

Full Court.]

[Nov. 28, 1907.]

WORLD PRINTING CO. v. VANCOUVER PRINTING CO.

Practice—Costs—Successful party—Power to deprive him of costs—"Good cause"—Marginal Rule 976.

In an action for libel between two newspapers arising out of statements as to their respective circulation, the trial judge found on the facts that the statement made by the defendant newspaper was not established; but he came to the conclusion that there had been no special damage suffered by the plaintiff newspaper in consequence of the statement, and gave judgment dismissing the action without costs.

Held, that under the rule governing costs in British Columbia, as distinguished from the English rule, the trial judge must find good cause for depriving a successful party of his costs; and here there was not such good cause.

Davis, K.C., for appellant (defendant company). *Martin*, K.C., and *Wintemute*, for respondent (plaintiff company).

JUDICIAL APPOINTMENTS.

Hon. Sir Thomas Wardlaw Taylor, Kt., to be judge, pro tem., of the Exchequer Court of Canada during the illness of the Hon. Mr. Justice Burbidge. (Jan. 21.)

John Donald Cameron of the City of Manitoba, Barrister-at-law, to be puisne judge of the Court of King's Bench for Manitoba. (Jan. 21.)

Edward Arthur Cracken McLorg, barrister-at-law, to be judge of the District Court of the Judicial District of Saskatoon, in the Province of Saskatchewan. (Dec. 10, 1907.)

The Living Age opens well for the new year. No publication that we know of gives so continuously such good reading as does this compilation, and this is not surprising as it gets its material from all sources. It is refreshing to see something substantial and informing amidst the mass of foolish trash and insane stories which now so generally form the literary food especially of young people. The articles selected are from such publications as the *Fortnightly Review*, *Cornhill*, *London Times*, *Nineteenth Century*, *Blackwood's*, etc.