

is it possible to hold any such investigation and to determine on anything like a fair basis whether the returned soldier is really a competent man or not? Actually it rests in the hands of the man who has the gift of the position to say that in his judgment the candidate has or has not the necessary qualifications.

Mr. CAHAN: I think it is possible. Personally I have not taken one side or the other in connection with this report. I thought that perhaps it was not expedient that I, who nominally for the time being represent the civil service in this house, should do so. But there are branches of the public service in which appointments are made and which are not under the Civil Service Act. A large body of the employees of the National Revenue department are not within the provisions of the Civil Service Act. I know while I was temporarily performing the duties of minister of that department last summer a number of appointments were made, but in every case there was a thorough examination of all applicants, and the officials of the department reported upon the merits of those applicants irrespective of their political affiliations. I venture to say that the merit system is not necessarily restricted to the Civil Service of Canada as administered under the Civil Service Act. In my humble opinion it is quite possible in many cases to have a much better application of the merit system outside of the Civil Service Act. I have no doubt some regulations will have to be made whereby the preference given to the returned soldier shall, in accordance with this section, be retained. If it is not retained, my hon. friend, as a member of this house, will have full opportunity later to express his demand for a rectification of the procedure adopted.

Mr. BROWN: In actual practice, I think it will work out that the appointments will be made just as they were made under the old-fashioned system.

Mr. CHEVRIER: As a member of the committee, may I again say that it was the intention of the committee that the soldiers' preference should be maintained, and I am satisfied that it will be maintained if the regulations are followed out. There were two ways in which it could have been done. Personally, I should have preferred to have the recommendation of the committee submitted to the Civil Service Commission, so that the commission would have availed itself of section 59 of the act and made a report to the effect that in its view it was impracticable or no longer in the public interest that

this portion of the service should remain within its jurisdiction, and then it would have availed itself of the last part of section 59, making regulations thereunder. It is provided that such regulations as are deemed advisable shall be made, prescribing how such positions are to be dealt with. If this is taken away from under the operation of the act, either by statute or by the operations of the Civil Service Commission, upon an order in council, though at present, it would seem to me, it will be taken away by the effect of the bill, then all those excluded positions are to-day subject to the old order in council No. 1053, which declares that the soldiers' preference must be maintained. At present all these exempted positions are subject to the provisions of that order in council No. 1053, and if they are exempted under the statute, it is quite competent for parliament to say that, notwithstanding that such position may be taken away from the commission, section 29 of the act shall apply, in which there is ample safeguard for all preferences to returned men. To my mind, whether you do it one way or the other, the soldiers' preference will be maintained; and at all events it was well settled in the minds of members of the committee that that preference should not be done away with.

Mr. CAHAN: I ask that this section stand for the present and that we proceed with the others.

Section stands.

On section 11—Retired private secretaries not to be entitled to positions in civil service.

Mr. HACKETT: This section would take away from the private secretary a prerogative which has been his for many years, I recommend that the committee consider very carefully some of the consequences of this section. The importance of the private secretary to his minister cannot be over estimated. A minister is dependent to a great extent upon his private secretary, and because of the importance of the position it has in the past attracted men of unusual sagacity, ability and great devotion to duty. Recently the practice of doing away with private secretaries who have served ministers of a previous administration has been modified, in the present government many of the ministers have retained the services of the men who had served their predecessors in office. This, I believe, is commendable. I do not think it has been known that a private secretary has ever been disloyal to the minister whom he was serving. The service as a whole, I sub-