

*Immigration Act*

or deported merely on suspicion. However, the other feature seems more important than that, and I would make it apply to a British subject.

Mr. NEILL: If I might venture into the field of law, I would suggest that there is nothing very much wrong with the section as now drafted. Formerly it applied to every person who committed any of these offences. That was a general provision, but it exempted British subjects by reason of birth in Canada, or by reason of naturalization in Canada.

Mr. MEIGHEN: Canadians.

Mr. NEILL: Yes. But it did allow deportation by means of a summary investigation of an alien or British-born subject?

Mr. MEIGHEN: Yes.

Mr. NEILL: Now they are going to amend it and leave out the last few words, and the British-born subject and the Canadian subject will be entitled to a trial. That is the change and it seems to me desirable. The hon. member for Brome wants to go further and give the alien a trial as well.

Mr. MEIGHEN: If he comes from Britain he is of that class and the law does not declare him to be undesirable at all.

Mr. NEILL: Which law?

Mr. MEIGHEN: The old law.

Mr. NEILL: Would the hon. member explain that again?

Mr. MEIGHEN: Under the old law if he came from Britain and was of such a class he would be declared undesirable, the same as if he came from any other country. Under the law as proposed to be amended if he comes from Britain he is not declared to be undesirable at all. He is presumed to be desirable.

Mr. NEILL: And the act does not apply at all.

Mr. MEIGHEN: No.

Mr. ROBB: I am advised that substantially the same amendment as is now proposed was passed twice by this House, but was thrown out by the Upper House. For that reason I do not think I would like to change it, but would like to put it through as it stands.

[Mr. Boys.]

Mr. STEWART (Argenteuil): It has always been held that this was drastic action against a British subject. That is the fight we have had every year. I assume the department is now trying to get away from that.

Mr. MEIGHEN: It was contended—and a terrible row was raised over it—that we had perpetrated an offence against the individual, but there was nothing in it; it was all pure fudge from beginning to end.

Section agreed to.

On section 9—Arrest or prosecution of rejected or deported person remaining in or returning to Canada except in case of inability to comply with rescinded order in council.

Mr. MEIGHEN: What is the difference between this law and the previous law?

Mr. ROBB: Under the present law he was not prohibited from returning, but under this amendment he will be prohibited from returning if convicted under the Opium and Narcotic Drug Act.

Section agreed to.

On section 10—Cost of maintenance of rejected immigrant pending return.

Mr. MEIGHEN: What is the difference between this and the previous law? The explanation is longer than the change.

Mr. ROBB: The amendment to section 44 is in keeping with the amendments to sections 19 and 34. As the law now stands, the transportation company is not responsible for any maintenance during detention, that is prior to rejection. Where a large number of passengers are waiting to be examined, it sometimes happens that passengers are held in the immigration building for a period involving maintenance cost. The amended section places upon the transportation company all costs from the time of arrival until the time of admission or time of deportation, as the case may be.

Mr. MEIGHEN: This is just of a piece with the other. If the department detains a man even though it finally turns out that there was no case at all, all the expenses of detention shall be paid by the transportation company.

Mr. ROBB: I am informed that the transportation companies are now paying this cost. This is only putting in the law what they