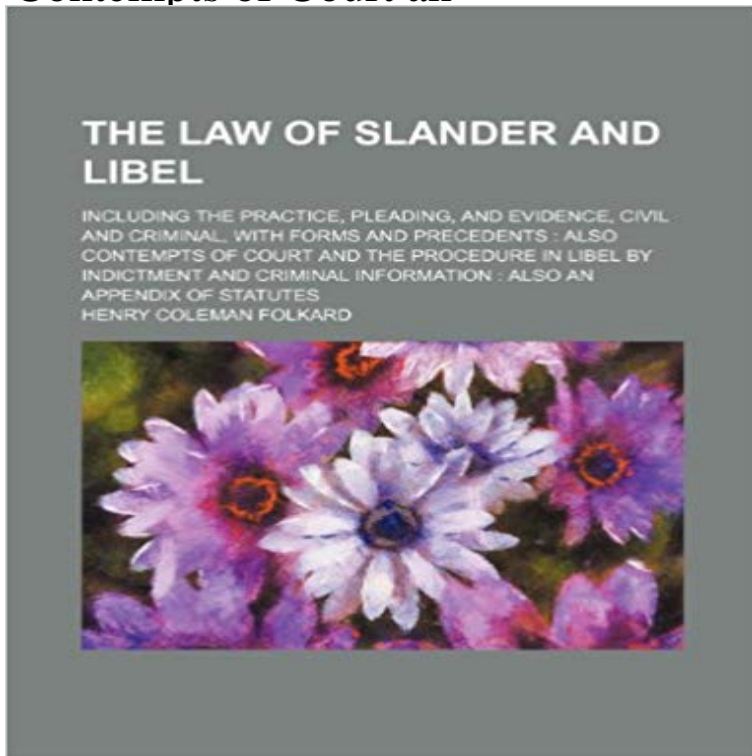


# The Law of Slander and Libel; Including the Practice, Pleading, and Evidence, Civil and Criminal, with Forms and Precedents Also Contempts of Court an



This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1908 edition. Excerpt: ...and the latter circumstance is to be taken into consideration by the court or a judge in exercising their discretion under that section (k). And where, in an action for slanderous words uttered by the female defendant, commenced and tried in a superior court, a verdict was found for the plaintiff for ?10, and the judge refused to certify: On an application to the court for costs, it was held, that, assuming the section to apply to cases in which the County Court had no jurisdiction, as the plaintiff had recovered an amount much beyond what would have entitled him to costs under the general law applicable to actions for slander, and as he could not have sued in the County Court, he ought to be allowed his costs; and the rule was made absolute accordingly (I). By R. S. C, (m), when issues in fact and law are raised Costs where several issues. upon a claim or counter-claim, the costs of the several issues Chaptm XX. respectively, both in law and fact, shall, unless otherwise ordered, follow the event () The effect of this rule is, to give the court or judge a discretionary power (as in rule 1) over the costs where there are several issues. But, when not otherwise ordered, the costs are to follow the event. In which case, where the plaintiff succeeds on some issues and the defendant on others, the costs of particular issues must be taxed in favour of the party who has succeeded on them. The term event, in this rule, will be construed distributively. And therefore, where by the statement of claim, or defence, or other pleading, more than one definite issue is raised and determined; upon one of which the plaintiff obtains a verdict and judgment, and upon another the defendant

obtains the like, there are two ...

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