

reported by a Bill which was introduced by Mr. CHICHESTER FORTESCUE, then President of the Board of Trade. He said—

The Members of the Committee were chosen for their knowledge of the subject and their practical experience, so that their Report was calculated to carry great weight with both Houses. . . . They recommended that Parliament should provide a special qualified tribunal for considering each case of amalgamation as it arose . . . so that application for amalgamation might come before Parliament, and all be dealt with as far as possible on the same basis by a tribunal competent to deal with so grave and critical a question. . . . The Committee came to the conclusion that the best and only important thing they could recommend Parliament to do was to have an improved version of the Railway and Canal Traffic Act of 1854. The main objects of that Act were to secure uninterrupted facilities for the convenient interchange both of goods and passengers from one system to another, and especially to observe the rule of equal charges under the same circumstances. . . . Complaints were still too frequent that railway traffic was not always allowed to take its proper route; that the shortest and best route was often artificially barred by the conduct of some railway company, which had an interest adverse to that of the public. . . . The Committee of 1853 made this recommendation with respect to goods and passengers. That every railway company should be compelled to afford full advantage of convenient interchange from one system to another; to give every class of traffic fair facilities, and especially to observe the rule of equal charges under similar circumstances. . . . For reasons which he would state to the House, the provisions of that Act, however well intended, had accomplished little. He did not say they had done nothing. In principle they had been most valuable, and so far as securing fair and equal treatment between trader and trader, they had had considerable effect, and some excellent decisions had been given in the Courts of Law in that respect, but as to securing the equal treatment of company by company and the free and uninterrupted forwarding of traffic over the lines which Parliament had sanctioned the success of the Act had been most imperfect. . . . This want of success was, in the opinion of the Committee, due to two causes. One, the want of more specific enactments within the Act itself, the other, the want of authority better fitted for putting the Act in motion. . . . The Committee were of opinion that a Court of Law was not an authority fitted for giving a good effect to an Act so peculiar and special as the Railway and Canal Traffic Act. . . . With that view, the Committee recommended that the administration of the Railway and Canal Traffic Act should be transferred to a new body appointed for this express purpose, to a body which might be called the Railway and Canal Commissioners, consisting of three gentlemen of high standing and character, one, at all events, to be an eminent Lawyer, and one, if it were possible, a man practically conversant with the management of railway traffic. . . . The Bill which he was about to ask leave to introduce would carry out the recommendation of the Committee. . . . It is proposed to create such a Commission as he had described, consisting of men of high stand-

Parliamentary debates, Third series, 1872.

Amalgamations.

Interchange of passengers and freight

Courts of law unfitted to decide traffic cases.

Qualifications of Commissioners.

