

Suppose you were retained as a Queen's counsel in a case, the issue of which depended on your establishing the responsibility of one man for a libel written by another, would you not think it all-important (the question of conspiracy or agency being excluded) to prove definitely three points, viz.: 1st, that the written document in question was a libel in the sense imputed; 2nd, that defendant was privy to the writing or publishing of it; and 3rd, that, although he did not co-operate, he was bound by his office or contract to prevent such publication or order its retraction? You dare not ask a verdict from the jury without plain proof of all and each of these three points. Should you do so, the presiding judge would undoubtedly call you to order in the middle of your speech, or he would point out to the jury how widely you had deflected from the lines of common law and common sense, and would direct them to give their verdict unhesitatingly against you. Let us apply this to your case against me. You persist in claiming that I should, in virtue of my episcopal jurisdiction, "approve or disapprove" the sentence of some unknown writer in a local newspaper which you have thought fit to interpret as revealing a "solid compact of the minority" grievously injurious to the State, "to modern civilization," etc., and if I decline to submit to your unwarranted dictation, I must incur, you say, the responsibility, and all the heinous guilt you have conjured up in support of your warfare against the Catholic minority as the "common enemy." In presence of all the dignified judges and learned lawyers in the land, I respectfully submit that your cause is lost; it is trebly beaten, all three essential conditions of proof, as above stated, being conspicuously non-existent in your argument. For I have put in evidence that (1) I have no knowledge whether the naked sentence withdrawn by you from its antecedent and subsequent context is fairly chargeable with the odious interpretation you have thought it your interest to put upon it; and you have not, despite my reiterated challenge, offered even a simulacrum of proof, or alleged any reason whatsoever in support of your fanciful interpretation! That (2) I have not been privy to the writing or publishing of the sentence brought up by you; that I don't know who wrote it, and that, prior to your production of it at your meeting in London three months after date, I had not seen it or heard anything about it. This statement remains on the record undisputed. That (3), my episcopal office does not extend to censorship of the press on political topics or any other, save those

which bear directly on faith and morals, and that condemnation or approval of your pet sentence does not appertain to my business in any way whatever. Against this my allegation as to the extent of my duty, you have not demurred even by a whisper. Let me now ask you in the hearing of your fellow-lawyers of Ontario whether or not I am bound to accept your interpretation of that isolated sentence and publicly condemn it in order to save myself from social responsibility and all your fancied guiltiness? Don't part from me, if you please, till you settle this question. The public will await your answer with more than ordinary curiosity.

I might, indeed, have formulated a more easy and perhaps more interesting case for your legal decision. Suppose the leader of Her Majesty's loyal Opposition in the Legislative Assembly had identified himself, his party and his political programme, with Mr. Sol. White, M. P. P., and had publicly signified absolute unity of sentiment with that learned gentleman by taking him around the whole circuit of the Province as his lieutenant, and, alter ego, to be the choice speaker and trustworthy exponent of the views of the party of opposition on every platform in the cities and towns of Ontario during the electoral campaign of 1886. When the aforesaid Mr. Sol. White struck out straight for annexation and delivered to the world his manifesto against British connection, was or was not the leader of Her Majesty's loyal Opposition bound to purge himself and his many-colored party from the suspicion of complicity by an early and unambiguous pronouncement of disapproval? I need not expatiate upon the above-mentioned three essential conditions of proof of complicity in their bearing upon this very serious case—especially serious in respect of a Conservative leader. I believe, sir, you have been "consulted" on this particular case ere now. Would you kindly favor the public with the legal opinion you have given as to the Conservative leader's responsibility? Has he been so "disingenuous" as to evade a direct answer? Do, sir, speak out this time.

Before quitting this division of my argument, I feel bound to notice the passage in your last letter wherein you charge me with underrating the "intelligence of my fellow-citizens" when I spoke of your insistence on my official condemnation of a political article in a newspaper as a "demand to muzzle the press" in favor of your policy. Hear me. It is solely to the intelligence and public spirit of my fellow-citizens of Ontario I have been appealing throughout this controversy, which your wanton aggression has forced on me. I