

to his picture and that the publication of the picture of a person without his consent, as a part of an advertisement for the purpose of exploiting the publisher's business, is a violation of the right of privacy and entitles him to recover without proof of special damages. In this case the picture was published in a patent medicine magazine advertising a preparation called "Doan's Kidney Pills," and was accompanied by a personal sketch and a forged letter of recommendation of the pills in question. The court evidently considered the publication as in the nature of a libel.—*Central Law Journal*.

*ALTERATION OF TYPEWRITTEN INSTRUMENT MADE
IN DUPLICATE.*

A very interesting and apparently new question as to the presumption which arises in case of the alteration of typewritten instruments is presented by the case of *Stromberg-Carlson Teleph. Mfg. Co. v. Barber* (Neb.) 116 N.W. 157, 18 L.R.A. (N.S.) 680, in which it is held that, where a contract prepared by the use of a typewriter appears to have been changed after the first impression was made, the presumption is that such change was made before execution and delivery. This general rule, although not universal, is upheld by the great weight of authority. In this case, however, the defendant produced a duplicate copy of the contract made by the same impression as was the copy produced by the plaintiff, in which the alterations did not appear, and the plaintiff failed to explain how or when the alterations were made in his contract, or why he signed the duplicate without the alterations having been made therein; and it would seem that it might well be argued that this fact was sufficient to overcome the presumption upheld by the general rule. The court, however, held that the presumption still prevailed. It should be noticed, however, that the signatures on the two contracts were not identical, which tended to shew that the contracts were signed at different times. The question seems to have been considered in but two other cases, which are reviewed in a note in 18 L.R.A. (N.S.) 680.—*Case and Comment*.