

The wording of this sub-section is not as lucid as it might be. It seems to imply that there may be public meetings that are not open to the public, and that meetings may be lawfully convened for unlawful purposes. This is certainly not what the Legislature intended. Generally speaking, all meetings for the discussion of matters of general interest, and to which the public are freely admitted, are public meetings. It is impossible to define what is a public meeting within the meaning of this particular clause of the Act. The second sub-section of section 7 chapter 57 of the Revised Statutes of Ontario, which was first passed in the Ontario Act of 1887, makes an attempt to do this, but, as we shall see, the attempt is not altogether successful. We have no decision in our courts on the point ; in fact, there is no reported decision, either in England or Canada, on the phrase "a public meeting" "open to the public." Each case that may arise, therefore, will have to be determined with reference to its own particular circumstances ; and these are so varied that any general definition would be necessarily imperfect. The words "open to the public" imply at least the privilege of freedom of admission ; and this privilege may be either unconditional, in the sense of free to the public, or conditional, as, for example, on payment of a small fee. A meeting to which *all* the rate-payers of a municipality are invited, to consider and discuss a subject of common interest and importance, would clearly be within the Act. So would a meeting of all the electors of an electoral district called to hear an address by their parliamentary representative. But a meeting, to which only those belonging to one political party are invited, would appear not to be a public meeting within this clause, or in the clause which follows it in the revised statute. A political meeting, for example, of Liberals, and to which Conservatives were refused admission, would not be "a public meeting" "open to the public ;" and the publication of defamatory statements made at such a meeting would not be privileged. The same may be said of any meeting of persons of the same religious denomination or holding the same religious opinions. The report, for example, of the proceedings of a meeting composed exclusively of Protestants, and which contained matter defamatory of individual Roman Catholics, would not be protected.

There is a class of public meetings such as lectures and concerts that are also "open to the public," although usually on payment of an admission fee. How far these are within this first sub-section of section 7 of the revised statute must depend on the circumstances under which they are given. If they are free in the popular sense of the term, they are plainly within the section, and the payment of a small admission fee, not sufficient to exclude the general public, would appear to give reports of their proceedings the same protection. But a high-priced concert or lecture, or, in fact, any meeting, the conditions of admission to which, by reason of the charge or otherwise, would be