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Last week fire broke out in the jail at Elk Lake, and the building was burned down. As there was an electrical storm in progress in the early morning hours when the fire commenced, it is thought that lightning may have caused the blaze. There was no one in the jail at the time. It would be well for Timmins to consider what might happen here if a fire started in the jail building, with several prisoners locked up, and no officer left in charge of the jail, as often happens.

Young Man Given Year for Negligence in Charge of Auto

Jeckell's Term to be a Warning to Other Motorists Says Judge. Mrs. Beaudreault, Out on Own Bail. Lepine Given Four Years and Twenty Lashes for Attempted Rape. Timmins Woman Secures Property Decision. Other Supreme Court Cases.

At the Supreme Court at Cochrane last week, with Mr. Justice Wright presiding, there were a number of cases that were of special interest to Timmins and district.

The one that perhaps held the chief interest here was the charge of manslaughter against Allen Jeckell, a mining engineering student from the University of Toronto who has been at the Hollinger for some time past. The case arose from the automobile accident last May at the corner of Fourth avenue and Cedar street. Jeckell and Mrs. Ida Beaudreault were in a motor car, and in turning the corner the car ran up on the sidewalk. Mr. and Mrs. J. Wainio, who were walking on the sidewalk, were crushed up against the cement wall. Mr. Wainio had his leg and hip badly hurt, and is still lame from the injury after some time in hospital. Mrs. Wainio had one foot badly crushed. She was later taken to a Toronto hospital where she died from gas gangrene. Both Jeckell and Mrs. Beaudreault were charged with manslaughter. After a preliminary hearing Jeckell was committed to stand trial. There was not sufficient evidence to connect Mrs. Beaudreault with the case, as presented to the court, and the charge was dismissed against her after the preliminary hearing here. At Cochrane last week the charge of manslaughter and criminal negligence was again laid against Mrs. Beaudreault. Eventually the case against her was put off until the spring assizes, and she was allowed out on her own bail of \$2,000.00. Mrs. Beaudreault was not represented by counsel, and the Judge advised her to select from the legal talent available in the court room. At her suggestion, Mr. Frank J. Kehoe was assigned as her counsel and the earnest and capable way which he dealt with her interests with practically no time or opportunity to prepare the case, showed that she had made a good choice. Mr. W. A. Gordon, of Haileybury, was counsel for Jeckell, and gave his usual high talent and ability to the defence. The crown was represented by Mr. J. L. O'Flynn, of Sault Ste Marie.

The evidence for the crown was largely a repetition of that given at the coroner's inquest and at the preliminary hearing at Timmins. Dr. Wilson of Toronto General Hospital, said that Mrs. Wainio was a very sick woman when she reached Toronto. The case was diagnosed as gas gangrene. It was necessary to amputate her leg and gradually weakened and died. He thought the removal of the woman to Toronto might have hastened her death. The infection, however, he believed, had been seated in the wound at the time of the accident. Dr. Frankish, who performed the post mortem, would not say that she might have recovered had she not been taken to Toronto. He thought gas gangrene a very serious thing. Shock and loss of blood he thought were the chief causes of death. Dr. A. S. Porter, of Timmins, who treated the woman after the accident, described the injuries received. He had objected to the removal of Mrs. Wainio to Toronto, and had agreed only under protest and at the urgent solicitation of friends of Mrs. Wainio, and of Mr. Jeckell, who he understood was acting on legal advice in the matter. He thought it likely the germs of gas gangrene had entered the wound at the time of the accident. Emile Hardile repeated his evidence as to trying the hand brakes right after the accident, and finding them released. He said he knew nothing about cars, but did understand hand brakes. Jalmer Wainio, husband of the dead woman, said he had been struck unexpectedly and so dazed that he really knew nothing about the accident. His eleven-year-old daughter, Ora, also told the little she knew of the accident. She was walking with her parents when the accident occurred. Emile Anderson swore the car was coming "quick," but could not give anything definite as to its speed. Mr.

and Mrs. Victor Wenaliemen were close behind the injured couple. Mr. Wenaliemen was certain that Jeckell was at the wheel and that he stepped out of that side of the car. Pat White, mechanic, told of being sent to look after the car after the accident. His light way of giving evidence drew rebuke from the Judge. Misses Robertson, Rose Ayotte and Annie McGowan, first witnesses for the defence, gave evidence suggesting that Mrs. Beaudreault was driving the car along Fourth avenue. Mr. A. W. Pickering had spoken to Mrs. Beaudreault just after the accident, but his evidence was ruled out by the Judge. Col. S. B. Scobell, of Timmins, proved a clear and helpful witness. He described the position of the silent policeman, and said that the corner was a very difficult one at any time and at any speed. Edward Neald was not able to remember the evidence given by him at the inquest and so was not so satisfactory a witness. Miss Quinn, High School teacher at Timmins, described the car as travelling at a moderate speed when she saw it from a window. She did not see who was driving. E. Shinehoft, a truck driver, was sure a woman was driving the car. He said she wore a white coat with black spots. Dr. Joyal, who examined Mrs. Wainio the day after the accident, said she was making good progress and the patient's leg was in apparently satisfactory condition. He thought she would have had a better chance for recovery had she remained in Timmins. The germs he thought had likely entered the wound at the time of the accident, he told Mr. O'Flynn.

Mrs. Beaudreault was called, and her counsel, Mr. Frank Kehoe, asked for the protection of the court as against herself, and this protection was granted. She said she had driven a car a little before. On the afternoon of the accident she had driven the car from South Porcupine. At the corner of Fourth avenue and Cedar she had difficulty in turning round the silent policeman. She had become excited and remembered little else of what happened. She said that she had been persuaded to go for a drive with Jeckell, while her sister had gone in another car with Eric Bredenberg. At South Porcupine, at Jeckell's suggestion, she said, she had taken the driver's seat. At Schumacher she wanted to change back as she was nervous about driving in Timmins, but Jeckell had told her "she was doing fine." She had not found the brakes and steering wheel working well and had told Jeckell so. Asked in regard to the difference between her present evidence and that at the inquest, Mrs. Beaudreault said that Jeckell had suggested the evidence for the inquest and told her he would take the blame. At this stage the Judge called both lawyer to his room for consultation.

When court resumed, the jury was dismissed, and Mr. Gordon, on behalf of his client, entered a plea of guilty of criminal negligence. The Crown prosecution agreed to this, and to the withdrawal of the manslaughter charge. Mr. Gordon made an eloquent plea for leniency for his client pointing out that Jeckell had played a manly part throughout and that he was a young man of fine character and disposition. Character evidence submitted showed the high esteem in which Jeckell was held by his employers, associates and friends in Timmins, at Toronto University, in the Yukon and in other places. Mr. G. Black, M.P. for the Yukon, wired a recommendation as to the good character of Jeckell. Mr. E. L. Longmore, superintendent of the Hollinger mill; F. A. Reid, secretary of the Toronto University Athletic Association and others added their words of approval. Four Timmins men of standing gave further evidence of the appreciation in which Jeckell is held. Mr. Gordon urged that suspended sentence would serve all the purposes of justice. He said that Jeckell was a credit to himself, to his family and to the country, and that when he had made a mistake he had shown a fine type of manhood all the way through. Mr. O'Flynn said that Jeckell had acted a manly part and had made what amends he could. He also mentioned that the prerogative of the crown was to extend mercy. At the same time both the crown prosecutor and the Judge mentioned the fact that must be borne in mind—the consideration of the safety of the public. The people must learn, Mr. O'Flynn said, that reckless driving of automobiles can not be tolerated. Sentence was withheld until the end of the court. Jeckell was then sentenced to one year. The Judge made it plain he did not think him a criminal by any means. At the same time he suggested there was a possibility that the sentence might be much shorter than the term imposed. "It is an extremely painful duty for me to im-

pose any sentence," said the Judge. "but I do so solely as a warning to other drivers of automobiles."

Another case that originated in Timmins was that of E. Lepine, charged with attempted rape on a thirteen-year-old girl in the vicinity of Miller Lake. The Judge referred to the case as showing brutality, cowardice and evil, and sentenced the accused to four years hard labour and twenty lashes, ten in a month and ten a month before release. The girl was in company with some smaller children in the neighborhood of Dalton's farm. Lepine, according to the evidence was trying to get one of the smaller children to go with him when the older girl interfered. Lepine picked her up and carried her a distance and then attempted to assault her. The screams of the children attracted attention and the man fled. He was arrested later in the day at a hotel he entered.

John Flabrick, of Kapuskasing, was sentenced to eight years imprisonment for wounding his wife, and three years for attempted suicide, the terms to run concurrently. He pleaded guilty. The case is said to have originated from charges of infidelity he made against his wife, and a dispute regarding some property. Flabrick said that he "cut her on one cheek and then on the other,—one for each husband." Leaving his wife seriously injured in bed, he went out and attempted to kill himself.

A civil case from Timmins was that of Mrs. Courtemanche vs. A. Courtemanche and E. Laflamme. The case against the latter was dismissed. The suit was over four lots in the Mattagami district bought in 1916 from Mr. Laflamme for \$500.00. Mrs. Courtemanche said that it was her money that had paid for the lots, the money being paid, she said, from selling eggs and boarding prisoners. Mrs. Courtemanche said that advantage was taken of her lack of knowledge of the niceties of the English language to have her husband's name placed in the deed as owner. Mr. Justice Wright upheld the claim of Mrs. Courtemanche, although commenting that she had looked after her own interests pretty closely. The defence was that the lots had been bought by money from the couple, not from one, and that in view of the other property now in the wife's name, the division had been more than fair to her.

In the case of Roy Camley, of South Porcupine, charged with manslaughter in connection with the death of a bicycle rider hit by the bus driven by Camley on the Dome Road last spring, the Grand Jury returned "No Bill," and the young man was freed.

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NOTICE TO CREDITORS

In the Matter of the Estate of Jelle Rubric late of the Settlement of Schumacher in the District of Cochrane, Married Woman, deceased.

Notice is hereby given pursuant to Section 56 of the Trustee Act R.S.O. 1914 Chapter 121, that all creditors and others having claims against the Estate of the said Jelle Rubric who died on or about the 2nd day of September, 1923, at the Settlement of Schumacher in the District of Cochrane are required on or before the 10th day of November 1926, to send by post prepaid or to deliver to Bob Rubric, Schumacher, Ontario, the Administrator of the said deceased, their christian names and surnames, addresses and descriptions, the full particulars in writing of their claims, a statement of their accounts and the nature of the security if any held by them.

And take notice that after such last mentioned date the said Administrator will proceed to distribute the assets of the said deceased among the parties entitled thereto, having regard only to the claims of which he shall then have notice, and that the said Administrator will not be liable for the said assets or any part thereof to any person or persons of whose claim notice shall not have been received by him at the time of such distribution.

Dated at Timmins, Ontario the 30th day of September, 1926.

DEAN KESTER,
 Marshall-Ecclestone Building,
 Timmins, Ontario,
 Solicitor for Bob Rubric the said Administrator.
 -40-42-

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