

any outside authority. The people of this country are prepared to trust the government; the government always has the confidence of the people, and that being the case the action of the Governor in Council should not be limited in the disposition of these forces. The forces are for the defence of the country, they are for the defence of the empire, and it is of supreme moment that they may be used in an emergency. The life of the nation is supreme, the life of the empire is supreme, and there ought to be no qualifying clause in regard to the action of the authority, whatever it is, in whom the supreme power is vested. That being the case, let us withdraw these words. If the government persist in adopting that clause as it is phrased now, I will move to strike out the words 'for the defence thereof.'

Hon. CHARLES FITZPATRICK (Minister of Justice). It seems to me we are making much ado about nothing. The old law was very vague and indefinite; there was nothing in it that would apply one way or the other as to whether the troops could be moved out of Canada or not. I make this statement after having carefully considered the matter at the time of the South African war. Here is the position that is taken now, that we give to the Governor in Council authority to employ the troops of Canada either within or without Canada for the defence of Canada. Then we make provision that parliament should be summoned fifteen days after a declaration of war, and that the troops may be called out, so that parliament shall decide then what use is to be made of the troops, whether within or without Canada, and what we are to do with them. But I say now, speaking as a member of parliament, that I would long hesitate to give to any government no matter how good, power of attorney authorizing them to use the troops of Canada at any time at their own sweet will, whether within or without Canada, when parliament might be summoned within fifteen days thereafter. Why not leave that in the hands of parliament? The British empire is not going to pieces in fifteen days. If parliament has to be summoned within fifteen days, why not let parliament deal with it?

Mr. MACLEAN. Let parliament say whether the troops are to be used outside for the defence of Canada or for the defence of the empire.

Mr. FITZPATRICK. I think my hon. friend does not understand the result of his amendment. What he wants to do is to give to the Governor in Council, without authority, without the sanction of parliament, authority to order the troops anywhere within the British empire. I cannot agree to that.

Mr. MACLEAN. I wish to have the law so that whenever the Governor in Council

Mr. MACLEAN.

sees fit they may order the militia of Canada on active service anywhere in Canada or beyond Canada, without the limitation proposed in the amendment.

Mr. FITZPATRICK. That is provided for.

Mr. MACLEAN. Let the Governor in Council be free to send the troops abroad or anywhere.

Mr. FITZPATRICK. Canada must decide that, not the Governor in Council.

Mr. MACLEAN. They have as much right to decide that here as they have in England.

Mr. FITZPATRICK. Not at all.

Mr. MACLEAN. Yes, we are of the empire, and we have to take our responsibilities in connection with it. The defence of the empire is just as important as the defence of Canada. That is the way I take it.

Mr. FITZPATRICK. And we take it that way, and we are prepared to assume our share of the responsibility for it.

Mr. SPROULE. On the occasion of that unfortunate trouble in South Africa, the troops received consent to go to South Africa without parliament being called together.

Mr. FITZPATRICK. They volunteered.

Mr. SPROULE. Yes, but when objection was taken, what was the answer given by the First Minister in regard to the action of the government allowing that to be done? The answer was that the sentiment in favour of imperial defence was so strong that had the government not consented to it, there might have been a rebellion. But owing to the loyal sentiment of the Canadian people the government took the action it did. Now, that was done without any injury to the country, without any impropriety, and the loyal sentiment of Canada was so pronounced and evident that no government could withstand it in a critical moment like that. My hon friend from East York (Mr. Maclean) desires to go no further in this particular case. The Minister of Militia and Defence says he has modelled this clause after the Imperial Act. But he forgets that the Imperial Act includes the whole empire, applies to the whole empire, and when these troops are called out, will go to any part of that empire.

Sir FREDERICK BORDEN. Will my hon. friend allow me to say now what I intended to say later on? The militia of Great Britain cannot be sent beyond the boundaries of Great Britain.

Mr. GOURLEY. That has no application here. The minister says what is absolutely opposed to common sense.