

But I venture to suggest that if that report had been available for Mr. Justice Beeby it must have had a considerable influence on his mind. More than that, it is not unimportant to observe that Mr. Justice Beeby's report does not touch the vital question, or what I suggest is the vital question, and that is this: that the cutting in some cases of the prices of goods to the extent of selling those goods at or even below cost inevitably tends to ruin the trade of the manufacturer and of other dealers in those goods, and must inevitably tend to the necessary profit of the trader being made up by overcharges on other classes of goods. You will not find in Mr. Justice Beeby's report a single word—I think I am right in saying that—dealing with that aspect of the case, and I submit with great respect that inasmuch as he does not deal with that aspect of the case the value of his report becomes seriously diminished. My friends say they will rely on the Canadian report. My submission is that the Canadian report is of no value whatever, for this reason: that it was not the result of an inquiry at all. It was simply, so far as I can understand it, the report of a Government officer, made *ex parte*, without hearing the P.A.T.A.—without hearing their evidence or giving them an opportunity of being heard. What is the use of saying that a report made in such circumstances is to be relied on? No reliance can be placed on it at all; and, moreover, in Canada, just as in New South Wales, the P.A.T.A. is operating throughout the length and breadth of the land and challenges the Government to take any proceedings it likes. I venture to say that unless they have legislation in Canada which is stronger than we have under our Commercial Trusts Act and Board of Trade Act—and I do not think they have, because they have no legislation that I know of as we have in New Zealand—unless they have that, I say, their Government would have no chance in the world of succeeding against the P.A.T.A., or any one associated with it, on any charge they could possibly bring.

Mr. Gresson: I notice from a newspaper report that there is some litigation going on in Canada in connection with the P.A.T.A.

Mr. Collins: I believe one of the big "chain stores" is taking the matter up.

Mr. Myers: Unless the P.A.T.A. has done something in Canada which it certainly would not be within the scope of the P.A.T.A. to do here in New Zealand I should say that the result of the proceedings would be a foregone conclusion.

Mr. Collins: You know that there is a further inquiry in Canada?

Mr. Myers: No, I did not know that.

Mr. Gresson: Is there a report?

The Chairman: No.

Mr. Myers: Is that the inquiry which Sir William Glyn Jones asked for?

The Chairman: Yes.

Mr. Myers: It may, of course, furnish a different report from that already furnished by the Government officer. I will conclude at this stage by repeating, first of all, that it is no part of the scheme of the P.A.T.A. to raise prices to an unreasonably high figure—quite the contrary. It is their policy to endeavour to have prices fixed which will return a fair and reasonable margin of profit, and no more than a fair and reasonable margin of profit. Furthermore, I desire to emphasize the fact that it is no part of the scheme or policy of the P.A.T.A. to ruin any trader or section of traders, or to ruin competitors of any sort or kind. That is no part of their policy. Their policy is devised for the protection of the honest trader who is desirous of obtaining a fair and reasonable margin of profit, and no more than that.

Mr. Reardon: I would like to read you an adaptation of Hamlet's soliloquy having reference to the New South Wales inquiry.

Mr. Myers: But I am not dealing with New South Wales; I am dealing with New Zealand. I say that it is no part of our scheme to ruin any section of traders. What we say is that we do not want any section of the traders to ruin us. That is all we are setting out to prevent, and we submit that we are setting out to prevent it by honourable means and by legal means, and by means which are not contrary to the public interest, when it is properly understood what is meant by "public interest."

The Committee adjourned at 12.5 p.m. till 2.30 p.m.

On resuming at 2.30 p.m.,

Mr. Myers: Mr. Chairman, may I just refer to one passage to which my attention has been called in the Vend case, which I omitted to refer to this morning? It appears in the judgment of Lord Parker, at page 797 in the 1913 Law Reports already quoted. This is the passage:—

The right of the individual to carry on his trade or business in the manner he considers best in his own interests involves the combining with others in a common cause of action, provided such common cause of action is undertaken with a single view to the interests of the combining parties and not with the view to injuring others.

WALTER THOMAS CHARTER, sworn and examined. (No. 1.)

1. Mr. Collins.] I understand that you are a visitor to this Dominion?—Yes.

2. And you have at some inconvenience attended this inquiry this afternoon. I may say that, quite apart from the invitation of counsel to you to attend, it was the desire of my colleagues and myself to secure you as a member of your delegation to tender evidence or submit information before this tribunal, and therefore we are indebted to you for your kindness in coming along this afternoon, and we trust that the information or the evidence which you will tender will be of material service.—Thank you.

3. Mr. Kennedy.] You are a visitor to this Dominion from England?—Yes.

4. And you are a director of the English Wholesale Co-operative Association?—The English Wholesale Societies, Ltd.