

ciples indicated in the extract quoted from President Wilson's address. It particularly approves of his declaration that "*our first duty is, of course, to conserve the common interest and the common safety, and to make certain that nothing stands in the way of the successful prosecution of the great war for liberty and justice.*"

We submit that counsel for the Canadian Pacific Railway Company has entirely failed to establish the claim of the Company that it should be permitted to take \$13,946,000 more from the people of this country every year.

**REPLY TO ARGUMENT SUBMITTED ON BEHALF OF THE CANADIAN  
NORTHERN RAILWAY COMPANY.**

The status of the Canadian Northern Railway Company with respect to this appeal is not very clearly defined. When the application was being heard at the various sittings last summer the intention of the Dominion Government to acquire the railway was generally known, because legislation to that effect had been introduced in Parliament. Until the agreement between the Government and the Company could be carried into effect it was recognized that some time must elapse. The eager haste shown in prosecuting the application before the Board had its motive in the apparent desire of the Company to secure as much revenue as possible before surrendering the property. That motive should be less apparent today because the arrangements for acquiring the railway have practically been completed; even if the advance permitted by the Board's judgment were allowed to go into effect the benefits to the Canadian Northern Company would be of short duration. The intimation in the oral argument at Ottawa on January 24, that the Company might be interested now for the purpose of augmenting its valuation of the railway as a going concern should not be forgotten in this connection. Counsel for the Canadian Northern has approached the consideration of the appeal as if the Company were a virile, progressive and enterprising concern. No argument is needed to show that it falls far short of that description. It is preparing to go out of existence as a private corporation, and the augmentation of revenue that, in the event of its application succeeding, would accrue to it seems scarcely sufficient to justify so much interest in the subject. In view of the references made by the Chief Commissioner in his judgment (p. 429) to the country's acquisition of the railway, it would have been supposed that the Government itself, rather than the expiring railway company, should have been associated with the appeal.

On account of the uncertain status of the Canadian Northern it is difficult for us to deal seriously with the argument offered