

Dismissal Motion For Youth Denied In Murder Charge

GODERICH, Ont. (CP)—A defence motion for adjournment of the preliminary hearing into a charge of murder against 14-year-old Stephen Truscott of the RCAF station at Clinton, Ont., was denied Monday by Huron County Magistrate Dudley Holmes. Defence counsel, Frank Dou-

glas, moved for adjournment on the basis of uncompleted studies on stomach contents of the 15-year-old Clinton school girl, Lynn Harper, found June 11 in a deserted woodlot strangled with her own blouse. The girl and her parents formerly lived in Moncton, N.B.

Earlier in the hearing the time of death was established by pathologist, Dr. J. L. Peniston by means of a cursory examination of food in the girl's stomach. He said she died about two days before the autopsy, about 7:30 p.m. **SAW COUPLE** Mrs. Anne Nickerson testified she saw Lyne and the accused together at the station's school where she was conducting a meeting of a brownie pack. She said Lyne left the area walking with Stephen Truscott between 7 and 7:10 p.m.

Warren testified, he saw Stephen returning from the direction of the river about 30 minutes later and he said he was alone. Earlier the dead girl's mother Mrs. Shirley Harper, testified her daughter had been annoyed when she left home. The annoyance sprang from her parents' refusal to let her go swimming. Dr. Peniston said he found the body with a blouse tied about the neck, a knot under the left jaw. There was evidence of a sexual attack.

No Jurisdiction Claimed In Breach Of Contract

ST. JOHN'S, Nfld. (CP)—Lawyer Fabian O'Dea said Tuesday the Newfoundland Supreme Court didn't have jurisdiction to hear a provincial government suit alleging breach of contract by Central Mortgage and Housing Corporation, a federal government agency.

Mr. O'Dea is representing CHEMC in the hearing which resumed Tuesday after an adjournment June 29.

The hearing now has been adjourned until sometime in August. No date was set.

Mr. O'Dea told Mr. Justice Sir Brian Dunfield that under the National Housing Act CMHC had the same power as a minister with one important exception—the corporation couldn't sign an agreement with a provincial government for the federal government.

PROVINCIAL VIEWPOINT The provincial attorney general's department alleges that the federal government took over

the administration of 162 rental units from the St. John's Housing Authority, contrary to agreements signed in 1955-56, and turned it over to CMHC.

Mr. O'Dea said the federal and provincial governments were the principals of the agreements and only the principals could be sued.

"The obligations (of the agreements) are direct obligations of the federal government."

He said if the court does decide to continue the case it will have to consider evidence showing that the St. John's Housing Authority "has never been properly constituted."

The provincial Stum Clearance Act allows for formation of the authority through order-in-council. But the order was never given, he said. Seven members were appointed to the authority through a 1959 order-in-council but the authority itself was never given any powers.

CURIOUS OVERSIGHT Sir Brian said the authority has been operating for years. "Here we have a curious oversight that was discovered eight years later." He later suggested that the order-in-council should be passed immediately and that "we ought to accept the situation that everybody has been accepting."

Mr. O'Dea said CMHC has spent about \$2,000,000 on the low rental project and the corporation didn't want to turn the units over to a body that doesn't exist. The judge suggested that this "technically has been used to evade the issue." The authority had entered into and completed several agreements over the last eight years. He estimated that the authority has leased about 1,600 units.

LEASERS INVOLVED? "Are these leases to become invalid?" he asked.

Mr. O'Dea said the defence denies the authority is entitled to take over any of the units which were built under a federal-provincial-municipal scheme.

The two agreements in question were signed May 28, 1956, and Aug. 15, 1956, by the federal government, the provincial government and CMHC.

Agreements said the units would be turned over to the authority on completion.

D. W. K. Dove, counsel for the attorney general's department, said he would not argue about the authority's legal standing. "There may be other evidence available that will clarify the situation."

The plaintiff has asked the court to declare the 1955-56 agreements valid, to issue an order directing CMHC to turn over management of the units, to assess damages and costs and for an injunction restraining CMHC from repeating any of the alleged acts.

Magistrate Holmes cleared the court room of youthful witnesses as the hearing opened.

The boy was originally charged under the Juvenile Delinquents Act but on June 30 his trial was ordered into an ordinary court by Magistrate Holmes sitting then as a juvenile judge.



AT MONTAGUE REGATTA

Adding color to the scenic beauty at the Lower Montague Regatta yesterday was the catamaran owned by R. K. Clements of Montague. It is the speediest sailing craft in the area and drew a great deal of attention with its red and white sails as it sailed swiftly around the harbor.

MISCOUCHE

Marie DesRoches, Mass., U.S.A. arrived in Miscouche on Tuesday and is visiting at the home of her sister, Mrs. William Perry. Marion and Jennie McNeill of Charlottetown recently spent some time in Miscouche visiting at the home of Mr. and Mrs. Pictou Brown.

A pretty wedding took place at St. John The Baptist Church, Miscouche, when Emillienne DesRoches became the bride of Cecil Ramsey, Fr. J. D. Kelly officiated.

Sophie Gallant, Wellington, recently visited in Miscouche as guest of her aunt and uncle, Peter Steele who is employed in Northern Quebec, is spending several weeks in Miscouche, the guest of his parents, Mr. and Mrs. Percy Steele.

Raymond Haywood of Saint John, N.B., was a recent visitor to Miscouche guest of his sisters, Mrs. Peter DesRoches and Mrs. Douglas Steele.

Harold Perry, Miscouche is much improved after having spent some time in the Prince County Hospital where he received treatment.

Anna DesRoches who attended school in Saint John, N.B., is spending the holidays at the home of her parents, Mr. and Mrs. Phil H. DesRoches.

Sympathy is extended to D. E. Gallant of Miscouche on the death of his brother John. Mr. Gallant passed away at the home of his brother Carl in Buffalo, New York.

Elaine Gallant of Miscouche recently spent a week in Montague visiting friends.

Eddie Laughlin of Miscouche recently spent some time in the Prince County Hospital where he received treatment.

Mr. and Mrs. Ben DesRoches and two sons, Donnie and Aubrey, of Miscouche, are spending some time at their cottage at Bloomfield.

AT WHITE HUNTERS . . . AND NO WHERE ELSE

1959 FIRESTONE Refrigerator SALE

FROM **\$159.95**

AND CLASS "A" TRADE-IN

FIRESTONE ELECTRIC WASHER \$119.95 AND CLASS "A" TRADE-IN

FIRESTONE HOUSE PAINT REG. 5.95 3 gals. \$10.00

Power Lawn Mowers \$39.95 WITH TRADE

FIRESTONE HOME & AUTO CO. LTD.

CHARLOTTETOWN SUMMERSIDE

McCREADY'S VINEGARS

McCreedy's made the best vinegar 55 years ago — and are still making the best vinegar today!

- for salads and everyday use, we recommend McCreedy's "White"
- for all home pickling needs, none can compare with McCreedy's "Special Pickling" or "McCreedy's Proof" (depending on the strength you prefer).
- these vinegars are the finest on the market for home pickling.

McCreedy's Vinegar is Manufactured in Saint John, N.B., and is a Genuine Product of The Maritimes

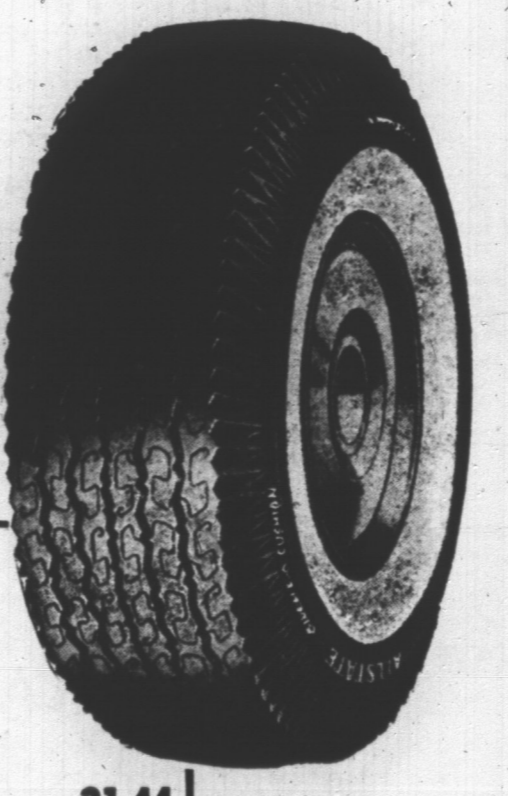
"insist on McCreedy's . . . do not accept substitutes"

most inexpensive salesman you can employ . . . a **GUARDIAN - PATRIOT WANT AD**

Phone 8506

No matter what kind of a car you drive you will feel safer and be safer with Allstate Tires. The famous Allstate guarantee is honored anywhere on the North American continent — simple proof that Allstate is dedicated to the needs and safety of the motoring public.

Have ALLSTATE CAN TRAVEL



18.44 6.70 x 15 No Trade-In Required

25 MONTH ROAD HAZARD GUARANTEED

NOW! SILENT CUSHION with * TYREX!

Tyrex, developed for new 1959 cars, now available in "Silent cushion" tires for new safety. Special buton silencers in the ribs make "silent cushion" the most silent tires we know! 100's of tread sipes for surer, safer stops!

Certification Mark Tyrex Inc., for Viscose Tire Cord.

6.70 x 15 Silent Cushion Tubeless	21.44
7.50 x 14 Silent Cushion NYLON Tubeless	22.45
Allstate Heavy Duty Tubes 600 x 16	2.70
Allstate Heavy Duty Tubes 650/670/710 x 15	3.20

NEW ENGINE GUARANTEE

ALLSTATE carry the same guarantee as new car engines!

FULLY REBUILT AUTO ENGINES

ALLSTATE BATTERIES

Factory fresh Allstate Batteries are Canada's most powerful batteries.

Allstate "16" Guaranteed 50 mos.	14.94
Allstate "30" Guaranteed 30 mos.	11.95
Allstate "43" Guaranteed 30 mos.	14.95
Allstate "45" Guaranteed 30 mos.	16.38

ATTENTION MR. TRUCKER

6-ply Allstate Rugged Lug Truck Tire

650 x 16	35.95
10-ply Allstate Rugged Lug Truck Tire	
750 x 20	79.00

Shop and Save at **SIMPSONS-SEARS**

129 Kent St. Charlottetown Dial 3188

DOLLAR DAYS

PEANUT BUTTER 3 16 OZ. YORK 1.00

JUICY ORANGES SWEET 3 DOZ. 1.00

Graves BEANS PORR

CUT-RITE WAX PAPER 100 ft. Roll 29c

CHUM 15 OZ. DOG FOOD 9 Big Cans \$1.00

DUCKS FRESH FROZEN LONG ISLAND DUCKS TRY ONE THIS WEEK

53c Lb.

FREE DELIVERY AJ. ZAKEM'S THE BEST SHOP TO SHOP BEST

TRY OUR OLD CHEESE WE DELIVER DIAL 8589