

Magistrate Frees Home Operators, Indignant at Patients' Treatment

Law Covers Cruelty to Animals But Not Humans, Magistrate States

In a 3,500 word statement, Magistrate O. S. Hollinrake reviewed the trial of Bernard McGinty, 26, and his wife, Mary, 24, of Stouffville, when he dismissed charges against them of having failed to provide the necessities of life for three residents of their nursing home. He expressed his personal indignation at the treatment the old people had received.

The charges were laid following the death on March 9 of Mrs. Hetta Mae Willson, 81. Two other residents, Mrs. Barbara Jacques, 75, and Charles Wilson, 75, were transferred to York County hospital.

The McGintys entered a plea of not guilty. Their defense counsel, David Coon, asked for dismissal of the three charges on the grounds that the crown had failed to establish its case. Crown Attorney Arleigh Armstrong argued that a conviction should be brought against the pair on the charge of failing to provide the necessities of life for Mrs. Barbara Jacques. He said she would have starved to death if the conditions at the McGinty home had been continued indefinitely.

Cruelty to Man
"There is a section of the criminal code making cruelty to animals a criminal offence," said Magistrate Hollinrake, "but I have been unable to find any similar law protecting human beings except the present section under which the accused are charged. To warrant a conviction if death is not caused, it must be shown that life has been endangered or that health is or likely to be permanently injured by the neglect."

"The injury or danger to health must result directly from the failure to provide the necessities of life."
"Inability to provide has been recognized as a lawful excuse. Parliament did not intend to punish a man for failing to do the impossible."

"Applying these principles to the present case, the accused contracted to care for these senile people, knowing they were out of their minds, physically helpless, unable to control their bowels and bladders, and too crippled to be capable of movement. They undertook this responsibility knowing that they could not carry out these duties."

Magistrate Hollinrake continued: "The place (I cannot call it a home) they established in Stouffville, was broken down, with paper and plaster falling from the walls. There was inadequate heating, improper toilet facilities, no proper equipment for the immense amount of laundering to be done, and unsanitary conditions for the preparation of food."

"These senile people required hospital care, constant attention in changing their bedding and clothes, and attention to their diet, proper food and drugs to quiet their restless minds and alleviate their physical suffering."

Dirt Rooms

"Apparently such care is not available for the senile, either in general hospitals or nursing homes and even in institutions (according to Dr. Howard, Berry, pathologist at the Banting Institute, Toronto) when these people have reached this stage of mental and physical deterioration they are put away in the dirt rooms."

"Were the accused, in fact, operating a dirt home for these demented people where they were not expected to provide more in the way of care and attention than they actually did?" asked the magistrate. "Is this why there is no licensing or laws requiring supervision of such places?" The deputy M.O.H., Dr. Douglas Hutchison of York County Health Unit, knowing the conditions which existed in this place, admitted that he had no authority to interfere other than to bring it to the attention of the municipality.

"Filthy and horrible as this place was, it did not affect some of the medical doctors who are (Continued on page 7)

Ringwood Holstein Sells for \$2,900

A registered Holstein cow, Ferywood Rag Apple Joan (excellent), owned by Mr. Eldred King of Ringwood, brought a bid of \$2,600 at the National Holstein Sale held at Oakville on Monday. It ranked fifth among the top sales. Her 10-month-old calf was purchased for \$1,350. It topped all other calf entries.

The Ringwood Holstein was a Grand Champion best uddered female at the Markham Fair black and white show in 1957. It was purchased by Mr. Chas. Cox of Calgary. The calf was purchased by Mr. R. R. Dennis of Oak Ridge. The sale averaged \$1,407 per head.

A number of local Lions Club members and their ladies attended the big Lions Baseball Night at Maple Leaf Stadium on Wednesday night.

Householders are reminded that excessive use of lawn hose will bring water restrictions to the entire community within a few weeks.

P.U.C. Will Ask Council To Price Main St. Lot

Following a lengthy discussion at a special meeting of the Stouffville Public Utilities on Thursday evening, the members agreed that Stouffville municipal council should be asked to place a price on the town-owned lot on Main Street near the CNR. The local P.U.C. is proposing to erect a new office building and storage accommodation in the rear, as recommended by the Ontario Hydro Commission.

Mr. Ed. Neville, member of the Commission, suggested that the lot might be obtained through a 99-year lease but some doubt was voiced as to whether or not the Ontario Hydro would approve of such an arrangement. All members agreed that the lot was sufficiently large for the Commission's purpose and was adjacent to banks and post office, and central enough for public accommodation.

Reeve Daniels, member of the Commission, was named to bring the matter before council on Friday, and Mr. Neville was delegated by resolution to appear before council next Thursday, June 4th, to launch the proposal and receive council's view.

Would Debuture
"In order to cover the capital outlays required for present subdivision lines, plus the lot and new building, Commission members agreed that it would be necessary to finance by debenture \$61,500, and council would be approached concerning this financing."

New Hookup Fee
Under the new subdivision agreement, sub-dividers will be required to install all water mains as well as take the necessary laterals to the property line for each home. In such cases, the regular fee for hooking up to the town water supply will be reduced from \$65 to \$25. This applies to new subdivisions only.

Water Report
Work has been going on presently cleaning one of the town's two reservoirs which together have a capacity for storage of approximately 700,000 gallons. The Commission is presently awaiting delivery of a new chlorinator pump which will not reduce the pressure on the main line as is now the case. The new pump has been on order since last fall, and Mr. Neville was delegated to contact the company for immediate delivery.

It was pointed out that many householders are using an excessive amount of water through lawn and garden watering, and restrictions will be imposed if such watering brings a reduction in the supply. It was stated Dr. S. S. Ball, chairman, presided at the meeting.

\$29,400 Total Receipts Markham Cattle Sale

Eighty-six head of cattle passed over the auction block within three hours at the annual Ontario Hospital Holstein Sale held in Markham Fair Grounds on Thursday afternoon. The auction netted a total of \$29,400. The sale average was \$341.00.

Auctioneer Lorne Franklin of Brantford was in charge. Hugh Coulson of Toronto was in charge of pedigree sales. John Brown of Brantford and Tom Hays of Oakville assisted in the ring.

Donald J. Metcalf of R.R. 2, Bowmanville purchased the highest priced animal. He paid \$500.00. Another heifer carried a price tag of \$485.00. It was purchased by a U.S. buyer. The pure bred cattle are brought in from six Ontario Hospital Farms in Brockville, Kingston, Orillia, Penetanguishene and Whitby. The sales had previously been held at Langstaff. The average price in the 1957 auction was \$303.00. Mr. Chas. Russell, formerly of Markham and now of Richmond Hill was present. He is the Supervisor of Farms for the Ontario Dept. of Agriculture.

In addressing the crowd, Auctioneer Franklin said that in his years of selling at provincial cattle auctions, only 15 animals had been returned to the Ontario Hospital Farms. There is a total milking herd of 445 cows. They produced more than four million pounds of milk.

Punches, file folders, staplers, staples, pencil sharpeners, magic markers, heavy duty scotch tape dispensers—they're all for sale at the office of The Tribune.

Local Man Has Narrow Escape In Two-Car Crash

Paul Barry of Stouffville had a miraculous escape from serious injury when his car was involved in a collision at the intersection of the Don Mills Road and Steeles Avenue during the early hours of Sunday morning. The Barry vehicle was completely wrecked.

The Stouffville car was northbound on the Don Mills Road. It was hit broadside by an auto driven by Joseph Williams, 101 Northland Ave., Toronto. Both vehicles were tossed, almost one hundred feet from the point of impact. Barry's car came to rest on the doorstep of a house located on the north-east corner of the intersection.

A passenger in the Williams auto was the most seriously injured. He suffered a fractured jaw, broken collarbone and back injuries. Both he and the two drivers were thrown out of their respective cars. Markham Twp. Police Constable Bob Wood and Sgt. Harvey Cox conducted the initial investigation. It was later turned over to North York Police since the accident occurred in their district.

The men were rushed by ambulance to the Branson Hospital, Finch Ave. and Bathurst Street. Mr. Barry is expected to be released later this week. He suffered head and facial lacerations.



Rev. Douglas Davis

United Church Minister Marks Forty Years in Ministry on Sunday

A unique and memorable service is planned for the Stouffville United Church this coming Sunday, when Rev. Douglas Davis, minister here for the past seventeen years, will mark forty years in the ministry. He will take as his subject, his experiences over these forty years.

This June, 1958, is further unique in the history of this local minister, since on June 25th, Rev. and Mrs. Davis will celebrate their 40th wedding anniversary.

A brief message will be expressed on behalf of the congregation on Sunday, by Mr. Fred Campbell, and the choir will render special musical selections. The service will also be an eventful one for the local choir as on this occasion they will have new gowns dedicated.

Rev. Douglas Davis was born at Southsea, Portsmouth, England in 1891 and came to Canada in August of 1907. He received his early education at St. John's Church School in England. After several years farming in the Bolton district, Mr. Davis was recommended as a candidate for the ministry by the Official Board of the Bolton United Church and entered Albert College, Belleville, in 1914. He spent two years as a probationer in the Parry Sound district with nine appointments, and later to the Trout Creek circuit with three appointments.

Merchants Committee To Report on Parking Facilities

A committee of the local Businessmen's Association composed of Messrs. John Matheson, Glenn Ratcliff and Harold Spofford, has been named by the Association to bring in a report on all the lands presently available for downtown parking, to present the cost of paving such sites, to provide electric lights and signs.

Mr. Ted Topping, president of the local Association, told the recent merchants' meeting of his findings regarding nearby shopping centres and parking in other communities. Mr. Raxlin voiced the opinion that shoppers could not be induced to walk too far, but Mr. Topping stated that shoppers in Oshawa walk farther than those using present parking facilities in Stouffville. If they happen to park on the outside at the Motor City Centre.

Mr. Topping said that he believed the council would be improving matters when their new parking bylaw comes into force. "The lots should be properly laid out for parking," added Miss Simons.

"Employers and employees are some of the biggest offenders in taking up the good parking space," said Mr. Hendricks. "We've got to have the parking to attract business, and we might help our lots at the arena and church by paving and lighting," he added.

Mr. Ken Wagg suggested that the space behind the local theatre might be levelled up and surfaced. "There's no use directing them into mud fields," said Miss Simons.

The merchants were advised by Mr. Wagg that council is preparing to install two of the new type fluorescent lights on Main Street and when their improvement has been viewed, a committee will visit council to discuss the possibility of having the business section lighting improved.

The question of house numbering was also introduced and this subject will also be brought before council by the committee composed of Messrs. Hendricks, Stouffer and Middlemiss.

STORES OPEN AT NIGHT NEXT TUESDAY

Stores in Stouffville will be open next Tuesday evening until 10 o'clock. They will also be open as usual until 10 on Friday evening, and will continue to provide night shopping two evenings per week through the summer months until September.

Local Police Depts. Present Hospital Beds

On Friday afternoon Sgt. Wm. Hill of the Newmarket Police Dept. presented the York County Hospital with six beds valued at \$500.00. The gift was made through the York Police Association. All Police Departments in York County, with the exception of Richmond Hill and Vaughan are members of the Association and contributed to the purchase. Markham Twp., Markham Village and Stouffville Departments are members of the Association.

A CBC film production which has been made on the Archie Little farm at Cedar Grove, will form the basis for the weekly "Country Calendar" program on CBC television next Sunday afternoon, June 1st.



Receives Degree

Lorne R. Smith, son of Mrs. Nelson D. Smith, conc. 7, Markham Twp., received the Degree of Bachelor of Arts from the University of Western Ontario, having graduated from Waterloo College. The annual Spring Convocation was conducted on Saturday.

Lorne is a graduate of Markham District High School and plans to enter the teaching profession following further study.

Buy Land for Victoria Square Community Park

A deputation from Victoria Square appeared before council in connection with the proposed establishment of a community park for this hamlet, to be operated as a Community Centre. The group stated that they had arranged an option on five acres of land on the 4th concession at \$1,000 an acre. The land has 400 ft. frontage on the 4th and is 600 ft. deep.

Under the Community Centre Act, the government grant of 25% would be forthcoming leaving a balance of \$3,750 to be paid. It was disclosed by Clerk Crisp that receipts from lot fees in the new Cachat Country Club sub-division now amounted to \$7,000 and the deputation suggested that these funds be used to pay the balance.

A resolution was carried authorizing that the \$3,750 be paid from this fund which, together with the government grant, will provide the land for the park. OK Plan, Bldg. Changes
Council was presented with recommended changes from the Planning Board, affecting various lands in the township, as to their zoning.

A request for a drive-in theatre at Richvale just north of Langstaff would necessitate rezoning of that area; Bossey & Hawks Mfg. of Musical Instruments Co. Ltd. who wish to locate at the corner of No. 7 highway and the 2nd concession, were requesting the rezoning of this land as industrial.

Cedar Brae Golf Club has not taken up as much land as expected and it was recommended that the remainder be zoned as green belt residential.
Council approved of all the recommendations, and they will be forwarded to the Minister of Planning for his approval.

House to House Canvass on Monday for Lions Auction

Members of the Stouffville Lions Club will make a house-to-house canvass next Monday, afternoon and evening, for goods for their White Elephant Auction Sale to be held in the local arena on Wednesday evening, June 4th.

Residents of Stouffville are asked to be sure to have their contributions set out at the roadside ready for the pickup which will be continued through the afternoon and evening. To farmer friends outside of town, the instructions are to phone to 98W1, 270W2 or 153J2 and arrangements will be made for the pickup.

The Lions will take anything of sale value, furniture, household utensils, garden equipment, clothing, live stock, anything from a canary to a screw driver. Already several stoves, and a piano are listed.

To add interest to the sale, there will be fourteen lucky door prizes given away, all donated by members of the Lions Club and listed elsewhere in this issue.
This is a service club project and the proceeds are all in aid of the Lions welfare work.

ENGAGEMENT

Mr. and Mrs. Kenneth William Betz of Stouffville announce the engagement of their eldest daughter, Sheila Evonne to Mr. Thomas William Smith, son of Mr. George E. Smith and the late Mrs. Adah Smith of Claremont. The wedding will take place Saturday, June 14th at 2 o'clock in Bloomington Church.



New Dentist

William Murphy, son of Mr. and Mrs. L. C. Murphy who graduated in Toronto on Wednesday as a Doctor of Dental Surgery, Dr. Murphy is returning to Stouffville to be located in the new Medical Centre on Main St. west.

On Saturday, May 24th, the students of the municipal and rural schools east of Yonge St. enjoyed a Junior fishing day in the Greenwood Conservation area. The event was sponsored by the Metropolitan Toronto and Region Conservation Authority.

In order to pick out representatives from the many who wanted to go, each school held a Conservation Quiz, with the high scorers attending the meet. The winners from Stouffville were: Bernard Simpson, Jim Miller, Clara Mullen, Lynda Nolan and Mardelle Willis.

To be sure that there were plenty of fish for the occasion, the Authority on the previous Friday, stocked the stream with approximately 500 to 600 trout. In spite of all the preparations, the only trout the Stouffville anglers saw was a 17" beauty, caught by someone else.



The car belonging to Mr. Paul Barry of Stouffville was almost completely wrecked following a collision at the intersection of Don Mills Road and Steeles Ave. early Sunday morning.