

UNITED NATIONS CONFERENCE ON FREEDOM OF INFORMATION

REQUEST FOR INFORMATION

APPENDIX X

- (A). (1910) 43 S.C.R. 461. The Sydney Post Publishing Company and Arthur S. Kendall: -

"K. was a member of the House of Commons prior to the election in 1908 and in August of that year a letter was published in the Sydney Post which contained the following, which referred to him:

"The Doctor had a great deal to say of the elections in 1904. Well, I have some recollections of that contest myself, and I ask the Doctor: Why did you at that time withdraw your name from the Liberal convention? The majority of the delegates came there determined to see you nominated? Why did you not accede to their request? Doctor Kendall, what was your price? Did you get it? Take the good Liberals of this county into your confidence and tell them what happened in those two awful hours in a certain room in the Sydney Hotel that day?

"The proceedings of the convention were held up for no reason that the delegates saw, but for reasons which are very well known to you and three or four others whom I might mention. One speaker after another killed time at the Alexandria Hall while you were in dread conflict with the machine. Finally the consideration was fixed and you took off your coat and shouted for Johnston. What was that consideration?

"On the trial of an action by K. Against the proprietors of the Post the jury gave a verdict for the defendants.

"Held, that the publication could only be construed as charging K. with having withdrawn his name from the convention for personal profit, and was libellous. The verdict was therefore properly set aside by the Court below and a new trial ordered."

- (B). 30, C.C.C. 292, Stone v. World Newspaper Co. Limited: -

Held: A false statement made in writing that another person intended to commit suicide is not a libel involving a criminal charge.

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