

The Canadian Northern Railway's Use of Toronto Union Station.

Sir Henry L. Drayton, Chief Commissioner, Board of Railway Commissioners, gave the following judgment, Sept. 24, which was concurred in by Commissioners McLean and Goodeve:

The question of the facilities that the Grand Trunk Ry. must provide the Canadian Northern Ry. in Toronto union station has been several times before the Board. Apparently the underlying cause of the present difficulty, or at least the reason why the present issue was raised, is the non-pay-

An agreement was arrived at on Nov. 7, 1906, between the companies. Paragraph 5 of the memorandum which evidences it is as follows:

"5. The following is made as a temporary arrangement, viz.: The Canadian Northern Ontario to have the right to run its passenger trains to and from the union station, Toronto, on the Grand Trunk track from and to the said point of connection between the lines at the Canadian Northern Ontario freight yards under the usual terms relating to similar rights given by one company to another. For this right the Canadian Northern Ontario shall pay the Grand Trunk as follows, viz.: For use of tracks of

The memorandum also makes the provisions of the Winnipeg agreement between the Canadian Northern and the Grand Trunk Pacific Railway Companies relative to liability in case of accidents and damages, applicable to the Toronto situation.

A joint application was subsequently made by the Grand Trunk and Canadian Pacific requiring the Board to settle the amount of money to be paid by the Canadian Northern and other terms and conditions. The Board's judgment on this appli-



General Waiting Room, Canadian Pacific Railway Station, Winnipeg.

ment of and disputes as to rendered accounts.

The rights of the Canadian Northern appear in the first instance to have been secured by order 356, Feb. 23, 1905, paragraph 6 being as follows:

"That the applicant company make provision in the present union station for the passenger trains and traffic of the James Bay Ry. Co. as soon as the said company requires the use thereof, and until the proposed new union station hereby authorized is completed and ready for use, which provision and accommodation shall be paid for by the James Bay Ry. Co. on such terms as may be agreed upon between it and the applicant company; and, in case the interested companies cannot agree on the amount to be paid, or on other terms and conditions, the points in dispute shall be settled by order of the Board."

Grand Trunk for said temporary arrangement the charge shall be \$1 for each baggage, mail, express coach and sleeping car entering the union station, and the same amount for each such car departing from the station, and subject to the consent of the Canadian Pacific there shall be another charge of \$1 for each such car to cover the use and service of the station, the total charge to the Canadian Northern Ontario being \$2 per each such car to cover use of tracks and use and service of said station, each way on cars arriving and departing from station."

"6. The payments above mentioned shall cover all charges against the Canadian Northern Ontario under this temporary arrangement, including share of maintenance, operating expenses, station use, including switchmen, ticket agent, and other employees, rental, and for such payments the Canadian Northern Ontario shall be entitled to all proper services and accommodation."

cation, delivered June 1, 1909, refused the application, which was to increase the payments to be made by the Canadian Northern; and directed that the agreement of Nov. 7, 1906, should govern. The Board did not pass upon the issue one way or the other as to whether the prices fixed by the agreement were just; but, recognizing that the whole arrangement was merely of a temporary character, determined to continue it until such time as the union station was completed. The judgment was carried into effect by order 7199, which provides that the Canadian Northern shall continue to pay the Grand Trunk for the use of the present union station and yards, the amount