

impracticable and dangerous certain uses of the streets which were once permissible, and comparatively safe. It introduces new conditions, the non-observance of which constitutes negligence. It is the duty of property owners on the streets occupied by cable and electric lines of railway, and of persons crossing or driving upon such streets, to recognize and conform to these conditions. The risk of a crossing or possession of the tracks of a railway operated by horse power is not to be compared with the peril involved in a crossing or occupancy of the tracks of steam, cable, or electric railway."

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TRIAL BY JURY.—A learned chief justice in Alabama, in a recent judgment, gets off the following: "Trial by jury is a bulwark of American, as it has long been of English, freedom; it wisely divides the responsibility of determinative adjudication, of punitive administration, between the judge, trained in the wisdom and intricacies of the law, and twelve men chosen from the common walks of non-professional life—chosen for their sound judgment and stern impartiality. The one declares the rules of law applicable to the issue or issues formed in the light of the testimony adduced; the other weighs the testimony, determines what facts it proves, and, moulded by the law as declared by the court, renders its verdict. In the jury box, and under the oath the jurors have solemnly sworn on the holy evangelists of Almighty God, there is no room for friendship, partiality, or prejudice; no permissible discrimination between friends and enemies, between the rich and the poor, between corporations and natural persons. The ancients painted the Goddess of Justice as blindfolded, and jurors must be blind to the personal consequences of the verdicts they render. If the testimony convinces their judgments of the existence of certain facts, they must be blind to the consequences which result from those facts. A wish that it were otherwise furnishes no excuse for deciding against their convictions. Justice thus administered commands the approbation of heaven and earth alike; and a verdict thus rendered meets all the requirements of the juror's oath, in the fullest sense of the word—a true expression of the convictions fixed on the minds of the jury by the testimony."

It is very sad to know that this much-lauded relic of bygone days should have so far forgotten its high position and glorious