

Referring to your letter of the 20th instant, I am to state that the names of the persons to be placed on the partial clearance by the quarantine officer permitting the landing of passengers at Rimouski, are in the judgment of the quarantine officer.

The quarantine rules require that third-class passengers shall be landed at Quebec.

There are no such rules apparently: though the statement was made by the Commissioner of Customs he is entirely in error on that point.

The Canadian customs officer was performing his duty in assisting in the observance of these rules.

This in the face of the fact that the quarantine officer, the immigration officer on board the steamer wanted to permit Mr. Colpitts to land, and the customs officer, instead of assisting the immigration officer in the discharge of his duties or in the observance of the rules provided for his guidance. Mr. McDougald in closing his letter says:

If you desire further information as to why the quarantine rules forbid the landing of third-class passengers at Rimouski, you may communicate with the Director General of Public Health, Ottawa.

As I have already shown, Mr. Colpitts did act upon this suggestion of Mr. McDougald and made application to the Director General of Public Health, Dr. Montizambert, and that official answered to the effect that there was no such regulation preventing the landing of third-class passengers at Rimouski. Now, here is the statement made by Mr. McDougald in a letter to Mr. Colpitts dated February 6, 1912:

I have the honour to acknowledge the receipt of your letter of the 1st instant, in which you ask why you were not allowed to land at Rimouski from the Empress of Britain on the 28th of September last, and would state in reply that the customs officer refused to permit you to land because your name was not included in the partial clearance granted by the quarantine officer for the landing of passengers at the place mentioned.

Hon. J. D. REID: That is plain enough.

Mr. EMMERSON: If it were true. The point is and the officials so state, that the immigration officials who are the ones to give this clearance wanted this man's name placed on that clearance, and the customs officials declined to permit it to be done. The customs officials, to that extent, did interfere with the duties of the quarantine officials.

Now, this case from an individual standpoint, I suppose is not a very serious one. But I apprehend that it involves a principle

[Mr. Emmerson.]

of importance to every Canadian. The question is whether a Canadian citizen, having gone abroad, has a right to return to Canada at the minimum of expense without foregoing his rights as a Canadian citizen equal with those of other Canadian citizens who happen to be a little more fortunate and to be able to travel either first-class or second-class. To me it seems an amazing condition of affairs. I have no particular interest in the matter; I am simply carrying out a request made courteously of me by a gentleman who is not even a constituent of mine and who to-day resides in another province. I have letters from Mr. Colpitts repeating his declaration that his desire is to know what his rights are as a Canadian citizen under these circumstances.

If there is any misunderstanding in the several departments with respect to the matter; if there are no regulations governing the conduct of officials under such circumstances, it is time that a remedy was applied. I certainly think that it is the duty of the Government to have this matter inquired into, and to establish a precedent governing all future cases of a similar character. I have before me a letter written to Mr. Colpitts by the gentleman who was purser of the steamship Empress of Britain on her voyage to Quebec in September, 1911. He recites a condition of affairs that, to say the least, is anomalous, and refers to an order issued by the Canadian Pacific Railway Company to its officials, which, if followed out, certainly would be, and is, an act of very grave injustice to Canadian citizens. He says:

I beg to acknowledge receipt of your letter of the 3rd instant. I have a slight recollection of your wishing to disembark at Rimouski. I also recall the fact of the immigration officials in the act of examining you when a customs official who came on board would not allow you to land, but I do not remember the reason adduced for holding you back. . . . The instructions issued by the Canadian Pacific railway to pursers state that no third-class passengers can land at Rimouski, and this fact I indicated to you at the time. As a special favour, however, and owing to the fact that you were a Canadian citizen, I went to see what I could do for you. If all third-class passengers wishing to do so were allowed to leave at Rimouski the ship would be detained for quite a period. I believe that no other company allows third-class passengers to land at the point mentioned.

I can quite understand that it is in the public interest that immigrants travelling by steerage should not be permitted to land at Rimouski, but I cannot for the life of me understand why any Canadian