

Mr. FOWLER. Deal with him so that it will not injure other men, then throw them out of employment.

Mr. FIELDING. If you put him in the penitentiary, what is to happen to the poor labourer?

Mr. FOWLER. It could go on.

Mr. FIELDING. I suppose if the manufacturer is put in the penitentiary the work could go on.

Mr. FOWLER. The manager could still run the business while he is in jail.

Mr. FIELDING. Put the manager in jail, too. I say in this matter of combinations to enhance price, you have to deal with the man who fixes the price, who is the manufacturer.

Mr. FOWLER. Then deal with him.

Mr. FIELDING. There is no other way of so effectually dealing with him as by reducing his duty, and with the knowledge of that clause you are less likely to have these combinations than by any other procedure. The manufacturer is more afraid of that section than of proceedings in the criminal court, because experience has shown that men are unwilling to go into the court to take proceedings, but here is a simple piece of machinery by which the manufacturer can be punished in the way he fears most.

Mr. FOWLER. The individual may not care to go into the court, but there is nothing to prevent the government ordering their officers to have the party haled before the court.

Mr. WILLIAM CHISHOLM. How long would it take to get a conviction? You would have the evil going on all the time—for six months, perhaps.

Mr. FOWLER. I do not think that is the history of the criminal law of this country—that it takes too long. The hon. gentleman may have had some experience along that line in which it has taken longer, but I think the courts of our country act with considerable promptitude in matters of that kind, and it would only take long enough to prove the offence and have the trial. That does not take very long, and certainly it would be a more efficacious remedy and one that does not do an injury to innocent persons who have not offended.

Mr. PATERSON. The hon. gentleman loses sight of the fact that it is not compulsory on the government to abolish the duty or close any factory, and the wording of the law is that they may reduce it if prices are unduly enhanced; and the further fact appears, that if that undue enhancement of price is facilitated by the tariff, then the Governor in Council may abolish or lower the duty. I think the case

of abolition would be very rare, the intention was rather to so reduce the duty as to give reasonable competition, and the government would always bear in mind that reasonable competition. They know that when an article is made dutiable in the tariff it is in the mind of parliament to give the producer of that article a certain amount of protection in the manufacture of that article, and they would see that the duty was not reduced below a point at which reasonable competition would prevail.

Mr. FOWLER. Where would that competition come from?

Mr. PATERSON. That competition might come in this way: You might have a competition of perhaps three-quarters of an industry. That would be sufficient to maintain their price perhaps. The other one-quarter might sell at a lower price, finding that that price was sufficient to enable them to do all business. That would be giving competition as far as one-quarter could as against three-quarters, but that one-quarter might not be able to control; then if you were to admit, by a lowering of the tariff, goods to come in and lower the price to that at which the quarter was selling, it would prevent the undue enhancement of price, and your industry could go on.

Mr. E. M. MACDONALD. I would point out that my hon. friend's argument as to what the government should have done is based on absolutely wrong premises. Here we have certain provisions of the law in the tariff, and there is this provision under which in the paper case a certain action was taken by individuals. The newspapermen in the first instance claimed that there was a combination in paper by which they were discriminated against. There were two remedies open to them, first, to lay an information before any magistrate and initiate criminal proceedings, which would be carried on by the attorney general of any province where the information was laid. The newspapermen did not take that course, but took proceedings under the Tariff Act. They made a complaint to the Governor in Council, and the Governor in Council, under section 18 of the Act, appointed a judge to make a report. He reported that a combination existed. Now, my hon. friend from King's (Mr. Fowler) argues that when that report was made the government should have proceeded in the criminal courts in order to set the law in motion and secure a conviction on account of the existence of that combine. I submit that while that was a course that would have been open to the parties who alleged that they were offended against, it was not the duty of the government primarily to do anything of the kind. On the contrary, the proceedings having gone on under the statute, it was the duty