

Mr. LEMIEUX. Yes. For instance, a union engaged in an industrial warfare against a big trust company appears before the board, the trust will be in a position to retain the best legal talent in the country, while the poor union might not be in that position. It is better to treat both parties alike and to say that counsel or solicitors will not be admitted unless both parties agree to have their representatives. Besides, it would prevent the union from incurring any large costs, because we were told during this debate that the labour element would already have spent large amounts in negotiating with the company. If after having had these negotiations they decide, before declaring the strike, to apply for a board, it is fair that they should go there and present their case in a business like way and not be forced to retain counsel declaring which would entail more costs.

Mr. BOYCE. I must confess that I am unable to follow the minister's reasoning on this point. When this board is constituted the trial of the issue has a somewhat judicial character.

Mr. LEMIEUX. Yes.

Mr. BOYCE. It would be a fallacy if one party, whether it be the employer or the employee, cannot have his solicitor or counsel to represent his interests at investigation. In a division court case involving only \$10, the parties are entitled to be represented by counsel. I fail to see the reasoning of the hon. gentleman. For instance he speaks of a wealthy corporation as the employer on one side—

Mr. LEMIEUX. The union.

Mr. BOYCE—or a number of individuals as constituting a union on the other side; if this clause were to remain in the law one could block the other and burk investigation, and what is to take place during that time with both at arms length, with a sharp issue between them, if it is made obligatory upon them to give consent that each shall have counsel? I might point out that possibly he may have unwittingly thrown a barrier in the way of expeditious and easy investigation and that the right of either party to appoint his own counsel or representative should not be interfered with. My hon. friend's Bill provides in clause 41 that:

Every party appearing by a representative shall be bound by the acts of such representative.

But, if an employer wants to engage the greatest counsel in the land as his representative before that board or if the employed wants to do a similar thing he cannot do it. He is limited in regard to his choice of a representative by what?—by the consent of the other party, which must be obtained, and is it reasonable to suppose that the consent of the other party under

such strained relations as we would naturally expect to find at that time could be obtained to the choice of a counsel without which consent that counsel or representative could not act. It would be a bar to the selection of a counsel and it would delay the adjustment of disputes.

Mr. GALLIHER. In reply to the hon. gentleman (Mr. Boyce) I would point out that in my opinion there are no parties to a dispute of this nature that are more capable of acting in their respective interests than are the heads of unions or the director, president or manager of interests like a big railway company. When these parties are authorized to appear there I am satisfied that they would expedite the progress of the arbitration quite as much as any lawyer, who, no matter how eminent he might be, would be employed on either side.

Mr. BOYCE. Take the illustration of a strong corporation with a keen, competent business manager, and say, fifteen men—the number must exceed ten—the strong corporation with its wealth, power, activity and business acumen does not want counsel. The men do. The manager of that corporation can prevent the men from having counsel and from being put upon the same plane as it is in regard to ability to present their respective views.

Mr. GALLIHER. There might be that particular case of a few men who do not belong to an organization.

Mr. BOYCE. If there were a hundred it would be the same.

Mr. GALLIHER. But my hon. friend knows that most of these organizations not only have their head local man but also a man above him, and that these men have the law and conditions with respect to these matters at their finger ends. I might also say that under the Railway Disputes Act that has already been passed and from which, I believe this section is taken—am I right in that?

Mr. LEMIEUX. Yes.

Mr. GALLIHER. This has been found, so far, to work very smoothly.

Mr. BOYCE. There have been no references under it.

Mr. GALLIHER. There may have been no references but there has not been any complaint on behalf of the companies or employees in regard to the provisions of this section. This is not a hard and fast thing that must last for ever. If it is found that it will work a hardship by leaving it as it is now it can easily be amended at another session of parliament. I do not think that anything of an undesirable nature can occur in the interim and we have before us the fact that at all events the section of the Railway Disputes Act has not been com-