

shown how to do it with certainty that the amount given would be used effectively for the relief of distress, to worthy persons, and in such a way as to injure neither the characters nor the self-respect of those receiving it. Suppose some plan to be devised by which all money contributed could be used to give employment to the actually destitute upon some work which would be for the general good of the city and its citizens, and some efficient means to be put in operation for taking the contributions of all who would willingly contribute for such an object, can it be doubted that a very large sum could be raised in a week? There could be no difficulty in providing such work. Half-a-dozen great projects suggest themselves at once. What is wanted but organization on the voluntary principle?

Whatever defects may still exist in the methods of instruction used in our colleges and public schools—and there is, we believe, yet much room for improvement—there can be no doubt that those methods are far superior to those which were in vogue a half-century ago. The reproduction of the *Antigone* of Sophocles by the students of the University of Toronto, which is commented upon elsewhere, illustrates finely in one particular what we understand by those improved methods. In our college days it was deemed sufficient if the student were able, by diligent use of lexicon and grammar, to work out a tolerably coherent translation of the words spoken by the different characters represented in a Greek play, give some more or less intelligible account of the plot, and get a scanning acquaintance with the intricacies of the verse. To say that the average student, after such a study, was able to enter into the spirit of an ancient masterpiece of tragedy, either as literature or as drama, would be, we fear, to overstate the results of the class-room process. The failure to do this, to say nothing of other defects from the educational point of view, deprived him, in a great measure, of the enjoyment which is one of the legitimate rewards of such toil. Very different must be the result in the case of those students who have before them as their goal the actual reproduction of the play upon a stage. It is obviously necessary to success in such reproduction that they be able to realize, as far as possible, both the spirit of the times in which the scenes are located, and the actual concomitants of dress, manner and speech. It is possible that could one of the old admirers of Sophocles have re-appeared in the Toronto Academy of Music the other day, he might have found room for grave criticism, and even for amusement at the way in which nineteenth century amateurs conceived the life and thought of those who moved on the world's stage long centuries before the Christian era. But none the less, there can be no doubt that the attempt to carry themselves and their audience for a little time back into the heroic past was on the

whole successful to a degree which well entitled the performers to the double reward they received, in having been able to give pleasure of a high order to a cultured audience, and in having their own conceptions of the meaning and spirit of this noble play clarified to a degree which would have been scarcely attainable by any other process.

NEWSPAPER LIBEL.

The alarming increase of actions for libel against newspapers is rousing the press of the country to arms against the facilities for attack and the difficulties of defence afforded by the present law. Whatever be the cause of the plague, the facts of its existence, extent, and virulence cannot be doubted. There are at present more suitors in full cry after newspapers than there have been at any time for years past. Scarcely a week passes that we do not hear the wail of some unfortunate caught in the toils of the law. This Egyptian visitation is not due to any degeneracy or want of robust virtue in the press itself. Whatever weakness of fibre there may be in other things, there are no signs of decay in Canadian journalism. The newspaper press of the country was never more respectable, more vigorous or more healthful in tone, or better conducted than it now is. The leading journals in the large centres and the local papers of the country never showed higher intelligence or sounder judgment in their management. This we can say with confidence, while freely admitting occasional indiscretions, or a lapse here and there from the straight path of rectitude. The great body of publishers, who are men of honor, should not be harassed for the sins of a few who, wittingly or unwittingly, provoke the law and its penalties.

The present onslaught on the press is by some of our contemporaries laid at the door of the legal profession. "A certain class of lawyers," it is said, amidst a dearth of legitimate business, are taking to scourging the newspapers for a living. This censure may or may not be deserved. It must be remembered, however, that the lawyers, whatever be their professional status, cannot thrive without clients; and without in the least seeking to excuse reprehensible practices, either by the one or the other, we should say that the law which permits these is the bane for which there should be an antidote. What is the antidote for a wanton, vindictive, or mercenary libel suit? And when and how should it be applied? Having regard to the intricacies of libel law, and the complex evils which it is intended to meet, these are questions not easily answered.

The second of a series of special articles which are appearing in the Saturday editions of the *Empire* has dealt ably with this subject. The writer is Mr. John King, Q.C., Lecturer at the Ontario Law School. Mr. King is an acknowledged authority on the

law of newspaper libel, besides being a lawyer of ability and wide experience in his profession. His recent contribution to the question is valuable and suggestive, and is marked by his well-known qualities as a writer. Mr. King points out and discusses clearly and concisely some of the anomalies of the present law, and certain remedies worth considering in regard to them. A number of amendments, giving magazines and monthly trade papers the benefits of those portions of the Libel Act designed for newspapers, and enlarging the privileges of the press with respect to reports of proceedings in courts of justice, were, as he shows, suggested to the Dominion Legislature when it was considering the libel clauses of the Criminal Code, and were adopted. These amendments, he argues, may very properly be incorporated in the Act which regulates the procedure in civil actions for damages. Some amendments are also indicated as to privileged reports of public meetings.

The publication of a judge's charge or judgment was always supposed to be protected, but Mr. King perceives a lurking danger in newspaper reports of such deliverances. The highest judicial tribunal in England has held, it seems, that a report of a judicial charge or judgment is not necessarily privileged. When this unlooked-for decision was brought under the notice of the Dominion Legislature, provision was made in the Code for averting the mischief, so far as criminal prosecutions for libel are concerned. A similar remedy should be given as to actions for damages, which are of far more frequent occurrence; and "no argument," it is truly said, "is needed to recommend the amendment to the Legislature."

What are called by the writer "secondary libels," and the actions for these, constitute "one of the principal grievances, or rather succession of grievances, closely connected, which publishers are subject to under the present law." The following statement is given of these and of the annoyances attending them:

"These actions usually arise out of news items supplied by telegraph, or otherwise, to one or more city journals, and which are thence copied into local newspapers throughout the country. The items may be erroneous, and they may or may not be defamatory, but, being received from a common or trustworthy source, and through the ordinary channels of newspaper intelligence, they are published in perfect good faith and with an exercise of all the reasonable care that could be expected under the circumstances. In cases of this character actions are often threatened, and the publisher who is thus notified, perhaps for the first time, of the objectionable item, at once makes every reparation possible in the way of correction and apology. Notwithstanding this he is sued for damages. Sometimes the action thus commenced is vigorously prosecuted for the sole purpose of mulcting him heavily in costs. At other times—and this course is often adopted in the case of plaintiffs financially worthless—the publisher is informed that if he will