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BILL.

An Act to amend the Law relating to Slander and Libel.

WHEREAS it is expedient and necessary to alter Preamble.
and amend the Law relating to Slander and Libel:
—Be it therefore enacted, &c.

And it is hereby enacted by the authority of the same,
5 That from and after the passing of this Act, it shall and Jury not to be required or directed to return a verdict of guilty on the mere proof of the publication, and of the sense ascribed.
may be lawful on the trial of any action, indictment or information, for the making or publishing any libel, on the plea of *not guilty* pleaded, that the jury sworn to try that issue may give a general verdict of guilty or not
10 guilty upon the whole matter put in issue in such action, or upon such indictment or information, and shall not be required or directed by the Court or Judge before whom such action, indictment or information, shall be tried, to find the defendant guilty merely on the proof of publica-
15 tion by such defendant of the paper charged to be a libel, and of the sense ascribed to the same in such action, indictment or information: Provido. Provided always, that the Court or Judge before whom such trial shall be had, shall, according to their or his discretion, give their or his
20 opinion and directions to the jury on the matter in issue, as in other cases: And provided also, that the jury may Provido.
on such issue find a special verdict, if they shall think fit so to do, and that the defendant, if found guilty, may move in arrest of judgment on such ground and in such
25 manner, as he might have done before the passing of this Act.

II. And be it enacted, That in any action for defamation it shall be lawful for the defendant, when he has
30 pleaded *not guilty* only, or has suffered judgment by default, or judgment has been given against him on demurrer, to give in evidence in mitigation of damages, that he made or offered a written or printed apology to the plaintiff for such defamation, before the commencement of the action or as soon afterwards as he had an
35 opportunity of doing so, in case the action shall have been commenced before there was an opportunity of making or offering such apology. Defendant may prove in mitigation of damages, that he offered a written apology.

III. And be it enacted, That in an action for libel contained in any public newspaper or other periodical pub-
40 lication, it shall be competent for the defendant to plead that such libel was inserted in such newspaper or other Defendant may plead that the libel was inserted in any newspaper, &c. without malice.