

(a) The members of the diplomatic corps, or other government representatives, their suites and their servants, and consuls and consular agents;

(b) The children born in Canada of parents of Chinese race or descent, who have left Canada for educational or other purposes, on substantiating their identity to the satisfaction of the controller at the port or place where they seek to enter on their return;

(c) (1) Merchants as defined by such regulations as the Minister may prescribe;

(2) Students coming to Canada for the purpose of attendance, and while in actual attendance, at any Canadian university or college authorized by statute or charter to confer degrees; who shall substantiate their status to the satisfaction of the Controller at the port of entry subject to the approval of the Minister, whose decision shall be final and conclusive . . . . ."

With the enforcement of the said Act only the children born in Canada of Chinese parentage who left Canada for educational and other purposes are allowed to return while the wives and children of Chinese merchants and persons now residing in Canada, who were formerly permitted to enter before the enforcement of the law, are completely denied entrance into the country. It is unreasonable and against the spirit of justice, and contrary to the well-being of society, to rule that any Chinese desiring to enter Canada must leave their wives and children at home in China and that in case the Chinese immigrants in Canada wish to join their families they have no alternative but to return to China themselves. It is difficult to understand that while Chinese on this side of the Pacific are stretching out their friendly arms to Canada, Canada repays this friendship by resorting to the policy of separating the families of Chinese immigrants!

As to the status of Chinese merchants desiring to enter Canada it is clearly stipulated in Section 5, Paragraph (c) of the Act, which reads:

"'Merchants' as used in this Act, shall not include any person who does not devote his undivided attention to mercantile pursuits and who has less than \$2,500 invested in a business dealing exclusively in goods grown, produced or manufactured in Canada, and who has not conducted such business for a period of at least three years; and merchant's clerk, or other employee; tailor; mechanic; huskster, peddler or person engaged in taking, drying or otherwise preserving fish for home consumption or exportation, or

having any connection whatever with a restaurant, laundry or rooming house.'"

Chinese in Canada engaged in that kind of business and having the same status as that outlined in the said Provision are comparatively few, while those engaged in one business must carry on the same irrespective of circumstances or, in case of their changing professions, they will face immediate deportation. The Provisions are also self-explanatory that Chinese labourers are completely barred from the country. As to Chinese students desiring to enter Canadian universities they are also subjected to similar restrictions. The limitations governing the entrance into Canada by Chinese students are clearly stipulated in Section Five of the Act which is quoted elsewhere in this article. In its strict sense Chinese students are actually barred from Canada, excepting a privileged few.

It is a fact that a number of Chinese students going abroad to secure advanced education have not the necessary qualifications to enter a foreign university without first indulging in intensive study in some preparatory institutions for a considerable length of time. Such kind of students can not enter Canada under the Immigration Act.

It must be pointed out that it has been an international custom to extend the courtesy of educational facilities to the nationals of friendly Powers. But Canada has seen fit not to give even educational facilities to the nationals of a friendly Power, whose trade the Canadian Government is so eager to get. What the Canadian leaders have in their mind in making the said stipulation is really hard to understand. What is more objectionable is that when Chinese nationals enter Canada they must enter through the ports of Vancouver and Victoria (see Section Five). It is an extreme and unnecessary discrimination. There is no reason why Chinese nationals entering Canada, who happen to be in Europe or in the Eastern part of the United States, should be compelled to enter only at Vancouver or Victoria while the nationals of all other Powers could enter at eastern ports. The only reason can be given for the restriction is that the Canadians are trying to place all possible difficulties in the way of Chinese immigrants.

Furthermore, the power of admitting or rejecting Chinese immigrants is entirely invested in the hands of the controller against whose decision there is no appeal. The readers will have some idea of how Chinese immigrants suffered indignities and abuses at the hands of the controllers by the following quotations from the Immigration Act:—

Section 10.

(1) The Controller shall have the authority to determine whether an immigrant, passenger or other per-

son seeking to enter or land in Canada or detained for any cause under this Act is of Chinese origin or descent, shall be allowed to enter land or remain in Canada or shall be rejected and deported.

(2) The examination of persons of Chinese origin or descent applying for admission or entry to Canada shall be separate and apart from the public and in the presence of such persons only as the Controller shall permit: Provided that if, on the preliminary hearing, the Controller is not satisfied that such person is entitled to remain in Canada, the hearing shall thereupon be adjourned for forty-eight hours or for such longer period as the Controller may see fit, and an opportunity shall be given such person to consult with duly accredited legal counsel who shall be entitled to represent him upon the hearing and upon all subsequent proceedings.

Section 11.

There shall be no appeal from the decision of the Controller, as to the rejection or deportation of any immigrant, passenger or other person found to be of Chinese origin or descent seeking to enter or land in Canada when such decision is based upon a certificate of the examining medical officer to the effect that such immigrant, passenger or other person of Chinese origin or descent is afflicted with any loathsome disease, or with a disease which may be or become dangerous to the public health, or that he comes within any of the following prohibited classes, namely, idiots, imbeciles, feeble-minded persons, epileptics and insane persons:

This system of examination has given the immigration officers the liberty to interpret the Act according to their own likes and dislikes and fancies. If the immigration officer decides on any one Chinese to be deported, out he goes without giving the victim any opportunity to testify or to explain the honesty of his purpose in coming to Canada.

Aside from the incoming Chinese, the Chinese nationals now resident in Canada are also subject to discriminative treatment. Under Section 18 of the Immigration Act it is provided:—

"Within twelve months after the coming into force of this Act and subject to such regulations as may be made by the Governor General in Council for the purpose, every person of Chinese origin or descent in Canada, irrespective of allegiance or citizenship, shall register with such officer and at such place or places as are designated by the Governor-General in Council for that purpose."

Again under Section 34 it is provided:

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