

Q. Are the instructions embodied in a written memorandum sent to them? Have you those in writing?—A. No general instructions, no, because it would be impossible to give general instructions. The conditions vary too much.

Q. But, generally, it is their duty to see that Federal laws are observed and kept?—A. Yes.

Q. Generally, that is fair, is it?—A. Yes, but they initiate no prosecutions or investigations for any department unless requested, but that is quite sufficient—

Q. I want to come to that. Do prosecutions only originate through your action? That is, have these men at these various border points any power to initiate prosecutions?—A. No.

Q. They report to you?—A. And we report to the department concerned, and receive instructions from them whether to prosecute or not.

Q. Then, in the ultimate analysis, prosecutions are initiated only at the instance of the department concerned?—A. Yes.

Q. And whether or not action is taken upon the reports received by your men throughout Canada, depends upon the instructions given by the Department concerned?—A. Yes.

Q. You have no power to initiate prosecutions?—A. No.

Q. That is the position?—A. Yes.

Q. At any rate, you do not do it? You do not do it?—A. We do not do it.

Q. Do you keep a record, an index record, showing the instructions received for prosecution with respect to smuggling and excise?—A. When a case is started, a particular case, under its heading, a file is started and every report, every piece of correspondence regarding that particular case is placed on that particular file.

Q. From your annual report I observe you refer to the activities of the force. Would it be possible for you, without much difficulty, to prepare a list of the instructions received from the Customs and Excise Department, with respect to prosecutions for violation of the Customs Act and the Narcotic and Drugs Act?—A. It would be possible, but it would take some time, because each file would have to be gone into.

Q. I mean, you do not keep an index?—A. A card index of each case.

Q. You do not keep a general index from which you can prepare a report quickly?—A. We keep a number of cases on a particular kind of crime or a particular kind of case; for instance, illicit stills. We could turn up all the illicit stills on any particular case of that kind.

Q. Could you undertake, without very much trouble, to prepare a list of prosecutions that have been carried on through instructions from the Customs Department, with respect to (A) smuggling and (B) the Excise Department?—A. As I say, we would have to go through each file to see the particular instructions in that particular case.

Q. Well, but you take no proceedings without instructions?—A. No. I could make a list.

Q. I do not want immigration matters. Just Customs and Excise?—A. Yes.

Hon. Mr. BENNETT: Does the Committee want these stills?

Hon. Mr. STEVENS: I am not interested in them except in this way, if you would not mind me asking this question because I think it comes in right here; then it will get on the record. You mention that no prosecutions are instigated without instructions from the Customs Department. Have you any general orders not to prosecute unless you get those instructions.