

RAILWAY—CLOAK ROOM—DEPOSIT OF ARTICLE—DEPOSIT TICKET
—CONDITION ON TICKET—NON COMPLIANCE BY BAILOR WITH
CONDITIONS—NEGLIGENCE IN CUSTODY OF BAILMENT.

Gibaud v. Great Eastern Ry. Co. (1921), 2 K. B. 426. This was an appeal from the judgment of a Divisional Court (1920) 3 K.B. 680 (noted ante vol. 57, p. 180), and the Court of Appeal (Lord Sterndale, M.R., and Scrutton and Younger, L.JJ.) have affirmed the decision, that Court holding that the omission by the defendants' servant to put the bicycle in the cloak room did not entitle the plaintiff to recover having regard to the condition on the deposit ticket.

NEGLIGENCE—DEATH OF CHILD FOUR YEARS OLD—DAMAGES—
FATAL ACCIDENTS ACT, 1846 (9-10 VICT. c. 93), ss. 1, 2—
(R.S.O. 151, ss. 2, 3)—EVIDENCE.

Barnett v. Cohen (1921), 2 K.B. 461. This was an action under the Fatal Accidents Act to recover damages for the death of a child four years old in which two points are discussed. First whether depositions taken at a coroner's inquest together with the verdict and rider of the jury can be used in an action subsequently brought in respect of the death of the deceased which was the subject of the inquest as proof of the negligence of the defendant, and McCardie, J., held they could not. Second the question of damages and on this point the learned Judge held that a mere speculative possibility of pecuniary benefit did not constitute any ground of damages, and in order to recover the plaintiff must establish that he lost a reasonable probability of pecuniary advantage. The action for want of this evidence therefore failed.

WILL—SOLDIER—REVOCATION—WILL EXECUTED IN ACCORDANCE
WITH WILLS ACT—LETTER BY TESTATOR REQUESTING WILL
TO BE BURNT—WILL BURNT NOT IN PRESENCE OF TESTATOR—
WILLS ACT 1837 (1 VICT. c. 20) SECS. 9, 10, 11—(R.S.O.
120, s. 14, 23).

In Re Gossage, Wood v. Gossage, 1921, P. 194. This was a probate action and the question at issue was whether a will duly executed by the testator in accordance with the Wills Act could be subsequently revoked on the testator going on active