

servants, of whom there are thousands in Ottawa, that in honourably meeting their obligations they compare favourably with any similar number of men anywhere. More than one civil servant has told me that less than five per cent of the whole civil service is delinquent in this matter, and that the ninety-five per cent suffer in reputation by reason of the negligence of the few. There are many reasons why some civil servants may not be able to pay their debts. All kinds of accidents befall them, as they befall the rest of the community.

However, I believe we have fairly attained our object. I was glad to hear my right honourable friend (Right Hon. Mr. Meighen) answer from the legal point of view the reasons given by the Minister of Finance. The right honourable gentleman's remarks will form part of the record, and the House of Commons will know the views of this Chamber.

In these circumstances I hope that my honourable friend (Hon. Mr. Murdock), knowing, as he does now, that nothing can be accomplished by the proposed amendment No. 3 if the Government is not ready to allow a creditor to collect from a civil servant's salary, will withdraw his motion. Then I shall move:

That a message be sent to the House of Commons to acquaint that House that the Senate doth not insist on its second and third amendments made to Bill 99, an Act to amend an Act respecting debts due to the Crown, with which amendments the House of Commons has disagreed.

Right Hon. Mr. MEIGHEN: Is not that wrong? The House of Commons does not disagree with the second amendment.

Hon. Mr. DANDURAND: Yes, it does, because the Minister said he desired the legislation to come into force as soon as it was sanctioned.

Right Hon. Mr. MEIGHEN: I thought the Commons had agreed to the second amendment. The honourable gentleman is right.

Hon. Mr. DANDURAND: I know my honourable friend from Ponteix (Hon. Mr. Marcotte) contends that not only is the third amendment weak constitutionally, but the Bill also is weak. As it may be taken for granted, however, that the opinion of the Department of Finance, which I read, supported by the Department of Justice, entitles us to exercise a preference, we should prefer the interpretation which maintains our jurisdiction. As I have often said in this House, when there is a fair doubt as between federal

Hon. Mr. DANDURAND.

and provincial jurisdiction, it is not for us to question our own jurisdiction and we should stand up for our constitutional rights. Therefore I would suggest to my right honourable friend that a way should be left clear for this legislation next session, when we shall be able to cope with the subject and perhaps reach a conclusion acceptable to the Department of Finance and the Government. The Senate must know that if the Government says, "We will not accept it," the amendment is of no avail. That is why I think we should not insist.

Hon. Mr. HORNER: May I ask what hardship will be suffered by the ninety-five per cent of the civil servants that is not suffered by any other wage-earners in Canada? The honourable gentleman has said that the ninety-five per cent suffer for the five per cent.

Hon. Mr. DANDURAND: Then I did not clearly express my thought and develop it. They suffer in reputation with the public at large if it is thought they are not the honest men they are. I think that is a consideration.

Another assertion has been made to me, and is a second reason, which I think my honourable friend will understand. It is asserted—I do not know how true it is—that the trade in Ottawa is inclined to charge civil servants a little more in order to cover bad debts.

Hon. Mr. MURDOCK: Because, they say, in many cases they will not be paid.

Hon. Mr. DANDURAND: Because in some instances they will not be paid.

Right Hon. Mr. MEIGHEN: That is a very grave injustice to the ninety-five per cent.

Hon. Mr. MARCOTTE: I do not wish to make another speech, but may I say just a word with respect to one point raised by the honourable leader. He says that in the opinion of the honourable senator from Ponteix this legislation is ultra vires, but at the same time he has the opinion of the Minister of Justice, who says it is not. I shall refer to just one paragraph in the statement of the Minister of Justice. He says that if there is any doubt as to validity of this Bill, it is going to be cured by legislation to be passed by the Manitoba Legislature. I just leave it to the honourable gentleman to answer that.

Hon. Mr. DANDURAND: Does my honourable friend want an answer?

Hon. Mr. MARCOTTE: No. I am just referring to it.