

so, no one could communicate his opinion in regard to a man who had been in his employment, and society therefore would often go unprotected if that class and character of communication were not privileged. So the law says, in the interests of business, and in the interests of society, a communication thus made is privileged, even although it may eventually turn out that some of the statements made in it were false. But it is a totally different thing, if, taking advantage of the communication afforded by an enquiry that was being made, you, in answer to that letter, make a statement which was false, or which you did not believe to be true; because a man who makes a statement that he does not believe to be true is as guilty as the man who makes a statement, and who knows it to be a deliberate and unqualified falsehood. So that if a man thus takes advantage of the occasion for the purpose of injuring the person in respect of whom the enquiry is made, the privilege is gone, because in making that statement in that way, there is the strongest evidence of malice, and where malice exists, the privilege is altogether lost.

Something was said during the course of the addresses to you about the interest that those parties had in petitioning, and I may say to you that it is not necessary that any person signing the petition should have been personally aggrieved or injured, for it is said, that all persons have an interest in the administration of justice and in the efficient carrying on of the departments therewith. So that, any member of the community, although having no connection with the plaintiff, nothing to do with him, perhaps never having spoken to the man, but who being aware of some misconduct, some misfeasance, or malfeasance in his office as a bailiff, has a perfect right to petition or to send any communication to the proper authority calling for an investigation, so long as the petition is clothed in language which did not exceed the necessities or the circumstances of the case. For instance, a man might write a letter to the inspector, stating that he knows so and so, and perhaps it would have been better in this case if a communication of that nature signed by those who were