

6,793,014 acres taken by Dominion Government.	10,189,521.00
Less, expenses, cultivation rebate, & 10% on land grant bonds taken in payment.	22,974,357.25
	2,872,790.26
Less, expenditure Col. & Kootenay Ry. lands. \$ 1,183.88	
Less, cancellation of M. S. W. C. Ry. sales. 28,181.58	29,365.46
	20,072,211.53
Town sites—Amount received from the sale of town sites, not covered by land grant mortgage.	3,271,875.35
Less, expenditure improvements, grading, clearing, etc.	915,682.90
	2,356,192.45
Surplus receipts applied against advances on land bond interest.	992,967.76
	1,363,224.69
Adjustment of interest on Montreal & Atlantic Ry. advances.	75,637.48
Surplus earnings account.	6,462,023.12
	\$264,031,205.79

EARNINGS FOR THE YEAR 1898.	
From passengers.	\$ 6,538,589.58
" freight.	16,231,444.93
" mails.	609,974.57
" express.	615,631.43
" parlor and sleeping cars.	455,345.07
" telegraph, grain elevators, and miscellaneous, including profit on Pacific steamships.	1,687,991.55
	\$26,138,977.13

WORKING EXPENSES FOR THE YEAR 1898.	
Conducting Transportation.	\$ 4,014,178.20
Maintenance of Way and Structures.	3,274,642.90
Motive Power.	4,866,253.15
Maintenance of Cars.	962,263.83
Parlor and Sleeping Car Expenses.	86,197.99
Expenses of Lake and River Steamers.	413,195.02
General Expenses.	1,589,777.06
Commercial Telegraph.	457,097.36
	\$15,663,605.51

DESCRIPTION OF FREIGHT CARRIED.	
Description.	1897. 1898.
Flour, barrels.	2,911,072 3,292,450
Grain, bushels.	37,756,201 35,443,084
Live stock, head.	663,773 715,018
Lumber, feet.	831,895,383 840,145,338
Firewood, cords.	185,208 203,336
Manufactured articles, tons.	1,310,827 1,529,044
All other articles, tons.	994,813 1,119,087

FREIGHT TRAFFIC.	
No. of tons carried.	1896. 1897. 1898.
No. of tons carried 1 mile.	4,442,055 5,174,484 5,582,038
Earnings per ton per mile.	1,769,958,865 1,955,911,006 2,142,319,887
	0.75c. 0.78c. 0.76c.

PASSENGER TRAFFIC.	
Passengers carried.	1896. 1897. 1898.
Passengers carried 1 mile.	3,029,887 3,179,589 3,674,502
Earnings per pas. per mile.	263,607,453 317,997,951 430,493,139
	1.83c. 1.82c. 1.52c.

TRAFFIC TRAIN EARNINGS, 1898.			
	Mileage.	Earnings.	Earnings per traffic train mile.
Passenger.....	7,160,764	\$ 7,907,854 97	\$1 14
Freight.....	10,496,129	15,682,335 29	1 49
Total.....	17,656,893	\$23,590,190 26	\$1 34

The above earnings of traffic trains include earnings from mails, express and sleeping cars, but do not include Pacific steamships, lake steamers, river steamers in Yukon trade, British Columbia lake and river steamers, telegraph, elevators, rents, &c., the net earnings from which amounted to \$1,678,494.49.

EXPENSES PER TRAFFIC TRAIN MILE, 1898.		
	Expenses.	Expenses per traffic train mile.
Maintenance of way and structures.....	\$ 3,274,642 90	0.185
Motive power.....	4,866,253 15	0.276
Maintenance of cars.....	962,263 83	0.055
Traffic and general expenses..	5,690,153 25	0.322
	\$14,793,313 13	\$0.838

The Packing of Frogs.

The case of the G.T.R. vs. Washington, which came before the Judicial Committee of the Imperial Privy Council recently, was an appeal from a judgment of the Supreme Court of Canada of Dec. 9, 1897, reversing a decree of the Court of Appeal for Ontario & restoring a judgment of Justice Street. The arguments were heard in Aug. last before a committee consisting of Lord Macnaghten, Lord Morris & Sir Henry Strong, when judgment was reserved.

Lord Macnaghten, in delivering on Feb. 25 for Sir H. Strong, their lordships' judgment, said the action was brought by the respondent against the appellants to recover damages for injuries suffered by him resulting in the loss of his arm in Jan., 1896, while in the discharge of his duties as a yardman in the Co.'s employ at Hamilton. At the trial before Justice Street the jury found that the injuries to the respondent were caused by his foot having caught in a "frog" in the Co.'s yard, & that the Co. had been guilty of negligence in not having the frog "blocked" or properly protected. Judgment was thereupon entered for the respondent for \$2,500, the amount at which the jury assessed the damages. That judgment, having been reversed by the Court of Appeal, was restored by the Supreme Court. The only question raised related to the proper legal construction of an act of Parliament imposing certain duties on railway companies. That enactment was sec. 262 of the Railway Act (Canada), 51 Vict., c. 29. It was in the following words:

"1. This section shall apply to every railway & railway company within the legislative authority or jurisdiction of the Parliament of Canada. 2. In this section the expression 'packing' means a packing of wood or metal, or some other equally substantial & solid material, of not less than 2 in. in thickness, & which, where by this section any space is required to be filled in, shall extend to within 1½ in. of the crown of the rails in use on any such railway, shall be neatly fitted so as to come against the web of such rails, & shall be well & solidly fastened to the ties on which such rails are laid. 3. The spaces behind & in front of every railway frog or crossing, & between the fixed rails of every switch where such spaces are less than 5 in. in width, shall be filled with packing up to the under side of the head of the rail. 4. The spaces between any wing rail & any railway frog, & between any guard rail & the track rail alongside of it, shall be filled with packing at their splayed ends, so that the whole splay shall be so filled where the width of the space between the rails is less than 5 in.; such packing not to reach higher than to the under side of the head of the rail; provided, however, that the Railway Committee may allow such filling to be left out, from Dec. to April in each year, both months included. 5. The oil cups or other appliances used for oiling the valves of every locomotive in use upon any railway shall be such that no employee shall be required to go outside the cab of the locomotive while the same is in motion for the purpose of oiling such valves."

The Railway Committee of the Privy Council in Canada, on Nov. 19, 1889, in pursuance of the authority conferred on them by subsection 4, made an order that the appellants should be at liberty to leave out the packing or filling of frogs & other spaces from Dec. to April in each year. Their Lordships were unable to see that there was any error in the judgment of the Supreme Court in so construing the Act as to restrict the powers of the Railway Committee to the filling required by subsection 4. The words "such filling" in the proviso in their primary significance must mean the filling required by the immediately preceding part of subsection 4, & did not include that made obligatory by sub-

section 3. And that the ordinary grammatical construction ought to prevail unless it could be shown that there was to be found in the statute some context or provision making it imperative to enlarge the scope of the proviso so as to include the cases dealt with in subsection 3. Their Lordships were unable to find any such context, & were consequently of opinion that the judgment of the Supreme Court was right. If it had been intended to include in the proviso to subsection 4 the cases provided for by subsection 3, it would have been obvious that the plural word "fillings" should have been used; therefore, though not, of course, by itself conclusive, it was not immaterial to observe that the word "filling" in subsection 4 being in the singular number supported the construction adopted by the Supreme Court. The decision of the Court of Appeal seemed to have been influenced by contrasting the Act of Parliament with certain statutes enacted by the Legislature of Ontario for the regulation of Provincial railways. As those were enactments emanating from a different legislative body from that which passed the statute to be interpreted, & could not be said to be "in pari materia" with it, their Lordships were unable to see that they ought to have any influence upon the question to be decided arising exclusively upon the Dominion Act & relating only to Dominion railways. Their Lordships would humbly advise her Majesty to dismiss the appeal & to affirm the judgment of the Supreme Court. The appellants must pay the respondent's costs.

Canadian Pacific Railway Projects.

The latest map issued by the C.P.R. shows a large number of projected lines. Most of these have been shown in one or more former maps as follows:—

In Quebec, an extension of the Lake Temiscamingue branch northerly to Les Quenets.

In Ontario, from Kleinburg to Sudbury Jct.

In Manitoba, from Stonewall northwesterly via the Narrows of Lake Manitoba to connect with the L.M.R. & C. Co.'s Ry. at Dauphin.

In the Northwest Territories, from Estevan due west some 50 miles. From the terminus of the Pipestone branch west & north-west to Regina. From Moosomin southwest & west to join the last-mentioned line near the 50th parallel. From Saskatoon to Battleford. From Swift Current north-westerly to Sullivan Lake, Alberta.

In British Columbia, from the terminus of the Columbia & Western Railway, now under construction, at Midway via Penticton to a connection with the main line of the C.P.R. at Hope.

Two projected lines are shown for the first time on this year's map, one from Fort Steele Jct., on the Crow's Nest Pass line, along the valley of the Columbia River, to Golden. The other from the terminus of the Arrow Lake branch, at Arrow Head via Trout Lake to Kootenay Lake. A survey for the latter is now being made.

Canadian Pacific Railway Mileage.

Following is an official statement of the mileage on Dec. 31, 1898:

	MILES.
Mileage included in the C.P.R. traffic returns.	6681.2
Mileage of other lines worked.	732.4
Mileage under construction, including extension of Pipestone and Stonewall branches and a portion of the Crow's Nest Pass line, which, although practically completed, were not in operation at the end of the year.	371.0
Mileage of Lines controlled:	
Minneapolis, St. Paul & Sault Ste. Marie Ry.	1245.0
Duluth, South Shore & Atlantic Ry.	589.0
	1834.0
	9618.6