

# FOR THE LEADER COMPANY.

## A SPEECH

BY

*NICHOLAS FLOOD DAVIN, M.P.*

My Lord and gentlemen of the jury, I am glad this case has come before a jury of the North-West. I believe in trial by jury. Yesterday morning when you were going into the box a friend handed me a slip of paper intimating that some of you were Reformers and that one had a personal prejudice against me. But I did not entertain the notion for a moment of challenging any of you. I had perfect confidence that a jury fairly chosen from our North-West settlers, whether composed of Grits or Tories, would give an honest verdict. I am satisfied there is not one man amongst you who would allow the least personal feeling to influence him in deciding on the issues you have to try. There are three issues before you. The Plaintiff comes into Court and because of an article which appeared in THE LEADER of August the 6th asks \$10,000 damages from THE LEADER Company and Davin. These last make a counter claim, THE LEADER Company \$10,000 for libelling it and Davin \$10,000 for that the Plaintiff libelled him, holding him up to public contempt and hatred.

The article deals with Atkinson not as the publisher of a paper, but as president of a Sunday school. But I will show you that the position of a Sunday school teacher is a public one. Are we to be told,—and now especially would it be absurd when the Bible and religious teaching are being driven from our day schools—are we to be told that the character of the President of a Sunday school is not a matter of public concern? I will show you that it is. This gentleman is still President of the the Sunday school, yet he comes to you and says he has been so damaged that he wants \$10,000. Now in the first place in regard to that article we say it was not libellous. We say it did not touch him in his means of livelihood, and this is the heart and core of a libel. We say it was privileged comment on him in a most important public office, in regard to which his character is of vital importance. We say a slanderer is not fit for such a position. Why, you saw him in that box. He swears he was not actuated by malice against me or against THE LEADER; but did