

# THE CIVILIAN

VOL. I.

DECEMBER 31st, 1908

No. 18

## The Municipal Elections.

**Civil servants should vote in accordance with the programme of the Association. — Good has resulted from action already taken. — More will follow.**

The attention of all civil servants who are on the municipal voters' lists, whether assessed as property-holders or upon income, is directed to the announcement which will shortly be made by the Civil Service Association with reference to the Municipal elections. The Association is entitled to much credit for having seen so clearly how the truth-breaking attitude of the present City Fathers could be neutralized. Readers will not have failed to observe that such action as the service has already taken has borne fruit; but it is fruit that, at best, is only half-ripe, and that requires further watering by us before it will yield good cider. The Association's advice to civil servants is entirely disinterested, as it is entirely sound.

There is no attempt at coercion in this present movement. If any member of the service is convinced that a candidate for election is unfit to represent the city in a general capacity, it is recognized that the voter's primary duty is to abstain from supporting that candidate, even though the Association should be unwise enough to recommend him merely because he agreed to support the cause of the service. The Association is unlikely to present such an embarrassing choice to its members, and so we need not attempt to cross that bridge be-

fore coming to it. At the same time, the principle is clear.

But it is practically possible to assist ourselves, and at the same time to assist the city, by helping to elect fit men. So long as there are men, or groups of men, who will institute high-handed measures, so long must it be just to form combinations against such men and measures. The treatment which the present council proposed to meet out to civil servants was ill-considered and in the highest degree arbitrary. Whether civil servants should, or should not, pay taxes upon income has very little bearing upon the present case. It will be time enough to discuss that question when some means is found of discovering what are the real incomes of our fellow citizens. *Our* incomes are well known, and it is easy to see that under such conditions just taxation upon income is impossible.

In the meantime, the City of Ottawa is attempting to collect income twice; or to receive double benefits from the same source. Incidentally, it has taken a course, which, if taken by any private individual, would lay him open to the charge of sharp-practice. It is reasonable, therefore, that we should do all in our power to counteract such an attitude; and that an Association which has always comported itself with discretion, should receive the support of its membership at a critical time.

**On a Poem by Mercurio, and on some recent Advice to Civil Servants by Mr. John Ewart, K.C. — With a Remark or two on Irony and the Reform of the Civil Service.— The whole being a Letter to the Editor.**

My Dear CIVILIAN:

May I preface some rambling comments I feel constrained to offer on the above rather variegated range of subjects with a word of true appreciation of Mercurio—the civil service bard. The appreciation must be shared to a degree with yourself, for if we had had no CIVILIAN we might have had no Mercurio. In particular, I would like to thank both of you for his "Faithful Philip" of your last, a bit of true poetry, conceived in genuine feeling, and showing again for the thousandth time how slight in this life of ours is the veil between laughter and tears. The gift of humour sometimes carries a penalty. When Mark Twain wrote his *Joan of Arc* he issued it anonymously. He was afraid it would not be taken seriously otherwise. Of Mercurio we will never exact such necessity, for we know him as a man of many gifts, of pathos as well as of humour, and now of that even more potent weapon—irony and the *saeva indignatio* of the old poets of all sorts of good causes:

Moral? There is none, my youngster; quite immoral, I should say,

That a man who does his utmost should receive a sluggard's pay.

That was years ago, however; no one can complain to-day.

This, of course, will long since have been read and relished. Good wine in any case needs no bush. But that the story of "Faithful Philip" should, by the printer's caprice (or was it your artfulness, Mr. Editor?) have immediately preceded the notable contribution by Mr. John Ewart, K.C., on Promotion in the Civil Service and How to Obtain it, is sufficiently unobvious, perhaps, to deserve pointing out. In its way, it was as neat a bit

of irony, almost, as Mercurio's own. And this may bring me to my point.

**Mr. Ewart to the Service.**

You do very well, Mr. Editor, to welcome with cordiality the interest of a man like Mr. Ewart in the civil service. For my own part, I find in the mere fact of Mr. Ewart addressing an article to THE CIVILIAN one of the most significant and hopeful signs of the times. Mr. Ewart is a well-known man, and he is plainly a well-wisher of the civil service. Being the man he is, he is not content to fold his hands. Multiply this phenomenon by even a few instances, and the service is free! It is because Mr. Ewart's letter is so important, both in itself and as a symptom, that I want to address to him a few words of counter-counsel, and to put him straight in a matter or two, wherein I think he is off the track—all with the selfish thought that he may continue in well-doing and to better purpose than in the past.

**Of Novels and Poetry.**

Of course, as a matter of mere detail and preliminary talk, I cannot say I hold with all of Mr. Ewart's advice. "Novel reading will never produce mental improvement"? That is ridiculous! Why, novels are practically the only satisfaction of the craving for art we can afford in Canada. We have few pictures, and no sculpture, and, as the government's action of the past few years in the matter of its buildings demonstrates, no architecture. Pickwick is "fantastic"? Not to quarrel with the word, of course he is,—if Gil Blas and Pantagruel and Don Quixote are fantastic! That is why they are so de-

lightful. They are among the giant creations of genius, and not to know them is to be an ignoramus and a duffer. Is not *Henry Esmond* greater than *The Four Georges*? Is not *Joseph Vance* as good, or better, than all the useful or even beautiful pots De Morgan made before he found he was a novelist? And even Mr. Ewart might admit that "Kipps," considered simply as sociology, is worth all the rest of H. G. Wells on the subject put together. Mr. Ewart is wrong in thinking that only facts are true. On the contrary, "that which never anywhere came to pass," as the saying runs, "that alone never grows old."

And I notice, further, that Mr. Ewart never mentions poetry at all. That "breath and finer spirit of all knowledge" (which is Wordsworth's definition of poetry), that "criticism of life under the conditions fixed by the laws of truth and beauty" (which is Matthew Arnold's) is to play second fiddle to the *Encyclopaedia Britannica* and the *Rand-McNally* maps in the improvement of the civil servant's mind. After that I tremble to say that I have spent days with a line of "Claribel" in my ears—never letting it interfere with my work, oh, dear no,—or that I think our Duncan Scott and Wilfred Campbell will be remembered when the fame even of the deputy ministers they serve under has faded utterly into oblivion.

Speaking of poetry and reading, I wonder if Mr. Ewart has seen the article of that remarkable woman who signs herself Vernon Lee on "Wasteful Pleasures" in the last *Contemporary*. I will quote two sentences which are *à propos* here:

"Aesthetic pleasure implies energy during rest and leisureliness during labour. It means making the most of whatever beautiful and noble possibilities may come into our life; nay, it means, in each single soul, being, for however brief a time, beautiful and noble because one is filled with beauty and nobility."

And again:

"Seeing and feeling like a poet means quite miraculously multiplying life's resources for oneself and others; in fact the highest practicality imaginable, the real transmutation of brass into gold. What we all waste, more than money, time and labour, more than anything else, is our own and our children's inborn capacity to see and feel as poets do, and make much joy out of little material."

To make joy out of little—that is a familiar endeavour with civil servants struggling with the cost of living. For goodness' sake, Mr. Ewart, do not deny us anything so cheap to hand in the fight as a non-copyrighted Shakespeare.

#### A Modern Mistake and an Ancient Joke.

But this is ungracious, perhaps, to Mr. Ewart, who is probably not fond of poetry. *De gustibus, etc.* It is not at all what I set out to say—which is to lay a much more serious charge at his door.

The trouble with Mr. Ewart is that with the best intention in the world of helping the service to a higher plane, he has not set himself first to discover what the real needs of the service are, and what he can really do. He sees in the civil service a conglomerate body of employees, working under much the same general conditions as, say, the employees of the Bank of Montreal, the Canadian Pacific Railway Company, or any other such corporation. He takes it for granted that the growth and opportunity of a civil servant must come entirely from within. And he forthwith delivers himself after the manner of the lamented Samuel Smiles.

Now, that is not at all the need of the civil service, and not at all what a man like Mr. Ewart should be doing, granting his interest in the subject. Taken by and large, the service presents no broader and no narrower target for fatherly advice than any other body of employees of like

standing in the world—I mean like as to the general character of the work they are doing. All of Mr. Ewart's advice is excellent good, but it is excellent good for bank clerks no less than for government clerks, and I take it he meant particularly to address the latter. As to what he says of the older men being hopeless, being in a rut, being in a "tunnel" even,—that is pure playfulness and exaggeration, being a recrudescence in a somewhat unexpected quarter of a very, very old joke about the service—a joke at which we have laughed till our sides ached many and many a time this forty years, just as Mr. Ewart has laughed at the joke about lawyers being all sharpers. They are good jokes because everybody is on to them row and knows very well that their malice is only bogus. But what amazes me in the present case, when I hear Mr. Ewart cracking jokes about decay in the service, is, I confess, not the joke so much as the joker. How he could make such a statement without being halted at the mere reverberation of it in his own ears, without asking himself the wherefore of it all and refusing to go further till he had found an answer, is beyond me. For if he had once done that it would have sent him to his Whateley for the distinction between the accidental and the essential, and he would have written, I am sure, a very different sort of article for THE CIVILIAN. Either he would have found that old civil servants are no more fossils than old lawyers, for example, or that, if they are, it is because something in the system which surrounds them is accountable for the fact.

### The Real Sinner.

Of course, Mr. Ewart did not intend in his article to touch these broader matters to which I wish now no longer to refer by implication. He was careful to begin: "Recent changes indicate the *probability* that merit will count for more than in-

fluence in future promotions." And again: "If, now, we are to have a service in which the best men will get the best positions," etc. *And this is precisely wherein I blame him.* Why should there be an "if" in such a matter? Mr. Ewart is a party to this case. It is the public service,—to a degree his own business, that he is talking about. And he is content, apparently, to leave it a matter of *probability* that it is conducted on principles of common decency to its employees! When a man like Mr. Ewart—a man of public influence, a man in his type all-powerful to sway governments to the mood of what he likes or loathes—comes forward with advice as to the way in which the servants of the country—*his* servants—shall order their inner lives, it is to be presumed that he has analyzed his own position and responsibility in the premises. And I say to Mr. Ewart that I have the right to regard him, when he so comes forward, as the representative of that vast outside body of Canadian citizenship, whose business it is to set this matter straight (but whose voice has been as mute, with the exception of a newspaper or two, on this great subject of civil service reform as if it were the reforming of politics itself, or some other impossible ideal, that was involved) and to tell him in all seriousness that his late action in advising civil servants how to win promotion simply amounts to this: that he is seeking to pluck the mote from his brother's eye, and behold, a beam is in his own eye. Far fetched? Not a bit of it! No public man or private citizen of Canada has the right to lecture civil servants on their private duties while he allows them by his silence and acquiescence to stew in their present juice.

But, perhaps, Mr. Ewart will reply: "But haven't we civil service reform in Canada now? I thought all that was settled by the bill last summer. I thought we had a commission row, and,—and all that sort

of thing." Oh, Mr. Ewart, I am afraid you have been so busy with your Contemporaries and Quarterly and Nineteenth Centuries, with your Origins of Species and your histories of the Reformation—"that greatest of all modern movements," as you truly say)—and have overlooked or forgotten your CIVILIAN; and that while you (meaning by "you" the excellent type for which you stand) have been looking up the boundaries of Servia and tracing the route of the proposed Bagdad railway, you may have been allowing Civil Service Reform, another great modern movement—even more modern than the Reformation—to slip a cog. Have you heard by chance that the great new Act, though supposed to date from September 1st, is still as far from being in force as ever it was; that, to use a classicism of the late Mr. Tarte's, they are still "fighting like blazes" over what it means; that the Commissioners have still to prove they can beat a politician at his own game; that there has been no transfer of the old to the new, no reorganization, no readjustment of salaries, in short *no nothin'* as far as the Act is concerned? Do you know that we have not that commonsense business arrangement known as superannuation, and that every day which passes is adding to the bill of costs for the government and to the hardships for the service which the neglect implies? Or if you have heard of these things, how can you, as a good patriot and an avowed friend of the civil service, how can you go to sleep at nights!

#### An Unco' Mournful Tale.

Just to lend point to what I have been saying, I had thought, Mr. Editor, when I began, of telling you the story of my own life and death in the civil service. (Start not, gentle reader, this is no ghost that is addressing you,—*moi qui vous parle*—like the son of Priam from the mound. That is only my cheerful way of telling you that I started young in the

service, and am now, after many years' hard work, just about where I began, or rather a little lower.) But space forbids more than a word. As I say, I am among those who have failed to "connect" to any appreciable extent. Yet to Mr. Ewart's advice I can say with my hand on my heart: "All this have I done from my youth up." Yes; I am a graduate of our greatest University, a scholarship and prizeman to boot. I have read all the books that Mr. Ewart recommends, or if not every one, then others equally good or which I think even better. So, too, with the reviews: the Quarterly, the Nineteenth Century, the North American and the Contemporary are my steady diet, together with a couple of the best of the magazines; and the reason I don't complete the list of Mr. Ewart is that I have found more than the quantity I have named demoralizing as a practice, though I break out and read them all occasionally. Of course you will be sure there is a screw loose about me somewhere, but I assure you there isn't—except that I won't, or (to be honest) I can't, do the Reginald de Bluff turn which our Mercutio so well describes, and except that I won't, or again, I can't, hit it off with the man who happens to be above me and who also happens to be one of the great big ones. The reorganization help me? That is a rich one! What is the reorganization but the old thing over again? You will see, Mr. Editor, that I had better not continue: it would be *indelicate*:

Time had taught the dogged lesson that it teaches me and you:—

When a blockhead dubs you blockhead, best accept the blockhead's vi-w.

It took me just one "try out" to learn that lesson. I wish I could describe to you the sudden thud with which I found that two and two do not make four—always—in the civil service.

#### Some Generalities.

But this is a gloomy thought and

I don't want to dwell upon it. Doubtless I am prone to look at things through the dusky spectacles of my own case. Still there is the fundamental fact to remember that the business of the government, which it is the duty of the civil servant to carry on, is essentially different to that of, say, the business of a great commercial concern. I may know my work from A to Z, but my political chief is not running his department under the stimulus that the competition of trade begets, or if he is it is with the indirect, if not immediate, motive of political gain. When a place falls vacant he must weigh whether he will gain most by promoting an efficient clerk or by rewarding an outside friend—a question that should never be asked. If I leave to-morrow there may be some regret for the inconvenience the work will suffer, but there will be the joy of knowing that another friend may be benefited thereby and who knows what readjustment of balances effected. I am speaking, of course, of the higher offices, to which it remains to be seen if any of the rank and file may aspire any more now than in the past. And the least of the evil that an unworthy appointment brings is the evil which directly follows. Rather is it like a humour in the blood which festers till the whole frame is poisoned. Demoralization no more than describes it. Now to tell a clerk over whose head a doom like that may fall, to work hard, is not the square deal. You must *guarantee to deliver the goods* before you can honestly collect the price. Otherwise, you are tying a bundle of hay ahead of the nose of a jackass.

### **The Improvement of the Service, and the Chance of Mr. Ewart.**

Yes, we have need of Mr. Ewart, but not to read us lectures on how to improve ourselves for promotion. Not even the youngsters among us need that—*most*. The time for that will come later, when we have finish-

ed or gone further with our own efforts in that direction. For, mark you, we are very busy at this very moment self-improving. We have started an association for the protection of our general interests, also an athletic association, also a loan and savings society, also a co-operative movement, and last but not least we have you, my dear CIVILIAN, as a symptom that we are learning the potent way of doing things. The influence of all this, depend upon it, will be greater in the indirect than in the immediate result. What we now need most is the appreciation of our employers—the people of Canada—to the extent of going ahead with this civil service reform movement on which so fair a start has been made. What we want Mr. Ewart and others of our good friends like him to do is, not to lecture us, but to lecture themselves, and after that to lecture the country about its duty to the civil service and to itself in this matter. I know something of Mr. Ewart's record or I would not care to make this suggestion to him. He is a noted lawyer, and a well known public man. What may be less remembered is an incident in his career at Winnipeg which peculiarity fits him for the role I would now like to see him adopt. I refer to his defence of the fair-wages principle in contracts awarded by governments or public bodies. I have before me as I write the copy of a paper read by Mr. Ewart at a meeting of the Trades Congress held at Winnipeg in 1902. I only wish, Mr. Editor, I could ask you to print here and now some of the statements which Mr. Ewart then advanced as to the status of public employees. Some other time, perhaps, it might be worth your while to print his paper, or at least the major portion of it, for its general applicability to the civil service case. It would at least prove clearly what a man to our hand Mr. Ewart would be, if only we could prevail upon him to gird up his loins and get busy.

What to do first? Well, the question of the general salary scale is subject matter for a very pretty investigation, in the light of special knowledge like that of Mr. Ewart's; for, though the new Act fairly settles things for the present, there is a lot to say as to how the old scale should be translated into the new in view of the changed economic conditions of the past decade, from which civil servants almost alone as a body have obtained no relief. Then there is superannuation — under the circumstances one of the most inviting of subjects both from an academic standpoint, and with regard to the present situation in the service. But, of course, the great thing is, reform in appointments and promotions — the new Act in its interpretation and enforcement, its prompt amendment as experience dictates, its extension to the outside service, and in all its bearings and ramifications, including most of all the power it will be found in the outcome to leave in the hands of the commissioners — which is a great thing, if not the greatest of all.

#### **A Civil Service Reform Association For Canada?**

And now let me be still more practical and to the point. Why for the carrying forward of this programme should there not be a Civil Service Reform Association here in Canada? There is one in the United States — the National Civil Service Reform Association—and no less a man than Joseph H. Choate, the former Ambassador to Great Britain, is the President of it. It held its annual meeting the other day at Pittsburg, Pa. Here is a paragraph from a newspaper concerning it:

“The annual meetings of this association always bring together the most prominent workers of the country for the betterment of the civil service, and at the present meeting, as in the past, it is ex-

pected that several important matters will be discussed. The convention will last two days and the programme includes several meetings and a banquet to-morrow night.

“This morning there was an executive meeting of the council, at which was submitted a report dealing with the progress of civil service reform in both federal and state administrations, pointing out faults in the present application of the civil service laws in the opinion of the council and making suggestions for further activity in promoting the cause. The recent action of the government in placing the fourth class postmasters under civil service rules was strongly commended as a step in the right direction.”

Why, I ask again, not a Canadian Civil Service Reform Association? Will any one be found bold enough to say that this country is not interested in civil service reform? And if it is, why should it not have the most powerful engine to its hand in the matter? Who will come forward to found such an institution; to set the ball rolling? It is a man's work and a big man's work. Will Mr. Ewart tackle it? Will anyone tackle it? I would tackle it myself, but then I am only a civil servant, and a second-rater at that, rapidly qualifying, in spite of my pursuit of Mr. Ewart's advice, to be a third or fourth-rater.

Can I do better, Mr. Editor, in justice to your patience, than close with this question—the kernel in all my chaff—and subscribe myself, humbly, as befits my station, my experience, and my gratitude to Mercutio for the word (in quotation marks, please)

“BLOCKHEAD.”

# THE CIVILIAN

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Ottawa, Dec. 31st, 1908

## A CIVIL SERVICE REFORM ASSOCIATION FOR CANADA.

Our correspondent "Blockhead," who signs his letter on another page with a modesty too common to his class, has certainly started an idea. A Civil Service Reform Association for Canada — why not? We have many an active organization in a lesser cause. The Canadian public is no better and no worse than any other public, whose shoulders are broad; but it is about as mediaeval in its attitude towards its government services—dominion and provincial — as anything west of Europe. Of course the civil servant himself cannot do much, piping his eye on the governmental doorstep, if the public passes without a look at the fellow; for, after all, the question of reform is one that the public must answer first. A question to be answered must

first get itself asked, and we can think of no more effective way of placing the public mind in the proper frame of interrogation on the point than by the formation by a few creative spirits of a Dominion association on the model of the National Civil Service Reform Association of the United States. As "Blockhead" asks: Will anyone tackle it? It is work for a patriot.

## THE WALTERS DRAMATIC COMPANY.

Lovers of music and of the drama will be pleased to learn that the Walters Dramatic Company will present three one-act plays at the Russell Theatre about the 20th January, 1909, under the patronage of His Excellency the Governor General and Countess Grey. The company comprises thirteen people, most of whom are civil servants, or the sons and daughters of civil servants. It is intended to compete with the company in Montreal next April for the dramatic trophy of His Excellency.

THE CIVILIAN congratulates Mr. Walters and his company upon this display of enterprise, and wishes them every success in the very laudable ambition which they are pursuing.

## HUTCHINSON—ANDREWS.

The marriage of Mr. George S. Hutchinson, of the Dept. of Public Printing and Stationery, to Miss Andrews, daughter of Mr. John E. Andrews, was celebrated on Christmas evening, December 25th ult., at the bride's home, Ottawa Terrace, Rockliffe.

With fore-knowledge of the above mentioned event, the other members of the staff of his department presented Mr. Hutchinson, on the 23rd inst., with an exceedingly handsome wedding gift,—namely, a cabinet of silverware, containing more than four-score pieces.

Mr. and Mrs. Hutchinson may feel assured that they carry with them to their new life the sincere good wishes of the whole community.

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### MY CALENDAR.

(By *Mercurio*.)

As one may pace a famous town  
With guide who knows but names of  
streets,  
Blank to their deeds of high renown,  
Blind to the faces there he meets ;  
So from my calendar I learn  
Naught of the year that is to be,  
What king will meet me at this turn.  
What noble tourney there to see.

A dozen moons will wax and wane,  
Some fifty Sabbaths dawn and die,  
Old feasts and fasts will come again,  
And Winter back to Winter fly ;  
But dumb we find the prophet's lips  
When more we ask,—what sorrows wait,  
What souls will sink in dark eclipse,  
What feasts grim Death will celebrate.

These are the secrets of the deep,  
Held in the hand of Destiny,  
That opens as we wake and sleep  
And guess of things that are to be.  
Yet is there naught to do but hope  
And 'wait the falling of the dice?  
Has human will so small a scope  
That patience must alone suffice ?

We seem at times to conquer Chance,  
To mock at Fate, to throttle Time.  
Is Fate the mocker? Do we dance  
Hypnotic measures to her rhyme?  
This question old as man's first thought  
Has met no answer through the years,  
Though saint and sophist each has wrought  
His system for our hopes and fears.

One says the human mind supreme  
Holds matter at its beck and call ;  
And yet we mortise beam to beam  
And wait not till the timbers fall.  
Another says that all we do  
Is but the quotient of the Past,  
The sum inevitable and true  
Of factors that we do not cast.

But all entreat the surgeon's aid  
When life is dear and death is nigh ;  
Our stern necessities have made  
This simple creed to guide us by :—  
Since tasks are daily at our hands,  
And facts and figures will not bend,  
To do the work the day demands,  
To sleep at night, and trust the end.

### A COMPLIMENT TO A CONTRIBUTOR.

Our readers will remember that Mr. W. A. Code, of the Post Office Department, contributed to THE CIVILIAN an admirable article on the Postal Service of Canada,—which article was duly published a few weeks ago, and, as we have the best of reasons for believing, was much appreciated. Appreciation, however, is not confined to Ottawa, as the following extract from the December issue of *The Postal Current* will show :

“In the September and the October numbers of THE CIVILIAN is an excellent article by Mr. W. A. Code, on the Postal Service of Canada. We are reproducing the article as of special interest to postmasters. We have never tried any continued stories before, but this article would lose part of its interest if it were less full and complete, and we cannot give space to the whole article in one issue. Look out for the balance in January. Then file it away for future reference.”

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### CORRESPONDENCE.

We do not hold ourselves responsible for opinions expressed under this heading.

To the Editors of THE CIVILIAN :

In a contribution on “Promotion in the Civil Service,” published in your issue of the 18th instant, Mr. J. S. Ewart, K.C., goes out of his way to attack the older members of the service. It is not worth while to reply to Mr. Ewart's assertions; he evidently knows as little about the civil service as he does about the staff of the Canadian Bank of Commerce, which he also asperses most unwarrantably; and the value of what he says in the one case may be gauged by that of his statement in the other, which the president of the bank characterizes as “absolutely untrue.”

Mr. Ewart, in trying to give point to his advice to young men, says:

"Mr. B. E. Walker, of the Canadian Bank of Commerce, had to import men from Scotland, because he was unable to find men in his employ fit for promotion—fit for better work."

Believing that statement to be entirely contrary to fact, I sent it, with an inquiry, to the president of the bank, and I cannot do better than quote Mr. Walker's own words in reply:

"Mr. Ewart has fallen into a complete blunder as to our purpose in bringing out young men from Scotland to enter the service of the Canadian Bank of Commerce. Men enter the service of the bank at the age of seventeen years or thereabouts. The expansion of business in Canada made it impossible for a time to find a sufficient number of Canadian applicants for these junior positions. The statement that we could not find men in our own service fit for promotion is not only absolutely untrue, but most unkind, and I cannot understand how Mr. Ewart could possibly have made it." There is neither sense nor justice in the wholesale traducing of any body of men because of the shortcomings of a few. It would be equally reasonable to condemn the entire service; or to say that all elderly lawyers are — to put it mildly — careless in their statements.

Yours truly,

F. COLSON.

Ottawa, December 24th, 1908.

### AN IMPORTANT DECISION AFFECTING THE FUNDAMENTAL LAW OF PARLIAMENT.

A decision of the utmost consequence, as affecting the law of the Parliament and the fundamental Constitution of the land, has recently been

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ON THE BUSY CORNER.

rendered upon appeal to the Supreme Court of Judicature of England. A review of the case is given in the Times' Law Report of Nov. 28th last. We do not need to offer excuses for referring in these columns to such a matter; for, while THE CIVILIAN is primarily concerned with civil service affairs in their more restricted bearing, we hold that it is our duty as public servants to relate ourselves as intimately as possible to world-happenings, and more especially to acquaint ourselves with the constitution and liberties which have been handed down to us.

The case was that of *Osborne vs. The Amalgamated Society of Railway Servants*. The plaintiff, being secretary of a local branch of the society, raised the question of the legality of applying the funds of a trade union towards procuring or supporting Parliamentary representation. The Rules of the society allowed of the funds being used for this purpose, and provided that "all candidates (i.e., for Parliament) shall sign and accept the conditions of the Labour party and be subject to their Whip." In the Court of First Instance, the narrower question of the legality of the expenditure from the point of view of the society itself was alone considered; but upon appeal the much wider question was raised of the legality of procuring members of Parliament who should be bound to vote in a prescribed manner. Lord Justice Fletcher Moulton's decision is, in part, as follows:

"Any such agreement is, in my opinion, void as against public policy. This is best seen by taking the simplest case. Suppose that A contracts with B that he will pay the election expenses of B and support him while in Parliament, provided that B will engage to vote as A directs. To my mind, it is clear beyond contest that such an agreement would be void as against public policy, and this none the less though A's motives were perfectly pure, and his intention were solely

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to use the power he thus obtained for the public good. The reason why such an agreement would be contrary to public policy is that the position of a representative is that of a man who has accepted a trust towards the public, and that any contract, whether for valuable consideration or otherwise, which binds him to exercise that trust in any other way than as on each occasion he conscientiously feels to be best in the public interest, is illegal and void. This deep-seated principle of law is the basis of the illegality at common law of bribery at Parliamentary elections, for the power of voting for a representative is also a trust towards the public. Now, to my mind, it can make no difference whether such a contract be that B shall vote as A tells him, or as any body of third persons may decide. Every such agreement is tainted with the vice of the trustee binding himself contractually that he will exercise a trust in a specified manner to be decided by considerations other than his own conscientious judgment at the time as to what is best in the interests of those for whom he is trustee. And it is no answer to say that before or at the election he openly avowed his intention to be thus contractually fettered. The majority who elected him may be willing to permit it, but they cannot waive the rights in this respect of the minority."

Lord Justice Farwell, in his decision, quotes Blackstone: "Every member, though chosen by one particular district, when elected and returned, serves for the whole realm. For the end of his coming thither is not particular but general, not barely to advantage his constituents, but the commonwealth." He also cites from a speech of Edmund Burke to his Bristol constituents: "To deliver an opinion is the right of all men. That of constituents is a weighty and respectable opinion which a representative ought always to rejoice to hear,

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and which he ought always most seriously to consider. But authoritative instructions, mandates issued which the member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judgment and conscience, these are things utterly unknown to the laws of this land, and which arise from a fundamental mistake of the whole order and tenor of our Constitution."

The above account will sufficiently indicate the scope of the Constitutional question involved in this case. The Court was unanimous in its finding of illegality; but undoubtedly an appeal will be taken to the House of Lords. The judgment of that body will be awaited with the keenest interest by all those who appreciate, not what is immediately at stake, but what may flow from an enunciation of the contrary principle. Aside from this particular case, nothing is clearer than that bodies of the plain people, acting in entire good faith, but with too intent a view on their sectional interests, may in effect assail our fundamental liberties as fatally as they were once assailed by tyrants. Of free institutions, it may be said that eternal vigilance is the price of safety; and in our day no small portion of that vigilance must be directed to saving the people from themselves.

### "THE CO-OPERATOR."

#### The Co-operative Festival in Great Britain.

Once a year in Great Britain is held a "Co-operative Festival and Exhibition," designed to illustrate in a concrete way the growth and proportions of the Co-operative movement. The festival for 1908 was recently held in the Crystal Palace, London, and the following is an excerpt from the reference to it which appeared in the *Morning Post*:—

When the annual Co-operative Festival and Exhibition is opened at the

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Crystal Palace to-day by Mr. D. J. Shackleton, M.P., the marvellous growth of the movement year by year will be apparent to all. The exhibits are more numerous than before, and they include almost everything necessary for the life of the people, produced by themselves or procured and sold on profit-sharing terms which benefit all members. From boots to perambulators, and sweets to houses, the results of the mutual savings of the thrifty working-classes are highly creditable. There are two sections, working amicably together. The Wholesale Society, in addition to its distributing side, controls about fifty factories and producing shops. The Labour Co-partnership factories are represented by some thirty industries.

The latest available figures of the Co-operative movement, as given to a representative of the *Morning Post*, are interesting. There are in all 1,582 societies with a membership of 2,434,085, and a share capital of £32,055,229. The trade done up to last December represented £105,717,699, the profits being £12,003,341. The retail societies number 1,443, with a membership of 2,323,378, a share capital of £29,038,649, the sales amounting to £68,147,529, and profits distributed to £10,899,332. Recollections of the humble way in which the Co-operative movement was commenced in 1844 by twenty-eight weavers of Rochdale and placed on a more practical basis in 1863 will suffice to show the great growth of it. Co-operation is still largely confined to the great industrial centres of the North, and the majority of the exhibits come from Lancashire and Yorkshire.

Many excursions are being run — on the Co-operative principle — to the Crystal Palace this week, and there will be several sectional conferences.

#### A Recent Volume on Co-operation.

"Co-operation at Home and Abroad," by C. R. Fay, B.A., Fellow of Christ's College, Cambridge, is a recent work, the result of nearly three

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years' work as "Research Student" at the London School of Economics, which should hold the ground for a considerable time as a standard work on its subject.

Mr. Fay begins by describing the two forms of credit bank existing in Germany—the Schulze-Delitzsch in the towns and the Raiffeisen banks in the country, which have "established a through communication between savings and the use of savings." Both kinds of bank have met with remarkable success. Their real work, one might say, is to translate moral worth into financial language—*i.e.*, they both lend money to persons who can offer little security beyond their personal character and the confidence of their neighbours. Loans usually run for short periods, generally less than three months in the towns and at a rate of from 5 to 6 per cent., while the country banks grant loans from one to ten years, and at nearly 1 per cent. less interest. The Raiffeisen banks are specially useful in aiding peasants to buy land; they advance the purchase-money, and get it repaid by instalments, thus checking land-grabbers and money-lenders. Country banks have no handsome offices, sometimes only "a small single room, probably at the back of a farm building, opened twice a week, and with one accountant," the only salaried official. But Raiffeisen "created out of hopeless chaos the only kind of credit organisation possible for the small agriculturist."

Other countries have followed Germany's lead. In Belgium the banks based on Raiffeisen's principle—*i.e.*, aiming first at the *moral* improvement of their members—have been in the hands of the clergy from the start, but seem to have been well managed. "The problem in Belgium was not, as in Germany, to create thrift, which has been there from the first, but to draw back savings down an acceptable channel." To the question, "Why are there no credit banks in England?" Mr. Fay replies (1) that there are no town banks, because the

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artisan does not want credit; and (2) that there are no country banks, because the landlord provides the fixed capital as well as the land, and the farmer can get what else he needs from private banks. But under the altered conditions of the Small Holdings Act, credit banks should become numerous.

In co-operative production Denmark and Germany lead the way; "if the Dane wants to buy or sell a commodity, he seems instinctively to form a society for the purpose;" and co-operation among the small farmers of Germany has developed to an extraordinary extent both in buying and selling. In Ireland, where the conditions are almost the same as in Denmark, co-operation has been forced on the farmer from above, mainly through Sir Horace Plunkett and the Irish Agricultural Organisation Society. The British farmer is notoriously suspicious of his neighbours, and unwilling to combine with them, but this is a comparatively modern thing. Under the manorial system, and before the coming of capitalistic farming on a purely commercial basis, a great deal of English agriculture was carried on by co-operative method with the "common field," and communal rights and duties of various kinds. In 1907 there were 100 supply societies, 13 dairies, and 11 credit banks, some of them remarkably successful; Mr. Fay, indeed, believes that within 50 years many big and most small farmers will adopt co-operation for both buying or selling.

Co-operative production, as contrasted with distribution, has not been very extensive or successful, though there are exceptions, such as the Walsall Locks and Hardware Society, which has paid good profits and raised the status of the padlock trade. But most of such success as can be found depends upon a new organisation—the Labour Co-partnership Association—whose most notable achievement is in housing, as may be seen in the flourishing communities at Letchworth, Ealing, and Hampstead.

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France possesses few successful undertakings, except the Godin establishment at Guise, and others which are partly subsidised or dependent upon preferential State and municipal contracts.

Finally, Mr. Fay devotes several chapters to the most generally known kind of co-operation—the "Stores." These began as a practical protest against the "truck" system, and have continued to grow, especially in the North of England, so that their members numbered 546,000 in 1881, and 2,227,000 in 1906. Mr. Fay, indeed, calculates that about 20 per cent. of

the population are connected with the stores. In France the "store idea" has made little progress, less than in Italy and Belgium, where the movement is obviously, and sometimes admittedly, inspired by the "Rochdale Pioneers." Mr. Fay has a high opinion of the co-operative store as "at once an efficient method of conducting business and a school of social virtues"; he believes, too, in that much criticized device, the "dividend," as being the fairest way of sharing out profits with the members, and also as a stimulus to thrift.

**ATHLETICS.**

When the rays of the summer sun begin to decline, then are the benefits accruing from the C.S.A.A.A. assumed by many C. S. athletes to be ended, but should such be the case?

As each season views a change in things natural, so should sport in such a country of delightful metamorphoses as Canada experience like phases of change.

Summer witnesses tennis, cricket and bowls in C. S. sporting circles; to these should be added rowing and swimming.

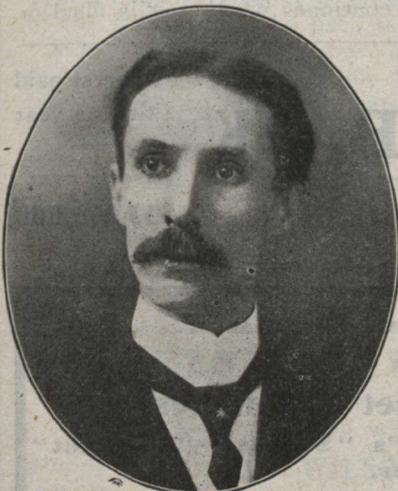
The Fall, that uncertain interim lying betwixt summer's and winter's recreations, should be a period of particularly energetic exercise, in order to prepare for the sudden plunge into sub-zero temperatures, and should be devoted to football, harrier-runs, gymnastics and training for a field-day of sports.

The C. S. is surely sufficiently large numerically, and pecuniarily potential, to possess a rink in the winter on which to have evenings of hockey, skating and sport.

Parties of ski-ists and snowshoers should meet on Saturday afternoons and get out to some rendezvous whereat to partake of tea, returning maybe by moonlight; there must be living about Ottawa farmers only too willing to turn over an honest dollar or two by getting in an extra supply of foodstuff once in a while.

Is there no farm around the lake at Britannia, near Aylmer, about the Chelsea district, in the vicinity of Fairy lake, or elsewhere in this beautiful Ottawa country, for which parties of ski-ists, snowshoeists and sleighists could make?

The prospective two hundred odd ski-ists in the service should do something to liven things up a bit.



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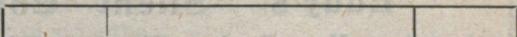
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That period of transition from winter's white frigidity to the time of the alleviation of the frosts in March should be given to cross-country runs; these runs would make splendid training for a spring or early summer sports meet.

The Athletic Association of the Civil Service might be the guiding body and the nucleus for many, many forward movements, — things histrionic, musical, entertaining and festive as well as sportive.

The athletic sports day in September, although the expenses for such a first venture were necessarily high, yielded a clear profit, and besides resulted in stock to the extent of some twenty to thirty dollars in value which will mean that amount in hand for another year.

A theatre night should yield working expenses, stock of effects and a considerable profit.

In the service at large there seems to be to much of the spirit exemplified by "After you, my dear Alphonse," although happily this spirit is rapidly being transformed to one of personal initiative; in order to create in the service a proper *esprit de corps*, men must essentially show some self-sacrifice, must expect no emolument, although the results will assuredly react on themselves, and in every department of new ventures men are required who will initiate, who will organize, and who will themselves propel such movements, and such temporary surrender of self interests is without doubt one of the highest forms of patriotism.

\* \* \*

The attention of the members of the service is drawn to the fact that the committee of the Chess club has, owing to the request of several players of checkers, arranged for that game to be included in the club; therefore anyone desirous of joining in this game will be welcome.

There are now over fifty signed-on members of the club, but a large proportion of this number have up to the present taken no advantage of the facilities offered for participation in the game, and as the rent of the room taken continues whether it is filled or

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otherwise, it seems a pity that the benefits are ignored by many.

It is anticipated that after the festive seasons of Xmas and New Year's Day, the attendance will be larger, for the committee hope to arrange tournaments, and this cannot be done until a large number practically show their interest by their presence at the room at 111 O'Connor street, which is available every day in the week from 9 a.m. until 11 p.m.

Members are requested to note that the \$1.00 subscription is due upon joining, and as the rent of the room must be paid in advance, those yet backward with their subscriptions are asked to send them without delay to the Secretary-Treasurer, G. H. Wattford, Public Works Dept., West Block.

\* \* \*

The following represents the C. S. Bowling League results up to date:

	Won.	Lost.	Avg.
Militia and Mint ...	7	0	2596
P. W. D. and Ag. ...	5	1	2697
Topographical ...	4	3	2578
Interior ...	4	3	2602
Railways ...	3	3	2549

Customs ...	3	3	2572
Bureau ...	3	4	2589
P. O. D. ...	3	4	2393
Audit ...	3	4	2439
Geographers ...	3	5	2449
Statistics ...	1	4	2504
Marine ...	1	6	2366

The most successful bowlers in the League are:

Dept.	Games.	Avg.
Stewart, P.W.D. ....	6	495
Birtch, Customs ...	6	487
Bain, P. W. D. ....	6	473
Thomas, P. W. D. ....	6	470
Shore, Bureau ...	3	468
Jamieson, Railways ...	5	464
Turcotte, Interior ...	7	461
Reardon, Bureau ...	6	461
Shore, Topographical ...	6	459
Pender, Bureau ...	3	456
Hutton, Interior ...	7	455
Lindsay, Audit ...	7	454

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Birtch, Customs ...	569
Watterson, Audit ...	557

HIGH SINGLE.

Thomas, P. W. D. ...	225
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## A JOURNEY FROM THE YUKON TO THE MACKENZIE.

By JOSEPH KEELE.

(Continued from last issue.)

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The coldest weather in the Yukon region generally occurs during the month of January; but the weather we experienced there in January of last year would not be considered cold in Ottawa. Had the days been longer, I could have carried on survey work without discomfort. On the 10th, I measured a base line on 3rd Lake, about two and a half miles long, between points on which I had previously taken bearings from mountain stations. I also made a detailed study of the geology of the valley, as sufficient rock exposures were to be seen on steep cliffs where the snow could not lodge.

On the 4th, while hunting near the shore of 1st Lake, Riddell saw five moose, one of which he killed. It was a bull without horns. On Jan. 12,

we killed a cow moose which had some fat on the meat. None of the bulls we got during the winter, although in full flesh, had a particle of fat on them; unfortunately,—for fat is a very desirable commodity in the far north.

Dry wood was very scarce in the neighborhood of our cabin, and the search for dry trees among the green woods, and sledding them in to cut up for fuel, took up considerable time. We had a few lines of traps out in a radius of about five miles; but fur-bearing animals were very scarce. This portion of the valley had been trapped out two years previously, by a party of three white trappers. Indians do not exhaust the fur in any particular portion of the country, because they are forced to keep travelling during the winter, in the constant search for game. When they kill a moose they move their camp to it, and trap in that vicinity. When the moose is eaten, they hunt up another, and move to it. A white man brings in his provisions, and kills and caches his meat in the fall. After establishing himself, he devotes all his time in the winter to his trap lines,

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and since he uses steel traps, very little fur in that section escapes him. Our catch for the winter amounted to one marten, one lynx, one beaver, three mink and three weasels. Three of the best of these specimens have been mounted for the museum.

Christie, who devoted his whole time to trapping, got just about enough fur to pay for his traps.

On Feb. 1st Christie joined us again, according to previous agreement, and I immediately despatched him up the river valley to hunt moose, and cache them, if successful, at some point near the line of travel.

During his absence, Riddell sledged all our freight and meat to an old cabin a few miles above 3rd Lake, where there was an abundance of dry wood. We then set to work to cut up and dry nearly all our moose meat for dog feed. By building a stockade of green logs around three sides of the fire and drying rack, we succeeded in drying out the meat in a few

days in spite of the weather, which had now turned severely cold.

Christie returned on the 14th, having been as far as the head of 4th Lake, a distance of thirty-five miles. He had shot only one moose—about fifteen miles up the valley—which he cached in an old cabin. He reported that there was no signs of moose above this point, and that the snow was very deep further up. He also brought the unwelcome news that the river was open at several of the rapids and swift places, and that travelling on the ice was dangerous.

This meant the additional labour of cutting a trail through the woods, and hauling loads up steep banks; but, fortunately, the severe weather had frozen over most of these places before we reached them.

*(To be Continued.)*

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The Active Interest that is Certain to be Taken in the Superannuation Question During the Next Few Months makes it Imperative that the Whole Service Should Possess the Means of Acquainting itself with the Measure. We are

glad at the same time to Comply with the Desire of the Executive of the Civil

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the Bill Published in

The Civilian.

## AN ACT RESPECTING THE SUPERANNUATION OF PERSONS EMPLOYED IN THE CIVIL SERVICE OF CANADA.

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Civil Service Superannuation Act, 1907-8.*

2. The Civil Service, for the purposes of this Act, includes and consists of—

- (a) All officers, clerks and employees in or under the several departments of the executive government who are employed continuously, and to whom *The Civil Service Act* applies;
- (b) All such officers, clerks and employees of the second or outside division of the Civil Service as the Governor in Council, from time to time, designates, and to whom *The Civil Service Act* does not apply, and who are employed continuously in an established capacity;
- (c) The permanent officers and servants of the Senate and House of Commons, and the permanent officers and servants employed in the Library of Parliament, saving all rights and privileges of either House in respect to the appointment or removal of its officers and servants:

Provided that the Civil Service for the purposes of this Act shall not include any person who by the provisions of Part II of the Royal Northwest Mounted Police Act is made subject to the application of that Act instead of this Act.

3. This Act shall apply to such officers, clerks and employees in the Civil Service as shall have been appointed on or after the first day of July, one thousand nine hundred and eight, and to such other officers, clerks and employees, appointed to the Civil Service prior to the said date, to whom the provisions of this Act are declared by any other Act to apply.

4. In any case of doubt the Governor in Council may, by general or special regulations, determine to what persons the provisions of this Act do or do not apply, and the conditions on which, and the manner in which, they shall apply in any case or class of cases.

5. The Governor in Council may grant a superannuation allowance not exceeding the allowance hereinafter authorized to any person who has served in an established capacity in the Civil Service for ten years or upwards, and who has attained the age of sixty years or become incapacitated by bodily infirmity from properly performing his duties.

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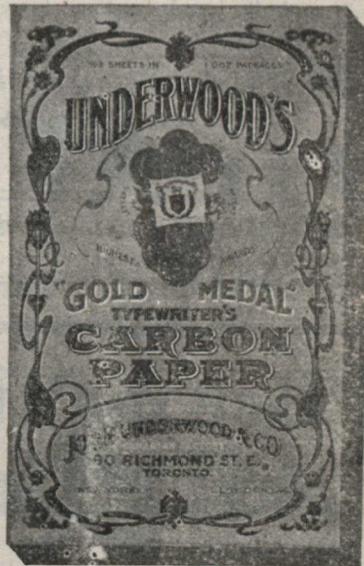
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2. The superannuation of any person to whom this Act applies shall not be deferred beyond the attainment by such person of the age of sixty-five years: provided that the Governor in Council may defer the superannuation of such person for a further period not exceeding one year, if he deems it in the public interest so to do.

6. If the service has not been continuous, the period or periods during which such service has been interrupted shall not be counted.

7. The superannuation of every civil servant to whom the provisions of this Act apply shall be preceded by an inquiry by the Treasury Board,—

- (a) Whether the person it is proposed to superannuate is eligible within the meaning this Act; and
- (b) Whether the superannuation of such person will result in benefit to the service, and is therefore in the public interest; or
- (c) Whether superannuation has become necessary in consequence of the mental or physical infirmity of such persons or by reason of such persons having reached the age of sixty-five years.

8. No civil servant shall be superannuated unless the Treasury Board reports that he is eligible within the meaning of this Act; and no civil servant who is less than sixty-five years of age shall be superannuated unless the Treasury Board reports in addition that such superannuation will be in the public interest.

#### Allowances and Gratuities to Civil Servants.

9. The superannuation allowance hereinbefore mentioned shall be calculated upon the average yearly salary, during the last three years of service, of the person to whom such allowance is to be made, and shall not exceed, if the person has served for ten years, but less than ten and one-half years, an annual allowance of ten-fiftieths of such average salary, and if he has served for ten and one-half, but less than eleven and one-half years, an annual allowance of

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eleven-fiftieths thereof, and in like manner a further addition of one-fiftieth of such average salary for each additional year of service, similarly reckoned, up to thirty-five years, when an annual allowance of thirty-five-fiftieths may be granted, but no addition shall be made for any service beyond thirty-five years.

10. The Governor in Council may, in the case of any person who entered the Civil Service after the age of thirty years, as being possessed of some peculiar professional or other qualifications or attainments required for the office to which he was appointed, and not ordinarily to be acquired in the public service, add to the actual number of years of service of such person, such further number of years not exceeding ten, as is considered equitable, for reasons stated in the order in council made in the case, and such additional number of years shall be taken as part of the term of service on which the superannuation allowance of such person shall be computed.

11. If the head of a department reports with respect to any person employed in his department, and about to be superannuated, from any cause other than that of ill-health or age, that the service of such person has not been satisfactory, the Governor in Council may, as to him seems fit, grant such person a superannuation allowance less than that to which he would have otherwise been entitled.

12. If any person to whom this Act applies is constrained, from any infirmity of body or mind, to quit the Civil Service before the period at which a superannuation allowance might be granted him, the Governor in Council may allow him a gratuity not exceeding one month's pay for each year of his service; and if any such person is so constrained to quit the service before such period, by reason of severe bodily injury, received without his own fault, in the discharge of his public duty, the Governor in Council may allow him a gratuity not exceeding three months' pay for every two years' service, or a superannuation allowance not exceeding one-fifth of his average salary during the then last three years.

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13. If any person to whom this Act applies is removed from office in consequence of the abolition of his office for the purpose of improving the organization of the department to which he belongs, or is removed or retired from office to promote efficiency or economy in the Civil Service, the Governor in Council may, as compensation for his loss of office, grant such person, if his term of service is less than ten years, a gratuity not exceeding three months' pay for every two years' service; and if such person's term of service is ten years but less than twenty-five years, the Governor in Council may grant him, in addition to the superannuation allowance to which his term of service entitles him, a gratuity not exceeding one month's pay for each year's service; but no gratuity or compensation other than the superannuation allowance to which his term of service entitles him, shall be granted to any such person whose term of service is twenty-five years or upwards.

14. The amounts deducted from salary under the terms of section 15 of this Act shall form part of the Consolidated Revenue Fund; and the superannuation and other allowances and gratuities granted under this Act shall be payable out of the said Consolidated Revenue Fund.

#### Contributions.

15. A deduction shall be made from the salary of every civil servant to whom this Act applies at the rate of four per centum per annum on such salary; but such deduction shall be made only during the first thirty-five years of service.

2. An account shall be kept, to be called the Civil Service Superannuation Account, Number Three, of all amounts received and paid out under the pro-



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visions of this Act, and the balance to the credit of the said account at the end of any fiscal year shall be at least equal to the present value of the prospective allowances and gratuities granted or grantable to persons subject, at the end of such fiscal year, to the provisions of this Act; such present value to be ascertained upon the basis of such standard or other tables of mortality as are, in the opinion of the Governor in Council, appropriate, and a rate of interest not exceeding four per centum per annum.

#### Compulsory Retirement.

16. Retirement shall be compulsory on every person to whom the superannuation allowance hereinbefore mentioned is offered, and such offer shall not be considered as implying any censure upon the person to whom it is made; nor shall any person be considered as having any absolute right to such allowance, but it shall be granted only in consideration of good and faithful service during the time in respect of which it is calculated.

17. Nothing herein contained shall be understood as impairing or affecting the right of the Governor in Council to dismiss or remove any person from the Civil Service.

#### Death Before Superannuation; Dismissal.

18. In the event of death before superannuation of any person to whom this Act applies, such person being at the time of his death a contributor under the provisions of section 15 of this Act, or having so contributed during thirty-

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five years of service, and no widow, or child below the age of eighteen years, surviving him, the Governor in Council may, on the recommendation of the Treasury Board, pay to the heirs of such person the whole, or such portion as is deemed expedient, of the amount so contributed by such person.

2. The Governor in Council may, on the recommendation of the Treasury Board, pay to any person dismissed from the public service of Canada after the first day of July, one thousand nine hundred and eight, who at the time of such dismissal was contributing under the provisions of section 15 of this Act, or who had so contributed during thirty-five years of service, the whole, or such portion as is deemed expedient, of the amount so contributed by such person.

3. The Governor in Council may also, on the recommendation of the Treasury Board, in addition, pay to the persons referred to in the first two subsections of this section, interest to the date of such death or dismissal, as the case may be, on the contributions so repaid, or any portion thereof, at such rate of interest, not exceeding four per centum per annum, and calculated in such manner, as the Governor in Council deems advisable.

19. Nothing in the last preceding section contained shall be construed to confer upon any person any right to demand or enforce the repayment of any amount contributed by such deceased or dismissed person, or any interest thereon, and all payments made under the last preceding section shall be wholly in the discretion of the Governor in Council.

#### Forfeiture of Allowance.

20. Every person who receives a superannuation allowance, and is under the age of sixty years, and is not disabled by bodily or mental infirmity, may be called upon to fill, in any part of Canada, any public office or situation for which his previous services render him eligible, and which is not lower in rank or emolument than that from which he retired; and if he refuses or neglects so to do, he shall forfeit his said allowance.

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## Provision for Widows and Children.

21. Subject to the provisions hereinafter contained, the Governor in Council may, on the recommendation of the Treasury Board, grant an annual allowance for life to the widow, and an annual allowance until attainment of the age of eighteen to each of the children, of any civil servant to whom this Act applies, who at the time of his death was either actively employed in the public service of Canada, or was in receipt of a superannuation allowance.

22. Such annual allowance shall not be granted in the following cases:—

- (a) If the person to whom it is proposed to grant the allowance is, in the opinion of the Treasury Board, unworthy of it;
- (b) If the civil servant married after being superannuated;
- (c) If the civil servant was at the time of his marriage over sixty years of age;
- (d) In the case of a civil servant who married after the first day of July, one thousand nine hundred and eight, if he was more than twenty years older than his wife;
- (e) If the civil servant died within one year after his marriage, unless he was manifestly in good health at the time of his marriage, and his death was caused by disease or injury not due to causes within his own control, and the Treasury Board is satisfied that there are no other objections to the granting of the allowance.

23. The annual allowance to the widow of a civil servant, if such civil servant has served for a period of twenty years or upwards, shall not exceed one-fourth, and if such civil servant has served for a period of less than twenty years, shall not exceed one-third, of the annual superannuation allowance which the civil servant was in receipt of, or to which he would have been entitled, as the case may be; and the annual allowance to a child may be fifty dollars but shall not exceed one hundred dollars; Provided, however, that the annual allowance granted to the widow of a civil servant shall not exceed six hundred dollars; provided, further, that the total amount paid during any one year to the widow and children of a civil servant shall not exceed one-half of the annual superannuation allowance which the civil servant was in receipt of, or to which he would have been entitled, as the case may be.

2. Any provision of sub-section one of this section to the contrary notwithstanding, there may be granted to the child of a civil servant, if such child

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be motherless and, in the opinion of the Treasury Board, in great need, an annual allowance not exceeding two hundred dollars.

3. In the event of a civil servant dying before the period at which a superannuation allowance might be granted him under the terms of this Act, the Governor in Council may allow his widow a gratuity not exceeding one month's pay for each year of his service.

24. A widow's or a child's allowance shall be discontinued if she or it becomes unworthy of it.

2. If a widow remarries, her allowance shall cease from the day following that of her marriage.

#### Reports.

25. The Minister of Finance shall lay before Parliament within fifteen days after the commencement of each session thereof,—

- (a) a statement of all superannuations and retiring allowances within the year granted under the terms of this Act, giving the name and rank of each person superannuated or retired, his salary, age and length of service, the allowance granted to him on retirement, the cause of his superannuation and whether the vacancy has been subsequently filled, and if so, whether by promotion or by new appointment, and the salary of the new incumbent;
- (b) a statement of all allowances granted to widows and children of civil servants under this Act within the year, showing the name, age and sex of each person to whom any such allowance has been granted; and the name, age at death, salary and length of service of the civil servant to whose dependents such allowance or allowances have been granted;
- (c) a statement showing the condition of the Civil Service Superannuation Account, Number Three, at the end of the last preceding fiscal year.

26. The order in council made in any case of superannuation, or of granting an allowance, shall be laid before Parliament at its then current or next ensuing session.