DOCTOR TESTIFIES MURRELL STATED BULLET HIS

SHOWED SIDNEY MURRELL BULLET REMOVED FROM BODY OF CAMPBELL

Drs. Freele and Dewar Called To Testify as Crown Witnesses.

REPRIMANDS DONAHUE

Judge Declares Remark Discourteous-Architect Explains Plan of Building.

Once more Sidney Murrell sits in the prisoners' box on trial for his life. But this time he sits alone, indicted for the murder of Russell Campbell at Melbourne in April of

His companion in the bank robbery Williams, was granted yesterday afternoon a separate trial by Mr. Justice Lennox. This means that once the fate of Murrell has beer liams on a similar charge will be

At 6:20 last night, after Mr. Justice Lennox adjourned court until 9 o'clock this morning, ordering the jury locked up in the grand jury room for the night.

After granting the request of J.

eparate trials be given, and after J. T. Rigney, K.C., prosecuting attorney, had addressed the jury, the crown opened its case, calling H. C.

Dr. R. Dewar, Melbourne physician was the next witness, and he testified to finding the body of the dead man, and as to the post-mortem examina-Freele, Glencoe, who took part in the ost-mortem examination, and lso assisted in the removal of the erning the bullet found and his con-

told him the bullet found in Campbell came from his gun.

The case of Clarence Topping, also charged with murder, who shot his sweetheart last November, and which was expected to go to the grand jury, will probably be laid over until March, owing to the illness of Miss Viola McNaughton, star witness for the crown. Mr. Justice Lennox, in charger of the crown. Mr. Justice Lennox, in charger of the crown was in a weakened condition.

Advertiser.

When the Murrell trial was continuing to address the jury, Mr. Rigney stated that laymen were apt to attach too much importance to insignificant details, but that this trial be postponed till the spring assizes, stating Murrell was operated on for appendicitis four weeks ago, and although the wound had healed he was in a weakened condition.

He then related the history of the continuing to address the jury, Mr. Rigney stated that laymen were apt to attach too much importance to insignificant details, but that this say the bullet protruded?

A.—It was to be seen; whether the evidence adduced is such as to remove any doubt of the innocence or guilt of Sidney Murrell in this murder.

He then related the history of the

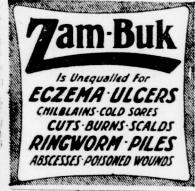
evidence was forthcoming to show exper

At one time Justice Lennox decurred when his lordship was asking Dr. Dewar a question about the wound in Campbell's hip, and to

elief at being granted a separate him assisting in selecting the jury.

At 3:50, Mr. Justice Lennox excused all jurymen except those on the Murrell panel, until 10 o'clock esterday morning. Ten of the twelve jurors selected

re farmers, the majority being beween the ages of 30 and 40. The jurymen asked to be excused



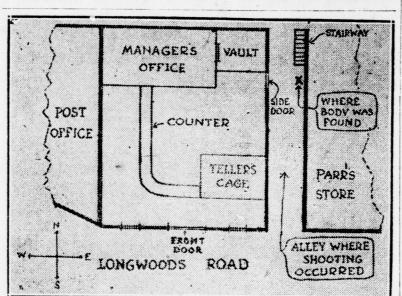
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THE BANK AT MELBOURNE.

Above is shown a plan of the office of the Home Bank at Melbourne where the four bandits attempted the robbery which resulted in the death crown witnesses in the case of Rex of Russell Campbell. The front door was entered by the bandits and the vs. Sidney Murrell had been heard, girl teller escaped through the side door to give the warning of the attack.

> afternoon newspapers being brought Hill, copy of The Advertiser and held it in such a way that the judge could London Township, farmer. Addressing the jury, Mr. Rigney

being brought into court might have might be brought up in the evisome effect on the jurors, and after dence.

Architect Explains Plan.

While Mr. McBride was explaining bullet from Campbell. Dr. Freele was cross-examined at some length consumply, asked for the copy of The ordered that witnesses be excluded, Advertiser that had proved so ob- and that those who have given testijectionable to Mr. Donahue. The copy mony be kept apart from those who the latter was fied to a post in Mel-bourne. He declared that Murrell bourne told him the bullet found in Camp-lordship was soon immersed in the that there should be no discussion

McNaughton, star witness for the crown. Mr. Justice Lennox, in charging the jury, stated that it was possible they might have to deal with this case but not likely.

Many Interruptions.

During the examination of witness

McNaughton, star witness for the and although the wound had healed he was in a weakened condition.

"I have made careful inquiries within the last five minutes of the gail physician, and he assures me there is nothing to interfere, nor is there a 1y danger," said Mr. Rigney.

McNaughton, star witness for the and although the wound had healed he was in a weakened condition.

"I have made careful inquiries within the last five minutes of the killing of Russell Campbell at Melbourne, and the stories that would be told of that day, including evidence of witnesses who claim to have seen the shot fired.

Substance could be delived.

A.—I meant the bourne, and the day, including evidence of witnesses who claim to have seen had been placed on the shot fired.

During the examination of witness by counsel, several interruptions and objections were made, these causing his lordship to remark that he might as well settle down for a year, as he well-understood what had made the preceding trial so lengthy.

The question of what was done with the fatal bullet, and just who had it in his possession, consumed most of the examination of Dr. Freele, but no evidence was forthcoming to show the summoned at enormous evidence was forthcoming to show the stories that would be told of that day, including evidence of witnesses who claim to have seen the shot fired.

"We are dealing with the innocence of witnesses who claim to have seen the shot fired.

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"A.—The blood on the face.

Lying on B

led away

Asks Elliott's Status.

taken off his wrists and he was led downstairs, broke into a smile the serving in the court, as he noticed Justice Lennox stated he had no knowledge of what capacity Mr. Elliott was acting in.

Mr. Donahue then informed him that Mr. Elliott had been acting crown attorney at the last trial, but Bank had no official connection with the present trial.

Mr. Rigney declared the objection needed no comment so far as he was tween the bank and Parr's store was oncerned.

Counsel for defence also objected to Mitchell Innis not being sworn as a when Mr. Rigney asked him to stand Innis should be on the jury and asked

ent, stating that he might just as various objects in the building. well be here a year. After 20 minutes Mr. Donahue re-

urned and apologized for the delay, thought there was a passageway at tating he had found a reference delaring that a challenge must be made He maintained that a juror was being sworn as soon as the book was touched.

His lordship stated that the man not taken hold of the book. Mr. Donahue submitted he was entled to the jurymen. Mr. Rigney lenied this, stating that the book had not been delivered to the man.

The clerk said that the man had hold of the book but it had not passed out of his possession. Justice Lennox ruled that he was

properly rejected. It took almost an hour to selec he twelve jurors. Fifty-two names vere called before the "twelve good n and true" were finally chosen. David Walker, one of the jurors, walk stated his daughter was dangerously ll and asked if he could be kept costed as to her condition, his lordship replying in the affirmative. Ten of the jurors are farmers, one

is a painter, and the other a car-List of Jurors.

penter

Following are the names of the rors who hold Murrell's fate in their hands: John Alden, London Township, farmer; John McLauchlan, Metcalfe, farmer; Richard Lee, West Nissouri, farmer; Frank Barr, North Dorchester, farmer; Ernest Beattie, North Dorchester, farmer; rug store. Keep it handy !-Advt. David Walker, Westminster Town- A .- Other people were around, but

while Mr. McBride rubbed out figures ship, painter; M. J. Stanley, London, on the plan made during the last trial. Township, farmer; Walter P. McCal-On resumption of court at 4:10, Mr. Last Williams, farmer; Stanley Donahue objected to copies of early Thompson, Caradoc, farmer; Robert Delaware, carpenter; into the courtroom. He picked up a Love, Delaware, farmer; Fred Belton,

on to identify and explain certain plans made by him of Melbourne and the Home Bank, where the murder took place.

"Separate trials for Murrell and Williams," read his lordship. "Well, almost three years ago. He mentioned this in order to a whole the mentioned this in order to a whole the second trials are the meaning to the second trials are the meaning trials and the second trials for Murrell and occurrence of the crime happened almost three years ago. He mentioned this in order to a whole the second trials for Murrell and occurrence of the crime happened almost three years ago. Donahue thought newspapers lack of clarity of minor details that

to the post-mortem examina-He was followed by Dr. L. M. papers in this case." ' "While the evidence will leave an impression, you will realize that the witnesses may be witnesses." the whole event as though it were yesterday.

Justice Lennox interrupting, and

Donahue were impertinent and discourteous, casting a reflection on the method of his questioning. This occurred when his lordship, were taken back to his fall cell. Williams the latter was taken back to his fall cell. Williams this age of newspapers for the courted when his lordship, we was quite pleased and could will an expect the courted when his lordship, we was quite pleased and could will an expect the courted when his lordship, we was quite pleased and could will an expect the courted when his lordship, we was quite pleased and could be courted with the courted when his lordship, we was a courted with the courted when his lordship, we was a courted when his lordship, we was a courted with the courted when his lordship. this age of newspapers for you to approach this without knowing anyning about it. Efface all opinions, listen to the evidence free from prejudice, so that justice may be done Mr. Donahue interrupted the chal- to yourself, your country, and to the

H. C. McBride, London architect, was the first witness called by the to crown. He stated that he had prepared two plans, one of a portion of Melbourne and the other of the Home

Holding up the big drawing, Mr. resent trial.

McBride pointed out the various buildings in Melbourne, showing their location in connection with the Home Bank. He stated that the laneway be-9 feet 2 inches, the distance from building front to side door was 25

juror. He stated Mr. Innis had his the bank. Immediately opposite the entrance, on the east side, was the when Mr. Righey asked him to the manager's office. The public space aside. Mr. Donahue maintained Mr. the manager's office. The public space was three feet wide. He also eave to quote the law.

His lordship smilingly nodded asont string the law.

described the interior of the manager's office and the location of

various objects in the building.

In reply to a question of Mr.
Donahue, the witness stated that he bip showed an inclination to direct the witness in the direction rather the witness in the direction rather the suidence roll out.

Dr. R. Dewar.

Dr. R. Dewar was the next witness called by Mr. Rigney. Q .- You are a medical doctor pracicing at Melbourne?

Q .- Do you recall incidents? A .- Yes

A.—Yes. Q.—Where did you go? A.—To where the body was in the alleyway about 11 a.m.

Dr. Dewar indicated on the plan of the bank where the body was. Q .- How was the body lying? A.—The body was lying on its back about ten feet from the side-

walk, closer to the bank than the Q.—Was life extinct? A .- Life was extinct, and the face covered with blood. Blood was also n the ground.

Q.—What position was it in?
A—On the back, feet to the

Q.-What did you do?

Finds Bullet Wound. -Looked for injury and signs of life. I found a bullet wound on the left side under the arm-pit, with blood oozing out. There was also Ernest slight opening on the other side.

. Q .- Were you alone

Q .- Do you wish to imply that the body had been placed in that posi-

A .- Yes I think somehody turned

over. Q.—Do you know anything about removal of the body? .-Dr. Woods, coroner, ordered the body taken to the undertaker's.

Q .- How was it taken? A .- We made a stretcher and took over. This was about 10 minutes

This was done and I assisted.

after I arrived.

Prepare For Jury.

Q.—Tell us what occurred.

A.—We went to the undertaker's parlors and Dr. Woods ordered the body placed so it could be seen by Q.-Was it clothed? A.-Yes. Overalls and sweater.

Just ordinary working attire.

Q .- Were you present when the clothes were removed?
A.—Yes. They were removed before the coroner's jury viewed the remains. Dr. Woods and Mr. Sponnenburg also were present when the lothes were removed. Q .- Who removed it?

A.—I think, Dr. Freele. Q.—What did you find? Removes Bullet.

A .- A bullet under the right armpit, pointing up. The skin was broken about 1-3 of an inch. I took bullet out and gave it to Dr. Woods, saying it would be best to Norton rushed inside, "Slim" Wil-

Q .- Any other examination? A .- Yes, a bullet wound on the dertaker's after the coroner arrived. left hip, starting downward,-grazing It was a surface wound. clothing opposite the wounds.

surface wound? A.—No doubt.
Q.—Did you discover anything one armpit to the other.

Finds Old Scar. A .- There was an old scar on one of his legs

Q .- Any further examination after. ward? Q .- Did you make a written report?

Q .- What was it? A .- Part of the post-mortem examnation. It was made to the corone Mr. Rigney asked that the

e put in as an exhibit and this was His Lordship-Death was caused by gunshot'

A.—Yes. Rigney—What was the cause of death: A-Death was due to hemorrhage caused by the bullet wound

Donahue-Did I understand you to A .- It was to be seen, just the

Q .- In your report you state a hard

Q .- You removed the bullet so it

have been summoned at enormous expense, and there has already been considerable delay in ascertaining whether this man is gullty or not whether this man is gullty or not seem to the considerable delay in ascertaining whether this man is gullty or not seem to the constant of the country of t You are aiding yourself, countries the statement made then correct?

A.—As far as I recollect. Q.—That statement would be closer correct than one made now?

Q .- Who did you give the bullet to? -Dr. Wood. Q .- What did he do with it?

A.-I don't remomber. Gave Bullet Away.

Q .- At the preliminary hearing you said that Dr. Wood gave the bullet Freele for examination. You after a while. Do you recall that?

said he gave the bullet to Dr. Wood the wound on the hip came from the

His Lordship-What do you mean bullet? coming from the back? A.—It ran from back to front. His Lordship—Would that give an

impression of the direction of the -Yes, as though it came downward and from the back.

Donahue Objects. Mr. Donahue started to object to the method of Justice Lennox's ques-

lordship, who stated that sense should rule, and discharged the Mr. Donahue stated that his lord- revolvers?

than letting the evidence roll out. "That is a very pertinent and discourteous remark," declared his lordship, recalling the witness. "You have put me in a wrong light, my lord," said Mr. Donahue

preciate what you have said and will bear it in mind." Mr. Donabae-Where would you say the bullet was fired from?

Dr. Dewar-The rear. His Lordship-From higher up? A.—Yes, the course of the bullet was downward toward the front.

Dr. Freele Called. Dr. Lloyd W. M. Freele, Glencoe was the next witness called by the

Q.-Were you in Melbourne in its April, 1921. A .- Yes, about 11 o'clock on the

morning of the shooting. I found Dr. Dewar there. Q.-Did you see the body of Russell Campbell? A .- Yes. in the alleyway beside the

bank. The body was on its back. The feet were towards the sidewalk. Q.—Did you examine the body? A.—Yes. The man was dead. Q .- What did you find? A .- He was lying in a pool of blood,

was removed to the

and life was extinct.

Q.-Where was the body? A .- In the alleyway covered wit he fired the gun.
Q.—Who told you?
A.—I don't know. Q.-What became of the body? Body Is Moved.

caught here Sid. Wm Murrell Pat Norton came out Safe located SHED S this door HOME POST CAMPBELLS ANGS M. MACHINE BARBER Williams 0 GENERAL PARR'S STAPLES HOTEL STORE BANK stood watch GARAGE OFFICE SHOP SHOP Z STORE here STORE STORE Two Murrells tied to this post ROAD LONGWOODS -Slim Williams tied to this post HOUSE HOUSE HOUSE HOUSE HOUSE UNION BANK E.S. Theaker shot Williams

WH ERE RUSSELL CAMPBELL WAS S LAIN.

Details of the daring attempt to liams kept guard in the open. After the rob the Home Bank at Melbourne in April, 1921, which resulted in the fatal shooting of Russell Campbell through the side door leading into the search form the above discovery. can be seen from the above diagram.

The bandit car was parked just outside the bank door, and while Sid and William Murrell and Pat tied to a post, after the latter had law.

Q.—Tell us about it.
A.—I did not see it removed. There was quite a bit of blood on the next saw it at the undertaker's. We lothing opposite the wounds.

Q.—No doubt a bullet caused the Dewar and I were asked to make a property of the - mortem. The bullet went asked accused?

> Q .- You knew there was a bulle A.-Yes. Q.—It was removed? A .- Yes, by Dr. Dewar.

Q.—What became of it? -We all examined it and I had for a while. I later gave it to Dr.

Q .- What did you do with the bullet when you had it?
Showed To Prisoner. A.—I showed it to Sidney Murrell. Q.—Who is he?

A.—The prisoner in the box. Where was he?

A-Tied to a telegraph pole on the Q-What did you say? A-I asked him if it was the bul-

t from his gun.

Mr. Donahue objected to the ques-Mr. Donahue objected to the question, saying the prisoner might have been under pressure at the time.

One was and that it had never been fired. Murrell nodded his head when shown the big one. Q-Where did you go with the bullet from the undertaker's?

Q-Did you know at that time the cause of Russell Campbell's death?

Knew the Cause. A-Yes. Q-Were you alone?

Q-Who were with you? A-Dr. Woods and Dr. Dewar. Q.—What do you mean by the body They were close by when asked the question. Q-Were the others similarly tied?

A-One other. Q-Any preliminary conversation with the prisoner?
A-No. Q-What did you say or ask him?

Q-Where was the bullet? A—Yes, I walked up to him and asked him if the bullet was out of his gun. He (Murrell) looked at it bullet then?

and said "Yes." Shows Bullet. Q-You showed him the bullet from

the body of the dead man? A—Yes.

Q—What kind of a bullet was it? Mr. Donahue objected to the ques-tion on the grounds that witness was not a gun expert.

His Lordship—He can tell whether it is short or long.

Q—What was it? A-A .45. His Lordship-How do you know? A—From reading and hearing so. Q—What else did you say to him?

Gives Bullet Away. Q .- What next did you do with the A .- Some time later I gave it to

Q .- Did you have bullet after that Q .- Did you make a report of you

A.—Yes. His Lordship—What was the cause of death?

A.-A pulmonary hemorrhage tioning, but was interrupted by his caused by severing of the pulmonary common arteries by the bullet found in the

Q .- You know something about A.-I had two given me that day Q.-What kind?

A .- One large, a .45, and the other Q .- How do you know? A.—I understood this.
Q.—Where were they given you? A .- At the corner.

Q .- Before or after speaking to prisoner? A .- Before Q.-Were they in your possession when speaking to him? A.—I gave them to Detective Down, One of the revolvers was bloodstained.

Difference in Size. Q.-What difference was there in the size of the revolvers? A.—One was much larger

A.—I couldn't say.
Q.—Was it 18 inches long?
A.—One about a foot and the other 8 inches. Q.—Were they loaded? A .- I don't know.

Q .- How long?

Q .- How soon did Detective Down get there after removal of the bullet? A .- He arrived before the bullet was removed. Q.-Did you give him the revolvers immediately on his arrival?

A.—Yes. Mr. Donahue—Will you tell the court why you went to the corner where Murrell was tied? A .- It was generally conceded that

Q .- Where any other of the rob bers arrested?

an alley. It was here that Campbell ton managed to escape during the was shot. Sid was caught by villagers, and he and his brother were present has managed to evade the

A.—Yes.
Q.—Why didn't you go to them other? with the bullet?

large bullet. Q.-Was anyone present when you A .- I believe Detective Down. Q.—What was your object.
A.—To satisfy myself.

Knew the Gun. Q .- Why did you not go with the A .- I knew it was his gun.

Q .- Who told you?

Q .- Where was the gun given you? A .- At the corner where he was Q .- Did prisoner admit ownership?

A .- Yes, Williams and Murrell ad- at the mitted their property. Q .- How? .--Murrell nodded his head. Q .- Who asked the question?

Q .- In your presence?

A .- I did not know then

Q.-What was asked? A .- He asked Williams if it was his gun. He said the small one was and that it had never been fired.

the big one.

Q.—How long after you gave the A—To where the prisoner was tied. guns to Detective Down did you go Q—You knew he was tied? Q.-What were you doing?

A.—Just talking.
Q.—Then you went back and got the bullet? A.-Yes.

Q.-What did you do with the bul let after you got it from Dr Dewar? A.—I kept it in my hand.

Keeps Bullet.

had given up the gun? A.—I wouldn't say. I stayed round or some time after the detectives the kitchen, and which threatened to A-I said, "Is this bullet out of

came from London. Q.—Was anybody with you?

A.—Yes. Woods was there. He was at my elbow immediately after O'Donnell, who had been awakened by

Q .- When did you give it back? A .- During the afternoon. Q .- Did you make comparisons?

A.—Yes. Q.—Was the bullet removed before the post-mortem? Was First Step. A .- That was the first step in the

post-mortem. Q .- When did it take place? A .- That part took place before

was marked."

Q.—Why did you give the bullet to Dr. Wood? A .- He was the coroner Q .- Did you make any comment to Dr. Wood? A .- I don't remember. I probably

Q.-I'm not asking you that. Did his home

you compare the bullet with any A .- Not to put them side to side Q .- Do you know where other bul-

let you compared it with came from Q .- Do you remember on previous occasion having told you made a comparison of the bullet with an-

Q .- Do you deny making the state-Q.—What was the result of the comparison? Was it made after you

A .- I don't remember

last trial."

showed Murrell the bullet? Q .- Why not to Detective Down? A.—I don't know.

His Lordship — I can understand why this case took up so much time

Mr. Donahue - I don't think the testimony is unimportant to the de-fence. I'll leave the witness, my

Edward lord, in your hands,' This closed the afternoon's evidence.

Nicholas O'Donnell, Guelph, Sees Danger When Aroused by Sick Child.

Guelph, Feb. 4.—During a blinding Kingston Penitentiary A.-I told Dr. Wood I was going to snowstorm, which was raging at an unc show the bullet to Murrell and see early hour this morning, Nicholas Q.—This was 15 minutes after you O'Donnell and his family residing at 12 Mary street, were driven from

A—In my hand.

Q—Were you close to the prisoner?

A—Yes, I walked up to him and

O Did you give Dr Wood the ling the members of his family he got them safely from the building and then sounded an alarm. The flames were brought under control

after a stiff fight. PORT STANLEY MAN HURT WHEN HE TRIPPED AND FELL

Port Stanley, Feb. 4.—Andre Zellas of the North Ward, employed or the construction of the new pier, was painfully, though not seriously, in jured this afternoon. While er gaged in removing ice from a ho for a pile, he tripped over a tight cable, which threw him violently t the frozen ground, bruising said, "Here is the bullet. The bullet badly. Dr. Jackson was sum and had the injured man removed t

ALDERMAN WINNER IN HEATED CHASE

Races After Man Supposed To Have Broken Store Window.

Special to The Advertiser. Brantford, Feb. 4.-Joseph Beal, West street, was arrested by Alderman Eddie Campbell after a hard chase. Mr. Campbell, who keeps a store on Rawdon street, heard the breaking of glass while preparing for bed, and running out gave chase to Beal, who was captured and handed over to the authorities. Bea was brought up this morning, but was remanded until Thursday.

Trade Commissioner. Mr. G. R. Stevens, who has been Canadian trade commissione Jamaica until just recently, and who is going to take up similar duties in South Africa, will arrive in Brant-ford tomorrow for two days. A. E. Bryan, trade commissioner to Jap is expected here towards the end of

Absentee Fined

A charge against Amiel Campura for keeping liquor for sale was prohad been given at a previous hearin Campura was fined \$1,000 or six months in jail.

J. C. Struthers.

J. C. Struthers, a former wellknown business man of this city, died this morning at the general hose pital. One sister, Mrs. L. E. Burd Bruce of Detroit and Mrs. Yeo. To ronto, by a first marriage, and three laughters by a second marriage, Mr Goldie of Toronto and Miss Grace of this city, and also four sons, Alfred, Emerson, Man.; Hurbert, Toronto; Roscoe, Sprague, Man., and Theodore

of his son, Isaac Newsome, 267 Brant avenue, city, of Edward Newsome, 84 years old, who had been a resident of Paris for 40 years, but had been resident in Brantford for the past three years. One daughter, Mrs. A.

Edward Newsome.

The death occurred at the residence

place from here to St. James' Church, "LIFER" ON WAY TO PEN. Canadian Press Despatch. Welland, Feb. 4.-Herschell Stewart, who was to have been hanged last Thursday for the murder of his young wife last June, and whose sentence was commuted to life imrisonment, left the city today for lingston Penitentiary this morning

ler guard of Sheriff Victor L

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