

Immigration Act

Mr. BELAND: My hon. friend knows there are two inspections, medical and civil, and when we say a man has been examined and passed that means he must have passed both inspections.

Sir HENRY DRAYTON: Suppose the civil inspection does not take place, for some good reason and the man is held two months. After he has been held two months and is still under detention he takes some disease. Under this bill the transportation company is liable. Does my hon. friend think that is right?

Mr. STEWART (Argenteuil): If a man is detained he is detained for cause; if there is no cause he is passed. If there is reason for detention he is held until the cause is removed or the steamship company takes him back. My hon. friend shakes his head, but that is the course that is pursued.

Sir HENRY DRAYTON: No.

Mr. STEWART (Argenteuil): Absolutely; if he is not permitted to enter Canada the steamship company takes him back. If he is detained it is usually on account of his health—nine times out of ten.

Mr. BOYS: They should take him back if there is negligence.

Mr. STEWART (Argenteuil): My hon. friend is continually mentioning negligence. You cannot say it is negligence if the ship's doctor examines the passenger before he goes on board. The passenger may take ill on the ocean and he is detained when he lands in Canada, either because he is ill or for some other reason. That is the only time that the cost is paid by the transportation company that brought him to Canada.

Mr. BOYS: Why is the responsibility of the passenger entirely removed? The former act said:

Then the cost of his hospital treatment and medical attention and maintenance shall be paid by such transportation company, and otherwise the cost thereof shall be collected from such person.

The last two lines are left out. There is no further liability on the part of the passenger; the transportation company has to bear it all. Why should that be? Why should the transportation company at least not be permitted to look to the person, if the person is worth it, to pay for the cost of his own sickness or disease or whatever it is?

Mr. ROBB: Is it fair that someone should have the responsibility of taking care of these cases. Perhaps the passenger is not

[Mr. C. A. Stewart.]

able to finance it himself, and the people who are making the money out of him are the people who are responsible and who should pay. We have been building up straw men and talking of possible cases all evening—of appendicitis that might develop, of pneumonia that might develop. Suppose a transportation company was a bit careless and typhoid fever developed on the ship, who would be responsible?

Sir HENRY DRAYTON: They are, of course. That is negligence.

Mr. BOYS: I do not think the minister is quite fair in suggesting that we are building up straw men; I am taking his own figures. Under the former law if the transportation company were guilty of negligence they were responsible; if they were not guilty of negligence they were not responsible. The minister told us that in 1922 the department paid \$6,000 odd, I presume because the transportation companies were not guilty of negligence.

Mr. ROBB: In 1923 we paid only \$3,980.

Mr. BOYS: What was the year of the \$6,000, then? Anyway, we are only quibbling as to that. If the minister did not say 1922 he said 1921. I think he said 1922.

Mr. ROBB: My hon. friend is correct; in 1922-23 the amount paid was \$6,000.

Mr. BOYS: The department paid that because the company was not guilty of negligence. That shows that it is not a case of building up a straw man. All I am trying to find out is why this change is made. There are two changes. In the first place, you are departing from the proposition of negligence, and in addition you are relieving the passenger who, if worth it, certainly should in the first instance pay. If he is not worth it, that might be a different matter. I think the condition with respect to negligence should still prevail. Why is the provision giving the right of recovery against the individual not maintained?

Mr. ROBB: The companies are making a profit out of carrying these people; why should we impose that burden upon the passenger? With regard to the amounts paid, the department paid \$3,980 and the immigrants paid \$2,577, making a total of \$6,557 for 1923-24. We have not the details here, but it is just possible that part of that \$3,980 which the department paid was because the immigrant was not able to pay. Is it not fair that the company, which makes so much money out of them, should assume the responsibility?