

the new slanders were published only to detectives employed by him and under false statements made by them in such an endeavour. And that is this case: and was very like the case of *Duke of Brunswick v. Harmer*, 14 Q. B. 185; see also *Griffiths v. Lewis*, 7 Q. B. 61.

The plaintiff was not seeking a new defamation of his character with a view to recovering damages because of it; he was seeking knowledge with a view to putting a stop to the secret slanders which he neither desired nor had induced: and so, in this action, is not taking advantage of his own wrong, or answered by a defence of leave and license.

The action therefore lies; but the defendant has, I think, a right to stand upon the same ground as if the statements of the plaintiff's detectives had been true; another instance of the rule against anyone taking advantage of his own wrong; and that being so the words uttered would have been privileged but for the actual malice of the defendant found by the jury on evidence upon which reasonable men could so find.

This was the view of the case taken, and acted upon, by the trial Judge; and confirmed in the Divisional Court.

And, having regard to all the facts and circumstances of the case, it cannot be considered that the damages are so great as to warrant the granting of a new trial on that ground.