

RESTATEMENT OF TORTS (2D) §§ 559, 581

§ 553. Fraudulent Misrepresentations Inducing Gifts to Maker or Third Persons

One who by a fraudulent misrepresentation, or by the nondisclosure of a fact which as between himself and another it is his duty to disclose, intentionally induces the other to make a gift to him or to a third person is subject to liability to the donor for the loss caused by the making of the gift.

§ 559 Defamatory Communication Defined

A communication is defamatory if it tends so to harm the reputation of another as to lower him in the estimation of the community or to deter third persons from associating or dealing with him.

§ 581 Transmission of Defamation Published by Third Person

(1) Except as stated in subsection (2), one who only delivers or transmits defamatory matter published by a third person is subject to liability if, but only if, he knows or has reason to know of its defamatory character.

(2) One who broadcasts defamatory matter by means of radio or television is subject to the same liability as an original publisher.