

THE FARMER'S ADVOCATE AND HOME MAGAZINE.

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why it should be under the control of a power like the Railway Commission. A resolution asking the Government to place it under the purview of that body was passed at the recent Dominion Conference of Fruit-growers held in Ottawa last month, and a deputation subsequently urged it upon the Premier, Sir Wilfred Laurier. Sir Wilfred intimated his sympathy with their object, and could not recall why Hon. Mr. Blair had not included the express companies when the law establishing the Commission was framed. The Premier promised to bring the matter before his colleagues, and it is hoped the desired legislation will be passed before long, although he could not promise it positively this session, as asked by his interviewers.

Whether express rates are exorbitant or not, will be for the Railway Commission to determine. The companies point out that rates on fruit are much lower than on ordinary articles. The agents complain of trouble in handling, vexatious claims for loss and breakage, etc., and assert that the margin on fruit carriage is very small. On the other hand, they do not deny that the volume of business makes it a profitable one, and that it represents just so much extra business to them. It is hard to believe they are not making a pretty fair thing out of fruit and vegetable carriage. At any rate, Railway-commission surveillance can do no harm, and may do much good. In this connection, we may note a remark made to a member of "The Farmer's Advocate" staff in Ottawa, during the conference, by a prominent representative of the express companies. After having pointed out how reasonable express rates now are, he added, as a rider, that since freight rates had been under the control of the Railway Commission the average schedule had increased. Asked whether he thought a similar result would follow the placing of express rates under the same tender mercy, he implied an intimation that it was not unlikely. "Then you could have no objection to such regulation?" was asked—at which he hedged. At any rate, even if the Commission did not reduce rates, we want it as a court of redress, a means of preventing injustice, preventing extortion, reforming abuses, and, if possible, reducing rates. The confidence our Railway Commission enjoys from railway men like Sir Thomas Shaughnessy, is sufficient guarantee that it is not liable to do violence to the rights of the corporations, and there can be no excuse for not acceding to the request of the shipping public.

Canada's Railway Commission.

(Special correspondence.)

Two years have elapsed since the Canadian Railway Commission, established by Parliament, at the instance of the Dominion Government, entered on its duties. There was much to be done in the early stage of the existence of the Board in the matter of establishing the new order of things, but the Commissioners have proved men of energy, and it is surprising how much they have accomplished for the public in the comparatively short time that has elapsed since the Railway Committee of the Privy Council gave place to the Board appointed under the Railway Act of 1903.

If any one had misgivings as to the improvement which could be effected by the reform, he must ere now have been convinced that the change is a most salutary one. The Railway Committee of the Privy Council was a body so circumstanced that it was not possible for it to give satisfaction, either to the shipping and general public and municipal authorities or to the railway interests. Its members were Cabinet Ministers, and, apart from the fact that they were open to the accusation of deciding cases according to their political aspect, they did not have the special training necessary to act in the capacity of judges

direction, over the same line, is greater for a shorter than a longer distance, unless the Commissioners are satisfied that, owing to competition, it is expedient to do so. Under the new system freight tariffs are governed by a classification which the Board must approve. The object is to have this classification uniform. When so directed by the Board, railways have to place any specified goods in any stated class, and tariffs must be in such form and give such details as the Board requires.

The Railway Commissioners have also the power to regulate and supervise the highways and railway crossings, to regulate and supervise the general construction of railways, and the construction and maintenance of railway bridges, drainage, fences, gates and cattle-guards, etc. Another important task assigned to the Board is the power to compel a railway to build a branch railway to any industry within six miles of the line, on the application of the owner, and upon terms. It can also regulate the speed of the trains, and when locomotive whistling becomes a nuisance, the Board has power to abate it. In carrying on its work, the Board of Railway Commissioners has the powers of a Superior Court, and those who disobey its commands, do so at their peril. The only appeal that can be taken from the finding of the Board on a question of fact, is to the Dominion Cabinet. On the question of jurisdiction there can be an appeal to the Supreme Court, if allowed by a judge of that body, after hearing of all parties. There may be an appeal to the Supreme Court on a question of law if the Board so decides.

IMPORTANT DECISIONS ALREADY GIVEN.

The Railway Commissioners have rendered a number of important decisions; but all of their findings are of value to some interest in the Dominion. They have sat in public at Ottawa, Toronto, Montreal, Winnipeg, Vancouver, and many other places, to deal with issues arising in these localities, but very many matters have been adjusted between the railways and the public through the intervention of the Board without the necessity of a hearing. Indeed, one of the chief benefits accruing from the existence of the new tribunal is the publicity that is given to the results of their labors, and the knowledge that if there is any unjust arrangement in existence, whether to the public or to the railway company, it will form the subject of adjudication so soon as the attention of the Commissioners is directed to it. For the five months ending July 1st, 1904, the total applications heard were 66. In the same period 103 orders were issued. From 1st July, 1901, to 31st Dec., 1904, the total applications heard were 307, while in 1905 the total number was 156.

Some of the decisions given have been of the greatest importance and advantage to the public. Formerly the railways charged such rates as they chose, and there was no appeal from their tariffs. The large shippers were given decided advantages, and the man doing business in a small way was discriminated against. The Commissioners found that the Canadian railways were carrying flour at a lower rate than grain. They at once decreed that the raw material should be put on the same basis as the finished product. When the right to grant a special low rate on coal carried for manufacturers was claimed, the Commissioners decided that the allowance of a reduction in the freight rate of any article of merchandise to one class of shippers, and the refusal of the same to another class, is unjust discrimination, and is forbidden by law. The rates for the carriage of peas and beans has been fixed by the Commissioners to be the same as for grain products.

It was represented to the Commissioners that some roads were charging as much on cattle shipped from Toronto to Montreal as from Detroit to Montreal, United States cattle being thus discriminated in favor of. After enquiry, this practice was stopped. Another important decision was that affecting the carriage of telegraph poles, railway ties, etc. Formerly these were carried by special contract only. It was the interest of the railway companies that these ties should not leave the country, thereby decreasing the supply, and proportionately increasing the price, and the railways, through the imposition of



Hon. A. C. Killam

Chairman Board of Railway Commissioners.

and arbitrators in the numerous disputes brought before them, nor did they have the time to promptly take up and settle the grievances of the public or their servants, and the Committee, always sitting at Ottawa, often put complainants to much trouble and expense in presenting their grievances for adjudication. Moreover, the rule that complaints could only be taken up on formal application, often resulted to the disadvantage of the public.

These defects have been guarded against in the new measure, and, by travelling through the country, and holding sittings at central points, the Commissioners have made it comparatively easy for any one having business to do with them to present their claims.

POWERS OF THE COMMISSION.

The Commission has absolute regulative powers in regard to rates, preferences, discriminations, rebates and special rates. All freight rates have to be submitted by the Companies to the Commissioners, who can approve or change them. Rates may be for the whole or any particular part of the line, but, under substantially similar circumstances, they must always be charged equally to all persons. No toll can be charged which unjustly discriminates between different localities. The Board has declined to approve any toll which, for like goods or passengers, carried under substantially similar conditions, in the same