

2 The Guardian,
 Thurs. Jan. 6, 1966.
**Gets Remand
 Following
 Guilty Plea**

Frederick Elmer Quinn, Dunstaffnage, elected trial by magistrate and pleaded guilty to a charge of arson and was remanded to Jan. 19 by Magistrate James B. Johnston, Q.C., in Queens County Magistrate's Court yesterday.

Counsel for the accused is Charles McQuaid. Alan Scales acted for the Crown.

Cpl. Bungay of the RCMP told the court that Kenneth Ellis of Dunstaffnage had noticed a fire burning near the rear of a vacant home owned by him in Dunstaffnage. A police investigation revealed that the accused apparently had gone to the vacant home in the early morning hours with a small bottle of charcoal started fluid and poured it on shingles of the house and lit it. The accused then went back to his home. The fire extinguished itself. The corporal said the damage was very slight, only seven or eight shingles scorched.

Mr. McQuaid stated that the accused had just turned 16 in July. He said that the accused has needed mental treatment and that there are several aspects in regards to his personality that should be investigated by the court. Magistrate Johnston said he would have the probation officer investigate and remanded the accused to Jan. 19 with a \$1,000 surety to stand.

Allison Gillis pleaded not guilty on behalf of two Charlottetown youths charged with assault causing bodily harm. The accused, Douglas Joseph Mahar and James Gary Mahar, were remanded by consent to Jan. 21 for trial, with bail to stand.

GIVEN REMAND
 Leigh Elmer Wilson, Crapaud, was remanded to Jan. 19 for judgment on a charge of impaired driving.

Counsel for the accused, Gordon Tweedy, stated in his summation that the question to be answered was whether the accused was impaired to the extent that his ability to drive was affected on the night in question. He stated that all the police had found wrong with his driving was that he failed to dim his headlights and was over the centre of the road. He recalled that the accused had testified that all he had to drink that night were two drinks of wine and one of rum. He continued by saying that the police only observed the driving of the accused for a matter of two or three minutes. He said that he thought the tendency of the police officers is to charge someone with being impaired if they can smell liquor of his breath. Mr. Tweedy said he sincerely believed the accused hadn't had enough to drink to impair a normal person. He said there were no tests given the accused to determine if he were impaired and asked that the case be dismissed.

Alan Scales, acting for the Crown, said that two aspects had to be taken into consideration the circumstances leading up to the arrest and the evidence as to the condition of the accused. He stated that the accused felt he was right in all matters and never made a mistake, having never failed to dim his lights in six years of driving. Mr. Scales suggested to the Magistrate that he accept the police evidence and convict the accused.

CONFLICTING EVIDENCE
 Magistrate Johnston said that the evidence of the Crown and defense witnesses were in complete contradiction and that it was quite evident that somebody was lying. He said that he required the evidence extended and time to review it before pronouncing judgment.

The accused was also remanded to Jan. 19 on a charge of assaulting a police officer.

Owen Eric MacEwen, of Crapaud, charged with obstructing a police officer, had his case adjourned to Jan. 19.

A charge of taking a motor vehicle without the consent of the owner which was formerly laid against William Gordon Emery, was withdrawn.

Three persons were each fined \$20 and costs or 30 days on charges of illegal possession of liquor.

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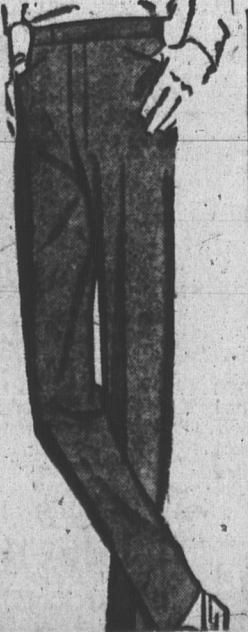
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