

Immigration Act

Now, I want to consider all these circumstances. I heard the other day that a very worthy judge, now resident in the East, went out one Sunday morning in British Columbia and shot a pheasant, and by so doing he committed no less than four direct violations of the British Columbia statutes. I think the conditions are somewhat similar in this regard only they are very much worse. The first respect in which the statute was openly violated was this: I call attention to section 2 of the Alien Labour Act, being section 2 of chapter 97 of the Revised Statutes of Canada. Section 2 reads as follows:

It shall be unlawful for any person, company, partnership or corporation, in any manner to prepay the transportation or in any way to assist, encourage or solicit the importation or immigration of any alien or foreigner into Canada, under contract or agreement, parole or special, express or implied, made previous to the importation or immigration of such alien or foreigner, to perform labour or service of any kind in Canada.

That is the section of the Alien Act which applies in this case. Now, it is openly admitted, it is not even denied, that these Chinamen were brought in by contract from China, via England, to work upon these boats. It is so stated both in the question and in the answer referred to; they evidently come under the scope of this section. They were brought in as contract alien labourers. So strict is the act in that regard that section 8 of the same act even imposes a severe penalty on the master of any vessel who brings them in and permits them to be landed from any foreign port. The language of the section is "Who, previous to embarkation, had entered into a contract or agreement" and so on. The law even penalizes the master of the vessel who is a party to any deal of that kind. I think it is abundantly shown that these men were brought in illegally—they were alien contract labourers.

But if that is not sufficient we can turn to section 5 of the Chinese Immigration Act of last year, the act of 1923. Section 5 says:

The entry to or landing in Canada of persons of Chinese origin or descent is confined to the following classes.

And the section names them: First, the diplomatic corps; second, children born in Canada who have left for their education; third, merchants; fourth, students. These Chinamen that came to work on these boats at Halifax, Nova Scotia, were not members of the diplomatic corps, they were not born in Canada, they were not merchants and they were not students. Therefore they came in in direct and flagrant violation of section 5

[Mr. Neill.]

of this act which we passed last year in order to deal with such cases.

If that is not sufficient I will quote another section and another violation. Section 7 of the same act reads as follows:

No person of Chinese origin or descent other than the classes mentioned in paragraphs (a) and (b) of section 5 and sections 23 and 24 of this act—

Neither of which applies in this case.

—shall be permitted to enter or land in Canada elsewhere than at the ports of Vancouver and Victoria.

These men did not land at the ports of Vancouver or Victoria. They landed at Halifax, in the province of Nova Scotia, and there again is a distinct and unescapable violation of that section of the act. Again there is another section, section 22 of the same act. This section deals with the case of Chinese in bond. It was said that a bond of \$105,000 was put up as a guarantee that these men would be deported, but there is no provision for that kind of thing in this or any other act. Here is the section relating to bonding privileges:

Persons of Chinese origin or descent may pass through Canada in transit from one port or place out of Canada to another port or place out of Canada—

Provided that it was in accordance with the regulations. These Chinks did not come from one port of Canada and pass through in transit to another port—they stayed in Canada. That is the only provision in that or any other act by which they could come in in bond, so that this bond that was to be given was illegal and I presume had no effect. I do not know about that, but it certainly was illegally entered into. So, there are four distinct violations each one of which would be sufficient, one would think, to ban any ordinary individual.

Now it may be asserted that a similar condition exists in Vancouver, and why discriminate between the East and the West. In Vancouver there are a number of Chinamen employed upon the boats owned by the Canadian Pacific Railway which run to China and Japan. I am not here to defend the government in subsidizing these boats manned by Chinamen in any sense but the conditions are different. The Chinamen there are hired in China. They work on these boats and they stay on the boat in China for a considerable time. More than two-thirds of their total time is spent either in China or on the high seas. They are only in Vancouver whilst the boat unloads and reloads, only a few days each month and they can be easily guarded there—they are practically kept in gaol there until the boats sail again. They are not hired