

defence should not be refused although there has been great delay in making it, only partially accounted for by negotiations for settlement, where no injury can be caused to the plaintiff by the amendment that cannot be compensated for in costs.

Johnson v. Land Corporation, 6 M.R. 527, and *Tildesley v. Harper*, 10 Ch. D. 393, followed.

McLau's, for plaintiff. *Card*, for defendant.

United States Decisions.

ACCIDENT INSURANCE.—Failure to Follow Physician's Directions: No indemnity should be allowed for an insured under an accident policy on account of an extension of the injury occasioned by his negligence to follow directions of his physician. *Maryland Casualty Co. v. Chew*, Ark. 122 S.W. 642.

ACCORD AND SATISFACTION.—CHECKS: A debtor paying by check containing a condition held authorized to withdraw the condition prior to the acceptance of the check by certification. *Drewry-Hughes Co. v. Davis*, N.C. 66 S.E. 139.—Payment by Check: The retention of a check which was shewn by a letter and voucher which accompanied it to be in full payment of the account sued on, without any explanation, held a payment in full of the account. *Goodloe v. Empson Packing Co.*, Mo. 122 S.W. 771.

AUTOMOBILES—LOOK AND LISTEN DOCTRINE IN REFERENCE TO STREET CROSSING BY PEDESTRIANS.—The New York Supreme Court, in Appellate Division, has held that it is not contributory negligence as a matter of law for one not to look in both directions as he steps from the sidewalk to cross a street, because vehicles must keep on their proper side: *Brantley v. Jaechel*, 119 N.Y. Supp. 107. The injury to the pedestrian was by an automobile proceeding at a rapid speed on the wrong side of the street. The rule as to looking both ways is distinguished from the case of one going on a railroad track, though one would not have to look but one way, it would seem, if the railroad was double-tracked. The court said: "It is no hardship upon owners of automobiles, which are travelling silently and without any signal of warning, as in this case, and on the wrong side of the street and close to the curb, to hold that the person in control of the car must be observant not only of what is directly in front