

SUPREME COURT OF JUDICATURE FOR ONTARIO.

HIGH COURT OF JUSTICE.

Queen's Bench Division.

Div'l Court.]

[June 8.

JOURNAL PRINTING COMPANY OF OTTAWA v. McLEAN.

Libel—Incorporated company—Publisher of newspapers—Charge of corruption—Injury to business—Special damage.

The plaintiffs were a company incorporated for the purpose of publishing a newspaper. The defendant wrote and published statements that the plaintiffs' newspaper reported favourably or adversely at ten cents a line, and that it was corrupt and prostitute.

Held, that a jury might well find that these statements imported the charge that the plaintiffs were in the habit of selling the advocacy of their newspaper, and that such a charge tended to bring them into contempt and to injure their business, and was therefore a libel.

A corporation such as the plaintiffs' can maintain an action of libel in respect of a charge of corruption affecting their business without alleging special damage.

Metropolitan Saloon Omnibus Co. v. Hawkins, 4 H. & N. 87, commented on and distinguished.

South Hatton Coal Co. v. North-Eastern News Association, (1894) 1 Q.B. 133, followed.

Nonsuit by FALCONBRIDGE, J., set aside.

Shepley, Q.C., for the plaintiffs.

McCarthy, Q.C., and *Stuart Henderson* for the defendant.

Practice.

Q.B. Div'l Court.]

[May 25.]

IN RE WILSON AND COUNTY OF ELGIN.

Courts—Appeal from judge in court—Divisional Court—Consent—Rule 219.

The words "other cases where all parties agree that the same may be heard before a Divisional Court," in Rule 219, do not include appeals from a judge in court; and the consent of all parties cannot give a Divisional Court jurisdiction to hear such an appeal.

Beatty v. O'Connor, 5 O.R. 731, 737, not followed.

N. McDonald and *James A. McLean* for the applicant.

J. M. Glenn for the township.