

N. B. BARRISTERS

Mr. J. H. Drummie, K.C., Saint John, was re-elected president of the New Brunswick Barristers Society at its annual meeting held in St. Andrews on June 21 and 22. Others elected were A. B. Gilbert, K.C., Saint John, vice-president, and A. McF. Limerick, Fredericton, secretary-treasurer and librarian. Also elected to the Council were G. T. Mitton, Moncton; D. R. Bishop, K.C., Woodstock; M. Gerald Teed, Saint John; A. M. Robichaud, K.C., Bathurst; G. H. Nicholson, St. Stephen; J. A. Pichete, Edmundston, and J. E. Friel, Moncton.

The 1949 convention of the Society will again be held at the Algonquin Hotel, St. Andrews, it was decided.

J. H. Drummie, K.C., presided at the meeting. He expressed regret on behalf of the Society, at the death last year of E. Allison MacKay, secretary-treasurer of the Society for many years.

The Council for this year will study the possibilities of tightening regulations regarding admission of students-at-law. Personal interviews of all candidates for admission as students-at-law, followed by investigation by a committee of barristers practising in the applicant's residential area was recommended by several speakers. Closer check on the candidate's scholastic record, integrity and general character was also suggested.

The Society will continue to press the Provincial Government for changes in legislation to prevent unqualified persons carrying on conveyancing and other work for which barristers and solicitors alone have adequate training. The Society's bill to bar justices of the peace from executing deeds and such instruments was killed by the Legislature's Corporations Committee at this year's Session.

Another matter considered by the meeting was the granting of Supreme Court practising certificates to barristers who have been active in the profession for some years, but who have never received such documents because of a situation prevailing at the time of their admission to the Bar. This matter also will be studied by the new Council.

A decline in the number of students-at-law during the last year was attributed to the fact that the majority of veterans who contemplated following the legal profession had already completed their courses and the number taking law had passed the peak.

A committee was appointed by the Council to consider the advisability of introducing the so-called Manitoba plan of finan-

cial responsibility of motor vehicle operation in the Province. Introduction of the plan would, in effect, make vehicular insurance compulsory and would provide for impounding of vehicles involved in accidents where their owners do not have their vehicles insured for such cases.

The first day of the two-day convention was highlighted by Sir James Dunn, internationally-known industrialist, who was the guest speaker at the convention luncheon.

A resolution calling for adoption in New Brunswick of Highway Safety legislation similar to that enacted in Manitoba in 1945 was passed at the closing meeting of the Society's convention. Also endorsed in principle at this last meeting was the right of New Brunswick citizens to take action against the Crown in the right of the Province in torts and in contracts. The Provincial Government will be urged to enact legislation to provide for exercising these rights, it was decided. Speakers stressed that federal laws make provision for action against the Crown by petitions of right, and a movement is underway to amend the regulations in the interest of the citizens, both in the Dominion and in the Province of Ontario.

The whole legal situation regarding suits against the Crown is based on the principle that the King can do no wrong. The Royal prerogative, formerly a personal prerogative of the Crown, has been extended to cover many phases of government activity, speakers stressed, and the position should be qualified in view of the fact that the government program now effects many phases of community life.

PROBATE . . . FILING OF WILLS

The cutting and filing of a piece of tractor fender illustrates the extent to which the courts will carry the 'letter of the law'.

This is discussed in 26 C.B.R. 1242 and concerns a recent Saskatchewan case. In Saskatchewan holograph wills may be valid. The deceased was working on his farm and got caught between the rear of his tractor and a disc it was towing. He scratched his will on the rear fender of the tractor and later died as a result of injuries sustained in the accident.

The judge directed the original will be left on file and accordingly the piece of fender containing the writing was cut off and filed.