

Mr. TISDALE. What are the modifications ?

Sir FREDERICK BORDEN. The law is shortened.

Mr. FITZPATRICK. The changes are merely verbal.

Mr. R. L. BORDEN. As I understand it, section 9 of the Act as it is at present, referred to the Public Works Act and to expropriation and compensation by official arbitrators.

Sir FREDERICK BORDEN. Exactly.

Mr. R. L. BORDEN. Since the passage of the present Act, the law has all been changed and we have provision for expropriation in an Act called 'The Expropriation Act.' Therefore there is in the present Bill a short reference to the Expropriation Act which fulfils the same office as the somewhat longer clause in the law as it stands at present.

Sir FREDERICK BORDEN. Sections 9, 10, 11 and 12 of the Bill will be omitted.

Mr. SAM. HUGHES. Hear, hear.

Sir FREDERICK BORDEN. They are rendered unnecessary because the Criminal Code deals with them.

On section 13.—Conversion of property on emergency.

Sir FREDERICK BORDEN. Clause 13 is a new clause and I shall read it. It is as follows :—

Whenever an emergency exists, the general officer commanding, or any officer duly authorized by him, may, subject to the regulations, enter upon and occupy with troops, or other persons, any buildings or land for defence purposes, and may dig trenches and throw up field-works on any such lands, and may fortify any buildings, and may, for the purposes aforesaid, destroy or desolate and lay waste any such buildings or lands and destroy food, crops, fodder, stores, or other things, and slaughter live stock, or may take or cause to be taken any such food, crops, fodder, stores or other things; and may drive or cause to be driven, any live stock to some place of safety; and may also impress any horses, mules, oxen or other animals required for military purposes.

2. Any person injured by the exercise of any of the provisions of this section shall be compensated from the Consolidated Revenue Fund of Canada.

Powers under this clause arise only in the event of war or insurrection.

Mr. SAM. HUGHES. I would make the suggestion that in connection with the impressment of horses, mules, and oxen, it might be well to give the general power to impress foods and to issue certificates for the materials taken.

Sir FREDERICK BORDEN. Section 14 is similar to section 10 of the present law. It provides that all the male inhabitants of

Canada over 18 and under 60 years of age, being British subjects, and not otherwise exempt or disqualified, shall be liable to service in the militia. It provides further that the Governor General may require all the male inhabitants of Canada, capable of bearing arms, to serve in the case of a *levée en masse*. By a subsection it is provided that any male inhabitant, under 18, may be enrolled as bugler, trumpeter or drummer.

Mr. SAM. HUGHES. Why not put in bandsmen as well ?

Sir FREDERICK BORDEN. I will make a note of that.

Section 15 is practically the same as section 21 of the present law, providing what persons shall be exempt from service. It extends the exemptions to members of the Privy Council, members of the Senate and House of Commons, members of the executive councils of provinces, members of the provincial legislatures, and deputy ministers of federal and provincial governments. There is also a new clause, subsection 3, added, which reads as follows :

No person shall be entitled to exemption unless he has, at least one month before he claims such exemption, filed with the commanding officer within the limits whereof he resides, his affidavit, made before some justice of the peace, of the facts on which he rests his claim.

Mr. TISDALE. Do I understand that there is no important difference in this respect between the old law and this Bill ?

Sir FREDERICK BORDEN. No.

Mr. FITZPATRICK. The exemptions are extended by this Bill to members of the Privy Council, Senate and House of Commons, &c.

Mr. SAM. HUGHES. These are only exempt in the case of a ballot.

Sir FREDERICK BORDEN. They have the right to serve if they choose.

Mr. FITZPATRICK. They are not incapacitated, but are exempt.

Sir FREDERICK BORDEN. Section 16, which provides for proof of exemption, is the same as section 21, subsection 5, of the present law. Section 17 is the same as section 21, subsection 6, of the old law. It provides that exemption shall not prevent any person from serving in the militia if he desires to serve and is not disabled by bodily or mental infirmity. The only difference is that mental infirmity is not provided for by the present law. Section 18, which provides for the constitution of cadet corps, is taken from the Commonwealth Defence Act.

Mr. TISDALE. This is new.

Sir FREDERICK BORDEN. Yes. Section 19, which provides that cadets shall