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terian—would seem an unnecessary one if they had not actually been received. During the last part of the meeting 4th November, the caretaker of the Church came forward and explained that the said 'Presbyterian' had not been received until Monday. Whereupon the Plaintiff explained to the meeting that he had gone to the Publisher who informed him that it had been sent to the Express Office on Saturday and that he subsequently went to the Express Office, and was there informed that it had been sent with a carter to the Church on Saturday.

It is somewhat worthy of note that the Defendant at the trial resisted proof that the "Presbyterian" had actually been sent to the Church on Saturday. It is further noticeable that the Presbytery of Montreal, which met on the following day, refused to accede to the terms of the resolution passed at the meeting of 4th November favorable to the acquisition of St. John's Church, and sustained the views which the Plaintiff had advocated.

Regarding the damage sustained by Plaintiff, there can be no doubt; several of his friends testified to the currency of the rumor originated by Defendant's remark, and that Plaintiff was deeply wounded in feeling thereat, as any man of ordinary sensitiveness would have been.

Dr. Murray tells us that the remark was calculated to cause indignation against the Plaintiff. As to the amount of actual damage sustained, it is for the Court to determine.

The claim for compensation cannot be sustained; the injury, if indeed there was any injury sustained