

fear the salesman may get near its wards, these poor civil servants. The memorandum actually sets them aside as less competent to manage their own affairs than is the average citizen of Canada. If I thought Mr. Ilsley was the author of the memorandum, I would not use the expression: what utter nonsense!

Hon. Mr. LITTLE: Hear, hear.

Right Hon. Mr. MEIGHEN: What utter nonsense! The civil servants are in a preferred position in that their creditor always pays. In that respect they are in a better position than any other citizens of this country. They run no risk at all. Yet the Minister of the Crown tells us, or rather he permits another to tell us through him, that we cannot expose these poor chaps to the rigours of high-pressure salesmanship. We have to stand around them and protect them, and if they do fall victims we must save them from being forced to pay debts they themselves incurred.

What is the last reason? It is that it will be expensive for the Manitoba Government to take out judgments against these men. Does anyone imagine that if the right of garnishment is established it will ever be necessary to take out judgments? Why, a civil servant would be a fool to continue his resistance to that point, for he would only have to pay the costs in addition. It will not be necessary to serve garnishments if we remove the protection which these people have forfeited and to which they have definitely shown they have no right at all.

It is also said, by way of parenthesis, that the change in the law might be of some help to lawyers, as it would lead to more lawsuits. Why any lawyer would defend an action to which there is no defence, I cannot imagine. The Privy Council has said there is no defence.

Our Parliamentary Counsel has prepared amendments to this Bill which would remove any protection now existing. I think I should say to the House that he doubts whether the assumption that the Crown cannot be garnisheed is correct. But assuming that it is correct—as I think we should, for that has always been assumed—the present measure offers a fitting opportunity to make a step towards equality of rights throughout our Dominion—towards the removal of privilege, the placing of all citizens on the same basis and the making of every man answerable for his own obligations. Why should we not do that now? I suggest to the leader of the House that this Bill be referred to a committee—to the Banking and Commerce Committee, if it is not too busy—and that we try

to make a good job of amending the law. Let us have at least that to our credit this session.

Hon. Mr. DANDURAND: My right honourable friend has not noticed the expressed opinion that we should have to prepare another Bill; that we could not achieve his object with this one.

Right Hon. Mr. MEIGHEN: Oh, no; Parliamentary Counsel does not seem to be of that view, for he has provided amendments which he says will do what we have in mind.

Hon. Mr. DANDURAND: There is something that surprises me in this discussion. My right honourable friend (Right Hon. Mr. Meighen) and other able lawyers have in the past been in charge of departments and must have had occasion to learn of claims being made against employees under them, yet until the present time it never occurred to them that every creditor of a civil servant should have the right to garnishee. In the tradition which has been uniformly accepted since 1867, to the effect that the Crown should not be sued, there must be some principle that should be respected. I know that occasionally we have discussed the question of the right to sue our Board of Transport Commissioners, our Harbour Commissioners and other such bodies. I have the impression that without a fiat no suit could be brought against the Intercolonial Railway when it was administered directly by the Government. It is easy to picture what it meant to someone living hundreds of miles away from here, who had grounds for a small suit against the Intercolonial, but could not bring action in the courts of his own district, because it was necessary to obtain a fiat. For fifty years it has seemed to me that in this principle of the State refusing to be sued there is something which we have to look upon with awe.

Right Hon. Mr. MEIGHEN: On a garnishment the State is not sued.

Hon. Mr. DANDURAND: No, but practically it comes to that.

Right Hon. Mr. MEIGHEN: Oh, no.

Hon. Mr. DANDURAND: I think the same principle is involved in refusing to permit a creditor to garnishee a civil servant. I have no objection to examination of this Bill by a small committee, but I wonder what it will lead us to. I have an impression that we should first try to get the Government to consider this new request which has been made here. It is not at all certain that we should