

# AND TRIAL, JURY FINDS

## ROSES TRILLIUM



Provinces of Ontario. RIGHT, above, shows the trillium-in-bloom; LEFT, the leaf design.

## Dramatic Halt to Trial When Psychiatrist Says Accused Man Insane

Dr. Howland Testifies on Ability of Man to Stand Trial

### ASKING OF QUESTIONS

Vermilyea Able to Follow Trial Says Witness

After five minutes this afternoon the jury returned to court and decided Vermilyea is fit to stand his trial.

The jury at the trial of Harold W. Vermilyea, charged with murder of his mother, was re-sworn this afternoon to determine if the prisoner was fit to stand trial.

Vermilyea murder trial was dramatically halted shortly after three o'clock this afternoon when Dr. Gordon Howland, psychiatrist, in evidence for the defence today at the trial of Harold W. Vermilyea, charged with murdering his mother, testified that if Vermilyea killed the woman last October 4, he was insane at the time. In answer to a question, Dr. Howland had said he would willingly on the face of the evidence and on the strength of his examination certify Vermilyea was insane and would willingly sign a certificate committing him to an institution.

On the trial on the ability of Vermilyea to stand, Dr. Howland on repeated questioning by Col. Greer, admitted that accused had ability to stand trial.

Dr. Gordon Howland was still on the stand in the Vermilyea murder trial on Friday afternoon. Col. Greer, defence counsel continued the questioning of witness in respect to the Vermilyea family. The distinguished, appearing expert pondered the questions directed to him before the close of the morning session. The list of the family as presented by Col. Greer before noon recess had been:

"There were four suicides. Two people were certified insane: one son of Solomon was confined to his home during the later years for acts of violence; Reuben Vermilyea saw spirits and had visions of money in the swamp; John C. became childish; Dillah Reid became childish; an uncle, Charles, became childish before 60."

Col. Greer then asked: Q. Taking these things into con-

sideration, history? A. Yes. Q. Are you able to form an opinion of the man's sanity? A. He had always been a psychopathic, oversensitive egotistical, had certain trends towards right, and with the history of this delusional symptom, developing before the crash, this man was degenerating and with the financial strain developed an acute condition that he was insane, a condition in which these delusions of persecution and grandeur have been pronounced.

### Question of State

Q. And at the time of the commission of this crime—if he did commit it—what was his state?—Insane?

A. "Undoubtedly," replied the doctor.

Col. Greer referred to the trips to the city allegedly made by the accused. Witness continued—"These trips and the disappearance are characteristic of the delusion suffered by paranoids. Sometimes this type fires off a gun, smashes a window or gives some warning."

Mr. Urquhart took the witness. It was disclosed by him that the only examination made by witness was the five hour one. He had read the evidence given by witness, Sullivan and others.

### Willing to Certify Man Insane

Mr. Urquhart asked: "Doctor, would you have any hesitation in signing a certificate consigning this man to an institution for the insane? A—According to the evidence I have heard and examinations made I would not hesitate to do this."

Justice Jeffrey objected to this question.

"This case must stop," he ordered. The jury was immediately asked to retire as the question had been raised as to whether Vermilyea was competent to conduct his defence or stand his trial.

### Vermilyea's Appearance

Throughout the lengthy questioning of the medical witness on questions relating to his sanity, Vermilyea sat unmoved. Justice Jeffrey resumed court. He instructed the jury that Dr. Howland had testified that accused was insane and that he (witness) would be willing to sign to that effect, and have him committed to an institution. The court pointed out the question of insanity had been raised. "The defence of insanity relates back to the time the

## ONTARIO WITNESS TELLS OF ACTIONS OF ACCUSED MAN

"Used to Fly Off Handle" Says Brown in Deposition

### FAMILY HISTORY

96-Year-Old Man Tells of Mental Illness of Mother

Harold W. Vermilyea, accused of the murder of his mother on the night of October 4, last, while living at his home in Ontario, California during the fall of 1934 had undergone a noticeable change in actions, speech and manner, friends of long standing in his home town testified at the Thursday afternoon hearing of the trial through depositions previously taken at an inquiry commission at San Bernardino, California and produced in court yesterday.

"Harold was queer—I always thought he was one of the queerest men I ever knew" stated Thomas Dale Pittengier of Ontario, California, an inspector of the General Electric Company of that town. "During the fall of 1934, he seemed to become worse, or more noticeably affected by things or conditions," added this friend of three or four years' standing declared at the inquiry.

"He used to fly off the handle frequently and was subject to fits of rage. His memory seemed to become more faulty and he was constantly forgetting things, even the orders I gave him from time to time. Lately, he had seemed to be in a hard-up condition and was anxious for any kind of work." Harry P. Brown of Upland, California, manager of a citrus fruit packing exchange, and one time employer of the accused, declared in his deposition read by defence counsel.

### Hospital Head Testifies

In the early part of Thursday afternoon Dr. T. D. Cumberland of

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Witness explained it was hard to get down to a purely mental attitude.

INSANE All Life Q. Will he continue to be insane for the future? A. For the rest of his life. Q. Are you able to give an opinion on the specific question as to whether he can conduct his own trial without having an interview with him? A. After a long pause on the part

## Questions to Be Asked by The Opposition

Toronto, Feb. 22—(OP)—Inquiries as to dismissals of civil servants since the government of Premier Mitchell F. Hepburn took office, names of those whose appointment as King's Counsel has been cancelled and salaries of various deputy ministers are among the 23 questions, which members of the opposition in the Ontario Legislature gave notice today they will ask the government Monday.

"How many civil servants have been dismissed or have resigned on request of the government since the Hepburn government took office?" reads a question from T. P. Lancaster, Peterborough. A. H. Acres, Carleton, follows with a question as to how many civil servants have been taken on by the government since July 11.

W. H. Price, former Attorney General, desires information as to the persons "whose recommendations for appointment as His Majesty's counsel learned in the law were cancelled by order-in-council since the 11th of July, 1934." He wants to know how and when these were cancelled and on whose recommendation.

George S. Henry, leader of the opposition, leads with seven questions. He asks the salary of Duncan McArthur, Deputy Minister of Education. The salary of his predecessor and how many Deputy Ministers are receiving a salary of more than \$6,000.

The former Premier asks the number of Royal Commissions appoint-