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WORKING OF THE ENGLISH RAILWAY COMMISSION.

The number of persons, in this country, interested in the working of the English Railway Commission, as a possible model for adoption here, is always increasing. Very vague ideas about the powers and authority of that body prevail among a large portion of our population. Many seem to be possessed of the notion that the Railway Commission is vested with absolute powers of settling all questions that arise between different railway companies, as well as those in which the public is interested on one side and the companies on the other; that these powers are not merely judicial and to a large extent discretionary, but that they are in some measure legislative also. There is a farther notion that the decisions of the Commission are final and without appeal. These notions, we need not say, are very far from the truth. The Railway Commission is the creation of law, and is vested with defined and limited powers, and its decisions are liable to be appealed against and reversed.

The Traffic Act defines the relations between the railway companies themselves and between the companies and the public. Under this Act, most of the decisions of the commission are made. This act provides for the interchange of traffic between different railways; and in such interchange it obliges the companies to afford all reasonable facilities for traffic. If a similar legislative provision had existed in Canada, it is probable that it would have borne good fruit. Between the Northern Railway and the Grand Trunk, for instance, it would seem natural that a good deal of traffic would be interchanged; but, when the gauge of the two roads were uniform, and this could have been done, it was either not done at all or done to a very insignificant extent. The English Act, in securing for one line facilities of transit over another, leaves the rates or charges for this service to be settled by the companies. And here the authority of the

railway commission comes in; but it is only a very limited authority. The commission cannot of its own motion say what the rates ought to be; but can only decide whether the rates proposed by the companies are reasonable and ought to be made mutually binding. But the granting of a new rate is in the discretion of the commission, and it may for good reasons refuse. When the rates proposed are not such as the commissioners would feel justified in sanctioning without alteration, their authority is limited to refusing them altogether. In this way, it would seem as if the legal provision for the interchange of traffic may be practically nullified. Although each company to the proposed bargain is required to afford all reasonable facilities for transit over its lines of the other company's traffic, it may make proposals for a through rate that would be altogether inadmissible.

Complaints are by no means unknown in Canada that the rates charged between the same points are not always uniform, and that one man or one firm has to pay more than another. Such preferences are contrary to the British Traffic Act; but they are nevertheless sometimes made, and the railway commissioners may be called upon to settle the difficulty. The companies sometimes allege convenience as a reason for desiring to make equal rates for unequal distances. The commissioners in their last report admit, in a case that came before them, that "the interest of the railway companies as carriers might be a fair reason for disregarding small differences;" but where the difference is one where a person can be duly prejudiced a remedy is applied.

It sometimes happens that a railway company, on one pretext or another, declines to take traffic except at rates exceeding its minimum. The point however has been settled adversely to the railway companies; first, by the railway commission, and afterwards by the Court of Session, Scotland. This however did not prevent the Great Western Railway Company from exacting higher fares than it is entitled to charge. The company raised an objection to the jurisdiction of the railway commission. The public cannot always readily tell when a railway company is exceeding its legal rates; and the railway commission suggests that it should be required to keep at its stations, for inspection and sale on demand, the act or parts of act, in virtue of which it makes charges for passenger or freight traffic. The suggestion is a good one, and should be acted upon here as well as in England. It has happened that a railway company has refused to renew a season ticket to a particular person, on terms on which such tickets were issued to others. Two instances of

such arbitrary refusal came before the commissioners last year, and in both they were decided against the companies. One applicant had, according to the company, travelled too often, and the other had not paid the proper fare for a journey not covered by his periodical ticket; but these were held to be no reason why renewal tickets should not be issued.

A railway commission affords a constant check upon railway companies; it curbs their disposition to over-ride the law, and it provides a remedy, not however without appeal, when they do so. But, in fighting a powerful corporation, an individual is always at a disadvantage, and it is a kind of warfare on which most men are unwilling to enter. But the number of persons interested in defending themselves against undue preferences and prejudices must always be considerable; and by acting together they might fairly hope, under proper Traffic laws and a Railway Commission, to obtain justice, without being exposed to great individual sacrifice.

THE CANADIAN PACIFIC AND IMMIGRATION.

A short time ago some American papers published the statement of General Rosser, the new chief engineer of the Canadian Pacific Railway, that he would build four or five hundred miles of railway this season, provided rails and other material could be moved forward as fast as he would get the railroad graded and ditched. The well-known energy of this gentleman in connection with similar undertakings in the United States and his great experience in building lines over prairie country, made the feat seem not impossible. The season when the work of preparing the road-bed can be carried on is however, limited to the months of the year when the frost is out of the surface of the ground. The engineering head of so great an undertaking must therefore arrange that the open season shall be utilized to the utmost. To withdraw from agricultural operations in the North West more than a certain proportion of the teams of the settlers would clearly result in a diminution of production to an injurious degree. And, if work upon the Canadian Pacific is really to be pushed forward with the vigour promised, both men and horses must be chiefly obtained elsewhere than in Manitoba. Recognizing this, Mr. Stickney, the general superintendent appointed by the syndicate, has already taken steps to supplement the limited number of men and horses available in the North West Territories.

Mr. Stickney visited Ottawa lately to ascertain upon what terms he could bring in