



ADDRESS:
THE SUPERINTENDENT OF IMMIGRATION
OTTAWA
536999 Imm.

REFER TO NO.

W.D. Scott to W.W. Cory
Ottawa, 12th November, 1913.

IB.
[Signature]
Memorandum:

Mr. Cory.

Referring to my memorandum of the 8th instant on the subject of appeals of 39 Hindus rejected at Victoria, I may say that I am advised by Dr. Milne that before the dismissal of these appeals the solicitors for the Hindus succeeded in obtaining order nisi at Vancouver from the Chief Justice, and the case will come up for argument in a few days.

I am afraid that we are going to lose in this case unless we are prepared to carry it beyond the court of appeal of British Columbia. Section 23 of the Act provides that "no judge or officer thereof, shall have jurisdiction to review, quash, reverse, restrain or otherwise interfere with any proceeding....made or given under the authority and in accordance with the provisions of this Act" and if there is no doubt as to the decision of our officer having been given entirely in accordance with the provisions of the Act, I do not see why we should recognize the courts at all. Every single case of Hindus at Vancouver causes a lot of trouble, and I think we had better make up our minds to carry this case to higher courts than the British Columbia one, else we shall not likely get a favourable decision.

W.D. Scott
W.D. Scott
Superintendent of Immigration.