

tempt notwithstanding secs. 322, 324 and 325 as to fair reports of Court proceedings and fair comment upon public affairs; but the Court will not exercise the power where the offence is of a trifling nature, but only when necessary to prevent interference with the course of justice. *Stoddard v. Prentice* (1898), 5 Can. Cr. Cas. 103, 6 B.C.R. 308.

The privilege given to a report published in good faith of judicial proceedings does not extend to the publication of declarations made by one of the counsel out of Court and in private conversation. *Desjardins v. Berthiaume*, 16 Que. S.C. 506.

Code sec. 322 refers to libel and not to contempt of Court, and there is still power to commit summarily for constructive contempt, *ex. gr.*, a newspaper editorial to the effect that one of the parties to a pending suit will lose the case. *Stoddard v. Prentice* (1898), 5 Can. Cr. Cas. 103, 6 B.C.R. 308.

*Extracts from Parliamentary Publications.*—Code sec. 321.

*Whole Publication may be Given in Evidence.*—Code sec. 947.

*Reports of Public Meetings.*—Code sec. 323.

*Publication of Matter Believed to be True, for Public Benefit.*—Code sec. 324.

(3) *Fair Comment.*

(1) *Upon Public Conduct.*—Code sec. 325.

(2) *Upon Published Book.*—Code sec. 325(2).

(4) *Publication.*

(1) *In Good Faith, Seeking Redress.*—Code sec. 326.

(2) *By Answers to Inquiries.*—Code sec. 327.

(3) *By Giving Information to Interested Persons.*—Code sec. 328.

(4) *After Invitation or Challenge by Complainant.*—Code sec. 319.

(5) *Truth.*

*When Truth a Defence.*—Code sec. 331.

*Not Guilty May be Pleaded in Addition.*—Code sec. 331(2).

*Effect of Plea on Punishment.*—Code sec. 331(3).

*Plea of Justification.*—Code sec. 910.

(a) *In Two Senses or Either Sense.*—Code sec. 910(2).

(b) *Plea in Writing.*—Code sec. 910(3).

(c) *Reply Denying.*—Code sec. 910(4).

A plea of justification must set forth concisely the particular facts by reason of which its publication was for the public good, but must not contain the evidence by which it is proposed to prove such facts, nor any statements purely of comment or argument. *R. v. Grenier*, 1 Can. Cr. Cas. 55.

A plea of justification, which embodies a number of letters which it is proposed to use as evidence, and contains paragraphs of which the