

E.B.R.-L.G.S.

This memo considered by Prime Minister & wired to Reid drafted by Reid June 25/14 E.B.R.

25th June, 1914.

Memorandum:

Mr. Cory.

I am just in receipt of a telegram from the Dominion Immigration Agent at Vancouver, reading as follows:-

"Legal advisers anxious bring test case in courts. Stevens agrees with me in opposing this. We hold if matter goes to court at all it should only go under compulsion and that immigration authorities here should use every means avoid court procedure. Please instruct on this point. Also consider following proposal and give immediate answer. Empress sailing tomorrow eleven a m have asked Brodie grant charity rate thirty five dollars if possible lower. He is enquiring Montreal. I advise board order deportation all passengers Komogata Maru en bloc placing same on Empress. This is best solution of difficulty. May have to provide extra guards keep order on voyage. When consider it will eventually mean we must provision ship, heavy legal expenses if this hangs fire probability of riot and bloodshed strongly advise this course probable cost to government fifteen thousand dollars please answer immediately can arrange hold Empress for few hours."

I agree with Reid that no steps should be taken by this Department to bring the Hindu matter before the courts. If, however, especially in view of the fact that a further shipload is likely to come, the Hindus are determined to test the validity of the Orders in Council and the constitutionality of the Act, I can see no good object in attempting by sharp practices to prevent them going before the court. I think decisions should immediately be given in all cases where the inquiry has been completed, and any cases where the Board find the Hindus not entitled to land, immediate deportation should be ordered at Departmental expense, those rejected being given, of course, their full right under the Act to appeal to the Minister against the court's decision. I would recommend that the following message be sent to Reid: Consider Board should give immediate decision on all Boards of Enquiry now completed, and if rejection is decision order immediate deportation on Empress at Departmental expense, giving rejected parties their full right of appeal to Minister against Board's decision."

E. Blake Robertson
Asst. Superintendent of Immigration.