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73 Legal

NOTICE TO CREDITORS AND OTHERS IN THE ESTATE OF WILLIAM ANDREW FRANK, late of R.R. 1, Acton, Ontario, in the Town of Milton, in the Regional Municipality of Halton, Retired Farmer, deceased.

73 Legal

ALL persons having claims against the aforementioned estate of William Andrew Frank who died on or about the 23rd day of January, 1982, are required to file proof thereof with the undersigned solicitors for the Executors on or before the 15th day of April 1982, after which date the estate will be distributed having regard only to the claims then filed.

DATED at Halton Hills (Acton), the Eighth day of March, 1982.

Mackenzie and Chapman Barristers and Solicitors, 28 Main Street North, Acton, Ontario. Solicitors for the Executors.

73 Legal

In the Estate of JOHN IWASZKO, late of 270 Main St. S., Rockwood, Ont. NOTICE TO CASEY GONSTAW AND OTHERS having any knowledge of the affairs of the deceased, including the whereabouts of any Last Will and Testament, or accounts or books of records or other assets of JOHN IWASZKO, are asked to contact: DAVID TEAHEN, 11 Arthur St. N., Elmira, Ont. N3B 1Z4 519-689-5300 Solicitor for the Estate 07a11

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Murder trial...

(Continued from page 2)

ing, between the ceiling of the first floor and the floor of the second storey. He explained it radiated from that point. Bryan admitted that he was not much fire damage to Cripps' room itself, except the floor by the east wall had caved in. Floor joists under the floor were completely burned away from the brick cavity of the outer wall.

Stunt wanted to know if the fire in the lounge could have burned up to Cripps' room. Bryan said he was convinced it started in the joist base because of the non-combustible drop ceiling.

In his cross examination of the witness, McWilliams pointed out there are no joists between the drop ceiling and the tiles and it was possible hot gases could sweep through the entire space. Bryan admitted he was not aware of any steps in the construction. The defence lawyer pointed out the gases could not spread east and west, but could go north and south. Bryan said this would result in a gradual spread of hot gases. McWilliams suggested the cavity between the brick wall and the plaster would make a good passageway for hot gases to come up from the bar area. Bryan said that was correct.

McWilliams noted that where gases travel they can start up in a fire. "You can have fire erupting in the most unlikely places."

Moldaver charged the witness that if the fire started in Cripps' room, the burning above his would not have just a small fire burning in it, over two hours after the fire started. He pointed out a firefighter had testified to putting out a small fire on the third floor.

Bryan said it may have rekindled.

No flames in Cripps' room hour after Hotel fire started

There was no evidence of flames in the room occupied by Leonard Cripps up to an hour after the fire started which destroyed the Dominion Hotel; the jury was told by two firefighters last Wednesday.

Acton firefighters Wayne Kelley and Georgetown firefighter Michael Reynolds both testified they fought fruitlessly to put out an unrelenting fire in the room behind the fourth window to the south of the building, on the second floor. Neither man could establish, however, if they ever saw flames coming from the third window.

Crown Attorney Paul Stunt is attempting to prove to the jury that Cripps started one of the fires that night in his room.

Kelley told the court when he arrived he put the ladder between the fourth and fifth windows. However, when he saw a flickering of light in the fourth window, he moved the ladder between the third and fourth windows. Once reaching the top of the ladder, Kelley said, he saw flames in the north west corner of the fourth room. He did not look in the third window, he said, as he was concentrating on the fire.

Kelley testified he tried to douse the fire with water for 12 to 15 minutes, but could not put it out. He told the jury the flames did not seem to climb, or get any stronger, just stayed stationary. In the over 500 fires he has fought in the past 30 years, he said, he had only seen that type of thing happen in car fires, where there is a flammable liquid present.

Under cross examination by Mercury's lawyer Michael Moldaver, Kelley said the fire was as far away from next room (Cripps') as it could get and still be in the next room.

Had there been any flames in the next room, the defense said, Kelley would have seen them. Kelley said he was looking straight ahead and not in the other room.

Michael Reynolds said he arrived on the scene at approximately 3:20, from Georgetown. Upon arrival, he said, he saw a lot of flames coming from the lobby area. He testified he went up the ladder already between the third and fourth windows with a 2 1/2 inch hose and spent the next 20 minutes to a half-hour attempting to put out the flames in the room behind the fourth window. He said the persistent flames were from the floor to the ceiling. When debris started to fall on him he got down from the ladder. He said also he never looked into the window to the left of where he was working.

Firefighter Chris Tennant told the jury he saw an orange glow on the east wall of the bar area after he got into the building through the back door. He only saw the glow after he dropped to his knees, out of the intense smoke. He attempted to hose down the glow until he felt debris falling on him and left the building.

Tennant said when he first got to the building he put a ladder up to a window where he saw a man's leg hanging out the window, close to the air conditioner. Tennant could not recall who he was working with the night of the fire.

Alan Thompson, Acton firefighter, testified he shut the gas into the building off at around 3:40 when he noticed it was still turned on. He did not notice any difference in the flames after the gas was shut off.

Georgetown fire captain Richard Appleyard said he borrowed equipment from the Acton brigade. He went to the south-west corner where he assisted at a small block house behind the hotel. He said he was there for about 15 minutes.

Appleyard said he then proceeded to the third floor of the hotel, using the fire escape. Up there he checked two rooms opposite each other. In the third room, facing the east, there was a small fire about a one foot in diameter, he said, which he put out in less than one minute. He went to the room across the hall, but because of the smoke and the rumbling sounds he was forced to leave the building. He could see flames in the hall to the north of where he was.

Moldaver asked if the fire in the room was about 4:40, and was just breaking through from the room below. Appleyard said yes.

Defects in the electrical system had been repaired about a year before the fatal fire, testified Acton electrician Lyle Prueter.

Prueter told the court he owns Halton Hills Electric and was engaged by Mercury to bring the building up to the standards of local inspectors. When he was finished with the building it passed inspection, he said.

Prueter told the court he was also called in to fix the fire alarm system, but was unable to do so. He suggested experts be brought in.

Prueter explained that the bells in the alarm system were loud enough to wake anyone up, even if the doors were shut.