and intelligently administered. Indeed, that is one of the main objections to the act. They would prefer not to be investigated and prosecuted, and their objection, of course, is quite understandable.

The two points of view as to the current administration of the act are rather neatly summed up by two recent newspaper articles. The first is from the Winnipeg *Free Press,* and I quote:

> These latest decisions—
>
> The rubber decisions.
>
> —will certainly be welcomed as further evidence, if any were needed, that the Canadian anti-trust legislation is now being administered with a vigour and success unprecedented in the history of this country.

The next quotation comes from a different source, the *Financial Times* of Montreal, and it confirms the efficiency of the combines branch but in language that is not so complimentary. I quote:

> . . . the combines investigation crowd are working with assembly-line efficiency exhuming scandals in private enterprise. The scandal consists mainly in taking a profit; something that did not use to be a sin.

Well, there you have it. There is no need to stress the efficiency and vigour with which the combines act is being administered. But there is a need to clarify our thinking on two other matters. The first one is whether enforcement is effective, and the second that the principle and methods of the present legislation are not the best that could presently be devised. As to the effectiveness of the combines legislation as it is now administered, there can be no question. The effect is both positive and deterrent, as one gathers from the loud squeals of big business.

There is, however, a constant tendency to take every success that the combines branch achieves and twist it into an argument which goes something like this. If the conditions disclosed in the report on the prosecution could exist, then it is an indication that the legislation is not effective. Instead of giving credit for the prosecution of the offences that are disclosed, and recognizing their deterrent effect upon others, the stand is taken that the disclosures are proof of the ineffectiveness of the measures designed to maintain competition. This is, of course, the attitude of persons who welcome any material that they can mould into the semblance of an argument to support their political and economic philosophies. It is important that the public should not reach the conclusion that the Canadian economy is combine-ridden.

The fact that the combines branch is successful in disclosing, and the justice department in prosecuting, combines should be taken only as evidence of effective enforcement. There are very definite indications that the work of the combines branch is having a very real and widespread effect upon manufacturers and distributors. Each such case, and there have been many, is like a pebble dropped into a pond where the ripples extend far beyond the area immediately affected. So long as the enforcement of the act is vigorous and continuous, satisfactory results will be achieved. If its enforcement should be periodically relaxed, what has been gained will, of course, be lost. The businessman himself would suffer because he would be lulled into a false sense of security and the next period of activity by the department would catch him with his combines down.

There is very much evidence of competition throughout business. The electrical appliances field, the automobile field and the food field are examples of trades in which competition is very real and virile. Both the rubber fields and the optical fields are ones in which competition appears to have been restored following combines investigations into those industries.

Now, for a few moments I should like to consider the second question, that the principle and methods of the present legislation are not the best that could be devised. Here we are faced with a tendency in certain quarters to propagate the view that business is being unnecessarily harassed by the anti-combines legislation, and that the courts should not condemn combines just because they eliminate competition but only where positive evidence can be produced by the crown to demonstrate specific and undue price increases or other abuses. They go even farther and advocate that the legislation should be changed to require the courts to review each case to see whether the parties who have gained control over the markets have used that control to advance their own interests to the detriment of the public or whether they have exercised it in moderation for the benefit of the industry and the public.

I particularly want to take issue with this tendency which is aimed at undermining the whole anti-combine structure as it has been built up over the years. As an example of the view expressed by the opponents of the legislation, I should like to refer to a speech made by J. D. Ferguson, president of the Canadian Manufacturers Association, at Granby on November 26 last. The view expressed by the president of the Canadian Manufacturers Association is that whenever a combine charge is brought the courts should not concern themselves with the