

R. 76 file 536999 pt 9
B.B. Copy.

COPY ORIGINAL ON FILE
No. 879545 Ints.

23rd July, 1914.

MEMORANDUM

Mr. Cote.

I return you herewith copy of telegram addressed to the Governor General by the passengers on board the "Komagata Maru".

There is no provision in the Immigration Act which provides that applicants for admission shall be admitted merely because they are British subjects. No advice was given by the Canadian Government for these people to come forward, and the provisions of P.C. 897 were made widely known during December and January. No papers or other legal documents which might have been produced in court could have had any effect in the court's decision as the Judges unanimously held that P.C. 23, P.C. 24 and P.C. 897 were intra vires, and consequently the passengers on the "Komagata Maru" were unable to qualify.

Judging by the experience of the Hindus who have already come forward it would seem unlikely that those on the "Komagata Maru" would engage in agricultural pursuits, and if the Hindus now in the country have means at their disposal which might be used in locating their countrymen on farm lands, it would indeed appear unfortunate that they refused to use that money to settle legal obligations incurred for treatment in the New Westminster Hospital.

With regard

Copy for
536999

879545

With regard to the request that an undertaking should be given that the landing of Hindus will be permitted if coming direct with \$200 from Calcutta, it may be said that the Immigration regulations have from time to time been changed as seemed necessary in the interests of the people already in Canada, and in accordance with this practice I do not presume we would feel justified in giving a promise that at any uncertain date in the future the regulations would be of a particular character.

In previous memoranda it has been pointed out that it is contrary to the policy of the Government to award blocks of land or dispose of land in any other manner than is provided for in the Homestead Regulations.

The attitude of the Hindus when a landing on the "Komagata Maru" was attempted by officers of this Department would not appear to bear out the contention that their bodily strength was as deficient as the telegram to the Governor General would lead one to suppose.

(Sgd) E.B. Robertson

Asst. Superintendent of Immigration.