

Spinster's house a 'disaster' area

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Hess to ask Wardle to help her make a will.

She said she personally gathered together Miss Hess' stocks and interest cheques, which were kept in a buffet drawer in the Hess home, for transfer to term investments to be locked away in the safety deposit box.

The Lucas couple left in September, 1978. Within a few weeks, Vince Walsh, a 70-year-old former Queen St. second-hand furniture dealer and neighbor, moved in with Miss Hess.

Wardle said neither he nor his family knew Walsh, who also moved two oversized Alpine dogs and two bounding pups into the modest, two-bedroom house. Walsh lived there until Miss Hess died.

Kept from entering

According to Wardle, Walsh used his dogs to keep people, including himself, from entering the house. Though Wardle saw Miss Hess every week when she played piano Thursday nights at his Wardle Community Service Centre — a meeting place for seniors — he was only able to visit her home once, in November, 1979, shortly before she was taken to hospital, near death.

Peter Cranston, the doctor who saw her at home after being called by Walsh, is a provincial coroner. He described the house as "a disaster — something out of Dickens." There was dog and human waste about, a chaotic mess of torn newspapers, blackened fridge and stove, broken-down furniture and fruit flies.

Wardle said Miss Hess' house was "always dreadful."

After her death, Wardle arranged Miss Hess' funeral. In a death notice in The Star, Dec. 23, he wrote, "Miss Lillian Hess, dear friend of Mr. and Mrs. Thomas A. Wardle Sr. and Alderman Thomas A. Wardle."

Another plot

Wardle had her buried in Pine Hills Cemetery but later learned her family had a plot assigned for her at St. John's Norway Cemetery. "She never told us she had a plot," he said.

Several of Miss Hess' longtime friends were aware of her burial wishes and informed Wardle of his mistake.

No relatives were present at the funeral. Wardle said he didn't contact any because Miss Hess told him several years ago that her relatives "hadn't bothered with her for a long while." Wardle's lawyer, Donald Cosway, attempted to locate relatives but was unable to find any.

The Star contacted four of Miss Hess' relatives in the United States. They were appalled that they were not informed that "Lilly" Hess (as they called her) spent six weeks in hospital before she died. They said they were not informed of her death.

Didn't know Wardle

None of the relatives — all first cousins who had regularly written to Miss Hess and visited her over many years — had ever heard of Wardle or Mrs. Lucas from her. One cousin said she had last visited Miss Hess in Toronto three years ago.

Rev. George Hess of Florida angrily told The Star: "If Lilly had been in want, any one of us would have helped her. We would have gone to Toronto if we knew Lilly needed us."

He asked how his cousin could have starved when she had long owned "oodles of money" her father left her.

Alice Hess Durando of New Jersey re-



Named in will: Toronto Alderman Thomas Wardle Jr., was the sole executor and trustee of Lillian Hess' estate. He was also left about \$35,000 in her will which he said he didn't know about until recently.

acted strongly to news of her cousin's passing. "How come they didn't let us know? Something's fishy in the wind some place."

The family members are asking questions about how their relative died of malnutrition and neglect. And they want to know why the people to whom she left the bulk of her estate were not able to prevent the conditions leading to her death.

Questions were also asked by the law firm of Lyons Arbus. They became involved when Walsh took Miss Hess to them in July, 1979.

Miss Hess said she had no money in her bank account for living expenses. Lawyers contacted Wardle about his financial relationship with Miss Hess. He told lawyer Michael Sian that there were "sufficient funds" for Miss Hess' living costs and that he would do nothing to encroach on her capital investments.

Walsh had become upset with his living arrangements with Miss Hess in July, 1979. Miss Hess received \$342 per month from her old age and school board pensions that went directly into her bank account. She wrote cheques for \$60 every week for expenses — an amount she worked out with Wardle.

The interest from her investments went into a second account. Whenever it added to a worthwhile sum, it went into buying more term investments, which were locked away in her safety deposit box.

Interviewed alone

Walsh said hydro and tax bills depleted the chequing account and he was told by the bank there was no money to cover their weekly draw.

According to a bank employee, "I was so aggravated I could see the woman was starving and filthy. There was no money in her accounts. I couldn't get money from her safety deposit box."

So on July 19, 1979, Walsh took Miss Hess to Lyons Arbus, on the advice of the bank employee. Miss Hess was interviewed alone by a team of lawyers.

She told them she couldn't understand why she had an arrangement with Wardle that wouldn't allow her to get at her own money, without him. She said she wanted to make a new will.

Miss Hess said Wardle had been kind and she would leave him something but that others needed money more than he.

Wardle told The Star he called back Michael Sian to outline Miss Hess' income and expenses. According to the lawyer's notes, the \$60 weekly draw on her \$342 monthly income created an obvious shortfall, once extra bills (at least \$1,270 annually for hydro, taxes and telephone) were paid.

Wardle insisted in the telephone interview that there were "sufficient funds" for her living costs. He said Miss Hess got \$70 a week, although Walsh and lawyers insist it was \$60.

Couldn't proceed

"At the time Miss Hess visited Lyons Arbus, she was unable to remember Anita Lucas to whom she'd left her house and half her money. The lawyers felt they could not proceed with a new will while she was in a state of confusion and obvious poor health."

Instead, they tried to get information to assess her finances and get Walsh to take her to a doctor.

But they were blocked at every turn. A bank employee delayed getting documents for fear of losing a job. Wardle told the firm he would do nothing to encroach on Miss Hess' capital money tied up in investments.

Miss Hess' health worsened. Wardle spoke to a public health nurse who visited in October. She gave Miss Hess a bath, but the elderly woman refused to see a doctor.

Walsh finally called Dr. Cranston in November, when Miss Hess was on the brink of starving to death.

Wardle said he was "surprised" at Miss Hess' condition when she was taken to hospital. Asked if he hadn't noticed her emaciated, under-54-pound frame, he replied: "She was never a fat person. She was very thin-framed."

Cranston said in an interview that Miss Hess was "probably deteriorating for several months. If someone had the responsibility to look after her, they weren't doing it."

He said he noted a message over Miss Hess' telephone that said to call Wardle in case of emergency. There was no answer at the numbers listed when he called.

Wardle's lawyer, Cosway, told The Star Wardle had "a relationship of trust" with Miss Hess.

Lillian Hess did not change her will. She did not recover her physical and mental health in hospital. On November 12, 1979, a hospital psychiatrist declared her mentally incompetent. Her finances passed into the hands of the public trustee.

After her death, her last will — which left Wardle and Mrs. Lucas some \$70,000 between them — came into effect.

Wardle told The Star that inquiries and allegations made by Miss Hess' friends and questions about his role in Miss Hess' life were "upsetting."

"I did everything possible to look after her finances. I tried for herself, too, but she was very stubborn, very stubborn."

"Bear in mind she was a Christian Scientist and refused medical help. It was her overriding principle."

"She insisted on having it her way."



Piano player: The second greatest love of Lillian Hess' life was the piano and she played it with gusto at the Wardle Centre and the Monarchist club and

for senior citizens in the Beaches community where she had lived since 1910. In her lifetime she touched the lives of scores of people.

HESS, Lillian — At the Toronto General Hospital on Saturday, December 22, 1979. Miss Lillian Hess, beloved daughter of the late Mr. and Mrs. Lawrence Hess, dear friend of Mr. and Mrs. Thomas A. Wardle Sr. and Alderman Thomas A. Wardle. Friends will be received at the Austin J. Mack Funeral Home, 1986 Queen St. E. (at Waverley Rd.) on Sunday after 2 p.m. Services in the chapel on Monday at 10 a.m. Interment Pine Hills Cemetery.

The death notice apparently wasn't seen by any of her relatives

Balked in love, Lillian Hess turned to music

In her lifetime, Lillian Hess touched the lives of scores of people in the Beach neighborhood.

Living frugally in the house her parents left her, she secured a nest egg of about \$118,000, while still generous to friends who needed help.

Hers is the story of Toronto and its quaint, village-like Beach area over the span of the 20th century.

Lillian Hess was an only child, dominated by her devout Christian Scientist mother. Her family moved to the Beach area in 1910 when Lilly was 11. She lived there ever since, just steps from the famous boardwalk and across from Kew Gardens Park where she loved to stroll.

She had one major romance at 18. But her mother disapproved of her choice and cut off her plans to marry. The petite young woman turned to her second love — music.

She went to work for the Toronto Board of Education as a principal's secretary. Her father, Lawrence Hess, died when Lilly was 40, leaving her the house and in-

vestments like boom stocks in Hollinger Mines Ltd and Noranda Mines Ltd.

When her mother, Edith, died, she left her daughter with no idea how to care for herself. Lilly, at 56, had never cooked or cleaned house.

Retiring from work after 35 years, Miss Hess plunged into a busy daily schedule as a volunteer pianist for the Beach community. She played regularly at the Wardle Centre and the Monarchist Club where the Wardle family were involved.

It was natural that Miss Hess would seek help from Tom Wardle Jr., a junior alderman since 1976, when she faced her first crisis in the summer of 1977.

Years of neglecting her home had caused a neighbor to lodge a complaint with City Hall. A Toronto buildings department report showed 50 "deficiencies" at 21 Lee Ave. at the time of inspection.

Friends helped her clean up the mess of strewn papers, heaped clothing and broken furniture she'd accumulated. But they advised her to ask Wardle to clear

the rest of the work orders as she was ill from strain.

The municipal file on the Hess home is marked "completed" as of September 23, 1977.

It was then that her health began to fail. A public health nurse who visited Miss Hess as a result of the city inspection called for mental health assessment. On Dec. 8, 1978, a community mental health worker said Miss Hess was "eccentric" but not mentally incompetent.

(By definition, mental incompetence would have meant the transfer of Miss Hess' finances to the protection of the provincial public trustee.)

Three days later, on Dec. 11, a Christian Scientist nurse who visited Miss Hess at the request of a friend, noted she was incapable of making a decision or looking after herself.

Friends nursed Miss Hess back to health — ignoring peculiarities like her disinclination to wash herself or use a toilet instead of a pail — until April, 1978, when Anita and her husband Lucas arrived

Mrs. Lucas, who says she knew Miss Hess 25 years and was "best loved" of her friends, told The Star: "I did my best for Lillian. I cleaned out 30 boxes of her clothing with her. She was a recluse who wanted to hang onto everything, even her father's old clothes."

"I took all her valuables, including her father's gold watch in her purse, and put it all in the safety deposit box. People were trying to steal from her."

After Mrs. Lucas left and Walsh moved in, Miss Hess' friends found her roomer was unwilling to let them talk to his charge on the phone or allow them to visit.

Mrs. Lucas recalled dropping in "unexpectedly" on Walsh last summer when she was in Toronto on business: "Vince was cooking chickens in two pots. They went to the dogs, not Lillian."

She says she spoke to Wardle about Walsh. "I asked if we can get him (Walsh) out. Mr. Wardle said, 'Why don't you walk right in?'"

"I told him I couldn't go in there until it was fumigated."

Seaton plan 'botched from beginning', critics say

Seaton, the proposed town that was scuttled by the province Thursday, has turned out to be "the most expensive white elephant in Ontario history," New Democratic Party leader Michael Cassidy charged yesterday.

Cassidy said the "whole project has been botched from the very beginning."

But, he said, "it makes sense for the government to admit it blundered rather than go on pretending they could develop the town."

Housing Minister Claude Bennett has said the government won't start Seaton for at least five years.

The proposed North Pickering town on \$280 million worth of provincially-owned land was intended to house 78,000 people, by the year 2008, but development hasn't kept pace with projected figures.

Liberal Party treasury critic David Peterson (L—London Centre) said yesterday the government's scuttling of Seaton is "a drop in the bucket beside \$800 million in land the province has assembled."

The interest the government is paying

on that \$800 million worth of land would keep several Ontario hospitals open, he said.

Peterson said despite Bennett's contention Seaton was only delayed and not killed, "it's deadlier than a doornail and it's a shameful waste of public funds."

He said the expropriations, takeovers and evictions "which have caused so much heartache for Ontario residents were all done because the Davis government wanted to reshape the face of the map."

The government is holding onto the \$800 million worth of land because it can't even sell it for two-thirds the price originally paid for it, he said.

A spokesman for Ontario Liberal Leader Stuart Smith, who is vacationing in Montreal, said "the government's plan for North Pickering was ill-conceived in the first place and we are glad the government has come to its senses."

The spokesman said "it was a complete waste of \$280 million of taxpayers' money and another example of bad government planning."

For some, bitter legacy all that's left

By Marilyn Dunlop Toronto Star

Three years ago tomorrow, Roy Bambrugh and his two daughters were forcibly escorted from their home by bailiffs, evicted by the Ontario government which had expropriated their land.

Bambrugh's 12 acres were part of the 25,000-acre land parcel in North Pickering the government intended to turn into a new town to be called Seaton. Building was to start in 1982.

The government plan sounded the death knell of the Bambrughs' family dream. "It was one of those possibly impossible dreams," Bambrugh said yesterday, "of three generations living together passing on information from one generation to another."

Yesterday Bambrugh learned his dream had been destroyed. "For no useful purpose," Housing Minister Claude Bennett announced the project was "being buried."

Not that Bambrugh is sorry the project has been scrapped. "It would be a disaster if they had gone ahead," he said.

But he is still bitter and angry it ever began, causing havoc in the lives of hun-

dreds of people. The government expropriated 730 properties. Several hundred others were sold voluntarily.

Bambrugh's wife, Sheila, had her first heart attack when she learned in 1972 the government planned to take over their land. She has had seven more heart attacks since which Bambrugh blames on the strain. "I've had one myself," he said.

His daughter, Helen, he says, "weeps every time she goes by the place. It is now occupied by nine unrelated hippies and one female child."

"Bambrugh fought the province for five years before he was evicted. 'I think I was the only one physically forcibly removed,' he said.

Would he go back and try to piece together his dream? "Claude Bennett must answer one question first," he said. "Is the government prepared to register a notice of abandonment of expropriation?"

As it now stands, he said, "the corpse (of Seaton) is strangled but buried alive." The civil service retains title to the land. It would also depend on the price and how long it takes to wind it all down. "I've been licking my wounds for three years

and now I'm ready to come out fighting."

The North Pickering plan also created chaos in the lives of Heather and Terence Dinsmore and their three children. "Our way of life was destroyed," she said yesterday. "That was our dream home. We were very happy there. We've never adjusted, never found a place since where we were happy."

The Dinsmores live in Brooklyn today. They sold their five acres with a 10-room cedar chalet and stable in 1972 for \$45,000. They were among the first to sell. "We were told that if we waited for expropriation we'd get less," she said. "We've been in debt every since. We now have a little house on a small lot. We had to sell our animals."

Mrs. Dinsmore, a nurse, worked part-time seven years ago. "Now," she says, "I have to work full time just so our family can survive."

She goes back to see the North Pickering house every month. "I have for seven years. There are kids living there and there's garbage all over and it looks like a wreck. It's been rented out since 1974. There is nothing I can do about it but I

have an awful lot of anger."

Would she go back? "I don't believe it would be possible," she said. "We couldn't afford to buy back our own place."

But even if they were offered it for the price the government paid them, "I'd have to think about it." She was one of 27 homeowners who complained to then Ontario Ombudsman Arthur Maloney, about the price they were paid after they found those who held out for two years got much more. The case of the 27 is still before the Supreme Court of Ontario.

Lawyer Eugene LaBrie, who built much of the beautiful home on the 100 acres he and his wife owned, reacted to Bennett's announcement with numbness. "After eight years of this you get sort of numb and that is the way I feel now."

LaBrie continues to live in his house, renting it from the government.

Godfrey approves Bennett's intention of renting to young farmers "but Bennett has not said on what terms. It should be long leases — 99 years — so a farmer can feel he can leave the land to his son. When people think it is not going to be theirs next year, they don't care about the land."