

What Is The Law?

This column is prepared as a public service by the College of Law, Willamette University, Salem, to explain basic legal principles, not to provide legal advice. The reader is cautioned not to apply these cases to his own problems without an attorney's advice, for differing facts may change the outcome.

COURTS ABOUT 'INDECENT LITERATURE'

When can the courts prevent the sale of "offensive literature?" This two-sided question of reasonable control vs. freedom of speech is involved in the following cases. Because he used the mails to distribute "improper" publications, Roth violated the federal law prohibiting the mailing of anything obscene, lewd, lascivious or filthy. At the same time, Albert broke a California statute by keeping certain indecent publications for direct sale and advertising them. When both men were convicted, they appealed to the United States Supreme Court, arguing that their freedoms as guaranteed by the First and Fourteenth amendments had been violated. Holding, however, that obscenity is not entitled to protection as "free speech," the Supreme Court in 1957 affirmed the convictions. Mr. Justice Brennan, writing for the Court, found "implicit in the history of the First Amendment the rejection of obscenity as utterly without redeeming social importance." He concluded that material which has a tendency to incite lustful thoughts may be suppressed without proof that it will therefore cause anti-

social conduct.

Obscene materials, then, are those in which "to the average person, applying contemporary community standards, the dominant theme... appeals to prurient interests." The Court felt that they thus defined obscenity clearly enough to safeguard the constitutionally protected area for discussion of sex. Though imprecise, "obscene," "lewd," "lascivious," and "filthy," were held to define sufficiently the conduct they make criminal. Recognizing the difficulty in separating publications which appeal to "prurient" interests from those which legitimately chronicle human expression, the courts are constantly alert to prevent undue censorship which would violate the basic rights of free speech. Thus when a Michigan law withheld a certain book from the general reading public on the basis of its potentially bad influence on minors, the Michigan Supreme Court held the statute unconstitutional. Restricting the adult population to read only what is fit for children, the court pointed out, "is to burn the house to roast the pig." Therefore, they concluded, the law was "legislation not reasonably restricted to the evil with which it is said to deal."

CENTRAL POINT

Scout Charter Presented

By DORIS HUGHES
Central Point—A formal presentation of the Boy Scout charter for Troop 40 was made to the Central Point Junior Chamber of Commerce at the Jaycees meeting May 1. Bob Church, member of the executive committee of the Big Pines district made the presentation. Richard Traylor, institutional representative for the Jaycees, accepted the charter. He also introduced George Ray, Scoutmaster. Committee members of Troop 40 present for the occasion were A. D. Van Horn, chairman; Dr. Bruce Turner, and Robert Morris. The committee members also received their registration cards during the ceremonies.
Mt. Pitt Rebekah Lodge 187 met Wednesday at the Odd Fellows hall on Pine st. Three new members were initiated. They are Mrs. Loren Fleming, Mrs. Earl Obenshain and Mrs. Doreen Knight.
After the brief meeting in Central Point, the members went to Gold Hill for Friendship Night with the Rebekahs of the Gold Hill lodge.
Final plans were made for delegates attending the Rebekah Assembly at Corvallis, May 18 to 23. Refreshments were served.
The Mt. Pitt Rebekah lodge 187 is having a membership contest. The two captains are Mrs. Norma Kime and Mrs. Velma Kime. Norma Kime's team is leading by four points.

Joint Defense Set Against Reds

Washington—The United States and Canada Monday announced formal establishment of a joint North American Air Defense Command for repelling any Soviet aerial attack on North America.

The command will be maintained for 10 years unless the two nations by mutual agreement decide to cut its life short. Actually, the U.S. and Canada have been operating NORAD on an interim basis since last Aug. 1. Its headquarters have been at Colorado Springs, Colo., under command of Gen. Earl E. Partridge of the U.S. Air Force. The two nations exchanged notes last Monday formally setting up the command and outlining principles to govern its operation. The notes were made public today. The command's headquarters will remain at Colorado Springs and Partridge will continue as commander in chief.

Farmer License Slip-Up Charged

Salem—Legal provisions concerning farmer license plates have not been enforced by the state motor vehicle department, an Oregon Farm Bureau Federation representative charged before the Highway Interim Committee Monday. George Dewey, executive secretary of the Farm Bureau, said a survey conducted by one of the county farm bureaus showed that none of the farmers who had secured licenses for trucks this year was required to fill out affidavit forms as provided for by a 1957 law. "The apparent disregard for proper administration of this statute by the motor vehicle department has been such as to not allow the provisions of the 'F' truck license changes to go into effect," Dewey said. Motor Vehicle Director James F. Johnson said he would have comment to make later on Dewey's charges.

Dickens' 'A Christmas Carol' First Published in 1844

recently honoring Miss Kathy Coe. It was held at the home of Miss Coe's mother, Mrs. Plez Chamberlain, of Wilson rd. Cohostesses were Miss Helen Coe and Miss Melba Tucker. Guests were the Misses Pat Barber, Jenny Spradling, Betty Jo Juveland, Pat Greene, Laurel Setness, Joan Skov, Jackie Gillaspie, Kay Morris, Barbara Walters, Sherrill Van Horn, Judi Davis, Beverly Beck, Barbara Beck, Mrs. Eva Beck, Mrs. Katie Perkins, Mrs. Plez Chamberlain and Miss Helen Coe and Miss Melba Tucker.

Mrs. D. R. Hendrickson, who is in Sacred Heart hospital recovering from surgery, is now able to have visitors. A bridal shower was given

Two Democratic Governors Ask For More Federal Aid To States

Miami Beach—Two Northern Democratic governors asked the National Governors' conference today to forget its program for reclaiming functions from the federal government and to press, instead, for more state help from Washington.

French Generals Wait in Jubilation

Algiers—The ruling army generals of Algeria waited Monday in triumphant mood, convinced that Gen. Charles de Gaulle would take over leadership of the French nation. Jacques Soustelle, de Gaulle's right-hand man, was the focal point for massive demonstrations which marked the most tempestuous week end in modern Algerian history.

Grange News

Lake Creek Grange
HEC Chairman Nora Bradshaw reported that she has turned in her 364 coffee bands toward an electric maker. The birthday of Murray Bartling and Bessie Arens was honored at our last meeting; a birthday cake and gift was presented to each. Master Merton Bradshaw will not be able to attend State Grange at Eugene next month. An alternate was not elected as a substitute. Pearl Bartling reported on two interesting articles from the Medford Mail Tribune: one article was on the Gulf Stream and the other article which deluged our coast line. Our sympathy is extended to Ozie Burrell over the two deaths which recently occurred in her family, one being her brother-in-law and the other her uncle. She has returned to her home after attending the funerals in California. Lecturer Betty Bradshaw was called away because of the death of her sister-in-law. She and her daughter, Val, returned home last Saturday. Next Grange meeting will be June 13 at 8:30 p.m. Ellyn Charley Secretary

Fishing Re-Opens On Columbia

Portland—The commercial fishing season on the Columbia river reopened at 6 p.m. today, it was announced today. The reopening was announced here shortly before noon by the Oregon Fish Commission and the Washington Department of Fisheries. The season will remain open until noon, May 27. The usual week end closure for Saturday noon until 6 p.m. Sunday will not be in effect during that time, the announcement said. The season had been closed after a smaller than usual number of Chinook passed over Bonneville dam early in the season. Purpose of the closure was to allow at least 60,000 spawning spring Chinooks to go over Bonneville dam, assuring a fair season in three years. The count at Bonneville dam at midnight Sunday was 60,443, including jack salmon.

Sugar Market Quota Gets Huge Increase

Washington—The agriculture department Monday increased by 100,000 tons the amount of sugar which may be marketed in the United States in 1958. The new quota was fixed at 8,900,000 tons.

CEMETERY NOT POPULAR

London—Walter Hammond has been a gravedigger at the Walpole St. Andrew, England cemetery since the one-acre plot was opened 20 years ago, but nobody has been buried there yet. "Nobody wants to be first," Hammond complained.

Anti-Secrecy Bill Takes First Step

Washington—The Senate Judiciary Committee Monday approved an anti-secrecy bill upholding the public's "right to know" over the government's "right to say no."

The bill, identical to one already passed by the House, would amend the 1789 Federal Housekeeping statute which authorizes department heads to make regulations for the custody, use and preservation of records. Sen. Thomas C. Hennings (D-Mo.), sponsor of the measure, said some federal officials had cited the statute as authority for withholding information from the public. The proposed amendment would stipulate that no such authority exists.

Action Approved On Bomb Pranksters

Washington—The senate judiciary committee approved a bill Monday to crack down harder on cranks and pranksters who start airline "bomb scares." The measure would impose a \$5,000 fine and a five-year prison term as the maximum penalty for knowingly giving false information concerning destruction of aircraft and other vehicles. The present penalty is \$1,000 and one year.

WHAT DO YOU COLLECT?

Washington—Wendell B. Barnes, the Small Business administrator, said a businessman wrote one of the government's large agencies: "I understand that you collect business statistics. Will you please send me some."

The Danube River flows into the Black Sea and is 1,725 miles long.



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