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ST. PETERS

SPRINGHILL—Members met at buy same. Mrs. Ford and Mrs. the school house, Bills amounting Cotton were appointed to clean school for the month of December. Mrs. Enman and Mrs. Cotton are to made to buy a new broom, three window panes, putty and for the school, Mrs. Ford to meeting.

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C. N. R. STATES ITS SIDE OF FREIGHT RATE CASE

(Special to the Guardian) MONTREAL, Dec. 21—For some time past persistent efforts have been made by various persons in the Maritime Provinces and particularly by the Hon. J. M. Baxter, Premier of New Brunswick, to convey the impression that the Canadian National Railways have been endeavoring to change the policy carried out for many years by the Intercolonial Railway in respect to the routing of traffic destined to points west of the Maritimes, through St. John and St. Rosalie, Que. These persons have not hesitated to take the fullest advantage of the fact that the Canadian National Railways were unable to reply because this question was at this time before the Supreme Court of Canada for a declaration as to whether or not it was within the power of the Railway Commissioners to compel the Canadian National to continue routing through these gateways in conjunction with the Canadian Pacific Railway, which received the traffic from the Canadian National at either Saint John or St. Rosalie and carried it to its destination. The criticisms were that the Canadian National was reserving the policy always adopted by the Intercolonial to the detriment of the people of the Maritimes and were doing this in defiance of Parliament as expressed in the Maritime Freight Rates Act and the Railway Act of Canada.

Now that the Supreme Court of Canada has given its decision regarding these so called gateways, the management of the Canadian National Railway is in a position to answer some of the charges which have been made during the past few weeks, and at the same time give the people of Canada, and particularly those of the Maritime Provinces, clear and definite explanations of the merits of its case and the facts which led up to it.

It is one of the first principles of railroading that the Railway which originates traffic is entitled to haul that traffic and deliver it, if the destination is on its line, and if the traffic is destined to points beyond the limits of the line and the originator of the traffic is entitled to the longest haul. This principle has been accepted repeatedly by the Railway Commission and in the United States the Interstate Railway Commission Act provides that when joint rates are established between two or more railroads the originating carrier must be given the longest haul.

When the Intercolonial Railway was constructed it extended from Riviere Du Loup eastward to Halifax and Sydney, with a line from Moncton to Saint John. At Riviere Du Loup it joined the Grand Trunk Railway, which Railway was subsequently joined to the Canadian Pacific at St. Rosalie 38 miles from Montreal and at Saint John was later joined by the Canadian Pacific. As the limits of the Intercolonial were Saint John and Riviere Du Loup, it could not carry any goods beyond these points and arrangements were entered into with the Grand Trunk at Riviere Du Loup and the Canadian Pacific at St. John to carry traffic west beyond these points. Joint rates were established and Saint John and St. Rosalie became known as "Gateways." This arrangement was precisely similar to that which is made today between the Canadian National and other railroads.

The Canadian National takes an order of freight originating on its line and destined for example to a point on the Canadian Pacific which is not on the line of the Canadian National and carried the traffic as far as it can before turning it over to the Canadian Pacific which moves it to its destination on a joint freight rate. While this is common practice to points beyond the limits of the originating carrier, it is unheard of to expect a railway to deliver to its competitor traffic originated by itself and destined to a point reached by itself. A striking illustration of this will be found in the case of the Canadian Pacific Railway in New Brunswick. That Railway has a line operating from St. Stephen, Woodstock, Fredericton and other important producing centres to Saint John and thence to Montreal and other points in Canada.

From its earliest construction to the present times the Canadian Pacific has never granted joint rates to the Canadian National Railways for any of its traffic to any point which is reached by the Canadian Pacific. In exactly the same way the Intercolonial itself in all its through rate arrange-

ments always insisted on retaining for itself the right to deliver to its own traffic to points to which it was able to reach. The first through tariff issued by the Intercolonial Railway providing joint rates from Maritime points to Montreal was issued in 1879. This tariff provided for traffic to Riviere Du Loup and thence via G. T. Railway to Montreal. In 1890 the Intercolonial for the first time published rates to Montreal via St. John and the Canadian Pacific Ry. It will therefore be seen that in each of these instances the Intercolonial carried traffic as far as it was able to carry it itself. In 1891 the Intercolonial published a tariff providing rates to St. Hyacinthe, Drummondville, Montreal and other Eastern points on the Canadian Pacific via St. John by means of the Intercolonial and the Canadian Pacific to destination.

In 1900 the Intercolonial extended its line to St. Rosalie Junction and having taken running rights to Montreal over the Grand Trunk Ry. issued a tariff which cut the Canadian Pacific out of the Montreal Drummondville territory and all points reached by the Intercolonial, and restricted the Canadian Pacific territory to St. John. And the Canadian Pacific Railway, thus retaining for itself exclusive rights to haul its traffic as far as it could. With the acquisition of the Canadian Northern System, the Grand Trunk and the Grand Trunk Pacific Railways by the Dominion Government, the boundaries of the Canadian National Ry. were extended to include almost the whole of Canada, and in pursuance of exactly the same policy which had always been in effect on the Intercolonial as well as all other Railways, the Canadian National proceeded to cancel all through rates with the Canadian Pacific to points reached by the Canadian National itself.

The reason for doing this is shown in the following example; if a shipment of farm machinery originated at Sussex, N.B., a local point on the Intercolonial not reached by the Canadian Pacific and destined to Vancouver, prior to amalgamation it was necessary for the Intercolonial to haul this car from Sussex to St. John, a distance of 44 miles and turn it over to the Canadian Pacific who hauled it to Vancouver. For this shipment the Intercolonial received \$45.45 and the Canadian Pacific who took the car at Saint John and had been under no expense whatever for originating, the shipment or supplying crews and equipment received \$509.00 for their share. There was however, prior to 1907 one advantage to the shipper at Sussex common to all shippers not having through rates. This advantage was that if the shipment in question was to be delivered on a private spur track on the Canadian Pacific Railway, if hauled by Canadian National to Vancouver it would then be transferred to the Canadian Pacific at that point, who would switch the car to the private spur on their line under an authorized minimum charge of \$2.50 per car, whereas if the car were hauled to the Canadian Pacific other than at Vancouver, no such switching charge would be made.

In 1927 the Canadian National filed tariffs with the Railway Commission under which they agreed that when delivery was made to a spur track on a competitor's line the Canadian National itself would pay the switching charge in which case the rate via Canadian National direct or in conjunction with the Canadian Pacific would be the same so that there remained no further reason from the shippers point of view why the practice should continue, but every reason from the point of view of the Canadian National and the tax payer why the Canadian National should enjoy the whole haul of the car originated by it on its own line from point of origin to point of destination. On the two occasions when the Canadian National endeavored to give effect to its policy the Board of Railway Commissioners refused the Canadian National the right to cancel joint rates from the St. John and St. Rosalie "gateways"; the term "gateways" being a popular name and not found in the Railway Act, and during the time the matter has been under discussion. The term "gateways" has been used to such an extent that many have lost sight of the fact that the question is not one of "gateways," but entirely one of rates.

It has frequently been stated in the Maritime Provinces and elsewhere that the Intercolonial has imposed upon the people of the Maritimes hardship in that its distance from points in the Maritimes to Montreal is greater than the distance from the same points to Montreal via the Canadian Pacific and St. John. This is a misconception and a misrepresentation. The Intercolonial from Halifax to Quebec is within a very few miles of the shortest possible distance, and this distance has nothing to do with the case and has never been a factor in the making of rates which are based upon the shortest mileage of the route to Montreal via the Canadian Pacific. Any possible disadvantage listed has been removed by the Maritime freight rates, which went into effect July 1st, 1927, and reduced by 20 per cent that portion of haul made by the Canadian National Railways up to the limits of such railways which were fixed at Drummond Junction and Lewis. Whatever happens to rates generally in Canada, the rates between the Maritimes and other points will always be 20 per cent less than the Canadian Pacific rates ordinarily would have been fixed at Drummond Junction and Lewis. Whatever happens to rates generally in Canada, the rates between the Maritimes and other points will always be 20 per cent less than the Canadian Pacific rates ordinarily would have been fixed at Drummond Junction and Lewis. Whatever happens to rates generally in Canada, the rates between the Maritimes and other points will always be 20 per cent less than the Canadian Pacific rates ordinarily would have been fixed at Drummond Junction and Lewis.

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missioners when the Canadian National filed supplements to their tariffs to cancel through rates with the Canadian Pacific via St. Rosalie and St. John, when the whole emphasis was placed on the fact that if joint rates were cancelled any shipper at a local point on the Canadian National in the Maritimes shipping from a local point on the Canadian National to a consignee located on a private spur track on the Canadian Pacific at Montreal or West, would have to pay, in addition to the transportation rate, the switching cost mentioned above—whereas if it moved it at a through rate either by way of St. John or St. Rosalie via Canadian National no such charge would be made. In other words the Canadian National instead of being a Transcontinental route would in effect become a branch line and a short branch line of the Canadian Pacific.

Honorable Frank Oliver, a member of the Railway Commission in his judgment dealing with this question said: "In its connection with, and in the West the National is equipped to give the Maritime shipper as good service as the Canadian Pacific. Not only is there no advantage to the shipper in a shortening haul between St. Rosalie and Winnipeg by taking the Canadian Pacific line at St. Rosalie, but in fact the all Canadian National line from Moncton and therefore from all Nova Scotia and Prince Edward Island points and as well from New Brunswick points northeast of Moncton is shorter to Winnipeg than the combination route by the way of St. Rosalie." And in connection with the plain fact that the whole question is one between the Canadian Pacific and Canadian National, he says: "It gives them (C. P. & N.) a weapon by which the National may be injured, but I am unable to see how it provides an adequate remedy for inefficiency of service, if such exists."

"The whole issue in this case is one definitely and particularly between the Canadian Pacific and the Canadian National Railways"

the question being whether the Canadian Pacific shall be entitled to an unwarranted entry into the whole of the Maritime Provinces territory, served by the Canadian National to solicit business obtained on the lines and at the expense of the Canadian National, with promise of placing orders for steel and other material and create a situation by which they are enabled to promise to such shippers orders for materials of various kinds, provided the shippers will route their goods via Canadian National to St. John and thence Canadian Pacific to destination. Contrary to the established practice of the Railways Commission and contrary to the law of the United States, there being no necessity and no advantage to the country as a whole, but on the contrary a financial loss and disadvantage to the country.

At the present time the Premier of New Brunswick who has frequently appeared before the Railway Commission in the capacity of counsel for the Canadian Pacific Railway, has been conducting a vigorous campaign, although the whole question was then before the Supreme Court of Canada for adjudication. Whatever claims the Hon. Mr. Baxter may have as to why these gateways should remain open, it should be apparent to him as it must be to every citizen, that there is no interest in the Province of New Brunswick other than the Canadian Pacific Railway to whom the joint rates mean anything. In fact there are instances where it operates to the detriment of shippers on the lines of the Canadian Pacific in the Province of New Brunswick. Referring to the attitude of the Railway Commission, Hon. Mr. Oliver said: "Order no. 39349 dealing with the points in question is directed only against the Canadian National. It does not require the Canadian Pacific to turn over traffic to the Canadian National at the order of the shippers. There is no question but that the order applies to outbound shipments from industries located on the Canadian National, and the Canadian Pacific are not compelled to hand over and do not hand over a single car of traffic originating on Canadian Pacific lines to the Canadian National." In the face of this it is incredible that there should be any public interest demanding an interchange at Saint John between the two roads, and if there were such necessity, the Hon. Mr. Baxter would be before the Board of Railway Commissioners, demanding on behalf of his shippers in New Brunswick on the

(Continued on page 8.)

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