

regulations for the carriage of freight on a Government Railway, is notice to all persons having occasion to ship goods or animals by such Railway.

3. One of the general conditions of the regulations applicable to the carriage of live stock by the Intercolonial Railway is that "all live stock conveyed over the Railway are to be loaded and discharged by the owner, or his agents, and he undertakes all risks of loss, injury, damage and other contingencies in loading, unloading, transportation, conveyance, and otherwise, no matter how caused."

By the 50th Section of the Act, (R. S. C. c. 38) under which the regulations were made, it is provided that Her Majesty shall not be relieved from liability by any notice, condition or declaration in the event of any damages arising from the negligence, omission or default of any officer, employee or servant of the Crown.

Held, that the regulation must be read as part of the Act (R. S. C. c. 38, s. 44), and that the condition did not relieve from liability where the loss or injury was occasioned by the negligence of the Crown's servants.

4. The owner of a horse shipped in a box car, the doors of which can only be fastened from the outside, and who is inside of the car with the horse, has a right to expect that the conductor of the train will see that the door of the car is closed and properly fastened before the train is started.

OTTAWA, October 31, 1892.

THE CANADIAN COAL AND COLONIZATION COMPANY (limited),
Claimants; and HER MAJESTY THE QUEEN, Respondent.

Sale of Dominion Lands—Reservation of mines and minerals—The Dominion Lands Act (43 Vict. c. 26)—Rights of purchaser.

Where the Crown, having authority to sell, agrees to sell and convey public lands, and the contract is not controlled by any law affecting such lands, and there is no stipulation to the contrary express or implied, the purchaser is entitled to a grant conveying such mines and minerals as pass without express words.