

unquestionable. The law would richly deserve Mr. Bumble's characterization if it did not protect a person against such wrongs as that for which this action was brought. The plaintiff was impudently and insolently, and, as the Court found, maliciously, misrepresented by the unauthorized publication of his portrait, together with false statements made as coming from him, with respect to his having carried life insurance in the defendant company. This portrait and these statements were published as a contrast to a companion portrait of an illy-dressed, sickly-looking person, who was represented as bemoaning his own failure to take such insurance. All this was for advertising purposes, and the statements about the plaintiff were utterly untrue. The publication was humiliating to the plaintiff, and tended to hold him up to ridicule. It was plainly an injury to his personal rights. The fundamental principles of the law of libel certainly covered the case, and the Court upheld a count of the petition for libel against demurrer, as well as the other count for invasion of a right of privacy. The only uncertainty about the case, therefore, is whether the wrong should be called an injury to a right of privacy, or an injury to reputation. It was an outrage on the plaintiff which the law should punish in one form or another. As heretofore contended in these columns, it seems unnecessary and illogical to call the right invaded in such case a right of privacy, rather than a right to reputation in the broad sense, since mere publicity affecting the person only is not held by any of the Courts to constitute an invasion of any right, except when the publicity is of a kind to injure or degrade the reputation or standing of the person among his friends or the public at large. If, therefore, it is the injury to his reputation or standing which gives the right of action, the case seems to belong to the general class of actions for defamation, even though its decision may need to go somewhat beyond the technical limits of the rules usually applied in that kind of actions. Publicity of itself has never been, and it is not conceivable that it ever will be, held to invade any right of a person, except when the publicity is of a kind or under circumstances that will injure the reputation, standing, physical comfort, or other well-recognized personal right. If a right of privacy eo