

Mr. Berchmer? Gentlemen, I will tell you the reason.

Mr. Hagel, Q.C. I do not wish to interrupt my learned friend but if he travels out of the record we must ask for a reply.

Mr. Johnstone: But these things are set out in the pleadings.

After some argument

Mr. Davin said: Oh, well I will pass away from that. And now gentlemen I will call your attention to the advice given by this court if you were to examine his shoulders I have no doubt you would find the wings sprouting

(laughter) to the municipality of Portage La Prairie, in the *Liberal*. He told them to repudiate their just debts. But my learned friend Mr. Hagel says there is no harm in this and that it was very wrong of us to say that he advised them to rob the public creditor. You know what ancient Pistol says of theft and an ugly thing can be toned down to the ear by such euphemism, as those of my learned friend. When Nym in Shakespeare's "Merry Wives of Windsor" commends stealing, using the harsh word and calling a spade a spade, mine Honest Pistol says: "Convey, the wise it call steal; foh; a lieo for the phume." When you call stealing "conveying" it sounds better, and you have heard the excuses made by my learned friend for the advice to repudiate, to "have the nerve to repudiate." But what does the *Globe*, the leading journal of his party say? "The proceedings are unquestionably dishonest."

Mr. Scott: Well my Lord I submit this is travelling outside the record.

Mr. Davin: Well my Lord I went

into it. Now gentlemen my learned friend (Mr. Hagel) spoke to you as if the libels amounted to only six or seven against me but you know they were continued up to the very day of the commencement of this action. You know what his system has been. You know that were I as wise as Solomon and as potent as an angel anything I did he would oppose. Although he poses as a reformer, if I advocate anything which he may think the government does not approve of he starts up to attack me. Gentlemen I have been injured, because this man's paper has gone among new settlers and I was too busy discussing the affairs of the country to afford space or thought to disabuse their minds. The paper may have been injured, for people who would regard it as a libellous sheet would not subscribe for it. How does he, how can any man know how much I have been injured in my feelings by this perpetual misrepresentation and abuse; this perennial flow of calumny, and slander; this untiring supply of envy, hatred, malice and all uncharitableness?

I have sometimes in my mother's lifetime refrained from sending home LEADERS in which replies appeared to attacks from other papers because I wanted to spare her pain. Gentlemen the whole case is before you. I rely on you doing your duty. I have confidence that you will mark with your disapprobation, envious, scurrilous, unjust, malignant and mendacious attacks on a public man and on a newspaper whose end, whose aim and whose watchword has been faithfulness to the North West.

