

*Immigration Act*

Mr. SPEAKER: I draw the attention of the hon. member to the fact that if he speaks now he closes the debate.

Mr. NEILL: I shall take only a few minutes.

The argument put forward by the Minister of National Defence (Mr. Mackenzie) is undoubtedly founded upon a misconception of the situation. That is astonishing to me, he being a lawyer. The Immigration Act, chapter 93 of the revised statutes, contains a list of prohibited people; some are lunatics, some persons of other descriptions, professional beggars and so on; and then it says that people who cannot read are excluded. The gentleman's agreement existing with Japan to-day would still exist, under which it is supposed that not more than 150 come in. This does not take the place of the gentleman's agreement; it would be on top of it, and it would say that of those 150 allowed to come in under the gentleman's agreement, so many must be cut out because they cannot read. It is ridiculous and unfair and most unwarranted to suggest that this would allow the influx of a huge mass of orientals—not to mention that you cannot train orientals in the English language in six months, and in six months' time or perhaps a little longer there will be a general election, and British Columbia will have pronounced itself with such force and energy that the succeeding government will hurry to bring in legislation such as was turned down a few minutes ago. And whose blame is it? The minister himself says he preferred Bill No. 11. He very nearly voted for it. I could see his conscience working on him; but some more subtle influence overcame his natural goodness of heart and intelligence, so he says he preferred the other one, and he very nearly voted for it. Now, however, he says I am "all wet" in introducing this second one; but whose blame is it? If Bill No. 11 had gone through, this one would not have taken its place. I quite admit that. I preferred Bill No. 11 to this present one.

As regards the suggestion made by the hon. member for Winnipeg North Centre (Mr. Woodsworth), he said he had an objection, and one which many honourable men do have; I believe it is expressed in a principle of law that you cannot do a thing indirectly which you cannot do directly.

Mr. LAPOINTE (Quebec East): Hear, hear.

Mr. NEILL: My hon. friend, the Minister of Justice (Mr. Lapointe) says, "Hear hear."

Mr. LAPOINTE (Quebec East): Is there anything wrong in that?

[Mr. Neill.]

Mr. NEILL: We are informed that that is a fundamental basis of law.

Mr. LAPOINTE (Quebec East): Yes.

Mr. NEILL: And yet our statute books are full of evasive legislation whereby we do something indirectly which we cannot do directly. Look at our tariff laws. How many of these tariff items are worded with the idea, as the phrase goes, of "trying to whip the devil around the stump,"—get at the object to be attained without interfering with some other rights such as favoured nation rights? Our tariff is full of things like that. Or take the exclusion of our own nationals from India, to some extent people of our own race, because one or more of the nations of India can be called Aryan in their origin, and ethnologically they are white people, yet we exclude them. How do we do it? We exclude them by an obvious trick—that is just the word to use—which the Minister of Justice says cannot be done because it is doing indirectly what we cannot do directly.

We cannot pass a law preventing our own fellow subjects from coming into Canada, so how do we keep them out? I do not want this to be used against us in the years to come because we had a satisfactory arrangement; that is, it has given satisfaction. We made objections to their coming, and we passed a law that they would have to come in a ship directly from the country of origin. We had not the courage or we had not the legislative authority and jurisdiction to say flatly, "We will not let natives of India, a part of the British Empire, come into another part of the empire," so we introduced this ridiculous theory that they had to come in a boat directly from the country of origin. Can you, Mr. Speaker, conceive of any condition which would make a man a more desirable immigrant to Canada if he came in a boat which started at Bombay and docked at Vancouver than if he went from Bombay to Hongkong and then took the regular line of steamers from there to this country?

But we went further than that. Shortly before the great war broke out, a boat full of natives of India, appeared in Vancouver harbour. I forget their particular nationality, whether they were Hindus or Sikhs; I think they were Sikhs. There was a large number of them; they had come direct from the country of origin in a boat; and it was more than hinted, it was currently believed, that they had been financed by the German empire with a view to promoting discontent in India and in Canada, because it was not desired to admit a couple of thousand of these immigrants, and if they were sent back they would be a fruitful source of discontent and