

*Naturalization Acts*

Mr. MARTELL: When that application is made at the opening days of the regular session of the court, supported by an affidavit, is it not a fact that the application remains open until shortly before the closing of the court so that it may be open to any person who desires to do so to take objection; and does not the judge make a thorough inquiry into the qualifications of the applicant to become a British subject? Is not that the case and is it not a fair procedure?

Mr. COPP: My hon. friend is labouring under the delusion that we are still acting under the old Naturalization Act prior to 1914.

Mr. MARTELL: That was a good act.

Mr. COPP: But it is not the law to-day.

Mr. MARTELL: The procedure under that act was all right.

Mr. COPP: But the law has been entirely changed. Now, to continue with my statement. The applicant, as I say, may have to travel one or two hundred miles in order to reach the appointed place where he is to be examined by the judge. During my experience of the administration of this act we have had hundreds of complaints from applicants who declared that they had made their application in due and proper form but had heard nothing more about it, and wrote to inquire why the naturalization certificate had not been granted. Now, under the present law, when a clerk refuses, or neglects, to forward the report of the judge to the department matters are held up. Then the department has to undertake its own examination, and that has frequently happened in my experience. But the point is, that upon the applicant the responsibility is very often placed of travelling very long distances in order to appear before the judge and prove his case. So that, to have a proper national Naturalization Act the only thing to do is to bring into force the amendments proposed, and I am convinced, from the experience which I have had that they will prove of great advantage to the country and will be most advantageous in the administration of the act.

Mr. MARTELL: Does the minister not think that a better title for this legislation would be "An Act to abolish lawyers and establish more red tape in Ottawa"?

Mr. HANSON: I have had some considerable experience in dealing with the naturalization acts of 1914 and 1920 and I beg to assure the committee that I have never met with any of the difficulties that have been enumerated

[Mr. Copp.]

by the Secretary of State (Mr. Copp). In addition to the posting of the notice of the application in the office of the clerk of the county court, as I recollect the statute, it is necessary that a copy of the notice should also be posted in the post office in the place where the applicant resides. That provision may have been repealed.

Mr. COPP: It was repealed two years ago.

Mr. HANSON: Very well. It may be questionable as to whether three months is too long. I do not think it is. However, it may be open to debate. Some reasonable notice should be given. The vital thing about the act of 1920, in my judgment, is the investigation made by the county court judge, and if these judges have not done their duty in the past I must express very great surprise. Personally, I believe the county court judges have gone into this matter and have made these investigations, in so far as they have come under my observation, in the province of New Brunswick with the very greatest care, and I do not think for a minute that the question of pay or no pay has ever entered into the matter. If it has, such has not been my experience. Now, what actually happens? At a time appointed the applicant does appear, and it is a most vital thing that he should do so, and is put upon the stand. He may or may not employ a solicitor to act in his behalf. I say, without any reservation, that he should have such legal assistance in order to guide him. The first thing determined by the judge is the applicant's knowledge of either of the two languages of this country and he is in a much better position, than officials sitting behind a mahogany desk in Ottawa, to ascertain a man's knowledge of either the English or the French language. With all due deference, that is one thing the Secretary of State, or his officials, could not nearly so well determine, and it seems to me that an adequate knowledge of one of the official languages should be a sine qua non of citizenship. What I think has been the difficulty with respect to investigations by county court judges has been that the reports have not been elaborate enough. That is a very simple matter to cure. If a letter were sent by the Secretary of State to any one of the county court judges asking him to make a proper report, in ninety-nine cases out of a hundred a proper report on the applicant would or should be sent back. In addition to that, the applicant is subject to cross-examination by the county court judge acting as a sort of King's proctor. I have seen that invari-