Third Section

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Donnevan Elects Trial by High Court Tuesday

Abuses Chief of Police and is Silenced by Magistrate. Makes Damaging Admissions and Asks to Have Them Stricken from the Records.

A judge and jury will decide whether or not Neil Donnevan, alias Austin Craft, is guilty of the theft of $4,901 from the Timmins branch of the Bank of Montreal, at the spring sittings of the Supreme Court of Ontario for the District of Cochrane. After a preliminary hearing on Tuesday, Magistrate Atkinson committed Donnevan for trial.

Long before court was scheduled to begin on Tuesday the court room was jammed with spectators. Every seat was taken and throughout the hearing a large crowd stood outside the courtroom door.

Frequent interruptions from the accused, his abuse of the Chief of Police, and his own admissions of implication in the robbery made the hearing dramatic. His interruptions were ignored; his abuse of the Chief was sternly checked by the Magistrate and his admissions of implication will in no way affect the trial which will be held in the spring.

John Normand, the teller in the bank Donnevan is allged to have held up, quickly identified the accused as the man, who on December 7, came to the wicket and said "This is a hold-up. Stick 'em up."

He was handed a cheque, said Normand, on which was written the demand for all the money in the cage. The man had his hand in his pocket, said Normand, demonstrating to the court. His coat was shoved out and it appeared as though he had a pistol there.

"He gave me a bag," testified the teller, "and told me to put the money in it. He told the ledger keeper, who had fired a shot at him, 'Don't shoot, sister, because he is a dead man if you do.' He said that he preferred Kingston to the life he was leading, and after he got the bag with the money in it, he wished us luck and told us not to call the police for three minutes."

The only people in the bank, said Mr. Normand, were the Manager, Mr. Tod, the accountant, Mr. Curry, the ledger keeper, Miss Pauline Mullen, and himself. Total loss was estimated at $4,920.

Donnevan did not take the opportunity to cross examine Mr. Normand. "I have nothing to ask him," he said. "Gagnon is the only liar in the bunch."

"The Chief is the only one you don't like eh?" commented Magistrate Atkinson.

Chief Gagnon was the principal witness. He was the only one also whose testimony annoyed the accused.

"When Donnevan was brought into my office," said the Chief, "after his arrest at the Palace Theatre, I had a talk with him." When he went to warn the accused a little later that anything he said might be used against him at his trial, Donnevan said that it was not necessary. He knew all about the warning business. Later, when he again tried to make a formal warning the accused would not listen.

The question of the girl who was with Donnevan at the time of his arrest was raised in the Chief's office. However, the Chief did not give evidence on that point as it was before the time he had offered to warn the alleged bank robber.

When the Chief testified that Donnevan went over the whole business with the purchases he had made, the accused man interrupted. "Your a liar," he shouted from where he was sitting in court, handcuffed to an officer.

Donnevan told him, said the Chief, that he got up on the morning of Wednesday, December 7. He was feeling very jumpy and had no breakfast. He told his partner that he was going into Timmins to rob a bank and his partner said "You're crazy."

He walked to Timmins and stood on Pine street for a time trying to decide which bank to rob. Deciding on the Bank of Montreal, he walked in. As he was walking up to the cage, a man came in. Snapping his fingers as though annoyed. Donnevan turned away and went over to the writing desk where he remained until the man went out.

When the bank was again empty of all but staff he walked over to the cage shoved the note he had prepared across to the teller. He told him that it was a hold-up and shoved the black bag he was carrying through, telling the teller to fill it up.

The girl fired but Donnevan, alias Craft, did not believe that she would hit him. He did not believe she was a good shot.

The bank manager came out of his office. He was cool and collected. He was afraid of the manager, Donnevan told the Chief.

On the way out he had a little trouble getting the gun he had taken from the teller into his pocket. Finally he got out and ran down Pine street, turning the corner to Fourth avenue. He ducked into a rooming house, owned by Mrs. Courtemanche. There he asked Mrs. Courtemanche for a room. She replied that she did not have any to rent. When he asked if she could show him to a place to write a letter she took him into her living room and left him there. As soon as she was out of the room he transferred the bills he had in the bag to his clothing. He then asked, Mrs. Courtemanche to call him a taxi. She did so and he left, leaving the black bag behind. When he left he gave her $1.

Chief Gagnon said that Donnevan voluntarily went with two officers to Schumacher, where $1,000 was recovered. Later $410 was recovered. The other money was found in Donnevan's room in the Empire Hotel.

Asked if he wanted to question the Chief, Donnevan said: "It is hard for an honest man to ask questions after hearing Chief Gagnon. Why did I go out and get that $1,000. Did I not say, 'Let the girl go and I'll get you your $1,000.' You told me that you would let me speak to the girl and also turn the girl loose."

After abusing the Chief, Donnevan admitted "I'm convicted."

Police Inspector Olson said that he and Constable Gall, Lepic and Gagne went to the room Donnevan had at the Empire Hotel. There they found a Gladstone bag. They opened it and found money totalling $1,961 in it. There were two one hundred dollar bills, eleven fifties, thirty-seven twenties, two tens, fifty-five fives, seventy-two twos and thirty-eight ones.

A .32 calibre Coldt revolver was also found in the bag. The serial number of the pistol tallied with that of the one taken from the teller in the bank.

Also in the room were a pair of new trousers, five pair of socks, one suit of underwear, two neckties, two shirts, one toy scotty dog, a mama doll, a new shaving outfit and a bottle of Dago Red wine.

"Where was the ladies' toilet outfit found?" asked Donnevan. He also wanted officers to produce a diamond ring, a pen and pencil set, the $1,000 he gave police to release the girl he was with, the $410 recovered in the Schumacher hotel and the $76 in his pocket. Police were able to oblige in every instance.

When the matter of the money found on his person was mentioned Donnevan said: "I turned $15 which was my own money in with that."

Immediately a titter went through the court and the accused again got up to ask if that remark could be stricken from the records. "I made it in ignorance," he said.

Asked if he had anything to say at the conclusion of the hearing, Donnevan said that he did not. Accordingly, Magistrate Atkinson committed him for trial.

T. C. A. OPENS AR MAIL SERVICE

Regular Trans-Canada Airways, air mail service between Montreal and Vancouver was officially commenced on Decembed 1. Here we see A. M. Gibson, district director of postal service in Toronto, receiving the first bag of mail to arrive in that city from Montreal by the new Trans-Canada service from Capt. R. M. Smith, pilot of the gleaming Trans-Canada Airlines twin-motored plane which opened the air mail service in Toronto. Col. John M. Girvan (RIGHT) assistant director of postal service, also took part in the simple ceremonies marking the opening of T. C. A.'s mail-carrying programme.

PLEASING SAMPLE OF COMMUNITY WORK

The cabin situated on the west end of Bloor Avenue, South Porcupine, is a standing example of community activity. The Dome Mines Co. granted the Scouts the ground upon which to build the log cabin. The Scout Committee funds were aided by Scout activities to cut the logs and build the cabin. The boys themselves and their fathers worked together to complete the building and one or two interesting citizens gave their time to building a large stone fireplace and chimney. The Girl Guides and Committee contributed $100 towards paying for lumber, etc., and a very little now remains to be done toward making this a most comfortable hall for the use of the Scout and Guide Associations in South Porcupine. Meetings are held regularly for Cubs, Scouts and Guides.

(Advance Photo and Engraving)

Kiwanis Now Hunt for Christmas Gifts

Usual Custom Is Causing Usual Fun. Bridge Tournament Prizes to be Given December 19.

It is the usual custom of the Kiwanis Club members to present each other with gifts at the meeting before Christmas. Accordingly members will rack their brains between now and next Monday to find something suitable that costs less than fifteen cents to give to the person whose name they draw. Bridge tournament prizes will also be presented at this meeting.

Blairmore Enterprise—Marriage are much like snapshots. You can't tell how they are coming out until they are developed.

Music Lovers Pleased with Twilight Recital

Event on Monday Afternoon at St. Anthony's Church Featured Christmas Music. Under the Auspices of the Porcupine Women's Music and Literary Club.

Mrs. C. G. Armitage and Mr. Herbert C. Treneer, were featured artists at the Porcupine Women's Music and Literary Club "Twilight Recital," held in St. Anthony's Roman Catholic Chuch on Monday afternoon at 4.15 p.m.

The programme included several Christmas selections, and, in keeping with the event, complete silence ruled over the large number of ladies and gentlemen who attended the recital. Prior to the occasion special announcement had been made that there were to be no announcements, and the audience was asked not to applaud the presentation.

Into the silence of the faintly lighted church, attended by a large portion of the music lovers in the camp, the soft notes of the Overture to "Stradella" by Von Soltow crept from the organ, at which Mr. Herbert C. Treneer, organist at the United Church, presided. Mr. Treneer plays the organ beautifully, drawing hushed and entrancing music from the new electric organ at the church.

A second group of selections by Mr. Treneer was made up of Christmas hymns and carols: "Oh, Come All Ye Faithful," "Joy to the World," "Oh, Holy Night," and "Silent Night," followed by "Allegretto Pastorale" by Gaul. The Christmas selections seemed to bring that time of the year much closer, and to "lift up" the spirits of every listener.

A third group included "Barcarole" from "Tales of Hoffman" by Offembach, and "Reverie" by Flagler.

Mrs. C. G. Armitage, who has been featured on previous programmes by the club, delighted the audience with the singing of "Oh, For the Wings of a Dove" by Mendelsohn, and "The Cloths of Heaven" by Dunhill. In a second group, Mrs. Armitage beautifully rendered "Oh Lord Most Holy" by Caesar Franck, and "Oh, Holy Night," by Adams, concluding with "Come Onto Him" from "The Messiah."

Sister St. Clair, of the Sisters of Assumption, very ably accompanied Mrs. Armitage at the organ.

The next regular meeting of the Porcupine Women's Music and Literary Club will be held in the Harmony hall, Fourth avenue, on Monday, January 9th. Mrs. C. V. Kearns, Mrs. Lee Honey, and Mrs. Murphy are the conveners, and already pleasing arrangements have been made for the occasion.

Four Rinks at Curling Club in Shape Tonight

The Curling Club will open its doors tonight for the 1938-39 season. William Rinn, Chairman of the Ice Committee, said today that four sheets of ice would be in good shape for curling. There will not be any official opening ceremonies. At Christmas time plans may be made to officially open the club for the year.

NIGHT SCHOOL

at

TIMMINS HIGH & VOCATIONAL SCHOOL

2 Nights Per Week For 3 Months Beginning In January

All residents of Timmins interested in taking any classes which could be given at the High and Vocational School, please make application to the Office of the Secretary leaving their name, address and course desired, on or before December 28th next.

J. M. BELANGER, Secretary,
14½ Pine Street South

Magistrate Frowns on Pop Bottles as Weapons

Fifty Dollars or Three Months for Professional Boxer. Moneta Gang Warfare Nipped in the Bud. Alleged Bank Robber's Companion Freed of Vagrancy Charge.

Soft drink bottles may be an excellent thing in their place but their place is not in a man's hand nor should they be used as weapons. Magistrate Atkinson apparently felt that way when he convicted Hector Curcini, alias "Tops" Tolino, of assaulting Douglas McPherson. He fined "Tops" $50 and costs of $19.25 with the alternative of three months in jail.

Evidence in the case was very jumbled and hard to follow. McPherson said that he and Curcini had a fight one evening about ten o'clock. He was scrapping with a third party and Curcini jumped on him. Later, at about midnight, he was at a Timmins restaurant, Tilly's Place. Curcini came out of the place and hit him on the head and cheek with a pop bottle. Then he picked the bottle up and went back into the store.

Dr. Taylor said that he examined McPherson the next morning. He had a black eye. There was a bruise above the eye and a cut below it. Dr. Taylor said that the mark might have been made by a bottle or it might also have been made by a fist.

"He hit him with the bottle. I saw him pick it up after," said Fred Newbury.

Pat DePello, a witness for the defendent, did not agree. He said that Curcini dropped the bottle, hit McPherson, picked up the bottle and went back into the store. Paul Landrieau, another defence witness, corroborated.

Curcini said that the fight earlier in the evening started when McPherson was picking on some smaller boys. He admitted that his assault on McPherson later in the evening was not provoked. He was a professional boxer, he said, and did not need to use a bottle. His fists were good enough.

To illustrate his virility Curcini went through a few sparring motions. They did not impress the Magistrate. He convicted.

Moneta Gang War

Rod Romauldi and Henri Benardi were bound over to keep the peace for six months, on a bond of $50, as the result of a fracas on Moneta skating rink. They were convicted of assaulting Raymond MacDonald.

MacDonald said that the two youths picked a fight with him. One of them made a pass at him and he returned the compliment. Then he did not know anything until he was down on the ice with a gang milling around him.

He got up and Romauldi said, "Have you had enough." As he did he struck out and hit MacDonald in the face. MacDonald fell and while he was down Benardi kicked him.

Under cross examination MacDonald admitted that he gathered a gang the next day and went down to the bakery, where Benardi worked, and beat him up.

"We can't allow these boys to take the law into their own hands," said Magistrate Atkinson in response to the comment of J. T. Jackson, who defended Romauldi and Benardi, to the effect that it was a matter for the boys to settle in their own way. "All I want to do is impress on them that these young gangs can't do their own discipling. It would get out of hand if they did and someone would really be injured."

Donnevan's Friend Freed

Companion of Neil Donnevan, alleged bank robber, on the night when he was apprehended was Rita Trembley. She appeared in court on Tuesday, well dressed in a new fur coat and matching accessories.

Authorities were going to charge her with vagrancy but after a whispered consultation, the charge was withdrawn.

Schumacher Y. P. S. Officers Elected

Conveners of Various Committees Named.

Schumacher, Dec. 14.—(Special to The Advance)—The Young People's Society of Trinity United Church held their meeting on Monday evening in the Church hall. The meeting took the form of a Christmas social. A large Christmas tree was in the centre of the hall and each member put a gift on the tree. Then they all sat round the tree and each one sang a verse of his or her favourit hymn. Lunch was served, and the gifts were given out. This being the last meeting of the year, before the meeting closed the election of officers took place. The following are the officers elected:—

President—Mr. W. Smook.
Vice-president—Mr. R. Carnegie.
Secretary—Mr. J. Holmes.
Treasurer—Miss E. Holmes.

Conveners

Devotional—Rev. F. J. Baine.
Social—Mrs. R. Carnegie, Miss Jean Heath, Mr. Ben Smook.
Literary—Miss Dem Smook.
Musical—Miss Neta Moore.
Pianist—Miss E. Flowers.

After the election of officers, a very enjoyable evening was brought to a close.

The next meeting of the Young People will be January 9th, 1938.

Charge Attempt to Shoot Her Husband

Gun Said to Have Jammed When Kirkland Lady Pulled the Trigger.

Mrs. Alma Koykka, of Kirkland Lake, was arrested on Tuesday and to-day before Magistrate Atkinson will be charged with attempting to shoot her husband. The story from Kirkland Lake is to the effect that the husband after returning from work on Monday had a cup of coffee and then left, failing to return until well after midnight. The wife waited up for him and the couple had an argument. The lady told the Kirkland Lake police that Koykka threatened her with an axe. Their son intervened, the lady says, and then she went into another room and returned with the gun. She pulled the trigger but the pistol jammed. The husband took the gun away from her then and putting it in his pocket he went down to the police station where he told his story and a charge was laid against the woman. Her arrest followed and she is scheduled to appear to-day at Kirkland Lake police court.

Shop Early!

PRIME MINISTER WEATHERS STORMY SEAS

Prime Minister Chamberlain and Foreign Minister Lord Halifax received good practice in weathering stormy seas when they crossed the English channel aboard the S. S. Canterbury en route to a conference with Premier Daladier of France. The prime minister is shown here as he nearly did the splits, while the foreign minister appears ready to go to the aid of his chief.