

plaintiff "could not go to the Smiths,' friends of ours, on account of this scandal." It was not said that her friends would not receive her or that she lost their hospitality by reason of the slander. For all that appeared, it might have been her own diffidence in visiting her friends, and not their refusal to receive her, that caused the loss of hospitality. The evidence fell short of that definite proof necessary to support an allegation of special damage. A person is responsible only for the utterance by himself of a slander, and not for its repetition; special damage from such repetition is too remote. Each publication is a distinct tort, and every person repeating it becomes an independent slanderer and is alone responsible for his unlawful act: Odgers on Libel and Slander, 5th ed. (Can. notes), p. 177. The exceptions to the rule were not applicable here.

There was no evidence to justify the outrageous conduct of the defendant in attacking, without a shadow of a cause, the plaintiff's moral character. The damages must be reduced to nominal damages, \$1; but that was sufficient to rehabilitate the plaintiff in the good opinion of the public. The defendant was entitled to her costs, without set-off, in the Court below; and there should be no costs of the appeal.

MULOCK, C.J. Ex., and SUTHERLAND, J., agreed with CLUTE, J.

KELLY, J., reluctantly concurred, briefly stating his reasons in writing.

*Appeal allowed.*

SECOND DIVISIONAL COURT.

MARCH 25TH, 1918.

\*RE POULIN AND VILLAGE OF L'ORIGINAL.

*Municipal Corporations—Money By-law—Submission to Electors—Municipal Act, secs. 2 (o), 263 (5)—Necessary Publication of By-law—Imperative Duty—Non-compliance with Direction of Statute—Disregard of Principles of Act—Application of sec. 150.*

Appeal by B. R. Poulin from the order of MEREDITH, C.J.C.P., 13 O.W.N. 374, dismissing an application to quash a money by-law.

The appeal was heard by MULOCK, C.J. Ex., CLUTE, RIDDELL, SUTHERLAND, and KELLY, JJ.

McGregor Young, K.C., for the appellant.

No one opposed the appeal.