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## The Republican Victory in the United States of America

(II)

By C. H. DOUGLAS

Mr. Perry uses the word "feudalism" in the usual, incorrect, sense of power without obligations, but with this exception his estimate of the d'markrazi of the Federal Government seems reasonably accurate, and might, at first sight, be taken as applicable to our own Parliamentary system. But there are real differences. The American Senate is a real power; the House of Lords is not; the President of the United States is a real, not a derived power, and no amount of Congressional action can depose him. Put shortly, the contemporary, so-called British, Government is an absolute dictatorship; the Federal Government is hamstrung from its desire to become one by the American Constitution. It is, of course, true that, by a system of impartially subscribing very large sums to the election and other funds of the President, Senators, and Congressmen of both Parties, a considerable degree of centralisation of power in the hands of international finance has been achieved, but it would be a mistake to assume that this is complete. "Bretton Woods" was directed almost as much against certain powers in the United States as against ourselves. And the first deduction we can draw is that the Republican victory is a blow to "Bretton Woods."

The second point to note is that Socialism, of the London-School-of-Economics-Sir-Ernest-Cassel-British-Labour-Government type, which is in fact nothing but a development of the Military State of Bismarck with modifications by the German-Jewish bankers such as Warburg, Ballin, Deutsch, etc., had precisely the same ancestry as Roosevelt's New Deal; and it would be a profound mistake to underrate the hatred engendered by Roosevelt and his cohorts of Frankfurters, Morgenthau, Cohens, etc. Every effort has been made to play down the fact that a monumental crash in industry in 1939 was only averted by the war—the P.E.P. indiscretion in remarking that "only in war or under threat of war" would they get their way, is thoroughly appreciated by the Republican leaders, and the repeal of War powers which Roosevelt used so unscrupulously, as did our own Government, will be the first concern of a Republican Administration. From that we can easily deduce a fundamental antagonism between the Daltons, Stracheys, Aneurin Bevans, Shinwells, etc., who may be regarded as consciously or unconsciously the tools of the German-American bankers and World Planners such as Baruch, and, on the other hand, allies of the Henry Fords, and possibly the Morgans, who, for whatever reason, oppose collectivism, and stand for "the American way of life." It is not necessary

to take the protestations of this latter group at quite their face value to be able to acknowledge the reality of the antagonism, and the trick of calling them reactionaries, as distinct from the "progressive" Socialists, is rather shop-soiled.

It is to be hoped that the gravity of this situation will not be underrated. The Republicans look on the British Labour Government as a "horizontal" menace, which of course it is. Stratification is of the very essence of it. It is a fact of experience that a horizontal menace can always be converted into a "vertical" (national) war, just as Stalin boasted the converse. Five minutes' reading of "Russian" propaganda, which attributes all danger to world peace to the machinations of capitalism against the peace-loving, democratic, Soviets, is sufficient to demonstrate that point.

There is a tendency, almost amounting to a rule, for Left Wing Forces to operate from behind a Liberal screen—a condition of affairs particularly marked in the Wilson and Roosevelt Administrations, during which the important matter was to find out who was the Court favourite, for the moment, of the Houses, Strausses, Frankfurters, Schiffs or Cohens, who surrounded the President, together with such people as Sidney Hillman, "Tommy" Corcoran, "Sammy the Rose" (Roseman) or James Farley, expressively known as "fixers". My impression is that this is less true in a Republican Government, and that such men as Senator Robert Taft (son of President Taft) are powers in their own right. Senator Taft is an able man, consistently opposed to Labour Unions which he recognises as a racket, to price controls (not necessarily price regulation) and to "the interference of Government in business." This may, of course, mean a large number of different things. He is quite probably the next President, although the Jewish vote is certain to strain every nerve to defeat his nomination—probably through Governor Dewey.

Not overlooking the "fixers" behind the scenes on both sides of the Atlantic, it is still fairly evident that we are not exactly the kind of Government which is likely to be popular in Washington. And it must not be forgotten that Mr. Winston Churchill is not regarded with undue favour either. If, then, we are to have any chance of co-operation with Washington in the next six years, we had better think hard and fast.

(Concluded).

### Social Credit Secretariat Diploma of Associate.

Overseas readers who desire to enter for the examination (Associate Diploma) in 1947 should give notice before February 1, stating their names and full addresses.

## PARLIAMENT

House of Commons, November 13, 1946.

### Business andittings of the House

*The Lord President of the Council (Mr. Herbert Morrison):* . . . As my right hon. Friend the Prime Minister stated yesterday, the Government will need in this Session all the available time of the House if the important Measures foreshadowed in the Gracious Speech are to be dealt with in the present Parliamentary Session. We shall, however, hope to provide opportunities for Debates on matters which are of general interest to the House as a whole, as was done in the last Parliamentary Session, and we propose in the interests of Private Members to safeguard the half-hour Adjournment at the end of every Sitting, not only after Exempted Business or when the Rule is suspended, but after a Division or Divisions which may occur at the interruption of Business. . . .

*Earl Winterton (Horsham):* . . . It is not a case of hitting, or supporting, or handicapping the Government; it is a question of confirming what I consider to be the integral rights of the House of Commons. Our appeal for consideration is infinitely greater than at any previous time by reason of the support given to our case by the Select Committee, part of which I shall quote in a moment or two. . . .

. . . The right hon. Gentleman was singularly reticent about the Select Committee's Report. As the Report came out on Friday last, and some Members may not have had a chance of studying it, let me read the words of paragraph 47:

"Until the beginning of the 19th century the whole of the time of the House was at the free disposal of every Member, whether a member of the Government or not, and the only time allotted to Government business was the two days a week which by courtesy the House allowed it. In the Reformed House of Commons, the demands of the Government for time began to increase, and from 1846 onwards when the Government's allocation of two days a week was converted by Order of the House into a formal right, the Government has steadily increased its share of the time of the House. The process was completed in 1902, when Mr. Balfour brought in the comprehensive scheme for regulating the whole of the time of the House . . ."

I would call the attention of the House to part of the next paragraph, which is really important:

"The great merit of Private Members' time is that it provides opportunities for raising subjects and introducing Bills for which for one reason or another neither the Government nor the Opposition is willing to find facilities out of its own share of time . . ."

That is the answer to the point made by the right hon. Gentleman, that the Opposition were being afforded full time. Of course they are not. I do not think the statement will be greeted by jeers, when I say that the views of Front Benches as to how time should be allocated are not always the same. It is no answer to say that the Opposition are being given full facilities, nor is it an answer to say that there is always a half hour's Adjournment.

It then goes on to say—and I would call the attention of the right hon. Gentleman particularly to this:

"Consequently, so long as Private Members' time is in abeyance, it may be impossible to raise subjects and to introduce Bills which may have considerable support in the House and the country. Your Committee recommend that facilities for Members to initiate business should be restored as soon as possible."

Here was a committee with a majority of members supporting the Government; a committee based largely on Members of the House, having experience of the House; a committee, which, as the Report shows, was singularly

unanimous, because in the Report it will be seen that there were only two Divisions. I have sat on many Select Committees, and I have never known a committee which was less divided on essentials. Yet the right hon. Gentleman dismisses the Report of this Committee without a word of apology. . . .

There is one matter in connection with Private Members' time which should be realised. Prior to the period of Irish obstruction in the eighties, a Member of the House had a right at any time to move the Adjournment of the House, and, until the worst days of Irish obstruction it was not misused. There was no question of your predecessors, Mr. Speaker, having to say whether it was a matter of urgent importance or not. Any member could move the Adjournment of the House. Then as a result of the misuse of time by the Irish Nationalist Party who prevented all Government Business for one week by moving the Adjournment of the House the modern rule was brought in. We have shown how the opportunity of moving the Adjournment of the House has gradually narrowed down from precedent to precedent and we recommend its restoration. I do not want to over emphasise the point but I maintain that one of the most valuable protection of the rights and liberties of speech of hon. Members has been taken away (a) by the fact that the Government of that day had to get the House, in the 1880's to repeal the Standing Order allowing Adjournment on any occasion, and (b) that the rule as it stands to-day has gradually been narrowed down from precedent to precedent. This is one of the many things which should be taken into consideration before the House passes this Motion. . . .

We hear a great deal of talk and constant clichés in the speeches of hon. Members opposite, where they claim that the great merit of this Government is that the common man is coming into his rights. So far as the common man is represented by Back Benches in the House of Commons, the Government have done everything they can to deprive him of every right which he possessed until 1939, and in a way in which no other Government has done. It is illogical for hon. Members to say that this is Parliamentary freedom, when they support a Government which takes from a Private Member his inherited and inherent rights which he has always enjoyed in this House in time of peace, except on very rare occasions. The essence of democratic freedom is the right to discuss. . . .

*Mr. W. J. Brown (Rugby):* I should like to begin by saying that I am interested in this matter from three points of view. In the first place, I am a Private Member. And by definition I am a Private member who must always remain a Private Member, for an Independent does not take office. So that my interest in this matter is really a long term interest as a Private Member. Secondly, I am interested as a Member of the Select Committee on Procedure, which has had this and related issues before it in these last several months. Finally, I am interested in it as one who values the traditions of Parliament as a living organic entity.

This is not a small issue. What is involved here is not a mere matter of whether Private Members are to have a few days more, or a few days less, of Parliamentary time in a given Session. What is involved here is the nature of the relationship between Government and the House of Commons, the issue of what the House ought to be, and of the functions which it ought to discharge. And it is with that wide issue rather than the narrow point of view as to whether we are

going to have  $x$  or  $y$  number of days that I am concerned in intervening in this Debate. But, first it is necessary to reply to some of the arguments which have been advanced by the Lord President of the Council and others in support of the Motion to take all Private Members' time.

First of all, the Lord President struck a note which slightly jarred upon me. He began by saying that the Government would always be willing to afford time for debates on issues in which the House was obviously interested, and by saying that he intended to soften and abate our opposition to the Motion before the House. If there is one hon. Member of this House who is not to be softened by that particular plea, it is I. For I have had the experience of getting a Motion signed by nearly 300 hon. Members asking for a Debate on something, and finding not only opposition expressed by the Lord President when I made my request, but contemptuously poured on me for having the temerity to ask for it. Therefore, of all hon. Members in this House, I am not the one to be influenced by the argument that the Lord President will allow us to discuss what we want to discuss. His next argument was that the Government are extremely busy. That is true. The Government have a large programme on their plate, which very naturally they want to carry through, and, says he, "If we do not get Private Members' time, to that extent the progress of the Government's programme will thereby be impeded." That is a perfectly fair argument, but I would like to examine it a little closer. If that is an argument for taking away Private Members' time, I know of no point in the history of Parliament during the last 300 years where Private Members' time might not have been taken away on exactly similar grounds. . . .

. . . The State now touches the life of the citizen from before he is born until he has died, and at every point in between. And there never will be a Government in Britain, from this time on for evermore, which will not be in the position to come to this House and say that they are extremely busy and that if they do not take all Private Members' time, to that extent the progress of their legislation will be impeded. What we are invited to do by the Lord President is to accept the Motion upon grounds which, if they be valid, would permanently deprive this House of Commons of all Private Members' time.

The Lord President says that if he gives the House Private Members' time, it is bound to be taken away from something else. It must either be taken away from the Government's legislative time, or from the time available to the official Opposition. I want to make this point, that one of the biggest values of Private Members' time is that it gives an opportunity for bringing forward issues which neither the Government nor the Opposition would want to bring forward. Here is an error into which hon. Members of both sides fall. They imagine that the only people in the House are the Government and the Opposition. The position occupied in this House by Independent Members is ignored. They represent neither the view of the Government, nor the view of the Opposition.

There is another reason why we want Private Members' time, and that is that this House grows steadily less and less free. There was a time, prior to the late 17th Century when the party system fastened itself on this country, when Parliamentary debate in this House could influence issues and when men could vote in accordance with their views without having

to worry about whether the fate of the Government depended on the way they voted. It is only since the coming of the party system in Britain, and with the development of the hierarchy of the Whips, with the doctrine of collective Cabinet responsibility, the doctrine that a Government cannot survive unless it carries a majority of the House with it on almost everything—it is only with the coming of that situation that speech has ceased to influence votes in this House. To-day, if ever by any chance we are allowed a free vote, it is so rare that that very circumstance itself is the occasion of great remark. I have been in this House altogether for some six or seven years at different times, and, upon my soul, I cannot remember more than two or three free votes of the House in the whole of that time.

*Mr. Bowles (Nuneaton):* The hon. Gentleman always voted the wrong way.

*Mr. Brown:* The hon. Gentleman says I always voted the wrong way. That may be so, but an essential part of the doctrine of freedom is freedom to be in error. And if the hon. Gentleman's point is that we ought never to be allowed to be free to vote unless he is satisfied that we shall vote the way he wants, that is not freedom at all. That is the very antithesis of freedom. But I suspect that it corresponds very closely with the Lord President's conception of it. The less free this House becomes, the more of its time is monopolised by the Government, the more it becomes an instrument for ratifying decisions taken by Government—and that, broadly speaking, is the main function of the House to-day, the ratification of decisions already arrived at by Government—the more that is true, the more vital it is that we should hang on to such few remaining rights as Private Members of this House possess.

I want to add my voice to those of others who have drawn attention to the kind of issues on which Private Members' time has been of enormous advantage to the people of this country. Governments differ in political complexion, but they are at one in desiring to dodge awkward problems if they can. Some 140 or 150 years ago in this House there was a problem which no Government wanted to tackle—the problem of slavery. Slavery in Britain at that time was a vast vested interest. It was tied up with the shipping interests of Bristol and Liverpool, which transported the slaves. It was tied up with the alleged maintenance of our national economy. And no Government wanted to touch it. It required the devoted efforts of one independent Member of this House to make England alive to the issue of slavery. I refer to Wilberforce.\*]

I would like to remind hon. Members that again and again in English history the repository of the conscience of England on some great moral issue has been some awkward man who would not be shut up by either side of this House.

*Mr. Bowles:* Is it not the case that after the Second Reading of the Matrimonial Causes Bill the Government then took over the Bill?

*Mr. Brown:* It would indeed be remarkable if a Bill in its later stages passed through this House without some

\*Later, *Mr. Henry Strauss* (Combined English Universities): . . . He [Mr. W. J. Brown] seemed to think that everything good that happened either in the 18th or 19th century was the work of an Independent. He seemed quite ignorant of the fact that Wilberforce and Shaftesbury were Tories . . ."

(continued on page 7)

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Saturday, November 30, 1946.

### From Week to Week

A correspondent to *The Scotsman*, writing on the proposed demolition of historic George Square, Edinburgh, observes:

"It seems to me that this issue as a whole, whether it concerns the demolition of architecture of historic and aesthetic value in Edinburgh, London, or any town in Britain, is a fundamental one. It is a tragic commonplace to assert that the British public, whether through ignorance, apathy or motives of material gain, have proved themselves, on the whole, unworthy inheritors of their priceless legacy of natural and man-made beauty. . . .

"This George Square controversy is relatively, of course, just a storm in a teacup, but of a significance which it would be hard to overestimate. Why?—because there is every indication that our heritage of beauty, born of a social conscience and conditions unknown to-day, is at the mercy of a modern community where local pride and faith have been transferred from the values which created it, and which a minority holds dear, to a confused and irresponsible pursuit of material excitement and quick returns. But those furthering the cause of destruction or contributing to the general apathy are sections of the community either indifferent through ignorance or active though avarice."

Cromwell *redivivus* in the century of the 'cahmon' man, in short.

For the fifth time, and again without expecting a flicker of interest, we would point out that thousands of millions of war stores have silently evaporated without the taxpayer getting any of them, or anything in exchange for them or any repayment of the sums he has been, and will be, taxed for their production. The perfect export system—no return whatever. Much like opening a main artery. We can only conclude that the world racketeers have nothing to fear from once-Great Britain, and we wait, with what resignation we can compass, the next manifestation of the reign of the "cahmon" man.

The direct taxation of the British motorist is about seven times that of his United States opposite number, his car is about half the carrying capacity, and if a mileage basis under present petrol-rationing conditions is taken for computation, his running costs are probably four times as high. We are not sure whether all this is due to strikes in America, a bad harvest here, or lack of shipping facilities, but we feel sure that the remedy is to increase taxation, and increase exports. This will avoid inflation, induce everyone to work harder and finally reconcile everyone to living in a little tin box, and lucky to get it. Just like Russia.

It may prove to be a matter of considerable moment that seven out of the nine judges of the U.S. Supreme Court were appointed by Roosevelt, and may confidently be expected not to forget it.

It is a curious but indisputable fact that the single-minded pursuit of material ends, quite good and desirable in themselves if not gained at the expense of higher values, invariably defeats its own objective, either by actual loss or worthless gain. We print the menu of an ordinary dinner available to probably half of the population of these islands occasionally, if they wanted it, eighteen months after the 1918 Armistice.

Any United States city of large size would provide such a dinner without difficulty, to-day:—

#### MENU.

Hors d'Œuvres, Russe		
Tortue Claire		Cream of Chicken
Salmon, Cucumber, Sauce Hollandaise		
Fillet of Plaice à l'Orly		
Ris de Veau, Benévole		
Jugged Hare, Bourguignonne		
Prime Ribs of Beef, Corn Fritters		
Haricôts Verts		Oignon Braisé
Pommes: Nature, Château and Duchesse		
Roast Turkey, Cranberry Sauce		
Salade Paysanne		
Pouding Princesse		Marble Jelly
	Gâteau Rose	
Pâtisserie Variés		Coupes Jacques
	Deville Ham Croûtes	
Dessert		Café

Eighteen months after the "unconditional surrender" of the Germans in 1945, the best meal obtainable at a certain "first class" hotel owned and managed by a world-famous British Railway Company, charging luxury prices, was as follows:—

#### MENU.

Mulligatawny Soup  
 (no bread)  
 Liver (pigs) Lyonnaise  
 Boiled Potatoes  
 Marmalade Pudding.

A small slice of bread could be obtained if no pudding was eaten. The soup appeared to be a double purpose article, the alternative purpose being paper-hanging. The small slice of tough repellant liver had a few strips of pallid onion laid on it. This made it "Lyonnaise."

The marmalade pudding was quite eatable.

### Mr. Norman Jaques Honoured

Mr. Norman Jaques, M.P., has been elected to Honorary Membership of the International Mark Twain Society for his "outstanding defence of liberty and justice", in the words of the President, Cyril Clemens. The note of election states that it is "in recognition of your contribution to the life and thought of Canada."

## ODLUM v. STRATTON JUDGMENT

(Royal Courts of Justice, July 29, 1946.)

Before:

Mr. JUSTICE ATKINSON.

(continued)

Now, a great deal in this case, to my mind, turns upon the truth about the way in which he was forced to get rid of the herd, because it will be seen that later on the Committee sought to put the entire blame, or at any rate certain witnesses from the Committee sought to put the entire blame for this on Mr. Odlum. Indeed, as we shall see, the writer of this letter, Mr. Price, went so far as to say that it was done deliberately to obstruct the Committee in their policy.

I am not going through this bundle of letters, but again and again Mr. Odlum is pointing out what is happening to his herd, and how he is being driven to reduce them. The Committee, in these letters, were merely anxious to get the allocation, whatever it might be, of feeding stuffs for his herd transferred to the people to whom he was selling his cattle. On page 40, for example, Mr. Odlum points out on 28 November, 1940, that of course if he cannot feed the remaining animals, they will have to go, too, and on page 242 there is really a very able letter, or so it seems to me, in which he analyses the situation, pointing how much food is wanted for a cow at the different ages and the different stages, when they are producing milk, and so on, and how much is wanted; and pointing out what the result would be. I think at that time he still had 125 animals, and he said: "If we cannot decently sustain these animals, they will also go to Messrs. Jenkinson (who have an option) or to someone else. And again you must try to work some unworkable arrangements as the circle grows larger."

There is no objection taken at all, and never from first to last in these letters is there a word from any officer of this Committee saying: "There is no need to sell your herd. We want you to keep your herd. Milk is important," and that sort of thing; and I am absolutely satisfied from what he has told me about his interview with Mr. Nichols, borne out by what is in the letters. I am absolutely satisfied of the truth of that.

Then these directions went on, in May, 1940, September, 1940, December, 1940, and then he was told to grow potatoes. Then came the Order of 10 January, 1941, and I see a letter soon after that, on page 49, where Mr. Odlum tells the Committee this: "Now that I have been forced to reconcile myself to disposing of my cattle"—But did that bring any protest?—Not a word. "I have been forced to reconcile myself to disposing of my cattle." And so these Orders went on. I forget whether I gave the figure, but at any rate there were 418 acres of arable in 1941, and 302 acres still under grass.

Now, his crops in 1940 and 1941 were good, and some very good, above the average. There is a document which was prepared by Mr. Odlum headed: "A short field history," which is document P.29, where he takes each field and gives the history of that field, with the yield of 1940 and the yield of 1941. That has been in the hands of the witnesses for weeks, and no one suggests that if those figures are right there is any criticism to be made of those crops, except one, that is field A, when he was made to grow barley on it and it only

produced five sacks to the acre. What he prophesied about that was right, and it is the only crop which was not good, or very good.

He told me that he had always kept records of this production, but that the originals during that year had got lost and this was constructed from memory, in consultation with his man, and he was satisfied that they were right; and I am so sure that he would not put forward a figure which he was not convinced was right that I have no hesitation in accepting that document as accurate. But there is no one who has come and said that his crops were not good in 1940 and 1941.

Now, in October, 1941, in the letter on page 55 of the correspondence, he asks for help on drainage work. Part of this land to the north of the road is boggy at times, and, indeed, there is a patch of two acres which I think was always boggy, but at any rate he had applied for German prisoners to be loaned to him for drainage purposes, but, being Mr. Odlum, this was refused.

On the 24th October, 1941, on page 55, there is a letter from Mr. Bridge, the Chief Executive Officer of the Wiltshire War Agricultural Executive Committee, saying: "With reference to your letter of the 20th instant to Mr. Oxenham, I have noted his reply of the 17th"—I do not know what the reply had been—"and whilst it is in substance correct, there are one or two slight alterations necessary. It is not the demand for potato lifting and harvest work that does not permit me to offer you prisoners for drainage work, but the demand for more urgent drainage work."

Well, he tried again in February of 1942, and on page 56 wrote: "You will recall that long ago we wrote about the possibility of getting Italian prisoners"—it was Italian prisoners and not German prisoners—"to live on the place and work. It now looks, according to Government announcements, that it is a possibility. We could house, as a mess in a cottage or cottages, somewhere around ten. Naturally we would like some choice in picking them. Never got any for drainage, as was more or less promised in the autumn. Now wrong season for such work, but with a gang living here we could manage the drainage in odd time off from field work." Well, he never got any help in that direction at all.

Now, that winter was a very severe winter. The temperature was low, and there was no snow to keep the ground warm, and a number of his fields at the exposed end had the crops more or less destroyed; and in March, about the 26th of March, I think, there were visits by Mr. Nichols and Mr. Swanton, a member of the Committee, and by a Mr. Booth. Mr. Booth was taking the place of Mr. Nichols, and Mr. Booth had never been near the farm before that date. There was quite a friendly discussion about what should be done, and everybody agreed, including Mr. Odlum, that the ground should be re-ploughed and should be spring sown, and as a result directions were served upon him, a number of them, saying what was to be sown and what was to be done, one was rye and another was wheat, and so on, on different fields; and on page 61 there is a letter which is not without its importance, where the Committee wrote to Mr. Odlum: "It was reported to my Committee at their recent meeting that you had made excellent progress in the re-planting of your land"—that is a report which is not produced, and it is said to be against the public interest that this report should

be seen—"It was reported to my Committee at their recent meeting that you had made excellent progress in the re-planting of your land which had, unfortunately, failed to wheat, rye and winter oats." One will see the importance of that later on.

Now, the position on the eve of the sale was this, that despite protests which had been made by Mr. Odlum against the destruction of his dairy farm, or the semi-destruction of his dairy farm, every single order had been carried out, except one trifling one. An order was served after the sale, just before completion, ordering the cutting of a field of oats for silage purposes. Mr. Odlum did point out the folly of it; he could not believe that any man who knew his job could have ordered this, because the oats were not grown, and they were mixed with weeds to some extent, and to cut them for silage, which was what the Order said, he said would be sheer folly, because the cattle would not eat it, and it would be much better to let the crop grow and get what oats there were. He never heard any more about it, but that was the only Order that was not carried out, and the carrying out of that Order would affect Mr. Hudson much more than Mr. Odlum, because Mr. Odlum had sold the farm. Nothing more was heard about that, and every other Order had been carried out.

There had never been a single complaint against him as to an order which had been carried out. He still had some 55 head of cattle, and I am quite satisfied that the selling of the bulk of his herd was due to his being forbidden to grow forage. It was extracted—or, I will not say "extracted," because there was no difficulty about getting the answer—from Mr. Stratton towards the end of the case that you could not grow forage without consent or permission of the Committee; it was not something that you could simply go and do without permission, and the prohibition which Mr. Odlum had received from Mr. Nichols was never withdrawn. In 1941 he says that his crops were excellent and no one has criticised them. I have dealt with that. In 1942 all the spring sowings had been carried out to the satisfaction of the Committee, and I have referred to that letter in which he is complimented upon the way in which that was done.

But then there came a change in the policy of the Ministry and that is described on page 18 of the pamphlet, "Notes on Agricultural Policy," which was issued to the Committee, and to which I referred a moment or two ago. On page 18 it says: "In the foregoing pages an attempt has been made to outline the fundamental issues involved in war-time food production—the background, as it were, against which District Members and Officers have to interpret policy and translate it on to individual farms. We have endeavoured to sum up this policy (on page nine) under three main headings:—I. Priority crops: maintenance of acreage. II. Livestock: maximum milk and all other sheep and cattle possible after satisfying claims of milk. III. Improved management. Hitherto Committees have been mostly concerned with the arable acreage; they are now called upon to bring into their survey the livestock policy of each farmer; to suggest to one that more stock should be kept to make full use of the grass, straw and by-products or to increase the fertility; to another, where the fertility is high, that more priority crops might be grown."

On Saturday, 24 April, Mr. Hudson called. He had seen or heard that the farm was for sale, and he went over it by himself. On the Sunday the Plaintiff took him over

all the fields and buildings, and on the Monday morning he called and closed. But just before his call Mr. Swanton had come and ordered the Plaintiff to fill up his No. 1 shed with cattle again, and that shed would hold about 100 milking cows. Mr. Odlum said: "Why was it necessary to part with my high-class herd, disease-free, and now to be asked to stock with mongrel animals which will all have been in contact with disease?" and Mr. Swanton made the strange statement: "Oh, I understood you had to sell because they were diseased." Mr. Odlum said: "Where did you hear that?" and he said: "Oh, I cannot remember." He was pressed about it, and there is a letter from him saying that he cannot remember. I do not believe for a moment that he had ever heard any such thing, and no suggestion was ever made of that sort.

Now, as I have said, the completion was on the 10 July. Thirteen months later there came this alleged libel. Now, how did it come about? Well, Mr. Price tells us. He was the Agricultural Organiser and Chief Executive Officer for the Wiltshire War Agricultural Committee, or at least I think he was the Agricultural Organiser for the County and Chief Executive Officer for the Committee. He said that in 1943 the Ministry said to them, in effect: "Arrange for a party of journalists to spend a day in the County and go round and see what your farmers are doing."

He said: "We did what we were told, and we invited a number of journalists, I think it was 26, and a B.B.C. representative," and he said that he prepared for these journalists a document which was called a "hand-out," which is a long document, which a journalist might take the trouble to read and might not, but at any rate there is a lot of technical description and a lot of figures and the like, and if you were really interested in farming, doubtless it would be an interesting document.

There was also given to these journalists what was called an itinerary, telling them where they were going, and it says: "A detailed hand-out will be available on Wednesday morning, but the following is a brief itinerary of the tour. 11 a.m. A motor coach will leave the County Hall, Trowbridge, for Chippenham." I am not going to read it all, but that is where it would commence, and they were to drive through to Malmesbury Common. There there is the important item of lunch at 1-15 at the Hostel of the Women's Land Army Unit at Hullavington, and at 2 p.m. they were to proceed to Chippenham, and to the Market Garden area at Bromham, and then they were to go to Devizes and along the London Road to Beckhampton, and so on.

Then: "4-30 p.m. Then to Mr. R. Hudson's farm at Manningford," and then comes the paragraph that I have read, and then it goes on: "At this farm also will be seen the Women's Land Army Hostel and harvest camp, with boys from the Varsities and Public Schools." Then the last visit is to Savernake Forest, the property of the Marquis of Ailesbury.

Now, the question arose upon that as to whether the publication by the journalists was one for which the Defendant would be responsible, and with regard to that, we get the law summarised on page 117 of "Gatley," where it says: "The original publisher is, however, liable in the three cases stated by Lord Justice Lopes in *Speight v. Gosnay*: (i) Where he authorised or intended the person to whom he published the words to repeat or republish them to some third person. (ii) Where the repetition or republication of the words to a

third person was the natural and probable result of the original publication. (iii) Where the person to whom the original publication was made was under a moral duty to repeat or republish the words to a third person."

Well, of course, this comes quite plainly within the first and second of those two instances. This information was supplied to these journalists, and that is what they were there for, to write up Wiltshire farming; and Mr. Price agreed on Day five at page 36, when he was being asked about these reporters using this information, and that particular paragraph was one of the simple things that they could understand and would almost certainly make use of, and so on, and he was asked: "(Q) What do you suppose newspaper reporters are there for—to get information to put in their papers? (A) Yes. (Q) As far as you were concerned they were free to make use of any information that you gave them? (A) Yes. This was not a personal or confidential document. (Q) Not that paragraph? (A) No. (Q) They were free— (A) To use anything I gave them. (Q) You expected they would make their own selection and use what they wished out of these documents? (A) Yes."

So that, upon that, it is perfectly plain that if this is a libel the Defendant is responsible for the republication of it, and I repeat that it is clear that this little paragraph, obviously put in to boost the Minister of Agriculture, was just the sort of thing that would be published. There were 5,000 farms in Wiltshire, and this was the only one mentioned in this document, I think. It was repeated on the wireless.

Now, the next thing that is not disputed is this, that a great many farmers would at once associate that criticism with Mr. Odlum. There is evidence which is accepted, and I have referred to the fact that "Manningford" and "Odlum" were one and the same thing. At the top of page 38 it was being put to the witness that Mr. Odlum's connection with Manningford was well-known to farmers all over England, and he said Yes, and then: "(Q) So that if by any chance the papers did repeat the fact that Manningford Farm was in very poor condition a very very large number of farmers would say: 'Oh, that is Odlum?' (A) Yes."

So that two difficulties disappear entirely: Firstly, am I satisfied that this document referred to Mr. Odlum? There is no dispute about it. Secondly, am I satisfied that the republication was authorised;? and again, upon the evidence, there is no doubt about that.

Then comes the question: "Are the words defamatory? The defendants say two things, as I understand them, slightly inconsistent: Firstly, they say that it merely disparages the farm, and there is no disparagement of the farmer. On the other hand, the Plaintiff says that it disparages the farmer more than the farm, and I imagine that it does.

The principle I take from the case of South Hetton Coal Company v. North Eastern News Association, reported in 1894, 1 Queen's Bench, page 139, which was a case where there had been a defamatory statement published in a newspaper. "If what is stated relates to the goods in which he deals, the jury would have to consider whether the statement is such as to import a statement as to his conduct in business. Suppose the plaintiff was a merchant who dealt in wine, and it was stated that wine which he had for sale of a particular vintage was not good wine; that might be so stated as only to import that the wine of the particular year was not good in whosoever hands it was, but not to imply any reflection

on his conduct of his business. In that case the statement would be with regard to his goods only, and there would be no libel, although such a statement, if it were false and were made maliciously, with intention to injure him, and it did injure him might be made the subject of an action on the case. On the other hand, if the statement were so made as to import that his judgment in the selection of wine was bad, it might import a reflection on his conduct of his business, and show that he was an inefficient man of business. If so, it would be a libel. In such a case a jury would have to say which sense the libel really bore; if they thought it related to the goods only, they ought to find that it was not a libel; but if they thought that it related to the man's conduct of business, they ought to find that it was a libel."—You get the same principle in many cases, and one is as good as another.

Then one has to remember this: It is not enough that someone might read into these words a reflection on the Plaintiff's capacity as a farmer. The law is that the test is as follows: Would reasonable men to whom the publication was made be likely to understand the words in a libellous sense? That is the case of *Capital and Counties Bank v. Henty*. Or, as it was put in another case, the Scottish case of *Duncan v. Scottish Associated Newspapers*, in 1929 Session Cases, page 20. "Would a reasonable man reading the publication discover in it matter defamatory of the Plaintiff?" In a note in "Gatley" on pages 135 and 136 there are a number of cases referred to, but I do not think they add anything to what I have said.

If there were a jury here, the way in which one would have to direct them would be this: "What do you think? Are you satisfied that reasonable farmers reading these words would understand them in a sense defamatory of Mr. Odlum?"

Of course, the mere fact that witnesses come and say: "Well, I understood that they were," is not conclusive at all, because they may not have taken a reasonable view and the jury would be told: "You have got to determine this for yourselves, whether you think reasonable men would understand it in a defamatory way." But, as has been said in one case, of course the fact that witnesses have understood the words in a libellous sense or a defamatory sense is of some value in helping to arrive at a decision.

*(To be continued).*

## PARLIAMENT

*(Continued from page 3)*

measure of assistance from the Government.

*Mr. Bowles:* They took it over.

*Mr. Brown:* I am not denying it; what I am saying is that Private Members' time again and again has impelled Governments into doing something which by themselves they would never have done. There is to-day a great moral issue in this country which this Government want to avoid. I refer to the issue of the closed shop. I will not argue its merits to-day, because I should be out of order in so doing, but I shall not be out of order, I suggest, in saying that if ever there was an issue upon which a Government have equivocated, evaded, dodged, and done everything they could to avoid stating plainly where they stood on an issue, we have had it from this Government on this matter. For a year I have been plugging away at the closed shop in this House. When I started I was alone. I am not quite so lonely now as I was then, and I think I shall be still less lonely as the days go by and as the significance of this issue is realised. . . . I submit that this Government would like to dodge that issue

and if I can use Parliamentary time and Private Members' time to prevent them from dodging it, I intend to do so.

For all these reasons I think that we should resist this Motion. Wherever else the closed shop operates, we do not want a closed shop against Private Members of this House, I see in this attitude to Private Members' time exactly the same restrictive tendency that I see in the attitude to the Press inquiry, just the same tendency to restriction that I see in the closed shop, the same tendency to make life difficult for anybody who does not conform to what is laid down for us as the mould and pattern of orthodoxy. This is part of what I regard as an extremely sombre and sad trend in the life of our nation at the present time, and therefore, for my part, I shall try to resist the taking of Private Members' time. . . .

. . . I want to remind the House that the rights and privileges of Members of this House were won against the kings, they were defended against the kings, and we ought to-day to be ready to defend them against the Executive. The particular right I want to defend to-day is the right to a very limited, but enormously valuable, proportion of the time of this Parliament for hon. Members to discuss, not what the Government want us to discuss, but what we ourselves feel ought to be discussed in the public interests of the people of this country.

*Mr. Scollan* (Renfrew, Western): I am one of the very few people taking part in this discussion who has never enjoyed the advantages of Private Members' time. I want to assure the noble Lord, to begin with, that it must not be taken for granted that the party on this side of the House is composed of people who blindly accept from their leaders anything that they are told. On this side of the House I, and many others, have been watching very carefully what has taken place during the past twelve months. We were very concerned about the loss of Private Members' time, not because we felt we were losing something that we had never enjoyed, but because we were watching developments in other countries, which took place with disastrous consequences, where parties overruled the legislature. Therefore, we had to keep our eyes open to see the kind of developments that were likely to take place.

I wish to say this to the Leader of the House—and there is nobody in this House or in the Labour Party who has a greater respect for the Leader of the House, for his good judgment and his ability. . . . I want the right hon. Gentleman to answer a few questions on this matter. First, is it not the case that since we are now dealing with Socialist legislation in this House, which was never dealt with in the same period in the past, we are dealing with a class of legislation which has an economic basis of a kind of which there was very little in the past, and that, consequently, next Session the Government can come forward with an even greater claim to take all the time, than they have to-day? This is not a Party issue. It is a business proposition. . . .

. . . I hope every Member here realises—especially the new Members—that we were elected on a Party programme, but that that did not mean that we came here to hand over the whole of the rights and privileges of the ruling Legislature to somebody else. I am going to support the Government, but I want to know that the Government know exactly where they are going. I want to be absolutely sure they know what they are doing.

. . . I want to know from the Leader of the House why, if it was necessary to give this up in the first Session, it is necessary to give it up in the second Session? Will it be necessary to give it up in the third Session? I want him to see it from this angle. The business, as outlined in the King's Speech yesterday, is not half as much as that outlined in the previous one. There is no question about it. Read the two speeches and you will see that. The amount of legislation put through in the last Session was far greater than that which the House is being asked to put through this Session. There is no question about it, and for that particular reason I ask whether, in the next Session, we are going to get a smaller slice of the programme? I hope we are not, and that we are not going to go back on "Let us Face the Future," even if that means loss of Private Members' time. We came here, according to the British Constitution, as Members representing constituencies, not a Party. That is the point. [An HON. MEMBER: "That is too subtle."] An hon. Member thinks this is too subtle. I am afraid he is too subtle to deal with it. I want him to face the issue of whether we are here as Private Members as well as party Members.

*Mr. Frank Byers* (Dorset, Northern): Did not the hon. Member find that out at the Labour Party conference this morning?

*Mr. Scollan*: I was not at the Labour Party conference this morning. There is no rule binding anybody in the Labour Party who has a conscientious objection to a particular decision. . . .

*Mr. Scollan*: Am I not in Order in asking the Leader of the House in which capacity I should vote? I will leave that point. I do want to say this seriously. I was very forcibly struck by the contribution of the noble Lord the Member for Horsham (Earl Winterton) . . .

. . . I want to know from the Leader of the House if the Government will give the House an opportunity to discuss that report, and to arrive at a decision, and, if so, when, so that we may then be able to reconcile the desire of the Government for Private Members' time instead of the ordinary time. I want to make this point in all seriousness: I am of the opinion that if the Government would confine themselves to the time originally allowed to them, it would give the Departments a better opportunity of keeping up with legislation. There is such a thing as gorging the House, and not being able to masticate what the House has already been doing. [An HON. MEMBER: "Speak for yourself."] I am speaking for myself. [Laughter.] Evidently the "yes-men" at the back see something to laugh at. I challenge any Member of this House, from the Leader right down, to get up and explain the 84 Measures passed last Session. While I shall support the Government as a Member of the Party, I give the honours of the Debate to the noble Lord as a Private Member.

### Emancipation of the Serfs

A reader points out that the emancipation of the serfs in 1861, attributed to Peter the Great by Mr. Vans Macdonald in his broadcast, (*T.S.C.* November 16, p. 5) was the act of Alexander II, who, for his pains, was assassinated in 1881. Peter the Great died in 1724.