

time. It is true that the words 'Her Majesty' can do so and so were used, but by full agreement of the House, without any dissent, the words 'Governor in Council' were substituted which was in accordance with the practice which existed and in accordance no doubt with the intention of the original Act.

Mr. J. HAGGART. It was neither the practice nor the intention of the original Act. The intention of the original Act was plainly to invest the control in Her Majesty, and with regard to the practice. Her Majesty at a certain time in this country called out the militia, or a certain portion of them, without consulting the executive. It was done as a matter of right, and instructions were given to the commanders of the various districts.

Sir WILFRID LAURIER. When?

Mr. J. HAGGART. In 1866, at the time of the Trent affair.

Sir WILFRID LAURIER. That was before confederation. The Trent affair was in 1861.

Mr. J. HAGGART. At any rate, the power was in Her Majesty alone. That was the practice from the time of the conquest of the country down to 1867, and under the British North America Act the control of the militia was vested in Her Majesty. By the Act of 1904 and by this Act it is transferred from His Majesty to the Governor in Council or the Executive of the country,

On section 10,

The Governor in Council may authorize the engagement of officers and seamen in the naval service upon such terms and conditions as may be prescribed, and may from time to time fix the maximum number that may be so engaged.

Sir WILFRID LAURIER. I desire to add the following subsection to cover the point raised by my hon. friend from Victoria:

(a) Every officer and seaman shall take and subscribe the following oath upon engagement to serve in the naval service:

I, A. B., do sincerely promise and swear (or solemnly declare) that I will be faithful and bear true allegiance to His Majesty the King.

(b) Such oath may be administered by any commissioned officer in the naval service.

Mr. HUGHES. The Minister of Militia has suggested an amendment in section 10 which has not been added after the words 'naval service.'

Sir FREDERICK BORDEN. That is to be covered by other words.

On section 13, relief from duty and retirement from force.

Sir FREDERICK BORDEN.

Sir WILFRID LAURIER. It is suggested that all the words in the second line after 'naval service' be erased. It is thought it would be preferable to have this covered by regulation than by the rigid law of a statute.

On section 14, conditions of discharge from service.

Sir WILFRID LAURIER. It is suggested that with the view of improving the language of the section, that the words 'but an increase may be granted whenever' in the 18th line, be struck out and the word 'unless' substituted.

On section 18, naval service men be at disposal of His Majesty in emergency.

Mr. R. L. BORDEN. I would like to know what will happen in case of war or in an emergency if the Governor in Council does not make any such order.

Sir WILFRID LAURIER. Then the navy does not take part in the war, but remains in inactive service.

Mr. R. L. BORDEN. Unless this country is independent you can never avoid taking part in a war. These ships are not on land. They are on the sea and the sea is one. It surrounds the world and all the continents. The ships of the enemy are on the sea and our ships are on the sea. I could understand how land forces might be kept in Canada when war was being carried on, although not in Canada. I can understand how they might not take part in such a war, but how our naval force can be kept practically neutral, in time of war, with a naval power, utterly passes my comprehension.

Mr. SPROULE. The Prime Minister said when England is at war, Canada is at war.

Sir WILFRID LAURIER. Undoubtedly, when England is at war, Canada is at war, but it does not follow that Canada is bound to take part in all the wars in which England is engaged. These wars may be very far from Canada. These wars may be of such a character that Canada might have no interest in them. They might be of serious moment or they might be insignificant. If the government of the day does not perform its duty according to the light of the people or of any citizen, the government can be attached, but in this matter as in all matters the government of the day are disposed to do their duty, and they do it at their peril and subject to their responsibility to parliament.

Mr. R. L. BORDEN. If our naval force was efficient and adequate, the whole fate of the empire might be decided while the government is making up its mind. The whole thing might be over in 10 days or two or three weeks and the abstention of an adequate Canadian naval force might