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Sale Opens FRIDAY



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**VOGUE
SHOE SHOP**
Reed Block, Timmins

Four Convicted for "Inciting to Riot"

(Continued from Page One)

peated. When the transient banjo players refused to co-operate they were taken in charge, and the crowd followed them to the station. A few irresponsible in the crowd urged disturbance.

After various methods had been attempted to disperse the crowd, the police rushed out with night-sticks and the crowd fled. While the people ran from the police station, they gathered in groups nearby and the police, in their efforts to keep the people moving, made two other arrests. G. H. Grenfell was arrested by chief Paul in front of the station when he refused to move away and Leonard Chenier was arrested on Third avenue by Constable Archambault when he would not comply with the demands of the officers. Both men were charged with disorderly conduct and the result of their appearance in court will be found in another column of this edition.

Previous to the trial held for the six persons who were charged with "riotously and tumultuously assembling together with various other persons to the disturbance of the public peace, unlawfully and with force did injury or damage the town hall in the town of Timmins" the two defense counsels and the Crown had a considerable discussion as to how the men should be tried.

Magistrate Atkinson said that he wished to try them all together and that if anyone desired to go a higher court, then they would all go. He said that he did not want two or three courts listening to the same series of circumstances.

Dean Kester, counsel for Richer, Fraser and Roy, asked for a separate trial for his clients but it was finally decided to try them as a unit.

Det. Sergeant Leo Gagnon was the first witness for the crown.

"I was patrolling the streets when I noticed a crowd around the police station a little after 12.00 midnight," he said.

"There were only two or three hundred people around the station then," he continued, "and I talked to several of them and they told me that they wanted the release of the two or three prisoners who had previously been locked up. I went out again on two or three occasions and told them to be quiet and go on home but they kept shouting 'Let them go!' and 'Let them out!'"

"When Mayor Bartleman came down, he and I walked out into the middle of the street and he told the crowd that the prisoners would not be released. Shortly after, the violence started. Some of the crowd started throwing stones on the east and the south side. Windows were all broken. The stones came through in every part of the building and panels in some of the doors were broken. There was not much damage inside but most of the stones were about the size of my fist and some were even larger. The violence started about 12.30 a.m. and lasted until 3.30 a.m. The stone-throwing started at approximately 1.30 a.m. and was continuous after that until 3.30 a.m. At 3.30 the chief called all the men together and we rushed out and dispersed the crowd."

"I saw Gulka beckoning to the crowd to come on and I saw him throw one stone. I'm positive of that," the Sergeant emphasized.

G. H. Gauthier, counsel for Cecchini, then cross-examined the witness.

Mr. Gauthier—Were they acting in unison or individually?

Sgt. Gagnon—One group was by itself; Gulka was the leader.

Mr. Gauthier—Did they rush the building?

Sgt. Gagnon—No.

Dean Kester, counsel for Richer, Roy and Fraser, then took up the questioning.

Mr. Kester—It was the end of the celebration?

Sgt. Gagnon—Yes, the last night.

Mr. Kester—You recognized only one man?

Sgt. Gagnon—I saw lots of them, but only one that was throwing any stones.

Mr. Kester—Did the tear gas bombs succeed in dispersing the crowd?

Sgt. Gagnon—It drove them back.

Mr. Kester—Although the crowd gathered around the station, none tried to come in?

Sgt. Gagnon—There was no rush.

Constable Archambault stated that he had been in and out of the building several times and that he had identified Phillip Creighton as one of the stone-throwers. He said that he also saw Gulka, placing logs on the road and he saw Richer pulling a baggage truck from the station. He said that he saw Cecchini in the crowd.

Mr. Gauthier—Did you see anybody throwing stones?

Const. Archambault—I saw Cecchini at 3.30 a.m. He was going to join another crowd. I saw him throw a stone.

Mr. Gauthier—Did it hit the building?

Const. Archambault—I couldn't swear whether it did or not.

Mr. Kester—Did they rush the building?

Const. Archambault—Yes, that's why the tear gas was used.

Constable Guallo testified that he had seen Roy, Gulka, Creighton and Fraser.

He said that Gulka seemed to be the leader of the crowd. The officer said that he was standing in the front hallway and that he could see quite clearly through a broken window.

Mr. Gauthier—When were the stones thrown?

Const. Guallo—Between 2.30 and 3.30 a.m.

Mr. Gauthier—What time did you go out with the night-sticks?

Const. Guallo—About 3.30 a.m.

Mr. Kester—What time were the tear gas bombs used?

Const. Guallo—I was sort of excited. I don't know exactly what time they were used.

Mr. Kester—Are you sure you recognized Roy?

Const. Guallo—Yes, I've known him for 12 years.

Gulka—How could you tell I was the leader?

Const. Guallo—I saw you directing the crowd.

Sergeant DesRoches said that he had seen Gulka and Roy. He said that Gulka had been standing beside the post office picking up rocks and that while he was watching, one of them almost hit him.

Gulka asked the sergeant if he was positive in his identification.

"It was you absolutely," the officer replied. "I've known you too long."

Mr. Kester—Would you say that the tear gas was used after the stone-throwing began?

Sgt. DesRoches—Yes.

Mr. Kester—Did many people try to force the door?

Sgt. DesRoches—Yes.

Mr. Kester—Was there any violence at that time?

Sgt. DesRoches—Some kicked the door.

Sergeant Walker said that Gulka was the only one that he could positively identify. He swore that he heard Gulka shout "Come on! Let's break the place down."

Mr. Gauthier—All damage was done before the crowd finally dispersed?

Sgt. Walker—Yes.

Mr. Kester—What time was the gas used?

Sgt. Walker—Around 2.00 a.m.

Mr. Kester—Was the hose used first?

Sgt. Walker—Yes.

J. D. MacLean, town engineer, said that there was a total damage of approximately \$80 to the building. This included glass, labour, fixing door panels and partitions upstairs. Mr. MacLean stated that the rocks had pierced two beaverboard partitions in the offices on the second floor.

Constable Lepic said that he saw Gulka and Creighton in the crowd.

"I saw Gulka in front of the crowd and I heard him say 'Come on boys, let's go after the police station,'" the officer testified.

Constable Culhane testified that he saw Roy, Gulka and Richer. Roy, he stated, came into the police station and wanted to know who was locked up. He was told to go home and as he went out, he was shouting to the crowd, according to the officer.

Chief Constable Paul swore that he saw Gulka, Roy and Richer. He said

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that he saw Gulka hurling stones as well as the other two men.

Mr. Kester—What time was the gas used?

Chief Paul—Between 2.00 a.m. and 4.00 a.m.

Leo Cecchini was the first of the men accused to take the witness stand. He stated that he worked at the Timmins Garage and was 19 years old. He said that he had not arrived at the scene until about 3.30 a.m. and that he had been dancing at the Riverside pavilion before that time.

He said that he spoke to Mr. Wilson, the proprietor of the pavilion, at 3.10 a.m. He stated that he was sure of the time because Mr. Wilson had taken his watch out when they were speaking and remarked about allowing one of his employees to go at a certain time. He said that he had two dances after that and then had come to the scene of the riot in a taxi along with some friends. He said that the Constables chased them away and then they went to a restaurant.

Louis Guallo said that he had been at the dance with Cecchini but had gone home as soon as they got out of the taxi.

Ralph Ferrari, Cesar Berardine and Nick Lukon all stated that they had been with the accused all night and that they had not arrived at the scene until the trouble was all over.

Mr. Wilson said that he remembered Cecchini being at the dance and that he was quite positive of the time when they were speaking.

Magistrate Atkinson when confronted with all the evidence, dismissed the case.

Ian Fraser, who was also accused of taking part in the trouble, stated that he had been around the hall about one hour and had stayed because he was curious.

Mr. Levinsky, who appeared as a defense witness, said that he had been with Fraser all night and he did not see the latter throw any stones or carry any logs onto the road. He stated that he got hit on the back at about 2.30 a.m. and that Fraser and another friend had taken him home to get the injury bandaged. He stated that when they got back, the police were moving the crowd with their night-sticks.

The case against Fraser was also dismissed.

Joseph Roy, the third of the accused persons to take the stand, said that he had been with his wife until about 1.30 a.m. and then after taking her home, had returned to the hall. He said that he had immediately gone to the fire hall where he stood for about 20 minutes talking to Fireman Martin. While he was talking, he got hit on the shoulder with a rock he testified.

When asked why he had gone to the door of the police station when he knew the police were trying to move the crowd, the accused said that he heard there was a chum of his from the Buffalo-Ankerite mine locked up and he wanted to find out about it. He claimed that he had not kicked the door and that he had stayed around just because he was curious.

Fireman Martin said that the accused had talked to him for about 20 minutes and said that he had been struck by a rock while standing in front of the fire hall.

Mark Richer said that he had never come within 100 feet of the town hall but he admitted helping to pull the baggage truck as far as the corner of Pine and Fourth avenue. He said that he had not thrown any stones and had not taken any part in the trouble except to help pull the truck down the street.

Wm. Gulka, who fought the case without a counsel, was the next witness.

Magistrate Atkinson—You have heard the officers say that you were the leader of the crowd?

Gulka—It's not true; I was moving back and forth through the crowd but I did not throw any stones or encourage the people. I saw some one waving their arms to the crowd but I did not do anything. Later I joined up with the mob.

Mr. Kester—How long have you lived in Timmins?

Gulka—Since 1920. I'm working at the McIntyre Mine.

In summing up the evidence, Mr. Kester said that identification was very difficult during the riot and the officers might easily have been mistaken.

Magistrate Atkinson said there was no doubt that it was a riot and there was no doubt as to whether the people were locked up rightfully or wrongfully because they would not do anything that the police asked.

"The fact that it was the end of a celebration is no excuse," he asserted. "Those things get more disgraceful as they go along."

"I intend to see that all respectful citizens can walk along the streets without being annoyed and having their cars smashed and their buildings

wrecked," he added.

"I am going to convict every one except Fraser," he concluded.

S. A. Caldbick, counsel for the Crown, recommended that Creighton be given a suspended sentence. He said that the boy was highly recommended by the police association of which he is a member, and that he had never been in trouble before.

Mr. Kester said that they were all having a real good time and he asked that the magistrate either put his clients on suspended sentence or impose a fine on them but the magistrate refused.

Richer, Gulka, and Roy were all found guilty and were remanded one week for sentence.

No Further Action in Death of Infant

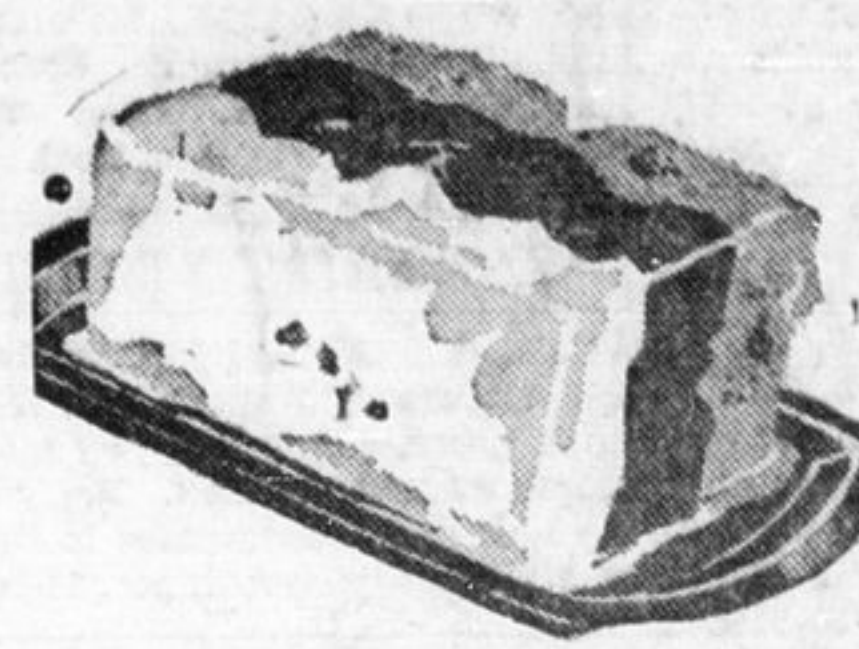
Coroner Grummett, of Ansonville: Thinks Father Should be Censured.

Word yesterday from Toronto was to the effect that after carefully considering the verdict of the coroner's jury, and all the other available facts of the case, Premier Mitchell Hepburn has announced that there will be no further action taken by the government in the case of the death of the infant child of settlers living in the rural area not far from Iroquois Falls. The baby was Lillian Leduc and the coroner's jury brought in a verdict suggesting that the child died of malnutrition while the parents were on relief, and leaving the impression that the relief authorities were in some way to blame because they had not seen to it that the baby and its mother were given proper nourishment.

Relief authorities in the district deny any responsibility, pointing out that the family received the proper amount of relief and there had been no neglect whatever of the family. Premier Hepburn was satisfied, after considering all the evidence in the case, that the relief authorities were in no way to blame. He backs his opinion to this effect by releasing to the press a letter written by Coroner W. J. Grummett in the matter. "Investigation has shown," said the premier, "that the relief administration was in no way responsible for the death

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of the infant."

In his letter to the department, Coroner Grummett stated that he is not in accord with the jury's verdict, which found the baby had died from "malnutrition, apparently due to the mother being undernourished while on direct relief."

"I might say I was not satisfied with the verdict of the jury, as I consider that the father of the child should have been censured for his lack of attention and failure to provide medical assistance, especially when the government pays for medical services for relief recipients," states the coroner.

Shower Given This Week in Honour Mrs. Roy Hardy

On Tuesday evening a shower was held at the home of Mrs. Clegg in hon-

our of Mrs. Roy Hardy (nee Betty Patterson), sixteen friends being present to wish the guest of honour all happiness. One of the special features of the evening's entertainment was a jelly eating contest, which was won by Mrs. Hargreaves and Mrs. White. Hilda Harrison wheeled in the gifts, which were not only beautiful but were also useful. A delicious lunch was served by the hostess, and was thoroughly enjoyed by all present. Those friends who attended the shower were: Mrs. Moore, Mrs. Richards, Mrs. White, Mrs. Coulson, Mrs. Keefe, Mrs. Harrison, Mrs. Jennings, Mrs. Maxwell, Mrs. Stenhouse, Mrs. Hargreaves, Mrs. Varley, Mrs. Manhire, Mrs. Patterson and Miss Vera Keefe.

Minnesota College Journal:—Sometimes the only thing a man gets out of college is himself.

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