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Immigration Branch 99704

Department of the Interior
Canada

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Vancouver, B. C., June 2nd 1914

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MRJR/EC.

W. D. SCOTT, ESQ.,
Superintendent of Immigration,
Ottawa, Ont.



Sir:-

I beg to confirm my night lettergram of yesterday's date, as follows:-

"Referring to your wire of the 26th ultimo re special guards, I have found it imperative to employ two additional men as also to charter another launch for patrol purposes. Bittancourt's launch is not in commission and the situation with regard to the detention of the Hindus on board the Komogata Maru is assuming a serious aspect. A slight demonstration occurred today which reasonably makes me apprehensive of the forcible landing of these people by the taking up of anchor and docking her at night and letting the Hindus ashore enmasse. Have taken all precautions necessary to prevent such an attempt, but owing to the circumstances surrounding this particular ship and the small number of men available for day and night duty, I am compelled to request the sanction of additional guards and the hire of another launch to accommodate our present patrol. One launch has been in service since the ship anchored, and the Harbour Master has kindly loaned his launch to assist our patrol, but this launch may be withdrawn at any time. Have I your sanction to take all necessary steps and precautions as I do not feel justified in incurring expenditure unless you are fully cognizant of same. Letter received today considered by legal advisors and self as threat against officers on duty on boat at night. Tonight visited boat with both launches standing by, Hopkinson, Harbour Master Reid and self aboard. Police and special officers in launches; interviewed Captain and charterer. Harbour Master has kindly acceded to our wishes, ordered the ship to remain anchored and not dock. This fully explained to both Captain and Gurdit. Bird writing threatening damage suit against Government unless vessel permitted to dock. We have agreed to withdraw our officers from the ship at night as Gurdit states he cannot be responsible for the actions of his fellow-countrymen. In fact small patrol on boat at night would be courting disaster. Boards of enquiry commenced today with returned men who apparently have lost domicile.

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"Ladner for Bowser, Reid & Wallbridge, is appearing for the Department. Kindly sanction same. Bird for Hindus. Bittancourt now states launch Winamac will be in commission if possible by Saturday evening. This will only necessitate from that date hiring one launch, as together with possible load of Harbour Master's boat we can reduce the shifts. Objection raised to our stenographers taking evidence. Owing to number Boards of Enquiry to be held it is necessary secure services of two additional stenographers. In any case our own staff busily engaged with regular routine work which cannot be neglected. Kindly sanction same. Will confirm by letter in a day or two."

I also wish to confirm my telegram of today's date, as follows:-

"Your file eight two one eight seven three your letter thirteenth January appointing Board. Opinion Counsel this letter should be signed by Minister as letters individual appointment tenth January do not designate names of full Board. Kindly mail immediately."

This message was sent at the urgent request of counsel, who ruled that the Minister should have signed the communication enclosing the individual appointments of the members of the new Board, as now constituted. This is a technical point which I do not propose to discuss, but in view of the importance of the matters under discussion, and the probability of an attack on every point, it is desirable to strengthen our positions wherever possible.

I further beg to transcribe the following communication from Mr. J. Edward Bird, dated June 1st:-

"I am in receipt of written instructions from Dalgit Singh, Secretary appointed by the Hindus on board the "Komogata Maru." He complains that he cannot see his solicitor or any of his friends on board: that the Immigration Department have taken charge of the ship, and that they permit men of all classes to go on board the ship, both out of curiosity and for purposes of the Immigration Department that are altogether apart from the keeping of the Hindus on board.

"This is therefore to complain against the intrusion upon these men of the curious and any photographers and moving picture men and sight-seers. I respectfully urge that while imprisoned by your Department and kept under guard they are entitled to respect and freedom from

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"annoyance.

"These men respectfully demand that the Boards of enquiry be proceeded with. Their medical examination has been completed, and those men who have been rejected on account of alleged physical incapacity, demand that they be landed for treatment by their own physicians, or that they be allowed the attendance of their physicians on board the ship for treatment, in accordance with the provisions of the Immigration Act.

"I have you herewith a notice from the Secretary of the men on board the ship "Komogata Maru", which has reached me through the instrumentality of a friend.

Sgd. Yours truly,
"J. Edward Bird."

To this letter, Messrs Bowser, Reid & Wallbridge, replied, under date of June 2nd, as follows:-

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"Your letter of the 1st. instant, addressed to Mr. Malcolm R. J. Reid, has been placed in our hands for attention and reply. The statements made to you by Dalgit Singh that strangers are allowed on board the ship, are absolutely false. In refusing reporters access to the ship, the Immigration officers have disregarded the request of Dalgit Singh, who wrote asking that reporters be allowed on board and stated that he was willing to pay therefor.

"It is true that a newspaper reporter secreted himself aboard the ship over - we think - at Williams Head, but this was without the knowledge of the Immigration Authorities, and as soon as discovered, he was put ashore at the first practical moment. The only other stranger who has gone aboard the ship at all is a moving picture operator who climbed up the gangway but was immediately ejected from the ship with his camera. The only persons allowed on board the ship are officers of the different Departments having the vessel, or its cargo or passengers in charge.

"There is no intention whatever to annoy any of the passengers on the vessel, but the members of the Immigration Office staff must perform their duties and they will do so at all odds.

"The medical examinations are not yet completed and those who need treatment are receiving it at the hands of duly qualified physicians.

Yours truly,
Sgd. "Bowser, Reid & Wallbridge.
per R.L.Reid."

In this connection I would transcribe a communication from Dalgit Singh for Gurdit Singh, Charterer of the Komogata Maru, in which he objects to the restrictions keeping newspaper men off the vessel, requesting that they be permitted

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to come aboard and he would pay the necessary price:-

"May 25th 1914: I beg to ask that either have you ordered your subordinates watching the s.s. Komogata Maru or they have prevented the newspapers of Vancouver to come aboard with their own will, so if explain me the reasons. I want to see every newspaper of Vancouver daily. Kindly make arrangements. I shall pay the price."

Yours truly,

Sgd. Dalgit Singh for

Charterer of s.s. Komogata Maru."

I further beg to transcribe a communication from Dalgit Singh, in which a threat is implied:

"I hereby give you notice that the medical examination is over on the 27th instant and there is nothing more has to enquire about the passengers. There is no need to come on board of your men except business. At night many men come on board and I do not think it proper. I am in doubt that there might be an accident as our passengers are quite dissatisfied by the treatment of the Immigration authorities. No man should come on board in future without special work. You can watch the ship in launches. So I inform you as a notice that you shall be held responsible of this if you will not take any step.

Yours truly,

Sgd. Dalgit Singh

Secy. s.s. Komogata Maru."

This letter was forwarded by Mr. Bird and is referred to in his communication above quoted.

After our visit to the ship last night Curdit Singh declared that the reference to an 'accident', was not a threat against our officers, but he feared he could no longer control his own men, and as primarily he was responsible for all of the passengers, he deemed it advisable to call our attention to the fact that some of our officers might be molested or thrown over-board.

I agreed to withdraw our men which we had been in the habit of stationing aboard the vessel, to the number of four or five during the night, increasing the launch patrol. I was very loath to do this, as it leaves the way open for a possibility of the Captain being ordered to get up steam,

and either dock here or take the vessel outside enabling the Hindus to land from small boats, after shaking off our patrol; but in view of the fact that it would have required a large number of men to cope with over three hundred of these people, I did not care to take the responsibility of insisting upon the small number remaining, with possible danger to themselves.

Accompanied by Captain Reid, the Harbour Master, the matter referred to in another of Mr. Bird's communications, which I will transcribe - namely that of berthing of the vessel, was taken up.

Under the regulations for the government of Public Harbours in Canada, copy of which I enclose, Section 4 states:

"No vessel shall take berth at any wharf or pier in any harbour, unless assigned thereto by the Harbour Master, under a penalty of twenty dollars against the person in charge of such vessel, for each and every offence."

Sections 5 and 6 distinctly state further, that the Harbour Master has the right to determine the moorings of the vessel, and Section 11 states the vessel is to take berth in the position assigned 'forthwith', and Section 14 distinctly states the vessel is not permitted to change berth without the permission of the Harbour Master.

These facts were all pointed out to the Captain of the vessel so that the Immigration authorities are not responsible for any complaints in this respect. The Harbour Master, Capt: Reid, has been very courteous to us and after a consultation with myself, agreed to help in every possible way. I particularly pointed out to him the danger of these men getting on shore should the vessel be permitted to dock, and

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and further the possibility of riots occurring amongst the white citizens of this port should the vessel be berthed alongside any of the wharves.

It was further pointed out to the Captain of the ship that the patrol and watch kept by our officials, was in reality a responsibility which should be assumed by himself, but in view of the peculiar situation arising, we had deemed it advisable to assist him, but it must be distinctly understood we would hold him responsible should any accident or bodily harm be suffered by any of our officials. I also stated I expected him to instruct his crew - who are like himself, Japanese - to this effect and order them to stand by should their services be required in defence of our officials. All of these instructions he promised to strictly comply with.

Transcribed below is Mr. Bird's communication, dated June 1st., addressed to myself:-

"I am in receipt of a communication from Mr. Gurdit Singh, charterer of the "Komogata Maru". He complains that the Department of Immigration have unlawfully taken possession of his ship, the "Komogata Maru". He recognizes your right ~~as~~ as an Immigration officer to go on board the boat and make examinations, but to arrest the ship and the passengers and hold them out in the Harbour, guarded and surrounded by armed officers is against the spirit of the Immigration Act. He desires me to notify you that he will claim from the Canadian Government substantial damage for the wrong that they are doing him. As charterer of the ship, he demands the right of discharging his cargo and of docking and landing his passengers, who may, if your Department desire, be taken in charge and detained in the Detention Shed provided for this purpose.

"This ship has now been in the Harbour since the 22nd. day of last month, and Mr. Gurdit Singh has been refused to date, the chance of consulting solicitor or interviewing anybody acquainted with the laws of this province for the purpose of his protection. This he desired me to energetically protest against.

Sgd. Yours truly,
J. Edward Bird."

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To this letter Messrs Bowser, Reid & Wallbridge
replied as follows:-

"Your letter of the first instant, addressed to Mr. Malcolm R. J. Reid has been placed in our hands for attention and reply. We would point out to you that the Harbour Master, in pursuance of his duties, has assigned the position in the harbour that the "Komogata Maru" must occupy. The Immigration authorities have nothing to do with this matter whatever, and as the owners or charterers of this vessel have no private detention shed or place where these Hindus can be kept until the examinations are complete, and the inquiries had, it necessarily follows that the only place where they may remain until their right to enter Canada is disposed of, is upon the vessel.

"As regards there being armed guards there, that is for the protection of the Hindus, as you well know that at the present time it would not take a great deal to have a repetition of the riots of 1906. But in addition to that, it is necessary for the officers to be in a position to enforce the obligations of their office, and it might be interesting for you to know, in passing, that the life of Mr. Reid has been threatened on a number of occasions, and Inspector Hopkinson has been shot at twice. As regards any claim for damages your client thinks he has, that does not interest Mr. Reid in any way whatsoever.

"Every facility, however, has been offered for the discharge of the cargo. Not only that, but arrangements have been suggested for the reloading of the ship with lumber.

"When Curdit Singh is brought ashore for the purpose of the enquiry, you will be given ample right to interview him as well as any other Hindus for whom you are acting.

Yours truly,
"Sgd. Bowser, Reid & Wallbridge
per R.L. Reid."

I would further transcribe for your information, Messrs Bowser, Reid & Wallbridge's reply to Mr. Bird's communication of the first instant, with reference to the arrest of the ship and passengers:

"We have a letter from Dalgit Singh, who signs as Secretary of the "Komogata Maru", addressed to the Immigration Agent at Vancouver, which letter has been placed in our hands for reply. We believe it came through you and that you are familiar with its contents. Dealing with the statements contained, we wish to correct error therein. The medical examination referred to in the first paragraph is not complete and it is incumbent as you know, for the examination to be complete and for

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"the men on board the vessel to be either passed or rejected, that is to say that the Immigration officers are responsible for all the passengers on the ship, and these passengers are in their care for the time being. In connection with the next paragraph, the Immigration officers are only doing their duty when they remain on board the vessel. We are sure that you would be no party to the threat contained in the second paragraph of this letter and that on perusal of the paragraph in question, you will inform those who are instructing you, of the seriousness of the position they take. This statement also refers to the third paragraph.

Yours truly,

Sgd. Bowser, Reid & Wallbridge,
per R.L.Reid."

It might also interest you to know the contents of a cable privately shown to me by Mr. C. Gardiner Johnson, Agent for the Komogata Maru, as follows:-

"Kobe June 3rd, Komogata coal payment collect remit by wire 8000 yen coal sold or not."

Your obedient servant,



Dominion Immigration Agent & Inspector.