

ceipt for his wages while off work, which belief would be induced by all the circumstances. As to the merits of the case, the Co. should have provided tongs for lifting rails, or else a foreman should be stationed in such a position that all the men could see him when dropping a rail, & he should take extra precautions.

W. Pont, foreman of the Co.'s Hochelaga car sheds, has invented a device for removing snow from the tracks. It is a large wing attached to one of the new snow sweepers. The wing is about 12 ft. long, & is attached to the off side of the sweeper near the rear. After the brushes in front of the sweeper throw the snow up off the track the wing comes along & throws it back to near the sidewalk, so that sleighs in crossing the tracks will not throw the snow back on to the tracks again. It is claimed it will also do away with a great deal of shovelling.

Montreal Suburban Lines.—The town of St. Paul, the parish of Longue Pointe, & the village of Beaurivage de la Longue Pointe, give notice of application to the Quebec Legislature for power to secure the construction of electric railways within their respective boundaries, & also to connect with Montreal.

The Montreal Terminal Ry. recently laid down a siding on Davidson St. for the accommodation of the Dominion Cotton Mills Co. Permission to lay it was asked from the City, but the granting of this being delayed, the Co. went ahead & did the work.

Quebec Ry., Light & Power Co.—The Railway Committee of the Privy Council having granted permission to the Co. to cross the C.P.R. track, the extension from Aqueduct St. to St. Charles Cemetery is being operated. Everything has been purchased for the electric conversion of the steam road, with the exception of the copper required for overhead construction & feeders, & the work will be pushed to completion as soon as weather will permit in the spring. (Oct., '99, pg. 306.)

Ontario Electric Railways.

Brantford St. Ry.—At Osgoode Hall, Toronto, Jan. 3, judgment was given in the case of Meyers vs. this Co., on motion by plaintiff to set aside judgment of non-suit entered by Boyd, C., at Brantford, & for a new trial. Action for damages for injuries sustained by plaintiff, whose team of horses was frightened by a motor car of defendant. The team driven by plaintiff was stopped at a G.T.R. crossing to allow a train to pass, & plaintiff then waved his hand to the motorman of an advancing motor-car of defendant, with the alleged intention of stopping it; the car, however, did not stop, & the team ran away. It was also alleged that the motorman, meeting the same horses two weeks previously, & observing their fright, stopped the car to allow them to pass. It was contended for defendant that plaintiff had not shown any negligence on part of defendant, which was operating its line with reasonable care, & that the trial

judge was right in holding that, under the circumstances, no cause of action was shown. Held (Street, J., dissenting), following & applying the law as laid down in *Ellis vs. Lynn & Boston R.R.*, 160 Mass., 341, that the case was improperly withdrawn from the jury. The fair inference from the evidence is that the motorman saw that the horses were becoming frightened by the moving car, & were likely to become unmanageable, & that he saw the signal to stop & understood it, & it was therefore his duty to do what he reasonably could to avoid the obvious danger.

Per Street, J.—It can hardly be held that a motorman is bound to observe & remember, in addition to his other duties, the behavior of all the different horses he may pass in the course of a fortnight upon the streets of a town. There is nothing in what the motorman here is proved to have done, which a reasonable man might not reasonably & properly have done, & he was not guilty of negligence. New trial directed. Costs of former trial & of this motion to be paid by defendant forthwith after taxation.

Fort Erie to Chippawa.—On Dec. 21 we were officially informed that the Ontario Government had approved of the terms arranged between the Commissioners of Niagara Falls Park & the Fort Erie Electric Ry. Co., & that an agreement was being prepared in the following terms: The Co. to purchase & dedicate to the Crown all the land that is required along the banks of the Niagara River from Chippawa to Slater's Point, in order to make a full chain in width from the water's edge, where at some points the original reserve is washed away entirely, & at others reduced to a width that is barely passable by carriage. The Co. to construct protective works at all necessary points in order to prevent the chain reserve from further erosion by ice or water. The Co. to lay its rails on the easterly or river side of the reserve, & the roadbed, track & equipment to be approved by the Commissioner of Public Works. The Co. to construct, grade & properly form & roll to hard-finish the new road to the west of the railway for vehicular & pedestrian traffic, which is to have a width of at least 40 ft. from the railway track; also to construct bridges, culverts & openings to the water in a manner to be approved of by the Commissioner of Public Works. The Government & the Park Commissioners to have full access to the water lots over the railway & farmers & owners of properties along the line to be allowed to have the existing rights for watering stock, &c., the lease to be for 20 years. The Co., in addition to acquiring & dedicating the chain reserve to the Crown & protecting the shore line, to pay annual rental for the first 7 years of \$1,000 a year; for the next 3 \$1,200; for the next 5 \$1,500; & for the next 5 \$2,000 a year. The time limit for the completion of the work has not been determined, but it is expected to have the line built during 1900, so as to handle traffic for the Pan-American exhibition at Buffalo. The general promoters of the scheme are B. & E. Baxter, Interna-

tional Bridge, Ont., & Manager Fernyear, of the Westinghouse Electric Co., Buffalo. They have New York connections interested with them, but the Commissioners are not yet at liberty to give the names. (Nov., '99, pg. 336.)

Galt, Preston & Hespeler St. Ry.—W. E. McBride, of Galt, was awarded \$10 damages by a jury at the quarter sessions in Berlin, Dec. 13, in his \$200 action against this Co. for alleged wrongful ejection from one of the Co.'s cars. The Co.'s counsel contend that it was not a case for a jury, & this is now under consideration. The question of costs remains to be argued. The plaintiff states that he paid his fare, while the conductor is equally certain that he did not. In this connection the Co. says that the dispute is between McBride & the conductor.

The Hamilton Consolidated Lines.—C. K. Green, Manager of the Hamilton Radial Electric Ry., has been appointed Traffic Manager of the three electric railways recently consolidated by the Cataract Power Co. J. B. Griffith, Manager of the Hamilton St. Ry., has been given the management of the purchasing department for the consolidated lines.

J. Patterson, the chief promoter of the consolidations, has written a letter to the press in regard to right of way for the proposed road to Berlin, Galt & Waterloo, & the other to Guelph & intervening points. He says: "The road to Guelph is intended to give a service each way each hour, & in order to do that the Co. proposes building a road equal to any railway in the country, except in the matter of gradients. The cars on this road must make the through trip in 50 minutes & return in the same time, so that 2 trains will complete the service & give 16 trains each way every day, carrying both passengers, freight & express matter. Similar arrangements will be made for alternate trains to Galt, Preston & Hespeler & to Galt, Preston, Doon, Berlin & Waterloo, & an hourly service at all times provided for, in addition to the trains that may be necessary for the handling of heavy freight. The line will be double-tracked until the top of the high ground some distance back from Rock chapel is reached, so that all cars going up grade will run on one track, & all down grade on the other, avoiding to a very great extent danger of accidents.

"This is the reason of double tracking as much as the fact that at each hour cars from both lines must pass each other in the near vicinity of the city, & delays on the sidings cannot be made up to any extent on the running time. Any one can see that if we are to provide any such service as we propose—one that will appeal to every business man as superior by 500% to anything ever offered within their memory—it will be absolutely necessary that we can get in & out of the city at a fast rate, & that we do not have to stop for every farmer's team we meet on the road. This is also why we wish to get the Dundurn route for fast running, & why we do not in any case use the highways through the whole

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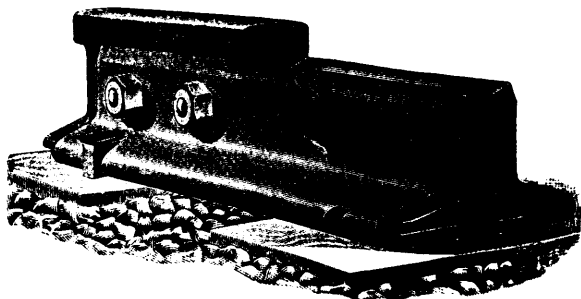
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