pay a certain sum, the action will be dropped; and to this he submits, rather than be subjected to further annoyance and expense. When the news item complained of has been extensively copied, every publisher who copies it is liable to be sued, and cases are on record in which this has been done. The result is that there is a multiplicity of suits about one and the same matter, in regard to which a single action, in which all the parties might be joined, should suffice to afford all the relief possible, and thereby satisfy all the demands of justice. Newspaper publishers complain that this state of the law leaves the door open to a species of legal blackmail and freebootery against which they should be protected by the Legislature."

Amongst the remedies proposed for this license to litigate is one permitting the publisher to establish as a good defence that the matter complained of is a secondary libel published with reasonable care, in good faith, and without ill will to the plaintiff, and that it was fully retracted and apologized for. Another remedy of a wider character, designed to prevent the mushroom growth of unnecessary or speculative libel actions, is an amendment of the Act requiring plaintiffs to furnish security for the defendant's costs before the suit is instituted, or giving a judge discretion, on an application to him by the plaintiff, to say whether an action shall be commenced, and at the same time to decide whether the plaintiff shall furnish security. It is also proposed that, in the case of security being required before action, the local judge of the High Court shall have power, in any proper case, to set aside the security. There is no doubt that the operation of the clauses of the present statute, as to security for costs in libel actions, is far from satisfactory and that some well-directed effort should be made to improve them. Appeals from judge's orders giving or refusing security, having been greatly abused, should, it is said, be abolished. A number of legislative precedents are cited in favour of these.

"Why," the writer asks, "with all this mushroom growth of libel actions, many of which are either speculative or vindictive, should a presumedly impartial judge not be allowed to say when such actions should be commenced? His hearing of the application for leave to proceed would, we may be sure, often mollify the contending parties and restore peace at the outset. Be this as it may, the proposed amendments as to security for costs are regarded as vital by newspaper publishers. Their past experiences of the present law prove that some such changes are imperative. Under the Manitoba Libel Act the provisions as to security, which are very like our own, do not apply to any action wherein the plaintiff may sue *in forma pauperis*; and so it should be here. The impecuniosity of the struggling newspaper should also be remembered. A libel suit means death to the struggler. There are many such newspapers in this province that are centres of intelligence and respectably conducted, and that deserve every possible consideration. The law, as it now is, is to them a veritable sword of Damocles threatening destruction at any moment."

The remedy proposed by Mr. King for a number of different suits for the same libel, is consolidation of all the suits in one, trying them together, permitting the jury to assess the damages in one sum and apportion that sum among the several defendants, and permitting the judge to apportion the costs. It is also suggested that, if the damages awarded are less than $10.00, there should be no costs, or at least no more costs than damages, unless the judge certifies that the libel was "wilful and malicious."

In connection with these remedies it is also suggested that provision should be made to bring in as a defendant, in the same action in which the publisher is sued, the original author of a libellous news item sent by letter or telegraph, or the slanderer who orally communicates defamatory matter to a newspaper writer with a view to its publication, and to permit the publisher to claim any proper remedy against such persons. This is a new and ingenious remedy, but the publishers might be trusted, we think, to use it with discretion. The writer says:

"By this species of adjustment the original and first publishers of the libel would probably be obliged, in any case where damages were awarded, to pay more than the mere copiers, and the papers that gave undue publicity would be made to suffer heavier penalties than those which simply published the defamatory matter as an ordinary item of news, without note or comment. The consolidation of costs—which weigh heavily on those ill able to bear them—would be an additional advantage. The protection as a whole, which would be afforded by these amendments, would also be of service to newspapers by discouraging or frustrating schemes for extortion, which are launched for the purpose of frightening publishers into settlements out of court. Actions of this character may be multiplied with impunity under the present law."

Mr. King concludes his admirable review of the law as follows:

"The immense public usefulness of newspapers and their innocence, as a rule, of intentional wrong-doing, is the principal reason to be urged for special legislation in their behalf. Most of the alleged libels which appear in the press are accidental and involuntary. This the Legislature has expressly recognized time and again, and what is now sought is that the spirit and letter of a well-intended law should coincide, and that its full benefits should be secured by the guild of journalism, whose great public services are universally acknowledged."

If aught were needed to add force and point to the writer's *exposé* of the present law and his vigorous plea for reform, it was supplied by the spirited discussions at the meetings of the Press Association recently held in Toronto. It was there stated that some sixteen newspapers had been recently sued, in separate actions, for an alleged libel of the "secondary class," and that about an equal number were either sued, or threatened with suits, for another alleged libel of the same class. One action, in either case, would do complete justice to all the parties. In another case the costs of appeals arising out of a motion for security for costs amounted, it was said, to several hundred dollars. These are crying evils, and no one can wonder that the Association resolved upon immediate action for self-protection and self-defence. The resolve came none too soon. It should have been made long ago. It was decided, among other things, to retain expert counsel to defend newspaper publishers everywhere, to make a strong endeavor to secure amendatory legislation, and to keep a vigilant eye on the law as administered in the courts. This action on the part of the Association cannot fail to be effective. The Association, through Mr. King as it legal adviser and advocate, has rendered incalculable service to journalism, and is destined, we hope, to enhance the value of those services by its energetic efforts to further improve the statutory law in civil actions for damages

GOLDWIN SMITH'S POLITICAL AND SOCIAL ESSAYS. *

This volume is pretty much a compilation of essays and articles from the *North American Review*, the *Forum*, the *Nineteenth Century*, and the *National Review*, which the author has partly rewritten and expanded and has now republished, with an appendix consisting of a paper on the Oneida community and American Socialism, which originally appeared in the *Canadian Monthly* of November, 1874. There is hardly any of the essays that fails to affect the ordinary reader like a Jeremiad, but when they are united in one volume we can think of nothing but the roll of the book that Ezekiel had to eat; "It was written within and without, and there was written therein lamentations, and mourning, and woe." The general impression it leaves on us is that we are living in an age of unreason and that there is little hope for the world. The author has always the courage of his convictions or of his moods. The unthinking majority or "the sovereign minority" may be on the other side, but it matters not. His own mind is absolutely made up, and he writes as if for a person of understanding there was only one view possible. This tone of authority is at once his strength and his weakness; his strength, because it enables a man possessed of immense wealth of historical knowledge and perfect mastery of the English language to state his case with apparently resistless power and a tone that carries conviction to many who have no minds of their own; his weakness, because he is not likely to convince the well-read or to win a single opponent. There is no way of converting an opponent save by taking his point of view, dealing fairly with him, even sympathizing with him and stating his case better than he himself could state it, before proceeding to show that the whole truth contradicts or includes his views. But Dr. Smith would rather pulverise than convince those who think differently from him; and he does his work so

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