

tween Winnipeg and Edmonton, and the erection of the new wires will give a through Canadian service between Montreal and Toronto and Vancouver. The G. N. W. T. Co. is negotiating with the Western Union Telegraph Co. for the transfer by the latter of its plant and business in British Columbia, but it is not yet certain that the transfer will be made. It has been suggested that the Dominion Government telegraph system should be transferred to, or operated by the G. N. W. T. Co. but no such arrangement has yet been considered.

Telegraph and Telephone Lines Estimates for 1920-1921.

The Public Works Department's estimates for the year ending Mar. 31, 1921, submitted to the House of Commons recently, contain the followings items, chargeable to income:—

NOVA SCOTIA.

Cape Breton Telegraph System—	
Renewal of poles between Port Hawkesbury and Port Hood and between Strathlorne and Inverness.....	\$ 3,000
Completion of renewal of poles between East Bay and Ball's Creek.....	800
Renewal of poles between Englishtown and Ingonish Ferry.....	2,600
Reconstruction of telephone line between Harvard Lake and N.E. Margaree.....	1,000
Pictou Island, telephone cable.....	8,000

QUEBEC.

Improvements to repair service.....	3,000
Grosse Isle quarantine telephone line, renewal of poles, etc.....	400

ONTARIO.

Bath—Amherst Island telephone line, to grant subsidy of \$1,200 to Amherst Island Telephone Co., and to provide cable	2,200
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SASKATCHEWAN AND ALBERTA.

Peace River line, office and dwelling at Grande Prairie	5,000
Repairs and improvements to office buildings	500

BRITISH COLUMBIA.

Mainland telegraph and telephone lines, to provide for second wire between Similkameen and Princeton.....	7,300
Vancouver Island, construction of branch telephone line from Vancouver Island to Port Harvey, Cracroft Island.....	7,500

CHARGEABLE TO COLLECTION OF REVENUE.

Prince Edward Island and mainland.....	\$ 7,000
Land and cable telegraph lines, Lower St. Lawrence and Maritime Provinces, including working expenses of ships required for cable service.....	210,000
Saskatchewan	70,000
Alberta	107,000
British Columbia, mainland.....	79,300
British Columbia, Vancouver Island District	110,000
Yukon system (Ashcroft-Dawson).....	246,000
Telegraph and telephone service, generally	10,000

\$839,300

Among the Express Companies.

The Canadian National Express Co. has opened offices at Smoky Lake, Radway Center, and Ashmont, Alta.

The Canadian National Ex. Co. has opened offices at Runnymede, Sask., and Redland, Alta.

W. S. Stout, President, Dominion Express Co., returned to Toronto early in April, after spending some time at Pas Christian, Mississippi.

The American Railway Ex. Co. put into effect Apr. 15, a rule which requires that prepayment be made on all parcels shipped from Canadian to U.S. points, and that payment may be made in Canadian currency from the point of origin.

The Minister of Railways stated, in answer to questions in the House of Commons recently, that the Dominion Ex. Co. pays Canadian Government Rys. 50% of its gross earnings for the ser-

vice of C.G.R. agents and the use of offices and stations, and also for the privilege of operating over the C.G.R. The Canadian Ex. Co. operates over the C.G.R. on the same basis. Replying to a question as to the Canadian National Rys. taking over control of the Canadian Ex. Co. and whether it is the intention to give the latter company the exclusive privilege of the services of the agents and stations, the Minister said, that as this is a question of policy, it will be considered by the C.G.R. management.

The Dominion Ex. Co. was defendant in a suit brought by a Russian named Kosovsky, in the Court of Review at Montreal, recently, for loss sustained through a money transaction between Canada and Russia. The plaintiff arranged for the company to buy 1,165 roubles for dispatch to his wife in Russia, but owing to the unsettled state of that country, the party could not be found, and the money was returned. In the meantime the value of the rouble had dropped considerably, so that the 1,165 roubles were only worth \$148.50 in Canadian currency, which the company offered to pay the plaintiff. It was held that the company could not be held responsible for any loss caused through differences in the rate of exchange, and judgment was given in favor of the company, except that the plaintiff was given the option to demand payment in Russian money.

Board of Railway Commissioners' Jurisdiction Over Express Companies.

The Board of Railway Commissioners gave the following ruling Mar. 24: The board's powers in regard to express business are set out in the Railway Act, secs. 360-366, inclusive. The jurisdiction is concerned with tolls. The group of sections 360-363 is concerned with the formalities as to preparation, filing, etc., of tariffs. Sec. 365 requires that contracts, conditions, etc., limiting the liability of express companies are to be approved by Board. Sub-section 2 (b) of the same section provides that the board may prescribe the terms and conditions under which "goods may be collected, received, cared for or handled." This is a power in regard to the liability, not in regard to requiring the establishment of facilities. See in this connection Canadian and Dominion Express Co. vs. Commercial Acetylene Co., 9 Can. Ry. Case, 172, at p. 174. The only other section in the group referred to, 366, is concerned with returns by companies charging express tolls.

Sec. 364 gives the board power to define carriage by express. This was formerly sec. 352 of The Railway Act; and it was decided in Canadian and Dominion Express Cos., vs. Commercial Acetylene Co., May 20, 1909, 9 Can. Ry. Case, 172, that express companies were at liberty to exercise their own discretion in refusing to carry by express any particular commodity.

Sec. 364 of the present act differs from sec. 352 of the former act by the addition of the words "and may order that all such goods as the board may think proper shall be carried by express." The effect of this is to remove the discretion which the express companies formerly had. The express company may not discriminate between goods as to carriage, but this does not give power to direct the installation of facilities at stations. It may further be noted that in the group of

sections already referred to, there is no section which gives the board power to direct that facilities shall be afforded.

Subject to the change in sec. 364 as above referred to, the group of sections covering express business are, with minor exceptions as to amendments, the same as in the first express judgment given. In that judgment, the following position was laid down: "No applications have ever been made to the board to require railway companies in Canada to furnish either an express service, or any facilities connected with such a service. All applications have been made against the express companies. It is apparent that as the act now stands, orders for improved facilities for handling the express traffic can only be made against the railway company. By improved facilities is meant car service, shelters, and the like; and if express companies do not provide for these matters, with the railway companies over whose lines they operate, and remove all proper causes of complaint, then it will be the board's duty to deal directly with the railway companies as to these matters, and complaints from the public must be made against them." In the matter of express companies, etc., pp. 49-50.

At a later date, the board had before it an application of the Village of Cumberland, Ont., for reinstatement of express service which had for some time been rendered by the Canadian Northern Ry. and then taken out. In reply the Board stated on July 14, 1911: "The board's jurisdiction in the matter of express service is much more limited than it is in the matter of freight and passenger rates. Under the act the board has no jurisdiction to compel the Canadian Northern Express Co. to reinstall the express service which the board has been advised is withdrawn between Hawkesbury and Ottawa. If the freight department of the railway refuses to give proper facilities for the handling of traffic, complaint as to this should be put in form and submitted to the board, when the matter will be taken up with the railway company."

In dealing with an application of the Town of Sudbury for a direction that the Dominion Express Co. should establish an up-town office, to receive and deliver express parcels, it was pointed out that a direction, if any, as to the installation of an up-town express office must be a direction to the railway, not to the express company. A similar ruling, in regard to the same point, is to be found in connection with a complaint from the Town of Pincher Creek, complaining inter alia, against the closing of the Dominion Express Co.'s up-town office.

In summary form, the board's jurisdiction is as to tolls and contracts, etc., limiting liability, with the additional power, conferred by sec. 364 amended as already noted, of saying what may be carried by express. The board is given no power to direct an express company qua express company, to install facilities or to arrange that specific service shall be given at specific stations. It follows from this that so far as jurisdiction is concerned, the board has no power to direct an express company to restate at a station or stations express facilities which it has removed, nor has the board power, as a matter of jurisdiction, in the first instance to direct the installation of facilities at a station or stations. Its jurisdiction over telegraph, telephone and express companies is essentially a rate jurisdiction, and much more limited than in the case of railways.