

## THE JOINT MID-WINTER MEETING OF THE ATLANTIC SECTIONS OF THE CANADIAN BAR ASSOCIATION

Following last year's successful mid-winter meeting of the New Brunswick members of the Canadian Bar Association, it was decided to hold a similar meeting this year and to invite members of the Association from the other Atlantic provinces. The meeting took place at the Admiral Beatty Hotel and the University of New Brunswick Law School in Saint John on March twenty-second and twenty-third, 1957, under the general chairmanship of the New Brunswick Vice-President of the Association, D. Gordon Willet, Q.C. The organizing committee consisted of E. Neil McKelvey, Dean William F. Ryan, George J. Bigham, Douglas G. Rouse, Thomas L. McGloan and Eric L. Teed. A varied ladies programme was organized by Mrs. D. M. Gillis, Mrs. D. G. Willet, Miss M. L. Lynch, Mrs. H. E. Ryan and Mrs. E. N. McKelvey. There was a large representation of the Bar of New Brunswick and several members of the Bars of Nova Scotia and Prince Edward Island including the Vice-President of the Association for each of those provinces, Donald McInnes, Q.C., and M. A. Farmer, Q.C., respectively.

The meeting began at 2 p.m. Friday, the twenty-second, with the first of four papers in a symposium on selected legal topics conducted by the Legal Education and Training sub-section of the Canadian Bar Association, the Faculty of Law of the University of New Brunswick and the Faculty of Law of Dalhousie University. Wallace D. Macaulay, Lecturer in Agency at the University of New Brunswick Law School, delivered this paper. It is entitled "Vicarious Liability of a Master for the Torts of His Servants" and is reproduced elsewhere in this issue.

This was followed immediately by sub-section meetings on the Administration of Criminal Justice chaired by Henry E. Ryan and the Administration of Civil Justice presided over by John P. Palmer. At the first of these meetings, there were discussions of proposed amendments to the Criminal Code prohibiting publication of statements made by an accused before trial and to the Poor Prisoners Defence Act providing for fees for counsel for indigents charged with criminal offences triable at County and Supreme Courts. At the second meeting, several matters relating to the Supreme Court of Canada were discussed, namely, the advisability of increasing the number of judges and having the Court sit in two divisions; restrictions on rights of appeal; and the adequacy of the tariff of costs in the Court and of current practice respecting security for costs. In addition, consideration was given to draft amendments to the Garnishee Act providing for standing garnishee orders of future wages.

The meeting continued that evening when the second paper of the Symposium was delivered by G. V. La Forest of the Faculty of Law of the University of New Brunswick. The paper, "The Rights of Land-owners in New Brunswick respecting Water in Streams on or adjoining their Land", is also substantially reproduced in this Journal.

Later in the evening, a meeting of the Insurance Law sub-section was held under the chairmanship of Donald M. Gillis. The first matter discussed was automobile insurance coverage and the Unsatisfied Judgment Fund as a source of compensation for damages occasioned by motor vehicles. A panel of several lawyers then considered practical problems in Insurance Law. Finally a discussion was had on recent changes in insurance coverage.

The evening concluded with a reception sponsored by the barristers of Fredericton and Moncton.

Saturday morning, meetings of the Commercial Law and Labour Relations sub-sections took place. At the former, a discussion was held, under the chairmanship of J. Edward Murphy, Q.C., on desirable provisions in the proposed new New Brunswick Companies Act. Lester G. Hoar presided over the Labour Relations meeting. At the meeting E. Neil McKelvey gave a talk on the rights and remedies of parties to collective agreements with reference to enforcement and prosecutions. The talk is reproduced elsewhere in this Journal. Mr. Hoar then spoke on the extent that an employer may communicate with his employees during the period of organization before certification of a trade union. The activities of this sub-section concluded with a discussion of proposed amendments to the Labour Relations Act.

A short informal talk on the value of studying international law was then given by Maxwell A. Cohen of the Faculty of Law of McGill University. Following this, Dean W. F. Ryan of the Faculty of Law of the University of New Brunswick delivered the third paper of the Symposium on "The Rights of a Defaulting Buyer under a Contract of Sale". The paper is not available for publication at this time.

Following a pleasant luncheon at the University of New Brunswick Law School, the meeting resumed with the final paper of the Symposium by R. Graham Murray of the Faculty of Law of Dalhousie University. The paper, "The Law of Evidence; a Fresh Approach", was distributed in mimeographed form at the meeting. It is not available for publication at this time.

The final sub-section meetings were on Taxation and Civil Liberties. At the former, a panel discussion on practical problems arising in the valuation of estates for succession duty purposes was held. The principal speaker on this topic was L. H. Meier, Manager of the Central Trust Company of Canada at Saint John. M. Gerald Teed, Q.C., then gave the highlights of the amendments to the Income Tax Act proposed by the Canadian Bar Association and the Canadian Institute of Chartered Accountants. The meeting was chaired by David M. Dickson. At the Civil Liberties sub-section meeting, presided over by William A. Gibbon, practice respecting prerogative writs and bailable proceedings was discussed as well as provisions of the Provincial Hospitals Act relating to the liberty of the subject.

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At the business meeting chaired by D. Gordon Willet, Q.C., several resolutions were passed among which was one to hold a similar meeting next year. A reception sponsored by the Saint John Law Society followed. The meeting concluded with a dinner at the Admiral Beatty Hotel presided over by Mr. Willet. The guest speaker, Maxwell A. Cohen of the Faculty of Law of McGill University, delivered an illuminating address on "The Legal Issues that Divide Canada and the United States." The speaker was introduced by Dean William F. Ryan and was thanked by David M. Dickson.