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# "PROTECTION FOR CANADIAN LABOR"

## SPEECH

DELIVERED BY

MR. GEORGE A. CLARE, M.P.,  
SOUTH WATERLOO,

—ON THE—

### Grand Trunk Pacific Railway

In the House of Commons, Ottawa,

Wednesday, May 25th, 1904.

In the House of Commons, Ottawa, on Wednesday, May 25th, Mr. Geo. A. Clare, M.P., South Waterloo, resumed the debate on the Grand Trunk Pacific Railway scheme. Mr. Clare spoke as follows:

Mr. Speaker,—A few evenings ago I gave notice to the House that I intended to move an amendment to the Bill which is now before the House, and in the few remarks I have to make I intend to speak as closely to the question as possible. A year ago, when this measure was before the House, I placed myself on record as opposed to the contract made by the Government with the Grand Trunk Pacific Company. I also had the pleasure of making a few remarks in opposition to the measure. I was and still am in favor of the extension of the Intercolonial Railway to the Georgian Bay, and also to the Northwest and Pacific Ocean. The Government would then be in a position to control for all time the freight rates from the Atlantic to the Pacific, and vice versa. I believe it would be in the interest of the whole of the people of Canada to have government ownership of rail-

ways in this country, just as many other countries have it. The amended Bill which has been under discussion on this session has postponed the government ownership of railways for fifty years longer than the Bill of last year. Under that Bill the Grand Trunk Pacific Company had the privilege of running the proposed road for fifty years. The amended Bill of this year gives them the privilege of running it for fifty years longer if they see fit; so that this company will have control of the road for the next hundred years, and the public ownership of railroads will be put off for that length of time.

#### Settlement of the Northwest.

Before saying anything directly upon the question of the Alien Labor Law, I wish to state that I am in favor of a good immigration policy. I am in favor of bringing good, honest people from European countries to settle in our Northwest and to assist in developing the immense territories we have there. On the 13th of May last we had a discussion in this House, brought on by the hon. Minister of Labor (Sir William Mu-

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lock) regarding the complaint of the civil engineers of Canada that preference was given to foreign engineers on the surveys of the Grand Trunk Pacific. I do not know why the hon. minister chose that particular evening to bring on the discussion, unless he wished to bring it on before a thin House. On Friday evening a great many members, as a rule, leave for home, and the hon. minister probably thought to take advantage of their absence and thus avoid the full discussion which would have taken place had the subject come up on another day. The hon. the leader of the opposition had made a motion asking for copies of letters and documents from the civil engineers, and the Minister of Labor knew that he had not done his duty when he failed to investigate the complaints which these men had laid before the government, and was anxious to avoid discussion as much as possible. But if the debate turned out disastrous to himself and his party, as it did, he had only himself to blame. In his attempt at defence, he tried to draw a herring across the trail by making a most unjustifiable and unfair attack on the hon. member for West Toronto (Mr. Clarke). The course of that gentleman on the labor question needs no defence. If there is a man who has stood by the laboring classes, it is the hon. member for West Toronto. He has not played to the galleries as is the custom of the Minister of Labor, and as that minister did the other night when he read the letters from the civil engineers. For many years that hon. gentleman was in this House before he became a minister of the Crown, and in all these years he cannot show that he ever had anything to say in the interests of the laboring classes. But take the record of the hon. member for West Toronto, and we will find that for over thirty years he has been continuously identified with the labor interests of this country. He gave his energetic aid to the men to vindicate their right to organize themselves into unions, and that at a time when the political friends of the Minister of Labor and his party were trying to crush the unions by sending men to jail, including the hon. member for West Toronto himself; and never under any circumstances was he known to have re-

ceived one cent of money from any labor union for his services.

#### The Government's Gross Neglect.

When the Minister of Labor charges my hon. friend with having made his living out of a labor commission he makes a charge which he must know to be thoroughly unwarranted in fact. My hon. friend (Mr. Clarke) has had conferred upon him by the citizens of Toronto the highest honor at their command. In that city, where he is best known, he has had the honor of being elected mayor during four consecutive years; in the Ontario legislature, he represented the city of Toronto during 8 years; and at the last election he polled the largest vote obtained by any candidate elected to this House, as well as the largest majority gained by any hon. member in the province of Ontario. I venture to assert that my hon. friend, who is printer, and who knows the needs of the working men of this country, has done more to alleviate their condition since he has been a member of this House than the Minister of Labor and the cabinet which he belongs to ever dreamt of accomplishing. Does the Minister of Labor forget that it was the hon. member for West Toronto who brought up in this House year after year the question of remuneration of the civil service? Does he forget that it was my hon. friend who was the first to raise his voice in the interests of the trackmen of the Grand Trunk Railway, who were getting from ninety cents to one dollar per day? And if the government have appointed an officer to examine into and report on the causes of all railway accidents in which human life is lost, who was it that impressed on the government the necessity of doing this? It was my hon. friend; it was he who first brought that matter to the attention of this House. In connection with the civil engineers, the Minister of Labor tried to defend the work he had done. Last session the hon. member for North Victoria (Mr. Hughes) openly declared that the great majority of the civil engineers employed to make the surveys of Grand Trunk Pacific Ry. in the Northwest were Americans and allens. Yet still the Minister of Labor has the assurance to ask what hon. members on this side have done for the workingmen. But,

Mr. Speaker, it is not the duty of members on this side of the House to carry out the laws. It is to the government that duty is entrusted; and when this matter was brought before the Minister of Labor a year ago, he should have taken some action to have an investigation and find out whether the report made by my hon. friend from North Victoria was correct. The hon. Finance Minister who was then acting Minister of Railways declared in the House a few evenings ago that he wrote to Mr. Hays that these complaints had been made, and that Mr. Hays denied that they had any foundation. The Minister of Railways, or the acting Minister of Railways, even spoke to Mr. Hays, and Mr. Hays again denied that they had any aliens employed on the surveys. I bring these matters up to show that the Minister of Labor must have known practically the charges that were made many months ago; yet he took no action until the 19th of April to investigate whether they were true or false. Last January the Canadian Association of Civil Engineers wrote to different members of the cabinet, making these charges, and in March they offered to the government to prove their truth, if the government would give them a chance to call witnesses. But all the minister did was to write to the Grand Trunk to find out whether they were employing aliens or not.

#### The Grand Trunk Admits the Charge.

The Grand Trunk did not deny the charge, but sought to disarm criticism. A concern that will bring aliens into Canada under contract to labor, if it is willing to break the law in this respect, will be quite ready to make excuses for its action. In one of the communications from Mr. Hays, written not to the Minister of Labor (Sir William Mulock), but to the Prime Minister (Sir Wilfrid Laurier), Mr. Hays acknowledges the fact that aliens have been brought in to be employed in the service of the Grand Trunk Pacific Railway. That letter stated that 96 per cent. of the employees were Canadians, and the others were Americans. Here in this very letter is all the proof required by the Minister of Labor (Sir William Mulock) if he really desired to put the law into effect. The other evening the Minister of Labor in-

quired tauntingly what hon. members on this side of the House had done to bring this matter to the attention of the House and the government. Well, Mr. Speaker, the House met on 10th of March, and on the 15th of March, the hon. member for Hamilton (Mr. Barker) gave notice of motion for a return as follows:

For a return showing:—

1. The number and names of all persons employed by the government or otherwise in surveys for the purposes of the eastern division of the proposed Transcontinental Railway?
2. The date of the employment of each such person, his salary, the nature and term of his employment, and the portion of the survey on which he has been employed?
3. Whether such person was so employed by the government; and if not, by whom?
4. The nationality of each such person, and his place of residence previous to such employment?

On March 17th the hon. member for West Toronto (Mr. Clarke) gave notice of this inquiry:

Have any protests been received from or on behalf of the Society of Canadian Civil Engineers, or from any person or persons, respecting the employment of aliens on the surveys being made in connection with the proposed National Transcontinental Railway; and if so, from whom were such protests received, and when were they presented to the government?

The Minister of Labor must have known all this, as these complaints were laid before every member of the cabinet; and surely they tell each other what letters they receive—sometimes at any rate. On March 22nd the hon. member for Winnipeg (Mr. Puttes) gave notice of inquiry:

1. Is the government aware that survey parties are at work along the route of the proposed Transcontinental Railway between Winnipeg and Quebec?
2. Are these parties employed by the government or by the Grand Trunk Pacific Railway Company?
3. If by the railway company, is there any understanding that the government will adopt the surveys, and pay the expenses incurred in making them?
4. In case the cost will ultimately

be met by the government, is it not possible to take some steps to remedy the grievances, if such exist, as set out in the petition received by the Minister of Railways from the Dominion Institute of Amalgamated Engineers?

5. Have any such steps been taken?

Still nothing was done. On the 23rd of March the hon. member for West Toronto (Mr. Clarke) gave notice of the following question:

1. What answer, if any, has been made to the protest received by the government on the 16th of March, 1904, from the Dominion Institute of Amalgamated Engineers, respecting the employment of aliens on the surveys being made in connection with the National Transcontinental Railway?

2. Have any instructions been issued by the Department of Labor—and, if so, on what date, and of what nature?—respecting enforcement of the Alien Labor Law by the deporting of aliens alleged to be employed on the surveys being made in connection with the National Transcontinental Railway?

3. Is it the intention of the government, in its new agreement with the Grand Trunk Pacific Railway Co., to provide for the employment of British subjects as surveyors and engineers, in the work of surveying and construction of the new Transcontinental Railway?

Minister of Labor Takes No Action.

And so we see that day after day this matter was brought before the Minister of Labor and still no action was taken by him. On the 5th of April the House began the discussion of the motion to go into committee on the Grand Trunk Pacific Railway Bill, and on the following day the hon. member for West Toronto (Mr. Clarke) gave notice of the following question:

1. Has the Minister of Labor received any communication from Mr. George L. Griffith, of Winnipeg, provincial secretary for Manitoba of the Dominion of Canada Institute of Amalgamated Engineers, calling attention to the number of aliens employed on the surveys of the Grand Trunk Pacific Railway, and giving the names of aliens employed in connection with such work at Winnipeg and Edmonton?

2. When was such communication received?

3. Is it the intention of the government to take action upon Mr. Griffith's communication, and to order the deportation of the aliens complained of?

That, Mr. Speaker, was on the 6th of April. No action whatever was taken upon it. On 11th of April the hon. member for Winnipeg (Mr. Patten) gave notice of this inquiry:

1. Has the Minister of Labor received from the Dominion of Canada Institute of Amalgamated Engineers a request for the deportation of the following men, brought into Canada under contract by the Grand Trunk or the Grand Trunk Pacific Railway Company?

Then follows the list of names which it is not necessary that I should read. And the question proceeds:

2. What reply has been given to the request?

3. Has the minister taken any steps to ascertain the total number of men imported under contract from the United States in connection with the survey of the proposed Transcontinental Railway?

The Minister of Labor did absolutely nothing even after all these inquiries. On 25th April the leader of the opposition (Mr. R. L. Borden) gave notice of motion, and this was the first thing that led the minister to take some action in this matter, for it seems that, after this, at least a communication was addressed to Mr. Hays of the Grand Trunk Railway making inquiry on this subject. The notice of motion given by the leader of the opposition was as follows:

For copies of all letters, correspondence, memorials, petitions and documents in the possession of the government, relating to the employment, or requesting the employment, by the Grand Trunk Railway Company, or by the Grand Trunk Pacific Railway Company, of British subjects as engineers in the surveying and construction of the proposed National Transcontinental Railway; and generally all correspondence and documents in the possession of the government, in any way complaining of or protesting against, the employment of aliens as engineers in railway surveying or construction on the line of the proposed National Transcontinental Railway.

On April 27th the hon. member for Vancouver (Mr. Ralph Smith) gave notice of motion for return as follows:

For a statement showing the names of all American aliens employed in connection with the Grand Trunk Pacific surveys in Canada; the nature of their employment, and the reasons for their employment, to the exclusion of Canadians.

#### Aliens Were Being Employed.

You will notice, Mr. Speaker, that, in this notice of motion the hon. member for Vancouver takes it for granted—no doubt knowing it to be true—that aliens were being employed by the Grand Trunk Railway in making surveys on this line. I have a letter here signed on behalf of the Dominion Institute of Amalgamated Engineering, for Manitoba, Northwest Territories and British Columbia, to the Minister of Railways, in which the charges are made and reiterated. They also say in this letter that there are any number of civil engineers in Canada out of employment, a great many more than were required by the Grand Trunk Pacific Company. The letter, which is from Winnipeg, says that:

Men trained and experienced in railroad engineering work are now employed in subordinate commercial positions here at inferior remuneration, who are anxious to secure engineering work, but could not do so and were compelled to resort to some other means of securing a living and maintaining their families.

If the government will grant us a commission of inquiry with power to take evidence under oath to send for persons and papers and to incur all necessary cost and sit until the investigation is completed, we will not only prove every general statement made but much more.

Later in the letter is the following quotation from a letter written to the Prime Minister by Mr. Hays:

So far as I can learn, last year ninety-five per cent. (95 per cent.) of the Grand Trunk Pacific staff were Canadians or British subjects. It is represented that of the entire staff of ninety-four (94) last session, eighty-nine (89) were Canadians.

Discussing this they say:

If this statement be thoroughly and critically examined it can easily be

proven to be absolutely untrue. Either the Grand Trunk Pacific management are wilfully deceiving your government or the engineering officials are wilfully deceiving the management of the Grand Trunk Pacific.

To prove that the statement made by the Grand Trunk Pacific, that out of the entire staff of ninety-four, eighty-nine were Canadians, is untrue, I herewith give part of the personnel of the Winnipeg and Edmonton division alone:

#### Names and Residence of Aliens Given.

G. A. Kyle, divisional engineer, residence, 1820 North Yorkima Avenue, Tacoma, Wash.; G. M. Kyle, engineer, (brother of G. A. Kyle), residence 1280 Yorkima Avenue, Tacoma, Wash.; Allan, office engineer, residence, St. Paul, Minnesota; (a relative of G. A. Kyle or J. R. Stevens); Kellar, engineer, residence, Cleveland, Ohio; J. Heaman, engineer, residence, Oklahoma; Raymond Heckman, engineer, residence, Tacoma, Wash.; (nephew of G. A. Kyle); William Meyers, engineer, residence, Portland, Oregon; Nutting, locating engineer, residence; W. Mason, draughtsman, residence; M. H. Goodman, draughtsman, (now transferred to Grand Trunk Pacific office, Montreal); Van Aradaile, divisional engineer, residence, Portland, Oregon; McNeil, district engineer, residence, Indiana; W. Jones, engineer, residence, St. Paul, Minnesota; Hare, engineer, residence, Wisconsin; Wm. Mann, sr., engineer, residence, 1215 Stopple street, Cincinnati, Ohio; W. Mann, jr., engineer, residence, 1215 Stopple street, Cincinnati, Ohio; Hicks, transitman, residence, Tacoma, Wash.; Anderson, topographer, residence, Seattle, Washington.

And several others. All these names were in possession of the government as engineers from the other side who were brought in here to take the place of our men—our men who are willing to work—our men who are out of employment—but the Minister of Labor would not even make an investigation until a few days ago when he telegraphed for one of these engineers to come down from Winnipeg, when nearly one-half of the surveying work in the Northwest had been completed.

In the year 1900, when I first became a member of this House, I had the honor to introduce a bill in the

interests of labor. What I principally objected to, and what the working people of Canada objected to, was that while we had a law on our statute-books we had no provision by which the people most interested in the enforcement of that law could take action to insure its enforcement. As the law stood at that time no action could be taken without the consent of the Attorney-General of Canada, and I considered it my duty to bring in a Bill which would enable the law to be enforced without any expense by the people who were most interested in its enforcement. I shall read a few lines from "Hansard" of the statement I made in this House at that time:

**Mr. Clark Wanted Workable Alien Labor Law.**

The object of this Bill is to provide a simple way to carry out the law now in force, which was passed in 1897. I do not believe that the mechanics and laborers of this country wish to have high-salaried officers to carry out the Act, if a more simple, efficient, and economical way can be found to enforce that law. As it is at present, the Act is entirely in the hands of the government to enforce it, and I do not believe that the government has enforced it in the interest of the laboring class and mechanics of this country. On the other hand, I believe that the officers who were appointed to enforce the law were engaged more for the purpose of keeping the government and the members of the government party out of trouble than of assisting the mechanics and laboring class. ....I believe that if the Bill I am now discussing were enacted, the law would be more strictly carried out, and with not one cent of expense. My Bill provides that any person, for instance, any laboring man or mechanic, who is interested, should have the power to lay information before two magistrates and so enforce the law. That would not cost the country one cent, for those who are most interested, the mechanics and laboring men, would see that the law is strictly enforced. I myself have quite a number of men in my employ. In my own business I am protected from foreign competition, and I see no reason why the laboring class and mechanics in my employ and in the employ of other manufac-

turers of this country should not be as well protected from foreign competition as I am, especially as the people to the south of us have a law to the same effect.

Had that Bill been allowed to go through this House we would not have had any discussion of this kind at present. There would have been no aliens working on the Grand Trunk Pacific surveys, for the men who are interested, the engineers of this country, would have seen that the law as provided in my Bill was enforced, and the carelessness of the Minister of Labor would not have prevented the deportation of these aliens from this country. Unfortunately the Prime Minister refused to allow my Bill to go through. He side-tracked it and brought down a Bill on behalf of the government. That Bill, while to a certain extent an improvement on the original Act, had the very same objection as the Bill of 1897; that is, it put every possible obstacle in the way in order to make it unworkable. Instead of appealing to the Attorney General of the Dominion for the enforcement of the new law it was necessary to apply to the Attorney-General of the province of Ontario or to a judge before the matter could be brought before the magistrates. The hon. member for West Toronto (Mr. Clarke) opposed this proposition and moved a resolution both on the second reading and on the final passing of the Bill. I wish to read what he stated at that time:

When the Bill passed the committee stage, through the courtesy of the right hon. the premier it was allowed to stand for a day or two for the third reading in order that an opportunity might be given to consult those who are deeply interested in this measure as to the efficacy of the amendments which have been made to the Alien Labor Law. I have taken the liberty, since the Bill passed the committee stage, of consulting labor men who are deeply interested in this matter. I have sent them copies of "Hansard" containing the discussion which took place in the committee; I also sent them copies of the amendment which I suggested should be made to the Bill; and I am authorized to say—and their opinion is in accordance with my own—that the Bill will not be as efficient an instrument as it

otherwise would be if it were amended in the direction suggested, that is, to give power to police magistrates to try cases of alleged infraction of the law. I had hoped the right hon. premier, having gone as far as he has gone in amending the Bill, would have seen his way clear to have accepted the amendment which was offered on two occasions. As he has not done so, I beg to move:

That the said Bill be not now read a third time, but be referred back to the committee with instructions to strike out all the words after "fifty dollars" in section 1, and insert the following in lieu thereof: "Recoverable in the name of His Majesty in a summary manner with costs, under the provisions of article 58 of the Criminal Code, 1892, before any police magistrate, stipendiary magistrate, judge of session or county court judge, having jurisdiction where the offender is to be found or where the offence was committed."

#### Allen Labor Law a Dead Letter.

This resolution was unanimously voted down by hon. members on the other side of the House, while every hon. member on this side of the House but one, I think, voted in favor of the resolution. I wish again to say that if that resolution, moved by my hon. friend from West Toronto (Mr. Clarke) had been carried, and if it had been added to the Bill which the right hon. leader of the government introduced, the civil engineers of the province of Manitoba and the Northwest Territories would themselves have seen that the law was enforced and we would not have been having American alien engineers employed upon the road. I claim, Mr. Speaker, that the Allen Labor law as it is at present is a thoroughly political enactment, and that only when party advantages are to be gained is an attempt made to enforce it. In the election of 1900 in the riding of South Waterloo, which I have the honor to represent in this House, the Allen Labor law was put in force promptly by the labor party of the government. Why was this done promptly? Because there was a political party advantage to be gained at that time, and I say again that it is only for political party advantage that the Allen Labor law is put in force. There was a certain firm in the town of Preston which

brought in several men from the United States and gave them employment. My opponent in the contest telegraphed to the Labor Department and immediately an officer landed in the town. These people were not written to find out whether the statements made to them were true or not, but the Grand Trunk people, but a political advantage had to be gained and immediately a man landed there and these men were put out of employment. My opponent was expected to receive the credit for this great good that the Labor Department of Canada had done to the people of Preston. It is in this way that the Labor Department is being used. But I may say that the laboring classes of the good town of Preston saw through the flimsy dodge and gave me a majority of three hundred. The resolution that I intend to move will give the Hon. Minister of Labor power to suspend the restriction of labor on the construction of the road. This is done so as not to retard the completion of the road. It, however, does not give him power to allow alien engineers to make surveys and do engineering work on the road for the following reasons:

#### Canada for the Canadians.

1. We have an abundance of qualified engineers resident in Canada who are British subjects who can do the work. Many of these men are out of employment at present.
2. Because Canadian engineers would not be likely to discriminate against Canadian contractors and manufacturers in connection with contracts or supplies for the road.
3. Large numbers of the leading officials of the Grand Trunk Railway are Americans, and their interests, sympathies and affiliations are American rather than Canadian.
4. With American engineers in charge of this work it is only natural that the interests of their countrymen will not be overlooked.
5. Canadian manufacturers and contractors will be absolutely at the mercy of these alien engineers in the interpretation of the contracts or in the awarding of orders for supplies.
6. Because it is absurd that in a great national undertaking, the money for the carrying out of which is supplied on the credit of the country, aliens should be appointed and

employed to carry out the proposal and Canadian, ignored and discriminated against.

These are the reasons for my resolution which I shall close by moving as follows:

#### Mr. Clare's Resolution.

"In all cases where persons are employed in or in connection with the surveys for or the construction of the said Transcontinental Railway preference shall be given to British subjects by birth or naturalization.

"It shall be unlawful to employ any person in or in connection with the surveys for or the construction of the said Transcontinental Railway, or any part thereof who is not a British subject by birth or naturalization, or who, being an alien, has not for one year immediately preceding such employment been a bona fide resident of Canada.

"Provided always that wherever it shall be made to appear to the satisfaction of the Minister of Labor that it is not possible to obtain labor for the construction of the said railway with reasonable despatch owing to the restriction aforesaid with regard to the employment of laborers it shall

be lawful for the said minister by order in writing to suspend for such time and on such terms and conditions as may to him seem reasonable in the premises the operation of the said restriction as to employment of labor for construction purposes only. And a copy of such order of suspension shall be forthwith published in the "Labor Gazette."

"For every violation of any of the provisions of this section the person, partnership, company or corporation violating it shall forfeit a sum not exceeding \$1,000, nor less than \$50, and a further sum of \$50 for each and every day during which such unlawful employment shall continue.

"The sums so forfeited may be sued for and recovered as a debt by any person who first bona fide brings his action therefor in any court of competent jurisdiction, in which debts of like amount are now recovered."

It is needless to add that every Liberal in the House voted against this resolution, proposed and pressed to a division by Mr. Clare with the object of giving protection to Canadian labor and to prevent discrimination against Canadians and in favor of Americans by the Grand Trunk Pacific Railway officials.