

ording to its contention) exposing a great and dangerous public scandal; and has instead declared that comment can only be stopped after the articles have been proved libelous by a verdict given in the main action. Were interim injunctions freely granted in cases of alleged newspaper libels, a very heavy blow might easily be struck at the liberty of the press. A newspaper cannot always expose a public wrong in one issue, and it would be a very serious infringement of its freedom if, apart from the merits of a case, it were liable to be muzzled the moment an action for libel was begun. Such a result would entirely do away with the principle upon which the liberty of the press exists in England. That principle, as Blackstone has so well said, "consists in laying no *previous* restraint upon publications." Blackstone's words on this subject are, indeed, so weighty and so clear, that it will not be out of place to quote another sentence from the "Commentaries." "Every freeman," he says, "has an undoubted right to lay what sentiments he pleases before the public; to forbid this is to destroy the freedom of the press; but if he publishes what is improper, mischievous or illegal, he must take the consequences of his own temerity." With such a principle we should have thought that very few people would be found to quarrel. When, however, the right of the newspapers to make free comment was further extended, as it was by the act 6 and 7 Vict. c. 96, any possible subject of complaint would seem to have disappeared. By that statute it was enacted that in an action for a libel inserted in such publications, the defendant—although the statement published was, in fact, libelous—may plead that it was inserted without actual malice, and without gross negligence, and that he (the defendant) had, before the commencement of the action, or at the earliest opportunity, inserted a full apology in the same publication, provided only that to render the plea good, a sum of money should, by way of amends, be paid into court. One of our contemporaries, however, whose latest mission is to magnify the office of "the watchdogs of civilization," appears to consider that these safeguards for editors who have not been careful in verify-

ing the writings of their contributors are not large enough. It would seem that "the watchdogs of civilization" are in a difficulty. "The journalist," we are told, "is in this dilemma—he must either publish what nobody will read, or he must publish what it is absolutely impossible to verify, and for every line of which he may have to pay through the nose."

The "watch-dog of civilization" does not at all consider it is his business to keep silent when there is nothing to bark at. On the contrary, he feels it a great grievance that if he rouses the household every time he sees a shadow or a ray of moonshine, the inmates of the house should be inclined to regard him, to say the least, as a somewhat tiresome and inefficient guard. But "the watchdog of civilization" is not going to be put down thus. He tells us that the public like incessant howling at the moon. "The public has altogether altered the standard of what it expects from its newspapers; but the standard which the law expects, and which is entirely inconsistent with the former, the public has left exactly where it was." If we may be pardoned a metaphor on a subject so grave, the law is the crusty, old-fashioned fogley who sometimes cannot stand the incessant din in the back yard, and so occasionally lets fly his boot-jack at "the watchdog of civilization," an act deeply resented by the watchdog, who imagines that all the time he has been howling to the entire satisfaction and delight of the whole house.

Taken as a whole, we fancy that the public and the more reasonable journalists are fairly well satisfied with the existing state of the law. Doubtless it tends to make journalists careful, but that is hardly an evil. It is curious to speculate upon what amendment of the law would be necessary in order to satisfy the aspirations of "the watchdogs of civilization." We presume that no change, except a general declaration that all statements made in newspapers should be privileged, that no circumstances whatever should rebut the presumption of privilege, would be likely to be really satisfactory. Let us trust, however, that some time will elapse before we are yelped into so doubtful a reform.—*The Spectator* (London).