

Act as meaning 'any paper containing public news, intelligence, or occurrences, or any remarks or observations therein (*sic*) printed for sale, and published in England or Ireland periodically or in parts or numbers at intervals not exceeding twenty-six days between the publication of any two such papers, parts, or numbers'; and 'also any paper printed in order to be dispersed and made public weekly or oftener or at intervals not exceeding twenty-six days, containing only or principally advertisements.'

By the same section 'The word "proprietor" shall mean and include as well the sole proprietor of any newspaper, as also in the case of a divided proprietorship the persons who, as partners or otherwise, represent and are responsible for any share or interest in the newspaper as between themselves and the persons in like manner representing or responsible for the other shares or interests therein, and no other person.'

Ascertainment of the Names of Proprietors, &c.—By sect. 8 a register of newspapers as above defined is established under the superintendence of the registrar of joint stock companies, to which the printers and publishers of every such newspaper must make an annual return in a prescribed form, of the title of the newspaper and the names and addresses of all the proprietors (s. 9). These provisions do not apply where the newspaper is owned by a joint stock company incorporated under the Companies Acts, 1862 to 1901, in which case the company is registered in the ordinary course under those Acts (s. 18). Penalties are imposed for failing to make returns under the Act of 1881, or for wilful misrepresentation or omissions therein (ss. 10, 12). The returns when made are entered on the register (s. 13). And by sect. 15, 'Every copy of an entry in or extract from the register of newspaper proprietors, purporting to be certified by the registrar or his deputy for the time being or under the official seal of the registrar, shall be received as conclusive evidence of the contents of the said register of newspaper proprietors, so far as the same appears in such copy or extract without proof of the signature thereto or of the seal of office affixed thereto, and every such certified copy or extract shall in all proceedings, civil and criminal, be accepted as sufficient *prima facie* evidence of all the matters and things thereby appearing unless and until the contrary thereof be shewn.'

By a series of enactments of earlier date incorporated in the schedule to the Newspapers, Printers, and Reading Rooms Repeal Act, 1869 (*f*) (32 & 33 Vict. c. 24), obligations are placed on the printers and publishers

(*f*) The first Act dealing with this subject, 38 Geo. III. c. 78, was repealed and replaced by 6 & 7 Will. IV. c. 76, s. 32, itself repealed by the Act of 1869, except sect. 19, re-enacted in the schedule, but relating only to civil proceedings, viz. bills for the discovery of the names of printers, publishers and newspapers, for the purposes of actions of damages for defamation. There were numerous decisions on 38 Geo. III. c. 78, as to proof of publication, included in the 6th edition of this work, i. 638-640, which are here omitted as of no present value. Where in an action for libel to prove that the defendant, H., was the proprietor of a

newspaper, a certified copy of the declaration made at the stamp office under 6 & 7 Will. IV. c. 76, s. 6 (rep.), was put in, and it was a joint declaration, and stated that, 'We are the sole proprietors; that is to say, the said J. H., as legal owner as mortgagee, and M. Y., as owner of the equity of redemption,' it was objected that this declaration shewed that the defendant was a mortgagee only, and not a proprietor against whom an action for libel could be maintained; but Campbell, C.J., held that the defendant was liable. *Duke of Brunswick v. Harmer*, 3 C. & K. 10.