

UNITED STATES DECISIONS.

RAILWAY LAW.—Statutory permission to a railway company to lease its property is held, in *Chicago & G.T.R. v. Hart* (Ill.) 66 L.R.A. 75, not to absolve it from liability for injuries to employees of the lessee because of defects in the rolling stock, although they are due solely to the lessee's negligence, unless the statute so provides.

SCHOOL LAW.—A public school teacher, who repeats the Lord's Prayer and the Twenty-Third Psalm as a morning exercise, without comment or remark, in which none of the pupils are required to participate, is held, in *Billard v. Topeka Board of Education* (Kan.), 66 L.R.A. 166, not to be conducting a form of religious worship, or teaching sectarian or religious doctrine.

RIGHT OF WAY.—Continued use of a right of way which originated in necessity after the necessity has ceased is held, in *Ann Arbor Fruit & V. Co. v. Ann Arbor R. Co.* (Mich.) 66 L.R.A. 431, not to become adverse until notice of the adverse claim is brought home to the owner of the servient estate.

INSURANCE—CONDITION IN POLICY—"USE" OF INTOXICATING LIQUOR.—The following is a note of the judgment in *Pacific Life Ins. Co. v. Terry* (Court of Appeals of Texas, Insurance L.J. 281):

The application, which was a warranty, stated that insured did not "use" intoxicating liquors, and had never used them to excess. Held, that the answers to the questions in the application were not false because the applicant had occasionally drunk liquor. The questions referred to his habit or practice. Where there was conflicting evidence as to the temperate habits of insured, the verdict will not be disturbed. It is not error of the Court to fail to define the term "use" to the jury when not requested to so define.

NOT HIS FAULT.—Guiles Jackson, the celebrated negro lawyer of Richmond, in defending one of his clients in the police court, began to read from the code, says the *Virginia Law Register*. The police justice seemed to suspect that Mr. Jackson was reading something which was not there, and interrupted the lawyer, saying: "Mr. Jackson, I never heard of any such law as that." "Well, said the lawyer, "is you gwine to hold my client responsible for the ignorance of this court?"