

Goddard's Law of Easements, 7th ed., p. 5; *Rex v. Jolliffe* (1787), 2 T.R. 90; *Clifford v. Hoare* (1874), L.R. 9 C.P. 362; *Hutton v. Hamboro* (1860), 2 F. & F. 218; *Harding v. Wilson* (1823), 2 B. & C. 96; *Sketchley v. Berger* (1893), 69 L.T.R. 754.)

The judgment of the Court was delivered by MEREDITH, C.J.O.:—We think the law is plain. The only right of the appellant is a right of way; and the law is clear that, unless the cornice interferes with the reasonable use of the way, there is nothing of which the appellant can complain.

It would be quite open to the lady who owns the fee simple of the land, subject to this easement, to take objection to the cornice, and to get rid of the difficulty which Mr. Malone suggests would arise if the cornice were to remain 20 years.

The appeal must be dismissed with costs.

FEBRUARY 22ND, 1915.

BLOCH v. MOYER.

*Negligence—Collision of Vehicles on Highway—Injury to Traveller in Hired Vehicle Driven by Servant of Owner—Liability—Cause of Collision—Rule of Road—Highway Travel Act, R.S.O. 1914 ch. 206, secs. 3 (1), 5 (1) — Reasonable Care.*

Appeal by the plaintiff from the judgment of KELLY, J., ante 389.

The appeal was heard by MEREDITH, C.J.O., MACLAREN, MAGEE, and HODGINS, J.J.A.

H. S. White, for the appellant.

H. G. Tucker, for the defendant.

THE COURT dismissed the appeal with costs.