

should apply to their departments for employment, and was used for that purpose. Plaintiff claimed that by reason of the printing and circulation of this circular he had, in effect, been "black-listed," and unable, by reason thereof, to obtain employment in any department of the telegraph service.

Among other defenses, the defendant pleaded that the list or communication in question was privileged. The plaintiff failed in the proof to show any express malice on the part of the officials engaged in reporting and listing Randall's name, or in the circulation of the list, and at the close of plaintiff's evidence, the defendant demurred thereto on the ground that it was insufficient to sustain a verdict in plaintiff's behalf, and requested the court to so instruct the jury. The court sustained this demurrer to the evidence, basing its ruling upon the ground that the communication was privileged, for the reason that both the railroad company and the telegraph company were interested in the character of the telegraphic service; that Mr. Swift represented not only the railroad company, but the telegraph company; that the members of the association, whose secretary prepared and circulated the list in question, also represented said telegraph company as well as the different railroads, of which they were telegraph superintendents, and that the communication and circular having been sent in good faith, in the interest of such service, were privileged, and there being no evidence of express malice, there was nothing for the jury to decide.

This case has attracted considerable attention, and may be regarded as somewhat of a precedent in respect to the principal questions involved.

The ruling of the court is fully sustained by the Missouri Pacific Railway Company v. Richmond (Supreme Court of Texas), reported in Vol. No. 11 of the Southwestern Reporter, page 555; Bacon v. Michigan Central Railway Company, 31 America & England Railway Cases, 357, and Kent v. Bongartz, 8 Am. State Reports, 870.—*Chicago Legal News.*

ROYAL GRANTS.

The greater part of the opposition to royal grants proceeds from a misunderstanding of the nature of the relation between the Crown and its subjects in respect of the property of the Crown. If the Crown was an ordinary corporation, or an individual whose property had been settled by Act of Parliament, it would be easy to see that the terms of the settlement must be carried out according to the laws of social life, which include the maintenance of proprietary rights. The present wearer of the crown and her predecessors from the time of Charles II. have parted with their original proprietary rights for the good of their subjects on terms which they are bound to respect. The constitutional form is for the Houses of Parliament to be addressed; but the grant is not, as some appear to suppose, a favour, but the discharge of an obligation. The proprietary rights of the Crown reached their extreme in the feudal rule that all the land belonged to the king. In consideration of the Crown giving up the last vestiges of its feudal rights, Parliament undertook to provide the purse sufficient for maintaining the honour and dignity of the Crown.

In estimating the extent of the duty of Parliament under 1 & 2 Vic. c. 2, to make 'adequate provision for the support of the honour and dignity of the Crown,' it must not be forgotten that the surrender thus made by Her Majesty included, besides what the report of the committee on royal grants describes as the Crown lands and the small branches of the hereditary revenue contributing together 412,800*l.* to the consolidated fund, the hereditary duties on all beer and cider, the most popular of alcoholic beverages, as appears from recent statistics. The Crown was endowed with this source of income by the celebrated statute 12 Car. II. c. 24, 'An Act for taking away the Courts of Wards and Liveries and tenures in capite and by knights service and purveyance, and for settling a revenue on his Majesty in lieu thereof.' It was the intent of this Act, recognised by 27 Geo. III. c. 13, that his Majesty, his heirs and successors, might receive a full and ample recompense and satis-