

*Immigration Act*

helpful. But when we come to this section we find that splendid system which has been recently adopted, and which I most heartily approve of, forsaken entirely. We do not find anything in the section underlined to show what the new part is, nor is there anything on the opposite page giving an explanation. I am yet unable to grasp the distinction between this section and the other one. I think the former section applied to detention, at time of rejection, and, after rejection, the cost of return, and it seems to me that the new section does exactly the same thing. If the immigrant did not return, under the old section there was responsibility for the period of detention and no longer and under the new section the responsibility is for the period of detention.

Mr. MEIGHEN: The old section is premised, the presumption being that the man is ultimately rejected; but the new section is not. The new section applies to cases where there is no rejection and makes the company liable nevertheless; that is to say, the company performs its duty perfectly well, and brings in the right class of immigrant. But the government detains him for some purpose of its own and ultimately finds that he is perfectly acceptable; yet it makes the company pay the expenses incurred during that detention. That is the new law. It would be exactly the same if the responsibility were put upon one of the churches or upon the liquor board or any body of that kind. Why make the company pay?

Mr. ROBB: They pay on the principle that they are responsible for all charges until the man is admitted to the country.

Mr. MEIGHEN: I can understand that there are certain things for which the company would be responsible. But why make them responsible for doing right? That beats me. There is no soundness or sanity in the principle; it is not founded on anything that appeals to the mind at all. If the country for its own purposes examines a man, and the minister, exercising his judgment, says he is perfectly acceptable and that the company did the right thing in bringing him, having taken every precaution that was necessary, why make the company pay because the man has been detained?

Mr. ROBB: They are paying now, up to the moment that the man is admitted. The companies have been paying these charges in New York for years.

[Mr. Boys.]

Mr. MEIGHEN: I suppose they would if they had to. I would far rather make them pay what they are entitled to pay. The thing ought to be put on some common sense basis.

Mr. ROBB: It is on such a basis now.

Mr. MEIGHEN: Dear me.

Mr. BOYS: The only change I see in this section seems to be that the words "except as provided for in section 19 of this act," which appear in the old section 44, seem to be left out of the new section. In the old section this language appears but it does not appear in the new one. Is that the only change? Section 19 deals with the appeal from the board, and possibly this change is all that is intended by the amendment.

Mr. ROBB: The amendment to section 44 is in keeping with the amendments to sections 19 and 34. As the law now stands the transportation company is not responsible for maintenance or detention charges prior to rejection. Where there are a large number of passengers to be examined it sometimes happens that passengers are held in the immigration building for a period involving maintenance cost, and the amended section places all costs from the time of arrival until the time of admission or deportation, as the case may be, upon the transportation company. As to detention costs, it will be of interest to note, as I pointed out before, that last year they amounted to less than 25 cents per head on the total.

Mr. BOYS: I do not think that statement can be quite correct because under the former law the transportation companies were not responsible for all costs: they were responsible for all costs in case of negligence but not otherwise. I do not think that is correct, but even that does not explain the point I have brought to the attention of the minister.

Mr. ROBB: The whole language has been re-drafted.

Section agreed to.

On section 11—Application of act to Chinese.

Mr. MEIGHEN: What is the effect of the change?

Mr. ROBB: The only change is to amend section 79 by inserting after the word "act" in the second line the figures 12 m. "1923." The hon. member for Comox-Alberni (Mr. Neill), made some observations a moment ago which I said I would take into consideration.