

Criminal Code

apartment or any other kind of home, every man believes his home is his castle. People who need employment with these big companies rent their homes on the employer's property, but they believe those homes are still their castles. The hon. member is complaining about the fact that companies have laid down certain rules and regulations which prevent union people who come on their property from visiting their employees in their homes, for the purpose of organizing unions.

I feel it is an inherent right of everybody to have any visitors he wishes in his home to discuss his personal and business problems, without interference from anyone else. That is an inherent right of every living Canadian. What the hon. member is saying, in a nutshell, is that section 41(1) and (2) of the code protects all but those who would be affected by this proposed measure. The hon. member for Winnipeg North (Mr. Orlikow) is really talking about a situation similar to that dealt with by the Supreme Court of Canada in the Eskimo case.

The hon. member says there is some discrimination with respect to property rights and the enjoyment of those rights in a case where a person working for a lumber company or a mining company has only one place to live, that is, in homes owned by the company. He is saying that if this is part of an employer-employee contract, then the employee should have the same rights as any other Canadian. With that I am in full accord.

Every man working in Canada has the right to strike and the right to arbitration. We have accepted that for a long time in Canada, and this party goes along with it; but I do believe we have come to a time in the industrial development of this nation when disruption in certain industries disrupts the whole economy of the country. That is why we were privileged in this house recently to have one of those love-in speeches by the Minister of Labour (Mr. Mackasey), when he expressed his affection for all members on all sides of the house, and regretted the departure of some in the last election. He went on to point out he had taken all necessary steps in reference to the two strikes on the Great Lakes that held up shipments of grain, and cost this nation our grain markets, as the Minister of Industry, Trade and Commerce (Mr. Pepin) admitted.

Dealing with the question of the right to strike and its effect on the economy, I have been rather surprised to see certain members

[Mr. Woolliams.]

of the N.D.P. from the province of Saskatchewan, who represent farm ridings, remaining so silent of late in reference to those problems which held up shipments of grain. It may be that they are interested in a very important by-election in B.C. and do not want to disrupt or interrupt the thinking of the working people there, upon whom they are relying for support.

Mr. Perrault: That is imputing motives.

Mr. Woolliams: I am not imputing motives; the fellow isn't in the House of Commons yet. I know your party appreciates having two leaders in the House of Commons; and now we have this third one, this rump leader, who is one of the greatest interrupters of all times. He is carrying on here as he did back among the rustics of the legislature of British Columbia. I believe that is why he has been placed at that end of the chamber.

Mr. Perrault: Away out west.

Mr. Woolliams: Away out west; that is right. But I want to hear what his position is, because I know that if it is left to him to talk until five minutes to seven it will be his job to talk out the bill.

Coming back to the bill itself, I support the amendment it proposes; I think it is good. Every man's home is his castle, and there is duress when an employer owns a man's home and prevents people coming to talk to him about union business or about organizing a union. The code lays down a pretty sound rule of law in reference to people in other circumstances. At page 87 of Crankshaw's *Criminal Code of Canada*, 1959 edition—I have checked it and there were no amendments so far as this section is concerned—it says:

There is nothing to prevent a man, who has not been forbidden the premises, from knocking at another's door, but the moment he is told to leave and fails to do so he becomes a trespasser. In such a case, however, the occupier must first require the trespasser to depart before he can justify laying his hands on him for the purpose of removing him and even after refusal he can only justify such force as is necessary to effect his removal.

What the hon. member for Winnipeg North is really saying is that if some union president or organizer comes to an employee's home on the company's property, then the company police or officials say, "You can't visit him for that purpose." That seems to me a discrimination, as far as the right of enjoyment of quiet possession of property is concerned. I congratulate the hon. member upon