

whether their careless acts are severable and (b) whose negligence was the proximate cause of the accident.

3. If the carelessness is severable the court will hold the defendant liable not only if he was the last one negligent, but also if by his prior carelessness he prevented himself from avoiding the consequences of the plaintiff's want of care.

Probably this formula will not help much more than others but it may avoid the introduction of new terms into the already redundant and confusing nomenclature of the law of negligence, a defect referred to by the Privy Council in the *Loach* case. To repeat what was said at the outset the difficulty is not in providing names or even rules applicable to the law of negligence, but in making the facts of each case actually tried fit into any formula.

Some day when we are more enlightened we shall insure against all accidents to the public not criminal just as we insure against injuries to servants and then these ill-fitting and complicated rules of negligence in accident cases will largely become obsolete.

Bench and Bar.

JUDICIAL APPOINTMENTS.

Hon. William Egerton Perdue, a Puisne Justice of the Court of King's Bench, Manitoba, to be Chief Justice of the Court of Appeal for Manitoba, with the style and title of Chief Justice of Manitoba.
(May 25, 1918.)

Albert Watson Bennet, of the Town of Sackville, in the Province of New Brunswick, to be Judge in the County Court for the Counties of Westmoreland and Kent, in the said Province.
(May 27, 1918.)

War Notes.

LAWYERS AT THE FRONT.

KILLED.

- Charles Bevers Scott, Lieutenant 166th Battalion, Windsor, killed, July, 1917.
Leonard Charles Jarvis, Lieutenant 142nd Battalion, London, killed, 1917.
George H. Ross, Winnipeg, Captain, killed, 1917.
Hugh J. Watson, Lieutenant, Student, Toronto, died of wounds received at Vim Ridge, Nov. 29th, 1917.
Howard Kilbourn Harris, Toronto, Capt in Essex Regiment, Imperials won Military Cross, killed February, 1918.