

*Immigration Act*

So when we deny him what he never had a right to, what he never established his right to, and when we do that by the means of deportation, we are not committing any wrong against him. It is essential, in order that this instrument may be exercisable for the purpose of properly selecting immigrants, that the powers of the minister be summary. It is essential that they be capable of swift and immediate execution in appropriate cases. But to suggest that we must give a man a trial by jury before we decide whether he has a right to come to Canada and stay here after he has arrived is to my mind absurd. We are not denying anything to which the man ever became entitled. We are merely exercising in the only way we effectively can, and with the least possible injury to him, an essential power of government.

Mr. McMASTER: Does the hon. member think it wise that people should be deported on general repute or suspicion?

Mr. MEIGHEN: Not as a rule. But there do come cases where the repute itself is so notorious as to amount to a conclusion. I do not know that ever within the period in which this clause has been in force there has been a case of deportation because of mere repute. I am not certain that there has; if there has I fancy the cases were very few. But if it were a notorious case where the man's reputation was world-wide as an anarchist, why would the minister need to have some other proof? He might exercise his power in such a case merely on the basis of the repute or notoriety of the individual. It seems to me it is not unwise to have the law such that he can.

Mr. McMASTER: What about the suspicion?

Mr. MEIGHEN: The word "suspicion" does not appear to me to be necessary at all.

Mr. MARTELL: When the minister is acting in this way is it not the case that he is acting judicially? I mean, that he is taking cognizance of whatever evidence is before him? Moreover, a trial by jury might mean that a man would have to be in this country a year before he could be brought to trial.

Mr. MEIGHEN: Certainly the minister's powers under the act are judicial powers.

Mr. WOODSWORTH: Although the ostensible object is that of selecting immigrants, this power may be exercised to secure the punishment of people who have committed or who are suspected or reputed to have committed crime. As I understand the amend-

[Mr. Meighen.]

ment, whether a man has been here one year or twenty years makes no difference; under this legislation it is simply impossible for such a man to establish domicile. An Englishman who has come to Canada and lived here for twenty-five years and is suspected by some of his neighbours or by some over-zealous official of being a member of this particular class or having tendencies along this line, might conceivably be called before a committee of inquiry appointed by the minister and summarily deported to Great Britain. I say that is an intolerable situation.

Mr. ROBB: My hon. friend is building up a straw man to knock him down.

Mr. WOODSWORTH: I am not knocking down a straw man, as an attempt was made in 1919 to do just that thing, and had it not been for a general protest across the country it would have been done.

Mr. COOTE: I would just like to ask the minister, and the question is brought to my mind by the leader of the opposition, how long an Englishman would have to be in this country before he would have the rights of Canadian citizenship?

Mr. ROBB: Five years.

Mr. MEIGHEN: I fancy the minister is hardly right in his answer. I do not say the period is wrong, but his rights of citizenship are immediate. His right of residence is defeasible within the five years.

Mr. ROBB: That is what I meant.

Mr. WOODSWORTH: Am I not right when I say that any one who belongs to one of these prohibited classes could not establish domicile, no matter how long he has been here, whether it is five years or twenty years?

Mr. ROBB: He could if he were a person of good character.

Mr. WOODSWORTH: That is the point at issue.

Mr. LADNER: Some time ago I addressed to the Secretary of State a letter dealing with the question of naturalization by those who retain the naturalization of their country of origin when making application for naturalization here. It is a question of dual nationality, and it affects a number of countries, particularly Japan. I took occasion when raising the matter in the House of placing on record the views of people on the coast who are well informed on this question, and perhaps one of them was the best informed person on naturalization questions in western Canada.