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**CHAPTER 72****LIBEL****ARRANGEMENT OF SECTIONS**

## SECTION

1. Short title.
2. Offer of an apology admissible in evidence in mitigation of damages.
3. In an action against a newspaper for libel, the defendant may plead that it was inserted without malice and neglect, and may pay money into Court as amends.



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**CHAPTER 72**
**LIBEL****An Act to amend the law respecting defamatory words and libel.**

*6 & 7 Vict  
c. 96 extended by  
8 of 1847*

*[Commencement 24th August, 1843]*

1. [This Act may be cited as the Libel Act.] Short title.
2. For the better Protection of private Character, and for more effectually securing the Liberty of the Press, and for better preventing Abuses in exercising the said Liberty: Be it enacted that in any Action for Defamation it shall be lawful for the Defendant (after Notice in Writing of his Intention so to do, duly given to the Plaintiff at the Time of filing or delivering the Plea in such Action), to give in Evidence, in mitigation of Damages, that he made or offered an Apology to the Plaintiff for such Defamation before the Commencement of the Action, or as soon afterwards as he had an Opportunity of doing so, in case the Action shall have been commenced before there was an Opportunity of making or offering such Apology. Offer of an apology admissible in evidence in mitigation of damages.
3. In an Action for Libel contained in any public Newspaper or other periodical Publication it shall be competent to the Defendant to plead that such Libel was inserted in such Newspaper or other periodical Publication without actual Malice, and without gross Negligence, and that before the Commencement of the Action, or at the earliest Opportunity afterwards, he inserted in such Newspaper or other periodical Publication a full Apology for the said Libel, or, if the Newspaper or periodical Publication in which the said Libel appeared should be ordinarily published at Intervals exceeding One Week, had offered to publish the said Apology in any Newspaper or periodical Publication to be selected by the Plaintiff in such Action; and that every such Defendant shall upon filing such Plea be at liberty to pay into Court a Sum of Money by way of Amends for the Injury sustained by the Publication of such Libel, and such Payment into Court In an action against a newspaper for libel, the defendant may plead that it was inserted without malice and neglect, and may pay money into Court as amends.

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shall be of the same Effect and be available in the same Manner and to the same Extent, and be subject to the same Rules and Regulations as to Payment of Costs and the Form of Pleading, except so far as regards the pleading of the additional Facts hereinbefore required to be pleaded by such Defendant and that to such Plea to such Action it shall be competent to the Plaintiff to reply generally, denying the whole of such Plea:

*8 of 1847.*

[Provided always that it shall not be competent to any defendant in any action referred to and mentioned in this section, to file a Plea under the authority of this section without at the same time making a payment of money into Court by way of amends as provided by this Act, but every such plea so filed without payment of money into Court shall be deemed a nullity, and may be treated as such by the Plaintiff in the Action.]