

ELECTRIC ROADS AND TELEPHONES.—Decisions on points connected with the use of electricity are of much interest in these days. The *Albany Law Journal*, in a recent number, gives a report of the case of *Hudson River Telegraph Co. v. Waterliet Turnpike & R. Co.*, the headnote of which is as follows: By the laws of 1862 the debt was authorized to operate a street railroad in the streets of Albany, and to use "the power of horses, animals, or any mechanical or other power, or the combination of them . . . except steam." Held, that defendant might use electricity as a motive power on obtaining the consent of the common council, which by ordinance is given power to impose such reasonable conditions on the enjoyment by defendant of its franchise as the public interests may require. The franchise of plaintiff telephone company was granted on the express condition that the maintenance of its lines should not interfere with the enjoyment by defendant street railway company of its franchises. Held, that though the transmission of a strong current of electricity by defendant along its trolley wires creates an additional current in plaintiff's wires by induction, making the operation of the telephones difficult, and at times impracticable, and though the electricity discharged by defendant from the rails into the earth spreads by conduction to plaintiff's grounded wires, which form the return circuit, part of which wires are on private property, thereby also causing plaintiff serious loss, the operation of the railway will not be enjoined. In an action to perpetually enjoin defendant street railway company from operating its railroad by electricity, where there is evidence as to the value to defendant of its right to run its cars by the method sought to be enjoined, and also to the value of that system over any other, there is a basis on which could be estimated an extra allowance, under the Code of Civil Procedure, section 3253, providing that in a difficult or extraordinary case the court may award as additional costs a sum not exceeding five per cent. on the sum recovered or claimed, or the value of the subject-matter involved.

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JUDICIAL APPOINTMENTS IN ENGLAND.—The appointment of men like French, Q.C., and Austin to the County Courts makes the promotion of third and fourth-rate lawyers to the High Court Bench impossible for the future. I remember the time when a