

case. Unhappily, however, the judge rarely includes the essential element of malice or bad motive. On the contrary, he tells the jury that, unless the occasion is one which he deems 'privileged' (a phrase utterly unknown to the older lawyers), malice is to be presumed from words likely to be injurious, even though they are inserted by inadvertence or under such circumstances as show they were not used with any intention of injury. The learned judge prefers, he says, the 'old common law' as to libel, and so do I—that is, the old common law before it was perverted by the judges, as Lord Campbell admits it was by the judges of the earlier part of the century, whose decisions even now, by the bad judicial traditions they created, powerfully affect the minds of the judges and fetter them by decisions which render legislation necessary. And strongly as the learned judge objects to the proposed bill, he will admit that it would not go any length compared with what would be the result of simply restoring the old law, and liberating the press from any liability for libel unless in cases where an action for slander could be maintained. Yet the whole Court of Common Pleas in Sir James Mansfield's time held that such had been the law. No one would wish to carry the alteration of the law so far as that, for the law of slander is not itself satisfactory; but that would be simply a restoration of the 'old common law,' which the learned judge so much prefers. Again, the proposed measure would not, I believe, go so far in the result as if the judges were to recur to the law as it was administered by Pratt and the other judges, who, in the last century, down to the time of Kenyon, in non-political cases, left it to the jury whether under the circumstances the libel was malicious or intentional. With such direction no jury would be likely to find a newspaper proprietor guilty of a malicious libel for a mere mistake of a reporter, a slip of a writer, or an error in a telegram.

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, June 9.

Judicial Abandonments.

Médéric Bouchard, trader, Les Eboulements, June 2.
Nérée Desroches, trader, Quebec, June 5.

Marie Alice Boilard, trader, Montmagny, June 5.
Alfred G. Elliott (John Elliott & Co.), coal oil refiner, Montreal, June 4.

James McCool & Co., Ottawa and Fort William, June 2.

Curators appointed.

Re Joseph Lacasse, Valleyfield.—Kent & Turcotte, Montreal, joint curator, June 1.

Re James C. Malone.—G. Caron, Three Rivers, curator, April 21.

Dividends.

Re N. A. Guilbault, Joliette.—First and final dividend, payable June 30, C. Desmarteau, Montreal, curator.

Re Samuel Laurin.—First and final dividend, payable June 26, C. Desmarteau, Montreal, curator.

Re Narcisse Raymond.—First and final dividend, payable June 28, C. Desmarteau, Montreal, curator.

Re P. Thérien & Co., St. John.—First and final dividend, payable June 27, C. Desmarteau, Montreal, curator.

APPOINTMENTS.

Mr. Horace Archambault, advocate, Montreal, to be a legislative councillor, to represent the electoral division of Repentigny, in the place of Hon. L. Archambault, resigned.

Mr. Hugh Mackay, Montreal, to be a legislative councillor, to represent the electoral division of Victoria, in the place of Hon. James Ferrier, deceased.

Mr. Nicaise Lemire Marsclais has been appointed high constable in the district of Joliette.

Mr. Raoul Dandurand, advocate, has been appointed a justice of the peace, under 33 Vict. ch. 12, with jurisdiction over the whole province.

SPECIAL TERMS.

Special term, Superior Court, Gaspé, July 19 to 23.

Special term, Circuit Court, Gaspé, July 13 to 18.

GENERAL NOTES.

Proceedings have been commenced against the Bishop of Lincoln in the Court of the Archbishop of Canterbury, requiring him to cite the bishop before his Court for the following Ritualistic practices:—1. The use of lighted candles when not required for the purpose of giving light. 2. Adopting the eastward position during the ante-Communion office. 3. Mixing water with the sacramental wine used in the Holy Communion. 4. Administering water and wine so mixed to the communicants. 5. Standing in such a position during the Prayer of Consecration as to hide the manual acts. 6. Permitting the signing of the Agnus Dei immediately after the Prayer of Consecration. 7. Making the sign of the cross over the people. 8. Rinsing the paten and chalice and drinking the ablutions.