

lost a great force when, to the regret of all his colleagues, he withdrew from it in 1893. Many a kindly act he did, which the newspaper world knows not of, many a friend shielded or helped, many a generous sparing of the foe. Kribs was a better man than many who talk more and do less. He dropped out of the active struggle without an audible murmur over his misfortunes or a single reflection upon the political party which so poorly requited his services.

A. H. U. C.

RIGHTS OF THE PRESS IN QUEBEC.

THE law of libel has received a further interpretation by a decision of Chief Justice Tait, in the Court of Review, at Montreal. In the case of Demers vs. Graham, a charge of libel was made by the plaintiff for the publication, in *The Star*, of proceedings that took place in the Police Court in September, 1896, when the plaintiff, Mr. L. N. Demers, a lawyer, was charged with theft, but was acquitted.

Judge Desnoyers, at the time, said that no proof had been adduced to show an intention to defraud, and he therefore acquitted Mr. Demers on the charge brought against him by Eugene Globensky, a printer. It was to the effect that Mr. Demers had defrauded him of a factum worth \$40.

For the publication of the court proceedings, the proprietor of *The Star* was sued for libel. The trial judge held that the report was a privileged one and the defendant had a right to publish it; that it was published in the interest of the public, and in good faith, and that the plaintiff had suffered no damage.

The case was then carried to the Court of Review, and, in giving the present judgment, Acting Chief Justice Tait said that, after carefully examining the articles printed and the authorities cited by the parties, he had come to the conclusion that the former judgment was correct. It seems to be the jurisprudence of this province, also that of France and England, that a newspaper does not incur responsibility by publishing a true and honest report of the proceedings in a public court of justice, although such a report might be injurious to the character of any individual. There did not appear to be any intention of malice, and it appeared that the articles complained of were a fair report of what had occurred, and that the plaintiff was not entitled to damages. The former judgment was maintained, Justice Mathieu dissenting.

JUDGE WURTELE ON THE PRESS.

JUDGE WURTELE has a rod in pickle for newspapers who go in for undue sensationalism. In his address to the grand jury at the opening of the Court of Queen's Bench the judge said:

"I cannot refrain from regretting, as I did once before in addressing another grand jury, the publication of extremely sensational articles and pictures in many of our newspapers, with reference not only to the murders and other capital crimes which have occurred from time to time, and to the judicial proceedings which have taken place respecting them, but also with reference to the personality of the prisoners who were on their defence. Such articles and pictures are not required to convey to the public the information to which they are entitled, of what is happening; and while a moderate and thoughtful article can form and direct a proper public feeling, these sensational arti-

cles and pictures, on the other hand, only pander to the imagination and to morbid feelings, but also incite to crime, and were hurtful to the administration of criminal justice, as they tended imperceptibly to influence the minds of persons who might be called upon to act as jurors, and thus hindered the selection and formation of impartial juries. Under the law as it stood, however, the publication of such articles and pictures could be judicially suppressed, and if he drew attention to this matter it was only so that he might at the same time express the hope that the evil, if it could not be abated, might at least be sensibly lessened by the influence of an awakened sane public opinion." His honor further said:

"There is another thing in this connection which is much to be deplored—it is the fact that reporters are allowed to interview prisoners for the purpose of publishing articles describing their appearance and demeanor, and giving their sayings. The publication of these articles is certainly productive of no good and only gratifies the morbid curiosity of inconsiderate people. Prisoners have rights like other people, and for a reporter, without their invitation or consent, to intrude upon them and to interview them is an encroachment on their privacy to which they should not be subjected. In fact, none other than the near relations and intimate friends; those having urgent business, and the counsel of prisoners awaiting trial or under sentence in capital cases, should have access to them.

"But this is a matter which can be regulated by the rules and regulations of the prison inspectors or by an order from the Provincial Attorney-General to the sheriffs, and I believe that it will be sufficient to draw their attention to it."

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