

tion to raise the price of an article is unlawful, by the common law, this Bill does nothing. If it be necessary, as we, after due deliberation last year asserted, to insert in the law that the combination to be unlawful must be "undue" and "unreasonable," we place ourselves in this position: The word "reasonable," as I pointed out, at the Banking and Commerce Committee, and it was the only observation I made before that committee—occurs in many Acts which both Houses of Parliament have passed in recent years. In the Bills of Exchange Act we are told repeatedly that delay in various provisions must be reasonable, and when I put the question which I did at that time to the hon. leader of this House, how "reasonable" was to be arrived at, I was informed that it would be the business of the courts to decide what was reasonable or unreasonable. Why not leave this matter also in the hands of the courts? I say it is not flattering to the judiciary of this country that hon. gentlemen should be so apprehensive that if a case is brought into court under this Act they will not receive due justice. I think the probabilities are in favor of receiving due justice, even strained a little on the side of the public, because we know that the sympathies of the judge and jury are on the popular side, and would probably be, if allowed to prevail at all, in that direction. I consequently think that the words "unduly" and "unreasonably" are only the protection that we are bound to receive at your hands—I speak of men in business of all kinds, because the operation of the law is likely to be much more far-reaching and much more widely applicable than you apprehend at first sight. I take it, if the Bill without these qualifying words became law you would find pulled into your net a much larger variety of fishes than the originator of the Bill ever dreamed of or intended. I do not know that you could go down to any public market in any large city without finding a singular unanimity with regard to the prices, and the same way with regard to the prices of butter and eggs, and though you might not prove that there was a combination amongst the sellers, there would be the feeling that something of the kind exists, which might bring all concerned into the meshes of the law. How would these men like to be hauled before a court, and charged with and convicted of a misdemeanor, rendering

them liable to imprisonment for two years? The few words I uttered before the committee the other day were simply dealing with the question of similarity of the application of the word "reasonable" in many Acts now in force with the same words in them. I maintain that the keeping of these words in the Act, inserted after careful consideration by the Senate last year, is a duty which we owe to the public at large and to the Senate itself. The wildest possible assertions have been made with regard to profits, and all that sort of thing, but it certainly does not appear to me that they need be dealt with at all—they carry their own refutation. I have no reason to complain of the general course of the discussion on the other side, except in one particular, and there, I believe, that the hon. member from Monck was a little unfair. He said a good deal which, if it bore any construction at all, bore this construction: That his side of the House had been unfairly treated before the Committee on Banking and Commerce. Now, that committee, under the able presidency of my hon. friend from Sarnia, was scrupulously careful to interpose not the slightest obstacle to an expression of opinion, in the widest possible sense, on the part of every witness who came before it. Not only so, but having laid down in advance, as he did, that the discussion should be restricted to the absolute facts of the case, he, with the greatest possible liberality, allowed it to branch off into every conceivable subject, and to deal with the general question. Not only that, but there never was the slightest intention, I am sure, on the part of any member of the committee, to deny the request which was made by the hon. member who who took charge of this Bill to postpone the consideration of the question for another day, although that postponement caused a great deal of inconvenience to many members on the other side. Consequently, beyond complaining of that, which I think was quite unjustified, I have nothing to say. But we have been told repeatedly that this Bill comes from the House of Commons unanimously passed by 215 representatives of the people, and therefore we must receive and pass it. Now, a member of the House of Commons—I do not state it of my own knowledge—tells me that the Bill was got through by something little short