

clear is the question to every citizen of the country.

A further objection I have to this Bill is that it involves a grave change in the constitution, and enacts an entirely new principle without any mandate from the Canadian people. The right hon. Prime Minister states that the principle of this Bill is the same as has existed in the law of this country since 1868, as defined in the Militia Act enacted by this Parliament at the instigation of Sir George Etienne Cartier. Section 61 of that Act, upon which the right hon. gentleman bases his contention, reads as follows:

Her Majesty may call out the militia or any part thereof for actual service, either within or without the Dominion, at any time whenever it appears advisable so to do by reason of war, invasion, or insurrection, or danger of any of them.

Sir, I am surprised that my right hon. friend the Prime Minister did not go back a little further in the history of this country.

But, the Militia Act of 1868 was by no means the first Militia Act of Canada. The former Acts are of very great importance, in considering the true interpretation of the section I have just referred to. I propose to quote, from the various Militia Acts previous to 1868, the sections that correspond with section 61 of the Cartier Act. I will go back as far as 1808. In that year a militia law was enacted in Upper Canada, Statutes of Upper Canada, 48 George III, section 8 of chapter 1, which reads as follows:

Provided also that it shall not be lawful to order the militia or any part thereof, to march out of this province, except for the assistance of the province of Lower Canada (when the same shall be actually invaded or in a state of insurrection) or except in pursuit of an enemy who may have invaded this province, and except also for the destruction of any vessel or vessels built or building, or any depot or magazine, formed or forming, or for the attack of any enemy who may be embodying or marching for the purpose of invading this province, as for the attack of any fortification now erected, or which may be hereafter erected, to cover the invasion thereof."

In 1839 the province of Upper Canada enacted another Militia Act, Statutes of Upper Canada, 2 Vic., chapter 9. Section 7 of which reads as follows:

Or to march the said militia, or any portion thereof, to any place without the limits of this province, for the attack of any enemy that may have invaded, or may be marching or collected for the purpose of invading this province.

In 1846 the Parliament of United Canada enacted another Militia Act, 9 Victoria, chapter 28. Section 19 reads as follows:

And may march the militia into any part of the province and shall also have power to march the militia in any portion thereof, to any place without the limits of the province, but conterminus therewith, for the attack of any enemy that may have invaded or may be marching or collected for the purpose of invading this province.

In 1855 another Militia Act was enacted by the Parliament of United Canada, chapter 77 of the Statutes of the province of Canada, 18 Victoria. Section 66 reads as follows:

The militia so called out may be marched to any part of the province or to any place without the province, but conterminus therewith, where the enemy may be, and from which an attack on this province may be apprehended.

In 1863 a new Militia Act was enacted, chapter 2, of 27 Victoria, of the Statutes of the province of Canada. Section 33 reads as follows:

The Militia so called out may be marched to any part of the province or to any place without the province, but conterminus therewith where the enemy is, and from which an attack on this province is apprehended.

This is the last Act before Confederation. It is obvious that before Confederation, but pre-embodied in all the legislation relating to the militia, was a provision that it could not be sent out of the country, except in contiguous territory, to pursue an invader, or to meet him before he reaches this country.

Sir, Confederation was a compact entered into by the various provinces which compose it. Do you believe that Lower Canada would ever have agreed to this compact had it been stated, or even hinted, that her citizens and sons might be coerced at any time, by military compulsion, to go and fight with the Imperial troops and as part of the Imperial troops in European territory at Saloniki or Mesopotamia? Read the debates which took place at Confederation and accompanied Confederation and you will see that the only case which was thought of and discussed was that of a possible war between England and the United States of America. Sir John A. Macdonald, in introducing the Confederation Bill before the Parliament of United Canada, uttered the following words:

Although we knew it to be possible that Canada, from her position, might be exposed to all the horrors of war, by reason of causes of hostility arising between Great Britain and the United States—causes over which we had no