

except on the possible point of the abatement of the legacies referred to in the judgment, and nothing novel was decided on that point. *Fisher v. Webster*, notwithstanding the seeming absence of any English or Canadian decisions on the particular point raised, should be reasonably free from doubt, for all that was required was a way appurtenant to the principal parcel conveyed, that is, an easement only. In *Babcock v. Avers*, the defendant signed the memorandum of indebtedness, and the language certainly implies that this indebtedness should be paid in three equal annual instalments. If A. bequeaths to B., C. and D., the children of E., the sum of \$400, is it not obvious that B., C. and D. are each entitled to one-third. Just why the case reached the Court is more of a puzzle, unless the plaintiff had the bump of hope abnormally developed.

Attorney-General v. Hamilton Street Ry. Co., was properly reported and particularly in view of the previous decision of *Regina v. Tinning*, but why was *Patterson v. King* reported? The law is clearly laid down in *Mitchell v. Lee*, 8 B. & S. 92, a case that any careful counsel would know, and the law aside from this case would apparently be obvious. *Regina v. Coulson* was properly reported in view of a previous decision of *Regina v. Coulson* in 24 Ontario Reports, but why report the facts? Then we have *Ferguson v. Township of Southwold*. Was a report of the case needed? The jury found that the highway was out of repair, and certainly there was evidence to sustain that finding, and there are numerous cases deciding that the plaintiff was only bound to exercise his judgment as well as he could under all the circumstances to avoid the accident. The case may have been of some difficulty for the jury, but after the findings of the jury there could be no difficulty in applying the law. The plaintiff had a reasonable belief that by the course he took he would avoid the accident; that belief under the circumstances was not irrational, and the defendants were therefore liable for the plaintiff's damages. *Edgar v. Northern Ry. Co.*, 11 A.R. 452, a case involving the same principle, sufficiently enunciates the doctrine. Why again was it necessary to report *Stephens v. Beatty*? The defendant indiscreetly wrote a letter to the plaintiff giving an erroneous