

If you consider it advisable, will you please hand this communication to the Chairman of the Joint Committee, or the proper party to receive it, and, if you can arrange for a date on which the Joint Committee will be prepared to take up the question and, if necessary, hear a deputation from this Board on the subject and will so advise, we will arrange for the representation to go to Ottawa. We understand the Joint Committee is sitting on Tuesdays and Thursdays. It would not be practicable for our representatives to appear before the Committee next Tuesday, the 19th May, but possibly any subsequent date would be satisfactory.

Yours faithfully,

T. MARSHALL,  
Manager.

This is signed by Mr. T. Marshall, the Traffic Manager of the Toronto Board of Trade, and that gentleman has given a good deal of attention to this matter. He forwarded to me a communication which was sent to the Minister of Railways, in which he sets forward the various points which the Toronto Board of Trade desire an opportunity of placing before this Committee.

Mr. F. W. MACLEAN, M.P.—What are those points he refers to?

Mr. COCKSHUTT, M.P.—This document is rather lengthy and the points are set out by numbers.

The CHAIRMAN (Mr. Armstrong) read the communication to the Committee as follows:—

*Revision of the Railway Act extending the jurisdiction of the Board of Railway Commissioners over special services rendered by the Railways.*

Our representations are contained in a communication of February 17 last, addressed to the Honourable the Minister of Railways and Canals, copy of which was forwarded to the Prime Minister on same date.

What we desire to lay before the Government for consideration in connection with the revision of the Railway Act is the question of extending the jurisdiction of the Board of Railway Commissioners over special services rendered by the Railways.

Chapter 37, the Railway Act;

Section 314 provides for the issuance of tariffs of tolls by the carriers;

Section 315 provides for the equality of all such tolls;

Section 317 provides for facilities for traffic, and that no undue preference or discrimination shall be shown;

Sections 321, 322 and 323 provide that such tariffs of tolls shall be subject to the jurisdiction of the Board of Railway Commissioners; and

Amended paragraph 30, Section 2, provides for definition of 'toll' and 'rate'.

Section 323 provides that:

'The Board may disallow any tariff or any portion thereof..... and may require the Company.....to substitute a tariff satisfactory to the Board in lieu thereof.....'

Amended paragraph 30, Section 2, sets forth the definition of the term 'toll' and 'rate', as applied in connection with services rendered by a common carrier. These services are specifically enumerated.

The Board, under the powers conferred upon it under the foregoing Sections, has unquestionable authority over the toll, but it has found itself at times lacking in the necessary authority to control the service, particularly in connection with some of the services which might be considered as 'incidental to the business of a carrier.' These services, some of which are specifically enumerated in amended paragraph 30, Section 2, have been styled by the Railways as 'special' services or 'privileges', over which they claim the Board