

enabling him to have the Bill read the first time?

Sir WILFRID LAURIER: Hear, hear.

Hon. C. J. DOHERTY (Minister of Justice) moved that the House go into Committee to consider the following proposed resolution:

1. Resolved, that it is expedient to enact legislation to ratify and confirm measures consequent upon the present state of war.

2. That the issue of a proclamation by His Majesty, or under authority of the Governor in Council, shall be conclusive evidence that war exists and has existed for any stated period, and that war has continuously existed since the 4th day of August, 1914, and shall be deemed to exist until the Governor in Council by proclamation, declares that it no longer exists.

3. That the Governor in Council may authorize such acts and things and make such orders and regulations as he may by reason of the existence of real or apprehended war, invasion or insurrection, deem necessary or advisable for the security, defence, peace, order and welfare of Canada; including,—

(a) Censorship and the control and suppression of publications, writings, maps, plans, photographs, communications and means of communication;

(b) Arrest, detention, exclusion and deportation;

(c) Control of the harbours, ports and territorial waters of Canada and the movements of vessels;

(d) Transportation by land, air, or water and the control of the transport of persons and things;

(e) Trading, exportation, importation and manufacture;

(f) Appropriation, control, forfeiture and disposition of property and of the use thereof.

4. That compensation shall be made for property permanently appropriated under any enacted legislation, order or regulation; that ships or vessels used or moved, or goods, wares or merchandise dealt with contrary to order or regulation, may be seized and shall be liable to forfeiture; that penalties may be imposed for violations of such legislation; that no person held for deportation or under arrest or detention as an alien enemy or upon suspicion, or to prevent his departure from Canada, shall be released upon bail or otherwise discharged or tried without the consent of the Minister of Justice, and that every order and warrant made or issued by any minister under such legislation, or Order in Council, or regulation thereunder, shall be conclusive evidence of all statements and matters therein made or contained, and no court or judge shall inquire into or make any order in respect thereto.

5. That the Immigration Act be amended to provide that no resident of Canada who leaves Canada to perform any military or other service for any country then at war with His Majesty, or for the purpose of aiding or abetting in any way His Majesty's enemies, shall be permitted to land in Canada, or remain therein, except with the permission of the minister.

6. That, notwithstanding the provisions of section 8 of the Royal Northwest Mounted Police Act, Revised Statutes 1906, chapter 91, the Governor in Council may from time to time authorize the appointment of such number of constables, supernumerary constables, scouts and boys, in addition to the numbers limited by the said section, as he thinks necessary.

He said: At the outbreak of this unfortunate war, as was, indeed, to be expected, we found ourselves in a position where our laws, made for the general welfare in times of peace, were not absolutely adequate to give clear legal authority for many measures of the very first necessity to be taken in view of the existing conditions. Some steps had to be taken before this House could be gathered together which were beyond any express legal authorization. In this resolution and the Bill that is proposed to be based upon it, you will find that it is provided that such steps so taken shall be ratified. The steps that are proposed to be ratified are such as, if the proposed legislation had been in force, would have been authorized by it.

The House will observe that the Bill to be based upon the resolution proceeds not by direct enactment of specific provisions of law to meet particular cases, but, by granting a wide power to the Governor in Council, by Orders in Council or by regulation, to make such provision as he may deem necessary or advisable to meet those conditions that have arisen or may arise by reason of the state of war which now prevails. It is true that with regard to certain matters, it might perhaps have been possible to realize just what present conditions require and to enact direct legislation with regard to them, or to provide in a specific manner for authority to the Governor in Council to deal with them in a particular way. But, after giving the matter the fullest consideration, and listening to and carefully thinking over the numerous suggestions that came to the Government from many quarters, it appeared to us that the wiser course was to ask this House to give to the Government of the day the power to exercise its own judgment as regards the requirements that the various conditions which we have to apprehend may call upon us to meet. We have therefore determined to ask this House to empower the Governor in Council to take such steps and proceedings and adopt such orders and regulations as he may deem necessary for the defence and security, peace, order and welfare of this

[Sir Robert Borden.]