

'TRAITOROUS', DECLARES CADI OF ARTICLE IN THE CLARION

Intended to Create Disloyalty, He Says, Committing Official

BAIL SET AT \$5,000

(No. 1 Police Court, at City Hall, Magistrate Browne.)

Douglas Stewart, business manager of the newspaper Clarion, facing a charge of breach of defence of Canada regulations, was committed for trial today, and bail set at \$5,000. Preliminary hearing was held before Magistrate Browne in No. 1 court, despite the objections of Defence Counsel J. Newman, who urged another remand, as he was not ready to proceed.

C. R. Magone, special crown prosecutor, opposed the remand. "We are ready to proceed," he said.

It was charged that the Nov. 11 issue of the Clarion contained reports or statements which might be prejudicial to the efficient prosecution of the war.

Stewart pleaded not guilty and elected trial by a jury.

Inspector Alex S. Wilson, provincial police, said he executed a search warrant on Nov. 13 at a printing firm on Wellington St. and seized 200 copies of "The Clarion," dated Nov. 11.

Wilson was handed a copy of the Clarion and on page six read that Thomas C. Simms, was editor and Douglas Stewart, business manager.

At the request of the crown, the witness turned to page two where a half page article, entitled "Manifesto of the Executive Committee of the Communist International," appeared.

Inspector Wilson read the last few paragraphs of the article, printed in black face type.

The manifesto concluded: "Long live the fraternal alliance of the workers of the whole world.

Long live the U.S.S.R., the bulwark of peace, freedom and socialism, the fatherland of the working people of all lands."

The article was signed: "Executive committee of the Communist International."

After inspector Wilson read the article Crown Counsel Magone said the crown objected to the entire article and informed Mr. Newman that the article in question was what he had to face.

Inspector Wilson stated that he later arrested Stewart and took him to police headquarters.

"What was accused doing when you arrived at the plant?" Mr. Newman asked.

"Standing at a bench on which was a printing form," replied the officer.

"Why did you arrest him?" "Be-

cause he was listed as an officer of the Clarion Publishing Co."

Det.-Sergt. Nursey, the next witness, said that after Stewart had left headquarters, he left word at the Clarion office that he would like accused to get in touch with him. "He called me Nov. 15. I asked him to come to my office and during the visit he admitted he was sales manager of the Clarion."

"I suppose you can be described

as a constant reader of the Clarion?" asked Mr. Newman. "Yes, I have been for some years," replied Nursey.

"What do you know of the circulation of the Clarion throughout Canada? How long has it been published?"

"As the Clarion, only since 1935; prior to that it was 'The Worker'. It has been a weekly, a semi-monthly, and a daily paper at various times," Det.-Sergt. Nursey replied.

Continuing his cross examination, Mr. Newman asked Det.-Sergt. Nursey: "Has the circulation reached 10,000 people in Canada?" "No," replied witness.

Nursey said Stewart told him he was "circulation manager, whose job was to circulate the paper."

Stewart then asked permission to question Sergt. Nursey, which was granted.

"I would ask Mr. Nursey if I am circulation manager or business manager, and if he knows the difference in the two positions, or if there is any difference?"

"I can see no need for Det.-Sergt. Nursey to answer that question," Magistrate Browne said. "The court will decide that."

"I submit accused did not print or circulate this paper," said Mr. Newman.

"He is business manager, part of the concern; I am passing it on for trial," said Magistrate Browne.

Mr. Newman argued his client should not be sent for trial.

"This paper refers to efforts of our empire as being 'Imperialistic slaughter, plunderous and unjust.' In my opinion these statements are a traitorous effort, intended to create disloyalty and discourage recruiting in Canada," declared the magistrate. "There is enough evidence to send him on for trial."

Three Discharged

"The crown is offering no evidence in this case," stated Mr. McFadden, when the case of G. Deans Buchan, W. B. Coatts and C. Wallace Pitt came up in connection with that of Samuel Nelson, chauffeur for Percy Gardner. Nelson faced a similar charge.

"This charge received great publicity when it was first laid and I am asking that these men should be honorably discharged,"

stated Salter Hayden, counsel for Coatts. "I am asking for the same publicity in their discharge."

"They are discharged," replied Magistrate Browne.

The charge against G. Deans Buchan and W. B. Coatts, who pleaded not guilty and elected trial by a jury, was that they did conspire with one Dorothy Jackson to accept a sum of money less than might have been obtained from an employee of Joseph Starr, in his majesty's court following an accident.

Inspector J. L. Perkins, department of insurance, provincial government, said he went down to the office of Buchan and obtained certain files. "I saw Mr. Buchan. He did not make any objection," he said.

Clarence Flahiff, also an employee of the insurance department, stated that he examined certain correspondence found in Buchan's file. This was put in as an exhibit.

Identifies Letters

Miss C. Grimshaw, employed in the office of Buchan, identified several letters dictated to her by Buchan and which she transcribed.

Joseph Starr, called, said along with other concerns he owned a taxi business which was operated by his father and brother. "I do not have much to do with it," he said.

Dorothy Jackson was called but did not answer.

"Mrs. Jackson has been taken

sick," said Crown Attorney McFadden. "She has gone back to bed."

"She may have only gone back to bed to avoid coming here," suggested E. J. Murphy, appearing for Buchan.

The case was remanded until tomorrow morning to allow the crown to ascertain if Mrs. Jackson would be able to appear at that time. The subpoena was personally served and proven.

Mr. Murphy suggested that Mrs. Jackson's absence might make it easy to assume that she "had no complaint to make."

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