

authority, and not duly authorized by the Houses themselves for that express object, the officers and servants of the houses cannot act with freedom, fidelity and obedience to their legal masters.

Let me say once more that I do not wish in any way to ignore the Civil Service Commission. In fact, if I wanted to be reminiscent I might say that in the old days I was one of its staunchest supporters, and I am still. But there are privileges and powers appertaining to parliament which must not be ignored.

Now, in the present instance there is no quarrel between the Civil Service Commission and the House of Commons. The names set out in this item are the names of old and faithful officers of the House of Commons who have served for many years and have given thorough satisfaction.

Mr. BENNETT: May I ask the hon. gentleman a question?

Mr. SPEAKER: Yes.

Mr. BENNETT: Is it not correct that the first name on that list is the wife of a gentleman who occupies a position in the Public Works department? The effect of this will be to make her the first permanent married woman to be engaged in the service since the Civil Service Act was passed, and this is being done in violation of section 36 of the statute.

Mr. SPEAKER: I am glad the hon. member has brought the matter to the notice of the House. There is absolutely nothing to hide so far as this appointment is concerned. It is true that Mrs. Barbes is married, but she has been seventeen years in the service of the House. Before her marriage she was employed in the House of Commons and in July last she was approached by Senator L'Esperance who promised her permanency if she would become the secretary of a gentleman who is highly trusted by my hon. friend from West Calgary (Mr. Bennett). I will send him a letter I have received in this connection. There is a precedent also. The late assistant secretary to the Right Hon. Mr. Meighen was Mrs. Helmer. She was paid by the House of Commons although her husband also had a government position. Afterwards she became secretary to Sir Henry Drayton.

Mr. BENNETT: But this is the first appointment of the kind which is being made permanent, and it is done in violation of section 36 of the act.

Mr. SPEAKER: I appeal to the sense of justice of the committee whether I should deprive a faithful servant, who has been seventeen years in the service of the House and who has given excellent satisfaction in every respect, of the pension to which she would be entitled had she been unmarried. I do submit that such an action would be hardly fair to Mrs. Barbes, and may I point out moreover that if this item passes she will receive less as permanent than she did as a temporary employee. I am therefore simply carrying out a promise made to this lady by the Right Hon. Mr. Meighen in the month of July last after dissolution, through Senator L'Esperance.

Mr. BENNETT: I would vote against it equally if he did it.

Mr. SPEAKER: If Mrs. Barbes had left the service of the Speaker for the Prime Minister's office she would have been made permanent. In a sense I am merely implementing that promise. Even though it may appear to be contrary to the letter of the law, I appeal to my hon. friend, who is a parliamentarian and a constitutional authority, whether it is not a fact that we have powers and privileges over and above the provisions of the Civil Service Act. I would not for a moment ignore the Civil Service Commission, but I submit that there are special cases such as this which must be faced and disposed of and I have considered the present case on its merits and have dealt with it honourably.

Mr. BENNETT: The Speaker of this House has properly indicated that the House of Commons has great privileges, and it must be remembered that these privileges belong to the House and not to His Honour. That is point No. 1. In the second place, let us remember that the government in this instance is not charged with responsibility. Under our parliamentary institutions the government in this case is merely the medium for intimating to the House what ought to be done. These estimates could not come before the House as such unless some member of the government submitted them, and the Speaker is the medium between the House and the government, just as a minister who submits his estimates is the instrument of the House to enable those estimates to be brought in for consideration. We as law-makers should not be law-breakers. As those who framed the civil service law of the country we should not be the first to break it. Our right to ignore the act is undoubted, but the exercise of that power is injurious to the people of