

curate in his estimate of the situation. Mr. O'Connor's resignation does not take effect until the 30th day of the present month. Mr. Murdock's resignation will be accepted as soon as an opportunity can be afforded of making the necessary recommendation to His Excellency the Governor General. In the meantime, I should consider it highly advisable that the merchants and other persons mentioned should continue to supply the reports as required.

#### CIVIL SERVICE ACT AMENDMENT.

#### CONSIDERATION OF AMENDMENTS BY SENATE TO BILL 53.—OBSERVANCE OF HOLIDAYS.

The House proceeded to the further consideration of amendments made by the Senate to Bill No. 53, to amend the Civil Service Act, 1918, and the Civil Service Amendment Act, 1919.

Rt. Hon. Sir R. L. BORDEN (Prime Minister): When I moved the adjournment of the debate last Wednesday, I had not then made research into the law as it stood before the Civil Service Act of 1918 was enacted, or into the precise effect of the amendment introduced by the Senate. Since then I have had opportunity of having a memorandum prepared, which was submitted to me only to-day, and I think it is my duty to state its purport to the House. There seems to be no general statute declaring what shall be public holidays throughout Canada. The following appears to be the present state of the law:

First, there are holidays by common law, what are known as common law holidays. These are Sundays, Good Friday and Christmas Day. In addition to that, there are public holidays so declared by statute—Dominion Day and Victoria Day. Other days, so far as they are observed as general public holidays, are observed either as a result of a proclamation of the Governor General in Council or by custom.

The Revised Statutes of Canada, chapter 24, An Act Respecting the Public Revenue, prescribes in section 91, certain public holidays for the officers and persons employed in the collection and management of the revenue, as follows:

No day shall be kept as a public holiday by the officers and persons employed in the collection and management of the revenue, except Christmas Day, New Year's Day and Good Friday in every year, any day appointed by proclamation of the Governor General for the purpose of a general fast, or of a general thanksgiving, such days as are appointed for

the celebration of the birthday of His Majesty and His Royal successors, and any other statutory holiday, and any other such days as are, from time to time appointed as holidays by the Governor in Council.

The Bills of Exchange Act, in section 43, declares that in all matters relating to Bills of Exchange certain days shall be observed as legal holidays and non-judicial days, as follows:

In all matters relating to bills of exchange the following, and no other days shall be observed as legal holidays or non-judicial days:

(a) In all provinces of Canada: Sundays, New Year's Day, Good Friday, Easter Monday, Victoria Day, Dominion Day, Labour Day, Christmas Day.

The birthday (or the day fixed by proclamation for the celebration of the birthday) of the reigning sovereign;

Any day appointed by proclamation for a public holiday, or for a general fast, or a general thanksgiving throughout Canada.

The day next following New Year's Day, Christmas Day, Victoria Day, Dominion Day, and the birthday of the sovereign when such days respectively fall on Sunday.

(b) In the province of Quebec in addition to the said days: Epiphany, The Ascension, All Saints' Day, Conception Day.

(c) In any one of the provinces of Canada, any day appointed by proclamation of the Lieutenant Governor of such province for a public holiday, or for a fast or thanksgiving within the same, and any non-judicial day by virtue of a statute of such province.

Mr. BELAND: Is the right hon. gentleman quoting from the statute?

Sir ROBERT BORDEN: I am quoting, as I have said, from the Bills of Exchange Act. My hon. friend will observe that I have quoted from two statutes, first, from the Act respecting the Public Revenue, and secondly, from the Bills of Exchange Act.

The Interpretation Act, subsection 11 of section 34, defines holidays as follows:

(11) "holiday" includes Sundays, New Year's Day, the Epiphany, Good Friday, the Ascension, All Saints' Day, Conception Day, Easter Monday, Ash Wednesday, Christmas Day, the birthday or the day fixed by proclamation for the celebration of the birthday of the reigning sovereign, Victoria Day, Dominion Day, the first Monday in September, designated Labour Day, and any day appointed by proclamation for a general fast of thanksgiving.

Hon. gentlemen will observe that this is simply a definition of the word "holiday." It does not declare that these days are holidays, but it declares that when the word "holiday" is used in any statute it shall include the days which are enumerated in the subsection that I have just read.

Now, up to 1918 there was no provision in the Civil Service Act which made any of these days a public holiday. To bring