

MORE WAR IS DECLARED ON ONTARIO COMBINES BY ATTORNEY-GENERAL

Hon. W. E. Raney Also Renews His Attack in the Budget Debate on the Board of Commerce

ONTARIO'S POWERS WILL BE EXERCISED

Reviews in Detail the Probe Into Affairs of Hamilton Wholesale Grocers — Z. Mageau Contributes to Debate

Further activity against combines was indicated in the speech of Hon. W. E. Raney, Attorney-General, in the debate in the Legislature on the Budget last night. The Attorney-General again attacked the Board of Commerce, and said that the Legislature, as the highest court in the Province, would take its place. He reviewed in detail the action against the Hamilton wholesale grocers before the Board of Commerce.

At the outset Hon. Mr. Raney said that the average man was more concerned about the price of necessities than the price at which the Province was able to float bonds. He knew that combines and price-fixers did not work with a brass band, and the average man was therefore alert to seize upon any loose end of information which might leak out and which seemed to offer any clue to the source of his troubles.

Reviews Hamilton Probe.

Mr. Raney then delved into the history of the action against the Hamilton Grocers' Association, starting with the letter written by Mr. Porter to the Premier. He told the story about his sending a representative to investigate and later, with the reports made to the Board of Commerce, the board's direction to have an investigation. The Attorney-General defended the grounds on which the investigation was asked. Mr. Raney then reviewed much of the evidence taken by the Board of Commerce, reading letters and resolutions passed by the association. "In some cases," he continued, "the manufacturers frankly told Fearman Bros. and other wholesalers not in the Grocers' Association that the latter could not supply them with goods because they were not members of the Wholesale Grocers' Association. In other cases the manufacturers resorted to pretence, evasions and subterfuges. In either case the effect was that the wholesaler who was not a member of the association was either compelled to do without the goods or to buy them from brokers surreptitiously and split the commission with the brokers. He quoted letters to show that the association favored fixing prices right down to the retail trade. The prices, he continued, were fixed by the manufacturer to the wholesaler and by the wholesaler to the retailer under penalty, and the ultimate object "was and perhaps still is to fix the price to the retailer. The only other person in the community is the consumer, and he is

not consulted. The argument throughout by the Board of Commerce seems to have been that it was quite reasonable and proper to leave the interests of the consumer to be looked after in the transactions by the manufacturer and wholesaler. It is only fair to say that there are wholesalers and manufacturers doing business in the old-fashioned way in the open without oathbound agreements, but the outsiders are a small minority."

Makes Charge Against Grocers.

Mr. Raney pointed out that no prosecution for an offense may be undertaken without the written authority of the Board of Commerce. He accused the wholesale grocers of attempting to name the Judge or Judges to conduct the inquiry, and quoted a letter from the wholesale grocers asking that Mr. O'Connor be head of the board.

"It is undoubtedly true that hundreds of telegrams were sent to Sir Robert Borden urging Mr. O'Connor's appointment. Of course, if Sir Robert had known that these telegrams were not spontaneous, but inspired, and proceeded from the same source, his views with regard to the urgency of the appointment of Mr. O'Connor might have been modified. Perhaps he may have known some of the facts, because Mr. O'Connor was not appointed the first Chairman of the board." Mr. Raney noted that Judge Robson, the first Chairman, resigned in February, and that at the time of opening the investigation into the alleged combine the position was again vacant. "So that you have a group of respondents before the Board of Commerce in the investigation of February and March who are known to the Commissioner to have been exceedingly active and urgent in the advancement of his interests in July, 1919, and he will have every reason to believe are still active in the same direction."

He criticized Mr. O'Connor for not allowing a cross-examination regarding some statements at the Hamilton inquiry. He was also critical of Mr. Duncan in the Toronto hearing. Regarding the judgment of the board, Mr. Raney said that it came to this: "There was no specific evidence before the board to prove that the price of shredded wheat or soap or tobacco had been increased to the consumer by reason of activities of the combine, and the board did not feel called upon to infer anything or assume anything. The Commissioners did not believe that there could be anything detrimental to the consumer on the oath-bound agreements to fix prices and restrict competition."

Speaking of the Porter incident Mr. Raney said, "The board had insulted the public, on behalf of whom the investigation was being held, and the Crown, which was representing the people in the matter, and as Attorney-General I felt it my duty to protest, which I did by letter to the board."

"The theory of some of the members of the House, apparently, is that the Attorney-General should have sat helplessly by and have merely remarked, so far as Porter is concerned, 'It's too bad, but what can I do?'"

People the Highest Court.

"But that is not my theory. My theory is founded upon law, upon the Constitution of Canada and of Great Britain. This Legislature is the High Court of Parliament for the Province of Ontario. It is the highest court in the Province. The only appeal from it is to the highest court of all in every democratic country—the people. This Legisla-