

Mr. COPP: They must be read together; one does not override the other.

Mr. MEIGHEN: I know; but the particular provision prevails over the general when they are read together. I cannot understand section 2 being passed along with sections 23 and 24, because the latter clearly specifies the condition under which the Secretary of State may act.

Mr. COPP: It was passed in 1914 as I read to the committee. My right hon. friend attempted to lead the committee to believe that I was quoting from an act that was not part of our legislation. It is part of our legislation and was passed by the government of which my right hon. friend was a prominent member.

Mr. MEIGHEN: The hon. minister should not say that. I asked him what he was reading from, he said the Imperial act, and I took him at his word.

Mr. COPP: It is taken from the Imperial act. My right hon. friend attempted to tell the committee that I was asking to be given a power that I did not have under the present legislation.

Mr. MEIGHEN: Yes, that is right.

Mr. COPP: I answered him by saying that I had this same power under an act passed by his own government some years ago. I am not finding fault with that act, it may be all right, but to-day when we are asking for the repeal of the section that I mentioned, we are asking for no greater power for the State department than is conferred upon it by the act passed by my right hon. friend.

Mr. MEIGHEN: I do not agree with the minister at all. He read from what he said first was the Imperial act. It turns out now that that is embodied in part 2 of our act of 1914. This seems to be the case, but I have not had time to review the relationship between that section 2 and sections 23 and 24. Under the latter sections the Secretary of State could not naturalize anyone unless he had first the judge's recommendation.

Mr. COPP: I did not say I could.

Mr. MEIGHEN: Without the inquiry which I have not yet had an opportunity to make I would be of opinion that sections 23 and 24, being specific, would be the dominating sections over section 2; and that if the minister has been acting under section 2 alone without relation to sections 23 and 24 he has been acting illegally. Now he says he is not asking for any power which he has not had

all along. I say he is; he is asking for power to issue naturalization without the necessary preliminary—a judicial investigation. If for the sake of argument we assume his view of the law is right—I do not think it is—and that after the judicial investigation he could do what he liked even though the judge reported against the applicant, he is asking now for power he never had before. Though he might do as he pleased before, according to his arguments he had at least to precede his action with a judicial investigation and report. That judicial investigation and report was a public document capable of production at any time at the call of this House, a public document by which the public and this House could judge of the rightness or wrongness of his action, a public document of record prepared by a judge of our courts. Now the minister wants to do away with that precaution which parliament imposed, he wants to do away with the necessity of any preliminary investigation and report by a judicial body. Certainly that is asking for a power that he did not have before; it is asking for power to enable him to exercise his duties without the restraints the act imposed before. Even on his own argument that he had an absolute right to give such final decision as he might deem advisable, those restraints were there before. Pass this legislation and those restraints are gone.

I repeat that I shall be surprised if I have to come to the conclusion that this is the law. Though it may be the opinion of Mr. Newcombe, that section 2 would prevail even over the conditions stipulated in sections 23 and 24, I submit this is bad legislation. The minister says, "The judges' investigations have been no good and I am going to conduct them after this bill is passed through the Mounted Police." Investigations into the legal qualifications of a resident of Canada to be naturalized as a British subject! Was there ever a matter more fitting for judicial inquiry than this? And he says the reason the judges have been careless is because they have not been paid. I do not think his words will be accepted as a compliment by the bench of Canada. They have been paid for this work just as they have been paid for conducting the courts in Canada, and they are paid to-day for their work as inquirers, investigators, under the Naturalization Act in exactly the same way as they are paid for deciding whether a culprit goes to jail or not. All is embraced within their duties, and to suggest that because there is not some special pay applicable to this is to do no credit to the bench, and, I am afraid, to do none to the minister. I have