

No. J. R. ~~6586-42~~

J. R. ~~6586-42~~

143545

Date FEBRUARY 23, 19

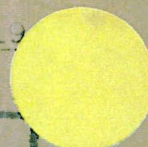
CONFIDENTIAL

REGISTRY

Department of Justice

FILE CHECKED FOR MPV
SEE BACK COVER
DOSSIER VERIFIE POUR DSJU
VOUS ENDOUS DE LA CHEMISE

PERMANENT RETENTION
IN JUSTICE
CONSERVATION PERMANENTE
À LA JUSTICE



REMARKS:

Blank lines for remarks

SUBJECT:

AMENDMENT - DEFENCE OF CANADA REGULATIONS - ACQUISITION OF LAND
BY JAPANESE AND CONTROLLED COMPANIES.

CROSS REFERENCE:

6450-42
6630-42

om JUSTICE.

arged to D.W.M.

Bfid June 6

A0027078_2-000188

18/6/85
APV / DSUJ ON FILE / SIR DO SIR
YES
ABSTRACTOR/RETRACED
DATE

No. J.R. ~~6586-4~~

No. J.R. ~~6586-4~~



MUST BE COMPLETED ON CLOSING THE FILE BY THE APPROPRIATE OFFICER.

DOIT ÊTRE COMPLÉTÉ À LA FERMETURE DU DOSSIER PAR LE FONCTIONNAIRE CONCERNÉ.

I PLEASE INDICATE: VEUILLEZ INDIQUER:

A) Department / Ministère: Justice

B) File No. / N° du dossier: 143545

II PLEASE CHECK THE APPROPRIATE SQUARES: VEUILLEZ COCHER À L'ENDROIT APPROPRIÉ:

This file contains material of precedential value / Ce dossier contient des documents susceptibles d'utilisation ultérieure

Yes [] Oui

No [] Non

Send to the Justice Opinion Library. / Envoyez au Répertoire d'opinions juridiques.

Send to the Files Control Center. / Envoyez au Centre de contrôle des dossiers.

DEFINITION

Material of precedential value - letters, memoranda or judgments containing opinions, research or studies which may be useful in other future matters.

Documents susceptibles d'utilisation ultérieure - lettres, notes ou jugements contenant des opinions études ou recherches pouvant servir dans d'autres cas.

III JUSTICE OPINION LIBRARY PLEASE INDEX THE FOLLOWING MATERIAL:

RÉPERTOIRE D'OPINIONS JURIDIQUES VEUILLEZ RÉPERTORIER LES DOCUMENTS SUIVANTS:

- A) Letter dated: / Date de la lettre: [Signature]
B) Memorandum dated: / Date de la note:
C) Judgment dated: / Date du jugement:
D) Other material dated: / Date des autres documents:

DATE:

Signature

IV FOR FILE RETIREMENT SECTION ONLY:

POUR LA SECTION CHARGÉE DE LA DISPOSITION DES DOSSIERS SEULEMENT:

SCHEDULE - CALENDRIER

Table with columns for destruction/retention status, master card checked, date of transfer, PAC approval, retention period, and total years.

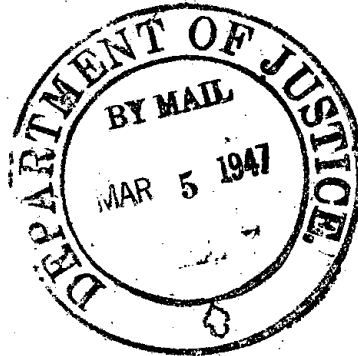
*P.A.R.C.: Public Archives Records Centre - D.C.A.P.: Dépôt Central des Archives Publiques
*A.P.C.: Public Archives of Canada - A.P.C.: Archives Publiques du Canada

Signature [Signature]

To be kept in chronological order as per this date: 8 Jan 79

À CONSERVER DANS CE DOSSIER

TO BE KEPT IN THIS FILE



March 4th,

47.

143545

Dear Sir: Re: Town of Port Hope and
Persons of Japanese Race.

Your letter of February 20th to the Secretary of State, Ottawa, in this connection has been forwarded to me by the Under-Secretary of State. This is a matter that concerns the Department of Labour, and I have accordingly forwarded it to that Department.

Yours truly,

W. R. JACKETT
Asst. Deputy Minister.

H. R. S. Ryan, Esq.,
Barrister,
18 Queen Street,
Port Hope, Ontario.

DEPARTMENT OF JUSTICE

MEMORANDUM

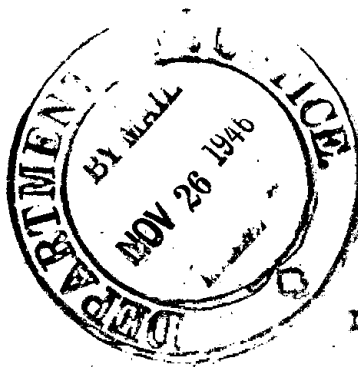
December 7th, 1946.

143545

NOTE:

Letter of November 27, 1946, from
W. E. Adams, 1998 Abbott Street, Kelowna,
B.C., re selling farm to Japanese family,
transferred to Labour Department this
date.

T.C.



November 25th,

46.

143545

The Deputy Minister of Labour, O t t a w a

I enclose a letter dated November 9th from I. Freeman, Barrister of St. Catharines, Ontario, which is self-explanatory. This letter was acknowledged by the Under Secretary of State but has not been acknowledged by this Department.

Encl.

C. STEIN

A/Asst. Deputy Minister

Ottawa, November 21, 1946.

Irving Freeman, Esq., B.A.,
Barrister, Solicitor, Notary Public,
309 St. Paul Street,
ST. CATHARINES, Ontario.

Dear Sir:

I acknowledge the receipt of your letter
of the 9th November.

The matter to which you refer is one
which appears to relate to the Department of Justice. I
have, therefore, transferred your communication to the
Deputy Minister, Department of Justice, in order that your
enquiry may receive attention.

Yours very truly,

E. H. Coleman,
Under Secretary of State.

RF/FEA

DEPARTMENT OF JUSTICE

143545
MEMORANDUM

Sept. 5th, 1946.

Not acknowledged. Transferred
to:-

The Deputy Minister,
Department of Labour,
O T T A W A.

for D.M.J.

Lr. from McLaughlin & McLaughlin, Barristers, Toronto, asking if man of Japanese descent is prevented from purchasing certain property.



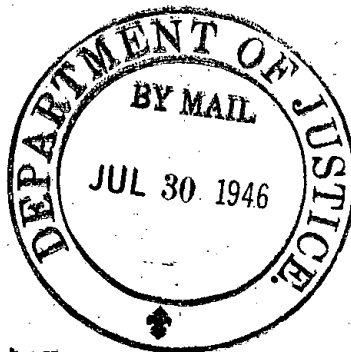
143545

deputy Minister July 31st. 1946
Dept of Justice

Dear sir:

I thank you
for the much needed in-
formation you have
sent me on the 26th inst.

Yours Truly
H. Bruchard



July 30,

1946.

BY HAND

To: The Deputy Minister,
Department of Labour, Ottawa.

143545

I enclose a letter dated July 24th
from Joseph A. Sweet, Esq., K.C., of Hamilton,
relating to purchase of real estate by a Japanese.
This letter has not been acknowledged.

R. Forsyth

for Deputy Minister.

Encl.

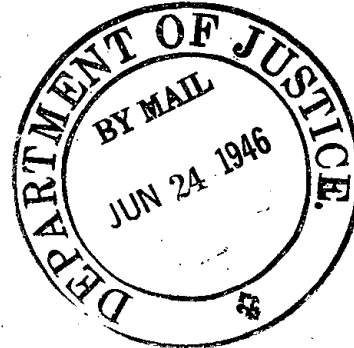
P.S. I also enclose a telegram that has just been received
from Mr. Sweet.

24th June,

46

To: The Deputy Minister,
Department of Labour.

143545



I enclose letter dated June 15
from Messrs. Galbraith & Smith, Barristers,
&c., of Vernon, B.C. relating to [REDACTED]
[REDACTED] This letter has not been
acknowledged.

R. A. OLMSTED

for Deputy Minister.

Enc.

May 23,

46.

143545

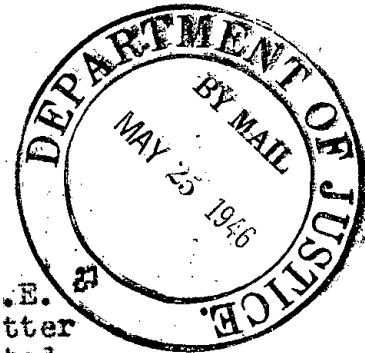
I enclose a letter dated May 8th from W.E. Griffin, Esq., of Hamilton, Ontario, and a letter from E.C. Weddell, Esq., of Kelowna, B.C., dated May 14th, 1946, with reference to the acquisition of land by persons of the Japanese race.

You will note that the first of these letters was acknowledged by the Under Secretary of the Department of State. The second letter has not been acknowledged.

Encls.

R. A. OLMSTED
for Deputy Minister.

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





May 1,

46.

143545

I enclose a letter dated April 5th from E.C. Weddell, Esq., K.C., of Kelowna, B.C. and a letter from C.R. de la Vergne Jr., Esq., of Brooks, Alta., dated April 27, 1946, with reference to the acquisition of land by persons of the Japanese race.

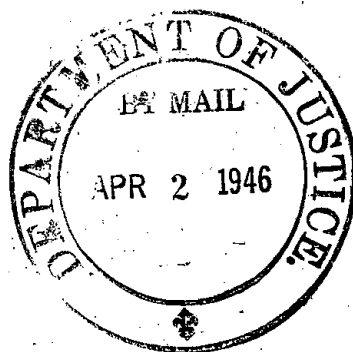
You will note that the first of these letters was acknowledged by the Under Secretary of the Department of State. The second letter has not been acknowledged.

Encls.

R. A. OLMSTEAD

for Deputy Minister.

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



April 2,

46.

To: The Deputy Minister,
Department of Labour, Ottawa.

143545

I enclose herewith a letter dated March 26th from [REDACTED] in connection with an application for a licence to purchase land.

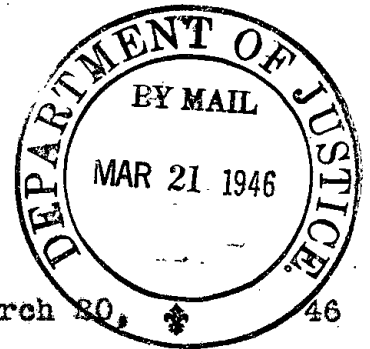
This letter has not been acknowledged.

R. A. OLMSTED

for Deputy Minister.

Encl.

DWM/MC



143545

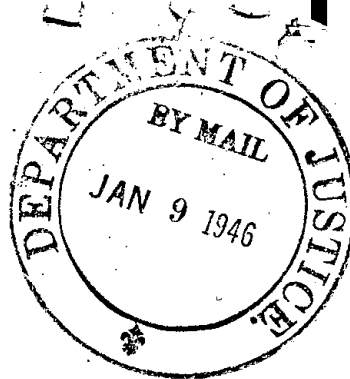
Enclosed is a memorandum from the Under Secretary of State enclosing a memorandum from the private secretary to the Minister of Veterans Affairs together with a letter dated February 19th to that Minister.

This letter has not been acknowledged.

R. A. OLMSTED

for Deputy Minister.

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



557

January 9,

45.

To: The Deputy Minister,
Department of Labour, Ottawa.

J.R. 6586-42

I enclose a letter dated December 31st,
together with the enclosures therein referred to from
C.W. Morrow, Esq., Barrister of Vernon, B.C., regarding
application for a licence to acquire land on behalf of
a person of the Japanese race.

R. Forsyth

for Asst. Deputy Minister.

Encl.

DEPARTMENT OF JUSTICE

MEMORANDUM

FPV/AMH

February 24, 1942.

Mr. Mundell:

Please prepare draft telegram on assumption that recommendation was adopted.

F. P. V.



CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

W. D. NEIL, GENERAL MANAGER OF COMMUNICATIONS, MONTREAL

1942 FEB 27 PM 11:11

WNA36 15

U VICTORIA BC 24 1956A

THE HON MR STLAURENT

MINISTER OF JUSTICE OTTAWA

PLEASE WIRE DETAILS OF ORDER IN COUNCIL PROHIBITING PURCHASE OF
LAND BY JAPANESE IN BRITISH COLUMBIA

R. L. MAITLAND

ATTORNEY GENERAL

[Handwritten signature]

Come On Canada — Buy the New Victory Bonds A0027078_19-000

J.R. 65-86.

DEPARTMENT OF LABOUR

OTTAWA.

File Away

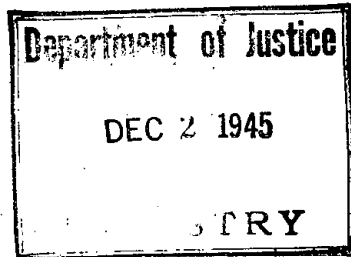
MEMORANDUM

Mr. Munnell

I am keeping for a short time the following files which we are considering:

- J.R. 65-86-59-45
- 6586-56-45
- 6586-10-42
- 6586-42
- 6450-43

H. Lamme



December 3, 45.

J.R. 6450-43

Referring to telephone conversations between Mr. Parmett of your department and Mr. Mundell of this department, I enclose herewith files of this department as listed on the enclosed list, relating to applications by persons of the Japanese race to acquire licences to purchase land under Regulation 39E of the Defence of Canada Regulations.

I should be glad if you would return these files to me when they have served their purpose.

E. Miall
Asst. Deputy Minister.

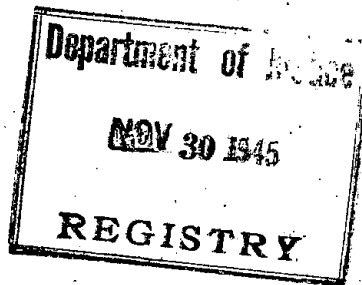
The Deputy Minister,
Dept. of Labour,
Ottawa, Ontario.

J.R. 6450-43

Ottawa, November 30, 1945.

Files on applications by persons of the Japanese race to
acquire licences under Regulation 39E of the
Defence of Canada Regulations.

J.R. 6586-1-42	J.R. 6586-30-43	J.R. 6586-42
-2-42	-31-43	J.R. 6450-43
-3-42	-32-43	
-4-42	-33-43	
-5-42	-34-43	
-6-42	-35-43	
-7-42	-36-44	
-8-42	-38-44	
-9-42	-39-44	
-10-42	-40-44	
-11-42	-41-44	
-12-42	-42-44	
-13-43	-43-44	
-14-43	-44-44	
-15-43	-45-44	
-16-43	-46-44	
-17-43	-47-44	
-18-43	-48-44	
-19-43	-49-44	
-20-43	-50-44	
-21-43	-51-44	
-22-43	-52-44	
-23-43	-53-44	
-24-43	-54-44	
-25-43	-55-44	
-26-43	-56-45	
-27-43	-57-45	
-28-43	-58-45	
-29-43	-59-45	



November 29,

45.

The Deputy Minister, Dept. of Labour, Ottawa.

J.R. 6586-45

I enclose herewith certain correspondence from William Schreiber, Esq., Barrister of Hamilton, Ont., relating to the acquisition of land by Japanese persons.

E. Miall

Asst. Deputy Minister.

Encl.

Department of Justice
NOV 28 1945
REGISTRY

326

November 28, 45.

J.R. 6586-45

I enclose letter dated November 20th from [redacted] of Toronto, requesting a permit for the acquisition of land. This letter was passed to this department from the office of the Custodian of Alien Enemy Property who had apparently received it from the Department of Mines and Resources.

Encl.

Asst. Deputy Minister.

E. Miall

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

N. W. M.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN



ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.....

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

November 24, 1945.

F. P. Varcoe, Esq., K.C.,
Deputy Minister,
Department of Justice,
Ottawa, Ontario.

Dear Sir:

Re: [redacted] Permit to
Purchase House and Property

We are of the opinion that [redacted]

[redacted]

and we are forwarding same for your kind attention.

Yours very truly,

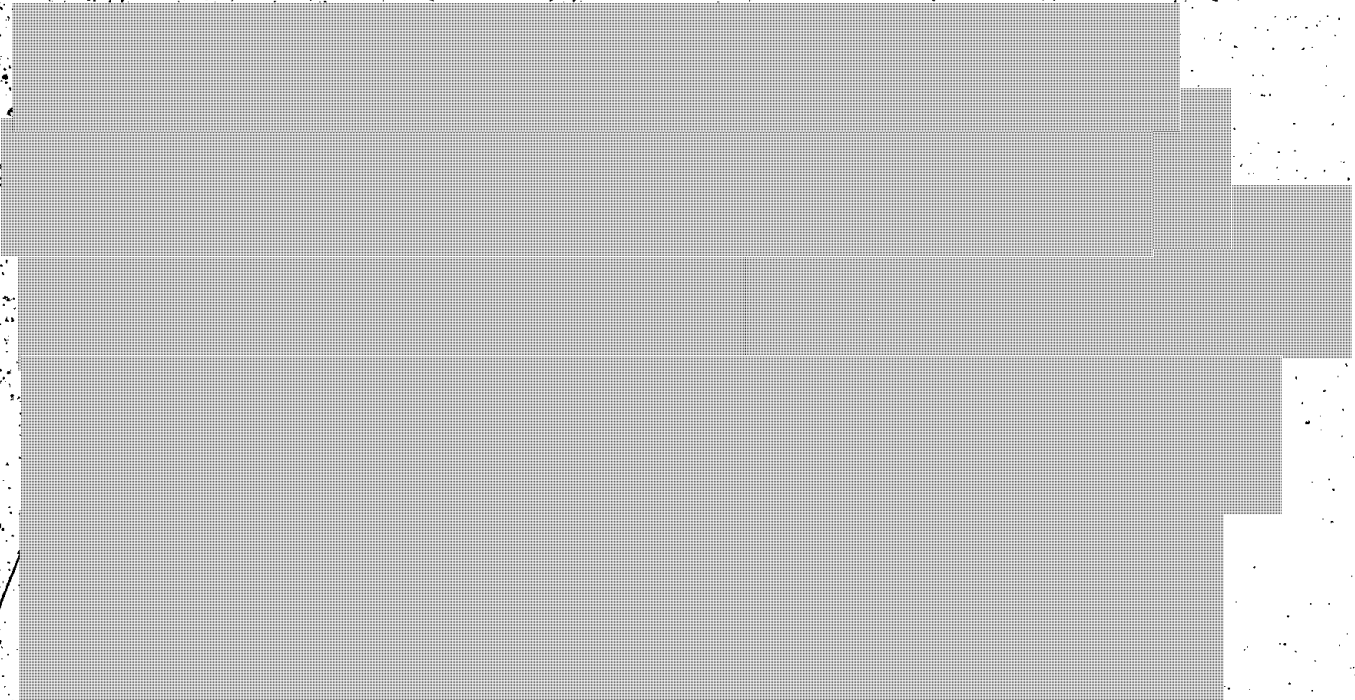
K. W. Wright
Counsel to the Custodian

FC.

Ottawa, November 14, 1945.

MEMORANDUM FOR THE DEPUTY MINISTER:

J.R. 6586-45



Take this course
except that only
the relevant parts
of the general files
should be lent.
F.V.

D.W.M.


DWM/MC

DEPARTMENT OF JUSTICE

MEMORANDUM Nov. 1, 1945.

MR. COBB:

J.R. 6586



Could all the files dealing with these applications be sent to me please?

D. W. M.

PMA/G

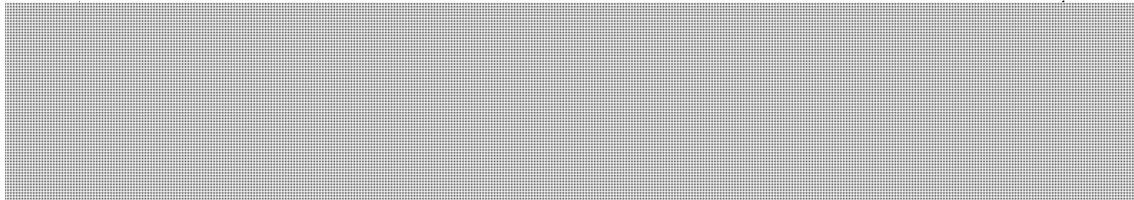
507

April 10th,

45.

J.R. 6586-45

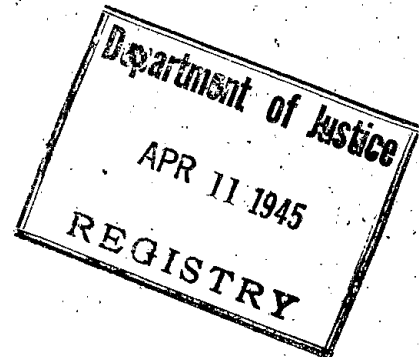
The Deputy Minister of Labour, O t t a w a



Encls.

F. P. Varcoe

Deputy Minister

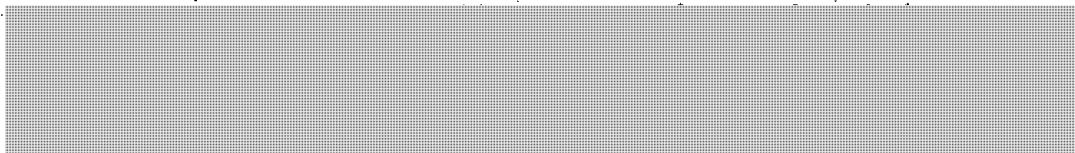


PMA/G

April 3rd, 1945.

J.R. 6586-45.

The Deputy Minister of Labour, Ottawa



Encl.

F. P. Varcoe
Deputy Minister

Department of Justice
APR 5 1945
REGISTRY

DWM/DH

 DEPARTMENT OF JUSTICE

MEMORANDUM

Dec. 20, 1944.

MR. VARCOE:

This is an inquiry whether there is any Order in Council in existence which would prevent the sale of real property in Canada to an alien.

D.W.M.

DEPARTMENT OF JUSTICE

MEMORANDUM

February 22/44

MR. VARCOE:

J.R. 6586-44

The attached self-explanatory memorandum has been prepared at the request of Mr. Campeau for Mr. Bernier. Mr. Bernier requested that a draft reply be prepared to Mr. Blackmore's letter. The attached memorandum supplies sufficient information for the preparation of a draft reply. Will it be in order to send this memorandum to Mr. Bernier?

D.W.M.

ALL CORRESPONDENCE TO BE ADDRESSED:-
THE COMMISSIONER
R.C.M. POLICE
OTTAWA



139555

ROYAL CANADIAN MOUNTED POLICE
OFFICE OF THE COMMISSIONER
OTTAWA

REF. NO. [REDACTED]

June 15th, 1942.

SPECIAL MESSENGER

Dear Mr. St. Laurent:

Strike of Japanese at Gosnell Camp, B.C.

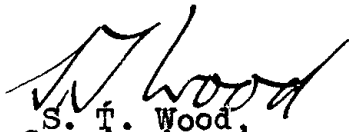
1. In Gosnell Camp in British Columbia there are approximately 1300 Japanese males located.
2. On June 11th I received from the Director of the Engineering Branch of the Lands, Parks and Forests Branch, Department of Mines and Resources, a report from one of his engineers regarding a strike which has occurred at the above mentioned camp. On the 12th, I also received information from the Department of Labour on the same subject, and on that date I instructed the Officer Commanding at Vancouver to send members of the Force to Gosnell Camp to deal with the strike, and suggested internment for the agitators.
3. On Saturday, the 13th instant, I received the following telegram from the Officer Commanding the R.C.M. Police at Vancouver - Assistant Commissioner C.H. Hill:-

"JUST RECEIVED REPORT THAT JAPANESE ON STRIKE GOSNELL CAMP HAVE BROKEN THROUGH GUARDS WALKING DOWN RAILROAD TRACK STOP NUMBER OF JAPANESE CONCERNED NOT STATED STOP HAVE NOTIFIED BC POLICE KAMLOOPS ALSO CNR POLICE VANCOUVER SENDING ONE SERGEANT SIX CONSTABLES GOSNELL TONIGHT SECURITY COMMISSION INFORMED."
4. A further telegram from Assistant Commissioner Hill, dated yesterday, has been received this morning, reading as follows:-

"RETEL JAPANESE AT GOSNELL CAMP SERGEANT WOODS AND SIX CONSTABLES NOW AT GOSNELL AND SITUATION IN HAND STOP WILL KEEP YOU ADVISED."
5. I am informing the Deputy Minister of Labour of this latest telegram.

Yours faithfully,

The Hon. Louis S. St. Laurent,
K.C., M.P.,
Minister of Justice,
Ottawa, Ont.


S. T. Wood,
Commissioner.

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 4th day of MARCH, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS in view of the serious situation prevailing in the Province of British Columbia arising out of the war with Japan it is deemed necessary for the security and defence of Canada to take further steps for the evacuation of persons of the Japanese race from the protected areas in that Province;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Right Honourable W.L.Mackenzie King, the Prime Minister, and under and by virtue of the powers conferred by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make the following regulations and they are hereby made and established accordingly:

Interpretation

1. (1) In these Regulations unless the context otherwise requires -
 - (a) "Commission" means the British Columbia Security Commission established under the provisions of this Order.
 - (b) "Minister" means the Minister of Labour.
 - (c) Other words and phrases shall have the same meaning as in the Defence of Canada Regulations.

British Columbia Security Commission

2. (1) There shall be a Commission, to be known as the British Columbia Security Commission, which shall consist of three members, a Chairman and two Commissioners, who shall hold office during pleasure.

(2) The members of the Commission shall be appointed by the Governor in Council, on the recommendation of the Minister, and shall be paid such remuneration and allowances as may be fixed by the Governor in Council;

(3) Except as otherwise herein provided any act of the Commission shall require the concurrence of all members of the Commission.

(4) Where for any reason any member of the Commission is unable to act, the Minister may appoint temporarily a substitute member, upon such terms and conditions as he may determine.

(5) The headquarters of the Commission shall be at a place selected by it in the Province of British Columbia, and meetings of the Commission may be held at the headquarters, or at such other place in British Columbia or elsewhere, as the Chairman may decide.

(6) The members of the Commission shall take and subscribe an oath before any Superior Court judge in the Province of British Columbia, which shall be filed in the office of the Clerk of the Privy Council, and which shall be in the following form:

"I solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as a member of the British Columbia Security Commission."

3. The Commission may, with the approval of the Minister, make by-laws not inconsistent with the provisions hereof, for the direction, conduct and government of its business.

4. Every document purporting to be or to contain a by-law, order or other instrument of the Commission, and purporting to be signed by the Chairman, shall be evidence of such by-law, order or other instrument.

5. (1) The Commission may, with the approval of the Minister, employ such professional technical and other officers, clerks and employees as it may deem necessary for the proper conduct of its affairs, and may, with the approval of the Governor in Council, fix their remuneration,

(2) The Commission may utilize the services of any officer, servant or employee of any department of the Government of Canada loaned by the Minister thereof.

6. (1) The Commission may enter into contracts, and hold property, real or personal, and shall be deemed to have the powers necessary to perform the duties assigned to the Commission, including all powers incidental to the performance of the said duties.

(2) The Commission may sue, and, with the consent of the Attorney General of Canada, be sued in its own name, in respect of its own acts, but such proceedings shall only be taken in the Exchequer Court of Canada.

(3) The Commission shall in all matters, including those relating to the responsibility of the members of the Commission for the acts of any servant or agent of the Commission, be deemed to be an agent of the Crown.

7. (1) No transaction shall be entered into by the Commission involving an expenditure in excess of fifteen thousand dollars, except with the approval of the Governor in Council.

(2) No real property shall be purchased by the Commission except with the approval of the Governor in Council.

8. The Commission may enter into any arrangement with any department of the Government of Canada or of the Government of the Province of British Columbia for the use of or occupation of any Dominion or Provincial Crown Lands.

P. C. 1665

Advisory Committee

9. (1) There shall be appointed by the Governor in Council an Advisory Committee to the British Columbia Security Commission, to consist of not more than twenty members, to advise the Commission on all matters relating to the duties of the Commission.

(2) Meetings of the said Advisory Committee may be called by the Chairman of the Commission.

(3) Any member of the said Advisory Committee may be paid his actual reasonable disbursements incurred in connection with the performance of the work of the Advisory Committee.

Duties and Powers of Commission

10. (1) It shall be the duty of the Commission to plan, supervise and direct the evacuation from the protected areas of British Columbia of all persons of the Japanese race.

(2) For the purpose of performing the duties aforesaid the Commission shall determine the time and order of the evacuation of such persons, the mode of transport and all matters relative to the placement of such persons.

(3) The Commission shall provide for the housing, feeding, care and protection of such persons in so far as the same may be necessary.

(4) A plan or plans for the evacuation and placement aforesaid shall be submitted to the Minister, and shall be put into operation by the Commission when approved by the Minister.

(5) & (6) *see P.C. 2483.*

11. (1) The Commission shall have power to require by order any person of the Japanese race, in any protected area in British Columbia, to remain at his place of residence or to leave his place of residence and to proceed to any other place within or without the protected area at such time and in such manner as the Commission may prescribe in such order, or to order the detention of any such person, and any such order may be enforced by any person nominated by the Commission so to do.

see 2483 (2) The Commission may make orders respecting the conduct, activities and discipline of any person evacuated under the provisions of these Regulations.

Custody of Japanese Property

12. (1) As a protective measure only, all property situated in any protected area of British Columbia belonging to any person of the Japanese race resident in such area (excepting fishing vessels subject to Order in Council P.C. 288 of the 13th January, 1942, and deposits of money, shares of stock, debentures, bonds or other securities), delivered up to any person by the owner

pursuant/

P.C. 1665

pursuant to the Order of the Minister of Justice dated February 26, 1942, or which is turned over to the Custodian by the owner, or which the owner, on being evacuated is unable to take with him, shall be vested in and subject to the control and management of the Custodian as defined in the Regulations respecting Trading with the Enemy, 1939; provided, however, that no commission shall be charged by the Custodian in respect of such control and management.

(2) Subject as hereinafter provided, and for the purposes of the control and management of such property, rights and interest by the Custodian, the Regulations respecting Trading with the Enemy, 1939, shall apply mutatis mutandis to the same extent as if such property, rights and interests belonged to any enemy within the meaning of the said Regulations.

(3) The property, rights and interests so vested in and subject to the control and management of the Custodian, or the proceeds thereof, shall be dealt with in such manner as the Governor in Council may direct.

Departmental Assistance

13. All departments and agencies of the Government of Canada shall assist the Commission by lending to the Commission such personnel and by furnishing such medical aid, hospitalization, food, clothing, transportation, use of land, buildings, equipment, utilities and other supplies and services as are available, and may be required by the Commission, and in particular, but without restricting the generality of the foregoing, there shall be furnished to the Commission,-

- (a) assistance by the Royal Canadian Mounted Police in the compiling of information concerning the persons to be evacuated under these Regulations in the segregation and concentration of such persons and in the maintenance of public security in respect thereof.
- (b) assistance by the Department of Transport in the transportation of persons evacuated under these Regulations.
- (c) assistance by the Department of National Defence by furnishing personnel to advise on and assist in the housing, feeding and clothing of persons evacuated under these Regulations.
- (d) assistance by the Department of Munitions and Supply in advising upon and entering into contracts or other arrangements to provide housing, food, supplies and services for such persons.
- (e) assistance by the Royal Canadian Mounted Police and/or the Department of National Defence in the protection of persons evacuated under these Regulations and in the maintenance of public security in respect thereof.
- (f) assistance by the Department of Labour in establishment of work camps and in providing employment, and in particular in the absorption of evacuated persons in the Canadian Japanese Construction Corps constituted by Order in Council P.C. 1271 of February 17th, 1942, or in the work camps established under Order in Council

P. C. 1665

P.C. 1348 of February 19th, 1942, or in any other activity in which such persons can be employed without prejudice to the public safety or the safety of the State, outside the protected areas in British Columbia.

Provided, however, that notwithstanding the provisions of these Regulations any minister responsible for the administration of any of the departments or agencies of the Government shall have the right to determine whether or not any item of assistance requested can be made available.

Expenses

14. All expenses or costs incurred by the Commission or by any department or agency of the Government of Canada in connection with the enforcement or administration of these Regulations shall be payable out of moneys appropriated by Parliament to carry out measures deemed necessary in consequence of the existence of a state of war.

Offences

15. Every person who contravenes or fails to comply with any of these Regulations or any order or by-law made under any of these Regulations shall be guilty of an offence, and liable, on summary conviction, to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding twelve months, or to both such fine and such imprisonment.

16. Nothing contained herein shall be construed to limit or derogate from the powers conferred on any authority other than the Commission by the Defence of Canada Regulations or any other statute or law.

Sgd. A.D.P.Heeney

Clerk of the Privy Council.

MR. FORSYTH:

As per our telephone conversation

27/7/42.

J. M. Wardle
J.M. Wardle.

ORDERS AND REGULATIONS GOVERNING THE CONDUCT OF WORKERS IN HIGHWAY CAMPS

ORDER NO. 10.

WHEREAS persons of the Japanese race are employed in Highway Camps established under Order-in-Council P.C. 1348 and have been allocated to various Highway Camps in Canada;

AND WHEREAS it is deemed expedient for the British Columbia Security Commission to pass camp regulations governing the conduct of persons of the Japanese race (hereinafter referred to in this Order as "workers"), for the well being and protection of such workers;

NOW THEREFORE, under and by virtue of the powers conferred upon the British Columbia Security Commission by Order-in-Council P.C. 1665, the following regulations are hereby ordered to apply to all workers in Highway Camps in Canada:—

- (1) No worker shall proceed beyond the boundaries of any Highway Camp, as defined by the Engineer-in-Charge, except under permit from the British Columbia Security Commission, or from a person duly authorized by the Commission to issue such permits.
- (2) All railway right-of-way and private property is out of bounds at all times to any worker except when such worker, accompanied by a responsible Key Man from the Camp, is required to enter on such right-of-way or private property in connection with his designated work.
- (3) No worker shall enter or remain in the vicinity of any watersheds, reservoirs, dams, dykes, aeroplane factories, munition factories or military camps.
- (4) All workers shall conduct themselves in Camp in accordance with the Camp Regulations issued by the Engineer-in-Charge. All workers shall exercise due regard to the proper care of Government buildings, property and equipment.
- (5) All lights shall be out at 10 p.m.
- (6) All workers shall comply with instructions directed to them in the performance of their designated work.
- (7) All workers shall be held responsible for the proper care of any working tools issued to them.

Any breach of the above regulations shall subject the offender to the penalties as provided in Order-in-Council P.C. 1665.

DATED at Vancouver, B. C., this 18th day of April, 1942.

AUSTIN C. TAYLOR,
Chairman,
BRITISH COLUMBIA SECURITY COMMISSION.

NOTICE

- (1) It was ordered by previous orders of the British Columbia Security Commission that no person of the Japanese race shall:
 - (a) Use, consume or have in his possession, any liquor;
 - (b) Fish in any way whatsoever in any inland or coastal waters in Canada;
 - (c) Hunt or trap any game whatsoever in Canada.
- (2) Any worker feeling aggrieved or injured by any condition existing in the Camp should immediately bring the facts and circumstances of his grievances to the attention of the Engineer-in-Charge, in writing, for consideration and submission to the duly authorized agent of the British Columbia Security Commission.
- (3) Any worker who wishes to transfer to some other locality or point outside the jurisdiction of the Camp, must apply in writing to the British Columbia Security Commission through the Engineer-in-Charge, setting forth in detail the reasons for his application.
- (4) Workers are allowed to have long-wave radio sets in the Camp. No short-wave radios of any kind will be allowed.

道路キヤンプ就働者に関する規則

總督令第一三三八號下に設けられた道路キヤンプに日本人が就働し且つ加奈陀内道路キヤンプに配置せられ

又ビーシー、セキユリター、コムミツシヨンはキヤンプ内の日本人(以下本令中は「就働者」と稱す)の行動に關する規則を就働者の福利及保護の爲に制定するを適當と思はれるが故に

總督令第一六六五號下に依りビーシー、セキユリター、コムミツシヨンに附與せられた權限の下に左の規則が加奈陀内道路キヤンプ就働者に適用される旨此處に公布する

- (一) 就働者はビーシー、セキユリター、コムミツシヨンよりの許可證或はコムミツシヨンに依り許可證發給の權限を附與せられた者より發給された許可證なしに主任技師に依り定められた道路キヤンプ境界外に出る事を禁ず
- (二) 鐵道線路(線路の兩側に建てられた棚内)及私有土地は就働者が仕事に關しキヤンプの責任あるキー、マンと共に入る場合以外は境界外にあるものと見做す
- (三) 就働者の分水界、貯水池、堰、堤防、飛行機工場、軍需品工場或は軍隊キヤンプへ出入乃至近邊に滞在する事を禁ず
- (四) 就働者は主任技師より出されるキヤンプ規則に従ひ行動する事、就働者は政府の建築物、財産、器具を注意して取扱ふ事
- (五) 消燈時間は午後十時

(六) 就働者は指定の仕事に従事する際は規則に従つて行動する事
(七) 就働者は各自に發給せられた器具を責任を以て適當な手入れする事
前記規則違反者は總督令第一六六五號に規定せられた罰則に依り處罰せらる

ビーシー・セキユリター・コムミツシヨン

委員長 オーステン・テラー

告示

(一) ビーシー、セキユリター、コムミツシヨンは曩に日本人の

(イ) 酒類の使用、消費及所持の禁止

(ロ) 加奈陀内の奥地及沿岸に於ける釣魚の禁止

(ハ) 鳥獸の狩獵、毘使用を禁止

する發令を爲した

(二) キヤンプ内に於ける状態に關し不平あり又はこれに依り損害を受けたる場合、就働者は直ちに書面を以て不満足の事實及當時の状況を主任技師の

許迄届出る事、主任技師は之れをビーシー、セキユリター、コムミツシヨン

内の責任者に報告、考慮される

(三) 就働者が他地方或はキヤンプ管轄區域外に移動し度の場合、其の理由を

詳細に書面で主任技師を通じてビーシー、セキユリター、コムミツシヨン

に提出する事

(四) 就働者は長波ラヂオをキヤンプ内で使用出来る、但し短波ラヂオの使用

は禁止

What orders
Can be made
for reallocated
japanese

ALL CORRESPONDENCE TO BE ADDRESSED:-
THE COMMISSIONER
R.C.M. POLICE
OTTAWA



137352

ROYAL CANADIAN MOUNTED POLICE
OFFICE OF THE COMMISSIONER
OTTAWA

REF. NO.

June 10, 1942.

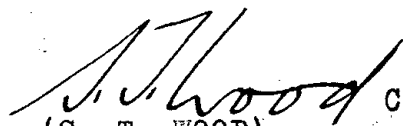
Dear Mr. St. Laurent:

1. At the present time there are 464 Japanese, British Born and Nationals, interned and detained under the Defence of Canada Regulations. Of this number, 298 are at the Petawawa Camp, and the remaining 160 are being held in Vancouver at the Immigration Detention Sheds awaiting transfer to a permanent internment camp.

2. The Internment Operations have to-day informed me that no further accomodation is available at Petawawa; however, they have been advised by the Department of National Defence that a camp is being prepared to accomodate the 160 Japanese already referred to, and that the new camp will be ready within the next week or so, and would also be available for a larger number should the occasion arise.

3. It is hoped that accomodation in an Internment Camp outside of British Columbia will soon be available as their continuance in that Province may be the cause of a repétion of the rioting that occurred there.

Yours truly,


(S. T. WOOD) Comm'r.

Registrar General of Enemy Aliens.

The Honourable the Minister of Justice,
OTTAWA, Ontario.

DWH/BG

August 17

42

Your File



J.R.6586

Re: Acquisition of land by persons
of the Japanese Race.

Dear Sir:

I acknowledge your letter of August 11 enclosing copy of a letter dated July 28 from J. W. McClung, Esq., of the Department of the Attorney General, Province of Alberta. I am writing to the Department of the Attorney General explaining the policy of the Minister of Justice in requiring the consent of the Attorney General in these cases.

Yours truly,

E. Miall

McClung Deputy Minister.

The Commissioner,
Royal Canadian Mounted Police,
O t t a w a.

Department of Justice
AUG 17 1942
REGISTRY

PRIVY COUNCIL
CANADA

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 24th day of February, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by reason of the existence of a state of war between Canada and Japan, it is necessary for the security, defence, peace, order and welfare of Canada to regulate in certain respects the activities in Canada of persons of the Japanese race and of Japanese controlled companies;

AND WHEREAS for this purpose it is deemed advisable to regulate the acquisition of land or any interest therein or growing crops in Canada by persons of the Japanese race and by such companies;

NOW THEREFORE His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by adding thereto the following regulation as Regulation 39 E.

(P.C.5295)
15 July, 1941.

39 E. (1) No person of the Japanese race and no Japanese company shall, except as hereinafter provided, have the capacity, after the date of this regulation, during the continuation of the state of war now existing, to acquire or hold land or growing crops in Canada.

(2) No conveyance made or executed after the date of this regulation shall be effective to convey to or for the benefit of a person of the Japanese race or of a Japanese company and land or growing crops in Canada.

(3) (a) Nothing in this regulation shall deprive a person of the Japanese race or a Japanese company of capacity to hold land or growing crops acquired or held by such person or company before the date of this regulation or acquired by such person or company after the date of this regulation pursuant to the terms of a written contract or agreement executed before the date of this regulation or under a will or on intestacy.

(b) Nothing in this regulation shall deprive a person of the Japanese race of capacity to lease any building or part of a building for

residential purposes only, for a term not exceeding one year or from month to month or for some lesser periodic tenancy.

(4) (a) The Minister of Justice may, if it appears to him to be in the public interest so to do, grant to a person of the Japanese race or to a Japanese company, a licence to acquire or hold land or growing crops in Canada or any interest therein which such person or company would by reason of this regulation be denied the capacity to acquire or hold.

(b) A person of the Japanese race or a Japanese company to whom or to which such a licence is granted shall have the capacity to acquire or hold land or growing crops in Canada or any interest therein in accordance with the terms and conditions of such licence.

(c) A conveyance of land or growing crops made in conformity with any such licence shall be effective according to its terms.

(5) Any person who after the date of this regulation, makes or executes any conveyance other than a conveyance made in conformity with a licence granted hereunder or a lease granted in accordance with sub-section (b) of section 3 of these regulations, of any land or growing crops to or for the benefit of any person whom he knows to be of the Japanese race or to a company which he knows to be a Japanese company shall be guilty of an offence and liable on summary conviction to a fine not exceeding \$500.00 or to imprisonment for a term not exceeding three months.

(6) In this regulation:

(a) "Conveyance" shall include a gift, conveyance, transfer, agreement for sale, appointment, lease, settlement, mortgage, charge, encumbrance or other conveyance by deed, bill of sale or other instrument made inter vivos, and "convey" shall have a meaning corresponding with "conveyance."

(b) "Japanese company" means any corporation of which the majority of the shares issued by the company are owned by persons of the Japanese race, or of which a majority of the Directors are persons of the Japanese race.

(c) "Land" shall include land and any real or immovable property and any interest, legal or equitable therein and the right to possession thereof.

(d) "Person of the Japanese race" means, as well as any person wholly of the Japanese race, a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police by notice in writing requires him to register pursuant to Order in Council P.C. 9760 of December 16, 1941.

(sgd) "A.D.P. Heeney"
Clerk of the Privy Council

PRIVY COUNCIL
CANADA

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 24th day of February, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

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AND WHEREAS for this purpose it is deemed advisable to regulate the acquisition of land or any interest therein or growing crops in Canada by persons of the Japanese race and by such companies;

NOW THEREFORE His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by adding thereto the following regulation as Regulation 39 E.

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15 July, 1941.

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(2) No conveyance made or executed after the date of this regulation shall be effective to convey to or for the benefit of a person of the Japanese race or of a Japanese company and land or growing crops in Canada.

(3) (a) Nothing in this regulation shall deprive a person of the Japanese race or a Japanese company of capacity to hold land or growing crops acquired or held by such person or company before the date of this regulation or acquired by such person or company after the date of this regulation pursuant to the terms of a written contract or agreement executed before the date of this regulation or under a will or on intestacy.

(b) Nothing in this regulation shall deprive a person of the Japanese race of capacity to lease any building or part of a building for

residential purposes only, for a term not exceeding one year or from month to month or for some lesser periodic tenancy.

(4) (a) The Minister of Justice may, if it appears to him to be in the public interest so to do, grant to a person of the Japanese race or to a Japanese company, a licence to acquire or hold land or growing crops in Canada or any interest therein which such person or company would by reason of this regulation be denied the capacity to acquire or hold.

(b) A person of the Japanese race or a Japanese company to whom or to which such a licence is granted shall have the capacity to acquire or hold land or growing crops in Canada or any interest therein in accordance with the terms and conditions of such licence.

(c) A conveyance of land or growing crops made in conformity with any such licence shall be effective according to its terms.

(5) Any person who after the date of this regulation, makes or executes any conveyance other than a conveyance made in conformity with a licence granted herunder or a lease granted in accordance with sub-section (b) of section 3 of these regulations, of any land or growing crops to or for the benefit of any person whom he knows to be of the Japanese race or to a company which he knows to be a Japanese company shall be guilty of an offence and liable on summary conviction to a fine not exceeding \$500.00 or to imprisonment for a term not exceeding three months.

(6) In this regulation:

(a) "Conveyance" shall include a gift, conveyance, transfer, agreement for sale, appointment, lease, settlement, mortgage, charge, encumbrance or other conveyance by deed, bill of sale or other instrument made inter vivos, and "convey" shall have a meaning corresponding with "conveyance."

(b) "Japanese company" means any corporation of which the majority of the shares issued by the company are owned by persons of the Japanese race, or of which a majority of the Directors are persons of the Japanese race.

(c) "Land" shall include land and any real or immovable property and any interest, legal or equitable therein and the right to possession thereof.

(d) "Person of the Japanese race" means, as well as any person wholly of the Japanese race, a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police by notice in writing requires him to register pursuant to Order in Council P.C.9760 of December 16, 1941.

(sgd) "A.D.P. Heeney"
Clerk of the Privy Council

PRIVY COUNCIL
CANADA

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 24th day of February, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by reason of the existence of a state of war between Canada and Japan, it is necessary for the security, defence, peace, order and welfare of Canada to regulate in certain respects the activities in Canada of persons of the Japanese race and of Japanese controlled companies;

AND WHEREAS for this purpose it is deemed advisable to regulate the acquisition of land or any interest therein or growing crops in Canada by persons of the Japanese race and by such companies;

NOW THEREFORE His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by adding thereto the following regulation as Regulation 39 E.

(P.C.5295)
15 July, 1941.

39 E.(1) No person of the Japanese race and no Japanese company shall, except as hereinafter provided, have the capacity, after the date of this regulation, during the continuation of the state of war now existing, to acquire or hold land or growing crops in Canada.

(2) No conveyance made or executed after the date of this regulation shall be effective to convey to or for the benefit of a person of the Japanese race or of a Japanese company and land or growing crops in Canada.

(3) (a) Nothing in this regulation shall deprive a person of the Japanese race or a Japanese company of capacity to hold land or growing crops acquired or held by such person or company before the date of this regulation or acquired by such person or company after the date of this regulation pursuant to the terms of a written contract or agreement executed before the date of this regulation or under a will or on intestacy.

(b) Nothing in this regulation shall deprive a person of the Japanese race of capacity to lease any building or part of a building for

residential purposes only, for a term not exceeding one year or from month to month or for some lesser periodic tenancy.

(4) (a) The Minister of Justice may, if it appears to him to be in the public interest so to do, grant to a person of the Japanese race or to a Japanese company, a licence to acquire or hold land or growing crops in Canada or any interest therein which such person or company would by reason of this regulation be denied the capacity to acquire or hold.

(b) A person of the Japanese race or a Japanese company to whom or to which such a licence is granted shall have the capacity to acquire or hold land or growing crops in Canada or any interest therein in accordance with the terms and conditions of such licence.

(c) A conveyance of land or growing crops made in conformity with any such licence shall be effective according to its terms.

(5) Any person who after the date of this regulation, makes or executes any conveyance other than a conveyance made in conformity with a licence granted hereunder or a lease granted in accordance with sub-section (b) of section 3 of these regulations, of any land or growing crops to or for the benefit of any person whom he knows to be of the Japanese race or to a company which he knows to be a Japanese company shall be guilty of an offence and liable on summary conviction to a fine not exceeding \$500.00 or to imprisonment for a term not exceeding three months.

(6) In this regulation:

(a) "Conveyance" shall include a gift, conveyance, transfer, agreement for sale, appointment, lease, settlement, mortgage, charge, encumbrance or other conveyance by deed, bill of sale or other instrument made inter vivos, and "convey" shall have a meaning corresponding with "conveyance."

(b) "Japanese company" means any corporation of which the majority of the shares issued by the company are owned by persons of the Japanese race, or of which a majority of the Directors are persons of the Japanese race.

(c) "Land" shall include land and any real or immovable property and any interest, legal or equitable therein and the right to possession thereof.

(d) "Person of the Japanese race" means, as well as any person wholly of the Japanese race, a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police by notice in writing requires him to register pursuant to Order in Council P.C. 9760 of December 16, 1941.

(sgd) "A.D.P. Heeney"
Clerk of the Privy Council

24th February, 1942.

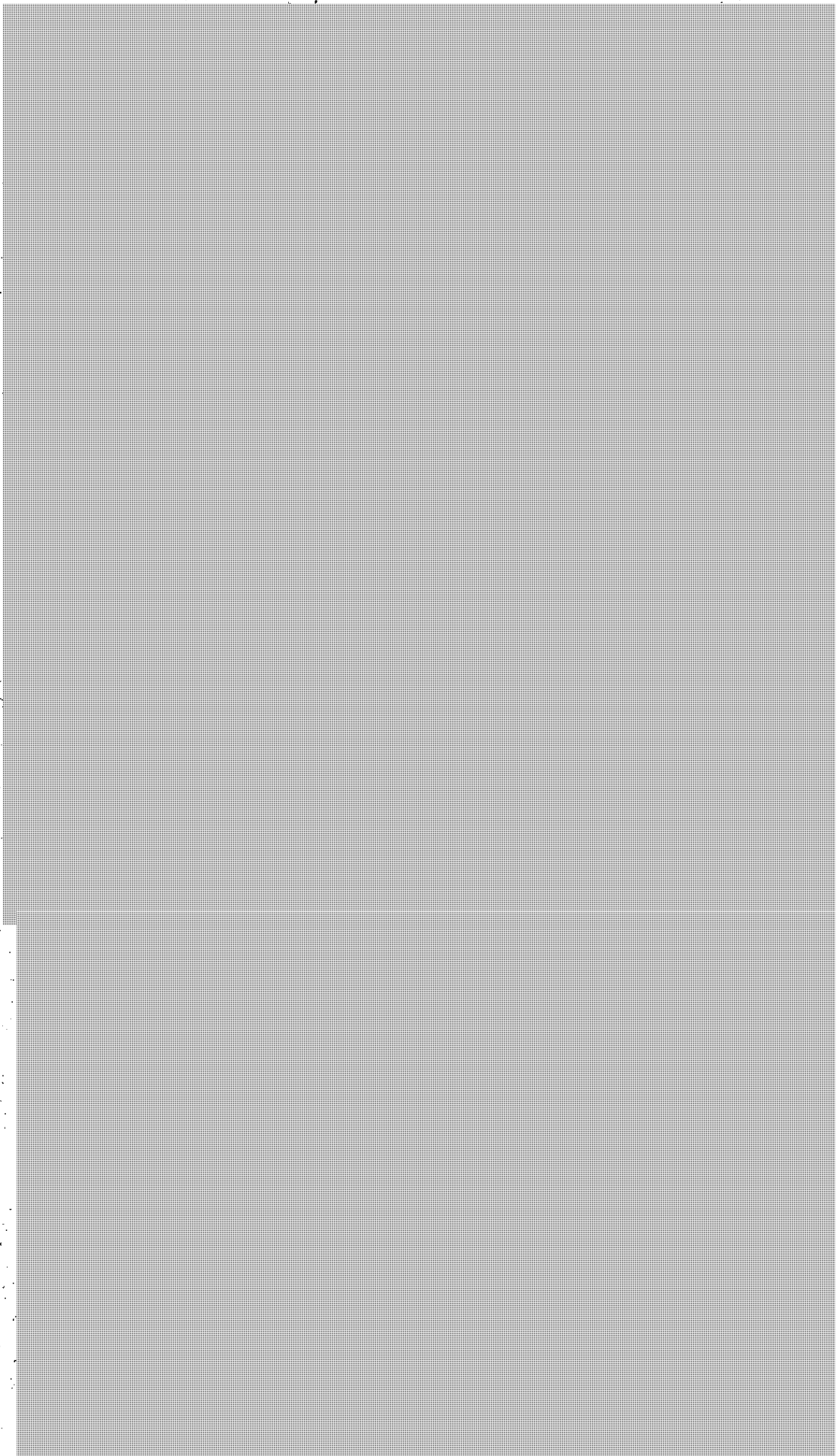
TO HIS EXCELLENCY
THE GOVERNOR GENERAL
IN COUNCIL:

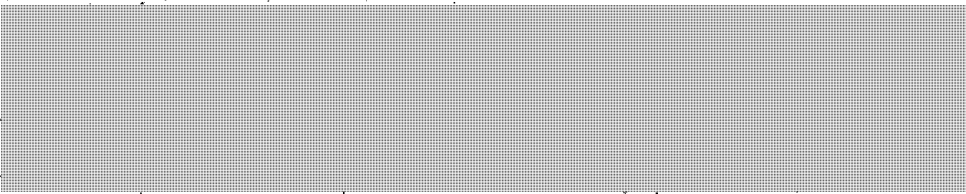
The undersigned has the honour to represent:

That by reason of the existence of a state of war between Canada and Japan, it is necessary for the security, defence, peace, order and welfare of Canada to regulate in certain respects the activities in Canada of persons of the Japanese race and of Japanese controlled companies;

That for this purpose it is deemed advisable to regulate the acquisition of land or any interest therein or growing crops in Canada by persons of the Japanese race and by such companies;

The undersigned has, therefore, the honour to recommend that Your Excellency in Council, under and by virtue of the powers conferred by the War Measures Act, Chapter 206, R.S.C.1927, be pleased to amend the Defence of Canada Regulations (Consolidation) 1941, established by Order in Council P.C.5295 of July 15, 1941, by adding thereto the following regulation as Regulation 39 E.





Respectfully submitted,

Minister of Justice.

DRAFT OF PROPOSED REGULATIONS RELATING TO ACQUISITION
OF LAND BY JAPANESE PERSONS



11th June,

42.

J.R. 6586-42

Dear Sir:

Referring to your letter of May 27th I enclose herewith copy of Order in Council P.C.2483 dated March 27th 1942.

Yours truly,

E. Miall

Enc.


Assistant Deputy Minister.

A.M. Harper, Esq.,
Legal Department,
British Columbia Security Commission,
Marine Bldg., VANCOUVER, B.C.

Department of Justice

JUN 11 1942

REGISTRY



1st June, 1942.

MR. MUNDELL

E.M.

BRITISH COLUMBIA SECURITY COMMISSION

MARINE BUILDING
VANCOUVER
B. C.

May 27, 1942.



Department of Justice,
Parliament Buildings,
O T T A W A, Canada.

Dear Sirs:

Would you kindly forward us a
copy of P. C. 2483. Thanking you in anticipation,
we are

Yours truly,

A. M. Harper
A. J.

A. M. HARPER.
Legal Department.

/AJ

DEPARTMENT OF EXTERNAL AFFAIRS



Ottawa, March 17, 1942

PR-6586-42

FOR RECORD

From DEPARTMENT OF EXTERNAL AFFAIRS

To DEPARTMENT OF Justice

OTTAWA

March 17, 1942

Dear Mr. Coleman,

I am referring to your letter of March 16th concerning a proposed amendment to Order-in-Council, P.C. 1665 to deal with the property of Japanese in the protected area in British Columbia. The Department of External Affairs is in complete agreement with the policy you suggest and with the proposed amendment.

Yours sincerely,

H.L. Keenleyside

for Under Secretary of State for
External Affairs.

E.H. Coleman, Esq.,
Under Secretary of State of Canada,
O t t a w a.

DWM/DC

March 6th, 42.

J. R. 6586

Dear Sir:

As requested in your letter of February 25th, I enclose herewith copy of Order in Council P.C. 1457 dated February 24th, 1942, relating to the acquisition of land, or growing crops, or any interest therein, by Japanese persons or companies. No regulations have been made pursuant to this Order in Council.

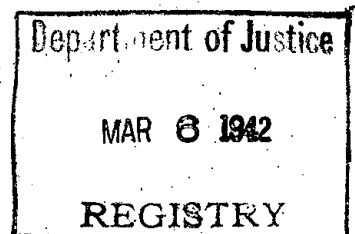
Yours truly,

Enc.

E. Miall

for Deputy Minister.

F.J. Nixon, Esq.,
Municipal Clerk,
WEST SUMMERLAND, B.C.



AT.

CANADA
DEPARTMENT OF THE SECRETARY OF STATE



Ottawa, March 3, 1942.

*Transferred for necessary action to ~~Department of~~
Deputy Minister of Justice,
Ottawa, Ont.*

By order,

A handwritten signature in black ink, appearing to read "H. B. Brown". The signature is written in a cursive style with a long, sweeping underline.

Under Secretary of State.

MF/AT

Ottawa, March 3, 1942.

Dear Sir,

I acknowledge the receipt of your letter of the 25th of February.

As the subject matter of your letter relates to the work of the Department of Justice your communication has been referred to the Deputy Minister of Justice for attention.

Yours very truly,

E. H. COLEMAN.
Under Secretary of State.

F. J. Nixon, Esq.,
Municipal Clerk,
The Corporation of the District of Summerland,
West Summerland, B.C.

Privy Council

Canada

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 24th day of February, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by reason of the existence of a state of war between Canada and Japan, it is necessary for the security, defence, peace, order and welfare of Canada to regulate in certain respects the activities in Canada of persons of the Japanese race and of Japanese controlled companies;

AND WHEREAS for this purpose it is deemed advisable to regulate the acquisition of land or any interest therein or growing crops in Canada by persons of the Japanese race and by such companies;

NOW THEREFORE His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under the authority of the War Measures Act, Chapter 206, R.S.C.1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by adding thereto the following regulation as Regulation 39 E.

(P.C.5295)
15 July, 1941.

- 39 E. (1) No person of the Japanese race and no Japanese company shall, except as hereinafter provided, have the capacity, after the date of this regulation, during the continuation of the state of war now existing, to acquire or hold land or growing crops in Canada.
- (2) No conveyance made or executed after the date of this regulation shall be effective to convey to or for the benefit of a person of the Japanese race or of a Japanese company any land or growing crops in Canada.
- (3) (a) Nothing in this regulation shall deprive a person of the Japanese race or a Japanese company of capacity to hold land or growing crops acquired or held by such person or company before the date of this regulation or acquired by such person or company after the date of this regulation pursuant to the terms of a written contract or agreement executed before the date of this regulation or under a will or on intestacy.

(b)

(b) Nothing in this regulation shall deprive a person of the Japanese race of capacity to lease any building or part of a building for residential purposes only, for a term not exceeding one year or from month to month or for some lesser periodic tenancy.

(4) (a) The Minister of Justice may, if it appears to him to be in the public interest so to do, grant to a person of the Japanese race or to a Japanese company, a licence to acquire or hold land or growing crops in Canada or any interest therein which such person or company would by reason of this regulation be denied the capacity to acquire or hold.

(b) A person of the Japanese race or a Japanese company to whom or to which such a licence is granted shall have the capacity to acquire or hold land or growing crops in Canada or any interest therein in accordance with the terms and conditions of such licence.

(c) A conveyance of land or growing crops made in conformity with any such licence shall be effective according to its terms.

(5) Any person who after the date of this regulation, makes or executes any conveyance other than a conveyance made in conformity with a licence granted hereunder or a lease granted in accordance with subsection (b) of section 3 of these regulations, of any land or growing crops to or for the benefit of any person whom he knows to be of the Japanese race or to a company which he knows to be a Japanese company shall be guilty of an offence and liable on summary conviction to a fine not exceeding \$500.00 or to imprisonment for a term not exceeding three months.

(6) In this regulation:

(a) "Conveyance" shall include a gift, conveyance, transfer, agreement for sale, appointment, lease, settlement, mortgage, charge, encumbrance or other conveyance by deed, bill of sale or other instrument made inter vivos, and "convey" shall have a meaning corresponding with "conveyance."

(b) "Japanese company" means any corporation of which the majority of the shares issued by the company are owned by persons of the Japanese race, or of which a majority of the Directors are persons of the Japanese race.

(c) "Land" shall include land and any real or immovable property and any interest, legal or equitable therein and the right to possession thereof.

(d) "Person of the Japanese race" means, as well as any person wholly of the Japanese race, a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police by notice in writing requires him to register pursuant to Order in Council P.C.9760 of December 16, 1941.

(sgd) "A.D.P. Heeney"
Clerk of the Privy Council.