

regimented in the past. Under the leadership of Mr. King and Humphrey Mitchell Canada's war effort was the admiration of the world. Both these men played their parts in the development of our present social security, in the raising of the standards of living as we have seen them raised in our time, and in helping to bring about a state of full employment which is the envy of most countries. They were able to bring about a fair measure of industrial peace, which made the growth of Canada possible in these last few years; but it was in labour law and its administration that Mr. King and Mr. Mitchell will longest be remembered in labour circles.

I suppose that everyone in this chamber is familiar with what might be described as the revolutionary advances in labour law. All of us know that at one time it was a criminal offence to belong to a labour union in England. The Tolpuddle Martyrs and their story is known to most Canadians as well as to Englishmen. The Tolpuddle Martyrs were poor farm labourers who, in view of their already pitiable economic condition, organized a society to resist a pending reduction in wages. They were called before the magistrates and were deported to Van Diemen's Land. I know something about that because upon the shelves of my library there still rests a pamphlet written by my great uncle, who spoke in the British House of Commons more than one hundred years ago in the defence of the Tolpuddle Martyrs. The public opinion raised by their heart-rending story was so great that the fundamental law of England was changed, and it was no longer a criminal offence to belong to a labour union. The legislative advances in criminal law achieved at that time are to be found in our own Criminal Code of today. That was the first of the great revolutionary reforms in labour law, and it is the foundation stone and basis of our present labour movement.

The second great reform in labour law was developed under the hand of Humphrey Mitchell and under the guidance of Mr. King. The British North America Act assigns the control of wages, hours and conditions of labour to the provinces, but there is an overriding provision which gives the dominion sweeping powers in times of crisis. When the recent Great War broke out the federal government was thus in a position to assume control of industrial matters throughout the entire dominion, and this it did. The Labour Code, drawn under the guidance of Mr. King, and directly under the hand of Humphrey Mitchell, is the basis of the present labour law of Canada. It was enacted in the first instance as an order in council, P.C. 1003, under the War Measures Act, and has been

adopted by practically every province of Canada. You and I in this chamber joined in making it an Act of Parliament applicable to those portions of industry which are under dominion control. It provided for collective bargaining and for the appointment of representatives of the unions. It gave to labour unions the civil right of the individual to belong to the union of his choice. It provided machinery for the appointment of representatives, and it also provided that any collective agreement reached between the majority of the employers and the employees in any industry should be binding upon the entire industry.

Finally, in collective bargaining it ruled out the representatives of company-dominated unions. That, honourable senators, is the second great revolutionary advance in labour law in the last one hundred years or more, and these two men were chiefly responsible for bringing it about.

I suppose I have spoken rather too long, but one could, I think, dwell for many hours on the achievements of my old friends Mackenzie King and the late Minister of Labour. I join with the leader of the government and the leader of the opposition in paying respects to Mr. King, and I am glad to have had this opportunity of paying my respects also to Mr. Humphrey Mitchell.

**Hon. L. M. Gouin:** Honourable senators, for the settlement of labour disputes the great statesman to whom we are now paying a final tribute, Mr. King, has left us this message:

The existing attitude of capital and labour toward each other is too largely one of mistrust . . . this attitude must be changed to one of trust inspired by faith.

These words are taken from the beginning of the introduction to *Industry and Humanity*, which in my opinion is the most important book written by Mr. King. In fact, I would without hesitation call it his masterpiece. In 1919, immediately after this work was first published, I had the privilege of reviewing it in *La Revue Trimestrielle Canadienne*. I speak with some emotion, because thus began my association with my late friend and leader. I must add in all sincerity that I always considered myself as not only his modest though faithful follower, but also as his pupil, even his disciple, in industrial matters.

Today I will try to sum up the fundamental principles of the doctrine which Mr. King embodied in the volume to which I have referred and also in what was probably his main contribution to our social laws, the Industrial Disputes Investigation Act. This statute drafted by Mr. King more than forty years ago, when he was Deputy Minister of Labour, has been copied by legislative bodies