

except England was the superstitious form of kissing the book observed. He took occasion to express his own opinion that it was a somewhat uncleanly thing to kiss a book not always over-clean by lips which sometimes merited the same description. It certainly was not sanitary to perform an act which might transmit, and in many cases had transmitted, dangerous infections and even loathsome diseases. There was much more impressiveness too, about the Scottish form of oath. On behalf of the constabulary the decision to adopt the Scottish form was also announced.

**QUALIFIED PRIVILEGE.**—Mr. Blake Odgers, Q.C., in his fifth lecture on The Law of Libel, under the new scheme of the Council of Legal Education, delivered at the Middle Temple Hall, dealt with "Qualified Privilege." Every fair and accurate report of any proceeding in a Court of law was privileged, unless the Court has itself prohibited the publication, or the subject matter of the trial was unfit for publication. That was so even where an application was made to the Court *ex parte*. All comment must be reserved till the trial was over. Similarly, a fair and accurate report of any proceeding in either House of Parliament was privileged, although it contained matter defamatory of an individual. At one time, only proceedings of a public meeting were privileged at common law. The lecturer referred to the decision of the Court of Appeal in *Purcell v. Sowler*, and the Newspaper Libel and Registration Act. The Law of Libel Amendment Act, 1888, defined "public meeting" to mean any meeting *bonâ fide* and lawfully held for a lawful purpose and for the furtherance or discussion of any matter of public concern, whether the admission thereto be general or restricted. The next question discussed was malice. Dr. Blake Odgers said that, as soon as the judge ruled that the occasion was privileged, the plaintiff had to prove malice. Malice did not mean malice in law, a term in pleading, but actual malice, a wrong feeling in a man's mind. It might be proved by extrinsic evidence, showing that there were former disputes or ill-feeling between the parties, or other libels or slanders published by the defendant or the plaintiff. Or it might be proved by intrinsic evidence, such as the unwarranted violence of defendant's language, or the unnecessary extent given to the publication.