

Hon. Sir MACKENZIE BOWELL—If he goes there with his corps it is all right, but supposing a man is ill and not able to perform the drill and goes there as a spectator, as a civilian; he may have leave of absence, and if in uniform would be just as liable to military punishment as the man who is really on duty; but this makes him amenable to the King's Regulations even when he is there without uniform.

Hon. Mr. DANDURAND—If he is on leave of absence or sick leave, I do not think he falls under this clause.

Hon. Mr. POWER—We must give the commanders of these regiments the credit of having a little common sense. The hon. gentleman will not allow the Governor in Council credit for having common sense, but surely he will not deny that the officers have some.

Hon. Mr. LANDRY—I think the Army Act and King's Regulations which are specified here, should be published by the military authorities of the country.

Hon. Mr. SCOTT—Are they not?

Hon. Mr. LANDRY—They are not published. We are under the King's Regulations and the Army Act, and we know nothing about them except those of us who get copies from England and changes are made in the Army Act every year.

Hon. Mr. DANDURAND—The hon. gentleman's point is well taken.

Hon. Mr. LANDRY—They should be published in Canada. As we are bound by the law, we should at least have an opportunity of knowing what the law is.

Hon. Mr. SCOTT—There is no doubt of that. I will speak to the minister about it.

The clause was adopted.

On clause 82,

82. The civil authorities by whom such requisition may be made are:

(a.) If the place where such riot or disturbance occurs or is anticipated is municipally organized, the mayor or warden or other head or acting head of the municipality, together with two justices of the peace, or in the event of such mayor, warden or other head or acting head refusing or being unable to act, the county or district court judge or one of the county or district court judges having jurisdiction in such place, acting alone, or if there is no such judge then any judge of a superior court who has jurisdiction there;

Hon. Mr. POWER.

(b.) If the place where such riot or disturbance occurs or is anticipated is not municipally organized, the county or district court judge, or one of the county or district court judges, having jurisdiction in such place, or if there is no such county or district court judge, then any judge of a superior court who has jurisdiction there.

2. Wherever under subsection 1 of this section a judge is designated as the civil authority by whom a requisition may be made and there is no such judge, or the judge, or all the judges, who might have acted are absent, or unable to act, the requisition may be made by any judge or magistrate having jurisdiction at the place where such riot or disturbance occurs or is anticipated, who may do alone whatever is authorized by the Criminal Code, 1892, to be done by any two or more justices of the peace.

3. Where the requisition is made by a judge, any statements of fact contained therein shall be final and binding upon all parties in any way concerned.

4. Where the requisition is made by justices of the peace, any statement of fact therein contained shall not be open to dispute by the officer upon whom the requisition is made.

Hon. Sir MACKENZIE BOWELL—I understood the hon. gentleman from De Salaberry had an amendment to propose to this clause. If he intends to propose any amendment, it will be just as well that he should let us have it now, so that we can think over it.

Hon. Mr. BEIQUE—It is merely to add the words 'or refuse' in clauses 81 and 82 after the word 'unable.'

Hon. Sir MACKENZIE BOWELL—Will the hon. Secretary of State accept the amendment?

Hon. Mr. SCOTT—No, the minister says he would prefer to have the Bill pass without amendment. This little inconsistency is the result of an amendment moved by an hon. gentleman in the House of Commons. However the minister informs me that he does not think an amendment is necessary, though he admits the clause could be improved, but it is not worth while making a change at this stage of the session.

Hon. Mr. LANDRY—It would not take five minutes.

Hon. Mr. SCOTT—The Bill would have to go back to the House of Commons and be delayed there.

Hon. Sir MACKENZIE BOWELL—It seems extraordinary that a minister of the Crown should go to a private member and ask his permission to make a change in the Bill.