

we are bound to resort to the local legislatures, but we certainly cannot give the local legislatures power. Those civil servants have their rights and incomes under the Union Act. There is a provision in the Union Act enabling this Government to provide for and fix the salaries of civil servants, and that question was fully argued before our Court of Appeal some years ago in the case the Solicitor General has referred to. It is well to understand the ground on which the Court of Appeal based its judgment. My hon. friend the Solicitor General has some doubts about the correctness of that judgment, but I am quite sure if he had read the judgment and the reasoning therefor, he would have no doubt whatever. I believe the judgment cannot be impeached in the slightest degree. The Court of Appeal, in giving judgment in that case, said :

Under clause 8 of the Union Act the Dominion Government is vested with the power of fixing and providing for the salaries and allowances of civil and other officers of the Dominion of Canada. If the Dominion Government is vested with the power of providing for and fixing the salaries, the assumption is that no other Government and no other power can interfere with that.

The court further said :

To permit a municipality, under a provincial law, to tax a Dominion salary, would, in effect, be to allow a provincial legislature under a provincial law to appropriate a portion of the Dominion revenue for provincial purposes. The Dominion salary is fixed by the Dominion, regulated by the Dominion, paid by the Dominion, and to allow a local legislature by a local law to interfere with that would be allowing a local legislature to interfere with a Dominion law.

The court further said :

To permit a local legislature by law to appropriate a part of a Dominion salary would be to deprive the Dominion of the power to fix the salary of its officials, contrary to the terms of the constitution, and thus impair, if not defeat, the operation of the federal power.

The reasons assigned by the Court of Appeal in giving judgment in that case appear to me to be conclusive to show that we have the power, and that we cannot vest the local legislatures with any such power.

I may say, Mr. Speaker, that I approve entirely of the principle of the Bill ; if you can carry out that principle in an Act of Parliament at all. I may say further, that during the recess I paid a very considerable amount of attention to the framing of a Bill that would cover the whole case. I prepared half a dozen Bills, I examined every Canadian and English and American authority I could get on the subject, and I rose from the task with the firm conclusion in my mind, that no lawyer can prepare a Bill that will meet the object sought to be accomplished. It cannot be done ; and there are various reasons for it. Even if you could do it, what would be the re-

Mr. CAMERON.

sult to the Government ? It is proposed to proceed by garnishee ; you have fifty garnishees, you have to employ fifty lawyers to look after them in fifty different divisions, and the expense to the Government would be simply enormous. It would pay the Government better, in my judgment, to pay the debts altogether than to submit to this process of garnishee proceedings. You would have in Ottawa a number of clerks for the purpose of keeping record of all these transactions. In country places you would have to employ lawyers to protect the rights of the Government, because one could easily understand that there might be collusion between the creditor and the debtor in order to fleece the Government, and so to protect the Government you would have to employ lawyers. It will be a grand harvest for the lawyers, I admit, if the Government allow this Bill to pass. It would be a grand harvest for the officials, but it does not pay the creditor and it will not pay the Government.

Another thing, you know that in 99 per cent of these cases, the amount involved is under \$200, and these are within the jurisdiction of the division courts. Now, if the clerk of the division court issues a garnishee proceeding against the Government, how are you going to enforce the garnishee order when you have it ? We may pass a Bill to provide thus far, to get the judgment and to get the attachment order, but will the Solicitor General or one of the wise Ministers now on the Treasury benches tell me how you can get beyond the garnishee proceedings ? There is no process by which you can attach the Government ; they are not bound to pay the least attention to it. The case of Wilcox vs. Pirrell, 3 Law Reports, Exchequer Division, England, discusses the whole question, and it shows that when you attempt to go beyond the attaching order you are stopped. It is true you can take the proceeding known in the English courts, and known in some of our courts, of sequestration and injunction. You can proceed against the Government to sequester the officer's salary and an injunction to restrain the Government paying it over to the official ; but in the name of common sense, who will undertake the proceeding. Suppose the amount of the debt is \$30, \$40 or \$50, why, the sequestration and injunction proceedings alone would cost, before they were finally settled, four or five hundred dollars, and is it to be conceived that any of these small creditors will risk the payment of that enormous sum in order to secure the payment of a small debt. It is a shadowy remedy ; it is no remedy at all. It is no protection to the honest creditor ; it is no punishment to the dishonest debtor, because you never can reach him. I say this Parliament has no power except through the Exchequer Court, or by a sequestration proceeding with an injunc-