

## UNITED STATES DECISIONS.

PARENT AND CHILD:—A child is held *McKelvey v. McKelvey* (Tenn.) 64 L.R.A. 991, to have no right of action to recover damages against his father and stepmother for cruel and inhuman treatment inflicted upon him by the latter with consent of the former.

RAILROADS:—The right of a railroad company to give one teamster an exclusive right to enter upon the railroad property to solicit the privilege of carrying the baggage of passengers, and to exclude others from its grounds, is sustained in *Hedding v. Gallagher* (N.H.) 64 L.R.A. 811, where the reasonable requirements of passengers are thereby fully met.

TREES:—The owner of trees in a highway is held, in *Hazlehurst v. Mayes* (Miss.) 64 L.R.A. 805, to have no right of action for the necessary trimming of them for the installation of an electric-lighting system for the municipality, which has full authority to establish the same, and full jurisdiction over the highway within its limits.

SUNDAY: The repairing of a belt in a factory so as to prevent 200 hands from losing a day's work the following day is held, in *State v. Collett* (Ark.) 64 L.R.A. 204, to be within an exception to a Sunday law permitting works of necessity on that day, where the defect was not discovered until too late to repair it on Saturday with the appliances at hand, and the owner of the mill was not negligent in not having foreseen the accident or having appliances at hand to repair it immediately.

CARRIERS—INJURIES TO PASSENGERS BY CARS PASSING EACH OTHER TOO CLOSELY.—We desire to call attention to a valuable opinion by Judge Goode of the St. Louis Court of Appeals in the case of *Kreimelmann v. Jourdan*, 80 S.W. Rep 323. In this case a street railway company ran open summer cars, with a continuous footboard on each side, on double tracks so close together that passengers using the inside footboard would be struck by cars going in the opposite direction. Plaintiff in this case was so struck and injured while he was passing from the rear of the car, along such footboard, to a seat, without knowledge that the tracks were so close together as to render his position dangerous. The court held that he was not guilty of contributory negligence as a matter of law, though he was well acquainted with the operation of street cars, defendant having taken no precautions to prevent such use of the inside footboard by passengers.

Judge Goode, in the course of a very valuable opinion, said in part: "The proposition is greatly insisted on that the court erred in refusing to instruct that the plaintiff could not recover if he stepped on the footboard without first looking for a car on the north track. The rule that a person must look or listen before going on a given spot, or forfeit any relief for an injury received thereon, prevails when the spot is known to be in the track or course habitually passed over by trains, cars, waggons, or other instru-