

*Interim Supply*

but this is another example. The county of Waterloo is similar to the county of Oxford agriculturally. As I say, the farmers in Waterloo county are asking \$10, and the land owners in Oxford county asked only \$5. The company said no.

The cost to this company would have been only a few thousand dollars, but they have been absolutely adamant on the matter. It seems a very strange and unwise thing for a large company such as this, which is controlled largely by the Imperial Oil Company, to take this view, because it is very hard on public relations. These big companies are often open to public scrutiny and criticism, and this is one of the reasons I cannot understand why a large company such as Imperial Oil, which must spend hundreds of thousands of dollars and perhaps \$1 million a year on public relations and good-will advertising, such as the hockey broadcasts which we all enjoy, should do such a foolish thing as this in order to save a few thousand dollars. Because of this action a lot of ill-will has been generated, not only in Oxford but in other counties as well.

I do not wish to go into the details of the manner in which the company gained its expropriation powers, or to take the time of the house to do it. If anybody is interested he can look it up. Under the Pipe Lines Act, after a company decides on the route it is going to take it has to go before the board of transport commissioners to get approval of the route; and land owners and others, of course, are allowed to make representations to the board as to the route of the pipe line. The members of the board in this case—and they may be technically right; I think there is some question about it—said, “We wash our hands of the whole affair”, like the well-known gentleman in Biblical times. They said, “It is not for us to decide; we have only to approve the route or any alternative route that is proposed. We will have to allow this one”.

Once the route is approved by the board of transport commissioners the powers of expropriation fall into the hands of the company under the terms of the act. A number of people made representations to the board of transport commissioners. For instance, in the case of the county of Oxford only half the land owners had signed the option, and some of the options had been obtained from them by false pretences. I know there were representations from the counties of Halton, Peel and elsewhere.

Most people agree that in this case it is to the economic good of the country as a whole for the pipe line to go through, but it was suggested that changes in the route

[Mr. Nesbitt.]

could be made. I myself submitted a brief to the board on behalf of the land owners. I did not appear at the hearing, but I sent a brief. I submitted that I thought the board of transport commissioners should withhold their decision until such time as more of the land owners had signed up—only half of them had signed up—and until such time as the company showed some indication of attempting to make some sort of compromise, some negotiated settlement with the land owners.

The board of transport commissioners said, “No, that is not our business; we will not do that”. They allowed the application. I know of one case where a farmer objected to the route because it was going to go right down the middle of drains in his fields, which was a costly matter. Of course they said they would compensate him for that. I pointed out the difficulties in arbitration cases such as this. All this man requested was that the drain be moved from the middle of his field around to the edge of it along the fence line, which would not interfere with the route of the pipe line and would have caused little or no inconvenience to the company. I am told that the board of transport commissioners said to the company’s representatives and this particular land owner, “You can work this all out, and we suggest you do”; but that did not prevent the board from approving the route without having the matter finally settled.

My contention, Mr. Chairman, as I have already said, is the board of transport commissioners could have withheld approval of the route of this pipe line and that, of course, would have withheld the powers of expropriation from the company until a settlement through negotiation had been reached. They did not do that. I also think they could have condemned some of the unethical actions of the company in obtaining those options, but they did not do that either.

There is another matter I should like to bring to the attention of the committee in this regard. I mentioned earlier that the Imperial Oil Company had built a pipe line in western Ontario some years ago. It was in the early 1950’s. There was no difficulty at that time. I know from personal knowledge, in fact, that there was no difficulty. There were no powers of expropriation at all, but they got their pipe line through. Not having powers of expropriation they had to deal with the land owners, and they had to make some sort of compromise. In one or two instances I know we had land owners who did not want a pipe line to go through their land, and it went through the next farm. The pipe line went through, and it