

Mr. KEMP. Before the hon. gentleman takes his seat, I would like to ask him a question. Under this Act, will members of the militia force be subject to military law or discipline, when not on duty; in other words, can a man join the militia force and still retain full freedom of speech and action when not on duty, the same as he enjoyed previous to becoming a member of the force?

Sir FREDERICK BORDEN. Well, Mr. Speaker, I will read the clause which governs that matter, clause 72 of the Act:

The Army Act for the time being in force in the United Kingdom, the King's regulations, and all other laws applicable to His Majesty's troops in Canada and not inconsistent with this Act or the regulations made thereunder, shall have force and effect as if they had been enacted by the parliament of Canada for the government of the militia, and every officer and man of the militia shall be subject thereto from the time of being called out for active service, and also during the period of annual drill or training under the provisions of this Act, and also at any other time while upon military duty or in the uniform of his corps upon or within any rifle range or any armoury, or other place where arms, guns, ammunition or other military stores are kept, or any drill shed or other building or place used for militia purposes, or during any drill or parade of his corps at which he is present in the ranks, when going to or from the place of drill or parade, and also whether in uniform or not at any drill or parade of his corps at which he is present as a spectator.

That refers to the active militia. Sub-section 2 refers to the permanent force:

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

Mr. KEMP. Then do I understand the hon. gentleman to say that when a man is off duty he does not have the same freedom of speech that he had before he joined the militia force?

Sir FREDERICK BORDEN. I have read the statute, and my hon. friend will have to draw his own conclusion.

Mr. KEMP. Will the hon. gentleman give us an interpretation of the meaning of the statute in fewer words? Has he any objection to do that?

Mr. H. A. WARD. I am in entire sympathy with the amendment moved by the hon. member for South Norfolk (Mr. Tisdale). I was rather surprised to hear the Minister of Militia say that the time of that hon. gentleman had not been well expended in getting up the matter which he brought before the House to-day. I think my hon. friend will admit that there is always room for two opinions on important questions of this kind.

Sir FREDERICK BORDEN. Hear, hear.

Mr. WARD. I do not think any hon. gentleman expending time in working up

his own particular opinion on this or any other important matter brought before this House is wasting his time in any sense of the word. I was amazed to hear the Minister of Militia state that under the old order of things he had control in the same manner as under this Bill. Shortly afterwards the minister stated that he really had very little control on account of there being a general officer commanding in his department, that matters in connection with the department had been withheld from him by different general officers commanding in succession. I do not know that this ever occurred when the party on this side were in power, and I would point out to the House that during the 18 years when the Conservatives were in power and different Ministers of Militia were in control of that department, only four general officers commanding were required to assist the ministers of militia. I think that only one of these general officers commanding went home before his term had expired.

Sir FREDERICK BORDEN. I think that four went home before their term expired. General McDougall, General Luard, General Middleton and General Herbert.

Mr. WARD. My hon. friend then will probably explain how it occurred that there were only four general officers commanding in eighteen years, as stated in the Militia List.

Sir FREDERICK BORDEN. I was not there, I do not know.

Mr. WARD. My hon. friend during his short period of eight years, has also had four.

Sir FREDERICK BORDEN. These are growing times you know.

Mr. WARD. Undoubtedly, in regard to dismissing officers. The minister stated that a general officer commanding from England was quite as objectionable as a chief justice of the Canadian courts coming from the mother country. I cannot see the force of that comparison because I can imagine that a lawyer practising in this country is quite capable of fitting himself for any position on the bench. But we must consider that a general officer commanding requires to have had a great deal of service in the field if he is to qualify as general officer commanding the Canadian militia. It has always been so considered, and I think it is rather an unfortunate thing that this change is being made. I do not mean to say that Canadians should not take such positions because as the leader of the opposition has stated, the fact of making it necessary that an English officer should be appointed does not preclude Canadians from taking that position. Ever since the Royal Military College was established, and I ven-