

forming similar societies. One co-operative burial society is known to be in the process of organization in Saskatchewan. Co-operative principles have also been applied in isolated instances to many other forms of enterprise such as restaurants, laundries, printing and publishing and electrification. Until a complete survey of the field of consumers' co-operation is made no accurate information is available.

PART II.—GOVERNMENT AIDS TO AND CONTROL OF TRADE

Section 1.—Combinations in Restraint of Trade*

Dominion legislative measures for aiding and regulating trade provide specific prohibitions of operation against the public interest by monopolies and similar commercial combinations. Monopolistic trade arrangements that tend to eliminate competition in price, supply or quality of goods, and thereby to unduly raise costs or prices, are prohibited under the Combines Investigation Act and under Sect. 498 of the Criminal Code.

A general article on Canadian legislation concerning combinations and monopolies in restraint of trade appears in the 1927-28 Year Book under the heading "Legislation Respecting Combinations in Restraint of Trade", pp. 765-770. In each later issue of the Year Book an annual statement on proceedings under the Combines Investigation Act is included.

The first Dominion legislation in this field was "An Act for the Prevention and Suppression of Combinations Formed in Restraint of Trade", passed in 1889 and now in force in amended form as Sect. 498 of the Criminal Code. Legislation providing special facilities for the investigation of combines was first enacted in 1907 and was included in the Customs Tariff of 1907. In 1910 the Combines Investigation Act of that year was enacted. The latter Act was replaced by the Combines and Fair Prices Act, 1919, which, in turn, after declaration of its constitutional invalidity by the Judicial Committee of the Privy Council, was replaced by the present Combines Investigation Act in 1923 (R.S.C. 1927, c. 26).

The Combines Investigation Act.—This Act (R.S.C. 1927, c. 26) provides for investigation of trade combinations, mergers, trusts and monopolies alleged to have been formed or operated in restraint of trade and to the detriment of the public. Participation in the formation or operations of such combines is an indictable offence. Methods of unlawfully lessening competition and controlling trade include arrangements among competitors or others to enhance prices, to fix common selling prices or resale prices, to exclude competitors from business or otherwise to unduly limit production or facilities for manufacturing or distribution. Business combinations and associations for most other purposes are not contrary to public policy, including associations to assemble and supply information on trade operations or to effect useful standardization or simplification of products or services.

Recent court proceedings following investigations under this statute have dealt with alleged combines of manufacturers and wholesalers of tobacco products and manufacturers of corrugated and solid fibreboard shipping containers and materials for the manufacture of such containers. In the shipping-container cases a total of 21 companies and one individual were sentenced at Toronto to pay fines amounting in all to \$176,000, payable to the Receiver General of Canada. All 22

* Revised by F. A. McGregor, Commissioner, Combines Investigation Act, Department of Labour.