

We doubt if even the Dominion Government, which constituted the Board, has yet realized that it has created a Court of such extended jurisdiction as this Board possesses, and which jurisdiction, if wisely exercised by a tribunal of competent members, will be both a safeguard to the public and a speedy method of settling differences between railway companies, which in the past have been unduly hampered by the cumbrous machinery of the Railway Committee of the Privy Council, now happily defunct. *Requiescat in pace.*

Should there have been any tendency on the part of this new Court to suppose that it was mainly intended for the protection and advancement of railway interests, that thought must have been short lived, and we do not anticipate complaints on this score. If the Board gains the confidence of the public, as we think it will, it is not unlikely that, in the future, additions will be made to the subjects over which it shall exercise jurisdiction.

As to the Chief Commissioner, we are glad that our confidence previously expressed (*ante p. 49*) has already been justified. Of the other two members, Mr. Bernier, like the chief, has had several years' practical experience as a member of the old Railway Committee, and this should stand him in good stead. The third member of the Board, Dr. Mills, has already shown himself to be careful, painstaking and energetic, and his opinion on any question not purely one of law—with which he is not expected to be familiar—will be of increasing value. The Board gives promise of being a strong and able Court.

NO JURY TRIALS IN THE PHILIPPINES.

We confess to a good deal of surprise in reading the recent decision in the Supreme Court of the United States to the effect that in the absence of Congressional enactment therefor American citizens in the Philippines have no right to trial by jury in criminal cases. This is contrary to the English doctrine of the transference of the "birthrights of the subject" where new possessions, lacking effective legal institutions, are acquired by conquest; and, with submission, we think it incompatible with the theory of the great expounders of the American constitution touching the rights of citizenship. It is certainly at variance with all Anglo-Saxon traditions.