

that it was, and they distinguish the case from *Alexander v. Jenkins*, (1892) 1 Q.B. 797, where the imputation was merely as to the sobriety of the plaintiff, which was held not to be actionable without proof of special damage, whereas the defamatory statement here amounted to a slander of a man in his office, which was actionable at common law without proof of special damage. The other question on which Lord Esher, M.R., and Rigby, L.J., declined to pronounce an opinion, but which is discussed at length by Lopes, L.J., was whether there is a power of amotion from office of an officer of a municipal corporation incorporated under the Municipal Corporation Act, 1882, on the ground of misconduct in office. This point was relied on by the plaintiff as furnishing a ground of damage; but taking the view they did, that it was unnecessary to prove any damage, the majority of the court declined to go into that question. Lopes, L.J., however, is clear that the right of a motion for reasonable cause is incident to every corporation, unless taken away by statute. He also considered the action maintainable on the ground that the words imputed to the plaintiff a criminal offence.

“BROTHEL,” MEANING OF—CRIMINAL LAW—NUISANCE—(CR. CODE, SS. 195, 198).

In *Singleton v. Ellison*, (1895) 1 Q.B. 607; 15 R. Mar. 391, a Divisional Court (Wills and Wright, JJ.) determined that where a woman occupies a house which is frequented day and night by men for the purpose of committing fornication with her (there being no other woman living in the house or frequenting it for the purpose of prostitution), she cannot be convicted of “keeping a brothel,” the court holding that in the legal acceptance of that term it means a place resorted to by persons of both sexes for the purpose of prostitution. We may observe that the Criminal Code, s. 195, defines a common bawdy house as “a house, room, or set of rooms, or place of any kind kept for the purposes of prostitution,” and s. 198 makes it an indictable offence to keep any common bawdy house as thus defined, so that it would seem that on the facts in this case there would, in Canada, be an indictable offence.