

"He told me that if I received any mail to forward it to him. He said he was going to the northern part of the State.

Vermilyea left Ontario, California, on the 25th of the month according to witness. A sheet of paper containing addresses and exhibited as evidence, instructed the witness in the matter of re-addressing mail. Questioned by Mr. Urquhart Was it a telegram you were instructed to send?

A. Yes sir. The address slip was passed to the jury.

While accused was away, witness was in charge doing the cooking and preparing meals for the 14-year-old son, Than. Vermilyea left Ontario, California, in a wine-colored Buick coach. He had one travelling bag and a suit case when he left.

The bag and suitcase produced as exhibits were identified in part by the witness. "They look very much like them."

News 'Not so Bright'
When Vermilyea came back on Oct. 6th witness was one of first to see him. After accused had returned, witness told him he had some news which "wasn't quite so bright."

The same car and baggage accompanied Vermilyea upon his return. Then, according to witness, police officers came to the Vermilyea home just a short time after his return.

"Accused was on the long distance telephone when Chief Locke came to the house," said witness.

Vermilyea's Explanation
Upon Mr. Vermilyea being told of the crime in Belleville, relayed to his California home from Belleville by officials he replied — "Oh, my God."

Col. Greer took up the recess examination.

Under questioning witness replied that he worked as a laborer, and had resided in California for 28 years. He had worked for accused for just a little over one year. Vermilyea had paid on an average of 40 cents per hour for 9 hours work. He had seldom conversed with Vermilyea and had little friendly relationship with him.

Says Accused Wrote Slip
A slip of paper was handed witness — "Mr. Vermilyea has gone north and won't return for a couple of days."

"I suggest witness that you can't read," charged Col. Greer.

The slip of paper was handed to the jury. It was handed back again and re-read by witness.

"I suggest, again, that you can't read; that that is not what the note contains," pursued Col. Greer.

"Do you say Mr. Vermilyea wrote this letter and handed it to you?" A. — Yes.

Not Good Speller
"Put your glasses on and read this," invited Col. Greer handing witness a second note. An address was read. But when pressed to spell out one name, witness admitted he was not "a very good speller." Witness appeared embarrassed.

Col. Greer shifted his attention to the note containing a list of names, of "Clarence", "Arthur", "Mother", "Helen" and "Bert". If a telegram was received from any one of these it was to be answered, said witness.

Chief Locke of the Ontario, California force was shown this slip of names when a call was (Continued from Page 1)

Police, Medical Testimony

Most of the morning was given over to the questioning of Constable O. Arnott, Plain Clothes Officer F. A. Isard, Dr. Geo. H. Stobie and Dr. R. S. Gibson.

The police officers were questioned as to their part in the investigation on the night of the crime. Isard's evidence was interesting because of the fact, that he was the first to find the hatchet lying in an old dish pan resting on a pile of broken cement blocks at the rear of Dr. Faulkner's residence. This related to Dr. Stobie's testimony that the wounds on Mrs. Vermilyea's head and wrist were caused by a tool of the same shape as the head of the hatchet. The wounds on the side of the head above the right ear were particularly severe and had the appearance of having been pommelled by a heavy tool. Whoever wielded the tool did so in such a savage manner as to expose brain tissue and drive several specules of skull bone well into the brain. Such extensive brain injury was the cause of death which occurred the next day after the attack at ten in the morning.

Constable Arnott was questioned closely as to whether he could see a group of people standing on the Dr. Faulkner lawn from where he was standing when he got out of the car. Arnott stated that the light was not sufficient to recognize any one at that distance and that he was unable to do so until he was within about six feet of the group. The night was one of ordinary degree of darkness in which there was no moon.

Witness From Coast

The first witness from the Western coast was J. S. Swayne who resides in Ontario, Cal. His evidence was that Vermilyea gave him a sheet of paper, which included a list of names with instructions that if he received a message from any one of these people he was to reply with the message "Vermilyea went up the valley yesterday and will be back in a couple of days". The names were, Frank Henny, Jack Nagle, Clarence Vermilyea, Arthur Vermilyea, Mother (Mrs. N. Vermilyea) Helen or Bert (Mrs. and Dr. Faulkner.)

When Vermilyea returned after his absence he asked witness how "Things here don't look so bright!" "Things here about look so bright!" Vermilyea exclaimed, "Oh, My God!" Just after this, Vermilyea was arrested by Chief Locke, Swayne also related that he had worked for the accused just one day, two years before. Col. Greer brought out that the witness could not read without spelling out the words. The witness stated that Vermilyea made no attempt to recover the list on his return which was turned over to Inspector Gardner on his arrival there.

Court recessed at 1.15 p.m. for lunch.

CRITICALLY BURNED

Alexandria, Ont., Feb. 14 (CP)—Falling asleep while smoking a cigarette, Donat Wilard, a young farmer living near this town, was severely burned about the body when the cigarette dropped from his hand and ignited the couch on which he was lying. His screams of agony brought others in the house to his assistance. The blazing couch was moved outside before any damage was done to the house.

Wilard was taken to hospital in Cornwall where little hope was held out for his recovery.

Sept. 30th, 1934. At that time witness was on desk duty and witnessed "accused" sign the hotel register, he testified.

"He registered under the name of E. F. Carter, Aberdeen, Washington," said the witness firmly.

The registration sheet, introduced as an exhibit was handed to the jury.

Room 303 was assigned to the signer of the register, he added.

The hotel caller had with him one small bag, and one was later brought up. It was "a large, brown, suitcase", added witness under the questioning of Mr. Urquhart, Crown prosecutor.

"It resembled that one there," pointed witness to a suit case before the bench produced during the morning and partly identified by a previous witness.

Resemblance Noted

One suitcase was given him, witness said, to be looked after until later needed. The man who resembled Vermilyea stayed on at the hotel from Sunday until the 4th, said witness.

Q—Was there any conversation with this man during his stay? A—Not until the afternoon of the 4th until he called at the desk and said he expected two men to call—Draper and Walker—taximen.

Q—Then what? A—He went to his room and telephoned down to be called at 2.30.

Q—Were you in the office when the man called? A. Yes. This man Carter, came down, he turned to me and said if anyone calls now, tell him I couldn't go on that trip and that I've gone.

This man had on a gray felt hat, long grayish brown coat, pull-over sweater and what was believed to have been a gray suit underneath. The sweater, said witness, was on over the vest.

Witness told of later seeing the man in a police lineup at Toronto.

Col. Greer, defence, took up the questioning.

Q. Before you saw him in the lineup you had seen photographs of the man? A. Just some pictures I had seen in the press.

Q. How soon before? A. I had seen them on the 5th and 6th.

A. And you had time to compare them? A. Yes.

Q. Was there anything about him that might have led you to remember him? A. No, except that I remember him from the time he put some money away on deposit and told me to look after it, that you never knew when a person might get knocked on the head.

Col. Greer drew the point that the man, Carter, left with a taxi driver who was not either of the men previously mentioned.

Q. He might have been in contact with three or four taxi drivers? A. Yes.

Positive of Identification

Questioned again on the dress of the man, witness agreed he was fairly positive of the identification.

Col. Greer—What do you say about his wearing glasses? A. He was wearing horn-rimmed ones.

Q. Did you ever see him without glasses? A. Yes, sir.

The man resembling Vermilyea was seen "several" times by witness in the hotel.

dropped blankets with which the rescuers, Mr. Ingram and Dayton Murphy, of Wellington wrapped the lads.

On arrival here the boys expressed wonder at their escape.

Vardy has been for many years an inmate of the Shelter. He has run away from many places ten or eleven, and he knows Prince Edward well, it is said.

"The boys were in bed at ten o'clock Sunday night," said Miss Harris. "I think they left about eleven o'clock that night and went down the fire escape which opens right out of their room. They took their usual clothes. I imagine they went across the ice on the bay to Prince Edward shore and then made their way to Wellington."

Wellington Ontario, February 14—

Marooned 24 hours on an ice floe in Lake Ontario, most of the time with nothing but carrots and dried corn to eat, two lads who ran away from the Children's Shelter at Belleville late on Sunday night and tried to reach the United States on a raft of fence rails, were rescued two miles off-shore at Wellington last night.

The boys, Charles Weaver, 12, and Henry Vardy, 16, embarked secretly on their raft, made of fence-rails bound with wire, and with planks as paddles, half a mile along the shore from this village last night. Neither had an overcoat and their food supply consisted only of carrots and dried corn they had taken from a farmer's barn. They were first seen when

Mr. Urquhart took up re-examination.

Q. Could you identify this coat you spoke of? A. I believe so.

The coat was produced, but brought up some question of its admissibility as an exhibit at this time. Mr. Urquhart continued with his examination. Witness became entangled in a question regarding his ability to "swear" to the color of the clothing. Justice Jeffrey explained the point. The witness was dismissed.

Sale of Similar Hatchet

James Nichols, a salesman in the hardware department of the J. B. Simpson next witness when shown the hatchet as an exhibit explained it was of the same type as that sold by the store.

On Oct. 2nd, he related a hatchet of the same type was sold a "gentleman."

Mr. Urquhart: Can you recognize this "gentleman"?

After a moment's scrutiny in the direction of the prisoner's dock — "I can recognize a man who resembles that man."

"Where?" A. "Sitting over there!"

Witness nodded in the direction of Vermilyea.

"You mean the man in the prisoner's dock?" questioned Mr. Jeffrey.

"Yes."

The point of whether the conversation between the purchaser and seller of the hatchet should be allowed in court was debated by defence and prosecution. At the suggestion of the defence, the jury retired from the room while the matter was threshed out.

Col. Greer objected to any statements from the hardware clerk witness except those which concerned general remarks not detrimental to the accused. The objection was sustained by the Bench.

Defence and prosecution still debated the point at press time. The jury had then, not returned.

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