

JUDGMENTS ARE RENDERED IN APPEAL CASES

*List of Appeals in Which
Judgments Were Given in
Supreme Court at Ottawa.*

QUEBEC CASE HEARING

In the Supreme Court on the morning of February 4 judgments were rendered in the following appeals:—

ONTARIO.

O'Brien v. Baldwin. Appeal allowed with costs throughout and judgment of the trial judge restored. Idington and Anglin JJ. dissenting.

U.S. Playing Cards v. Hurst. Appeal is allowed and the judgment in appeal varied to the extent indicated in the reasons for judgment of Mr. Justice Anglin. Costs of the appeal to this court allowed and the cross-appeal dismissed with costs. Idington J. dissenting.

Dominion Chain Co. v. McKinnon Chain Co. (Ex.). Appeal dismissed with costs. Mignault J. dissenting.

C.P.R. v. Department of Public Works. Appeal dismissed with costs and the question asked in the case submitted answered in the affirmative. Brodeur and Mignault JJ. dissenting.

Gilbert Bros. Engineering Co. v. The King. Appeal dismissed with costs.

Clarkson v. Dominion Bank. Proposed memorandum before judgment is delivered in this case: In this appeal standing for judgment, with respect to the advances made and securities taken for those advances by the bank subsequent to the 25th March, 1914, the day of the filing of the petition for the winding up of the insolvent Thomas Bros., Limited, no argument was made at the bar as to the validity or otherwise of these securities or as to the accountability of the bank for the sales of the goods covered thereby or any of them. If, therefore, either of the parties desires to be heard with reference to these questions he may apply to the court within ten days for a hearing.

QUEBEC.

Duchaine v. Metamajaw Salmon Club. Appeal allowed, to the extent indicated in the reasons for judgment stated by Mr. Justice Mignault, with costs as therein stated. Idington and Cassels JJ. dissenting.

Weiss v. Silverman. Appeal allowed as to all rights and interests of the respondent Silverman in question in this action without preference to the rights of the transferees the mis-en-cause, if any, under the judgment of the Superior Court, and to whatever rights against them the appellant may have, if any. Costs throughout to the appellant against the respondent Silverman.

MARITIME PROVINCES.

Smith v. Provincial Treasurer of Nova Scotia. Appeal dismissed with costs.

Robinson et al v. Simpson et al. Appeal dismissed with costs. Idington J. dissenting.

MANITOBA.

Partridge v. Winnipeg Investment Co., Ltd., & Investors, Ltd. Appeal allowed. Judgment to be entered against the Winnipeg Investment Co. for \$1,260 and interest thereon from 27th November, 1913, with costs throughout against that company, and the action against the Investors Company dismissed without costs. The Chief Justice and Duff J. dissenting.

ALBERTA.

Alberta Rolling Mills v. Christie. Appeal allowed with costs in this court and in the Appellate Division and the judgment of the trial judge restored. Idington J. dissenting.

The first case called was a Quebec appeal, Bélanger v. The King. Before argument the court rendered judgment, ordering a new trial.

CANADA'S TOTAL AREA IS COMPUTED AT 3,729,665 sq. m.

The total area of the Dominion of Canada, including land and water (with the exception of tidal waters), is computed to be 3,729,665 square miles, or 2,386,985,600 acres distributed by provinces and territories as shown in the table given below, which is taken from Part I, Agricultural Statistics, 1917, of the Census of Industry series, compiled by the

Dominion Bureau of Statistics. Of the area included in the table, 109,777,085 acres were, according to the Census of 1911, in actual occupation, while of the area occupied 48,503,660 acres were improved, and 61,273,425 acres were unimproved land. Of the improved area occupied, viz, 48,503,660 acres, 30,566,186 acres were under field crops in 1910.

Provinces.	Land.	Water.	Total Land and Water.
	Acres.	Acres.	Acres.
Prince Edward Island.....	1,397,760		1,397,760
Nova Scotia.....	13,483,520	230,400	13,713,920
New Brunswick.....	17,863,040	47,360	17,910,400
Quebec.....	442,153,600	10,220,160	452,373,760
Ontario.....	234,163,200	26,484,480	260,647,680
Manitoba.....	148,432,640	12,739,840	161,172,480
Saskatchewan.....	155,764,480	5,323,520	161,088,000
Alberta.....	161,872,000	1,510,400	163,382,400
British Columbia.....	226,186,240	1,560,960	227,747,200
Yukon.....	132,113,280	415,360	132,528,640
Northwest Territories.....	773,072,640	21,950,720	795,023,360
Total.....	2,306,502,400	80,483,200	2,386,985,600

Argument was then heard in the appeals of The Great West Saddlery Co. v. Davidson, The Great West Saddlery Co. v. The King, John Deere Plough Co. v. The King, and The A. Macdonald Co. v. Harmer. The principal question in these appeals is whether the three companies appellant, which are companies incorporated by letters patent under the General Companies Act of the Dominion, are liable to the penalties prescribed by the Companies Act of Saskatchewan and Manitoba if they carry on business in these two provinces without registration or without license as prescribed by the provincial statutes.

Wenegast for the appellants; C. C. Robinson for the Dominion of Canada; Chrysler K.C. for Manitoba and Saskatchewan; Nesbitt K.C. and Barton for Ontario, and Davis for respondents Davidson and Harmer.

Judgment was reserved.

In the Supreme Court on February 7 the appeal of Isitt v. Grand Trunk Pacific Railway was heard. It is an appeal from the Court of Appeal for British Columbia dismissing, on an equal division, an appeal from the judgment of the trial judge. The action has been brought for damages by the appellant against the respondent for trespass and the removal from lands of the appellant of a quantity of gravel used by the respondent in the construction of its line of railway. The trial judge gave judgment in favour of the appellant for \$755.30. After argument, judgment was rendered dismissing the appeal with costs.

Argument then proceeds in the appeal of Godson v. Burns. It is an appeal from the Court of Appeal of British Columbia affirming the judgment of the trial judge and maintaining the respondent's action for \$15,000. The action was brought by a lessee, the respondent, against its lessor, the appellant, to recover the sum of \$15,000, being a portion of the moneys expended by the lessee for alterations and additions to the demised premises, which sum, under the terms of the lease, was made payable to the lessee in the event of a renewed term not being granted by the lessor. The renewed term was not granted.

W. N. Tilley, K.C., for the appellant.
A. H. Clarke, K.C., for the respondent.

Root and Fodder Crops.

The area in Canada under root and fodder crops, consisting of potatoes, turnips, etc., hay and clover, alfalfa fodder, corn, and sugar beets amounted to 9,590,568 acres, in 1917, as compared with 8,843,496 acres in 1916, all crops excepting sugar beets sharing in the increase, according to figures compiled by the Dominion Bureau of Statistics.

URGES DEVELOPMENT OF MAPLE SUGAR INDUSTRY

**One of Natural Resources
Which Canada Has Not
Made Most of.**

Canada's hope of after-war financial salvation lies in the development of her natural resources. In calling attention to this fact, Chairman H. B. Thomson of the Canada Food Board urges that the greatest possible development of the sugar maple trees of Eastern Canada be undertaken this spring. "Every dollar's worth of Canadian maple sugar and syrup produced is a dollar saved for Canada," said Mr. Thomson.

Those who have made a business of maple sugar and maple syrup say that only 52 per cent of the trees in the average sugar bush under operation are tapped and that without additional equipment, save extra pails, it would be possible to increase the production greatly if those already accustomed to tapping some of their trees would tap more. In addition to this possibility for expansion is the opportunity presented by many farms which have sugar maple groves which are not tapped at all, or, if a few trees are tapped, the small quantity of sugar and syrup produced suffices only for the use of the family on the farm.

A Montreal dealer recently sent out a questionnaire to a large number of maple sugar producers asking questions as to the amount produced, number of trees, and total receipts in money. The answers varied very considerably, but one man, with 75 acres of bush, realized \$1,500 last year for about three weeks' work.

The average healthy maple tree was supposed to produce 60 cents' worth of sap in the season at prices pertaining before the war. It should be twice that much now. It will do no harm for farmers to experiment this season and see how many trees they could tap, for sugar and syrup will pay.

Highest Potato Yield.

As given in 1917 Agricultural Statistics, compiled by the Dominion Bureau of Statistics, by provinces the potato yield in that year was highest in Prince Edward Island and Nova Scotia, 175 bushels per acre, the remaining provinces being in order of yield in bushels per acre as follows: British Columbia, 166'55; Alberta, 151'46; New Brunswick, 149'80; Ontario, 133'67; Saskatchewan, 133; Manitoba, 106; Quebec, 80.

TO DISCUSS MEANS OF PRESERVING GAME

**Representative Meeting of
Section of Commission
of Conservation will
be Held.**

Under the auspices of the Commission of Conservation, a national conference on game and wild life protection in Canada will be held at the offices of the Commission in Ottawa on Tuesday and Wednesday, February 18 and 19. At this conference, which is to be attended by the chief officials of the Dominion and Provincial Governments in charge of game and wild life protection, a number of important questions of mutual concern will be discussed with a view to securing greater co-operation in putting into effect measures for the successful conservation of game and fur-bearing animals and wild life generally.

The leading sportsmen and game associations have been invited to send representatives, and the railroad companies, to whom the question of game protection is of considerable interest, will be represented.

The international aspect of game protection will be brought to the fore by the presence of such prominent Americans as Dr. E. W. Nelson, chief of the United States Bureau of Biological Survey; Dr. W. T. Hornaday, director of the New York Zoological Society; and John B. Burnham, president of the American Game Protective Association.

The meetings are being held under the joint direction of the Fish, Bird, and Game Committee of the Commission of Conservation and the Advisory Board of Wild Life Protection, of which Mr. James is chairman and Dr. C. Gordon Hewitt secretary.

RESUMPTION OF POSTAL SERVICE IN WAR ZONES

The following information has been received by the Post Office Department in regard to postal services which were interrupted on account of war conditions:—

Unregistered and registered letters and postcards of a personal and domestic character, but not other classes of correspondence, may be forwarded to Luxemburg. The parcel post service is still suspended.

The restrictions confining letters and postcards addressed to destinations in Syria, Mesopotamia, and Palestine under Allied occupation to a private or domestic nature have been withdrawn, and all letter mails, including printed matter, may now be forwarded.

In addition to mail addressed to destinations in Syria, Mesopotamia, and Palestine under Allied occupation, unregistered letters and postcards of a purely personal and domestic character may be sent to portions of Turkey in Asia not under Allied occupation, and also to Turkey in Europe. However, no guarantee of delivery can be given for mail addressed to this territory. The parcel post system to all destinations in Turkey in Europe and Turkey in Asia is still suspended.

SHIPMENTS FROM COAL MINES DURING WEEK

Shipments from western coal mines during the week ending February 1 and men employed were, according to figures supplied by the Winnipeg office of the Department of Immigration and Colonization:—

	1919.	1918.	1919.	1918.
	Tons.	Tons.	Men.	Men.
Blenfai mines	3,786	4,613	152	180
Other mines				
West	52,076	66,811	3,370	4,375

W. S. Stamps pay 4½% compounded half-yearly.