

# COURT ORDERS REVIEW OF TRANSPORT BOARD AWARD

## Sing Sing "Lifer" Freed For Efforts To Save Child

### Gen. McNaughton Is Appointed To New Post

By D'ARCY O'DONNELL

OTTAWA, Dec. 22—(CP)—Gen. G. L. McNaughton, one of Canada's most prominent in Canada's post-war spy probe have been appointed to new posts by the Government.

Prime Minister St. Laurent announced today that Gen. McNaughton, now Canada's permanent delegate to the United Nations, will join the International Joint Commission Jan. 1 to fill a long-standing vacancy.

At a half-hour press conference in his East-Block office, the Prime Minister also announced that Mr. Justice Gerald Fauteux of the Montreal division of the Quebec Superior Court and John B. Cartwright, prominent Toronto lawyer, have been appointed to the Supreme Court of Canada.

Mr. Justice Fauteux was legal counsel to the 1945 Royal Commission, which investigated Russian-directed espionage activities in Canada. Mr. Cartwright was one of the leading counsel in the prosecutions resulting from the Commission's findings.

They filled posts created by legislation passed at the recent session of Parliament making the Supreme Court of Canada the final court of appeals for this country. Their appointments raised membership of the court to nine.

Mr. St. Laurent said the Cabinet has ordered proclamation of the act making the court supreme in fact as well as in name. But any litigation started prior to the proclamation may be taken to the judicial committee of the Privy Council in London for final decision.

Other Announcements  
At other points in the press conference, Mr. St. Laurent said: 1. Canada will not take any action on recognition of the Communist government of China before the Commonwealth conference in Ceylon Jan. 9.

2. Canada's foreign trade is expected to be as buoyant in 1950 as it was in 1949.

3. The cabinet has not yet had an opportunity to deal with acts reshuffling the duties of three departments and opening the way for cabinet changes.

4. A date for the 1950 session has not been fixed, but there will have to be an interval between the end of the Jan. 10 Dominion-Provincial conference and the opening of parliament.

5. He believed the conference would have to agree on a unanimously acceptable formula before power to amend the constitution on provincial matters could be transferred to Canada.

6. Six premiers — he did not name them — have replied to his proposal for a general Dominion-Provincial conference in the fall.

7. He was still hopeful that the Joint St. Lawrence seaways and power projects will be undertaken in the near future.

8. The government has not yet decided whether it will support the price of eggs.

9. Canada will not be officially represented at the opening of the Roman Catholic holy year in Vatican City Dec. 24, but the Prime Minister will be represented personally as a Roman Catholic by Jean Desy, ambassador to Italy.

10. The cabinet has decided to appoint George Black and J.L. Bowman, both speakers of the Commons during the term of the last Conservative government, to the privy council.

Gen. McNaughton, soldier, engineer, scientist, diplomat and brief-term as Canada's permanent delegate to United Nations on Dec. 31. The date marks the end of this country's term on the U.N. security council.

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### Second "Lifer" Also on Dewey's Christmas List

ALBANY, N. Y., Dec. 22—(AP)—Governor Thomas E. Dewey today freed a Sing Sing Prison "lifer" who risked death in an unsuccessful experiment to save an eight-year-old girl from leukemia, a cancerous blood disease.

Louis Boy, 50, convicted of murder in New York and originally sentenced to die in the electric chair, will leave prison tomorrow as a result of Dewey's traditional Christmas-eve commutations. Boy has been imprisoned for 18 years.

Dewey also freed another man once sentenced to die for murder. He is John Resko, 38, whose art work during his confinement has appeared in several national magazines.

Boy and Resko, convicted in 1931 in connection with separate robbery slayings, will be under parole supervision for the rest of their lives.

Boy is the first person who ever knowingly took the taint of leukemia into his veins. He volunteered last summer to let 18 quarts of the blood in his body pass through the body of the stricken child in a vein-to-vein exchange. She died, however, two weeks after the experiment.

Dewey said that Boy, with no promise of reward, had "repeatedly volunteered to participate in various dangerous medical tests and experiments" while in prison.

### Bacon Prices Decline 12 Cents In Winnipeg

WINNIPEG, Dec. 22—(CP)—Bacon prices in Winnipeg have dropped \$10 to 12 cents a pound at the wholesale level since the beginning of the week, meat packing officials said today. The drop was accompanied by a further drop of five cents in the price of eggs.

Egg prices have been falling since last Saturday's announcement that Britain will not renew bacon and egg contracts. Prices to producers for eggs today were grade A large 25 cents, grade A medium, 23 cents; grade B pullet, 18 cents; grade B, 20 cents and grade C, 15 cents.

### High Temperatures For Dec. 22 Are Reported

HALIFAX, Dec. 22—(CP)—The weatherman dropped a small hint tonight that the Maritimes might get a white Christmas.

But today's weather performance didn't provide any clue. Record high temperatures for Dec. 22 were registered throughout the seaside provinces.

At Halifax, the mercury lobbed up to 52 to break the previous high for Dec. 22 of 50 degrees set in 1906.

It was 50 at Saint John, seven above the old mark set in 1932. Moncton's old high of 49 set three years ago was eclipsed by today's 52 and Charlottetown saw the 1932 record of 39 shattered by today's 46.

### Pope Pius Presented Silver Hammer, Trowel

VATICAN CITY, Dec. 22—(CP)—A silver hammer and trowel, decorated with gold, were presented to the Pope today by Italian workers for use in the opening ceremonies of the holy year Saturday.

The Pontiff will use the implements to open and close the holy door of the Basilica of St. Peter's Cathedral. The opening of the door will mark the beginning of the holy year and the closing Christmas eve 1950, will end the jubilee observance.

The gifts were handed over in the Pope's Vatican apartment by a delegation representing workers in the 4,000,000-member Catholic Action, a lay organization. Their president, Ferdinando Storchi, headed the group.

Thousands of Italian workers contributed about one cent each to buy the hammer and trowel, which are of the normal size.

The silver heads of the tools are in silver, plated in gold, and embellished with the arms of the principal crafts. The handles are of ivory chased in silver gilt. They were presented in a silver-mounted maplewood box.

This is the first time since Pope Boniface VIII announced the first holy year in 1300 that the hammer and trowel have been presented by a workers' organization. This

### J. S. DesRoches Appointed To King's Co. Court Bench

OTTAWA, Dec. 22—(Special)—In a shift of the county court judiciary in Prince Edward Island, Prime Minister St. Laurent announced today that J. S. DesRoches of Summerside, had been named County Judge for King's County.

Judge Gavan Duffy, present Queen's County Judge is leaving the bench on retirement, Mr. St. Laurent said, and is being replaced by Judge C. St. Clair Trainor, who has been County Judge of King's County.

Mr. DesRoches has been appointed to the bench and will take over the duties of Judge Trainor, he explained.

Joseph Sylvère DesRoches was born at Miscouche on October 20, 1894, a son of Mr. and Mrs. William J. DesRoches, who still reside there. He attended Miscouche public school and then Prince of Wales College. After receiving his teaching license, he taught school at Bloomfield, Mont. and then entered St. Dunstan's University from which institution he was graduated in 1922 with the degree of Bachelor of Arts. After graduation he was appointed an inspector of schools but he only served in this capacity a short time as he entered the law office of Gaudet and Hazard in 1924 to commence the study of law. He was admitted to the Bar in June, 1928 and practised law in Charlottetown until the outbreak of war in 1939.

Mr. J. S. DesRoches, K. C., Summerside, newly appointed Judge of the County Court of King's.

Served in Two Wars

Judge DesRoches had interrupted his education to enlist in the army in the First World War and served with distinction overseas in England and France. In 1921 he was commissioned with the rank of lieutenant in the Prince Edward Island Regiment which later became the Prince Edward Island Highlanders. When the Second World War broke out he had risen to the rank of Major and he served in the United States today in the 3rd District of Prince and in 1945 he contested a by-election in the 1st District of Prince.

He is married to the former Florence Gormley of Charlottetown and they have two sons, Paul, 11, and Peter, 9.

At present Judge DesRoches is a member of the board of school trustees in Summerside and is district deputy unit in Knights of Columbus for Prince Edward Island. He is also president of the L'Assomption Society of P. E. I. and a member of the executive of St. Thomas Aquinas Society. He is also an active member of Summerside branch of the Canadian Legion.—S.

### N. B. Reports New Low T.B. Death Rate

FREDERICTON, Dec. 22—(CP)—A tuberculosis death rate of only 37 per 100,000 of population, the lowest rate in New Brunswick's history, is indicated for 1949, Health Minister McGrand said today after a conference of district medical health officers.

OTTAWA, Dec. 22—(CP)—The issue of railway freight rates was opened up again today when the Supreme Court of Canada handed down a decision which, in effect, told the Board of Transport Commissioners to review its Sept. 20 award of an eight-percent rate increase to the railways.

Declaring the terms of the Board decision constituted an "injustice" to the railways, the court held the Board had failed to perform its duty because of the way it deferred final determination of a railway application for a general 20-per-cent increase.

The postponement was effected by the Board pending the outcome of the Royal Commission on Transportation and the general freight-rate inquiry in which the Board itself has been engaged for more than a year.

The high court ruled these considerations were irrelevant to the specific rate case before the Board and that the Board had been in error in not bringing down a decision on the basis of the facts actually put before it.

Pending completion of the two investigations, the eight-percent increase was awarded by the Board of an "interim" basis. It has been put into effect by the railways.

Calls for Review

While the Supreme Court's ruling does not automatically change the Board award, it does call for a review of the decision. Presumably (Continued on Page 5 Col. 3)

### Income Tax Fraud Case Comes To Court

MONTREAL, Dec. 22—(CP)—A crown witness testified in court today that certain former employees of the Montreal income-tax division fled the Federal Treasury over a period of seven years.

The evidence was given during preliminary hearing of Paul Picard, former income tax assessor, who faced a charge of breach of trust. He is also accused of forgery and uttering income tax reports between 1943 and 1947 and of having obtained \$37,344 by false pretences.

He was ordered to voluntary statement Dec. 29 on the breach-of-trust charge, and preliminary hearing was fixed for Jan. 17 on the other charges.

Knew of "System"

Evidence regarding fleeing operations came from Pierre Archambault, a former income-tax employee. He said he had known Picard for years and that both he and Picard as well as a number of other employees knew of a "system" of obtaining reimbursements from the government through deduction claims on income-tax reports.

Archambault said it was his recollection that Picard possessed an approval stamp and blank employer forms on which amounts of employees' salaries were reported. In the preparation of some false income-tax reports, he said, names of actual persons were used, but

### Mother, Foster Mother Fight In Quebec Court

MONTREAL, Dec. 22—(CP)—The real mother and the foster mother of a six-year-old boy swung fists and fought bitterly in court today over the boy's custody.

The wild outbreak, unprecedented in Superior Court history here, came when Mr. Justice Louis Lorange, upholding an adoption judgment, awarded custody of the child to his foster mother, Mrs. Donald Albert Moffat of Plattsburg, N. Y.

When the court's decision was given, Mrs. Moffat advanced to the front of the courtroom to take the lad in her arms.

The real mother, Mrs. Amadee Perrier, intervened, swept the youngster from his feet and clung tightly to him.

At close quarters the women swung blows but quieted down when His Lordship threatened to send the real mother to jail for contempt of court.

As His Lordship left the courtroom, the fighting broke out again while the lad's small arms tightly encircled his real mother's neck. Courtroom attendants tried unsuccessfully to stop the fight. Two police constables were called and the women separated. By that time the child was in the arms of a member of the real mother's family. The Deputy Sheriff arrived and tried to coax the boy to go to him. The youngster refused, sobbing broken-heartedly as his real mother left the room. In the corridor Mrs. Perrier col-

### Freight Rates Issue Reopened

By JOHN LEBLANC

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### Canadians Spent 300 Million On Imported Foods In Current Year

By Harold Morrison

OTTAWA, Dec. 22—(CP)—Domestic food surpluses may be piling up, but that doesn't mean that Canada is not buying food from other countries.

Millions of dollars poured out of Canadian pockets during the year as Canada imported such items as cheese, meat, bacon, a few eggs and a wide variety of fresh fruits and vegetables.

At the same time, the country was spending further millions building up huge stocks of butter, cheese and other commodities in government warehouses.

And although the surpluses appear to be growing, there is no indication that there will be any undue restrictions against the import of foreign foodstuffs in 1950.

For food, anyway, 1949 was an odd year. Take cheese as an example. During 1949 when Canada was unable to find enough foreign markets the Government purchased 18,000,000 pounds of surplus cheese and spent \$5,000,000 of the taxpayers' money in doing so.

Imported Cheese, Pork

Yet in the same year Canadians imported 1,457,550 pounds of Danish and other foreign cheese at a cost of \$900,000.

During the year more than \$600,000 worth of pork products were imported.

Canadians had plenty of beef in Canada in 1949, but that didn't stop her from buying more than \$2,000,000 worth of canned beef from the Argentine.

About \$95,000 worth of eggs were imported too, but the experts say most of the eggs were used for hatching purposes.

They all added up to the fact that Canada's total imports of agricultural and animal products totalled almost \$300,000,000 during the first 10 months this year, compared with \$279,000,000 last year.

Trade experts say one reason for the imports when Canada could not sell her own surpluses stemmed from the fact that the Canadian food industry has geared itself to sell to one specific market—the United Kingdom.

Canadians liked a little variety in their diet. They liked Danish cheese because it was aged into a fancy variety. Canada was concentrating on producing fresh cheddar which the U.K. wanted.

Canada was slaughtering her hogs while comparatively lean to provide high-quality Wilshire sides for the British trade. But some Newfoundland and Ontario and Quebec people liked the fatter type of pork. This had to be imported.

Canned Meat Too

Canada had plenty of beef on the hoof but little in cans which could compete with Argentine canned beef. That gained the Argentine \$2,000,000 in Canadian trade.

Now that the British market appears to be declining, there is the belief among Government experts that Canadian industry will do a lot more concentrating on the domestic trade.

By meeting more of the domestic need for variety, the Canadian food producers may find bigger Canadian markets for their goods, and at the same time help keep a lot more Canadian dollars from going out of the country.

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HALIFAX, Dec. 22—(CP)—Official inland forecasts issued tonight by the Dominion Public Weather Office at Halifax:

Synopsis: Thursday afternoon extremely mild air covered the Maritimes. There were record-breaking temperatures for Dec. 22 at Charlottetown, Moncton, Saint John and Halifax. Greenwood airport in the Annapolis Valley was still reporting a temperature of 58 degrees late Thursday evening.

Colder air covered the north shore region and there was and occasional freezing rain in that region. In the southern regions sky conditions were extremely variable and there were patches of fog and drizzle.

The mild weather is expected to continue Friday in most regions, but Friday evening temperatures will be dropping sharply as cold again flows over the district. Present indications are that Saturday will be cloudy and much colder in all regions.

Regional forecasts, valid until midnight Friday:

Prince Edward Island—Variable cloudiness, fog patches and occasional drizzle ending Friday evening. Extremely mild. South-west winds 15 shifting Friday evening to west 15. Low and high Friday at Charlottetown. 40 and 50.

High tide today at 12:23 A. M. and 2:02 P. M. Sur rises at 7:50 A. M. and sets at 4:35 P. M. Summerside tide eighteen minutes later than Charlottetown.

BORDER - TORMENTINE FERRY WEEK DAYS

Lv. Borden Lv. Cape Tormentine 9:10 A.M. 10:35 A.M. 1:00 P.M. 2:40 P.M. 4:50 P.M. 7:30 P.M.

SUNDAYS Lv. Borden Lv. Cape Tormentine 9:10 A.M. 10:35 A.M. 4:45 P.M. 8:00 P.M.