

man cannot pass his examination and get his certificate unless he has service and complies with the other sections of the same Act.

Mr. MULLOCK. If the other section meets the case, you do not require this section in the Bill at all. If the other section determines the conditions to which a candidate for examination must be subject you do not require to say anything here about domicile at all. What you want by an examination is to see that the candidate is a proper person to receive a certificate. It does not follow because he is domiciled in Canada that he is fit for it, or because he is not domiciled in Canada that he is not fit for it. This is an unnecessary provision. You could meet the case quite as well by a regulation, and you would avoid having a statutory provision which might operate hardly. The hon. member for West Huron (Mr. Cameron) has referred to the case of persons who live outside of Canada, having ceased to be domiciled in Canada, and who, under the provisions of the law at present, would not be able to come back and present themselves for examination for certificates. If you do not intend to exclude them, remove this provision, and then you will be free to deal with their cases by Order in Council.

Mr. TUPPER. The hon. gentleman is mistaken. If those Canadians to whom the hon. member for Huron alluded were over three years in Canada they would be domiciled. The Act does not say that they must be domiciled for three years immediately preceding an examination.

Mr. MULLOCK. The hon. Minister a short time ago argued in favour of this clause as a sort of protective measure to Canadian labour—to those who have remained in Canada, not to those who have turned their backs upon it. "Domiciled" means those who at the time of presenting themselves for examination are domiciled in Canada, and if a Canadian becomes domiciled in the United States he is not eligible for examination. If this provision is for the protection of Canadian labour let that labour be protected by some distinct proposition applicable to labour of all kinds. We know that people do not require to be domiciled in Canada for three years in order to enter the Civil Service; nor does a man require to be domiciled in Canada for three months in order to be eligible to a seat in Parliament if he is a British subject. You do not need this clause at all to secure what is aimed at—an efficient examination.

Mr. TUPPER. This has been the law since 1883, and the case mentioned by the hon. member for Huron is not in any degree affected by it. I am informed that ever since this has been the law there has not been a suggestion of any hardship from its working in respect to the question now raised, so that I do not see the necessity of changing it. A change might destroy the validity and value of our certificates, because not merely is three years' service required, but it is required under circumstances that will admit of no abuse under proper discipline, and under the supervision of the Board of Trade in England, and our own Marine Department in this country, and there is a great deal in that. It would be very dangerous to interfere with the safeguards of the certificates.

Mr. MULLOCK. The hon. Minister says that under this Act a Canadian who has once been do-

muciled in Canada but has left the country may, without subsequent domicile come up for examination.

Mr. TUPPER. If he has put in his three years' service.

Mr. MULLOCK. Very well. If he means that, I would suggest that he insert after "domiciled" the words "at any time," so as to remove any doubt.

Mr. TUPPER. I have just been reminded that last session this Parliament, after full investigation, took the very opposite view to that advocated by hon. gentlemen opposite. Mr. Colby, then acting for me, introduced a Bill to amend the Steamboat Inspection Act, in which Parliament, after full discussion and consideration, specially provided with regard to an applicant for a certificate of steamboat engineer:

"Such applicant, if not a British subject, shall only be entitled to a certificate if, in addition to the qualifications required by this Act, he has been domiciled in Canada for at least three years. And service as engineer of any class upon any steamboat, ship or vessel registered in Great Britain or Canada shall be deemed to constitute a domicile in Canada while so serving."

Here we have the principle confirmed in 1890 which Parliament adopted in 1883.

Mr. MULLOCK. Does that mean just prior to coming up for examination?

Mr. TUPPER. No; he must be able to show that he has been domiciled.

Mr. MILLS (Bothwell). But the hon. gentleman must bear in mind that domicile does not mean residence.

Mr. TUPPER. I am quite aware of that.

Mr. MILLS (Bothwell). Then it could hardly be said that a person is domiciled in Canada who has his residence outside of Canada, or who intends to reside outside of Canada. The clause says the examination may be instituted in Canada for persons domiciled in Canada. Domiciled when? Why, at the time of the examination. Settled in Canada with the view of remaining in Canada? For what length of time? Evidently at least three years. Clearly, that refers to three years immediately preceding the examination, and cannot mean anything else. If the word "residence" were substituted for "domicile" the Minister might argue as he has done, but under the definition of domicile he will see it requires a residence, not at any indefinite period long passed, but at the time of the examination, and for three years immediately preceding, with the intention of remaining.

Mr. KENNY. We are legislating for Canadians and not Americans, and in the clause under discussion it is distinctly stated that domiciled means serving three years on board a British or a Canadian ship.

Mr. MILLS (Bothwell). When?

Mr. KENNY. The hon. member for Guysborough, who referred to the minor waters of Canada, also told the Committee that we in the Maritime Provinces are concerned in such legislation in connection with the larger ships; and, as the Minister of Marine has said, it is desirable that our maritime population, in Nova Scotia, New Brunswick and Prince Edward Island, who are engaged as sailors, should have opportunities of