

APPENDIX No. 2

Mr. MACLEAN: I want the newspaper to come under the general application of our practice where a public franchise is involved, whether it is a case of dealing with individuals or with communities. There must be no discrimination, but these private bargains allow discrimination.

Mr. CHRYSLER, K.C.: We look upon it in this light—I do not know whether it will add anything to the discussion or not. Leasing a wire is like leasing part of a company's property. You might as well say when there are offices to spare in the C.P.R. building here or in Montreal, or in the Grand Trunk offices, that the Railway Board are to regulate the rate at which we shall lease those premises. We may be wrong and Mr. Maclean may be right, but that is our view. In the case of a private wire it is the same thing. It is something we do not need to have at all, but we do have it as incidental to the business of transmitting messages to the public. It is possible for us to have private wires which we can lease, and there is no question of discrimination. It is not so much the question of the rate, as being ordered by the Board to provide additional wires, to put in wires where we do not use them at all. We think that is something we should not be compelled to give to the public under regulations of this kind.

Mr. MACDONELL: This section refers only to the toll that the company shall charge.

Mr. CHRYSLER, K.C.: Look at the other section. You have to take the two together.

Mr. JOHNSTON, K.C.: Sub-section 2 of section 369 reads: "or for leasing."

Mr. CHRYSLER, K.C.: As far as the press is concerned you can regulate it by the order of the Board now.

Mr. MACLEAN: Where would an injustice be done if the Bill remains as it is? Give us a specific case.

Mr. CHRYSLER, K.C.: Supposing ten people in Toronto have private wires, and some more come and say: "We want more private wires." Supposing the company said: "Our poles are full, we cannot take any more." Why should we be ordered to? We might be ordered to take all the messages that come to us.

Hon. Mr. COCHRANE: You must get paid in that case. The Board would give you fair compensation.

Mr. CHRYSLER, K.C.: We cannot send a wire to New York. It is done by arrangement with other companies. The Board has no control over that.

Mr. MACLEAN: Then you cannot be compelled to give it.

Mr. SINCLAIR: Is it clear that the public could not be interested in any way in leasing? It is not very clear in my mind. Circumstances might arise in which it would be to the interest of the community to have leasing of the wire controlled, where duplication would be prevented, or something of that kind. I do not think this should interfere with the question of private wires. I do not see my way clear to let the Board decide the question of dealing with a private wire. Do you, Mr. Maclean?

Mr. MACLEAN: I see why the Board should have jurisdiction over the exercising of any franchise that Parliament gives to a company. A leased wire is a service as much as any other service, and therefore within the jurisdiction of the Board, and I wish to keep the full jurisdiction of the Board.

Mr. CARVELL: Would you carry that to the extreme that Mr. Chrysler mentioned a few moments ago, to the renting of an office in a building?

Mr. MACLEAN: That is not part of its franchise.

Mr. CARVELL: They have the right to purchase real estate.

Mr. MACLEAN: That is altogether different. The object of the company, underlying its franchise, is a public service, and this is a public service. Leasing a building I do not think is a public service.