and public highway, which the public has the right to freely use the watercourses thereof for the purpose of navigation, an obstruction of which by the erection of a bridge by a railway company will render the latter liable in damages.

Fort George Lumber Co. v. Grand Trunk Pacific Ry. Co., 24 D.L.R. 527.

WEEDS.

As causing fires on railway, see Fires.

WEEDS CAUSING INJURY TO EMPLOYEE WORKING ON TRACK.

For a railway company to permit grass and weeds to grow on a side track is not such negligence as will make it liable to compensate an employee who is injured in consequence of such growth while on the side track in the course of his employment. 6 B.C.R. 561, affirmed.

Wood v. Can. Pac. Ry. Co., 30 Can. S.C.R. 110.

[Applied in Hill v. Granby Consol. Mines, 12 B.C.R. 125; Jamieson v. Harris, 35 Can. S.C.R. 639; referred to in Canada Woollen Mills v. Traplin, 35 Can. S.C.R. 448; Center Star v. Rossland Miners' Union, 11 B.C.R. 205; Warmington v. Palmer, 8 B.C.R. 349.]

LIABILITY OF RAILWAYS TO REMOVE COMBUSTIBLE MATERIAL FROM RIGHT-OF-WAY.

It is the duty of a railway, under c. 91 of R.S.N.S. 1900, to clear from off the sides of its roadway, where it passes through woods, all combustible material, such as grass, ferns, bushes, or other material, by careful burning at a safe time, or otherwise, whenever they become combustible.

Schwartz v. Halifax & S.W. Ry. Co., 14 Can. Ry. Cas. 85, 4 D.L.R. 691.

[Affirmed in 11 D.L.R. 790, 47 Can. S.C.R. 590.]

WHARVES AND FERRIES.

WHARF INSUFFICIENTLY LIGHTED—NO GATE OR CHAIN—FERRY.

Grand Trunk Ry. Co. v. Boulanger, 1886. See Can. S.C.R. Dig. 1893, p. 733.

FERRYMAN—LIABILITY AS COMMON CARRIER.

To render a person liable as a common carrier he must exercise the business of carrying as a public employment, and must undertake to carry goods for all persons indiscriminately, and hold himself out, either expressly or by course of conduct, as ready to engage in the transportation of goods for hire as a business, not merely as a casual occupation. Therefore, the owner of a boat propelled by oars and rowed for hire across a river from time to time, by employees usually occupied in other ways, does not fall within the definition of a common carrier.

Roussel v. Aumais, 18 Que. S.C. 474.

NEGLIGENT MANAGEMENT OF FERRY—INJURY TO PASSENGER.

Where a ferry was under the control and management of a municipal corporation and accepted, in payment of the fare of a traveler M, a coupon attached to his railway ticket, the corporation was held liable for injuries to M. caused by the negligence of the officers of the boat where, finding the mooring chain down on approaching the wharf, and thinking it safe to land, M. fell through the space between the wharf and the boat, which was