

The diversity of procedure and practice in the several Provinces prevents the same exposition of judicial decision on these matters as on the substantive law. A want of uniformity in Provincial legislation, under our Federal system of government, has produced different rules, and a varied adjudication, with respect to procedure in civil actions. No treatise on the law of defamation can do justice to these within reasonable limits. The text on the subject is practically confined to the system in Ontario, which is based on the English system, and is in harmony, generally speaking, with the procedure and practice under the Judicature Acts and Rules in other parts of the Dominion.

Some prominence, it will be noticed, has been given to newspaper libel. The newspaper has not only gained for itself a distinct legal status, but has really created a law of the press. Lord Campbell's Act (1843), 6 & 7 Vict. c. 96, was the first in England to recognize the distinction between a libel in a newspaper, and one contained in any other publication. The law has since then so far developed, both there and here, at least in some of the Provinces, that the nature of the wrong and the remedy now depends largely on whether or not the libel is published in a "Newspaper" as defined by the Provincial and Dominion Acts. For this the journalists of Canada, while grateful to the several legislatures, may not unfairly take some credit to themselves. In this country, as in England, the harassments of libel actions, speculative and otherwise, forced newspaper publishers to seek measures of self-protection, and the result has been a series of salutary reforms of the law of libel, civil and criminal, which have benefited alike the press and the public, without impairing any real immunities of character and reputation.

It would be presumption to say that the book is free from errors and imperfections; but for these the writer may fairly claim the indulgence which is generously given to any one who seeks to repay, however inadequately, the debt which he owes to his own profession.

Toronto, August, 1907.

J. K.