

Naturalization Acts

Mr. HANSON: There is no test under this legislation.

Mr. FORKE: I am not saying anything about that; if the hon. member will have patience, I will, maybe, come out all right in the end. I think this puts too much power in the hands of the minister to give naturalization papers. Large blocks 4 p.m. of foreigners might be waiting to be naturalized, and it might be convenient—ministers are only human—to have those men naturalized at a certain time. It would be more advantageous and better for the country if some examination should take place before a county court judge, who, I am satisfied, would do his duty in the matter. I have no doubt that the minister's intention is all right to simplify the matter and to do away with extra trouble; but after all, if an applicant is really anxious for British citizenship, he will take the trouble to get his application in to the clerk of the court, to go through the necessary preliminaries and to come before a county court judge, in order to get his British citizenship. I would certainly be in favour of having something between the applicant and the minister, in order to prevent the applicant from receiving naturalization unless he was thoroughly entitled to it. I have known several cases in which applicants have filed their applications in the county court, gone through all the preliminaries and got their citizenship without any extra trouble. It might be all right to have some method of getting an examination made of a man or woman who wanted to be naturalized and who was living at some distance from the county court, so that the evidence might be submitted to the judge. I do not know whether that would be a feasible plan or not. But, after all, most county court judges hold sittings at not such very great distances from people residing in a county. In the older provinces, like Manitoba—because Manitoba is getting pretty old now—there is no hardship at all as regards any applicant going before a county court judge.

Mr. MEIGHEN: Do I understand the minister to say that under the present law, no matter what the judge's opinion may be, the Secretary of State has absolute discretion to grant or refuse naturalization?

Mr. COPP: I will read the clause to my right hon. friend.

Mr. MEIGHEN: I have read it.

Mr. COPP: This is the provision:

The granting of a certificate of naturalization to any such alien shall be in the absolute discretion of the Secretary of State—

[Mr. Forke.]

Mr. MEIGHEN: What is the minister reading from?

Mr. COPP: I am reading from subsection 3.

Mr. MEIGHEN: Of what act?

Mr. COPP: I am quoting from page 58 of the act.

Mr. MEIGHEN: Of the 1914 act?

Mr. COPP: Yes.

The granting of a certificate of naturalization to any such alien shall be in the absolute discretion of the Secretary of State and he may, with or without assigning any reason, give or withhold the certificate..... and no appeal shall lie from his decision.

That is the law to-day.

Mr. MEIGHEN: What is the origin of the section my hon. friend is reading? He has read from a pamphlet. From what act does he get that section?

Mr. COPP: The Imperial Act.

Mr. MEIGHEN: But we are governed by sections 23 and 24 of our own act, which the hon. member wants to repeal.

Mr. COPP: Section 24 reads—

Mr. MEIGHEN: Hear, hear; that is the one.

Mr. COPP (reading):

The Secretary of State of Canada may thereupon, in his absolute discretion, issue a certificate of naturalization and send the same to the clerk of the court to whom the application for naturalization was made.

Mr. MEIGHEN: Now I should like to argue the matter with the minister.

Mr. COPP: That section is eliminated by the proposed amendment.

Mr. MEIGHEN: What the minister read before was not the law; what he has read now is; and that is the law he wants to repeal. It is not, however, the law that he cited to the House. The Secretary of State under the act to-day has not the discretion to grant or refuse, no matter what may be the judgment of the county court judge. If he receives a recommendation from the county court judge in accordance with section 23, he may act upon that recommendation or he may not, but the recommendation is one for naturalization. If the county court judge after his examination finds that the applicant is a fit and proper person for naturalization he so certifies, under section 23, to the Secretary of State, and then section 24 applies. "The Secretary of State may thereupon, in his absolute discretion, issue a certificate."