

THE CIVILIAN

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THE EDITORS,
THE CIVILIAN,
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Communications on any subject of interest to the Civil Service are invited and will receive careful consideration.

Ottawa, Jan. 27th, 1911

THE GARNISHMENT QUESTION.

It is apparently beyond the power of the Ottawa Free Press to catch the "point of view" in the matter of the exemption of civil service salaries from garnishment. Our contemporary insists on discussing this as a privilege which civil servants enjoy and exercise over other employees, whereas, as in the case of the similar exemption of civil servants from jury service, it is a privilege which the Government enjoys over other employers. There would be no great harm in a mistake of this kind, if the distinction were not fundamental and if it did not lead to further misconceptions in the working out.

The most palpable error of the Free Press, however, is that it seems to believe that exemption from garnishment absolves a civil servant from liability to pay his debts—that unless you can garnishee a man's wages he snaps his fingers at you. It actually writes:—

"Surely the civil servant cannot enjoy the distinction of being picked out among all the other wage earners of the country as a man who is debt-proof. The average man seeks to live within his income. If he is unfortunately compelled to ask for credit, under circumstances which come to all householders, he makes it his duty to get out of debt as soon as possible. Why should not the same principle apply to the civil servant? We can see no reason to the contrary, any more than we can see any reason why the people of Ottawa who pay their debts should be mulcted in order to protect those who will not pay."

Behind talk of this kind stands the open assumption that civil servants, many or few, are victimizing their creditors and that the latter are being prevented from proper means of recourse. Now the simple truth is that a civil servant can no more get out of paying his just debts than can the editor of the Free Press. A civil servant can be sued for debt in a division court and be ordered to pay it. If he has lands, house or goods they can be seized. If he has not and cannot discharge the debt in a lump he can be ordered to pay so much from his monthly cheque—the amount of which is known to the world and is absolutely sure of payment—till the whole is, with costs and interest, discharged. Moreover, as his position is a permanent one, this can be reckoned upon for the term of his natural life, and is unique security of its kind. If he fails to make one of these payments he is guilty of contempt of court and can be put in gaol.

It is true that his pay cannot be garnisheed. Where a position is permanent there would inevitably be trouble in garnishment for the employer, from the fact that the very security of the position renders its occupant peculiarly liable to be victimized by the creditor class. The garnishment exemption is nothing more nor less than an incident arising out of the peculiar situation of the government as an employing concern, and is conceived in the same spirit as the rule that if you wish