

Bill is designed to meet is an acute one which must be remedied. It is therefore suggested that without trying to cover the much broader field, Parliament should pass the Bill.

It was, I think, suggested that conditions in Ottawa were unsatisfactory and that merchants should be afforded the remedy by way of garnishee which they have against debtors other than civil servants. The newspapers contained the reports of several interviews with Ottawa merchants at the end of last week which would indicate that they have not much fault to find with conditions as they exist.

Moreover, the information I obtained is that there is a procedure known as judgment summons which can now be used against civil servant debtors, which is virtually as effective as proceedings by way of garnishment would be.

I do not know whether my right honourable friend is familiar with that procedure.

What the situation is in other provinces, I do not know. In this day of high-pressure salesmanship and encouragement to the public to load themselves up with debts as a result of instalment buying not only of durable goods, but of non-durable goods as well, there is something to be said for the view that merchants should be careful in the degree of pressure which they exert on civil servants to buy on credit. If garnishee proceedings would give them a more certain way of getting themselves paid out of their salaries, it might be in this way undesirable. It must be remembered that civil servants are different from most employees in that there is a high degree of certainty about their tenure. The Crown, whom they serve, is a good paymaster, and a method by which the Crown would become virtually the collector for the private creditor would remove all brakes upon the efforts of those selling goods to get civil servants into debt to them.

Right Hon. Mr. MEIGHEN: Oh, oh.

Hon. Mr. DANDURAND:

I would prefer it, however, if, instead of going into these details, the Senate be invited to pass the existing legislation, as it meets a particular situation and is good as far as it goes, leaving the broader question to be considered when there is more time for giving it consideration.

Regarding the other point raised by certain honourable senators, that the Crown Debts Act should not be applied at all unless a judgment is first obtained against debtors, I may say that the amount owed by way of taxes is a little different from most other debts in that it is susceptible of exact determination, and most taxing statutes place the amount beyond dispute after a certain stage.

The Crown Debts Act has always been administered with the greatest care and sense of responsibility by the Department of Justice. In the thousand odd cases in Manitoba, it would involve tremendous expense to require writs to be issued and judgments obtained before application of the Act.

To amend the Crown Debts Act in this way would be rendering a great disservice to the debtors, without, so far as I can see, benefiting anybody, except possibly the legal profession and perhaps some officials connected with the courts.

Hon. Mr. DANDURAND.

The conclusion to be drawn is that, since we admit the obligation of the employee of the Crown to pay his debts, we should allow this Bill to pass, thus alleviating the situation in the province of Manitoba, and leave the question of garnishee generally throughout the country to be raised in the future.

Hon. Mr. LITTLE: May I ask what department this comes from?

Hon. Mr. DANDURAND: The Department of Finance; Mr. Ilsley.

Right Hon. ARTHUR MEIGHEN: Honourable members, the name of J. L. Ilsley is appended to that memorandum, but my regard for his clear mind is such that I cannot believe he is its real parent.

Hon. Mr. LITTLE: Hear, hear.

Right Hon. Mr. MEIGHEN: Let us analyse it. Honourable members of this House who spoke the other day could see no reason why these delinquents in Manitoba should refuse to pay their honest debts, as established by the courts of the land, and be protected from garnishment. Nor could they see why other debtors among the civil servants of Canada should be protected from garnishment. The memorandum says the reasons are these: First, the subject is too big for us to deal with at this stage of the session. In other words, to decide whether a civil servant should be in a privileged position, and thereby helped to get out of paying his debts, is too big a subject for us to review now, though unemployment insurance is just an ordinary, trivial measure and we can put it through.

What is so big about this garnishment question I do not know. It affects a lot of votes. So far as I am concerned, they are gone anyway, and I do not need them. But as a matter of right or wrong, what is big about this question, or what is difficult?

The next reason given is this: Unless, by shutting off garnishment proceedings, you protect the civil servants from having to pay their debts, these poor civil servants will be victims of high-pressure salesmanship. That is to say, the civil servants of Canada are particularly incompetent to look after themselves. They are particularly vulnerable to the salesman—

Hon. Mr. DANDURAND: Some of them.

Right Hon. Mr. MEIGHEN: —some of them—

Some Hon. SENATORS: Oh, oh.

Right Hon. Mr. MEIGHEN: —and the State, in loco parentis, has to hold an umbrella over them, or to stand guard for