

RAILWAYS MUST LIVE UP TO THEIR CHARTER

Continued From Page 1.

formance of his duties, and also to employ and remove stenographers and process servers."

Duties of Counsel. Then, the duties of the counsel are as follows: It should be the duty of counsel to a commission to represent and appear for the people of the State of New York and the commission in all actions and proceedings involving any questions under this act or under the commission, and if directed to do so by the commission, to intervene, if possible, in any action or proceeding in which any such question is involved to commence and prosecute all actions and proceedings directed or authorized by the commission, and to determine in every such case, the final determination of all such actions and proceedings; to advise the commission and each commissioner, with no regard to the connection with the powers and duties of the commission, and of the members thereof, and generally to perform all duties and services as attorney and counsel to the commission, which the commission may reasonably require of him.

"To-day in Canada," said Mr. Maclean, "if only one wishes to vindicate the public rights in connection with the Railway Act, it is largely a matter of his own initiative. He has no assistance from the state in vindicating the law that the state enacted for the defence of the public. We can afford to recast our law to make it somewhat similar to the law in the United States."

When our law was enacted, the minister of justice and minister of carrier ways to define the common carrier what the answer was that they were afraid to define what it would be because they were afraid that it would be too broad and that it would be too narrow. It was a matter of fact that the answer was that they were afraid to define what it would be because they were afraid that it would be too broad and that it would be too narrow.

The speaker did not think that this discussion was pertinent to the bill before the house.

"I want to show that railway companies of Canada are not giving public service in the way of cars and other shipping facilities they ought to give. In the United States, a common carrier is defined as a person who carries goods and passengers for hire, and who is subject to public regulation."

"It was because we had no preamble in our Railway Act that the public service of the railways had never been defined. It was because we had no preamble in our Railway Act that the public service of the railways had never been defined."

"The necessity of such a preamble was recognized in charters of individual railway companies. In the C.T.R. charter, the preamble sets out that, 'whereas it would greatly tend to promote the welfare of the province, that the railway companies should be subject to public regulation, and in the General Railway Act there was no duty imposed on the railways to give the public a proper service. This was because of the absence of any declaration of duty characterized by the Banking and Insurance Act."

"If these companies do not perform the duties to the public for which they were created," Mr. Maclean said, "the public must interfere and compel them to render to the public the service for which they were created. It is the duty of the public to get their rights when they have not the assistance of the government, because these companies are so powerful. Some have behind them the influence of millions of money, and this vast concentration of wealth and influence is arrayed against the individual who cannot secure his rights unless they are clearly specified in a law. A duty rests on someone to aid him in securing his rights, whether it be the government or the public."

Principle of the Bill. Coming to the principle of his bill, Mr. Maclean said it had been pointed out by critics that the bill was a "reciprocal demurrage" as a misnomer. Reciprocal demurrage, as understood by railway men, means that a shipper pays for demurrage after a certain number of days he pays it. If a shipper unloads his car before the time agreed upon, then he should be allowed something on this account as against other shippers who are not allowed to unload until the time limit has expired, and hence to pay demurrage. In that case demurrage would be reciprocal.

The failure of the railways to supply sufficient cars for the public was in evidence in Canada to-day. Industries had been ruined and business almost wrecked, because they could not get the railway accommodations that they were entitled to. He referred to two great railways, the G.T.R. and C.P.R., and especially to their business in Ontario and Quebec. The condition of affairs was this, that these railways, which were enfranchised and largely created to serve the people of Ontario and Quebec, gave no preference to traffic originating in the United States, and which pays less than Canadian shippers are called upon to pay.

Canadian Traffic Ignored. The railways devoted their best equipment, their best men, to traffic originating in the United States. Whether this was true in the Northwest he could not say, but he did know that railways which were created to serve the people of Canada, ignored and unjustly treated traffic originating in this country.

The trouble was that the railways had not the equipment, siding accommodation or terminal facilities, and

what facilities they had were largely devoted to handling foreign traffic. It was an easy thing for the general manager of a railway to go to Chicago and arrange to handle 50,000 cars of American traffic in one day. Our railway commission should see that first of all Canadian traffic is handled.

More than that the railways were guilty of giving a preference in rates to traffic of United States origin. Canadian shippers had not only to encounter the competition of Americans in the matter of accommodation, but they got the worst of the rates. It ought to be set out in the Railway Act that these rates were created for the purpose of accommodating the people of Canada.

Freight Long Delayed. Mr. Maclean read a letter of commendation from the Winnipeg Jobbers' Association, and from individuals in many parts of the country.

Mr. Maclean declared that many shippers had their freight delayed for weeks and months. Goods had been refused and returned and drafts sent back because goods were not delivered. Two days after day railroads had been delayed, and the equipment of two great roads and all their siding accommodation had been committed to the hauling of United States traffic to the detriment and delay of Canadian traffic. It was a serious charge to make, but Mr. Maclean would not be deterred by it. He read an extract from a Calgary paper which said that the railways were "panacea for evils existing. He did not know that it would be a panacea, but he would see if parliament could in some way cure a grievance. Parliament could make enquiry and see if the railways had a proper conception of their duty to the public."

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Hugh Guthrie's Opinion. Hugh Guthrie (Wellington) said that in the house he was of opinion that some legislation should be passed, but he had come to the conclusion that the legislation necessary to prevent unfair competition and to compel the railways to furnish equipment, the board of railway commissioners, under the Railway Act, had full powers and ample authority to enforce the law. Moreover, the board had already dealt with complaints of the kind which Mr. Maclean had alluded to, and had promulgated a set of rules in reference to reciprocal demurrage. He declared that the railways were not doing their duty to the public, and that it was the duty of the government to see that they did.

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THE TORONTO WORLD

for the cars were put on a siding where they could be unloaded. Mr. Turrill warned the minister of railways that conditions were such as to demand prompt action.

Dr. Schaffner (Souris) read a letter showing that the C. P. R. consumed 30 days getting a shipment from Kitchener to Port Arthur. There was some excuse for the railways last year, but this winter there had been nothing to delay shipments like this. The minister had determined that something be done with the railways for not carrying cars after they are loaded.

Reciprocal Justice. Mr. Lennox (Simcoe) said whether the bill was carefully or loosely drawn it was apparent that what was desired was "reciprocal justice." He thought the only way of appealing to the railways was thru their pockets, and that when they found that it would pay them to serve the public they would do it.

The usual course with bills of this kind was to have them introduced in committee of the whole house, but if it was to go to a committee, it should be referred to a committee of the whole house. Mr. Lennox dealt with the speech of Mr. Guthrie, which he showed, the experience of the railways in the past, and the experience of the railways in the future. The railways, said Mr. Lennox, gave United States traffic the preference because of the large volume of business secured there, and because of the lively competition for business there. Mr. Guthrie would not have done so, but he would have done so in the railways in the future. The railways, said Mr. Lennox, gave United States traffic the preference because of the large volume of business secured there, and because of the lively competition for business there.

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By the quality of the men who were now occupying high positions in other provinces and across the line the university shows that thru the whole continent they are aware of the learning given here. Recognition of its work and its high standard of training are constantly reaching the university from all over the United States, and its students are now holding positions of high responsibility."

President Falconer announced that this year had seen 340 students in attendance at Toronto University. This made it rank with the great universities of the world. The growth of the university had been rapid, and 1400 students in arts alone registered. All the departments showed large increases, and the new department of forestry had made an excellent beginning.

Referring to the growth, the president said that it was a comprehensive way the need of more instructors and more accommodation and facilities for modern education.

"There is now severe pressure," he said, "on the present buildings. The main building is congested and it will be necessary to erect new buildings to meet the growing demand. To maintain the standard which has already been reached in the whole department of research we will be required to expand in our teaching staff and do so without extravagance."

Premier's Congratulations. Premier Whitney congratulated the members of the legislature who were present to have the equipment explained and to listen to the clear explanation of the university. The distinguished head of the university, which they might in turn give to the province at large. He congratulated the members of the legislature who were present to have the equipment explained and to listen to the clear explanation of the university.

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DANGER IN CITY WATER NOW!

Daily scientific tests of Toronto water by our Bacteriological Department show the supply to be badly polluted—the result of the rains, thaws and east winds which have recently prevailed. Colon bacilli have been found in the City water EVERY DAY since Feb. 14th.

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Bottled under scientific supervision for surety of purity. Delivered anywhere in Toronto at 50c per large container or 25c medium container, also in smaller sizes. Order from dealers or 'phone Main-5188 or 5189.

THE MINERAL SPRINGS LIMITED OF TORONTO

At the Alexandra.

"SHE STOOPS TO CONQUER."

Young Marlow W. Sauter
Hardcastle Ivan Simpson
Hastings George Graham
Tony Lumpkin Ernest Stallard
Digby Lovett-Fraser
Sir Charles Marlow David Glassford
Landlord George Riddell
Roger Frederick Wallace
Mrs. Hardcastle Miss Ida Waterman
Miss Neville Miss Catherine Tower
Dolly Miss Elizabeth Valentine
Miss Hardcastle Miss Jane Marbury

Oliver Goldsmith's richly humorous comedy "She Stoops to Conquer" rendered by the Royal Alexandra Company of English Players, delighted a large audience last night, and it would have been surprising had it failed. It is now a classic of the English stage and its eighteenth century atmosphere rather adds than detracts from its charm. For unlike the modern efforts to restore these days of formal speech and courtly beaux and belles, they are inherent in the play, are indeed native in it, and to the manner born. Goldsmith laid hold of materials that even in his time were ancient poses of the stage, but has so infused them with his own original sense of living humor as to give "She Stoops to Conquer" the universal note which ensures a perennial freshness and vitality.

The Royal Alexandra Players have evidently given the comedy careful, conscientious and loving study. All have thoroughly grasped the individual characters they set themselves to portray and marked them out with artistic and illuminating refinement. There was no exaggeration in the parts, and scenes that may be so easily overdone and this reserve and reticence that never overstepped the modesty of the production. Altho the plot has not a little of the farcical and demands certain allowances of regular comedy, it is never unwilling to yield, it is presented in a manner that raises it to pure and sparkling comedy. The strength of the play is in the character of the English Players last night in a way not only creditable, but wholly satisfactory.

Hon. A. G. MacKay congratulated the members on the great progress of the university. There was a large responsibility resting on the province to assist the national institution. At present the province could not afford to stint or curtail it financially. Controller Harrison carried the year in the city of Great Britain for the hospitals, alone, one of the crying needs to-day is education, and in the future, at any rate, the people of this country should come to recognize that a part of their duty lies in the future of the people.

Mr. Maclean said that the railways were not doing their duty to the public, and that it was the duty of the government to see that they did.

"I want to show that railway companies of Canada are not giving public service in the way of cars and other shipping facilities they ought to give. In the United States, a common carrier is defined as a person who carries goods and passengers for hire, and who is subject to public regulation."

"It was because we had no preamble in our Railway Act that the public service of the railways had never been defined. It was because we had no preamble in our Railway Act that the public service of the railways had never been defined."

"The necessity of such a preamble was recognized in charters of individual railway companies. In the C