

For instance, there are some of these men who are perhaps military French reservists, who have completed their duties, but who, by reason of being at the seat of war, are unable to become naturalized because they are not in the country. The hon. leader of the Opposition brought a case to my attention, and under the War Measures Act we took steps to allow the patent to issue. This legislation will affect that person.

Provision is also made for the issue of patent to an alien female homesteader who is debarred from the right to receive patent under the present Act unless she is a British subject. A widow of British nationality, who enters for a homestead in her own right, would cease to be a British subject should she subsequently marry an alien, and, unless her husband then became a British subject by naturalization, she would be deprived of the right to obtain patent for her homestead by the present law. In the same manner, the deserted wife of an alien would be unable, during the lifetime of her husband, or during the continuance of her marriage, to become a British subject, and under the present law she is also debarred from the right of receiving patent for a homestead.

Mr. OLIVER: There are three explanations and six subsections.

Mr. ROCHE: They are all included in that, except that (f) is not a new provision, but is merely transferred from chapter 28 of the statutes of 1914.

Mr. OLIVER: This explanation of paragraph (f) seems to be very lengthy. Could the hon. gentleman state what it is?

Mr. ROCHE: In 1914 the naturalization Act was amended by providing for worldwide British nationality, after five years' residence in Canada. At the present time, in order to earn a patent for a homestead, it is only necessary to put in three years, and then proclaim the intention to become naturalized. The explanation of paragraph (f) is:

Notwithstanding anything in the Dominion Lands Act, chapter 20 of the statutes of 1908, or any other statute, any alien who has not resided in the British Dominions or been in the service of the Crown for the period necessary for naturalization, shall be entitled to obtain letters patent for a homestead in the same manner as if he were a British subject: Provided that he satisfy the Minister of the Interior that in all respects save such period of residence or service he is qualified to be naturalized

[Mr. Roche.]

and declare upon oath his intention to be so naturalized as soon as he has completed such period of residence or service.

2. This Act shall come into operation on the first day of January, nineteen hundred and fifteen.

In preparing the present amendment to section 25 of the Dominion Lands Act, it was thought advisable to include in one section all the cases where naturalization is not necessary before obtaining a homestead patent and therefore chapter 28, above quoted, is being repealed and the wording of it included in the present proposed amendment to section 25 under paragraph (f). This is merely a transfer for convenience in referring to the statutes.

With reference to paragraph (f) it might be stated that during the present war subjects of enemy countries are not allowed to take advantage of this provision, but must submit a certificate of naturalization before patent is allowed.

Mr. LEVI THOMSON: Is there any provision for compelling the patentee to carry out his promise and his oath that he will become naturalized, and is there any punishment in case he fails to do so? It seems to me that an alien might sometimes make oath in order to get his patent. Would it be advisable, in the minister's opinion, to have some punishment inflicted upon him, in case he should violate his oath and not carry out his promise?

Mr. ROCHE: There is no penalty for that.

Mr. LEVI THOMSON: Is the question of whether there should be a penalty or not worth considering? I merely throw it out as a suggestion.

Mr. OLIVER: I think this section is of sufficient importance to warrant a little discussion. Up to the time of the passing of this law in 1914 it was understood to be the foundation principle of our homestead law that we did not give homestead patent to any man who was not a British subject. That was, I think, our foundation principle, I believe it was a sound principle, and I do not think it should be departed from, if the interest of the country can by any means be otherwise served. When we

brought in the Naturalization Act of 1914, requiring five years' residence to secure naturalization, there at once arose a clash between the terms of the Homestead Act and the terms of the Naturalization Act, and, in order to get over that difficulty, this