

ing pleaded the general issue, and there being nothing before the court to show the truth of all the matters of fact contained either in the report of what passed in the House of Lords, or in the defendant's comments in his leading articles thereon, it must be assumed that any portion of the same which was libellous might also be false. It could only therefore be justified upon the ground that the defendant's privilege extended to the publication of all which passed in Parliament, and to such comments thereon and such repetition and amplification of such charges as come fairly within the scope of an editor and publisher, actuated by the honest and *bona fide* purpose of instructing and informing the public in regard to such matters of public concern as he may properly consider that they have a *bona fide* interest in correctly understanding, provided he be actuated solely by the motive of rendering his paper a fair and faithful instructor in regard to and commentator upon such matters, and not by any sinister and malicious motive toward those thereby exposed to opprobrium. This is, indeed, a very broad shield, a privilege scarcely less than that of the member of parliament. But we do not well see how it could be much narrowed, without restricting it within such limits as to render the privilege of no avail. It is well, perhaps, that the freedom of the press should cover all matters of public concern, where the publisher is actuated solely by a desire correctly to instruct the public mind, and by no spice of personal malice.—*Letter of Judge Redfield in American Law Register.*

LORD BROUGHAM.

This distinguished jurist, statesman and author, died on the 7th of May, at the advanced age of 89. The following sketch of his career is from the *Pall Mall Gazette* :—

"The services, which for five and twenty indefatigable years Henry Brougham rendered to the popular cause, to liberal ideas, and to beneficial reforms, were signal enough to cover a multitude of sins, if, as some

insist, there were a multitude of sins to cover. He had some failings, no doubt, which on one or two notable occasions led him far astray—failings unworthy of his vast powers and noble qualities; failings which, in a fair estimate of his character, it is impossible to pass over in silence. His temperament, like his oratory, was vehement, impetuous and passionate; his vanity and ambition were alike insatiable; his *amour propre* was terribly irritable; he could never forgive a slight, seldom even opposition or thwarting where successful, seldomer still, it is said, the triumph or precedence of a fortunate rival, even when that rival was a friend. His animosities were as fierce as his affections were warm and strong; there was at times something sadly rancorous in his enmity. Indeed, everything about him bore the impress of that tendency towards the violent, the excessive, the unmeasured, which was his predominant constitutional characteristic. There was, in truth, something volcanic in his nature; there was a dangerous look about the man, indicative of a central fire ever smouldering within, and liable to break out, as it not unfrequently did, at unseasonable moments, and in unseemly shapes. It was once keenly said of him, 'If he was a horse with that eye, nobody would buy him.' His prudence was often at fault; his self-command sometimes. Hence it was, that even at the height of his power and popularity, and when he was almost the idol of the people, his colleagues never felt quite sure of him, or quite at ease with him; they mistrusted his judgment; they dreaded his mental and moral intemperance; they recognized something untrustworthy and incalculable in that fierce and susceptible temper. He was like one of the explosive forces in nature, mighty and almost resistless, but containing within itself unknown possibilities of mischief. He inspired no enduring or reposing confidence. Indeed, he kept every one who had to deal with him in perpetual hot water,—the attorneys who entrusted to him their clients' causes, the party with whom he acted, adorned and strengthened, and for a time led, in Parlia-