

"My request is simply this: That if the matter comes to the point where a decision must be given by you as to how the Crown will proceed, that before you decide this matter, you will grant a hearing, when reasons will be advanced upon this one point, why, in this case, there should be a trial Jury.

*"In other words, before the Crown changes its attitude as taken in March last, when consent was given to trial by Jury, I, as the party vitally concerned, desire to be heard."*

"Indeed, Mr. Lucas, if the Crown will now agree that a Jury shall decide as to whether or not the book in question contains objectionable matter, I will gladly agree to waive all preliminary objections and facilitate in every possible way the forwarding of the case with the hope that it may be finally disposed of at the present assizes.

"All I want is that a jury of my fellow-citizens shall determine my guilt or innocence; for this I am ready at any time."

This request was refused in letters from the Attorney-General's Department, under date of March 26th, and April 1st.

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**FOURTH.**—Some days before the first prosecution was launched in March, 1918, the Chief Censor at Ottawa gave an interview to the press which contained grossly unfair and untrue statements. These mis-statements were pointed out in a letter to the Censorship Committee under date of March 18th, in which Mr. Spence said:—

"Permit me to state that I consider this action of the Censor a most regrettable and flagrant violation of official etiquette. But not only do I object to the fact of public discussion in the press under the circumstances, but I must also take strong exception to the tone and matter of the public utterances of the Censor.

"In this connection permit a brief review of the facts of the case.

"The book in question, 'The Parasite,' was voluntarily submitted by me to the Censor and to the Government before being issued, with the distinct statement that whatever decision the Government arrived at would be loyally respected and obeyed. The whole question was then, would or would not the Government allow the circulation of this certain book, regarding which, to date, no action had been taken.

"The consideration we received from the Censor for this deference to the possible wishes of the Government in the matter is shown in the statements given. He lent himself to a newspaper campaign, which was as cowardly as it was unfair, being conducted by a couple of the Toronto papers against the temperance cause, the Alliance, as forwarding the cause and myself as Executive Officer of that organization. Out of courtesy to the Government that had the matter under consideration, I have absolutely refused to be interviewed or discuss in the public press in any way the matter which was under consideration, even declining to reply to the statements of the Censor.