

Minutes of a Meeting of the Board of Inquiry held in the Immigration Building, Victoria, B.C., a port of entry to Canada, on the 24th day of September, 1948, at 2.45 p.m.

Present: J. Dorman.....Chairman,
N.W. Massey.....Secretary,
T. Barton.....Member

(Each of the above officers has been appointed under Section 13 of the Immigration Act to act as a member of the Board of Inquiry at the Port of Victoria, B.C.).

Mr. W.C. Moresby, K.C., Solicitor for Applicant.
H.G. Parkinson.....Stenographer.

IN THE MATTER of the application or right of KARNAIL SINGH SAROYA to land in Canada.

By Chairman:

Q. What is your name?
A. KARNAIL SINGH SAROYA.

Chairman: Karnail Singh, you are now about to be examined as to your right to land in Canada. At this examination you have the right to be represented by legal counsel, if you so desire.

Q. Do you wish to have a lawyer?
A. Yes.

Q. (to Mr. Moresby): Mr. Moresby I understand you are representing him?
A. (Mr. Moresby): Yes.

Q. (addressing Karnail Singh) Do you understand English?
A. Yes.

Karnail Singh Saroya duly sworn

Q. Do you consider that oath binding?
A. Yes.

Q. Will you give us your full name again?
A. Karnail Singh Saroya.

Q. Your father's name?
A. Isher Singh Saroya.

Q. Give us the date and place of your birth.
A. 1st November, 1927, Bhungarni, Hoshiarpur, East Punjab, India.

Q. What is your racial origin? East Indian?
A. Yes.

Q. Of what country are you a citizen or subject?
A. India.

Q. Have you a passport?
A. Yes, sir.

Chairman: I produce British East Indian Passport No. 2006 issued at New Delhi 23rd December, 1947 to Karnail Singh by order of the Governor-General of India. United States Transit Visa issued by the American Vice-Consul December 29th, 1947, at Bombay, India. Also bears Canadian Immigration stamp Huntingdon, B.C., February 1st, 1948.

Q. What was your last place of residence?

A. Same address (Bhungarni, Hoshiarpur).

Q. What is your religious denomination?

A. Skh.

Q. Are you married or single?

A. I am married.

Q. Will you give us the name of your wife?

A. Jindo - her full name is Jogindar Kaur but we call her "Jindo".

Q. What is her address?

A. Mrs. Jogindar Kaur, Paldi, B. C.

Q. Where was she born?

A. In British Columbia.

Q. The date of your marriage?

A. 23rd March, 1948.

Chairman: Certificate of Registration of Marriage No. 48-09-002725 dated Sept. 24th, 1948 presented: Bridegroom Karnail Singh Saroya; Bride Joginder Kaur, place of birth, Duncan, B.C. Date of Marriage, March 21st, 1948, at Sikh Temple, Paldi, B. C.

The above certificate incorporated into the hearing and marked....."Exhibit "A".

Q. Have you any family?

A. No, expected.

Certificate of Dr. George Moore, B.A., M.D., Duncan, V.I., B.C., dated September 18th, 1948 produced, incorporated into the hearing (after being read) and marked....."Exhibit "B".

Q. What is the expected date of the birth?

A. I think seven months more.

Q. When did you first arrive in Canada?

A. 1st of February.

Q. At what place?

A. Vancouver

Q. Your passport shows you were admitted at Huntingdon, February 1st, 1948.

A. Yes.

Q. As a non-immigrant for two months, and that this period of temporary admission was subsequently extended at this office on February 18th, 1948 to June 30th of the same year. Where did you enter the United States?

A. San Francisco.

Q. What date?

A. I think 31st January.

Q. How did you travel?

A. By boat.

Q. By boat to San Francisco?

A. ss "Marine Swallow".

Q. Where did the vessel sail from?

A. Bombay, India.

Q. To San Francisco?

A. Yes.

Sept. 24, 1948.

Q. How did you travel from San Francisco to Huntingdon?

A. By airplane to Seattle and then we came in the bus.

Q. Do you know what airline you travelled on?

A. No.

Q. Who accompanied you when you arrived at Huntingdon?

A. My friend.

Q. Will you give us the name?

A. Sokar Singh.

Q. Son of?

A. Gunnay.

Q. Was there anyone else?

A. No.

Q. Were you met by anyone at Huntingdon?

A. By Immigration.

Q. Anyone else?

A. No.

Q. For what purpose did you enter Canada? What did you intend to do?

A. First I come to visit over here, to see my relative.

Q. Will you kindly give us the name of the relative?

A. Mayo Singh.

Q. Is Mayo Singh a relative of yours?

A. Yes.

Q. What is the relationship?

A. My would-be father-in-law.

Q. Was that your sole purpose in coming to Canada, simply to visit?

A. Simply to visit.

Q. And when you had completed that visit, what did you intend to do?

A. Now I am married.

Q. Had you any intention of continuing your studies in Canada or the United States?

A. No.

Q. You had no intention of doing that?

A. No.

Q. Did you intend to get married when you arrived in Canada?

A. No I did not know when I came over here, but after stay here a few days, then my wife compel me to marry.

By Mr. Moreseby.

Q. The Chairman of the Board asked you if you intended to pursue your studies here or in the United States. Didn't you have some idea of going to school when you came here?

A. I will not go any more.

By Chairman:

Q. Did you plan on going to school? If you had not married, did you intend to go to school?

A. Yes.

Q. Where?

A. In U.S.A. - Stanford.

Q. Stanford University?

A. Yes.

Q. Had you corresponded with the Registrar of Stanford University?

A. Yes.

Q. Had you written to him?

A. First I had written to him.

Letter dated January 20th, 1948 from the Registrar of Stanford University, Stanford, California, incorporated into the hearing and marked....."Exhibit "C".

Q. What schools and Universities did you attend in India?

A. Dayanand Anglo-Vedic College.

Certificate dated November 24th, 1947 from the Dayanand Anglo-Vedic College, Hoshiarpur incorporated into the hearing and marked....."Exhibit "D".

By Mr. Moresby: In connection with his further education here is another certificate he received from Yuba College.

Certificate from Yuba College, Marysville, California dated January 6th, 1948 incorporated into the hearing and markedExhibit "E".

Mr. Moresby, continuing: For what it is worth, that he had some intention of enrollment at Stanford, he is in possession of these application forms. (Application forms of Stanford University).

Chairman: (to Mr. Moresby): They were not completed?

Mr. Moresby: No.

Chairman: addressing Karnail Singh:

Q. Did you get a degree of any kind from a University in India?

A. No, I didn't get a degree. I am going to be B.C. very soon but I cannot.

Q. What profession were you studying for?

A. I was studying psychology.

Q. When did you decide not to continue with your education?

A. When I married.

Q. You have no further wish to go to University?

A. No.

Q. Had any money been paid to the University for fees?

A. No.

Q. Were you engaged to the lady, who is now your wife, before you came to Canada?

A. Yes.

Q. Had you ever met before you came here?

A. No.

Q. How did you become engaged?

A. Old custom in India that our fathers arrange.

Q. Then you would know when you came to Canada that you were ultimately going to marry Mayo Singh's daughter?

A. No, I only came here to study.

Sept. 24, 1948.

Q. Did you know, before you came to Canada, that you were engaged to your present wife?

A. Yes.

Q. Where was your father born?

A. In India.

Q. Do you know his place of birth?

A. The same place, Bhungarni.

Q. What is his present address?

A. He died.

Q. (Mr. Moresby): How long ago?

A. Four or five years.

Q. (Chairman:) What was his father's name?

A. Kehar Singh.

Q. Did your father ever live in Canada?

A. No.

Q. Have you any relatives in Canada apart from your wife's relatives?

A. No.

Q. Are you a blood relation of Mayo Singh?

A. No.

Q. Had you corresponded with your fiancée before you came to Canada?

A. Yes, for four years.

Q. Had you spoken of marriage to her?

A. No.

Q. Discussed marriage?

A. No.

Q. Who was to pay the fees for your University education?

A. My mother.

Q. When did you decide to remain permanently in Canada?

A. After marriage.

Form 30 completed on Sept. 24th, 1948, being the application to an Immigration Officer for a landing in Canada by Karnail Singh son of Bishan Singh, and the action taken by the Immigration Officer "Referred to Board of Inquiry", incorporated into the hearing and marked.....Exhibit "F".

Chairman: I would state at this point that Karnail Singh successfully passed medical examination by our Medical Officer on the 17th instant.

Q. Can you read in English?

A. Yes.

Q. Will you give us the name and address of your nearest relative in India?

A. My mother and my brother.

Q. What is your mother's name?

A. Prabhi Kaur.

By Mr. Moresby:

Q. And your brother's name?

A. Ujager Singh.

Q. And he lives with your mother?

A. Yes.

By Chairman:

Q. And their address?

A. The same address (Bhungarni, Hoshiarpur).

By Mr. Moresby:

Q. How old is your brother?

A. 25 I think.

Q. He is older than you?

A. Yes.

By Chairman:

Q. Did your brother ever live in Canada?

A. No.

Q. Are you working?

A. No.

Q. How are you supporting your wife?

A. I am not supporting. She is working.

Q. How much money have you?

A. About \$1,000.00

Q. Have you that in cash?

A. No.

Q. Where is it?

A. Some in the bank and some at home.

Q. Have you a bank book?

A. No, at home.

By Mr. Moresby:

Q. What bank is it?

A. The Bank of Commerce.

Q. At Duncan?

A. Yes.

By Chairman:

Q. How much money did you have in your possession when you came into Canada?

A. I think about \$500.

Q. How did you get the other \$500?

A. When I married, you know friends, the custom between Hindoos. They give me money.

Q. Did your wife give you money?

A. Sometimes she gives me money.

Mr. Moresby: Appropos of the statement that his wife is working, I have some letters I would like to put in.

Letters produced showint that Jindo is employed by the Summit Logging and Lumber Company, Duncan, as Secretary, and evidence that she is an active partner in the Mayo Lumber Company.

By Chairman:

Q. How do you intend to support yourself? Are you going to work?

A. I want to be supervisor, Mayo's sawmills.

Q. Have you any experience in that line?

Q. Have you any other funds or income, any money in India?

A. Yes.

Q. How much?

A. Half interest in the estate of my father which I estimate at \$60,000 Canadian.

Q. What is the income from that? How much money do you derive from that?

A. I don't know, my brother, he is managing it, but I am getting Government pension \$600. My father died and now I and my brother are getting Government pension.

Mr. Moresby: You are each getting \$600?

A. We both.

By Chairman:

Q. Why did the Government grant you each a pension?

A. Services of our grandfather.

Q. How did he serve?

A. He was in the Civil Service of Kashmir.

Q. Have you any evidence in support of having this amount of cash or income? Have you any letters to show?

A. No, I haven't.

Q. You have stated that your wife forced you to get married. In what way did your wife force you to get married?

A. She is of age to marry and she asked me to marry her.

Q. You came to Canada you state to further your education. Was that your intention when you came?

A. Yes, that is my intention, to study.

Q. Why did you suddenly let yourself be induced to marry and not continue with your studies?

A. We are married now. I don't want she should stay in Canada and I should stay in the U.S.A.

Q. I understand you don't want to be separated from your wife?

A. Yes.

By Mr. Moresby:

Q. Who is Mayo Singh?

A. He is my father-in-law.

Q. Who is he in B.C.? What does he do?

A. He is business man.

Q. In what kind of business?

A. Lumber business.

Q. Is he connected with many lumber mills?

A. Yes.

Q. Have you any idea as to what his financial condition is? Is he a wealthy man?

A. He is a wealthy man.

Q. Have you any idea as to the value of his assets, property?

A. More than 10 million dollars.

Q. Is he a married man?

A. Yes.

Q. Does he live with his wife?

A. Yes.

Q. Has he any children other than your wife?

A. Five more.

Q. Where were they born?

A. In B.C.

Q. If, in the case of any emergency or something so that you could not work, do you know whether Mayo Singh would take care of you and maintain you?

A. Yes.

Q. You are sure of that?

A. Yes.

Q. Further than that, would Mayo Singh be prepared to give an undertaking or security by way of a bond if one was necessary?

A. Yes.

Q. The condition of that bond would be for the support and maintenance of yourself and wife in Canada, would it?

A. Yes.

By Chairman:

Q. When was the first announcement of the impending marriage made at the Temple?

A. I don't know. Sometimes one or sometimes two months.

Q. In your case, when was it announced?

A. One week before the marriage.

Q. Are you certain it was not longer than that?

A. That is one week before we were married.

Q. Did Mayo Singh object to you getting married instead of continuing with your education?

A. No, he didn't object.

By Mr. Massey:

Q. Before you left India, when you said "Good-bye" to your mother, did she talk about your forthcoming marriage to you?

A. No, she had no idea.

Q. Mayo Singh invited you to come to his home?

A. No, he didn't invite me but I know his address.

Q. Mayo Singh didn't expect you to arrive at his home?

A. I have a boy friend in Vancouver.

By Chairman:

Q. You have already said that you were coming to visit Mayo Singh?

A. I simply 'phoned to him that I am coming.

By Mr. Moresby:

Q. Where was that 'phone call from?

A. I 'phoned from Vancouver.

By Chairman:

Q. When did you meet Mayo Singh first?

A. In Vancouver.

Q. The information on our files shows that you were met and accompanied ~~A.~~ by Mayo Singh at Huntingdon.

A. Near Vancouver.

Q. When you saw the Immigration Officer, coming into Canada, Mayo Singh

- was there?
A. Yes, Mayo Singh and his wife.
Q. Where did they meet you? At Huntingdon?
Q. How did he know when to expect you?
A. We 'phoned him.
Q. Where did you 'phone from?
A. San Francisco.

By Mr. Barton:

- Q. If you intended to go to University and you were admitted here on February 1st, why didn't you write to Yuba College or Stanford University between February 1st and the beginning of March.
A. I know nothing about this Immigration. I tried to write my principal in India.

By Mr. Moresby:

- Q. You wrote to your principal in India?
A. They say no more. You have lost everything.

By Mr. Barton:

- Q. Is it not a fact that you were asked to produce some evidence of your educational standing in India and you wrote to India for this?
A. I didn't receive any reply.
Q. Why was that?
A. Because I know the college was burned in India.
Q. Where were you when you received this letter? (Exhibit "E")
A. My friend received that letter.
Q. Where was your friend when he received this?
A. He was in Vancouver. He sometimes come over to Paldi; sometimes Duncan
Q. This states that you were accepted at that university for the fall semester of Yuba College?
A. Yes.
Q. What did you have to produce before you were accepted at that college?
A. My friend attend to that.
Q. You took no action from February 1st to see whether you were going to Yuba College or Stanford University?
A. I leave it all to my friend.

By Chairman:

- Q. When did you decide to get married? How long after you arrived in Canada?
A. About only one week.

By Mr. Barton:

- Q. Getting back to Stanford University - it was your intention to apply for entry into Stanford?
A. ~~YXX~~ Yes.
Q. You received application forms for entry into Stanford University? Where did you get these forms?
A. My friend give them to me. I left everything to my friend.
Q. Is your friend any relative of yours?

A. No.

Q. Where did you first meet him?

A. I met him in San Francisco.

Q. What did your friend tell you when you met him at San Francisco concerning Stanford?

A. He said you have to go to Stanford University this fall and they want certificate from college.

Q. Did you write for your certificate?

A. Yes.

Q. But it was destroyed in a fire?

A. Yes.

Q. When did you first write?

A. I think on the 24th of February.

Q. When did you hear from the university in India?

A. I didn't get a reply from the principal but I heard from my friend in India in the same college.

Q. After getting that reply stating your certificates were burned, did you write to any other college?

A. No.

Q. Well you have a letter here stating that you had been accepted into Yuba College?

A. My friend arrange it before that.

Q. How did you get accepted into Yuba College?

A. I don't know. Maybe he showed certificate.

Q. Where does your friend live now?

A. In Vancouver.

Q. When was the last time you spoke to him about going to a college in the United States?

A. I don't know.

Q. He met you at San Francisco, he came back into Canada with you?

A. Yes.

Q. And you left him in Vancouver?

A. Yes.

Q. Have you seen him since?

A. Yes, I have seen him after that.

Q. How long after?

A. One month ago.

Q. You came in on February 1st. How long after February 1st did you see your friend?

A. I have seen him many times.

Q. Did he say he had written any other university?

A. He told me I have written to Stanford University. He didn't tell me about anything else. He asked me if I brought my certificates from India and I say "No".

Q. When you heard that your certificates had burned, what did you decide to do?

A. I am married; on the 21st of March I married, and after that I receive an answer from India.

DECISION OF THE BOARD

Moved by Inspector Massey,

Seconded by Inspector Barton,

That the application of Karnail Singh Saroya son of Isher Singh to land in Canada be rejected and his deportation ordered under authority of Section 33 of the Immigration Act to the country of his birth or citizenship, it having been established by this Board of Inquiry that he is a person other than a Canadian citizen or person having Canadian domicile and that he is unable to comply with the exceptional provisions of Order-in-Council P.C. 2115 dated the 16th day of September, 1930.

Chairman: The decision is unanimous. You have heard the decision, against which you have the right of appeal to the Honourable the Minister of Mines and Resources.

Q. Do you wish to appeal?

A. Mr. Moresby: On his behalf, yes.

Appeal entered.

"J. Dorman"
Chairman

"N.W. Massey"
Secretary.

I certify the foregoing, to the best of my knowledge and belief, to be a true and accurate transcript of the evidence adduced at this Board of Inquiry.

"H.G. Parkinson"