

Va.) 33 L. R. A. 69, to be guilty of such negligence on his part as will preclude any recovery against the carrier. His intoxication is held to be no excuse for his contributory negligence.

Liability of a street railway company for the injuries received by a young woman who became suddenly ill while on the car and, after twice requesting the conductor to stop it so she could get off, and on his failing to do so, became frightened and dazed on becoming worse, and staggered towards the rear of the car, and fell through the door unconscious, is held, in *McCann v. Newark & S. O. R. Co.* (N.J.) 33 L. R. A. 127, to be a question for the jury, involving questions of negligence of the carrier, her contributory negligence, and the proximate cause.

The liability of an electric railway company for the death of a boy less than eight years old who was struck and killed by a car in crossing the street behind a car that was standing, when no signal of the approaching car was given, although he did not look for it, is held, in *Consolidated Traction Co. v. Scott* (N.J.) 33 L. R. A. 122, to present questions for the jury as to the negligence and contributory negligence; and the court held that it was not *per se* negligence for one to cross the track of a street railway in a city street without stopping to look and listen.

*Telegraph company—Libel.*

The liability of a telegraph company for sending a libellous message is adjudged in *Peterson v. Western Union Telegraph Co.* (Minn.) 33 L. R. A. 302, where the message was on its face susceptible of a libellous meaning and there was evidence to show that it was published maliciously.

*Tomb, Rights in.*

The owner of a tomb who has permitted the remains of the dead to be deposited therein on his assurance to the relatives that it might be a permanent resting place is held, in *Choppin v. Dauphin* (La.) 33 L. R. A. 133, to be without rightful authority to cause the removal of the remains therefrom.

A trademark in the term "Syrup of Figs," for a medicine described as the laxative and nutritive juice of figs, is denied protection in *California Fig Syrup Co. v. Frederick Stearns & Co.*, (C. C. App. 6th C.) 33 L. R. A. 56, on proof that the fig juice was not an essential part of the medicine, but was used merely as a basis for the name.