

ing him to the conductor, so as to render the railroad company liable in case he causes injury by the use of excessive and unusual violence in so doing.

That it is the duty of a common carrier to provide reasonably safe approaches to its cars, and to provide such approaches with lights at night, is declared in *Messenger v. Valley City Street & I. R. Co.* (N.D.), 32 L.R.A. (N.S.) 881.

The liability of a carrier for suffering on the part of a sick person, due to its neglect promptly to transport and deliver medicine to him, is held in *Hendricks v. American Exp. Co.* (Ky.), 32 L.R.A. (N.S.) 867, not to be affected by the fact that the order was given without his knowledge or approval.

A railroad company is held in *Dingman v. Duluth, S. S. & A. R. Co.* (Mich.), 32 L.R.A. (N.S.) 1181, not to be prevented from granting to a particular person engaged in transferring passengers and baggage the exclusive right to a representative on its trains to solicit patronage, by a statute requiring such corporation to grant equal facilities for transportation of freight and passengers without discrimination.

**LIBEL.**—A petition presented to a police magistrate, charging misconduct on the part of occupants of a dwelling and asking that they be required to move therefrom, is held in *Flynn v. Boglarsky* (Mich.), 32 L.R.A. (N.S.) 740, to be absolutely privileged, if the charges are pertinent, material, and positive, although it cannot properly be called a pleading in a case.

**TRESPASS.**—The maintenance of the portion of the foundation wall of the building, which had without right been projected over the boundary line into the soil of the adjoining owner, is held in *Milton v. Puffer* (Mass.), 32 L.R.A. (N.S.) 1009, to be a continuing trespass or nuisance and for the injury inflicted by it upon him, one succeeding to the title of the adjoining property may maintain an action against the wrongdoer.

---

## Bench and Bar.

---

### JUDICIAL APPOINTMENTS.

Kenneth John Martin, of the city of Charlottetown, in the Province of Prince Edward Island, Barrister-at-law; to be Judge of the City Court of the city of Charlottetown. (Oct. 7.)