

sider the question of results which might flow from throwing obstacles in the way of marriage, and other difficulties which would arise by the attempt to put his theories into practice; but the article is well written, and worthy of careful perusal.

In view of the application of electricity to street cars, whereby their speed has been so greatly increased and the safety of the unwary pedestrian thereby jeopardized, the decision of the Pennsylvania courts in *Carson v. Federal, etc., Ry. Co.* (Sup. Ct.) and *Marland v. R.R.*, 123 Pa. 487, will be of interest. In the former case it was held contributory negligence in the plaintiff, where he was driving along a street at right angles with the tracks, to cross them in front of a moving electric car without looking for the approach of a possible car, although the plaintiff testified that he listened for the sound of a gong and heard none. In the latter case, the court said, *inter alia*: "The street railway has become a business necessity in all great cities. Greater and better facilities and a higher rate of speed are being constantly demanded. The movement of cars by cable or electricity along crowded streets is attended with danger, and renders a higher measure of care necessary, both on the part of the street railways and those using the streets in the ordinary manner. It is the duty of the railway companies to be watchful and attentive, and to use all reasonable precautions to give notice of their approach to crossings and places of danger. Their failure to exercise the care which the rate of speed and the condition of the street demand is negligence. On the other hand, new appliances rendered necessary by the advance of business and population in a given city impose new duties on the public. The street railway has a right to the use of its track, subject to the right of crossing by the public at street intersections; and one approaching such a place of crossing must take notice of it and exercise a reasonable measure of care to avoid contact with a moving car. It may not be necessary to stop on approaching such a crossing, for the rate of speed of the most rapid of these surface cars is ordinarily from six to nine miles per hour; but it is necessary to look before driving upon the track. If, by looking, the plaintiff could have seen and so avoided an approaching train, and this appears from his own evidence, he may be properly nonsuited." A number of accidents caused by electric cars have already occurred in Toronto, but not more, we think, than would have been the case consequent upon the introduction of any system of rapid transit, and the great majority of these accidents have been due to recklessness rather than ignorance of the danger. This is evidenced by the fact that in almost every instance in which an accident occurred the injured person was fully cognizant of the dangerous character of the electric car.

SIR WILLIAM JOHNSTON RITCHIE.

By the death, on the 25th ult., of the late Chief Justice of the Supreme Court of Canada, a gap is made which will not easily be filled.

Sir William Johnston Ritchie was born at Annapolis, Nova Scotia, in 1813.