

however, to draw the attention of the House to it; but if we legislate as against the employer, I cannot see any reason to justify us in allowing the trades unions to go absolutely free.

Mr. CLARKE. I understand the minister to say that his object in proposing legislation of this kind was to prevent employers from discharging men who perform militia duties from time to time. Has any case come under the notice of the minister in which employers of labour have actually dismissed their men because they belonged to the Canadian militia, when they were called out?

The MINISTER OF JUSTICE. I cannot say that such a case has come to my notice. But in connection with the recent troubles in Montreal, it has come to my notice that threats were made by employers against their employees because they were obliged to do service during the course of the strike. Representations were made to us in connection with these threats, and it was because of those representations that I have introduced these particular sections.

Mr. CLARKE. I understood from the hon. gentleman that, having drawn public attention to this question, he did not feel it necessary to insist upon passing these sections. I think the hon. gentleman is extremely wise in taking that course.

The MINISTER OF JUSTICE. I am in the hands of the House on that subject. It is a matter to which I would like to call the attention of the public, and if there is any strong opinion one way or the other expressed between this time, and when the Bill comes up again for consideration, we will take that into account. But I must say that, speaking for myself, any attempt to interfere with our militia force is a thing that I would endeavour to prevent. That is my own feeling.

Mr. PUTTEE. Does the minister think that 75a covers the case entirely? It seems to me it only applies when that relationship between employer and employee is already established. A considerable number of the largest employing concerns in the country insist upon men, before they become employees, signing an agreement that would probably keep them from joining the militia or any other institution that would be apt to take them away from their duties at any time. They insist on men, before becoming employees, signing an agreement that would debar them from either joining the militia or becoming municipal candidates, and that kind of thing, anything that would take them away from their duties at any specific times. Does 75a touch that matter at all?

The MINISTER OF JUSTICE. I am not sure that the terms used are quite broad enough to meet the case put by the hon. gentleman. But while I may sympathize

with the employer who would endeavour to prevent his employee from taking part in a municipal contest, I would have no sympathy with him if he endeavoured to interfere with the desire of his employee to join the militia force. If the hon. gentleman speaks of his own personal knowledge and says that there are employers who force men, before becoming employees, to enter into a contract obliging them not to enter the militia, I would be glad to deal with these gentlemen also.

Mr. PUTTEE. I do not know that in any of these agreements the word "militia" is used, but I would think such a contract would apply to the militia or to any other institution that a man desired to join. As a matter of fact, when an employer places an agreement of this kind before a man, the latter feels that he must have employment in any case, and he signs one of these agreements, and I should imagine that it restricted his liberty to join the militia.

Mr. BROCK. In a matter of this kind we must act with some fairness. If a merchant has some particular employment that requires the continuous time of a bookkeeper or a cashier, do you mean to tell me that if he said to that man, on entering his employment; I cannot give you this employment if you require to be absent for two weeks every year on the militia—do you mean to tell me that you would put that merchant into jail under those circumstances? You would have half the merchants of Canada in jail, under certain circumstances. There are certain positions, not only in commercial companies, but in lawyers' offices and others, where at particular times it would mean the ruination of a man's business to take away some of his employees for weeks at a time. There are positions, I know in my own case there are positions, where it would be a serious loss if a clerk were to be called out at certain seasons of the year to drill. I think you would have to make some exceptions in cases of that kind.

The MINISTER OF JUSTICE. There are certainly two sides to this legislation. It may operate to the benefit of the militia force in Canada, and it may operate detrimentally; and it is because of the uncertainty in which I find myself that I do not insist upon pushing these sections through at the present time. I would like to have the benefit of some discussion on the subject, so as to see whether the object we have in view will be served by this legislation.

Mr. CLARKE. It strikes me that the best plan would be to have a special police force to do this duty. It would be unfair, in that case mentioned by my colleague from Toronto (Mr. Brock) to deprive merchants of the services of their men under all circumstances. What we should have is a sufficient number of regular troops or police