

Action for the recovery of such damages may be brought in any court of competent jurisdiction, and money owed as a result of any such agreement, and any money or money's worth received in compliance with or in consequence of any such agreement as is mentioned in (b) and (c) shall be forfeited to the Crown as part of the Consolidated Revenue Fund of Ontario.

Crown May Step In.

The Attorney-General may at any stage of any such action or proceeding be added as a party claiming such forfeiture. Every person a party to such agreement shall forfeit the sum of \$500 for every sale, rental, lease or other transaction arising out of such agreement, or such lesser sum as the court may award.

In any action brought, if any such agreement is found to exist or to have existed, the court is empowered to declare the agreement unlawful; direct action to be taken against any party to the agreement not already before the court; issue an injunction preventing the parties carrying out such agreement; order payment of forfeit and of costs.

The act is to come into force on July 1, 1922.

After giving a brief description of the act, which he said was limited to the class of combine that provided for resale, the Attorney-General said that at second reading he would perhaps refer the bill to a special committee to sit during the recess.

Case Before Courts.

A case of a nature similar to that dealt with in the bill had come before the courts, and he had hoped to have had the benefit of the views of the Judge before he had brought down his bill. Decision had not yet been given.

Hon. G. Howard Ferguson said he wondered if it was wise to introduce this legislation while litigation of this kind was still pending. He knew it had been the practice in this Legislature to introduce legislation affecting litigation, but it did not seem to him to be the proper thing. It might be that it was an attempt of the law officers of the Crown to interpret the law as it is today. This legislation was no doubt conceived along the lines which the Attorney-General's Department interpreted the law to be.

"I was wondering," Mr. Ferguson proceeded, "whether this legislation would have an injurious effect upon our farmers' co-operative organization, which, I understand, sells to the local stores and fixes the prices at which they must sell their goods, and they must, under agreement, agree to sell at those prices, otherwise they are not permitted to do business or to go into business—at least, they do not get business."

The Attorney-General said that class of case would be for the consideration of the special committee. Co-operative societies would have the opportunity of presenting their views before the committee.

MUST CABINET WATCH HYDRO ON JUNK SALE?

Cannot Trust Commission to Get Best Price? Asks Tory Chief

Premier Drury told the Legislature yesterday that P. H. Mitchell and T. A. Hollinrake had been asked to obtain certain information for the Government regarding the Chippawa investigation before the commission started out on its work. This was the inspecting, identifying and valuing of material and equipment that had been used by the commission in construction work, and which was now up for sale. These gentlemen had been asked to go and look the material over and take an inventory before it was sold. The Premier said this was being done with the concurrence of the Chairman of the Hydro-electric Power Commission.

Motion Discharged.

The announcement was made when Premier Drury moved to have his notice of motion calling for an investigation into Hydro expenditure removed from the order paper. The House consented and the order will be discharged.

Before the question was put Hon. Howard Ferguson said he understood steps already had been taken by the Government to gather information. He also wanted to know if P. H. Mitchell, partner of Brig.-Gen. C. H. Mitchell, was to be one of the commissioners.

The Premier replied that P. H. Mitchell and T. A. Hollinrake had been asked to obtain certain information it was thought necessary to have before the commission went on. The necessity for this was brought about by the fact that the Hydro Commission was advertising for sale material and equipment left over from construction.

Where Will It End?

Hon. Mr. Ferguson asked if the attitude of the Government toward the Hydro Commission was such that it had so little confidence in that body that it would not even trust the commission to sell out the junk, even though the commission would be interested to get the largest possible price for it. Did it mean that the Government would go to the expense of checking over machinery for which there was a complete inventory at the present time? Was it going to have another commission investigating this phase of the commission's activity? If so, where was this thing going to end?

The Premier interrupted with a remark which was not audible throughout the House.

Throw Out Sir Adam Beck.

Hon. Mr. Ferguson—My honorable friend should not get impatient. I do not frequently take very long talking in this House. This is an important matter. If this commission is to be discredited, why has not the Government the courage to take the Chairman by the back of the neck and throw him out? That is what I would do if I were head of the Government, under such circumstances.

Proceeding, Mr. Ferguson said the Government evidently knew the public mind, but was too timid to act, and was trying to shelve the responsibility on somebody else. Was that the object of the Government in sending these men to Niagara?

Premier Drury—Not at all. My honorable friend is entirely misinformed.

Takes All Responsibility.

The Premier added that the Government took all responsibility, and must take all responsibility. It believed in trying a man before hanging him.

"That is contrary to your usual practice," interrupted Mr. Ferguson.

Premier Drury said the question was not one of confidence. If they were going to have an inquiry which meant anything, steps must be taken properly to inventory and catalogue the equipment, etc., and ascertain the state of use it was in. "We are not doing it out of suspicion," Premier Drury concluded. "We are doing it with the concurrence of the Chairman of the commission."

Replying to a question, the Premier said he considered, if the investigation was to be worth anything, note must be taken of the material before it was sold.

Chairman Concur.

"Do you say this is done with the concurrence of the Hydro Chairman?" asked Wellington Hay, Liberal Leader.

"Quite," replied Premier Drury. "The Chairman informs me he will facilitate it in every way possible, and these two gentlemen are overdoing their work."

Answering another question, Premier Drury said it was proposed to get rid of the material by advertising it for sale.

G. G. Halcrow (East Hamilton)—Might I ask the Premier why this Mitchell family has got this special consideration of the Government? I know at the election of this Government he passed out a eulogy unique in the history of this country.

Premier Drury—Who did?
Mr. Halcrow—General Mitchell. Read your Canadian Review and you will find it. Why put this Mr. Mitchell on?

The question was not answered.