

public and the railway companies on the streets of cities and boroughs where the grant is of the right to occupy the surface in common with the public. The construction of the track and the form of the rail are with a view to a user in common. The right of the waggon, in certain particulars, is subordinate to that of the railway. The street car has, because of the convenience and exigencies of that greater public which patronizes it, the right of way. Whether going in the same direction ahead of the car, or in an opposite one to meet it, the driver of the waggon must yield the track promptly on sight or notice of the approaching car. But he is not a trespasser because upon the track. He only becomes one if, after notice, he negligently remains there.'—*Michigan Law Journal*.

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*THE LATE MR. JUSTICE STRONG.*

The Hon. William Strong, a justice of the Supreme Court of the United States, on the retired list, died on the 19th of August, at Lake Minnewaska, New York, at the age of eighty-seven. He was born in Connecticut, May 6, 1808. He graduated from Yale College at the age of twenty, a circumstance showing what Chancellor Kent once remarked, how limited the curriculum of that now great university was in the beginning of this century. He was admitted to the bar at Philadelphia in 1832, and began the practice of law at Reading, Pa. He was elected to Congress in 1847, and served two terms, after which he declined a re-nomination and returned to the practice of his profession. In 1857 he was elected a judge of the Supreme Court of Pennsylvania, his term of office being fifteen years. He resigned the office in 1868 and resumed his practice at the bar. In 1870, when (as alleged) the Supreme Court of the United States was "doctored" by President Grant for the purpose of reversing its decision declaring the Legal Tender Act unconstitutional, Mr. Justice Strong was appointed to succeed Mr. Justice Grier, who resigned the office. Concurrent with this appointment was that of Mr. Justice Bradley, appointed from New Jersey. On Jan. 6, 1872, Mr. Justice Strong announced the decision of the court, affirming the constitutionality of the Legal Tender Act, and Mr. Justice Bradley concurred in a long opinion. Mr. Justice Strong delivered several other opinions upon constitutional questions growing out of the Civil War and the legislation of Congress following it. He was a member of the Electoral Commission