

by the Defendant, is not comparable to that sustained by Plaintiff.

There is nothing to disprove the accusation made by Plaintiff against Defendant's truthfulness in fact the proof of record goes to show that Defendant was perfectly justified in the statement. There is no proof that any one believed it. It acquired no currency and could do Defendant no injury, whereas the remark made by Defendant against Plaintiff was a matter of "gossip" in social circles, on the street, among business men, and members of other churches.

There is no proof that it was believed by any one or that it caused or was calculated to cause the slightest pang of pain to Defendant's feelings. Defendant did not even notice the remark of Plaintiff. He sat quiet and appropriated it as a well-merited rebuke for his slanderous statement, never deeming it of any value until his solicitors in their modesty estimated his injury at the mere trifle of \$20,000.

The witness, James Mitchell, for Defendant, states that the Plaintiff made the general remark that the truth was not to be found in him [witness], nor in the Defendant, nor in Mr. Morris, Attorney for Defendant. If Mr. Mitchell's feelings can be regarded as any index of the amount of suffering that would be endured by such a remark, his deposition affords some index of the amount of those sufferings. Mr. Mitchell says: "I have not suffered anything in wounded feelings since the meeting of the 4th November by reason of the expressions made by the Plaintiff towards me at that meeting." The same witness also gives the following testimony:

QUESTION.—Did any remarks made at said meeting