

was entitled to an injunction to restrain the threatened infringement, and could not be compelled to accept damages in lieu thereof, and the judgment of Kekewich, J., was varied by directing the damages to be confined to the injury sustained by reason of the building actually erected, and awarding an injunction restraining any further erection by the defendant.

WILL—CONSTRUCTION—"DEDUCTION"—MEANING OF.

*In re Buckle, Williams v. Marson*, (1894) 1 Ch. 286, was a case of construction of a will. The testator, by his will, gave several annuities, and directed "all the said annuities to be paid, clear of all deductions whatsoever, *except income tax*." By a codicil, after varying many of the legacies, he directed as follows: "That every legacy, and other interest as well, derivable under my will, as under any codicil thereto, shall be free of legacy duty *and every other deduction*." The question was whether the annuities given by the will were, by virtue of the codicil, to be paid free of income tax. The Court of Appeal (Lindley, Smith, and Davey, L.J.J.), though conceding that income tax is not, ordinarily speaking, a "deduction," yet as the testator had, by his will, plainly intimated that he regarded it as such, the effect of the codicil was to make the annuities payable free from income tax, and the judgment of North, J., to the contrary was reversed.

A PECULIAR case has recently been tried in Missouri. The action was brought by an old negress, an ex-slave, against her master for \$5 a month wages as a family domestic for twenty-four years, during which time she claims to have been kept in ignorance of her emancipation. Judgment was given in her favour for \$700. There seems to have been an appeal from this decision, but it is not clear, from the reference to the case which we find in the last number of the *American Law Review*, whether or not this judgment has been sustained on appeal, but we trust it may be. The maxim, *ignorantia legis neminem excusat*, should not, we think, be recognized in cases of imposition, misrepresentation, or misplaced confidence, and, as stated by the judge, "her ignorance of her legal rights should not defeat her action for such work and labour brought after she has learned of the fraudulent suppression of the fact of her emancipation."