

such communication is made in good faith, and under circumstances of reasonable caution as to its being confidential, it is a protected, privileged communication, and an action for libel cannot be founded upon it, even though the information given thereby was not true in fact, and though the words themselves are libellous.' See also *Locke v. Bradstreet Co.*, 22 Fed. Rep. 771. But the answer in the case at bar admits, and the proof shows, that the publication sheet under consideration was not only sent to the creditors of plaintiffs, but was sent to all of the subscribers of defendant, regardless of their location or interest in the financial standing of plaintiffs. While it may be conceded that the business of defendant is a laudable one, and, in so far as it concerns the tradesmen, bankers, manufacturers, and business of the country, almost indispensable, it cannot be that when a company for hire—a moneyed consideration paid to them—makes a false statement or publication as to the financial standing of any person or persons or business firm, sends it over all the country to persons who are not the creditors of any such person or firm, as well as to those who are, and ruins them in their credit and business, and then claims immunity from liability therefor upon the ground that such publication was privileged, we are not inclined to give our sanction to a doctrine which seems to us to be so harsh and so unjust; and in this position we are sustained by courts of high authority. In the case of *Pollasky v. Minchener*, 46 N.W. Rep. 5, which was a suit against the agent of a commercial agency for libel, the Supreme Court of Michigan says: 'The notification sheet containing the false statement respecting the acts of Pollasky Bros. was not alone sent to those who were dealing with them and extending them credit, but to between six and seven hundred subscribers in Michigan, and others residing out of the State, from some of whom they might wish to purchase goods upon credit, and this without any request being made to be informed of the standing or credit of Pollasky Bros.; and others of whom, and by far the greater number, were engaged in different lines of business, and who were in no manner interested in knowing their standing or financial ability or business integrity, to all such the communication was not privileged. It cannot be said that a blacksmith, a sawmiller and a lumber dealer, a furniture manufacturer, a dealer in hardware, a chemist, mineral water bottlers, butchers, book agents, physicians or