

Validity: A contract for the sale of pianos for resale to the public by the buyer under a word contest held not invalid as contrary to public policy. *D. H. Baldwin & Co. v. Moser*, Iowa 123 N.W. 989.

CRIMINAL LAW.—Opinion Evidence: One may be qualified by study without practice, or by practice without study, to give an opinion on a medical question. *Copeland v. State*, Fla. 50 So. 621.

CRIMINAL TRIAL.—Discharge of Jury: The discharge of the jury in a capital case for illness of the judge held a discharge from necessity, so that accused was not placed in jeopardy. *State v. Vernado*, La. 50 So. 661.—**Misconduct of Jury:** Jurors speak through their verdict, and cannot violate secrets of the jury room and tell of partiality or misconduct that transpired there, nor speak of methods which induced to produce the verdict. *State v. Linn*, Mo. 122 S.W. 679.—**Witnesses:** Where accused was a witness in his own behalf, the court erred in charging that in general a witness who is interested will not be an honest, candid and fair as one who is not. *Holmes v. State*, Neb. 123 N.W. 1043.

CROPS.—Contracts: Party furnishing seed wheat for a fourth of the crop held to have a right thereto superior to a mortgage given by the other party on the entire crop. *Dobson v. Covey*, Kan. 105 Pac. 519.

DAMAGES.—Warning Against Sympathy: In an action for personal injuries to plaintiff, and for the death of his wife and three children from an explosion of illuminating oil, held that the jury should have been cautioned not to allow questions of sympathy or sentiment to enter into their deliberations. *Chapman v. Pfarr*, Iowa 123 N.W. 992.

EASEMENTS.—Ways of Necessity: Where there was no outlet to the public highway from land sold, the law implied a grant of a reasonable right of way from the remainder of the vendor's land to the vendee, and subsequent grantees of the vendor took subject to such right of way. *Roland v. O'Neal*, Ky. 122 S.W. 827.

FIXTURES.—Intent in Making Annexation: In ascertaining the intention to make machinery or other articles permanently a part of a factory building, adaptability to the work or business is important, and if necessary thereto, or to the purpose for which the building was designed and used, or a convenient ac-