

*Mr. Myers*: And so it has been held. I am sure that the Committee will not think I am wasting its time unnecessarily in bringing this point out. The Committee does not want to place an interpretation upon the words in this section, in which the inquiry is held, contrary to its meaning.

*Mr. Collins*: I thought you were differentiating between the words "welfare" and "interest," whereas it is the word "public."

*Mr. Myers*: No. I am very obliged to you for making the suggestion. It is the words "public interest" that I am emphasizing.

*Mr. Collins*: I never held the narrow meaning of the word "public."

*Mr. Myers*: I am very glad to hear that. I was compelled to make the observation because Professor Murphy, as I have already said, expressly tells us that he did not consider any interest but the interest of the consumer. My learned friends have not condescended to explain to this Committee what the words "public interest" mean.

*Mr. Collins*: Professor Murphy was candid in saying that he was merely considering the interests of the consumer, but, at the same time, he did not know anything about the legal aspect.

*Mr. Myers*: That is perfectly fair. I hope that I will not do him any injustice, because I have the greatest respect for him, and I do not think I am when I say that I gather that to be the purport of his evidence.

*Mr. Kennedy*: He said that in the case of the consumer and manufacturer the consumers interest must be considered first.

*Mr. Reardon*: That is where our difficulties are going to present themselves. Supposing we find that the interest of the manufacturer and the interest of the consumer are in conflict, and it is evenly balanced interest, on what side will the Committee stand?

*Mr. Myers*: Well, my answer would be this: that it is a very dangerous thing to interfere with the delicate organization of trade; at all events, any tribunal which is doing so can see that the advantages are going to be greater than the disadvantages.

*Mr. Reardon*: On the other hand, the trend of legislation all over the world has been tending towards the interests of the majority of the people.

*Mr. Myers*: I might answer that by saying this—I had intended to refer to this: that the Cost of Living Report, to which I shall refer a little later, was a very strong one, and recommended a great many things which were not adopted by the Government of the day when the Government apparently took into consideration the whole of the circumstances relating to trade and passed the Board of Trade Act, 1919. They were careful to stop at a certain point, and they were careful not to interfere with that delicate organization of trade by attempting, except in the matter of foodstuffs, which had already been done, to interfere with the freedom of contract between traders. I only want to conclude that portion of Professor Murphy's evidence by saying that I trust the Committee will pay a good deal more attention to his evidence than to his report, because it will be seen that in his report Professor Murphy makes up for argument by a certain amount of invective, and that is why I proposed his report not going in. Then, again, Professor Murphy says, perfectly frankly, that in his opinion the stabilization of prices is always a bad thing, and he goes the length of saying that that applies even to the stabilization—I use the word advisedly—of the wages of the workers. He said that up to a certain point he thought that fixation might be proper, but so far as anything further is concerned—and that is what I mean when I use the word "stabilization"—so far as our present methods are concerned, he rather scoffs at them, and does not agree with them in the least. All I can say is—which is merely summing up Professor Murphy's evidence—that he has admitted, in the opinions he has expressed, a meaning of the vital words in the statute which it has been held by the highest Courts, by which we are all bound, that those words do not possess. Then, Professor Murphy relies—and again he is followed by my learned friends—upon the Canadian and New South Wales reports; but not a word is said about the English report. He said that he had not seen it. I do not want to labour my observations on the Canadian and New South Wales reports, but I do want to repeat that the Canadian report is the result of an *ex parte* inquiry, and gives no consideration whatsoever to the interests of the manufacturers or any other person connected with the trade with respect to the articles which are the subject-matter of the inquiry; and the same observation may be made of Mr. Justice Beeby's report in New South Wales. But, in any case, both these reports are dealing with a system which applies to foodstuffs, and I am not concerned to dispute that a different set of statutory provisions might well be applied to foodstuffs from that which is applied, or should be applied, to articles which are not foodstuffs, and which, whatever one may say, cannot be placed in the category as necessities of life.

*Mr. Collins*: Or essentials to the happiness of the community.

*Mr. Myers*: Yes, or essentials to the happiness of the community. Even Mr. Justice Beeby, if I remember rightly—I say this with hesitation, because I did not read his report carefully, and I do not want to do him an injustice—does not refer to any side of the case: he does not refer to the interests of the manufacturer or the interests of the consumer. An observation was made by my learned friend Mr. Gresson in regard to the position in England, and he said that possibly there had been no legislation in England on the question to prevent fixation of prices, and so on, because the difficulty in an old country like England was the passing of such legislation; but I venture to suggest that there is a much deeper reason than that, and the reason is that the people in England and the legislators of England in their wisdom considered it inadvisable to attempt to interfere and tamper with the freedom of contract and with the delicate organization of trade and commerce. Now, with regard to the Cost of Living Report, I may say that, as it appears to me, the question of the interests of the manufacturers and of traders was not seriously considered; but I want to point out that that might very well be explained by the fact that the Cost of Living Report preceded the judgment in the Coal Vend case—that is, the judgment in that case was not given until 1923, whereas the Cost of Living