

## UNITED STATES DECISIONS.

DISCOVERY.—The power of courts, at common law, to order an examination of the person of one alleged to have been injured by the negligence of another, for the purpose of ascertaining the extent of the injuries, is denied in *Austin & N. W. R. Co. v. Cluck* (Tex.) 64 L.R.A. 494.

MENTAL SUFFERING.—Mental anguish and suffering are held, in *Cowan v. Western U. Teleg. Co.* (Iowa) 64 L.R.A. 545, to be sufficient to sustain an action for breach of contract promptly to transmit and deliver a telegram.

HIGHWAYS.—The right of a bicyclist to hold a town liable for injuries caused by a defect making a highway unsuitable for ordinary travel is sustained in *Hendry v. North Hampton* (N.H.) 64 L. R. A. 70, under a statute making towns liable for injuries to any person travelling upon a dangerous embankment upon a highway by reason of any defect or want of repair of such embankment, or defective railings, which renders it unsuitable for travel thereon.

One who, in using the street adjoining his property as part of his lumber yard, piles lumber there in an unstable manner, is held, in *Busse v. Rogers* (Wis.) 64 L. R. A. 183, to be liable for injuries caused by its fall upon a child who, while travelling along the street follows its inclination to play, and attempts to climb upon the pile, and thereby causes the lumber to fall.

NEGLIGENCE.—A property owner is held, in *Hoff v. Shockley* (Iowa) 64 L.R.A. 538, not to be liable for injuries to a traveller caused by obstructions placed in the street in front of the property without danger signals, by an independent contractor whom he has employed to construct a building on the property.

A corporation is held, in *Saylor v. Parsons* (Iowa) 64 L. R. A. 542, not to be liable for injuries to its employee in attempting to rescue one of its members who, in superintending and working with the employee, undermines a wall so that it is about to fall upon him, when the employee springs forward from a place of safety to avert the impending accident.

The right of a master to delegate to a servant the duty of inspecting long ladders furnished for the use of employees, and replacing rotten rounds, so as to escape liability for injuries caused by neglect of the duty on the ground that the negligence was that of a fellow servant of one injured by a fall caused by the breaking of a rotten round, is denied, in *Twombly v. Consolidated Electric Light Co.* (Me.) 64 L.R.A. 551.