

ed in the service on the 1st September, 1898, and hereby restored to his former status under the Civil Service Superannuation Act on payment of a sum equivalent to the statutory deduction on that salary from date of dismissal; his service to be considered as continuous, notwithstanding anything in the Civil Service or Superannuation Acts, \$1,694,238.50.

Mr. FOWLER. Explain this.

Sir WILLIAM MULOCK. Mr. Dundas was a railway mail clerk in Ontario. In the year 1896 he was reported by the judges in an election trial as guilty of some corrupt practice, and on that account was dismissed from the service.

Mr. FOSTER. In the Dominion elections or the provincial?

Sir WILLIAM MULOCK. In the Dominion, in a controverted election case. He was a year and a half out of the service, and was then reinstated. In the meantime, the civil service Superannuation Act had been repealed, and if he had not been allowed the benefit of that Act, he would have lost many of the advantages that would otherwise have accrued to him as the result of his contributions to the fund.

Mr. BERGERON. Whom was he dismissed by?

Sir WILLIAM MULOCK. The present government.

Mr. FOSTER. What was his crime?

Sir WILLIAM MULOCK. He was convicted by the trial judges of having bribed an elector and paid money in the campaign.

Mr. FOSTER. Has my hon. friend any sympathy or fellow feeling for him?

Sir WILLIAM MULOCK. I do not know what my hon. friend means by the inquiry. The item itself explains the extent of our sympathy.

Mr. FOSTER. It is a justification of him as a good officer anyway.

Sir WILLIAM MULOCK. He was dismissed as there was nothing apparently to mitigate the offence. But afterwards some friends of his told me that his offence really arose from good fellowship and that he was not a bad sort of fellow after all. In order to be satisfied, I myself applied to the trial judges to see if they could find anything in extenuation and they did so. On the strength of their view of the case, the Council reinstated him.

Mr. FOWLER. How long was he out—about a year and a half?

Sir WILLIAM MULOCK. I think so. I have here the Order in Council which I shall read, if my hon. friend desires. The judges made a friendly report and we concluded to reinstate him.

Mr. BERGERON. I do not wish to criticize my hon. friend's course. On the con-

Mr. FITZPATRICK.

trary, I think he took a very charitable view; but if the government are going to look at such things in that way, I could remind them of cases of men who were dismissed simply because they had voted at the elections and without undergoing any trial at all. Those men had paid into the superannuation fund and lost their positions and everything. If the government are prepared to continue in the course indicated by my hon. friend, I could present for their consideration some very deserving cases.

Sir WILLIAM MULOCK. I would be very sorry indeed that any one should be dismissed simply for having voted.

Mr. BERGERON. I could name some.

Sir WILLIAM MULOCK. I do not think it possible that the government could have dismissed a man simply because he exercised his rights as a citizen, and I am quite confident there must be some other circumstances of which my hon. friend apparently knows nothing.

Mr. FOSTER. In my own county a man was dismissed, who simply went and cast his vote, and took no other part in the election at all. The only reason given for his dismissal was that he had a brother, who did not hold a government office, but who took an active part in the campaign. That was conclusively proved by one of the government's own commissioners. The only reason why this man was dismissed, and the reason given parliament for his dismissal, was that his brother was an active partisan. Now that you have made the amende honourable to this gentleman—and I am not finding any fault with you for that—surely you ought to do something in the case I mention.

Sir WILLIAM MULOCK. I am not speaking for any other department but my own, and I have no information of anything of the kind to which my hon. friend refers. I think it will be found that there were other circumstances to justify the government, but it is quite impossible in a general way to deal with these methods. Each case must be dealt with on its own merits. I should be amazed if any minister ever dismissed any one for having simply exercised his rights as a citizen.

Mr. FOWLER. There were more persons dismissed in the district I represent from the hon. gentleman's own department after 1896 than from all the other departments. He seemed to be particularly vindictive against persons who had been reported to him as having simply voted as their consciences dictated. Persons holding post offices throughout the country were dismissed without any investigation whatever. The hon. gentleman says that a man has a perfect right to vote, in which I agree with him, but I go further and say he has not only the right to vote, but the right to use