

There are a great number of cases in which a Commission could act by mandamus. For instance, a shipper complains he is charged an inequitable rate. They could say, pay the railway company what you think is the proper rate, and the balance of their demand into Court with the amount of the railway company's costs, we will give a mandamus to carry the goods now, and decide merits afterwards.

Or a new railway wants a crossing, they can order them to pay into Court the *prima facie* damage, issue a mandamus to have a crossing made, and fix the award at leisure.

Considering that railways in progress in Ontario have crossings from four to twenty places each, this feature of the Commission's duties would be most important at present.

The special reason why the Toronto people are solicitous to get a Commission at the earliest possible moment, is on account of the Credit Valley Railway. Over two millions of dollars have been already spent on this work. Before the end of this year, over \$3,500,000 will have been spent, but they are likely to lose the advantage from the completion of the work, owing to the hostility and obstructive tactics of some of the older companies. Even if Chancery, after great delay, could compel the existing railways to grant a line, they would not compel them to pay interest on the capital which had lain dormant.

Meantime, too, the concerns of eighteen constituencies interested in the speedy operation of the Credit Valley Railway would suffer.

In short, we hope the Government will see it their duty to establish a Commission with full powers to deal with all questions between railway and railway, and railways and the public, in an equitable, intelligent, speedy, and economical manner.

Great part of the commerce formerly carried by water is now carried by land, involving even greater need of a competent Railway Court, than for Marine Courts.

All of which is respectfully submitted.

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President Toronto Board of Trade.

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TORONTO, March 28th, 1879.