

Back in the Country... *Bell Acres Stories*

By Debby Rabold

The Execution of Martin Weinberger

2 September 1884 Witnessed by a group of forty-five officials, journalists and jurors, including three of his fellow countrymen representing the Austrian government, twenty-six-year-old Martin Weinberger stepped into the bright sunlight of the Allegheny County Jail courtyard at 10:34AM, mounted the gallows and was hung three minutes later.



The drop failed to break Weinberger's neck, causing him a slow strangulation death. Dressed in worn prison garb, his 5'6" body repeatedly convulsed as doctors monitored a fading pulse and respiration. Declared dead after fifteen minutes, the lifeless form was left hanging another five minutes before being removed. Present that day was the rope maker who supplied the prison's nooses. Today's was his fifty-fourth.

Weinberger's remains were placed in a dark wood coffin and carried out of the jail onto Ross Street where it was surrounded by a crowd of nearly 2,000 curious onlookers. From there, the coffin was taken to the rail station for a short trip to the nearby town of McKees Rocks for a brief religious service and burial.

Martin Weinberger was the last person executed at the Allegheny County Jail. Future executions would be carried out in state prisons. He was the first Jew executed in Allegheny County and the second in the United States. His was the first case in which a foreign government intervened in an attempt to have a sentence overturned.

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Martin Weinberger and twenty-year-old Louis Gottfreund were German speaking Jewish peddlers who travelled the roads in and around Allegheny County selling notions and household items to isolated farm families. Both were from the same area of Hungary where Weinberger's wife and young daughter remained. Gottfreund was unmarried. It was said that Weinberger travelled on foot, carrying his merchandise in a satchel while Gottfreund was known to make rounds on an old springboard wagon pulled by a dark colored mare.

The two countrymen arrived at the Pine Township, Allegheny County farm of Sam McClelland on Thursday evening 15 June 1882 where they spent the night after returning from southern Butler County. The next morning, both left in Gottfreund's wagon, arriving at Joseph Brooker's Wexford Hotel at noon where they asked if they might trade goods for a meal. It was raining and they remained at the hotel until about 2:00 that afternoon when they were seen departing on the road to Sewickley [Wexford-Bayne Road]. Travel time between Wexford and Sewickley villages was three hours over unimproved country roads.



Coles' Tavern, located on Church Road in Pine Township, Allegheny County, is the former Brooker's Wexford Hotel that was built in 1876. The hotel's century old barn was built on the livery where Weinberger and Gottfreund stabled their mare while having a noontime meal on 16 June 1882.

Later in the day, the men and their faded blue wagon with its distinctive squeak were observed on Beaver Road on the outskirts of Sewickley and on the hill now known as Chestnut Road. Travelers and wagons were a rare sight on isolated country roads in the hills behind Sewickley and were easily remembered. The Sala family recalled seeing an oil cloth covering the back of the wagon. Farmer Elias Reno remembered seeing the men and wagon as they passed by. Reno testified how Gottfreund's black mare appeared to struggle while pulling the peddler's wagon up the long hill near his barn as Weinberger walked ahead. Reno set the time as 8:00PM the evening of Friday June 16.

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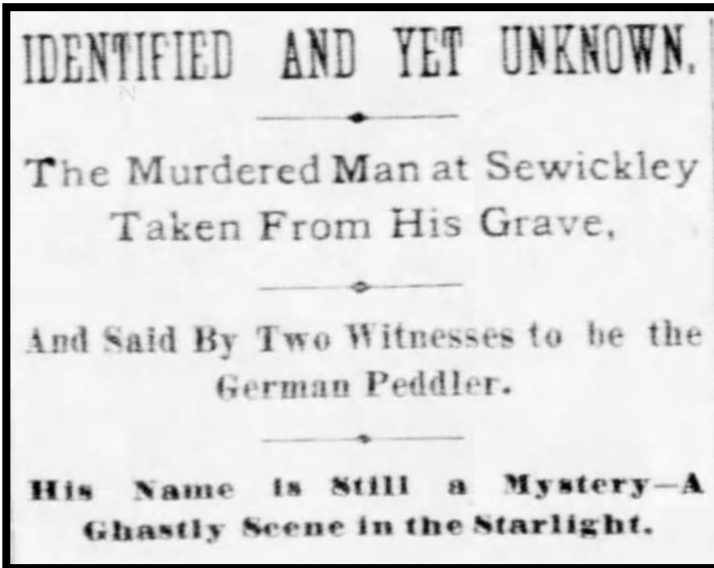
18 June 1882 It was early Sunday afternoon and John McPherson was walking the Backbone Road that leads from the village of Sewickley to the Little Sewickley Creek two miles distant. Passing through a section known as McKean's Woods, he stopped to retrieve a small brown hat lying in weeds on the side of the road before continuing to a nearby grist and saw mill on Little Sewickley Creek.

While showing the mystery hat to others at the mill, a bullet hole was discovered, causing McPherson and three others, to retrace McPherson's steps to where the hat was found. A search of the area revealed the body of a man had been dragged into a thicket and covered with oil cloth. His coat and shoes were missing and the pockets of his brown trousers were turned out. Nothing was left with which to identify the body that showed two bullet holes, one at the base of the skull and another below an arm. A stab wound was also visible. The body was removed to Marlatt's undertaking establishment in Sewickley and by the end of the day, a coroner's jury had been appointed.

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**19 June 1882** Allegheny County Detective Peter Dressler arrived in Sewickley to begin an investigation. Dressler was a genial, rotund forty-five-year old Bavarian who worked his way up through the police department to become County Detective before being appointed County Coroner. A preliminary coroner's hearing was held at Marlatt's, after which the county offered a \$300-\$500 reward for the arrest and conviction of the person or persons responsible for the killing of the as yet unidentified young man. A crowd of curious townspeople visited the undertaking establishment to view the body before it was buried the same day in the Sewickley Cemetery's strangers' section. Records list him as Burial #863 "Unknown Murder...found in woods back of Leetsdale."

Dressler began piecing together the story of two peddlers in a faded blue wagon. The coroner's hearing resumed on Friday June 23<sup>rd</sup> with Joseph Brooker and others testifying. At the conclusion of testimony, a procession of officials and curious onlookers climbed the hill to the Sewickley Cemetery and exhumed the body by lantern light so that Brooker and Matthias Augh, a hotel guest, might say if the recently interred young man was one who had visited the hotel the previous week.



Despite decomposition, protruding teeth were the one feature that made the remains immediately recognizable. While he was now recognized as one of the German peddlers, his name was still unknown. It was only after a description of his physical appearance and clothing was published that an uncle from East Liverpool, Ohio was able to provide a name, Louis Gottfreund.

Dressler was convinced that Weinberger was the killer and released a circular featuring the suspect's image. Either unaware that he was wanted for murder or else hoping to appear innocent, Weinberger, after spending time in Ohio where he sold the horse and repainted wagon, returned to Pittsburgh and was arrested on 3 July.

Initially, Weinberger feigned innocence, stating he did not know the victim. He then said that Gottfreund committed suicide before claiming an act of self-defense. He finally admitted to the killing, saying "I shot Gottfreund and the devil was in me when I did it." Speculation was the killing may have been motivated by robbery or wanting to eliminate competition. Perhaps it resulted from an argument. Weinberger never revealed his reason and requested that the prison guards not share his conversations with them. During the trial, Weinberger's confession was not used. Instead, the prosecution relied on circumstantial evidence.

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A citizen of the Austro-Hungarian Empire, Weinberger's family still resided in Hungary and pressed for his release. Despite delays resulting from the attempted intervention by the Austrian Consul in Pittsburgh and the foreign nation's representative in Washington, D.C., the criminal court trial proceeded in early January 1883. At the time, it was reportedly one of the most complicated cases tried in Allegheny County.

After testimony from witnesses who were able to place Weinberger and Gottfreund together on 16 June and Weinberger alone with the victim's wagon and possessions in days following, Weinberger was found guilty of first degree murder based on a strong case of circumstantial evidence. The verdict was rendered 8 January 1883 and the death warrant was issued 3 July 1884, two years following Weinberger's arrest. The execution was set for 2 September 1884.

Because of his impoverishment, Weinberger's defense was provided gratis, but poverty prevented him from filing the appeal he desperately wanted. In a highly unusual move, the Austrian government requested through the United States State Department, that the governor of Pennsylvania commute Weinberger's death sentence

to life in prison. The governor replied that he could only do so if directed by the Pardons Board, which refused to take up the case.

Throughout his imprisonment, Weinberger was most concerned for the future welfare of his wife and child in Hungary. He directed that what little he had be converted into cash and sent to them. He also wrote a long loving letter to his wife and a note to the Austrian authorities thanking them for their efforts on his behalf. The Court allowed his countrymen to witness the execution because under Austrian law, had the execution not been witnessed by three Austrians, his widow would not have been permitted to inherit or remarry.

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Accounts of Martin Weinberger's trial and execution appeared in newspapers throughout the nation. The high level of interest was reflected in the number of onlookers crowded into the courtroom and waiting outside the jail complex at the time of execution.

Newspaper articles were once written in a style unlike those of today. It is little wonder why the circumstances of Louis Gottfreund's death and Martin Wienberger's execution created so much public interest. This description of the Louis Gottfreund's 23 June exhumation following the Coroner's inquest appeared in the 24 June 1882 issue of the *Pittsburgh Daily Post*:

*"The inquest was adjourned in order to disinter the body of the murdered man, and if possible have him identified by Brooker and Augh. The arrangements for this unpleasant piece of work were soon completed, and the little party of witnesses, officers and spectators started for the cemetery. A winding, steep roadway leads up the hillside, which looks down on Sewickley Valley from the north, and the grave of the murdered man is at the lower end of the cemetery, a short quarter of a mile from the town. The gravedigger had been aroused and was ready with a couple of assistants to begin his labor. The earth above the coffin had sunk a foot and more below the surface of the hillside and into the cavity the gravedigger leaped...The trees on all sides were forest-like in size and denseness, and as the night wind stirred the leaves gently it seemed as though they talked to each other softly of the ghastly work which was going on beneath them. The whippoorwills down in the valley sounded their plaintive calls, and the great, shining Dipper peeped through the foliage and its component stars twinkled as if they were delighted with things which were horrible and were glad to find something to relieve the monotony of their everlasting task of pointing at the Polar Star. Rattle, rattle, rattle went the lumps of hardened clay and in the dim light of the stars and the lantern which stood beside the opening, they looked like so many skulls and great fragments of bone merrily playing tag as they left the blade of the spade. A hollow thud soon told that the box was reached and when it was raised to allow the lift ropes to be placed under it, the big box floated on the water which had collected in the hollow beneath it. The cover of the box had split into halves and when it was removed a cloth, spotted here and there with blood, was visible...The face was swollen, the eyes protruded but the features were recognizable. Brooker and Augh bent down and looked at the body in silence for an instant and then said almost in the same breath, "Yes, it is the small man we spoke of."*

**THE THICKET'S SECRET.**  
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**A Mysterious Murder Disclosed at  
 Sewickley.**  
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**The Dead Body of a Stranger Found  
 With a Bullet Hole in His  
 Head.**

**WEINBERGER ON TRIAL.**  
 —◆—  
**The Mystery of the Sewickley Murder  
 To Be Solved.**  
 —◆—  
**The Evidence Given in Court on  
 Tuesday and Wednesday.**

**WEINBERGER'S LUCK.**  
 —◆—  
**Found Guilty of Murder in the First  
 Degree.**