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Didn't hurt girl says Leforte as defence counsel ends case

Accused describes long drinking bout

Both defence and prosecution has finished their case in the Assize Court trial against Louis Leforte, 30, on a charge of murder. The case was scheduled to go to the jury this afternoon at the conclusion of the summing up by Mr. Justice Hugh A. Maclean.

Defence counsel Harold Rankin of Vancouver last night called the accused to the stand to testify on his own behalf as to events which led to the death of two-year-old Tina Marcelle McKay on Sunday, September 18, 1960, youngest daughter of Mrs. Margaret McKay; all three of whom lived at 866 Fraser Street at the time of the incident. Mrs. McKay is now living in Vancouver, and previously lived in the Nass River district.

Leforte told the jury of a prolonged drinking bout starting after work on the Friday previous to the child's death in company with Otto B. Jensen and his wife, and Mr. H. J. Hayden and Mrs. Hayden, later having a fight with Otto Jensen; of returning to a city beer parlor; of blacking out until the Sunday morning, of drinking three-quarters of a bottle of wine with his breakfast; and then of a prolonged drinking session with Jack L'Hirondelle and Hayden until about midday.

He then said he passed out on his bed, under which a half-empty "mickey" of rye was found by RCMP. Leforte said he was awakened by the sound of a child crying. He denied hearing screams or thuds as described by Gordon Bitton of 865 Fraser, his next-door neighbor. He said he searched for Tina after putting the crying child, Darlene, Mrs. McKay's eldest child, into a crib.

Leforte said he found Tina at the foot of a short flight of stairs outside the house and "she was moaning." Still in a daze from his drinking he picked her up and took her inside "trying to think what to do at first."

Leforte denied all recollection of a trip to the hospital with Tina in a taxi, or arriving there, of talking to anybody in the children's ward except a "figure in white," of Dr. L. M. Greene examining the unconscious child or of the child itself.

He said the first clear recollection he had was of being in a cell in the city jail about 5 p.m. Dr. Greene, Nurse Heather Cap, X-ray technician G. M. Gold gave evidence that he appeared in the hospital around 1:30 p.m.

Miss Cap testified that Leforte told her he did not know who a baby-sitter was he had engaged in a beer parlor the night before and that he had not been home.

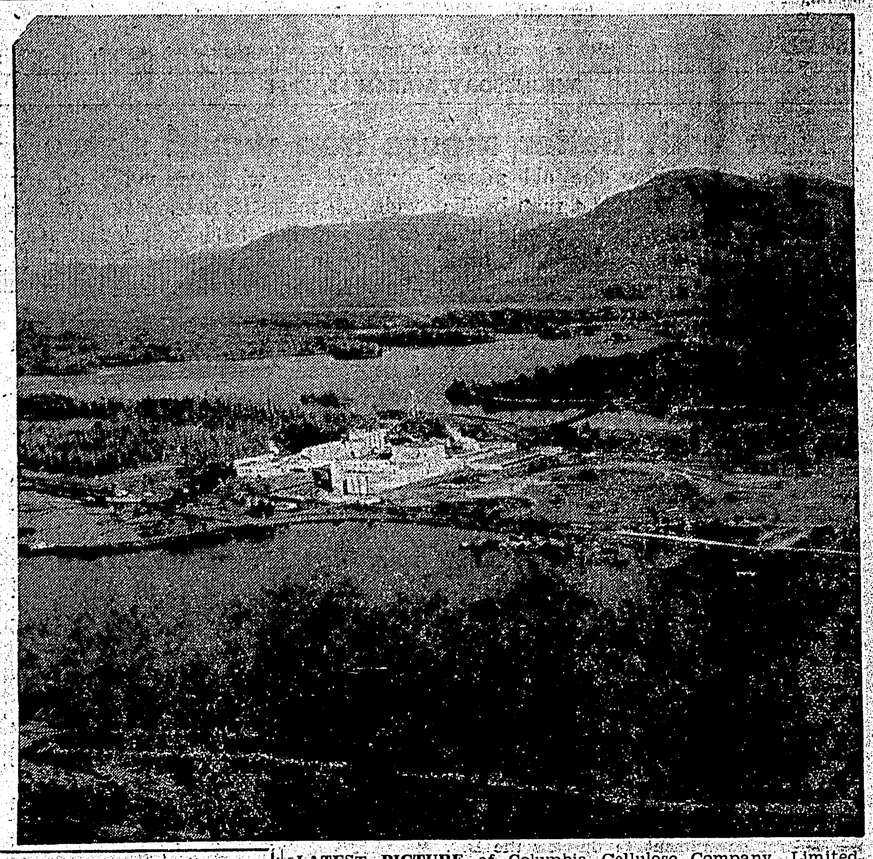
In his own evidence, Leforte stated that the babysitter was Rita, a friend of Mrs. McKay's sister Grace, who had lived with them all at 866 Fraser for about three months and whom he had thrown out. He had given her six dollars, he said.

The stairs at which Leforte said he found Tina lying are about five or six feet in height, he said. He could not account for the extensive injuries from which the child was suffering, he said.

Under cross-examination Leforte admitted to six previous convictions for which he had served jail terms totalling more than three years. They were under the Railway Act in 1946, vagrancy in Dawson City in 1953, assault occasioning bodily harm in 1953 and 1957, robbery and common assault in 1958. Asked why a wine bottle was not found in the house with the four mickeys of whisky on exhibit, he told the court he had thrown it into the swamp at the back of the premises. He hadn't thrown out the others, he said, because he was too drunk to think of it.

This afternoon Mr. Justice Maclean began to sum up the case for the jury prior to their retiring to arrive at their verdict. Counsel for both defence, Mr. Rankin, and prosecution, P. G. Bowen-Colthurst, addressed the jury for an hour each this morning. The latter called for a verdict of guilty of murder.

BATTLE FATAL BLAZE — Firemen pour water on a Quebec lower town fruit and vegetable store blaze which claimed the lives of three firemen and injured several other firemen. The firemen were trapped in a narrow street when a wall collapsed, sending tons of bricks, stone and debris down on them. The victims were identified as Jacques Joncas, Roland Drolet and Gaston Dorval. — CP Photo



LATEST PICTURE of Columbia Cellulose Company, Limited, mill at Watson Island shows pulp plant gleaming white in sunshine. In foreground is Porpoise Harbor, with Native village and fishing floats of Nelson Brothers Fisheries at right. Bridge crossing to road to Galloway Rapids bridge is seen in centre to right of plant. Highway 16 is on shore of hills in background. — Photo by J. R. Wrathall

Canada, U.S. not decided on tariff change

By HAROLD MORRISON
Canadian Press Staff Writer

WASHINGTON (CP) Canada and the United States have failed to reconcile their differences over a proposed change in the Canadian tariff structure that Americans fear may hurt their huge exports to Canada.

Commerce Secretary Luther Hodges said in an interview the situation is not yet serious, but "it has the possibilities of becoming a large problem."

He was referring to the Canadian government's move to revise "class or kind" tariff definitions in a way which would give it greater power to decide the type of goods which could claim special rates of duty as being of a class or kind not made in Canada.

The opposition in Parliament has charged that the changes will boost tariffs on a wide range of imports, increasing prices to Canadian purchasers.

Hodges and his colleagues are under pressure from American manufacturers to block any Canadian tariff boosts. American authorities suggested that if Canada takes action to boost rates drastically, the U.S. will have no alternative but to reply.

The issue came up at the two-day ministerial conference on trade and economic matters that ended Tuesday.

Canada was represented by Finance Minister Fleming, Trade Minister Nowlan and a group of deputy ministers and other advisers.

State Secretary Dean Rusk led a five-man team of American cabinet members in the first major economic huddle between the two countries since President Kennedy took office.

Slingshots banned

VANCOUVER (CP) — Merchants in Kitimat have agreed to ban the sale of slingshot to minors following action followed recently by the local Council in Vancouver to make the use of slingshots illegal.

B.C. ROUNDUP

Gibson seeks ending of tree farm licences

VICTORIA (CP) — The government was asked Tuesday to take back the tree farm licences it has granted to large timber companies in British Columbia and establish an equitable practice that would give the smaller operator equal opportunity.

The request came from J. Gordon Gibson (L-North Vancouver), a millionaire former logger who delivered an hour-long speech in the legislature in which he attacked the tree farm licence practice as the "most foolish thing ever done in the world."

PNE gets money

VANCOUVER (CP) — A motion to withhold five-year-plan funds for a livestock building at the PNE was rejected by city council here Tuesday. However, the PNE may not get the full $560,000 originally approved by council last year. It was to get half the money in 1960 but there now is a question whether or not the council could allocate funds from this year's budget.

'Copter mercy flight

TRAIL (CP) — An Okanagan helicopter undertook a mercy flight to Old Glory Mountain weather observatory 10 miles northwest of here when snow conditions prevented a ski team from bringing out an injured man on toboggan.

Bhuddist pilgrims

VANCOUVER (CP) — The largest airlift of Bhuddist pilgrims in Canadian aviation history will get under way here tonight when many Vancouver Bhuddists leave for Japan. They are the vanguard of some 550 pilgrims who will fly to their homeland within the next few months to celebrate the 750th anniversary of Shinran, a leading disciple of Bhudda.

Port Simpson resident still missing

A 34-year-old Port Simpson man has been missing for 11 days, RCMP reported today.

Police said that Phillip Alexcee, nicknamed "Nicky," has been missing since March 4.

He came to town to watch the All-Native Basketball Tournament and was last seen about 11:30 p.m. March 4 in the vicinity of Third Avenue and Seventh Street.

Alexcee is described as being five feet, three inches in height; about 130 pounds with dark complexion and dark hair.

When last seen he was wearing black pants, a black leather jacket and black shoes.

Relatives of Alexcee are aiding police in a search for the missing man.

Actress suspended

HOLLYWOOD (AP) — Actress Juliet Prowse is under suspension at 20th Century-Fox for insubordination while on loan to Hal Wallis Productions. The home studio announced Miss Prowse's suspension Tuesday, noting that she refused to play the lead role opposite Elvis Presley in Wallis' "Blue Hawaii".

Unemployed reduced in February

Unemployment in Prince Rupert during February dropped by more than 100 persons from the January figure according to the monthly report from Cecil Pitt, manager of the Unemployment Insurance Commission.

The report shows that at the end of February, 1,658 men and 566 women were registered with the local UIC office for employment.

At the end of January, 1,798 men and 528 women had registered for employment.

The National Employment Service of the UIC placed 34 men and 22 women in employment during the month of February.

During the month, approximately $228,000 was paid out from the Prince Rupert office. Of this amount, $69,860 was paid out to those persons reporting in person. The balance was paid to those reporting by mail.

Bomber crashes in California

YUBA CITY, Calif. (AP)—A giant B-52 eight-jet air force bomber with an unarmed nuclear bomb aboard crashed from 10,000 feet into a fiery heap in a barley field Tuesday after its eight crew members parachuted safely. Two were injured.

Financial statements bill passes final reading

VICTORIA (CP) — Legislation under which any organization receiving provincial financial aid can be ordered to publish complete financial statements was given third and final reading in the legislature Tuesday.

The government rejected an attempt by the CCF to have universities exempted from the law.

Under the Act, the University of British Columbia and the University of Victoria — among others—are specifically named as being required to publish complete financial statements annually.

Within these statements, they must include complete salary lists, and individual listings of each account in amount of $500 or more.

Tony Gargrave (CCF-Mackenzie), a law student at the University of B.C., said the bill opens the way for state interference in the academic programs of the universities.

He moved an amendment seeking to delete the universities from those listed but the amendment was lost on a voice vote.

The law specifies that municipalities, the various provincial government agencies, and the school districts must publish within six months after the end of their fiscal year a complete financial statement.

In addition, it gives the cabinet power to order in other organizations receiving public funds from the province to publish such a statement.

Russia pushes for UN debate

UNITED NATIONS, N.Y. (AP) — Russia pushed today for immediate General Assembly debate on The Congo to gain a wider hearing for its charges that the new confederation form of government developing in the African territory is a Belgian trick.

After a week of marking time since it resumed its session, the assembly showed signs of getting down to work. U.S.-Soviet negotiations to trim the agenda collapsed Tuesday, with the Russians adamant in their rejection of an American proposal to postpone most items on the agenda — and chiefly disarmament — until the fall. The United States, in turn, rejected a Soviet proposal to drop the Soviet complaint against U.S. reconnaissance flights if the charges of Communist suppression in Hungary and Tibet were dropped.

Soviet delegates roamed the UN corridors seeking to line up Afro-Asian support for an immediate Congo debate. The Russians charged that the agreement by anti-Communist Congolese political leaders meeting at Tananarive, Malagasy Republic, last week to replace the federal form of government in The Congo by a confederation of semi-independent states, was a Belgian trick to break up the new African state and keep a foothold in rich Katanga province.

PGE to get $5,000,000 from provincial government

VICTORIA (CP) — A bill authorizing advances up to $5,000,000 by British Columbia to the Pacific Great Eastern Railway in lieu of a federal grant which Ottawa has said is not committed received second and final reading in the legislature Tuesday after Opposition Leader Strachan withdrew a proposed amendment.

The CCF leader had sought to have it referring to repayment of the advance from federal aid of more than $5,000,000, the bill says expected from Ottawa because the provincially owned line is a development railway.

He asked the government to adopt a resolution that called on the federal government to make such a grant but to keep the accounts separate from the debt of the PGE so that the province would not be confused or misled on what was being done.

CLEAR CUT ISSUES

Premier Bennett said the bill contained clear cut issues: one the PGE needs the money, the other that the federal government has a responsibility to pick up a portion of the cost of the extension of the railway into the north.

But the two issues were confused under the bill as submitted.

Premier Bennett rejected the amendment. He said the late Hon. C. D. Howe, when a member of the Liberal cabinet, had made a commitment privately that the federal government would pay such a subsidy.

The proposed amendment would show a lack of confidence in the present federal government, indicating the province didn't expect it to carry out commitments made by a previous administration.

"If the amendment passes," the premier said, "then you're letting the federal government off the hook."

He asked that the amendment be withdrawn and that unanimous approval be given to the bill so that Ottawa would know that the whole legislature expected it to pay the subsidy—it amounts to $25,000 a mile over the whole length of the provincially-owned line.

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World News Briefs

SAIGON, Viet Nam (AP) — A special military tribunal sentenced three Viet-Cong Communist guerrillas to death Tuesday after convicting them of rebellion and setting a fire at the Caltex oil depot at Cantho, 20 miles southwest of Saigon.

CHRISTCHURCH, N.Z. (Reuters) — A United States navy nuclear reactor plant will be operating in the Antarctic within a year despite serious weather delays this season, an American admiral said today.

BELGRADE, Yugoslavia (AP) — Communist Bulgaria is trying to serve as mediator in the growing fued between Communist Albania and the Soviet Union, a diplomat returning from Sofia said Tuesday.

PARIS (Reuters) — The French government tonight declared its desire for the opening of official negotiations with the Algerian insurgents.

South Africa withdraws application to continue in British Commonwealth

LONDON (Reuters) — South Africa today withdrew its application to continue as a member of the British Commonwealth.

The surprise move by South African prime minister Hendrik Verwoerd came after three days of heated debate by leaders of the family of nations over his country's apartheid (segregation) policy.

South Africa's application for continued membership had been made necessary by the fact that it becomes a republic May 31.

A statement issued in the name of the Commonwealth leaders said:

"The prime minister of South Africa informed the other prime ministers this evening that in the light of the views expressed on behalf of other member governments and the indications of their future intentions regarding the racial policy of the union government, he had decided to withdraw his application for South Africa's continuing membership of the commonwealth as a republic."

After reading this statement, a conference spokesman was asked if it meant South Africa is "out of the Commonwealth."

He replied: "It does."

All 10 of South Africa's independent partners drew up a statement spelling out their readiness to approve its continued membership.

But the statement also denounced apartheid. Verwoerd refused to agree to the issuance of this declaration in the name of the Commonwealth as a whole.

The statement, which was to allow South Africa to stay in the Commonwealth, was released following a sustained effort by British Prime Minister Macmillan to avoid a deep split among the member nations over the issue.

Along with the statement went a declaration by the prime ministers registering strong opposition to South Africa's segregation policy.

The dispute had become the lengthiest of any conference of Commonwealth leaders.

Peeping Tom case remanded

Sammuel Nisyok of 522 Fulton Street was remanded until March 21 for sentencing when he pleaded guilty before Magistrate E. T. Applewhaite today in police court to a charge of trespassing near a dwelling house at night.

RCMP said that the charge was laid as a result of a complaint that a man had been looking in a window on Third Avenue West.

VANCOUVER (CP) — Ratepayers here will vote on another bylaw to sell International Airport to the federal government. But this time they will be given an alternative; sell, or put up about $15,000,000 for a new passenger terminal.

Prince Rupert has now gone 789 days without a fatal traffic accident.

WEATHER

Gale warning continued. Mostly cloudy with showers Thursday. Continuing mild. Southwest gales 35 over exposed waters late today, decreasing to light overnight. Wind increasing to southeast gales 40 Thursday afternoon. Low tonight and high Thursday 35 and 45.

TIDES

Thursday, March 16, 1961
(Pacific Standard Time)

High	01:01	21.0 feet
	13:12	22.7 feet
Low	07:07	3.0 feet
	19:30	1.2 feet