

This first sub-section, which also appears in the draft criminal code introduced last session, is taken from the English Newspaper Libel and Registration Act, 1881, (44-45 Vict., c. 60, s. 2). An eminent English lawyer Sir Frederick Pollock, in his work on the Law of Torts (Ed. 1887), describes this statute as "curiously framed," and says its interpretation clause (e. g. its definition of "Newspaper") is almost a *reductio ad absurdum* of modern abuses of parliamentary drafting. The statute has since been materially amended and improved by "The (Imperial) Law of Libel Amendment Act," 1888, (51-52 Vict., c. 64). A similar amending Act failed to pass in 1887.

The first part of the section in our own Act relating to reports of public meetings enlarges the number of privileged occasions upon which a newspaper may publish defamatory matter. Prior to its enactment the privilege was not extended to reports of public meetings generally. Nor, as will be seen, is it extended even by the section as a whole to reports of *all* public meetings, but only to those which are within the qualified protection of the Act. Before the Act of 1882 it was no defence to an action for a libel contained in a report of a public meeting to plead that the report was a true, correct and faithful report of the proceedings at such a meeting.

THE OLD STATE OF THE LAW.

In the leading case of *Davison v. Duncan* (7 E. & B. 229), which has been followed in a number of other important decisions since that time, the facts were, that at a meeting of the West Hartlepool improvement commissioners, one of the commissioners made some defamatory remarks on the conduct of the former secretary of the bishop of Durham in procuring from the bishop a license for the chaplain of the West Hartlepool cemetery. These remarks were reported in the local newspaper; and the secretary brought an action against the owner of the newspaper for libel. A plea of justification, alleging that such remarks were in fact made at a public meeting of the commissioners, and that the alleged libel was an impartial and accurate report of what took place at such a meeting, was held bad on demurrer. Lord Campbell said: "I am of opinion that, as the law now stands, the plea is bad. A fair account of what takes place in a court of justice is privileged. The reason is that the balance of public benefit from the publicity is great. It is of great consequence that the public should know what takes place in court, and the proceedings are under the control of the judges. The inconvenience, therefore, arising from the chance of the injury to private character is infinitesimally small as compared to the convenience of publicity. But it has never yet been contended that such a privilege extends to a report of what takes place at all public meetings. Even if confined to a report of what was relevant to the object of the meeting, it would extend the privilege to an alarming extent. If this plea is good, a fair account of what takes