

place may be published whatever harm the publication may do to private character, provided it takes place at a meeting of a public nature—a wide description embracing all kinds of meetings, from a county meeting to a parish meeting. At such meetings things may well be said very relevant to the subject in hand, yet very calumnious. In what an unhappy situation the calumniated person would be if the calumny might be published, and yet he could not bring an action and challenge the publishers to prove its truth? The Legislature may think fit to extend the privilege of publication beyond the limits to which it now goes. If it does it can impose such restrictions on the extension as it thinks fit. We in a court of law can only say how the law now stands; and according to that, it is clear the action lies and the plea is bad."

This being the state of the law prior to the Act of 1882, the defendant had then to rely upon the defamatory matter contained in the report being strictly true, or upon its being a fair and *bona fide* comment upon a matter of public interest. This is still the law in respect of the published reports of the proceedings of all public meetings which are not within the Act. As to the reports of such meetings the defendant has the same defence open to him now that he had before the passing of the Act. Where, therefore, by the decisions of the courts under the old law, such reports were privileged, they will be privileged still; and the defendant may plead the privilege as an answer to the action. Take, for example, the provisions of the clause as to privilege in our own Act of 1882. Although by that clause the reports of the proceedings of certain public meetings, as therein defined, are privileged, the privilege is conditional on the defendant inserting in his newspaper a reasonable letter or statement of explanation, or contradiction, by or on behalf of the plaintiff. Should he refuse to do this in respect of any publication which was privileged before the Act, he could still have a good defence if the publication was *bona fide*, i. e., a publication made with honesty of purpose. His refusal to publish the reasonable letter or statement of explanation or contradiction might evince improper feeling on his part, or a want of *bona fides*; but his defence would be established, notwithstanding the refusal, if the jury considered the publication was made *bona fide*. In any case, however, within the clause in question, his position would be very different. He would then have to rely upon the strict provisions of the section for his defence of privilege, and, however honest his conduct might have been, in publishing the report complained of, his refusal to insert the reasonable letter or statement of explanation or contradiction, required by the section, would be fatal to his defence under that section of the Act. The refusal mentioned in the Act implies a request by the plaintiff, to insert such a letter or statement as well as authority by the defendant to procure its insertion. If proceedings were taken against the defendant without such a request being made, the privilege extended by the section would of course be available as a defence to the action.