

Newfoundland

If he has gone away somewhere he retains his Canadian domicile until he acquires a new one. The hon. member's interpretation is that he must have been living here, which is not at all what the act and the regulations say. He has not changed his domicile in the circumstances related by the hon. member for Nanaimo, and yet that man, retaining his Canadian domicile, is today, and has been, refused by the department.

Mr. Mutch: Very rarely.

Mr. Ferguson: If a United States citizen enlisted in the Canadian navy, fought for this country, and after the war made his residence in Canada, would he be entitled to it?

Some hon. Members: Louder.

Mr. Ferguson: Mr. Chairman, may I ask you to again take up with the Speaker the matter of amplifiers for this chamber, since certain hon. members find it difficult to hear even me. Either their hearing is defective or amplifiers are absolutely necessary.

Mr. Gregg: The answer is, no, he would not be.

Mr. Ferguson: A soldier or a sailor of United States birth who had served this country for four years in the first war, and who comes here and takes up residence, would not have his service to this country recognized and would not be helped if he were in need? I think it is a shame.

Mr. Gregg: Not unless he was domiciled in Canada immediately before the war.

Mr. Harkness: I understand from what the minister has said that, say, an Englishman, who served in His Majesty's forces during the first great war and went to Newfoundland in 1921, where he has been living ever since, would not be eligible for the war veterans allowance, and so on, as the minister interprets this matter. Is that correct?

Mr. Gregg: That is correct.

Mr. Harkness: If that is the case I suggest that the wording of paragraph (a) is incorrect. I feel quite sure that such men in Newfoundland by this time would look upon themselves as Newfoundlanders; and since this paragraph states that these benefits are to be extended to Newfoundland veterans who served in either the first or the second war, or both, they are being definitely misled. They will consider themselves Newfoundlanders, as I think any man who has lived in this country since 1920 or 1921 would consider himself a Canadian; and they will be expecting to receive these benefits. If

they are not going to get them I would suggest that the wording of this paragraph be changed, to make it quite clear that such men are being excluded.

Mr. Gregg: As I said in the beginning, the main paragraph of section 38 governs, and it refers to such benefits as may from time to time be available to Canadian veterans. The person in the instance quoted by my hon. friend would not be eligible if he were in Canada; and I can assure the hon. gentleman that the terms of the War Veterans Allowance Act, and in particular the Pension Act, have been very carefully studied during the past months by the veterans of Newfoundland.

Mr. Pearkes: The parliamentary assistant made reference to the fact that if they were not Canadians they would not be eligible for the war veterans allowance. I do not know what he is talking about, because it does not matter whether a man was born in Canada or whether he emigrated to this country four or five years prior to the outbreak of the first world war. To my knowledge there is nothing in the act which draws any distinction between a person born in Canada and a person who acquired Canadian citizenship through residence here.

Mr. Mutch: My hon. friend and I are in exactly the same predicament. He professes not to have understood what I meant, and I rose because I could not understand what he meant. By accident, perhaps—because I am quite certain the hon. gentleman knows the difference—in his remarks a few moments ago he referred to the Canadian who had gone to the United States or somewhere else, and in what he said he implied that this Canadian would have lost his domicile. I simply said that had never been the situation, that the only applicant for the war veterans allowance who is concerned with the question of domicile is one coming from outside Canada who had established his domicile in Canada previous to enlistment. I do not think my hon. friend meant to confuse the Canadian, either in Canada now or the new Canadians as they will be after March 31, with one who had to establish domicile. If a man is in fact a Canadian the question of domicile would not arise, even though he had been gone from Canada for twenty years before he enlisted in an allied service, if he had maintained his Canadian domicile. That is an entirely different matter.

Mr. Pearkes: I am sorry to be so persistent about this, but a Canadian who left Canada for a period of twelve months and then, either from the United States or the United Kingdom, joined the imperial forces, is not entitled to the war veterans allowance.