

asked for both damages for the opening of the grave and a mandatory injunction to compel the removal of the corpse. The action of the unfraternal brother was successful.

TEXAN LAW.

It is satisfactory to observe that the State of Texas, of extradition fame, is rapidly acquiring "case" if not "statute" law. In *Hurley v. State*, 17 S.W. Rep. 445, it was held that "a dog may become the subject of theft." Previously to this, we may assume that stealing a horse was the only offence recognized as a crime worthy of punishment by either Judge Lynch or the legal tribunals. From the evident tendency to increase the list of crimes, we may hope, in the near future, to hear that even murder is recognized as one. This decision is on a par with *State v. Jones*, 29 N.E. Rep. 274, where it has just been held that whiskey is intoxicating. Truly this is a progressive age.

STREET RAILWAY COMPANIES.

With a remembrance fresh in our minds of similar scenes in our own streets, we can appreciate the action of Judge Taylor, of Indiana, in the case of *Fishback v. Citizens' Railroad Co.*, in appointing a receiver, at the instance of a private citizen, where the company, operating under a municipal franchise, failed to comply with its contract as to furnishing transportation, by reason of a strike of its employees for higher wages. The court very reasonably considered that the citizens should not be without street car service because of the inability of the company to make terms with its employees, and run the risk of loss of life and property, and went so far as to hold that each citizen has an interest in the city's contract with the company to such an extent that he has the right to have the contract performed. The action of the court had the desired result, and the company's domestic difficulties were immediately adjusted.

VICTIMS OF JUDICIAL ERROR.

If true, a story which comes from Port Dalhousie is a sad one, and illustrates how we, in Canada, may advantageously follow the system of compensation to the victims of judicial error that obtains in some of the countries of Europe. It is said that, five years ago, two men were tried for robbery, and, being convicted, were sent to the penitentiary, from which they have recently been released. They had, from the moment of their arrest, protested their innocence, and it is now stated that a priest has received some conscience money from the man who actually committed the crime.

While under our system of administering justice such a case as this may very infrequently occur, it is known that there have been other cases where, after a miscarriage of justice, innocent persons have been condemned, who, after suffering many years of imprisonment, and wrecked probably in fortune and health, are found innocent and thrust out upon the world.

As long ago as the reign of Grand Duke Leopold I. of Tuscany, in the latter part of the last century, a law was in force which held the State responsible for the errors of the "blind goddess" in criminal affairs. A few months ago the