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Johnathan jury finds two teenagers guilty, frees one

One of three teenagers charged with the killing of a 12-year-old boy named Johnathan was set free yesterday, another drew a manslaughter conviction, and the victim's brother was convicted of first-degree murder and attempted murder.

After the jury foreperson read out the acquittal, Mr. Justice David McCombs told the bespectacled art student that he could leave the prisoner's box.

Head bowed with tears in his eyes, the lanky 18-year-old stepped past Johnathan's older brother and into the waiting arms of his family.

If he had been convicted on first-degree murder charges, the youth could have served 25 years in prison with a chance of parole after a decade.

The teenager was also cleared of attempted murder, stemming from an attack on Johnathan's stepfather, which the jury rejected as a serious effort to take the hulking man's life.

"I think he found himself in the wrong place at the wrong time," said Dennis Lenzin, the art student's lawyer.

"He's out, he's free and can get on with his life.

"I've never in my career been so pleased to reunite a young man with his family.... His reaction was relief, I think, but I didn't ask him too many details because his mom was too busy hugging him."

A second teenager, who bragged to a former girlfriend about being a vampire, broke into tears as the five-woman and seven-man jury convicted him of manslaughter instead of first-degree murder (he did not face attempted murder charges).

The third teen, Johnathan's older brother, who said he alone killed the family's favoured son in a violent rage, appeared to show no emotion as the jury handed him a first-degree murder conviction.

The youths cannot be named because they were minors at the time of the killing.

The jury arrived at its verdict yesterday after a two-month trial and more than four days of deliberations. Last year, the case ended in a mistrial after the National Post wrote a story that cast doubt on the testimony of one of the Crown's star witnesses.

Weeping uncontrollably, Johnathan's mother was consoled by her sister and husband, who was the second family member to arrive home on the evening of Nov. 25, 2003.

Crown prosecutor Hank Goody argued the teens murdered Johnathan and tried to kill the stepfather as part of a plan to annihilate the whole family.

That theory hinged on an infamous telephone call -- recorded by the "vampire's" former girlfriend -- which prosecutors said was proof the teens planned to carry out the slayings that day.

Yesterday's verdict confirmed the latest jury believed the art student's claim that he never took part in the stabbing, which left 71 stab wounds in Johnathan's body. None of the victim's blood was ever found on his body and, in a post-arrest e-mail to friends, the

self-described vampire said he felt bad for the lanky boy because "he didn't do anything."

The "vampire's" former girlfriend appeared shocked that her shy classmate could be involved.

When she asked, "Since when are you killing people?" during the six-minute phone call, the art student grudgingly offered, "Since today."

Medical evidence appeared to question the stepfather's testimony that the teen viciously attacked him with a baseball bat. The defence suggested he hit the 250-pound man a few times to save his friend, who was being strangled by the irate man.

Meanwhile, John Dennis said his 17-year-old client's manslaughter conviction may be based on the teen's admission that Johnathan's older brother grabbed a knife from his hands.

The youngest of the trio also admitted he helped move the victim's body into a basement crawlspace, acting on the older brother's orders.

Mr. Dennis portrayed his client's musings during the call -- including a promise that blood would be "on tap" that day -- as the overactive imagination of a teen who once told his former girlfriend that he had killed earlier victims by sucking blood from their necks.

"I think there was reasonable doubt with respect to [my client's] conversation on the tape," Mr. Dennis said. "He's been traumatized by the murder of Johnathan and continues to be traumatized by it -- he'll probably never get over it."

Since Johnathan's brother admitted killing his sibling, jurors had to decide whether the murder was a premeditated execution or a spur of the moment act committed by a "profoundly disturbed boy" who suffers from intermittent explosive disorder.

At trial, a defence psychologist conceded the now-19-year-old could still plan a murder even if he exploded into uncontrolled violent rages.

His lawyer, Robert Nuttall, said he will ask that his client be sentenced as a youth, which carries a 10-year maximum sentence -- instead of 25 years if he is sentenced as an adult.

"My client admitted his responsibility from day one.... He didn't try to blame anybody else," the lawyer said. "The next step is for him to get the help he needs."

Prosecutor Hank Goody declined to comment on the verdict.

The art student's family and their son were whisked out of the building without speaking to the media.

"They're going to go home," Mr. Lenzin said outside the courtroom. "They have time to catch up now."

Detective Sergeant Terry Wark, who was the lead investigator on the case, told reporters Johnathan's distraught mother did not want to speak with the media until after her son's sentence is handed down.

The woman knows her eldest child needs psychiatric help, he added.

"They're very emotional right now," the police officer told reporters.

"She's lost two sons -- one being the victim, the other being the accused.

"Heaven forbid any one of us is ever in that position."

Peter Brieger
National Post, 2 Mar

Prison errors in 'vampire' death

The Scottish Prison Service has been heavily criticised by a sheriff for its treatment of a convicted killer who hanged himself in his cell at Shotts.

Sheriff Vincent Smith said it had failed to carry out an anti-suicide strategy even though Allan Menzies, 23, had a history of self-harm. Obsessed with vampires, he brutally murdered his friend before eating part of his skull and drinking his blood. Prison officials are considering the fatal accident inquiry findings. Menzies, from Fauldhouse in West Lothian, hanged himself in his cell in the segregation unit of Shotts Prison in November 2004, a year after he was convicted. The inquiry in Hamilton heard there was evidence that Menzies had tried to harm himself in the past; that he was uncommunicative and withdrawn.

Medical records

But the Scottish Prison Service's Suicide Risk Management Strategy had not been implemented and he was not under surveillance even though he was in a cell for 23 hours a day. Sheriff Smith's determination also criticises the prison authorities for failing to obtain his medical records or asking his family about the state of his mental health. Menzies, from Fauldhouse, West Lothian, claimed he had been visited by the female vampire Akasha, a character from the film *Queen of the Damned*. A Scottish Prison Service spokesman said: "We have received the determination and are considering the issues highlighte".

<http://news.bbc.co.uk>, 14 Mar

Vampire killer' dies in prison

A serial killer who terrorized the country with a string of slayings of young women in Montreal and Calgary more than 30 years ago has died in prison.

Wayne Boden, whose penchant for biting the breasts of his victims earned him the nickname the "Vampire Killer," died in hospital earlier this week at Kingston Penitentiary.

Corrections Canada attributed Boden's death to "natural causes" and said funeral arrangements were still being made.

Boden was locked up in 1972 after four women in Montreal were found raped and strangled, all with bite marks on their breasts, between 1968 and 1970.

He confessed to three of the killings after a teacher in Calgary was found dead in 1971.

Boden, who was in his late 50s, had been ill and was transferred to Kingston from his home institution of Bath about six weeks ago.

<http://www.canada.com>, 30 Mar

About the Bram Stoker's typescript for *Dracula*

The only extant copy of Bram Stoker's typescript for *Dracula* bears the title "The Un-Dead." This appears to be the printer's copy for the first edition of 1897. The late John McLaughlin of Orange, California, who announced its discovery to the world, published 4 pages from the manuscript in 1984. The most important fact he uncovered was the deletion of two paragraphs from chapter 27 in which Dracula's castle was destroyed upon his death in a series of cataclysmic explosions. He also cited two excised passages that referred to material, which had been deleted from the novel. He claimed that the first 100 pages of the original text had been deleted.

In 2002, this typescript was sold at Christie's in New York. Their catalogue, *Bram Stoker's Dracula*, included facsimiles of seven hitherto unpublished pages, and offered us a few new insights. However, the missing 100 pages were not part of the material that was offered for sale and their whereabouts are unknown.

Recently, there has been a dramatic development. The Vice-president of our chapter, Robert Eighteen-Bisang, was given access to the typescript for a few days. Although he was only able to examine a small portion of the manuscript, his findings have many implications for scholars and fans.

One of the questions that has bedeviled *Dracula* scholars for years revolves around the fact that the first American edition of 1899 makes a small but important change in chapter four. In contrast to the domestic and colonial editions, the Count tells his brides: "Tonight is mine."

The implication that he intends to feed on Harker has obvious homoerotic implications. Some scholars have speculated that this line had been excised from the edition of 1897 - possibly because of sensitivity about the Oscar Wilde trials - but restored in 1899. However, the contentious sentence does not appear in the typescript. It must have been added in 1899, but we do not know who made the change or why they did so.

Eighteen-Bisang discovered another deleted line that refers to material from the original opening. He also found a note at the beginning of what is now chapter 27 which

indicates that, at one point, I had been chapter 31. In other words, (at least) four chapters had been deleted. In chapter 21 when the men burst into Mina's bedroom to confront the Count, a deleted line compares the Count to Mephistopheles in the Opera. This veiled reference to Henry Irving (who played the role of Mephistopheles on the Lyceum stage many times) suggests that Irving as actor was a model for Count Dracula. In fact, as a model for the Count, Irving was a model for the Count.