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The Release of Skill and King, Immoral Book Vendors.

Report of the Executive of

The Moral and Social Reform Council of Canada.

The members of this Council and the public generally know that L. J. Skill and J. C. King, who were serving a sentence of one year each in the Central Prison, having pleaded guilty to the charge of selling immoral and obscene books, were released by His Excellency, the Governor General, on the advice of the Honorable, the Minister of Justice. Subsequently, his action having been called in question on the floor of the House of Commons, the Minister of Justice made a public statement, as reported in Hansard, Columns 7344 to 7347, in explanation and defence of his course. Among other things, Hansard reports him as saying—"So far as papers show, and so far as any report of the matter which I have seen shows, the business was the ordinary legitimate business of respectable book-selling. But among the Volumes which had been sold by these men were such books as English Translations of Balzac, of Petronius and other Latin Authors, of Brantome also a French writer; and undoubtedly in these books, which are Classics and which are to be found on the shelves of our own Library or any other large Library, are to be found passages, just as I need not say there are to be found passages in that best of books that we all revere, which if they were singled out and collected and published together, might properly be described by the word indecent." And he concludes his explanation and defence in these words—"I gave the advice to His Excellency that these men should be summarily released, because in my humble judgment, speaking as a lawyer, they were not guilty of the offence with which they were charged."

No criticism is here made of the shortening of sentence nor therefore of those who asked for it, but simply of the public explanation of defence.

The history of this case is as follows:—

1—On the 28th of June, Skill was charged in the Toronto Police Court with "having in his possession for sale, distribution and circulation, certain obscene books and certain pictures tending to corrupt morals," and on the 7th July, he was in a second case charged with having "posted for transmission by or through the Post, circulars, advertising obscene and immoral books for sale."

On the 28th June, King was charged with "having in his possession for sale, distribution, and circulation, certain obscene books, and certain pictures tending to corrupt morals."

Mr. Hugh Rose, K.C., appeared for Skill, and Mr. J. W. Currie, K.C., for King. After many delays the defendants elected to be tried by a jury and pleaded "not guilty." They were committed for trial, and admitted to bail in \$2,000.

2—In evidence before the Magistrate:

(a) James Henderson, Post Office Inspector for Toronto, swore that he heard the defendant Skill say that he had mailed circulars advertising the books in question, to the number of 500, about 1st June, 1939, and that he had been sending out a like number each month for some time.

(b) Dr. Arthur Jukes Johnson, Chief Coroner for Toronto, swore that he examined books A. B. and C." (the names are given in evidence, but here suppressed for manifest reasons).