

Grand Trunk Railway Demurrage Regulations at Portland.

The Interstate Commerce Commission gave the following judgment recently in a case against the G.T.R.:—Complainants are the National League of Commission Merchants of the United States, a corporation, with its principal office at New York, N.Y., and certain produce dealers of Boston, Mass., members of the complainant named. They allege that defendant's demurrage regulations governing carload shipments of apples and vegetables awaiting transshipment at Portland, Me., are unreasonable and unjustly discriminatory as compared with the demurrage regulations of the Maine Central Rd. governing such shipments at the same port. The evidence adduced relates only to regulations governing shipments of apples. Reparation is asked for demurrage charges collected at Portland on certain shipments of apples in 1914 and 1915. The shipments described in the complaint originated at points in Maine, either on defendant's line or on the Maine Central Rd., and were delivered by defendant. Demurrage charges were collected at Portland in accordance with the following tariff rules:—"Cars containing freight for transshipment to vessel will be allowed such free time at the port as may be provided in the tariffs of carriers."

The tariff containing this rule provided 48 hours (2 days) free time, exclusive of Sundays and legal holidays, for unloading all commodities at Portland. Complainants contend that these tariff provisions are incomplete and unjustly discriminatory because the Maine Central Rd.'s tariff, applicable at Portland, contains the following rule:—"Demurrage on transshipped traffic: Ten days free time (including Sundays and legal holidays) will be allowed for unloading carload shipments forwarded by water, where there are no through rates, viz.: Apples * * * for transshipment to vessels at Portland, Me. * * *"

Regular line trans-Atlantic steamers do not dock at the Maine Central piers at Portland. That is done only by occasional vessels specially chartered. Complainants therefore are compelled as a rule to use the G.T.R. facilities to effect transshipment of their apples. The mere fact that defendant's demurrage regulations at Portland are different from those of the Maine Central Rd. does not establish unlawful discrimination. An allowance of more than 10 days free time was insisted upon by complainants at the hearing. They urge that this free time is necessary, as the steamships frequently are unable on account of weather conditions to arrive on scheduled time. The average detention at Portland on the shipments was approximately 7 days, exclusive of Sundays and legal holidays; the minimum time was 3 days and the maximum 39 days. Complainants showed that 30 days free time applied at Boston, New York, Philadelphia, and Baltimore, on shipments of apples awaiting transshipment, and, in general, on all freight for export. Since the hearing the free time allowance at the points named applicable on shipments for export moving on local bills of lading to the respective ports has been materially reduced. The circumstances and conditions obtaining at Portland are not shown to be similar to those obtaining at the larger eastern ports, nor is it disclosed what would be a reasonable free time allowance at Portland. No evidence was adduced to show why any of

the shipments in issue were detained beyond the free time, except the general statements that tentative bookings were sometimes cancelled and weather conditions sometimes delayed the steamships.

We find that the demurrage regulations in issue are not shown to be or to have been unreasonable or unduly prejudicial. At the hearing complainants sought to enlarge the scope of the complaint by in-

jecting an issue of undue prejudice predicated on defendant's practice of imposing no demurrage charges at Portland on shipments of apples from Canadian points for export, while contemporaneously exacting such charges at Portland on shipments from points in Maine. This issue was not raised by the pleadings and will not be considered. An order will be entered dismissing the complaint.

Birthdays of Transportation Men in February.

Many happy returns of the day to:—

B. H. Bennett, General Agent, Chicago & North Western Ry., Toronto, born at Cobourg, Ont., Feb. 6, 1858.

F. L. C. Bond, Division Engineer, Eastern Lines, G.T.R., Montreal, born there Feb. 21, 1877.

T. Britt, General Fuel Agent, C.P.R., Montreal, born there Feb. 3, 1871.

G. E. Bunting, General Western Freight Agent, Allan Line Steamships, and Manager, Allan & Co., Chicago, Ill., born at Toronto, Feb. 8, 1873.

J. S. Byrom, General Superintendent, Sleeping, Dining and Parlor Cars, and News Service, Eastern Lines, C.P.R., Montreal, born at Jersey City, N.Y., Feb. 10, 1872.

J. J. Callahan, Superintendent, Oshawa Ry., Oshawa, Ont., born at New Glasgow, Que., Feb. 25, 1875.

H. R. Charlton, General Advertising Agent, G.T.R. and G.T.P.R., Montreal, born at St. Johns, Que., Feb. 9, 1866.

R. Colclough, Superintendent, District 1, Transcontinental Division, Canadian Government Railways, Quebec, Que., born at Bic, Que., Feb. 24, 1871.

F. W. Cooper, A.M.Can.Soc.C.E., ex-Superintendent, Schreiber Division, Algoma District, C.P.R., now Manager, Track Specialty Department, W. W. Butler Co., Montreal, born at London, Ont., Feb. 16, 1880.

R. Crawford, Northwest Agent, Northern Navigation Co., Winnipeg, Man., born at Kingston, Ont., Feb. 21, 1870.

A. J. Donegan, Superintendent, Algoma Eastern Ry., Sudbury, Ont., born at Perth, Ont., Feb. 17, 1872.

R. W. Drew, Division Freight Agent, Saskatchewan District, C.P.R., Regina, born at Kingston, Ont., Feb. 17, 1874.

E. A. Evans, M.Can.Soc.C.E., ex-General Manager and Chief Engineer, Quebec Ry., Light & Power Co., Quebec, born at Kensington, London, England, Feb. 26, 1855.

Goodwin Ford, General Superintendent, Western Lines, Dominion Express Co., Winnipeg, born at Bordentown, N.J., Feb. 23, 1859.

J. C. Holden, A.M.Can.Soc.C.E., Division Engineer, C.P.R., Winnipeg, born at St. John, N.B., Feb., 1876.

T. C. Hudson, Division Master Mechanic, Quebec Grand Division, Canadian Northern Ry., Joliette, Que., born at Brockville, Ont., Feb. 20, 1873.

H. Hulatt, Manager of Telegraphs, G.T.R. and G.T.P.R., Montreal, born in London, England, Feb. 15, 1883.

C. Gardner Johnson, Lloyd's Agent for British Columbia, Vancouver, B.C., born at Dunblane, Scotland, Feb. 8, 1857.

F. C. Johnson, Night Locomotive Foreman, C.P.R., North Transcona, Man., born at Montreal, Feb. 26, 1885.

John McCraw, General Agent, Central Vermont Ry., New London, Conn., born at Craigvale, Ont., Feb. 6, 1868.

G. L. McCrea, Local Freight Agent, C.P.R., Vancouver, B.C., born at Springtown, Ont., Feb. 9, 1876.

T. McNabb, ex-Master Mechanic, Alberta Ry. & Irrigation Co., now of Picture Butte, Alta., born in Scotland, Feb. 16, 1849.

J. K. McNellie, General Superintendent, Canadian Government Railways, Moncton, N.B., born at Toronto, Feb. 23, 1874.

D. C. Macdonald, Assistant General Claims Agent, C.P.R., Winnipeg, born at Elmsdale, N.S., Feb. 9, 1874.

C. S. Maharg, Superintendent, Brandon Division, Manitoba District, C.P.R., Brandon, born in Dufferin County, Ont., Feb. 4, 1867.

V. J. Melsted, ex-Engineer of Water Service, Western Lines, C.P.R., Winnipeg, born at Gardar, N.D., Feb. 20, 1887.

G. A. Montgomery, Vice President and General Manager, Algoma Central & Hudson Bay Ry., Sault Ste. Marie, Ont., born at Bradford, Ont., Feb. 11, 1871.

A. Z. Mullins, Commercial Agent, G.T.R., Grand Rapids, Mich., born at Appin, Ont., Feb. 14, 1862.

M. G. Murphy, General Agent, Passenger Department, C.P.R., Detroit, Mich., born at Halifax, N.S., Feb. 26, 1878.

J. E. Proctor, District Passenger Agent, C.P.R., Regina, Sask., born at Sarnia, Ont., Feb. 17, 1878.

C. T. Ridalls, Car Foreman, C.P.R., London, Ont., born at St. Heliers, Jersey, Channel Islands, Feb. 8, 1864.

J. E. Robitaille, Treasurer, Roberval-Saguenay Ry., Chicoutimi, Que., born at Quebec, Feb. 17, 1870.

A. E. Rosevear, General Freight Agent, G.T.P.R. and Grand Trunk Pacific Coast Steamship Co., Winnipeg, born at Montreal, Feb. 20, 1863.

J. G. Scott, ex-General Manager, Quebec & Lake St. John Ry., Quebec, born there Feb. 13, 1847.

J. J. Scully, General Superintendent, Algoma District, C.P.R., North Bay, Ont., born at Montreal, Feb. 3, 1872.

G. Spencer, Chief Operating Officer, Board of Railway Commissioners, Ottawa, born in London, Eng., Feb. 21, 1865.

R. H. Sperling, Advisor to the Board, British Columbia Electric Ry., London, Eng., born there, Feb. 9, 1876.

H. E. Suckling, Treasurer, C.P.R., Montreal, born at Gibraltar, Feb. 27, 1851.

Hugh Sutherland, Executive Agent, Canadian Northern Ry., Winnipeg, Man., born at New London, P.E.I., Feb. 22, 1845.

F. L. Wanklyn, M.Can.Soc.C.E., General Executive Assistant, C.P.R., Montreal, born at Buenos Ayres, Feb. 25, 1860.

J. R. Watson, Assistant Superintendent, Sleeping, Dining and Parlor Cars, and News Service, Eastern Lines, C.P.R., Montreal, born at Morpeth, Eng., Feb. 8, 1873.

John L. Weller, M.Can.Soc.C.E., Engineer in Charge, Welland Ship Canal, St. Catharines, Ont., born at Cobourg, Ont., Feb. 13, 1862.

A. Williams, Superintendent, Brownville Division, New Brunswick District, C.P.R., Brownville Jct., Me., born at Mono Road, Ont., Feb. 22, 1872.