

Traffic Orders by the Board of Railway Commissioners.

Endorsement of Bills of Lading re Advances For Seed Grain, Etc.

General order 148, Sept. 1, re the collection of advances for seed grain, fodder for animals and other goods by way of relief, furnished to persons in Alberta and Saskatchewan, under the authority of the Statutes of 1915, chap. 20, and the Board's order 7562, July 15, 1909, approving forms of bill of lading for use by railway companies, and setting forth conditions and limitations to be endorsed upon them. Upon the request of the Governor General in Council that railway companies be instructed to endorse upon the bills of lading under which shipments of grain are made in Alberta and Saskatchewan, the amount payable for advances for seed grain, fodder for animals and other goods, as authorized under said Statutes of 1915, chap. 20, and the interest agreed to be paid, and reading what has been filed on behalf of the Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railway Companies: It is ordered that in pursuance of the powers conferred upon the Board under the Railway Act, sec. 340, and all other powers possessed by it in that behalf, all railway companies within the legislative control of the Parliament of Canada and operating in Alberta and Saskatchewan, are authorized to endorse upon the bills of lading, approved under order 7562, the amount of advances for seed grain, fodder for animals and other goods furnished to persons in Alberta and Saskatchewan, and the interest agreed to be paid, authorized by said chap. 20 of the Acts of 1915, and as provided under Order in Council of July 23, 1915.

Fredericton Freight and Passenger Rates.

24001. July 27. Re application of the Board of Trade of Fredericton, N. B., for an order remedying arbitrary and discriminatory rates on both freight and passenger traffic to and from Fredericton, on the Canadian Pacific and Intercolonial Railways; and the application of the C. P. R. Co. for a rehearing of the matter: Upon hearing the application of the Board of Trade of Fredericton at St. John, N. B., May 14, 1914; and upon consideration of the general principles involved as developed at the hearing of the application of the C. P. R. Co. at Ottawa, Nov. 17, 1914, and what was alleged; and upon its appearing that the matter has been standing for submissions from the Board of Trade of Fredericton, and that none have been received; it is ordered that the application of the Board of Trade of Fredericton be refused.

Class Rates, Winnipeg to Two Creeks.

24040. Aug. 3. Re complaint of Two Creeks Grain Growers' Association alleging unjust discrimination in freight rates as between Winnipeg and Elkhorn, and Winnipeg and Two Creeks, Man., on the C. P. R., to the prejudice of Two Creeks: It is ordered that the C. P. R. be directed forthwith to amend its distributing tariff from Winnipeg, St. Boniface, Paddington and North Transcona, so as to apply the same rates to Two Creeks, as to Elkhorn.

Commissioner McLean gave the following judgment:—Elkhorn, which is on the C. P. R. main line, 198 miles west of Winnipeg, had a 1st class rate of 54c, the other classes being appropriately scaled. Two Creeks, 194 miles west of Winnipeg, has a 1st class rate of 57c. Complaint is made of the difference as being discriminatory. On the movement west from Winnipeg to the two points in question, the mileage is common to Virden: Elkhorn is 16.8 miles west of

Virden, on the main line. Two Creeks is 13.4 miles north-westerly from Virden, on the line extending from Virden to McAuley. Both Two Creeks and Elkhorn fall within the mileage grouping from 190 to 200 miles, inclusive, of the standard freight mileage tariff, and therefore are prima facie entitled to the same rate on the mileage scale. Two Creeks was first opened to traffic in March, 1910. The history of the arrangements whereby the so-called Manitoba Scale was worked out has been set out in the judgment of the Board in the Western Rates Case. In substance, the standard mileage rate applicable in Manitoba was arrived at by deducting 15% from a hitherto existing uniform scale applicable generally in the prairie provinces. The distributing, or "town" tariff, rates were arrived at by a further deduction of 15%. The standard 1st class rate for the Two Creeks distance was 68 cents, and the "town" tariff rate was 57c. Adding to this the charge for Winnipeg cartage, viz. 3c., the 1st class rate would be 60c. This was the rate charged to and from Two Creeks. The Elkhorn 1st class rate at the same time was 57c. In May, 1912, the railway company abolished its cartage service at Winnipeg, reducing the 1st class rates by 3c in each case. This made the Elkhorn 1st class rate 54c and the Two Creeks 1st class rate 57c.

The railway company in its answer alleges that the rate to Elkhorn as established prior to Sept. 1, 1914, had been erroneous, and that it should properly have been 57c. The railway company stated, further, that as it was understood that under the Board's Order in the Western Rates Case, no rates were to be raised, the old rate of 54c from Winnipeg to Elkhorn was continued, although it was out of line. Miniota, the terminus of the branch line system from Chater, is 196.8 miles from Winnipeg and falls in the same mileage group as Elkhorn and Two Creeks. It is in the same territory as Two Creeks, being about eight miles due north of it. It has a rate of 54c which, standing by itself, might appear to be controlled by the fact that the Grand Trunk Pacific has the short distance, viz. 180 miles, the appropriate rate for which is 54c. However, the C. P. R. operated to Miniota before the Grand Trunk Pacific was in operation. The original rate to Miniota was 57c, 1st class. By deduction of the cartage charge, the present rate of 54c was arrived at. Winnipeg to Virden, 180.5 miles, falls within the group of the standard mileage, covering from 180 to 190 miles. The distributing rate appropriate to this is 54c. Harmsworth, which is 8.7 miles west of Virden, on the Virden-McAuley Branch, falls within the same group as Virden, and is given the 54c rate.

It is alleged that the difference in rate as between Elkhorn and Two Creeks does not create a discriminatory situation. It is stated that the two points have nothing in common; that the tonnage in and out of Two Creeks is insignificant; that Two Creeks is situated on a branch line, while, on the other hand, Elkhorn is on the main line, where the cost of operating is lower and the density of tonnage and population much greater. While reference has been made to the difference in the density of traffic as between the main line and the branch line, the pertinency of this is not apparent when it is considered that what is involved is a general mileage scale. As has been indicated, the 54c rate is also given to Elkhorn; but, while Virden and Harmsworth, falling within the same mileage group, are given the same rate, and while Elkhorn and

Miniota have the same rate, Elkhorn and Two Creeks, falling within the same mileage group, are given different rates, as has been indicated. This is a discriminatory treatment, which has not been justified, and Two Creeks should be given the same rate as is given to Elkhorn.

Interchange of L. C. L. Traffic at Lyn, Ont.

24039. Aug. 3. Re complaint of J. N. Knowlton, Jr., of Newboro, Ont., that the Canadian Northern Ry. refuses to accept from the Grand Trunk Ry. at Lyn, Ont., certain goods consisting of a sewing machine and box of settlers' effects consigned to him from Black Rock, N. Y., on June 29, 1915: Upon its appearing that Lyn is shown in the Official Stations Lists of the Grand Trunk and Canadian Northern Railway Companies, C.R.C. nos. E.2368 and E.227, respectively, as a point of transfer, by track connection, for freight in less than carload lots, as well as in carloads between the said companies' railways, and that freight in less than carload lots has accumulated at Lyn because of the refusal of the Canadian Northern to receive other than carload shipments from the Grand Trunk over the said track connection; It is ordered that the Canadian Northern forthwith accept the said less-than-carload freight from the Grand Trunk over the track connection between the railways of the two companies at Lyn, and forward it to its destinations without further delay.

Interchange Facilities at Calgary.

24079. Aug. 13. Re application of City of Calgary, Alta., for the construction of interchange tracks between the Grand Trunk Pacific and Canadian Pacific Railways there: Upon hearing the application at Calgary on Nov. 26, 1914, and a subsequent sitting at Calgary on June 9, 1915, and it appearing that the Department of Trade and Commerce, in order to secure access for the Grand Trunk Pacific Ry. to the elevator at Calgary of the Board of Grain Commissioners for Canada, is willing to contribute \$14,000 toward the construction of the interchange tracks—It is ordered that the Grand Trunk Pacific Ry. forthwith proceed with the construction of interchange tracks between its railway and the C. P. R., at the location known as 'the Globe Elevator site,' in accordance with plans to be submitted by the railway company to the Board for approval, upon the following conditions: The Department of Trade and Commerce will pay to the Grand Trunk Pacific Ry. \$14,000 towards the cost of the construction of the interchange tracks. The construction of the interchange tracks is to be carried on under the supervision and to the satisfaction of an engineer of the Board.

Pulpwood Rates to Mechanicville, N. Y.

24102. Re complaint of Auger & Son and the d'Auteuil Lumber Co., of the City of Quebec, against Supplement 1 to the C. P. R. Tariff, C.R.C. no. E.2847, increasing rates on pulpwood to Mechanicville, N. Y., via Boston & Maine Rd.: It is ordered that Supplement 1 to C. P. R. Joint Freight Tariff, C.R.C. no. E.2847, and Supplement 16 to Grand Trunk Ry. Joint Freight Tariff, C.R.C. no. 2588, providing increased rates on pulpwood to Mechanicville, via Boston & Maine Railroad, be allowed: the said supplements to become effective not earlier than Nov. 1, 1915; and that order 23020, Dec. 22, 1914, suspending the said supplements, be rescinded.

Interswitching to Cobourg Town Dock.

24104. Re application of Town of Cobourg, Ont., for an order directing the Grand Trunk Ry. to grant access to the harbor or dock located on the town esplanade, owned by the corporation, and connecting