

STABBING AFFRAY.

GLASGOW TRIAL.

TWO MEN SENTENCED

FURTHER evidence was led before Lord Morison at Glasgow High Court yesterday in the case of the two young men, Hugh Nelson and Francis Belton, who were indicted on a charge of murdering a seafaring man. The allegation was that on May 8th or 9th last, in Crookston Street, near Houston Street, they assaulted James Gerald Anderson, of 10 Francis Street, South Side, Glasgow, beat him with their fists, and stabbed him on the neck with a knife or other sharp instrument, and did murder him. A special plea of self-defence was intimated on behalf of the accused.

Mr J. M. Hunter, Advocate-Depute, assisted by Mr R. C. Macfarlane, prosecuted. Mr George Morton, K.C., assisted by Mr J. C. R. Guy, appeared for Belton, and Mr J. A. Christie and Mr J. Cameron represented Nelson.

Hugh Gunn (20) related that on the night in question he saw Anderson one stair up at 13 Ardgowan Place. The man was asleep with his back to the wall. Witness attempted to waken him and then left, going down to the corner of Ardgowan Place and Houston Street, where accused were standing. Later he saw Anderson standing in Houston Street. A constable spoke to Anderson and told him to move on, and the man did so. Later he heard a whistle blown, and running into Crookston Street, found Anderson lying there.

A constable who was on duty in Houston Street and Ardgowan Place on the night of May 8th said he had occasion to tell Anderson, who was under the influence of drink, to move away. Anderson moved to the edge of the pavement, saying at the same time that he was waiting for somebody. He was quite civil.

A BROTHER'S STORY.

Michael Belton, a brother of the accused Francis Belton, deposed that his brother had been friendly with the accused Nelson for the last two years. Witness knew the deceased man, James Gerald Anderson. When he wakened up on the morning of May 10th police officers came into the house. Detective-Lieutenant Noble told them he was going to arrest them on a charge of murder. The accused Nelson walked into the room, and turned round and said to Detective Noble, "You made a mistake this time. I am the guilty man. I am the man you are looking for." Then Detective Noble took Nelson into a room and shut the door. Later Nelson said, "You need not take him," meaning witness. Turning to witness the accused added, "You can go to bed, mate." Subsequently Nelson said Francis Belton was with him, but had nothing to do with it. The words used by Nelson were—"You were with me, but you had nothing to do with it." Nelson also remarked that Francis Belton did not know that he (Nelson) had a knife with him.

Detective-Lieutenant Noble spoke to arresting the accused men. When he went to Belton's house Nelson was in the kitchen and Michael and James Belton were in bed. He told the brothers Michael and James that he had information that they were concerned in the death of Anderson and that he was going to arrest them for the purpose of identification.

ALLEGED CONFESSION.

While proceeding to caution them the accused Nelson said—"You are making a mistake. I am the man you are looking for. Take me, and let the innocent ones out."

Witness said to Nelson, "Do you know what you are saying? You are making a confession of murder."

Before allowing the man to say anything further witness cautioned him and told him that he would be charged on his own confession for causing the death of Anderson. After being cautioned Nelson remarked, "Well, I am telling the truth." At that point witness told Nelson that if he was telling the truth, he was not alone at the time Nelson replied that Francis Belton had been along with him. The accused Belton came into the room then, and, stepping forward, remarked "That is right, I was along with him. Anderson struck me and I had to defend myself, but I did not know that Nelson had stabbed him." Belton further stated that Anderson had caught him by the coat, and he thought Anderson was going to beat him on the face.

The medical evidence showed that Anderson had received two punctured wounds on his neck, from the nature of which he must have died in a few minutes. According to Professor Glaister, who conducted the post-mortem examination, considerable force must have been used.

NELSON IN WITNESS-BOX.

The accused Nelson entered the witness-box and gave his version of the stabbing affair. Anderson, he said, was quarrelsome and caught Belton by the coat, intending to butt him with his head. Anderson then struck Belton and Belton struck back. After that Anderson struck witness and said, "I will cut the head off your body." Then Anderson made for his pockets, and witness thought he was going to produce a knife. He did not see the knife until Anderson dropped it on the ground. Witness picked up the knife and struck Anderson twice with it. Witness was terribly excited at the time.

Asked by Mr Hunter why he did not run away at the time instead of using the knife on Anderson, witness replied, "I must have been a kind of mad, sir."

Mr Hunter—What made you mad?

Accused—I do not know, sir.

To his Lordship, Nelson said he did not know what came over him at the time. He ran away when he realised what he had done.

The accused Francis Belton also gave evidence of a corroborative character. Witness did not see any knife used by Nelson that night at all. He heard Anderson say he would cut the head off Nelson's body.

Crown counsel asked the jury to return a verdict of murder against Nelson and a verdict of assault against Belton.

VERDICT AND SENTENCES.

The jury unanimously found Nelson guilty of culpable homicide, and by a majority found Belton guilty of assault.

Lord Morison pronounced sentence of five years' penal servitude on Nelson, and sent Belton to prison for one year.