

In the Courts

Nuisance is given 12 months

An 18-year-old Milton youth who committed "nothing more than nuisance" offenses, according to his defence lawyer, will spend the next year in jail as a result of his misdemeanors.

Michael Lindow of no fixed address was sentenced in Milton Provincial Court Thursday on eight separate offenses that included; theft of a car, possession of a narcotic, theft under \$200, theft of a briefcase, taking a car without owner's permission, public mischief and two counts of breach of probation.

"It is not a case of serious crimes, but rather a case of nuisance," said Milton defence lawyer Peter McWilliams.

"He is of an age when a number of young people do rebel."

Judge John Robinson noted Lindow had done "quite a bit" of rebelling with reference to the crimes which had been committed in the span of a couple of months this summer.

"He was kicked out of his home because he did not comply with the rules of the house and he was at loose ends," continued Mr. McWilliams.

He added the offenses were done in the company of other youths who had exerted a poor influence on his client.

Crown Attorney John Ayre argued that Lindow has been in jail already (60 days) and that he has "embarked upon a pattern of behavior that is not only a nuisance to the community but an affront to the courts and the community, because the crimes were committed while he was on parole."

Judge Robinson sentenced Lindow to three months for theft under \$200, three months concurrent for public mischief, six months consecutive for theft of a car, two months consecutive for taking a vehicle without owner's permission, three months concurrent for theft under \$200, and one month for two counts of breach of parole.

Drink-drive charge dropped

A 36-year-old Milton postal van driver who claimed he could not remember questions posed to him by Halton Regional Police when he was arrested for impaired driving last March, beat the charge and a second offence of refusing to provide a breath sample in Milton Provincial Court last week.

Judge John Robinson dismissed the charges against James William Lemon after listening to evidence supplied by Milton Dr. John McCutcheon.

Dr. McCutcheon testified he believed Lemon suffered a concussion as a result of a car accident that occurred at the time of his arrest.

Mr. Lemon who holds a private contract with the Canada Post Office to deliver mail between postal stations, was returning home with his 11-year-old son, Brian when he flipped the van on Steeles Ave. near Wilson Dr.

He told police he was forced to veer onto the shoulder of the road when a second vehicle pulled out in front of him.

But according to Laura Weber of Briar Cres., Milton Mr. Lemon was weaving considerably moments prior to the accident.

Miss Weber was following behind Mr. Lemon when he swerved off the road, struck a sign and rolled into the ditch.

Neither Mr. Lemon nor his son suffered any apparent injuries at that time and managed to climb out of the heavily damaged van.

According to Halton Regional Police Constable Carl Sapelak, Mr. Lemon admitted he had three beers after work.

The officer said he noted Mr. Lemon had the odor of alcohol on his breath and had bloodshot eyes.

He was later turned over to a second constable for the purposes of a breathalyzer test, which Mr. Lemon refused to take.

Mr. Lemon said he did not remember much of his conversation with the police officer at the station and recalled only his wife coming to pick him up.

Although the accident occurred in March it was not until June 9 that Mr. Lemon consulted with Dr. McCutcheon, who at that time prescribed aspirin.

According to Dr. McCutcheon, Mr. Lemon told him he had suffered a bump on his head as a result of the accident.

Mr. Lemon returned to work almost immediately but suffered continual headaches, he told the court.

Judge Robinson said the impaired charge was a "border line" case and dismissed the charge.

He said he had "grave suspicion" concerning the theory of the concussion, but was unable to convict upon suspicion and dismissed the second charge.

"The court always hopes someone as youthful as you would have good prospects for rehabilitation," said Judge Robinson.

"The responsibility now lies on you to rehabilitate yourself," he told Lindow.

He also placed the youth on 18 months probation effective the date he gets out of jail.

Nine months in detention

An 18-year-old Georgetown youth convicted of five counts of break and enter and breach of parole was sentenced to nine months in jail in Milton Provincial Court Thursday.

Thomas Ditchfield committed the crimes in June and July while serving an 18-month probation order.

He was convicted earlier this year of dangerous driving and possession over \$200 and had received a suspended sentence.

His more recent offences had included a break and enter at the Georgetown Town Hall.

Judge John Robinson said he would recommend the youth be placed in the Ontario Correctional Institution in Brampton.

Upon his release, Ditchfield will be placed on a two year probation period.

"This must be a deterrent to you and others who might commit similar offences," noted Judge Robinson.

Water study on hold

Implementation of the joint water and sewer study will remain on hold until answers to fiscal questions are received at Halton Region according to Milton Clerk Roy Main.

Mr. Main was one of the several municipal and regional staff members forming the joint committee to look at returning this section of regional responsibility to local municipalities.

In the end, the committee reported that the system of "user pay" billing to water and sewer users commenced Jan. 1, 1980 by the region should stay in operation, despite the Oakville

intention it would like to run its own water and sewer facilities.

On July 15 at the last regional council meeting, a "Burlington" resolution on the retention of the system stated "that the Region of Halton endorses the recommendations of the Joint Sewer and Water Report dated May, 1981, subject to the Province of Ontario providing grants."

The grants, estimated to be in the neighborhood of \$3.6 million, would be used to cover what Burlington considers "regional disparities."

Burlington claims its ratepayers put more into the system through the

billing process than they get back.

That city, therefore, will continue in the system only if there is provincial support money coming. There is currently a support grant in effect to ease in user pay but it runs out at the end of this year.

Letters have been sent to Premier Davis and other Ministers including Municipal Affairs and Housing Minister Claude Bennett who heard the cry for funds first hand during his visit to Halton July 15.

Milton Clerk Co-ordinator Roy Main said "the important aspect of

this motion is its foundation upon the condition of receiving provincial financial assistance.

"The matter is consequently far from being put to rest and will likely require council's further attention when the response from the province, in particular, is received.

"The chief officers of each of the municipalities involved have already established meetings for the purpose of carrying out the intent of the recommendation and your staff will be reporting back to council as this matter proceeds."

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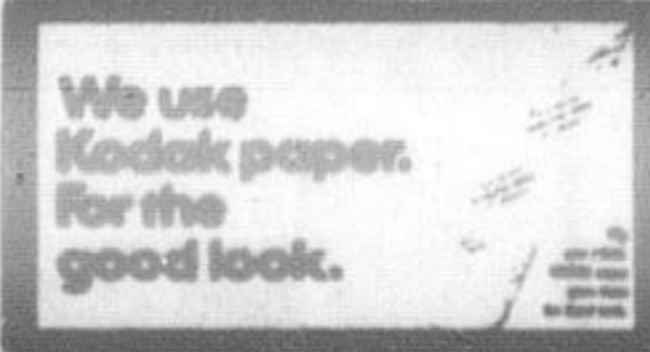
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