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Judge Anglin on the Depor- tion of Aliens.

The decision of Mr. Justice Anglin of the Supreme Court of Chambers in connection with the Pere Marquette deportation cases, to the effect that the Alien Labor Act is beyond the power of the Dominion Parliament, naturally causes some surprise. The argument upon which the Judge's decision is based seems to be this.—The British North America Act gives the Dominion of Canada power through its Parliament to legislate in respect to aliens and naturalization, but the exercise of that power is restricted territorially to the limits of the Dominion. Now a person cannot be expelled from a country, (so the learned Judge holds) without the expelling force acting beyond the limits of that Country. Accordingly the Alien Labor Act of Canada is beyond the power of the Dominion Parliament. "In effecting the return of an immigrant to the United States," says Judge Anglin, "it is suggested that the officer charged with that duty may take his subject in custody to the imaginary line forming the boundary, and then, remaining himself on Canadian territory, may push his prisoner across the line and into the United States. But were it possible for the officer to eject a resisting alien without risk of projecting any part of his own person upon United States soil, in my opinion, the application of the propelling force operating upon the person of the alien while wholly or partly within the foreign territory is an extra-territorial constraint of such alien by the Canadian officer, and as such cannot be authorized by the Dominion Parliament." If the officer in getting the alien into the United States steps across the line that is *ultra vires*, and if he does not step across but simply pushes the alien over into his own territory, the officer has projected some of his force across the line, and that is *ultra vires*. Again it was suggested that the provisions of the law might be carried out if the alien were placed on board a ferry boat plying between points on different sides of the international boundary, as between Windsor, Ont., and Detroit. But Judge Anglin cannot agree to that, because "it is impossible to say that the deported subject is not under actual constraint imposed by Canadian authority until the boat reaches the Detroit docks." The Judge declares that he has striven in vain to discover some means by which the deportation of aliens might be effected in accordance with the provisions of the Alien Labor law without involving an assumption of extra-territorial jurisdiction. The Toronto Globe suggests the idea of a "deportation machine." A large tube ending at the boundary line with a plunger that could be carefully screwed down to force the defendant out, the Globe thinks, would fill the bill. Perhaps in the light of this suggestion the learned Judge may be led to reconsider his judgment. But if the judgment of Justice Anglin is to stand as the final judicial word upon this subject it appears evident that the decision is of far-reaching importance. If Canada has no power to deport an alien because in dealing with aliens its power must be exercised strictly within its own territory, it is equally clear that she cannot prevent the entrance of aliens into the country. Aliens of every kindred and tongue and nations—paupers and illiterate, half blind and leprous, may be dumped upon our shores, and Government cannot legally lift a hand to resist it. That is hardly a condition of things which a country like Canada will wish to accept. Either new rights or a different interpretation of the rights we have becomes a necessity.

The Origin of the Plague.

Dr. Charles Creighton who recently returned to England after an investigating tour amid the plague-stricken districts of India, has given the results of his investigations at a scientific meeting in London. Briefly, he declared that the origin of the pest was traceable mainly to the exhalation of poison from soil which had been inhabited too long, without drainage. These were especially dangerous at night, when they arose and entered the windows of crowded sleeping chambers. He gave a vivid description of some of the mud villages, which are no better than pest holes. The plague-stricken villages of Satara are enclosed within a ring fence of bushes, sometimes with gates and with the remains of a wall. Many of them have large and crowded populations, and the houses are nearly all built of mud upon earthen foundations. Dr. Creighton examined two, in which there had been deaths a few weeks before. They were both old and

crumbling, built of sheer mud, without plinths, and one quarter of the village in which they stood is inhabited by Mohammedan butchers and cattle-dealers, and the ground has become saturated with ofal. Similar constructions were found at Dharwar, in the north-west, and at Jullundur, where the greater number of deaths occurred in a square block of houses of very remarkable construction. It was literally a hive of some thirty or forty mud cells. A narrow passage ran round the square, with doors at intervals in the dead wall. Entering near a corner of the square, the visitor found a room which somehow held a cow or a bullock, as well as the family, and had a hut-like opening in the flat roof with a ladder to ascend by. On reaching the roof he discovered that it was a continuous expanse of thirty or forty small squares like those of a chess-board, marked off from another only by a ridge of mud, over which he could step across, walking a distance of some thirty or forty yards, to descend by another ladder at the opposite corner. The condition of the tenements at the centre of this structure may be imagined. Dr. Creighton evidently thought that there was more need for the scavenger than the bacteriologist.

The Czar and the Zemstvos.

The cordial reception accorded by the Czar to the Zemstvos deputation on Tuesday of last week is regarded as an event of considerable importance. The fact that the Emperor not only received the plain spoken addresses without so much as an indication of disapproval but expressed full sympathy with the efforts to ameliorate the deplorable state of affairs depicted therein, and in the most direct and explicit fashion renewed his promise to summon the representatives of the people made, it is said, a very deep impression on the delegation. Prince Troubetskov, President of the Zemstvo Congress of the Moscow Government, in behalf of the Moscow delegation, addressed the Emperor in a speech of half an hour's length, in which he described the serious conditions which exist in Russia and which had caused the Zemstvos to approach His Majesty directly. M. Pedoroff, representing the St. Petersburg delegation, also addressed the Czar. The Emperor, it is said, was evidently much impressed and replied, expressing deep regret at the great sacrifices consequent upon the war and above all at the disaster to the Russian navy. The Emperor is reported to have said: "Dissipate your doubts, My will is sovereign, and it is my unalterable will that the admission of elected representatives to the works of state shall be regularly accomplished. I watch daily and devote myself to this work. You may announce that to all your friends in country and town. I am firmly convinced that Russia will emerge strengthened from the trials she is now enduring, and that there will be established soon, as formerly, a union between the Emperor and all Russia—a communion between myself and the men of Russian soil. This union and communion must serve as a basis for the original principles of Russia. I have faith in your desire to help me in this task."

The Cattle Embargo.

The embargo placed by the Imperial Government on Canadian cattle entering the United Kingdom has long been a subject of serious complaint in this Country. The ostensible reason for the embargo is the existence of pleuro-pneumonia among Canadian cattle, but as it has been conclusively shown that the disease is not to be found in Canada, it would appear that the real reason of the British Government for maintaining the embargo is to protect the British cattle raiser from Canadian competition. The matter has on several occasions come up for discussion in the Dominion Parliament, and last week the Committee of Agriculture of the House of Commons adopted unanimously the following resolution:

"That in the opinion of this committee the embargo on Canadian cattle entering the United Kingdom is most unfair and unjust, as it is a publication to the world at large that the Board of Agriculture considers it unsafe to permit Canadian cattle to come into contact with the herds in the United Kingdom, whereas it is a well known fact that in no country other than Canada can herds be found so free from disease."

"That the scheduling of Canada by the Imperial Government is considered from a financial point of view a serious loss to the Canadian cattle trade, the farmers and the stock raisers of the Dominion.

"That action of the Imperial Government is not justified by the facts of the case, it having been clearly proved that the disease of pleuro-pneumonia has never existed in Canadian herds.

"That in view of such conditions the removal of Canada from the schedule would be but an act of justice and should be strenuously pressed.

"That as the Dominion is a stock raising country and capable of producing a large and constant supply of beef cattle, it is considered important to the Empire that no obstructions nor difficulties should be placed in the way of Canadian cattle breeders which would tend to decrease the food supply within the Empire."

Looking for Peace.

Negotiations for peace are in progress, but this progress does not appear to be rapid. Probably each nation is somewhat suspicious, as to the intentions of the other and careful not to commit itself to any move which might turn to its disadvantage. An armistice has not yet been agreed upon, and Mr. Takahira, the Japanese Minister at Washington, is reported as saying that there are other matters which must be settled first. It is not surprising if Japan, with the advantages which the present situation in Manchuria is believed to give her for striking an effective blow, is in no hurry to conclude an armistice, and it may be expected that she will decline to do so unless she receives satisfactory assurances that the proposed Conference of plenipotentiaries in Washington is likely to result in such an agreement as to conditions of peace as she can accept.

The Digby County tragedy of which some mention was made in The Messenger and Visitor last week is attracting much interest. A Coroner's jury in the case of the child, Minnie Young, found dead in the woods, brought in a verdict charging the woman, Hope Young, with responsibility for its death and declaring that there were grounds for strong suspicions against Kingsley Melanson. The two were accordingly arrested and lodged in jail at Digby. The preliminary examination takes place on the 27th inst. The mother of the dead girl known as Minnie Young is Marie Ward who has been living in Boston, but is now in Digby, having come there on receiving news of the death of her child. A man named Elmer Young, of Boston, is also in Digby and is forcibly detained there as a witness in the case. This man is said to admit that he is the father of both the dead child and the younger child which was found alive, but says he was not married to either of the women. He came to Digby County after receiving news of the Plympton tragedy, but it does not appear that there is any evidence to connect him with the death of the child. On the other hand, from all that is told of Hope Young, she does not appear to be the kind of woman who would be expected to commit murder unless she were acting under the domination of some stronger mind. Whatever may be the solution of the mystery it is evidently the outcome of lamentably lax and licentious conditions of life.

Two new amendments to the Northwest Autonomy Bills have been proposed in the House of Commons. One of these amendments is by Mr. Bergeron, a Conservative, and it is to the effect that the separate schools for which the Bills provide shall be taken entirely out of the hands of the Provincial Government and placed under the wholly independent management of the ecclesiastical bodies they represent. That is to say, it is a provision that in the new Provinces the Roman Catholic Church shall have the same privileges in respect to elementary schools as in the Province of Quebec. The other amendment is by Mr. Monk, also a Conservative, and aims at the establishment of a dual system of languages in the new Provinces, giving to French a place with English, in the Legislatures and in the Courts. In the face of the fact that according to the last census there were more than twice as many Russians as French in the Northwest and a still larger proportion of Germans, it is difficult to see what special claims the French language can be supposed to have to recognition as an official language in the new Provinces. There is of course, no expectation that these amendments will be adopted. The reason for their introduction is probably their supposed value for election purposes in the Province of Quebec. But whatever value they may have in that Province will probably be largely offset by their effect in other parts of the Dominion.