

CANNOT CONTRACT AGAINST LIABILITY

Contract So Made Ultra Vires, Says Answer to Canadian Correspondent

NO HALF MEASURES

If Company Acknowledges Partial Liability They Can Not Disclaim Total Liability on Shipment Relayed to Them.

A Montreal correspondent of the New York Journal of Commerce opens a question and receives an answer which is of great interest to all shippers. The local correspondent writes: "Under date of May 14, 1912, we assigned to Vancouver a quantity of iron pipe and wire by steamship line from Montreal via T-huntapee route. Freight forwarded by this route is handled by three distinct transportation companies, but the initial carrier writes a through bill of lading. Quite a large portion of this material when it reached its destination, which was in the month of August, was found to be damaged, and on receipt of advice under date of November 27 to this effect we issued a claim against the steamship line, they being the original carrier, for the value of the loss. They however, decline to acknowledge the full amount of this loss, contending that the other connecting lines should be interested and held responsible for their portion of such loss, and will only agree to settle 50 per cent. of our claim, as they have no recourse against the Pacific coast steamship line owing to it having since been liquidated. They base their contentions also on a clause in their bill of lading that they are not responsible for damages after any shipment has been transferred to the second carrier and a clear receipt obtained therefor. The clause in the bill of lading above referred to is as follows: "This bill of lading is subject to all the terms and provisions of, and all the exceptions from liability contained in the Act of Parliament of Canada, 3-10 Edward VII, Chap. 61, and the following section is incorporated in this bill of lading as required by said Act: 'Where any bill of lading or similar document of title to goods contains any clause, covenant or agreement wherein: (a) the owner, charterer, master or agent of any ship, or the ship itself, is relieved from liability for loss or damage to goods arising from negligence, fault or failure in the packing, stowage, custody, care or delivery of goods received by them or any of them to be carried in or by the ship; or (b) any obligation of the master or charterer of any ship to exercise due diligence to properly man, equip and supply the ship and make and keep the ship seaworthy, and make and keep the ship's hold, refrigerating and cooling chambers, and all other parts of the ship in which goods are carried, fit and strong for their reception, carriage and preservation are in any wise lessened, weakened or avoided; or (c) the obligations of the master or charterer, agents or servants of any ship to carefully handle and stow goods, and to care for, preserve and properly deliver them, are in any wise lessened, weakened or avoided; such clause, covenant or agreement shall be illegal, null and void, and of no effect, unless such clause, covenant or agreement is in accordance with the other provisions of the Act.'"

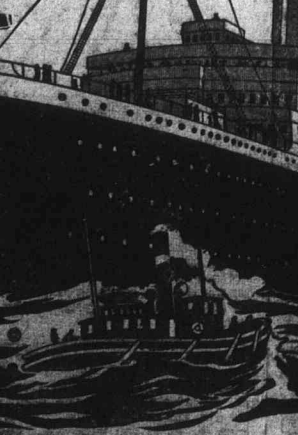
Corleau, from Glasgow, for Quebec and Montreal, passed Cape Race 1.30 p.m., June 19th. Albatross, from Liverpool for Quebec, sailed from Liverpool 4 p.m., June 19th, with 118 saloon, intermediate and 467 stowage passengers. The menu cards recently put into use on the dining cars of the Grand Trunk and Grand Trunk Pacific Railways are exceptionally beautiful productions among the travelling public. On the Grand Trunk Pacific Railway, the covers are reproduced in colors many of the gems of Canadian scenery. Muskoka, Lake and Woodland. The chain of modern hotels provided for the comfort of the tourist have all supplied subjects for the artist's brush, and the coloring of the prints represents the last word in this class of work.

GEMS FROM NATURE'S GALLERY PICTURED ON GRAND TRUNK MENU CARDS.

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Start Your Vacation on the Cool Waters of the St. Lawrence

Niagara to the Sea Daily service, Toronto, Thousand Islands, St. Lawrence rapids, and Saguenay River Points. North Shore Route 4 times monthly from Quebec to Seven Islands, Mingan, etc. Montreal - Pictou Sailings fortnightly for Gagne, Summerside, Charlottetown and Pictou. New York - Quebec Four trips during season: First sailing from New York July 14th; from Quebec, July 16th.



ALLAN ROYAL MAIL LINE LARGEST STEAMERS FROM CANADA

THREE SAILINGS WEEKLY MONTREAL and QUEBEC TO LIVERPOOL, GLASGOW, HAYRE & LONDON

For Reservations, Tickets, Etc., Apply Local Agencies or J. & A. ALLAN, 20 St. Catherine St. MONTREAL

THE CHARTER MARKET

Canadian Grain and Lumber Chartery Brisk.

New York, June 20.—The demand for steam tonnage was moderate and mostly for transatlantic account. Tonnage offered moderately, with rate a trifle firmer. Quotations to Liverpool Glasgow and Bristol, 2d; London, Hull and Antwerp, 1 1/2d; Rotterdam, 3c; Hamburg and Bremen, 2 1/2 pfennigs; picked ports, large tonnage, 1s 9d, nominal; cotton to Liverpool, per 100 lbs., 20c asked.

Charterers—British steamer, 3,006 tons nitrate, west coast South America to the United States, 18s, August-September. German steamer, 4,752 tons, same, 17s 8d; with European options, August; British steamer, 2,562 tons, New York and Brazil trade, one round trip, 4 1/2, 1914, June-July; British steamer, 22,000 quarters grain, Montreal to Avonmouth or Rotterdam, 10 1/2d, option Hull or Antwerp, 28 July; steamer, 26,000 quarters grain, Montreal to four picked ports United Kingdom or Continent, 2s 3d, with options, August; British steamer, 3,562 tons, transatlantic trade, one trip on time charter basis, 4s, delivery north of Hatteras, redelivery United Kingdom or Continent via Wabana, July; German steamer, 2,200 tons, deals, Miramichi to Mersey, 35s 9d, June; British steamer, 1,528 tons, deals, Campbellton to West Britain or East Ireland, 36s 3d; steamer, 3,500 tons, deals, Miramichi to Savannah to New York, private terms; coal out from Hampton Roads, private terms.

NOT COMPETITIVE

This Thought Not to be Slighted Degree Injurious to Canal's Proper Through Traffic — Panama Railroad Calculating Cost.

The recent conveyance of a cargo of Hawaiian sugar through the Panama Canal in barges, though a temporary expedient on the part of the Panama Railroad which found itself able to avail itself of this method of transportation by water when its land line was congested, brought the Canal its first instalment of commercial revenue about \$7,000.

Those who are considering the subject believe that the barge service, as proved by the operation of the sugar cargo barges by the Panama Railroad lately, can be used as a feeder for the Canal's main traffic, and that the floodway of the waterway with the barges will not in any degree be competitive or injurious to the Canal's proper through traffic. Thinking the barge service feasible they are making calculations as to the cost somewhat on the following lines: The Panama Canal barge would come under the toll rates, according to the net registered tonnage as measured under the Panama Canal rules. Devoted to sugar, a barge of 800 tons would be 850 tons net, allowing for deck and underdeck. With a cargo of from 750 to 800 tons, allowing for deck and underdeck, the tolls would be about \$120. To this is to be added the payment for tug services at \$10 an hour, the probability of a tug being required for about twelve hours, the net payment \$120 brings the cost up to \$240, but in addition to the canal tolls and tug hire, we have to consider the cost of the barge, the depreciation amount for general agency expenses, depreciation and some minor items. Interest on the plant and working capital should be included in the terminal charges.

To meet these charges what would be the sum which might be expected to cover from the charges made for the services rendered to come from the local freight rates? A basis may be found in the sum received from the Panama Railroad for the tolls on a barge of 800 tons, he lathams. It may be assumed that the minimum rate on through-billed freight from these ports to the United States is 12 1/2c per ton. The Panama Railroad for the tolls on a barge of 800 tons, he lathams. It may be assumed that the minimum rate on through-billed freight from these ports to the United States is 12 1/2c per ton.

The Canal Record" This describes the barge operation of the Panama Railroad. The project of lightening the cargo of the steamship Albatross through the canal, begun with the departure of the barge from Balboa on June 18, has developed into a regular traffic operation. Twelve barges have been diverted to the service, and the Panama Railroad is now continuously engaged in handling the barges back and forth.

A schedule has been established under which approximately a third of the barges are always being loaded at Balboa, a third are in transit, and a third are discharging at Cristobal. Thus upon its arrival at Balboa the Mariner leaves its tow of empties and picks up a tow of loaded barges, and, on arriving at Cristobal, discharges its cargo, waiting a tow of empties which may start directly on its return trip to Balboa. An effort is being made to handle a complete round trip in every twenty-four hours.

This service is maintained for handling the cargo from vessels of the American-Hawaiian Steamship Company which call at Balboa. The vessels of the company which are coming to Balboa regularly until at least the end of June, by which time it is probable that steamships will be allowed to go through the canal. Advantage is being taken of this opportunity to allow the pilots to familiarize themselves with the courses through the canal, the water level being reported as they will be when the Canal is in regular operation.

Tug Service for Vessels at Balboa. In the line with the proposed transfer of the control of the terminal ports and of shipping, from the Panama Railroad Company to the Panama Canal Company, the latter has notified all the Pacific steamship companies yet make the port of Balboa that in the future they shall communicate their requirements for tug service direct to Lieutenant Commander H. V. Butler, the recently appointed captain of the port, under the Panama Canal organization. (New York Journal of Commerce.)

THE TRAIN DE LUXE OF CANADA. The Grand Trunk "International Limited" Canada's train of luxury service is endorsed by everybody who has ever had the experience of riding it. It leaves Montreal at 8:00 a.m. every day in the year, and arrives at 4:30 p.m. Hamilton 5.41 p.m., London 7.55 p.m., Detroit 9.55 p.m. and arrives Chicago 8.00 a.m. following morning. It is one of the best electric lighted equipment including Pullman sleeping cars, parlor-library and dining cars, both the latter of which the night express from Montreal leaves Bonaventure Station at 10.30 p.m. daily arrives Toronto 7.30 a.m., Detroit 9.15 a.m., Chicago 3.25 p.m. Club compartment car on this train between Montreal and Toronto.

SUGAR BARGES AS CANAL'S FEEDER

Recent Experience Goes to Show That This May Prove Basis for Main Traffic

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PORT OF MONTREAL

Arrivals.

British Transport, 2,863, light from Boston to low grain. Arrived June 20th. Furness, Withy Co., Agents. Devona, 2,372, from Newcastle, general cargo. Arrived June 19th. Robert Reford Co., Agents. Thomson Line, Montreal, 4,126, C. P. R., London and Antwerp, general cargo. C. P. R. Agents. Arrived June 19th. Devo, 2,372, from Newcastle, general cargo. Arrived June 19th. Robert Reford Co., Agents. Thomson Line, Montreal, 4,126, C. P. R., London and Antwerp, general cargo. C. P. R. Agents. Arrived June 19th.

Coastwise Arrivals.

Gaspeian, from Lower Gulf ports, 8 a.m. June 20th. Anticosti, Sydney, with coal, 11 a.m. June 20th. Departures. Andania, Cunard Line, for Southampton and London, passengers and cargo. Sailed a.m. June 20th. Robert Reford Co., Agents. Laurentic, White Star-Dominion, for Liverpool, passengers and cargo. Sailed a.m. June 20th. James Thom, Agents. Tyrola, C. P. R., for Antwerp, passengers and cargo. Sailed a.m. June 20th. Canadian Pacific Railway S.S. Line, Agents. Cassandria, Donaldson Line, for Glasgow, passengers and cargo. Sailed a.m. June 20th. Robert Reford Co., Agents. Hesperian, Allan Line, for Glasgow, passengers and cargo. Sailed a.m. June 20th. Allan Line, Agents.

Coastwise Departures.

Kamouraska, Kron Prinz Olaf, Stokeland, Maskinonge, colliers for Sydney, light. Sailed p.m. June 19th. VESSELS IN PORT. British Transport, to load grain. Furness, Withy Co., Agents. Devona, 2,372, from Newcastle, general cargo. Sailed June 20th. Robert Reford Co., Agents. Montreal, C. P. R., London and Antwerp, general cargo. Sailed a.m. June 20th. Canadian Pacific Railway S.S. Line, Agents. Cassandria, Donaldson Line, for Glasgow, passengers and cargo. Sailed a.m. June 20th. Robert Reford Co., Agents. Hesperian, Allan Line, for Glasgow, passengers and cargo. Sailed a.m. June 20th. Allan Line, Agents.

VESSELS THOUGHT FOR MONTREAL.

S.S. From. Sailed. Buenos Ayres, May 15. Othello, Buenos Ayres, May 15. Brookfield-Pennacola, May 27. Dalton Hall-Hull, June 2. Montreal-Naples, June 3. Montreal-Antwerp, June 6. Manchester Commerce at Quebec, June 6. Servana, Barbadoes, June 6. Tyokland-Demerara, June 6. Manchester, June 6. Cairnport, Middleboro, June 6. Sowwell-Antwerp, June 6. Witteblad, Rotterdam, June 8. Punisian-Liverpool, June 10. Inishewan, Head, Belfast, June 10. Routhen, Liverpool, June 10. Acaucia-Southampton, June 11. Montcalm, London, June 12. Virginia, Liverpool, June 12. Manchester Spin, June 12. Satornia, Glasgow, June 13. Coratnia, Liverpool, June 13. La Touraine, Havre, June 13. Teutonice, Liverpool, June 13. Oressation Court, Marseilles, June 14. Pallans, Rotterdam, June 15. Corinthian, London, June 16. Ferdena, New York, June 16. Queen Wilhelmina, Glasgow, June 17. Kaduna-Antigua, June 17. Bermuda-Norfolk, June 17. Flinton, New York, June 18.

ALLAN LINE STEAMERS.

Calarian, from Quebec, for Liverpool, passed Falmouth, 9.15 a.m. June 19th. Tunisian, from Liverpool, for Quebec and Montreal, due Quebec 8.45 a.m. June 19th. Stellan, from Montreal and Quebec, for Havre and London, was reported 259 miles N.E. Cape Race 2 a.m. June 19th.

SYNDICATE IS TERMINATED.

The syndicate which underwrote the \$55,000,000 twenty-year 5 per cent. convertible debenture bonds of the Southern Pacific Company has been terminated. All of the bonds have been sold and checks have been mailed to syndicate participants for their profits in the transaction.

LATEST NEWS OF THE SHIPPING WORLD

SIGNAL SERVICE BULLETIN.

(Issued by Authority of the Department of Marine and Fisheries.)

Crane Islands, 32.—Clear, gale south-west. Out 6.30 p.m. Yesterday, John Sharples; 6.25 p.m. Lingan; 3.15 p.m. Cardiff Hall; 5.50 p.m. Scowby; 3.10 p.m. Antares; 10.00 p.m. Mercedo. Elafar, 40.—Cloudy, gale west. Cape Salmon, 31.—Out 6.30 p.m. yesterday Cascoada.

Father Point 157.—In 2.25 a.m. east. Welskold, 5.00 a.m. Greenwick, out 10.45 p.m. yesterday. Honovis, 125. Little Metis, 175.—Foggy, strong east, in 6.20 a.m. steamer. Matane, 200.—Foggy, raining, strong east, in 6.20 a.m. steamer.

Martin River, 260.—In 3.30 a.m. Wittenkind. Out 7.30 a.m. Canada (Gale Life). In 5.00 p.m. yesterday. Wagnan, 125.—Foggy, strong east, in 6.20 a.m. steamer. Magdalen, 284.—Cloudy, south, in 7.45 a.m. Teutonic.

Fame Point, 325.—Clear, south-west. In 8.00 a.m. Manxman. Out 3.30 a.m. Stagnool. Out 7.25 p.m. yesterday. Sinbad.

Cape Race, 553.—Dense fog south-east. In 5.00 a.m. 189 miles east Stagnool. In 4.40 a.m. 125 miles south-east, La Touraine. In 10.50 p.m. yesterday, Ascania. 11.00 p.m., 100 miles east, Montclair. 11.45 p.m., 129 miles east, Corsican. In 12.00 p.m. yesterday, Montreal. Cape Race, 526.—Foggy, variable.

Point Amour, 773.—Clear, west. Heavy open ice distant, moving west. Belle Isle, 724.—Clear, west. Heavy open ice in shore, 5 bergs. Quebec to Montreal.

Long Point, 6.—Cloudy, light west. In 5.00 a.m. Dalton Hall; 5.20 a.m. Three Rivers; 5.30 a.m. British transport; 5.45 a.m. Montreal; 7.05 a.m. Gaspeian; 9.00 a.m. Manchester Commerce.

Vercheres, 19.—Clear, west. In 6.10 a.m. Accommodation; in 9.25 a.m. Balisean.

Chesapeake and Ohio, 2nd week June \$723,051, increase \$25,448. From July 1st, \$34,881,511 increase \$1,629,425.

Int. Ry. of Mex. (Mexican Currency), Second week June, decrease \$315,238.

Imperial Merchant Service GUILD AND EMPRESS DISASTER.

At the last meeting of the Management Committee of the Guild it was unanimously agreed that the following communication be sent to the Manager of the Canadian Pacific Railway, The Imperial Merchant Service Guild, June 10th, 1914.

I am directed to convey to you the following resolution, which was unanimously adopted at a meeting of the Management Committee of the Guild, held to-day, this being the first meeting since the deplorable disaster occurred to the "Empress of Ireland."

"Resolved, that we the Imperial Merchant Service Guild, hereby place on record the expression of our sorrow at the calamity which has befallen the C. P. R. liner "Empress of Ireland," commanded and officered by our members. We deeply deplore the loss of the Chief Officer, Mr. R. M. Steele, the Second Officer, Mr. Roger Williams, the Third Officer, Mr. B. T. Moore, and the Fourth Officer, Mr. A. W. Moore, all who comported themselves with conspicuous heroism whilst endeavoring to save the lives of others. We also desire to extend our heartfelt sympathy to the widows and relatives of the deceased.

I am, Sir, your obedient servant, (Signed), T. W. MOORE, Secretary.

To which the following reply has been received:—"The C. P. R. Co., 8 Waterloo Place, S.W., June 11th, 1914. T. W. Moore, Esq., Secretary, The Imperial Merchant Service Guild.

I have to acknowledge receipt of your letter of the 10th instant, and beg you to accept my most sincere thanks for the resolution passed by your Management Committee. The expressions of sympathy contained in the resolution will be duly conveyed to the relatives of the deceased members of the ship's company. I am, Sir, your obedient servant, (Signed), H. MATTLAND KIRSEY, Manager-in-Chief Canadian Services."

The sum of twenty-five guineas has been voted to the Lord Mayor's Fund for the immediate relief of the officers' widows.

NEED A SINGLE MASTER, NOT MANY. Railways Will Now be Relieved of Legislation of a Confiscatory Tendency.

"There is more confidence and less apprehension," say Henry Claws & Co. The Clayton anti-trust bill is likely to pass, but in a materially modified form before it emerges from the Senate. Then uncertainty growing out of law making will disappear and business will have a chance to adjust itself to known conditions. Congress, after a phenomenally long period of activity, is beginning to be really anxious for the advent of a hot weather and the vacation period are fast approaching. Reports are current that the Interstate Commission will shortly render its final decision, and that the roads will be allowed some concessions. The Supreme Court decisions of the week were also of a satisfactory nature; the most important being those which assert the supremacy of national control of the interstate commerce rates as against State control. In other words, as the court correctly said, the railroads need a single master, not many. This is an encouraging development, inasmuch as it will relieve the railroads of many of their perplexities, and probably insure them more just treatment than has been accorded in the past under State regulation, which has too often been of a confiscatory tendency."

NEWS OF RAILROADS

H. R. CHARLTON RETURNS.

Mr. H. R. Charlton, General Advertising Agent, Grand Trunk Railway System, has just made a tour of inspection in Algonquin Provincial Park of Ontario, journeying from Algonquin Park Station to the different log cabin camps that the Grand Trunk have constructed for the accommodation of tourists in that attractive reserve.

SPECIAL TRAINS FOR TORONTO CONVENTION.

Two hundred members of the Edmonton Industrial Association, travelling in a special Grand Trunk Pacific train, left Chicago Thursday and are due in Toronto this afternoon.

The Grand Trunk is running several of these special trains carrying delegates from various points on the Continent to the Convention. The company is carrying over its lines the Chicago Advertising Club special with most of the best known publicity men from the middle western states. They leave Chicago on Saturday evening and arrive in Toronto early Sunday morning. With the Chicago Advertising Club special will travel a special party from Shreveport, Louisiana. Another Grand Trunk special will leave Chicago to-morrow night (Friday), carrying the members of the Advertising Clubs from the State of Texas. Yet another special from Chicago will bring the Advertising Clubs of Waterloo (Iowa) and Des Moines. The "Town Clerks" advertising men from Waterloo call themselves, will, at the conclusion of the Convention in Toronto, proceed by the Grand Trunk route to Portland, Me., and will return home via Old Orchard and Boston.

RAILWAY EARNINGS

Inter-Oceanic Ry. of Mexico—Second week June, decrease \$119,237. Chesapeake and Ohio, 2nd week June \$723,051, increase \$25,448. From July 1st, \$34,881,511 increase \$1,629,425.

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SPECIAL TRAINS FOR TORONTO CONVENTION.

Two hundred members of the Edmonton Industrial Association, travelling in a special Grand Trunk Pacific train, left Chicago Thursday and are due in Toronto this afternoon.

The Grand Trunk is running several of these special trains carrying delegates from various points on the Continent to the Convention. The company is carrying over its lines the Chicago Advertising Club special with most of the best known publicity men from the middle western states. They leave Chicago on Saturday evening and arrive in Toronto early Sunday morning. With the Chicago Advertising Club special will travel a special party from Shreveport, Louisiana. Another Grand Trunk special will leave Chicago to-morrow night (Friday), carrying the members of the Advertising Clubs from the State of Texas. Yet another special from Chicago will bring the Advertising Clubs of Waterloo (Iowa) and Des Moines. The "Town Clerks" advertising men from Waterloo call themselves, will, at the conclusion of the Convention in Toronto, proceed by the Grand Trunk route to Portland, Me., and will return home via Old Orchard and Boston.

RAILWAY EARNINGS

Inter-Oceanic Ry. of Mexico—Second week June, decrease \$119,237. Chesapeake and Ohio, 2nd week June \$723,051, increase \$25,448. From July 1st, \$34,881,511 increase \$1,629,425.

Int. Ry. of Mex. (Mexican Currency)—Second week June