THE
NEW AGE
INCORPORATING "CREDIT POWER."
ORGAN OF THE NEW AGE SOCIAL CREDIT SOCIETY
No. 2362] NEW SERIES Vol. LXII. No. 7. THURSDAY, DECEMBER 16, 1937. ANNUAL SUBSCRIPTION TO THE SOCIETY 30s.

CONTENTS.

NOTICE. **Supporters who have given contingent undertakings respecting donations to the *New Age Trust* are asked to answer the signal on Page 27 before Christmas.**

Alberta.

THE LIBEL TRIALS. II.

Since last week we have read the evidence in the Powell trial (as reported in the *Calgary Daily Herald* and the *Edmonton Journal* of November 15 and 16) together with a recapitulation of the story and comments on the verdicts.

One point is made clearer. It now appears that at the opening of the Unwin trial the Court was ready to adjudicate on all four charges—defamation, false defamation, sedition and incitement; but that Mr. Aberhart (who holds the portfolio of Attorney-General) then announced that the Crown would not proceed with the first two charges, and would reserve the right to proceed on the other two later on. This decision left Major-General Griesbach's counsel the option to proceed (granted permission by the Court—which was given) only on the libels. The latest news is that the Crown is not going to proceed with the remaining charges.

As regards the reason for Mr. Aberhart's decision on procedure, the *Calgary Daily Herald* (November 16) attributes it to intervention from London. It says:

> "Perhaps Major Douglas regrets now that he ordered the Albertan authorities to drop the charges against Powell. The truth has been exposed that while he may control the government of the province he does not control the courts of justice."

We do not know whether this paragraph is based on authentic information (if so we have missed it) or mere inference. If the latter, we suggest that our own theory (given last week) is just as plausible, namely that Mr. Aberhart had good reasons (without prompting from London) for not proceeding against a colleague and an adviser on charges which, as it turned out, could be brought by private prosecutors. In fact it ought to be plain to anybody that the party conducting the prosecution should be above suspicion of desiring the prosecution to fail—and there are plenty of people in Alberta who were ready to impute such desire to the Attorney-General if his conduct of the prosecution had not given them satisfaction. As regard his reserving the right to proceed with the other charges, this was logical, because unless and until defamation had been proved, there was no ground (or quite inadequate ground) on which to sustain the charges of sedition and incitement.

Critics of the Attorney-General have only one ground of complaint, and it is that he, after defamation has been proved in the lower court, has now decided to drop the other charges irrespective of what may happen in the Appeal Court.

There are two reasonable answers: (a) that the Alberta Government's legal advisers think the evidence for sedition and incitement not strong enough to warrant a prosecution, even if the conviction for defamation is upheld on appeal; and (b) that the Canadian banking interests think it inexpedient in any case for such prosecution to be brought. We do not mean by this to suggest that Aberhart's decision was taken in order to oblige the bankers, but that the bankers have refrained from bringing any pressure on him to carry the case further.

However, whatever be the reasons, the definite decision to drop the major charges is a welcome one from our own point of view, because it sets Social-Credit journals free to say what they like about them without fear of the law. And, not less important, it deprives other journals of the excuse for keeping silent about them. The "sub judice" plea is often the last refuge of a humbug or coward, as Dr. Johnson might say.

A correspondent suggests that we have conceded too much in saying that Powell or Unwin "published" the leaflet to the printers. He points out that printers, unlike ordinary citizens, are joined with authors as accessories when libellous matter is printed. For that reason the communication of such matter by authors to printers in the way of business takes on something of the nature of the giving of confidence by a layman to his lawyer, or a borrower to his banker. There is an element of privilege in the case which is not present in that of the circulation of libellous matter after printing. Of course, as we pointed out, the printers' operatives would share the secret, and might let it out to third parties; but even so, their act would be a breach of confidence, if not contract, and this fact would seem to lessen the responsibility of authors and printers for the consequences.

This question of publication, in the present case, is assuming great importance. For, according to Unwin's testimony, some copies of the offending leaflet were procured from the place where they were stored by means of a trick. A messenger boy called at the premises and

gave the lady in charge to understand that he had Unwin's authority to take away the copies. Unwin denied in cross-examination that he had given any such authority. The importance of this testimony rests on its relation to further testimony by Unwin as to who placed copies of the leaflet in the Legislature, where some of the parties named in it would find it. Unwin denied having done this, or having got anyone else to do it. (Powell's denial of such action is implicit in his testimony that he did not authorise even the printing of the leaflet, much less its distribution). When Unwin gave his denial he added that he had drawn conclusions about who had placed the leaflets there; but counsel for the prosecution forestalled disclosure of them by interjecting the remark: "We are not interested in your conclusions." Since neither the judge nor counsel for the defence carried the matter any further, one must presume that it was outside the jurisdiction of the Supreme Court. But one hopes that the Appeal Court will be competent to sift this feature of the case. For if Unwin's testimony were to be accepted, the conclusion would follow that some third party got hold of the leaflets by a trick, that is to say, a party who would not have been allowed to obtain possession of them if his identity had been known at the time. Whence a strong presumption would be created that the leaflets so obtained were those which were found in the Legislature, and that the same party who so obtained them placed them there.

Moreover, a fact came out in the evidence which would strengthen this presumption. For it appears that the idea of composing a leaflet first arose out of a conversation in which several people took part. This conversation, which was not official, nor even confidential, centred round the fact that back in the days of the Gladstone-Salisbury tussle the benevolently contemptuous remark that "God made Conservatives" enjoyed wide currency at the instigation of the Liberals. Someone present suggested that it would be a good thing to revive this "humorous thrust" (as Powell subsequently described it in Court) in a Social-Credit leaflet. Could Powell remember the context and write it down? Powell thought he could and said he would try. Subsequently he did.

Now the point about this conversation is that some of the parties to it may have reported it to their friends afterwards. In fact there is high probability that they did. The joke was too good to keep; and at that juncture there was no reason to hide it. On the contrary its dissemination by word of mouth would appear to be polemically profitable irrespective of whether it was to come out in print or not. Very well, assuming that this happened, it follows that agents of the Opposition would come to hear of it. From then on it would be a simple matter to ascertain whether and where leaflets were being printed to the order of Unwin. In fairness to the Opposition it must also be noted that Edmonton was teeming with journalists in search of live copy quite irrespective of what it was so long as it fetched them in some dollars. Thus, for business as well as political reasons Unwin would be kept under strict observation.

Now it is possible to reconstruct the story of what happened, with the exception of one point. The point is this: whether the party who secured the copies of the leaflet under false pretences was aware of their contents before he got them, or afterwards. The balance of probability is that he knew it before, i.e., that he knew that they were (or could be held to be) incriminating documents. If so, he might have argued that Unwin (or officials of the Social Credit League) might realise this and decide not to distribute them. If so, he would further argue that if he went and asked for copies openly he might put Unwin on the *qui vive* and thereby stop the leaflets from being "published" in an actionable way. He would therefore conclude that he must get copies by silent, swift subterfuge if he was to be sure of getting any at all.

Assuming that this theory of foreknowledge is true, the reconstructed story becomes circumstantially coherent and plausible, namely, that the leaflets were procured and placed in the Legislature behind the backs of Unwin and the Social Credit League in order to enforce publicity in a form which would afford ground for getting the magistrate to grant the search warrant executed by the police.

Whether the Appeal Court is able to test this story depends upon whether it has the legal power to admit all the evidence and argument relevant to it. *A priori* it depends on whether the story itself (even if proved to be true) is adjudged relevant to an appeal against the verdict of publication. If the Appeal Court rules that the verdict stands or falls by the narrowly technical definition of "publication" invoked in the Supreme Court, the story becomes irrelevant; for it is undeniable that Powell "published" the libel to Unwin, and Unwin to the printers, and, moreover, had done this before the events alleged in the story began to happen. Further, the ruling out of the story would be immaterial insofar as the appeal is for a reduction of sentences, because the appellants do not need to bring in the story to establish their submission that their narrowly technical offence called for a narrowly technical punishment—which three and six months' hard labour certainly is not.

But we are not concerned here with pleas for leniency. We are concerned with demands for justice—the wider justice which the deeper issues beneath the trials demand. They demand the invocation of the dynamic spirit of Law, not of the static letter of the law. "My peace I give unto you," spoke Christ, "not as the world giveth give I unto you." The spirit of Law is the spirit of Peace —and not alone in a mystical sense, but in an admittedly rational sense, for the whole principle of punishment under Law is designed to prevent breaches of the peace. The citizen may not "take the law into his own hands" precisely because he need not. The law gives him redress against suffered wrongs. We here speak of law in its ideal sense—the spirit of Law, which an old friend of ours likes to compare with a park-keeper who walks around and about where the games are going on and sees that "nobody plays rough."

This concept comes close to our point. The nine persons named in the leaflet were the victims of rough play. They are entitled to have their injuries assessed, and to call for them to be redressed. But justice demands that the redress should fit the assessment, and should be secured at the cost of all who contributed to the injuries. Our submission is that up to the point where the leaflets were printed and delivered into the custody of Unwin no assessable injury had been inflicted on the complainants. Such injury began to be inflicted only when the leaflets were placed in the Legislature. Hence justice demands a strict investigation of the question: Who placed them there?

Will the Appeal Court admit this question as relevant? We do not know; but in view of the hint passed by the Ottawa *Citizen* (quoted by us last week) that the Dominion Government might use their influence to secure a reduction of penalties, we may venture to hope that the same influence may be exercised to get a reassessment of the injury and identification of *all* the parties responsible for it, that is to say, not only the persons who lit the fuse, the explosive charge but also the persons who laid the fuse. Such an act by the Dominion Government would be politically expedient because of the widespread belief among the citizens of Alberta that important financial interests are using illegitimate methods of discrediting the Alberta Government's policy—methods which are exceedingly difficult to trace back to the source of instigation. If, as we submit, there is room for the supposition that the hands of Unwin and Powell were forced in the way we suggest, any seeming neglect on the part of the authorities to investigate it would tend to diffuse the very spirit of sedition which the libel actions were instituted to prevent.

A few days ago we picked up a book entitled *Detective and Secret Service Days*, being the autobiography of Edwin T. Woodhall, late of the Criminal Investigation Department at Scotland Yard. (Mellifont Library Series, Mellifont Press, Ltd., 60, Chancery Lane, W.C.2. Price 6d.) On page 43 we note the passage:

> "It is a well-known axiom in criminal investigation, especially in political crime, that an unfinished crime is an automatic challenge to other fanatics."

This passage occurs in the course of an account of how two women were found in possession of a poisoned cake intended to be introduced into the household of Mr. and Mrs. Asquith at 10, Downing Street for purposes of extermination. Should the police have prosecuted? No, says the author—and gives the reason stated. One woman was "advised" to go abroad, and the other was certified and placed in a lunatic asylum. Well, it seems that this rule of expediency might have been applied in Edmonton, and the whole matter hushed up. It would have been quite easy because as soon as complaints were raised in the Legislature Unwin, Powell and their associates would have been not only willing but anxious to get the leaflets destroyed. Instead of this the "incitement to murder" was broadcast throughout the province (and the world outside) and at a juncture when, according to Mr. Justice Ives, in his remarks, there was already "growing turmoil" and "disrespect for law" in the province. Was this not an "automatic challenge to other fanatics"? More important: Might not popular suspicion of unjust conviction or overharsh punishment of the accused strengthen the challenge to disordered minds among the supporters of the Government? We raise these matters as a debating point only, for, as we have said in a previous article, the flippantly, fatherly tone and style of the leaflet made it a most ineffective vehicle of incitation.

Turning, now, to the latest news, there are three items. Mr. Justice Ives has been granted leave of absence for six months. Mr. E. J. Atter has been appointed Technical Adviser to the Alberta Social Credit Commission. Mr. Aberhart is reputed to be considering the question of issuing a "dividend" based on $1,000,000 saved by not paying bondholders. We presume that Mr. Justice Ives will be wanted for consultations in view of the Appeals. His leave of absence may have other significances, but these need not be speculated on at present. Mr. Atter is an accountant, formerly living in London, but latterly in California. He has figured in American Social Credit journals as a strenuous advocate of the "electoral campaign" plan laid down at Buxton, so it is to be presumed that he has been nominated by the London Secretariat.

As regards Mr. Aberhart's rumoured "dividend" and its basis, readers will not require telling that it does not embody Social Credit principles. That being clearly understood it can be treated on its merits as a device within the principles of the present financial system. Politically, it is inexpedient because it will associate Social Credit with fiscal manipulation of a sort that many people are apt to describe as confiscation. If we agree to ignore this, the technical merits are good in parts. The dividend is payable in Alberta, while the savings are largely derived from outside. The balance withheld from outside is immediately a gain to the citizens of Alberta. Ostensibly it is a loss to citizens in other provinces or overseas. But actually the loss to citizens would be only a small proportion of the amount of the balance, because Albertan bonds are largely held by financial institutions which ration dividends to their shareholders irrespective of their gross profits. So it does not necessarily follow that these shareholders will receive lower dividends as the result of the withholding of interest by the Alberta Government. The directors may, of course, declare lower dividends in order to maintain their reserves, or to create antagonism towards the Government. Taking everything together, however, the proposed basis of a dividend is unsound, and we hope the rumour is not true.

N.A.T. Fifth Manifesto.
Par. 9. £14-11-8.

Police and Politics.

Sir James MacBrien is commissioner of the Royal Canadian Mounted Police. On Armistice Day he made a speech. In it he spoke of the Canadian Legion's value in helping police forces to combat subversive influences. In this context he is reported to have said:

> "Smite the ugly head of Communism wherever it appears, before it has a chance to dominate the youth of the country, as it aims to do, and so bring about ultimate anarchy."

On November 17 the Ottawa *Evening Citizen* devotes a leading article to this passage, and one of its comments is as follows:

> "It is obvious, of course, in this reported statement, that the responsible head of the Royal Canadian Mounted Police spoke figuratively with no thought of inciting to violence."

A later comment runs thus:

> "With racial animosity rampant and class hatred, it would be perhaps better to avoid the use of military metaphor in political statements by public officials, even, or particularly, on Armistice Day. In Alberta, a public official and a member of the legislature have gone to gaol for overstepping the mark."

The article reminds Sir James that in Canada it is no offence against the law to join the Communist Party or to expound Communism; and points out that in Fascist States Liberalism as well as Communism is being "smitten" with equal severity, and sometimes with violence.

Queering "The Querist."

Here are some suggestive queries in *The Querist* of Bishop George Berkeley, published in 1735 in Dublin.

Query 37.—Whether power to command the industry of others be not real wealth? And whether money be not, in truth, tickets or tokens for recording such power? And whether it is of great consequence what materials the tickets are made of?

Query 204.—Whether a bank of national credit, supported by public funds, and secured by Parliament, be a chimera or impossible thing; and if not, what would follow from the supposal of such a bank?

Query 213.—Whether a combination of bankers might not do wonders, and whether bankers know their own strength?

Query 214.—Whether a bank in private hands might not even overturn a government? and whether this was not the case of the Bank of St. George in Genoa?

Query 222.—Whether by a national bank be not properly understood a bank, not only established by public authority as the Bank of England but a bank in the hands of the public wherein there are no shares; whereof the public alone is proprietor and reaps all the benefit?

Note that queries 213, 214, and 222 (here italicised) were not reproduced in the edition of 1750 published in London.

News Notes.

Alberta's Lieut.-Governor.

The Social Credit Convention at Edmonton has passed a resolution calling for the resignation of the Lieut.-Governor of Alberta, Colonel Bowen, because he withheld assent to the Bank and Press Acts. ("Daily Telegraph," November 27.)

More Inquisition.

Watch should be kept on the British Government's contemplated (a) inquiry into the causes of the declining population, and (b) compulsory insurance and registration of cyclists. Some of the questions under "a" indicate that the answers will be twenty times more useful to the bankers than to any department of the Government. Under "b," of course, the insurance combine have a great opportunity to expand their reserves out of profits. Every premium they charge contains a concealed reserves-tax, and thereby decreases still further the demand in the consumption markets.

The Disallowance Crisis.

Major Douglas, in his recent speech at Belfast, made no reference to the trials of Unwin and Powell. He devoted his remarks to the disallowed legislation. He expressed the opinion that disallowance by the Dominion Government was illegal—a usurpation of the prerogatives by the Governor-General. The banking interests had, he said, scored a success by causing the legislation to be held up for a period which might run into several months if it was remitted to the Privy Council. In the meantime they had created a "stalemate" in Alberta. On the other hand, he said, the Dominion Government was "losing prestige."

This is satisfactory so far as it goes, but the lost prestige will accrue to the official Opposition unless steps are taken to capture it for Social Credit. It has been pointed out in these columns before that the disallowed legislation does nothing towards applying Social-Credit financial principles, nor does it even commit the Government of Alberta to recognition of the principles. The Bank Acts and the Press Act, as they stand, could constitute the foundation of a Fascist State, and in fact are being attacked on that account by the *Farm and Ranch Review*. It is no use complaining that attacks of this sort are unfair or misleading; they are inevitable in political controversy everywhere, and should be foreseen, and if possible forestalled. In the present case they could have been, and may yet be, forestalled. There is no compulsion to call a stalemate. The Alberta Government can formally enact dividend-payment on Social Credit principles. By doing this they would make it clear beyond any doubt that the intention behind the legislation already disallowed is to use that legislation for Social Credit ends, and not, as the enemy insinuate, for bureaucratic ends. As it is, the neglect of the Government to declare its ends plays into the hands of those who want an excuse to deny them the means. As we have insisted before, the only justification for the Government's demand for centralised power (over banks and newspapers) would be their formal guarantee of the decentralisation of power by the issue of the dividend. The surest guarantee would be for the Government to give an undertaking that it will not use the powers now sought until it has enacted, and commences to implement dividend payments. Granted this, then any opposition to the empowerment-legislation could be denounced as opposition to the dividend. This might not resolve the stalemate immediately, but it would turn it, so long as it lasted, into an asset of the Social Credit Movement.

The Consumption of Capital.

In an article: "Should Capital be Consumed?" published Dec. 2, it was argued that when physical capital is not fully engaged in supplying the consumption market the part not engaged is of no benefit either to the investors who own it or to the community generally. The existence of this excess of capital represents an expenditure of energy which could have been exerted for consumption uses. It also represents materials which could have entered into the composition of consumable articles. For example, an idle stamping-machine consists largely of metal which could have entered into the composition of the household utensils which it has been designed to stamp out. And it would pay the community (investors and other consumers alike) to break up this machine and convert it into the desired utensils, even by the most primitive methods, rather than save it (and prize it!) because of its mere potential or theoretical capacity of service. Much more, then, would it have paid the community not to have constructed the machine, but to have fashioned the metal directly into those utensils.

Observe that these propositions do not depend on financial considerations; they depend on physical evidence. On this evidence it will be seen that the machine could have taken the form of utensils. Next; if it had, these utensils would have been the capital of the investors just as the machine is that was made instead.

This opens up the question of what capital really is. Fundamentally all production is capital while it is within the industrial system. And all consumption is a depletion of capital. Capital is, thus, simply industrial property for which a price is demanded when transferred to consumers. Everything made becomes capital on its way to the shop counter.

Here the question of finance must be brought into the argument. In the above illustration the financing of the construction of the machine would be exactly the same in principle as it would be in the alternative case of the utensils. So if the cost of the machine could be recovered from the community so could that of the alternative utensils. If not, not.

Hygiene

OR

TOO FIT FOR HUMAN CONSUMPTION.

"Untouched by human hand," they shout
My confidence to engage.
But would they please resolve this doubt:—
Has no hand touched a wage?!

LETTERS TO THE EDITOR.

RUIN IN SIX WEEKS.

Sir,—I shall be glad if someone can give me the reference to a statement made at the beginning of the Great War to the effect that the war could not last longer than six weeks without financial disaster. I want the name, date, and occasion.

S. C.

Forthcoming Meetings.

LONDON SOCIAL CREDIT CLUB.

Blewcoat Room, Caxton-street, S.W.

January 7, 8 p.m. "Social Credit, Why and How?" by Mr. Best.

January 14, 8 p.m. "In essentials, Unity; in non-essentials, Liberty; in all things, Charity," by Mr. W. L. Hunt.

January 21, 8 p.m. "£5 Monthly for All for Life, in addition to wages and salaries, with a lower cost of living," by Mr. Brame Hillyard.

January 28. "Social Credit and War," by Mr. B. S. Higgins.

WANTED "NEW AGE"

One copy each of the following issues:
Vol. 55, No. 9, Vol. 56, Nos. 1, 2, 5.
Reply to: L. H., c/o "NEW AGE," 12-14 RED LION COURT, FLEET STREET, E.C.4.

FIRST EDITION SOLD OUT!

SECOND EDITION with SPECIAL FOREWORD NOW ON SALE

OFFICIAL REPORT

Published by The Social Credit Party of Great Britain and Northern Ireland. (The Green Shirts.)
44, Little Britain, London, E.C.1.

ALBERTA

A DOCUMENTED RECORD OF MR. JOHN HARGRAVE'S VISIT TO THE PROVINCE OF ALBERTA, DEC., 1936-JAN., 1937.

Incorporating a review of his activities as Honorary Social Credit Adviser to the Alberta Government Planning Committee

Price: ONE SHILLING NET.
Post Free, 1/2.

Published by the Proprietor (ARTHUR BRENTON), 12-14, Red Lion Court, Fleet Street, E.C.4., England, and printed for him by THE ARGUS PRESS, LIMITED, Temple-avenue and Tudor-street, London, E.C.4, England (Telephone Central 3701).