

ly, injurious to the intention of the act in affording assistance to the civil power, that it has more than once been allowed to lapse, and for many obvious reasons an amendment of the kind referred to will always be opposed by those who are well informed regarding the admirable manner in which the present law works. I shall not attempt to say just how it can occur, or when riotous conduct commences, but will only remark that from the moment twelve or more refuse to obey constitutional authority to disperse they are liable to be assisted to do so by the military, and an officer should remember if he stops all disturbances promptly he will undoubtedly save much trouble thereafter. The Criminal Code of Canada allows thirty minutes to elapse after the reading of the Riot Act to disperse. As an impression exists that the reading of the proclamation of the Riot Act is a long affair I give in full here, with one or two extracts from the Criminal Code of Canada. The proclamation is as follows:

"Our Sovereign Lady the Queen charges and commands all persons being assembled immediately to disperse and peaceably to depart to their habitations, or to their lawful business upon the pain of being guilty of an offence on conviction of which they may be sentenced to imprisonment for life. God save the Queen."

Anyone who endeavors to hinder or hurts any person who begins to make the proclamation is guilty of an indictable offence and liable to imprisonment for life. With reference to reading the act or proclamation, Sec. 83, Criminal Code, says it is the duty of every sheriff, deputy sheriff, mayor, or other head officer or justice of the peace, to go as nearly to the rioters as he safely can, and with a loud voice command silence, and then proceed to read the proclamation as above.

The senior officer of the militia, having received this requisition, has no other alternative but to obey the call of these three magistrates, who themselves are morally responsible for the necessity of calling out troops or not. Having received his orders, the senior officer should first, at once decide for himself what number of troops will place beyond all doubt his ability to maintain order. No question of expenditure or expense to the municipality in which the riot is expected to occur should be for one moment considered, the great and vital question being to maintain law and order, so that should the commanding officer deem it necessary that forces outside his district should be called upon, he should at once apply officially to headquarters for further forces, to be ordered from other districts. Having arranged for the disposal of his forces for the time at which they are expected to do duty, he should then devote his energies entirely, first, to see that the force is placed in such a position as they may safely be able to have control of the district in which trouble is likely to occur. He should have a reserve force placed in such a position most convenient to render assistance quickly at any critical point. In marching his troops to their respective

positions they should always be marched at "attention. Bands, while not being absolutely necessary, are desirable, and while marching towards the different points should be allowed to play, as it tends to engage the attention of the men, and also convinces intending rioters that the troops are out and ready to maintain law and order, and that they are not at all nervous of the results. Should they be called upon to perform any special duty, the commanding officer of an individual corps sent out to a special point cannot exercise too much caution. The men should be kept well in hand, and almost invariably at "attention," with the exception of necessary rests, by standing "at ease," at times when it is perfectly safe to do so. If there is any possibility of trouble while on the march to their respective posts, probably the best manner of marching is by half company front, at close call, and as soon as this formation is assumed, it would be better to at once have the bands placed in the centre of the column. It would thus enable the regiment or battalion to have command both of the rear and front of the regiment. In finally placing troops throughout sections of a city great care should be exercised that each company or battalion has certain directions in which to fire, should it become necessary. The disposal should be made in such a manner as will prevent any possibility of troops coming within range of one another. While one company or more may cover an entire street, from either end or centre, troops investing streets, remaining at an angle, must be kept well out of range. In this manner whole districts may be fully occupied with perfect safety to each body of troops, and with a certainty that no riot of any extent may occur, reserves being used for reinforcements and for proceeding to places in which an emergency may suddenly arise. Conversation between troops and citizens should not for one moment be allowed, and nothing but the most rigid discipline, careful judgment and firmness should exist while remaining on duty. Regarding the necessity of firing, while the difficulties of the commanding officer in this position have been and always will be great, it should not be forgotten that under all and any circumstances, independent of the magistrate, the commanding officer is responsible for the safety of his troops and must take means to protect them from any ill-treatment, as should, by any possibility, circumstances arise to demoralize the troops, the whole object of aiding civil power would be completely broken down. In addition to this, it is not intended by the law of any country that troops should be abused, simply for want of energetic precautions against a riotous mob. Difficulties are frequently placed before a commanding officer by the magistrate who should always accompany his regiment, from his being either undecided, unwilling, too weak or too politic to do his duty. In this event, should the magistrate continue to persist in refusing, in face of riotous proceedings, to read the Riot Act, it becomes necessary to my mind for the commanding officer to take

steps to have it read by himself, as he would be considered responsible for loss of life or property through inaction. This, of course, is an extreme opinion, and in writing it I must fall back upon the regulations which require that the commanding officer must protect his troops, and if a riot of any great extent should be allowed to commence without being promptly stopped, it is a well known fact that the feelings of the crowd may be carried away to such an extent as possibly to even attack the militia force, which would inevitably lead to most serious results, while energetic measures on the part of the magistrate and militia with very little or no firing, absolutely prevent any riotous intentions being carried out. The weak policy of firing blank cartridge is altogether against regulation, tending to give the mob the impression that it is not the intention of the military to interfere with them.

Should it be deemed necessary to fire, the commanding officer should (as according to Queen's Regulations) exercise a humane discretion as to how many files he orders to fire. The range should be carefully given and special care taken to fire low. One round only should be fired, until further orders are received from the officer commanding. It should also be remembered that it is better to carry out orders as closely as possible, as prompt decided action tends to save greater loss of life, which would probably occur were riotous proceedings allowed to grow to any extent. Indecision and consequent inaction only encourage a disorderly mob with the hope that nothing may be done against them by the military, which only leads up to greater consequences of evil. The idea of waiting for an hour after the act is read before firing is absurd as firing must entirely depend upon immediate circumstances surrounding. It was, no doubt, intended when the law required an hour to elapse that the Riot Act should be read long before any riot occurred, and if this were to be the case, assemblies might disappear and others assemble without being aware of the notice. What a careful officer should do before firing would be to see personally that rioters were well warned and having satisfied himself of that should then proceed to do his unpleasant duty.

The sections who fire should at once be moved into a different part of the regiment, either by advancing the second company and retiring the first by fours through one another, or by changing the men. The object of this is to, as far as possible among citizen soldiers, avoid any possible recognition of the one or two or more who have been singled out for the disagreeable duty. In this connection it may be remarked that, if possible, it is far better that troops should be called upon from another district, as it is exceedingly distasteful for men living in the same place to be called upon, probably to act against their neighbors and friends. Past experience has shown that it is exceedingly difficult to obtain competent magistrates, able to do their duty, and for this reason each regiment when called out in aid of civil power. One