

nesday, going over the same thing, there still must be an end of it some time. I could understand if there was any principle at stake, and hon. gentlemen might say: We are prepared to sacrifice time, and stay here and fight it. But here is a departmental Bill, affecting the administration of one of the departments, which, in the opinion of the Head of that department, and in which opinion the Government coincide, will, when carried into effect, largely operate to reduce the public expenditure. Under these circumstances, I appeal to hon. gentlemen on the other side if it is proper that this prolonged and useless discussion should be continued. Nobody pretends that it is pertinent to the Bill, nobody pretends that anything has been said which could not have been said in two minutes respecting the particular section before the committee. Therefore, it is a palpable and plain wasting of time for a palpable object, and I appeal to the hon. members whether it is reasonable or fair.

Mr. POWELL. I am astonished at the remarks of the hon. Minister of Marine and Fisheries. I can assure him that I have only one object, and that is to perfect this Bill. I appreciate the necessity for such a Bill, but there is a still greater necessity in having it properly drawn. The pruning knife should be applied with a wholesome degree of freedom in respect to this Bill; and I, in the exercise of my functions as one delegated by the people to the onerous duty of a member of Parliament, wished to make some suggestions that occurred to me as having particular force, and I am sorry to see that the Postmaster General paid no attention to them. Now, is it not desirable to have uniformity in our legislation? The Postmaster General, in adopting this procedure in reference to mail clerks, does not run it on lines parallel to ordinary postal administration in this country. In section 12 the Inspector has power to inquire into any complaints concerning the miscarriage or loss of letters. We find this gentleman who is appointed under the name of controller, has power to exercise control over superintendents, transfer agents and mail clerks and to deal with all neglect of duty. There must be a neglect of duty before this party can start an investigation at all. You have first got to charge a party with neglect of duty before you can have an investigation. Under the law, as it stood, the Postmaster General did not need to bring any such accusation against a member of the civil service, but he went with a roving commissioner to see if there was anything wrong. And when the wrong originated and how it could be remedied. I submit to the Postmaster General the great desirability of incorporating that provision in the new Bill. Then there is another question, one of statutory construction. I believe the Postmaster General either was or is a lawyer, but he

may not be acquainted with the canons of construction, and in that case I would appeal to the Minister of Marine and Fisheries if, in view of the long series of judgments from the illustrations of Baron Park, to the equally illustrious Cockburn, it would not be well to incorporate the old provision in this Bill. Now, I submit this question in order to test whether the Postmaster General is bona fide in his desire to have this Bill perfected. Section 120, after enumerating the different officers, says that they may be appointed from among persons now in the civil service.

Mr. DEPUTY SPEAKER. The hon. gentleman has probably forgotten that we are on subsection 119.

Mr. POWELL. I am directing my remarks entirely to section 110 as to the appointment of the parties, and connecting it with the subsequent provisions of the Bill to show who the officials therein named are. If it is a canon of legal construction that, on the creation of a new right, a procedure is laid down with respect to that right, then that procedure must be followed to the exclusion of every other procedure of common law, or otherwise. Now, if this Act, in the creation of new officials, makes it a qualification that they may be drawn from a certain class of people, then I submit whether it is not very desirable, in the public interest, in such a grave matter as this, that is going to work out retrenchment, reform and economy in the service, in this question of overshadowing importance it is necessary to inquire more thoroughly into this provision than the time at our disposal will permit. I don't commit myself to the correctness of the legal suggestion I make. In fact, I would lean to the opinion of the penetrating and comprehensive genius who has charge of the Bill. I could find out how to get the significance of my presentation into that hon. gentleman's cranial cavity. Now, I ask the hon. gentleman whether or not he considers that this is simply permissive or whether by the canons of construction it is imperative. If it is imperative, I denounce it as wretched in principle. Why? Because it is not all officers of the Post Office Department that are members of the civil service. The ordinary postmasters and the ordinary clerks are not and you are limiting this to the aristocracy in the Post Office Department. You propose to draw all your higher officials from these aristocrats while the ordinary plebian has no status whatever.

Mr. FOSTER. There are no democrats in the party since the leader left.

Mr. POWELL. It may be that the present Minister of Marine and Fisheries (Sir Louis Davies) has changed his opinions with his change from democracy to aristocracy. After receiving knighthood his sympathies may be entirely with the aristocracy of this country. I as one who have no aspirations