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Inquest at South Porcupine Into Death of Mrs. Zigolette

Many Witnesses Heard Last Week in Reference to Crash Between Automobile and Motor Cycle, in Which Mrs. Zigolette, of Timmins Lost Her Life. Inquest Adjourned to Oct. 31st to Hear Evidence of Injured Man Now in Hospital.

South Porcupine, Ont., Oct. 9th, 1928. Special to The Advance.

On Friday, October, 5th, the adjourned inquest into the death of Mrs. Marina Zigolette took place at two p.m., Coroner Evans, presiding. S. Caldwell, of Timmins, was attorney for the Crown; G. Gauthier of Timmins, represented J. Gibson, driver of the motor car; and Mr. McColeman, of North Bay, acted for those injured on the motorcycle. Angelo Artuso is still under treatment at the general hospital Toronto. He was driver of the ill-fated motorcycle. His evidence and that of Dr. Harrison will be taken on October 31st, to which date the inquest was adjourned after the hearing of the witnesses present. The full force of the tragedy was brought vividly to mind by the wrecks of the motorcycle and auto which were brought into town and placed in front

of the court house for the jury to view. The side-car of the motorcycle was practically demolished while the right side of the car with broken light and fender showed the force of the impact.

The first witness called was Lorenzo Zigolette, whose bride of three months had died as the result of the accident, while he himself was on crutches, his right leg having been amputated. Mr. Joe Orlandi acted as interpreter. Zigolette stated that prior to July 5th he and his wife had lived with a brother, Clet Zigolette, at 21 Sixth avenue, Timmins, but since his coming from the hospital he had lived at 159 Balsam street south. On the fateful evening with his wife and Artuso he had left Timmins about 7.30 p.m., reaching South Porcupine about 8 p.m. They had gone to a friend's, Alfonso Campelli's, where they chatted for a while. There were three men and three women there altogether and they had a glass of beer each, some ice cream and bananas. He thought it was around ten when they started back to Timmins. It was a nice clear night and the road most of the time was good. (The blue print of the road was here produced). He said the accident happened just near the graveyard, just as they were going down hill a little. At this juncture, Mr. A. Gillies, surveyor, of Timmins, was called to explain the blue print of the location of the accident, which he had prepared. He explained that there were some holes on the north side of the road.

Dr. Barry (who needed to get away to be in attendance at a medical convention) was then called. He had assisted at the operation on Zigolette ten days after the accident and had administered anaesthetic to Artuso, for the setting of his arm.

Dr. McLaren, being called, said he had attended the three persons when they were brought to the hospital. Mrs. Zigolette had never regained consciousness and died without making any statement, about half an hour after reaching the hospital. He judged the cause of death was a fracture at the base of the skull but there were a number of other bruises and fractures. Lorenzo Zigolette had a lacerated right leg. Artuso had a bad fracture of the right arm and a cut on the head. It was necessary to amputate Zigolette's leg because gangrene was setting in.

Zigolette's evidence was then resumed. He was sitting behind the driver of the motorcycle and his wife

in the side-car. They had met and passed some cars safely. He couldn't say what their speed was as they approached the scene of accident as he couldn't see the speedometer but they couldn't go very fast as the roads there were not so good. They were on the right side of the road he judged, the lights on the car were so bright they couldn't see just where they were, but the car seemed to be coming straight for them. His partner cried out, "We're lost," and turned to the left. He thought the driver put the brakes on but there seemed to be nothing else to do but get to the other side of the road as the car was coming right at them. He thought the car might possibly be 150 feet away when they first saw it. He thought they were hit just before they got to the centre of the road, just after they turned. He was in such pain afterwards that he could not remember much but as well as he could recall the motor car was just a little past the centre of the road on the left side perhaps. The car was on the right. On being questioned by the foreman of the jury, as to where they were riding and the condition of the road, he thought they were about a foot or so from the side and that the most of the road was pretty fair.

A. F. Kenning, M.P.P., was next called and stated he was on the road on the evening of the 5th, arriving at the scene of accident possibly twenty minutes afterward. There were a number there then. He spoke to Gibson, who had a cut on his face, but so far as he could judge was normal and he did not smell liquor.

Here the jury went out to view car and motorcycle. On their return Mrs. Duncan of Schumacher was called. They were second car to accident. There was a young fellow there but she did not know him. When they got out of their own car Mrs. Duncan said she paid attention to the woman but the motor cycle was still on the road, the motor car being turned on side, as if it had been right on top of the motorcycle. They were moved while she was there. Zigolette was sitting on the road holding his wife's face in his hands close to his own. Artuso was possibly 20 yards away. She didn't notice Gibson at first. There was no sign of liquor about either Artuso or Zigolette.

Mrs. Shippam, who was in the car with Mr. and Mrs. Duncan, was next called. She said the motor cycle and car were both on their side near the centre of the road. The woman was unconscious, lying on Zigolette's knee, who said, "Put that man in jail; he hurt my wife." She was quite close to the Italians and stated emphatically there was no odor of liquor at all. The motorcycle had not passed them as they were coming from South Porcupine to Timmins. They were not travelling fast as there were some bad spots on the road.

Mr. Leamen, of Timmins, was called but stated he was not the first car there as there were quite a number there when he got there. As he was coming up the grade he saw someone move the motorcycle into the ditch. The lights were still on the motorcycle as it was being moved. He said the hill that he was coming to as they neared the scene of the accident was rough.

Mrs. Leamen corroborated much of Mr. Leamen's testimony and had been talking to both Italians. Artuso seemed to be in much pain.

Mr. Riley, called later, who was in the car with the Leamens said he could not add anything—more than the others had said.

Mr. Gibson, driver of the Whippet auto, was then called. He stated that on the afternoon of the 5th he had a business appointment in Timmins at two p.m. He thought it was after ten when he left there. He was at Mr. Brewer's in Timmins with Mr. V. Laffin as his own car was not ready for a while. He had made the bargain for his car about six o'clock. He had not taken a drink of liquor either during the afternoon or in the evening before he left. He had driven Laffin's car up to Brewer's. Laffin had left in his own car before he left with his as he had to see some men and drove around the block but not finding the men he wanted for lumbering operations he followed to South Porcupine. There was a McLaughlin car ahead of him that he followed most of the way. He didn't think it came back to the accident. Approaching scene of accident he thought he was going 20 or 25 miles an hour and was on right hand side of the road. He showed the Crown Attorney the location of the accident on the map of the road made by Gillies. He didn't see the motorcycle until it was possibly 50 feet in front of him. They just came up over the hill. Their light was dull and everything happened in such a flash that he just remembers swerving to the right and hitting the motorcycle. He thought he had put on the brakes but didn't remember shutting off engine. He was knocked out for a while and when he came to his senses there were other cars there. He did not think his car had been moved yet. It was turned nearly facing Timmins and on its side near the centre of the road. He got in with DeLorme and reported to Chief McInnis. Asked by the foreman of the jury how close to right hand side of the road he had been driving he thought that possibly it was two feet from that side coming from Timmins. Asked why he turned to the right as the collision happened then, he said that the motorcycle shot in on him so quickly that he turned to the right to get out of their way.

Crown Attorney Caldwell and the coroner commented on this when Mr. Gauthier explained that his client meant that he was 2 feet inside the as-

phalt and as there was another shoulder on the road, three feet in, thus Mr. Gibson would be driving five feet from the right hand side of the road coming from Timmins.

Mr. McRae of the Porcupine Garage, sold the car to Mr. Gibson. He was in a sober condition when the deal was made. He was called to the scene of the accident later, but everybody was gone. He stated that the right hand side of the road coming from South Porcupine to Timmins was in a terrible condition at that time. Mr. McDowell, the other partner of the Porcupine Garage, Timmins, saw Gibson around 6 p.m., and that he had not been drinking so far as he could see.

Mr. Desjardins, employee of Porcupine Garage, had delivered car to Gibson around 9.30 p.m. He was standing on side-walk when Gibson had pulled up with V. Laffin. He had said, "Your car is ready, Jim," and he had jumped in and driven away. As far as he could say he was all right.

A. Chisholm, another employee of the Porcupine Garage, saw Gibson making the deal and he seemed sober then. He lifted the car the next day.

Mr. Church, Timmins, was at scene of accident about 10.15 p.m. There were other cars there before him. R. Delorme and L. Torchia with him, helped move the motorcycle out of the way. Delorme said the motorcycle was about ten feet farther towards Timmins than the car. He had moved the motorcycle into the ditch to let some other cars go by. Gibson went in with them to see Chief McInnis.

L. Torchia, Italian barber, Timmins, was in front seat of his car with Delorme. What he took to be an Essex car was ahead of them. He told the location of the wrecked cars. He had talked to both Artuso and Zigolette. Artuso simply kept hollering he was hurt. He was talking to Gibson on way into South Porcupine and could not say whether he was drunk or sober as he didn't know anything about liquor. He said Gibson had passed them the other side of the bridge before the accident but as his own car had no speedometer they did not know what speed they were going. Asked how he knew it was Gibson who passed he said it was the only Whippet. Gibson and one other car passed them.

Delorme called back remembered Gibson passing. Said he couldn't swear to it but thought it might be three or four minutes before accident. Mr. Wynne, Timmins, was at scene of accident later; said Gibson was sober.

Dr. Brennan, Timmins, was also at scene of accident, thought both injured men were conscious.

V. Laffin, South Porcupine, had been with Gibson all afternoon,—did not have a drink with him, nor did not see Gibson take a drink. Laffin said he met the motorcycle at the top of the Foley O'Brien hill.

Constable Burwell, of Schumacher, got to the scene about ten minutes after the accident. Mr. Duncan's car had left to take the injured to hospital.

There was a good deal of wonderment as to who could have been in the supposed Essex and was the young man first to accident when Zigolette called his interpreter and pointed out a young man in the audience,—Mr.

Niemi, who was then called to the stand. He stated he was the first car to the accident. Gibson had passed him about the railway track, this side of Schumacher. They both passed several cars. He was driving a Pontiac. He thought Gibson was possibly 150 yards ahead of him. When he got there the car was on its side near the centre of the road and motorcycle more toward ditch but several feet towards Timmins from car. Artuso had arm broken; didn't answer him when he spoke; just yelled for help. Zigolette and his wife were close together. They put the woman in the back seat of his car and he took her to the hospital. He was not sure just where Gibson was travelling but according to his lights would say the middle of the road. He didn't see the accident, as he was paying attention to his own car at the time. The first he noticed was the smoke and the big noise.

Lecture Tuesday Evening Will be of Interest and Help

Timmins is to have the opportunity of hearing what has been described as a remarkable lecture, notable alike for its entertainment and the inspiring nature of its message. This is the lecture on the story of Jean Valjean, the leading character in Victor Hugo's well-known novel, "Les Miserables." The lecture will be given by Capt. H. C. Clugston, whose gifts as a storyteller and an entertainer have delighted audiences all over Canada. The Picking News says that Capt. Clugston is a most pleasing speaker and that his description of Jean Valjean is most vivid, and that he holds the rapt attention of his audiences from beginning to end. A Vancouver B. C. pastor refers to the lecture as fascinating in its entertainment and inspiration while Capt. Jones of the Y.M.C.A. at Halifax, says that after Capt. Clugston's lecture there, the audience "thronged around Capt. Clugston asking for further information regarding the word pictures that had so vividly been brought before them."

Capt. Clugston will deliver his famous lecture on Jean Valjean in the United Church, Timmins, on Tuesday evening of next week, Oct. 16th, at 8.15 p.m., under the auspices of the Young People's Society.

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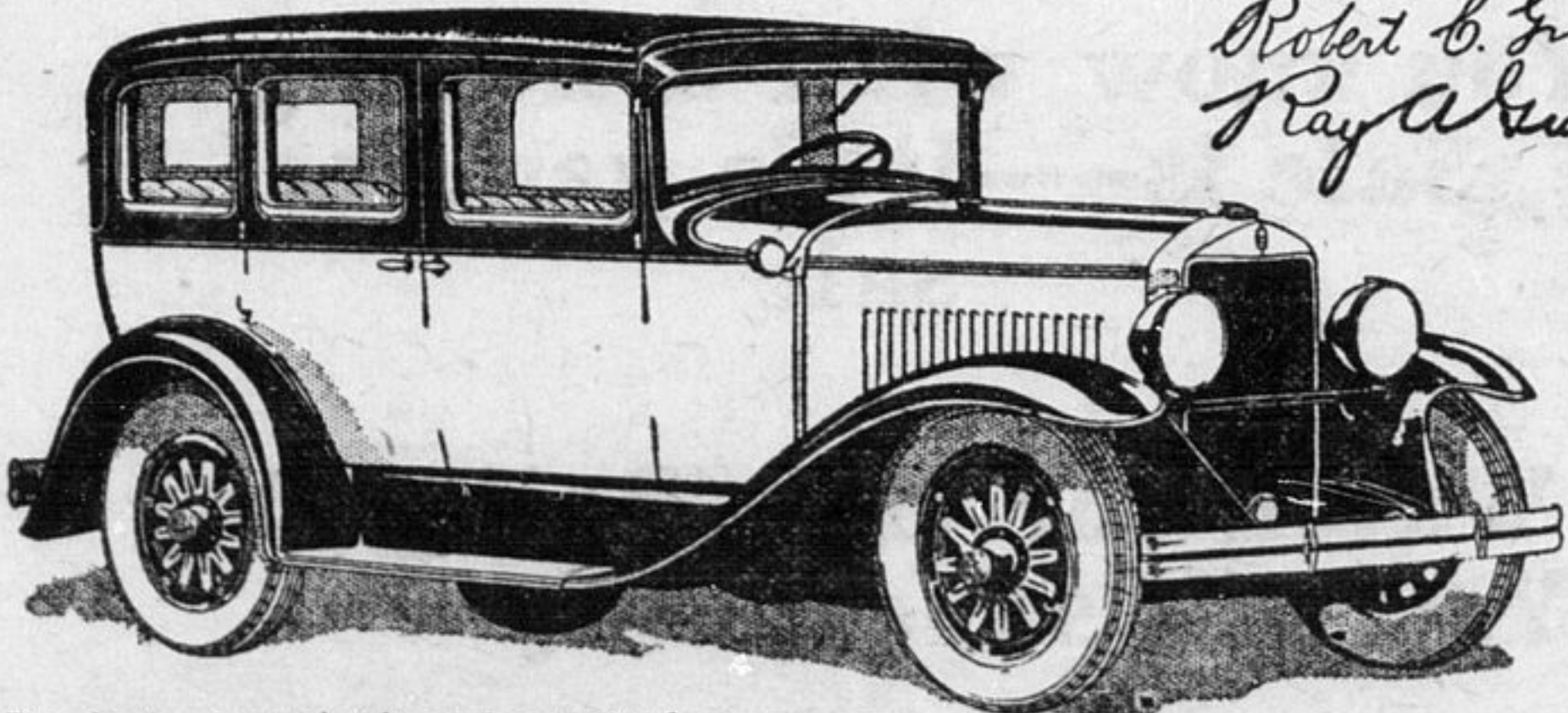
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