

ruled to indicate a lack in the section as it was passed last year.

Mr. McKENZIE (Cape Breton). I desire to get some information from the minister in connection with the Immigration Act. I suppose that, as a lawyer, I should know something about the Act, but I do not know very much about it. There are cases in my constituency in regard to which I would like to get some information from the minister. For instance, if an Assyrian comes to Canada and buys a property and settles down as a resident of, say, the county of Cape Breton from which I come, and after a year or so of residence in the country wishes to bring his family from Assyria to settle with him in Canada, what are the conditions upon which he can take his family into Canada, provided they are free from any of the diseases that would prevent them from coming under the Act?

Mr. OLIVER. The conditions will be found in the order in council 926 passed under the terms of the Act. The requirement is that any Asiatic coming to Canada must have in his possession the sum of \$200. So the members of the family of the Assyrian that my hon. friend mentions would need to have that amount of money in their possession before they would be entitled to land in Canada.

Mr. DOHERTY. If I understand the minister, his purpose in this section is to provide that there shall be no other method of acquiring a Canadian domicile except the method provided here.

Mr. OLIVER. That is the idea.

Mr. DOHERTY. What is the effect of that? If he attains the purpose he says he desires to attain, I would like to ask him whether a child that is born in Canada after the passing of this Act, of a father domiciled in Canada, will not by that fact have acquired a domicile here?

Mr. OLIVER. Of course he will.

Mr. DOHERTY. But your Act says that the only way by which a Canadian domicile can be acquired after the passing of this Act is by a residence of so many years after having been landed in Canada. Here is a man who was never landed in Canada at all, and it is a very serious thing if this statute is going to do away with all the methods by which domicile is acquired by common law. I would like to ask the minister, is it the intention to modify the salutary rule that a wife's domicile is where her husband's is? Because I think under the wording of this statute, if the husband comes to this country and complies with all the requirements that are laid down here, he will have acquired a domicile in Canada; is it the intention that his wife, who did not come

Mr. OLIVER.

with him at that time, shall have no domicile in Canada until she has done all these things?

Mr. OLIVER. That is the express intent of the Act.

Mr. DOHERTY. Does the minister think it is a desirable thing that we should enact, in contravention, I think, of the universally-accepted rule, not only of our own law but of international law, that the domicile of a wife shall no longer be where her husband's is?

Mr. OLIVER. That is a matter for the committee to consider. I am merely stating what the law is.

Mr. DOHERTY. The minister is putting this Bill before the committee, and he is asking us to endorse it, and I am pointing out to him the far-reaching effects of it; and I think we are entitled to a statement from him whether he thinks there are sufficient reasons, and what they are, that justify us in making such a great modification in the general rules of law, for the purpose of this special Act. Moreover, I confess that it seems to me that the wording is such as to do some things which the minister says he does not intend. For instance, he lays down that a domicile can only be acquired in a particular way. Now if you understand that according to the latter, I think a child who is born in Canada hereafter, who has never landed in this country, will never have a domicile here. Will not the fact of his being born here of parents domiciled here, not give him a domicile here?

Mr. BUREAU. He is a Canadian by birth.

Mr. DOHERTY. One of the ways by which, under the general law, one acquires a domicile, is that the domicile of the child is at the domicile of his father. The child when he is born acquires his domicile at the place where the father was domiciled. This Act says that a Canadian domicile can only be acquired by living here three years after you have landed here.

Mr. BUREAU. That means a foreigner. A British subject by birth does not come under this Act. Supposing he goes away to a foreign country and, without taking the oath of allegiance there, comes back here still a British subject, he would not come under that Act. He would enjoy his privilege just the same as if he had not gone away.

Mr. DOHERTY. That is what I want to get at. I understood that under the Act as it previously stood there were certain methods by which a domicile could be acquired, but that Act did not say that a domicile