

that the said publication did not arise from want of due care or caution on his part.

Defendant may recover costs from private prosecutor

XI. And be it enacted, That in the case of any indictment or information by a private prosecutor for the publication of any defamatory Libel, if judgment shall be given for the defendant he shall be entitled to recover from the prosecutor the costs sustained by the said defendant by reason of such indictment or information, and that upon a special plea of justification to such indictment or information, if the issue be found for the prosecutor, he shall be entitled to recover from the defendant the costs sustained by the prosecutor by reason of such plea, such costs so to be recovered by the defendant or prosecutor respectively to be taxed by the proper Officer of the Court before which the said indictment or information is tried. 5 10 15

Prosecutor may recover costs on plea of justification

In newspapers, &c., the names of the printers and publishers shall be inserted

XII. And be it enacted, That in some part of every newspaper, or other paper containing public news or intelligence, or serving the purpose of a newspaper, there shall be printed the true and real name and names, addition and additions, and place and places of abode of the printer and printers and publisher and publishers of the same, and also a true description of the place where the same is printed; and in case any person or persons shall knowingly and wilfully print or publish or cause to be printed or published, any such newspaper or other paper, or handbill or advertisement as aforesaid, not containing the particulars aforesaid, and every of them, every such person shall forfeit and lose the sum of £50 to be recovered by action of debt, bill, plaint or information in Her Majesty's Court of Queen's Bench; one moiety of the said forfeiture, when recovered, shall be for the use of Our Sovereign Lady the Queen, Her Heirs and Successors, and the other moiety thereof to and for the use of such person who shall inform or sue for the same. 20 25 30 35 40

Penalty for not inserting the same

£50

How recovered and applied