

passed very recently, and which defines the classes to whom it applies. I am not going to say that the law should be so sweeping in its operation as to take in the indemnity of members of Parliament, although I will not object to it if it does. The words of the Ontario Act are :

The word "employee," when used in this Act, shall for the purposes of this Act mean any officer, clerk, messenger or other employee of the Government of the province attached or belonging to the departmental staff of the civil service of Ontario at the seat of government, and shall also include the officers, clerks and employees of the Government of the province attached or belonging to the offices of the courts mentioned in section 32 of the Ontario Public Service Act.

If the Government think that this is far enough for this Bill to go, it can be so amended ; but I do hope to see it become law in some form, so that the civil servants will be put on the same footing as clerks in other institutions. I have been told in Ottawa that it is not the clerks on small salaries whom the merchants and others have to complain of, but that it is those receiving large salaries. We will not be doing them any injustice, while we will be doing an act of justice to their creditors, by placing them in a position to collect their debts. I am pleased that the Bill is not to be retroactive, because in that way the civil servants will be forewarned that they must not be extravagant and must not live beyond their salaries.

**Mr. TAYLOR.** It appears to be the consensus of opinion of members on both sides of the House that a measure should be enacted on the lines suggested by the Bill. I would suggest that the Bill be read a second time, and be then referred to a special committee composed of two or three of our best lawyers and one or two common-sense men ; and let them whip the Bill into shape. I merely throw this out as a suggestion. I think it is the best way to deal with the Bill.

**The MINISTER OF MARINE AND FISHERIES.** Those who have followed the course of the debate have no doubt by this time become convinced that a very large number of members believe that an evil exists which ought to be removed, and I have no doubt myself that the hon. gentleman who introduced this Bill had in his mind's eye this evil and desired to remedy it. But I think that the hon. Solicitor General (Mr. Fitzpatrick) and the hon. member for Kingston (Mr. Britton) have both shown that the Bill is not primarily aimed at the evil which the introducer says exists. The primary object of this Bill, as contained in the first section, is to enable people who think they have claims of one kind or another against the Crown, which the Crown will not gratify them to have tried by petition of right, to have these claims investigated in a roundabout way by means of

**Mr. McHUGH.**

garnishee orders. I will undertake to say that if any hon. gentleman introduced a Bill of that kind simply on its merits, it would not receive very much countenance from hon. gentlemen on either side. Those who have been members of the Government formerly and those who are members of the Government now, and hon. gentlemen who have legal experience in connection with petitions of right, know well that governments are always specially careful to give any man who has a fair semblance of claim a fiat, in order that the justice of his claim may be tested in the courts. Experience shows that no really honest case is ever refused investigation at the hands of any government, and therefore I submit that it would be unwise for the House to countenance legislation which practically would have the effect of overriding the petition of right Act. This debate has turned almost entirely upon the necessity of introducing legislation to enable the salaries of civil servants to be garnisheed, but that is only incidentally touched in this Bill. Neither its first nor second section relates to that. It does not seem to me that that was the object of the mover. The third section makes some reference to it. It was dragged into that section in order to attract attention from those hon. gentlemen who are in favour of something being done in that regard. The judgment given by the Appeal Court of Ontario in the case of Leprohon against the city of Ottawa and also the judgment given by the Supreme Court of New Brunswick in the case of ex parte Owen lead me to the conclusion that no legislation can take place by a local Parliament which will have the effect of garnisheeing the pay this Parliament gives to servants engaged in Dominion work. I doubt very much whether legislation can be passed by a local legislature overcoming the difficulty which exists, but I think it would be possible, notwithstanding what my hon. friend from Huron (Mr. Cameron) has said, for this Parliament to enact a declaration, in some way or other, that the principle which prohibits the salary of civil servants from being attached should be removed. Some general law of that kind might be passed. When that difficulty is removed, then the local legislatures may enact a law enabling these salaries to be attached. I do not think, however, that hon. gentlemen are prepared at once to say that every poor man on the Intercolonial, for instance, will be liable to have his whole salary—for this Bill does not limit the amount—taken and his family go without food.

Now, I want to say a word to my hon. friends. Sneers are constantly being made at the civil servants, as if a large proportion of them are dishonest and do not pay their debts. I want to say, as a Minister who has been about twenty months in charge of a department, that there never has been a complaint made to me of one employee