't know where I got the shotgun," Fenicle said. "I got it quick. Miller ran down along the river and I yelled to him to throw up his hands. He did and I held him covered until the police came.

"I asked him to throw down his gun, and he said he didn't have any. I saw the other [man] run down the road. I didn't wait to see how many other fellows were helping in the hunt, because I never stopped to look."³¹

The *Harrisburg Telegraph* offered some additional details of the capture.

...T. H. Fenicle, of Marysville, brakeman on the Pennsylvania Railroad, saw the shooting, and he organized a posse to chase the negroes who were captured along the Susquehanna River near West Fairview.

The mob was armed with shotguns, bricks and clubs, and railroad officials from Harrisburg with difficulty prevented a lynching. They rushed the two Negroes to Harrisburg police headquarters.

...Those in the machine who brought Miller and Fletcher to Harrisburg were Captain Paul L. Barclay, Lieutenant Edwin J. Cranford and Officers James Morrissey, Jr., and Augustus H. Haines.

Members of the train crew blew the whistle of the train to attract the attention of the people in the neighborhood..."³²

Squire Coble, of Wormleysburg, notified Dr. J. H. Deardorf, of Mechanicsburg, coroner of Cumberland County, of the murder, and he started his investigation.³³

The two suspects were taken to Harrisburg Hospital where they were positively identified by Officer Chubb. He identified Miller, the largest and oldest of the two, as the shooter.³⁴

After the stop at the hospital the suspects were returned to the scene of the shooting by Lieutenant Crawford and several other railroad policemen to search for the weapons used in the shooting. "Before leaving for the cross-river railroad yards the two negroes pleaded with the policemen to take them straight to jail, fearing that they would fall into the hands of an angered mob and be harmed or probably killed."³⁵ They were right to be concerned.

An angry mob of railroaders and citizens followed the automobile that brought the colored men to Harrisburg. No effort was made to collect bridge tolls at the west end of the bridge. The big crowd rushed through the gate and kept close to the auto.

Railroad police who had been called out to aid in searching for the negroes were lined up at the bridge entrance, and several were on the bridge. Fearing that the mob would get hold of the prisoners they ran along with the crowd keeping everybody away from the automobile.

Once when the auto slowed up on the bridge the crowd caught up. There were some ugly words used by some of those in the crowd, but no effort was made to interfere with the officers in charge of the colored men."³⁶

Transfer to Carlisle

Shortly after 2 o'clock Miller and Fletcher were "bundled in an automobile after they had been shackled" and driven to Carlisle where they were placed in the Cumberland county jail.³⁷

When the two negroes were taken before Assistant District Attorney Bowman, of Cumberland county, late yesterday afternoon both made a confession of the murder of Policeman Beisser and the shooting of Harry C. Chubb, a fellow officer, who is now in the Harrisburg Hospital in a serious condition from bullet wounds. Miller admitted shooting the policemen and said that he knew they were railroad officers when he opened fire. In his statement he took all responsibility himself and said it was he and not Fletcher who had shot.

Fletcher, Miller continued, had a revolver, but he did not shoot and said that if the bullets in either the dead policeman or Chubb's bodies are found they will be steel and not lead bullets. His companion, Miller related, was carrying a forty-five caliber, Colt chamber revolver, which shot lead bullets, while he had a Colt forty-five automatic.³⁸

The *Sentinel* offered this account of their arrival in Carlisle:

When the news spread – and it spread like wildfire – that the prisoners were to be brought to District Attorney Lloyd's office in the Miller Building on West High Street, a crowd numbering nearly 1000 gathered in front of the building awaiting the return of the arrested negroes to the automobile in which they were whizzed to jail. The crowd was so large, however, that comparatively few saw the pair come down the stairs of the building and enter the auto car of the Harrisburg officers. At the jail there was another crowd but like the one on West High, it soon dispersed after the prisoners were taken in the big doors to the county prison.³⁹

At his initial hearing Miller offered the following:

Miller maintained that Officer Beisser wanted to search him to which Miller objected. That Beisser while looking him in the eye reached for a gun and Miller fired. He could not possibly have missed him, they were so close. He fired two or three times. Miller also maintains that he saw a part of Officer Beisser's gun. As he was fleeing away he turned around and believed it was Chubb who was shooting. He admitted shooting Chubb.⁴⁰

Man Who Killed Policeman Held

Following a hearing in which he admitted firing the bullet which killed J. L. Beisser, of Lemoyne, a Pennsylvania Railroad policeman and that which wounded Harry Chubb, of Harrisburg, another officer, Archie Miller, a negro, was held for the November session of the Cumberland county court on a charge of murder. His companion, Jasper Fletcher, aged 17, was ordered to be kept in jail pending a further investigation. A decision in his case will be given Friday.

Miller stated in his testimony that he carried the automatic with which he did the shooting as protection against railroad "bulls," two of whom, he claimed, took money from him as he was leaving Utica, N. Y. on his route to this section. He further said he fired when he saw the officers presumably reaching for their weapons.⁴¹

Miller and Fletcher had no representation at their hearing.⁴²

Autopsy and Inquest

*An autopsy was held on the body of the murdered policeman this morning in the undertaker establishment of C. H. Mussleman, of Lemoyne, by Dr. J. H. Deardorf, of Mechanicsburg, the coroner of Cumberland county, and Dr. S. E. Mowery, also of Mechanicsburg, the assistant coroner. One bullet, steel-nosed, .45 caliber, was found in the dead policeman's spine, while the second bullet, which entered the left chest near the heart, could not be found. This bullet is believed to have passed through the policeman's body. Part of the left lung was torn away and the physicians said that death, which was due to an internal hemorrhage, was almost instantaneous.*⁴³

An inquest was held by Cumberland County Coroner Deardorf, in the town hall at Wormleysburg on Saturday evening, October 21. The finding was that Archie Miller and Jasper Fletcher were responsible for causing the death of Officer Beisser.

*During the inquest, Walter Reese, an engineer, who was near the scene of the shooting and one of the first men to reach the fallen officers, produced a steel-nosed bullet which he removed from the leg of Chubb. The bullet had torn such a big hole that Reese had little trouble in pulling it from the wound.*⁴⁴

Funeral for Officer John L. Beisser

Accompanied by a detail of fellow officers the body of John L. Beisser, of Lemoyne, the Pennsylvania Railroad policeman who was shot and instantly killed near Wormleysburg at noon yesterday by two Southern negroes, was taken to Williamsport at 3 o'clock this afternoon.

*Williamsport was Policeman Beisser's former home, and his body will be buried in the cemetery at that place Monday afternoon at 3 o'clock. Twenty-five uniformed railroad policemen under the charge of Police Captain Barclay and Lieutenant Edward Crawford, will attend the funeral in a body. A large spray of chrysanthemums and a large floral car wheel will be sent to the funeral by members of the Pennsylvania railroad force to which he had belonged for the past year and a half.*⁴⁵

The *Sentinel* offered some additional details:

The services were held at the home of Mr. Beisser's father-in-law, William J. Tule, South Williamsport. A contingent of twenty-five fellow workmen from Harrisburg were present.

*The funeral services were in charge of the Rev. R. C. Bannen, pastor of the Messiah Lutheran church. The Williamsport lodge of Elks, of which Mr. Beisser was a member, conducted their lodge services at the home. The Elks attended in a body. The pall bearers were members of the Pennsylvania Railroad police department.*⁴⁶

Trial of Archie Miller

The trial of Archie Miller was originally scheduled for the November term of court but for some reason was delayed until February. Miller was provided with counsel by the court as he was unable to afford counsel of his own. The court appointed two leading local attorneys, Filmore Maust and Thomas E. Vale to represent him. Vale was a former District Attorney and Maust was later elected to a judgeship. In addition Miller's sister hired Julius Mitchell of New York to assist with his representation.⁴⁷

It is impossible to speculate on the thinking of the defense attorneys but based on the preponderance of evidence it would seem they could not hope for a jury to find the defendant innocent. Their next option was apparently to avoid a death sentence by attempting to prove that Miller was insane. That strategy was revealed in pre-trial maneuvering in late January.

Insanity Plea for Negro Murderer

*Indication that a plea of insanity will be made in the case of Archie Miller, charged with the murder of J. L. Beisser, a railroad detective, at Lemoyne, October last, was shown by the presentation of a petition to have the disposition of Major Edward Haws, of Wharton, Tex., taken in order to show that the defendant's grandfather was mentally unbalanced. This petition was presented to Judge Sadler and in an opinion handed down yesterday afternoon the right to take the disposition is allowed.*⁴⁸

It took some time to select the jurors for Miller's trial and the actual trial, scheduled to start on Monday, did not begin until Thursday due to the screening of jurors. In fact two additional calls for jurors were issued before the jury was seated.

Exhaust Panel Picking Jury in Miller Trial

The jury in the trial of Archie Miller, southern negro, accused of the murder of J. L. Beisser, near West Fairview, was secured this morning at 11 o'clock, after all of yesterday and the entire fore-noon today had been consumed examining jurymen. The panel of those drawn for service was exhausted late yesterday afternoon after ten jurymen had been selected. A panel of twenty more was drawn early this morning and an additional panel of fifteen was necessary before the required number were selected. The two men selected this morning were George B. Ginter, 56, farmer, West Pennsboro and E. A. Enck, warehouse manager, Carlisle.

The jury completed includes the above men and the following: Parker K. Brenneman, 55, farmer, Lower Allen; Alvin Martin, 45, farmer, Dickinson; A. G. Rupp, 52, trucker, Lower Allen; Emery Rupp, 56, implement dealer, Shiremanstown; William H. Mullin, 37, shoemaker, Carlisle; J. C. Grubb, farmer, Upper Allen; Mulford Stough, 38, carriage manufacturer, Shippensburg; Charles Yohe, 48, carpenter, Mechanicsburg; C. C. Cohick, 41, farmer, Frankford; Herbert Shaeffer, 36, farmer, Dickinson.

Owing to the fact that many of those empaneled were from the lower end and from Neville, where the feeling is strong against negroes, the defense used up many challenges during the day, about forty in all being rejected on various challenges by the sides for cause.

The court adjourned immediately after the jury had been selected and the case was resumed this afternoon at 1 o'clock. District Attorney G. M. Lloyd, Mechanicsburg, made the charge. In addition to

the counsel appointed by the court, Miller is represented by Julius Mitchell, a colored attorney, of New York City, sent here by the defendant's sister.⁴⁹

Press For First Degree Against Officer's Slayer

Attorneys for the Commonwealth today ended in the murder trial of Archie Miller, a Southern negro, charged with the murder of J. L. Beisser, a railroad policeman, near Wormleysburg, early last fall, this morning.

Miller will take the stand in his own defense late today. The attorneys for the defense will try to show that Miller's companion, Fletcher, another negro, fired the gun that killed Beisser.

The chief witness for the Commonwealth, Harry Chubb, another officer testified that Miller had shot and killed Beisser, and wounding him in the leg before any of the officers were able to draw their weapons. The revolver which Miller used has never been recovered, and the efforts are being made to show the connection of the cartridges found in Miller's pocket and the bullets taken from Beisser's body. The Commonwealth is pressing the case for a first degree verdict.⁵⁰

The *Sentinel* reported on the opening of the defense case as follows:

Former District Attorney Thomas E. Vale, of counsel for the defense, opened for defense. His address to the jury, stating what was proposed to prove, he said the defense would endeavor to prove that Miller's home is in South Carolina. His mental condition as a boy will be shown. That he was not considered responsible for his acts while at home and that as a consequence of his unfortunate malady he committed this deed. Insanity will be shown in his family, that his grandfather died of insanity, that an older brother was confined in an asylum for 10 or 12 years, that another brother is in the incipient stages of insanity.

It will be shown that he has all the ear marks of an insane person, not all the time insane, but it will be shown his mental disease is progressive. If he is acquitted he will be detained in an asylum.⁵¹

Try To Show Slayer Insane

With the calling of two physicians, Dr. M. M. Dougherty, of Mechanicsburg, and Dr. J. C. Davis, of Carlisle, who testified that in their opinion Archie Miller, charged with the murder of J. L. Beisser, was sane when he committed the crime, the Commonwealth closed its case just before noon today. The charge to the court was made after the noon recess and a verdict is expected late this afternoon.

The attorneys for the defense, basing their case solely on the claim that Miller was mentally unsound, and should be confined in an institution rather than executed for his crime, closed their case late yesterday. Miller was not called in his own defense.

Mrs. Miller, mother of the defendant, was on the stand several hours yesterday afternoon. She told of many acts which showed her son to be mentally unbalanced, as she claimed. He tried to bite her, attempted to burn a brother to death by setting fire to his bedclothes, succeeded in drowning a companion with whom he was rowing and committed many other acts of a man of mental unsoundness. The grandfather and father of Miller were said to be white men who were also insane. There are 13 children, two of whom in addition to Archie, are insane, the mother said.⁵²

Miller's Plea Is Insanity

Mrs. Lucy Miller, mother of the defendant, was the first witness for the defense. She testified that her home is in Charleston, South Carolina, and that she is about 63 years of age. She is a widow, had 13 children, 7 living. Her son, Archie, the defendant, then 6 years of age awoke one night at midnight and screamed. He seemed to be a raving maniac and bit her on the arm. She fought with him until day. He is 24 now. On one other night he had a similar experience. On this occasion there was a bed on fire. Three children slept in it. Archie was peacefully seated in a rocker. He admitted setting the bed on fire. A third time there were screams in the house and Archie yelled, "the man," "the man." Archie had a habit of getting up at night and going downstairs without a light. He did this frequently, his eyes wide open. At another time he jumped into the river, with another boy. The other boy drowned. He was then about 8 years old. He would wander away from the house. She placed him in J. D. Jenkins reformatory. He was there about 4 years. He ran away several times. He became physically ill, and she took him home, believing he would die, but he recovered. He went to work for a baker. Before he went to the reformatory, on one occasion he cut a boat loose. His small brother was in it. He never seemed to think he was doing unusual things. She called in Dr. Johnson of Charleston to attend him. About three years ago Archie's behavior was very unseemly. He at one time cut his brother severely with a whip. She planned to put him in an asylum. He was locked up in the spring of 1916. She is a daughter of the late R. H. Coleman, who, one of the attorneys stated was a white man, who was insane before his death.

Witness stated her son Coleman was in an asylum.

She had to put Archie in a closet and lock it when she left the house.

Dr. W. H. Johnson of Charleston, S. C., was the next witness. Is 51 and has been practicing 30 years. Is a graduate of Allen University and Howard University. Has been physician to the Miller family for 25 years. He first diagnosed Archie's troubles as hysteria, but later discovered that he had a case on his hands of Hebephenia or dementia prae-cox. He asked one time whether there was insanity in the family. When Archie was 8 he suggested that Archie be isolated. The mother put him in the reformatory. The boy had a period of lucidity. In opinion of witness Archie's disease is progressive, a disease that might have taken at least some years to have a suicidal or homicidal turn. Has not seen Archie for three or four years until this time. The chief causes of dementia prae-cox are two, 1st heredity and degeneracy; the symptoms vary considerably – insomnia, restlessness, apparent disregard for the person, delusions in some cases hallucinations. It is liable to reach a paranoia stage – this in adults. Once one gets paranoia it continues to death.

Witness believes Archie is now suffering from dementia prae-cox or juvenile insanity. He is by no means responsible for his acts. During periods of lucidity only, he could distinguish right from wrong.

Counsel for defense here read to the jury testimony of Dr. D. J. Jenkins, in an affidavit, regarding the defendants conduct while in the Jenkins reformatory. Miller would at times behave rationally and at other times over-reckless, would dig holes and try to bury boys alive and dogs alive. The reformatory authorities soon came to know that Archie was not responsible for what he did.

Deposition of Major Edwin Hawes, of Wharton, Texas, offered to show that Archie's grandfather was insane.

A certified copy of the commitment of Coleman Miller, brother to Archie, to an asylum in Columbia, S. C., was offered. It was dated October 14, 1904. Defense rests.

Dementia prae-cox, referred to in Dr. Johnson's testimony, was later renamed schizophrenia.⁵³ The prosecution then offered witness to rebut the testimony offered by Dr. Johnson. After that summations were given.

Julius Mitchell, Esq., of New York City, an eminent colored lawyer, addressed the jury first for defense, followed by Hon. Filmore Maust. W. A. Kramer, Esq., made the speech for the Commonwealth.

Mr. Mitchell hoped the jurors would not disregard their oaths and that they would render a verdict as that they can answer to God in the last great day, a verdict such as will satisfy their consciences...He declared that we are all human. That all sympathize with the widow of Beisser, and with the aged mother of Miller, both of whom sat in court. But, declared Mitchell, duty is still stronger than sympathy. Try this man not as you would a black man, or a white man, but as an American citizen. Mr. Mitchell discussed the acts of Miller which he claimed proved him insane, and he said the question for the jury would be to determine whether he was insane at the time of the commission of the crime.

Attorney Maust argued that Miller's act was one of a maniac actuated by homicidal tendencies, no sane purpose.

His act was not one of a rational man. We go back two generations to show you that he is insane. We are not here with a subterfuge, not an excuse.

Attorney Maust dwelt at length on the evidence adduced by defense, tending to show Miller's alleged insanity. He characterized Dr. Johnson as a distinguished, courteous and capable physician. He cannot be discredited because he was unable to give the etymology of a word.

William A. Kramer, Esq., made the last speech, the court passed on the points, charged the jury and the trial of the case passed into history.

Lawyer Kramer made a characteristically eloquent speech. He begged the jury but to follow the pathway of the evidence, justice first, he argued, before sympathy.

Mr. Kramer explained the degrees of murder and reviewed the case and circumstances detailed in evidence. He argued there was nothing irrational about Miller when he fired that revolver. Miller having said at Jersey City, "No bulls will take me while I have this gun." There the intention to kill was formed.

Mr. Kramer claimed that Miller showed hardness of heart, a wicked disposition. He threatened Fletcher, robbed another of 60 cents. His expressions indicated malice toward the bulls....

The charge of the Court was a masterly one and elicited the most favorable comment.⁵⁴

Miller Guilty

The jury in the case against Archie Miller charged with the murder of P. R. R. Policeman J. L. Beisser, retired about 2:30 p.m. Saturday and returned at 3:40 with a verdict of "guilty of murder in the first degree." The defense asked that the jury be polled and every man answered to his name "guilty of

murder in the first degree.” The tip staves and later the court admonished everyone in the court room not to give a demonstration when the verdict was announced, that is not to show approval or disapproval. Miller took the verdict in the same unconcerned manner that has characterized him throughout the trial and seemed in a rather jovial mood while being helped by someone in the putting on of his overcoat. Defense made a motion for arrest of judgment and new trial and five days were given in which to file reasons. The court discharged the jury with thanks, and said he could not see how they could have rendered any other verdict.⁵⁵

Coming into court just one hour and ten minutes after Judge Sadler completed his charge, the jury in the Miller case returned their verdict stating that under the evidence they could do nothing else. If the motion for a new trial fails, it is intimated that an appeal will be taken. Sentence imposing the death penalty will probably be passed this week.⁵⁶

The Execution of Archie Miller

Archie Miller’s Attorneys Move to Set Aside Verdict

Attorneys for Archie Miller, convicted of murder in the first degree for the shooting of J. L. Beisser, a railroad officer at Lemoyne, have begun their fight to set aside the verdict and have filed reasons for a new trial, discussion on which Judge Sadler will hear and pass upon within a short time. Filmore Maust and T. E. Vale, appointed to defend Miller, base their application mainly on technical grounds.⁵⁷

Attorneys Ask For New Trials

Declaring that the sentiment against the Southern negroes had much to do with the verdicts, attorneys for Archie Miller and James Anthony, convicted of murder in the first degree in court here in February, yesterday afternoon began a fight for new trials. Miller was found guilty of killing J. L. Beisser, a railroad officer at Lemoyne, and Anthony, of killing Michael Ury with a shovel, at Newville.

In Miller’s case one of his attorneys, Julius Mitchell, of New York City, declared that in view of the testimony as to the unsoundness of mind of the man there should have been no first degree conviction.⁵⁸

New Trials Refused Two Found Guilty Of Murder

Judge S. B. Sadler refused today to grant new trials to two colored men who were convicted some months ago on charges of murder in the first degree and judgment was forthwith passed in each case. Archie Miller was sentenced to be electrocuted for the murder of Pennsylvania Railroad detective Beisser, at Lemoyne, last October.⁵⁹

Portions of Sadler’s opinion read as follows:

Proceeding to the north a tramp was met who told them of being driven off the tracks and if they went on they would be arrested. The defendant used a coarse expression in regard to the bulls but proceeded. At that time officers were not in sight. Miller then...removed his revolver from his right pocket - he was left handed – took it into his left hand, and there held it under the apron of the overalls he was wearing. Thus prepared he continued on his way until within sight of the officers. Beisser came from the third track to the second track in front of Miller and when from fifteen to twenty feet away called “Where are

you going?" In answer Miller pulled the gun and shot, saying "There is where I am going." When the officer was falling he shot him a second time and then shot at the second officer who was in the tracks above. From the evidence the jury was clearly justified in finding as it did, that no other words had passed and that no attempts had been made by Beisser to either arrest or assault the defendant. After falling Beisser turned on his side, pulled his revolver and shot after the fleeing defendant, until he fell back dead.

In regards to the insanity defense Sadler wrote, in part:

The defense was insanity. The evidence to support even a suspicion of the same was far from convincing. The mother testified to various acts of badness during the youth of the defendant, and gave it as her opinion that he was insane. And a Dr. Jenkins, keeper of a reformatory in which Miller was confined from the age of 12 to 14, gave a like opinion. Dr. Johnston, a colored physician of Charleston, S. C. and the family doctor gave as his opinion that the defendant was suffering from dementia prae-cox and that he could not distinguish between right and wrong when he had an expansive moment. He had not seen the defendant for three years before the trial, nor had the others seen him for months, or Dr. Jenkins, for years. The mental condition was described as hereditary and evidence was offered to show that the grandfather became insane at 66 and that a brother was confined in an asylum. The mother and the doctor stated that as a boy Miller was afraid of things without cause. From this the jury was asked to find that he was insane when he shot Beisser and that he was suffering from some indefinite delusions when he so acted. Every act and circumstance proven in the case showing the conduct of Miller immediately prior to and at the time of the murder negated this conclusion. Two experts for the Commonwealth testified that admitting as true every act testified to in defense there was no indication of insanity in their opinion. The expert for the defendant declared that he, Miller, could distinguish right and wrong except during "expansive moments" but that such a mental condition was existing when the killing occurred was absolutely without support in the evidence.

Careful review of all the evidence leads to the conclusion that the jury was fully justified in finding the killing was willful, deliberate and pre-meditated and was done while the defendant was fully conscious of his act.

*S. B. Sadler, March 13, 1917*⁶⁰

Murder Cases Will Be Taken to Supreme Court

*Announcement was made today that the cases of Archie Miller and James Anthony, tried, convicted and sentenced to death for first degree murder will be appealed to the Supreme Court of the State. Attorneys are preparing their claims. The reasons are understood to be the same as those for new trials which were refused by Judge Sadler. Miller shot J. L. Beisser, a railroad officer near Wormleysburg, and Anthony killed Michael Ury, a construction foreman at Newville, with a shovel.*⁶¹

Negro Who Shot "Cop" Must Go to the Chair

*The state supreme court sitting in Philadelphia today affirmed the decision of the Cumberland county court which in February refused to set aside the verdict of the jury that convicted Archie Miller, colored, 25 years old, of murder in the first degree. Miller was sentenced to death in the electric chair for murdering John L. Beisser, Lemoyne, a Pennsylvania railroad detective.*⁶²

Archie Miller, Who Shot Lemoyne Officer, Asks For Clemency

The State Board of Pardons was today asked to commute the death sentence of Archie Miller, a colored man from South Carolina, convicted of shooting down John L. Beisser, a Pennsylvania Railroad policeman, and seriously wounding H. C. Chubb, also a policeman, near Wormleysburg last summer. Miller and a companion were stealing a ride and opened fire on the officers when they tried to arrest them. The supreme court upheld the conviction in the Cumberland county court.

Counsel for Miller pleaded insanity and Julius L. Michell, a colored attorney from Brooklyn, presented facts about Miller's family. Filmore Maust and Thomas E. Vale, of Carlisle, also appeared.

District Attorney George Lloyd made a vigorous protest and W. A. Kramer joined in the objections to commutation.

*The board gave the attorneys plenty of chance to discuss the case, which attracted much attention.*⁶³

Commutation Refused Slayer of Policeman

*The Board of Pardons last night refused to commute the death sentence of Archie Miller, the Cumberland county murderer, to life imprisonment. Miller was represented by a negro attorney who had nothing vital to offer in excuse for the murder of J. L. Beisser, a Pennsylvania Railroad policeman.*⁶⁴

Two Cumberland Murderers Pay

*Convicted by the Cumberland County Court on murder charges, Archie Miller and James Anthony, Southern negroes, were electrocuted in Rockview Penitentiary this morning (November 12, 1917). They left Carlisle yesterday for this place and arrived here last night. They both had been converted. Relatives asked that Anthony's body be turned over to them but no request has been made for Miller's body.*⁶⁵

¹ <http://www.findagrave.com/cgi-bin/fg.cgi?page=gr&GSln=Beisser&GSfn=john&GSbyrel=all&GSdyrel=all&GSst=40&GScntry=4&GSob=n&GRid=12306184&df=all&>

² Harrisburg Daily Independent, October 21, 1916

³ The Evening Sentinel, Carlisle, October 21, 1916

⁴ The Evening Sentinel, Carlisle, October 21, 1916

⁵ Harrisburg Telegraph, November 8, 1916

⁶ Harrisburg Telegraph, October 26, 1916

⁷ The Evening Sentinel, Carlisle, October 21, 1916

⁸ The Evening Sentinel, Carlisle, February 9, 1917

⁹ The Evening Sentinel, Carlisle, October 20, 1916

¹⁰ Harrisburg Daily Independent, October 2, 1907

¹¹ Harrisburg Telegraph, November 10, 1906

¹² Harrisburg Telegraph, October 3, 1914

¹³ Harrisburg Daily Independent, October 20, 1916

¹⁴ Harrisburg Daily Independent, October 21, 1916

¹⁵ The Evening Sentinel, February 9, 1917

¹⁶ Harrisburg Daily Independent, October 21, 1916

¹⁷ The Evening Sentinel, February 9, 1917

¹⁸ Harrisburg Daily Independent, October 20, 1916

¹⁹ The Courier, Harrisburg, October 22, 1916

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- 20 The Evening Sentinel, Carlisle, February 9, 1917
 - 21 Harrisburg Daily Independent, October 21, 1916
 - 22 The Evening Sentinel, February 9, 1917
 - 23 The Evening Sentinel, February 9, 1917
 - 24 The Evening Sentinel, February 9, 1917
 - 25 Harrisburg Telegraph, April 20, 1917
 - 26 The Evening Sentinel, Carlisle, February 9, 1917
 - 27 The Evening Sentinel, Carlisle, October 25, 1916
 - 28 The Evening Sentinel, Carlisle, February 9, 1917
 - 29 The Evening Sentinel, Carlisle, February 9, 1917
 - 30 Harrisburg Daily Independent, October 21, 1916
 - 31 Harrisburg Daily Independent, October 21, 1916
 - 32 Harrisburg Telegraph, October 20, 1916
 - 33 Harrisburg Telegraph, October 20, 1916
 - 34 Harrisburg Daily Independent, October 21, 1916
 - 35 Harrisburg Daily Independent, October 21, 1916
 - 36 Harrisburg Telegraph, October 20, 1916
 - 37 Harrisburg Daily Independent, October 21, 1916
 - 38 Harrisburg Daily Independent, October 21, 1916
 - 39 The Evening Sentinel, Carlisle, October 21, 1916
 - 40 The Evening Sentinel, Carlisle, October 25, 1916
 - 41 Harrisburg Telegraph, October 26, 1916
 - 42 The Evening Sentinel, Carlisle, October 15, 1916
 - 43 Harrisburg Daily Independent, October 21, 1916
 - 44 The Courier, Harrisburg, October 22, 1916
 - 45 Harrisburg Daily Independent, October 21, 1916
 - 46 The Evening Sentinel, Carlisle, October 25, 1916
 - 47 The Evening Sentinel, Carlisle, February 7, 1917
 - 48 Harrisburg Daily Independent, January 26, 1917
 - 49 Harrisburg Telegraph, February 8, 1917
 - 50 Harrisburg Telegraph, February 9, 1917
 - 51 The Evening Sentinel, Carlisle, February 9, 1917
 - 52 Harrisburg Telegraph, February 10, 1917
 - 53 https://en.wikipedia.org/wiki/Dementia_praecox
 - 54 The Evening Sentinel, Carlisle, February 10, 1917
 - 55 The Evening Sentinel, Carlisle, February 12, 1917
 - 56 Harrisburg Telegraph, February 12, 1917
 - 57 Harrisburg Telegraph, February 17, 1917
 - 58 Harrisburg Telegraph, March 7, 1917
 - 59 The Evening News, Harrisburg, March 13, 1917
 - 60 From a log book of the Cumberland County Court, Cumberland County Archives, Carlisle, PA
 - 61 Harrisburg Telegraph, March 24, 1917
 - 62 The Evening News, Harrisburg, May 14, 1917
 - 63 Harrisburg Telegraph, June 20, 1917
 - 64 The Evening News, Harrisburg, June 21, 1917
 - 65 The Evening News, Harrisburg, November 12, 1917