

Is a British subject, or, being a widow, was a British subject at the time of the application, or was such before her marriage.

I offer that and have nothing more to say.

Mr. CANNON: I understand the idea of my hon. friend, but I do not think there is any necessity for such an amendment, because every lawyer in the committee will admit that the words "British subject" apply to both man and woman.

Mr. CLARK: But not to widows.

Mr. HEENAN: A widow is in an unfortunate position perhaps, but she is still a woman.

Mr. STEVENS: Some of us have the misfortune of not being lawyers.

Mr. CANNON: I submit that the words "British subject" cover the case of both a man and a woman, and the other case mentioned by my hon. friend from Vancouver Centre is looked after by the second part of the section.

Mr. RYCKMAN: I cannot say that I am in accord with the Solicitor General. I think this is a new interpretation. Clause (a) obviously means what we all understand, but we must remember that we have to consider the grammatical construction, and I say the proper construction of this clause as worded is this:

Is a British subject, or, being a widow, was a widow before her marriage.

The antecedent of "such", under the rules of grammatical construction, is the nearest noun to it, unless otherwise specified, and in this case the nearest noun to the word "such" is "widow". The strict interpretation of that clause therefore would be:

Is a British subject, or, being a widow, was a widow before her marriage.

Mr. STEVENS: It is obviously bad drafting.

Mr. BROWN: I thought there was nothing in it when the hon. member for Vancouver Centre introduced this point, but I think now it is worthy of consideration. I looked at it one way and I could see it one way, and I looked at it another way and I could see it another. It seems to me it might be made to read:

Is a British subject, or, being a widow of an alien, was a British subject before her marriage.

It seems to me that would make it clear beyond dispute. I think there is a good deal in the point raised by my hon. friend from Vancouver Centre. Certainly the words

[Mr. Stevens.]

"British subject" would include the widow of an alien, if the clause did not proceed immediately to make exception of other people. The exception takes in more than intended, and in order to correct it you have to add a few words to the clause.

Sir GEORGE PERLEY: I suggest that the minister take the matter up with the law officers of the department and make sure that this clause covers these widows. It seems to me we have done a good day's work, and I suggest that we might adjourn.

Mr. CANNON: I think we ought to be careful to see that the interests of the widows are fully protected. Having listened to my hon. friends on this side and on the other side, I suggest that we might amend paragraph (a) so that it would read as follows:

(a) A British subject, or, being a widow, was a British subject before her marriage.

That would be very clear. "British subject" covers man and woman.

Mr. CLARK: No, that would not do.

Mr. McMILLAN: Or, being a widow of an alien, was a British subject before her marriage.

Mr. CANNON: It does not matter to whom she was married; if she was a British subject before her marriage and became a widow she regained her nationality.

Mr. CLARK: The amendment proposed by the Solicitor General does not cover the point raised by the hon. member for Vancouver Centre. I think we are agreed that the widow of an alien who was a British subject prior to her marriage is probably covered by the section as it stands. But I do not think the section provides for the widow who was an alien, but married a British subject who subsequently died.

Mr. COOTE: I do not want to interfere with the passage of this bill; I am much interested in it. But I desire to protest to the government that it is a quarter to twelve, and I think it would be the part of wisdom to allow the committee to rise and report progress and adjourn the House. Possibly by to-morrow the members of the committee will have settled in their minds just what they want to do with the widow.

The CHAIRMAN: Shall clause 8 carry?

Mr. CLARK: No, I understand there is an amendment before the committee.

Mr. MANION: Do I understand, Mr. Chairman, that the amendment I moved was ruled out of order?