

was upheld as beneficial, since it was a condition of service, and the company subscribed to an insurance fund. In the other (*Flowers' Case*) a condition on a workman's cheap ticket exempting the company from liability for negligence was treated as invalid. The law relating to landlord and tenant has been enriched by the decision that a bailiff may climb over a garden wall to levy a distress (*Long v. Clarke*). The doctrine that reasonable probability of bias disqualifies for judicial functions was applied in *In re The Overseers of Workington* to the case of a magistrate liable for the rate appealed from, and to the case of the General Medical Council (*Allison's Case*); but in *The Empire Company v. The London County Council* the Divisional Court dwelt upon the special considerations applicable to bodies which are in substance administrative, although their work may be in some respects of a judicial character. The ruling in *Ives and Baker v. Williams* and *Ackersley v. The Mersey Docks*, that an agreement to refer to a named arbitrator is not to be disregarded merely because the person indicated is the servant of one party to the dispute, or is the author of the difficulty which has occasioned the disagreement, points to another limitation of the doctrine, and has great practical importance for building and engineering contractors. The extreme difficulty of raising an estoppel by negligence in the case of a bill of exchange which has been fraudulently altered is illustrated by *Scholefield v. The Earl of Londesborough*, where an acceptance was so drawn as to allow £500 to be changed to £3,500, but the holder recovered the smaller sum only. The curious, and probably exceptional, facts of *Mighell v. The Sultan of Johore* may militate against the value of the decision as a precedent. The defendant was sued for breach of promise to marry given when he was masquerading as a private gentleman, and, as a reigning sovereign, he claimed and obtained exemption from the jurisdiction of the Court. And with this may be classed another monument of out-of-the-way learning, *Lemmon v. Webb*, in which the House of Lords decided that a cause of action for trespass by the branches of trees is not subject to limitation, and that the nuisance may be abated without notice to the owner.

In criminal law the "case of walnuts" brought out a remarkable difference of judicial opinion, and in the result the Court for Crown Cases Reserved quashed a conviction for selling the unsound fruit "for the food of man," where the sale was on condition that the buyer should destroy all fruit found to be unsound