

Q.—What is that? A.—A hospital, and they have also a boys' school.

Q.—But that is one institution? A.—All one institution. Then Prescott, Smith's Falls.

Q.—What is that? A.—A hospital, and Perth, Ontario, and Chesterville and Trenton, and there is a house in Arnprior, and a house in Glennevis, Ontario.

Q.—Where is that? A.—I think it is in Stormont and Glengarry, and a house in Moose Jaw, Saskatchewan, a house in Daysland, Alberta, and a house in Tweed, Ontario.

Q.—You think you have given the list now? A.—I think I have.

Q.—At any rate is it right to say, just to sum up what you have said, that the houses are either in Ontario or in Alberta or Saskatchewan? A.—Yes.

Q.—And only one in Alberta and one in Saskatchewan? A.—One in Alberta and one in Saskatchewan.

Q.—And the rest in Ontario? A.—Yes.

Q.—Just to clear it up at this stage, is there any house of your Order having a Community in Quebec? A.—Oh, no; none in Quebec.

Q.—Then, prior to the election of 1916, did you take any steps in the month of April? A.—I did.

Q.—What did you do? A.—I wrote to the Superior General, the report exacted by the Constitution.

Q.—What does the Constitution require of you?

A.—That each sister must report to the Superior General three months prior to the election how in her locality the rules and constitutions are observed and the works of charity performed.

Q.—How the rules and Constitutions are observed and how the works of charity are performed? A.—In her locality.

Q.—Let me have the report.

Mr. McCarthy: We have not got any. We do not admit it.

Q.—Have you a copy of the report you sent? A.—I have a copy of the report, but I haven't it here.

Mr. McCarthy: Of course I object to that report. We cannot investigate that in this action, whether the allegations are true or not. She made a report in the performance of her duty, but we cannot admit the truth of them, nor do I suppose your Lordship wants to try it.

His Lordship: I will allow the paper to go in to be marked as identified by the witness. (Report marked Exhibit 2.)

Mr. Tilley: Then I ask to be allowed now to show what communication the plaintiff made to the defendant Mother Regis in April, 1916, whether it is verbally or by letter.

His Lordship: I think I will have to allow that, Mr. McCarthy.

Mr. McCarthy: Only so far as it could possibly affect that defendant, my Lord, and any allegation referring to other people to whom it was never sent cannot possibly be made evidence as against them, if they knew nothing whatever about it, and it can only be with regard to anything that reflects on this particular defendant and nobody else, and for that reason I think your Lordship should see it and eliminate those portions that are not evidence. I think your Lordship should see that report and ignore those portions which do not relate to her.

Mr. Tilley: Everything relates to her. She is the Mother Superior of the Order.

His Lordship: I am only allowing it now because she is a party defendant, and in so far as it affects her as a party defendant I cannot reject it as it seems to me.

Mr. Tilley: Then I will read it. It reads this way: "In compliance with section 2, No. 80 of the second part of the Constitutions I hereby send you the report exacted three months before the general election to be presented to the members of the General Council, two of whom survive.

"That the Constitutions and Rules are totally disregarded at St. Marys-of-the-Lake no conscientious sister will deny. It would be a fruitless task for me to undertake the pointing out of those rules most frequently violated because no order but complete anarchy reigns in this house.

This is not surprising, as the Superior of this house has apparently treated every rule with contempt. To go back over eleven months I could count on the fingers of one hand the number of times she presented herself at any exercise of the Community, mass excepted. From three to six sisters usually attend the exercises. If half the Community is present it is considered a great crowd."

Mr. McCarthy: That, of course, does not refer to Mary Francis Regis at all, but to somebody else.

Mr. Tilley: It refers to the thing she is called upon to report on.

His Lordship: That may be, but if she is called upon to report, and if she does report on it, it ought to be shown in some other way. The other defendants besides herself had nothing to do with it, and may be prejudiced by it being admitted.

Mr. Tilley: I am building up my case in that way. I am seeking to show the continuity of events from April down to an attempt to abduct in September, and to do that I must show that certain complaints were made, and I must show the character of the complaints and certain communications passing between them.

His Lordship: I hope they would not draw any deductions against A. B. because of something said about D. C.

Mr. Tilley: I can assure your Lordship that that is not the point of this. The point is that a certain communication was made to the Mother Superior in April, 1916, and certain other communications were made to other persons who were also defendants, and then we prove that these people, acting together to some extent at any rate, brought about a certain result, and then we shall ask the jury to draw certain conclusions. In order to get my case before the jury I must press to be allowed to put in everything that passed between these two parties.

His Lordship: I adhere to the ruling to this extent that a paper of that kind may be handed to the witness and that evidence given as a statement of fact that this paper was handed to the defendant, but I am not admitting it as evidence against the other parties in this matter.

Mr. Tilley: No, but I am entitled to read the communication as a thing that was handed to her just as though it was set forth to her.

Mr. McCarthy: Anybody can write letters before litigation, and if that can be done for the purpose of reading them at the trial—

His Lordship: That, of course, is a matter of argument. A document is produced which is either true or false. It comes from a source nobody knows where, and the question is asked was that document as it is handed to her. I rule that I cannot refuse it being handed to her, as long as the jury understand the ruling that it must not be received as true, but it is something either true or false that was handed to the Mother Superior.

Mr. Tilley: Then it goes on:

"With regard to how the works of charity are here performed, I am sure that any impartial observer will admit that our name of Sister of Charity is an empty title. The children in this institution are treated like little animals. The Sisters do their work in a most grudging manner. Not a smile, not a kind word do those sisters address to the Godforsaken children under their care, nor will they allow others to do so. Any person who speaks kindly to a child is interfering very seriously and must be attended to at once, it must be reported. In fact, the doors have been slammed in the chaplain's face, and he is outrageously and publicly insulted because he dared to speak kindly to them or visit them in their common recreation room. The chaplain is insulted because his attitude is one of kindness to those poor outcasts, perhaps the only kindness they will ever know. One thing is certain, the treatment they re-