

appropriate application of the general principle that "it is not necessary that the utmost investigation that can be made should be made, but merely that a reasonable amount of credible information should have been received." (c) Supposing the evidence upon this point to be in favour of the defendant, it remains to be settled whether his belief in the correctness of the information received was warrantable or not. (d) This depends partly upon the inherent probability or improbability of the facts communicated, whether such probability or improbability be considered with reference to some absolute standard or to the character and social position of the person proceeded against. (e) But most of the cases turn upon the question whether the defendant was justified, under the circumstances, in entertaining a favourable opinion of the trustworthiness of his informant.

"I apprehend that you are to have regard to every shade of difference between the amount of credit to be given to one person and to another, according to the character of the informant. Information given by one person of whom the party knows nothing, would be regarded very differently from information given by one whom he knows to be a sensible and trustworthy person. And the question whether a reasonable man would act upon the information must depend, in a great degree, upon the opinion to be formed of the position and circumstances of the informant, and of the amount of credit which may be due under those circumstances to the person who thus conveyed the information." (f)

The scope of the general principle that reasonable and probable cause is established where the defendant acted in good faith upon statements made to him by persons apparently respectable and believed by him to be credible (g) was examined by the House of Lords in the important case of *Lister v. Perryman*. (h)

(c) *Lister v. Perryman* (1870) L.R. 4 H.L. 521.

(d) *Vagg v. Kemp* (1887) 4 Times L.R. 52 [probable cause always a proper inference from evidence that defendant was reasonably careful in making inquiries].

(e) An employer has been held liable in damages where, acting on the uncorroborated accusations contained in an anonymous letter, caused his foreman, a man who had always borne a good character for honesty, to be arrested for theft: *Parker v. Langridge* (1892) Queb. Off. R. 1 Q.B. 45. The "unblemished character" of the plaintiff was one of the facts relied on in *Colbert v. Hicks* (1880) 5 Ont. App. 571 [arrest for debt].

(f) Lord Hatherley in *Lister v. Perryman* (1870) L.R. 4 H.L. 521 (p. 531).

(g) *Chutfield v. Comerford* (1865) 4 F. & F. 1008, per Cockburn, C.J. See also *Baker v. Jones* (1865) 19 U.C.C.P. 365.

(h) (1870) L.R. 4 H.L. 521, rev'g L.R. 3 Exch. 197.