

On section 3—carrying or discharging firearms without authority on Militia property an offence:

Hon. Sir JAMES LOUGHEED: This section makes it an offence to discharge firearms on Militia ground without authority. This was asked for by the Militia Department.

Hon. Mr. WATSON: Would not large camp grounds, containing say, ten thousand acres, be under the control of the Minister of Militia?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. WATSON: For instance, Camp Hughes, which is more or less of a game preserve, one might fire off a gun and be liable to this penalty.

Hon. W. B. ROSS: One should be; it is a dangerous practice.

Hon. Mr. WATSON: Camp Hughes is under the Militia Department at the present time, but I understand it is not used for military purposes.

Hon. W. B. ROSS: It is liable to be.

Hon. Mr. WATSON: It is out on the sand hills; nobody is living there.

Hon. W. B. ROSS: Some might get leave from the Minister of Militia to go out and practise shooting, and a smart Alec might come along shooting at his own sweet will and pleasure.

Hon. Sir JAMES LOUGHEED: This provision will do no harm.

Hon. Mr. WATSON: At the present time, of course, chicken-shooting is not licensed for Manitoba; but that particular part is a favourite place for shooting chickens.

Hon. W. B. ROSS: It would be a good breeding ground.

Hon. Sir JAMES LOUGHEED: This does not apply to members of His Majesty's naval and military forces.

Hon. Mr. WATSON: "Any person who, without authority from the Minister of Militia and Defence carries or discharges any firearms upon any property," would be liable; even if he had a license from the provincial Government to shoot there.

Section 3 was agreed to.

On section 4—section stating intentions that are not seditious repealed:

Hon. Mr. POWER: What is the section that is repealed?

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Hon. Sir JAMES LOUGHEED: It says: No one shall be deemed to have a seditious intention only because he intends in good faith—

(a) to show that His Majesty has been misled or mistaken in his measures, or

(b) to point out errors or defects in the government or constitution of the United Kingdom—

And so on. That is repealed, to be in harmony with the earlier sections that we have passed on the question of shooting.

Hon. Mr. BOSTOCK: Does that mean that no one may discuss the affairs of the Government?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. BOSTOCK: What was the object of the clause before?

Hon. Sir JAMES LOUGHEED: It did not go sufficiently far. The clauses which we have already passed will meet the conditions that we are endeavouring to meet.

Hon. Mr. BOSTOCK: The clauses that we have already passed deal with the question of associations that advocate the upset of the Government by force or anything of that kind. It seems to me that this deals with a very different matter. This is a provision protecting a man who in good faith makes statements which, under other circumstances, might bring him under some other clause of the Criminal Code. It seems to me that we should not repeal that section without knowing something about it.

Hon. Sir JAMES LOUGHEED: In the earlier sections of the Bill we have already dealt with the question of unlawful associations and the question of sedition. Furthermore, section 133 of the Code is simply a negative provision declaratory of what the law is, and is really unnecessary; whereas the policy of the Act should be that the offence should be created by some overt act. Instead of saying what shall not be an offence, we are saying what shall be an offence.

Hon. Mr. POWER: It seems to me that, while it is all very well to say what shall be an offence, it is desirable also to say what shall not be deemed an offence. I think section 133 is one which it is really very desirable to have in order to protect people who are honestly striving for reforms. This is the section:

No one shall be deemed to have a seditious intention only because he intends in good faith—

(a) to show that His Majesty has been misled or mistaken in his measures.