

Mr. ROBB: May I point out that the question of repute comes in in connection with the examination, but it is provided further:

If upon investigation of the facts such board of inquiry or examining officer is satisfied that such person belongs to any of the prohibited or undesirable classes mentioned in sections 40 and 41 of this act, such person shall be deported forthwith, as provided for in section 33 of this act, subject, however, to such right of appeal as he may have to the minister.

Now, I repeat again what I said earlier in the evening that we are here to protect the people of Canada and I am going to see to it that they get that protection.

Mr. McMASTER: I am not going to divide the committee on this question, I would merely repeat what the leader of the opposition said a few moments ago: That if you have a law that is wrong in principle you are likely to have injustice arise from it. If the investigation was for the purpose of determining that the man was guilty, and if after that determination the man would be deported, I would make no objection; but the investigation is to determine whether he comes within this undesirable class, and the undesirable class is defined as those suspected of belonging to such organization. Under those circumstances it seems to me it is not in consonance with our tradition that a man can be deported from this country just because somebody suspects that he belongs to an undesirable organization.

Mr. MEIGHEN: Really I am not often found complaining of the sternness of an immigration law, but I think there is something in what the hon. member argues. I do not know how the former act read, it may have read in this respect in the same way, but those were different times from to-day. That act was passed in very serious years. Really I do not think we ought to pass a law now which makes an immigrant finally declared undesirable merely because he is suspected of belonging to a certain class. I would not have any objection to a law which enabled the minister to detain a man pending his inquiry into the case of one so suspected; but to declare finally and conclusively that once it is established that a man is suspected then he is undesirable per se seems to be fundamentally unjust.

Mr. STEWART (Argenteuil): I may say for the information of the committee that this section has not been changed except that it omits the following proviso from section 41:

Provided that this section shall not apply to any person who is a British subject either by reason of birth in Canada or by reason of naturalization in Canada.

The rest of the section is just the same.

Mr. MEIGHEN: What is left out?

Mr. STEWART (Argenteuil): It applies now only to aliens.

Mr. MEIGHEN: What is the minister reading from now?

Mr. STEWART (Argenteuil): I am reading from the section of last year and that is deleted this year. That is all the change.

Mr. McMASTER: That does not meet my objection at all. The fundamental injustice is just as bad in respect of an alien as it is in respect of a British subject. As a matter of fact some of the undesirable people who have been carrying on extreme agitation in this country have been from the British Isles. That is not the point. The point is that by this section certain classes are defined as being undesirable, and among those classes so defined are people who are suspected of belonging to an undesirable association. The point I wish to drive home to the committee is that it is not fair and it is not just to classify a man as undesirable and turn him out of a country merely because he is suspected of belonging to an undesirable association.

Mr. STEWART (Argenteuil): Yes, but my hon. friend forgets that he gets a board.

Mr. McMASTER: He may get a board but that board is not going to determine whether he is guilty or not but that they suspect he is guilty.

Mr. BOYS: That is the present law.

Mr. McMASTER: I know it is. I object to the present law and I object to the proposed law. Because I do press upon the committee—I am sorry to take up time at this late hour of the session—that it is fundamentally undesirable and fundamentally unjust.

Mr. MARLER: Would my hon. friend wait until he has actually committed some crime?

Mr. McMASTER: I should not wait until he has committed a crime, but we should have some proof before the action which is contemplated is taken.

Mr. MARLER: How can we get proof in a matter of that description?

Mr. McMASTER: Then do not act. It is a principle of British law and British justice that a man should not have any untoward action taken in respect to him unless there is actual proof. To say that because John Sobieski, who has come from Poland, is