

around at the curious crowd, then seated himself on the air cushion and lolled back at ease, arms on the dock railing.

#### Just Like a Drama

A hush fell over the court room as the prisoner toyed with a match end of a bit of wood, clearing his will kept nails. Last evening as he re-entered the court room he had been more talkative. As he entered the lighted room last night he had remarked in an audible voice which clearly carried to the spectators: "Just like a drama." Today he was apparently not in the mood for talking.

Mr. Justice Jeffrey entered the court room at ten-thirty. He mounted the bench and sat quietly for a moment, rustling some papers. Vermilyea sat down easily as court was officially opened, arms on the railing.

#### Convicted Man's Inquiry

"Harold Vermilyea, stand up," ordered Justice Jeffrey.

The prisoner stood erect, placed both hands on the railing and faced the court.

"Have you anything to say?" asked the court.

A slight pause, a momentary hesitation and then Vermilyea cleared his throat. "What was that?" he asked. Then a further hesitation.... "Not a thing," he finally replied in a clear tone.

Mr. Justice Jeffrey, turned from his close observation of the prisoner to his desk. A paper rattled slightly, its noise crackling through the electric tension and stillness of the room. The court again glanced at Vermilyea. The prisoner, with hands in pockets, shifting them from time to time to rub them together in slightly nervous fashion, stood with head up, facing the judge. A slight pallor on his features turned a shade whiter. His eyes returned the steady gaze of the court. A spectator in one of the back row benches coughed a bit nervously. Then, in the dramatic stillness of the room, Mr. Justice Jeffrey delivered his address to the prisoner, end with..... you can ask forgiveness for your sins and forgiveness will not be denied...."

#### Black Cap Not Used

Mr. Justice Jeffrey paused for a moment at the end of the address. Then the death sentence was pronounced. The court did not don the black cap.

The sentence of the court upon you, Harold Vermilyea is that..... taken to the place from which you came.... kept in close confinement.... until the second day of May, and upon which date you be taken to the place of execution and be hanged by the neck until you are dead.....

#### Condemned Man Sways

"And may the Lord have mercy upon your soul"..... Slowly and clearly the words were pronounced by the court. At one point as they were recited, Vermilyea, appeared to sway slightly. His hands shifted again from his pockets to the railing in front of him. His eyes appeared to close for a moment and his head bowed slightly. The court concluded. Again a rustle of papers on the bench crackled through the stillness of the court room. The death sentence had been delivered. Vermilyea still stood standing, appearing a bit uncertain of the next move. A guard reached over and touched him on the shoulder. He sat down again easily, and then arose as the court moved, apparently to go. Again a guard reached over. Vermilyea turned quickly, recovered his air cushion, and then,

preceded and followed by the defence counsel, Col. R. H. Green, K.C., Toronto, who so capably conducted the trial since its beginning. He has been assisted by Mr. O. A. Payne, K.O. of this city.

#### Continent-Wide Interest

No case in local annals has ever exercised so great interest as this trial on account of the prominence of the victim and the accused, of their relationship, the accusation of the crown that a man had crossed the continent from the Pacific Coast and after the commission of the crime fled by taxicab, train and plane to his California home at which he arrived in little over forty hours after the attack. The interest was accentuated by the rapidity with which the police secured and followed the clue to the west coast and secured the arrest. There was the added interest of the insanity defence, and many other factors including of course the nature of the attack, which shocked the entire province. The interest in the case was continent-wide.

#### Appetite Seems Good

Vermilyea has shown little loss of appetite. Even though laboring under the stress of the final verdict of guilty, early this morning, at six-thirty o'clock he arose, took the first of the day's airing and shortly before seven o'clock a breakfast of bread, milk and porridge was given him. He ate well, apparently undisturbed. Throughout the night his sleep has been untroubled and during the earlier part of the night had evidenced a desire to chat with his guards. Conversation with the prisoner, however, is not encouraged.

It had not been intimated by defence counsel whether an appeal from the sentence would be made. It was gathered that the first move toward an appeal if such was con-

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#### Officials Praised

Mr. Justice Jeffrey, while off the bench praised the officials of the county on the excellent manner in which they had carried out the arrangements for the holding of the trial and on their general performance of their duties.

The trial was marked by quite serious illness of jurors with influenza. The father of one of the jurors died at Trenton and the son was unable to attend the last rites, the funeral cortege proceeding through Belleville and passing before the hotel, where the jury was staying, providing the juror a means of seeing through the window the funeral pass. In the excitement of going to attend the trial, a spectator died suddenly on Monday morning in the lower part of the courthouse.

#### Jury's Long Guard

Last night (Monday) was the first night the jury was free. They had been under guard at the Belvidere Hotel for twelve nights and were under guard thirteen days. Most of them stayed in Belleville last night though they come from the country, so that they have been away from their homes at least a full two weeks.

The costs of the trial will be very heavy, what with long distance witnesses who were kept here a lengthy time and the prolonged period for which the jury was held along with the balance of the jury which was not sworn in on the Vermilyea case.

#### Course of Trial

The trial began on February 12, when the case was given to the grand jury to deliberate. On February 13th, the trial began on the presentation of a true bill by the grand jury. The jury of nine farmers, two laborers and one merchant was sworn in and the trial began immediately sitting every day since that time except Sundays and a week ago Monday, when there was an adjournment on account of illness of a number of the jury from influenza the trial concluded only late Monday night.

The hatchet attack on Mrs. Aurora Vermilyea, widow of the late Nathaniel Vermilyea, took place on the lawn of the daughter of the victim about nine thirty of the night of October 4th, 1934. A few hours afterwards inquiry was made in California for Harold Vermilyea, eldest son of the victim and on his

played a part in sport as a champion and runner and won a championship in boxing at Varsity. Some years after graduation he went to the Pacific coast to British Columbia, then down the coast to California and at one time was living near the Mexican boundary. He finally settled at Ontario, California. He was married and had a daughter and son. He engaged in the orange plantation business and was a salesman up to a year or so ago. Five years ago he had divorced his wife.

He was last here in 1923 shortly after the death of his father in connection with the probate of his will.

Vermilyea is a well built man weighing about one hundred and sixty pounds and has carried a name as a good dresser.

#### His Reaction

During the trial his reaction has not been marked as he has generally sat with his head slightly bowed and looking away from the jury.

A large number of witnesses were brought from the coast and at points along the trip which the crown evidence charged he took on his return trip as well as a number of Toronto hotel employees and taxicab drivers from Toronto. Several Belleville persons while not eyewitnesses of the attack, Mrs. Vermilyea swore they saw two persons cross the lawn and either heard words or moans a few brief seconds afterwards.

California witnesses left to-day for their home after their long stay in Belleville.

## Obituary

### MRS. EVELYN RUSSELL.

Mrs. Evelyn Russell, widow of Samuel Russell, ex-M. P. P. for East Hastings and former registrar of deeds for the County of Hastings, passed away at her home on George Street on Monday, February 25th. The late Mrs. Russell who was formerly Miss Evelyn Davis, daughter of the late James and Anne Davis, was born and educated in this city. On her marriage with the late Mr. Russell, she went to Deseronto to reside for about twenty years. In 1905 she moved back to this city with her husband when Mr. Russell became County Registrar of Deeds. She has been a resident of Belleville ever since, making her home at 193 George Street.

Mrs. Russell was widely known, though of a very quiet and retiring disposition. She was a member of John Street Church and had always taken a very active part in the work of the church. For many years she was president of the W.M.S., and for a time presided over the Presbyterian.

She is survived by two sisters, Mrs. Byron N. Call, of Toronto, and Miss Florence Davis, who has resided with Mrs. Russell. Her husband predeceased her eleven years.

### LATE MRS. JOHN H. REID

The funeral of Mrs. John Henry Reid who passed away on Friday morning was held at the home of her daughter, Mrs. Jay White, 4th Concession of Sidney, Monday, February 25th, with relatives and friends in attendance.

The late Mrs. Reid was a daughter of Mr. and Mrs. Robert Rodgers, Stirling, and was a United Empire Loyalist. Her husband predeceased her in May, 1925. She is survived by one son, W. A. Reid, of Trenton, and one daughter, Mrs. Jay White, of Frankford, with whom she has resided for the past

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