

1937

38271

C0533/484

KENYA

38271

MR. MICHEL TONKOVIICH

~RETENTION OF HIS CANADIAN DOMICILE

Previous

1936

R. 299 1/4/5
297 19/5

R. 303 2/5

L.D. 21/5

Subsequent

298 2/5

297

R. 297 12/3/37

R. 309 2/5

In Head. Do. 24

BRK 21/3

R. 297 31/3

R. 309 21/3

R. 297 28/4

R. 309 4/5

In Paskin 5/5

In Paskin-Wing 5/5

Mr. Pami 7/5

In Head 7/5

R. Paskin -

R. 299 13/5

CP. 14/5

Serial.

W. Head.

Wencespin take the necessary
action gain H.C. for Canada.

Duplicate despatch with spare
copies of the enclosure herewith.

C. J. Grommuth
23/3/37

DR/4

Pl. req. the duplicate (with the
original), on 4434 A/59 i. d. r. to
me.

gone
W. H. 24/3/37

Action taken on 50 files. Co.
will be informed of decision of
C. deen authorities in due course.

W. H. 31/3/37

Resist further
Comm. from D.O.
C. J. Grommuth
2. 3. 37.

2. D.O. F 4434 A/59. 23.4.37.
Tres. copy letter dated 19th April, from the High
Comar. for Canada, with enclosure, ref. the retention
of Canadian domicile by Mr. M. Tonkovich.

The procedure seems somewhat singular.
However? send a copy of the
H.C. letter - the original declaration to
for Kenya as in docs herewith.

C. J. Grommuth
4/5/37

They don't even say that his

declaration has been placed in
record, or even that they have informed
anyone in Canada!

J.P. Parnin
5/5

I agree this is very strange, especially
as I do not even recall to say
that no further action is necessary.
See S. 24(1) of the Canadian
Immigration Act (in VI act). 24(1)
we are to advise on Canadian law
but it seems (a) that the certificate
should be endorsed on the man's
cert. of naturalization and (b) that
a similar declaration should be made
each year (up to 5 years) in order
to rebut the presumption of loss of
naturalization. However the cert. requires
the cert. to be given by a diplomatic
or consular officer but in the
Canadian authorities seem to be
satisfied with the giving of an Immigration
officer. It seems hardly necessary to
bother about this.

W. Roberts Wray
5/5

? Mr. Roberts Wray's points should be
put to the H.C.'s office (? so.),
drawing that if these things are
correct then some further action
will appear to be required to

the competent Canadian authorities; &
say that, if so, it will seem desirable
that the Toronto office be informed and
any necessary action is being taken.

J.P. Parnin
7/5

We get scores of these cases &
Gonzales knew what to do. The H.C.
(and I) overlooked that this is not the
case of a man in a foreign country.

I have asked a note to
H.C. after speaking to H.C. C. L.
~~(The following is a list of names)~~
H.C. Head 7/5/37

I have passed the info.

J.P. Parnin
7/5

AIR MAIL
145

Effecting no
change

3 To Henry - 393 - (copy encl. +
orig. declaration in 2) packed - 13/5/37

4 To D.O. (etc. 3) B
of encl. 1A

24 5 37

There are stamps
inserted in the
passports to
the effect of
encl. in 1 on 38 27/1/36
HGX

C. O.

53 3

Mr. Grossmith 4/5/37

Mr. P. K. Kim

7/5/37

Mr. Roberts-Wray

Pl. no. number 5/1

Sir C. Parkinson.

Downing Street,

Sir G. Tomlinson

13 May, 1937.

Sir C. Bottomley

Sir J. Shuckburgh.

Sir,

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

I have etc. to acknowledge

(1)

receipt of Mr. Wade's despatch No. 145 of the 4th of March regarding an application from Mr. Michel Tonkovich for the retention of his Canadian domicile, and to inform you that the questionnaire completed by Mr. Tonkovich was duly communicated to the ^{office of the H.C.} ~~proper authorities~~ for Canada in this country.

DRAFT.

KENYA.

NO. 393

GOVERNOR.

*Am. H.C. Canada
19/4/37 (sent to 2)
Decl. of
Questionnaire in original.*

(4)

Copy to D.O.

2. I now transmit to you a copy of

a letter from the High Commissioner for Canada ~~from which it would appear that~~ ~~no action is necessary at present beyond~~ returning the ^{declarative transmission} questionnaire to Mr. Tonkovich for his retention.

An endorsement ^{in the following terms} ~~is necessary~~ should be made by the Immigration Office, Kisumu, on the reverse of

FURTHER ACTION.

Copy to D.O. 4/5/37

of Mr. Tonkovich's certificate
of naturalization: -

This is to certify that on the 13th Oct 1936

Mr. Tonkovich ~~has~~

Signified his intention of to
retain his Canadian domicile

~~W. Ormsby Gore~~

(Signed) W. ORMSBY GORE.

Communications on this subject should be addressed to:—

THE UNDER-SECRETARY OF STATE,
DOMINIONS OFFICE,
DOWNING STREET, LONDON, S.W.1.

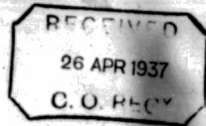
and the following number quoted:—

F4434A/59.

Reference to previous correspondence:—

Letter ^{to} the Dominions Office of the 25.12.36.

F4434A/59



The Under-Secretary of State for Dominion Affairs

presents his compliments to *the Under Secretary of State of*

Colonial Affairs and, by direction of the Secretary of State,

transmits herewith copy of the papers noted below, for the
consideration

Dominions Office,

23 APR 1937, 1937

DESCRIPTION OF ENCLOSURE.

Name and Date.	Subject.
19.4.37.	Retention of Canadian Mail by H. H. Farkovich.
From: High Commissioner for Canada.	

Copy also sent to —

Copy sent / very brief 2 (Account) to Kenya (3)

COPY

Office of the High Commissioner for Canada,
Canada House,
London, S.W. 1.

26.T.993.

19th April, 1937.

Sir,

I am in receipt of your communication of the 7th instant, No.F.4434A/59, with enclosures, in the case of Michal TONKOVICH, who has declared his intention to retain Canadian domicile.

As Michal Tonkovich claims to have left Canada on the 15th November, 1935, and apparently intimated on the 13th October, 1936, to the Passport Control Officer at Nairobi, his intention to retain domicile, I am advised that the Immigration Officer at Kisumu, Kenya Colony, took the proper action in this case.

I return the original declaration of intention to retain Canadian domicile, for transmission to Michal Tonkovich.

I am, etc.,

(Sd) GEORGE P. VANIER.

Secretary.

The Under Secretary of State,
Dominions Office,
Downing Street,
S.W. 1.

AIR MAIL

KENYA

No. 145

RECEIVED

12 MAR 1937

C. O. REGY



GOVERNMENT HOUSE

NAIROBI

KENYA

4 MARCH, 1937.

Sir,

(4) n 3827/36

With reference to your despatch No. 1056 of the 31st December, 1936, on the subject of the retention by Mr. Michel Tonkovich of his Canadian domicile, I have the honour to return herewith the questionnaire enclosed in your despatch duly completed by Mr. Tonkovich.

I have the honour to be,

Sir,

Your most obedient, humble servant,

Adelwade

ACTING GOVERNOR.

THE RIGHT HONOURABLE

W. ORMSBY GORE, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON. S.W. 1

8

DEPARTMENT OF IMMIGRATION AND COLONIZATION
CANADA.

DECLARATION OF INTENTION TO RETAIN CANADIAN DOMICILE.

I, Michel Tonkovich, Miner of Macalder Mines Ltd., P.O. Private Bag, Kisumu, do solemnly declare:-

1. That I was born on the fifteenth day of March 1894 at Toca, Kolok-Serb-Croat in the State or Province of Serb-Croat, Slovens.

2. That I entered Canada through the port of New York, by train to Canada on the 17th day of April 1912.

3. That I am a citizen of Canada by naturalization, No. 74577, Dec. 5, 1930, issued at Ottawa, Canada.

4. That I left Canada on the 15th day of November, 1935 sailing from the port of Montreal. I travelled on a passport issued at Ottawa by A. L. Cooper under date of 15.11.1935.

5. That I left Canada for the purpose of contract for 2 years with Macalder Mines Ltd., as Miner.

6. That I claim retention of Canadian domicile for the following reasons:- That I am a naturalized Canadian subject.

7. That since leaving Canada I have been employed as follows, Miner, with the Macalder Mines Ltd.

8. That I intend to return to Canada on or before the end of 1938.

DECLARED before me

at Kisumu, Kenya Colony
this nineteenth day of
February A.D. 1937

(Sgd.) B.M.D. Cochrane

(Sgd.) Michel Tonkovich.

I have this day examined the above named and am satisfied that he left Canada for the purpose of fulfilling contract and is still absent from Canada for a mere special or temporary purpose.

(Sgd.) B.M.D. Cochrane, Supt. of Police
Immigration Officer, Kisumu.

QUESTIONNAIRE

1. Give name and address of your last employer in Canada:-
Wiltsey-Cochlan Mines, Ltd. State nature of your Canadian
employment:- Miner; and how long employed:- 9 months.

2. Give address of your last place of residence in Canada
and if a boarder, the name of the people with whom you
lived:- Radie Hotel, Rouyn, Quebec.

3. Did you reside continuously in Canada between the date
of your admission and the date of your departure? Yes.

4. What assets (property, house, furniture or bank account)
have you in Canada, and where located? 3 Bank Account.
Bank of Commerce, Rouyn, Bank of Commerce, Maronda, Quebec.
Bank of Nova Scotia, Sudbury, Ontario.

5. Are you now employed? Yes. In what occupation?
Miner Captain.

6. What funds did you transfer from Canada at the time you
left or since? None.

7. What funds will you have in your possession on returning
to Canada? Balance at Banks.

8. Give name, address and relationship, if any, of the
person you are joining in Canada:- Sister, Mrs. Sarkatich,
Schumaker, Ont., Canada.

9. Are you returning to assured employment? No.

12. Have you a passport? Yes. If so, give number - 604;
date 15.11.1935 and place of issue - Ottawa, Ontario.