

of even a true and faithful report in the public interest, of matter affecting the character of a private individual, is not privileged. The Court of Appeal maintained this judgment, but the grounds of the decision were essentially different. The Court unanimously held that the question whether the publication was or was not in the public interest is for the Court and not for the jury, and although both parties had concurred in the present case in leaving the question to the jury, it was declared that this was contrary to law. The Court further decided that the publication, in the case before it, was not in the public interest. Had the Court not taken this view of the case, it would appear from the observations of the learned judge who delivered the judgment of the court, that the judgment would have been reversed, for the opinion was expressed that the plea of good faith and publication of a fair and accurate report in the public interest, that is to say, the plea of the defendant in the case under consideration, is a good plea to an action of damages based on the publication of the proceedings of a public meeting duly convened for a lawful purpose. The main contention of the defendant was therefore sustained, as far as an *obiter dictum* of the judge pronouncing the unanimous judgment of the Court, and to which the other members gave silent assent, could sustain it, and the only point which the appellant could have submitted for decision, if the Privy Council had granted leave to appeal, would have been whether the question of public interest is one for the Court to decide.

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The Bar of Montreal has in Mr. J. J. Day, Q.C., a member who was admitted in June, 1834, and whose name has been on the roll for over 62 years. Mr. Day has entered upon his ninety-second year, and while suffering from some of the infirmities incidental to advanced age, still enjoys fair health and the full use of his mental faculties. Mr. Day, however, would have to live five