

ARCHBISHOP CLEARY AND MR. MEREDITH.

THE PALACE, KINGSTON, Sunday, 5th January, 1890.

To William R. Meredith, Esq., Q. C., M.P.F. :

DEAR SIR,—I have the honour to acknowledge receipt of your letter published in Friday's issue of the *Globe*. Whilst I experience no small share of satisfaction at your prudent resolve to lay down your arms, I do not forego my right as complainant against you in the court of public opinion to "sum up" the case before I allow you to part from me.

My complaint was that you had publicly attributed to me the authorship of a sentence extracted by you from a Kingston newspaper, which you were pleased to interpret to your auditors as revealing "a great danger to the State"—"one of the dangers of modern civilization"—"one of the greatest evils we have to contend with in Parliamentary Government"—and "against which both parties should cry, 'Unite, unite against a common enemy.'" In your reply you asked me to believe that you did not impute the authorship of the sentence to me, inasmuch as the *Empire's* report was "verbally" incorrect in making you appear to say:—"The words are used by a newspaper, but to some extent, I apprehend, by the gentleman who presides over the Archbishop's See of Kingston." I honourably accepted your assurance, and on your further explanation that you had merely hazarded a conjecture as to my responsibility in the matter, I allowed your imputation to stand as "conjecture and no more." Accordingly I challenged you to justify your public utterance of this "conjecture," declaring it "illogical, unjust and illegal." You made no defence of any kind: and, in view of my counter-statement and argument, you abandoned your original charge altogether, never referring to it in any of your subsequent letters. Thus you virtually pleaded guilty to an indisputable and unjustifiable attack upon me before my fellow-citizens throughout the Province. Pardon me, sir, if I venture to say that according to the laws of honor you are bound to make me an adequate apology.

In your first letter to me (dated Dec. 19) you claimed that I should have censured the newspaper from which you had extracted the sentence to which you were pleased to attach a most odious meaning, and in each of your subsequent rejoinders you have insisted that I am bound to "approve or disapprove!" that sentence, as interpreted by you. Your patron and inspirer, the *Toronto Mail*, and all the small anti-Catholic local sheets that take their cue each morning from its editor, joined in full chorus with its demand. You seem to have had a previous agreement about it. Now, sir, an all-sufficient reply to you would be, that it is not the practice among gentlemen to answer impertinent questions, more especially when they have been captiously contrived. But I prefer to deal with you as a lawyer. Having had the advantage of thirty years' study of law and ten years' practice in the judicial application of its principles and methods, I take exquisite pleasure in probing your legal mind and analyzing its operations. Suppose you were retained as Queen's Counsel in a case, the issue of which depended on your establishing the responsibility of one man for a libel written by another, would you not think it all important (the question of conspiracy or agency being excluded) to prove definitely three points, viz. :—(1) That the written document in question was a libel in the sense imputed; (2) that defendant was privy to the writing or publishing, and (3) that although he did not co-operate he was bound by his office or contract to prevent such publication or order its retraction? You dare not ask a verdict from the jury without plain proof of all and each of these three points. Should you do so the presiding Judge would undoubtedly call you to order in the middle of your speech, or he would point out to the jury how widely you had deflected from the lines of common law and common sense, and would direct them to give their verdict unhesitatingly against you. Let me apply this in your case against me. You persist in claiming that I should, in virtue of my Episcopal jurisdiction, "approve or disapprove" the sentence of some unknown writer in a local newspaper which you thought fit to interpret as revealing a "solid compact of the minority, grievously injurious to the State," to "modern civilization," etc., etc., and if I decline to submit to your unwarranted dictation, I must incur, you say, the responsibility

and all the heinous guilt you have conjured up in support of your warfare against the Catholic minority as the "common enemy." In presence of all the dignified judges and learned lawyers in the land, I respectfully submit that your cause is lost: it is trebly beaten, all three essential conditions of proof, as above stated, being conspicuously non-existent in your argument. For I have put in evidence that (1) I have no knowledge whether the naked sentence withdrawn by you from its antecedent and subsequent context is fairly chargeable with the odious interpretation you have thought it your interest to put upon it; and you have not, despite my reiterated challenge, offered even a simulacrum of proof, or alleged any reason whatsoever in support of your fanciful interpretation; that (2) I have not been privy to the writing or publishing of the sentence brought up by you; that I don't know who wrote it; and that prior to your production of it at your meeting in London three months after date, I had not seen it or heard anything about it. This statement remains on the record undisputed, (3) that my Episcopal office does not extend to censorship of the press on political topics or any other, save those which bear directly on faith and morals, and that condemnation or approval of your pet sentence does not appertain to my business in any way whatever. Against this, my allegation as to the extent of my duty, you have not demurred even by a whisper. Let me now ask you in the hearing of your fellow-lawyers of Ontario, whether or not I am bound to accept your interpretation of that isolated sentence and publicly condemn it in order to save myself from social responsibility and all your fancied guiltiness? Don't part from me, if you please, till you settle this question. The public will await your answer with more than ordinary curiosity.

I might indeed have formulated a more easy, and, perhaps, more interesting case for your legal decision. Suppose the leader of Her Majesty's loyal opposition in the Legislative Assembly had indentified himself, his party and his political programme with Mr. Sol. White, M. P.P., and had publicly signified absolute unity of sentiment with that learned gentleman by taking him around the whole circuit of the Province as his lieutenant and *alter ego*, to be the chief speaker and trustworthy exponent of the views of the party of Opposition on every platform in the cities and towns of Ontario during the electoral campaign of 1886. When the aforesaid Mr. Sol. White struck out straight for Annexation and delivered to the world his manifesto against British connection, was or was not the leader of Her Majesty's loyal Opposition bound to purge himself and his many-colored party from the suspicion of complicity by an early and unambiguous pronouncement of disapproval? I need not expatiate upon the above-mentioned three essential conditions of proof of complicity in their bearing upon this very serious case—especially serious in respect of a Conservative leader. I believe, sir, you have been "consulted" on this particular case ere now. Would you kindly favor the public with the legal opinion you have given as to the Conservative leader's responsibility? Has he been so "disingenuous" as to evade a direct answer? And if so, why so? Do, sir, speak out this time.

Before quitting this division of my argument, I feel bound to notice the passage in your last letter wherein you charge me with underrating the "intelligence of my fellow-citizens" when I spoke of your insistence on my official condemnation of a political article in a newspaper as a "demand to muzzle the press" in favor of your policy. Hear me. It is solely to the intelligence and public spirit of my fellow-citizens of Ontario I have been appealing throughout this controversy which your wanton aggression has forced on me. I have no party to sustain me; no daily press to huzza for me and vilify my antagonist; no adviser to take counsel with or to aid me by suggestion; I have nothing upon earth to rely upon except the inherent righteousness of my people's cause and the honest intelligence of the Protestant majority, whose attention to my feeble utterances I have been compelled to crave, not for my sake, but for the sake of justice and fair play towards their peaceful fellow-citizens constituting the minority, who are denounced as the "common enemy" of Canadian society, and threatened with religious and civil disabilities. Now, sir, let the honest intelligence of the people of Ontario judge between you and me on this last point, as on all the rest. Here are the terms of your demand on me:—"One would hardly