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NOVA SCOTIA.

SUPREME COURT.

TOWNSHEND, C.J.

SEPTEMBER 25TH, 1909.

CHAMBERS.

BLIGH v. WARREN.

Practice—Striking out Defence—Libel Action—"Conciliatory Plea"—Embarrassing Matter.

Motion to strike out as embarrassing, &c., the first and part of the fourth paragraphs of the defence.

The action was for libel contained in a letter alleged to have been written by the defendant to the Attorney-General of Nova Scotia asking for the plaintiff's removal from the office of Justice of the Peace on the ground that he was found guilty of stealing moneys. The defence set up a denial of the writing or publication of the letter, qualified and absolute privilege; that the words in the letter did not bear a defamatory meaning, and (1) that "The defendant resides at Berwick in the county of Kings and holds the rank of commander in the Royal Navy of Great Britain and Ireland," and (4) in part that "The defendant was for a number of years attached to and a member of the Royal Navy of Great Britain and Ireland, and was honourably retired therefrom with the rank of commander, and from his association with and subjection to the strict discipline of the said Navy is possessed of unbending convictions and extreme views in all matters pertaining to the prompt discharge by all civil, naval, military and judicial servants of the Crown of their duties