

should be on the basis of merit and efficiency alone.

Now, let us for a moment review this legislation and see how the Civil Service Commission was established. The present act is the outcome of legislation that was passed in 1882 and came into force on the 1st of July, 1883. The body then appointed was called the Board of Civil Service Examiners, and, if I recollect correctly, the operative section of that act was Section 3, which appointed a board of three examiners whose duties were to establish tests for the admission of candidates into the Civil Service. Under that old system, as hon. gentlemen will remember, a large number of appointments were made, and I must say to the credit of those now in the Civil Service who were appointees under that regime that to a large extent they constitute the backbone of the Civil Service to-day. That legislation was carried down until 1908. Now, it has pleased the right hon. leader of the Opposition (Mr. Meighen), to say that we wish to destroy the merit system. That thought is far from my mind. It has also pleased him to say that the government made the appointments under the act of 1908. May I point out that the working section of the act of that year, section 10, said:

The duties of the commission shall be—

(a) To test and pass upon the qualifications of candidates for admission into the service and for promotion in the service.

The right hon. leader of the Opposition has stated that these appointments were made by the government and that the Civil Service Commission ratified them. Well, section 13 says:

Appointment to positions in the inside service... shall be by competitive examination, which shall be of such a nature as will determine the qualifications of candidates for the particular positions to which they are to be appointed, and shall be held by the commission from time to time in accordance with the regulations made by it and approved by the Governor in Council.

So that under that system appointments were not made purely and simply upon the recommendation of the government.

Mr. MEIGHEN: Does the hon. gentleman not admit that under those two sections the basis for the commission's ratification was provided, but that was all? The appointment was with the government, so far as those two sections were concerned at least.

Mr. CHEVRIER: Mr. Speaker, I am reading the law; unless the commissioners of that day disobeyed the law, then I fail to see how these appointments could be made otherwise.

Mr. MEIGHEN: I think the hon. gentleman understands me, but if he does not I would like to make myself clear to him. So far as those two sections go—and I do not dispute that he has read them aright—the appointment was still left with the government. The commission had no power of appointment under those sections. In the exercise of whatever duty it had—giving a certificate to the candidate—it based the certificate upon the examinations referred to in those sections. I hope that is clear.

Mr. CHEVRIER: I fully appreciate the right hon. leader of the Opposition's point; but section 18 will answer that. Before I proceed with that, however, let me call attention to this provision:

Immediately after the examination the commission shall make out a list of the successful competitors thereat for each position, in the order of merit, up to the number computed in accordance with section 15.

Now, here is section 18:

From the said list the commission, on the application of the deputy head, with the approval of the head, of any department, shall supply the required clerks, whether for permanent or temporary duty.

Mr. MEIGHEN: Does that not leave it to the head or the deputy head?

Mr. CHEVRIER: It says that the commission, on the application of the deputy head, shall furnish the required number of clerks. That is, on application being received from the deputy head for a clerk, the commission shall send a clerk to fill that position.

Mr. MEIGHEN: But would the head or the deputy head not designate whom the commission should send from that list? I just want to know.

Mr. CHEVRIER: Not under that act.

Mr. SHAW: May I ask the hon. member what is his interpretation of the words in section 18, "with the approval of the head of any department"?

Mr. CHEVRIER: That means that under the old system, when a stenographer or a bookkeeper or an accountant was required, the deputy minister would ask the Civil Service Commission to send a stenographer or a bookkeeper or an accountant. The Civil Service Commission would then select from the list of eligibles a person to fill the position and would send him on, and on the approval of the deputy minister or the minister—

Some Hon. MEMBERS: Oh, oh.

Mr. CHEVRIER: It is all very well for hon. members to laugh, but that is the law. If they fail to see it, it is not my concern.