

Province of British Columbia.

COURT OF APPEAL.

Full Court.] TAYLOR v. B.C. ELECTRIC RY. CO. JAN. 9.

Damages—New trial—Excessive verdict—Assessment of damages by Court of Appeal—Marginal rule 869a.

Where a plaintiff had recovered damages which, in the opinion of the Court of Appeal were excessive, the Court ordered a new trial. On the second trial a jury increased the damages from \$15,000 (granted in the first trial) to \$17,500, and the Court of Appeal, under marginal rule 869a assessed the damages at \$12,000.

See *Praed v. Graham* (1889), 24 Q.B.D. 53, 59 L.J.Q.B. 230; *Johnston v. Great Western Ry. Co.* (1904), 2 K.B. 250, 73 L.J.K.B. 568.

G. McPhillips, K.C., for appellant company. McCrossan, and Harper, for respondent.

Bench and Bar.

ONTARIO BAR ASSOCIATION.

The annual meeting of the Ontario Bar Association was held at Osgoode Hall, Toronto, on December 27-8, 1911. The proceedings of the meeting were both interesting and instructive, and indicated that the Association has justified its existence. The retiring President, Mr. Elliott, delivered his farewell address, and was followed by the Honorary President, Mr. E. F. B. Johnston, K.C., who discussed "The conduct of a case at common law." Mr. J. E. Farewell, K.C., of Whitby, gave some reminiscences of the *Anderson* trial, a notable event in the annals of Canadian history.

A number of reports were read, which told of the large scope of the work undertaken by the Association, dealing, amongst other things, with the following subjects: Law reform; Legal ethics; Legal history; The jury system; The abolition of the right to dower; Allowances to jurors, The establishment of a Divorce Court; Revision and consolidation of the rules of practice and tariff of fees; also some matters connected with