

Hon. gentlemen on the other side of the House, who maintain that there was no reason why a public servant should not go into the fray and speak on the platform and take a very active part in politics, must see that the view of the English authorities is against them. Then Mr. Todd gives a case where the Lord Chief Justice of England, who was a Liberal, declined to reappoint a Liberal to the position of revising barrister. It was understood that unless there was serious misconduct, in every case the incumbent of the office should be reappointed, but Sir Alexander Cockburn declined to reappoint a gentleman who had taken an active part in a political agitation.

Hon. Mr. PROWSE—I wish to call the hon. gentleman's attention to this fact, that the system in practice in England is not similar to ours. While it would be perfectly proper and consistent to dismiss an official in England for taking an active part in politics, we know that when dismissal takes place the position is filled by the competitive system. The new appointee is not taken from any particular party, but here when an official is dismissed a more active politician is put in his place.

Hon. Mr. POWER—There is no use drawing herrings across the trail. We are discussing now the cause for dismissal—not how the dismissed man is to be replaced. Then at page 632 the writer proceeds :

While on the one hand the practice of depriving persons of subordinate offices simply on account of their political views is destructive of all efficient administration—as the example of the American Republic has strikingly shown—on the other hand, it is manifestly unreasonable that any public servant should be permitted to continue in active opposition to the existing government.

Any connection of public officers with the press, which should lead to the improper use of official information, or which would disturb the confidential relations which ought to subsist between members of the civil service and their chiefs, is strictly prohibited.

And then Mr. Todd cites several authorities on that.

Hon. Mr. MACDONALD (B.C.)—In this case he took an active part the other way. It was not against the government.

Hon. Mr. POWER—On the next page Mr. Todd goes on :

It is not easy to define the extent of misconduct of this description which should properly

subject a permanent officer of the crown to dismissal. During a period of great political excitement the government may be constrained to act with more severity towards public servants who may take an active part in politics, than at ordinary times.

Then at page 635, Mr. Todd shows that the right of dismissal must be vested in the government in the public interest. He says :

It has been proposed to limit the right by statute, but it has been thought best to leave it in the hands of the government.

Mr. Todd cites a Nova Scotian case. He cites the despatches of the Colonial Secretary, Earl Grey, to the Lieutenant-Governor of Nova Scotia in 1848 and 1860. I have seen the 1860 despatch in the *Toronto Globe*, but I could not find it in the Journals. However, I have found the 1848 despatch, and with the permission of the House, I shall read that. It shows what the view of a distinguished statesman on that subject was, looking on from a distance of two or three thousand miles. He was not personally interested and had not any party feelings in the matter, but looked at it purely as a statesman, and I refer hon. gentlemen to the journals of the Nova Scotia Assembly for 1849, Appendix No. 6.

Hon. Mr. MACDONALD (P.E.I.)—Before responsible government.

Hon. Mr. POWER—Oh no, the first election under responsible government was run in 1847 or 1848, and this was one of the things that came up as a result of the action of the new executive council under responsible government. The new government had complained that some of the officers voted against them, and here is what Earl Grey says :

I have to observe that I am aware of no remedy against what is termed "the concealed hostility" of persons holding permanent offices to an administration opposed to that to which they may have been indebted for their appointments.

That is just the case before the House now.

Hon. Sir MACKENZIE BOWELL—No, it is not.

Hon. Mr. KIRCHHOFFER—Quite the contrary.

Hon. Mr. MACDONALD (B.C.)—There was no Liberal Government then.