

Mr. MARTIN: It would cover the case where a person commits treason. He does not thereby become discharged from any obligation, duty or liability in respect of anything done or omitted before he ceased to be a Canadian subject. It means exactly what it says. Mere loss does not interfere with other obligations he may have incurred.

Section agreed to.

On section 26—Canadian citizen a British subject.

Mr. STEWART (Winnipeg North): I should like to refer to a news item which appeared in the *Montreal Gazette* of April 6 having reference to the second reading in the British House of Commons of a bill with respect to British nationals. The article refers to this measure as the surrender of a small measure of sovereignty to the world peace organization. I quote:

The bill, which Philip Noel-Baker, minister of state, characterized as a modest step toward "effective machinery to stop aggression," empowers the government to impose on British subjects the duty of abiding by the rulings of the council involving severance of diplomatic and economic relations with other countries.

The measure thus gives effect to provisions of Article 41 of the charter signed by Britain which reads:

"The security council may decide what measures, not involving the use of armed forces, are to be employed to give effect to its decisions and it may call upon members of the united nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communications and severance of diplomatic relations."

We have arrogated to ourselves the right to decide who shall or shall not be British subjects, and I should like to know first of all whether this new British legislation affects us under section 26 of this bill.

Mr. MARTIN: The answer is no.

Mr. STEWART (Winnipeg North): Then that is settled. I do not know, however, whether this country has the right to state who shall be a British subject. I am not a constitutional lawyer, but I think we would have the right to decide as regards citizens in Canada only. I should like to know what the status of these citizens would be when they left Canada for a holiday or for business or for any other reason. Would they still be called British subjects? I doubt very much whether this government could legislate in that regard. In other words, I think the clause is ultra vires of the House of Commons, and so I intend to offer an amendment.

[Mr. Diefenbaker.]

Mr. MARTIN: At the imperial conference of 1930 it was agreed that each dominion should have the right to do the very thing that we have done here.

Mr. STEWART (Winnipeg North): We have the right to do that?

Mr. MARTIN: No doubt about it.

Mr. STEWART (Winnipeg North): Even so, I wish to move that section 26 be amended by striking out the words "British subject" and substituting therefor the words "subject of His Majesty as the sovereign of Canada." I do not wish to imply thereby that we are in any sense a nation inferior or subservient to the United Kingdom. Of course we are not; I do not think there is very much of the tinge of colonialism left in Canada as a whole. Nevertheless this would give stronger recognition to a fact which we have ourselves admitted for some time, that the king is indeed the king of Canada. In the past it has been agreed that in matters relating to the dominion the king acts separately for Canada. Indeed it was a Canadian order in council which gave consent, so far as we in Canada were concerned, to the British abdication act. Afterwards a special Canadian act was passed validating the change of succession, pointing out that we were dealing with the king as king in Canada. Most significant of all is that when we declared war in our own right on September 10, we did it by sending to the king of Canada a telegram containing the order in council and the king of Canada proclaimed that a state of war existed. Because of that I see no reason why we cannot recognize that fact in this bill. Therefore I strongly suggest to the committee that it accept the proposed amendment.

Mr. REID: If this amendment is carried, how will it affect the status of persons coming to this country from Great Britain as British subjects?

Mr. STEWART (Winnipeg North): They would still be British subjects. It would not affect them one iota.

Mr. MacINNIS: It seems to me that when we are discussing the status of British subject we are unduly restricting the meaning of the term. As a Canadian citizen I am a British subject. If this bill is passed I hope I shall in no way be subservient to Great Britain. I believe that this bill implies that I as a Canadian citizen would have British subject rights not only in Canada but also in every other part of the British commonwealth, which is what is implied in the term "British sub-