

passage of tenants is held, in *Gleason v. Boehm* (N. J.) 32 L. R. A. 645, not to include an obligation of the landlord to furnish lights at night, and he is therefore held not liable for injury to a visitor of a tenant who fell while trying to find the stairway in the dark.

Markets.

The occupant of a stall in a market under a provision in town laws that his license may be revoked for any cause which the board may deem sufficient is held, in *Hutchins v. Durham* (N. C.) 32 L. R. A. 706, to be a mere licensee, and not a lessee; and after the expiration of his license he is not in the position of a tenant holding over, but may be expelled as a trespasser if he refuses to vacate.

Negligence.

The rule that one who collects on his own premises a substance liable to escape and cause mischief must use reasonable care to restrain it, is applied in *Defiance Water Co. v. Olinger* (Ohio) 32 L. R. A. 736, to a large iron tank or standpipe containing water which stood within 50 yards of a dwelling house occupied by a servant of the owner of the tank; and the latter was held liable for injury to a guest of the tenant resulting from the bursting of the tank.

Injury to a child while playing on a pile of railroad bridge ties in the railroad yard, which is fenced except on the side along the railroad track, and out of which the servants of the company always ordered any children found there, was held in *Missouri K. & T. R. Co. v. Edwards* (Tex.) 32 L. R. A. 825, not to render the railroad company liable, as it was under no obligation to pile the ties so as to prevent injury by children climbing upon them.

The completion and acceptance of a contractor's work in reconstructing a building is held, in *Daugherty v. Herzog* (Ind.) 32 L. R. A. 837, to terminate his liability for negligence in the work, so far as to prevent any right of action against him by a third person subsequently injured.

Nuisance.

The recovery in a single action, of damages, both present and prospective, for failure to make a sufficient passageway for water through a railroad embankment, is held proper in *Ridley v. Seaboard & R. R. Co.* (N. C.) 32 L. R. A. 708, provided either party to the action demands that permanent damages be assessed.