

opening (Central Saskatchewan Board of Trade v. G. T. P. R. Co., 10 C. R. C. 135; British Columbia and Alberta Municipalities v. G. T. P. R. Co., 13 C. R. C. 463).

The question seems to me, however, to have been dealt with so as to affirm the Board's jurisdiction, by the decision of the Supreme Court in the case of *G. T. R. vs. Department of Agriculture of Ontario*, 425 S. C. R. 557. This was a case where the Board's jurisdiction to order a railway company, whose line had been completed and in operation, to provide a station at a point where, in the Board's opinion, it was required to afford proper accommodation for traffic, was challenged. The objections to the Board's jurisdiction were similar to those now in question, and the effect, among other sections, of sections 26, 28, and 167, was considered. The Chief Justice specifically found that sec. 28, par. 1 and ss. 2, gives the Board full jurisdiction, of its own motion, to order and require any company to do anything which such company is or may be required or authorized to do under the Act, in so far as it is not inconsistent with the Act. Mr. Justice Girouard found that the Board had a jurisdiction, under sec. 28, as well as other sections which are not relied on by the parties to this issue; while Mr. Justice Anglin found that the Board, being empowered to authorize the company to erect stations at new or additional points, and being clothed by sec. 26 (2), with authority to order and require the company to do that which it may be authorized to do, has jurisdiction to order and require the erection of a station at a new and additional stopping place upon a railway already constructed. The Board here is empowered to authorize a deviation, and, following the decision of the Supreme Court, having the right to authorize it also has the jurisdiction to order the company to deviate its line.

The application in question is in effect a deviation. The city asks that the Board direct the company to eliminate the portion of its line lying between Locke St. and Baillie St., some 5,400 ft., and substitute therefor certain tracks to be laid on the G. T. R. property to the north, providing the necessary deviations to the G. T. R. property, so as to permit the use of the tracks to be laid on the G. T. R. property as part of the T. H. & B. R. line.

The main object of the application is to divert the line from Hunter St. to the G. T. R. right of way. This is within the limit of one mile from the original location. Mr. MacMurchy has filed a supplementary argument for the railway showing that certain portions of the deviation would lie outside the mile limit. This may be so, but the approaches can probably be rearranged so as to leave the whole of the deviation within the limit. A mere change of detail would apparently meet this objection without much injury to the general scheme of improvement prepared by the city.

There remains to be considered Mr. Hellmuth's third objection, namely, that the railway company could not, in law, have built its line on any other route, and that the Board cannot order the company to do that which, in law, it has no authority to do. Regarding any arrangements between the city and the company, I am of the opinion that, in the public interest and safety, the Board may, on fair and proper terms, disregard any contract, agreement, or arrangement that the city and the company may have made. If the only parties to the issue in the question were the city on the one side, and the company on the other, the position undoubtedly would be very different. The city would be bound by its by-

law; but it is quite clear that, apart from the bylaw, the company, in the first instance, could have built just where the Minister of Railways located the line, subject to the approval of the necessary details by the Railway Committee of the Privy Council at the time the railway was constructed.

If, then, the powers of the Board are not overridden by the bylaw and special act, and a jurisdiction is obtained under sections 26 and 28, I am of the view that, while the company, of its own motion and apart from that municipal consent which the present application entails, cannot abandon its present route, being bound as it is by the terms of the municipal bylaw; the Board may, nevertheless, make such an order for its deviation as it may decide that the public interest and safety demands.

No question on the merits is herein considered, one way or the other. On the one hand, it may be that the city's proposals for the diversion will prove to be reasonable and in the best interests of the public, and, perhaps, of the railway itself. On the other hand, it may be that the said proposals are entirely unreasonable, and that the application should be refused. The questions of railway operation and public convenience involved are intricate, and will take some time to determine; and a proper, final solution of the problem will require the expenditure of much time and study.

On the question of jurisdiction, the company has, of course, the right of appeal to the Supreme Court; and it has expressed its desire to exercise such right, if the Board's decision on the question should be adverse to it. If the company still desires to take the appeal, without first going into the merits, it will please so advise the Board within the next ten days, and without delay proceed to perfect its appeal.

[We are officially advised that the T. H. & B. R. Co. has entered an appeal quashing the Board's jurisdiction.]

Painting Boards at Canadian Pacific Ry. Montreal Shops.

Except for repair work, the hand brush is no longer seen in the best railway practice, the older method having been superseded by dipping, or air brush painting. Both these processes are in use in the C.P.R. Montreal car shops, where as mentioned in a description in these columns of the process of manufacture of a wooden box car, the whole of the outside of the car is painted by the use of the air brush, a special shop being reserved for the purpose. Three applications are given, with a short drying interval between.

In the new steel frame box cars which the company is now building almost exclusively, where the sheathing is secured in the car sides horizontally, it has been found advisable to first have the sheathing painted, in order that the mating strip may be protected from decay should water leak into the joint, where the horizontal crevices tend to retain whatever soaks in.

Instead of painting by hand, or using the air brush, dipping in a large tank, of ample size to hold a number of pieces, is used. The trouble with the dipping process has been that unless some special provision has been made for allowing the boards to drain back into the tank, there is a great waste of paint. The method adopted in these shops is to pass the dipped board as it comes from the tank, through between coarse brushes, projecting inwards from four sides to form a rectangle the shape of the board, these brushes squeezing the surplus paint from the planks without any additional draining.

Progress of Steam Railway Electrification.

This year will see marked steps in the development of railway electrification in Canada. As previously stated in these columns the C.P.R. has let a contract for the electrification of its Rossland Branch in British Columbia; the City of London will electrify its line between London and Port Stanley, Ont., and the Canadian Northern Ry.'s Montreal tunnel and yards, now under construction, will be electrically equipped.

In the United States the Chicago, Milwaukee and Puget Sound Ry. is electrifying 450 miles of its main line between Harlowtown, Montana, and Avery, Idaho. The Norfolk and Western Rd. is electrifying the Bluefield Vivian section, 85 miles, over which 65 thousand tons of coal are handled daily. The Pennsylvania Rd. will extend its electrified zone from New York to Elizabeth, and this is probably but a step toward electrification all the way from New York to Philadelphia.

Recently a commission appointed in Victoria, Australia, to determine the best system for suburban railways, covering about 300 miles of steam and railroad tracks, reported that the direct current system shows a material advantage over single phase alternating in first cost and also in the annual cost of operation.

Switzerland Refuses to Adopt the 24-Hr. System.

A Berne cablegram says:—The Swiss Government has refused to sanction a request from the Federal railways for the introduction of the 24 hour system of time reckoning. It did so on the ground that, although France and Italy now have this system, Germany and Austria have not, so that, instead of Switzerland having, as at present, difficulties on her French and Italian frontiers, she would have them on her German and Austrian frontiers instead. The Swiss Post and Telegraph Department was not averse to the reform, neither was the Customs Department; the cantons in general did not disapprove of it, while the clock and watch-makers supported it heartily.

J. E. Morazain, Assistant Superintendent Montreal Terminals, C.P.R., writes: "I wish you and your valuable and welcome journal, Canadian Railway and Marine World, a happy and prosperous new year."

Two motor cars (a saloon car and a composite car for the suite and attendants), each equipped with a benzol electric set, have recently been supplied to serve as a state train for the Khedive of Egypt. The system of driving adopted differs from previous forms in the fact that each of the cars is equipped with a combustion engine, dynamo and electric motors, and the train can be controlled from either of the drivers' compartments at each end.

The increasing of car loads as a means of relieving periodical car congestions has been tried by a large U.S. corporation, with the result that the average car loading was increased from 34.6 to 36.2 tons, or an increase of 1.6 ton. With this increased loading, this one corporation required 76,105 fewer cars last year than the previous year as a direct result.

A suggestion has been made in London, Eng., to the effect that the time has arrived when the services rendered by the wireless telegraph, in connection with recent marine disasters, should be fittingly recognized by granting G. Marconi some token of gratitude for his great achievements on behalf of humanity.