

# Listowel Banner

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## Motorists, pedestrians both need to be vigilant, police say

BY ANDREW SMITH  
BANNER STAFF

**NORTH PERTH** – Although new legislation on pedestrian crosswalks has little impact on Listowel and area, OPP are still advising motorists and pedestrians to keep their eyes open for each other.

Starting Jan. 1, 2016, new legislation went into effect requiring drivers and cyclists to yield the whole roadway at pedestrian-activated crossovers, and wait until all pedestrians have made it clear to the other side. The legislation only applies to pedestrian crossovers identified by specific signs and lights, but OPP media relations officer Const. Kees Wijnands said that Listowel has no such pedestrian crossovers.

“It doesn’t refer to any other type of crosswalk,” he said. “As soon as they don’t have that [sign] the legislation doesn’t apply to those crosswalks.”

Wijnands said the legislation was slightly ambiguous when it was first announced, but the actual scope of the new law is quite small, and only applies to large urban centres.

“When this was put out, it made it seem like a pedestrian crossing anywhere at a crosswalk, you’d have to wait until they make the complete cross,” Wijnands said. “That’s not the case unless they’re at those particular crosswalks.”

However, that’s not to say North Perth has nothing to worry about when it comes to pedestrian safety.

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Dan McNee/Banner Photo

**TREACHEROUS CONDITIONS** – North Perth fire crews attended to the scene of a collision between a tractor-trailer and two passenger vehicles on Highway 23 north of Gowanstown on Monday, Jan. 18 just after 4 p.m. A fire destroyed all three vehicles involved, while Highway 23 remained closed between Listowel and Palmerston for several hours as whiteout conditions blanketed the area.

## Text messages, laptop examined at Schweitzer trial

BY CHET GREASON  
SPECIAL TO THE BANNER

**STRATFORD** – Text messages released by the crown to the courtroom on Wednesday, Jan. 13 show that murdered Milverton teenager Nicole Wagler and her accused killer Michael Schweitzer were in regular contact in the days leading up to her death on the evening of Dec. 4, 2012.

It was previously known that Wagler had had sexual relationships with both Schweitzer and his roommate, Tyler Baker, at multiple points, and at one point simultaneously a month prior to the shooting. Baker was shot in the face by the same shotgun that killed Wagler in the same room, in the home he owned in Milverton in which he rented a room to Schweitzer.

Although Baker survived, he says he retains no memory of the shooting, nor the events leading up to it. Schweitzer’s defence has accused Baker of being Wagler’s killer, and has been attempting to portray the shootings as a murder/failed suicide.

Judging by the texts, the relationship between Schweitzer and Wagler could be described as rocky. Wagler, at times, expresses frustration with Schweitzer, at one point accusing him of sending an abusive text to her ex-boyfriend from a blocked number. Schweitzer, meanwhile, accuses Wagler of liking Baker more than him, while repeatedly asking her to come over, often for a drink, once to “cuddle.”

Shortly before the day of the shooting, Wagler tells him that she “doesn’t want to be asked for sex

anymore.”

“I always get bugged (for sex) when I’m there,” she later clarifies.

The day of the shooting, Wagler texted Schweitzer, asking “What crawled up your bum and died?” She says that Schweitzer and Baker don’t text her anymore. At 5:30 p.m. Schweitzer replies to her, “You pissed me off.”

Later that day, Schweitzer invites Wagler over to the house to have drinks with him, Baker, and two friends who were visiting. She arrives, and the two friends leave shortly after.

At 9:47 p.m., Schweitzer texted Wagler, saying, “I love it you are way more interested in him.”

Wagler replies with “Nooo.” “Really, you seem pretty hard on him.”

“No I’m just sitting here about to

leave.”

The last text is sent at 9:50 p.m., in which Schweitzer simply says, “Yea OK.”

If the Crown’s evidence is to be believed, Wagler and Baker were shot less than five minutes later.

### A MATTER OF TIMING

Time was then spent trying to identify exactly when the shooting took place. To do this, the crown called retired detective sergeant James Falconer to the stand. Falconer now does contract work with the OPP in computer forensics and data recovery.

A laptop, taken from the living room where the murder occurred and which sustained damage during the shootings, had had data retrieved from it by Falconer’s staff.

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