the action of nature, that does the mischief, though without the action of nature the mischief would not be done." *Landreville* v. *Gouin, 6 Ont. R. p. 461.* The question whether there has been any negligence or improper construction of the roof, is a question for the jury. *Ibid.* Apart from these there is no common law liability. *Lazarus* v. *Toronto, 19 U. C. 9.*

ICE ON SIDEWALKS.—The defendants (in *Shelton* v. *Thompson, 3 Ont. R. 11,*) were the owners of a building on a street. A pipe connected with the eave trough, conducted the water from the roof down the side of the building, and by means of a spout, discharged it upon the sidewalk, where in the winter it was formed into a ridge of ice, upon which the plaintiff slipped and fell. The jury found that the defendants did not know of the accumulation of the ice, and that he ought not reasonably to have known of it. *Held* that the carrying of the water to the sidewalk was a harmless act; the action of the weather was the proximate cause of the accident; and the defendants not having knowingly allowed ice to accumulate, were not responsible. Armour, J., however, dissented upon the very reasonable ground, that the formation of the ice was the natural, certain, and well known result of conducting the water to the sidewalk, and that the defendants were, therefore, responsible for the result of their action.

OBSTRUCTIONS TO HIGHWAY OPPOSITE PLAINTIFF'S WINDOWS OR DOORS.—At first sight it might appear reasonable to say that if A. and B. have adjoining wharves, that A. should have no right to bring alongside of his wharf vessels which would necessarily overlap B's. wharf; and yet when it is considered that each has the same right to use the *water*, the question comes back to whether or not A. is making an unreasonable use of it. If A. take a vessel alongside both wharves at a time when B. does not wish to bring in another vessel, B. cannot complain. *Original Hartlepool Collieries Co.*, v. *Gibb, 5 Ch. Div. 713.* There is no differ-