permission to use the car is wholly immaterial." *Curtis v. Harris et al.*, 253 S. W. 474, which is in accord with the following: *Bolman v. Bulene*, 200 S. W. 1068; *Llymeln v. Lowe*, 239 S. W. 535; *Buskin v. Januchowsky* (Mo. App.) 218 S. W. 696; *Mays v. Fields* (Mo. App.) 217 S. W. 589 and *Bright v. Thatcher*, 202 Mo. App. 501; 215 S. W. 788, all having followed *Hays v. Hogan*.

It is interesting to note that Becker, J. who concurred in the principal case, reversed his own holding in *Bright v. Thatcher, supra*, wherein he said, "Irrespective of the result reached upon the question in other jurisdictions, it is no longer open to question in this state that the ownership of an automobile purchased by the father for the use and pleasure of himself and family does not render him liable for damages to a third person injured through the negligence of a member of his family while operating the automobile in furtherance of that member's own pleasure, and the fact that the members of the family had the father's *special or general consent* to use the car for his pleasure is *wholly immaterial*." (Italics ours.)

An excellent treatment of the family purpose doctrine in other jurisdictions can be found in a note that appeared in 11 ST. LOUIS LAW REVIEW 131. Suffice it to say, the weight of authority is opposed to this doctrine, and it is also very interesting to note that there is a distinct geographical division, the western, central and Pacific states some 17 or 18 in number have been found to favor this doctrine, while the northwestern and Atlantic states, notably New York, Massachusetts and Pennsylvania, have rejected it. M. W. S., '29.

NEGLIGENCE—PRESUMPTION OF DUE CARE—PEDESTRIAN CROSSING STREET IN MIDDLE OF BLOCK.—Plaintiff's decedent received fatal injuries by being struck by delivery truck driven by defendant's employee. Deceased was at the time of the accident crossing a heavily travelled thoroughfare in the middle of a block on a very dark night. *Held*, deceased though crossing street in middle of block was presumed in exercise of due care and defendant declared liable for negligence. *Hinchey v. J. P. Burroughs & Son*, 215 N. W. 346 (Mich., 1927).

Whether in crossing a street in the middle of a block rather than at a street intersection plaintiff is guilty of contributory negligence is generally held to be a question of fact to be determined by the jury. *Colon v. Bloch*, 232 Pac. 486 (Cal.). The courts proceed upon the theory that vehicles have the right of way except at street intersections, and therefore a pedestrian in crossing a street in the middle of a block must use greater care for his safety than when crossing at a place provided for pedestrians. *Green v. Ruffin*, 125 S. E. 742 (Va.).

The courts have refused consistently to hold that the crossing of a street in the middle of the block is negligence as a matter of law. They have preferred to treat the question of negligence in crossing a street both at places of intersection and at places other than intersections as a question of fact for the jury, and evidence of the amount of traffic upon the street and of the maximum speed limit established by ordinance thereon is admitted to enable the jury to ascertain the fact of contributory negligence. *Meyer v. Lewis*, 43 Mo. App. 417, l. c. 418; *Blackwell v. Remwick*, 131 Pac. 94 (Cal.); *Heartsell v. Billow*, 184 Mo. App. 420; 171 S. W. 7; *Genter v. O'Donoghue*, 179 S. W. 732 (Mo. App.). The Michigan court in presuming that the deceased was in the exercise of due care when crossing a street in the middle of a block has seemingly transcended the bounds of the great weight of authority. The question of negligence should have been submitted to the jury. J. R. B., '28.

TAXATION—EXEMPTIONS—REAL ESTATE AS "ENDOWMENT" OF COLLEGE.—A