

\$80,843.24, against \$82,262.61 for same period, 1902-03.

**Toronto, Hamilton and Buffalo Ry.**—Gross receipts for Mar., \$64,003.79, against \$47,246.60 for Mar., 1902, making for ten months ended Mar. 31, \$492,940.04, against \$400,041.53 for same period, 1902-03.

**Toronto Railway Co.**—Gross earnings:

	1904.	1903.	Increase or Decrease
Jan.	\$179,359.92	\$161,538.14	\$17,821.78+
Feb.	168,904.33	146,539.21	22,365.12+
Mar.	183,641.08	159,542.85	24,100.23+
+ Increase	\$531,907.33	\$467,620.20	\$64,287.13+

**Victoria Terminal Ry. and Ferry Co.**—Application has been made to the Supreme Court by the Company for leave to pay in \$5,500 in favor of A. E. Henry, who has an action pending. (Feb., pg. 43).

**White Pass and Yukon Ry.**—Gross earnings for Feb., \$27,788, making for seven months to Feb. 29, \$1,237,767.

**Windsor City Ry.**—See Sandwich, Windsor and Amherstburg Ry.

**Winnipeg Electric Street Ry. Co.**—The following are the officers and directors for the current year: President, W. Mackenzie, Toronto; Vice-President, W. Whyte, Winnipeg; other directors, Sir Wm. Van Horne, Montreal; D. D. Mann, D. B. Hanna, Toronto; A. M. Nanton, Winnipeg; Secretary-Treasurer, F. M. Morse. The Company has not issued a report for 1903, but it is stated that the receipts were \$287,279.45, of which the city received \$14,363.96.

### A Michigan Central Rate Case.

On April 1 Commissioner Prouty, of the Interstate Commerce Commission, delivered the following report and opinion of the Commission in the case of C. M. Cist vs. Michigan Central Rd. Co.:

Niagara-on-the-Lake is situated on the Canadian side of the Niagara River near where it empties into Lake Ontario. The defendant, a U.S. corporation, maintains a through passenger service from this point to Buffalo, N.Y. The route is by the railroad of the defendant from Niagara-on-the-Lake to Victoria, Canada, a distance of about 30 miles, thence across the International Bridge to Black Rock on the U.S. side and from there to Buffalo over the tracks of the New York Central, 5 miles. The bridge is operated by an independent company, which charges 6c. for each passenger carried across it in the trains of the defendant. The entire distance from Niagara-on-the-Lake to Buffalo is 35.3 miles.

By the New York Central line it is 30 miles from Buffalo to Lewiston, which is situated upon the New York side of the Niagara River about 5 miles from Niagara-on-the-Lake. Steamers ply between Lewiston and Niagara-on-the-Lake, so that it is possible to reach Buffalo from the latter point over this route as well as by the line of the defendant. The New York Central is prohibited by law from charging more than 2c. a mile passenger fare, and the boat fare between Lewiston and Niagara-on-the-Lake is 25c., making a total by this route of 85c.

The regular published schedule of the defendant from Niagara-on-the-Lake to Buffalo is \$1.10, but during the summer season it makes a special rate of 85c. to meet competition. The station of the defendant at Niagara-on-the-Lake is situated upon, or near the steamboat wharf, but it also stops its trains at Queen St. To get the benefit of the special 85c. rate it is necessary to purchase a ticket at the station; no rate less than its regular fare is charged on the train.

The complainant boarded the train at Queen St. without a ticket and was compelled to pay \$1.10 for transportation to Buffalo. He com-

plaints that this was illegal; first, because the charge of \$1.10 is unreasonably high; second, because the defendant, while charging him that amount, performed the same service for the other passengers for 85c.

We cannot find upon this record that \$1.10 is an unreasonable charge from Niagara-on-the-Lake to Buffalo. This is a branch line of the defendant, and the case does not show density of traffic nor the circumstances under which the passenger service is performed. It simply appears that a rate of 3c. a mile is imposed. While lower rates are in force in many parts of the U.S., it is also true that there is hardly any section of country in which a rate as high as 3c. a mile is not charged for a local service of this distance. The fact that a rate of 85c. is made during the summer season to meet competition via Lewiston is not controlling, nor is the further fact that the New York Central under compulsion of law establishes a rate of 2c. a mile from Lewiston to Buffalo. We do not find that this rate is reasonable; we simply fail to find that it is unreasonable, as there is no evidence in the record upon which an intelligent judgment can be formed. This is a most unsatisfactory disposition of the question, and if the case were of wider application, or the subject of more general complaint, it might be our duty to proceed on our own motion to develop the necessary facts.

The case is meagre of facts showing whether there is or ought to be a station of the defendant at Queen St. It simply appears that there is no station building and no station agent at that point, but that the defendant stops all its trains there to discharge and receive passengers. It was said by counsel for the defendant that if there were a station at that point no ticket would be sold for Buffalo at less than \$1.10.

Upon the above findings the first proposition of the complainant, that the rate which he was forced to pay was an unreasonable one, is not sustained.

The second proposition is that it was unjust to charge him \$1.10 while other passengers upon the train were carried for 85c. The regular rate from Niagara-on-the-Lake to Buffalo was \$1.10, and this was the amount collected of all persons who paid their fare to the conductor. Any person who saw fit to do so could purchase a special ticket during a certain portion of the year for 85c. We think that when a railroad company makes a reduction from its regular rates, which are not found unreasonable, it may require that the person desiring to avail himself of that reduction shall purchase a ticket, and that it may collect of all persons not holding such special ticket the reasonable ordinary fare.

But the complainant urges that in this case he could not purchase this special ticket for the reason that the defendant did not have the same on sale at the point where he boarded the train. There was no way in which he, taking the train at that point, could have obtained transportation to Buffalo for less than the amount which he actually paid. This presents the question, ought the defendant to have maintained a ticket office at Queen St.? And perhaps the further question, Might the defendant impose a higher charge from an intermediate point than from a more distant point for the same service? Of these matters we think this Commission has no jurisdiction. The discrimination, if there be one, is local, and the locality is in Canada. Assuming that we have jurisdiction over the reasonableness of this through rate, it seems clear that no law of the U.S. can extend to a question of discrimination between places in a foreign country.

The complaint is dismissed.

The Canadian Railway Instruction Institute, established by H. Miller at Toronto, has opened a branch school at Norwich, Ont.

### May Birthdays.

Many happy returns of the day to Garret Vliet, Assistant Master Mechanic, G.T.R., at Portland, Me., born at Milwaukee, Wis., May 5, 1854.

W. R. Baker, Assistant to Vice-President, C.P.R., at Montreal, born at York, Eng., May 25, 1852.

S. Barker, M.P., ex-General Manager Northern Ry., Hamilton, Ont., born at Kingston, Ont., May 25, 1839.

C. W. Burpee, Superintendent C.P.R. at Brownville Jct., Me., born at Keswick, N.B., May 15, 1861.

E. T. Byrne, Commercial Agent, G.T.R., at St. Louis, Mo., born at Albany, N.Y., May 3, 1859.

G. S. Cantlie, Superintendent Car Service, C.P.R. at Montreal, born there May 2, 1867.

C. L. Coon, City Passenger and Ticket Agent, G.T.R., at Buffalo, N.Y., born at Watertown, N.Y., May 20, 1868.

G. H. Dodge, Assistant Treasurer and Superintendent, Levis County Ry., Levis, Que., born at Billerica, Mass., May 14, 1875.

M. Donaldson, General Superintendent, Canada Atlantic Ry., at Ottawa, Ont., born near Edinburgh, Scotland, May 1, 1851.

G. C. Dunn, ex-Chief Engineer, Ottawa, Northern and Western Ry., Pontiac Pacific Jct. Ry., Hull Electric Ry., and Interprovincial Bridge, born at Quebec, May 13, 1862.

Hon. W. C. Edwards, Timiskaming Steamboat Co., Rockland, Ont., born at Clarence, Ont., May 7, 1844.

J. D. Evans, Engineer Central Ontario Ry., at Trenton, Ont., born at Goderich, Ont., May 27, 1843.

E. T. Galt, President Alberta Ry. and Coal Co., at Lethbridge, Alta., born at Sherbrooke, Que., May 24, 1850.

A. Hardy, General Freight and Passenger Agent, Quebec and Lake St. John Ry., at Quebec, born there May 12, 1855.

C. M. Hays, 2nd Vice-President and General Manager, G.T.R., born at Rock Island, Ill., May 16, 1856.

W. T. Huggan, Accountant and Auditor Prince Edward Island Ry., at Charlottetown, P.E.I., born at Halifax, N.S., May 24, 1851.

J. Hunter, Chief Engineer and General Superintendent Esquimalt and Nanaimo Ry., at Victoria, B.C., born at Aberdeen, Scotland, May 7, 1839.

W. S. Kinnear, Chief Engineer, Michigan Central Rd., at Detroit, Mich., born at Circleville, Ohio, May 25, 1864.

G. A. Parker, Auditor Dominion Atlantic Ry., at Kentville, N.S., born at Walton, N.S., May 1, 1855.

N. J. Power, Auditor of Disbursements, G.T.R., at Montreal, born at Rochester, N.Y., May 19, 1843.

H. B. Sherwood, Superintendent Bay of Quinte Ry., at Napanee, Ont., born at Auburn, N.Y., May 25, 1847.

E. Tiffin, General Traffic Manager, I.C.R., at Moncton, N.B., born at Hamilton, Ont., May 5, 1849.

J. H. Walsh, General Freight and Passenger Agent, Quebec Central Ry., at Sherbrooke, Que., born at Quebec May 12, 1860.

H. K. Wicksteed, Engineer in Charge of Surveys, Canadian Northern Ry., east of Port Arthur, born at Quebec May 25, 1855.

James Yeo, ex-Roadmaster Intercolonial Ry., Riviere du Loup, Que., born at Bideford, Devonshire, Eng., May 1, 1830.

There was expended on the canal system of the Dominion on capital account during the year ended June 30, 1903, \$1,823,273.

The Kingston, Portsmouth and Cataraqui Electric Ry. has been reopened for traffic, after having been closed down for some time, owing to a difference between the Company and the city council of Kingston, Ont.