

Q. I should like to go back for a moment to a subject that has been covered pretty fully perhaps; I want to get your reaction, briefly. It has to do with the notice given to these stations. You have heard what has been said about that. I am asking you if, knowing what you do now, you would have given any more warning to these three stations than has been given?—A. The first thing I want to make clear is that there is no place for the CBC to give warnings about frequencies, because we are not the authority on frequencies. We always make recommendations to the Department of Transport; and I think the CBC general policy was very clear on the record, as I have outlined there.

Q. Are you satisfied, looking back, that you would follow the same policy, that you would have made the same recommendations as apparently were made by the CBC on this matter?

The CHAIRMAN: Just a minute. I do not think that is an appropriate question for this witness. You are asking him to pass judgment upon whether a certain departmentalist acted according to a judgment that would have been his had he been in his place. That is rather too hypothetical for this factual inquiry.

Mr. FLEMING: I submit with respect, Mr. Chairman, there is going to be the same problem before us on this committee, I take it, as to whether there has been complete fairness observed by the CBC with reference to these three stations, in this matter of taking their wave lengths. We have had a good deal of evidence on it. I do not want to go into the details now with the witness because he was not there then, but I am asking for his statement as to whether looking back now and knowing all that we do know now, he feels that there was complete fairness shown to these three stations in the matter of warning them on the policy of the CBC and the government.

The CHAIRMAN: I think that matter is a question for the judgment of this committee. But this witness is not to usurp the function of this committee by passing judgment in advance. I do not think that is an appropriate question, Mr. Fleming; and I am so firm in that view for once, that if it is pressed, I should really be forced to rule it out of order.

Mr. FLEMING: I do that, then, Mr. Chairman. You will have to rule it out of order. I think it is a fair question.

The CHAIRMAN: All right. I do rule it out of order.

Mr. FLEMING: All right.

*By Mr. Fleming:*

Q. You are familiar, Mr. Dunton, with the records of the CBC in this matter now. I have no doubt you have read them up in the meantime. You recall that among the letters placed before us by Mr. Browne there was, first of all, a letter by Mr. Walter A. Rush, controller of radio, dated April 30, 1941, addressed to Mr. W. Gladstone Murray, general manager of the CBC, in which he proposes that a certain endorsement be put on the licences of the stations CFRB, CKY, CFCN and CKTB. Is that the letter of April 30, 1941?—A. I remember the letter.

Q. It is down at the bottom of those letters, about half way down.—A. It is April 30, 1941. Yes, I have that letter.

Q. The following letter that was filed is a letter of May 7, 1941, from Mr. Donald Manson, chief executive assistant, Canadian Broadcasting Corporation to Mr. Rush in which he says, "The endorsement you propose placing on the licences for the fiscal year 1941-42 is entirely satisfactory to us." Was that letter or the statement in the letter approved by the board of governors of the CBC?—A. I understand not.

Q. Not?—A. No.