

Editor of French Paper Scored by Montreal Judge

Daughter of Late Father Chiniquy Awarded Three Thousand Dollars Damages in Libel Suit against Editor of Catholic Paper

Montreal, June 21—Judgment was handed down this morning by Justice Greenfields in the Chiniquy libel suit. His Lordship found for the plaintiff, and allowed \$3,000 damages.

This was an action brought by Mrs. Rebecca Morin, a daughter of the famous ex-priest and writer Father Chiniquy, and wife of Professor Morin of McGill University, against Joseph Bevin, editor and publisher of the Roman Catholic weekly paper *La Croix* for \$10,000 damages for libel. In an article on Chiniquy, *La Croix* contended that as he had taken vows of perpetual chastity he could never legally marry. Plaintiff contended that such a statement branded her as illegitimate.

In that he found evidence of her right to bring that action.

CANNOT IGNORE CIVIL LAW

Continuing, the Judge said that no Church be it ever so powerful and great had the right to override the law of the land, which really dominated them. He had come to that conclusion before the answers of the Supreme Court Judge had been given in the marriage reference.

Following up his contention that the plaintiff had abundant right to bring action against *La Croix* and its publishers for libelling her dead father and father Judge Greenfields said that the law of the Province and of France recognized the justification of a living descendant suing a libeller or slanderer of his or her dead ancestor.

SITUATION IN ENGLAND.

In England a criminal action would have been possible. The lawyer for the defendant, combatting this principle, had pointed out that David Lloyd George, the British chancellor of the exchequer, had called the ancestors of some of his political opponents robbers.

He (the Judge) would like to say that were he a judge in England and if Mr. George reduced such a contention to writing he would very soon find out that a warrant for his arrest was in existence against him.

The court held that the records of England furnished plenty of precedents for the punishment of libellers of deceased persons. Men had been punished for referring to Henry the VIII's matrimonial ventures, the wisdom of severing King Charles' head from his shoulders and the good Queen Mary's alleged preference for Holland gin to her prayers.

DEFENDANT'S POSITION.

In the present case it was the duty

of the defendant to prove that there was justification for his article in *La Croix*. This he did not attempt to do. He contended that because Chiniquy was a priest once he was always a priest, and that he had never severed his connection with the Roman Catholic Church.

However much truth there was in that his (the plaintiff's) not say. He knew this, however, and that was that the church implemented any laxity on Chiniquy's part in this respect by excommunicating him and depriving him of all his offices.

A SCATHING CRITICISM.

"I grant the right of a paper," said the judge, "to refute the criticisms of any man whose teaching it disapproves of, but I do not grant the right of a paper to besmirch and vilify the memory of a dead man and to make gratuitous statements about his private life; and surely no attack befouling the memory of a good woman, can ever be sanctioned by any reasoning. No publisher, be his paper Roman Catholic, Anglican, Presbyterian or Methodist, can say that, according to the laws of his church, such and such a woman is a concubine, and I trust that the defendant stands alone among his co-religionists in desiring to contend that he can."

"I cannot find any endorsement for his contention that, once a man is a Catholic, he is always a Catholic, in the laws of the land. The civil law of the province gave the church certain rights in regard to the collection of tithes, but it did not give it a lien or mortgage on a man's conscience."

LIBEL WAS INSULTING.

"I hold, then, that the libel in *La Croix* was insulting and humiliating to the memory of Charles Chiniquy and his wife and daughter, that it was published without foundation, with a malicious disregard for the sensibilities of the plaintiff and that the defendant's action all through has been marked by a flippant abandon. He persisted in his libel to the end."

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ALIENATION SUIT AGAINST LORIMER WITNESS

Chicago, Ill., June 21—A mystery that has puzzled Chicagoans for months is expected to be cleared up in the trial of the \$25,000 alienation suit brought by John C. Henning against Clarence S. Funk, which was called in the circuit court today for hearing. Funk, the defendant in the suit, is the general manager of the International Harvester Company and will be recalled as the man whose testimony in the Lorimer investigation did more to blacken the cause of the Illinois senator than that of any other witness.

One of the most sensational cases ever brought in the Chicago courts, the charge by Mr. Henning that Mr. Funk alienated the affections of the former's wife, came as a political thunderbolt. The papers were filed within a few days after Mr. Funk made his sensational charge against Edward Hines, president of a lumber company—that Hines in the lobby of the Union League Club asked him for a subscription to defray the expense of "putting Lorimer over."

Prior to the bringing of the suit Henning and his wife were employed in small positions at one of the Chicago hotels. After the suit was brought they left the city and were reported to be spending the winter at one of the expensive resorts in the South. Mr. Funk has denied from the first that he ever knew Henning or his wife.

Pincers patented by a California man include a hammer and punch on either side of the jaws, dividers at the ends of the handles and a gauge to set the dividers so that they may be used as callipers.

TRAVELLERS GUIDE

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DEPARTURES

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8.30 A.M.—Via Gibson Branch for Woodstock and Houlton, connecting at Newburg Jet for points North. Plaster Rock, Grand Falls, Edmundston, Fort Fairfield, Caribou and Presque Isle.

9.45 A.M.—For Fredericton Jet connecting for St. John and points East.

4.00 P.M.—Via Gibson Branch for Woodstock and points North to and including Aroostook Jet.

5.50 P.M.—For Fredericton Jet connecting with Montreal Express which connects at McAdam for St. Stephen, Houlton, Woodstock and points North to Aroostook Jet. Also connects at Montreal for all points West. Also connects at Fredericton Jet with Boston Express.

9.00 P.M.—For St. John and points East.

ARRIVALS

9.10 A.M.—From St. John and East

11.35 A.M.—From Boston, Montreal, St. Stephen, Woodstock, and North and Houlton.

12.35 A.M.—From Woodstock and North via Gibson.

8.40 P.M.—From Woodstock and North via Gibson.

7.55 P.M.—From St. John and East.

10.50 P.M.—From Boston, St. Stephen, St. Andrews, Woodstock, Houlton.

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