

Judge drops charge against store clerk in obscenity trial

By ANI PEDERIAN
Herald Staff Writer

After two days of viewing adult films, the outcome of the trial involving Georgetown's H and H Video is still pending.

The video store in the Georgetown Market-place had ten tapes seized in a raid by Halton regional police last May. Charges of possession of obscene material for circulation and obscenity had been laid against H and H Video owners Millie Adams, 48, and Randy Humenicki, 37.

The charge of circulating obscene material was dropped last Wednesday against clerk Beverly Ann Boulton, 21.

"She was simply an employee acting on instructions," crown attorney Anthony Vale said, inviting Milton provincial court Judge John Robinson to dismiss the charge against her. Miss Boulton had been working at H and H when police executed their search warrant.

It was agreed Thursday that crown attorney Vale and defense lawyer Bill Mackie would exchange written arguments on the case by March 26. These arguments, presenting and defending their position, will then be forwarded to Judge Robinson. The three will meet again in Burlington provincial court May 8.

This is the first case in which obscenity charges have been laid against a video store in Halton. To give the judge and all concerned in the case a better idea

of what has been judged to be obscene material, the crown attorney introduced three films judged obscene last year by York County Court Judge Steven Borins, as exhibits.

FILMS VIEWED
During the trial Wednesday and Thursday, the court lights were dimmed and these three films—"Skintight", "Summer of '72" and "A Coming of Angels"—were viewed.

Last November, the two lawyers had viewed the video tapes that had been seized—"Tara", "Up", "Maraschino Cherry", "Naughty Victorians", "Female Chauvinist", "Touch Me In The Morning", "Office Girls", "Memphis Cathouse Blues", "Talk to Me Dirty" and "Taboo"—in private.

Crown attorney Vale had written a movie breakdown identifying scenes he considered obscene under the Criminal Code, for Judge Robinson. The judge then also viewed the tapes in private.

Following the screening of the crown's three films, the defense introduced a two-hour tape of excerpts from motion pictures that the Ontario Censor Board has passed.

IN THEATRES
"They are motion pictures that can be seen in theatres in Toronto," Mr. Mackie said. "They are introduced to show what is being allowed by the Censor Board as to sex, and sex and violence."

Excerpts from ten movies—"Chained Heat", "I the Jury", "I Love You", "Dressed to

Kill", Andy Warhol's "Frankenstein", "48 Hours", "Private School", "The Killers", "Death Wish II", "Nana", and "Cat People"—were watched in open court Thursday morning.

Police action in the case was outlined in written evidence by Sgt. Dan Okuloski, a member of the morality squad. Crown attorney Vale read his evidence to the court.

Sgt. Okuloski went to H and H Video May 24 in search of the video tape "I Spit on your Grave". It was out. Returning the next day, he was again told it was out.

Asking for "Electric Blue 007" and "Electric Blue Special", Sgt. Okuloski was told they were both out. Instead, he rented the video "Tara", and returned a short time later with Sgt. Tom Johnson and Constable Mario Succi.

The three identified themselves as police officers and showed clerk Boulton a search warrant.

CARTONS OFF
"I took all the suspect cartons off the display shelf and put them in a box. Const. Succi was obtaining the corresponding video tapes for the cartons," Sgt. Okuloski recorded.

"There was some discussion about where the responsibility lies regarding the content of the movies."

"Mr. Humenicki advised that he viewed a couple of movies that involved two young girls who were fondling each other. He thought the girls were too young. He tried to take them back to the distributors," Sgt. Okuloski reported in his evidence.

A breakdown was made of ten of the movies and the rest were returned to the owners, he noted.

Metro police officer Sgt. Larry Telseira who works on Project P, a joint operation between the Metro and Ontario Provincial Police to investigate the major distributors of obscene material in the province, appeared as a witness for the crown. Sgt. Telseira was involved in the Doug Rankine Company Ltd. case judged by Judge Borins.

BE PROUD BE PART OF IT. SHOP HALTON HILLS.

McDermid acclaimed for PC riding

Brampton-Georgetown MP John McDermid was acclaimed as the Progressive-Conservative (P.C.) candidate for the next federal election in the riding Monday night.

The Brampton-Georgetown P.C. Association candidate for almost five years now, Mr. McDermid smiled happily from his seat by his schoolteacher wife

Elaine as Association members clapped his acclamation.

"1984 is the year of a probable federal election, a year that carries with it many ominous overtones," first nominator for Mr. McDermid, Lois Rice, said. "We, as Conservatives, have the opportunity in 1984 to ensure that George Orwell's warnings will not become a reality in the future. The

best way to avoid it is to elect people like Mr. McDermid."

Mr. McDermid's riding is the third largest in Canada, representing 160,000 people and growing at about nine per cent each year, he said. "Now that I am a candidate for the next election, the campaign in Brampton-Georgetown must get into full gear," Mr. McDermid said.



JOHN McDERMID:

Announcing his election campaign chairman Phil Upshall, Mr. McDermid said the PC party is prepared to govern.

"We have an enormous task ahead of us. We must win seats in Ontario and Quebec to form a majority Progressive Conservative Government led by Brian Mulroney," Mr. McDermid said.

In the Mulroney shadow cabinet, he is spokesman for Indian Affairs and Northern Development. In his time as MP, Mr. McDermid has served as the Youth spokesman, the Immigration spokesman and was a member of the "Employment Opportunities in the 80's" task force.

PC House Leader predicts June election

By ANI PEDERIAN
Herald Staff Writer

The House of Commons Opposition House Leader is putting his bets on a June federal election.

In a speech to Brampton-Georgetown Progressive-Conservative (P.C.) members, MP Erik Nielsen said he thinks there will be a federal election.

He expects a writ will be issued in April for it. Mr. Nielsen also anticipates Prime Minister Pierre Elliott Trudeau will be at the helm of the Liberals, despite Mr. Trudeau's comments that he would not be running again.

Since Confederation,

3.78 years has been the average time between federal elections, Mr. Nielsen said. The last election was in 1980.

Why would June be a likely month for elections?

The fall is not a good time for an election this year because Pope John Paul is coming for his first Canadian visit Sept. 22 and the Vatican has been given federal government assurances there won't be any elections either two months before or two months after the papal visit.

HIGH RISK
"I cannot see any sensible prime minister calling an election during summer vacati-

on when voters are away, and campaigners are away...It's too high a risk," Mr. Nielsen told reporters after his address.

Because of the standing orders of the House of Commons honoring the Pope's demand, the next opportunity for an election is late in November.

"Again, that's a high risk—a higher risk than an election in June would be," Mr. Nielsen said. "If you examine precedents, you'll find most elections are held in June...It's a time when the blossoms are out." Weather is warm and there's a feeling of hope and renewal.

Winter broomball

Final preparations are being made to set up a broomball tournament for the Jaycees' Winterfest this year.

Registration forms will soon be printed with the first batch heading out to teams which participated in last year's Winterfest tournament sponsored by the town parks and recreation department.

Additional forms will be available (watch The

Herald for times) in the rec. department's James Street, Georgetown office.

Forms should be sent back to the Jaycees one week before the tournament and they should be accompanied by a \$12 registration fee.

Teams are also responsible for providing their own equipment and helmets, while not required, are advised.

HALTON HILLS ELKS LODGE BINGO EVERY MONDAY

Trial date set

Firm charged with polluting

Charged with discharging a contaminant to a watercourse, Maple Lodge Farms Ltd. will be appearing in Brampton provincial court Jan. 31 to set a date for trial.

The chicken processing plant was charged under Section 16 (1) of the Ontario Water Resources Act Jan. 4.

Ontario environment ministry senior environmental officer for Halton and Peel, John Budz said fish were killed when septic sludge was spilled into Levi Creek July 1983. The creek runs between Winston Churchill Boulevard and Mississauga Road, and discharges into Etobicoke Creek.

A section of Levi Creek through the Streetsville Glen Golf Club had to be flushed with high-pressure hoses to remove a coating of scum, and a temporary dam built to

stop the pollution from reaching the credit River.

Mr. Budz said area residents had complained about foul odors from the company's sewage lagoon last year and attempts were being made to correct the situation when the contaminants were washed into the creek.

This is the first time Maple Lodge has been charged under the Ontario Water Resources Act. Conviction carries a maximum penalty of \$5,000.

He said the company was spreading the sludge on farm land to drain their sewage lagoon. With the heavy rains that day, a large amount of the sludge left on the farm land was washed off into the creek.

"The spreading wasn't done in accordance with our requirements," Mr. Budz said.

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