

*Industrial Relations*

discharged contrary to the provisions of this act and to pay such employee the monetary loss suffered by reason of such discharge.

I do not complain very much about the language. But when I see people bringing into this House of Commons bills which are one-sided, then I am opposed to them. If the hon. member had said that in the event of an employee doing something by way of injury to his employer such employer should seek equal rights before the board as against the employee, then perhaps I could see at least some fairness and some moral soundness in the idea behind the advancement of this bill. But this business of special legislation and special pleading for the friends of any group in the house must come to naught, unless they are broad enough to be fair to all parties concerned.

I fall back to my original statement, and that is to say that I am aware of criticisms of our courts; I know they are not perfect. I also know that no man-made thing has ever been perfect, and that perhaps such will never be perfect. But I do say this, with some knowledge of my subject, that in so far as we in the House of Commons believe in the administration of justice—and that is what this is—by our courts, we accept it as the best system yet found by any civilized people since the world began.

So I say the minute we start whittling and chiselling at the jurisdiction of our courts, to effect some special thing we have in mind—a single-track mind, if you like—at that minute we begin cutting down the jurisdiction of our courts, and immediately find ourselves in trouble.

It may be that the hon. member has something in mind. Perhaps I should modify that statement, because I know he has a great deal in his mind. My meaning was that it may be that he thinks there are some evils that are so general they should be dealt with by legislation in parliament. If that were true I would have a great deal of sympathy, and certainly have an open mind as to how I might vote in respect of a proposal of that kind. But I would need to be convinced that our courts had failed in their bounden duty, that the scales of justice had not been held evenly—which I do not for one moment believe. I would need to be convinced that there was some broad and general difficulty which would prompt parliament to enter into a field of legislation which would take care of some narrow business and which procedure in the end might not result in any good but rather in evil toward the whole structure.

I am opposed to the bill. I go a step further, and in making this statement I know I

[Mr. Smith (Calgary West).]

am not going to popularize myself with the voters. I wonder if we appreciate that labour today owes its very high position to legislation passed by parliaments and legislatures. I wonder how much the sponsor of this bill appreciates the simple fact that the growth of union organizations since the last war has been tremendous—and, so far as I am concerned, rightly so. I wonder if we all appreciate the tremendous gains which have been made. Why have they been made? They have been made because parliaments, congresses, legislatures, United Kingdom parliaments and so on have said two things: first, that no labour organization may be held liable in a charge of conspiracy. That is the thing upon which it is all founded. We have also said that the treasury—I will admit that there has been an alteration in the United States under the recent legislation—of a labour organization shall be free and exempt from civil action against the organization. I agree with both those things. I think they are the foundation upon which this tremendous growth has been built. But I say to all of these people: Do not work a willing horse to death.

They have made great progress. I have acted for them and I know something about them. I am not one of those who, every time the name of John Lewis is mentioned, use an expression which is quite unparliamentary. I am not blind to the tremendous service which that man has rendered labour on the North American continent. I remember the situation in the coal mines in many places in the United States and even in Canada where there were company houses and company stores and everybody owed the employer money at the end of the month.

Do not let us get personal about this thing and condemn somebody because he has committed excesses. Labour has committed excesses, but so has capital, and lots of them. I think the great thing that has been achieved by thinking people in the Dominion of Canada is that no longer shall industry regard labour as simply an intake product in the factory. A great gain has been made in that connection. With the assistance of the minister and other like-minded people the growth of labour has been tremendous. All we need to do is look at the settlement of that great automobile strike the other day. That would have been utterly impossible a few weeks ago. I am not going to talk out this motion, but I cannot say that I am going to vote against it because my pair is not here. But at least I am making my sentiments known.

I am going to give some advice to my hon. friends who sit to my left. I cannot charge them for it and they would not pay me