blasting the rock . . . In some fissure Else might have seen an antediluvian toad sitting on something and said, "Bless me, what is that?" Why what could it be but a codicil?' (3) Equally admirable in its way was Sir Alexander Cockburn's charge to the jury, with which we have left ourselves no space to deal. (4) The most curious incident in the trial was the evidence of the expert Chabot, a Huguenot by descent and a lithographer by trade. Chabot raised the study of disputed handwritings from a discredited art to the dignity of a science. His life achievement was the conversion of the *Quarterly Review* to the conclusion that Sir Philip Francis was the author of 'Junius.' But in the *Matlock Will Case* he rendered important service to the cause of truth. He showed that Nuttall and Else had each characteristic *habits* of handwriting, and that, judged by these, the will was the work of Nuttall, while the codicils were forged by the rascal that found them.—*Law Journal*, (London).

SLANDER.

Our reports for May contain two interesting cases on the subject of slander, both coming before the public with the *imprimatur* of the Court of Appeal upon them. In *Pittard* v. *Oliver*, 60 Law J. Rep. Q. B. 219; L. R. (1891) 1 Q. B. Div. 474, a guardian of the poor was charged with slandering the late clerk to the guardians in the presence of newspaper reporters, by describing him 'as a man who for years had been robbing public money,' and referring to his conduct as 'the defalcations of an unfaithful servant.' These words were used at a meeting of guardians on the question as to whether a sum should be paid to the plaintiff in settlement of his claim against the board. This claim was eventually sent to a referee in an action brought by the plaintiff against the guardians, who found in favour of the plaintiff for the whole amount claimed by him. Thereupon this action was brought, and the jury found 'that the words were spoken honestly, in the discharge of a public duty, without malice, but carelessly,' and gave the plaintiff a verdict for forty shillings damages. Upon further consideration, Mr. Justice Mathew held that the occasion on which the words were uttered was privileged, and gave judgment for the defendant. The plaintiff appealed. It was conceded that the occasion would have been privileged if there had been no reporters present, as it was the duty of the guardians to discuss the conduct of their servants. In Mr. Odger's 'Digest of the Law of Libel and Slander,' 2nd edit. p. 197, cases of qualified privilege are grouped under three heads: '(1) Where circumstances cast upon the defendant the duty of making a communication to a certain other person, to whom he makes such communication in the *bona fide* performance of such duty: (2) where the defendant has an interest in the subject-matter of the communication, and the person to whom he communicates it has a corresponding interest: (3) fair and impartial reports of the proceedings of any Court or of Parliament.' The guardian's words were well within either class (1) or class (2), as it was his duty to communicate the fact that the person whose claim they proposed thus to compromise had been cheating them, if he sincerely believed it, to his brother guardians, and he and they had a corresponding interest in the subject-matter of the communication. The privilege is said to be qualified by that learned author, as it may be taken away if the communication is uttered maliciously, and it has not, therefore, the absolute privilege of a judge of the High Court or a barrister. The simple question for the Court was as to the effect of reporters being present, seeing that the defendant had no moral obligation to make the communication to them, and had no common interest with them in the subject-matter of the communication. Lord Esher distinguished this case from the cases where the confidential privileges had been held lost by the mode in which the communication, otherwise privileged, had been made, namely, on a postcard or in a telegram, and decided that the guardian had not lost his privilege through the presence of the reporters. The rest of the Court came to the same decision, though Lord Justice Fry suggested that it would be well for guardians to hold discussions of this kind in private.

The second case is that of *Speight* v. *Gos-*