increased litigation. It provides "that no municipal corporation shall be liable for accidents arising from persons falling, owing to snow or ice, upon the sidewalks, unless in case of *gross* negligence by the corporation." The draftsman clearly did not comprehend the effect of the term thus imported into the section. A reference to some of the English cases shows that there is no virtue in the word "gross," as applied to negligence. Rolfe, B., in *Wilson* v. *Brett*, 11 M. & W. 113, says that *gross* negligence is the same thing as negligence, with the addition of a vituperative epithet. In *Hinton* v. *Dibbin*, 2 Q.B., at p. 661, Lord Denman says "it may well be doubted whether between gross negligence and negligence merely any intelligible distinction exists." And, in *Fitzgerald* v. *Grand Trunk R.W. Co.*, 4 A.R., p. 623, the late Chief Justice Moss states the law to be "that the courts are now resolved to ignore mere verbal distinctions between different degrees of negligence as defining the true measure of liability." There is another case bearing on this point which may be read with interest—*Grill* v. *General Iron Screw Colliery Co.*, 35 L.J. C.P. 324, reported also in L.R. 1 C.P. 600. See also L.R. 8 Q.B. 57. This being the law, it is conceived that the mere use of the word "gross" in the statute cannot give any different meaning to the word "negligence" than the one it now has; but the question will likely come before the courts in one of the numerous cases always cropping up for trial in Toronto.

By c. 21 more liberal powers are given over property for the maintenance of infant children in cases where there is a gift-over in the event of there being no children to take under a power, or where the tenant for life or other person has power to dispose of the property in favour of persons other than the children.

Accounts need not now be passed in the Surrogate Court within the eighteen months by an executor or administrator where the estate is under $1,000, unless at the instance of some person beneficially or otherwise interested. Estates over $1,000 are placed in the same position until after next session, Surrogate Rule 19 being suspended. Surrogate fees on estates between $400 and $1,000 are reduced to one-half.

In order to provide against a recurrence of the difficulty which arose in *Pierce* v. *The Canada Permanent Loan and Savings Co.*, 24 O.R. 426, a short Act has been passed which provides that the mortgagee shall be protected to the full amount of his mort-