

order to allow this project to be carried out the proceedings were adjourned on the 4th of May, 1883, to the 5th; that he called a meeting of his friends on the evening of the 4th; that they agreed that he should do this, and said that he should exact "liberal" remuneration for his trouble, and he was also reminded by his friends, that he should get as much as he could out of the opposite party, in order to help their friends in their contestations in other counties, and in certain penal actions that had been instituted by members of the conservative party; but that no sum was named. Mr. Mercier says that the sum was not definitely settled until the next day. Nevertheless it appears, by Mr. David's evidence, that the sum of \$5,000 had been suggested by Mr. Dufresne, a brother-in-law of Mr. Mercier, either on the evening of the 3rd or the morning of the 4th, in presence of Mr. Mercier, and that it had been communicated to Mr. Dansereau that this sum would be required. From Mr. Dansereau we learn that so completely was it understood on the 4th that \$5,000 was the sum to be given, that this amount was paid to Mr. Forget on the 4th to be placed to the credit of Mr. Mercier, with the direction that he was not to have the money till he (Mr. Mercier) filed a declaration of his abandonment of the personal charges. This declaration was filed, and he then received from the hands of Mr. Benjamin Trudel \$5,000. The taxed costs under the judgment annulling the election could not have amounted to \$2,000, so that Mr. Mercier received over \$3,000 in addition to his costs. Mr. Mercier and his counsel say, that he was entitled to take anything he could get out of the other party, that it was fair warfare, and that the other party agreed to it. No court in the world would sanction such a doctrine. He had no right to exact anything for his benefit in abandoning these charges. The transaction was totally illicit, and so much is this the case that, if the contract had become the subject of a suit to recover the amount, it would have failed, because the consideration was unlawful. It has been said there was no ransom. Yes, gentlemen, there was a ransom, and it was the whole sum above the taxable costs. I do not say that it was the greatest of crimes,

but it cannot be defended, and to do Mr. Mercier justice he hardly contends now that it was lawful. He admits he was guilty of an imprudence and he says if there was a sale there was a purchaser. That may be; no one can pretend that either party was free from blame. Of course there must be a corresponding offence in a matter like that; whether the fault of both be equally great is another question. The real causes of these disorders are the election laws, which do not accord with the moral sense of the people. Public opinion derides them, and politicians, we are told, habitually lay schemes to avoid the results which, strictly speaking, should follow on their infraction. This is not to be wondered at; nor is it a new remark that ferocious laws, which prescribe unjust punishments, out of all measure to the offence they are intended to correct, defeat their own object. It is to be hoped that before long people will open their eyes to the fact that the protection of the popular vote is purchased too dear at the expense of laws which are in themselves unjust. If I had to begin my career to-day I should refuse to run the risk of taking part in politics while these laws exist, or if I did incur such risk it would be to try to destroy them.

If you arrive at the conclusion that all that Mr. Tassé wrote was substantially true, that is not enough. There is still the question: Was it for the public benefit that it should be published? This last is not altogether an easy question. On it I do not intend to give you any special charge. It is one of those questions directly within your province to decide. I have not hesitated to explain to you the evidence where it was complicated with legal matters, but this question—What publication is for the public benefit? is one you are as well, or, probably better, able to judge of than I am.

Now, if you find that the defendant is guilty, you will have to consider whether the defendant knew that what he wrote was untrue. If there is not evidence to satisfy you that defendant knew, at the time, that what he wrote was false, you will have to say so. If, on the contrary, you think he purposely said what was false, you will have to say,