

would be that that provision has caused considerable inconvenience to the public service. There are many reasons which go to show that a civil servant is not in the same position as an ordinary salaried man. In the first place, there is the public reason, which is the cause of the law being as it is to-day, that seizures of this kind will cause very considerable inconvenience and expense to the Government. In the province of Quebec, that has been found to be the case, and I have no doubt that in this larger sphere of the Dominion civil service these drawbacks will be still more considerable. There is also this consideration to be kept in mind. Take, for instance, a judge, because this Act, as I understand it, touches every person who is entitled to receive any money from the Dominion treasury. A judge, for instance, may be a man pre-eminently qualified to fulfil the duties of his position, in the fulfilment of which he is obliged to keep up a certain position, and if he be burdened with debt, however honest he may be, it will be impossible for him, under the provisions of this Act, to continue in his position. If the whole of his salary can be seized at the instance of a creditor, it will be impossible for him to continue occupying a seat on the bench. This will apply to a great many men of ability, honest men, in the employ of the Government, who, in consequence of that employment, have to keep up a certain station, and are therefore liable to be ousted from their positions by the sweeping provisions of this Bill.

I have no doubt that we have jurisdiction. It seems to me that later holdings and the judgments of the Privy Council are in this direction, that in a case of this kind, where, to a certain extent, you invade the domain proper of civil rights, still there is dominating that invasion the principle that we must have the absolute, free control over all our agents; and certainly one of the elements of that control, and perhaps the most important, is the power to decree under what conditions they shall be paid and what shall be the character—seizable or non-seizable—that will attach to the salaries we pay them.

Two objections were raised by the hon member for Kingston (Mr. Britton). One was that this Bill attacked the prerogative of the Crown. We cannot, as a rule, proceed against the Crown except by petition of right, but if we enact a law of this kind, it will constitute a renunciation on the part of the Crown of that prerogative, and it seems to me that Parliament has the right to do so by decreeing that attachment may issue against the Crown.

For the reasons I have given, I do not agree in the principle of this Bill. I would only admit of its being enacted under the restrictions which exist in the province of Quebec; but I believe it would be better

for Parliament not to interfere with the present state of affairs.

Mr. GIBSON. I have noticed on several occasions that when Bills are introduced by members of Parliament who are not members of the legal profession, there is always a large number of that fraternity disposed to criticise them on general principles. I have had some experience in my time with men getting into debt and having their wages garnisheed month after month, and the objections raised by the hon. gentleman who has just spoken seem to me very flimsy. Take the railway corporations of this Dominion and see how the present law applies to them. Why, in the interest of the railway companies it has been the best thing that has ever taken place, and it has been the means of keeping, to a very large extent, railway employees from getting into debt as they formerly did, when it was a very expensive matter to garnishee the wages of employees. The railways have just the same difficulties to contend against as the Dominion Government, and they cover just as large an area. Our railway corporations cover the whole area of the Dominion, and they have no difficulty, when garnishees are entered against their employees, retaining for the time being the amount of money that is claimed by the merchants or those to whom the employee is indebted, until the matter is finally settled.

Now, what has been the result? The railway companies have set their faces against their employees getting into debt, and, as a matter of discipline, they have issued an order that has been in existence for very many years—for a long time, at all events—not only in the Dominion of Canada but in the United States, and railway managers tell me that it has had this salutary effect, that they have not one garnishee order now where formerly they had hundreds. And why is this? Simply because that for an employee to have his salary garnisheed a second time means dismissal, and because even if he is garnisheed for a debt that he has contracted before he entered the railway service, he takes good care to keep out of debt thereafter.

So far as the civil service of this country is concerned, if the law applies to every individual employer of labour throughout this broad Dominion, surely this same law ought to apply to Dominion officials, and this Parliament ought to set itself right upon that matter immediately. There are a large number of good men in our civil service of Canada who never get into debt. But, as the law now stands the Parliament of Canada actually encourages the dishonest civil servant to get into debt and keep in debt, and if the merchant dares to attempt to extort money from him, he has the merchant boycotted by his friends, and the result is that