

Mr. W. F. MACLEAN. You will have to change them by order in council hereafter. I think it is right as it is.

Sir FREDERICK BORDEN. In the militia we are governed by the 'King's Regulations' and when the 'King's Regulations' change, if they are inconsistent with our regulations, they have no effect. Otherwise they are operative and we change our own orders in council if we wish to adopt them. Why not strike out the words 'now in force'?

Mr. SPROULE. It seems to me that if you made it read 'the parliament of the United Kingdom in force' and the 'King's Regulations and admiralty instructions in force' it would then suffice for all time.

Mr. J. A. CURRIE. Leave out the word 'now'.

Sir FREDERICK BORDEN moved:

That section 48 be amended by striking out, in line 40, the words 'and now in force,' and in line 41 the words 'now in force.'

Mr. R. L. BORDEN. The difficulty about that is that it might be construed to bring into force Acts passed by the United Kingdom which have been repealed. I imagine that the words 'now in force' were inserted for that reason.

Mr. J. A. CURRIE. There is considerable force in the argument advanced by my hon. friend the leader of the opposition. My hon. friend called the attention of the committee to the fact that the words 'now in force' in line 40 were intended to exclude Acts that have been repealed so far. That is quite right. The draughtsman had that, no doubt, in his mind. I suggest that it be made to read in this way:

'The Naval Discipline Act, 1866,' and the Acts in amendment thereof passed by the parliament of the United Kingdom, and which may from time to time be in force, and the King's regulations and admiralty instructions which may from time to time be in force, in so far as the said Acts.

I think that would perhaps make it much clearer.

Sir FREDERICK BORDEN. The clause in the Militia Act says 'the Army Act for the time being in force in the United Kingdom.'

Mr. J. A. CURRIE. That would be a better wording.

Sir FREDERICK BORDEN. I would move that section 48 be amended in that manner.

Section as amended agreed to.

On section 53, R.S.C., 1886, c. 41, repealed.

Sir FREDERICK BORDEN

Mr. J. A. CURRIE. This afternoon I quoted some law for which I was brought to task by the hon. member for the Yukon (Mr. Congdon). I quoted the old Act of Charles 1661. The work from which I quoted was the Manual of Military Law, published by the war office, in which it is stated that the Act of 1661 was still in force and not repealed. If the hon. member for the Yukon thinks that is drastic legislation, I will be pleased to give him the manual so that he will know what the law is.

Sir WILFRID LAURIER. I move to add after section 53, the following as section 53a:

The schedule to the Department of Marine and Fisheries Act, Revised Statutes of Canada, 1906, chapter 44, is amended as follows:—

Clause 5 by adding thereto the following: Except steamships and vessels belonging to the naval service.

Clauses 15 and 20 are repealed.

Clause 23 by adding thereto the following: Except the fisheries protection service which is under the control and management of the Department of the Naval Service.

Clause 24 by adding: Except such matters as are under the control and management of the Department of the Naval Service.

Motion agreed to.

Sir WILFRID LAURIER. I move to add as section 53b:

The Governor in Council may transfer to the Department of the Naval Service, any officer, clerk or employee of the Department of Marine and Fisheries, whether or not such officer, clerk or employee is at present connected with any one of the branches of the latter department which is by this Act transferred or assigned to the Department of the Naval Service, and the money voted by parliament for the financial year ending 31st March, 1911, applicable to the payment of the salary or the increase of salary of any such officer, clerk or employee shall be available for the payment of his salary or increase of salary in the Department of the Naval Service in the same manner and to the same extent as if such officer, clerk or employee had not been so transferred.

Mr. SPROULE. You transfer them without consulting the Civil Service Commission?

Sir WILFRID LAURIER. These officers are already in the service, but they are transferred from the Department of Marine and Fisheries to the new department; their qualification is established, they are simply transferred from one department to the other.

Mr. HUGHES. Why limit it to the Department of Marine and Fisheries? Could there not be in another department an officer who might be very useful in the naval service?

Sir WILFRID LAURIER. We transfer to the Naval Department several services