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LATE JUDICIAL DECISIONS.

The right of a municipality to reassess the cost of a street improvement upon abutting property after an assessment is set aside, as in contravention of the charter, is held, in Green vs. Tidball (Wash., 55 L. R. A., 879) to be within a covenant against incumbrances, in a conveyance of the property made subsequent to the improve-

A homestead exemption is held, in Lyons vs. Andry (La., 55 L. R. A., 724) not to be lost by failure to actually reside upon the property, where the homesteader left the place because his house was blown down by a storm, and lived with a son at a short distance, but visited his place every day, and continued to cultivate garden truck upon it by which he earned his living.

There must be something beyond a mere guess on the part of the miner to authorize him to make a location which will exclude others from the ground, holds the Supreme Court of Utah, in the case of Copper Globe Mining Company vs. Allman (64 Pac. Rep., 1019), such as the discovery of the presence of precious metals at the place where the notice is posted, or in such proximity to it as to justify a reasonable belief in the existence of a lode

Even at this day the courts are call-

ed upon to decide questions arising out of slavery, as appears from a recent decision of the Supreme Judicial Court of Massachusetts in the case of Irving vs. Ford (60 N. E. Rep., 492), in which the legitimacy of a child of a slave marriage was involved. The parents of the child, now advanced in years, were at the time of his birth slaves in Virginia. In 1846, prior to his birth, by consent of their owners, they went through a form of marriage in the presence of the master of one of them, and afterward lived together for eight years. In 1854 the father escaped to Massachusetts, and there, in 1856, married another woman, by whom he had a son and daugher. He lived with this Hop Gold Beer woman until his death, in 1898. After the war the son born in Virginia by the first marriage was recognized by his father as his son. On the death of the father the son by the second murriage was appointed administrator, whereupon the son by the first marriage asked to have him removed on the ground that he was not a lawful child, but that he, the son of the first marriage, was the lawful son of the deceased. It was contended by the Massachusetts son that the son born of the slave marriage in Virginia was illegitimate because in that State 1 arriages between slaves had no legal effect; but this contention was answered by stating that the statute passed in Virginia after the war legitimatizing slave marriages was sufficient to make the Virginia son legitimate. The court escaped from the embarrasing posttion of declaring either of the contestants illegitimate by holding that even though the Virginia son were made legitimate by statute, it did not follow as a consequence that the Massachusetts marriage was vold and the children of it illegitimate; that as the petition for removal goes on the si ground that the Virginia son is the only legitimate child, a sufficient case for removal has not been made on that ground. The court said they would leave the question as to whether the Virginia son was entitled to share in the distribution of the estate unde-

> Thought He Smelled Gas. That the dangers of asphyxiation are

not confined to leaking gas pipes is

shown by the experience of a denizen of this city a few days ago. Going to his home at night, when all the members of his family were away, he was startled by a strong odor of gas, and promptly went over the house from garret to cellar in search of an open stopcock, says the Washington Star. He was unsuccessful in his search and finally, when worn out, he opened all the windows above the first floor and went to bed, determined to risk the consequences. The next morning, when the odor of was was still strong, the lonely man's wife, who was on a visit to her mother's home, returned and was borrified upon learning that any one had actually slept in a house in which danger from asphyxiation must have been imminent. She proceeded to search for the leak in the gas pipe, but gave up her attempt in despair, and then the plumber was 15c. sent for to learn whether the pipes were broken at some place where they were out of sight. The plumber arrived and after working diligently for a while his trained olfactory nerves guided him away from the gas fixtures to closets and storerooms, where portieres, rugs, carpets, winter wraps and a multitude of other household and personal goods had been freely treated with gasoline on the previous day and packed away. The plumber will send in his bill within a few days and there may be an explosion then in which gas and gasoline will have only an indirect

Took His Bath by Schedule.

The family of a newly-made millionaire was visiting New York, says the Sun, and took apartments in one of the large and luxurious hotels. One of the younger members of the family was much impressed by the wealth of his surroundings.

Writing home, he gave a glowing account of their apartments. "We have such a fine porcelain bath-tub," said, "that I can hardly wait until Satarday night to get into it."

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