

against a carrier to recover damages for personal injury. The defendants had a policy in an insurance company to cover any loss in such cases as that in question. At the trial the plaintiff's counsel asked a question intended to elicit the fact of the insurance company being at the back of the defendant's company. The question was objected to and the objection was sustained; but the fact of the insurance necessarily came to the knowledge of the jury. The trial judge directed that all that had been said on the subject by counsel should be stricken out and disregarded by the jury. It was held that the verdict obtained under such circumstances could not be held. The learned judge who spoke for the Appellate Division, when the case was sent back for a new trial, said (we quote from the *American Law Notes*):—"The law is well settled that it is improper to show in an action of negligence that the defendant is insured against loss in case of recovery against it on account of its negligence. This was expressly held in *Wildrick v. Moore*, 66 Hun. 630. It is not proper to inform the jury of such fact in any manner. It is not material to any issue involved in the trial of the action." There was a similar ruling in *Cosselmon v. Dunfee*, 172 N.Y. 507, in which case the verdict for the plaintiff was also set aside and a new trial ordered. A reference to the law as above stated is very desirable at the present time as the objectionable practice referred to by our contemporary is said to be too common in negligence cases in this country, though the rule here is the same. See ante p. 79.

The *Medico-legal Journal* of New York under the able editorial management of Mr. Clarke Bell, L.L.D., a member of the United States Bar, takes up and deals with the subject of preventive legislation in tuberculosis cases in connection with the American International Congress on this subject to be held at the St. Louis Exposition this month. This matter has been placed on the list of International Congresses, and a committee of organization of leading men of various nationalities, including this Dominion, has been appointed.

Preventive legislation in this direction is so important as to demand attention not only from the medical profession and philanthropists but also from the legislator and the lawyer. It has now become rather a legal question than a medical one. The medical