

That is the Board of Grain Commissioners

—who shall thereupon investigate the case. If upon investigation it is found that the railway company is not using due diligence in providing such number of cars as can be reasonably transported, the board shall thereupon so notify the company. Should the company fail to comply forthwith, the board may make application to the Board of Railway Commissioners for Canada who shall investigate the complaint and may order the company to forthwith provide the cars deemed reasonable by the board. In case the number of cars ordered by the board of Railway Commissioners is not so furnished, the company shall be responsible for the charges for such extra storage as are fixed by the Railway Board and shall upon demand pay such charges to the board which shall thereupon pay them to the owners of the terminal elevator receipt. The board shall make such regulations for application for and delivery of cars as seem necessary.

The *modus operandi* intended to be laid down in that subsection is this: If at Fort William demands are made for the transport of grain and the receipts surrendered, the railway company is to comply with these demands, or say whether it will not. If it does not comply with these demands within twenty-four hours, the owners of the receipt can apply to the Board of Grain Commissioners, who will investigate the complaint and decide whether in their opinion there is reasonable ground for complaint or not, then they shall notify the railway authorities. If the railway authorities will not comply with the notification of the board, then the board is to submit the matter to the Board of Railway Commissioners.

The Board of Railway Commissioners then takes up the question and investigates it, and if it considers that the railway company has not done its duty, it makes an order as to what the railway company is to do and notifies the railway company of that order. Then if the railway company does not carry out the order, it is responsible for the storage on all grain in the warehouses which could have been moved if the reasonable number of cars for transport had been provided. Provision is made by which these charges shall be collected and paid over to the parties who own the receipts. Then the Board of Grain Commissioners is to make regulations as to the orderly and proportional application for cars and their just distribution. I think this is as plain as I can make it.

Now that does not go so far as a section of those interested in the grain trade would like to have it go. The situation is peculiar in this respect, that some elevators are owned by the Canadian Pacific railway itself, and others are connected with the Canadian Pacific railway directly and are run in connection with it. Others are in

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part belonging to other railway companies, and to elevator companies, or to parties who have no railways and no connection with railways. The situation is complicated by these different conditions. It is therefore, a rather difficult position to handle to the satisfaction of all. If you made the law such that whenever a warehouse certificate was surrendered, and demands were made on the railway for cars, or for haulage power to take them out, then it is easily seen that, with millions of bushels in store, demands could be made on the one railway which was to do the hauling out, which would be absolutely impossible to fulfil; and if the storage were then to cease, that would be a definite and easy method of escaping storage charges on the part of the owners of the grain. As the Canadian Pacific Railway Company has its own great system of railway, from Fort William east, owns the trackage, has millions of bushels of grain in its elevators and on its transit lines, naturally enough it wishes to carry its own peculiar traffic first. It is not, we will say, able even to carry that; it is, therefore, considered to be, and I think reasonably, an injustice to make the Canadian Pacific railway chargeable with the storage of all grain in the elevators, the receipts of which in the terminals have been surrendered, and for which transit has been demanded. Naturally enough they would like to carry their own first. The demand that this shall apply equally to all the elevators, and that the storage charges shall be placed upon the one railway if they are not all carried out after a certain time, would result I think in an injustice under the conditions as they at present exist. If each railway had its independent line of trackage towards the east, then each could take care of the grain freights which particularly belong to its line or to the elevators in connection with its lines. Trouble arises because there are three railways which come down to that point, and then only one which leads out from that point towards the east. So these things have to be taken into consideration.

On the other hand, we have a Railway Act and a Board of Railway Commissioners acting in consonance with that Act and under its provisions, and there is provision made in that for the acceptance of traffic and for the acceptance of interchangeable traffic from one road to another which is being administered by the Railway Board. This section, if made into law, will facilitate the action of the Railway Board, while not assuming to this Act and to the Board under this Act, any of the authority which belongs to the Railway Commissioners under the Railway Act. They are the commissioners whose busi-