

APPENDIX No. 6

By Mr. Lancaster :

Q. At these meetings of the association dealers who are not members are not present as you have told us?—A. No, they are not present.

Q. You discuss prices at those meetings, you say?—A. At meetings of the association? I do not think so. I do not remember ever discussing prices at a members' meeting—that is, so far as fixing prices.

Q. You discuss whether the members are sticking to them or not?—A. I do not know that we do that. What our association has done—of course, there has been a lot of evidence given here, and it is a difficult thing to go over it, but here is the situation. The by-laws as they existed originally when there were active and honorary members of the Western Retail Lumbermen's Association everything that is contained in these by-laws we intended to do; we tried to do it, and, as I say, there were honorary members and active members, and they were both amenable to certain rules and to certain penalties.

By Mr. Crocket :

Q. The honorary members were the manufacturers?—A. The honorary members were the manufacturers. That went on for probably ten or twelve years, and, as I say, we were trying to enforce every rule that you find there.

By Mr. Lancaster :

Q. Some of those rules related to prices?—A. Yes, and up to that time I do not think it was the general practice to send in the prices that were fixed at the different places all the time, still that was one of the rules and it should have been done probably. But there were lots of things in this constitution and in these by-laws that we were trying to do. We tried to exact penalties, we did everything that we could to enforce them, and this I say extended for ten or twelve years, Now, notwithstanding all that the rules say, and I might say in reference to the secretary's evidence, he gave his evidence simply upon the basis as an officer of that association, as an executive officer in the discharge of his duties in carrying out the provisions of those by-laws on his oath. Among the letters that were presented were some that were written by him with the object of enforcing these rules, and letters he received were complaints in respect of the rules that had been violated. It does not follow that what he attempted to do was effective, or that he was effective, so that in order to arrive at a proper judgment of what we did do it is necessary to follow the operations of the association: that is to see if they were in fact restrictive in any sense, you will have to follow them up and see if they accomplish the objects aimed at.

Q. Will you tell us what he could have done that he did not do that would have produced that effect?—A. I don't think he could have done anything that he did not do. That is the very point. I admit he did everything he could to accomplish that.

By Mr. Crocket :

Q. You say that it was the intention that it should be effective?—A. It was the intention that they were to be effective. So long as we had honorary and active members they both subscribed to the same by-laws and the same constitution. They were amenable to the same penalties and we tried to enforce them. Now what was the result? After twelve years of operation of those by-laws we came to a period of about three years ago, 1904, when notwithstanding that the manufacturers were honorary members, that they could be penalized with the active members or the retail dealers and were liable to the same penalties—we come to a period when the association was practically demoralized; where, with all these restrictions and all our by-laws and everything that the secretary could do, we absolutely had no control whatever over the honorary members, that is as to whom they should sell the lumber, and we had absolutely no control over the active members as to the parties from whom they should buy lumber.