

*Immigration Act Amendment*

Mr. CRERAR: In that event the person absent would probably be a representative of an organization.

Mr. CAHAN: A one-man organization often.

Mr. CRERAR: If a man having an office and carrying on the business of engineering sent a representative say to Mexico to report on an engineering project, I think such a person would come within the category.

Mr. BENNETT: There is a little doubt about it. Why not just add the word "business?"

Mr. CRERAR: That suggestion is quite agreeable to me. The purpose of the clause is the very thing my hon. friend suggests.

Mr. BENNETT: I found that our trade commissioners abroad are worried in connection with their children. Say "a business, firm, company or organization." Or you could put it the other way about.

Mr. CAHAN: I simply say that for five years while I was in office hardly a week passed when some difficulty of this kind did not arise. I have known of most pitiable circumstances—

Mr. CRERAR: My colleague will move the necessary amendment.

Mr. MACKENZIE (Vancouver): I move that the word "business" be inserted after the word "a" in line 14 of section 2.

Amendment agreed to.

Section as amended agreed to.

Sections 3 to 10 inclusive agreed to.

On section 11—Duty of companies to convey rejected immigrants to country of birth or citizenship.

Mr. NEILL: It seems to me we are committing an injustice against somebody here. The minister will tell me it is the same wording that is in the old act, but that does not make it any better. The section reads:

When any immigrant or other person is rejected or ordered to be deported from Canada, and such person has not come to Canada by continuous journey from the country of which he is a native or naturalized citizen, but has come indirectly through another country which refuses to allow such person to return or be returned to it, then the transportation company bringing such person "to" such other country shall convey such person from Canada to the country of which he is a native or naturalized citizen—

I think it should be "from such other country." This may work a great hardship on some innocent shipping company. We will suppose the law says that Chinamen may be

[Mr. Cahan.]

allowed into the United States but not into Canada. A perfectly innocent company brings a Chinaman to the United States; many years later that Chinaman is brought to Canada. His entry is illegal, and we discover that, but instead of saying that the company which brought him from Seattle to Vancouver should take him back again we compel the original company that brought him from Hong Kong to the United States to take him back. That does not seem fair, and I do not know how it can be enforced. The man who comes by ship to Vancouver can be returned in that way, but how can we have anything to do with a company which may not have anything to do with Canada at all?

Mr. BENNETT: I think the hon. member for Comox-Alberni has the wrong interpretation. The section says, "but has come indirectly through another country which refuses to allow such person to return or be returned to it." If there are two countries affected he has to be taken back to the country from which he came originally.

Mr. NEILL: He came to the intermediate country innocently enough. He was legally entered there.

Mr. CRERAR: He can be returned there, then.

Mr. NEILL: That is what I want to have done, but the minister is providing not that he shall be returned by the company which brought him on the last leg of his journey but that the original company shall be penalized because he was brought from China to the United States. Surely the company to be penalized is the company that brought the man into Canada, not the company that brought him to the intermediate country.

Mr. CRERAR: I do not think my hon. friend from Comox-Alberni is quite correct. If a ship brings a Chinaman from Hong Kong to San Francisco and the Chinaman is allowed to land, he is legally in the United States, and in that case he can be returned from Canada to the United States if later he should come to this country. But if he is in the United States illegally and comes to Canada, then we put the burden on the steamship company that brought him to the United States; they must take him back to the place from which he came originally.

Mr. NEILL: But his original entry was legal. The first country does not say he was there illegally; they merely refuse to allow him to return.