

change that has taken place in Germany in relation to the naturalization of men who have left that country and to the dual nationality that their law now recognizes. The prior law in Germany with reference to naturalization was the law of 1870, by a provision of which a German lost his nationality provided he had left Germany and remained abroad without interruption for ten years. The wonderful tendency towards settlement of the German people and the pan-German scheme, which seems to have influenced that race during the last fifteen years, brought about in Germany a great change of public opinion with the result that in 1913 a new law in reference to naturalization was passed. Some of its provisions were of the most unique and startling character. The general principle of international law seems to recognize that if a man chooses to expatriate himself and assume the nationality of the country in which he settles he loses the nationality which he formerly had and becomes a citizen of the new country. For instance, the British Naturalization Act 33-34 Victoria, chapter 14, section 6 says:

Any British subject who has at any time before or may at any time after the passing of this Act when in any foreign state and not under any disability voluntarily become naturalized in such state shall from and after the time of his so having become naturalized in such foreign state be deemed to have ceased to be a British subject and to be regarded as an alien.

That recognizes the general and fundamental principle of international law that when a man loses the citizenship of one state and assumes the citizenship of another he becomes a citizen of the new country and has no further right to look to his former country for protection or assistance.

If I might direct the attention of the House to what is commonly known as the Delbrück law, which was passed in Germany in 1913, I think it will be convinced that the Germans who have come to this country, as well as those who have settled throughout the world, occupy a very different position from others who assume to become naturalized in a foreign state. Section 25 of that law reads as follows:

A German who is neither domiciled nor permanently resident in Germany loses nationality on the acquisition of a foreign nationality if the latter is acquired on his application or on the application of the husband (in the case of a married woman or legal guardian in the case of a ward.) A married woman or ward, however, only loses nationality if the conditions are fulfilled under which a discharge could be applied for in accordance with sections 18, 19.

As I previously said, the law in force in Germany, prior to the passing of this

[Mr. Nickle.]

law, was that a German who had left Germany for ten years and settled in a foreign country lost his German nationality and ceased to be a citizen of Germany. This law of 1913 laid down the new principle that a German did not lose his nationality unless he took steps voluntarily to acquire a new nationality. That is consistent with the English law that I have just read to the House and is consistent with the general principle of international law recognized throughout the world. But the German law did not stop there. In keeping with the sophistical tendency of German thinking, with the principle that recognizes that wherever a German goes he must, if possible, still be regarded as a German and with the wonderful capacity of the German people for colonizing throughout the world, a second clause, paragraph 25, was enacted in the Delbrück law of 1913, which reads as follows:

A person does not lose his nationality if, before acquiring a foreign nationality, he has applied for, and received, the written permission of the competent authorities of his home state to retain his nationality. Before the grant of such permission, the German consul is to be consulted.

What does that mean? It means that a man may have left Germany since 1913, or, as a matter of fact, may have left almost ten years before and he may have lived in Canada, but if he did not voluntarily, of his own free will, become a citizen of Canada prior to the passing of this Act, he has the right to apply in Canada to become a Canadian or a British subject, and though he may become naturalized as a British or Canadian citizen, he is still regarded by the German state as a German citizen and entitled to all the rights of German citizenship and German protection.

Mr. OLIVER: Is the law that the hon. member speaks of German law or Austrian law?

Mr. NICKLE: I am quoting from the German Imperial and State Nationality Law passed on the 22nd day of July, 1913, together with a memorandum prepared by the British Embassy at Berlin, the memorandum being presented to both Houses of Parliament by command of His Majesty in March, 1914.

Mr. OLIVER: I asked because 99 per cent of the foreign settlers in the West are not from Germany but from Austria.

Mr. NICKLE: At the present moment I am dealing with my attitude towards the amendment of the hon. member for Hum-