

of a solicitor because the proper conduct of his case might necessitate the publication of defamatory statements which might involve the solicitor in a lawsuit. This is the real reason why defamatory communications made by a solicitor in the course of his duty to his client are privileged. The duty of a printer to his customer is imposed and undertaken simply by the contract between the parties and for the printer's own profit. If a printer should decline to print a circular on the ground that it contained defamatory statements, no injury to the public is involved comparable to the denial of justice which might result if a solicitor should refrain from writing a letter in the interest of his client because it was uncomplimentary to other persons. In truth, the gap between *Baker v. Carrick* and *Smith v. Streetfeild* is a wide one—too wide to be spanned by human symmetry. The latter decision may be a good and wise one, but, in so far as it rests on the earlier as an authority, it seems to be based on a false analogy. The real road is through *Mangena v. Wright* and not through *Baker v. Carrick*.

Having decided that the privilege of the rector enured to the benefit of the printers, Mr. Justice Bankes further held that the malice of the former destroyed the privilege not only for him, but for the printers also. It follows from this that the printers have no privilege of their own, but can only shelter themselves behind the privilege of the author of the libel they array themselves in his armour, and take his accoutrements with all faults. This, again, seems to distinguish the principle of *Smith v. Streetfeild* from that of *Baker v. Carrick*. It is not by any means clear that the privilege of a solicitor would cease to protect him if his client in giving him instructions to write a letter should chance to be actuated by malice.—*Law Times*.