run against him if there was sufficient room for the defendant to pass without any inconvenience. Thus, as in *Clay* v. *Wood*, 5 Esp., 44, the plaintiff's servant was riding on the wrong side of the road, but near the middle of it. The defendant was the owner of a chaise, then driven by his servant. On coming out of another road, the defendant's servant crossed the road over to that side of the road in which the plaintiff's servant was riding. This was the defendant's proper side. There was ample room to pass the plaintiff, even although he was on his wrong side. In crossing the road, which the defendant's servant did negligently, the shaft of the chase struck the plaintiff's horse and injured it. Notwithstanding the fact that the plaintiff was on his wrong side, the defendant was held liable. The question Lord Ellenborough left to the jury was, whether there was such room that though the plaintiff's servant was on the defendant's wrong side of the road, there was sufficient room for the defendant's carriage to pass between the plaintiff's horse and the other side of the road. Rook, J., took the rule of law to be that "if a carriage, coming in any direction, left sufficient room for any other carriage, horse, or passenger coming on its side of the way, that it was sufficient; but it was a matter of evidence if the defendant had done so. The driver was not to make experiments, he should leave ample room, and if an accident happened for want of that sufficient room he was, no doubt, liable," *Wordsworth* v. *Willan*, 5 Esp., 273. This has been followed in the recent case of *Finegan* v. *London and North-Western Railway Company*, *ante* p. 663. Should, however, persons, one of whom is on the wrong side, meet on the sudden or in a dark night, and an injury result, the party on the wrong side will be held answerable, unless it clearly appears that the party on the right side had ample means and opportunity to prevent it. It follows that if a person drives his carriage on the wrong side he must use more care, and keep a better look-out to avoid collisions or accidents than would be necessary if he were using the proper side of the road. In other words, where there are two courses, one of which is perilous and the other safe, the driver is bound to adopt that which is safe. When there is no carriage on the road the driver may keep in the middle of the road, and is not bound to keep on the left-hand side, even though the accident might have proceeded from the carriage not being on its proper side. If he sees a horse or carriage coming furiously along on its wrong side, while he is on his right side, it is his duty to give way and avoid an accident, although, in doing so, he goes a little on what would otherwise be his wrong side. A similar rule applies to saddle-horses, and also, it is presumed, to bicycles, as applies to carriages, but the rule does not apply to the case of a foot-passenger, although he has a right to walk along the carriage-way. Accordingly, the mere fact of a man's driving on the wrong side of the road is no evidence of negligence in an action brought against him for running over a foot-passenger who was crossing the road. Drivers of carriages, however, must take care to avoid driving against a foot-passenger who is crossing the road, and, on the other hand, foot-passengers in crossing the road, are bound to take due caution in avoiding vehicles. It follows, therefore, that, in order to sustain an action for injury sustained by the negligent driving of the