

*Private Bills*

In spite of the technical difficulty of that definition of obscenity, legislators in general have striven to enact the best possible legislation to fight obscenity and check immorality.

A quick survey of legislation in other countries will enlighten us on the meaning they ascribe to the word obscene and the importance they attach to problems arising out of obscenity.

Since 1868, in England, the courts have faithfully abided in their judgments relating to trials on charges of obscenity, by the standard established by Judge Cockburn in the famous case of *The Queen v. Hicklin*, and I quote:

The matter alleged obscene must tend to deprave and corrupt those whose mind is amenable to such immoral influences and into whose hands such a publication may fall.

That criterion makes it possible to condemn a publication without considering it as a whole, so long as a single passage of that publication tends to deprave and corrupt. That criterion requires—in legal parlance—as an essential element of the offence of obscenity, the tendency to deprave and corrupt.

Some moralists have had no hesitation in calling it obsolete, antisocial and ill founded. Indeed, how many timeless masterpieces born of the human mind, and expressing man's position and problems in relation to the absolute, would escape condemnation if that criterion were applied to the letter?

Shakespeare and Racine, for instance, and the Bible itself, would be cast aside.

Interest in this matter has created a reaction among English lawmakers. On November 18, 1958 after three years of unsuccessful attempts, the member for Birmingham, Stechford, Mr. Roy Jenkins, introduced in the House of Commons, in London:

(Text):

A Bill to amend the law relating to the publication of obscene matter; to provide for the protection of literature; and to strengthen the law concerning pornography.

**Mr. Speaker:** Will this be a convenient place for the hon. member to break his address?

**Mr. Eudes:** Yes.

**Mr. Speaker:** It being five o'clock the house will now proceed to the consideration of private and public bills, the former having precedence, pursuant to section 3 of standing order 15.

## PRIVATE BILLS

**Mr. R. J. McCleave (Halifax):** Mr. Speaker, filling in this afternoon for the hon. member for York West (Mr. Hamilton), I understand that one member who sponsors item No. 74

[Mr. Eudes.]

on the order paper, the second reading of Bill S-28, wishes to join the company who are going to greet Her Majesty in a short while, and I wonder if with the unanimous consent of the house that item could be called first.

**Mr. Speaker:** The suggestion is that item No. 74 be taken ahead of all others?

**Mr. McCleave:** Yes, Your Honour. The other items are items for committee.

**Mr. Speaker:** Is the house agreeable to the suggested course?

**Some hon. Members:** Agreed.

## STANDARD TRUST COMPANY

**Mr. B. C. Thompson (Northumberland)** moved the second reading of Bill S-28 to incorporate Standard Trust Company.

He said: Mr. Speaker, I thank hon. members for their indulgence and I wish to explain briefly the objects and effects of this bill. The bill is drafted along the normal lines described in the Trust Companies Act and the object is to incorporate those persons who are named in clause 1 as a corporation under the name of the Standard Trust Company to carry on the business of a trust company.

All the petitioners have had extensive business experience and are, in my view, well qualified to direct and manage a company of this kind. I might briefly refer to the names and occupations of each petitioner for the benefit of the house. First, is Mr. Stephen B. Roman, president of a number of mining companies which own and operate properties in the province of Ontario. He resides on a large farm adjacent to Unionville, Ontario. Bertram E. Willoughby, the second sponsor, resides in Toronto. He is a well known real estate agent in that city, and is an officer and director of a number of mining companies. Wilbur C. Cochrane also resides at Toronto. He is president of Cochrane Dunlop Hardware Company Limited, a well known wholesale hardware firm doing business throughout Ontario, as well as being a director of a number of companies. Harry A. Willis is a solicitor residing at Belfountain, Ontario. He carries on his law practice in the city of Toronto, and is a senior member of the well known legal firm of Willis and Dingwall. He is a member of the board of governors of McMaster University and a director of a number of companies doing business in Ontario. Murray Axmith is an executive and a chartered accountant, and a director and officer of a number of companies in Ontario; he resides in the township of Etobicoke. Wesley G. Thompson is a large farmer and the owner and operator of a feed mill in