

RUSH

Immigration Branch

Kindly do not write more than one subject in any one letter.

In your reply refer to No. 2392

Department of the Interior
Canada

Vancouver, B. C., June 22nd 1914

Ottawa File No. 879545 Imm.

MRJR/EC.,

W. D. SCOTT, ESQ.,

Superintendent of Immigration,

Ottawa, Ont.



Sir:-

With further reference to your wire in reply to mine of the 18th instant, viz:

"Your proposed letter to Gardner Johnson, given your telegrams eighteenth, approved."

This, I may say, did not meet with the approval of counsel, and I beg to transcribe for your information their communication in this respect:

"....I think it a very dangerous course to forward a letter of this kind before the Board of Inquiry sits on the remainder of the passengers, as it appears evidence of pre-judging the case before the Board of Inquiry is held and in a matter of this kind, where every step must be very carefully scanned, I am of the opinion that you should at least get the approval of the Department at Ottawa before forwarding any such communication to Mr. Gardner Johnson, or anyone else.

"Mr. Ritchie has read this letter and the draft enclosed and concurs with me that to send such a letter would be very unwise.

Sgd. R. L. Reid."

You will note Mr. Reid states, "I am of the opinion you should at least get the approval of the Department at Ottawa, before forwarding any such communication Mr. Gardner Johnson or anyone else." As a matter of fact when your approval arrived they went even further, and now do not wish any such letter given; however, as I have your consent I am reserving the right to issue such communication in view of the serious situation, and the desirability of forcing this ship from

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....from the harbour.

2 enc. I am also securing communications from the Harbour Master and the Customs Officials, to the effect that the ship has completed her voyage, etc.

I further beg to confirm my rush wire of the 20th instant, as follows:-

"With reference writ mandamus, urge you give me authority disregard this under Section twenty-three and all other court proceedings as confident if matter taken to courts as lawyers advise from knowledge of situation and action of certain judges we will lose and not only this shipload but others will successfully land in Canada. Elliott is on the American side important business so Board cannot give any decisions. McCrossan tendered money Johnson and pressing have Gurdit Singh sign transfer charter with Raheim and Ram Singh. So far have prevented same."

and your reply of the 21st:-

"If Section 33, sub-section 2 complied with and your examination completed, your immediate decision appears to be called for in sub-section four several Court decisions already upheld right of courts to examine whether decision of Board or officer made in accordance with provisions of Act; consult counsel but be careful regarding ignoring Courts. Elliott should be on hand."

Your remarks are noted. I may say Inspector Elliott was sent out of town at the request of Counsel, but in view of your instructions I have requested his immediate return, and at the present time of writing - Monday 9 a.m. - he is in town at the house of a friend, so that if he is needed he can be had at a moment's notice.

I further beg to confirm my night lettergram of the 21st. instant, as follows:-

"Hindus held mass meeting at Dominion Hall today; Bird Counsel behalf Hindus, addressed the audience composed of about four hundred Hindus and one hundred twenty-five white socialists. He protested against the treatment of those on board Komogata Maru and stated the

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.....the Government were procrastinating and were delaying to force the people to return to India; the Government were afraid to allow a test case to go before Courts as the Chief Justice had declared act invalid. Followed by a rabid socialist named Fitzgerald who advised the Hindus to return to India and raise the flag of revolution, thus becoming masters in their own country when they could command interest here. Two other socialists were to have addressed meeting but did not appear. Raheim is responsible for the introduction of Socialist Party as he is secretary of Socialist party here. Bird himself is a Socialist. Other Hindu speakers also addressed meeting which terminated in the following protest to be sent to Secretary of State, India and Premier Borden. Begins: Whereas the Hindustanee passengers on board the Komogata Maru are unlawfully prevented by the Immigration authorities from consulting with their legal advisors, and from procuring provisions and water from their Hindu friends, making their lot on board a lot to which cattle would not be subjected, and whereas such brutal and unlawful treatment of Britishers of the same type as the Hindus would not be tolerated in India, we urge the Dominion authorities under the principle - do unto others as they would do unto you - see that the Hindus are saved from the high-handed actions of the immigration officials. We further protest that the action of the immigration officers in Vancouver is as unlawful as anarchists and one so ~~span~~ provoking that the Hindus shall never forget or forgive the powers that be if they do not remedy the situation here. A meeting called by the United India League and Kalsa Dewan Society Rajah Singh, Sohan Lal, and Balwant Singh, advised Hindus to return India and raise revolution reiterating statement of Socialist Fitzgerald. Will forward you verbatim report Bird's speech. Mayor Baxter has announced his intention calling a mass meeting citizens Monday or Tuesday to discuss Hindu situation and urge rejection. Will report result to you."

1 enc.

I further enclose statement made by Bela Singh of this service, which will show you the serious and determined aspect of the situation.

Messrs C. Gardner Johnson & Co., Agents for the s.s. KOMOGATA MARU kindly loaned me their file in connection with the charter of this vessel, and I enclose copies of all their correspondence, for your information.

Mr. J. Edward Bird has further written the following communication, in which he requests a reply to the proposition formerly made, the substance of which was wired to you,

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.....you, namely permission for the Hindus to erect or hire a suitable building on shore and land while the cases came before the Court.-

"June 20th, 1914:"Re Komogata Maru:" I have just read my letter of this morning herein to the Committee and they point out to me that I omitted in the same to call your attention to the fact that the proposition made about a week ago by Mr. Gurdit Singh, wherein he agreed to supply a detention shed for the men on land, thus relieving the ship from being tied up in the harbor pending the decision of the Court, is still unanswered. The respectfully urge your Department to answer thereto.

"So that this matter might not be delayed, I called up your Mr. Ladner this morning to remind him that my former communication making this suggestion which at the time appeared to your Mr. Ladner to be very reasonable, was yet unanswered, although acknowledged in due course by your firm.

"You will learn this morning that C. Gardner Johnson, on behalf of the owners, has received payment in full of harbor dues to date and now the present charterers of the "Komogata Maru" are Bhag Singh and H. Raheim of this city."

I have already expressed my personal views on this matter, and gave some nine or ten reasons for the refusal of this proposed arrangement. There is no doubt in my mind but that this is a subterfuge to if possible at a future date, escape from such a building and surreptitiously enter Canada.

Your obedient servant,



DOMINION IMMIGRATION AGENT & INSPECTOR.

Enclos.