

annuity of £750 "provided and so long as she shall not return to live with her husband and provided and so long as she shall not remarry and subject to her leading a clean, moral and respectable life in the opinion of my executors." In the event of Mabel Southall remarrying or returning to live with her husband the testator reduced the annuity to £250. It was contended that the bequest was void as being against public policy, because it was made contingent on the legatee continuing to live separate from her husband. Lawrence, J., who heard the motion, came to the conclusion that a provision for the maintenance of a married woman while living separate from her husband is not in any way opposed to public policy unless it was made with the object and intention of inducing the wife not to return to her husband; but he concluded that there was no such object or intention in regard to the bequest in question in this case, which he declared to be valid.

LIBEL—INNUENDO—NEWSPAPER—TRADE PUBLICATION—LIST OF JUDGMENTS — ERRONEOUS ENTRY — IMPUTATION AFFECTING CREDIT.

*Stubbs v. Mazure* (1920, A.C. 66. This was an appeal from the Scotch Court of Session. The action was for libel published in the following circumstances: The defendants were publishers of a commercial newspaper containing information as to the credit of traders, and the plaintiffs alleged that in a certain issue of their paper, the plaintiff's name had erroneously appeared in a list of traders against whom judgment had been obtained in absence. The list was preceded by a statement to the effect that in no case did the publication of the judgment imply inability to pay on the part of any one named, or anything more than the fact that the entry published appeared in the Court books. The plaintiff was a trader and claimed by way of innuendo that the entry falsely and caluminously represented that the plaintiff was given to or had begun to refuse to pay his debts and that he was not a person to whom credit should be given. The Court of first instance had awarded the plaintiff £50 damages and the judgment had been affirmed by the Court of Session. The principal and only question argued on this appeal was whether or not the innuendo was warranted; and the House of Lords (Lords Finlay, Cave, Dunedin and Shaw) held that it was, but Lord Wrenbury dissented thinking that the prefatory note precluded the innuendo and being of the opinion that the case was governed by the decision of the House of Lords in *Stubbs v. Russell*, 1913, A.C. 386; but the majority