matter consists merely of comments and argument, is irregular and illegal; and should be struck from the record, or the illegal averment should be struck out, and the defendant allowed to plead anew. *Ibid.*

To an indictment for libel, the language of which was couched in general terms, the defendant pleaded that the words and statements complained of in the indictment were true in substance and in fact, and that it was for the public benefit, etc. It was held that the plea was insufficient because it did not set out the particular facts upon which the defendant intended to rely. R. v. Creighton (1890), 19 O.R. 339.

The existence of rumours cannot be proved in justification of the libel. R. v. Dougall (1874), 18 L.C. Jur. 85.

In a prosecution for an illegal defamatory libel contained in a newspaper article condemning an employer's dismissal of employees belonging to a trade union and charging that the distribution of certain gratuities by the employer to his employees was impelled by motives of selfishness on his part and was for the purpose of winning public approval and favourable public comment through press notices thereof, a plea of justification will not be struck out on the objection that the facts therein alleged do not shew that it was for the public benefit that the publication should be made, if such plea contains a charge that the press notices favourable to the complainant were published at his instance. If the complainant in a prosecution for defamatory libel has himself called public attention to the subject-matter of the alleged libel by obtaining the publication of newspaper articles commending his conduct therein, he thereby invites public criticism thereof and cannot object that the answer to his own articles is not a publication in the public interest. R. v. Brazeau (1899), 3 Can. Cr. Cas. 89 (Que.).

Where on the trial of a criminal information for libel the Judge in substance told the jury that the defendant, under the pleas of justification, was bound to shew the truth of the whole of the libel to which the plea is pleaded, and that in his opinion, the evidence fell far short of the whole matter charged; such a direction is not so much a direction on the law as a strong observation on the evidence, which may be made in a proper case without being open to the charge of misdirection. R. v. Port Perry, etc., Co., 38 U.C.Q.B. 431; R. v. Wilkinson (1878), 42 U.C.Q.B. 492, 505 (per Harrison, C.J., Wilson, J, dissenting).