

## THE CITIZENS' LIBEL SUIT.

Suing newspapers for libel, whether looked at in reference to its direct or indirect results, seldom proves a profitable business. The suit of the Citizens Insurance Company against the *Budget*, which has resulted in a verdict of one dollar for the plaintiffs, is scarcely likely to prove an exception to the general rule. The trial took place before Mr. Justice Rose and a jury at the York County Assizes and lasted nearly four days. A number of eminent counsel were engaged and the expense, both of the trial and of the steps in the suit, preliminary thereto is understood to have been very large. The net result is nominal damages, and a public *exposé* to the injury, in the eyes of the world of all parties concerned. The fact that a decision was rendered in the company's favor, for even nominal damages, appears, so far as we can judge, to be due rather to the fact that the jury appears to have been convinced that the defendants had a grudge against the company, than to any feeling that the statements complained of, taken by themselves, greatly exceeded the bounds of fair criticism.

These statements were to the effect that the management of the Citizen's company was greatly to blame for having opened an office in England, and for "reckless underwriting" in Canada. A great mass of evidence was given to substantiate this statement, and that the defence was able to make some strong points in support of the language used, scarcely admits of denial. The manager of the plaintiff's company was, however, able to show that Mr. McCord, the writer of the communication in which this statement appeared, had formerly been an employé of the company, that he had been discharged, that there had been disputes in consequence between him and the company, and that in the course of such disputes the company took occasion to make some ugly charges against Mr. McCord. Notwithstanding that all this took place some years ago, both judge and jury appear to have thought that these circumstances afforded a probable *animus* for Mr. McCord's criticism, which removed the language beyond the protection vouchsafed by the law to fair comment made in the public interest. So far as the defendant Campbell was concerned an attempt was made to supply a motive in his case by connecting the publication of the libel complained of, with the refusal of the company, some months before, to give him an advertisement for his paper. Although the evidence on this point was conflicting, it was perhaps not without its effect upon the minds of the jury.

The result affords a fitting commentary on the unwisdom, under any circumstances, of a newspaper publisher allowing himself to be forced into disclosing the names of those from whom he derives his information. Had Mr. Campbell refused to furnish the name of his informant, he certainly would have occupied a much better position in defending the suit than he occupied after his attempt thus to shift the responsibility to other shoulders. He got Mr. McCord into a scrape, it is true, but in doing so made his own chances of escape much more slender than they would otherwise have been. We

must not be understood here as defending Mr. McCord. If he acted from the improper motive imputed to him, he deserves the condemnation cast by this verdict upon him. But when a newspaper publisher takes the responsibility of inserting statements communicated to him in confidence, he should be prepared to take the consequences whatever they may be. Nothing should ever induce him to be guilty of a breach of that confidence. The time to satisfy himself of the propriety of publishing any matter so communicated is before publication. After that, the act becomes his, and he should not be the hand to bring home punishment, even where merited, to one whose communications have been made on the faith of a well understood pledge of professional secrecy. The breach of this confidence, like the breach of most other duties, is ordinarily not less injurious to the one guilty of it, than improper.

At one time and another, the Citizens Insurance Company has been subjected to a great deal of criticism, adverse and otherwise. That criticism is not at all likely to cease after the disclosures of the present trial. The time has long since passed away for striking terror into the press by libel suits. This company, like any other, must be content to rely for its success upon proper management and the conduct of its business upon sound principles. It has shown itself in the past rather sensitive when its modes of business have been discussed in the press, by which sensitiveness it has, we fear, gained nothing. That it occupies, in some respects, a better position than it did some years ago, we are glad to be able to admit. To these improvements we claim to have materially contributed in these columns although the officers of the company did not at the time thank us for strictures, which they were afterwards constrained, not only to admit to be well founded, but to act upon.

There may still be weak spots in the company's walls, and if so, it will be the course of wisdom for the directorate to turn its whole attention to repairing the breaches instead of wasting further time and money in attempts to vindicate, by means of the value of which it is at least questionable, a reputation which, after all, can be improved only by the legitimate means of far-seeing and economical management. If these suggestions are received in the spirit in which we offer them, the result will be more advantageous to the company than any number of dollar verdicts in expensive libel suits.

## THE LEATHER MARKET DURING 1883.

After carefully scanning the market for leather and hides, here and in the States, both now and during the past year, it may be well that we should note some of the past and present features of these trades. The year 1883 opened with prospects not over bright for the tanner. Although hides were in brisk demand and high prices were paid, tanning materials of all kinds were high, excepting gambier and sumach, which towards the close of the year reached higher prices than were before known. Bark and labour were, however, high at the commencement. The heavy Boston failures during the year, and the failure of some parties who were controlling the

bark interest, has broken the price of that article. Otherwise the very small margin between the raw and manufactured article did not hold out a very flattering prospect for the tanner. Now, at the beginning of another year, with the prices of leather still weaker, the tanner's outlook for a margin of profit is not improved. We should still strongly advise the curtailing of his operations.

Although hides are hardly commanding the same prices as on January 1st, 1883, they being then worth here 8½ to 9 cents per pound and selling now at 8 to 9 cents, we are still satisfied that the prudent course is to lessen production. In the States, the supply of leather has been found sufficient for requirements, although perhaps fifteen to twenty millions of pounds less of hides have been worked in than was done in the year that has just closed. The volume of trade up to the middle of November was fairly well maintained. Profits, however, were cut very fine. If out of these the losses by bad debts, which were heavier than for several years previous, be provided for, hardly any large margin remains for those who have toiled the year through, as manufacturers of leather.

Unlike some former years, a remarkable sameness characterized the current demand for the various grades of leather, although in the early part of August it did look as if some kinds, more especially prime Spanish, would have reached higher figures than for some time before. But as the accounts came in from the various countries, indicating a shorter crop than usual, trade began to slacken and prices, instead of stiffening, rather weakened, and are now just where they were when the year opened. The only kind of leather of which there has been no real surplus is prime, overweight, Spanish sole, which has been in good request throughout the twelve months. This is the only article of leather in which the year can be said to close without a surplus. A marked decline is shown in the value of harness leather; prime heavy is in good fair demand, and prices for this kind have been fairly well maintained. But of light there has been a very marked decline in value, and common grades of this description are entirely neglected. Several of our tanners are making a very good grade of calfskin and veal kip, the demand for which has been fairly well maintained and is likely to be. For a year or two past the product of two or three makers has been gradually pushing out common goods, and these makers now have the market largely in their own hands. We would urge upon them, having attained this vantage ground, that they should not rest satisfied, but keep on improving the grade and quality of their stock, and by so doing displace a larger proportion of French skins. The year closes without any surplus of moment in these grades of stock. Buff and pebble have about held their own, but there is a constant desire for a better class of stock. Common has been sold down at unremunerative prices. Splits during the year have been sold at lower rates; some of our better makes have not been allowed to accumulate much, but prices on the whole would not enrich the tanner. Upper has ruled low during the entire year, and the market is now weak. This cannot be said to be caused by any serious over-production.

The outlook at present can scarcely be called very encouraging. The Boston leather market "does not improve," and is reported weak in some lines of finished leather. Stocks of hides there are, however, small. In Chicago, according to the *Shoe and Leather Review*, "the present condition of the leather trade shows no immediate cause for congratulation." Advices from New York are of a more favorable tenor. Not so