

to a special committee of the House, a very representative committee, and they adopted the Bill in its entirety with the exception of clause 12, which has been stricken out.

Hon. Mr. DAVIS—Clause 12 of the Bill we have before us?

Hon. Mr. LOUGHEED—Yes, this Bill No. 2. Other slight amendments have been made, but they are simply consequential amendments; for instance, in clause 6, in the second line, after the word 'make' the words 'from time to time' have been inserted; and in paragraph (e), after the word 'importation', the word 'production' has been inserted. In clause 9, the last six words have been stricken out, namely the words 'and the proceeding shall be summary'. The whole of clause 12 has been stricken out.

Hon. Mr. CLORAN—What does that say?

Hon. Mr. DAVIS—If it is stricken out we do not have to deal with it.

Hon. Mr. KERR—That is the habeas corpus clause.

Hon. Mr. LOUGHEED—Yes, and in clause 13 of the Bill after the word 'open' in the last line of the Bill, these words have been inserted, 'him under'; that is to say, it shall read 'any punishment imposed upon him under such prosecution before he is deported', and in the fifth line of that clause between the words 'shall', and 'undergo', the words, 'be liable to', are inserted, so that it reads, 'Shall be liable to undergo'.

Hon. Mr. CLORAN—It gives him a chance to get out.

Hon. Mr. LOUGHEED—These are the only amendments that are made to the Bill.

Hon. Mr. DAVIS—My hon. friend told the House that there was a committee of the House of Commons that dealt with this Bill. Could he tell us who the members of that committee were?

Hon. Mr. LOUGHEED—The Prime Minister and the Minister of Justice, representing the Government, with two other members whose names I forget, but Sir Wilfrid Laurier, Mr. Pugsley and Mr. A. K. Maclean were on the committee.

Hon. Mr. CLORAN—A happy family.

The motion was agreed to, and the Bill was read a second time.

Hon. Mr. LOUGHEED.

Hon. Mr. POWER—I think that inasmuch as there are a number of amendments to make in several clauses, the House had better go into committee on the Bill and go through it in the regular way.

Hon. Mr. LOUGHEED—Then I move that the House resolve itself into a Committee of the Whole.

The motion was agreed to.

(In the Committee.)

On clause 11:

11. No person who is held for deportation under this Act or under any regulation made thereunder or is under arrest or detention as an alien enemy, or upon suspicion that he is an alien, or to prevent his departure from Canada, shall be released upon bail or otherwise discharged or tried, without the consent of the Minister of Justice.

Hon. Mr. KERR—This is really a suspension of the habeas corpus, is it not? It says 'or upon suspicion that he is an alien enemy,' etc.

Hon. Mr. LOUGHEED—He is not under arrest, he is simply held for deportation. I do not think it is in the public interest that an alien enemy should be able to avail himself of all the machinery of the courts as to deportation.

Hon. Mr. KERR—The clause says:

No person who is held for deportation under this Act or under any regulation made thereunder, or is under arrest or detention as an alien enemy.

How is he under arrest for that purpose? Somebody has lodged an information, a warrant has been issued, and he is there. Surely the man is entitled to some kind of trial. It strikes me that this clause is going pretty far. In places where feeling runs pretty high, where there is any particular religious embitterment arising out of any act that has been done in the country, any constable, no matter how lacking in intelligence he may be, has power under this clause to lodge an information and have a man arrested on the charge of being an alien enemy, and he has no chance whatever of being tried.

Hon. Mr. LOUGHEED—But his arrest is simply with a view to deporting him, and, furthermore, no injustice would be done, because an application can be made to the Minister of Justice. It simply requires the consent of the Minister of Justice before the court intervenes. We know that courts will intervene in matters of this kind, but