

before the committee, the question is the amendment of this law on the lines suggested. If any hon. members think this exclusion law should not be on the statute-book, it would be fair for them to place themselves on record as of that mind. It is hardly fair to take the opportunity of a proposed amendment to the details of a certain law to go upon record as criticising and objecting to the fundamental principle of the law as it stands.

As to the point that my hon. friend mentions, he asks for information why certain requirements should be made in the case of Asiatics. I am bound to say that the question has nothing to do with the amendments that are before the committee, but as my hon. friend asks the question, it is perfectly right to give the answer. My hon. friend is well aware, as is every member of this House, of the difficulties that have faced the government of Canada in dealing with the question of Asiatic immigration. He knows that very, very drastic and very, very extreme measures have had to be taken to counteract that immigration. Those measures had to differ in regard to the different classes of people who came to the country. In regard to one nationality, the Japanese, an arrangement was made with the Japanese government. In regard to the Chinese, a head-tax of \$500 was placed upon their coming into the country. And, in the case of another class of people whose coming to Canada was considered by the people of Canada—certainly by the people more especially affected by that immigration—to be a very serious detriment to the country, the condition was met by requiring the possession of \$200 in cash by each Asiatic immigrant other than those arranged for as being Chinese or Japanese. It must be obvious to my hon. friend and the House that when we have made arrangements in regard to the Japanese and in regard to the Chinese it is not desirable that we should make a special prohibition or special impediment to the coming of certain other classes of Asiatics. It was not considered to be sound public policy. It was thought very much better that the requirements should embrace 'Asiatics' and unfortunately for the constituents of my hon. friends, Syrians are 'Asiatics.' It is a case in which a very important national policy was given effect to. It was necessary that effective action should be taken, and it is, in my judgment, just as necessary that there should not be any exceptions made to the action that was taken.

On section 2, duty of officer to send complaint to minister regarding undesirable immigrants.

Mr. OLIVER. The committee will notice that the only amendment is in the inser-

tion of the words 'or entering.' The reason for this amendment also is a judicial decision. The decision was that the person who came into Canada before the passing of the Act of last year was not 'landed' within the meaning of the Act, and therefore, was prohibited from remaining in Canada. With all deference to my hon. friend from Montreal (Mr. Doherty) that was not the intent of the Act, and it is not considered to be fair or just. And it is to relieve that situation that we desire to have these words inserted.

Mr. DOHERTY. I appreciate the deference of the minister, but I was not aware that I had committed myself to any opinion with regard to the significance of the word 'entering' in this section.

On section 3, penalty for rejected or deported person remaining in or re-entering Canada.

Mr. OLIVER. This amendment is a change from the Act as it now stands. It was considered, in looking over the Act, that a fixed penalty of two years' imprisonment was not in proportion to the offence, that, in fact, it was clearly an error; and we desire to correct the error by making the punishment so that there shall be discretion in the hands of the magistrate and that the punishment shall not be more severe than the offence warrants. Therefore, we propose to insert in the section the words 'on summary conviction to a term of imprisonment not exceeding one year.'

Mr. JAMESON. This provides that any one rejected or deported under this Act who returns to Canada shall be liable, on summary conviction, to a term of imprisonment not exceeding one year? Would not that leave the person upon whom sentence was passed the option of paying a penalty or removing from the country? In other words, if he were convicted for a certain term, might not he remain in the country under restraint for the term of his conviction?

Mr. OLIVER. The idea is that having been ordered out and refusing to go, or coming back when he was forbidden, the only remedy was to punish him. The mere ordering him out again could hardly meet the case.

Mr. ROCHE. Has the minister had any such case as that?

Mr. OLIVER. I do not know that we have.

On section 4—deportation.

Mr. OLIVER. In this case we have not reprinted the whole section, as the proposal is merely to add certain words to provide that where a person is deported the de-