

tempt of the hon. member for Lisgar (Mr. Richardson) to legislate in the direction of making the civil servants of the country honest. I have often heard it said in this House and outside of it that you cannot by Act of Parliament make people honest or moral. But there are exceptions to all rules, and I think that in this case we find an exception, because if such a Bill as is proposed is passed, we shall be able to make some at least of the civil servants of the Dominion honest, who are not so now and have not in the past been so. Therefore, I think this kind of legislation ought to commend itself to every member of this House. As has been said by the hon. gentleman who has just taken his seat (Mr. Penny), the civil servants of this country are in a better position to pay their debts than servants engaged in mercantile and other callings in life, because their salaries are fixed, and they know when they are going to get them. In fact, they get better salaries for the services they render than the men in similar positions in mercantile and other businesses, and they ought to be able to live within their means. Therefore, they are certainly to blame if they spend more than they honestly gain, and they ought to be taught by Act of Parliament to be honest men. I think it has been a great scandal in the Dominion of Canada for a long time that civil servants are at liberty to defy their creditors, and that this Parliament allows this state of affairs to continue, and retains in the service of the country men who, from time to time, get credit wherever they can, with the firm conviction that they are not going to pay certain debts, because the Government stands at their back and says that the creditor cannot seize or garnishee their salaries. I do not know anything about the question of jurisdiction, but certainly this Parliament has a sufficient number of legal gentlemen in it to be able to enact a law which will cover the ground. It is desirable that it should be covered, both in the interest of the Dominion, and for the credit of the civil service themselves. I suppose the larger proportion of the civil service pay their debts, and intend to pay them honestly, but there are some who have not done this, and who will not do it unless we by Act of Parliament compel them to do it. We had the statement made by the hon. member for Laval (Mr. Fortin) that the jurisdiction of the provinces has been set aside in this respect by two eminent judges in the province of Quebec, who have declared that the local legislature has not the power to pass an Act to garnishee the salaries of the servants of the Dominion Government. If that decision is correct, then certainly the Parliament that appoints these civil servants must have the power. Therefore, I think the legal gentlemen in this House, who usually give a good deal of attention to matters of this kind, ought to get their heads together, and frame

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some sort of enactment that will reach this difficulty. This is one of the few instances in which by legislation we can make men honest, and I think we ought to follow it out until we succeed.

Mr. MONK. Mr. Speaker, I do not quite coincide in the opinion of my hon. friend from Laval (Mr. Fortin) that this is a progressive liberal measure. A very large number of people will consider it a very harsh measure, and not without some cause. At any rate, I think the House should recognize that this measure is a very considerable innovation. Its scope is extremely large. It reaches any man who receives any money whatever from Dominion sources, the highest officials as well as the lowest, and it makes the whole of their salaries seizable.

There are also some details in the measure which, if it goes into committee, will require to be very considerably altered. In its present shape it is, at any rate so far as the laws of my province are concerned, utterly unworkable. For instance, it provides that the moneys can only be seized by a judgment debtor. Well, in the province of Quebec there are circumstances, exceptional if you will, which render it necessary at times for the creditor to seize before judgment, and this Bill would narrow the right down to the creditor who has obtained judgment. There is also the sweeping enactment in clause 2 which provides that the attachment shall be served upon the accountant of the department or the Auditor General. It is evident that in Montreal, where there is a very large number of persons receiving money from the Dominion Government, it will be extremely difficult for a creditor to seize in the hands of an accountant of a department, and be still more difficult and inconvenient for the accountant of the department to conform to the provisions of the code of procedure as regards declaring upon garnishment. The Bill also provides for seizure in the hands of the Auditor General, but I am not aware that the moneys of the Dominion are paid out by the Auditor General himself. They are paid upon his certificate or approval, but not by him. These, however, are matters of detail, and of course the Quebec legislature has recognized, impliedly at any rate, the unseizable character of the moneys of civil servants, paid from the Dominion treasury, as far as provincial legislation is concerned, by passing a special law providing that a certain portion of the salaries of provincial employees may be seized.

My experience is not in conformity with what has been stated by the hon. member for Laval, that this provision of law which makes a portion of the salary of the civil servants of the province of Quebec seizable, is one which has been executed without any difficulty. I believe that the opinion of the Government of the province of Quebec