

they can avoid it. I say this is a scandal, and the thing should not exist at this present time in our country.

The legislation proposed would by no means be new. We in this Dominion are backward in a good many respects, and this is one in which we are behind the times. It is well known that in England the salaries of public officers can be attached after the officer is put into insolvency.

As is also well known, according to the bankruptcy law of England, any person who has allowed a judgment for at least £50 to remain unsettled for a certain time, can be put into insolvency. By another provision of the same law, upon application to the judge, after due notice to the head of the department where the public officer is employed, the judge may determine what portion of the salary of such public officer shall be paid into the hands of the trustee to be distributed to the creditors of such insolvent person. That is the only way of attaining the end for which we have at present no provision in our own law. In France there are similar provisions, with the difference that the proportion is determined by law. So far back as the promulgation of the Code of Civil Procedure, a portion of the salary of public officers has been declared to be liable to attachment. By article 580 of the Code of Civil Procedure of France, it is enacted that the salaries of public officers are liable to seizure in a proportion to be determined by the law and ordinances on the subject. Now, by a law which was passed on the 21st Ventose, an 9, under the first Republic, the following enactments were passed into law:—It was declared that the salaries should be seizable by attachment in the following proportion—one-fifth for the first thousand francs, that is equivalent to about \$200; one-fourth of the following five thousand francs, or the equivalent of \$1,000; and one-third of the excess, whatever the amount should be. By another article in the French code, these provisions were extended even to members of the army. Now, Mr. Speaker, if there are any servants of the Crown that should deserve protection upon a subject of this kind, it seems to me it is those who may be called upon by their profession to give their lives for the defence of their country. Although their salaries are very small, it has been found well in France that a portion of the salaries of the officers and men composing the army, should be liable to attachment. In the province of Quebec, as has been stated by the hon. member for Lisgar, we have also a statute concerning the seizure of salaries of public officers. But unfortunately that statute only applies to the public officers of the province of Quebec, it does not apply to the officers of this Government. The statute I allude to is 38 Victoria, chapter 12, which has been in existence ever since 1875. By that statute the salary of public officers is

seizable in the following proportions:—1st, one-fifth of every monthly salary not exceeding \$1,000 per annum; 2nd, one-fourth of every monthly salary exceeding \$1,000, but not exceeding \$2,000 per annum; 3rd, a third of every monthly salary exceeding \$2,000 per annum. This statute, as I have said, has been in force ever since 1875. It was argued at the time it was enacted that the law would prove embarrassing to the Government, that it might in some cases prevent the Crown from obtaining the services of the best and ablest men that could be secured. Well, Sir, after an experience of some 23 years, I can safely assert that in no case has this law prevented the Government from obtaining the best and ablest men to serve in public employments. On the contrary, I may say that the law has worked so well, it has given such universal satisfaction, that I think it affords us a sufficient reason for adopting the provisions of that statute to a certain extent. I may add, moreover, that the officials employed by the provincial government of Quebec do not receive, as a rule, such high salaries as those employed by the Dominion Government; and if they manage to pay their legitimate debts and live under such a law, I do not see why the officials of the Dominion Government could not do the same thing.

Now, Sir, as I said before, although I am in favour of the principle of the Bill, I think that principle should not be carried too far. I think we should to a certain extent take into consideration the exigencies of the public service and the position of these men, and consequently, I think only a portion of the salary of the officials of this Government should be attachable as in England, as in France, as in the province of Quebec, and in the other provinces referred to by the member for Lisgar. In the operation of such a law there might be some force in this objection, and if this Bill goes into committee, I intend to move some amendments to it so as to make it as nearly as possible in accordance with the provisions of the provincial statute. There is no difficulty in working the Act. The writ of attachment, or whatever it is, is served upon the head or the deputy head of any department where the public official is employed. That head or deputy head transmits to the court a certificate showing the amount of salary payable to the official, and thereupon the judge declares the attachment valid and orders the deputy or the head of the department to pay to the plaintiff the amount attachable of such salary. It is not necessary, as you observe, for the deputy or the head of the department to leave his office and go to the court to declare what amount may be due to the public official.

But before we come to the consideration of the Bill I think we should examine whether this Parliament has juris-