

*Supply—Agriculture*

1905, and accepted by my right hon. friend (Sir Wilfrid Laurier) who was then leading the government, and that rule is in these words:

That whilst it is desirable that every official in the employ of the government of Canada, should enjoy perfect freedom of political opinion and the untrammelled exercise of his franchise in accord therewith, no official should be engaged, or permitted to engage, in partisan work of any description in the election of a representative to the provincial or dominion legislature."

On the same page—890—referring to Mr. A. K. Maclean, he said:

"Now, my hon. friend has spoken of what should be necessary to convince the government or a minister of the crown that an official has taken an offensive part in any election. There are, obviously some cases in which inquiry would be rather futile. For example, on the 21st of September last I myself personally saw three office-holders of this country engaged in active partisan work in the city of Halifax. . . . In that case I would not grant an inquiry because I saw it with my own eyes."

At page 891, he said:

"Now, my hon. friend is anxious that inquiry should be had in proper cases, and so am I. No one is more unwilling to dismiss officials than I am, but where the government or responsible ministers is convinced that an official has been guilty of violation of the plain terms of a statute or a resolution of the House of Commons concurred in by both political parties, by which his conduct ought to be guided, I would ask my hon. friend what alternative would a government have in a case of that kind?"

Then Mr. E. M. Macdonald, member for Pictou at that time, raised a very interesting question as to whether or not representations made by a defeated candidate would have the same force and effect as those made by a member—

I will not go on to quote what was said there, because it was agreed during the course of that debate that a defeated candidate could not by any stretch of the imagination make a recommendation that should be acted upon by a minister of the crown. Why? Because a defeated candidate would not be in this house where he could rise in his place and state what the reasons were for the dismissal, or where, if need be, he could be cross-examined.

Well, then, Mr. Rhodes rose at a certain point and asked this question:

Does the hon. gentleman object to a minister taking the recommendations of a defeated candidate?

The answer was definitely yes. Then I go on, and I am now quoting Mr. Bennett:

In 1928, on May 29, the then member for St. Lawrence-St. George brought to the attention of the house a case in which a gentleman had been dismissed for partisanship. He had held office for seven years and seven months and was efficient. An inquiry was asked for but not granted. It was contended that as the minister had given a certificate he should be dismissed without further inquiry. The present Minister of Trade and Commerce in that debate said, at page 3526:

"I will admit that the matter to which the hon. member has just referred has given me some little concern. The dismissal took place entirely in accordance with the principle that has been observed by all parties. The complaint of a

member of the house that an individual has been exercising partisanship in elections has always been accepted by the minister as a reason for dismissal. I have followed that principle, but I am glad to say there have not been many instances in my own department."

A little later Mr. Bennett went on to say:

The result was that the gentleman dismissed from office was without any appropriate remedy. I am going to refer to that presently. During the progress of the first debate, to which I have alluded, Sir Wilfrid Laurier was not entirely in accord with what had been said by the previous speaker. Sir Wilfrid said:

"I beg my hon. friend's pardon. We said in 1896 that no man should be dismissed unless he was first given the opportunity of being heard. But I said also that we would accept the written statement of a member of parliament, giving the facts, and asking for the dismissal. That is the rule we laid down, and we have lived up to it. I am told by hon. gentlemen opposite that we did not live up to that rule. I do not admit the charge. I think we did, but even if we were deficient I would expect that the hon. gentlemen who are on the treasury benches at present would at least act according to their own doctrine. Are they going to throw over their own doctrine and institute dismissals right and left without giving any man the opportunity of defending himself or without any member of parliament taking the responsibility of placing on record a charge against the man whose dismissal he seeks?"

Then the debate continued with extracts from remarks by both Mr. Mackenzie King and Mr. Meighen in which it is agreed that a dismissal shall not take place from the inside service except in accordance with the Civil Service Act and from the outside service except in accordance, first, with a statement of a member of parliament who on his own responsibility will state that of his own personal knowledge he knows that a man is guilty of political activity and in the alternative, as Sir Wilfrid added, unless and until an investigation has been carried out.

Now, what happened in this case? As far as I am able to ascertain, and I tried to get the information by a notice of motion to produce papers yesterday, this man was dismissed because of an affidavit the minister has in his possession and because of a photograph which indicates that he was taking part in certain activities. But the resolution of both parties says that is not the manner in which a public servant shall be dismissed. A man shall be dismissed on the recommendation or the certificate of a member of parliament, as outlined above. From this it follows that the practice and procedure of the house have not been followed by the minister.

A public servant has been discharged because of political activity on the basis of an affidavit and the affidavit, the person who made the affidavit, cannot be cross-examined because he is not here. A man has been dismissed ex parte without an investigation, without being given the opportunity to be