TESTIS IN CŒLO FIDELIS

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IRELAND

IN AND OUT OF PARLIAMENT!

THE LAND WAR

THE GOVERNMENT

LAY A TRAP

FOR THE IRISH MEMBERS

AND FALL INTO IT THEMSELVES.

WIDESPREAD INDIGNATION!

At the Action of the Government!

LONDON, June 29.—At a dinner given by the Irish members of Parliament to Mr. Parnell last night thirty members of the advanced party were present. Messrs. Dillon, Healy and O'Donnell, who seemed at one time inclined to separate themselves from the policy of Mr. Parnell, were present. There was a general concurrence of opinion that Mr. Parnell was the right man in the right place. Pledges of loyalty were freely given by a few gentlemen called upon to speak, and the utmost enthusiasm was manifested when allusions were made to the leadership of Mr. Parnell, several members admitting that on occasions when they differed from him as to the wisdom of the policy adopted, events proved that Mr. Parnell had always been right. Messrs. Dillon, Sexton, and O'Kelly expressed the belief if a policy of caution and wisdom was pursued with unflinching steadiness and resolution before many years passed the party would assemble, not in the capital of foreigners but in the capital of their native land, when Mr. Parnell would be recognized as chief of the nation.

LONDON, June 29.—Blake, the agent, and Keene, the steward, of Lord Clanricarde were murdered this morning on their way home from Nass. The murder occurred half a mile from Lachre. The shots were fired through loop holes in the wall. The wife of Blake was on the car with the murdered men. No arrests. The report came first that it was Lord Clanricarde who had been shot. There have been three arrests in connection with the murder of Blake and Keene.

A farmer named Causland was killed by two men with scythes near Ballychase.

In the House of Commons last evening the Irish members violently attacked the new land corporation in Ireland. Mr. Sexton declared that it was a diabolical scheme for depleting the population. Mr. Dillon implored the Government to do something to bring about a truce in Ireland. Mr. Trevelyan, Chief Secretary for Ireland, replied that the Government would not interfere with any private association of landlords or tenants as long as it kept within the law.

DUBLIN, July 2.—A disturbance occurred to-day at Listowel, Co. Kerry. Mrs. Moore was addressing a crowd, when the police dispersed the meeting. She subsequently addressed a mob at the railway station. The police again appeared and were attacked with stones. The Riot Act was read, and they proceeded to disperse the mob, firing revolvers. Several persons were hurt, some arrested. The military had to be called out.

LONDON, July 1.—In the House of Commons last night the Parnellites pressed innumerable amendments in parliamentary shape, and with pertinacious ingenuity. Finally Sir Stafford Northcote openly went to Mr. Gladstone's support. For several hours in succession disorderly scenes took place during the reply of the Irish members to attacks on them from the Government and Opposition benches.

LONDON, June 30.

The knowledge that the conflict between the Irish party and the Government was impending caused great excitement, which manifested itself in crowds anxious to gain admission to the galleries. The proceedings gave little indication that affairs were on the point of reaching a crisis. The quiet course of the debate was principally due to the admirable generalship of Parnell, who had warned his party against the danger of offering too stubborn a resistance at any point which might give the Government an opportunity to appeal to the passions of the House, and so precipitate a conflict. In obedience to these instructions the debate was conducted with such skill that it would be difficult to say at what point the Parnellite members were availing themselves of the power of obstruction but the result of their operations was to effectively block the progress of legislation for the nineteen hours which were occupied by the House in passing one clause of the bill. At this rate of progress the session would be drawing to a close before the Crime bill could become law. Gradually the temper of the English members rose under this irritating procedure. Sir Wm. Harcourt opened, accusing them of wilful obstruction, and almost hinting that their action was dictated by sympathy for crime. The speech called forth all the worst passions of the House, and was received with a burst of approving shouts. Gray rose to reply, but was met with a deafening storm of howls and groans. Parnell replied to Harcourt in a very able and defiant speech, and though at first he was met with violent interruptions, he succeeded in completely dominating the storm and during the latter part of his speech was listened to in profound silence. Trevelyan announced that it would be necessary, in view of the attitude of the Irish party, to take measures forthwith to insure the speedy passage of the bill. Later in the day the story leaked out that the Government had laid a trap for the Irish members and that its own supporters had fallen into it. At the Cabinet Council it had been arranged that the Irish members should be suspended by surprise, something in the fashion of last year. It was hoped that in the course of the debate they would be tempted to say or do *something which would give a colorable* pretext for the action of the chair. In this hope the following plan was adopted:—When, at midnight, the Irish party divided into relays, the Government obtained a list of all the men composing the Irish night relay. It was then arranged with the Speaker that about seven in the morning an altercation should be provoked, which would offer an excuse to the chairman of the committee to suspend the whole relay *en bloc*, so that the Government having suspended all the Parnellites present, could pass the bill through committee before the day relay arrived to take their places. The plan failed, because, contrary to calculation, the Irish members refrained from any act which could give the slightest pretence for the interference of the chairman. Thus disappointed, Sir Wm. Harcourt endeavored early in the morning to fasten a quarrel upon the Irish members, but he was only partially successful. The Speaker was anxious to carry out the orders of the Government, and was ignorant of the fact that his list of the Irish night relay was only partially correct. He sent word to Mr. Playfair to suspend the members on the list on a charge of obstruction. Then occurred a scandal which shocked even many Conservative members. Members were suspended by vote of the House for obstructing business who had been at home in bed all night, and arrived to find themselves found guilty of the crime of obstruction. The Irish party saw the blunder that had been made, and were going to continue the discussion as if nothing had happened. Then a curious sight was exhibited of a House which had exhibited this *coup d'etat* struggling for six hours against fifteen men in order to pass three lines. Eight divisions were taken before the Government moved suspension. It was generally felt that the effect of the struggle with the Irish members was no help to the Government in the work of pacifying Ireland. The Irish members say the Government must take the whole responsibility of the measure, which they state will do more to provoke crime than any act passed by the House for many years.

When Sir Stafford Northcote went over to support the Government yesterday, he made a long speech, reciting the troubles England had been compelled to undergo at the instance of a few rebellious and ambitious Irishmen, and referring to the insignificance of the Irish question in comparison with certain other questions that were being pressed upon England for action. He said the time had at last come for Englishmen to cease petty debating and resort to decisive action. The fact that so great and illustrious a nation was so hampered in Parliament was insulting to British intelligence and should be at once summarily ended, if need be, by the action of even arbitrary power.

Mr. Parnell said a considerable body of opinion on both sides of the House holds that the Irish members have been most unfairly treated. This opinion is growing. Many Liberals walked out when the division was called and refused to vote, owing, he believed, to the absence of anything which could fairly be called obstruction. The ministers had partly changed their minds and partly abandoned the intention of suspension when Mr. Playfair blundered prematurely into it. Mr. Parnell considers the step most dangerous to the Government, and believes that they regret it. In the confusion which followed the first motion to suspend, Mr. Parnell went toward Mr. Playfair. The members gathered about, attracted by the unusual action of the Irish leader, who seemed angry. Mr. Parnell said: "Of course I understand you are bound to obey orders, but I wish to say that there is no foundation for the statement you have just made to the Speaker. I deny that I obstructed the bill by intent or deed at any of its stages." Mr. Playfair hesitated, but replied: "I admit, Mr. Parnell, that you have not obstructed the bill or spoken much during its progress, but you belong to the party. I therefore considered myself entitled to include you in the suspension." Mr. Parnell replied: "I deny that any of the party obstructed the bill, and consider your conduct an abuse. Even on your own showing of the rule regulating the suspension of members, this rule has reference only to individual action, and certainly does not entitle the Chairman to make one member responsible for the action of another." It was noticed that Sir Henry James kept close to Mr. Parnell during this strange scene, taking notes of the conversation. This incident was much commented on during the afternoon when its details became known among the members.

LONDON, July 3.—In the House of Commons this afternoon, Mr. Trevelyan said nobody was injured by the firing of the police at Listowel yesterday.

The Speaker, replying to questions, said the Irish members could only raise the question of the suspensions on Saturday by ordinary motion, and not as a question of privilege. He vindicated the action of Mr. Playfair in reporting O'Donnell.

Mr. O'Donnell refused to make a statement relative to his conduct on Sunday.

Mr. Gladstone moved to suspend Mr. O'Donnell for to-night.

Mr. O'Donnell denied that he used the word infamy, but admitted otherwise that he spoke as alleged. He made a long speech to prove he had not obstructed the business of the House.

Mr. Playfair stated that he acted entirely on his own responsibility in naming the Irish members.

A long discussion followed and Mr. O'Donnell withdrew, pending the consideration of his case.

Mr. Gladstone's motion to suspend Mr. O'Donnell was opposed by Mr. Cowen, who moved in amendment that the House was not prepared to take notice of Mr. O'Donnell's language, and passed to order of day.

The amendment was rejected by 199 to 35, and Mr. Gladstone's motion was carried by 181 to 33.

Mr. Gladstone moved urgency for the Repression bill.

Sir Stafford Northcote regarded the motion as reasonable.

Mr. Parnell offered an amendment that so much of the resolution as required two-thirds majority, be dispensed with. Rejected by 184 to 41.

Mr. Gladstone's motion was carried.

The House went into committee on the new clause to take the place of the 19th. Although the Government carried the resolution declaring urgency, Mr. Gladstone was unable to move that public business was urgent, as the rule required that 300 members be present. Mr. Gladstone will therefore move urgency again to-morrow.

THE INFORMER CASE!

THE "POST" LIBEL SUIT.

The Court of Queen's Bench. CRIMINAL SIDE.

ARGUMENT ON THE MOTION TO AMEND THE PLEA AND GENERAL DEMURRERS.

[*Chief-Justice* SIR A. A. DORION *presiding.*]

Mr. RITCHIE, counsel for the plaintiff (Francis Bernard McNamee), opened the morning's business by setting forth that the motion to amend the plea of justification had the same faults as the first one submitted to the Court. Of course in some of the charges it was more specific than the first one, but the main charge, that of first bringing Fenianism into Canada and then betraying the men to the Canadian Government, has been slurred over. This last is the worst allegation to a gentleman, as Mr. McNamee is. To read the portion of the plea referring to this charge is the only thing necessary to see that it is completely mystifying. No names are mentioned of persons having been betrayed or acting as agents for Mr. McNamee. It is submitted that if this plea is accepted by the court in this condition the prosecution has no chance of proving the falsity of the charges. The defence can put in the box anyone from across the line or elsewhere, who will swear that he was one of the betrayed, and if the prosecution does not know the name of the witness before the case should come off it has no means of disproving the testimony. (Here Mr. Ritchie read several extracts from the amended plea remarking that it was altogether insufficient.) The portion of the plea alleging Mr. McNamee to have been a crimp and bounty broker during the war was also referred to. The learned counsel maintained that here also the plea required amending. He said the charge was most serious—to take men across the line and give them the alternative of starving or joining the United States army. Here also there were no names mentioned.

(Here Mr. KERR, counsel for the defence, interrupted by saying that his learned friend had made a grave error. The names were published, but not in the printed copy of the plea from which Mr. Ritchie was making his objections.)

Mr. RITCHIE closed his remarks by maintaining that the plea was insufficient in many instances. It was the right of the prosecutor to have the names.

Mr. CARTER followed Mr. Ritchie, also for the private prosecution. The learned counsel said that the amended plea of justification was not sufficient for the purpose for which it is supposed to be filed. He cited several instances from past libel suits showing that the plea of justification was to be strict in regard to facts. He maintained with his brother counsel, that the plea must be full and complete, not in reference to one portion only, but the whole. He said in addition that the plea as amended went far beyond the leave granted the defence to answer the demurrer. He cited numerous paragraphs to prove this assertion, reading from a proof of the amended plea furnished for the occasion by THE POST. "This plea," Mr. Carter concluded, "afforded no particulars of the offences alleged by the libel."

The CHIEF JUSTICE here interrupted, requesting Mr. Carter to state what paragraphs he condemned as new matter.

Mr. CARTER—All the portions of the plea referring to Mr. McNamee's candidature for the presidency of St. Patrick's Society. It was outside matter and not necessary.

CHIEF JUSTICE—I think otherwise.

Mr. CARTER—Leaving that aside, we will come to our other objections to the plea, matter entirely foreign to the question under discussion.

Mr. KERR (for the defence)—We do not pretend that it is placed in the plea for justification. It is simply to show that it was in the public interest such charges as are alleged as libel should be published.

At this point there was a tilt between Messrs. Kerr and Carter, ending by Mr. Carter requesting Mr. Kerr to let him continue his address and he would show that gentleman that what he said he could prove.

Mr. CARTER then read a long extract from the amended plea, being that portion referring to the reasons why and wherefore the alleged libel had been published. Mr. Carter concluded his lengthy address to the Court by reiterating his previously stated opinion that the plea, as amended, would not stand on the grounds given above.

Mr. DOHERTY, in resisting the demurrer and motion, said that while by their demurrer the private prosecutor's counsel contended that the plea did not give particulars enough, their motion complained that the plea was too particular. With regard to the accusation that Mr. McNamee was the main instrument in introducing Fenianism into Canada, the defendant, in his plea as amended, went fully into what establishes that accusation, showing that after Mr. McNamee's interview with the Fenian Head-Centre in New York a meeting was called by McNamee at his own house, and a Society was there and then formed pledged to Fenianism; that Mr. McNamee was appointed President of that Fenian Society, and, as President, he administered the oath to certain persons whose names are set forth in the amended plea; and in giving these names the defendant had done as much as he would be possibly called upon to do. He was not bound to give a list of his witnesses to the prosecutor all that the defendant was obliged to do was to disclose what he was going to prove, but not to tell who was going to prove his case, and thus give an opportunity for the witnesses to be interfered with. It was surely in McNamee's power to prove that he held no such meeting at his own house if the accusation were actually a falsehood. It was surely easier for him to prove what passed in his own house than it was for the defendant to prove, and give the name or every individual who went there. It was quite enough for the defendant to have given the leading names without requiring him to set out the names of the minor lights. The defendant had given particulars enough to show that McNamee was the originator of the Fenian Association of Montreal The burden of the prosecutor's counsel's complaint is that in his plea the defendant did not give the names of the dupes whom, as the plea alleged, Mr. McNamee was guilty of having betrayed to the Dominion Government; but the plea tells the names of those to whom Mr. McNamee administered the oath. The defendant charged him with being a spy and informer; and then, in specifying on this point, the plea says of Mr. McNamee: "You "were, during all these years, in the "employ of the Dominion Government, "receiving regular payment as a spy "and informer; and it was your duty in that "capacity to reveal what you knew; you "knew these foregoing facts and these fore-"going names; you knew these men to "whom you had yourself administered the "Fenian oath, and you revealed them and all "that you knew about them." For the purposes of the demurrer, the whole of the alleged facts must be taken to be true, because the effect of a demurrer is to say, that, admitting these things to be true, they are not sufficient as a justification in law.

Well, taking it, therefore, to be true that McNamee was a paid employee, paid to give information to the Government, and taking it as true that McNamee was President of a branch of the Fenian organization, and that afterwards he continued to take an active interest in its doings, there was sufficient to show that he had revealed his dupes and given all the information that the Government was paying him to give, unless he (McNamee) wanted to have it understood that not only did he get up this Fenian organization, but that he got employed by the Government for the express purpose of his discovering what he knew, and that he took the payment for that, but did not discover it at all. It was said that the accusation about crimping was not sufficiently particularized. The accusation made against McNamee by defendant was not that McNamee induced certain particular men, or any number of men, to go to the United States, but the accusation was that McNamee was engaged in the business of crimping, and that he employed agents in the business; and in justification of this charge the defendant says in his plea that McNamee had an office in Montreal and an office in Quebec, ostensibly for employing men on the railroads, and that a large number of men were taken to the United States on the pretence of employing them there, and that when there they were, being out of work, reduced to the necessity of enlisting in the American army, and that for these recruits he (McNamee) got his share of bounty allowed, or got paid by persons whose substitutes these men were; and then about a dozen names of men so sent to the United States in this way are given, and some names of men whom McNamee employed as agents are given. Then further, the plea alleged specifically that in, 1863 McNamee, in the presence of two witnesses, immediately after the departure of a large batch of these men, stated that those men thought they were going on a railroad, but that they would really go with the American army, and were worth $100 a piece to him. Mr. Carter had cited authorities to show that partial justification of a libel was not sufficient, and that if the defendant's plea is bad in part it must fail as a whole. That could not be disputed to a certain extent. Each of the several charges made in the libel against McNamee must be justified; if any single one of these different charges was not justified perhaps the plea would fail; but that did not mean that every item of each particular charge required to be proved; and the defendant by his plea of justification had alleged enough to show substantially the truth of each of the accusations made. With regard more particularly to the motion made by Mr. Carter strike out certain portions of the plea, Mr. Doherty said that strangely enough that motion went upon the assumption that the defendant was not allowed to plead *de novo*; and his learned friend (Mr. Carter) complained that the new plea went into new matters. Now, in the first place, defendant had made a plea that had not enough in it, and because there was not enough in it, the Court had ordered the defendant to plead a new plea; and, now, the prosecuting counsel say, "You shan't plead anything that was not in the old plea." It was said that the plea gave too much when it went into the reason for the publication of the alleged libel. The new plea alleged that the St. Patrick's Society was an Irish society with the administration of large funds; it was a representative religious and national society of a very large portion of the community of Montreal: consequently it wielded considerable influence among that class of the community; and that class wielded its influence throughout the public or community generally; and if such a large and influential portion of the general community were allowed to be misled by irresponsible men who used them for their own petty ends and aggrandizement, it became serious matter concerning the general public or community as a whole; and if the accusations made against Mr. McNamee were true, surely it was a matter of public interest that they should be made known, in view of the fact that he was holding the position of President of this influential Society, the St. Patrick's Society. To leave him in that position was to leave the Society in a position of danger and evil to the public as a whole, on the assumption that the accusations against him were true; and it was perfectly justifiable for a newspaper professing, and, in fact, created for the purpose of watching over the interests of the Irish community here, to make the facts known. As to the mention of the previous publications against McNamee those were not put in as matter of justification or to show their truth, but were merely inserted among the reasons why this matter was a matter of public interest. It was put in to show that not only was it from the very facts themselves of such previous publications a matter of public interest here, but also in Toronto and in several places in the United States. The community whom Mr. McNamee assumed to represent had a right to require him to purge himself of these accusations made far and wide, or else to step down and out. Finally a New York paper had said that a Montreal citizen of great prominence, an Irish Catholic worth half a million, had made the basis of his fortune by informing on his victims and dupes whom he had made Fenians, and that this was the man whom the Irish Catholics of Montreal delighted to honor, but whom the whole world besides was holding up to contempt, a creature whom no one else could do otherwise than despise. The learned counsel went on to show how meetings were called, and how McNamee, in answer to the charges, declared himself ready to throw himself on the verdict of the public, and compared himself to other great leaders of the people who had as well as himself been badly treated, and how the articles in THE POST were published after McNamee himself declared and admitted that it was a matter of public interest. He had defied any man to put it before the public, whose verdict he was prepared to abide by. Now, however, that it had been published his tactics were changed; he was now merely a harmless private citizen, a prominent citizen, he said, but still a harmless one, and these things never should have been talked of. It was further complained that the defendant had repeated the words of the article alleged to be a libel, and, in particular, the concluding words of the article were objected; to but he (Mr. Doherty) contended that the defendant had a right to place the whole article before the Court. Those concluding words of the article would show that the defendant was actuated in publishing the article, not by malice, but by a fair sense of the public interest, for they shew that McNamee wrote a letter to the defendant calling upon him to publish an article on which he might take hold of him in the courts, and stating that if the defendant did not do so he would brand him as a coward and a slanderer. It was certainly out of place for the private prosecutor (McNamee), after posing himself as a public man in this matter, to turn round now and try to cloak himself as a private individual.

Mr. W. H. Kerr, Q. C., fortified several of the positions of Mr. Doherty, particularly contending that after giving the names of the persons drawn into the Fenian organization, and sworn by Mr. McNamee, it was quite unnecessary to repeat those names in the allegation of the charge that McNamee had informed of and betrayed his misguided and suspecting dupes. It was contended that the plea should give information as to what McNamee did in betraying his dupes. This was impossible. It was quite sufficient to do what had been done—namely, to allege that he made certain men members of the Fenian Brotherhood, and that he betrayed them. Who knew what Mr. McNamee revealed to the Government except the Government and himself. The plea alleged that he revealed all their plans and schemes, and that was quite sufficient. After referring to the matter of bounty broking or crimping, and showing that the particulars specified in the whole of the new plea were sufficient to satisfy the most greedy individuals, Mr. Kerr referred to the matter of the introduction into the plea of the previous publications in other papers, coinciding with and strengthening Mr. Doherty's pretension that this was merely given in the plea as a reason for showing that the alleged libel was one which contained matters involving public interest; and the learned counsel submitted that under all the circumstances the defendant was entitled to have the plea, as now framed, maintained and the demurrer dismissed. If the plea erred at all it erred in the amplitude of the information it gave to the prosecutor; and if his learned friends were not satisfied their greed for information was certainly unexampled.

Mr. Edward Carter, Q.C., then replied, contending that although some names were given of persons whom McNamee was accused of enrolling as members of a Fenian Society there was much vagueness about the subsequent wording of the plea, which did not at all give a basis for the assumption of his learned friends, that these same persons were the dupes which are subsequently referred to in the plea as having been betrayed by McNamee to the Government.

On this point the Chief Justice suggested that the insertion in the plea of the word "said," in connection with the persons alleged to have been the dupes betrayed, might take away any vagueness that might now exist.

The Court then adjourned till Friday next, when the Chief Justice will render judgment on the demurrer and the motion.

His Honor Chief-Justice Sir A. A. DORION rendered judgment on Friday in the Court of Queen's Bench on the demurrer raised by Mr. McNamee's counsel against the special plea of justification fyled by Mr. J. P. Whelan, Manager of THE POST, and also on a motion to reject a portion of the allegation in the said plea. His Honor said that the parties have been heard on the demurrer, the grounds of which apply to several portions of the plea. The first objection raised under the demurrer is based upon the fact that Mr. McNamee called and held at his own residence in this city, a meeting, whereat was organized a branch of the Fenian brotherhood, but does not give the names of the persons who were present at that meeting. The allegations are made to justify the statement in the article complained of, that Mr. McNamee had been instrumental in introducing Fenianism into Canada. This portion of the plea, after alleging the holding of the meeting aforesaid, states Mr McNamee became president of the branch then organized, and gives the names of several persons whom he swore in as members thereof. Evidently, these statements if true, are amply sufficient to justify the assertion, that Mr. McNamee introduced Fenianism, and the names of the persons who were present at the first meeting are totally unimportant. The first objection is therefore overruled.

The second objection is based upon the pretension that that portion of the plea which goes to justify the assertion in the article complained of, that Mr. McNamee after inducing persons to become members of the Fenian organization, betrayed his dupes to the Government, does not give the names of the "dupes" who were so betrayed. This objection is not better founded than the proceeding one. The allegations of the plea distinctly set forth that, after having organized this association and sworn in members thereof, Mr. McNamee revealed all these facts and the names of all the persons who were sworn in, and all the plans and doings of the society to the Government, and this is sufficient to indicate who the dupes referred to were, and what is meant by the allegation that "he betrayed his dupes to the Government." This objection is, therefore, also overruled.

The third objection rests upon the pretension that in the portion of the plea referring to the charge made against Mr. McNamee of having been a bounty broker and a crimp, the names are not set forth of persons whom Mr. McNamee induced to enlist in the American army through misrepresentation, as contended. The plea does, however, set forth that Mr. McNamee had an office in Quebec and one in Montreal, and that he had numerous agents employed, whose names are given; and further that Mr. McNamee stated in the presence of two witnesses, also named, that a certain number of men whom he had induced to go to the United States, upon the representation that they were to be employed upon a railroad, thought they were going to be so employed, but that they would soon find themselves in the American army, and that they were worth $100 each to him. This admission alone, if proved, is sufficient to justify the allegation in the article that Mr. McNamee was a crimp and bounty broker, and this objection was, therefore, overruled.

The fourth objection is taken from that portion of the plea wich gives the reasons why the defendant contends that it was for the public benefit that the article in question should be published. These reasons are given at considerable length and may be devided into two classes, the first comprising that portion of the plea, alleging that Mr. McNamee was a public man holding the position of President of St. Patrick's Society, a national and religious organization, and that he desired to continue to occupy that position, and for that purpose to retain the confidence of his fellow-countrymen. The second class of reasons sets forth the previous publication of similar charges in other newspapers in Ontario and United States, and that Mr. McNamee consented to submit this matter to the investigation of the committee; that the report of that committee was unsatisfactory, and that Mr. McNamee wrote a letter challenging the publication of the article. The first class of these reasons are unobjectionable, and, if established, will go to show that the re-publication was in the public interest, but the second class of reasons I do not consider as being of a nature to establish that pretension, but that they are irrelevant to the issues in this matter. These latter paragraphs are, therefore, insufficient, and the demurrer should be maintained in so far as that portion of the plea is concerned, but as a plea that is bad in part is bad for the whole, the necessary consequence would be to reject the plea as a whole. However, as it is only this particular portion that is insufficient, the judgment of the Court will be, that the demurrer be maintained unless the defendant desists from these latter allegations within 24 hours. On his doing so the plea of justification, less such allegations, is maintained.

Mr. RITCHIE asked that Mr. Whelan be called to renew his bail. That gentleman was called and happening to be absent from the room,

Mr. RITCHIE immediately applied for a bench warrant.

Mr. Whelan, however, appeared a few minutes afterwards, and duly gave bail, his bondsmen being Messrs. Dufresne and Warren.

This is the end of the informer business until the 12th of September next, when the case will be tried on its merits and all necessary evidence adduced.