

### "THE HISTORY OF A LIBEL SUIT."

UNDER this caption, The Monetary Times gives an interesting narrative of litigation in which it has been engaged successfully for several years. Hostilities opened with a libel suit in which the publishers secured a verdict. Another contest followed for goods seized by them for the costs incurred in the libel action, and there was a third set-to in the Court of Appeal. The paper won all along the line, and returns its thanks to its solicitor and counsel (Mr. John King, Q.C.) for enabling it to "gain a victory for honest trade and honest journalism." The newspaper press may well congratulate our contemporary on such a result.

The libel action was for damages in imputing fraud and dishonest trading to an Amherstburg merchant. The publishers justified the libels as true, and took the unusually bold course of placing the plaintiff himself in the witness-box to prove their truth; and this, it seems, he did.

"The case shows," The Monetary Times observes, "how risky a thing it is for a business man, who has acted unfairly by his creditors, to attempt the rehabilitation of his character by suing a respectable paper for libel. On the other hand, the cost of justifying such statements as we put forth, even when made in good faith and solely in the public interest, is a heavy one. We and our witnesses were dragged about from court to court for five years. But we won at last. The Monetary Times was anxious besides to know if any person could openly trade in another's name, as Mr. Rondot did last year, and thus get the better of his creditors. The result of this libel suit should be to give the press greater confidence in speaking out about matters that deserve public reprobation."

Our contemporary's "lessons of the campaign" are worth quoting:

"The experience of The Monetary Times in this litigation has given its publishers a pretty fair insight into the practice of the courts generally. So far as libel actions are concerned, we have been led to place a good deal of faith in boldly pleading the truth of statements complained of whenever it is possible to do so. It is a risky defence, but, with reasonable evidence to support it and careful handling, a very effective defence. We are also inclined to put more trust in appeals than we ever did before. There are judges and judges; they are not equally learned and sagacious, nor do they all take equal pains to get at the facts. The present system of awarding costs and taxing them is, we believe, a delusion and a snare. There is no publisher who has had a libel suit but will concur in this opinion. What will be thought of not allowing a successful litigant the costs of serving suit papers by mail, instead of through Toronto agents, the latter process being double the expense of the former? This is only a single instance of many that might be given of this precious system of taxation. True, a party can appeal, but an appeal against a man of straw is useless. If, with some reasonable protection for the client, the whole system, with its dry-as-dust rules and precedents, were abolished, and some common-sense procedure introduced, the results would be far more satisfactory. What is called the 'discretion' of the taxing officer is too often his

caprice; it is a first-class professional trap from which there is little or no chance of escape. 'Judicial discretion,' we are told, is one of those profound phrases of the courts which the most skilled practitioner has never yet fathomed, and probably never will."

### TWO NOTABLE CHANGES.

MR. J. F. MACKAY has resigned the secretary-treasurership of The Montreal Herald to become managing-director of The Woodstock Sentinel-Review. Mr. Pattullo has found that politics occupy so much of his time that he needs an energetic and capable partner to share the burden of management with him. The paper is now the property of a joint stock company of which Mr. Pattullo is president and principal shareholder. He will continue to direct the editorial policy, while all business arrangements will be in Mr. Mackay's hands. The introduction of so able a manager will give a new impetus to The Sentinel-Review, which is already one of the best papers in the Dominion. Mr. Mackay has had experience in almost every branch of journalism—he has been a reporter, circulation manager, advertising canvasser, manager of a city job office as well as a publisher on his own account. He started first on The Sentinel-Review as an apprentice, and it has only taken him 13 years to return as managing-director. During his varied career he had been connected with The Mail and Empire, The Chatham Banner and The Montreal Herald. On the latter paper he made a reputation for himself by his work in building up circulation, and later by his brilliant management of The Herald job department, which, under his guidance, has advanced by leaps and bounds until it is now one of the best equipped job offices in Canada, turning out very fine work.

At a meeting of Herald directors, Mr. F. Abraham was appointed secretary-treasurer. Mr. Abraham, formerly of The Belleville Ontario, and later on manager of The St. Thomas Journal under Mr. Brierley, went to The Montreal Herald as head of the advertising department, and has done well there, as he had done in his previous positions.

Mr. W. J. Taylor is also advanced owing to changes, and, while no publisher could view Mr. Mackay's departure without regret, Mr. Brierley has the satisfaction of feeling that there are still good and promising men on his staff.

### PROSPECTS OF SUBSCRIPTION RATES.

Prices of all grades of paper and other stock used in printing establishments continue to raise at an alarming rate. One-cent papers feel the additional cost very keenly, the money paid them by dealers hardly paying the cost of the white paper.

The subscription price of newspapers must certainly go up if this state of affairs continues. Newspapers have been too cheap for several years, and, in many instances, the price obtained scarcely pays for the white paper they are printed on. Not only newspapers, but all other printers' goods, presses, type, commercial paper, envelopes, etc., are advancing rapidly in price.—Albany, N.Y., Press.