

"The Parasite" Case

OPEN LETTER

TO THE

PARLIAMENT OF CANADA

This Open Letter and accompanying Statement of Facts were authorized by a unanimous vote of the Managing Committee of the Ontario Branch of the Dominion Alliance at a meeting held on the 7th of April, 1919.

TO THE PARLIAMENT OF CANADA:—

Mr. Justice Sutherland, in giving judgment upon an application to prohibit the Police Magistrate of Toronto from proceeding with the present prosecution against Mr. Ben H. Spence, Secretary of the Ontario Branch of the Dominion Alliance, for publishing objectionable matter (The Parasite Case), quoted the judgment of Cockburn, C.J., in which he said:—

"Suppose it possible that there could be an abuse of his power by the Attorney-General, or injustice in the exercise of it, the remedy is by holding him responsible for his acts before the great tribunal of this country, the High Court of Parliament."

Mr. Justice Sutherland applied the same principle to the action of the Department of Justice in connection with this case; hence this letter to you.

This is not a plea for mercy or exceptional consideration, but for that simple, plain, everyday justice which is the inherent right of the meanest citizen. This letter simply deals with four matters: