

## DEPORTATION CASES

INVESTIGATION UNDER PROVISIONS OF  
IMMIGRATION ACT

On the orders of the day:

Mr. J. S. WOODSWORTH (Winnipeg North Centre): I have received a telegram from a Mrs. Stahlberg, of Montreal, stating that her husband, John Stahlberg, a resident of Canada for twelve years, was arrested by the Royal Canadian Mounted Police, on orders from the Immigration department, at their home, 1342 St. Antoine street, Montreal, on May 19, and immediately placed on a train for Halifax. May I ask the Minister of Immigration why it is that this policy of snatching people away from their homes, without giving them the opportunity of a trial in the place of their residence, is being continued. It seems to me to be very unjust and heartless, especially in the case of those men with families, and perhaps the minister could give some information with reference to this case.

Hon. W. A. GORDON (Acting Minister of Immigration and Colonization): I have not before me the particulars of the case to which reference has been made, but I think the hon. member for Winnipeg North Centre is scarcely stating the position correctly when he suggests that people are being whisked away—if that is what he said—

An hon. MEMBERS: Snatched away.

Mr. GORDON: —snatched away from their homes and placed under arrest and tried. That is not the position at all. These sections of the Immigration Act under which officials of the department are functioning have been the subject of very considerable debate in this house on a number of occasions. Hon. members who were here in 1910 will remember the debate that then arose when the section of the act as it presently appears in the statutes was brought into being. And in 1919, as some hon. members will recollect, the act was twice amended, in the one session I believe. These amendments were the subject of a good deal of debate in this chamber on a number of occasions, and I believe amendments to the sections in question were passed twice by this chamber. I do not think the amendments received the approval of the other house. Then in 1928, the section as it presently stands, which is a re-enactment of the legislation of 1910, was passed by this house, and it sets out the method to be followed in connection with investigations in the cases of those who may be or may have been guilty of an infraction of this law.

These men are not snatched away from their homes; they are not under arrest, although they are in detention, it is quite true. Many suggestions have been made as to some other method that might be pursued. Some say that they should be incarcerated in the gaol in their home city. They have not been convicted of an offence; they are not on trial; but their conduct as aliens in Canada is under review to determine whether or not they have a right to stay in Canada.

I am not going to go into this question at any great length. I could discuss it at very great length, but I feel that certain members of this chamber are sufficiently acquainted with this law and are quite familiar with the method which, of necessity, has to be pursued if law is to be enforced and those responsible for the invocation of the law are to do their duty. The board of inquiry may consist of one or of three members; the law makes provision for that. Those men whose conduct in Canada is under review are entitled, I think, to have their conduct reviewed by a competent board of inquiry composed of three members. True it is that the act contemplates that they may be brought before a board of inquiry at an immigrant station anywhere in Canada. Now, had they been brought before the nearest immigrant station, let us say, for example, at some port on the boundary, where there are no detention quarters, to start with, and reviewed by one officer, who works part time for customs and part time for immigration and is not acquainted with the practice and procedure contemplated by this section, that would not, in my opinion, be a fair review of the alien's case and a fair determination of it. There are very few places in Canada—the necessity has not arisen—where boards of inquiry composed of three members are set up, and there are very few places where proper detention quarters are available for the detention of aliens until such time as their cases can be reviewed and their appeals heard.

Mr. WOODSWORTH: If I may interrupt the minister, is it not quite true, in the Winnipeg cases, that we have proper quarters right in the city of Winnipeg?

Mr. GORDON: I will come to that in a moment. With respect to those cases that have been the subject of some comment—in some sections of the press recently—the evidence of the alien's right to stay in Canada was within the knowledge, in almost all of the cases, of the same witnesses. That made it rather difficult for the officers enforc-