



newsletter ON INTELLECTUAL FREEDOM

PUBLISHED BY THE INTELLECTUAL FREEDOM COMMITTEE OF THE AMERICAN LIBRARY ASSOCIATION, MARTHA BOAZ, DEAN, UNIVERSITY OF SOUTHERN CALIFORNIA SCHOOL OF LIBRARY SCIENCE, CHAIRMAN, EDITED BY LEROY CHARLES MERRITT, UNIVERSITY OF CALIFORNIA SCHOOL OF LIBRARIANSHIP, BERKELEY.

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ALTA Prexy Scores CLA

Library Director Bradford Harrison III is president of a national library group whose stated aim is to cleanse libraries of what it considers tasteless, socialist, subversive and pornographic books. The Conservative Library Association, which Harrison describes as right-wing, is currently seeking new members among librarians and trustees.

The groups' objectives are stated in a letter by Harrison in the April issue of the *Wilson Library Bulletin*. In another letter by Harrison in this month's issue of the American Library Association *Bulletin* he proposes the institution of a list, to be published by his group, of books that will not offend.

The views and purpose of the C. L. A. were denounced by Charles Reid, president of the American Library Trustees Association and president of the Paramus Library Board and Board of Education. Condemning it as a book-burning, witch-hunting, and vigilante group, Reid said that neither he nor the American Library Association would condone Harrison's outfit.

Harrison said, however, that the C. L. A. would be the sole judge of what constitutes patriotic, tasteful, and non-subversive books. He emphasized that his role as the group's president was in no way connected with his job as library director. All types of political books — those of the right, center, and left — can be found in his library; only prurient material is excluded.

Harrison's letters claim members in cities across the nation. They promise that membership rolls will be kept secret to shield members against what he termed the wrath of so-called liberals. "Let's face it. There are more radical books and liberal librarians than there are conservative books and librarians. We have a right to organize too, just as the liberals have organized," he said in an interview.

As an example of a liberal library group he cited the American Library Association. In an interview, Harrison said the C. L. A. would work to induce libraries to spend more money for worthwhile books and less for what he called quasi salacious books of questionable literary value. He denied that his proposed book list would be used to bar books that do not meet the C. L. A.'s standards, but he conceded that some members might be fanatic enough to use it as a guide for purging libraries of unapproved works.

Reid criticized Harrison for keeping secret the names of group members, saying they should be available to the public. "There should be no taint of secrecy. If I believed in such objectives I wouldn't hesitate to use my name publicly. If these people and their objectives are so weak that they must work with a secret membership, how wholesome can the organization be?"

Continuing, Reid said that libraries are fighting the kind of censorship implied by the books-in-good-taste list and is receiving support by such library groups as the Intellectual Freedom Committee of the New Jersey Library Association. Refuting the need for a group to judge good taste or patriotic books, Reid said, "We have to rely on basic human intelligence to decide merit, not a group whose mission is tantamount to book burning." — *The Hackensack, N. J. Record*, 16 April.

To the Membership

At its recent meeting the Executive Council decided that the Alabama Library Association no longer needed to be segregated to meet legal requirements within the state. Our association by-laws do not exclude anyone from membership but still there was practical discrimination by virtue of the treasurers not accepting dues from all applicants. This is now changed.

It is most important, we think, that a minimum of publicity be given this change in policy and we therefore have decided not to request ALA chapter status right now. There is also some resentment at what is interpreted here to the the "application of force by outside agencies."

The members of the Executive Council were quite positive in their observation that, at least in the Alabama cities in which the association will hold its meetings, segregation by race is no longer required in hotels and restaurants, and therefore we can accept in full standing all prospective members.

Until our shakedown period is over we shall refrain from seeking chapter status. Let me remind you that from one point of view Alabama has played it honestly all along: we have not sought chapter status under the 1955 ALA constitution.

It is my strong personal conviction that Alabama libraries and librarianship can best be promoted through cooperation with both the Southeastern Library Association and the American Library Association. We already are a working unit in SELA and I urge the Association to apply for chapter status in ALA.

I consider that the AlaLA is *not* engaged in attempting to solve racial problems; rather we are vitally interested in the *total* library picture within the state and we are confident we can and should work on developing our libraries along with *all* who are interested in our programs without regard to race. We are librarians working together on common purpose, not separate races with divergent views.

Robert W. Severance
President, AlaLA
The Alabama Librarian, January

Hardly a Negative Word

(Developed by the Minneapolis Public Library staff since Ervin J. Gaines became librarian last year, this Adult Book Selection Policy is presented here as a model notable for its positive tone and lack of restrictive language. It was adopted by the board of trustees on 20 May, 1965.)

The purpose of the Minneapolis Public Library book selection policy is to guide librarians and to inform the public about the principles upon which selections are made.

A policy cannot replace the judgment of librarians, but stating goals and indicating boundaries will assist them in choosing from a vast array of available materials.

The Library sets as its major goals in book selection: the advancement of knowledge, the education and enlightenment of the people of the community, and the provision of recreational reading. Basic to the policy is the Library Bill of Rights as adopted by the American Library Association, which states among other things:

"As a responsibility of library service, books and other reading matter selected should be chosen for values of interest, information and enlightenment of all the people of the community. In no case should any book be excluded because of the race or nationality or the political or religious views of the writer. There should be the fullest practicable provision of material presenting all points of view concerning the problems and issues of our times — international, national and local; and books or other reading material of sound factual authority should not be proscribed or removed from library shelves because of partisan or doctrinal disapproval."

Definitions

The words "book", "library materials", or other synonyms as they may occur in the policy have the widest possible meaning; hence, it is implicit in this policy that every form of permanent record is to be included, whether printed or in manuscript; bound or unbound; photographed or otherwise reproduced. Also included are audio records on tapes, discs or otherwise; films and pictures in the form of photographs, paintings, drawings, etchings, etc.

"Selection" refers to the decision that must be made either to add a given book to the collection or to retain one already in the collection. It does not refer to reader guidance.

Responsibility for Book Selection

Final responsibility for book selection lies with the Librarian. However, the Librarian will delegate to staff members authority to interpret and guide the application of the policy in making day-to-day selections. Unusual problems will be referred to the Librarian for resolution.

Objectives

The primary objectives of book selection shall be to collect materials of contemporary significance and of permanent value. The Library will always be guided by a sense of responsibility to both present and future in adding materials which will enrich the collections and maintain an over-all balance. The Library also recog-

nizes an immediate duty to make available materials for enlightenment and recreation, even though such materials may not have enduring interest or value. The Library will provide, too, a representative sampling of experimental and ephemeral material, but will not always attempt to be exhaustive. The Library does not consider it necessary or desirable to acquire all books on any subject if these books tend to duplicate each other.

Duties of Librarians

All staff members selecting library materials will be expected to keep the objectives in mind and apply their professional knowledge and experience in making decisions.

Use of the Library's Books

The Library recognizes that many books are controversial and that any given item may offend some patrons. Selections will not be made on the basis of any anticipated approval or disapproval, but solely on the merits of the work in relation to the building of the collections and to serving the interests of readers.

Library materials will not be marked or identified to show approval or disapproval of the contents, and no catalogued book or other item will be sequestered, except for the express purpose of protecting it from injury or theft.

The use of rare and scholarly items of great value may be controlled to the extent required to preserve them from harm, but no further.

Responsibility for the reading of children rests with their parents and legal guardians. Selection will not be inhibited by the possibility that books may inadvertently come into the possession of children.

Guidelines for Selection

1. The Library takes cognizance of the purposes and resources of other libraries in the Twin Cities and shall not needlessly duplicate functions and materials.
2. The Library does not attempt to acquire textbooks or other curriculum-related materials except as such materials also serve the general public.
3. Legal and medical works will be acquired only to the extent that they are useful to the layman.
4. The Library acknowledges a particular interest in local and state history; therefore, it will seek to acquire all state and municipal public documents, and it will take a broad view of works by and about Minnesota authors as well as general works relating to the State of Minnesota, whether or not such materials meet the standards of selection in other respects. However, the Library is not under any obligation to add to its collections everything about Minnesota or produced by authors, printers or publishers with Minnesota connections if it does not seem to be in the public interest to do so.
5. Because the Library serves a public embracing a wide range of ages, educational backgrounds and reading skills it will always seek to select materials of varying complexity.
6. In selecting books for the collections, the Library will pay due regard to the special, commercial, industrial, cultural and civic enterprises of the community.

Gifts

The Library accepts gifts of books, but reserves the right to evaluate and to dispose of them in accordance with the criteria applied to purchased materials. Gifts of books which do not accord with the Library's objectives and policies will be refused. No conditions may be imposed relating to any book after its acceptance by the Library.

Maintaining the Collections

Librarians are expected to use good judgment to remove from the collections whatever no longer serves a need, and to refurbish by rebinding or other means books which might suffer deterioration if not so cared for.

Revision of Policy

This policy will be revised as times and circumstances require.

Anti-Censorship Drive To Expand

The New Jersey Right to Read Committee, located in Morristown, plans to expand its campaign against groups favoring removal of some printed matter from newsstands. Organized a year ago by Harold Flanders of Florham Park and a few of his friends from the Morristown Unitarian Church Fellowship Social Action Committee, the organization totals nearly 100 members. It meets in the church.

According to Flanders, the committee hopes to set up a communications center for New Jersey and neighboring areas on activities of any group attempting some form of censorship. "We need information on the actions of would-be censors," Flanders said. "Once we know what they are trying to do, or have done, we intend to inform the public. We have faith once the public knows what is going on it will take appropriate action."

The purpose of the center, Flanders said, will be the exchange of information on where would-be censorship groups are operating and what their mode of operation is. "Knowledge of what they are doing and where they are working is essential to any campaign to keep censorship out of our lives," Flanders said.

"Communication is a major problem censorship opponents face," he said. "The problem is partly a result of our loose organizational status and our relative lack of money to finance an efficient set-up." In contrast, Flanders said, are the multitude of well-organized and adequately financed decent literature committees. He said these groups operate under the National Office for Decent Literature, a nationwide coordinating group in Chicago.

"There are more than 200 decent literature committees in New Jersey," Flanders said. "They are in varying states of organization and activity, but they have two things in common: Their aims are similar and they operate under a cloak of secrecy which makes it hard to get information on their activities."

The local committee has compiled records of censorship activities it has learned about, recorded how each incident of censorship was conducted, how it was fought and the final result. Now it hopes to establish a center of communication and will seek the aid of the Graduate School of Journalism of Columbia University in accomplishing that goal, Flanders said. — Norman Black in *Newark News*, 2 May.

July, 1965

Moot Question . . .

May 17, 1965

J. William Stanton
Representative, 11th District, Ohio
Washington, D. C.

Dear Mr. Stanton:

The Post Office Department New York office has again sent me the infamous Form 2153-X (August 1963). It requires me to reject publications on someone else's say-so ("Communist"), or ask for them — and very likely be listed as an unsavory character.

As I did last November 30, I reject absolutely the right of the Department or anyone else to tell me what I may or may not read, apart from military documents. Therefore I do not recognize the Form as a valid instrument and decline to act on it at all.

This matter was presumably in litigation, to settle its constitutionality. I have heard that the government has occasionally backtracked just enough to deprive a challenger of his case; when the issue is thus legally "moot" the court will not accept it. Has that maneuver been applied to the cases supposed to have been heard before the Supreme Court at the recent term? Is that why, after many months of silence, the Post Office Department has again sent me a Form 2153-X?

Your looking into the issue at your earliest convenience will be greatly appreciated.

Sincerely yours,
Sidney L. Jackson
Chairman, OLA IFC

Forthrightly Answered

By an 8-0 decision, Justice White abstaining, the U. S. Supreme Court has struck down the law under which the Post Office Department has been intercepting mail that it deemed to be "foreign Communist propaganda." As was widely contended since the enactment of the restrictive legislation in 1962, and as a panel of three Federal judges in San Francisco found six months ago, the Supreme Court ruled that the law is unconstitutional.

In defense of its so-called "screening" of mail from abroad, the Post Office Department argued that it protected Americans from propaganda mail they might not wish to receive. It was also argued that persons wishing such mail were permitted to receive it if they requested its delivery in writing.

The courts have now found this requirement an unwarranted invasion of privacy and an abridgement of rights guaranteed by the First Amendment. They have further observed that the names of persons filing requests for intercepted mail were kept on lists that found their way to the House Un-American Activities Committee. Thus, it was noted, the law acted as a deterrent to established freedoms and one that might inflict both social and economic injury upon addressees of such mail.

The Supreme Court's decision, serving as a sharp rebuke to the sponsors of the legislation and to the legislators who approved it, will be welcomed by all Americans who cherish the freedoms of speech and of the press and who properly challenge the "Big Brother" activities of over-zealous Government agencies. — S. F. *Chronicle*, 25 May.

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Subversion in New Hampshire

A state imposed "speaker ban" at the University of New Hampshire was narrowly defeated in the New Hampshire House of Representatives 205 to 176 on March 11.

House Bill 258 introduced by Representative Saul Feldman (Republican-Manchester) proposed that:

"No state agency, university, school or other state institution or agency deriving financial support in whole or in part from the appropriation of moneys collected by state taxation, shall make available to or permit any official, representative or member of a subversive organization or foreign subversive organization to use its facilities or its premises."

Willful violation of the law would have been cause for removal from public office by the governor and council.

The controversy boiled up from appearances at the University of New Hampshire by James Jackson, editor of the Communist newspaper *The Worker*, and Levi Laub, a New York college student who is under federal indictment for organizing and leading student trips to Cuba in violation of U. S. State Department restrictions on such travel (recently upheld by the U. S. Supreme Court).

On-campus student organizations issued invitations to both men to speak a year ago last spring. The right of student groups, under the University's long standing policy, to invite such speakers was upheld by the University's Board of Trustees. The present policy does prohibit any speaker from advocating illegal action or overthrow of the government by force. The state's leading newspaper *The Manchester Union Leader* violently attacked the University's policy in front page editorials. Democratic Governor John W. King, citing his belief that tax funds should not be used to promote the causes of an "enemy of the state," indicated last spring he would sign such a ban into law if it were presented to him.

University of New Hampshire President John W. McConnell and 21 of the University's 22 member Board of Trustees (Governor King is an ex-officio Trustee) led the fight against the legislation on grounds that it was an attack on academic freedom at UNH and at other state supported schools, and constituted an unwarranted and undesirable intrusion of politics into the trustees' responsibility for the administration of University affairs. They were joined by New Hampshire leaders in education, business, civic affairs and politics including Dr. John S. Dickey, president of Dartmouth College; the Reverend Placidus Riley, president of St. Anselms College; Mrs. Mildred McAfee Horton, former president of Wellesley College; and former Governors Sherman Adams (making a rare public appearance) and Robert O. Blood. Almost unanimous opposition to the bill was expressed by the state's evening daily newspapers and the weekly press. Students at the University held rallies and also attended the hearings and debate.

Proponents, including persons who identified themselves as representatives of veterans groups and private citizens, held that academic freedom was not a license for "subversive" use of state-supported platforms, that we were in an all-out war with communism and that

the majority of the state's citizens were in favor of the legislation. From the closeness of the vote, they may have been right on this last point.

Curiously enough, the bill had been reported "Not Expedient to Legislate" by the 22-member House Committee of education. Normally a committee recommendation is honored. There was some evidence of party-line voting in the final tabulation with a number of Democratic legislators lining up with Governor King.

The Intellectual Freedom Committee of the New Hampshire Library Association presented a statement at the hearings in opposition to the Bill pointing out not only its serious implications for the University and education in general but its specific application to public libraries which are scheduled to receive state aid under a recent "State-Wide Library Development Act." The law as written ("facilities and premises") would certainly have kept suspected subversives from reading the daily newspaper in public libraries — a most dangerous activity and a real threat to national security.

Don Vincent, Chairman
Intellectual Freedom Committee
New Hampshire Library Association

Welcome, OLA IFC

Organized this year, the committee is attempting to assess its role in the activities of the Oregon Library Association. The objective of such a committee is clear enough: assistance to libraries subjected to public pressure in censorship of materials. The question then arises: will trustees and librarians in Oregon find assistance from the State Association helpful? To date no local situation has been referred to the State Association.

In undertaking a program of this nature, the committee offers the following general suggestions:

1. Keep abreast of censorship problems and events on a national basis by subscribing to *Newsletter on Intellectual Freedom*. Subscription Department, American Library Association, 50 East Huron Street, Chicago 11, Illinois. \$3.00 per year, bi-monthly.
2. Read articles published in recent bulletins and magazines of the A. L. A. Conference on Intellectual Freedom at the Midwinter Meeting.
3. Consider the need for a written book selection policy and a procedure for handling complaints so that events in a given situation become a matter of record.
4. When in need of legal advice, if there is no attorney in local area who is expert in this, consult with a chapter of the American Civil Liberties Union for names of lawyers who are equipped to advise on such matters.

Oregon, apparently, is among the states where less overt action has been taken by pressure groups — this can be considered a compliment to the ability of library trustees and librarians to resolve the situation in its initial stage. If there is need the Oregon Library Association offers its services to those in the state concerned with censorship problems. This committee is interested in hearing from anyone who has dealt successfully with a censorship problem, or anyone who is faced with one.

Mary E. Phillips, Chairman
Oregon Library News, April

NJLA IFC Reports . . .

The Intellectual Freedom Committee is concerned with freedom to read. It is concerned with any attempts to limit that freedom. It is concerned primarily in protecting the rights of libraries in their basic function of providing materials "chosen for values of interest, information, and enlightenment of all the people of the community and of providing materials presenting all points of view concerning the problems and issues of our times, international, national and local." (The quotation is from the A. L. A. Bill of Rights.) However, that concern is not limited to the walls of our libraries. Censorship starting at the governmental level as a law or ordinance; censorship starting at the administrative level with book banning by county prosecutors; censorship starting with private group pressures may have the same results — the limitation of the right of the individual to choose for himself what he wants to read and what he wants to think. In a democracy such a limitation is unthinkable.

In New Jersey this year we have had experience with all three approaches. In Summit in March of this year, the Common Council proposed an ordinance which would make it illegal to "furnish . . . any publication of an obscene nature." The enactment of the ordinance was deferred after a stormy public meeting and many written protests. The Intellectual Freedom Committee added its voice to those of lawyers, ministers, teachers, the public librarian and parents in this matter.

In Middlesex County, the prosecutor banned a book in January. The librarian at Woodbridge, Mr. Edward Beckerman, inquired whether the ban applied to the library as well as to the display and sale of the book. He was told it did. Since this was obviously a case of censorship of library materials he appealed to N. J. L. A. for help. The N. J. L. A. and the Intellectual Freedom Committee public statement against censorship, it is believed, did much toward having the order rescinded.

Parenthetically, I must also say that the book banned was not the crux of the matter — censorship was. Obscenity is extremely difficult to define. There are, however, legal procedures available which can be used. These ordinances and pressures are ways that attempt to by-pass the legal methods.

We come now to the pressures from private groups. Some of the pressures resulted from the political heat engendered by the presidential campaign of 1964. The pressure has continued in the main from ultra-conservative groups. Other pressures have come from anti-smut campaigns sponsored by Committees for Decent Literature. The private group pressures are the most virulent. For unlike the actions of public prosecutors and other elected officials who are held accountable for their actions and statements, these private groups are accountable to no one. They make extreme statements. They launch attacks. They even threaten.

In Ridgefield Park the Public Library was called by a man who spoke as a member of the John Birch Society. He demanded that the librarian, Mrs. Clarice Schmid, withdraw certain books from the shelves and insisted that John Birch approved material be put on the shelves. When Mrs. Schmid refused to remove any

books the man threatened to throw a picket line around the Library. The picket line never materialized and the local police were informed of the threat.

Farther south, the Cherry Hill Public Library had in its community organization window, a display of books and quotations memorializing the 50th anniversary of the Womens' International League for Peace and Freedom. Albert Schweitzer, John F. Kennedy, Jane Addams, Ralph Bunche, Pearl Buck, and Vice-president Hubert Humphrey were represented. A group, calling themselves the Camden Conservative Club, demanded the exhibit be taken out because, they said, "Jane Addams associated with Communists." Mrs. Irene Gitomer refused and referred them to a clearly worded policy for the displaying of community organizational materials. A signed petition was then presented demanding exhibit space and time. Since the request was a valid one, it was granted, for the presentation of varied points of view is an essential duty of the Library. Resistance to pressure that intends to suppress viewpoints is equally a duty of the Library.

Just last Friday, May 7, a meeting on smut was held in Somerville. Those attending saw a film and listened to a detective claiming a direct relationship between the reading of pornography and juvenile delinquency (a fact that is generally disputed). No questions were permitted from the floor. Miss Flory, Somerville Public Librarian, reported, "the object seemed to embroil the audience in a vast emotion of fear mixed with resentment toward law and order as maintained by the community." Some forthright protests were made by Miss Flory, Miss Gibian (Somerset County Librarian) and Reverend Eugene H. Durkee after the meeting and in the local newspaper.

Perhaps this is a good place to repeat that our concern is with freedom to read. What starts out as a campaign against trashy magazines on newsstands quickly spills over to paper-back books. Books such as *Hershey's Child Buyer*, Faulkner's novels, Huxley's novels, Steinbeck's *Grapes of Wrath*, Salinger's *Catcher in the Rye*, have at one time or another been called obscene. The word, after all, is flexible, and includes anything the current censoring individual cares to have it include. An equation also seems to occur between sex and social change and so books are attacked as being socialistic and pornographic all in one breath.

Librarians in this country diligently work at maintaining and expanding libraries to provide all people with access to books and materials of all persuasions in all subjects. Perhaps it is our greatest strength—this—the guaranteeing of free access to ideas, popular and unpopular, free access to expressions of writers on the nature of life and the condition of man; free access to new and sometimes challenging ideas that may solve some of the problems man always faces. This is a pattern created in our Constitution that is well worth conserving.

In an era when "truth squads" are being sent by the State Department to University and College campuses; when ultra-conservative groups want to reduce the world to the "we and they" of Orwell's 1984 nightmare; when concerned and frightened adults ascribe all our social problems to sexual frankness and pornography, the role of the librarian is certainly a challenging one—

to keep alternatives always open through the free flow of ideas in books.

The Committee would like to suggest that a Conference or a series of Institutes on Intellectual Freedom would be highly desirable. The attacks leveled have often been on the basis of protecting the young people. Exploration of the responsibilities of the librarians in this area would be worthwhile. Too often adult books may have been pre-censored to tailor the book collection to immature minds. It would be well to discuss our basic purposes and methods of combatting any attempt to infringe upon them. — Mrs. Zoia Horn, Chairman.

Parents Should Decide, Librarian Linder Feels

County Librarian George Linder said Monday he has not been consulted by city officials in the current proposed crackdown on certain types of literature in Spartanburg. Linder says the best way to combat the problem is by "more concentration within the home."

He calls the action by City Law Enforcement Director W. T. Ivey censorship, and admits it is difficult to define what should be read and what should not be read. "Everything that is banned immediately becomes more desirable," Linder believes. He adds he takes this stand as a reader, not as a librarian.

Linder points out that one can find sex in the classics just as in any other material, and it is county library policy not to order those books "not up to our standards." Decision on reading material should be made in the home by parents who need to decide what their children are reading, Linder adds. Linder makes no reference to adult readers, who also would be affected by a ban on reading matter. — Spartanburg, S. C. *Herald*, 11 May.

Ouch!

May 14, 1965

To the Editor:

I wish to call to your attention the incorrect entries in your "Current Bibliography" column of the May 1965 issue of the *Newsletter*. The articles by Mrs. Sayers, and Messrs. Crothwait, Crowell, Ernst, Kirsch and Moon appeared in the April issue of the *Wilson Library Bulletin*, and not the July issue. Since there is no July issue of *WLB* at all, these entries will be misleading to many of your readers. The articles by Dr. Boaz and Mr. Fleishman are correctly listed as appearing in our April issue.

Would you be kind enough to make note of the fact that reprints of the whole symposium, "Full Freedom of Expression," which all these articles constitute, will be made available, priced as follows: 10 copies for \$2; 25 for \$4; 50 for \$5; 100 for \$7.

Kathleen Molz, Editor
Wilson Library Bulletin

Open Forum

The Intellectual Freedom Committee of the Santa Rosa Friends of the Library recently issued a statement of purpose and explanation. Members of the committee are Dorothy Barnett, Corrick Brown, Margaret Clark, Bill Geary, Dorothea Proctor, Arnold Solkov and Brook Tauzer, Chairman. Their statement follows:

The freedom to read is essential to a democratic society, but this constitutional guarantee is under attack in many communities today, through extra-legal procedures imposed by individuals, private groups, and public authorities. These arbiters of the public welfare use means and seek objectives that contradict the very essence of American freedom. Exclusion, censorship, coercion, and removal constitute their methods. Conformity, mediocrity, and fear are the end results of their efforts.

Independence of mind rejects suppression, and the Friends of the Library, through its Intellectual Freedom Committee, hereby declares its intent to preserve the freedom to read for Santa Rosa residents. In no more vital manner can this community preserve and perpetuate democratic principles. Therefore, the Intellectual Freedom Committee will consider all issues referred to it by the parent organization's Board of Directors.

Regardless of the topic to be considered, this Committee will be guided by certain unequivocal principles, all of which are devoted to promoting the freedom to read. We assert that:

1. Mature citizens of a democratic society, in exercising critical judgment, do in fact accept the good and reject the bad without the help of censorship. Critical judgment is fostered by the family, school, and church, among other responsible institutions.
2. Access to library materials that represent the several points of view, and that may, in addition, be unpopular, argumentative, and unorthodox, are necessary for citizens of a democratic society to form their individual opinions.
3. Encroachments upon the freedom to read by individuals or groups seeking to impose their own standards upon the community must be contested.
4. Books and other library printed materials are among the greatest instruments of freedom, because they provoke creative thought and lead to expressions that reflect upon solutions of critical contemporary problems.

With the advocacy of freedoms there is a concomitant responsibility to exercise reason, judgment, and objectivity in discussions of the issues referred to the Committee. This will be achieved.

Recognition of America's devotion to freedom must extend to the free market place of ideas, of which the public library is an integral part. The freedom to read, a constitutional guarantee, is the realization of a library's function, and it promotes the interests of our nation's dedication.—Santa Rosa, Calif. *News*, 22 April.

The Verdict on 'Fanny Hill'

The procedure that resulted last week in a Criminal Court jury's convicting Paul Romaine of obscenity for selling a copy of the 18th Century novel "Fanny Hill" showed once again the unintelligence of Chicago's censorship of literature.

The Municipal Code's test of obscenity is "whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interests" outweighing "whatever artistic, literary, historical, educational or other merit" it may possess.

These are judgments that even literary persons find difficult to make. Yet Chicago makes no provision for expert advice until the trial, when it is likely to be ignored because of the makeup of the jury.

The Romaine case illustrated the procedure's weaknesses. A plainclothes policeman bought a copy of the book. It was reviewed by the vice control unit of the police department and the city's attorney, who asked Municipal Judge Joseph B. Hermes for a warrant to arrest. Issuing the warrant, the judge said, "I have read a few lines of the book. It is obscene — pure dirt."

The Illinois law excuses from jury duty such persons as doctors, lawyers, clergymen, newspapermen and school teachers — the very people, as defense attorney Charles Liebman pointed out, who are likely to have a perspective on literature. And it is hard to see how any except those who frequent the world of literature, and thus possess some notion of what literature is supposed to be, can be asked to render a comparative judgment on literary merit.

Only one of the jurors questioned about their reading habits had read a book within the past year.

This was the jury that, despite the favorable testimony of eight expert witnesses, found "Fanny Hill" not only objectionable, which it may be, but also devoid of literary and historical merit, which is more difficult to prove.

In applying the moral criteria to science, religion, art and literature, the most highly civilized judgments are called for. Yet those least qualified are often the most eager to do the censoring, while those best qualified are most reluctant. The Illinois law should be amended to increase the probability that knowledgeable jurors will be chosen in cases affecting freedom of expression, and bills now pending in the Legislature would be steps in that direction. The Chicago censorship procedures should be changed so as to be guided by those persons who are qualified to advise. — *Chicago Daily News*, 8 May.

Winchell Says . . .

Who is responsible for the pornography binge?

Quick buck publishers and film-makers. But censorship is not the answer. Censorship is always negative. The people should accept the responsibility for freedom rather than depend on state-established standards of good and evil. If the people are considered wise enough to choose their leaders, they should be considered intelligent enough to pick their books and films. — N. Y. *Journal-American*, 3 June.

Annual Report

Seventeen hundred fifty copies of this issue are being distributed on a subscription basis, an increase of 16.9% over the July, 1964 issue. Average edition during the year, however, has been 2800, largely because of bulk sales to state associations for distribution at their annual meetings. Write the editor for details.

Editorial

The colloquium at U. of Pittsburgh's Library School of January 26 featured a film, "Perversion for Profit," which warned citizens of the moral decay of many children who had become "hooked" on "obscene" literature found at the corner drugstore. This film was offered by a nation-wide organization, the Citizens for Decent Literature. Its purpose, according to Charles H. Keating, Jr., CDL's founder, is to fight "the floodstream of obscene publications flowing through this country, publications which advocate the overthrow of Judeo-Christian principles."

Keating says CDL stands for law and urges the public to encourage public officials to enforce laws which prohibit obscenity. The goals of CDL, we would all agree, are very commendable. Even organizations with the best of intentions, however, may overextend their goals in their zealotry. The *Wall Street Journal* has reported that some local CDL chapters have become considerably more aggressive than the national organization and have applied such pressures as boycotting and picketing local merchants.

A disturbing fact is a parroting in the film and repeated at a meeting of the Pittsburgh chapter of the idea that equates the distribution of pornography with the spread of communism. Such a pronouncement has a familiar ring of a recent era in our society. In that unfortunate period an all too common occurrence was an effort to censor under the guise of the "threat of communism."

CDL opposes censorship. Yet some local chapters have already issued lists of disapproved magazines. One member of the Pittsburgh chapter observed that our Founding Fathers did not face such a problem — the implication being that if they had, the Bill of Rights would, perhaps, have been more restrictive. The Constitution permits freedom of speech, but, according to this member, people should not be permitted to do what is harmful, and she called for a reinterpretation of the Constitution. The need for a "different interpretation" appears to me as closely paralleling censorship.

What the answer is to this dilemma I do not profess to know. A citizenship aroused to problems in our society is healthy, and no double pornography is a problem. Thus far censorship has been a little explored factor in CDL's program. How long it can remain quiescent will depend largely upon an aroused citizenship also being fully aware of opening a door to a flood of problems just as threatening as the effects CDL claims for obscene literature. — Joan E. Lief, in *Gslis News*, 13 April.

All the Water . . .

I

May 13

To the Editor:

Enclosed is a copy of our church bulletin with the "Vicar's Musings" on obscenity. Several weeks ago Father Kennedy preached a sermon on the "obscenity on our newsstands" and indicated that he was prepared to do a series on the subject and perhaps organize an action committee of church members.

I sent him a copy of our "Statement of Position", spoke briefly to the "Pastor's Cabinet" and offered to write a longer statement. In the meantime I sent on to him the contributor's copy of the May issue of *IF Newsletter* which you so kindly sent me. Yesterday his statement came in the mail.

It is not all that I might have hoped; but does prove again that reasonable people can see the dangers of censorship with only a minimum of constructive argument.

David Brunton, Secretary
California Library Association

II

May 11

The Vicar's Musings:

A great deal is being written in the newspapers and periodicals about the issues of "freedom of speech" and "freedom of dress". Bills have been dropping into the present State Legislature's hopper like rain. The city fathers in nearby San Francisco seemingly have lost their battle to limit nudity in public places; it is probable that most if not all of the bills on obscenity in literature will never get out of committee in Sacramento. I do not think this proves we are becoming depraved nor does it necessarily prove we are without morals, even though the newspapers report the bars and restaurants featuring nudity are crowded and even though obscene literature increases on our public newsstands. A moral person chooses whether or not he will be exposed to entertainment that features nudity; a moral person has on board in heart and mind, standards for choosing whether good or obscene literature will be read. All the water in the ocean will not sink a ship unless it gets on the inside — so all the filth of entertainment and literature will not affect a person unless by choice it gets on the inside.

Rev. Joe R. Kennedy
St. Patrick's Episcopal Church
El Cerrito, California

III

May 13

Dear Father Kennedy:

As you may well imagine I am pleased with your statement on obscenity in the current issue of *The Shamrock* and am sending a copy of it to the editor of the American Library Association's *Intellectual Freedom Newsletter*.

I am sorry that I have procrastinated in preparing for you a statement of my feelings on the subject, but our short talk and the materials which I sent seem to have given you some new insights. My thinking has been confined to the legal and constitutional questions of censorship vs. obscenity and I have never given much

thought to the religious or theological implications of the problem. I am sure that you are right that the responsibility rests on the home and church and individual.

I sincerely doubt that reading of salacious literature or the viewing of pornographic pictures will corrupt a normal person or incite him to anti-social action. Surely we cannot limit the reading of all persons to material which is suitable for abnormal persons.

Though charged with emotion, the situation with children seems much the same. No doubt some children are shocked and disturbed by their first knowledge of sexual matters, regardless of the source of the knowledge. Protecting them by censorship will not help. They are bound to learn and be shocked sometime — perhaps in a high school biology class or even in the locker room of a church-sponsored summer camp.

The only way to "protect" children (or adults) is by providing them with an internal protection through the home, the church and the school.

I agree that the nation is not becoming morally depraved. Even if it were, pornography would be only a symptom and not a cause. Censorship would be an additional symptom. — David Brunton

Oakland Textbook Dispute

The Oakland Board of Education declined yesterday to reverse a decision to buy a Negro history book co-authored by poet Langston Hughes despite complaints it was Communist propaganda.

Board President Lorenzo Hoopes said he took "violent exception" to statements that "The Pictorial History of the Negro in America" and a 10-volume set called "The Negro Heritage Library" deserved no place in high school and junior high libraries.

W. Edward Knowles of American Taxpayer Union of California, Inc., presented a protest petition with 163 signatures and said that "the people of Oakland are seriously disturbed by the insidious infiltration of Communist propaganda into our school libraries."

Knowles said that his primary objection was not to the contents of the pictorial book but to its co-authorship by Hughes, who Knowles said had belonged to Communist front organizations.

Clyde Dalton of the Northern California Democratic Volunteers, speaking for 10,000 "conservative Democrats," made his second appearance before the board to protest the volumes' purchase for textbooks.

"No school system has any more right to indoctrinate our children's minds with alien political and social philosophies than it has to indoctrinate them with a religion," Dalton said. — S. F. *Examiner*, 2 June.

From All Parts

In Denmark the Supreme Court has reversed a 1957 court decision banning *Fanny Hill* as a pornographic work.

Among 14 Penguins held up by the South African authorities for consideration by the Publications Control Board is *The Light and the Dark*, by C. P. Snow. H. D. Ziman, commenting on this Reuter report in the *Daily Telegraph*, suggests that the only possible reason is that the censors have taken objection to the title, as in the case of *Black Beauty*.—*The Bookseller*, 17 April.

'Careful' Smut Bill Signed

Gov. Rockefeller signed yesterday a carefully worded anti-pornography bill which he said "appears to meet every constitutional test imposed by the courts."

The bill, which makes it a crime "knowingly" to purvey pornography to children under the age of 17 goes into effect Sept. 1.

Previous anti-smut legislation has been struck down in court tests because the definition of pornography was ambiguous.

In approving the bill, the Governor said:

"For many years this state has fought to protect its youth from the tide of pornography which has been unleashed by unscrupulous peddlers. The courts, however, in interpreting the freedom of expression guarantees of our Constitution, have invalidated repeated legislative efforts in this area."

The new law, introduced by Assembly Speaker Anthony Travia, precisely defines what will be considered pornography after Sept. 1.

"Harmful to minors" is defined by the law as material that "predominantly appeals to the prurient, shameful or morbid interests of minors," is "patently offensive to prevailing standards in the adult community as a whole" or is "utterly without redeeming social importance for minors."

The law bans the sale, after Sept. 1, of "any picture, photograph, drawing, sculpture, motion picture film . . . or similar visual representations or image of a person or a portion of the human body which depicts nudity, sexual conduct, or sado-masochistic abuse . . . or contains . . . explicit and detailed verbal descriptions or narrative accounts . . . which, taken as a whole, is harmful to minors."

Conviction will carry a possible \$500 fine, a year in jail, or both. — N. Y. *Herald Tribune*, 9 June.

Exploiting Obscenity

The Legislature has under its vigilant consideration two anti-obscenity bills embodying new definitions of what the people of California may safely read or witness.

Both bills masquerade as valid and virtuous efforts to protect public morals, though an expert on such matters, Attorney Morris Lowenthal, finds them unconstitutional, as well as a harassment, a nuisance and weapons of persecution.

Politicians nowadays frequently make indecent haste to adopt virtuous stances favoring tighter laws on pornography and obscenity. They exploit these attitudes as freely for self-advertisement as they ever did the concepts of anti-Communism and 100 per cent Americanism.

This regrettable tendency extends to liberal-Democratic Governors as well as to Birchers and other right-wingers. But one hopes that even in their frenzy for reelection the liberal Democrats will be restrained by their better-advised counselors from the vulgarity of hopping on this hypocritical, nonsensical pornography-obscenity bandwagon. — S. F. *Chronicle*, 17 May.

The Readers' Right

Published by the New Jersey Committee for the Right to Read, *The Readers' Right* continues as the nation's most aggressively forthright proponent of intellectual freedom and opponent of the tendencies toward censorship wherever they may be found. The April issue (Vol. 2, No. 2) contains an excellent case study of a CDL attempt at censorship in Boonton. The whole issue merits reading, and the efforts of the Committee deserve emulation. Membership on the Committee, which includes subscription to *The Readers' Right*, costs \$5.00; subscription alone costs \$1.00. The address is Box 250, Caldwell, New Jersey 07006.

Smoking Out the Comstocks

Port Orchard, Wash.
11 May 1965

To the Editor:

We are having here in Bremerton a lively debate on censorship and obscenity.

The story began when I brought a fellow ACLU member, Mr. Bob Keller, a junior college instructor, to the executive board meeting of the junior high where I teach. Mr. Keller and I argued that the board should abandon its support for a local censorship group; the board refused.

Next a series of letter debates were exchanged with the editor of the Port Orchard *Independent* who favors the Birch Society and hence censorship. After Mr. Keller's enlightened letters, the editor backed down but not before he had refused to print a series of questions I had written regarding the argument.

Because of his refusal to print my letter and because of his statement that he would not discuss anything with me unless I would define "each and every word," I wrote a letter to the Bremerton *Sun* quoting his letter to me and publicly asking the same questions. This smoked out the Comstocks with the result that a letter debate is still going on. Meanwhile the ACLU has rented a hall at Olympic College where a panel discussion provoked much comment from the audience. On the panel were a psychiatrist, the editor of the *Sun*, a minister, and a lawyer school board member. All opposed any form of censorship. The pro-censorship people are still sputtering via letters to the editor and during the showing of a CDL film, "Pages of Death."

The Comstocks plan to hold a great rally on the twenty-seventh in the hope of gaining support for censorship. They are "protecting" children. — Charles F. Piersall.

African Proposes Curbs on Karate

South Africa's Interior Minister Jan de Klerk threatens to cancel a tour by Japanese karate experts if they get any publicity and a legislator in Cape Town proposes government control over karate and judo instruction books. South African karate impresario Sebastian Hawkins commented: "What do you think would happen if 20,000 Bantu (Africans) learned karate? They could have this country in chaos overnight." — *Sacramento Bee*, 15 June.

'Whisper' Down Under . . .

Broken Hill — The all-powerful Barrier Industrial Council has given yet another example of its supreme control over affairs in Broken Hill. Seven pedlars of the Sydney publication, the "King's Cross Whisper", lobbied into Broken Hill confident of big sales in this so-called "city of sin".

Then the BIC stepped in, labelled the paper "utter filth" and placed a black ban on it. The council invoked its unique boycott measures to immediately halt the "Whisper's" distribution. Unionists were not permitted to buy the paper, nor give service of any kind to the pedlars. Hotel proprietors and businessmen were warned that if they allowed the paper to be sold on their premises they in turn would be blacklisted. The pedlars hurriedly bundled up all available copies of the "Whisper" and left the next morning on the first available transport, literally "run out of town".

On top of this, the pedlars were assailed by a hostile Press. The Labor daily, "Barrier Daily Truth", broke with tradition and dropped Premier Renshaw's policy speech to a secondary position to spread across its front page an editorial attacking the Labor Government for not having banned the "Kings Cross Whisper", as had been done in Queensland. "Well, if the Government and police officials haven't any sense of responsibility, if they won't lift a finger," said the editorial, "let the Government, the police and everyone else take note that the people and organisations of this city area are not going to stand idly by when faced with evil of these proportions . . . Let us run these monsters out of this city!"

Meanwhile, the "Whisper" has been banned in Queensland by the Literature Review Board under the Objectionable Literature Act of 1954. Mr. J. P. Kelly, chairman of the Board, said this ban covered all forms of distribution within the State. (The Act provided a penalty of up to £100, and £500 for a second offence.) Mr. Kelly said the publishers, Kings Cross Whisper Pty. Ltd., had the right of appeal against the decision.

The "Whisper" has also come under the scrutiny of police in Victoria and NSW. In NSW every issue so far has been sent to the Chief Secretary's Department, but as yet no action has been taken. — *The Bulletin* (Sydney) 24 April.

Goes Under

(The editor wrote for further information to the acting librarian of the University of Tasmania, from whom he had received the above clipping, whose response follows.)

I have not been able to buy a copy of the King's Cross *Whisper*. I don't believe it is on sale in Tasmania. From what I have heard of it, it seems to be a magazine of bawdy humour.

The following item appeared in the *Australian* of 13th May, 1965:

"The King's Cross *Whisper* was ruled an obscene publication in the Melbourne City Court yesterday.

The Magistrate, Mr. C. Elvish, fined two Sydney men, John F. Hutton 24, and Richard Sherry 25, both of Haberfield, £20 each for selling the publication in Melbourne last month.

They pleaded not guilty to selling an obscene publication."

By the way, just today it was reported that the Minister for Customs released C. H. Rolph's *The Trial of Lady Chatterly* and David Holbrook's *The Quest for Love* for importation into Australia.—George M. Jenks.

New Obscenity Bill Passes N. H. Legislature June 2, 1965

The New Hampshire Senate passed without dissent a new "Act to prohibit Obscenity" based on the Model Penal Code of the American Law Institute. The bill had previously passed the House by voice vote without debate. The Act attempts to incorporate recent U. S. Supreme Court decisions on obscenity and was the result of two years of study by the New Hampshire Judicial Council.

Sole opposition to the Bill was a statement read by the Chairman of the Intellectual Freedom Committee of the New Hampshire Library Association at the House Judiciary Committee on May 11. The Committee's testimony may have had some effect in reducing the penalty to a maximum \$500 fine or six months in jail from a two year sentence and/or a \$1000 fine.

The state's leading newspaper, *The Manchester Union Leader*, inquired in a front page editorial "how anyone would oppose a bill which would try to bar obscene literature and material from dissemination in New Hampshire."

The same newspaper published the following editorial after the New Hampshire Library Association held its annual meeting May 27 and 28:

Time To Speak Out

If we were suspicious folk, which of course we're not, we might get the impression that someone in the New Hampshire Library Association is trying to grind a private ax.

Among the luminaries playing a prominent role as panelists, moderators, skit arrangers, and the like at the 75th anniversary meeting of the association in Concord, were the following:

A panelist who published and subsequently defended the unspeakable filth in "Chaos."

Another panelist who recently authored a dirty little book which inferentially maligns the University of New Hampshire and the students who go there.

A "freedom panel" arranged by a librarian who recently opposed the obscenity bill now before the General Court.

A skit arranged by the only city librarian to speak out in opposition to curb obscenity.

Although it may not be their intention, these people may be piquing the imagination of one group of people they should be careful not to alienate — the lawmakers who must pass on their requests for funds.

Few local or state officials are going to appropriate more funds if they suspect they may be used, directly or indirectly, to subsidize filth.

It is time for responsible librarians, who comprise the overwhelming majority of the membership of the association, to speak out and erase every vestige of suspicion that they share the pro-smut views of some of those who played a prominent role at last weekend's convention. (End Quote)

"Chaos" is a U. N. H. student literary magazine subsidized in part by the United Protestant Association, with Rev. Joseph Axenroth, Protestant Chaplain, a member of the editorial committee. The "dirty little book" is *Now Comes Theodora* by Daniel Ford, Editorial Assistant, U. N. H. News Bureau, a novel recently published by Doubleday. The skit arranger was Joseph Sakey, Librarian at Nashua and a member of the Intellectual Freedom Committee.

Senate Minority Leader Louis I. Martel (Dem. Manchester) indicated that Mr. Ford's book had "no literary value" and might come under the provisions of the act. However, at the House hearing, Attorney Maurice F. Devine, vice chairman of the Judicial Council, had assured the committee "this is definitely not a censorship bill in any sense of the word . . . It is designed to prevent only crass commercialism of obscene material . . . and only commercialism of such material would be banned by it."

Donald E. Vincent, Chairman
Intellectual Freedom Committee
New Hampshire Library Association

Tilting with Obscenity

"Un Chant d'Amour," a film depicting homosexual activity in prisons, was ruled "obscene" by Alameda County Superior Court Judge George W. Phillips, Jr. on 18 February. Display of the controversial, half-hour French movie is a violation of state laws prohibiting the exhibition of obscene matter, the judge ruled.

The film was banned by Berkeley, California police last year with the threat of arresting the exhibitor and confiscating the film if shown at LeConte School and other locations as scheduled.

San Francisco distributor Saul Landau filed suit in superior court last November when its showing was opposed, asking for a judicial determination on its obscenity.

Middletown, CONNECTICUT, Circuit Court Judge Francis J. O'Brien on 1 February denied a defense motion to set aside the jury verdict of guilty as obscene of the tabloid newspaper *Keyhole* (March, p. 17), and at the same time stated that a permanent injunction to be issued would enjoin only the two issues which were tried. On 4 April Judge O'Brien found six of the eight weekly tabloids to be obscene, but dismissed the obscenity charges because the Connecticut statute doesn't provide the required procedural safeguards, thus violating the First Amendment freedoms of the defendants.

The GEORGIA Senate Appropriations Committee on 18 February voted (7-6) to delete the \$40,000 biennial budget of the State Literature Commission, whose first successful court action was reported on page 17 of the March issue. Brunswick Senator John Gaynor announced he would introduce a bill abolishing the agency. Gaynor introduced the bill on 22 February, after urging that the Commission's budget be restored, having decided it preferable to kill the Commission by statute rather than starving it to death. The Senate Judiciary Committee disagreed, and on 2 March refused

to report the bill out. Two days later he succeeded in getting his bill on the Senate Calendar with the statement he would offer a substitute bill stripping the Commission of its injunctive powers. Upon the defeat of the substitute (31-6) on 8 March, Gaynor withdrew his original bill as well, saying he planned to ask the Federal District Court to declare the Commission unconstitutional.

Chicago bookseller Paul Romain began standing trial on 21 April for selling a copy of *Fanny Hill* on 30 July, 1963. Defense attorney moved to dismiss the whole venire of jurors, contending that "a large number of literate classes" had been excluded from the call. He referred to the fact that state law excludes from jury duty doctors, lawyers, clergymen, reporters and school teachers. His motion was denied by Judge Edward E. Plusdrak. Prosecution began by reading the book to the jury, including the favorable introduction, the latter over the State's objection. On 30 April the jury found the book obscene and Romaine guilty of selling obscenity. On 11 June Judge Plusdrak fined him \$1,000 and placed him on two years' probation. Motion for a new trial was denied, and bond was placed at \$1,000 pending an appeal to the Illinois Supreme Court.

In another Chicago case, Earl Steinborn, secretary-treasurer of Capitol News Agency on 12 May was sentenced to a year in jail and fined \$1,000 on obscenity charges involving the distribution of a book entitled *Pajama Party*. When defense attorney Paul C. Ross remarked that this was the first time a man was ever sent to jail in Cook County on charges involving obscene literature, Judge Herbert R. Friedlund replied, "I'm hoping it won't be the last." Steinborn remained free on a \$1,000 appeal bond.

Des Moines, IOWA, Municipal Judge Luther T. Glanton, Jr. ruled on 19 February that Iowa's law governing sale and distribution of obscene literature is unconstitutional. Judge Glanton then granted a defense motion to dismiss charges against two persons filed in connection with a 5 February raid on Hyman's Book Store. Earlier that Friday Judge Glanton had ruled that a search warrant that permitted seizure of 856 copies of 208 publications was illegal because owners of the material were not notified of a hearing on issuance of the search warrant.

The MASSACHUSETTS House on 2 February turned down (45-9) on the recommendation of its education committee a bill which would have established a special commission to investigate obscene literature in public school libraries. Rep. Joseph C. DiCarlo said no evidence had been offered of obscene literature in school libraries. "In this bill we are usurping the powers of school committees, librarians, and teachers."

Williams Burroughs' book *Naked Lunch* is obscene and "predominantly prurient, hard-core pornography," Suffolk Superior Court Judge Eugene A. Hudson ruled on 23 March. Judge Hudson heard the case against the book in January after it was brought to court by Atty. Gen. Brooke. Attorneys for the publishers, Grove Press of New York, said they will appeal the decision, which in effect bans the book in Massachusetts.

Ruling on a suit by Attorney General Edward W. Brooke to have *Fanny Hill* declared obscene, the Massachusetts Supreme Judicial Court on 23 April declared the book obscene and banned its distribution in the Commonwealth. Three opinions were written on the split (4-3) decision, the majority opinion by Justice John V. Spalding, a joint dissenting opinion by Justices Arthur E. Whittemore and Jacob J. Spiegel, and another by Justice R. Ami Cutter.

Bayonne, NEW JERSEY on 11 March ordered a halt to the sale of a new novel by a Jersey author which has its locale in the Hudson County community. Police Chief William Veydovec confirmed that store owners had been warned against selling copies of *No Path But Mine* — a novel written by Jerry Verbell of Stanhope. "The sale of this book will be held up until someone in authority can read through it to determine whether it is too objectionable for public consumption." The following day Chief Veydovec labeled the report "Nonsense," and director of public safety Hugh Greeman said the city would not ban the book. "I found it boring."

Mrs. Arnold N. Wolven, assistant director of the Yonkers, NEW YORK, Public Library on 5 February was appointed to a 19-member Citizens Committee to Combat Obscene and Pornographic Materials by Mayor John E. Flynn.

The Tennessee legislature on 3 March sent to the Governor a bill making it a misdemeanor to possess, publish or sell obscene material, and giving the courts injunctive powers. A bill prohibiting tie-in sales had been passed previously.

The WASHINGTON state Senate on 22 March passed (44-4) a new obscene materials bill which presents a broader definition of what obscenity includes and gives the attorney general broad injunctive powers to bring actions against authors, artists, producers, publishers, manufacturers and anyone else involved in the production of obscene materials, regardless of where they might live.

UTAH Atty. Gen. Phil L. Hansen has been asked by the Law Observance and Enforcement Committee of 20 Salt Lake County stakes of the LDS church to institute proceedings to ban the sale of Henry Miller's *Sexus* in the state of Utah, according to a story in the *Salt Lake Tribune* on 11 June.

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