

# THE LEGAL NEWS.

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## CURRENT TOPICS AND CASES.

The Court of Review, by a majority of one, has affirmed the decision of Mr. Justice Doherty in the case of *Canada Revue v. Mgr. Fabre*, 6 S. C. 436. The majority of the court modified to a slight extent the reasons assigned by the court below, the question of libel being eliminated from consideration. Mr. Justice Archibald differed from the Acting Chief Justice and Mr. Justice Taschereau, and would have maintained the demand of damages to the extent of the capital lost by the company in consequence of the Archbishop's *mandement*. The learned judge held that the Archbishop in issuing this circular exceeded his jurisdiction; that there is no canon law in force in the Province of Quebec to justify the act; that the circular by forbidding the various services essential to the publication and distribution of the journal, virtually effected its suppression; and that no authority exists in this country for the suppression of a journal, even where it commits a fault. The conclusions at which the learned judge arrived, in his own words, were as follows:—1. Publication of fair reports of the immorality of priests, not being against the civil law, and not being forbidden by any canon law that governed the Gallican