THURSDAY, MARCH 25, 1858.

hole No. 2451.

ble person here.

ADVERTISING.

OF LOCK HAVEN, PA.,

DIRECTORS.

REFERENCES.

all, Mayer,

H. Lloyd,

Mackey,

egardner,

in J. Pearce, Hon. G. C. Harvey,

on, Thos. Kitchen. Hon. G. C. HARVEY, Pres.

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D. K. Jackman, W. White,

T. T. ABRAMS, Vice Pres.

Wm, Vanderbelt,

Dr. J. S. Crawford, A. Updegraff,

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gent for Mifflin county, G. W. STEW

saity from Loss and Damage by Pire,

CONTINENTAL

NSURANCE COMPANY.

nia, with a Perpetual Charter.

thorized Capital, \$1,000,000.

rated by the Legislature of Pennsylva

Rivers, Canals, and Land Carriages, to

DIRECTORS.
William Bowers,

RGE W. COLLADAY, President.

MIRDER ABADRUY

FREEBURG, PA.

Milson, Secretary. ent for Millin county, Wm. P. EL

third semi-annual session of this Insti-

will commence on TUESDAY, July

es to impart sound instruction and

y will thoroughly prepare those

perior facilities to teachers, and

superior facilities to teachers, and ing to become such, to acquire the validications. The County Superior frequently review classes and lecpractical duties of the school room.

s of study, and every exertion made

in Normal Departm't per qr.,

ddress GEO. F. McFARLAND,

NEW GROCERY.

family Grocerics,

Syrups, Cheese, Crackers,

n, Shoulder, Fine Ashton and Dairy

acco, Segars, Soap, &c. rooms, Tubs, Buckets, Baskets, and a

rtment of Willow-ware, which he

ay Cash for Butter, Lard, Potatoes,

see prices, and judge for yourselves.

JAMES IRWIN.

Brown Sugar at 9 a 11 cts. per lb

fering's best Syrup, 75 per gallon 50 do

for Cash at the old Steam Mill Store, by dy, Junkin & Co. Also, the prices on

Give us a call. We will sell for

KENNEDY, JUNKIN & CO.

ING resumed the practice of medicine,

1, 1857.-tf

100 ft. Dry and Green 1 in. Boards.

% \$1.25 to \$3.00 per 100 feet, for sale by FRANCISCUS.

always be found at his office in the

RY GOODS GREATLY REDUCED,

n any other house.

DR. MARKS.

62 a 100 do

Sugar, Syrups and Teas

GREATLY REDUCED.

w Orleans Molasses,

room, tuition, &c.

delivered in connection with

college, the study of a profession

The NORMAL DEPART-

energies of the student.

new and com

Principal.

Joseph Oat, Howard Hinchman,

stent with security.

W. Colladay,

Thos. Bowman, D. D.

TERMS OF SUBSCRIPTION.

ONE DOLLAR PER ANNUM,

For six months, 75 cents.

addressed to persons out of the

ary or payment guaranteed by some

discontinued at the expiration of

IN ADVANCE.

Subbiff's sales.

PY virtue of sundry writs of Vend. Exponsa and Fi. Fa. issued out of the Court of Common Pleas of Mifflin county, and to NEW subscriptions must be paid in If the paper is continued, and not get the first month, \$1,25 will be charging the first months, \$1,50; if not is months, \$1,75; and if not paid in me directed, will be exposed to sale by public vendue or outery, at the Court House, in the Borough of Lewistawn, on

SATURDAY, April 3, 1858, at one o'clock in the afternoon, the following

real estate, to wit:

id for, unless special request is made A lot of ground, situate on the north side of Third street, in the Borough of Lewistown, Mifflin county, fronting 15 feet, more or less, nes of minion, or their equivalent, con-square. Three insertions \$1, and 25 each subsequent insertion. on said street, and extending back 200 feet. more or less, to an alley, bounded on the west by let of David Chriswell, north by an alley, ast by other lot of Geo. B. Patterson, and West Branch Insurance Co. south by Third street, with a two story frame house and other improvements thereon erected.

Also, one other lot of ground, fronting 30 mass Detached Buildings, Stores. Mer-ndise, Farm Property, and other Build-nd their contents, at moderate rates. feet, more or less, on Third street, and extending back 200 feet, more or less, to an alley, bounded on the west by other lot of George B. Patterson, north by an alley, east by other lot of George B. Patterson and others, south by Third street, with a two story double frame house, carpenter shop and other improvements thereon erected.

Also, one other lot of ground, fronting 15 feet, more or less, on Third street, and ex-tending back 90 feet, more or less, bounded on the west by other lot of George B. Patterson, north by lot of Patterson and others. east by Samuel Melson, and south by Third street, with a two story frame house and other improvements thereon erected.

Also, one other lot of ground, fronting 16 feet, more or less, on Grand street, and extending back 90 feet, more or less, bounded on the west by other lots of George B. Patterson, north by Patterson, south by David Chriswell, and east by Grand street, with a two story frame house and other improvements thereon erected.

Also, one other vacant lot of ground, fronting 30 feet, more or less, on Grand street, and extending back 90 feet, more or less, bounded on the west by other lot of George B. Patterson, north by an alley, south by Patterson, east by Grand street. Seized, taken in execution and to be sold as the property of No. 61 Walnut St. above Second, Phila. George B. Patterson.

surance on Buildings, Furniture, Mer-, &c., generally. Marine Insurance A let of ground, situate in the Borough of oes and Freights to all parts of the laland Insurance on Goods, &c., by Lewistown, Mifflin county, and on the north side of West Water street, in said Borough, adjoining lot of Susan Brown on the east, and is of the Union, on the most favorable lot of the heirs of John M'Cahan, deceased, on the west, being thirty feet, more or less, fronting on Water street, and extending back 200 feet, to an alley, with a two story brick dwelling house and other improvements thereon erected. Seized, taken in execution, and to be sold as the property of Joseph Brought.

A lot of ground, situate in the Borough of Lewistown, Mifflin county, fronting 30 feet, more or less, on Market street, and extending back, same width, 200 feet, more or less, to an alley, bounded on the west by lot of R. U. Jacob, north by an alley, east by a lot of Mary Porter, and south by Market street, der County Normal School, Its location is Jacob Ecerich.

> eing in, and known as lots Nos. 33, 34, 35, 3, in the general plan of said borough, lying on the north-east bank of the Pennsylvania canal, and on which is erected a brick steam flouring mill and engine house, -Also, a large frame warehouse, a frame cooper shop other improvements it being the same property lately belonging to the late tired of it?' firm of Marks and McBurney. Seized, taken 'I think! in execution and to be sold as the property of Alfred Marks.

applicants for the profession. Ar-are being made with directors to sols for those who obtain creditable A lot of ground, fronting 53 feet, more or less, on Market street, in the borough of Mc-\$52 to 60 Veytown, Mifflin county, extending back 214 8 to 16 feet, more or less, to an alley, bounded on the north by lot of Rosannah Davis, west by an alley, east by Market street, and south by an alley, with a two story frame house and other Boarding in the village, \$1 50 week. improvements thereon creeted. Seized, taken in execution and to be sold as the property of in execution and William J. McCoy.

A vacant lot or piece of ground, situate in the East Ward of the Borough of Lewistown, VISION AND FISH STORE. Mifflin county, fronting 45 feet, more or less, scriber has opened a Grocery, Pro-and Fish Store opposite Major Eisenon Valley street, running through and fronting 36 feet, more or less, on Third street, bounded on the northeast by lot of David where he has just received a fine Sunderland, at the junction of Third and Valley streets, and bounded southwest by the Hose House lot and lot of Robert Matthews, thich may be found fine Coffee, Sugar, Seized, taken in execution and to be sold as the property of F. W. Grimminger and Margaret C. Grimminger.

T. E. WILLIAMS, Sheriff.

Bidders at the above Sheriff's Sales, are hereby notified that in each case where property is knocked down, the purchaser will be required to pay down ten per cent, on the amount of his bid in cash, and give judgment note with approved security for the balance; to be paid when the deed is acknowledged. Unless these conditions are complied with before the sales close, the property will be set up again and resold. Sheriff's Office, Lewistown, March 11, 1858.

A CHANCE For Every Person to Raise their Own GRAPES.

AND MAKE THEIR OWN WINE. THE undersigned will deliver from the 1st to the 15th April next, to any persons residing in Mifflin co., ISABELLA GRAPE VINES of one year's growth, from cuttings of "Juniata Vineyard," at the following rates, payable when delivered: 25 Vines for \$3, 50 do. for \$5.50, 100 do. for \$10.

Good Cuttings will be delivered at half the rates for Vines. Also, Osage Orange Hedge Plants to sell, and Hedges grown by contract. Orders must be received before the 1st of April to insure attention. Address

A. HARSHBARGER, McVeytown, Mifflin Co., Pa, TUB MINSPREL.

SABBATH MORNING.

"Tis Sabbath morn; how calm and bright!
The labor of the week is done;
"Sweet day of rest," with pure delight,
I welcome now the rising sun.

How pure this morning's early breath! Earth seemeth conscious of the day, When Jesus "burst the bars of death," And soared to fairer worlds away.

O, day of peace! while thy dear hours, With blessings freighted, wing away, O, may our souls, with strengthened powers, Rejoice to own a Savior's sway.

This day may prayer and praise ascend From all beneath the azure dome, To him who is the sinner's Friend, Who hath prepared for all a home.

SABBATH EVENING.

While the sun's last rays are shining, Tinging all with golden light, And the day of rest declining Fades into the peaceful night. Father, let my restless spirit

Share the calm that reigns around; May my soul sweet peace inherit, Such as in thy Son is found. May this Sabbath evening's quiet Reign forever in my heart; And the fountains which supply it, May religion's self impart.

But above all blessings, Father May a child-like trust be mine, Then, the' storms of sorrow gather,

UISCELLANEOUS.

THE DRUNKARD'S CURE.

The homoeopathists say "like cures like." may be so occasionally. At any rate, octors cure drunkenness in the military spitals of Prussia by means of brandy

Earl Flader was a Rheinland subject of his majesty of Prussia; and Earl, like many others I could mentoin in Rheinland, as well as out of it, got drunk very often. He drank of the best when he could get it, and whenever he couldn't he drank whatever he could get. Earl Flader wasn't very particular about his drinking, if only there was alcohol in what he drank, and he could get drunk upon it. Water was his aversion, except when used in his watering pot; for Earl was a market gardener.

'I don't know what water is good for,' Earl would often exclaim, 'except for my cabbages.' He was destined to know better one day. Earl was an industrious man when he wasn't drunk, which was far oftener than he was industrious; and so, you see, there couldn't be much said in favor of his industry, upon the whole. Earl was naturally a good-hearted fellow. Even drunkenness had not been able to make with a two story frame house and other im- him quite dead to shame. He resolved provements thereon creeted. Seized, taken once to do without strong drinks. He in execution and to be sold as the property of kept his resolve; but he was ill. He rekept his resolve; but he was ill. He reed a second time; and again kept it; but he hadn't any money. So you see the All that certain steam mill and warehouse property, situate in the west ward of the Borough of Lewistown, Mifflin county, situate, very meritorious on the whole.

Suppose you could have whatever you might wish for, what would you wish for? said Franz Muller to Earl one day. 'Rhein-wein and schnaps'

'And if you could get as much brandy chnaps as you liked, would you ever get

'I think not,' said Earl. Earl Flader, to whom the words Rheinwein and brandy schnaps were suggestive began to feel as if he wanted some. So fumbling in his pockets, one after the other, and being a little rich that day, he threw out a thaler, and patting his companion on the shoulder, said, 'come my fine fellow, let's have a glass.'

But Franz made wry faces, and shook

'Zounds! what is this, Franz?' said Earl; 'you would once drink like the best of us 'That's when I bought it myself.' said

he; 'and could only get it by paying.' 'You're a funny fellow,' said Earl; but I like to be obliging. Here pay for me, if you like; but schnaps I must and will have.

can't do without it.' Franz had't any money, which ended the matter; but if his pockets had been full of

money the result would have been the 'Stop, my friend,' said Earl, 'until next month when your time of soldiering comes,

then you'll have as much as you like to drink, for nothing-perhaps even more.' 'Long live the king, then !' said Earl; 'I didn't know he was so liberal.'

'Then you don't know anything about his majesty,' answered Franz; 'but tattoo beats, I must away. Adieu.' 'Adieu, Franz.'

Now it was as Franz said; the time had almost come for Earl to serve as a soldier, and what Franz had said about the King of Prussia's liberality warmed Earl's heart to such a degree that living on anticipation, he did a thing he did not think he could have done-went home, and to bed, without schnaps, though he had a thaler in his pocket.

A month soon passes over the heads of all of us, and to Earl Flader it seemed to pass more rapidly than it does to you and me, because he got drunk almost daily, whereas you and I don't get drunk at all, which things all put together come to this -that every moment of drunkenness is a moment stolen from the drunkard's life .- luck's way. 'I know why it is,' said he

The day came, at length, when Earl must doff his gardener's clothes, put on his solbless him, likes his champaigne, and likes dier's attire, learn goose step, handle—not Brown Bess, nor the Minie—but the nee- he does. Let me have some brandy at dle gun; for, of late years, the needle, has once,' said Earl. other besides tailoring work to do in Prussia. Tailors' needles make holes through mens continuations, but the needles of needle guns help to make holes through men -that is the difference.

Earl was awkward at first-all recruits not break. Drink and enjoy yourself." are. He stooped, he stumbled, he didn't turn out his toes. But the drill sergeant is day. Though quite alone, he could not everywhere a smart fellow; he soon licks awkward recruits into shape; and smartest | himself in theatrical attitudes, and toasted among the smart is the drill-sergeant of Prussia. Earl not only pleased himself in the end, but also pleased his betters. 'I deserve something to drink; I wonder if they will give me some!' but nothing of that sort was forthcoming.

'I thought you told me a man had nice things given him to drink in this place?" said Earl to Franz one day.

'How can you expect them to give you any until they know you are fond of them?" By the great Fritz, I'll show them I am; this very night I'll show them!' said Earl drawing a thaler from his pocket .-He chucked the thaler up in the air and caught it in the palm of his hand as it came down again. 'There my pretty little fellow,' said he to the silver coin, 'look me full in the face once more, for by all that's good to drink in Rheinland, you and I are soon to part company.'

It was rare for Earl to make a resolve and not hold to it in such manner as this. So he went away to the nearest bibbing place, and bibbed and sipped, and bibbed again, until something got into the place where brains alone should be. Earl was a soldier now, and knew what he might expect if he got to the barracks too late. So when tattoo beat, he ran and fell, then got up and ran again-all of which made him still more drunk than he was before. He arrived at the barracks a little too late, and was duly reported for the same. If he had not been reported, the falling would have told a tale. He was all over mud, and the King of Prussia doesn't allow his soldiers to make themselves muddy for nothing.

Earl went to bed; and in the morning when he awoke, he began to reflect what the consequences of his indiscretion might

'Shall I have to ride the sharp-backed horse?' said he to Franz.

'By no means, my friend; on the contrary, having shown what your likings are, you will have brandy schnaps to your heart's content, and all for nothing.'

'You don't say so?' 'I do though.

Before we acquaint the reader with what next took place, we must describe to him what sort of an animal is the sharnbacked horse. Be it known, then, that the you touch water.' cat-'o-nine-tails is unknown in Prussiabut there are punishments just as bad .--One consists in riding astride on a sharp, ridge-like piece of timber, which causes great agony. If you wish to gain a notion of it, seat yourself astride upon a triangular park paling, and stay there until your esson is complete.

Whilst Franz and Earl were in conversation, Dr. Krauss, the military surgeon,

arrived, accompanied by the corporal. 'We are a going to place you in the hospital,' said Dr. Krauss; 'your case is des-

erate. In the hospital,' thought Earl, 'why I was never better.'

Dr. Krauss, however, knew best about 'You like strong drink?' said the doc-

Earl meditated, and scratched his ear

but the case was so mysterious that he made no reply.

'Answer me, my man; nobody means to hurt you. You like brandy?" Earl pleaded guilty to the delicate im-

putation.

'Come with me, then.' 'So the doctor put Earl into a room of

the military hospital, all alone; and saying, You will be well attended to,' he turned slowly away, locking the door behind him. Earl wondered what they were going to

do with him, and what would come next. He did not wonder long; for the door opened, and in came an orderly with breakfast rations. Mark you what they consisted of -a basin of stirabout, and a loaf of bread! The warder having placed these things on the table, asked Earl if his appetite was good.

'Not particularly.' 'But taste,' said the warder.

Earl tasted the stirabout; it was strong

of brandy. 'Delicious!' exclaimed he. 'And the bread'-it was soaked in bran-

dy Delightful!' exclaimed Earl. thought he had never made so hearty a breakfast in all his life. 'You like it,' said the orderly.

'I should think so!' answered Earl. 'If,' said the orderly, 'you like to drink,

I will send you something What?' demanded Earl. 'Brandy?'

Earl could hardly reconcile himself to the belief that he had fallen so much in

The orderly disappeared, and presently returned, bringing with him an enormous bottle of brandy, and a large horn.

'If you get drunk, a glass might break,' said he addressing Earl. 'This horn can-

Deep were the potations Earl made that restrain his emotion; he stood up, placed good King Frederick William so often and so heartily, that before dinner time came he was drunk and floored. On the floor accordingly the orderly found him when he made his next rounds. Earl ate no dinner that day, nor supper either; but when implied that they are provided with a safe morning arrived, the effects of his debauchery had worn off to such an extent that he was ready for breakfast, composed, as on the day before, of stirabout and a loaf of bread, each seasoned with brandy. Earl partook of this breakfast heartily; but he nevertheless left some untouched, which was not the case the morning before.

'I fancy it is almost too rich,' thought Earl.

Though the brandy bottle was replenishished, and near him, Earl, for some reason or other, partook of the contents so modbefore, nor was his appetite spoiled for dinner.

Up came the orderly with dinner in due time. Dinner as follows:

Soup seasoned with brandy. Cabbage "Potatoes " Boiled meat

I'm much obliged,' said Earl to the orderly, as he smelt the brandy fumes escaping from his eatables. 'I am much obliged for the doctor's kindness, but this, you sec, is rather too rich to go on upon. I'll take my victuals to-day without the brandy, and drink the water afterwards.'

'We don't keep such victuals,' replied the orderly. 'The doctor knows what's best for you to eat, man-you'll like it in time. So Earl ate his victuals, and he thought

they were not so bad after all. 'If you please,' said Earl, when he had eaten all he could, 'I should like a little

water-just a little.' 'We don't keep such a thing,' said the

'None.' 'Then could I have some trandy-andwater? asked Earl.

'Yes, I'll bring some mixed in the proportion the doctor thinks right.' 'Please, I would rather mix for myself.

'You can't do that; the doctor won't let

'Water isn't such a bad thing in its place after all,, thought Earl; for by this time his inner man waxed uncomfortably hot. and his blood rushed to and fro, as if it was forced by a hand pump.

Supper-Stirabout and brandy Breakfast-Brandy and stirabout.

Dinner-Soup with brandy; cabbage dem; meat idem; bread idem; potatoes dem; brandy, brandy! everything they rave poor Earl to eat and drink steamed and smelt of brandy.

'For heaven's sake, let me have a draught of water,' said he, when dinner time on the third day came; 'just one draught of water.'

'No, not a drop.' 'But I shall die-I am on fire-I burn! roared Earl; 'give me water -water!'

'No, drink your brandy and water.' 'I can't-I won't!' 'Well, then, go without.'

Dr. Krauss came on the third day. He felt Earl's pulse, and looked at his tongue, and asked him if he felt better.

'Bettter!' exclaimed he, 'I am dying by inches! Give me water! one draught of water! Let me out-beat me-put me on the sharp-backed horse-shoot me." roared he, 'but don't murder me like this!"

'Why, don't you like brandy?' said the doctor, with a grin so malicious that it might have sat on the face of Mephistopholes, without disparagement to his fiend-'Like it? I'll never taste a drop again.

'Yes, you will,' said the doctor; 'you'll take it for exactly seven days more.' He did; and Earl could never look alcohol in the face afterwards. And this, reader, is not quite a fiction;

for in this way they cure drunkards in the military hospital of Prussia.

Singular Proof of Attachment.—A few days ago, a woman, who cohabited with a man, cut off his fore finger while he was asleep. She placed the finger upon a stone, and applying the knife, struck it with another stone, severing the finger, which only hung by a piece of skin. The man subsequently received surgical treatment at the North Dispensary, but is maimed for life. It apears that the man threatened to enlist in the army, and the woman, from the strong affection she entertained for him, committed the act in order that he might not carry out his intention, which would result in their separation .- Liverpool Mer-

Charity is a rare jewel.

New Series --- Vol. 11111, N

READING R. R.

READING R. R.

Negligence—Obligation of Railford of Passengers—Evidence—Fencin—in co.

This case came up on a writ of err at by costs

Common Pleas of Chester course opinion of the court was delivered by a many control of the court

Woodward, J .- When a railroad company undertakes the transportation of a passenge for an agreed price, the contract includes many things. On the part of the passenger, his consent is implied to all the company's reasonable rules and regulations, for entering, occupying, and leaving their cars; and if injury befal him by reason of his disregard of regulations which are necessary to the contract of the business, the company are not liable in damages, even though the negligence of their servants concurred with his own

negligence in causing the mischief. On the part of the company, the contract that their cars are staunch and roadworthy; that means have been taken beforehand to guard against every apparent danger that may beset the passenger; and that the servants in charge are tried, sober, competent men. When, in performing this contract, they hurt a passenger without a fault of his, the law raises prima facie a presumption of negligence, and throws on the company the onus of showing it did not exist. This may be shown, and the legal presumption repelled, by proving that the injury resulted from inevitable accident, or as it is commonly called, the act of God, or that it was caused by some erately, that neither did he get drunk, as thing against which no human foresight and prudence could provide. What these can do for the safety of the passenger, the law re-

quires the transporting company to do.

But as presumptions of law are always for the court to pronounce, so are the repelling circumstances relied on for the jury. The lecircumstances relied on for the jury. The le-gal presumption, which is only an inference from general experience, remains of force until a countervailing presumption of fact is es-tablished; and as this is a conclusion drawn from particular circumstances, it is for the jury to consider these circumstances, and to deter-mine what is the reasonable deduction.

Yet the court below not only failed to presume negligence from the fact of injury, but instructed the jury that if they believed the testimony in the cause, there was no negligence on the part of the defendant or its

Again, even more pointedly, the learned udge said, "no proof of negligence has been exhibited against the agents and engineer, which would authorize me to submit it to the consideration of the jury." This was withdrawing from the jury a case that ought to have been submitted, with very different instructions. The plaintiff was in no fault; he had taken his seat within the car, and in all respects had demeaned himself as an orderly passenger. Yet he was injured by the over-

throw of the car in which he was seated.

Here was a breach of the company's contract, and here was what has several times. been said by this court, to be evidence of the company's neglect; 8 Barr, 483, 12 H. 469. Then if the court thought there was evidence which was calculated to repel this prima facie presumption of negligence, they should have ubmitted it to th

Whether that spot in the road was not so commonly infested with cows as to require a fence or cattle guard of some sort; whether the speed of the cars was not too great for a curve, exposed at all times to the incursions of cattle; whether the engineer discovered the cow as soon as he might, and used his best endeavors to avert a collision-in a word whether the accident was such as no foresight on the part of the company or its servants could have prevented; these were questions, and grave ones, too, that ought to have been submitted to the jury.

The learned judge after stating correctly, the extreme care and vigilance which the law exacts of railroad companies, asks if they are required to provide suitable fences and guards to keep cattle off the road? In answering his question in the negative, the judge seems to have misapplied the reasons ng of Judge Gibson in Skinner's case, 7 H. 298. That was an action by the owner of a cow killed on a railroad, to recover her value from the company; and the doctrine laid down, was that the owner was a wrong doer, in suffering his cow to wander on a road en gaged in transporting passengers, and was rather liable for damages, than entitled to recover them. The owner of the cew could not insist that the company should fence their road for the protection of his stock. It was his business to keep his cattle within his own bounds. Now, such reasoning between a railway company and a trespasser, commends itself to every man's understanding, because it tends to the security of the passenger. If farmers cannot make companies pay for injuring cattle, but they involve themselves in liability for suffering their cattle to run at large, passengers are all the more secure from kind of obstruction. But when, notwithstanding the strong mo-

tive for keeping cattle off the road, a cow is found there, and causes an injury to a passenger whom the company have undertaken to earry safely, is it an answer to the passenger suing for damages, that the owner of the cow had no right to let her run at large? Grant that she was unlawfully at large, and grant that the owner is bound to indemnify the company for the mischief she caused, yet as between the company and its passenger, liability is to be measured by the terms of their contract.

Having undertaken to carry safely, and holding themselves out to the world as able to do so, they are not to suffer cows to endanger the life of the passenger, any more than a defective rail or axle. Whether they maintain an armed police at cross roads as is done by similar companies in Europe; or fence, or place cattle-guards within the bed of their road, or by other contrivance, exclude this risk, is for themselves to consider and determine. We do not say they are bound to do the one or the other, but if, by some means, they de not exclude the risk, they are bound to respond in damages when injury ac-

Perhaps the passenger would have remedy