

The order was discharged and the Bill was fixed for the second reading on the 25th February next.

APPOINTMENT OF SENATE EMPLOYEES.

MOTION.

Hon. Mr. WATSON moved the adoption of the memo. from the Speaker of the Senate recommending the appointment of two pages.

Hon. Mr. LANDRY—I should like to call the attention of the Senate to section 8 of the Civil Service Act which reads as follows:

8. As soon as practicable after the coming into force of the Act, the head of each department shall cause the organization of the department to be determined and defined by order in council, due regard being had to the status of each officer or clerk as the case may be.

2. The order in council shall give the names of the several branches, with the number and character of the offices, clerkships and other positions in each, and the duties, titles and salaries thereafter to pertain thereto.

3. After being so determined and defined, the organization of a department shall not be changed except by order in council.

4. Copies of such orders in council shall be sent to the Commission.

This section falls under the provisions of section 45, which substitute for the Governor in Council, the Senate. Has anything been done, in accordance with section 8 of the Act, before we proceed any further with the appointment or promotion of any employee in this department, because this must be called a department? We do not know what action the Civil Service Commission may take upon this matter, because the commission is called upon to superintend the working of this Act. Besides the action we take ourselves the commission has something to do, and might perhaps say to us, the first thing you have to do is to put yourself in accord with section 8 of the Civil Service Act. Perhaps the ex-Speaker might tell us if anything has been done by him, because he was, from the time the new Act came into force up to the choice of a new Speaker, the head of a department.

Hon. Mr. DANDURAND—As I knew that the powers of the Speaker would end at the opening of the new session, I felt it my duty to leave to my successor the obligation of conforming to this Act and preparing these memoranda for the Senate. I understand from the Speaker that he is now preparing the classification, which will be ready when we next meet.

The SPEAKER—These two appointments are vacancies which occurred before the opening of the House.

Hon. Mr. LANDRY—I am not attacking these nominations. My whole object is to see that we proceed regularly. Because if we make the nominations before doing what I think is obligatory under the law, I do not know what stand the Civil Service Commission may take. I am suggesting a measure of prudence. I have stated all I have to say, and the Senate can do as it pleases.

The SPEAKER—I was about to add that the commission have signified that they consider that they have nothing to do with appointments of this character and will not interfere with them.

Hon. Mr. POWER—Looking at section 18 of the Act, it strikes me that there is some question as to the correctness of the view as expressed by the commission. Section 18 provides as follows:

18. From the said list the Commission, on the application of the deputy head, with the approval of the head, of any department, shall supply the required clerks, whether for permanent or temporary duty.

2. The selections shall be, so far as practicable, in the order of the names on the list, but the Commission may select any person who in his examination shows special qualifications for any particular subject.

3. The Commission shall forthwith notify the Treasury Board and the Auditor General of the name and position in the service of each clerk supplied to any department, and also of the rejection of any such clerk during his probationary term.

4. Assignment for temporary duty shall not prejudice the right to assignment for permanent duty.

5. No clerk supplied for temporary duty shall be so employed for more than six months in any year.