

court for plaintiff was affirmed, provided the plaintiff remit within ten days all of the judgment in excess of \$1,215, said remittance being based upon a point not considered in this discussion.

CORPORATIONS—LIABILITY FOR SLANDER

In the recent case of *Allen v. Edward Light Co.*, 223 S. W. 953 (Mo. App.), the plaintiff sued the defendant corporation of which he was an employee for slander, spoken by the president of the corporation in the hearing of another employee. Plaintiff was a salesman, with authority to make small donations to customers, and in the exercise of this authority he gave a purchaser goods valued at \$1.10. Lefkovits, the president of the corporation, hearing of this donation had detectives investigate, and discovered that the goods had actually been given to the customer. The plaintiff was called to the president's office, where he was faced by Lefkovits and two detectives, Milton and Valleau. Lefkovits and Milton both accused the plaintiff of being a thief, of having stolen the goods and intimated that they had papers to prove their statements. The defendant corporation insisted that the words, being spoken to the plaintiff and not of him, were not slanderous; that inasmuch as only Valleau, an employee had heard the accusation there was no publication; and further that the corporation and Lefkovits, standing in the relation of principal and agent, were severally liable for their slanders and could not be jointly sued.

Disposing of these defenses in their order the Court held that it was no defense to an action for slander that the words were spoken to and not of the plaintiff; that there was sufficient publication when Valleau heard the accusations made by Lefkovits and Milton, and the fact that he was an employee of the corporation was immaterial; finally that the president being the owner of the corporation was speaking both for himself and the corporation when he uttered the slander and was jointly liable with the corporation.

ESTATE IN ENTIRETY—SURVIVORSHIP, WHEN APPLICABLE.

In the recent case of *McGhee v. Henry*, 234 S. W. (Tenn.) 509, a husband and wife held certain tracts of land as tenants by the entirety. The estate in entirety is very similar to the joint estate, its important feature being the right of survivorship. Upon the death of one, the survivor takes the entire estate to the exclusion of the heirs of the deceased. In the case under discussion, both husband and wife perished simultaneously by being burned to death in a building in Lonsdale, West Virginia. It was held that their being no survivor, both having died at the same instant, the children and heirs of each inherited one-half of the estate. In the absence of statutes to the contrary or any fact to prove which one survived the other, there is no presumption as to survivorship. *United States Casualty Co. v. Kacer*, 169 Mo. 301; *Coye v. Leach*, 8 Metc. (Mass.) 371; *Walton v. Buschel*, 121 Tenn. 715. For a full discussion see 8 R. C. L. 716.