

# Search water after guards learn boys swimming

At the first indication that a child was missing and had last been seen in the water, lifeguards cleared the swimming area and started a search, the inquest into the July 12 drowning deaths of Brent Patey and Nick Domic at Fairy Lake beach Thursday night.

Lifeguards Linda Kilpatrick, Laura Brillinger, Jim McVeigh and Gwendyth Gibb, who is a lifeguard but was working in canoe rentals the past summer, recounted the events of that afternoon.

Kilpatrick, Brillinger and McVeigh rotated every half hour to one of three posts: the guard's chair on the beach, beach walking patrol or the wading pool.

Gibb testified that around 4.45 p.m. on July 19 she was asked by three young men, who turned out to be friends of the Patey boy's babysitter Maria McLeod and knew the boy, if she had seen a little blonde boy in blue shorts. McLeod was also there standing off from the boys.

She didn't know which direction they had come from, it appeared they had just arrived in the park, and she said no. They told her they had searched the park twice and also checked the missing boy's home. Gibb told the jury she had no reason to believe the boy had been in the water and the youths didn't appear concerned or worried. She couldn't recall telling them to search the park further or where to look and they wandered off.

They went a short distance over by the wading pool where Kilpatrick learned Brent had been in the water.

The wading pool guard, who 15 minutes before had been on duty at the lake, ran off shouting to her colleagues at the canoe rental that a missing boy had been in the water and she was calling for a search. Gibb told her colleague Cheryl Greenly to look up the pool and also ran to the lake.

On the scene Gibb talked with McLeod about where Brent might be and after the body was discovered she went to the block house to call for an ambulance and instructed Greenly to call the fire department.

When she returned to the beach she saw Brillinger and others administering artificial respiration and Cardio Pulmonary Resuscitation (CPR).

Following the ambulance's departure with the Patey boy the guards and recreation staff returned to the block house and met with recreation department officials Mary Coffin and Karen Brading to discuss what had happened and fill out reports.

A policeman approached them and said another child was still missing and another water search took place. Nick Domic was found and again the fire department and ambulance called and artificial respiration and CPR administered by guards.

Gibb said 30 to 45 minutes passed between the discovery of the first boy and the second victim.

She said it was common for people to make inquiries about the whereabouts of people of recreation staff at the park and she would have called for a search immediately if there had been any indication the missing boy had been in the water, or would have asked more questions if the youths had appeared upset.

She also testified the guards don't page for people unless they are at the beach because the sound won't reach the other side of the park with their megaphone.

When the three youths looking for Brent went to the wading pool Kilpatrick offered to let them use the phone to check about the boy and also asked where he had last been seen. The answer was at the beach and she raced off for the search.

Greenly told the jury while she was at the wading pool during the search a young man and a woman pulled up in a car, saw the commotion at the beach and she heard the man tell the woman "don't worry, it's not him." That apparently was Nick's mother and his brother Dragon.

Kilpatrick said when she was at the wading pool before sounding the alarm for the search she had overheard the young men with McLeod talking with a man and two little girls. The man turned out

to be Doug Weston who was helping them look and later joined the search team.

When she got to the beach Kilpatrick said she told Brillinger who was in the guard's chair to page for the boy and when there was no answer to order the swimming area cleared. She and Robert Milligan, assistant pastor at Evangel Pentecostal Tabernacle in Acton who was at the beach and lives near the park, began searching the water while it was still being cleared. People were getting out too slowly, so she screamed at them to get out.

The lifeguards and adult spectators formed a chain and searched the water.

She said while she was on duty at the beach she had noticed three youths, who were the friends with McLeod, on a picnic table behind the fence on private property adjacent to the beach. She had ordered the table removed from the beach area at 2 p.m. and didn't notice the table again until she saw the three teens on it. She also told the inquest she never noticed anyone swinging into the water from the willow tree branches that day.

While on duty at the lake Kilpatrick never was informed of a missing boy in the water, though she was asked by a little boy to page his friend. She asked him if his friend was in the water and the answer was no and the child took off on his bike to the playground where he played. Kilpatrick couldn't recall who she was to page. It was common for children to come up and ask the guard if they'd seen a friend. A woman hadn't asked for a boy to be paged that day.

At the end of the day the guards announce they are going off duty and people swim at their own risk.

Kilpatrick said it is harder to guard at the lake than a pool because people come and go all the time, it's impossible to keep a head count and they rotate to the three jobs every half hour to give them a break from the stress.

There was a sign posting rules, including to swim inside the buoyed area, but it had been stolen and wasn't up that day. It was later found

floating in the lake.

The picnic table had been removed from the beach and swimming area as a safety precaution, Kilpatrick said, and it wasn't brought back. Tables outside the swimming area aren't their concern or responsibility and people swim outside the buoyed area so they can disobey guards.

Guards were trained at the start of the summer to work at the beach and rules for the indoor pool were adapted for use at the lake.

Brillinger told the inquest when Brent was brought up there was a young man at the beach who was relieved to find the victim wasn't his brother, but he didn't say his brother was missing. She also said nobody said anything that day to her about anyone being missing.

The picnic table she thought was on shore right next to the fence. She didn't see it in the water or anyone on it. She also didn't see anyone swinging from the willow tree branches.

McVeigh said nobody advised him that day that anyone was missing. He said around 4 p.m. he saw the picnic table outside the swimming area on adjacent private property and there were two guys on it. It wasn't the drowning victims, he added. He said the table was on the beach, not in the water when he went on beach duty for the first time at 2.30 p.m. and he never saw it moved. He also never saw anyone swinging from the tree branches.

Karen Brading, who was in charge of the guards, said when someone is missing at the lake the guards are instructed to find out the name; their age and a description; how long they've been missing; where they were last seen and can they swim. The missing person is paged with the megaphone and if there is no response the water is cleared and searched. Bystanders can be used to search the park too and if the person isn't found the police are called.

Milligan, who used to be a lifeguard, praised the efforts of the guards at the lake that day and said they acted quickly. He had the misfortune of discovering both bodies during the searches.

He recalled after the first victim was brought on shore he was talking to someone looking for their brother and told him to call Milligan at home if he didn't find him. He said Brent's body was found close to where the lake bottom drops off steeply and he was just outside the buoy line. His body was found about 30 feet along the line from the willow tree. Nick Domic's body was found about eight to 10 feet away in deeper water and three feet closer to the tree and fence. Milligan said he thought the boys had been in the water some time before being found.

Doug Weston said the young lady who told him she couldn't find a little boy, which prompted him to join the search of the park for Brent, never mentioned the boy had been in the water.

Doug Hewitt of the fire department said it took them about five minutes to get to the beach after receiving each call and they worked on both victims, relieving the lifeguards who were doing a good job. Everything possible was done to revive both Brent and Nick. Peter Ritchie from the ambulance staff echoed Hewitt's comments that rescue efforts on everyone's part "were extremely well done." Police officer Walter Pucci who was on the scene and is trained in CPR, said an "excellent job" was done by rescuers.

Dr. Brian Moore, who was on the scene for rescue efforts with Nick Domic said everything possible was done.

Constable Scott Pringle, who dived at the lake that night to find out what might have caused the double drownings, noted the lake bottom drops off 24 to 40 feet from the buoy line to a 22 foot deep channel. He said he searched in the area of the tree and fence and the lake bottom starts to drop four to five feet from the shore and he found debris, woods, weeds, and even a drum. He said there is a very slight west to east current and there might be an eddy and current swirls in the area where the victims were found which might have moved the bodies.

## Searchers for Brent Patey thought boy was in park

Fairy Lake drowning victim Brent Patey's babysitter, 12-year-old Maria McLeod, and her three friends Wade Sheppard, Terry Corkum and John Cox didn't

tell a lifeguard the boy was last seen in the water after they discovered him missing because Maria's little brother had said Brent was in the park, the coroner's inquest jury was told Wednesday night.

McLeod, Sheppard 16, Cox 20, and Corkum all testified at the hearing about what they were doing that afternoon and about their efforts to find Brent.

McLeod said her mother allowed her and Sheppard to take Brent and her younger brother and sister to the beach and they all went into the water. The children stayed inside the buoy line of the swimming area while Maria and Wade went outside the line where the water is deeper. She said they repeatedly looked to see what the children they had brought were doing and instructed them not to go beyond the buoy line. Wade and Maria were joined by Corkum and Cox in the deeper water.

The youths took the picnic table from the water by the beach and moved it out beyond the line because children were jumping off it and they feared someone would be hurt, McLeod testified.

Later in the afternoon they looked and saw Brent wasn't with her brother or sister either on the sand or in the water and when they went to her brother he said Brent had gone to the grass across the track behind the beach to dry off.

When they didn't find him there they started searching the park, including the washrooms, but couldn't find him.

They didn't talk to the guards at the beach because they thought Brent was in the park, but later one of the boys asked a town recreation staffer they thought was a lifeguard at the canoe rental if they'd seen Brent and one of the teenagers also went to Brent's home to see if he was there.

She said she'd seen Nick Domic around, but didn't know him and didn't see him that day with Brent.

When they all first arrived at the lake the children went in the water near the willow tree but she told them to move away from there, McLeod said, because she knew the lake bottom drops off in that area. She never saw any children swinging on the tree branches or going around the fence to the private property.

Sheppard told the jury Brent was scared to go too far out in the water and when the boy came near the buoy line once he told him to get back.

He said they moved the table about 30 feet out from the line because if they left it at the beach it would just end up in the shallow water again.

Their search of the park lasted about a half-an-hour and they never saw Brent with Nick or on the picnic table or swinging from the willow tree branches.

He said John Cox told him a lifeguard on the other side of the lake sent him to check if Brent had gone home. Sheppard said he spoke to a guard on the other side of the lake and was told to come back to her if they didn't find Brent in the park. They also got a man (Douglass Weston) and the two children he had with him to help look for the missing boy.

There were two lifeguards at the beach, one in the chair and one lying down beside it facing the soccer field and not the water, Sheppard said. He said the guards didn't tell the children to get off the table or say anything when they moved it.

Corkum said the picnic table was near the fence partly in the water and partly on the beach and Brent was jumping off of it before it was moved.

He told the jury he was with Sheppard when he talked to the guard at the canoe rental, and he thought they said they'd been at the beach with Brent, but wasn't sure if they mentioned he was in the water. The guard said they should check the park again. He said a

guard had told Cox to check for Brent at home.

Corkum noted there are no signs telling people to report anyone missing to the guards at the beach.

Cox testified he helped bring the table out past the buoy line and later moved it back by the fence out of the water. He said during the search he talked to someone he thought was a lifeguard and was told to check at home for Brent.

Jake Ram, 14, said he went to the beach that day with Nick Domic and Nick's brother Paul. He said he and Nick were in the water a while, and added Nick was afraid of the water.

He said his mother came to the lake to get him, and they were going to leave, but Nick said he didn't want to go. He went to get their belongings from a picnic table and when he returned he couldn't find Nick. It had only taken him five minutes to get their stuff. When he last saw Nick he was standing in water up to his hips between the guard's chair and the fence. When he couldn't find Nick he thought he'd gone into the park.

At that time the picnic table was in the water upside down beyond the line and east of the beach.

When they found Nick was missing, Nick's brother Paul went to the lifeguard in the chair and when he returned told Jake the lifeguard said Nick had gone home.

Jake, and Nick's brothers Paul and Dragon, made several trips home to check for Nick during their searches which included the park and around Acton.

During his search around town he told a policeman in a cruiser his brother was missing and noted he never spoke to lifeguards, but did talk to a man at the scene (Robert Milligan) who told him to call if he didn't find his brother.

Anyone at the park that he saw the boys swinging into the water.

Riddle testified Wednesday that he checked the backyard of the home beside the swimming area and inspected the tree and branches and found fresh breaks, leaves which had been stripped off and children's footprints. He said it looked like someone had been swinging from the branches.

Twice Riddle told the inquest that Vetrick told him he had seen the boys about a half hour before he heard the first siren summoning the fire department to the beach. That would place his seeing the two boys together at about 4.20 p.m., the police officer said.

Herbert Mills, Poplar Ave., was convicted Tuesday of one charge of trafficking in a narcotic, cannabis resin. He will be sentenced January 4 and a pre-sentencing report has been ordered.

Mills had been arrested in February in a region-wide sweep by RCMP and Halton Regional Police undercover officers and was charged with one

of trafficking and one count of possession of a narcotic for the purpose of trafficking.

His court appearance Tuesday began as a preliminary hearing, held in conjunction with another accused who isn't from Acton, and a ban on publication of evidence was imposed by the judge.

After three witnesses had testified, Mills elected to be tried by a Provincial Court judge

and submitted a plea of guilty and was convicted.

Because the preliminary for the other man continued no evidence introduced against Mills can be published at this time. The charge of possession for the purpose of trafficking was dropped by federal prosecutor.

He was one of four Acton men arrested in the drug sweep last winter.



Legion Masters Golf Tournament winners were: front row, left to right, Al McKerracher, third low net, Dan Dempsey, first low net, and Bill Cook, second low net. Back row, Bill Nicolak, best over 50, Dave Rivers, first low gross (tournament winner) Mac Mackenzie, second low gross and John Hoare, best left hander. Missing is George McPhail, third low gross.

## Legion Happenings

by Harry Norton

Now that summer has finally arrived and the mosquitoes are gone it is lovely sitting out in the afternoon and evening at the Branch. Let's hope this weather holds out at least to the end of the week.

This week has been and will continue to be a busy one for the Branch. We had our General meeting on Monday, Industrial Dart league play on Tuesday, Bingo tonight (Wednesday) and then the Fall Fair weekend.

Our weekend celebrations start off with Ken Byran providing entertainment in the lounge on Friday night. Saturday morning at 7 a.m. the famous Branch breakfast will be served.

The Ladies' Auxiliary will also be serving a full lunch starting at 12 noon. The parade forms up at the middle school at 12 noon and your Executive has arranged for the famed "Weston Rangers" to parade for us. It will be appreciated if all able Branch members can form up behind our color party and the Band. A bus will be available to take members from the Branch to the school to get in the parade and a shuttle service between the Park gates and the Branch will run all afternoon. In the evening "Stardisc" will provide entertainment in the lounge and "Nightlight" will keep the swingers on the move.

Sunday is the last day of the Fair and also is "Terry Fox Run Day" across Canada. Two of our members have volunteered to run and sponsor sheets are in the Branch. Let's get a whole lot of sheets signed up and see how much the Legion sponsored runners can produce.

All ex-service personnel and their dependants are advised that Mr. E.G. Traversy, C.D. Service Bureau Officer will be in the area early in October. Anyone wanting information on Veterans' benefits should get in touch with Vic Patrick before the weekend as Vic can arrange an appointment.

Funeral service was held Thursday at St. Alban's The Martyr Anglican Church for its former rector, Rev. Leonard Edward Frank Ewing of Milton.

Rev. Ewing had been ill for two weeks before he died last Tuesday morning at his home at 81 Hillside Drive, Milton.

Born on June 24, 1914, in Acton, Rev. Ewing married Ethel Playford on June 26, 1937 in the Church of the Advent.

For many years, he worked in industry, before serving the church beginning in the diocese of Niagara on December 14, 1969. He was deacon at St. Hilda's church in Oakville before serving Cayuga, Rev. Ewing came to Acton in 1973, as rector, where he stayed until his retirement in June, 1979.

He attended George Syme Public School in Toronto, Runnymede Collegiate, Toronto and later Wycliff College in Toronto.

Rev. Ewing is survived by his wife, Ethel; children, Bonnie Powell, St. Catharines, Paul of Hamilton and Holly Sadler, Toronto; grandchildren Michael, Mark and Heather Powell; and sisters Mr. Dorothy Sword and Mrs. Violet Beamish, of Toronto. He was predeceased by four brothers, Charles, James, Fred and John Ewing.

Friends were received at Shoemaker Funeral Home on Wednesday evening and then at St. Alban's on Thursday. The service was conducted by the Right Rev. John C. Bothwell, Bishop of Niagara. Interment was at Fairview Cemetery.

Palbearers were Grant Puncture, Vic Bristow, Vic Playford, Phil Playford, Ed Wheeler, and Rev. Paul Jackson. Eric Beamish was an honorary pallbearer.

## Clergy Comment

By Rev. Ralph Diodati

From the first moment we were able to comprehend, we have been instructed by those in our lives who care about us to use all of our gifts and talents to the best of our ability. We were told that only the industrious and devoted truly make it in this life, at least successfully and happily. Many of us spend years educating ourselves, and then not totally using the gifts that we have developed to full capacity. Why? Because very early on we discover that we have wasted the opportunities, the talents, the gifts, foolishly.

In my experience with young people both on the high school and parish level, self-worth and their talents are always interesting and challenging topics. Some young people erroneously feel they do not have very many talents and therefore do not have a very good opinion of themselves. The result of this is sometimes manifested in very rebellious behavior because they feel society may not like them. Others may actually waste their true talents for various reasons; one being that the people with whom they associate may not be interested in the areas where their talents lie. This may result in giving up trying to perfect those talents that will truly

give them satisfaction later in life. It can be very frustrating. Gifts and talents obviously are not always distributed equally to all. Some have many, whereas others have few. But each person has some, and our responsibility to ourselves, to others, and to God is to use those talents to the best of our God-given abilities. Often we will give the excuse that we have been cheated and take a risk to bring our gifts are not all that great. We will not be held responsible for how God has given us, we must work with every how well we use what we have been given.

Surely we will be held responsible for wasting God-given abilities foolishly. We hear from speaking with an older person that they feel life is almost over for them and they have accomplished so very little. It is so sad when we hear such statements coming out from people who obviously have many gifts of our God-given abilities. Often we will not be willing to take a risk to bring them out of themselves. No matter what gifts God has given us, we must work with every effort and power to make them happen.

Janet Marshall, of the Ladies' Fair Board pulled the winning Actario tickets Saturday.

Carla J. Wood, of R.R. 2 Rockwood, who won the \$350 weekly Actario draw prize three weeks ago won it again this past Saturday.

Wayne and Linda Ruse, 10 Storey Dr., went home with vouchers from Stedmans, Acton Pharmacy and Acton Family Cleaners, while Dolores Tyler, 350 Peel St. won vouchers from IGA, Home Hard-

ware, Acton Family Restaurant and Family Cleaners. Tell Connolly of Elmore Dr., and Marita Hannikainen, won vouchers from Nielsen's Clothing, Acton Photo and Camera and Ed's In 'N Out and Stella Brunelle, Acton Blvd., and Olga Carter shared a ticket which won them vouchers from Jug City, Family Cleaners and Acton Bowling Lanes.

Following are the first set of winners of the new Acton Business Improvement Area (BIA) Mohawk Raceway promotion trip on Monday September 12. The winners receive bus transportation to and from the track, admission and buffet in the Sportsman's Lounge.

Cobham, Boughton Jewellers; Flo Roehner, Holland Shop; Jim McKnight, Robertson Flowers; Susan McKinnon, AB Foodland; N. Yelowica, Phylyna Fashion; Dolores Rowsell, Bendeico; Verna Harrison, Family Cleaners; Brian Canary, J.T. Sports; Linda Briggs, Desmonds; Charlie Perry, Pete's Barber Shop; Bruce McArthur, Fresser Frenzy; Betty Hardie, Royal Cafe; Sandra Dewberry, Nielsen Clothing; Jane Tailfeiser, Nielsen Clothing; Ruth Stanbury, Stedmans.



Janet Marshall, of the Ladies' Fair Board pulled the winning Actario tickets Saturday.

## Actario winners

Carla J. Wood, of R.R. 2 Rockwood, who won the \$350 weekly Actario draw prize three weeks ago won it again this past Saturday.

Wayne and Linda Ruse, 10 Storey Dr., went home with vouchers from Stedmans, Acton Pharmacy and Acton Family Cleaners, while Dolores Tyler, 350 Peel St. won vouchers from IGA, Home Hard-

ware, Acton Family Restaurant and Family Cleaners. Tell Connolly of Elmore Dr., and Marita Hannikainen, won vouchers from Nielsen's Clothing, Acton Photo and Camera and Ed's In 'N Out and Stella Brunelle, Acton Blvd., and Olga Carter shared a ticket which won them vouchers from Jug City, Family Cleaners and Acton Bowling Lanes.



Janet Robertson of Blueoak Ceramics assisted BIA chairman Ed Wood with the first of two draws for dinner at Mohawk Raceway.

## BIA Mohawk trip winners

Following are the first set of winners of the new Acton Business Improvement Area (BIA) Mohawk Raceway promotion trip on Monday September 12. The winners receive bus transportation to and from the track, admission and buffet in the Sportsman's Lounge.

Cobham, Boughton Jewellers; Flo Roehner, Holland Shop; Jim McKnight, Robertson Flowers; Susan McKinnon, AB Foodland; N. Yelowica, Phylyna Fashion; Dolores Rowsell, Bendeico; Verna Harrison, Family Cleaners; Brian Canary, J.T. Sports; Linda Briggs, Desmonds; Charlie Perry, Pete's Barber Shop; Bruce McArthur, Fresser Frenzy; Betty Hardie, Royal Cafe; Sandra Dewberry, Nielsen Clothing; Jane Tailfeiser, Nielsen Clothing; Ruth Stanbury, Stedmans.

## One witness saw the boys together

Only one person ever claimed to have seen Brent Patey and Nick Domic together at all the day they both drowned at the beach at Fairy Lake.

Zack Vetrick, 14, who used to live in the Kingham area of Acton and has since moved to Guelph, went to the police the day after the drownings and told Detective Bill Riddle that he knew both boys and saw them swinging from the willow tree branches that day.

He told the police he knew the two boys from playing arcade games at the laundromat on Main St. South, Acton, and had also been fishing with one of the boys at the lake.

He said when he saw them swinging from the

## Local man convicted for drug trafficking

Herbert Mills, Poplar Ave., was convicted Tuesday of one charge of trafficking in a narcotic, cannabis resin. He will be sentenced January 4 and a pre-sentencing report has been ordered.

Mills had been arrested in February in a region-wide sweep by RCMP and Halton Regional Police undercover officers and was charged with one

of trafficking and one count of possession of a narcotic for the purpose of trafficking.

His court appearance Tuesday began as a preliminary hearing, held in conjunction with another accused who isn't from Acton, and a ban on publication of evidence was imposed by the judge.

After three witnesses had testified, Mills elected to be tried by a Provincial Court judge

and submitted a plea of guilty and was convicted.

Because the preliminary for the other man continued no evidence introduced against Mills can be published at this time. The charge of possession for the purpose of trafficking was dropped by federal prosecutor.

He was one of four Acton men arrested in the drug sweep last winter.

## Obituary

### Len Ewing

Funeral service was held Thursday at St. Alban's The Martyr Anglican Church for its former rector, Rev. Leonard Edward Frank Ewing of Milton.

Rev. Ewing had been ill for two weeks before he died last Tuesday morning at his home at 81 Hillside Drive, Milton.

Born on June 24, 1914, in Acton, Rev. Ewing married Ethel Playford on June 26, 1937 in the Church of the Advent.

For many years, he worked in industry, before serving the church beginning in the diocese of Niagara on December 14, 1969. He was deacon at St. Hilda's church in Oakville before serving Cayuga, Rev. Ewing came to Acton in 1973, as rector, where he stayed until his retirement in June, 1979.

He attended George Syme Public School in Toronto, Runnymede Collegiate, Toronto and later Wycliff College in Toronto.

Rev. Ewing is survived by his wife, Ethel; children, Bonnie Powell, St. Catharines, Paul of Hamilton and Holly Sadler, Toronto; grandchildren Michael, Mark and Heather Powell; and sisters Mr. Dorothy Sword and Mrs. Violet Beamish, of Toronto. He was predeceased by four brothers, Charles, James, Fred and John Ewing.

Friends were received at Shoemaker Funeral Home on Wednesday evening and then at St. Alban's on Thursday. The service was conducted by the Right Rev. John C. Bothwell, Bishop of Niagara. Interment was at Fairview Cemetery.

Palbearers were Grant Puncture, Vic Bristow, Vic Playford, Phil Playford, Ed Wheeler, and Rev. Paul Jackson. Eric Beamish was an honorary pallbearer.

He was one of four Acton men arrested in the drug sweep last winter.