

by striking them out. I merely mention this now so that it may go into the 'Hansard.' I also propose an amendment to section 79. Subsection 2 will read :

Officers and men of the permanent force and members of the permanent staff of the militia shall be at all times subject to military law.

This is absolutely necessary, I am informed, to 'maintain discipline. It is a continuance of the provision contained in subsection 3 of section 28.

Mr. A. T. THOMPSON. With regard to doing away with the King's regulations, I would like to ask the minister if he expects very shortly to publish the new regulations ?

Sir FREDERICK BORDEN. It is absolutely necessary that the new regulations should be prepared before this Bill becomes law, because we would be in a terrible jumble if that were not done.

Mr. A. T. THOMPSON. If that be the case, I would call his attention to the fact that when the regulations were published the last time the issue was so restricted in number that only two were available for each regiment; the commanding officer and the adjutant, I think, got a copy each. The inconvenience was very great, for these two books were lost not long after. I think when we spend so much money in printing we might at least supply enough for each officer in a regiment.

Sir FREDERICK BORDEN. I can promise my hon. friend he will have two or three copies. The first issue of which he speaks was exhausted, and we did not issue any more because we knew then that the present law could not remain very long on the statute; that it must be thoroughly amended or a new law enacted. It was my intention to carry a law through a year ago or more. That is the reason why the regulations were not issued in larger numbers. The new regulations are now being prepared in accordance with the provisions of this Bill, and when it becomes law they will be issued immediately.

Mr. A. T. THOMPSON. I thought it was a case of the economy which is so strikingly characteristic of the Militia Department.

Mr. CASGRAIN. Might I ask the Minister of Militia if that section he intends putting in the law now would have any bearing upon a case such as the one that arose in Montreal and was decided by the Court of King's Bench, the case of Cook and Cole ?

Sir FREDERICK BORDEN. It will meet a case of that kind.

Mr. CASGRAIN. The minister remembers that there was a good deal of difference of opinion between the judges and those members of the bar who belonged to the militia in reference to this question, and I

think it would be well, if possible, to settle it for all time to come.

Sir FREDERICK BORDEN. This clause has been drafted with special reference to meeting difficulties of that kind.

Section 80 is the same as section 82, paragraph 2, of the present Act. Section 81 is the same as section 84 of the present law. Section 82 is the same as section 85 of the present law. Section 83 is the same as section 86 of the present law, with very slight modifications. Section 84 is the same as section 87 of the present law.

Mr. R. L. BORDEN. May I ask the hon. minister whether the regulations which it is proposed the Governor in Council shall enact are to take the place of the Queen's Regulations and Orders for the Army ?

Sir FREDERICK BORDEN. Yes.

Mr. R. L. BORDEN. Instead of using the Queen's Regulations and Orders for the Army, we will have regulations and orders of our own ?

Sir FREDERICK BORDEN. Quite so ; instead of dealing with two authorities, we will be dealing with one.

Mr. A. T. THOMPSON. Previously we had both.

Mr. R. L. BORDEN. I observe in the law that it is provided that Her Majesty in Council may direct that the provisions of the Army Act shall not apply to the militia force. That has been omitted from the proposed section. Does the hon. minister think it is wise to omit it ? We know what the Army Act is at present, but we do not know what it always will be. Might it not be wise to reserve a power of that kind ?

Sir FREDERICK BORDEN. The application of the Army Act to the Canadian militia is continued by this Bill, except in so far as it may be incompatible with the enactments of the Bill. Clause 79 deals with that.

Mr. R. L. BORDEN. In the law as it is at present there is a provision by which Her Majesty may direct that any provision of the Army Act shall not apply to the militia. That provision has been omitted in the proposed section. Might it not be possible that there might be certain provisions of the Army Act which, although not inconsistent with our own statute, might nevertheless, to some extent, be inapplicable to the militia of Canada ? Would it not therefore be wise to retain the power existing at the present time ?

Sir FREDERICK BORDEN. I think it would. I will look into that. I think that change is unintentional.

Section 85 is the same as section 88 practically, with the omission of certain words which are not considered necessary.