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CASE FOR WESTERN ASSOCIATED PRESS

Argument Submitted to Railway Commission by Counsel for W.A.P., Showing Discrimination in Telegraphic Tolls Against Non-Users of C.P.R.'s News Service—Argument in Detail.

The Western Associated Press, through its solicitor, A. B. Hudson, has submitted to the Board of Railway Commissioners a written argument in support of the application which it made at the recent sitting of the Board in Winnipeg asking for an order relieving it of the discrimination from which it at present suffers by reason of the policy and regulations of the Canadian Pacific Railway company's telegraphs.

The argument is in these terms: 1. The applicant claims that matter transmitted to it by the company for publication should be transmitted at the ordinary press rates given to an individual newspaper, in place of the higher rates actually charged, because:

(A) The cost of transmission is the same. (B) The press rate is remunerative. This is shown (1) by the fact that it has been established and voluntarily granted by the railway company for years without any objection; (2) further, because the statement submitted by the cost of transmission, in place of present established provides for a very large profit.

The cost of transmission from Montreal to Winnipeg, as shown by the statement of the cost of their services to western Canadian newspapers, would be: Operator's wages, Montreal to Winnipeg, \$3,690.00; Annual cost of wire, Montreal to Winnipeg, 15,102.50.

Total, \$18,792.50. This charge is approximately 13,000 words per twenty-four hours. Charging for this quantity at the proportion of 7,000 night and day the railway company would collect at the ordinary press rate over \$29,000; showing a profit of \$10,000 over cost of transmission—that is, an annual profit of over 60 per cent.

In this estimation it will be noted that the railway's charges are excessive, although a scrutiny would lead to doubt subject them to a very large reduction. (c) It is in the public interest that press rates should be charged for press matter, in that it would result in a much greater interchange of Canadian news.

2. The evidence disclosed clear discrimination. In answer to this evidence, it was urged: (a) That the company was selling news that they charge a rate of 1-1/2 cent per word day and 1-1/2 cent per word night, by being about (irrespective of distance) one-sixth of what is charged by the Western Associated Press for the transmission of matter from eastern Canada, the only consideration for this reduced rate being that the press is not a user of the railway's telegraph service.

(b) It was urged that the railway company had a vested right—that is, a vested right to do something it never had any power to do. (c) That it would prejudicially affect the eastern newspapers.

The telegraph company contends that their regular rates are those which apply to commercial messages, and that the grant of a special rate for news matter addressed to a newspaper is a voluntary concession on their part, carrying with it the right to impose such conditions as may seem proper to them.

The difference between commercial messages and press messages is so obvious that it is not necessary to discuss it. Newspapers are a public necessity, discharging an important and essential public function. Without a press rate for press matter, they could not be produced in their present form. It should therefore be an obligation of all telegraph companies to carry news matter intended for immediate publication in the public press at some definite rate.

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brought to this city a much fuller and better Canadian news service than has heretofore been possible. This service, after being brought here will be distributed through the Canadian west, with not unimportant results upon our growth and development towards national solidarity.

It is therefore urged, upon grounds of justice for the applicants, and upon the larger ground of public expediency, that there should be no press rates for press matter, without the limiting conditions which apply at present.

Discrimination. With regard to the discrimination to which the Western Associated Press is subjected in distributing its news service through a western Canadian in competition with the Canadian Pacific Railway company's telegraph service, it is virtually impossible to submit to the board, and evidence supplied by Messrs. Camp and Co. abundantly plain that the applicant in distributing its service over the C.P.R. lines, is at a disadvantage as to rate of handling and as to rates which constitute discrimination in its most extreme form.

It is also submitted that the loss of revenue to the company as stated in this respect; that the three separate messages delivered to the three Winnipeg newspapers would be transmitted by separate deliveries, three times the time expended for the same message to the Western Associated Press.

The company attempted to justify its charge by reference to the charge alleged to have been made by telegraph companies in the United States. It is submitted that the cases are entirely different. The conditions in the United States are not the same. The press associations of the United States are not obliged to compete with the telegraph companies in the collection and distribution of news. The telegraph companies there are merely carriers of news. If the press associations there were to compete with telegraph companies in the same manner as the applicants are competing here, it would be at a disadvantage for them to pay the rates of the telegraph companies, even assuming that the press associations of the United States pay that rate, which has not been established. There is the additional important difference that the press associations in the United States are able to levy on their subscribers every dollar which they pay for incoming tolls. The Western Associated Press is unable to levy on its subscribers outside of Winnipeg and portion of the tolls on maximum matter. The entire cost of bringing news to Winnipeg from all parts of the world has been borne by the three daily newspapers in Winnipeg.

No case in which press association rates have been charged to a press association except the applicants is given; but where the C.P.R. deal with another press association, it is shown that they charge a rate of 1-1/2 cent per word day and 1-1/2 cent per word night, by being about (irrespective of distance) one-sixth of what is charged by the Western Associated Press for the transmission of matter from eastern Canada, the only consideration for this reduced rate being that the press is not a user of the railway's telegraph service.

The public reasons why this rate should be conceded are based upon the theory that it is to the advantage of the people and the good of the country that there should be an interchange of news between the various parts of Canada as is possible in view of the great distances which separate important parts of the Dominion. The directors of the Western Associated Press who are practical newspaper men of many years' experience say that owing to the difficulty of collection and cost of transmission, there is not that free interchange of Canadian news throughout the Dominion which is desirable upon national grounds. The maritime provinces and British Columbia, for instance, might as well be in foreign countries so far as interchange of news is concerned, and here in Winnipeg, in the centre of Canada, it is extremely difficult under existing circumstances adequately to collect the news of the whole Dominion, highly desirable as this would be.

The high rate charged applicants for press matter necessarily limits the volume received for, since these rates are paid proportionately by the Winnipeg newspapers, the excessive limits the expenditure of these papers upon special telegraphic news. The newspapers expend an appropriate sum which bears an appropriate relation year by year to their revenues; and, if the rates are high, the effect is to reduce the volume of service. In place of the complete dispatch there is a condensation; vital matters of less moment have to be completely overlooked; though their distribution through news channels would be in the public interest. The experience of keeping with uniformity in the news service universal experience upon this point shows that a reduction in rates results in increased traffic; and, if the Western Associated Press is given a press rate upon press matter, the natural result will be that there will be

The apology, however, is not perfect. It would make much difference whether the subscribers paid one cent or another for coal; but, in the matter of news, there is no such exact standard of quality, and one news service could not be replaced with another, with the certainty that the substitute was of equal advantage to the public. In addition to the individual rights of the newspaper and of the applicant, it is contended, in opposition to the respondent's contention, that the public has a right to obtain from the newspapers a full, complete and accurately compiled newspaper service. The evidence given before Mr. Camp shows that this respondent, under existing conditions, does not and cannot furnish such a service. The handling and editing of newspaper matter is a highly technical business, calling for the services of trained and experienced men. Mr. Camp, in his evidence, said that the respondent's Press service, which he brought to Montreal, was condensed and re-edited in the telegraph room by one of the operating staff, not by the specially qualified individual. The news service is dealt with in the same way at every handling point. The daily papers in the towns in the west which take a small service are supplied by the operators of the local offices, who listen to the larger service going through to the terminus, and pick out the items which they think would be acceptable to the papers which take the service at that point.

This is the system for which the respondents contend that they are entitled to give specially favorable treatment, and so require, in fact, the monopoly. The applicant contends that the position of the respondent is altogether exceptional. It was not able to show that in any other place in the west which takes a small service a news gathering and distributing service of their own.

A further contention on behalf of the applicant is that it supplied western Canadian newspapers, and that decision of the present application favorable to the applicant would be prejudicially affect arrangements in reply it might be pointed out, which would be new service, eastern and western Canada are absolutely distinct. The respondent's service does not operate in eastern Canada, and the granting of the present application will not affect in the remotest degree the relation between the respondent and all or any of the eastern newspapers. It will be open to them to

two additional parties will be instructed to follow up the final two parties and make the final locations. From his station at Lac La Biche, Dr. Waddell will keep in touch with the surveying parties by means of couriers. Dr. Waddell will make a brief trip to the scene of operations north of Edmonton and will return to meet Manager W. R. Clarke, who is expected shortly from Winnipeg. Mr. Clarke is favorable to the plan of work laid out for the winter. Dr. Waddell will proceed next week to Lac La Biche. It is the intention to have the locations made and to have all the parties back in Edmonton again before the frost is out, if the ground in the early spring.

NO COAL SHORTAGE IN SOUTH. Representative of Saskatchewan Government Visits Lethbridge and Taber. Regina, Sask., Dec. 1.—The representative sent by the provincial government to enquire into the conditions at Lethbridge and Taber coal mines, consequent upon complaints from Swift Current and other points of a coal shortage reports that the situation is satisfactory, though owing to a shortage of men, the output is hardly equal to the demand. The coal service, however, is so far quite adequate and with a continuation of mild weather during December it is not believed that any very serious shortage will occur.

A large delegation from the town of Outlook waited on the provincial government to urge the necessity of affording traffic facilities at that point on the Saskatchewan river. The government stated that they were at present negotiating with the C.P.R. with a view of having traffic facilities provided in connection with a bridge which the company promised to build.

BURNED AT THE STAKE. Colored Preacher Who Fatally Wounded Business Man Victim of Mob. Atlanta, Ga., Dec. 1.—A mob late this afternoon captured Rev. John Howard, colored, near Cochrane and tonight burned him at the stake. Howard, a few hours before being captured had shot and fatally wounded Will D. Booth, a well known business man of Hawkinsville. Booth's automobile freighter Howard's mules while on the road. Howard drew a revolver and shot Booth three times. Booth returned the fire and landed two bullets in Howard's leg.

Two More Parties to Go Out. As soon as a determination of the course of the line can be made on the basis of the preliminary survey

FOUR SURVEY PARTIES ON A. & G. W. LOCATION. Two Have Already Started Out—Will Work From Battenberg and Lac La Biche—Chief Engineer Waddell Will Take to Residence for Winter at Lac La Biche.

The silent fastnesses of the north will be made to resound during the long winter months with the advance of at least four survey parties, who will endeavor to have the route of the Alberta and Great Waterways Railway located from Edmonton through to Fort McMurray before the water again trickles down the river banks.

In the office of the railway company on Jasper avenue there are engineers engaged in the preliminary survey of the line northward from Edmonton. These engineers have been studying the situation, though owing to a shortage of men, the output is hardly equal to the demand. The coal service, however, is so far quite adequate and with a continuation of mild weather during December it is not believed that any very serious shortage will occur.

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LIVINGSTONE'S CALEDONIAN STORE LIVINGSTONE'S CHRISTMAS GUESSING COMPETITION COMMENCING SATURDAY, DEC. 4 Why You Should Buy Your Xmas Purchases At the Caledonian. The Prizes will be given as advertised. The bottle was filled with beans without anyone knowing the weight or measurement. Employees of the Caledonian Store are not allowed to compete or guess for it. The Beans will be counted in view of the Public on Christmas morning at 9.30 a.m. And the results announced at that time. Particulars later. Bottle and Prizes are on view in our big show window. A visit will convince you. FIFTY FAT CHICKENS will be Given to the Next Fifty Nearest Guesses. The Store That Sells for Less CALEDONIAN 401-407 Namayo Avenue

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Phone 3122. will do well to give us a ing it, when you can sell ur shipments send your Straticons. We pay ex- loan you cans while you always glad to meet any

ATION ON A BABE. geon Removes Appendix of Months' Old Child. Dec. 2.—For the first time in al history a baby, six months at been operated on for ap- The operation was performed the city's leading surgeons hospital, with the result that life was saved. Patient was Ralph Thorne, son Thorne, 322 Townsend avenue, ter was crying with pain all the family physician diagnosed as appendicitis that the ap- was apparently just a freak His temperature, a few hours operation, was 104, and it was ent he was suffering from ap- inclined to feel that his many re children are supposed to be from colds, they are really trouble about the appendix. However, there is not the terror ing on infants that there was ago. Only a short time ago son to operate on a child that he did for a hernia. Ralph, who has the distinction the youngest child who ever loc ted in "Detroit," is fast recover- the operation and will soon be cri at home.

SKED LIFE FOR DOG. boy Saved Pet But Nearly Lost His Own Life. Out, Dec. 2.—(Special)—Irwin 15, had a terrifying exper- requiring his pet collie from yesterday morning. He was on a railroad bridge when his collie a light with another dog and between the ties, falling twenty feet below. The fall broke the and when it went through the would scarcely swim. Jones other boys got a rope and tied Jones' waist and then lowered the water. He was plucked into the dog and stood in the icy to his neck while the dog was the rope. But he was that he tied the knots insecurely, several feet up in the air the and he plumped back into the rope was again lowered. time he fixed it securely and was the bridge by his companions, and had to be carried to Both boy and dog are under no serious results are antici-