

INQUEST: Cause Of Trucker's Death Not Determined By Jury

A five-man coroner's jury investigating the death of truck driver Francis Symon Cox, 31, in an accident on the Maple Sideroad east of Bathurst Street on June 15, recommended that the road be rebuilt and that until this has been accomplished the speed limit be reduced to 40 mph.

Coroner Dr. Bernard Granton of Richmond Hill earlier told the inquest, held Monday evening, that Cox had been proceeding west on the Maple Sideroad "when for some reason at a point just east of Bathurst Street he lost control, crossed the eastbound lane, went over the shoulder of the road and collided with a hydro pole." Cox had been driving a truck owned by Crawford Sand and Gravel Co.

The jury found that he died at 10:15 am due to brain damage resulting from the cab of the truck being crushed against a hydro pole.

Jury Foreman Francis Redelmeier said in the verdict, "We cannot with certainty determine the cause of death. We believe that contributing factors were: the slippery road surface, smooth rear tires, the narrowness of the shoulder of the road and the steepness of the bank, the condition of the right rear brake of the truck."

The jury recommended that "the Maple Sideroad be rebuilt with: a less slippery surface, wider shoulders, shallower ditches, better visibility." In addition, it urged Crawford Sand and Gravel Co. "to impress on all employees the need to locate and report any possible mechanical faults in their vehicles."

In concluding the inquest, held in Vaughan Township council chambers in Maple, Dr. Granton was critical of the "behaviour" of truck drivers on the Maple Sideroad. "The behaviour of a lot of drivers is questionable. A large number of people are noting this. I don't think the drivers or the companies are making any friends in the area. There is no excuse for

tailgating, crossing white lines or speeding."

The coroner added, "You can kill someone with a truck just as easy as with a gun. There have been three fatal accidents in the last two months on the Maple Sideroad, two involving drivers of trucks. Morally the drivers are responsible. I don't think they're behaving very maturely."

Dr. D. S. Guthrie of Kleinburg, pathologist at York Central Hospital, was the first witness. He told the inquest that he carried out an autopsy on Cox 18 hours after his death. Severe crushing of the head of the deceased had resulted in only a small part of the brain being recovered from the accident, the doctor said. The blood of the deceased had been examined for alcohol, but none had been found, he testified.

Asked if there was any possibility of a heart attack, Dr. Guthrie replied that the autopsy indicated no natural causes of death.

Mr. Redelmeier posed the question that "if Cox had worn a safety helmet would this have been sufficient protection to have saved his life?" "I couldn't say it would... it is reasonable to think a safety helmet might have helped to prevent these injuries," the pathologist replied.

Vaughan Constable Barry DeLaney, who investigated the accident, described the scene of the tragedy. The truck, a 1962 Mercury dumptruck, was lying on its side with its front pointing east and the cab rammed against a hydro pole, he said. There was a distance of 79 feet from the cab to the Bathurst Street lamp stand, and a distance of 113 feet 5 inches from the point where the vehicle entered the road shoulder and the cab. The truck was 15 to 18 feet from the top of the embankment above.

Road conditions were wet as it was raining slightly at the time, but it was not a dark day, the constable said. It was not possible for him to find any obstructions on the vehicle because the windscreen was entirely smashed. The cab was smashed to within about ten inches of the seat, he told a juror.

Cox, of 1 Vendome Place, Don Mills, had apparently been driving for 15 years, Constable DeLaney disclosed.

Mrs. Beute Hansen of 82 Keele Street North, Maple observed the accident from the Bathurst, Maple Sideroad intersection. "I was going south on Bathurst and as I stopped and looked to the left I saw the truck coming. Just as I looked, it turned, skidded for some distance then rolled over," she told the jury.

There was no other traffic in the area and no pedestrians in sight, Mrs. Hansen said. She estimated the truck was going less than 20 mph at the time of the accident.

Another eyewitness, Robert Goudet of 65 Flemington Road, Toronto, thought the truck was driving about 30 mph at the time. Mr. Goudet was driving a gravel truck east on Maple Sideroad and was about 240 feet ahead of Cox when the accident occurred. He could see no reason for Cox turning his truck when he did, he told the jury.

James Mabley, traffic manager of Crawford Sand and Gravel for the past two years, testified that Cox was hired by the company on June 13, "a day I didn't happen to be there." Prior to that Cox had worked for a man in the pit who owned a truck, he said.

Mr. Mabley told the inquest that his firm's trucks were "given a grease job and oil change" every three weeks and that the trucks were "checked right through at the same time." The maintenance record for the truck showed that on May 30 new brake linings had been put in the front wheels and that the left rear wheel had also been relined, and had a new drum put in, Mr. Mabley testified.

On June 6 the truck's brakes had been adjusted, he added.

Asked if he had any ideas why the accident occurred, Mr. Mabley said, "It's a mystery to me. I know the road well because I travel on it ten or twelve times a day."

The front wheels of the truck could not have locked he held a juror, as this "would have shown up later."

Constable David Gibson of Vaughan Township Police was next to testify. He said he had been a policeman with the township for two years and prior to that had worked for five years as a licensed mechanic. An inspection he carried out on the truck June 18 indicated that the steering showed no signs of wear, that the left and right front tires were both in good condition and that the rear tires "were very poor, almost bald."

The brake system he found in order except for the right rear wheel brake where he found and oil seal between the drum leaking.

There was oil around the inside drum and around the back of the plate of the brake shoes, the constable said.

He later told the coroner that the leaking brake fluid on the linings could have caused the right rear wheel brake to grab faster and have caused the truck to swerve slightly to the left on the slippery pavement.

Constable Gibson thought the fault could have been correctable prior to the accident "if it had been picked up before." He said the leak in the brake cylinder could have been building up for a month. Asked if it could have been caused from the shock of the truck hitting the post, he replied: "Very unlikely."

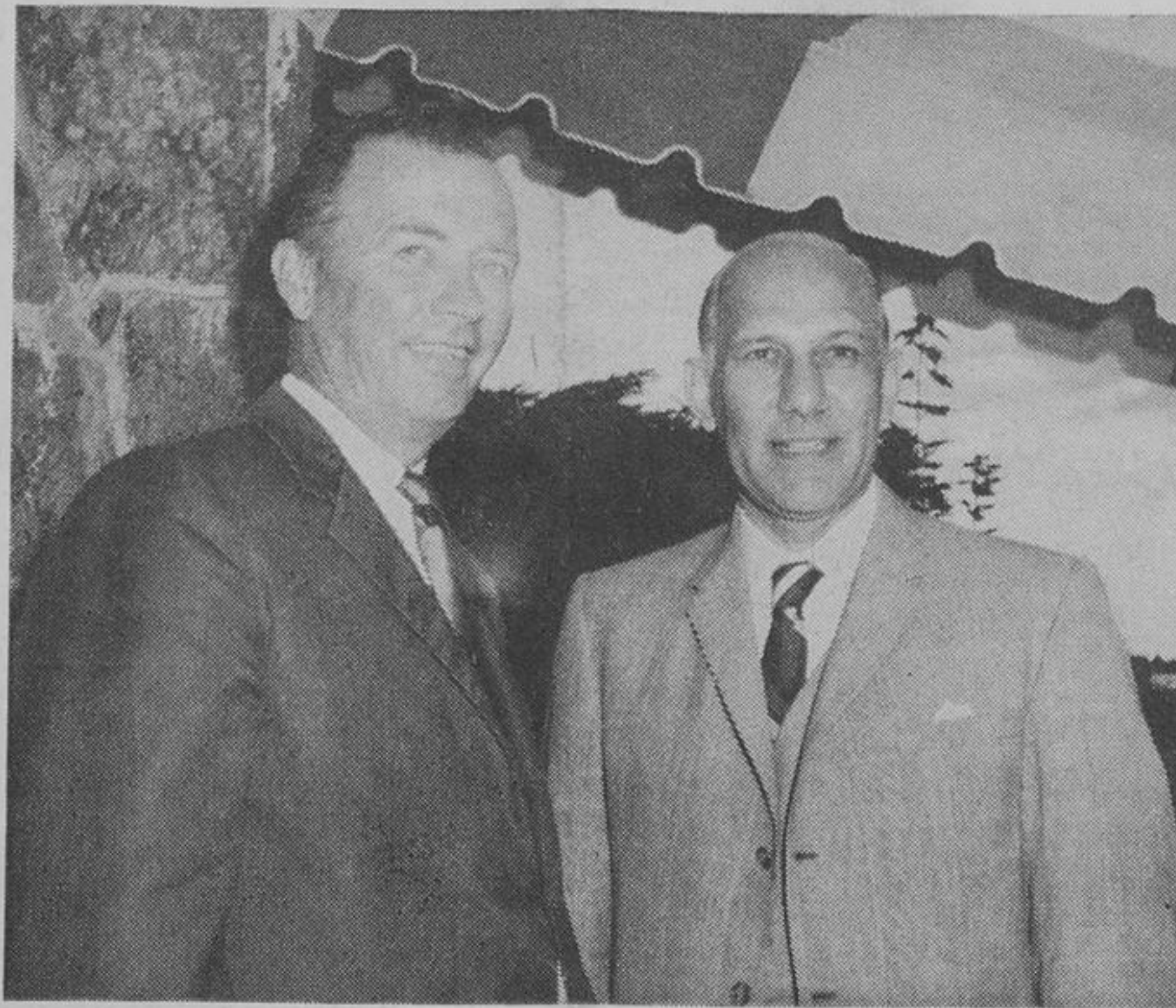
Recalled to the stand Mr. Mabley told the jury that he did not know how many runs Cox had made the morning of his death. He had come on duty at 7 am and had been on contract runs to Richmond Hill, Mr. Mabley testified. Questioned whether Cox would have suffered loss of work had he reported something wrong with his truck, Mr. Mabley said no as he would have been given other work in the pit.

Mr. Mabley then read a letter from Collision Appraisal Services Limited of 1865 Leslie Street, Don Mills, sent to Crawford Sand and Gravel through an insurance company. The letter stated that Collision Appraisals had given the truck a brake inspection on June 20 that "was fairly conclusive, sufficiently so to allow us to offer the opinion that there had been no brake failure as such."

The letter did state that the "right rear drum showed some evidence of collection of seepage and dust" and that it "was also found to be badly heat checked in the area where it was not impregnated with oil." "We would think that this would not provide a very good braking surface over any of this area," the writer concluded.

Detective Arnold Leeder of Vaughan Township Police had taken photographs of the accident which were shown to the jurors.

Members of the jury, all Vaughan Township residents, were: Francis Redelmeier, Don Head Farms, Maple; Mrs. Marjorie Black, 88 Elgin Mills Road West; Kenneth Laidman, Gamble Road; Nelson Lund, Maple Sideroad; and Clifford Bennett, Elgin Mills Road West.



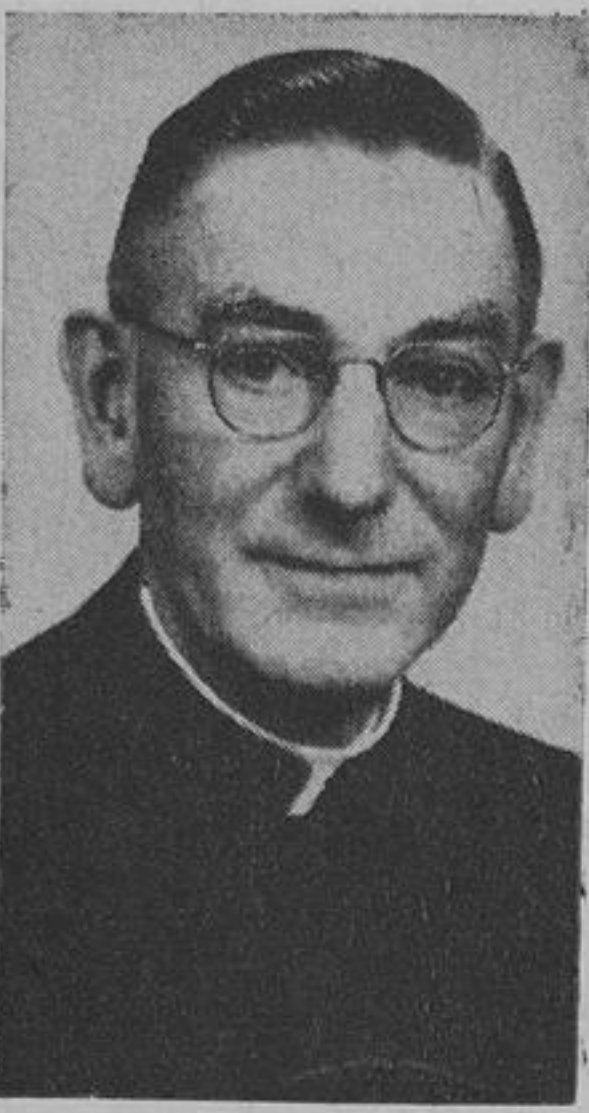
(Photo by Stuart's Studio)

Distinguished Visitors Church Reception

Distinguished Canadians from every walk of life attended the reception and dinner at Stephen Roman's estate following last Sunday's blessing and dedication of St. Mary Immaculate Roman Catholic Church.

Chatting above are former Ontario Liberal Leader John Wintermeyer (right) and Markham Township Reeve Stewart Rumble.

Among those attending were former Lieutenant-Governor Earl Rowe, former Ontario Premier George Drew, Ontario Minister of Social and Family Services John Yaremko, Barnett Danson, MP, Dr. Stanley Haidasz, MP, Philip Givens, MP, Donald Deacon, MLA, former Senator Wallace McCutcheon, former MP Michael Starr, Controller Allan Lamport and Mayor Thomas Broadhurst.



LATE FATHER F. MCGINN
34 Years in Holy Orders

Father Frederick McGinn served as Parish Priest at St. Mary's from 1942 until the time of his death in July 1964. A native of Toronto he was ordained into the priesthood on June 14, 1930.

During the twenty-two years Father McGinn gave spiritual leadership and guidance to the congregation of St. Mary Immaculate he earned the love of all members of the rapidly growing parish. When he arrived in Richmond Hill only one mass was celebrated each Sunday. At the time of his passing six masses were regularly observed each Sunday to take care of the spiritual needs of the large congregation.

Among his lasting contributions to the parish and the community was the establishment in 1948 of Our Lady of Fatima School, the first separate school in the community. Under his direction Our Lady of Assumption School at Oak Ridges and St. Mary Immaculate School on Traybourn Drive, Richmond Hill, were also brought into being.

In November 1959 Father McGinn was instrumental in having St. Joseph's Convent and Chapel built at Oak Ridges from voluntary donations.

He was responsible for a complete parish analysis in August 1960 which resulted in the parish of St. Mary Immaculate being split and a new parish, Our Lady Queen of the World, being formed in the east section of town to better serve the spiritual needs of the community.

Expenditures Charged Proper Acts

(Continued from Page 1)

rose to the challenge and countered, "If a committee earmarks funds for a particular purpose, then the best thing for the chairman to do is to notify the finance committee of that intent. We looked everywhere and this was the only money available to pay for things council had approved."

Councillor John MacDiarmid suggested that the amounts should be charged against the proper committees and the ambulance subsidy surplus left in its own account as budgeted. "Then, at the end of the year, if those accounts are over the budget we will have the money to balance the books, but we will know where it went," he stated.

Councillor Hancey who had moved that the clause be deleted from the finance committee report, withdrew that

motion and replaced it with one which will charge the \$1,000 for the tennis club to the recreation committee, the \$500 for the urban renewal study of the planning board, and the \$500 for the historic plaque dedication to the public relations account. Mr. MacDiarmid seconded this motion and it was passed.

Councillor William Lazenby suggested that not switching budgets around would be easier for the treasurer and would give a truer picture at the end of the year.

Summer Playgrounds Plan Parents' Nights

The five week summer playground program in Richmond Hill has been highly successful this year, at the six locations — MacKillop, McConaghy, St. Joseph's, Walter Scott, Beverley Acres and Pleasantville Schools, Recreation Administrator Al White reports.

Except for the week of hot, humid weather attendance has been excellent and the staff has presented an imaginative and entertaining program for all age groups at the six schools.

Monday and Tuesday this week the children were brought to the Gordon McLaren Auditorium of Richmond Hill Public Library by adult volunteer drivers to see the moving pictures, "Peter Pan" and "The Gnomobile", which the youngsters thoroughly enjoyed.

Next week will see the wind-up of this summer's program with parents' nights being held as follows:

Tuesday: MacKillop and McConaghy Schools.

Wednesday: St. Joseph's and Walter Scott Schools.

Thursday: Beverley Acres and Pleasantville Schools.

Starting time at all six locations will be 7 pm.

Vote December 2

Elect Hydro Comm'n For Vaughan Township

Vaughan Township voters will be given the opportunity next December of electing a three-man hydro commission to operate the recently acquired township hydro system.

At Tuesday night's council meeting, a resolution was passed unanimously to make application to the Ontario Municipal Board to dispense with the assent of the electors for the establishment of the commission.

Since the hydro system was taken over by the township in January of this year, it has been operated by a committee of council. Consent of the electorate is technically required to approve the setting up of a commission but the OMB has authority to waive this.

Lou Wainwright, Richmond Hill, appeared before council asking assurance that the commission members would be elected and not appointed. He reminded council that last November he had brought a petition bearing 126 names of township residents, asking that an elected hydro commission be established.

Reeve Brian Bailey stated this would be the case. "Bill 44 which creates county boards of education necessitated a change in the election date and a change in the election bylaw," he advised. "We shelved this (the hydro commission) until the date was decided. With the approval of the OMB the vote will be held December 2 and the commission will be an elected body."

Prov. Assessment Ups School Costs

(Continued from Page 1)

year would have resulted in a tax increase of something approaching 12 mills.

Georgina will pay 2.43% of county school costs, which this year would have meant \$320,083 instead of the \$237,382, the township actually did pay.

King Township, paying 9.62% of county costs, would have a 4.5 mill increase; Stouffville's rates would have increased six mills, Markham Village four, Newmarket four and North Gwillimbury two.

In contrast, however, Richmond Hill's share of county costs using the new provincial figures would only be 11.41% which would have resulted this year in a 10.5 mill drop in education taxes.

Aurora too, with its share reduced to 6.06% would have a nine mill decrease, Sutton would be down 3.4 mills and East Gwillimbury 1.4 mills.

Least change would be in Whitchurch Township where its 4.72% of county costs would have resulted this year in an increase of 3 mills.

Thus it can be seen that municipalities which have held education costs in check with a more balanced industrial/residential assessment ratio will be losing this, with the advantage of their higher industrial assessment spread over the en-

tire county.

Georgina Township, while its industrial and commercial assessment is relatively low, has a high proportion of its residential assessment produced by summer cottages which however, do not produce school children to be educated. Now this advantage too will be spread across the entire county and Georgina Township residents will be faced with increased education costs.

Reeve Bailey feels that the provincial assessment figures, based as they are on market value will result in sharply increased education costs throughout York County, unless the grant structure is also changed.

Because of the acute housing shortage in Metro, prices of homes in the fringe municipalities are much more inflated than elsewhere in the province, Reeve Bailey points out. Thus assessment figures are abnormally high, particularly in Vaughan and Markham Townships.

"This will result in lower grants for school operation and maintenance if the present grant structure continues," said Mr. Bailey, "which will result in a greater share of education costs to be borne by the municipalities in the county."

CE EVENTS

AUGUST 4, SUNDAY 10-6. Antiques show and sale, Richmond Hill Lions' Hall, 106 Centre Street East, Richmond Hill. Clocks, china, glass, silver, jewellery, brass, furniture, pictures. Sale held first Sunday every month. Donation to Leukemia Fund. clw5

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- A specialist is a doctor who has trained his patients to become sick during office hours. . . .
- We know a fellow who became so excited reading about the hazards of cigarettes that he swore off reading. . . .
- Don't just read about our special buys in women's and children's wear, in men's and boys' apparel, in well-selected yard goods and quality made boots and shoes. See for yourself! Come in or call SIMPSON'S DRY GOODS, 12 Yonge St. South, Richmond Hill, Ont.



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