

NON-SUITING AT THE TRIAL.

IN the recent libel suit of *Adams v. Coleridge*, Mr. Justice Manisty non-suited the plaintiff after the jury had returned a verdict in his favor of £3,000. The defendant is the son of Lord Chief Justice Coleridge, and Mr. Justice Manisty has been vigorously denounced for overruling the jury—the defendant's relationship to a brother judge being assigned as the reason for the unusual act.

The alleged libel was contained in a letter written by the defendant to his sister who was engaged to be married to the plaintiff. It contained many statements which were beyond doubt libellous, and which were at the trial proved to be untrue. The defendant pleaded that the letter was a privileged communication, and placed his whole defence upon that ground.

At the close of the plaintiff's case a non-suit was applied for, but the judge refused to express an opinion, and determined to allow the case to go to the jury. The closing part of the charge, as reported in *The Times* (Eng.), was as follows:—"In conclusion, he told the jury that if they were satisfied that the defendant wrote the letter honestly, and from no bad motive, then they ought to find for the defendant; but if they were satisfied that he wrote it maliciously and from some bad motive then they would find for the plaintiff."

When the jury returned from deliberation the foreman said—"We think that the defendant not having retracted when he was offered the opportunity, there must have been some vindictiveness in his mind, that having the opportunity once offered to him he did not accept it."

"The learned judge.—Do you say that upon that ground you find for the plaintiff?"