

further section of the article summarizes former Canadian legislation for the investigation of combines, including the Combines Investigation Act of 1910 and the Combines and Fair Prices Act of 1919.

The Combines Investigation Act.—The Combines Investigation Act (R.S.C., 1927, c. 26) is designed, as its full title indicates, "to provide for the investigation of combines, monopolies, trusts and mergers", and declares to be unlawful only such combines as "have operated or are likely to operate to the detriment or against the interest of the public, whether consumers, producers or others". The Statute provides that an inquiry shall be made by the Registrar on receipt of an application signed by any six British subjects resident in Canada; or if the Registrar has reason to believe that a combine exists, or if the Minister of Labour so directs. If after preliminary inquiry sufficient evidence is disclosed to justify further investigation, this may be conducted by the Registrar or by a special Commissioner appointed by the Governor in Council. Full authority is given the Registrar and the Commissioner to examine witnesses on oath and compel the production of records and documents.

The remedies provided by the Act are those of publicity and penalty. The proceedings are conducted in private, unless otherwise ordered by the Minister, but the report of any Commissioner is required to be published within fifteen days of its receipt by the Minister. Whenever in the opinion of the Minister an offence has been committed, he may remit the report and the evidence to the Attorney-General of the province concerned. The penalty section of the Statute provides that any person who is a party or privy to, or knowingly assists in, the formation or operation of a combine is guilty of an indictable offence and liable to a penalty not exceeding \$10,000 or to two years' imprisonment, or, if a corporation, to a fine not exceeding \$25,000. Provision is also made in the Act for the reduction or removal of the customs duty on any article of commerce, among the manufacturers or dealers in which there exists a combine, the operation of which is facilitated by the tariff. Similarly, the Exchequer Court may revoke a patent if there is evidence to show that the holder of such patent has made use of his exclusive rights to limit production or competition unduly, to enhance prices unreasonably, or to restrain or injure trade.

The constitutional validity of the Combines Investigation Act was given final confirmation by the Judicial Committee of the Privy Council in a decision delivered in January, 1931. This judgment confirmed the unanimous decision of the Supreme Court of Canada, given in April, 1929, after a reference for determination of this question had been made to the Courts by the Dominion Government. Both courts upheld also the constitutional validity of Section 498 of the Criminal Code, relating to combinations in restraint of trade.

Combine Cases in 1932.—An investigation under the Combines Investigation Act into an alleged combine of manufacturers of fruit baskets and other containers for fresh fruits and vegetables was completed by the Registrar early in 1932,