be incomplete, and that he perceived this defect, not from what was not produced, but from the papers that had been submitted. It seemed, on the face of them, that the only complaint made, and the only report thereon, was a complaint by Mr. Lacroix, and that Mr. Bouchette had reported upon this complaint; and that it was then too late to enter upon the investigation, because Mr. Delisle had left the Custom House. Yet, though Mr. Bouchette did not report upon the complaint, nor upon the complainer, he had reported upon the person who was only incidentally mentioned by Mr. Lacroix—namely, Mr. Barry. He (Mr. Penny) had no desire to go into a complaint of a very disagreeable nature, but he was anxious to ascertain in what way the business of the Department was controlled in Ottawa. He was made the more anxious in the matter by what appeared to be the curious nature of this report. Mr. Bouchette had reported not only that it was too late to make an enquiry, but that if such complaint were made it ought to have been preferred in a charitable manner—a thing that he (Mr. Penny) did not quite understand in connection with such a subject. The other curious circumstance was that he accused Barry of having been convicted of misdemeanour and other offences, although Barry was not, as stated already, in the case. What he wanted, was—as Mr. Barry had evidently made a complaint—that this House should be informed whether it was within the time of Mr. Delisle's service at the Custom House, and be furnished Mr. Bouchette's report thereupon, which, he presumed, had been made.

LIBEL.

Hon. Mr. KAULBACH moved the second reading of the bill relating to the crime of libel. He spoke at length in explanation of its scope and objects, which were indicated in the preamble. There was no intention of introducing any novel or sweeping legislation on this important subject, but merely to bring in the law now in force in England, which had existed there for the last thirty years, and which prevailed in Ontario. He proposed that this should be the law of the whole Dominion, thereby securing for our guidance the rules, precedents and decisions of England, on the subject, for at least 30 years. In the other Provinces the law of libel was peculiar, as neither the truth of the charge of libel, nor the reasons for publishing it, were allowed consideration in Court. He gave the definition of libel, or written defamation, by 'Chitty,' as follows: 'Any act, other than spoken words, which sets a person in an odious or ridiculous light, thereby diminishing his reputation.' 'Blackstone' described it: "A censorious or ridiculous writing, picture or sign, made with a malicious or mischievous intent towards Government, magistrates, or individuals." The doctrine laid down in provinces where the English and Ontario law did not prevail was—the greater the truth the greater the libel; that, in fact, the truth was an aggravation of the offence. It seemed to flow therefrom that, no matter how true the statement was, or how much it was in the public interest to print it, or how great the provocation might have been, or no matter that there was no malice on the part of the publisher, all that the jury was instructed to discuss was the fact that there had been a publication which was libellous. This appeared strange and questionable doctrine, indeed, at this period. It seemed singular that the truth of the allegation should not be allowed to be proved, or proper reason for its appearing. There might be an old skeleton in many a neighbor's cupboard—which ought not, in the interest of society, be brought to light. He showed that the bill met this. In a civil suit the truth could be set up as a full answer, and the rebuttal of the presumption of malice could be pointed to in mitigation of damages. The honourable gentleman referred to this law as a great anomaly, and then sketched the course of legislation on this subject since 1792, before which year there had not been any. Under the act introduced by Fox, known as Lord Erskine's Act, the whole truth could be left to the jury. Judges had differed, however, in its application. He instanced two cases in 1811. The King *vs.* Hunt *et al.*; Idem *vs.* Drakard. The indictments were for the same newspaper articles, published in different papers. In both cases defendants were represented by the same counsel. In the first case Lord Ellenborough took high ground in favor of the press, and defendants were acquitted. In the other, Baron Wood took narrower views, and the defendant was convicted. That law, in principle exists now in the Dominion. This law introduced by Fox was a declaratory law. His attention had been called to this subject at some length by a case lately in the Dominion in which the Judges properly took the Act 22nd, George III, as law, but prevented the accused going into the proof of the charge of libel, or rebutting the presump-