

WAR MEASURES ACT IS UPHELD IN HIGH COURT

Writ of Habeas Corpus on the Battalion Commander Has Been Quashed

MONTREAL, May 16.—The war measures act was upheld in the practice division of the superior court yesterday, when Mr. Justice Bruneau quashed a writ of habeas corpus that had been obtained on the petition of Jean Amesse against Lieutenant Colonel DesRosiers, commander of the 163rd battalion, compelling him to produce Ite, Romeo Amesse, son of the petitioner, and establish to the satisfaction of the court that the young soldier was not being detained illegally with the regiment.

The petitioner's complaint was mainly that his son had enlisted without consent, and was but eighteen years and seven months old. When it was submitted that the son had enlisted voluntarily and that his father's consent was not necessary, counsel for the petitioner attacked the military act, passed by the governor-in-council, alleging that such law, insofar as it provided that young men who had attained the age of 18 years might enlist for service overseas without parental consent, was ultra vires.