

on the merits. The change in the law effected by the statute of 1892 is such as to render the decisions referred to in that case no longer binding. The further change by 2 Edw. VII. ch. 1, sec. 15, does not seem to affect the present application, which was launched before that statute was passed.

BOYD, C.

SEPTEMBER 26TH, 1902.

WEEKLY COURT.

QUIRK v. DUDLEY.

*Injunction—Repetition of Slander—Public Entertainment—Pretended Supernatural Revelations—Imputation of Murder—Pending Inquest.*

Motion by plaintiff to continue injunction granted by local Judge at Brantford restraining defendant from continuing, in the course of entertainments given at Brantford, to make slanderous reflections upon the plaintiff in connection with the death of her husband.

J. H. Couch, for plaintiff.

M. F. Muir, Brantford, for defendant.

BOYD, C.:—The complaint of plaintiff, as it comes before the Court on the affidavits, is uncontradicted by any evidence for defendant; it stands confessed that there has been an outrageous attack upon the character of plaintiff, ventured upon at a public entertainment by means of suggestions that she has been privy to the violent death of her husband. The defendant, posing as a mind reader, assumes, when in a state of so-called trance, to have before her mind's eye, visualized, the panorama of the assumed tragedy, and tells forth the details bit by bit. Some interesting additions appear to be reserved for future exhibitions or entertainments, and to restrain these the intervention of the Court is sought. Jurisdiction undoubtedly exists in libel or slander actions to restrain repetition of the defamatory words, whether written or oral. This case appears to be perfectly atrocious. In the most sensational manner, and to gather in a little filthy lucre in the way of admission fees, the public are given to understand that plaintiff is mixed up in some way with the murder of her husband. The mischief is enhanced by the fact that the revelations are published in the newspapers at Brantford, and all the while proceedings are pending concerning the manner of the husband's death before a coroner's jury impanelled in the same city, the inquest having been adjourned till 2nd December.

*Monson v. Tussauds Limited*, [1894] 1 Q. B. 671, and *Hermann Loog v. Bean*, 26 Ch. D. 306, followed.

Injunction continued until the trial or further order.