

Man gets six months for local traffic fatality

By ANI PEDERIAN
Herald staff writer

A Toronto man found guilty of criminal negligence in the death of Georgetown resident Bill Smeaton last Aug. 27 was sentenced Tuesday morning to six months in jail. His driver's licence was also suspended five years.

Milton county court Judge James Carnwath recommended a temporary absence program for Jorge Vicente, 33. That means Mr. Vicente may continue his job at Meadowglen Mushroom Growers Ltd. in Glen Williams and serve his jail term nights.

The sentencing followed the guilty verdict delivered May 12 by an eight-man, four-woman jury at Mr. Vicente's trial on the charge of criminal negligence.

Mr. Vicente was charged after his car crossed the centre marking on

Guelph Street to strike a cyclist on the shoulder of the road off the opposite lane.

Bill Smeaton was bicycling to work at Standard Products (Canada) Ltd. on Guelph Street when struck last August by the blue 1975 Chevrolet Monza driven by Mr. Vicente. Mr. Smeaton suffered multiple injuries in the accident and was pronounced dead at the scene of the accident.

Calling Mr. Vicente a co-operative, willing, hard-working person, defense attorney Frank Mott-Trille of Toronto said his client has no previous criminal record and has suffered a lot already through the trial process and press coverage.

He told the judge that Mr. Vicente has expressed a great deal of remorse and it would be pointless to prolong the agony Mr.

Vicente and his family have experienced.

"He's not a criminal. He's not a bad man. I don't know why he's being detained," his wife Maria Vicente said through tears.

Speaking through Portuguese interpreter Virgilio Brum, Mrs. Vicente said since her husband was taken into custody she has had to borrow money. She testified that she works part time and earns \$110 a week. Their two daughters, 11 and five years of age, are always asking when their dad will be coming home, she said.

A carpenter for two and a half years with Meadowglen, Mr. Vicente's employer is waiting for his return to work. During the trial, Meadowglen owner Ernest Stroke testified that Mr. Vicente has been a diligent worker, never missing time from

the job. Calling Mr. Vicente a productive member of society, Mr. Mott-Trille asked the judge to not give Mr. Vicente a long period of incarceration. Without assets, he said the family would have to go on welfare and be a burden to the community.

The defense attorney suggested the time in custody be limited to the 69 days already served by Mr. Vicente, or at most 90 days. He also said that this, plus suspending Mr. Vicente's driver's licence and putting him on probation, was sufficient punishment.

In response, Judge Carnwath said he considered the matter of deterrence to others important in his decision.

Mr. Mott-Trille said there had been extensive press coverage of the accident and trial which he claimed will act as a

deterrence to others.

Meanwhile, crown attorney John Ayre recommended that the accused receive further incarceration ranging from 12 to 18 months on top of the time Mr. Vicente has already spent in custody. In a strong stand noting the frequency of criminal negligence charges before the courts, Mr. Ayre recommended substantial time in reformatory and suspension of driver's licence be given those found guilty in such cases.

"The slaughter on the highways has to stop. The number of highway traffic deaths increase but the accidents don't stop," Mr. Ayre said.

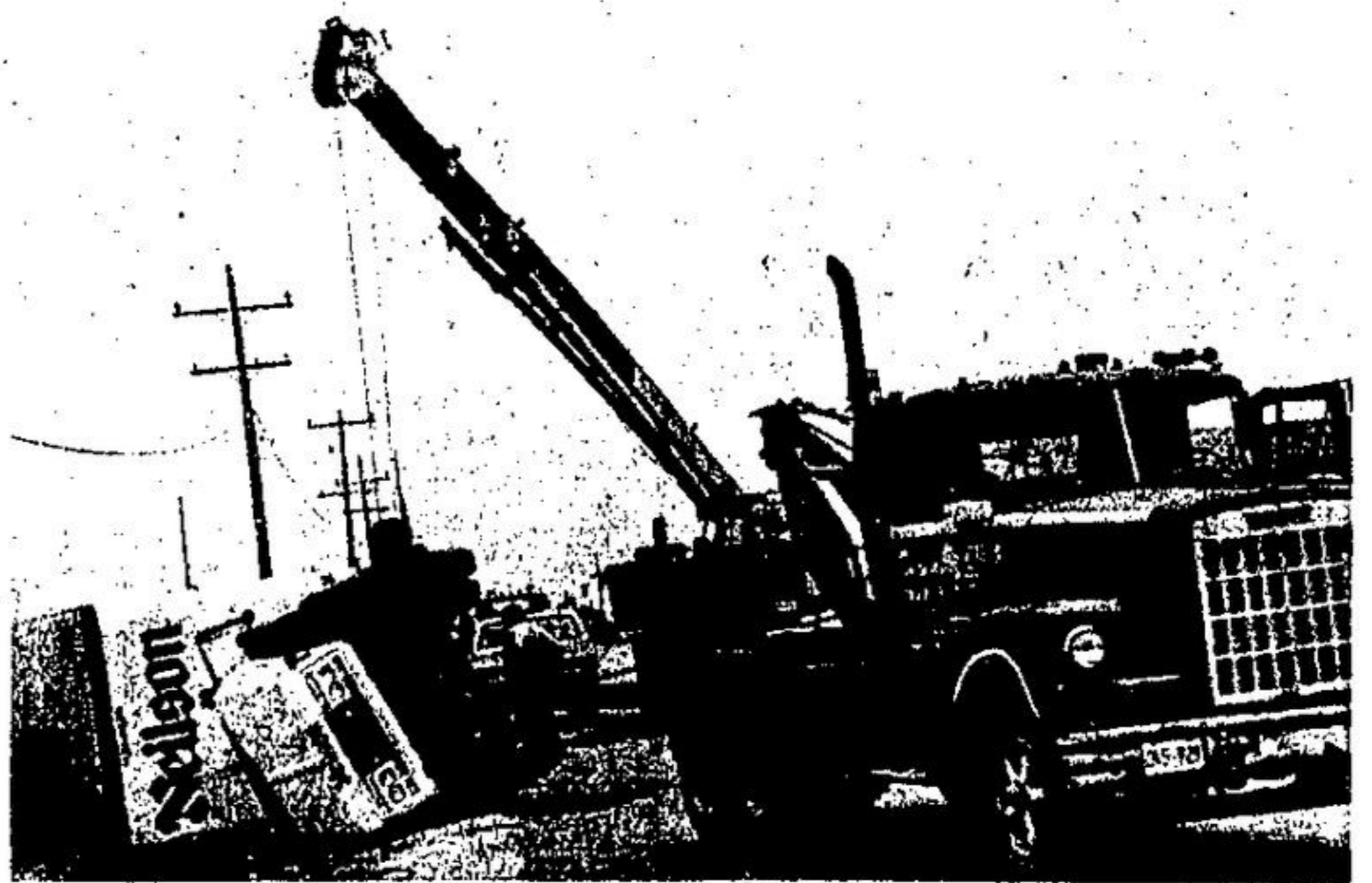
"In making my inquiries I was surprised to find that fewer Canadians died in World War 2 than in the six years preceding 1981 on the highway," he said.

Mr. Ayre noted back in the 1950s licence suspensions tended to be for life, now a licence suspension is limited five to seven years.

Judge Carnwath said the prospects of rehabilitation are very good in Mr. Vicente's case and a period of probation isn't required.

He noted Mr. Vicente is highly regarded by his family, employer and the Portuguese community.

As for Mr. Vicente's practice of consuming four or five ounces of brandy on an empty stomach in the morning, which was disclosed during the trial, the judge said it was a practice which must be unlearned and abandoned.



CHOCOLATE SHAKE

Traffic along Sinclair Avenue in Georgetown was slowed for a few hours Friday afternoon after a Nielsen's tractor-trailer rolled over on its side about a block away from the William Nielsen Co. Ltd. warehouse. On his way to the warehouse, driver Edward Muise of Scarborough found that the truck's steering column had locked. He

had just turned right from Highway 7 and the truck veered towards Sinclair Avenue's eastern shoulder, ran off the road and rolled over with its cargo of chocolate bars. Mr. Muise was treated for minor injuries and released from Georgetown and District Memorial Hospital.

(Herald photo)

Riding the Recession

A Herald special report, returns Friday

No barbecue for tourney

Continued from Page 1

future talks. Although the centre does have a "community hall", Mr. Saric expressed doubt that it could be used to feed the crowds out for the tournament.

Supporting council's tight controls on the application, Coun. Russ Miller said that it is "human nature" for people to get noisy when they drink, adding that he didn't like the idea of allowing liquor to be consumed throughout the centre's property. He suggested that drinkers should be served and remain in one location.

"I'm just afraid it will be one of those weekends when we (Esqueating Councilors) will get hundreds of calls about problems at the centre," he said.

William Whiteacre, the centre's lawyer, told councillors that there are plans to eventually move the barbecue pit which can cook dozens of items at once, to another, less noticeable location. But this may not be done until next year.

Meanwhile, Coun. Mike Armstrong, opposed to adding controls to the Croatian's application questioned why the Croatian event should be treated differently than festivities in downtown Georgetown associated with Bang-O-Rama in May and the Georgetown Fall Fair in September.

Other events create just as much noise, dust and food smoke, he maintained. Armstrong also warned earlier that without council's permission, celebrants at the centre would still be allowed to bring their own liquor

feel impinge on their privacy. A week earlier, town officials met with Croatian centre representatives.

"very good", and was optimistic that further seasons would be held to discuss activities at the centre which residents

making policing a little more difficult. Clerk - administrator Ken Richardson described the meeting that morning with residents as



ICE CREAM! ICE CREAM!

Sometimes nothing can taste better on a hot day than an ice cream treat from the local mobile Dede's. Cashing in on the hot and humid conditions at Fairy Lake is Acton's Steve Hall, 15, Sunday afternoon.

Counting change and sharing driving duties are Gina Cochrane, 10 and Richard Cochrane, 11. Some days when his services are in peak demand he has made as much as \$160, Steve said.

Prickly accident

Swerving to avoid a porcupine, Norman Bourassa suffered minor injuries when he lost control of his car and struck a tree off Ninth Line July 8.

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Looking into problems

Halton Hills council assured residents of Raylawn Crescent in Georgetown last week that it will do everything in its power to have the region solve sewer-related problems in the neighbourhood. Numerous homes were damaged during a rainstorm June 29 when raw sewage backed up into basements. Although he cautioned that there is little the town can do about the sewer problem (sewer and water facilities are a regional responsibility), Mayor Pete Pomeroy said he will ask the region to respond quickly to damage claims filed by residents. As many as 36 homes in the area were affected by the sewage system back-up and residents indicated, through spokesman Allan Sturtart at last week's council meeting, that they have doubts that their sewer lines are regularly flushed by the region to clear obstacles. Pomeroy noted that the area has a history of sewerline problems.

Herald Special
Rumors of a merger between the 108-year-old Acton Free Press and its sister paper The Georgetown Independent have been denied by the latter's publisher Ken Bellamy.

"The Free Press won't die as rumor may have said," Bellamy said, "but it will become a better product. It will change but the difference will be predominantly in the Georgetown paper."

Bellamy confirmed that Free Press publisher Don McDonald has resigned and he has been made publisher of both newspapers. Hartley Coles will be managing editor of both papers. Both papers will continue as separate entities with separate editorial policies he said. Bellamy said The Georgetown Independent, which has been a tabloid since its inception in 1973, will become a broadsheet as are all other newspapers in the Metroland chain.

Both The Free Press and The Independent, along with the Milton Canadian Champion were owned by the Dills family of Acton until they were sold to Inland Publishing in Nov. 1978. Metrospan, part of the Torstar corporation, purchased a controlling interest in Inland in March 1981.

The Free Press will also become a Wednesday morning publication like its sister paper in Georgetown. It had hit the streets Wednesday afternoons for many years.

— Courtesy Guelph Mercury

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