

third of the grounds on which the judgment is rendered is decidedly open to criticism. From a merely judicial standpoint, however, the fact that the correctness of the rulings on these aspects of the case are of very questionable soundness is of slight importance, as the second of the grounds assigned is amply sufficient to warrant the rejection of the plaintiff's claim to anything more than nominal damages. But while so much may be conceded, we cannot refrain from adding that, from a purely ethical and social standpoint, the defendant's position seems to be about as weak as it could well be. By standing upon his strictly technical rights he has, perhaps, succeeded in adding another to the list of "hard cases" which, as the stern old adage has it, "make bad law," if the decision really does merit that description. But in taking this course he has chosen the reverse of "the good part," and earned the contempt of every just-thinking, liberal-minded man. Upon any view of the evidence this much at least is certain—that, whether he did or did not interfere with the movements of the plaintiff, the interposition of the latter's person did really save him from terrible injuries. Under these circumstances the catastrophe laid him under a moral obligation of the strongest kind to use a reasonable portion of his immense wealth for the purpose of indemnifying the plaintiff, not merely for the terrible sufferings which were the immediate consequence of the accident, but for the physical ruin of his life.

A favourite task of the humourists who earn a laborious living by concocting items for the funny columns of the American newspapers has been the invention of various situations which are supposed to exhibit the principal actor in the character of the "meanest man on earth." The decision before us proves once more how easily the figments of the most fertile brain may be dwarfed by actual occurrence. For the future this particular type of joke will doubtless take a new shape. The ideal "meanest man" having been found at last in the person of a New York millionaire, it will henceforth be a case of "Eclipse first and the rest nowhere," and comic journalists will humbly content themselves with drawing comparisons between Mr. Sage and the paltry creations of their fancy, and estimating precisely how far they fall behind their matchless living antitype.

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