public playgrounds. 6 McQuillin, Municipal Corporations (2d ed., 1928) sec. 2860; 19 R. C. L. 1129.

In view of the tendency of recent decisions the rule is developing to charge the city with a duty of care in maintaining parks, playgrounds, and like recreation centers. *See* McQuillin, Municipal Corporations (1932 Supp.) sec. 2859. At least, the city should be held responsible when a child is injured in a playground or swimming pool. To hold otherwise is to establish a rule of law which puts children at the mercy of dangerous conditions of which they are not aware and over which they have no control, a result which *Paraska v. City of Scranton, supra,* decides is not consonant with justice.

H. A. G., '35.

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RES IPSA LOQUITUR—EXTENSION TO ELECTRICAL APPLIANCES.—The plaintiff, a country girl about nineteen years of age, went into the beauty shop of the defendant and there ordered her first permanent wave. She was conducted to the rear of the shop and after a shampoo her hair was wound up on spindles and the current applied. She complained that the spindles pulled her hair and later that her head was being burnt, but the attendants declined to take action, assuring her that the curler could neither pull nor burn. A day later she found her head severely burnt and blistered, causing her intense pain for a month, and impairing her capacity to hear. *Held*: The case is within the limits of the *res ipsa loquitur* doctrine. *Glossip v. Kelly* (Mo. App. 1934) 67 S. W. (2d) 513.

The case seems to be in line with the prevailing view. The injury, according to human experience, would not have been sustained unless there was some imperfection in the instrument or negligence on the part of the operator. The defendant's agents were in sole control and the plaintiff had no way of telling what special negligence caused the injury. However, the case marks an extension of the doctrine by the Missouri courts. There are several general classes of cases in which the rule is applicable: (1) where passengers are injured in a railroad wreck, *McGoffin v. Missouri Pac. Ry. Co.* (1891) 102 Mo. 540, 15 S. W. 76; *Knox v. Missouri K. and T. Ry. Co. et al.* (1918) 199 Mo. App. 64, 203 S. W. 225; (2) where persons are injured by an explosion of powder or dynamite. *Holman v. Clark* (1917) 272 Mo. 266, 198 S. W. 868; (3) where a person is injured by a falling object. *McClosky v. Koplar* (1932) 329 Mo. 527, 46 S. W. (2d) 557; (4) where persons are shocked or electrocuted by defective wires, telephones or other instruments, *Grady v. Louisiana Light, Power and Traction Co.* (Mo. App. 1923) 253 S. W. 202; *Joyce v. Missouri and Kansas Telephone Co.* (Mo. App. 1918) 211 S. W. 900; *Sprinkles v. Missouri Public Utilities Co.* (Mo. App. 1916) 183 S. W. 1072. There is doubt whether the rule can be invoked today in the case of injury from escaping gas, steam or water. The prevailing view in America is that it does apply in the case of escaping gas, and early Missouri cases held to the same effect. *Sipple v. Laclede Gas Light Co.* (1907) 125 Mo. App. 81, 102 S. W. 608. But later cases overruled this stand. *Brauer v. St. Louis County Gas Co.* (Mo. App. 1922) 238 S. W. 519; *Rede v. St. Louis County Gas Co.* (Mo. App. 1923) 254 S. W. 415. The situation was complicated in *Streck v. St. Louis County Gas Co.* (Mo. App. 1933) 58 S. W. (2d) 487, where the plaintiff's gas supply was shut off, causing the stove flame to be put out and then was turned on again, causing him injury.

The plaintiff relied on the *res ipsa loquitur* doctrine, and the Supreme Court in affirming judgment for the plaintiff held that the doctrine did not apply, but that the plaintiff had proved negligence by circumstantial evidence, a fine distinction. Where injury has been sustained in automobile cases the doctrine has a limited application. And where a person underwent surgical, medical, dental or beauty treatment and suffered injury the courts have not applied the doctrine.

The Missouri courts have held that the doctrine would not apply where an anaesthetizing machine exploded, *Wilt v. McCullum* (1923) 214 Mo. App. 321, 253 S. W. 156; where the plaintiff's jaw was dislocated during a tooth extraction, *Hill v. Jackson* (1924) 218 Mo. App. 210, 265 S. W. 859; and that death caused by anaesthetizing was insufficient to create the presumption, *Spaire v. Burch* (Mo. App. 1913) 154 S. W. 172. The courts in these circumstances create a distinction between standardized devices which are safe, and new, complicated machines, where injury could easily happen without negligence.

As the *res ipsa loquitur* doctrine is applied in Missouri since the case of *McClosky v. Koplar* (1932) 329 Mo. 527, 46 S. W. (2d) 557, now creating only a rebuttable presumption, it works no great hardship on the defendant. It should be applied in cases such as the principal one, the justification for such extension being that where all signs point to the guilt of the defendant, an injured party should not be denied redress merely because circumstances combine to prevent his knowing exactly what particular defect or negligence caused the injury. J. D. Y., '36.