

advisable to make any final or definite order upon the subject at present, but is of the opinion that an interim order might properly be made, permitting such railways as have made application therefor to continue the use of their present forms until the Board shall otherwise prescribe and order. It is therefore ordered that the above mentioned applicants do severally have power to use the forms submitted, and they are hereby legally authorized so to do until this Board shall hereafter otherwise order and determine."

By the Railway Act of 1903 the Board was authorized to determine the extent to which the liability of a company in respect to the carriage of traffic might be impaired, restricted or limited by any conditions or regulations made by the company, and the same statute provided that no such condition or regulation would relieve the company from their liability unless it had been first authorized or approved by the order of the Board.

Section 27 of the Railway Act of 1906 provides that all express tolls and tariffs shall also be subject to the regulation or disallowance of the Board.

It will be noticed that the four companies referred to in the order of Oct. 17, 1904, complied with the requirements of the statute in bringing to the Board of Railway Commissioners their traffic forms; and, as will be seen, the forms submitted by these four companies determine the extent of their liability. No order has been made as to the forms or conditions of any other railway company.

It is admitted in the preamble of the order that there is "much diversity in the forms submitted" by the four companies. Presumably there is also much diversity in the forms used by other companies. It is also admitted that the "subject is of very great importance" and that the "much circumspection which should be exercised in examining into the contracts and forms then submitted" has been omitted.

As a matter of public policy, the forms, conditions and liabilities of all railways in the country as to the carriage of