



3 / 27 June

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Ottawa, June 22nd, 1917.

Referred to the Members
of Justice for consideration
and report.

R.L.B.
20 June 1917

GOVERNOR GENERAL IN COUNCIL.

signed upon reference of the attached
in the Minister of Militia and Defence
authorized wearing of military and
has the honour to recommend that the
proposed orders and regulations be amended by striking out
paragraph 8 thereof. This paragraph provides in effect
that anyone committing an offence under said regulations
may be prosecuted in any part of Canada wherever ^{in Canada} the offence
was committed. The undersigned does not see any sound
reason for making this exceptional provision with regard
to offences of this nature and is of the opinion that such
prosecutions should be subject to the existing provisions
of the Criminal Code.

Humbly submitted,

Thomas D. Sheehy
Minister of Justice.

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Ottawa, June 22nd, 1917.

TO HIS EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL.

The undersigned upon reference of the attached report to Council from the Minister of Militia and Defence with regard to the unauthorized wearing of military and naval uniforms, etc., has the honour to recommend that the proposed orders and regulations be amended by striking out paragraph 8 thereof. This paragraph provides in effect that anyone committing an offence under said regulations may be prosecuted in any part of Canada wherever ^{in Canada} the offence was committed. The undersigned does not see any sound reason for making this exceptional provision with regard to offences of this nature and is of the opinion that such prosecutions should be subject to the existing provisions of the Criminal Code.

Humbly submitted,

Charles G. Doherty
Minister of Justice.

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P.C. 1663

Address reply to
THE SECRETARY,
MILITIA COUNCIL,
Headquarters,
OTTAWA, CANADA.

And quote number H.Q. 305-3-333.

DEPARTMENT OF MILITIA AND DEFENCE,

OTTAWA, May 2, 1917.

To-
His Excellency
The Governor-General in Council.

The undersigned has the honour to submit
the following:-

WHEREAS during the period of the present
War there has grown up a practice which tends to
bring the Military and Naval Services into disrepute,
to discourage recruiting, to weaken military discipline
and to facilitate the commission of frauds - the prac-
tice, namely, of the wearing of Military and Naval
uniforms and of the wearing of Military and Naval
decorations and medals by persons not authorized or
entitled to wear them,

With a view to checking the said evil, the
undersigned begs to recommend for the consideration
of the Privy Council and for the approval of Your
Excellency that, under the authority of Section 6
of the War Measures Act, the following orders and re-
gulations be made in the place and stead of the orders
and regulations contained in P.C. 1931, passed on the
15th day of August, 1916, viz:-

1. No person who is not an officer or man
of the Militia, or an officer or soldier of any other
Forces of His Majesty, shall wear any uniform or any
articles of clothing so similar to the uniform of any
corps of the Militia, or such other Forces, as to be
likely to cause any person to believe that such person
is an officer or soldier of the Militia, or an officer
or soldier of such other Forces; provided that any

*Privy Council
Refer to Minutes of Justice for Consideration
and Record,
Robt. B. B. B. B. B.
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person who has been an officer or soldier of the Militia, or said other Forces of His Majesty, and is retired or has been discharged, otherwise than with disgrace, may wear his uniform when permission for that purpose, in writing, has been obtained from the Officer Commanding the District in which such uniform is worn.

2. Any person who wears uniform pursuant to any permission granted under the last preceding paragraph shall be subject to Military Law, and may be dealt with, for purposes of discipline, as if he were attached to the Staff of the District in which such uniform is worn.

3. No person shall wear any Military or Naval Medal, ribbon or decoration, or any mark of distinction signifying that he has been wounded in the present campaign to which he is not by law entitled, or anything worn in the same way as or so similar to any such medal, ribbon or decoration or mark of distinction as to be likely to cause any person to believe that the person wearing the same is by law entitled to wear it.

4. No officer or soldier of the Militia shall wear his uniform when not actually on duty, without special permission, in writing, from the Officer Commanding the District to which he belongs.

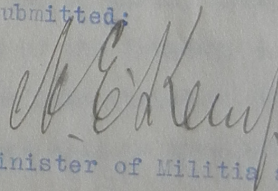
5. In any prosecution under this Order-in-Council the onus shall be upon the accused of showing that the wearing of the uniform, articles of clothing, medals, ribbon or decoration, or mark of distinction, with respect to which the charge is laid, was justified in the circumstances.

6. No person shall without lawful authority supply any Naval or Military uniform to any person who is not an officer or man of the Militia or said other Forces of His Majesty.

7. Any person guilty of a violation of any of the provisions of this Order-in-Council shall be liable on summary conviction, under the provisions of Part XV of the Criminal Code, to a fine of One Hundred Dollars (\$100.00) or three months imprisonment, but nothing in this paragraph shall affect the liability of such person to be proceeded against and punished under Military Law.

8. Notwithstanding anything contained in the Criminal Code, or in any Act or Law, any Justice of the Peace, Police or Stipendiary Magistrate shall have jurisdiction to hear, try and determine any charge preferred under Section 7 herein, although the offence may have been committed outside the territorial division in which such Justice, Police or Stipendiary Magistrate ordinarily has or exercises his jurisdiction.

Respectfully submitted:



Minister of Militia and Defence.

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL:

*HE is to be, in view of the fact that the Council, 1914, 531
make the following regulation and to be a law of the land and to be a*

The undersigned has the honour to recommend that, under the provisions of the War Measures Act, 1914, the following regulation be made and enacted:-

1. Notwithstanding any provision in the Dominion Lands Act or in any Act amending the same, during the present war and thereafter until otherwise ordered, no application for an entry for a homestead shall be granted unless the person making the application was at the commencement of the present war, and has since continued to be, a British subject or a subject of a country which is an ally of His Majesty in the present war, or a subject of a neutral country, and establishes the same to