

the matter, the company giving him a free pass, on the back of which were printed conditions exempting the company from any liability for injury by negligence of their servants or otherwise; and on the passage was injured through the company's negligence. *Held*, that the pass was given for a consideration; that he was therefore a passenger for hire, and not barred, by the conditions of the pass, of his remedy against the company.—[*Grand Trunk*] *Ry. Co. v. Stevens*, 95 U. S. 655.

*Check*.—1. The holder of a check procured it to be certified by the bank on which it was drawn, and then indorsed it to another person. *Held*, that the latter might still hold his indorser, as well as the bank.—*Mutual Bank v. Rotgé*, 28 La. Ann. 933.

2. The holder of a check brought it to the bank on which it was drawn, and asked to have it certified, expressing doubt whether it was genuine in all respects. The teller certified it as correct in every particular. In fact the signature was genuine, but the body of the check had been altered. *Held*, that the legal effect of certification was only to warrant the signature; that evidence that it was understood, by the custom of merchants, to warrant anything more was inadmissible; that the teller had no authority to warrant anything more; and that his act in doing so did not bind the bank.—*Security Bank v. Nat. Bank of the Republic*, 67 N. Y. 658. But see *Louisiana Bank v. Citizens' Bank*, 28 La. Ann. 189, *contra*.

*Citizen*.—A citizen of the United States, while residing in Canada, served in the militia, in the war of 1812, but on compulsion, and not voluntarily, and received pay for his service. *Held*, that he did not lose his citizenship.—*State v. Adams*, 45 Iowa, 99.

*Constitutional Law (State)*.—By the Constitution of Virginia, no one who takes part in a duel shall be allowed to hold any office. *Held*, that any person committing the offence might be removed from office by *quo warranto*, without a previous conviction of the offence in a criminal court.—*Royall v. Thomas*, 28 Gratt. 130.

*Corporation*.—1. A stockholder was refused permission to examine the books of the corporation. *Held*, that the corporation was compellable by *mandamus* to allow an inspection by the stockholder's agent, as well as by himself

—*State v. Bienville Oil Works Co.*, 28 La. Ann. 204.

2. A corporation entered into a partnership with an individual, to be determined at will by the corporation. Nothing in the name or charter of the corporation indicated the business to be done by it, and all its stock was held by one person. *Held*, that the contract of partnership was not *ultra vires*.—*Allen v. Woonsocket Co.*, 11 R. I. 288.

*Damages*.—1. Where an act was punishable as a criminal offence, *held*, that, in a civil action to recover damages for the same act, exemplary damages were not recoverable, by reason of the constitutional principle that no one shall be twice punished for the same offence.—*Keorner v. Oberly*, 56 Ind. 284.

2. A traveller, injured by reason of an obstruction in a highway, brought an action against the town in which the way was situate; and the town notified the person who had made the obstruction, and requested him to defend the action, which he failed to do, and judgment was recovered against the town. *Held*, that the town might recover over against the person so notified, not only the amount of the judgment, but the reasonable expense of defending the action, including counsel fees.—*Westfield v. Mayo*, 122 Mass. 100.

3. A passenger on a railroad being unable to find a seat, except in the smoking car, or in a car reserved for ladies, entered the latter peaceably, not being forbidden by any one; and a brakeman afterwards, while the train was moving, and without requesting the passenger to depart, ejected him from the car, using no more force than was necessary for that purpose. The conductor of the train was informed of the fact; and the passenger afterwards sued the railroad company, who, after service of process in the action, retained and promoted the brakeman in their service. *Held*, that they were liable in exemplary damages if they ratified their servant's act, and that the evidence warranted a finding that they did ratify it.—*Bass v. Chicago & N. W. Ry. Co.*, 42 Wis. 654.

The first application by a woman for admission to the California bar was made at the opening of the July term of the Supreme Court of that State, by Mrs. Mary Young, of Sacramento. She failed to pass a satisfactory examination, and was rejected.