

WEATHER  
Highest yesterday ... 77  
Lowest last night ... 54  
Tonight and Thursday ...  
Sun.

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# BRUMFIELD GUILTY

## EXTRA!

### MURDER IN THE FIRST DEGREE WITH DEATH THE PENALTY WAS VERDICT

Brumfield Must Pay Own Life For the Slaying of Dennis Russell—Wife Collapses When Informed of Verdict—Brumfield Calmly Walks to Cell.

"Guilty of first degree murder as charged in the indictment," was the verdict rendered shortly before twelve o'clock last night by the twelve men who heard all of the testimony in the Brumfield murder case.

With the returning of this verdict Brumfield is almost standing on the steps of the gallows, the penalty of the offense being death.

The verdict did not carry with it any recommendation for life imprisonment but on the contrary carried the phrase "without leniency." First degree murder in the state of Oregon is punishable by death only unless the jury makes some other recommendation.

The Brumfield jury deliberated just three hours and one half. At seventeen minutes to twelve o'clock when they filed back into the jury box to announce their verdict they appeared tired and worn and when the judge asked if they had arrived at a verdict, nearly all of them spoke up in the affirmative.

**STRAIGHTCUT VERDICT**

The verdict rendered by the jury last evening in the Brumfield murder case was straightforward and evidently there was no doubt in the mind of a single juror that the defendant was responsible for the crime charged. The twelve men first voted on whether or not the body found in the wrecked automobile was that of Dennis Russell. The decision was unanimous that the mutilated body was none other than that of the dead merchant.

Then the jury discussed the evidence from every standpoint taking into consideration the testimony that had been introduced at the trial to show that Dr. Brumfield was insane. After much discussion on this particular point of the case a vote was taken by the twelve men to determine the sentiment of each juror in regard to the sanity of the defendant. They all declared he was sane, according to the evidence, and so voted.

Further discussion followed regarding every phase of the notorious case, the exhibits at the trial were gone over after which the twelve men sat for some time in quiet and serious thought before taking a final vote on the guilt or innocence of the accused man. Shortly after eleven o'clock each juror was handed a slip of paper on which he was to write the guilt or innocence of the defendant. When these slips were taken from the ballot box and read by the foreman of the jury they revealed the fate of Dr. Richard M. Brumfield. The twelve men

had unanimously agreed upon a verdict of first degree murder without any recommendation of leniency.

**Crowd Awaits Verdict.**

Soon after the jury retired the crowd began to gather in the courtroom and on the lawn outside to learn the fate of Dr. Richard M. Brumfield. Many of them had been there since early morning, bringing their lunches with them, and dashing over early in the evening for a bite to eat. Included in the crowd were many men who because of their daily labors were unable to attend the trial, but were taking occasion during this night session to get their share of the thrills furnished by the biggest criminal case in the history of Douglas county.

**No Change in Brumfield.**

Throughout the afternoon and evening no change could be noticed in the countenance or demeanor of the prisoner. He was the same cold, hard, adamant, expressionless as an image of stone. If one could look back through the pupils of those black piercing eyes and read what is written there—then he would know whether Dr. Richard M. Brumfield is guilty of the horrible crime, or whether he is the victim of one of the strangest adventures that ever befell a human being. The jury of his peers said he was guilty.

**Juror Exhausted.**

Fred Parker, Sr., one of the twelve men chosen to decide the fate of Dr. Brumfield, became so exhausted as a result of the severe ordeal he has gone through during the past few days that at 8:30 a cot was brought in for him to lie down upon. Several more of the jurors were in almost as bad a condition, and the strain was

## "I AM INNOCENT" Says Brumfield in Statement.

"I am innocent," said Richard Brumfield, the condemned murderer, when he was awakened from a sound sleep at eight o'clock this morning.

Sheriff Starmer appeared at the cell door and asked the man if he had a statement to make to the newspapermen. Brumfield raised up in his bed, rubbed his eyes and yawned.

"Yes, I'm innocent. Even if the whole world condemns me, in the eyes of God I am innocent—but I am not afraid to meet death."

This was the first statement made since the man received his verdict of guilty last night. A News-Review representative stood at the cell door and took his statement in shorthand. It was as follows:

When asked if the verdict was a surprise to him, the prisoner answered:

"Well, I will tell you. I am just as innocent of that as anybody could be, but I wasn't surprised at the verdict, because I wasn't able to help my lawyers, and the evidence was as damning as could be, but just as sure as there is a God in Heaven, I am innocent."

"If I thought for one minute that I was responsible for that man's death I would have said so. I say now I am innocent, and I will always say I am innocent."

"I am not afraid to die for this thing, but that doesn't make me guilty."

"I know the story I told sounded like an awful wild one, but they are the only facts I know."

The condemned man was still in bed this morning at 8 o'clock when he made this statement. He talked in a natural voice, and seemed no more nervous than if it had been only a verdict that required a ten years' sentence.

He said he slept fine, but complained of a sore throat, which he said he had contracted from his wife.

When asked by the sheriff if he was ready for breakfast, he said, "Just as you say, Sam."

Then he asked: "What time will I see my wife, Sam?"

"I don't know what time she will be down," was the answer.

"I am afraid she won't be able to come down today," the prisoner remarked. "She was pretty sick last night."

When asked what he wanted for breakfast, he said: "Oh, just the usual thing, Sam."

"And do you want something for your sore throat?" he was asked.

"Oh, no, it will get alright. I'll fix me up some salt water after while and gargle that."

"And you slept pretty well last night?"

"Oh, yes. Fine."

telling heavily upon all of them.

**Ready to Report.**

The jury announced to the bailiff at 11:25 o'clock that they were ready to report, having arrived at a verdict. The bailiff at once notified Judge Bingham and the court attaches and court was in session within twenty minutes to receive the jury report.

The courtroom was crowded to capacity when the verdict was read.

**Jury Retires to Deliberate.**

Following the court's instructions the Brumfield jury retired to deliberate on the case at 7:47 o'clock last night. They did not return to the courtroom at any time for instructions and within three hours and a half had all agreed on the verdict of first degree murder without any recommendations.

**Brumfield Goes to Cell.**

The defendant talked to his wife only a few minutes after the jury retired and then told her that she had better go home and get some sleep. She assented to the proposition and he turned to his guards and asked to be taken to the cell. He was in a cheerful mood as he was led down the "stairway of sorrows" to his cell and talked about topics other than the murder trial which has had the entire community on the verge of nervous breakdown for the past few months.

Once in the cell he proposed to his fellow prisoners that a game of cards be indulged in. Brumfield took off his coat, pulled up a table and started to deal the cards. In a short space of time he was deeply interested in the game and apparently had no concern in the fact that twelve men were sweating and arguing in a nearby room whether or not to snap out his life.

The game of cards continued until about 11:30 o'clock, at which time the jailer reported to the prisoner that the jury was ready to announce the verdict. Brumfield smiled to his fellow prisoners and said: "Well, boys, we'll have to postpone our little game for a while." He got up from the table, combed his hair, brushed his coat and announced that he was ready for the big performance in the courtroom.

As he was led from the jail a few rain drops were spattering down on the sidewalk. Brumfield raised his eyes to the heavens and said, "I didn't know it was raining." He made some other casual remark concerning the weather and that was all. He said nothing about the case, nothing concerning the possibility of his being hung, and was still the same cold, silent defendant, defiant to the very last.

As he entered the courtroom he gave the large crowds a passing glance, looked towards the jury box which contained twelve empty chairs. He was seated and the two guards pulled their chairs close to

him. He said nothing but once or twice looked anxiously towards the door through which the jury had disappeared earlier in the evening. His mouth was curved downward at a slight degree, his eyes were glassy and his hands clenched.

**Jury Enters.**

Judge Bingham called the court to order and the jury filed in.

Brumfield was alone, none of his family having arrived on the scene.

The jury filed past the man and before the last of the twelve men had been seated the foreman, W. E. Clingsen, handed the verdict to the bailiff, who in turn handed it to the judge.

Judge Bingham glanced at the verdict and handed it to Clerk Riddle with instructions to read it to the defendant.

During these proceedings a hush fell over the courtroom. The spectators were visibly excited. Brumfield watched the judge closely during the time he was perusing the verdict and when it was handed to the clerk he leaned forward slightly, placed his hands on the table in front of him and clenched them.

**Verdict First Degree.**

And then the verdict, which will send the polished Richard Melvin Brumfield to the gallows, was read in open court.

The condemned man slumped down in his chair as though struck a heavy blow. Great beads of sweat stood out on his forehead.

Mrs. Brumfield entered the room just as the verdict was finished. She did not hear the words which will take from her the man who is the father of her three little boys.

For the first time since the trial started Brumfield did not jump to his feet and courteously escort his wife to her chair. He was oblivious of all his surroundings and did not know of her presence until she spoke to him and smiled. She was still unaware that the verdict had been rendered.

**Courtroom Is Silent.**

For a period of time which seemed like ages, a silence prevailed in the room. Mrs. Brumfield looked around inquiringly as if to ascertain the cause of the delay. Her husband was like a statue. His black, piercing eyes were fixed straight ahead.

A ray of hope was still shining in the face of the woman who has held up so bravely during the fearful ordeal of the last two weeks.

The eyes of everyone in the courtroom were upon the couple and then Brumfield gathered himself together, leaned towards his wife and said two words: "First degree."

**Spirit of Wife Broken.**

Momentarily she shrank back as if she had been slapped in the face. She slipped down in the chair and the guards started to assist her. Her eyes were brimming with tears. She said nothing to her condemned husband but seemed to be in a trance.

Brumfield turned and looked towards her. Seeing her in tears, he leaned over and kissed her, the first kiss she has received from his lips since his return to Roseburg from Canada. It was then that she broke down completely. She placed her head on his shoulder and sobbed as though her heart would break. She said nothing, but it was plain to be seen that the last ray of hope had been dashed to bits with the news of the "first degree" verdict.

**Pass Sentence Saturday.**

Judge Bingham then announced that sentence would be passed on the convicted man on Saturday morning at 9 o'clock.

Court was then adjourned until 9 o'clock this morning.

By this time the relatives of the family were on the platform consoling Mrs. Brumfield. No one said anything to the condemned murderer. He turned to his guards and in his eyes was a plea to be taken to his cell. He kissed his wife affectionately and walked from the courtroom with the two guards close by his side.

**Apparently Unconcerned.**

Down the stairs he jumped. The guards tried to hold him back. He seemed to be unable to slow up and

## JUDGE BINGHAM'S INSTRUCTIONS TO JURY IN BRUMFIELD MURDER CASE

Covered Over Twenty Pages of Typewritten Matter and Were an Exhaustive Summary of the Jury's Duties—One of Six Different Verdicts Could be Rendered.

Judge G. G. Bingham started his instructions to the jury at 5:40 p. m. and had read over half of it at the time the evening recess was taken. The court convened again at 7:30 p. m. and at that time the judge completed the instructions and the jury retired to deliberate on their verdict.

The jury instructions covered over twenty typewritten pages and covered every phase of the famous case, outlining clearly to the jury the various verdicts which could be returned and defining the legal phases.

**Must Prove Three Allegations.**

The material allegations contained in the indictment which the judge ruled the state must prove were as follows:

First, that the defendant killed William Dennis Russell.

Second, that the killing was done and the crime committed unlawfully, feloniously, purposely and of deliberate and premeditated malice.

Third, that the crime was committed in Douglas county, state of Oregon, at any time prior to this indictment.

Murder in the first degree, murder in the second degree, and manslaughter as relating to the charges in the indictment were fully explained.

**Insanity Defined.**

The judge instructed the jury that the defense of insanity interposed by the defense was perfectly legal and that it was the duty of the jurors to consider the evidence introduced to that effect and tending to show that the defendant was not responsible for his acts.

The definition of the court concerning insanity was as follows:

"Insanity, to excuse crime, must be such a disease of the mind as dethrones reason and renders the person incapable of understanding the nature, quality, and consequence of his act or of distinguishing be-

tween right and wrong in relation to such act. It is not every eccentricity of mind, however well established, that will excuse the commission of an act otherwise criminal."

**Brumfield Competent Witness.**

He instructed the jurors that Brumfield was a competent witness in his own behalf and that his testimony must be weighed the same as that of the other witnesses in the case.

**Outlines Verdicts.**

The concluding paragraphs of the instructions were as follows:

"The law of this state provides that 'Every person convicted of murder in the first degree shall be punished with death, except when the trial jury shall in its verdict recommend life imprisonment, in which case the penalty shall be life imprisonment.'"

"So, gentlemen, if you are satisfied beyond a reasonable doubt that the defendant is guilty of murder in the first degree, you should take this provision of the law into consideration in returning your verdict."

"This is a criminal case and it is essential that all members of the jury agree before a verdict can be returned. When the verdict is returned, all members of the jury must agree with it, and it will be sufficient if it is signed by the foreman."

"In this case you are instructed to return any one of six verdicts, forms of which will be furnished you:

"First, guilty as charged in the indictment."

"Second, guilty as charged in the indictment with a recommendation of life imprisonment."

"Third, murder in the second degree."

"Fourth, guilty of manslaughter."

"Fifth, not guilty on the ground of insanity."

"Sixth, not guilty."

### Americans to Try to Kill Alliance

(By United Press.)  
WASHINGTON, Oct. 18.—It was learned today that the American delegation to the arms conference will seek to kill the Anglo-Japanese alliance. The United States has long opposed this pact which it considers a menace.

### Peace Agreement Expected Soon

(By United Press.)  
WASHINGTON, Oct. 18.—Ratification of the German peace pact seemed assured today with a good margin of senatorial votes. If the senate approves the pact only the exchange of ratification resolutions between the two governments will be necessary to restore permanent peace and commercial relations.

### TWO MEN ARE DROWNED.

ASTORIA, Oct. 19.—Two men, Joe Corrigan and George Hinkle are believed to have been drowned, when their car plunged through the draw of the Lewis and Clark river bridge. Three of the passengers in the machine were saved. The car was traveling at a high rate of speed and skidded from the bridge into the water as the draw opened to allow the steamer Coquille to pass.

### JAPAN SENDS NOTE.

TOKIO, Oct. 19.—Japan sent a new Shantung note to China today with a view of clearing up vague points in the controversy. No new concessions were contained in the note.