AL CANADIAN MOUNTED POLICE

D. . 510N

SUB-DIVISION)

BETACHMENT

uEu

Vancouver

RE:

Tashme

PROVINCE B. C. June 21st. 1944

Matsushiro AKAZAWA, Tashme, B.C.#06292

HEADQUARTERS

FILE REFERENCES

SUB-DIVISION

on the 17th instant AKAZAWA visited this office and requested a permit to proceed to Vancouver. On being asked why he wished to make this trip, he stated that his wife Shizuko AKAZAWA had been buried in Mountain View Cemetery since March 17th. 1939, during the month of April 1944 he had completed arrangements with Rev.W.R.MacWilliams of Vancouver to have the remains disinterred, cremated, and the ashes shipped to Tashme. On May 13th. 1944 a box, supposedly containing the ashes of his wife, was handed to AKAZAWA by the Rev.MacWilliams at Tashme. Copy of statement covering this transaction reads as follows:

City charge for disinterring remains Cremation & Permit

Less price for graves

\$25.00 45.00 \$70.00

\$50.00

44T-19/10

DETACHMENT

P. C. R.

- contained the ashes of his wife, and wished to proceed to vancouver to verify his suspicions, which were arroused when a Japanese named T.SATO #00010 of Lacombe Alta. passing through Tashme after visiting Vancouver, stated he had visited the AKAZAWA graves at Mountain View, on or about June 1st. and they were still intact with the crosses still standing.
- On the 20th instant the following telegram was phoned from Hope to the local B.C.S.C. office QUOTE

A. R. V. No.

Miss May MACHACLAN Tashme, B.C.
PLEASE HAVE THAT LITTLE BOX WHICH I TOOK
UP TO THE AKAZAWA'S AT 824 ON THE 13th.
OF MAY SENT ME IMMEDIATELY EXPRESS
COLLECT WRAPPED WELL

MACWILLIAMS VANCOUVER, B.C. UNQUOTE

Miss Machaclan obtained the box in question and shipped it by express to Vanvouver on the same date.

4. The location of the AKAZAWA graves at Mountain View is given as follows:

Range 2, Lct 6, Plot 15, Grave Plote 1 A, 16 A. Could these graves please be visited and the records showing the date of disinterment checked, with the view of ascertaining if there is any possibility that these people are being victimized.

DIARY DATE

M.F.Foster Reg.No.8406. i/c Tashme Detachment.

FILE NUMBERS, HEADING AND MARGINAL REFERENCE ARE TO SE PROPERLY FILLED IN

F. 257 ROYAL CANADIAN MOUNTED POLICE

DIVISION FILE No ... 44E-1190/2-79 C.I.B. Intelligence Section, PROVINCE B.C. Vancouver, DATE June 23rd, 1944.

RE:

Matsushiro AKAZAWA, Tashme, B.C. JR#06292.

MEADQUARTERS

SUB-DIVISION

DETACHMENT

P.C.R.

A. R. V. No.

DIARY DATE

SET FOR.....

- On receipt of Tashme Detachment report of June 21st, 1944, accompanied by Cst.W.C. Turner of this Section, I interviewed Mr. LEITH, Supt. of the Mountainview Cemetery, Vancouver, B.C., and found that the grave referred to in paragraph 4 of Tashme Detachment report afore-mentioned had not been opened. Mr. Leith, Cst. Turner and myself viewed this grave which is situated in Range 2, Lot 6, Plot 15, grave lot 1A.
- Mr. Leith stated that no disinterment could be made without a permit issued from the Vancouver City Hall being presented to him personally. No such permit had been presented by anyone to him in respect to this grave. We interviewed Miss McTaggart in the City Clerk's Office, Vancouver City Hall the same afternoon and ascertained that no permit had been arranged for or issued for disinterment of the body in that grave. Mr. Leith also informed us that no Japanese bodies had been disinterred for the past many months and indicated that there could have been no confusion as a result of someone with a similar name being disinterred recently.
- While at the Vancouver City Hall, I was informed that a City Detective had made similar enquiries at that Office and consequently, this morning, at the City Police Station, I found that Detective Gibb was also interested in this matter. He informed me that the Rev. Mr. Mac-Williams, through his lawyer Mr. MacMaster had approached Gibb and told him the whole story.
- MacWilliamshaving been approached by Akazawa to arrange for the disinterment, cremation and forwarding of the ashes of his deceased wife to him at Tashme, had after making preiminary enquiries, accepted the sum of \$50.00 from Akazawa to cover cost of this transaction. He then negotiated with Mr. Simpson, Manager of the Vancouver Crematorium Ltd., for him (Simpson) to secure the necessary permit, take care of the cremation and let him have the box of ashes for transference to Akazawa. He had apparently kept the money received from Akazawa and had paid Mr. Simpson the sum of \$50.00 by his own personal cheque. In due course he had received, from Mr. Simpson, a box allegedly cortaining the ashes of the deceased, after, he stated, the transaction had been completed and the body duly cremated. MacWilliams had taken this box to Tashme and had handed it to Akazawa. After the visit to Tashme of SATO, referred to in Tashme Detachment report aforementioned, when Akazawa had been informed that the grave in question had not been opened, Akazawa apparently took the matter up with Mr. MacWilliams, who in turn, went to the



City Police. MacWilliams had wired to Tashme for the return of the box and upon its return detective Gibb had interviewed Simpson. Simpson confessed to him that he had not carried out his part of the contract - had not attempted to disinter the body but had forwarded to Mr. MacWilliams a box of the type usually used for that purpose containing ordinary ashes. Simpson assumed full responsibility in this connection and Detective Gibb later had laid the whole matter before the City Prosecutor here.

The City Prosecutor felt that prosecution might not result in satisfactory results and it was indicated that it was more in the nature of a civil suit. He, of course, agreed that if the complainant wished to lay a complaint, a criminal prosecution would follow but, as stated before, he was in doubt as to its successful outcome. In the meantime, it is believed that Mr. MacWilliams and his lawyer Mr. MacMaster will attempt to arrange for some restitution and may endeavour to approach Akazawa at Tashme with a view to making some settlement with him to avoid possible civil action.

6. Detective Gibb is keeping in close touch with the writer in this connection and developments will be the subject of another report.

(J.K.Barnes) Sgt. Regt.No.8788. I/C Intelligence Section.

THE COMMISSIONER, R.C.M.P., Ottawa, Ont.

FORWARDED for your information, together with copies of Tashme Detachment report dated June 21st,1944. Copies of both these reports are being forwarded to Mr. Collins, Commissioner of Japanese Placement, today for his information, and in order that he may comment on the entire matter.

- As the Vancouver Crematorium Ltd., have acted in this matter as is detailed herein, there exists, of course, a possibility that similar occurrences have happened.
- 3. Mr. Collins may wish to draw this matter to the attention of the Attorney-General of this Province and I will advise you of his comments in this connection in due course.
- 4. Further reports will follow.

Vancouver, 23-6-44. JKB/JW Encls: (C.K.Gray) Supt. Commanding "E" Division. 3/

44 D 1190-2-J 1

June 27, 1944.

Attention: Japanese Section.

Attached hereto as of possible interest to your Department, will be found copy of our Vancouver Office report dated 23-6-44, which is self-explanatory.

> (F. J. Mead), Deputy Commissioner.

The Deputy Minister of Labour, Dept. of Labour, Ottawa, Ontario.

Enc.

C O

BRITISH COLUMBIA SECURITY COMMISSION

P V

30

July 5, 1944.

A. MacNamara, Esq., Deputy Minister, Department of Labour, O T T A W A, Ontario.

I am in receipt of various R.C.M.P. reports, copies of which you may have or which will be available to you in Commissioner Mead's office relative to a rather unfortunate incident which occurred to a Japanese resident at Tashme.

Mr. Matsushiro AKAZAWA, a Japanese National residing in Tashme asked the Rev. McWilliams United Church worker at Tashme to perform a personal service for him the nature of which was to take \$50.00 to Vancouver and arrange with an Undertaker to have the body of his wife disinterred from Mountain View Cemetery, Vancouver, have it cremated and the ashes returned to him. In the course of time Mr. Akazawa received an urn presumably containing the ashes of his deceased wife.

At a later date a friend of Mr. Akazawa who was in Vancouver in connection with clearing up a Custodian controlled property visited the Cemetery and noticed that the grave had not been opened. He advised Mr. Akazawa to this effect and naturally some rather pertinent questions were asked by the Rev. McWilliams. It came to the attention of the R.C.M.P. and they made a full investigation as referred to above.

The Vancouver Crematorium as represented by Mr. Simpson admitted that they had not disinterred the body and that the urn which was forwarded to Mr. Akazawa contained ordinary ashes.

The file further discloses that the City Police have been working on this case probably on the instigation of Mr. McMaster, Solicitor for Mr. McWilliams and they are somewhat reluctant to institute criminal proceedings as they have some doubts as to whether or not the outcome of the prosecution would be successful. It appears that the proper procedure would be for Mr. Akazawa to take Civil actionagainst Mr. Simpson. However, between the efforts of Mr. McWilliams and Mr. McMaster Mr. Akazawa has been dissuaded from taking this course.

Superintendent Gray of the R.C.M. Police has drawn the matter to my attention particularly in view of the fact that the Vancouver Crematorium is a Limited Company under Provincial Charter and the facts of this case should be brought to the attention of the Attorney-General of the Province.

As a matter of Government policy, I would appreciate your advice as to whether or not I should bring this matter to the attention of the Provincial authorities.

GEORGE COLLINS Commissioner

July 5th, 1944.

GC/DS

RW/MC

34



ATTOMNEY-SEMERALS DEPT.

ESTE 1 V ED)

ATTOMNEY-SEMERALS DEPT.

DAY JUL 3 1 1944

PM C 50 - 3

ESTO NO. C 50 - 3

THE DEPUTY MINISTER OF JUSTICE

OTTAWA

July 21,

19 44

J. R. 9529-44

Dear Mr. Pepler:

I enclose herewith a copy of a letter from the British Columbia Commission dated July 5, 1944 enclosing a report from the R.C.M.P.

This report would indicate that a Mr.
Matsushiro Akazawa, a Japanese National, residing in
Tashme, B. C., paid the sum of \$50.00 to have the body
of his wife disinterred and cremated and the ashes
remitted to him. It now turns out that the ashes that
were remitted to him were not those of his wife and that
his wife's body had never been disinterred. Mr. Simpson
of the Vancouver Crematorium admits that other ashes
were used in this instance.

The \$50.00 in question would appear to have been obtained by fraud. I am, therefore, passing this matter to you for such action as you may see fit to take.

Yours truly,

Encl.

Deputy Minister.

Eric Pepler, Esq., K. Deputy Attorney General, VICTORIA, B. C.

Out of the second of the secon

Sec 5 Cremation 5. Chop 65 C 50-3

Aug. 1, 1944.

Deputy Minister of Justice, of t t a w a.

Doar Sir:

re: Your File J.R. 9529-44.

Your letter of July 21st has been duly received. A report upon this matter will be procured from the City Prosecutor at Vancouver. It would appear however from the information gleaned from the police reports enclosed in your letter that this is not a case for a charge of obtaining money by false pretences, as it would appear that the money was received by the Grematorium prior to the sending out of a statement setting forth that the body had been disinterred and cremated.

after a report has been received from the City Prosecutor this matter will be put before the Attorney-General for such further action as the facts justify.

Yours truly,

Departmental Solicitor.

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City Prosecutor,

236 East Cordova St.,

Aug. 1, 1944.

Vancouver, B. C.

The Attorney-General has received a report from the Deputy Minister of Justice with regard to a case wherein it is alleged that the Vancouver Crematorium through its officer or agent, Simpson, has received \$50 for the purpose of disinterring and cremating the body of one Mrs. Akazawa. According to police reports accompanying the Deputy Minister's letter, it would appear that the body was neither disinterred nor cremated, but a bill was sent by the Crematorium indicating that this had been done.

I understand that you have received reports upon this matter from Detective Gibb of the Vancouver City Police Force. Would you kindly write, advising whether or not the facts as disclosed to yourself are sufficient to justify a prosecution either against the Company or against this man, Simpson.

Departmental Solicitor.

OFFICE OF THE PROSECUTOR TELEPHONE: MARINE 1122 GORDON SCOTT ACTING CITY PROSECUTOR ALEX W. FISHER ACTING ASST CITY PROSECUTOR 236 CORDOVA ST. EAST VANCOUVER, B.C. Ref: File C 50-5 August 2nd, 1944. ATTOMICKY-SERVERAL'S DEPT. H. Alan Maclean, Esq., Departmental Solicitor, Dept. of the Attorney-General, Victoria, B.C. Dear Sir. I have your letter of August 1st in regard to the Vancouver Crematorium and their officer, Simpson. This matter was gone into very carefully by myself. Detective Gibb interviewed Simpson, Simpson admitted that he received \$50.00 to disinter and cremate a body and send the ashes to a relative in the interior. In fact he neither disinterred nor cremated the body but sent some other ashes to the relative. Mr. McMaster was acting for the relative and he informed me that the Company concerned paid some amount of damages for a breach of contract; I do not know the amount paid. I could find no charge under the Criminal Code to cover this fraud. The money was paid in advance and there was no question of obtaining money by false pretences nor did it seem to come under Section 237 dealing with indignities to human remains. Mr. McMaster agreed with me that it was a matter of a civil action with a possibility of exemplary damages. There is no question whatsoever of the facts as they were all admitted to Detective Gibb by Simpson. If you can suggest any police action I will be very glad to prosecute the man or Company concerned as it is obvious that a very deliberate fraud was perpetrated. v- truly, Guden W. Stoll. a/City Prosecutor. GWS/D

C 50-3

Provincial Health Officer, Buildings.

August 3, 1944.

re: Vancouver Crematorium Limited.

I am enclosing herewith our file in this matter with regard to a complaint against the above-named Vancouver Crematorium Limited preferred at the instance of the Deputy Minister of Justice, Ottawa.

I would direct your attention to the letter of the Deputy Minister of Justice dated July 21st with accompanying police reports, and the letter of the Vancouver City Prosecutor of August 2nd. Briefly, the facts are that Simpson, Manager of the Vancouver Crematorium Limited, received \$50 on the understanding that he was to disinter the body of one Mrs. Akazawa, to cremate the same and to forward the ashes to the husband in the interior. In due course a box of ashes was sent forward to the husband but it transpired that the ashes were not those of Mrs. Akazawa but were ordinary ashes, and that the body of Mrs. Akazawa had never in fact been even disinterred. Apparently a statement was sent forward with the ashes showing -

City charge for disinterring remains Cremation & Permit	\$25.00 45.00
	70.00
Less price for graves	20.00
	\$50.00

of Companies that W.D. Simpson is the Manager of Vancouver Crematorium Limited and is the joint holder with one J.A. McKinney, of 2463 shares out of a total authorized share capital of 4500. He is therefore one of the main owners of the Company.

of the "Cremation Act" under which power is given to the Provincial Board of Health to suspend any licence granted under the Act "for cause satisfactory to it". The fraud committed by the Vancouver Crematorium Limited through its officer Simpson is of the meanest and grossest type and it is suggested that this would be an appropriate case to call on the company to show cause why its licence should not be suspended.

C 50-3 Draft. August 29, 1944. Vancouver Crematorium, Limited. 5505 Fraser Ave., Vancouver, B. C. Dear Sirs: The Attorney-General's Department has recently received a communication from the Department of Justice at Ottawa with regard to certain activities of your Company in respect to the remains of the wife of Matsushiro Akazawa. From the information received it would appear that it is alleged that Matsushiro Akazawa, a person residing at Tashme, B.C., paid the sum of Fifty dollars to you through an agent to have the body of his wife disinterred and cremated and the ashes remitted to him. Subsequently you forwarded a statement of your account indicating that the body had been disinterred and cremated and you forwarded certain ashes which it transpired were not the ashes of the woman in question whose body had never been disinterred. If the facts as reported to this Department are correct, the Fifty dollars received by you would appear to have been obtained by fraud. If you have any comments to make upon this situation I would be pleased to hear from you on receipt of this letter in order that I may incorporate them in a report which I intend making to the Provincial Board of Health on this subject. Yours truly,

At the Executive Council Chamber, Victoria,

Lieutenant-Governor.

PRESENT:

The Honourable

Mr.

in the Chair.

BRAFT

Mr. Mr.

Mr.

Mr.

Mr.

Mr.

Mr. Mr.

Mr.

Mr.

To His Honour

The Lieutenant-Governor in Council: sitting as the Provincial Board of Health.

The undersigned has the honour to report:

THAT the Vancouver Crematorium Limited, being a company licensed under the provisions of section 5(1) of the "Cremation Act", being Chapter 65 of the "Revised Statutes of British Columbia, 1936", did, during the month of May, 1944, accept from one Akazawa Matsushiro, of Tashme, British Columbia, certain moneys purporting to be in payment to the said, Company for services rendered in disinterring and cremating the remains of Shizuko Akazawa: and delivering the ashes of said 5. A to the said A M

THAT it has subsequently transpired that the services alleged to have been performed by the said Company and for which payment was

made, were not in fact performed:

AND TO RECOMMEND THAT under the provisions of Section 5 (2) of the said "Cremation Act" the licence of the Vancouver Crematorium Limited until the 1st day of December, 1944.

DATED this

day of September, A.D. 1944.

he suspended Provincial Secretary.

APPROVED this

day of September, A.D. 1944.

Presiding Member of the Executive Council.

that said company was quilty of fraid at the time of accepting said moneys as at that time it well trenew wood was likely by the said SA had not been either discipationed or cremated, and it at the ashes which were delivered were not the ashes from the body of SA.

GOVERNMENT OF BRITISH COLUMBIA MEMORANDUM Mr. A. MacLean, FROM owingial Health Officer, Departmental Solicitor October 14th, 19 44 BUILDINGS I am enclosing, for your information, the file in connection with the Vancouver Crematorium Ltd. You will note the action or lack of action taken during my absence in the East as outlined in the top two letters. Perhaps you had better keep your part of this file and return the rest to us. G.F. AMYOT, DM.D., D.P.H., Provincial Health Officer. GFA/M emlosure File returned to I lealth Dept. Oct 20/44

DWM/DH PLEASE ADDRESS OTTAWA October 25, 1944. AWATTO AT MUHIELY-GENERAL'S DEPT. J.R. 9529-44 Dear Sir: Referring to your letter of August 1, I have received an inquiry from the Deputy Minister of Labour as to the action which has been taken with regard to the fraud alleged to have been committed by the Vancouver Crematorium Limited. I should be glad if you would advise me as to the action that has been taken in this regard so that I may inform the Deputy Minister. Yours truly, Deputy Minister. Eric Pepler, Esq., K.C., Deputy Attorney General, VICTORIA, B.C.

Movember 6, 1944. C 50-3 Deputy Minister of Justice, OTTAWA. re: Your file No. 9529/44 -Dear Sir: Vancouver Crematorium Ltd. This matter has been investigated by this Department and was finally put before the Provincial Board of Health to determine whether or not action could be taken towards suspending or annulling the licence held by the above named under the "Crematorium Act" chapter 65, "Revised Statutes of British Columbia, 1936". There was some little delay on account of the absence of one of the officials of the Board of Health but the matter has recently come before the Board of Health and it has been decided that this is not a case for suspension of the licence of the company in that it was considered that the mischief had been done by Simpson in his personal capacity without authority from the company. This Department and the City Prosecutor had already come to the view that no action could be taken against Simpson on a charge of false pretences on account of the fact that the money was received by Simpson prior to the forwarding of the fraudulent ashes. In other words, Simpson accepted money and made a promise of future performance. This matter is being again referred to the City Prosecutor at Vancouver with a request that he again interview the witnesses with a view to seeing whether or not a charge of theft by trick would be supported by the available evidence. Yours truly. Departmental Solicitor.

C 50-3

November 6, 1944.

City Prosecutor, 236 East Cordova Street, Vancouver, B. C.

Dear Sir:

re: Vancouver Crematorium and Simpson.

On August 2nd you were good enough to write in answer to a letter from this Department dated October 2nd advising that it was your opinion that no charge of "false pretences" against Simpson arising out of the fraudulent transaction herein could be supported by the evidence on account of the fact that the money was paid in advance.

This Department has recently had another letter from the Deputy Minister of Justice in regard to this matter and it is suggested that you be good enough to look into the question of whether or not a charge of "theft by trick" could be supported by the available evidence. The question of whether or not such a charge would be available is not clear to me as I find that I have no report before me covering the original arrangement for the intended agreement, which arrangement was apparently made either between the Japanese and Simpson or between Simpson and the representative of the Japanese, Reverend McWilliams.

The Deputy Attorney-General is strongly of the opinion that if there is any chance of success whatso-ever some kind of charge should be laid against this man Simpson.

Yours truly,

Departmental Solicitor.

236 CORDO VANCO

OFFICE OF THE PROSECUTOR

ACTING CITY PROSECUTOR

ALEX W. FISHER

ACTING ASST. CITY PROSECUTOR

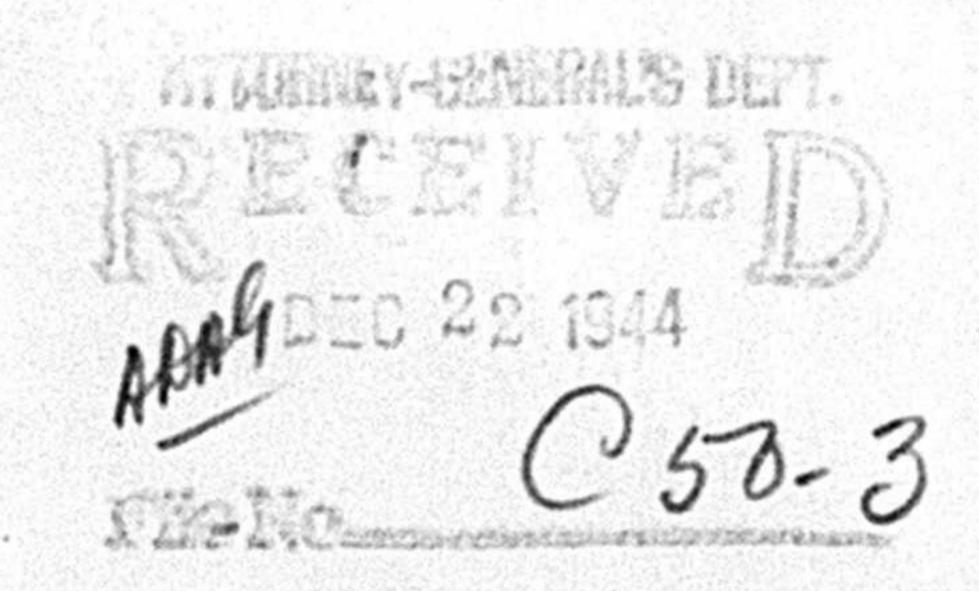
VANCOUVER, B.C.

December 21, 1944.

Ref: C 50-3

H. Alan Maclean, Esq., Departmental Solicitor, Dept. of the Attorney-General, Victoria, B.C.

Dear Sir,



TELEPHONE: MARINE 1122

re Vancouver Crematorium and Simpson

I regret the delay in answering your communication of November 6 in regard to this matter. It has been a little difficult for me to find out what was finally done between the parties. I now find that the Crematorium properly carried out their instructions after action was threatened in the Supreme Court. They also paid the sum of \$1000.00 by way of damages. In view of this it would be rather difficult to successfully prosecute.

Apart from the above facts I do not see that a charge of "theft by trick" would succeed. The money was paid in advance and, in all probability, the defendant intended at that time to carry out his contract; in any event that is what he says, and would say, on a trial. The only possible charge might be theft by conversion; this, of course, would be an ordinary charge of theft. In view of the fact that numerous cases have been lost where money has been paid contractors to do certain things which they have failed to do, I doubt as to much chance of success.

I may say this case when it was originally presented gave me very much concern and I considered every possibility of prosecution at the time. Now that these damages have been paid, I have practically abandoned all thoughts of prosecution. However, I am open to any suggestion you may make in the matter.

Yours truly,

a/City Prosecutor.

GWS/D

January 2, 1945. C 50-3 F.P. Varcoe, Esq., K.C., Deputy Minister of Justice, Ottawa. Your File No. J.R. 9529-44 Dear Sir: With further reference to my letter of November 6th I have to advise that this matter has been further considered by the City Prosecutor at Vancouver and that he is of the opinion that the evidence would not justify a conviction upon any criminal charge. I may say that I have asked him to consider the feasibility of proceeding on a charge of theft by trick. This Department is of the view that it is regrettable that the evidence does not lend itself to the bringing of a charge in this case as it is felt that the man Simpson has done an act meriting punishment. The City Prosecutor advises that the Vancouver Crematorium has paid damages to the Japanese person involved. Yours truly, Asst. Deputy Attorney-General.

DWM/DH



PLEASE ADDRESS THE DEPUTY MINISTER OF JUSTICE

OTTAWA

December 28,

Re: Vancouver Crematorium Limited AN 3
Your File C 50-3

THUMBEY-GENERAL'S DEPT.

Dear Sir:

A copy of your letter of November 6 was forwarded to the Deputy Minister of Labour. I am again in receipt of an inquiry from him as to whether any further action is contemplated by your department. I should be glad if you would let me have this information.

Yours truly,

Asst. Deputy Minister.

Eric Pepler, Esq., K.C., Deputy Attorney General, C 50-3

January 9, 1945.

Asst. Deputy Minister of Justice, Ottawa.

Dear Sir:

J.R. 9529-44, Vancouver Crematorium Limited.

Your letter of December 28th, which apparently crossed my letter to you of January 2nd., has been duly received. I think that my letter of January 2nd fully explains the position.

Yours truly,

Asst. Deputy Attorney-General.

DWM/DH PLEASE ADDRESS ottawa ... January 11, 1945. OTTAWA ALLUMEY-GENERAL'S DEPT. J.R. 9529-44 Re: Vancouver Crematorium Limited Your File C 50-3 Dear Sir: I acknowledge your letter of January 2 for which I wish to thank you. I am forwarding a copy to the Deputy Minister of Labour. Yours truly, Asst. Deputy Minister. Eric Pepler, Esq., K.C., Deputy Attorney-General,