

was looking for the captain. There is a suspicion that he will lose more than a dirk when he arrives in Hong Kong.

In the end he never arrived at Hong Kong, as he got away from the Empress at Yokohama.

Evidently Mr. Bhagwan Singh was not in bad physical condition; at any rate his incisors seem to have been in good working order, judging by the punishment he inflicted on those who deported him.

The getting of Singh on board was attended with much difficulty, one officer losing part of his ear and another contributing a chunk from his hand.

I commend these reports to the hon. member for Rouville, who has been making a martyr of Mr. Bhagwan Singh. It is shown that Bhagwan Singh entered Canada, in the first place, by perjuring himself. That is not conduct becoming a priest of the temple. Mr. Reid, the immigration official, was carrying out instructions when he did deport him, and was acting under a section of the Immigration Act.

I do not know how to harmonize the views expressed by my hon. friend from Edmonton (Mr. Oliver) with those expressed by the hon. member for Rouville. To-day we heard the hon. member for Edmonton very indignant at the highly technical decision given by Mr. Justice Hunter, and he asked pertinently whether this Parliament was going to be supreme, and whether this Parliament was not going to have control over our own immigration laws, and be able to say who shall and who shall not come to Canada. And, in view of the hon. member for Edmonton being the father of this Act, I quite realize that, in order to be consistent, he must take that stand. The hon. member for Rouville, on the other hand, argued on behalf of the courts, and he defended the court proceedings and he claimed that we could not override a habeas corpus writ, as was done in this case. The same question arose in connection with the Thaw case. Mr. Reid, the immigration officer, in deporting this gentleman as he did, even in face of that wireless message, notifying him that there was a habeas corpus writ out to hold this gentleman; acted under section 23 of the Immigration Act, which says:

No court, and no judge or officer thereof, shall have jurisdiction to review, quash, reverse, restrain or otherwise interfere with any proceeding, decision or order of the minister or of any board of inquiry, or officer in charge, had, made or given under the authority and in accordance with the provisions of this Act relating to the detention or deportation of any rejected immigrant, passenger or other person, upon any ground whatsoever, unless such per-

[Mr. Roche.]

son is a Canadian citizen or has Canadian domicile.

That is the section under which Mr. Reid, the immigration officer, acted in deporting this gentleman, and in ignoring what was stated to-day by the hon. member for Rouville to be a habeas corpus writ, but what Judge Morrison, who himself issued the writ, afterwards cancelled as being issued without complete information. Judge Morrison was not in possession of full information at the time, and, as I say, the writ was cancelled by him. But Mr. Reid acted by reason of the authority given him under that section, 23, which says that no judge has any authority to revise or to annul the decision of the Minister of the Interior or of the Board of Inquiry. One of the judgments in the case stated that the Board of Inquiry was illegal because only four of its members attended, whereas the full board should have been present. This, of course, was another technical objection. The Hindu newspaper I have read, contains an accusation against the Government, on the allegation that the proceedings of the department were illegal. However, the department made it valid in accordance with that decision, by constituting at once a full board, and the full board of inquiry again rejected this gentleman. Another appeal was made to the Minister of the Interior, that appeal was rejected, and, following out section 23, Mr. Malcom Reid, the immigration officer, thought he was quite justified—and I am sure the ex-Minister of the Interior (Mr. Oliver) will agree that he was justified—in deporting this gentleman. The hon. gentleman from Edmonton has stated that the remedying of the defect in regulations 920 and 926, would, in his opinion, have met the whole situation. I do not think so. It would have perhaps, so far as the decision of Chief Justice Hunter was concerned, but we had information as well, that there was most likely to be a great deal of unemployment in British Columbia during this winter, and in view of the fact, also, that our friends on the opposition side were harking in Parliament and out of Parliament the same view, and stating that there were 100,000 men out of work in Canada, we desired to take precautions to see that the Pacific coast would not be flooded by an influx of the labouring class, not only from India but of the labouring class from other countries as well. We did not at all ignore or minimize the difficulties of the position, and we came to the conclusion, under the circumstances, that we would be justified