

would be more reliable than a county court judge in the matter of making a report?

Mr. COPP: The cases do not compare at all; it is not a question between the Royal Canadian Mounted Police and the county court judges. The county court judge inquires into the situation in a casual way and makes a report. We may not refer to the Mounted Police; we may not refer to any particular body. But when the application comes to us, marked "approved" or "disapproved" by the judge of the county court before whom the applicant appeared, we make inquiry; we go to the immigration office. If we think it necessary we refer the matter to the Royal Canadian Mounted Police in order to ascertain whether the applicant had been concerned in any criminal acts during his residence here, about which the county court judge might know nothing. Suppose a man from a town in Saskatchewan becomes implicated in bootlegging operations, the selling of narcotic drugs, or any other criminal act. He goes to Alberta; he has lived five years in Canada. How would a judge of the county court in Alberta know this man's record in Saskatchewan? So far as I have been able to follow the work of the Mounted Police, I am confident that they can judge pretty well whether a man who makes application for naturalization is a fit and proper person to become a British subject.

Mr. FORKE: I will not interfere again; but the suspicion in my mind would be that this change would place too much power in the hands of the Secretary of State. I do not mean that personally at all; it would be the same no matter what government was in power. But I think it is a dangerous thing to place power in the hands of the Secretary of State under which large sections of the foreign population could, on particular occasions, be practically enfranchised wholesale. That is my idea.

Mr. BOYS: I suggest that there is no conflict between section 2 and section 19. Section 2 says:

The Secretary of State of Canada may grant a certificate of naturalization to an alien who makes an application for the purpose.

Then, section 19 states what the alien has to do in making his application. It says:

An alien desiring to be naturalized shall apply—

Not to the Secretary of State.

—for a decision establishing that he is qualified and fit to be naturalized under the provisions of this act.

Then follow the various paragraphs pointing out the procedure in the different provinces. That read with section 2 is quite consistent.

Section 2 says he shall make application for the purpose, and section 19 says he shall make that application for a decision in Ontario to the Court of General Sessions, and in other provinces in other ways. Does the minister contend that there are two distinct powers, one whereby an application can be made to the Court of General Sessions in Ontario, and the other being made quite independently altogether to the Secretary of State?

Mr. COPP: The applications are not that way, but the powers.

Mr. BOYS: That is what I am trying to argue. I would ask the minister's serious consideration of what I am trying to suggest. If that was the intention of section 2,—that independent power should be given to the Secretary of State,—would it not say so? But it does not say any such thing. It says that the Secretary of State may grant the certificate to an alien who makes an application for that purpose. Surely the question that one must ask at once is, how is he going to make that inquiry? And I ask the minister if he can show me any other section of the act but 19 which outlines the manner in which that application is to be made. I do not think he can, and when you return to section 19 you find there that the application in Ontario is to be made to the Court of General Sessions, in Quebec to the Circuit Court, and so on—I need not read all the list. When the judge of the court in Ontario proceeds under that section he has to see that the applicant satisfies him of what is required by subsections (a) (b) and (c) of No. 2. If that is done the judge then certifies that he is a fit and proper person for naturalization; that report goes to the Secretary of State, and on the strength of that information got from the report of the judge the Secretary of State then has his jurisdiction. I do not contend for a moment that he cannot either grant or refuse the application. He can, but what I do contend is that he does not get any jurisdiction of any kind, sort or description to deal with the application of an alien to become naturalized unless there is in the first instance the report of a judge, and if the report of a judge is not made and sent to him he cannot deal with the naturalization of an alien at all. The minister nods his head in assent.

Mr. COPP: Absolutely.

Mr. BOYS: Then if he does, he at once admits—

Mr. COPP: No.