

mitted is that any one who has passed the Primary Examination for Articled Clerks should be permitted at any time within five years thereafter to present himself for the Primary Examination for Student-at-Law, upon payment of a fee of \$10; and in the event of his passing such examination, it is to be allowed to him without requiring to forego the time heretofore served by him under articles.

The Committee are of opinion that it would be reasonable to adopt the above view.

The report was received and, together with the report of the Finance Committee on the same subject presented to Convocation on 29th June last, was ordered for consideration forthwith and adopted.

Mr. Hoskin, in the absence of Mr. McCarthy, seconded by Mr. Murray, moved for the reconsideration of Mr. Urquhart's case, pursuant to notice duly given, and that Mr. Urquhart be granted a Certificate of Fitness.

The motion was lost.

The letter of the Secretary of the Hospital Trustees of 2nd December, 1886, addressed to the Secretary of the Law Society, acknowledging the letter of the 30th ult., enclosing a copy of the resolution of Convocation of the 26th ult. relating to the conduct of a solicitor in the matter of the will of the late R. B. Butland.

Ordered, That the letter of complaint of 24th November, 1886, and the letter of the Secretary of the Trustees of the 2nd inst., be referred to the Discipline Committee to report whether a *prima facie* case had been made out. Carried.

Mr. Martin, seconded by Mr. Moss, moved the second reading of the rule to amend Rule 142. Carried.

The rule was read a second time.

Mr. Martin, seconded by Mr. Moss, moved the third reading of said rule.

The rule was read a third time and passed.

Mr. Martin read a report from the County Libraries Aid Committee, relating to the Guelph Library Association, which was received, ordered for immediate consideration, and adopted.

Ordered, That the sum of eight hundred dollars (\$800) be paid to the Wellington Law Association as an initiatory grant

on compliance with the conditions contained in the report.

Mr. Kerr, from the Committee on Journals and Printing, reported the printed draft of the consolidated Rules of the Society.

The draft was received, read, and ordered to be reprinted for consideration at the next meeting of Convocation.

Mr. Moss, from the Committee on Legal Education, reported with reference to the new revision of the Statutes of Ontario, that it is advisable to suggest to the Commission of Revisers of the Statutes that a system of nomination papers of candidates at the regular general election of Benchers should be approved in accordance with the system pursued for the election of members to the Senate of Toronto University.

The recommendation in the report was approved.

Convocation adjourned.

J. K. KERR,

Chairman of Committee on Journals.

NOTES OF CANADIAN CASES.

PUBLISHED IN ADVANCE BY ORDER OF THE
LAW SOCIETY.

COURT OF APPEAL.

Q. B. D.

[Feb. 1.]

BOWEN v. CANADA SOUTHERN RY. CO.

Railways—Expropriation—Damages—Leave of municipality—Reference.

The lands in question were lots 3, 4 and 6 in Clifton Avenue, in the town of Niagara Falls. The defendants had taken for the purposes of their railway, a small part of lot 3, and the plaintiff claimed damages for the injury caused to that lot and lots 4 and 6, by lowering the street in front thereof to enable the railway to be carried over the highway, in such a manner as to obstruct the plaintiff's access to his land.

Held (affirming the judgment of the court below), (1) upon the evidence, that the sum paid to the plaintiff for the part of lot 3 actually taken, included damages to lot 3, but not to lots 4 and 6. (2) That the claim as