

attachment of debts, absconding debtors, interpleader, proceedings under executions, etc.

The rules and forms appear in an appendix, together with a large number of additional forms concluding with the boundaries of Division Courts and other statutory provisions relating to these Courts, the whole having a full index of over 70 pages. The work of the printer and publisher has been done in first class style, the selection and arrangement of type and the marginal references being excellent.

Flotsam and Jetsam.

UNITED STATES DECISIONS.

Master and servant—Fellow servants—Incompetent servant.—The master is liable for an injury to a servant by the negligence of a fellow-servant where he had, before the injury, upon a complaint as to the incompetency of the negligent servant, promised the injured servant to put in his place a competent workman, provided such a time had not elapsed after the promise as to preclude all reasonable expectation that it would be kept. — *Brown v. Levy*, *Central L. J.*, 468.

Death by wrongful Act—Foreign statute—Action by administrator or parent.—We find two recent interesting cases on the subject of death by wrongful act. In *Mattherson v. Kansas City, Ft. S. & M. Ry. Co.*, 60 Pac. Rep. 747, the Supreme Court of Kansas holds that the Missouri statute giving a right of recovery for death caused by the neglect or wrong of another is so far penal in its nature, and so dissimilar in its provisions from the Kansas Statute authorizing a recovery for death by wrongful act, that it is not enforceable in the Courts of Kansas.

The Supreme Court of Arkansas decides, in *St. L., I. M. & S. Ry. Co. v. Dawson*, that a right of action for negligence resulting in death survives to the personal representative of deceased, if she lived after the act constituting the cause of action, though she never became conscious; that a verdict of \$4,000 in an action by an administrator for pain and suffering borne by deceased cannot stand the interval of conscious suffering, if any, between the injury and death being only for a moment; that a parent whose negligence contributed to the death of his young child cannot recover therefor for his own benefit; and that whether a parent's negligence contributed to the death of his child, 6 years old, whom he allowed to go visiting, when he knew that she would have to pass the railroad tracks where she was killed,—the train being overdue, so that it might be there at any moment, and she being unattended and not specially cautioned,—is a question for the jury.—*Central L. J.*, 480.