



Sol Budd's magnificent mail order fantasy

Among the men from Canada who have gained international renown are Glenn Gould, the concert pianist; Sir Sanford Fleming, the inventor of standard time; Doctors Banting and Best, the discoverers of insulin; and Sol Budd, the mail-order genius.

What? You say you've never heard of Sol Budd? Perhaps not by name, but it's unlikely you've been able to avoid seeing some of Sol Budd's multiple-magic, phantasmagoric mail-order promotions in the past few years.

The sales names and products with which Sol Budd has had some connection include: Canadian Marine & Tackle (talking fish lures) Modern Living (three oil paintings for \$1) Douglas-International (a battery additive) Eastern Chemical (Roll-a-shine car wax) Livigen (a magic face cream) fantastic climbing strawberries and the magnificent Ailanthus tree (sold for \$3.98 but sometimes known as Stinkweed).

The advertising for these products screamed in huge headlines and in masses of tiny type such outlandish promises as JUST ONE OUNCE GIVES YOU A LIFETIME CAR BATTERY... GROWS ROOF HIGH IN JUST ONE SINGLE SEASON... END CAR WAXING, WASHING, POLISHING FOREVER!

The great coup of Sol Budd's mail order empire was Dynovac, a product sold with super-charged advertising that promised "NOW... FILL YOUR GAS TANK ONCE A MONTH... CHANGE YOUR OIL ONCE A YEAR!"

Dynovac, so we were told, was an "amazing invention (that) converts raw untapped power in ordinary gasoline into a fantastic new source of energy for your car!"

"Yes," the Dynovac brochure went on, "it was while working in conjunction with the U.S. Navy on its jet and rocket research program that Rocket Scientist W. T. Johns first unlocked the secret to his great new invention... Johns first discovered how to unlock that latent power in wasted hydro-carbon atoms."

Dynovac's advertising described W. T. Johns as "the co-developer of the U.S. Navy IREB Rocket" and the advertising also referred to "the secret government file of the most important development in automotive history." The file number was supposed to be No. 156,695.

Funfully enough, the U.S. Navy official I consulted in Washington had never heard of W. T. Johns and couldn't find him in the standard directories listing American scientists. The U.S. Navy has no file numbered 156,695. Johns did work at one time in a plant that had a government contract.

The advertising showed W. T. Johns "who first won acclaim as research chief on the U.S. Naval rocket program," being interviewed by Dave Garroway, who was "tense with excitement" upon hearing about Dynovac. It was, said the brochure "perhaps one of the most significant news interviews in the field of science."

But Garroway himself doesn't remember the "mail and telegrams pouring in by the sackful" after this interview. "To the best of my memory," he told me "no such product, person or episode appeared on the Today show with me, and I'm virtually certain that despite 12,600 guests, I would not have forgotten this one."

Dynovac was a simple drain plug for a car's oil pan—it was made of steel, a magnesium alloy and a magnet.

The brochures mailed out from Sol Budd's base of operations at 71 York St. in Toronto claimed GAS SAVINGS AS HIGH AS 50 PER CENT OR MORE. And even cited one claim of a 68 per cent improvement in gas mileage.

The National Research Council of Canada, which carried out tests on Dynovac in its Ottawa laboratories, thought otherwise. Its report on Dynovac said: "The savings are, we believe, misquoted since Dynovac cannot possibly reduce gasoline consumption."

The front page of the Dynovac brochure carried a photograph of a Rolls-Royce car and said: "Rolls-Royce owners please disregard this message." Inside, the pamphlet explained that the world's finest and most expensive car had "already incorporated" the Dynovac principle.

But D. E. A. Miller-Williams, of Rolls-Royce Ltd., Conduit St., London, told me: "We, of course, do not use this particular item and I have passed the matter on to our legal department for the necessary action."

The Dynovac advertising brochure also contained photographs of eight enthusiastic users of Dynovac, together with super-charged testimonials such as this:

Gets 22 miles a gallon on car, 53,000 miles off... Roscoe Wagner, Knoxville, Iowa, confirms lab proof that with Dynovac you achieve fantastic gas savings, oil savings... even on cars that are way past middle age.

That's not quite what Roscoe Wagner, of Knoxville, Iowa, told me back in 1964:

The photograph is not of me. I have never sent them a photograph. As I recall, they called me by phone and asked me what gas mileage I was getting. The claims for this gadget are very much exaggerated. It is not a gas saver. My Nash Statesman did get 22 miles to the gallon, but it would do that with or without the gadget.

The Dynovac promotion was an operation of no mean proportions. It was peddled in Canada by a company called Winthrop-Martin (Canada) Ltd., which was controlled by two Toronto men, Sol Budd and Percy Skurko, together with Winthrop Johns of Westfield, New Jersey.

The same shareholders, including Toronto's own Sol Budd, owned the American company, Winthrop-Martin Inc., which handled Dynovac sales in the United States.

In Canada, Winthrop-Martin ordered 1,600,000 lithographed brochures with which to promote "the miracle that U.S. Rocket Scientist W. T. Johns discovered while working for the Navy."

One million of these puff-sheets were actually mailed out. This means that 5 per cent of the entire population of Canada was invited to throw its money away on this almost-useless hunk of metal. When one excludes babes-in-arms, housewives, far northern Eskimos, illiterates, the prison population and cloistered nuns, it soon becomes apparent that a substantial proportion of the adult population that can be reached by mail was solicited to waste \$4.55.

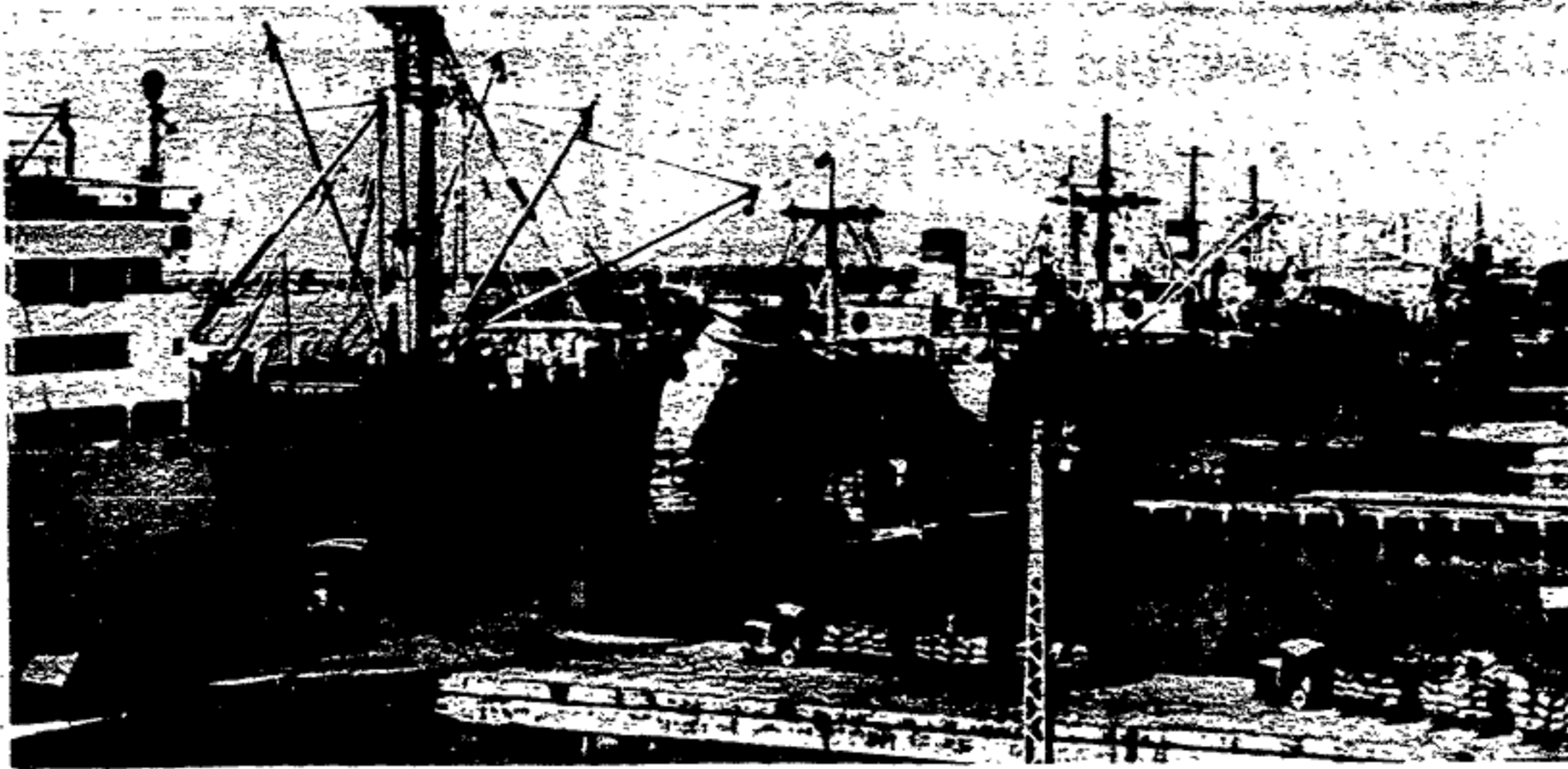
While Dynovac was being promoted, more than \$176,000 was deposited in the bank account of Winthrop-Martin (Canada) Ltd.

Its advertising said that those who bought Dynovac "are doing to your car the very same thing that leading automotive scientists now do to their cars."

But the National Research Council said: "In our opinion no leading automotive scientist would waste the time and money involved in installing Dynovac."

Its advertising said: "Save up to 35 gallons of gas each month." But the National Research Council said: "Dynovac cannot possibly reduce gasoline consumption... a plug in the bottom of the crankcase cannot possibly have any effect on the gasoline with which it never comes in contact."

Sol Budd was arrested on Oct. 19, 1964 by the anti-rackets squad of the Ontario Provincial Police and charged under the false advertising section of the Criminal Code. More than two years passed before he came to trial; the courts were busy and his lawyer was engaged on other trials. In county court last week, Sol Budd pleaded guilty and was fined \$2,000. That represented 11 per cent of the money deposited in the account of Winthrop-Martin (Canada) Ltd. while Dynovac was being promoted.



HAIPHONG HARBOR IS PACKED WITH RUSSIAN, RED CHINA AND IRON CURTAIN SHIPS. U.S. pilots don't bomb them... they fly low over the river using the ships as cover

Haiphong: Bombing is non-stop but the supplies keep pouring in

By NORMAN BARRYMAINE

HAIPHONG

I gate-crashed North Viet Nam without even a transit visa. I voyaged from Kobe aboard the Polish freighter Kapitän Kosko via the roundabout route of Chungjin in North Korea, Shanghai and Hong Kong.

Commented the North Vietnamese immigration officer when he saw my visa for South Viet Nam: "That's good. We're all one country." A neat piece of propaganda.

Courteously, and smiling as is the habit of the Vietnamese, he handed me a landing pass, printed in Vietnamese on one side and English on the reverse, reading: "This landing permit is valid for circulating in Haiphong." It was the same kind of pass that is given to all the Communist officers and crews of the Iron Curtain ships.

Surprised

I was surprised by this generous treatment, because the Hanoi government, suspicious to the point of paranoia, has let relatively few Westerners into their country during the past 12 years. And those who have been admitted could hardly be labelled impartial.

A customs officer searched my cabin, impounding my cameras, inquiring if I had binoculars. But he did not discover a Leica in the pocket of an overcoat hanging in the wardrobe.

We anchored near Bay Ha Long—Landing Ground of the Dragons—20 miles from Haiphong to await the pilot. Within half an hour two American Phantoms nearly took the top off our foremast. They were on their way back to the carrier which we had seen silhouetted in the moonlight a few hours earlier in the Gulf of Tonkin.

This carrier had asked our identity (not revealing her own) and destination. Then an escort destroyer sailed within a mile of us, putting the same questions with an Aldis lamp.

We were going into Haiphong, the busy port of North Viet Nam, with war supplies; nothing could be done to stop us. Ironically, the destroyer ended her Morse signals with "T.M. turning to starboard. Good voyage."

Soon after dawn a United States reconnaissance aircraft buzzed us, flying up and down to port and starboard, presumably identifying our flag and taking photographs.

"We didn't have to wait long for our first glimpse of the war," said Captain Bragiewicz. I wouldn't say he was nervous as his blue eyes constantly scanned the skies, but obviously he didn't like calling at Haiphong. It was his second visit in two months. The daily bombing had been severe and nerve-racking for a captain who had to think of the safety of his ship and his crew. He had seen two jets shot down, the pilots baling out.

Havoc

The bombing was relentless while we were there—raids two and three a day during daylight, and sometimes at night, the pilots attacking with the aid of chandelier flares. The targets were storage areas, staging posts, transport, oil dumps, coastal shipping, radar stations, surface-to-air missile sites and anti-aircraft gun emplacements.

But although the bombing has wrought havoc to transport, I saw no sign of economic collapse. Fantastic material aid is being poured into North Viet Nam through the port of Haiphong from Russia, Poland, Czechoslovakia, East Germany, Albania and Red China.



Haiphong... the supply line

When we eventually berthed after a fortnight's delay in the roads there were six ships—three Russian, one Polish, one Albanian and one Chinese—alongside the wooden quay. In the roads at the mouth of the Cua Cam river were three more Russian ships and a tanker as well as Polish, Chinese and British freighters. They were awaiting berths.

Top cargo priority is trucks. The Iron Curtain ships arrive with their decks packed with trucks and six-wheel cranes. Some cranes go to river crossings where bridges have been destroyed; others are used in the dock area or for lifting cargo stored in the streets. Even the economically hard-pressed Chinese are sending trucks, vying with their ideological enemy Russia to succour Hanoi.

In the holds of the ships beside other cargo and war materials are bicycles. They are nearly as important as trucks, for with the shortage of gasoline the North Vietnamese are turning to non-power transport. I was told that a team of nearly a thousand men on bicycles carried 100 tons of rock salt to the countryside in a single trip.

Haiphong, like Hanoi, looks like a European city, the French influence still visible. But today it presents an odd sight. The sides of all the streets, the open spaces, are filled with cargo—crates of machinery, electrical equipment, cable, tires.

Warehouses are crammed to their big double doors. A piece of wasteland along the wooden quay, berthing space for seven 10,000-ton ships, is also a cargo dump. Some of the crates have been lying soaked by the monsoonal rains for months.

Stranglehold

This, perhaps, is one of the most important effects of the American bombing. By throttling transport, the North Vietnamese cannot distribute the country fast enough. And not only has this imported cargo to be moved, but the Vietnamese also have to bring in from the outlying country, the products they export—jute, bamboo, rush mats, ores, canned pineapple and pineapple juice.

Gasoline, too, is another grave problem. All the 18 big oil storage tanks and pumping equipment for speedy unloading of tankers in Haiphong have been destroyed. Also no more, after a dozen attacks, is the big oil depot of the industrial city of Nam Dinh, North Viet Nam's third largest. Oil storage dumps around Hanoi have also gone.

But Russian 12,000-ton tankers are still arriving regularly from the Black Sea. Today they anchor in one of the Red river Delta tributaries, the gasoline being off-loaded into tanker barges, of which the North Vietnamese are said to be short. It is a dismal slow process. The barges cannot move by day. If they do, they are in peril of being gunned by American jets constantly scouring the land for "targets of opportunity."

Yesterday the Communists charged that U.S. planes had bombed the central area of Hanoi. Until today the U.S. insisted its planes attack only military targets near Hanoi and the neighboring port of Haiphong. A first hand view of life in Haiphong under attack comes from Norman Barrymaine of the London Daily Telegraph who recently visited the port aboard a Polish ship...

Four barges arrive alongside the tanker just before dawn. They leave after sunset to seek sanctuary for their precious cargo in the camouflaged dumps along the creeks. Grottos in the rocks of Bay Ha Long are being used as storage depots. And yet American pilots with unerring instinct ferret out these hiding places. I saw several go up in flames and acrid smoke polluting the air after being hit by rockets.

From the bridge of my ship while we were anchored in the roads I watched one of these attacks. Some barges were trapped in a creek about three miles away across the delta marshland. The fighter-bombers screamed in from the sea at 5,000 feet, defying the tremendous anti-aircraft barrage, and dived to 800 feet before firing their rockets.

Rationed

In Haiphong there was little to buy. Even in the international store of the Seamen's Club there were few attractive goods. What was offered for sale was rather shoddy. Much of it came from China—vacuum flasks, clocks, silk, cotton underclothes, shirts.

Food is scarce. Rice is rationed to 10 kilos a month for a family in the cities; seven kilos in the country.

Sea fish is rationed. The large Haiphong fishing junk fleet is out every day in the Gulf of Tonkin, their large brown sails as they run before the wind giving them the appearance of giant flying dragons. Fish catches are good. But here again American bombing is taking its toll, for distribution is impeded. Villages are often without fish for days on end.

I suspect that everybody is a little hungry—high and low alike. The pilot, the immigration officials, the customs officers, the armed soldiers who boarded my ship at "zero" buoy immediately went to the dining salon and with obvious relish ate heartily a meal of tomato soup, roast chicken and chips, ice cream (Japanese), fruit and coffee. No one demanded rice!

Abandoned

Air raid warnings when the American bombers first appear on the radar screens have been abandoned. It was found that they wasted too much of the workers' time, particularly at the wharves, where the speedy loading and unloading of the ships is vital. All work on the ships and quayside used to stop when the sirens sounded. The laborers, who are all local-born Chinese, went ashore to shelters.

Now nobody takes cover until the anti-aircraft guns hidden in the surrounding hills open up. Then cover is essential for safety. Shrapnel falls everywhere. The barrage from a thousand Russian radar-controlled guns is the most intense I have experienced anywhere, including Malta during the war-time siege.

The centres of Haiphong and Hanoi have not been bombed. And in their radio bulletins the

government always speaks of attacks on the "periphery" of Haiphong and Hanoi. But the pavements have been torn up to build shelters and fox-holes. Everyone is convinced that sooner or later the Americans will bomb the centre of the cities and the factory districts.

Yet, as far as one can judge in a brief visit, the people are not unduly apprehensive. The bombing seems to have rallied the people more firmly behind the government.

A few bombers have been shot down by the Russian SAM missiles. The SAM has not proved as effective as Moscow and Hanoi apparently hoped. The Americans are able to deflect the rocket by a plane equipped with electronic gadgets flying over the target areas.

Russian technicians in uniform, but without badges of rank, are acting as advisers to the North Vietnamese site crews. But the Russians do not actually press the firing button, thus avoiding the accusation that they are shooting at American aircraft. It is a fine point of diplomacy. Vietnamese pilots are flying the MIGs, which may explain their lack of success. They have appeared in the air only a few times and have not always been willing to challenge the American bomber pilots in battle.

The Russian-built guns, however, are proving deadly. Even so, the American pilots are seeking out targets with great determination and courage.

Miracle

The American pilots are briefed not to drop their bombs or fire their rockets anywhere near the Communist ships along the quayside or moored to buoys. But even while I was there I thought it a miracle that none of us was hit, either by a stray bomb or a falling disabled aircraft. I cannot believe that it will never happen.

Armed fighter-bombers daily flew low over the river, using the ships as cover. The American pilots know that when they are in the vicinity of the ships the Vietnamese gunners in the surrounding mountains will not fire at them for fear of hitting a vessel. Nevertheless, alongside every ship is a tender fitted with small AA guns and a fire-fighting pump.

The Russians not long ago complained to America that one of their ships in Haiphong had been hit by bomb fragments. In fact I heard that what the crew found on their deck were machine-gun bullets. Some had fallen on the Kapitän Kosko. They came from the guns of a Chinese ship moored nearby.

All the Chinese ships are armed with machine-guns on the peak and the poop. They open fire whenever an American jet flies overhead. I don't know if the Vietnamese approve of this warlike co-operation. But I know that the Russians and Poles don't.

As in the wider Communist world I found some doubt and concern about where the Chinese were really aiming.

OPINION

FREE SPEECH RIGHT NOT ABSOLUTE

By MARK R. MacGUGAN

The ruling last week by a Toronto magistrate that the city's bylaw against the incitement of racial hatred in speeches in city parks is unconstitutional as an invasion of the federal parliament's power over criminal law has underlined the importance of Bill S-49, a bill to amend the Criminal Code of Canada by making illegal the promotion of racial or ethnic hatred. Bill S-49 is based on the recommendations of the Cohen Committee's Report and was introduced in the Senate on Nov. 7 as a government bill.

In last week's case Magistrate Charles Opper felt bound to acquit Nazi John Beattie on a charge of inciting racial hatred even though he had no difficulty in finding that Beattie's language "was most insulting both to Jews and Negroes, and would likely or probably cause hatred to be stirred up in the park against the ethnic groups mentioned." The prosecution against Beattie arose out of a 35-minute speech which he made last June 19 in Allan Gardens.

While the magistrate's rebuke to the City Council for attempting to control the content of speech under the guise of regulating the use of parks is to be applauded, it must also be recognized that there is a proper medium for the regulation of offensive speech, namely the federal Criminal Code.

The main argument

The main argument against the proposed amendment to the Criminal Code in Bill S-49 is that it would limit freedom of speech in Canada. It would be foolhardy to deny that such legislation would limit freedom of speech. But unless one goes to the extreme of maintaining that there should be no limitations at all on what we say, and that existing law of libel and slander should be abolished, this cannot be the real issue. If one accepts, as most people in our society do, that the right to free speech is not an absolute right, then the real question must be whether any new law unduly infringes the freedom of speech.

If, as has been argued, there is no need for legislative control of hate propaganda in Canada now, and it would be merely security against the dangers of the future, obviously Bill S-49 would be an unwarranted limitation on freedom of speech. But the facts are otherwise. Only a purely quantitative approach, which took into account the comparatively few active hate-mongers in Canada and the comparatively small number of Canadians subjected to hate propaganda, could lead to the conclusion that there is no present problem.

A qualitative approach would reveal that the existence of hate propaganda is of its very nature a serious matter. Social psychologists have discovered the effectiveness with which persuasive communication of all kinds can affect the attitudes of human beings.

Not only is there no guarantee that Canadians are immune from the baneful effects of hate propaganda, but recent studies by the Ontario Human Rights Commission have discovered that racial and religious prejudice is so widespread in Toronto that it is fertile soil for a future race riot.

There is real need

The existence of hate propaganda, then, even in Canada today, is a serious problem, because hate propaganda itself is a serious matter. There is a need for legislation, but can legislation be drafted which does not significantly impair free speech while at the same time protecting minorities against gross abuse? The Canadian government, in putting forward what is substantially the Cohen Committee draft, believes that it has achieved such a formulation.

Essentially what the Cohen Committee proposed was to extend the traditional criminal law provisions with respect to defamation of individuals so as to offer similar protection to groups, or rather to individuals in their capacity as group members as well as in their individual capacity.

Group defamation was unknown to the traditional common law because that law had no awareness of groups themselves. But in the twentieth century we have come to recognize that a man's personality is formed by his primary group membership, among other influences, and Bill S-49 proposes to write this recognition into law, as was done last year by the British Parliament in the Race Relations Act.

The effect of the proposed legislation against hate propaganda will not be to ban the advocacy of any viewpoint (except genocide) from public discussion nor to protect any group from disagreement with its views. What it will do is establish some limits of public tolerance on grossly abusive expressions of disagreement.

Existing laws against defamation may sometimes prove inconvenient, but it can hardly be seriously contended that they unduly limit freedom of speech. I believe the same can be said of the proposed amendment to the Criminal Code.

It is ironic that when deciding to present a bill which is largely for the protection of the Jewish group in Canada the government should have decided to frame the definition of the protected group so as to apparently exclude the Jewish community. This is the effect of defining the protected group as "any section of the public distinguished by color, race or ethnic origin," omitting the additional qualification "religion" which the Cohen Committee had thought necessary clearly to protect Jews. It is to be hoped that this omission will be corrected by amendment before Bill S-49 receives the approval of Parliament.



Dr. MacGugan, who is a professor of law at Osgoode Hall Law School, was a member of the Special Committee on Hate Propaganda.