

port of entry as to the status of any immigrant, a board of inquiry will inquire as to whether or not the suspicions are well founded. The Act stipulates that if there be no such board of inquiry at that port or a neighbouring port the officer in charge will himself be a board of inquiry for the purpose of investigating whether or not the suspicion that that particular person is trying to evade the immigration laws is well founded. In the city of Halifax there was no board of inquiry, but on March 7, the officer in charge undertook to constitute himself a board of inquiry for the purpose of investigating the cases of these three men. The investigation took place and they were detained. But a very marvellous thing happened. They were detained in the city of Halifax from the 7th of March, until the 25th of March without deportation proceedings being taken against them, that is without proceedings to have them sent back to the port from which they came. Practically a whole month passed without any action being taken, and then when action was taken, what happened? On the 26th of March, some lawyers in the city of Halifax, acting for Grip, Limited, and others, took habeas corpus proceedings to obtain the release of the three men who were detained. I wish to point out that in the Act there is a section which says that a judge of a superior or supreme court shall have no jurisdiction to release any such persons who are detained by immigration officials. That is all very well, but the order under which those men were detained, did not show the jurisdiction on its face, and I am censuring the Department of the Interior, which has to deal with immigrants, because when this thing was brought to their attention they did not proceed properly. They did not get a person qualified with an understanding of the law to see that those detaining orders or warrants were correctly drafted. As a matter of fact, the lack of jurisdiction on the face of the warrant gave Mr. Judge Graham the jurisdiction to try those men, notwithstanding the enactments to the contrary under the Immigration Act. On the face of the warrant it should have been stated that there was no board of inquiry in the city of Halifax, or any neighbouring port, and that the immigration officer there constituted himself a board of inquiry under the Act. That was left out of the warrant, and the omission gave the judge at Halifax jurisdiction. As a matter of fact the three men were released when, if the department had taken proper precautions and had carried out the orders properly, these men would have been sent back to the Old Country, and the photo-engravers in Montreal and Toronto would have had a chance to better their social and working conditions. As I have said

the three men were released, and mark you, at this very time, the organization of the photo-engravers in Toronto were spending thousands of dollars in assisting the Immigration Department to identify incoming engravers at the various ports, St. John or Halifax, or wherever they landed. The amount spent by them in assisting the Immigration Department was \$2,000, and yet, the department took no precautions to have the matter dealt with properly and according to law. I wish to read declarations made by some of those people who came out to this country. Copies of some of these declarations were placed in the hands of the acting Minister of the Interior before the 17th of March, I think, but I do not think this one is in his hands.

In the Matter of the Dominion Immigration Act.

Dominion of Canada, Province of Ontario,
County of York, to Wit:

I, George Henry Fortt, formerly of London, England, now of the city of Toronto in the county of York, photo-engraver, do solemnly declare that:

1. I am a photo-engraver and was living in London, England, and was engaged at my business there when about the month of February, 1913, a Mr. Gamble representing Grip, Limited, Toronto, approached me to go to work for the said Grip firm. I had heard a rumour as to trouble existing between the Grip Company and its employees and I made a special point of asking Mr. Gamble if there was any strike on at Grip's because if so I was no strike-breaker and had no desire to act as such. He told me there was a slight trouble but it would be all over before I reached Toronto. I was occupying a good position at the time, but on his representations I decided to accept the offer to work for Grip, Limited.

Apparently the purser of that particular boat was in the plot, and some attention should be paid to his case.

I had a letter from Mr. Gamble telling me to apply to the purser of the Hesperian, the boat on which I came out, and the purser would give me a draft for \$50 to enable me to pass the immigration authorities and that my pay would begin in Toronto when I returned the draft to Mr. Watts, manager of Grip, Limited.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

George Henry Fortt.

Declared before me at the city of Toronto in the county of York this twelfth day of April, A.D., 1913.

H. T. Burke,
A commissioner, &c.

That is one affidavit which shows plainly that those men came to Canada after the month of February in direct evasion and violation of the immigration laws, and the acting Minister of the Interior at that time knew that such people were coming in to