

be, "if he is ordered off, and refuses to go, he should be taken into custody. It is very hard for a man to be deprived of his liberty; some men are very sensitive and would remember it all the days of their life."

Hon. Mr. ALLAN.—My hon. friend says who is to decide whether it is a willful trespass or not; the distinction is well known; if a man goes upon the ground after he has been forbidden, he is wilfully interfering with the practice, and should be taken into custody for that day by the verbal order of the commanding officer.

Hon. Mr. SMITH suggested that the words "and refuse to leave after being requested to do so," be inserted after the word "purpose" in the Section. This suggestion was adopted.

Mr. WETMORE moved that the following be the 102nd Section of the Bill:—"That no Militia man employed in the salt water fisheries shall be liable to be called on to do duty as such, in any camp of instruction during the fishing season between the months of March and November in each year."

This Section was lost.

On motion of Mr. HILL the following additional clause was inserted in the 83rd Section, "Members of Fire Companies, and Hook and Ladder Companies in any city or town, shall be exempt from duty beyond the limits of the same respectively."

The Bill was then reported as agreed to, with certain amendments.

The House then adjourned until nine o'clock to-morrow.

T. P. D.

TUESDAY, May 22.

Mr. YOUNG moved a rider to the Militia Bill. He had been looking over the Canadian Act, and he found among the exemptions "sea-faring men, branch pilots, and pilots actually engaged in their calling." He thought this would cover the deep sea fishing men who certainly should not be liable to the draft.

Mr. KERR said he thought that seamen, branch pilots, and those engaged in deep sea fisheries should be exempt. The pilots were as much required to attend to vessels entering our ports, as ferry-men to cross our streams. In Canada all fishermen and pilots engaged on the Lakes were exempt.

Hon. Mr. HATHWAY said this rider would cover all the people of the County of Gloucester, as it was well-known that every man there kept his fishing boat and went out in the morning to return at night.

Mr. YOUNG explained that there were over a thousand militia men, beside those whom it was contemplated to exempt. His object was to exempt those men who go to the Labrador coast and elsewhere, and are absent during four months in the year.

Hon. Mr. ALLAN said he thought it would be best to let the Bill run for a year, and in that time it would be seen upon whom it bore hardly, and could be remedied.

Mr. WILLISTON said those who were engaged in the deep sea fisheries had but a short time to obtain their livelihood, and during that time they should be exempt.

Mr. NEEDHAM wanted to know the meaning of deep sea fisheries. The sea is defined as below low water mark. The difficulty would be to define the meaning of the term. He had looked over the Imperial Dictionary and found sea, ocean, current, conchoidal, placed upon certain and services.

and sea devils, but nothing of sea-faring men.

Mr. McCLELLAN said if any class of men should be exempt it was the farmers of the country. We were giving a great power into the hands of an irresponsible officer without having received any complaint or petition from the people, and he thought the whole thing was uncalled for.

Mr. BOYD moved the following to be added to the list of exemptions, as an amendment: "That no militia men employed in the deep sea fisheries in the Gulf of St. Lawrence, Bay de Chaleur and Bay of Fundy, be called on to do duty as such in any camp of instruction during the fishing season between the months of April and October in each year; and also branch pilots and apprentices, and pilots employed in their calling during the season of navigation."

Mr. CORAM thought that any man who was engaged in harbour fisheries, which were of great importance to the country, should be placed amongst the exemptions.

Hon. Mr. ALLEN felt confident that if this class of men were made exempt that dissatisfaction would be felt among many other callings. It would be very difficult to define who came within the meaning of the law, and he thought that it would be best to let the Bill remain as it is for this year. The hon. member for Albert (Mr. McClellan) seemed to pursue a somewhat inconsistent part, as he now opposes a Bill which contains the same provisions as that he supported under the late Government.

Mr. McMILLAN said there was one class of men who should be exempt, and he was sure the Hon. Commissioner of the Board of Works would support him in this; he referred to the lumbermen of the Province. At certain seasons it would be a great loss to have these men taken from their employment. Suppose a gang of men were employed on a raft of logs coming down the Nashwanke and they were to be called off to attend drill, the Hon. Commissioner would be subjected to great loss; he thought these should be added to the list of exemptions.

Mr. WETMORE said he had moved in this matter yesterday when the Bill was before the Committee, and he could not support either the rider, or amendment, unless it included all who were engaged in salt water fisheries. He hoped the hon. member for Charlotte would allow them to be included in the amendment.

Mr. THOMPSON did not believe the draft would be enforced at all, as there would be plenty of volunteers to fill the camp. He thought it was all nonsense to bring in these exemptions, and that the Bill should remain as it is.

Mr. OTTUMBER moved the Hon. Attorney General that what is implied by deep sea fisheries could easily be known by reference to the Fishery Act, 14th Victoria, Chap. 31, Section 4, where the coast fisheries are defined to be "situated on the sea coast of the Province, or around any island lying off the said sea coast, between low water mark and three marine miles of such coast or island." The deep sea fishery would be outside of this line.

Mr. NEEDHAM thought that lawyers should be added to the list of exemptions, as it would be very hard to take them from their duties during the sittings of the Courts.

Mr. McCLELLAN would explain to the hon. Attorney General that at the time of the passing of the last Bill he did not vote for it. He believed the Bill was then debated at all. There was much discussion about certain and services.

words now from what was then contemplated. The consent of the Queen was understood to mean the Queen and Her Council; the command of His Excellency the Lieutenant Governor was considered the Governor and his advisers. Now these terms are confined to the persons named without reference to their Council or advisers. If it were not for this construction he would not have spoken on the subject.

Mr. LINDSAY said it would be very hard for the farmers to be called out; the season was short, and if they lost a month's labor, it might affect their subsistence for the year. He thought the best plan would be to move a rider that nobody should be called out. If the law passes, every man should take his turn, and if any one was to be exempted, the farmers certainly should be; they are the bone and sinew of the country. The people can do without fish, for they can get beef and farm produce, but if these fall the country would suffer.

Mr. FRASER hoped that another clause would be included in the list; he referred to the back settlers, who were a very valuable class of people.

Mr. WILLISTON would suggest to the hon. mover of the amendment the desirability of including the Straits of Northumberland. He wished the House to understand that the grounds used for fishing purposes by the people on the coast are the same as those used by the Americans, the only difference being that our people go out in their whale boats for the day and return at night, and they lie off in their vessels. There would be no difficulty in determining what is meant by deep sea fishing, as it is understood by the Americans as outside of three miles from the coast line.

Mr. LEWIS said there was so much difficulty in knowing what was really meant that he thought the Bill should remain as it is.

Mr. BAILEY said there was another class of men he should like to see added, and that was all men engaged in the oyster trade, and the fresh water sailors running in our rivers and inland lakes.

Mr. LANDAY said a great many of his people hurried out for a month, and if they lost this time they would be subject to a great inconvenience, and all should be treated alike. The best plan would be to kill the Bill.

Mr. GODFREY said if anything justified him in the action he took yesterday, as to the compulsory draft, it was the feeling which was manifested this morning. He was strongly opposed to men being taken from their calling in a time of peace. The hon. members were speaking as the people, and the feeling was general that every calling should be exempt from the draft. But he thought if there was one class more than another upon which it would fall heavily, it was those engaged in the shore fisheries. These men are at home, and come within the law, whilst those who are absent engaged in the deep sea fisheries could not be reached. He hoped the rider would be made to cover both parties.

On the amendment being put the House divided; yeas 10, nays 19. They were therefore both lost.

The Militia Bill being read a third time was then passed as amended by the Committee.

Hon. Mr. GILLMER moved the House into Committee of the whole on a Bill to provide for repairing and improving Great Roads, and bridges and other public works.