

Hon. Mr. BOSTOCK: That is when they come into the country.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: Then they go to the university or the college where they intend staying, and after they have been there a year they may leave and start in business for themselves in the country, and they are no longer students. What happens then?

Hon. Sir JAMES LOUGHEED: If they have been admitted properly into the country, I presume they have a right to stay here. If they have the right, they remain.

Hon. Mr. BOSTOCK: In that case this Bill would be simply a means of avoiding the tax altogether.

Hon. Sir JAMES LOUGHEED: No: it simply gives exemption from the tax to certain specified classes.

Hon. Mr. BOSTOCK: It does seem to me that it is going to throw the door open very wide for Chinamen coming into the country. I think there is great danger.

Hon. Sir JAMES LOUGHEED: Not more than heretofore. The Bill only means that instead of a refund of the tax there shall be no tax imposed. Students heretofore have been entitled to come in and then have been entitled to a refund of the tax at a particular point. The wives and children of clergymen have been entitled to come in without paying the tax. It simply makes our law practically the same as that of the United States. The United States, which has always had very drastic legislation in regard to Asiatics, to-day permits to come in Chinese students and other classes such as are referred to in this Bill, without imposing a tax upon them.

Hon. Mr. BOSTOCK: But the difference between the Canadian law and the United States law, as I understand it, is that in the United States all other classes, outside of those expressly specified, are excluded altogether. In Canada they are allowed to come in, and I understood that one of the troubles was that a large number of Chinese came into Canada, paid the tax, and then crossed the line into the United States. In Canada we allow any to come in who pay the tax, but the United States excludes all Chinamen except those who are specially exempted. I do not think that the legislation of the two countries is on all fours.

The section was agreed to.

The Bill was reported.

CIVIL SERVICE ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of the Hon. Sir James Lougheed, the Senate went into committee on Bill 68, an Act to amend the Civil Service Act, Hon. Mr. Taylor in the Chair.

On section 2—persons placed in third class under 1908 Act who had passed qualifying examinations, etc., eligible for promotion to second class:

Hon. Sir JAMES LOUGHEED: Before the passage of the Act of 1908 those who had passed a qualifying examination would have been entitled to promotion to all the higher classes. As I explained yesterday, owing to certain phraseology in the Act, the Civil Service Commissioners have placed a contrary interpretation upon it, and exact from those persons an examination for each class. There are about 400 persons entitled to the advantage of this particular provision, and the object of it is to make clear what was intended in 1908.

Hon. Mr. BOSTOCK: I understand that those persons had already passed a qualifying examination before the Act of 1908 was put into force?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: And that since that time they have had to pass a further examination to get into the next class?

Hon. Sir JAMES LOUGHEED: Some of them have and some of them have not.

Hon. Mr. POWER: Would the honourable gentleman be good enough to state just the change which this amendment makes in the existing law?

Hon. Sir JAMES LOUGHEED: Subsection 2 of section 26 of the Act of 1908 reads as follows:

Any person placed in the third division upon the coming into force of this Act may, by the Governor in Council, upon the recommendation of the head of the department, based on the report in writing of the deputy head, and accompanied by a certificate of qualification by the Commission, to be given with or without examination, as is determined by the regulations of the Commission, be promoted from the third division to the second division without an open competitive examination.

Now, if any honourable gentleman is able to follow that on the wing, so to speak, he will make an excellent wing shot. It is so complicated, so involved, that it is quite manifestly capable of two or three meanings; consequently it is proposed to repeal