

sufficient bases for corresponding judgments, their efficacy comes from the pronouncement of the trial judge in practically all cases. To him is given the right, upon him is imposed the duty, of formally passing upon and ratifying the verdict: without that formality it is practically of no effect whatsoever.

Of course his neglect or refusal to give effect to a verdict is appealable and the remedy is as a necessary consequence obtainable from the appellate court.

Under the old system, juries were not given that freedom of action afforded them under the modern system. Their honest verdicts were not always on all fours with the trial judges' views of the facts, and it was not at all unusual to find juries roundly lectured, because their opinions on the facts differed from the judicial opinions at the trials. The compulsive machinery of the court was so arbitrary in those days that juries were sometimes (as the Reports show) brow-