

These are the regulations under which Mr. Colpitts was detained. The quarantine officer was the man to give him a clean bill of health; the customs officer had nothing to do with it. He would simply take the list made up by the quarantine officer. That was explained in the letter of Mr. Farrow on December 11, as mentioned by my hon. friend the Minister of Marine and Fisheries. Here is the answer sent to Mr. Colpitts on December 11, 1911, in which, I think, the case is explained fully by the commissioner:

Gustavus A. Colpitts,
The Residence,
Sackville, N.B.

Sir,—I beg to acknowledge the receipt of your letter of the 22nd ult., in which you ask for further information respecting the regulations under which the customs officer refused to permit you to land from the steamer *Empress of Britain* at Rimouski on the 28th September, 1911.

I note your statement that before lodging any complaint in this matter you made a careful study of the Immigration Act and of the quarantine regulations, but failed to find anything therein justifying the action of the customs officer in detaining you on board the ship when the immigration officer was willing to allow you to land.

If you will refer to section 25 of the quarantine regulations you will observe that in the case of a vessel carrying His Majesty's mails and arriving by the *St. Lawrence*, clearance certificate shall be from the quarantine officer at Rimouski and under sub-section 'B' of the same section mails and persons and their effects may be permitted to land at Rimouski in the judgment of the quarantine officer, but in such instances a partial clearance shall be given by such quarantine officer covering only the mails and the persons allowed to land there with their effects.

The form of partial clearance for use of the customs collector is shown on page 25 of the quarantine regulations and you will note that under such clearance the Customs officer is only authorized to permit the landing of designated persons with their effects.

An officer of the Department of Customs is not therefore authorized to permit the landing of a passenger who is not designated in the partial clearance granted by the quarantine officer and we are advised that your name was not included in the partial clearance granted by the quarantine officer at Rimouski for the landing of passengers at that port from the steamer *Empress of Britain* on the 28th September, 1911.

My hon. friend the member for Westmorland has explained the whole matter very fully. I suppose that, if a steerage passenger wanted to get off, the quarantine officer might have felt: If I start with the steerage I may have to go through the whole steerage and inspect the vessel to see if I can give a clean bill of health. He may have felt that he did not wish to assume that responsibility until the vessel got to Grosse

Isle, where they have a staff of officers to inspect the whole vessel.

Mr. EMMERSON: Then, it is not feasible to permit any person to leave the ship.

Mr. REID: In so far as the Department of Customs is concerned, I suppose there is no reason why, if the Canadian Pacific railway wishes to have the *Empress of Britain* detained there, a sufficient number of quarantine officers should go on board and allow as many off as they wish. Under the quarantine regulations, when a vessel comes to Rimouski, the quarantine officer goes on board. The mails are only supposed to go off there, but if he wishes to assume the responsibility of issuing a partial clearance for a number of persons and hand it to the officer, giving these persons a clean bill of health, the Customs Department has no alternative but to allow them off. But if the quarantine officer does not wish to certify to another man who happens to be in the steerage, or in any one of the other parts of the vessel, it is impossible, according to the law as passed, or the rules that have been in effect for years, to allow him to go off the vessel without that certificate. I think the whole matter is very plain indeed. It is not the object of the Customs Department to try and prevent any man from getting off at Rimouski or any other place so long as a bill of health is furnished, or the other requirements of the Act are carried out by other departments. The whole difficulty seems to have been that the quarantine officer, for some reason or other which I do not know, did not include on the list of those who had been passed the name of Mr. Colpitts. Otherwise, there is no doubt whatever that he would have been allowed to go off the boat with the others.

Right Hon. Sir WILFRID LAURIER: Mr. Speaker, it is quite evident that if there is any blame in this matter, the blame is not to be attached to the customs officer. The customs officer, under the law, is prevented from passing any passenger unless upon a certificate of the quarantine officer, and if there is any blame it is upon the quarantine officer, who is an officer of the Department of Agriculture. It is well known to everybody that a steamer coming up the *St. Lawrence* stops at Rimouski and that passengers from the Maritime provinces are allowed to land there and take at once the train which is waiting for them to carry them home. This is what was done in this case, and there was no objection at all as far as the first and second-class