

Mr. JACOBS: "May."

Mr. MEIGHEN: Certainly, he "may."

Mr. JACOBS: And may not.

Mr. MEIGHEN: But, unless he gets a favourable report from the judge he cannot issue it. That is the point. But if these two sections are repealed the Secretary of State is lord of all he surveys in relation to naturalization. Without these sections he could issue certificates by the thousand the week before an election and place them in the hands of candidates in various counties. That could be done; he would not require the endorsement of a judge at all. He would not require recommendation from anyone; he would be simply master of the situation. Surely the minister does not solemnly propose that to the House of Commons.

Mr. COPP: I am doing it now.

Mr. MEIGHEN: The minister is not. I should like him to produce to this House a case in which he has issued a naturalization certificate without the authority of a judge under section 23.

Mr. JACOBS: He can withhold it indefinitely.

Mr. MEIGHEN: Certainly, he can decline to issue a certificate, but he cannot issue one without the authority of a judge under section 23. And he wants that barrier removed so that he may be able to do as he pleases and issue certificates here, there and everywhere at his own discretion. Now, surely he does not contend any longer that he can, without the authorization of a judge, issue a certificate of naturalization. Let me read section 23:

If the court decides that the alien is a fit and proper person to be naturalized and possesses the required qualifications a certified copy of such decision shall be transmitted by the Clerk of the Court to the Secretary of State together with the application, and such other papers, documents and reports as may be required.

Under section 24:

The Secretary of State of Canada may thereupon, in his absolute discretion, issue a certificate of naturalization.

That is, he may or he may not. But he neither may nor may not unless section 23 has been complied with and a judge has made his report. Surely the minister would not argue anything different from that. I am satisfied his deputy would not, in any court of justice. What is the effect of the word "thereupon?" This word means, upon section 23 being complied with; and section 23 is not complied with until a judge has

reported to the effect set out therein—not a negative report but such a report as is described in the section. He places this report in the hands of the Secretary of State, and with that report favourable to the applicant in his possession the Secretary of State may or may not grant the certificate.

Mr. COPP: Suppose it is unfavourable?

Mr. MEIGHEN: Then he has no power to grant the certificate at all, because he has not such a report as is referred to in the section. In fact, the judge does not need to make an unfavourable report; if he makes such a report it is wholly something that does not affect the power of the Secretary of State at all. The Secretary of State must have a favourable report in accordance with section 23 before he can exercise any discretion at all. Having that report he may or may not grant the certificate. Now, I really should like to hear the minister's argument if he thinks that I am not correct.

Mr. COPP: My deputy informs me that after the report of the judge has been received, many a time inquiry is made and a certificate is issued irrespective of whether the judge reports for or against the applicant.

Mr. MEIGHEN: Read the authority.

Mr. COPP: I may say to my hon. friend for York (Mr. Hanson) who made a few remarks—

Mr. MEIGHEN: Surely the minister does not want to let this matter go at that and say that the department has been doing as he suggests. If it has done anything of the kind it has done so against the law. Would the minister read the two sections to which I have referred him.

Mr. COPP: My deputy informs me that we are doing it in accordance with the law passed by my hon. friend.

Mr. MEIGHEN: Not at all.

Mr. BOYS: Does the minister contend that he can issue a certificate without first having a report from the judge? Does he say that he can issue it on his own initiative?

Mr. COPP: No, not without the report. But after the report does come in we can act as we see fit; and that is why I say that the report is of no value.

Mr. MEIGHEN: Even if the report is a negative one?

Mr. COPP: Yes.