

photo-engravers in the cities of Toronto and Montreal, firms employing this class of labour have been securing employees from the British Isles, and as the department does not look with favour upon an influx of any class of labour or skilled mechanics coming to the country when a strike is in progress, the ocean port officials have been notified that all photo-engravers applying for admission must be warned of the strike and rejected if that action can be legally taken.

It has also been asserted that some have during the past few weeks secured entry either through misrepresentation as to their occupations, or by being furnished with money directly or indirectly by their prospective employers, the department has agreed that if any such cases are brought to its attention an investigation will be at once commenced, and if it is found that any party gained entry through misrepresentation, deportation proceedings will be commenced.

Having been informed that your firm is one affected by the strike, I bring the attitude of the department to your attention for your guidance.

Your obedient servant,

W. D. Scott,

Superintendent of Immigration.
Messrs. Grip, Limited,
48 Temperance Street,
Toronto, Ont.

It has been contended that the department was lax in not taking proceedings for the deportation of the few men who did succeed in getting past the officials at Halifax. It is a very serious matter to arrest a man, to take his liberty away. One of the sections of this Act, section 42, provides:

Upon receiving a complaint from any officer, or from any clerk or secretary or other official of a municipality whether directly or through the superintendent of immigration, against any person alleged to belong to any prohibited or undesirable class, the minister may order such person to be taken into custody and detained at an immigration station for examination and an investigation of the facts alleged in the said complaint to be made by a board of inquiry or by an officer acting as such.

It was quite open to the gentlemen, and they appear to have availed themselves of their right, to go to an officer in the city of Toronto, right where the men were, and to satisfy that officer that the men were there in the city of Toronto under circumstances which would warrant the Immigration Department in taking deportation proceedings against them. They did go to the clerk of the city of Toronto—so I gathered from the evidence read by my hon. friend—and that official of the city of Toronto refused to make any complaint. He was on the ground, and it was quite convenient and quite possible for those men to advise him of the facts and circumstances. It does not appear to me to be the duty of the department at Ottawa, on second-hand evidence, or on

Mr. CROTHERS

statements that are not legal evidence, to take the serious position of arresting a man in the city of Toronto and depriving him of his liberty. It seems to me that the Immigration Act has very wisely placed that power in the hands of the officers of municipalities, and the late Government, in regulations passed in section 37, provided who should sign complaints of this character, made with the view of deporting men who had illegally entered this country. The provision is that:

The recommendation to deport should be signed by the mayor, reeve, or other public official having cognizance of the facts.

So that in a case of this kind the remedy seems to be to go to the official of the municipality where the man is who is said to have entered the country illegally, and satisfy him of that fact, and then he makes a complaint to the Minister of the Interior, and it becomes the duty of the Minister of the Interior to act upon that complaint. An attempt was made to satisfy the official of the city of Toronto. According to the evidence of my hon. friend, they did not succeed in satisfying that official that this was a case which would warrant the Minister of the Interior taking action for the deportation of the parties interested. Now, Mr. Speaker, it may be interesting to read a portion of the judgment delivered by Mr. Justice Graham on this application:

Sir WILFRID LAURIER: Why not read the whole of it?

Mr. CROTHERS: It is pretty lengthy, but I shall read it.

In re Walsh, Collier and Filsell. This is an application to discharge upon habeas corpus from detention in Halifax previously to deportation three British subjects just arrived from the Mother Country. The order returned by the writ gives as a case of rejection and deportation 'lack of funds, P.C. 924.' The order is signed 'W. H. Barnstead, immigration officer in charge.' Referring to this Order in Council it proceeds: 'no immigrant... unless he or she have in actual and personal possession at the time of arrival money belonging absolutely to such immigrant to the amount of at least \$25 in addition to a ticket or such sum of money as will purchase a ticket... to his destination in Canada.'

By section 37 of the Immigration Act it is provided that 'regulations made by the Governor in Council under this Act may provide as a condition to permission to land in Canada that immigrants... shall possess in their own right money to a prescribed minimum amount, which amount may vary according to the race, occupation or destination of such immigrant, &c.'

By section 3 'no immigrant shall be permitted to land in Canada... who belongs to any of the following classes... (1) Persons who do not fulfill, meet or comply with the conditions and requirements of any regulations which for the time being are in force