

G. J. H. Macdonald Immigration Agent Vancouver to *W. D. Scott*
Superintendent of Immigration
Immigration Branch, **A575801**



Department of the Interior,

Canada.

Jan 22
Vancouver, B.C. Jan. 22nd. 1912.

Sir,

I beg to report the arrival on S.S. "Monteagle" from Hongkong at this port yesterday of a Hindu woman, Kartar Kor, and two girls, Udum Kor, aged 4, and Marajin Kor, aged 1, claiming to enter Canada as the wife and two children of Balwant Singh, for some time past Priest of the Sikh Temple in this City and formerly of Khoradpore village in Jellunder district, India. Balwant Singh, who went to India in October 1909, came back on the same ship with these immigrants: having ample evidence in support of his previous domicile he was re-admitted. Kartar Kor and the two girls were rejected under p.c. 920. From this decision the woman has appealed and has deposited with me under sec. 19 the sum of \$40.00. A committee of the better class of the Hindu community soon afterwards came to me with Balwant Singh asking that she be allowed to leave the vessel and go up town, and because of the infancy of the children this was permitted. Under sec. 33, s.s.11 I took \$200 cash from the husband with the bond of two well-to-do Hindus in the sum of \$100 each, for their return to the custody of our Service

Immigration Branch,

Department of the Interior,

Canada.

2.

18

on or before 6th. February next. I am enclosing herewith the following papers:-

1. Deportation order for Kartar Kor and two girls.
2. Statement of Balwant Singh and of Kartar Kor.

Under sec. 20 of the Act my view of the case is required, and I would say:-

1. The evidence offered does not satisfy me that they are husband and wife. The husband says that he can give no other short of India, but this evidence is that of the two parties interested and of them alone. My own experience of these people for over four years, and the fact that the Police Court of this City has been closed to them because of persistent perjury, forces me to require something more substantial in corroboration of their story.

2. There is no doubt that this case is an attempt of breach of p.c. 920. The husband admits his knowledge that the law was against him before he bought the tickets in Hongkong.

That the regulation actually affects Hindus arriving in this way appeared from the remarks of Chief Justice

Immigration Branch,

Department of the Interior,

Canada.

3.

19

Macdonald of the Court of Appeal in this Province in the case of a Hindu, Nathar Dass, ^{# 815152 Imm.} on 8th. March 1910. This was an appeal from the judgment of Mr. Justice Murphy dismissing an application for Habeas Corpus which was taken to prevent the deportation of this Hindu under my own order, the case hinging upon, as in this case, the break in the journey at Hong Kong. At that time the Appellate Court, through its Chief, upheld the deportation order and dismissed the appeal, the Chief Justice saying that "the Act was not exclusive on its face but it would appear to have that intention in an indirect way, as set forth in an Order in Council, and that while it might entail much inconvenience, the few days stop over at Hong Kong carried with it such a break in the continuous journey as to bring the immigrant within the scope of the section."

3. The leniency exercised in the case of Mrs. Hira Singh arriving here 21st. July last, in which the local Courts upheld the rejection has only increased the activity of the agitators amongst these people, and their work is seen in the efforts to override the law, apparent in the cases of

Immigration Branch,

Department of the Interior,

Canada.

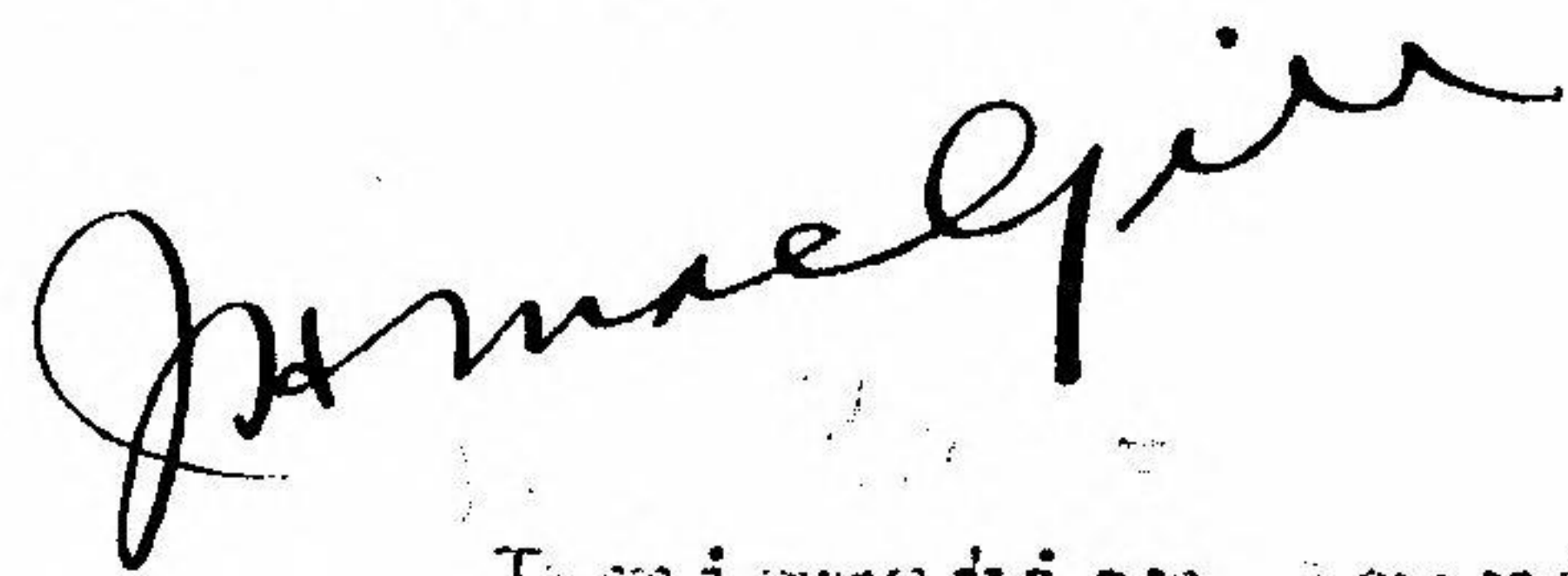
18

4.

H. Rahim, Hari Chand Siri, Chuni Lall Verma and others.

4. It may perhaps be unnecessary for me to emphasise the effect of the admission of this woman. Should the case of Mrs. Hira Singh in July last be followed as a precedent and she be admitted it would open the doors generally to Hindu women, which ^{Canada} could carry with it the permanency of their community in ~~India~~, a question which is one of policy and not of the enforcement of the regulations.

Your obedient servant,



Immigration Agent.

J. D. Scott, Esq.,

Superintendent of Immigration,

Ottawa.