method of applying electricity as a motive power for the propulsion of railroad cars, we are not called upon to examine the constitutional question. The referee having found that all injury to the plaintiff's business and property can be obviated by the adoption of the double trolley system or storage battery system, it follows that enjoining the use of the single trolley system would not deprive the defendant of the use of electricity as its motive power, but leave it in the beneficial enjoyment of the grant by the legislature and of the ordinance of the common council, neither of which confines the grant of the use of electricity to the single trolley system. The defendant having it in its power to avail itself of the use of electricity, conferred by the statute and ordinance, in a manner in which the rights of the plaintiff would not be affected injuriously, cannot be permitted to justify an injury to the plaintiff under such statute and ordinance. In the case of *Hill* v. *Managers*, 4 Q.B.D. 433, the Act of Parliament authorized the erection of an asylum for infirm and insane paupers in the Metropolitan asylum district in London, to be designated by the "poor-law board," and authorized the purchase and leasing and fitting up a building for that purpose. The Act referred to small-pox patients as among the class of persons to be provided for. Under this Act the managers erected a hospital in close proximity to the plaintiff's house, which the jury declared a nuisance. No precise definite site was fixed by the Act of Parliament, except a general designation of the Metropolitan asylum district in London. The commissioners might have selected a site which would not have injured the plaintiff. The defendant sought to justify under the Act. But it was held that the statutory sanction sufficient to justify the commission of a nuisance must be expressed: that the particular land or site for the hospital must have been defined in the Act: that it must appear by the Act, while defining certain general limits, that it could not be complied with at all without creating the nuisance. Lord Watson used this language: 'If the order of the legislature can be implemented without nuisance, they cannot, in my opinion, plead the protection of the statute; and, on the other hand, it is insufficient for their protection that what is contemplated by the statute cannot be done without nuisance, unless they are also able to show that the legislature has directed it to be done. Where the terms of the statute are imperative, but submissive, when it is left to the discretion of the persons empowered to determine whether the general powers committed to them shall be put in execution or not, I think the fair inference is that the legislature intended that discretion to be exercised in strict conformity with private rights, and did not intend to confer license to commit nuisance in any place which might be selected for that purpose.' The reasoning and conclusion of the Court of Queen's Bench in the above case was adopted and fully acquiesced in by the Court of Appeals in the case of *Cogswell* v. *Railroad Co.*, *supra*. The rule, therefore, seems settled and of universal application, that when a grant is given by the legislature to conduct a business, in the conduct of which two or more ways exist, and by one of which the rights of others will be injuriously affected, and by the adoption of the other methods other parties will not be injured, a court of equity will interfere, and enjoin the use of the mode by which the rights of others will be injuriously