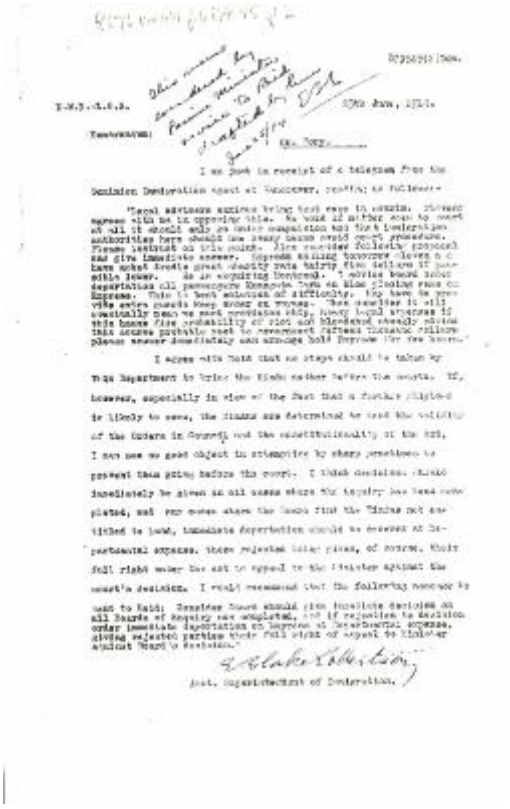
SOUTH ASIAN
CANADIAN
DIGITAL ARCHIVE

# [E. Blake Robertson, Assistant Superintendent of Immigration, Memorandum to William W. Cory, Deputy Minister of the Interior, re advisability of holding test case of Komagata Maru passengers' qualifications for immigration]



I am just in receipt of a telegram from the Dominion Immigration Agent at Vancouver, reading as follows:-

"Local advisers anxious bring test case in courts. Advisers agree with me in opposing this. We hold it neither wise to meet at all it should only on order-in-council and that Immigration authorities here should use every legal court procedure. Please instruct on this points. Also consider fullest protocol and give immediate answer. Sikhs arriving tomorrow leaves 6 days after which Sikhs great majority have fairly fine letters if possible issue. As is requiring Deported. I advise board order deportation all passengers Komagata Maru on close closing case on Express. This is best solution of difficulty. We have to provide order guards keep money on vessel. This question is all eventually mean we must provision ship. Many legal advisers if this house fine probability of riot and bloodshed already advise this course probable cost to government refund thousands rollover please answer immediately and arrange hold Burrows for two hours."

I agree with Hazen that no steps should be taken by this Department to bring the Sikhs neither before the courts. If, however, especially in view of the fact that a further shipload is likely to come, the Sikhs are determined to test the validity of the Orders in Council and the constitutionality of the Act, I can see no good object in attempting by every possible to prevent their going before the courts. I think decisions should immediately be given in all cases where the inquiry has been completed, and for cases where the boards find the Sikhs not entitled to land, immediate deportation should be ordered at Departmental expense, these rejected being given, of course, their full right under the act to appeal to the Minister against the board's decision. I would recommend that the following message be sent to Hazen: Boards should give immediate decision on all Boards of Inquiry are completed, and if rejection to decision order immediate deportation on Departmental expense, giving rejected parties their full right of appeal to Minister against Board's decision."

E. Blake Robertson,
Asst. Superintendent of Immigration.

**IDENTIFIER**
2021_07_10333

**ARTIST**
Cory, William W.; Robertson, E. Blake