

# Parliament May Define Obscene In Criminal Code

By DON PEACOCK  
Canadian Press Staff Writer  
OTTAWA (CP)—An attempt likely will be made at the session of Parliament opening May 12 to insert into the Criminal Code a clear definition of "obscene" as applied to books, pictures, phonograph records, magazines and so on.

Justice Minister Davie Fulton has previously expressed his interest in this matter and officials of his department currently are understood to be studying the problem.

They likely will come up with a two-part definition in an attempt to solve, or at least alleviate, the age-old and exceedingly difficult problem of moral censorship.

The double-barrelled definition of obscene for legal purposes would have one part apply to materials considered obviously lewd and indecent—the sort of thing that finds little controversy in interpretation, such as dirty post cards, filthy movies, pictures and so on.

The other section would apply to the less obvious cases, where opinions might differ sharply. It would leave the final decision open to interpretation and judgment by the courts. This would apply to books, magazines, and so on.

Possibly with something of the difficulty of this type of censorship in view, the obscenity section of the Criminal Code now includes the exception that no person can be convicted under it "if he establishes that the public good was served by the acts alleged to constitute the offence."

This side of the censorship question was exposed at some length in the recent ruling of the tariff board on the American novel about sexual idiosyncrasies of a New England community, Peyton Place, by Grace Metalious.

The book last fall had been ruled inadmissible to Canada on grounds it was obscene under tariff law. But the publishers and distributors appealed the revenue department ruling and the tariff

board, in a 3-to-1 ruling, allowed the appeal.

In doing so, the majority ruling of the board discussed the problem of censorship in general terms.

The Criminal Code at present contains no legal definition of obscene.

**OLD RULING**

The tariff board ruling by vice-chairman W. R. Buchanan and member G. A. Elliott noted the usual definition of obscenity in criminal court proceedings is based on an 1868 definition.

"Discussing existing law against obscenity," they said: "The meaning which, in the criminal law, appears to attach to the word 'obscene' has a purely sexual connotation. This is not, of course, to imply that sex and obscenity are synonymous.

"Books may deal honestly and even bluntly with matters relating to sex without being obscene. Books, pictures, sculptures, etc., are obscene only if their tendency is to deprave and corrupt the mind of the reader or viewer."

## P. C.'s Nominate

Continued From Page 1  
said "If Government is making more and more mistakes every day and every time they open their mouth to speak they put their foot in it".

He said many people are of the opinion that if an election were held today, the Liberals would not elect a single candidate.

Mr. Driscoll said it was not his intention to criticize the Government but it was his hope that if the Conservative Party were elected it would try to improve "the situation which exists under the present regime."

Distinguished members of the party who were present at the meeting included W. R. Shaw, Provincial Leader; Heath Macquarrie, M.P., John A. MacDonaid, M.P., Melvin J. McQuaid, President of the P.E.I. P.C. Association; George Rogers, President of the Queens County Association; Frank Myers, M.L.A., Chairman for the meeting was Dan Birt, president of the 3rd District Association. John Smethurst was secretary.

**HELP PC CAUSE**

Speaking at some length, W. R. Shaw said, "no government has gathered around it so many errors and defects as the present provincial administration. It goes without saying, they have become unpopular and many have expressed the opinion to me that had the Conservative party hired someone to help their cause, that person could not have done a better job than Premier Matheson and his followers."

Mr. Shaw described as "very strange" the attitude of the Premier who he said insisted throughout the session that he did not know anything about the grant of two and a half million which the province was to receive in this spite of the fact that it had become an act of the Federal Parliament in January and the Provincial Treasurer had the amount included in his budget which was prepared the previous December.

Mr. Shaw deplored the Premier's reference to the Federal adjustment grants as "shabby treatment and crumbs from the table."

"The fact of the matter is that this same two and a half million was the one and only factor which saved this Province from going into bankruptcy and our Provincial Treasurer would have had to bring down a budget with a deficit of 3½ million if we had not received it."

Speaking further regarding the budget, Mr. Shaw noted the absence of any mention of hospital insurance, grants to municipalities or a farm credit policy.

Referring to farm credit, he recalled the announcement of Hon. Douglas Harkness, Minister of Agriculture who stated that the Federal Department of Agriculture will implement a new farm credit policy, not on a uniform basis, but one which will fit the needs of the individual province.

**SAYS NO GRATITUDE**

Mr. Shaw said this was being done without any representation being made by the provincial government "You would think our government would be thankful for all of Ottawa's generosity, but then when they call it shabby treatment or fail to give any recognition what can they expect when they go to the next Federal Provincial Conference."

Mr. Shaw felt however, that with the four members representing the province at Ottawa, the Island's claims would not go unrecognized. He said John Diefenbaker, "would consider the source of these remarks and see them as coming from those who were more anxious to make personal gain than to work for the good of their province."

**FOUR PORTFOLIOS**

The P.C. Leader made reference to the fact that the Premier now holds four of the Government's portfolios while three of his ministers are only on the job part time. These he said were education, Health and the portfolio of Provincial Treasurer during the past session of Legislature when he said he ran his office from his store.

"How can we have good government when one man holds four portfolios and three of his ministers are on the job only part time?" Mr. Shaw asked.

**SILENT MINISTERS**

The Conservative Leader strongly criticized the Government for "its rush" in winding up the business of the Legislature. He said one of the Ministers spoke on his Department and the short time the Premier spoke, "he spent trying to extricate himself from the holes he had dug during his tenure."

## Tribute Paid To Ch'town Airman In Recent Book

In a most engrossing and informative book recently written by Air Chief Marshal Sir Basil Embry, G. C. B., K. B. E., D. S. O. (3 Bars), D.F.C., A. F. C., titled "Mission Completed" and described as "The personal story of a great man of action", an item appears which is of more than casual interest to men of the armed services in this province.

Sir Basil, who retired as Commander-in-Chief of the Allied Air Forces, Central Europe in 1953, in reviewing certain aspects of Air Force activities and advanced procedure, pays tribute to Group Captain A. J. Shelfoon, A. F. C., (now Air Commodore) of the Royal Air Force.

Sir Basil writes: "A pilot's instrument flying rate determined the minimum weather conditions under which he might take off. I believe this scheme has done more to improve flying standards and reduce avoidable accidents than any other single measure in recent years. Great credit must go to Group Capt. A. J. Shelfoon, A. F. C., who was the chief architect of the scheme."

As a result of his advanced thinking and the successful operation of his method, Group Captain Shelfoon was appointed



AIR COMMODORE SHELFON

Director of All Weather Flying and later promoted to the rank of Commodore, Royal Air Force. Born in Charlottetown, a son of Mr. and Mrs. J. A. Shelfoon, he saw war service with the R. C. A. F. and was on loan to the R. A. F. in England from 1941. He later transferred to the R.A.F. and is now stationed in Cyprus.

## "Cats" Collide Hauling Fill For New Bridge

One driver was injured when two Caterpillar "carry-alls" collided on the City approach to Hillsboro Bridge yesterday morning. The front end of each vehicle exhibited considerable damage.

Taken to the Charlottetown Hospital, the injured driver was released the same morning following examination and treatment.

The machines involved were two of the many similar vehicles that yesterday resumed placing fill on the City approach to the new Hillsboro Bridge. Weather conditions had forced cancellation of this project late last fall.

## Parade Of New Cars Held Here Last Evening

Charlottetownians had an opportunity to view the latest models of cars and trucks last evening when a Mammoth Car Parade was staged by the Charlottetown Automobile Dealers' Association. This parade was arranged under the direction of Earl MacLeod in connection with the Red Cross Blood Donor Clinics being conducted in Charlottetown yesterday and today.

All 35 cars in the Parade displayed Red Cross Blood Donor Posters as reminders to attend the Clinics.

The R.E.C.C.E. Band, by kind permission of the Commanding Officer, headed the Parade, and played a number of selections in front of the Canadian Legion Building where the Blood Donor Clinics are being held.

## Cardinal Has Arm Amputated

ROME (AP)—Samuel Cardinal Stritch's right arm was amputated above the elbow Monday to save him from fatal gangrene infection.

The Pope, who personally authorized the operation, prayed for the recovery of the 70-year-old archbishop of Chicago.

The operation lasted 35 minutes. It was performed shortly after dawn by Dr. Pietro Valdini. Cardinal Stritch's doctors announced: "The operation was a success and the cardinal's condition is very good."

Late in the afternoon, a spokesman for the cardinal said his condition was "normal and good" and that he probably will be able to get out of bed in two or three days.

WEATHER		
TORONTO (CP)—Temperatures issued by the weather office:		
	Min.	Max.
	(Night)	(Day)
Dawson	29	65
Vancouver	41	63
Victoria	45	66
Edmonton	22	53
Calgary	22	51
Regina	9	29
Winnipeg	11	17
Toronto	41	49
Ottawa	42	46
Montreal	41	48
Quebec	35	47
Fredericton	29	47
Saint John	33	45
Moncton	28	49
Halifax	31	44
Charlottetown	27	46
Sydney	19	44
Yarmouth	33	48

St. John's, Nfld. .... 26 49

HALIFAX (CP)—The weather office says a disturbance will bring occasional rain to most areas.

Forecasts:

Northern Nova Scotia: Occasional rain; a little milder; southeast winds 20. Low-high at New Glasgow 35 and 50.

Prince Edward Island: Occasional rain; not much change in temperature; southeast winds 15. Low-high at Charlottetown 35 and 50. Fredericton 35 and 55. Saint John 33 and 50.

Bay of Fundy: Southwest winds 25; occasional rain; visibility 10 miles lowering in rain to two miles and occasionally in fog patches to one-half mile. Milder.

High tide today at Charlottetown at 6.36 a.m. and 6.50 p.m. At Rustico at 2.03 a.m. and 11.55 p.m. Smisserside tide eighteen minutes later than Charlottetown. Sun rises today at 5.06 a.m. and sets at 7.16 p.m.

## Tourist Is Praised For Twin Rescue

FREDERICTON (CP)—A 52-year-old American tourist, Philip Timpany of Lynnfield, Mass., rescued a man and a boy from the flooded swollen St. John River here Sunday and received official congratulations today from New Brunswick Premier Hugh John Flemming and Mayor William T. Walker.

But Mr. Timpany, head of the Timpany Elevator Co., Ltd., said he was embarrassed by the praise. "They're making a big hero out of me. I'm not a big hero."

Onlookers and police credited Mr. Timpany with saving the life of Alan J. Maunder, 31, of Fredericton, and his 10-year-old son Keith. They were thrown into the river when their boat struck a bridge pier and overturned.

Mrs. Maunder and a seven-year-old daughter Theresa, also in the boat, managed to cling to the drifting craft but Mr. Maunder and the boy were in danger of going down.

Their cries attracted spectators, who were wondering what to do when Mr. Timpany stopped his car to find out what was going on. "Something had to be done immediately," he said, "and I did it."

He scrambled over the side of the bridge and down a pier into the muddy water. Clinging to debris in about 50 feet of water, he helped support Mr. Maunder and his son until help arrived.

Howard Alexander of Baker's Point rescued Mrs. Maunder and the girl with his boat.

## Rotarians Hear Address On Space By P. W. C. Teacher

Professor T.M. Lothian of the Staff of Prince of Wales College conducted Rotarians through a maze of historic happenings ranging back for millions of years, at the weekly luncheon meeting held at the Charlottetown Hotel yesterday. B. Graham Rogers as chairman introduced the speaker.

Dealing with the subject "Space is the greatest problem facing man today. We are inclined to think that we have more and more of it — after all there is the universe and who knows what raw materials we may secure from Mars. How dangerous this thinking is. Space, the really important space, has been shrinking as we all know."

"Recently I read an article by Norman Cousins, presenting two alternatives as they now exist in some minds — Either strike first and annihilate Russia or surrender at once and so preserve the race. Surely there is some other alternative but how little space there has come to be since the beginning."

**THE CREATION**

Mr. Lothian went on to speak of creation (the earth) and millions of years later the creation of wild life. A strange wild life in the warm waters of a still warm earth. As life teemed in the waters they became crowded and their life grew onto the barren earth, first the plants and then the animals. Once the plants had moved to the land, they spread with amazing rapidity and in less than 100 million years they clothed the barren earth with strange forests of tall ferns and giant ground pines, whose modern representatives still occur on this island but the great forests have turned to coal in Cape Breton and in many places in the world.

During these endless ages, Mr. Lothian continued, wildlife was dominated first by fishes, then by amphibians and then reptiles roamed the forests and then dis-

## Rotarians Hear Address On Space By P. W. C. Teacher

appeared. Not because of faulty hunting regulations, because no man yet walked the earth, but because changing environment made the earth unsuitable for them.

**MAN APPEARS**

More millions of years elapsed before warm blooded animals came into being, before man was created only a million years ago, Mr. Lothian said. Wildlife flourished over the face of the earth and great changes were to come about — hundreds of thousands of years later man began to farm. "Perhaps seven or eight thousand years ago man became civilized and worshipped God, and multiplied and occupied the whole earth, the first world-wide dominant species — and he began to destroy the earth."

"Man has turned to desert, hundreds of thousands of square miles that could feed millions and millions of people. At the same time, because of medical advances he is increasing the population out of all proportion to the carrying capacity of the land. Two aspects of the picture — first space on which to grow food secondly, space in which to live."

"Dr. Parks has shown that when the population of flour beetles reach a certain density it decreases sharply — they destroy their young. Lemmings destroy themselves when populations reach a certain density. Many instances can be marshalled to show that animals need space in addition to food. Wildlife biologists across the continent keep pointing out that it is uneconomical to release game birds in areas already supporting a breeding population," Mr. Lothian said.

**LESS SPACE**

"As to man, it seems apparent that before he learned to farm, he had much space — about five square miles per person. The population at the time of Columbus rated one per square mile. Today it is 51 per square mile.

## Milton AYPA Annual Meeting

On April 19th, 1958, a regular Missionary meeting of the Milton A.Y.P.A. was held at the home of Everett Johnson.

The meeting opened by singing a hymn, and scripture lesson and prayers led by Rev. A. E. Piercy.

The installation of officers for the coming year was held. They are: President, Wesley Curtis; Vice-president, Gail Carter; Secretary, Nancy Thompson; and Treasurer — George MacKenzie.

## TRAFFIC DEATHS DOWN

TORONTO (CP)—Traffic fatalities accidents in Ontario showed a decrease during the first three months of this year, Transport Minister Allan said Friday. There were 191 fatal accidents which killed 213 persons during January, February and March. Last year during the same period there were 212 accidents and 251 fatalities.

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TRADE YOUR old lawn mower today for a "New Power Mower" Firestone Home and Auto.

WE TREAT the sick well. Gigg's Pharmacy, open 8:30 a. m. to 8 p. m.

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MEN'S Tailored to measure suits \$39.95 to \$99.95. Moore and McLeod Ltd.

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TODAY IS THE last day for Charlottetown Blood Donor Clinics — remember you are needed.

FOR FREE transportation to the Blood Donor Clinic this morning or afternoon phone 6022.

FOR FREE transportation to the Blood Donor Clinic this evening dial Ed's Taxi 6661.

UNLOADING car-load of white wash and masons lime also pots & baskets. Rogers Hardware Co. Ltd.

SHARE YOUR good health by being a Blood Donor today at Clover Club 9-11 a.m., 2, 4 and 7-9 p.m.

TOMORROW AT 1:30 — B. Earle MacDonald will speak on Radio C.F.C.Y., on behalf of the Salvation Army.

MR. ARTHUR H. PEAKE will be heard at 1:30 today — on Radio C.F.C.Y., on behalf of the Salvation Army.

ALL TAXES due in Kelly's Cross school district not paid by May 20 will immediately after above date be passed in for collection by order.

DIES IN VANCOUVER —Mrs. Pearl MacLeod, Brookfield, has received the sad news of the death of her brother-in-law, Dr. John B. MacLeod, Vancouver, B. C., on April 23rd.

MUSIC Festival beginning today. Morning — afternoon sessions of Highland Tap and group dancing at Birchwood High School evening sessions Highland Tap Ballet Novelty and Square Dancing P.W.C. 7:30 p.m.

**Late Mrs. Irving Was Known Here**

Mrs. A. J. Irving of 864 University Drive, a resident of Saskatoon since 1928 and active in United Church and community life, died in hospital early April 18, 1958 following a short illness.

Mrs. Irving, the former Jean Wright of Banks, Ont., was a school teacher until her marriage to Alex Irving formerly of Vernon, P.E.I., in 1911.

They lived in Lethbridge, Charlottetown, Toronto and Brandon before moving to Saskatoon.

She was a past president of Knox United Church Women's Missionary Society and first vice president of Saskatchewan Conference of the W.M.S.

She was chairman of the arts and letters committee of the local Council of Women and a member of the League of Nations committee.

She was a past president of the Women's Canadian Club.

She is survived by her widower, four children, Alex of Burnaby, B. C.; Jean, Mrs. George L. Christie (Joan) and Mrs. Arnold Johnson, (Anne), living in England.

Also surviving are two brothers, James and George Wright of Collingwood, Ont., and a sister, Mrs. W. Anderson of Edmonton.

The Saskatoon Funeral Home was in charge of arrangements.

**PERSONALS**

Mr. Gordon Brown, son of Mr. and Mrs. James Brown, Belvedere, who returned recently from the Middle East, left Monday morning by car for Calgary, Alberta.

Orston Proutie, now of Toronto, but until recently of 238 Kent Street, Charlottetown, was the only P.E.I. winner in a Halifax-sponsored contest based on forecasting the election results.

Mrs. Cyril Smith and Mrs. Clayton Tremere, Hunter River, left Monday by car for Calgary, White in the Alberta City, the two ladies will attend the wedding in Jehovah Lutheran Church of Mrs. Smith's son, David Blair, to Miss Barbara Gerlitz.

**HOT DEALS in COLDSPOTS at Simpsons-Sears**

SAVE up to 31.07 on a New 1958 Model!

**BIRTHS**

CAMERON—At the P.E.I. Hospital April 27, 1958 to Mr. and Mrs. Keith A. Cameron, Charlottetown, a son, Kenneth Wayne. Weight 7 lbs, 13 ozs.

**DEATHS**

JARDINE — Suddenly at the P. E. I. Hospital April 29, 1958, Mrs. Gilmour Jardine formerly of Mount Stewart in her 77th year. The remains are resting at the Cutcliffe Funeral Home. Funeral notice later.

LEA—The death occurred suddenly at the home of his son Glen A. Lea of North Tryon on Monday April 28th, 1958 of Matthew Smith Lea, formerly of Vernon River in his 74th year. His remains will rest at the Jenkins Funeral Home on Tuesday afternoon at 2 o'clock. Funeral arrangements will be announced later.

COULSON—Suddenly at 67 Elm Avenue, April 28, 1958, William Coullson, formerly of Lower Montague, in his 92nd year. Remains are resting at the Cutcliffe Funeral Home where funeral services will be held Wednesday afternoon service starting at 2 o'clock. Interment in Mount Buchanan Cemetery. Please omit flowers.

PETERS — At the home of his daughter, Mrs. William Ayl-

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**Deluxe Standard 8.6 cu. ft. COLDSPOT**

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Fully automatic defrosting—you don't even have to push a button! Large Super-cold freezer chest holds 32 lbs. frozen food. Twin crispers to keep fruit and vegetables fresh. Full door storage. Dairy chest for butter, bacon, cheese. White Durabond enamel exterior, lifetime porcelain interior. Unit guaranteed 5 years.

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More and more people are turning to COLDSPOT home freezers as a means of saving money. Meat can be bought in large pieces or during special sales; fresh fruit and vegetables can be frozen and kept indefinitely. Once you have a home freezer you'll wonder how you ever did without it! This model holds about 52 lbs. frozen food. Superwall construction prevents sweating. Dense 3" Fiberglass insulation. See it at Simpsons-Sears.

Reg. \$379.95 **\$344.95** \$10 Down

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