

23-2-2-7 pt 3. Future Japanese Policy.



N.B. All information  
this file is strictly  
confidential.

**CLOSED FILE**

**NO.** 23-2-2-7      **VOL.** 3

**FROM** Dec. 45  
**TO** Feb. 28/47

February 26,

47

0  
- The Minister:

I thought the wisest thing to do with this file would be to have the Cabinet Committee on Japanese deal with the matter. Do you agree?

You could, of course, dispose of the point at issue yourself and I should think you would want to have the Cabinet Committee deal with the case.

*Point at issue  
for Cabinet Committee*

A. MacNanara

AH: AJ

*A  
4/3 K*

TO: CENTRAL REGISTRY,  
Room ., Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pamnett.

B.F.

P.A.

6 copies  
double spaced

Statement by ~~Prime Minister~~ *W. L. Mackenzie King*

~~Prime Minister's Office~~

*King,*

Press Release

January 24, 1947

The Prime Minister, Mr. Mackenzie King, announced today that the government has decided that it is unnecessary to continue in force orders in council permitting as an emergency measure the deportation from Canada of persons of Japanese origin. Assistance will, however, be continued for voluntary departure from Canada.

In making his announcement, the Prime Minister issued the following statement:

The decision of the government respecting certain orders in council relating to persons of Japanese origin in Canada marks the substantial completion of a program contained in the statement I made in the House of Commons on August 4, 1944. At that time I indicated the following "tentative measures" which the government proposed to put into effect:

- (a) Separation of the loyal from the disloyal among the persons of Japanese origin in Canada, and the removal from Canada of those who were disloyal;

*single spaced*  
6

*2/2/47*

- (b) Provisions to enable those loyal to Canada to remain and be treated "fairly and justly"; and
- (c) Settlement throughout Canada, rather than exclusively in British Columbia, of persons of Japanese origin remaining in the country.

Under the provisions for assisted movement from Canada which the government put into effect, the separation of those whose continued presence would be undesirable in Canada has been accomplished on a voluntary basis. Nearly 4,000 persons of Japanese origin have now left Canada and returned to Japan. Among these were the Japanese whose deportation would have been necessary had they not gone voluntarily. Accordingly the provisions of the Order in Council (P.C. 7355 of December 15, 1945) permitting deportation as an emergency measure have been repealed. In view of the government's decision it is no longer necessary to continue the authority given by the Order in Council (P.C. 7357 of December 15, 1945) authorizing the establishment of a special commission to investigate the loyalty of persons of Japanese origin. That order, therefore, has also been repealed.



The government is retaining the authority to provide free passage and financial assistance to persons of Japanese origin wishing to move to Japan on a voluntary basis. The Order in Council (P.C. 7356 of December 15, 1945) respecting the revocation of the Canadian status of naturalized persons of Japanese origin who leave Canada, has also been repealed. This repeal will not, of course, restore the Canadian status of persons who have already lost such status.

With respect to the property of persons of Japanese origin who were removed from the Pacific coast, and whose property was sold by the Custodian, the government is of the opinion that the sales were made at a fair price. In all cases a complete appraisal was made before disposition. The total of the prices secured is greater in aggregate than the total appraisal value. To ensure, however, the fair treatment promised in 1944, the government is prepared in cases where it can be shown that a sale was made at less than a fair market value to remedy the injustice.

Of 20,558 persons of Japanese origin now in Canada, there are fewer than 1700 who have not as yet settled in new homes and employment. Of these

1700, a large proportion are aged persons, invalids, or persons otherwise unemployable. These persons are still in government relocation centres.

In 1941, out of a total population of 23,149 persons of Japanese origin, 22,096 resided in British Columbia; only 1,153 resided in all the rest of Canada. On December 31, 1946, the total had decreased to 20,558. Of this number only 6,776 were in British Columbia; while 13,782 now live in other parts of Canada. Since 1941 the population of British Columbia of Japanese origin has declined by 15,320 - or approximately two-thirds. In addition, the pre-war concentration on the coast has been eliminated.

To assist in the resettlement of persons of Japanese origin the government provided free transportation to new locations in Canada, gave financial assistance in resettlement, and, through the Department of Labour, assisted in securing suitable employment outside British Columbia.

To ensure the success of the resettlement, the government has decided to continue the restrictions on movement which are at present in effect. The provision respecting fishing licences which applies

to persons of Japanese origin will also be continued. All other Orders in Council and special controls respecting persons of Japanese origin, other than those necessary to complete the administration of assets already vested in the Custodian, have been revoked.

TO: CENTRAL REGISTRY,  
Ro .7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

B.F.

P.A.

PRIVY COUNCIL OFFICE

MEMORANDUM

Honourable Humphrey Mitchell

I am attaching herewith for your information and guidance copy of the minutes of the sixth meeting of the Cabinet Committee on Japanese Problems.

May I bring your attention to Items I, II and VII of these minutes whereby necessary action will be required by your Department if Cabinet concurs in this Committee's recommendation.

May I also bring your attention to Item IV of these minutes which will require necessary action by your Department.

Raymond Ranger,  
Secretary,  
Cabinet Committee on Japanese Problems

14-1-47

Mr. A.H. Brown

For your information and guidance please.

SECRETCOPY NO. 17CABINET COMMITTEE ON JAPANESE PROBLEMS

The sixth meeting of the Cabinet Committee on Japanese Problems was held in the Privy Council Chamber, on Friday, January 10, 1947, at 11:00 a.m.

Present:

The Minister of Labour,  
(Mr. H. Mitchell) in the chair,

The Minister of Veterans Affairs,  
(Mr. I.A. Mackenzie),

The Solicitor General,  
(Mr. J. Jean),

Also present:

The Under-Secretary of State for External Affairs,  
(Mr. L.B. Pearson),

The Deputy Minister of Labour,  
(Mr. A. MacNamara),

From Prime Minister's Office,  
(Mr. R.G. Robertson),

From Dept. of Labour,  
(Mr. A.H. Brown),

From Dept. of External Affairs,  
(Mr. A.R. Menzies),

From Department of Justice,  
(Mr. D.W. Mundell),  
(Mr. D.H.W. Henry),

Counsel to Custodian of Enemy Property,  
(Mr. K.W. Wright),

From Dept. of Veterans Affairs,  
(Mr. O.C. Elliott),

From Privy Council Office,  
(Mr. Raymond Ranger, Secretary)

I DEPORTATION AND CONTROL OVER MOVEMENT OF JAPANESE

1. The Minister of Labour reviewed the reports (Documents "A" and "B1") on the repatriation and relocation of Japanese and recommended:

- (a) that Japanese who do not wish to be repatriated be not deported; and
- (b) that the control over movement of Japanese be continued for a year or two until these persons had become more settled in their new locations.  
(Documents "A" and "B1" circulated December 13, 1946).

2. The Committee, after considerable discussion, agreed to make the following recommendations to Cabinet:

- (a) that no action be taken to deport any persons of Japanese race under Order-in-Council P.C. 7355, December 15, 1945, but that financial assistance, authorized to voluntary repatriates, be continued under Order-in-Council P.C. 7355; and
- (b) that control over movement in Canada of Japanese persons be continued for a year or two.

## II. LEGISLATION - RE CONTROL OVER MOVEMENT OF JAPANESE

3. Mr. Brown suggested that if recommendation 2 (b) above-mentioned is approved, this control over movement could be continued:

- (a) by authority to be provided in proposed bill to extend for one year the National Emergency Transitional Powers Act, by extending the life of Order-in-Council P.C. 946, February 5, 1943; or
- (b) by enacting new legislation.

4. After discussion, the Committee recommended:

- (a) that the procedure of extending the life of Order-in-Council P.C. 946, February 5, 1943, be followed in preference to the enactment of a new act; and
- (b) that the Department of Labour, in consultation with the Department of Justice, review Order-in-Council P.C. 946 to eliminate such provisions as are not required for the above purposes.

## III. STATUS OF CANADIAN JAPANESE RETURNING TO CANADA

5. Mr. Robertson inquired as to the status of Canadian Japanese who, at their request, were repatriated to Japan, and now wished to return to Canada.

6. Mr. Pearson stated that, due to the fact that these persons were Canadian, they could not be refused permission to return to Canada. He explained, however, that it was most difficult to obtain passage to Canada, and that these persons would not be able to return for some time.

7. Mr. Robertson further inquired if naturalized Canadians of Japanese origin, who had been repatriated, could not be considered as having been deported, in which case they would come under Order-in-Council P.C. 7356, December 15, 1945, which provides that all naturalized Canadians of Japanese origin, deported from Canada, lost their citizenship upon deportation.

8. After considerable discussion, the Committee agreed that this question be referred to the Secretary of State Department and Justice Department for further study, and that a report be made to this Committee as soon as possible.

## IV. RE - ORDERS-IN-COUNCIL

9. Mr. Henry, referring to (Document "D"), suggested that the Department of Labour review all Orders-in-Council affecting Japanese, administered by the Department, and recommend to the "Inter-departmental Committee on Orders-in-Council under Emergency Powers" those to be revoked, amended or continued, so as to retain control over movement of Japanese. Mr. Henry suggested further that similar action be taken by the Under-Secretary of State and Deputy Custodian of Enemy Property in relation to the Orders-in-Council administered by him.  
(Document "D" circulated December 13, 1946).

10. The Committee, after discussion, agreed to recommend that such steps be taken immediately by both the Department of Labour and the Under-Secretary of State and Deputy Custodian.

#### V. LIQUIDATION OF JAPANESE PROPERTIES

11. Mr. Wright reviewed the report (Document "E") in connection with the properties of Japanese evacuated from the protected area of British Columbia. Mr. Wright reported that there were approximately 40 properties, scattered along the coast, owned by Japanese organizations which, up to the present time, had not been liquidated, due to the impossibility of locating the members of these organizations and, if located, of obtaining their approval for the sale of these properties. Mr. Wright further stated that the Custodian of Enemy Property had no present authority to liquidate these properties. (Document "E" circulated December 13, 1946).

12. The Committee, after discussion, recommended that the Custodian discuss this matter with Department of Justice and submit a recommendation to the Committee.

#### VI. JAPANESE PENSIONERS - WORLD WAR I

13. Mr. Menzies reviewed the problem which had arisen as to what policy should be adopted regarding payment of pensions to Japanese who had been awarded pensions by the Canadian Pension Commission because of disabilities incurred in World War I, payment of which had been suspended since the outbreak of war with Japan.

14. Mr. Mackenzie stated that this problem represented an approximate total amount of \$60,000. owed to 22 pensioners, most of whom were Japanese women nationals; the maximum amount to each pensioner being \$2500.

15. Mr. Mackenzie further advised that at the sixteenth meeting of the Cabinet Committee on Demobilization and Re-establishment, held on December 27, 1946, the following decision had been reached:

"The Committee, after discussion, agreed that the payment of pensions awarded by the Canadian Pension Commission to those Japanese veterans of World War I, now resident in Japan, should be paid as from the date of suspension, provided there is no evidence of anti-allied activities on the part of the pensioners concerned during World War II".

16. After considerable discussion, the Committee agreed to recommend:

- (a) that payment of pensions awarded by the Canadian Pension Commission to those Japanese veterans of World War I, now resident in Japan, should be paid as from the date of suspension, provided there was no evidence of anti-allied activities during World War II on the part of the pensioner concerned;
- (b) that the Department of Justice decide the date on which these payments should be made; and
- (c) that the Department of External Affairs, through the Canadian Mission in Japan, be responsible for investigation as to anti-allied activities during World War II on the part of the pensioners concerned.

#### VII. FISHING LICENCES FOR JAPANESE

17. Mr. Mitchell reviewed the situation regarding issuance of fishing licences to Japanese in British Columbia, and recommended:



- (a) that existing orders issued by the Minister of Labour to regulate the issue of fishing licences to Japanese be rescinded; and
  - (b) that authority for granting such fishing licences be left to the Federal Department of Fisheries and the Provincial Government.
18. The Committee, after discussion, agreed to recommend that such action be taken.

The meeting adjourned at 11:45 a.m.

Raymond Ranger,  
Secretary.

Privy Council Office,  
January 13, 1947.

December 19, 1946.

to: Mr. R. Ranger.

Re: Cabinet Committee on Japanese Problems.

I attach four (4) copies of the Privy Council decision which may be of interest to members of the Committee.

Eric Stangroom.

Encl.

ES/MB

TO: CENTRAL REGISTRY,  
Rc 7, Conf. Bldg.

Please place attached on file

23-4-2

H. T. Pennett.

B. F.

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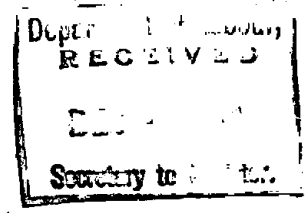


CANADA

PRIVY COUNCIL OFFICE

CABINET SECRETARIAT

Ottawa, Ontario,  
December 17, 1946.



The Honourable Humphrey Mitchell,  
Minister of Labour,  
Confederation Building,  
Ottawa, Ontario.

Dear Mr. Mitchell:

Pursuant to a decision taken at a meeting of the Cabinet Committee on Japanese Problems, held on Friday, December 13, 1946, I am attaching herewith for your information, Reference Documents "A", "B1", "B2", "C", "D", and "E", regarding Japanese repatriation and relocation.

Another meeting of the Cabinet Committee will be held on Wednesday, January 8, 1947.

Yours sincerely,

Raymond Ranger

M.W. R  
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SECRET

Ref. Document 'A'

MEMORANDUM TO THE CABINET COMMITTEE ON JAPANESE PROBLEMSRE: Report on Japanese Repatriation and Relocation1. Distribution of Japanese in Canada at November 30, 1946

|                                      |      |
|--------------------------------------|------|
| British Columbia.....                | 6981 |
| Alberta.....                         | 4262 |
| Saskatchewan.....                    | 503  |
| Manitoba.....                        | 1193 |
| Ontario.....                         | 6617 |
| Quebec.....                          | 1210 |
| Nova Scotia.....                     | 1    |
| New Brunswick.....                   | 10   |
| Prince Edward Island.....            | 6    |
| Yukon and Northwest Territories..... | 31   |

Total

20,814

2. Of the 6,981 persons of Japanese origin in British Columbia, only 1000 remain in Departmental Housing Projects in the Kootenay Valley, the rest being widely distributed in self-sustaining employment scattered throughout the interior. By the end of December, the Department will be maintaining only one Housing Centre at New Denver, B.C., with a maximum of 700 or 800 people, mostly invalids and other unemployables.

3. Relocation

In the first eleven months of 1946 approximately 4,600 Japanese relocated from British Columbia east of the Rockies. For all practical purposes, movement eastward from British Columbia is completed except for isolated individual families and single persons.

It is proposed to continue to provide assistance for the movement of these people from British Columbia and for Japanese from Southern Alberta eastward on a voluntary basis during the year 1947 by provision of free transportation and subsistence allowances. The Japanese Placement Offices east of the Rockies will be maintained during 1947 to facilitate placement and re-establishment in areas from Saskatchewan east.

In addition to those in the departmental settlements in B.C., there are now approximately 825 Japanese in seven hostels operated by the Department at points between Moose Jaw, Saskatchewan and Farnham, Quebec. These people are in the process of placement, which should permit a gradual consolidation and closing of these hostels during 1947 as placement is accomplished.

4. Repatriation

A total of 3,674 Japanese have repatriated up to date in 1946 on a completely voluntary basis. The fifth ship, sailing December 23, 1946, will take from 270 to 300 more, who will probably be the last voluntary group of repatriates.

The Privy Council decision on the Japanese Orders was handed down a few days ago and holds that these Orders are *intra vires in toto*. This means that the Government may proceed with the deportation of Japanese Nationals who signed requests for repatriation (together with their dependents); naturalized Canadians who signed

(together with their dependents), and providing that they did not revoke before the end of hostilities with Japan; and Japanese Nationals who were interned (together with their dependents).

5. Conditions have, however, changed greatly since the Orders were enacted in December, 1945. The problem at that time consisted of a total of about 9,500 Japanese in our B.C. Housing Centres who resisted all efforts to relocate them and whose attitude was uncertain. In the last year this problem has been practically solved - firstly, by the repatriation on a voluntary basis of almost 4,000; and secondly, by the movement east of almost 4,600.

6. There is, however, a small group of approximately 30 Japanese Nationals who were interned for more than four years up to the end of June, 1946, because of resistance to evacuation and refusal to take self-sustaining employment. This group is now at the Moose Jaw Hostel and is still resisting placement, demanding in some cases to be sent back to British Columbia and in other cases to be deported by Government Order. In each individual case the records of the R.C.M.P. and the Department of Labour indicate reasonable grounds for deportation.

7. Arising out of the repatriation to Japan, the Department of External Affairs report that a number of Canadian-born persons of the Japanese race who were caught in Japan at the start of the war or who have repatriated along with their parents to Japan during the current year, may apply for admission into Canada in the near future. This raises the question as to future government policy with respect to these people.

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JAPANESE REQUESTING REPATRIATION

|  | ADULTS      |             |             | TOTAL       | CHILDREN  |          |             | TOTAL       | GRAND<br>TOTAL |
|--|-------------|-------------|-------------|-------------|-----------|----------|-------------|-------------|----------------|
|  | JN          | NC          | CB          |             | JN        | NC       | CB          |             |                |
| Number of Declarations<br>for Repatriation<br>Signed                         | 2982        | 1460        | 2554        | 6996        | 12        | 2        | 3803        | 3817        | 10813          |
| Of Signers, those<br>repatriated to Japan<br>up to Dec. 7, 1946              | 1169        | 634         | 560         | 2263        | 8         | 1        | 1198        | 1207        | 3470           |
| Of Signers, those<br>self-supporting in<br>British Columbia                  | 607         | 358         | 544         | 1509        | 2         | 1        | 892         | 895         | 2404           |
| Of Signers, those<br>in Interior Housing<br>in British Columbia              | 156         | 91          | 94          | 341         |           |          | 184         | 184         | 525            |
| Of Signers, those<br>who signed and are<br>still in eastern<br>provinces     | 213         | 90          | 409         | 712         | 1         |          | 283         | 284         | 996            |
| Of Signers, those<br>who have died since<br>signing                          | 27          | 23          | 7           | 57          |           |          | 15          | 15          | 72             |
| Of Signers, those<br>relocated east of<br>Rockies since<br>signing - Alberta | 124         | 67          | 155         | 346         |           |          | 246         | 246         | 592            |
| Sask.  | 38          | 14          | 23          | 75          |           |          | 83          | 83          | 158            |
| Manitoba   | 62          | 22          | 39          | 123         |           |          | 96          | 96          | 219            |
| Ontario  | 516         | 207         | 628         | 1351        | 1         |          | 688         | 689         | 2040           |
| Quebec   | 69          | 54          | 95          | 218         |           |          | 118         | 118         | 336            |
| Yukon  | 1           |             |             | 1           |           |          |             |             | 1              |
| <b>TOTALS</b>  | <b>2982</b> | <b>1460</b> | <b>2554</b> | <b>6996</b> | <b>12</b> | <b>2</b> | <b>3803</b> | <b>3817</b> | <b>10813</b>   |

SECRET

Ref. Document 'B'(1)

RECOMMENDATIONS OF THE DEPARTMENT OF LABOUR  
TO THE CABINET COMMITTEE ON JAPANESE PROBLEMS

A. Deportation

The Department of Labour recommends:

1. That no Deportation Orders be issued for deportation of Japanese on the basis of voluntary declarations for repatriation.
2. That, with respect to the small group of Japanese Nationals formerly interned, approximately 30 in number, with dependents, who have shown continued lack of co-operation since release from internment, either of the following courses be pursued:
  - (a) Orders for their deportation be issued by the Minister of Labour under the authority of P.C. 7355, and that these persons be deported accordingly on the next ship sailing for Japan on December 23rd, and that their dependents be treated as voluntary repatriates where they elect to go with the deportee, or
  - (b) That the present accommodation provided for these Nationals and their dependents in the hostel at Moose Jaw be closed in the Spring of 1947 and if these parties still refuse to make efforts to support their families, they be dealt with under Canadian law relating to non-support, etc.

The Department of Labour is of opinion that the number of persons involved in possible deportation does not warrant the Government carrying through forcible deportation of persons of the Japanese race at this time. It is, therefore, of opinion that alternative (b) is preferable.

B. Relocation and Control of Persons of the Japanese Race in Canada.

The authority to control is given by Order in Council P.C. 946 which Order will lapse on March 31, 1947. The policy of the government has been declared to be one of distribution across Canada.

Relocation and distribution is now reasonably satisfactory. It will be noted that 4,262 are in Alberta and it is desirable that this number be reduced by moving a number to the eastern provinces. The number in British Columbia will be reduced to a total of about 6,500 which is not considered excessive when it is remembered that about 800 will be under the care of the Labour Department in the housing centre and sanitarium at New Denver.

It could be said that the relocation task had been completed and a solution of a problem which has been bothering the British Columbia people for a long period of years had been found.

If any assurance could be obtained that these persons would not move back to British Columbia as soon as Order in Council P.C. 946 lapsed there would be no need to suggest any further control of the movement of persons of the Japanese race. No such assurance can be given.



The opinion of the Labour Department, therefore, is that the safe course to pursue is to continue control of movement for a year or two more until these people become more settled in their new locations.

The recommendation, therefore, is that legislation be introduced in place of P.C. 946 in form as per attached draft (Ref. Doc. No. 'B'(2)), enabling continued control over movement of Japanese in Canada, the life-time of this Act to be for one year. Any continuing authority required by the Custodian to complete the liquidation and distribution of property of Japanese in the former evacuated area could be incorporated therein.

The introduction of a Bill in the House of Commons will undoubtedly create a critical debate. It is, we believe, a fact that the incentive against controlling the movement of Japanese is becoming stronger. The Manitoba Free Press carried an editorial in this connection on December 9, 1946.

The Department of Labour is of the opinion that the safe course would be to exercise control of movement for a further period; nevertheless, it recognizes the objection inherent in the recommendation for introduction of legislation and refers for consideration of the committee an alternative plan to avoid the necessity of bringing a Bill into the House of Commons which is to rely on keeping a reasonable control by giving assistance in placement, transportation, and welfare. This alternative would mean that no special power would be required and the only authority which would be needed from the House of Commons would be a passing of an item in the estimates providing for an appropriation for placement, transportation and welfare of the evacuated Japanese in Canada, the wording of the item to be so framed as to permit of the continuation of existing administrative arrangements for voluntary relocations.

SECRET

Ref. Document 'B'(2)

DRAFT BILL FOR INFORMATION OF CABINET COMMITTEE ON JAPANESE PROBLEMS

An Act to provide for the Resettlement of Displaced  
Persons of the Japanese Race

WHEREAS during the war certain persons of the Japanese race resident on the Pacific Coast manifested sympathy with or support of Japan as a result of which it became necessary as a security measure to remove from the coastal area of British Columbia all persons of the Japanese race;

AND WHEREAS the Governor in Council by Order in Council P.C. 946 of February 5, 1943, enacted under the authority of the War Measures Act has made provision for relocation and resettlement of persons of the Japanese race displaced by removal from the coastal area;

AND WHEREAS the said Order in Council will cease to be operative with the expiration of the National Emergency Transitional Powers Act, 1945;

AND WHEREAS it is deemed undesirable in the public interest that persons of the Japanese race displaced by removal from the coastal area should again be permanently settled on the Pacific Coast of Canada;

AND WHEREAS the responsibility for the resettlement of persons of the Japanese race displaced by the aforesaid removal from the coastal area is a responsibility of the people of Canada as a whole;

NOW THEREFORE His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-

Short Title

1. This Act may be cited as The Japanese Resettlement Act, 1946.

Interpretation

2. In this Act and in any order or regulation made thereunder, unless the context otherwise requires

- (a) "Minister" means the Minister of Labour
- (b) "displaced person" means a person of the Japanese race who left the coastal area of British Columbia during the war after the fifteenth day of February, one thousand nine hundred and forty-two
- (c) "person of the Japanese race" means a person who
  - (i) is wholly or partly of the Japanese race,
  - (ii) was, on the fifteenth day of February, one thousand nine hundred and forty-two, ordinarily resident in the coastal area of British Columbia, and
  - (iii) left that area on or after the said fifteenth day of February.
- (d) "coastal area" means that area of the Province of British Columbia including all islands west of a line commencing at Boundary Point No. 7 on the International Boundary between the Dominion of

...

Canada and Alaska, thence following the line of the "Cascade Mountains", as defined by paragraph 2 of section 24 of the Interpretation Act of British Columbia, being Chapter 1 of the Revised Statutes of 1936, to the northwest corner of Lot 1410, Range 5, Coast Land District, thence due east to a point due north of the northwest corner of Lot 373, Range 5, Coast Land District, thence due south to said northwest corner of Lot 373 being a point on the aforementioned line of the "Cascade Mountains", (being the area surrounding the village Municipality of Terrace), thence following said line of the "Cascade Mountains" to the western boundary of Township 5, Range 26, west of the sixth Meridian, thence following the northerly, easterly and southerly boundaries of said Township 5, to the southwest corner thereof, being a point on the line of the "Cascade Mountains", (being the area surrounding the Village Municipality of Hope); thence following the "Cascade Mountains" to the southerly Boundary of the Province.

- (e) "removal" means the removal of a person of the Japanese race from one place in Canada to another pursuant to this Act.

3. The Minister may

- (a) take such measures as he deems advisable to assist persons of the Japanese race to resettle themselves under this Act and to provide for shelter, maintenance, employment, care and welfare of such persons during the period of their resettlement and for such purposes, enter into contracts and acquire real or personal property on behalf of His Majesty or lease or dispose of the same, but no such contract shall be entered into by him for an amount in excess of fifteen thousand dollars nor shall any real property be purchased or disposed of by him pursuant to this Act except with the approval or under the authority of the Governor in Council as to the terms of purchase or disposition.
- (b) employ persons of the Japanese race in the operation of any housing or employment projects or hostels administered or operated by the Department of Labour for the purposes of this Act, at such wage rates and terms as he deems advisable;
- (c) make rules or regulations governing the welfare, conduct or discipline of persons of the Japanese race in any hostel, camp or housing project administered or operated by the Department of Labour for the purposes of this Act;
- (d) make arrangements with any department or agency of the Government of Canada to assist in the administration of this Act;
- (e) with the approval of the Governor in Council enter into an agreement with any province with respect to any of the matters enumerated in this section.

4. For the purpose of facilitating the resettlement in Canada of persons of the Japanese race the Governor in Council may make regulations and may authorize the Minister to make orders governing the movement of such persons in any area in Canada or from one place or area to another place or area in Canada.

General

5. The Minister may make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of this Act.

6. (1) The Governor in Council shall appoint an officer to be known as the Commissioner of Japanese Placement who under the direction of the Minister is charged with the administration of this Act.

(2) Such other officers, clerks and employees as may be necessary for the administration of this Act shall be appointed or employed in the manner authorized by law.

(3) Notwithstanding this section or any other statute or law, the officers, clerks and employees employed by the Minister pursuant to order of the Governor in Council made on the fifth day of February, one thousand nine hundred and forty-three (P.C. 946) and who immediately prior to the coming into force of this Act were employed under that order, may be employed by the Minister for the purposes of this Act at the rate of remuneration received by them at that time and such officers, clerks and employees shall perform such duties as are assigned to them by the Minister.

7. (1) All real and personal property or any interest therein acquired by or vested in His Majesty in right of Canada by or pursuant to the order of the Governor in Council made on the fifth day of February, one thousand nine hundred and forty-three (P.C. 946) shall be deemed to have been acquired by the Minister on behalf of His Majesty pursuant to this Act.

(2) The Minister may, in the name of the British Columbia Security Commission, established by Order of the Governor in Council made on the fourth day of March, one thousand nine hundred and forty-two (P.C. 1665), execute any conveyance, transfer or other document necessary to transfer to His Majesty in right of Canada the title to any real or personal property or any interest therein held in the name of the said Commission.

8. Any person who resists or obstructs or attempts to resist or obstruct any peace officer or other person from carrying out any order made pursuant to the provisions of this Act shall be guilty of an offence against the Act.

9. Any person who contravenes or omits to comply with any of the provisions of this Act or any regulation or order made or given pursuant thereto is guilty of an offence and liable upon 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.

10. Every document purporting to be or to contain or to be a copy of an order, certificate or authority made or given by the Minister in pursuance of the provisions of this Act and purporting to be signed by the Minister shall be received as evidence of such order, certificate or authority without proof of the signature or of the official character of the person appearing to have signed the same and without further proof thereof.

11. When any question arises in any prosecution under this Act as to whether the accused person is a person of the Japanese race as defined in this Act, the onus of proof that the accused person is not a person of the Japanese race shall lie upon the accused.

12. The costs and expenses incurred in the administration of this Act shall be paid out of moneys appropriated by Parliament for that purpose.

13. After the close of each fiscal year the Minister shall as soon as possible prepare an annual report respecting the administration of this Act and shall lay the said report before Parliament.

14. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council and shall expire on a day to be fixed by such a proclamation.

SECRET

Ref. Document 'C'

MEMORANDUM TO THE CABINET COMMITTEE ON JAPANESE PROBLEMS

RE: Status of Canadian-Born Japanese in Japan  
and Japanese Nationals in Canada.

A. Under P.C. 7356 Japanese who have either left Canada voluntarily in the past year, or who may be deported in future if policy to this effect is applied, would appear to suffer loss of their Canadian status. On the other hand, this Order in Council does not affect the Canadian nationality of persons born in Canada, and, in the opinion of the Department of Justice, P.C. 10773 of 1942 has no application except to persons who went to Japan in pursuance of an exchange agreement.

This means that there will be a number of Japanese of Canadian birth in Japan who will be Canadian citizens. As such they will have the right of entry into Canada under the Immigration Act.

Therefore, the question of policy with regard to their admissibility arises. In addition, questions as to their diplomatic protection in Japan and probable application for assistance in case of indigence require consideration.

B. Both Canadian citizens of Japanese origin and Japanese nationals who have domicile in Canada have a legal right of entry into Canada in the future. The policy regarding their admissibility also arises, and our Mission in Tokyo requires instructions on such cases.

The possible courses of action are -

1. To refuse to recognize the right of entry. This would be contrary to existing law, and require legislation of a controversial nature;
2. To instruct the Mission that they should be prepared to grant visas for travel to Canada, but should not give any assistance in securing transportation, or
3. To instruct the Mission that it should issue visas and give assistance in securing accommodation to Canadian citizens, but not to Japanese nationals.

SECRET

Ref. Document 'D'

MEMORANDUM TO THE CABINET COMMITTEE ON JAPANESE PROBLEMSRE: Orders in Council Relating to Persons  
of the Japanese Race

| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>  |
|-----------------|-------------|--|
| 9590            | 7/12/41     | Makes the regulations re trading with the enemy applicable to the Japanese.<br><br><u>Remarks:</u> May be allowed to expire.   |
| 9760            | 16/12/41    | This made provision for compulsory re-registration by the R.C.M. Police of all persons of the Japanese race in Canada who had reached their sixteenth birthday and provided penalties for non-compliance. It contained instructions concerning issuance of Registration Certificates to Japanese and the details of registration.<br><br><u>Remarks:</u> Required in connection with control of travel and residence, which would be most difficult without Japanese being required to carry registration cards. |
| 9761            | 16/12/41    | This prohibited any person of the Japanese race from using or operating any vessel in waters adjacent to the west coast of Canada without written authority from the Commissioner of the R.C.M. Police. It also provided for the seizure and detention of any vessel so illegally used by a person of the Japanese race and provided penalties for non-compliance.<br><br><u>Remarks:</u> Has lapsed as vessels have all been sold and Japanese are still prohibited from entering the coastal area.             |
| 251             | 13/1/42     | Prohibition of Japanese fishing licences.<br><br><u>Remarks:</u> May be allowed to expire.<br>Department of Fisheries.   |
| 1348            | 19/2/42     | Authorizes Department of Mines and Resources to establish road camps for employment of evacuee Japanese. Amended by P.C. 6758 - 31/7/42<br>P.C. 8173 - 11/9/42<br><br><u>Remarks:</u> May be allowed to expire.  |
| 1665            | 4/3/42      | Creates British Columbia Security Commission to evacuate all Japanese from protected area, and to provide housing, welfare and placement for evacuees.   |

P.C. No.

Date

Subject Matter

Amended by P.C. 2483 - 27/3/42  
P.C. 2541 - 30/3/42  
P.C. 3231 - 21/4/42

Repealed except as to section 12  
thereof by P.C. 946 - 9/2/43

Section 12 vested in the Custodian  
all property in the protected area  
of evacuated Japanese except liquid  
assets.

Remarks: The complete repeal of  
this order is a matter for decision  
of the Department of Secretary of  
State.

4615

2/6/42

Concurred in agreement of B.C. Security  
Commission with Province of Alberta  
for temporary placement of evacuee  
Japanese in sugar beet culture in  
Alberta, and containing a provision  
that at end of war the Commission would  
at request of province remove the  
evacuees.

Remarks: May be allowed to expire.  
The obligation of the B.C. Security  
Commission under this agreement has  
by P.C. 946 of February 9, 1943,  
been assumed by the Minister of Labour.  
The obligation under the agreement  
remains although the order lapses.

6247

20/7/42

As amended by P.C. 469 of January  
19, 1943. Revokes P.C. 5523 of June  
29, 1942. P.C. 6247 amended to  
give Custodian authority to complete  
liquidation of fishing vessels of  
evacuee Japanese, and authorizes the  
Custodian to sell and liquidate or  
otherwise dispose of all property  
of persons of Japanese race evacuated  
from protected area which was placed  
in the custody of the Custodian by  
any other order. This order is there-  
fore an extension of the powers vested  
in the Custodian by section 12 of P.C.  
1665 of March 4, 1942, as well as  
amending P.C. 6247 of July 20, 1942,  
referred to above.

Remarks: Continuation of this order  
and of section 12 of P.C. 1665 a  
matter for Secretary of State.  
Evidently, however, this authority is  
required to be continued.

10773

26/11/42

This provides that British subjects  
who have applied for repatriation to  
an enemy country during the war shall  
in leaving Canada lose their Canadian  
citizenship.

| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>  |
|-----------------|-------------|--|
|                 |             | <u>Remarks:</u> This is an order of the Secretary of State and decision on this order rests with the Secretary of State and Department of External Affairs. Presumably the order may be permitted to lapse.  |
| 946             | 5/2/43      | Dissolves B.C. Security Commission, Revokes P.C. 1665 of March 4, 1942, except section 12.<br>Vests in the Minister of Labour power to provide for the welfare, placement, control of movement and discipline of persons of the Japanese race in Canada; to issue licences to Japanese to acquire an interest in real property which is otherwise prohibited. Amended by P.C. 5973 of September 14, 1945, and P.C. 5793 of December 18, 1945, P.C. 5637 of August 16, 1945, and P.C. 9743 of December 24, 1943.<br><br><u>Remarks:</u> To be continued in effect by extension of emergency powers or replaced by legislation if continued controls over movement and placement of Japanese in Canada is necessary. |
| 1422            | 22/2/43     | This suspends the operation of B.C. legislation which prohibits the employment of Orientals on Crown timberlands.<br><br><u>Remarks:</u> May be allowed to expire.   |
| 4002            | 17/5/43     | This approves of an agreement entered into between the Province of Alberta and the B.C. Security Commission under which the Security Commission agreed to pay for the schooling of Japanese children moved to Alberta at the rate of \$5.00 per pupil per month for Public School education.<br><br><u>Remarks:</u> The obligation under this agreement which is now vested in the Minister of Labour by P.C. 946 of February 9, 1942, still exists and will continue to exist even if the order lapses. The order may be permitted to lapse.  |
| 4365            | 28/5/43     | Authorized the Minister of Labour to operate the fuel cutting project with Japanese labour in B.C. to be financed out of revolving fund.<br><br><u>Remarks:</u> This may be allowed to lapse.  |
| 7355            | 15/12/45    | Provides for deportation of Japanese who requested repatriation to Japan and for payment of repatriation allowances to persons deported or repatriated on a voluntary basis; and payment of transportation expenses for these persons.<br><br><u>Remarks:</u> Continuation of order beyond expiry date is a matter of Government policy.   |



| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>   |
|-----------------|-------------|---|
| 7356            | 15/12/45    | Revokes naturalization of naturalized Canadians of Japanese race who are deported or repatriated under P.C. 7355.<br><br><u>Remarks:</u> See 7355.  |
| 7357            | 15/12/45    | Authorizes the establishment of an Inquiry Commission to inquire into the activities of persons of Japanese race with a view to determining whether they should be deported because of disloyalty or lack of co-operation.<br><br><u>Remarks:</u> See 7355.   |
| 219             | 22/1/46     | Establishes the rate of exchange of money turned in by Japanese repatriates for transmission to Japan and authorizes the Controller of the Treasury to make necessary arrangements with U.S. authorities to provide for transfer of funds of Japanese repatriates from Canada via U.S. via a Supreme Allied Commander in Japan to repatriated Japanese.<br><br><u>Remarks:</u> Will be required as long as funds are being transferred to repatriates, pursuant to provisions of P.C. 7355 above. |

SECRET

Ref. Document 'E'

MEMORANDUM TO THE CABINET COMMITTEE ON JAPANESE PROBLEMS

RE: Property of Japanese Evacuated from the  
Protected Area of B.C.

At the end of July, 1946, the number of Ledger Accounts in the Vancouver Office of the Custodian for Japanese was reduced to 3,842, and the amount of Evacuee money involved was, at that time, \$1,418,671.00. The credit balances now stand at \$1,037,313.17, and every effort is being made to remit the total available funds to all Japanese residing outside of the Department of Labour projects.

While liquidation is mainly complete, there are approximately 35 properties still available for sale and between 30-40 properties owned by Organizations, which, up to the present time have not been liquidated for the reason that amendments to existing Orders in Council are necessary.

Immediately after the proposed evacuation was announced, many Japanese started to sell their property at ridiculously low figures in fear of Government confiscation. Further exploitation of the Japanese was prevented when pursuant to Order in Council P.C. 1665, dated 4th of March, 1942, the Custodian took over the problem of administering the assets of approximately 23,000 people.

The Custodian experienced extreme difficulty in dealing with the large number of substandard buildings and the vast quantity of inferior personal property which the Japanese possessed.

It being well known that the property belonged to Japanese, there were many cases of breaking and entering which resulted in thefts, e.g. plumbing and lighting fixtures, and it was impossible for the Custodian or the local police to give the necessary protection. In addition to this, there were a considerable number of fires.

The Custodian did not know how long the war would last, nor whether the Japanese would ever be permitted to return to the Protected Area. It was therefore impossible to determine if there would be any equity if the Custodian continued to hold the properties during the enforced absence of the Japanese.

As a result of a year's experience, a report was made to a special committee of the Cabinet and the Custodian was instructed to proceed with the policy of liquidation. (P.C. 469), dated 19th January, 1943).

Two independent Committees were established. One is known as the Advisory Committee on Greater Vancouver Properties. The following members were appointed to the Board on the 8th of March, 1943: Honourable Mr. Justice Sidney Smith of the Appellate Court of B.C., Chairman; Alderman Charles Jones; Mr. Kishizo Kimura (resigned 20th July, 1943).

The other Committee is known as Advisory Committee on Rural Properties. The following members were appointed on the 15th of March, 1943: His Honour Judge David Whiteside, New Westminster, Chairman; Messrs. D.E. MacKenzie; J.J. McLellan; Hal Menzies; Yasutaro Yamaga. Mr. McLellan resigned almost immediately and Mayor W. Mott of New Westminster was appointed in his stead. Mr. Yamaga resigned on the 26th of May, 1943. Mr. MacKenzie died on the 11th of October, 1944.

The Custodian asked both Committees whether or not they would recommend liquidation. The members visited many Japanese properties and unanimously endorsed, with the approval of the Japanese members, a policy of liquidation. Shortly afterwards both Japanese members resigned and no new Japanese appointments were made.

The Committees were asked to report as to the method of liquidation and they recommended that Catalogues be prepared, listing the properties; that the properties be individually appraised by Agents approved by the Boards; that parcels be not sold for less than the fixed value and that public notices be published in the press calling for tenders. The policy, as outlined, was adopted. All offers for land have been referred to the Advisory Committees and their approval obtained before any have been accepted.

Insofar as the rural properties are concerned, a sale of 741 parcels was made to the Director, Veterans' Land Act, as the Government desired to acquire property for the purpose of rehabilitating returned men. The Advisory Committee recommended acceptance of the sale price eventually agreed upon.

Chattels have been sold on the basis of recommendations by the Committees, that is, by public auctions conducted by licenced auctioneers, except in those cases where chattels were essential to the operation of farms, in which case the tenant or owner of the farm was given an opportunity to buy at an appraised value.

The policy of liquidation has resulted in the Custodian paying out large sums of money to the Evacuees and paying debts on their behalf. In co-operation with the Department of Labour, the Custodian releases such funds to Evacuees, still in Interior Housing Schemes operated by the Department of Labour, as are considered necessary. Where Evacuees have moved East from the Province of British Columbia, the Custodian releases the balance.

Sales up to June, 1946, were as follows:

| <u>SALES</u>       |       | <u>APPRAISAL</u> | <u>SALES VALUE</u> |
|--------------------|-------|------------------|--------------------|
| Greater Vancouver  | 462   | \$913,712.00     | \$1,010,970.00     |
| Rural              | 396   | 532,907.00       | 558,318.00         |
| Veterans' Land Act | 741   | 847,878.00       | 836,256.00         |
|                    | 1,599 | \$ 2,294,497.00  | \$2,405,544.00     |

Proceeds from sales, including farms sold to the Director, Veterans' Land Act, exceeded fixed valuations by \$111,047.00

...

STATEMENT OF CASH REALIZATION OF  
EVACUEE ASSETS & REVENUES

|                                  |                       |
|----------------------------------|-----------------------|
| Fishing vessels & scows          | \$ 202,104.96         |
| "    nets and gear               | 101,164.48            |
| Cars                             | 63,583.98             |
| Trucks                           | 94,525.83             |
| Sundry Business assets           | 187,834.31            |
| Household effects                | 249,833.03            |
| Radios                           | 17,024.64             |
| Farm Equipment                   | 14,858.33             |
| Life Insurance                   | 48,354.36             |
| Securities                       | 54,538.27             |
| Sundry a/cs. Receivable          | 136,356.28            |
| Sundries                         | 33,377.89             |
| Veterans' Land Act               | 808,673.22            |
| Real Estate Sales                | 1,574,350.78          |
| Real Estate Income               | 491,170.25            |
| Dividends from Securities        | 8,310.46              |
| Rooming House Rentals & Chattels | 33,217.06             |
| Sundry Miscellaneous             |                       |
| Transfers between Jap.           |                       |
| a/cs. & a/cs. Receivable         | 749,092.05            |
|                                  | <u>\$4,868,369.98</u> |


SECRET

COMMITTEE OF CABINET ON  
JAPANESE PROBLEMS

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*nl* AGENDA FOR MEETING TO BE HELD IN THE PRIVY COUNCIL  
OFFICE AT 3.45 P.M., FRIDAY, DECEMBER 13, 1946

1. Report on activities of Japanese Division. (Reference Document 'A')
2. Future Policy on Deportation and Repatriation. (Reference Document 'B')
3. Future Policy on Relocation and Controls in Canada. (Reference Document 'B')
4. Future Policy on Status of Canadian-born Japanese in Japan.  
(Reference Document 'C')
5. Review of existing Orders in Council relating to  
Japanese to determine what continuing powers  
required to carry out policy decisions. (Reference Document 'D')
6. Report on activities of Custodian. (Reference Document 'E')

  
Eric Stangroom,  
A/Secretary.

Privy Council Office,  
December 11, 1946.

SECRET

Ref. Document 'A'

MEMORANDUM TO THE CABINET COMMITTEE ON JAPANESE PROBLEMSRE: Report on Japanese Repatriation and Relocation1. Distribution of Japanese in Canada at November 30, 1946:

|                                      |                   |
|--------------------------------------|-------------------|
| British Columbia.....                | 6981              |
| Alberta.....                         | 4262              |
| Saskatchewan.....                    | 503               |
| Manitoba.....                        | 1193              |
| Ontario.....                         | 6617              |
| Quebec.....                          | 1210              |
| Nova Scotia.....                     | 1                 |
| New Brunswick.....                   | 10                |
| Prince Edward Island.....            | 6                 |
| Yukon and Northwest Territories..... | 31                |
| <br>Total                            | <br><u>20,814</u> |

2. Of the 6,981 persons of Japanese origin in British Columbia, only 1000 remain in Departmental Housing Projects in the Kootenay Valley, the rest being widely distributed in self-sustaining employment scattered throughout the interior. By the end of December, the Department will be maintaining only one Housing Centre at New Denver, B.C., with a maximum of 700 or 800 people, mostly invalids and other unemployables.

3. Relocation

In the first eleven months of 1946 approximately 4,600 Japanese relocated from British Columbia east of the Rockies. For all practical purposes, movement eastward from British Columbia is completed except for isolated individual families and single persons.

It is proposed to continue to provide assistance for the movement of these people from British Columbia and for Japanese from Southern Alberta eastward on a voluntary basis during the year 1947 by provision of free transportation and subsistence allowances. The Japanese Placement Offices east of the Rockies will be maintained during 1947 to facilitate placement and re-establishment in areas from Saskatchewan east.

In addition to those in the departmental settlements in B.C., there are now approximately 825 Japanese in seven hostels operated by the Department at points between Moose Jaw, Saskatchewan and Farnham, Quebec. These people are in the process of placement, which should permit a gradual consolidation and closing of these hostels during 1947 as placement is accomplished.

4. Repatriation

A total of 3,674 Japanese have repatriated up to date in 1946 on a completely voluntary basis. The fifth ship, sailing December 23, 1946, will take from 270 to 300 more, who will probably be the last voluntary group of repatriates.

The Privy Council decision on the Japanese Orders was handed down a few days ago and holds that these Orders are *intra vires in toto*. This means that the Government may proceed with the deportation of Japanese Nationals who signed requests for repatriation (together with their dependents); naturalized Canadians who signed

(together with their dependents), and providing that they did not revoke before the end of hostilities with Japan; and Japanese Nationals who were interned (together with their dependents).

5. Conditions have, however, changed greatly since the Orders were enacted in December, 1945. The problem at that time consisted of a total of about 9,500 Japanese in our B.C. Housing Centres who resisted all efforts to relocate them and whose attitude was uncertain. In the last year this problem has been practically solved - firstly, by the repatriation on a voluntary basis of almost 4,000; and secondly, by the movement east of almost 4,600.

6. There is, however, a small group of approximately 30 Japanese Nationals who were interned for more than four years up to the end of June, 1946, because of resistance to evacuation and refusal to take self-sustaining employment. This group is now at the Moose Jaw Hostel and is still resisting placement, demanding in some cases to be sent back to British Columbia and in other cases to be deported by Government Order. In each individual case the records of the R.C.M.P. and the Department of Labour indicate reasonable grounds for deportation.

7. Arising out of the repatriation to Japan, the Department of External Affairs report that a number of Canadian-born persons of the Japanese race who were caught in Japan at the start of the war or who have repatriated along with their parents to Japan during the current year, may apply for admission into Canada in the near future. This raises the question as to future government policy with respect to these people.

8....

8.

JAPANESE REQUESTING REPATRIATION

|   | ADULTS      |             |             |             | CHILDREN  |          |             | TOTAL       | GRAND TOTAL  |
|---|-------------|-------------|-------------|-------------|-----------|----------|-------------|-------------|--------------|
|   | JN          | NC          | CB          | TOTAL       | JN        | NC       | CB          |             |              |
| Number of Declarations for Repatriation Signed                      | 2982        | 1460        | 2554        | 6996        | 12        | 2        | 3803        | 3817        | 10813        |
| Of Signers, those repatriated to Japan up to Dec. 7, 1946           | 1169        | 534         | 560         | 2263        | 8         | 1        | 1198        | 1207        | 3470         |
| Of Signers, those self-supporting in British Columbia               | 607         | 358         | 544         | 1509        | 2         | 1        | 892         | 895         | 2404         |
| Of Signers, those in Interior Housing in British Columbia           | 156         | 91          | 94          | 341         |           |          | 184         | 184         | 525          |
| Of Signers, those who signed and are still in eastern provinces     | 213         | 90          | 409         | 712         | 1         |          | 283         | 284         | 996          |
| Of Signers, those who have died since signing                       | 27          | 23          | 7           | 57          |           |          | 15          | 15          | 72           |
| Of Signers, those relocated east of Rockies since signing - Alberta | 124         | 67          | 155         | 346         |           |          | 246         | 246         | 592          |
| Sask.   | 38          | 14          | 23          | 75          |           |          | 83          | 83          | 158          |
| Manitoba  | 62          | 22          | 39          | 123         |           |          | 96          | 96          | 219          |
| Ontario   | 516         | 207         | 628         | 1351        | 1         |          | 688         | 689         | 2040         |
| Quebec  | 69          | 54          | 95          | 218         |           |          | 118         | 118         | 336          |
| Yukon   | 1           |             |             | 1           |           |          |             |             | 1            |
| <b>TOTALS</b>   | <b>2982</b> | <b>1460</b> | <b>2554</b> | <b>6996</b> | <b>12</b> | <b>2</b> | <b>3803</b> | <b>3817</b> | <b>10813</b> |



SECRET

Ref. Document 'B'(1)

RECOMMENDATIONS OF THE DEPARTMENT OF LABOUR  
TO THE CABINET COMMITTEE ON JAPANESE PROBLEMS

A. Deportation

The Department of Labour recommends:

1. That no Deportation Orders be issued for deportation of Japanese on the basis of voluntary declarations for repatriation.
2. That, with respect to the small group of Japanese Nationals formerly interned, approximately 30 in number, with dependents, who have shown continued lack of co-operation since release from internment, either of the following courses be pursued:
  - (a) Orders for their deportation be issued by the Minister of Labour under the authority of P.C. 7355, and that these persons be deported accordingly on the next ship sailing for Japan on December 23rd, and that their dependents be treated as voluntary repatriates where they elect to go with the deportee, or
  - (b) That the present accommodation provided for these Nationals and their dependents in the hostel at Moose Jaw be closed in the Spring of 1947 and if these parties still refuse to make efforts to support their families, they be dealt with under Canadian law relating to non-support, etc.

The Department of Labour is of opinion that the number of persons involved in possible deportation does not warrant the Government carrying through forcible deportation of persons of the Japanese race at this time. It is, therefore, of opinion that alternative (b) is preferable.

B. Relocation and Control of Persons of the Japanese Race in Canada.

The authority to control is given by Order in Council P.C. 946 which Order will lapse on March 31, 1947. The policy of the government has been declared to be one of distribution across Canada.

Relocation and distribution is now reasonably satisfactory. It will be noted that 4,262 are in Alberta and it is desirable that this number be reduced by moving a number to the eastern provinces. The number in British Columbia will be reduced to a total of about 6,500 which is not considered excessive when it is remembered that about 800 will be under the care of the Labour Department in the housing centre and sanitarium at New Denver.

It could be said that the relocation task had been completed and a solution of a problem which has been bothering the British Columbia people for a long period of years had been found.

If any assurance could be obtained that these persons would not move back to British Columbia as soon as Order in Council P.C. 946 lapsed there would be no need to suggest any further control of the movement of persons of the Japanese race. No such assurance can be given.

The opinion of the Labour Department, therefore, is that the safe course to pursue is to continue control of movement for a year or two more until these people become more settled in their new locations.

The recommendation, therefore, is that legislation be introduced in place of P.C. 946 in form as per attached draft (Ref. Doc.No. 'B'(2)), enabling continued control over movement of Japanese in Canada, the life-time of this Act to be for one year. Any continuing authority required by the Custodian to complete the liquidation and distribution of property of Japanese in the former evacuated area could be incorporated therein.

The introduction of a Bill in the House of Commons will undoubtedly create a critical debate. It is, we believe, a fact that the incentive against controlling the movement of Japanese is becoming stronger. The Manitoba Free Press carried an editorial in this connection on December 9, 1946.

The Department of Labour is of the opinion that the safe course would be to exercise control of movement for a further period; nevertheless, it recognizes the objection inherent in the recommendation for introduction of legislation and refers for consideration of the committee an alternative plan to avoid the necessity of bringing a Bill into the House of Commons which is to rely on keeping a reasonable control by giving assistance in placement, transportation, and welfare. This alternative would mean that no special power would be required and the only authority which would be needed from the House of Commons would be a passing of an item in the estimates providing for an appropriation for placement, transportation and welfare of the evacuated Japanese in Canada, the wording of the item to be so framed as to permit of the continuation of existing administrative arrangements for voluntary relocations.

SECRET

Ref. Document 'B'(2)

DRAFT BILL FOR INFORMATION OF CABINET COMMITTEE ON JAPANESE PROBLEMS

An Act to provide for the Resettlement of Displaced  
Persons of the Japanese Race

WHEREAS during the war certain persons of the Japanese race resident on the Pacific Coast manifested sympathy with or support of Japan as a result of which it became necessary as a security measure to remove from the coastal area of British Columbia all persons of the Japanese race;

AND WHEREAS the Governor in Council by Order in Council P.C. 946 of February 5, 1943, enacted under the authority of the War Measures Act has made provision for relocation and resettlement of persons of the Japanese race displaced by removal from the coastal area;

AND WHEREAS the said Order in Council will cease to be operative with the expiration of the National Emergency Transitional Powers Act, 1945;

AND WHEREAS it is deemed undesirable in the public interest that persons of the Japanese race displaced by removal from the coastal area should again be permanently settled on the Pacific Coast of Canada;

AND WHEREAS the responsibility for the resettlement of persons of the Japanese race displaced by the aforesaid removal from the coastal area is a responsibility of the people of Canada as a whole;

NOW THEREFORE His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-

Short Title

1. This Act may be cited as The Japanese Resettlement Act, 1946.

Interpretation

2. In this Act and in any order or regulation made thereunder, unless the context otherwise requires
- (a) "Minister" means the Minister of Labour
  - (b) "displaced person" means a person of the Japanese race who left the coastal area of British Columbia during the war after the fifteenth day of February, one thousand nine hundred and forty-two
  - (c) "person of the Japanese race" means a person who
    - (i) is wholly or partly of the Japanese race,
    - (ii) was, on the fifteenth day of February, one thousand nine hundred and forty-two, ordinarily resident in the coastal area of British Columbia, and
    - (iii) left that area on or after the said fifteenth day of February.
  - (d) "coastal area" means that area of the Province of British Columbia including all islands west of a line commencing at Boundary Point No. 7 on the International Boundary between the Dominion of

Canada and Alaska, thence following the line of the "Cascade Mountains", as defined by paragraph 2 of section 24 of the Interpretation Act of British Columbia, being Chapter 1 of the Revised Statutes of 1936, to the northwest corner of Lot 1410, Range 5, Coast Land District, thence due east to a point due north of the northwest corner of Lot 373, Range 5, Coast Land District, thence due south to said northwest corner of Lot 373 being a point on the aforementioned line of the "Cascade Mountains", (being the area surrounding the village Municipality of Terrace), thence following said line of the "Cascade Mountains" to the western boundary of Township 5, Range 26, west of the sixth Meridian, thence following the northerly, easterly and southerly boundaries of said Township 5, to the southwest corner thereof, being a point on the line of the "Cascade Mountains", (being the area surrounding the Village Municipality of Hope); thence following the "Cascade Mountains" to the southerly Boundary of the Province.

- (e) "removal" means the removal of a person of the Japanese race from one place in Canada to another pursuant to this Act.

3. The Minister may

- (a) take such measures as he deems advisable to assist persons of the Japanese race to resettle themselves under this Act and to provide for shelter, maintenance, employment, care and welfare of such persons during the period of their resettlement and for such purposes, enter into contracts and acquire real or personal property on behalf of His Majesty or lease or dispose of the same, but no such contract shall be entered into by him for an amount in excess of fifteen thousand dollars nor shall any real property be purchased or disposed of by him pursuant to this Act except with the approval or under the authority of the Governor in Council as to the terms of purchase or disposition.
- (b) employ persons of the Japanese race in the operation of any housing or employment projects or hostels administered or operated by the Department of Labour for the purposes of this Act, at such wage rates and terms as he deems advisable;
- (c) make rules or regulations governing the welfare, conduct or discipline of persons of the Japanese race in any hostel, camp or housing project administered or operated by the Department of Labour for the purposes of this Act;
- (d) make arrangements with any department or agency of the Government of Canada to assist in the administration of this Act;
- (e) with the approval of the Governor in Council enter into an agreement with any province with respect to any of the matters enumerated in this section.

4. For the purpose of facilitating the resettlement in Canada of persons of the Japanese race the Governor in Council may make regulations and may authorize the Minister to make orders governing the movement of such persons in any area in Canada or from one place or area to another place or area in Canada.

General

5. The Minister may make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of this Act.

6. (1) The Governor in Council shall appoint an officer to be known as the Commissioner of Japanese Placement who under the direction of the Minister is charged with the administration of this Act.

(2) Such other officers, clerks and employees as may be necessary for the administration of this Act shall be appointed or employed in the manner authorized by law.

(3) Notwithstanding this section or any other statute or law, the officers, clerks and employees employed by the Minister pursuant to order of the Governor in Council made on the fifth day of February, one thousand nine hundred and forty-three (P.C. 946) and who immediately prior to the coming into force of this Act were employed under that order, may be employed by the Minister for the purposes of this Act at the rate of remuneration received by them at that time and such officers, clerks and employees shall perform such duties as are assigned to them by the Minister.

7. (1) All real and personal property or any interest therein acquired by or vested in His Majesty in right of Canada by or pursuant to the order of the Governor in Council made on the fifth day of February, one thousand nine hundred and forty-three (P.C. 946) shall be deemed to have been acquired by the Minister on behalf of His Majesty pursuant to this Act.

(2) The Minister may, in the name of the British Columbia Security Commission, established by Order of the Governor in Council made on the fourth day of March, one thousand nine hundred and forty-two (P.C. 1665), execute any conveyance, transfer or other document necessary to transfer to His Majesty in right of Canada the title to any real or personal property or any interest therein held in the name of the said Commission.

8. Any person who resists or obstructs or attempts to resist or obstruct any peace officer or other person from carrying out any order made pursuant to the provisions of this Act shall be guilty of an offence against the Act.

9. Any person who contravenes or omits to comply with any of the provisions of this Act or any regulation or order made or given pursuant thereto is guilty of an offence and liable upon 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.

10. Every document purporting to be or to contain or to be a copy of an order, certificate or authority made or given by the Minister in pursuance of the provisions of this Act and purporting to be signed by the Minister shall be received as evidence of such order, certificate or authority without proof of the signature or of the official character of the person appearing to have signed the same and without further proof thereof.

11. When any question arises in any prosecution under this Act as to whether the accused person is a person of the Japanese race as defined in this Act, the onus of proof that the accused person is not a person of the Japanese race shall lie upon the accused.

12. The costs and expenses incurred in the administration of this Act shall be paid out of moneys appropriated by Parliament for that purpose.

13. After the close of each fiscal year the Minister shall as soon as possible prepare an annual report respecting the administration of this Act and shall lay the said report before Parliament.

14. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council and shall expire on a day to be fixed by such a proclamation.

SECRET

Ref. Document 'C'

MEMORANDUM TO THE CABINET COMMITTEE ON JAPANESE PROBLEMS

RE: Status of Canadian-Born Japanese in Japan  
and Japanese Nationals in Canada.

A. Under P.C. 7356 Japanese who have either left Canada voluntarily in the past year, or who may be deported in future if policy to this effect is applied, would appear to suffer loss of their Canadian status. On the other hand, this Order in Council does not affect the Canadian nationality of persons born in Canada, and, in the opinion of the Department of Justice, P.C. 10773 of 1942 has no application except to persons who went to Japan in pursuance of an exchange agreement.

This means that there will be a number of Japanese of Canadian birth in Japan who will be Canadian citizens. As such they will have the right of entry into Canada under the Immigration Act.

Therefore, the question of policy with regard to their admissibility arises. In addition, questions as to their diplomatic protection in Japan and probable application for assistance in case of indigence require consideration.

B. Both Canadian citizens of Japanese origin and Japanese nationals who have domicile in Canada have a legal right of entry into Canada in the future. The policy regarding their admissibility also arises, and our Mission in Tokyo requires instructions on such cases.

The possible courses of action are -

1. To refuse to recognize the right of entry. This would be contrary to existing law, and require legislation of a controversial nature;
2. To instruct the Mission that they should be prepared to grant visas for travel to Canada, but should not give any assistance in securing transportation, or
3. To instruct the Mission that it should issue visas and give assistance in securing accommodation to Canadian citizens, but not to Japanese nationals.

SECRET

Ref. Document 'D'

MEMORANDUM TO THE CABINET COMMITTEE ON JAPANESE PROBLEMS

RE: Orders in Council Relating to Persons  
of the Japanese Race

| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>  |
|-----------------|-------------|--|
| 9590            | 7/12/41     | Makes the regulations re trading with the enemy applicable to the Japanese.<br><br><u>Remarks:</u> May be allowed to expire.   |
| 9760            | 16/12/41    | This made provision for compulsory re-registration by the R.C.M. Police of all persons of the Japanese race in Canada who had reached their sixteenth birthday and provided penalties for non-compliance. It contained instructions concerning issuance of Registration Certificates to Japanese and the details of registration.<br><br><u>Remarks:</u> Required in connection with control of travel and residence, which would be most difficult without Japanese being required to carry registration cards. |
| 9761            | 16/12/41    | This prohibited any person of the Japanese race from using or operating any vessel in waters adjacent to the west coast of Canada without written authority from the Commissioner of the R.C.M. Police. It also provided for the seizure and detention of any vessel so illegally used by a person of the Japanese race and provided penalties for non-compliance.<br><br><u>Remarks:</u> Has lapsed as vessels have all been sold and Japanese are still prohibited from entering the coastal area.             |
| 251             | 13/1/42     | Prohibition of Japanese fishing licences.<br><br><u>Remarks:</u> May be allowed to expire.<br>Department of Fisheries.   |
| 1348            | 19/2/42     | Authorizes Department of Mines and Resources to establish road camps for employment of evacuee Japanese. Amended by P.C. 6758 - 31/7/42<br>P.C. 8173 - 11/9/42<br><br><u>Remarks:</u> May be allowed to expire.  |
| 1665            | 4/3/42      | Creates British Columbia Security Commission to evacuate all Japanese from protected area, and to provide housing, welfare and placement for evacuees.   |

| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>   |
|-----------------|-------------|---|
|                 |             | Amended by P.C. 2483 - 27/3/42<br>P.C. 2541 - 30/3/42<br>P.C. 3231 - 21/4/42  |
|                 |             | Repealed except as to section 12 thereof by P.C. 946 - 9/2/43   |
|                 |             | Section 12 vested in the Custodian all property in the protected area of evacuated Japanese except liquid assets.   |
|                 |             | <u>Remarks:</u> The complete repeal of this order is a matter for decision of the Department of Secretary of State.   |
| 4615            | 2/6/42      | Concurred in agreement of B.C. Security Commission with Province of Alberta for temporary placement of evacuee Japanese in sugar beet culture in Alberta, and containing a provision that at end of war the Commission would at request of province remove the evacuees.  |
|                 |             | <u>Remarks:</u> May be allowed to expire. The obligation of the B.C. Security Commission under this agreement has by P.C. 946 of February 9, 1943, been assumed by the Minister of Labour. The obligation under the agreement remains although the order lapses.  |
| 6247            | 20/7/42     | As amended by P.C. 469 of January 19, 1943. Revokes P.C. 5523 of June 29, 1942. P.C. 6247 amended to give Custodian authority to complete liquidation of fishing vessels of evacuee Japanese, and authorizes the Custodian to sell and liquidate or otherwise dispose of all property of persons of Japanese race evacuated from protected area which was placed in the custody of the Custodian by any other order. This order is therefore an extension of the powers vested in the Custodian by section 12 of P.C. 1665 of March 4, 1942, as well as amending P.C. 6247 of July 20, 1942, referred to above. |
|                 |             | <u>Remarks:</u> Continuation of this order and of section 12 of P.C. 1665 a matter for Secretary of State. Evidently, however, this authority is required to be continued.  |
| 10773           | 26/11/42    | This provides that British subjects who have applied for repatriation to an enemy country during the war shall in leaving Canada lose their Canadian citizenship.   |



| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>  |
|-----------------|-------------|--|
|                 |             | <u>Remarks:</u> This is an order of the Secretary of State and decision on this order rests with the Secretary of State and Department of External Affairs. Presumably the order may be permitted to lapse.  |
| 946             | 5/2/43      | Dissolves B.C. Security Commission, Revokes P.C. 1665 of March 4, 1942, except section 12.<br>Vests in the Minister of Labour power to provide for the welfare, placement, control of movement and discipline of persons of the Japanese race in Canada; to issue licences to Japanese to acquire an interest in real property which is otherwise prohibited. Amended by P.C. 5973 of September 14, 1945, and P.C. 5793 of December 18, 1945, P.C. 5637 of August 16, 1945, and P.C. 9743 of December 24, 1943.<br><br><u>Remarks:</u> To be continued in effect by extension of emergency powers or replaced by legislation if continued controls over movement and placement of Japanese in Canada is necessary. |
| 1422            | 22/2/43     | This suspends the operation of B.C. legislation which prohibits the employment of Orientals on Crown timberlands.<br><br><u>Remarks:</u> May be allowed to expire.   |
| 4002            | 17/5/43     | This approves of an agreement entered into between the Province of Alberta and the B.C. Security Commission under which the Security Commission agreed to pay for the schooling of Japanese children moved to Alberta at the rate of \$5.00 per pupil per month for Public School education.<br><br><u>Remarks:</u> The obligation under this agreement which is now vested in the Minister of Labour by P.C. 946 of February 9, 1942, still exists and will continue to exist even if the order lapses. The order may be permitted to lapse.  |
| 4365            | 28/5/43     | Authorized the Minister of Labour to operate the fuel cutting project with Japanese labour in B.C. to be financed out of revolving fund.<br><br><u>Remarks:</u> This may be allowed to lapse.  |
| 7355            | 15/12/45    | Provides for deportation of Japanese who requested repatriation to Japan and for payment of repatriation allowances to persons deported or repatriated on a voluntary basis; and payment of transportation expenses for these persons.<br><br><u>Remarks:</u> Continuation of order beyond expiry date is a matter of Government policy.   |

| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>   |
|-----------------|-------------|---|
| 7356            | 15/12/45    | Revekes naturalization of naturalized Canadians of Japanese race who are deported or repatriated under P.C. 7355.<br><br><u>Remarks:</u> See 7355.  |
| 7357            | 15/12/45    | Authorizes the establishment of an Inquiry Commission to inquire into the activities of persons of Japanese race with a view to determining whether they should be deported because of disloyalty or lack of co-operation.<br><br><u>Remarks:</u> See 7355.   |
| 219             | 22/1/46     | Establishes the rate of exchange of money turned in by Japanese repatriates for transmission to Japan and authorizes the Controller of the Treasury to make necessary arrangements with U.S. authorities to provide for transfer of funds of Japanese repatriates from Canada via U.S. via a Supreme Allied Commander in Japan to repatriated Japanese.<br><br><u>Remarks:</u> Will be required as long as funds are being transferred to repatriates, pursuant to provisions of P.C. 7355 above. |

SECRET

Ref. Document 'E'

MEMORANDUM TO THE CABINET COMMITTEE ON JAPANESE PROBLEMS

RE: Property of Japanese Evacuated from the  
Protected Area of B.C.

At the end of July, 1946, the number of Ledger Accounts in the Vancouver Office of the Custodian for Japanese was reduced to 3,842, and the amount of Evacuee money involved was, at that time, \$1,418,671.00. The credit balances now stand at \$1,037,313.17, and every effort is being made to remit the total available funds to all Japanese residing outside of the Department of Labour projects.

While liquidation is mainly complete, there are approximately 35 properties still available for sale and between 30-40 properties owned by Organizations, which, up to the present time have not been liquidated for the reason that amendments to existing Orders in Council are necessary.

Immediately after the proposed evacuation was announced, many Japanese started to sell their property at ridiculously low figures in fear of Government confiscation. Further exploitation of the Japanese was prevented when pursuant to Order in Council P.C. 1665, dated 4th of March, 1942, the Custodian took over the problem of administering the assets of approximately 23,000 people.

The Custodian experienced extreme difficulty in dealing with the large number of substandard buildings and the vast quantity of inferior personal property which the Japanese possessed.

It being well known that the property belonged to Japanese, there were many cases of breaking and entering which resulted in thefts, e.g. plumbing and lighting fixtures, and it was impossible for the Custodian or the local police to give the necessary protection. In addition to this, there were a considerable number of fires.

The Custodian did not know how long the war would last, nor whether the Japanese would ever be permitted to return to the Protected Area. It was therefore impossible to determine if there would be any equity if the Custodian continued to hold the properties during the enforced absence of the Japanese.

As a result of a year's experience, a report was made to a special committee of the Cabinet and the Custodian was instructed to proceed with the policy of liquidation. (P.C. 469), dated 19th January, 1943).

Two independent Committees were established. One is known as the Advisory Committee on Greater Vancouver Properties. The following members were appointed to the Board on the 8th of March, 1943: Honourable Mr. Justice Sidney Smith of the Appellate Court of B.C., Chairman; Alderman Charles Jones; Mr. Kishizo Kimura (resigned 20th July, 1943).

The other Committee is known as Advisory Committee on Rural Properties. The following members were appointed on the 15th of March, 1943: His Honour Judge David Whiteside, New Westminster, Chairman; Messrs. D.E. MacKenzie; J.J. McLellan; Hal Menzies; Yasutaro Yamaga. Mr. McLellan resigned almost immediately and Mayor W. Mott of New Westminster was appointed in his stead. Mr. Yamaga resigned on the 26th of May, 1943. Mr. MacKenzie died on the 11th of October, 1944.

The Custodian asked both Committees whether or not they would recommend liquidation. The members visited many Japanese properties and unanimously endorsed, with the approval of the Japanese members, a policy of liquidation. Shortly afterwards both Japanese members resigned and no new Japanese appointments were made.

The Committees were asked to report as to the method of liquidation and they recommended that Catalogues be prepared, listing the properties; that the properties be individually appraised by Agents approved by the Boards; that parcels be not sold for less than the fixed value and that public notices be published in the press calling for tenders. The policy, as outlined, was adopted. All offers for land have been referred to the Advisory Committees and their approval obtained before any have been accepted.

Insofar as the rural properties are concerned, a sale of 741 parcels was made to the Director, Veterans' Land Act, as the Government desired to acquire property for the purpose of rehabilitating returned men. The Advisory Committee recommended acceptance of the sale price eventually agreed upon.

Chattels have been sold on the basis of recommendations by the Committees, that is, by public auctions conducted by licenced auctioneers, except in those cases where chattels were essential to the operation of farms, in which case the tenant or owner of the farm was given an opportunity to buy at an appraised value.

The policy of liquidation has resulted in the Custodian paying out large sums of money to the Evacuees and paying debts on their behalf. In co-operation with the Department of Labour, the Custodian releases such funds to Evacuees, still in Interior Housing Schemes operated by the Department of Labour, as are considered necessary. Where Evacuees have moved East from the Province of British Columbia, the Custodian releases the balance.

Sales up to June, 1946, were as follows:

| <u>SALES</u>       |       | <u>APPRAISAL</u> | <u>SALES VALUE</u> |
|--------------------|-------|------------------|--------------------|
| Greater Vancouver  | 462   | \$913,712.00     | \$1,010,970.00     |
| Rural              | 396   | 532,907.00       | 558,318.00         |
| Veterans' Land Act | 741   | 847,878.00       | 836,256.00         |
|                    | 1,599 | \$ 2,294,497.00  | \$2,405,544.00     |

Proceeds from sales, including farms sold to the Director, Veterans' Land Act, exceeded fixed valuations by \$111,047.00

...

STATEMENT OF CASH REALIZATION OF  
EVACUEE ASSETS & REVENUES

|                                  |    |                       |
|----------------------------------|----|-----------------------|
| Fishing vessels & scows          | \$ | 202,104.96            |
| "     nets and gear              |    | 101,164.48            |
| Cars                             |    | 63,583.98             |
| Trucks                           |    | 94,525.63             |
| Sundry Business assets           |    | 187,834.31            |
| Household effects                |    | 249,833.03            |
| Radios                           |    | 17,024.64             |
| Farm Equipment                   |    | 14,858.33             |
| Life Insurance                   |    | 48,354.36             |
| Securities                       |    | 54,538.27             |
| Sundry a/cs. Receivable          |    | 136,356.28            |
| Sundries                         |    | 33,377.89             |
| Veterans' Land Act               |    | 808,673.22            |
| Real Estate Sales                |    | 1,574,350.78          |
| Real Estate Income               |    | 491,170.25            |
| Dividends from Securities        |    | 8,310.46              |
| Rooming House Rentals & Chattels |    | 33,217.06             |
| Sundry Miscellaneous             |    |                       |
| Transfers between Jap.           |    |                       |
| a/cs. & a/cs. Receivable         |    | 749,092.05            |
|                                  |    | <u>\$4,868,369.98</u> |

CABINET COMMITTEE ON JAPANESE PROBLEMS

DOCUMENTS FOR MEETING FRIDAY, DECEMBER 13, 1946,  
(consisting of Agenda and Reference Documents  
A. B(1), B(2), C, D and E, and Orders in Council  
relating to persons of the Japanese race)

DISTRIBUTED TO

Hon. J.J. McCann, Acting Minister of Labour  
Hon. D.C. Abbott, Minister of National Defence  
Hon. Ian Mackenzie, Minister of Veterans Affairs  
Hon. J. Jean, Solicitor General  
(Attention: D.H.W. Henry, Dept. of Justice)  
Mr. L.B. Pearson, Under-Secretary of State for External Affairs  
(Attention: A.R. Menzies)  
A. MacNamara, Deputy Minister of Labour (copy now on file 23-2-2-7)  
A.H. Brown, Departmental Solicitor, Dept. of Labour  
R.G. Robertson, Prime Minister's Office

Eric Stangroom, Special Assistant to Deputy Minister of Labour  
A.D.P. Heeney's Office, Privy Council  
Miss G. Viau for Mr. Ranger's file.  
Mr. Pammett, Department of Labour (18.12.46 who also has an extra  
set of Documents A to E incl)

given to Mr Menzies 20.12.46

MEMORANDUM  
Privy Council Office

Ottawa, December 18, 1946.

Mr. Arthur MacNamara

Please find herewith copy of the minutes of the meeting of the Cabinet Committee on Japanese Problems held on Friday, December 13, 1946.

Eric Stangroom,  
A/Secretary.

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SECRET

*u*, A meeting of the Cabinet Committee on Japanese Problems was held in the Privy Council Office, on Friday, December 13, 1946, at 2.30 p.m.

Present:

The Acting Minister of Labour,  
(Mr. McCann),

Chairman

Also Present:

The Deputy Minister of Labour,  
Mr. A. MacNamara

The Under Secretary of State, and Deputy Custodian,  
Dr. E.H. Coleman

Mr. A.H. Brown,  
Department of Labour,

Mr. D.H.W. Henry,  
Department of Justice,

Mr. A.R. Menzies,  
Department of External Affairs,

Mr. R.G. Robertson,  
Prime Minister's Office,

Mr. K.W. Wright,  
Counsel to the Custodian,

Mr. R. Ranger,  
Privy Council Office,

Mr. Eric Stangroom,  
Department of Labour

A/Secretary

1. The Chairman enquired as to the reaction in various parts of the country to the present distribution of persons of Japanese race, and as to measures required to maintain adequate stability.
2. The Deputy Minister of Labour enlarged on the details contained in the reference documents before the Committee, referring to the opposition of the Alberta government to the present concentration of Japanese in that Province; and, also the choice between continuing existing Orders in Council under the National Emergency Transitional Powers Act, new legislation, and providing only for welfare and voluntary relocation through an item in the estimates.
3. The Under Secretary of State explained the Custodian's position, mentioning that if Japanese were not to be allowed to return to the coast, authority would be required to dispose of halls, churches, etc., owned by Japanese societies. Mr. Wright outlined the process by which, at present, title to the property of individuals was conveyed.
4. Mr. Brown and Mr. Henry agreed that consolidation of present Orders in Council was not feasible, and that new powers could not be obtained under the present National Emergency Transitional Powers Act.



5. Mr. Robertson and Mr. Menzies pointed to the necessity for decision regarding various categories of Japanese who might be entitled to re-admission into Canada. It was agreed that the Secretary of State's Department should discuss the relevant legal issues with the Department of Justice.

6. The Deputy Minister of Labour mentioned that Japanese pensioners of World War I, mostly widows and mothers, would be seeking re-instatement. The Under Secretary of State felt this should be done when feasible, and that the payment of accumulated sums be made in the light of investigations by our mission in Tokyo.

He then read a telegram received by the Clerk of the Privy Council from the Minister of Veterans Affairs:-

"Vancouver, December 12, 1946. Confidential

"Would prefer Japanese question be deferred until my return to Ottawa December Twenty-third STOP Otherwise request that you firmly state my position that I am definitely against any Japanese being allowed back to protected areas of British Columbia.

(signed) Ian Mackenzie."

7. As there was not a quorum of Ministers at the Committee, it was decided to distribute the file of reference documents to all members of the Cabinet for their information, and that an endeavour be made to have the Committee meet again on Wednesday, January 8, 1947, at 2.30 p.m.

The meeting adjourned at 3.30 p.m.

Eric Stangroom,  
A/Secretary.

Privy Council Office,  
Ottawa, December 18, 1946.

Orders in Council relating to persons  
of the Japanese race.

- 9590 7/12/41 Regulations re Trading with the Enemy made applicable to the Japanese
- 9760 16/12/41 Re-registration of persons of Japanese race
- 9761 16/12/41 Prohibiting operation of vessels in waters adjacent to the West Coast by persons of Japanese race
- 251 13/1/42 Fishing licence - prohibited to persons of Japanese racial origin
- 288 13/1/42 Committee re disposal of fishing boats amended by P.C. 987 9/2/42  
P.C. 3737 5/5/42
- 1348 19/2/42 Work camps for male enemy aliens amended by P.C. 6758 31/7/42  
P.C. 8173 11/9/42
- 1665 4/3/42 British Columbia Security Commission amended by P.C. 2483 27/3/42  
P.C. 3213 21/4/42
- 4615 2/6/42 British Columbia Security Commission and Province of Alberta - agreement for moving persons of Japanese race
- 6247 20/7/42 Boats and equipment owned by Japanese vested in Custodian
- 469 19/1/43 Transfer to Custodian of property of Japanese evacuees
- 946 5/2/43 Regulations re placement, control and maintenance of persons of the Japanese race in Canada amended by P.C. 9743 24/12/43  
P.C. 5637 16/8/45  
P.C. 5793 18/12/45  
P.C. 5973 14/9/45
- 4002 17/5/43 British Columbia - Alberta agreement re Japanese school children
- 4365 28/5/43 Japanese labour to be utilized for wood fuel cutting and timber operations
- 468 23/1/45 T.B. Pickersgill appointed Commissioner of Japanese placements
- 7355 15/12/45 Deportation of persons of the Japanese race
- 7356 15/12/45 Revocation of Naturalization of persons of Japanese race deported under provisions of P.C. 7355
- 7357 15/12/45 Commission appointed to inquire into activities of persons of the Japanese race during the war.

P. C. 9590

AT THE GOVERNMENT HOUSE AT OTTAWA  
SUNDAY, the 7th day of DECEMBER, 1941.

PRESENT

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS it is considered necessary and expedient, with a view to preventing any of the resources in Canada of residents of the Japanese Empire and Japanese occupied and/or controlled territory from falling under the control or being used to the advantage of the enemy, to place under custody all property in Canada of persons residing in the Japanese Empire and Japanese occupied and/or controlled **territory** including Indo China, and to regulate trading with such persons;

AND WHEREAS the Prime Minister, for the Secretary of State, reports that the most expedient measure which can be adopted to ensure such custody and regulation is to use the machinery of the Custodian's office established under the Consolidated Regulations Respecting Trading with the Enemy (1939), and to confer on the Secretary of State the powers of regulation and control in respect of such property in Canada of persons residing in the Japanese Empire and Japanese occupied and/or controlled territory which are exercisable by him as Secretary of State and as Custodian under the Consolidated Regulations Respecting Trading with the Enemy (1939) in respect to proscribed territory.

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Prime Minister, for the Secretary of State, concurred in by the Minister of Finance, and under and by virtue of the War Measures Act, Chapter 206 Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

From and including the seventh day of December, 1941, the provisions of the Consolidated Regulations Respecting Trading with the Enemy (1939) are hereby extended to and deemed to apply to the Japanese Empire and Japanese occupied and/or controlled territory as proscribed territory.

Sgd. A.D.P.Heeney

Clerk of the Privy Council.



# THE CANADA GAZETTE

## LA GAZETTE DU CANADA

OTTAWA, WEDNESDAY, DECEMBER 17, 1941

### ORDER IN COUNCIL

[9760]

AT THE GOVERNMENT HOUSE AT OTTAWA

Tuesday, the 16th day of December, 1941.

PRESENT:

HIS EXCELLENCY THE GOVERNOR  
GENERAL IN COUNCIL

WHEREAS the Minister of Justice reports,—  
That a Special Committee on Orientals in British Columbia which was appointed on October 1, 1940, to investigate the position of persons of Japanese and Chinese racial origin, who are resident in British Columbia, and to report upon the problem of Japanese and Chinese in that province from the point of view of national security, with particular reference to the question of military training, made a report on December 2, 1940, recommending *inter alia* that, both for purposes of civil security and in order to deprive persons hostile to the Japanese, of a constant and effective ground for complaint, there should be a re-registration of the Japanese population in British Columbia;

That the Cabinet War Committee considered and approved such recommendation and by Order in Council P.C. 117, dated January 7, 1941, a standing committee was appointed to assist the Government by overseeing the execution of such recommendations of the Special Committee as the Government might from time to time refer to it for action;

That the Commissioner of the Royal Canadian Mounted Police was asked to supervise such re-registration;

That such re-registration has been substantially completed by the Royal Canadian Mounted Police with the voluntary co-operation of most persons of the Japanese race in British Columbia who have completed the form contained in Schedule A hereto and have received a certificate of registration in the form contained in Schedule B hereto;

That, on instructions from the Cabinet War Committee, such re-registration has been extended to all persons of the Japanese race in Canada;

That, in view of the existence of a state of war between Canada and Japan, it is considered advisable that such re-registration, as extended to all persons of the Japanese race in Canada, be made compulsory.

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 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows,—

1. (1) Every person of the Japanese race who resides in Canada, who has attained his sixteenth birthday on or before a day to be fixed by the Commissioner of the Royal Canadian Mounted Police, and who has not heretofore registered with the Royal Canadian Mounted Police by completing the form contained in Schedule A to this order shall so register on or before the day fixed pursuant to this section and the Royal Canadian Mounted Police shall issue to each person so registering a Certificate of Registration in the form contained in Schedule B to this order.

(2) The Commissioner of the Royal Canadian Mounted Police shall publish in the *Canada Gazette* a notice of the day which he fixes pursuant to subsection (1) of this section at least two weeks prior to such day.

(3) Every person of the Japanese race who—

(a) attains his sixteenth birthday after the day fixed pursuant to subsection (1) of this section or

(b) owing to absence from Canada on or prior to the said date has not so registered

shall within thirty days from his sixteenth birthday or from his entry or re-entry into Canada, as the case may be, register in the manner prescribed in subsection (1) of this section.

(4) Every person who fails to register as required by subsection (1) or subsection (3) of this section on or before the day fixed under subsection (1)

of this section shall nevertheless so register after such day but such subsequent registration shall not relieve such person from any penalty incurred by reason of such failure to register as aforesaid.

2. (1) Any person who fails to register as hereinbefore required shall be guilty of an offence and shall be liable on summary conviction or on indictment to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment and to a further penalty not exceeding ten dollars for each day after the day fixed under section 1 of this order during which he continues to be unregistered.

(2) The burden of proving registration under this order shall lie upon the person who alleges it and any person to whom a registration certificate has not been issued shall be deemed to have failed to register.

3. (1) Every person to whom such a registration certificate has been issued either before or after the passing of this order shall at all times carry it upon his person and shall produce it for inspection upon reasonable demand to any peace officer, police officer or constable or to any other person designated for the purpose by the Attorney General of any province, and in particular, without limiting the generality of this section, any such peace officer, police officer or constable or other person may, at any time after the day fixed under section 1 of this order, require any person of the Japanese race who has attained his sixteenth birthday, present or attending at any public assembly, place of public resort or entertainment, ticket or telegraph office, or post office, or being in or upon any car, train or steamboat, to produce such registration certificate upon that occasion; and if any such person so required fails without reasonable excuse, to produce such registration certificate, he shall be guilty of an offence and liable to a fine not exceeding twenty dollars, and may be detained and taken immediately before a justice of the peace to be dealt with according to law.

(2) Any peace officer, police officer or constable or any other person designated for the purpose by the Attorney General of any province may accost any person of the Japanese race who has attained his sixteenth birthday at any time after the day fixed under section 1 of this order and question him as to whether or not he has registered pursuant to the provisions of this order; and any person so accosted shall answer truthfully all relevant questions put to him concerning such registration, and if he answers untruthfully or evasively, or if the officer questioning such person shall have reasonable ground to believe that his answers are untruthful or evasive, such officer may detain such person and take him before a justice of the peace to be dealt with according to law.

4. If any person upon his registration under this order refuses to answer any question on his registration form, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars.

5. If any person upon his registration under this order willfully gives a false or misleading answer to any question on his registration form, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

6. If any person having registered with the Royal Canadian Mounted Police in the form contained in Schedule A to this order, so registers again either under the same name or a different name, he shall be guilty of an offence and liable upon summary con-

viction to a fine not exceeding two hundred dollars and not less than fifty dollars, or to imprisonment for a term not less than three months, or to both such fine and such imprisonment.

7. Every person who falsely represents himself to be a person who has received a registration certificate in the form contained in Schedule B to this order from the Royal Canadian Mounted Police, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding two hundred dollars, and not less than fifty dollars, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

8. Every person who without lawful reason or excuse, the proof of which shall lie upon him, has in his possession

(a) a registration certificate in the form contained in Schedule B to this order or a document purporting to be such a registration certificate, which registration certificate was not lawfully received by him from the Royal Canadian Mounted Police; or

(b) a blank form of such a registration certificate or printed paper purporting to be such blank form

shall be guilty of an offence and liable upon summary conviction to imprisonment for any term not exceeding three years and not less than six months.

9. Every person who without lawful authority or excuse, the proof of which shall lie upon him, prints or makes a registration certificate in the form contained in Schedule B to this order or any printed paper purporting to be a blank form of such a registration certificate, shall be guilty of an offence and liable upon summary conviction or upon indictment to imprisonment for any term not exceeding three years and not less than six months.

10. Every person who—

(a) sells or offers to sell any registration certificate in the form contained in Schedule B to this order, any document purporting to be such a registration certificate, any blank form of such a registration certificate, or any printed paper purporting to be a blank form of such a registration certificate, or

(b) without lawful reason or excuse, the proof of which shall lie upon him, parts with the possession of any such registration certificate, any document purporting to be such a registration certificate, any blank form of such a registration certificate, or any printed paper purporting to be a blank form of such a registration certificate,

shall be guilty of an offence and liable upon summary conviction to imprisonment for any term not exceeding three years and not less than six months.

11. Every person who counsels or advises any other person to refuse or omit to comply with any of the provisions of this order shall be guilty of an offence and liable upon summary conviction to a fine not exceeding two hundred dollars, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

12. Every person registered with the Royal Canadian Mounted Police on the form contained in Schedule A to this order shall answer truthfully in writing, any question which may be submitted to him in print or in writing by or under the direction of the Commissioner of the Royal Canadian Mounted Police touching the answers upon his registration form, or requiring any information concerning any of the matters therein mentioned or referred to, and shall return his answers to any such question to the Commissioner of the Royal Canadian Mounted Police, or to any other officer as may be required,

either personally or by registered post, within ten days after the day when he shall have received the questionnaire; and every such person who refuses, fails or neglects without lawful excuse, to return his answers to such questions within the time aforesaid shall be guilty of an offence, and liable upon summary conviction to a fine not exceeding fifty dollars.

13. Any person registered with the Royal Canadian Mounted Police on the form contained in Schedule A to this order who, after such registration, has married or marries or has changed or changes his or her place of residence shall, within fourteen days of the date of this order or of such marriage or change of address, notify the Commissioner of the Royal Canadian Mounted Police at Ottawa of the date of his or her marriage, and of the name and place of residence of the person whom he married, or of the place of residence and post office address to which he has removed, as the case may be, and any such person who fails, without lawful excuse, to comply with the provisions of this section, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding fifty dollars.

14. In this order the expression "person of the Japanese race" shall include 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.

15. No prosecution under this order shall be commenced without the leave of the Attorney General of Canada or of the province in which the offence is alleged to have been committed.

A. D. P. HEENEY,  
Clerk of the Privy Council.

**SCHEDULE A**

*Serial No.*

**REGISTRATION OF ORIENTALS UNDER  
O.C. P.C. 117 by R.C.M. POLICE**

Name . . . . . Status . . . . .  
Address . . . . . Single or Married . . . . .  
Place of Birth . . . . . Date of Birth . . . . .  
Sex . . . . . Age . . . . . Height . . . . . Weight . . . . .  
Hair . . . . . Eyes . . . . . Comp . . . . .

Special Marks of Identification:

Date of entry to Canada . . . . .  
Port of Entry . . . . . Ex. S.S.  
Father's Name . . . . . Father's Serial No. . . . .  
Mother's Name . . . . . Mother's Serial No. . . . .  
Name of Husband (Wife) . . . . . Serial No. of Husband (Wife) . . . . .

Occupation . . . . .  
Number and type of Fishing Licence (if any) . . . . .  
Property owned (Registration No. of Boat, if any) . . . . .  
Address of Wife (Husband) . . . . .  
Number of Children Under 16 Years of Age . . . . .  
Name . . . . . Age . . . . . Address . . . . .

Number and Date of Birth and/or Naturalization Certificate . . . . .

Is Japanese Nationality claimed as well as Canadian Nationality? . . . . .

Is return to Japan contemplated? . . . . .  
If so for what reason? . . . . .

|       |             |
|-------|-------------|
| Photo | Thumb Print |
|-------|-------------|

Applicant's Signature  
.....

(REVERSE)

Police Record (if any)

Special Memo (to contain any information of interest not covered on front of sheet)

Questionnaire completed by: (Signature)  
Place . . . . .  
Date . . . . .  
Registration Card Issued (Yes) or (No) . . . . .  
If not why? . . . . .

This space for any notation such as subsequent change of status, death, etc., etc.

**SCHEDULE B**

*Serial No.* . . . . .

Name . . . . .  
Address . . . . .  
Age . . . . . Height . . . . . Weight . . . . .

|  |             |
|--|-------------|
| Marks of Identification . . . . .<br><br>Occupation . . . . .<br><br>Signature . . . . . | Thumb Print |
|--|-------------|

(REVERSE)

The Bearer, whose photograph and specimen of signature appear hereon, has been duly registered in compliance with the provisions of Order in Council P.C. 117.

|                     |       |
|---------------------|-------|
| Vancouver<br>(Date) | Photo |
|---------------------|-------|

Issuing Officer . . . . .  
26-1 Inspector R.C.M.P.

### GOVERNMENT NOTICE

#### DEPARTMENT OF JUSTICE

**T**HE Commissioner of the Royal Canadian Mounted Police hereby directs for the information of all concerned that every person of the Japanese race who resides in Canada who has attained his sixteenth birthday on or before the 10th of January, 1942 and who has not heretofore registered with the Royal Canadian Mounted Police by completing the form set forth below in Schedule A shall so register on or before the 10th of January, 1942, with the Royal Canadian Mounted Police under the terms of Order in Council of the 16th of December, 1941, P.C. 9760.

It is further ordered that every person of the Japanese race who

(a) attains his sixteenth birthday after the 10th of January, 1942

or

(b) owing to absence from Canada on or prior to the 10th of January, 1942, has not so registered shall within thirty days from his sixteenth birthday or from his entry or re-entry into Canada, as the case may be, register in the manner prescribed above.

#### SCHEDULE "A"

Serial No.

REGISTRATION OF ORIENTALS UNDER  
O.C. P.C. 117 by R.C.M. POLICE

Name . . . . . Status . . . . .  
Address . . . . . Single or Married . . . . .  
Place of Birth . . . . . Date of Birth . . . . .  
Sex . . . Age . . . Height . . . Weight . . . . .  
Hair . . . . . Eyes . . . . . Comp . . . . .

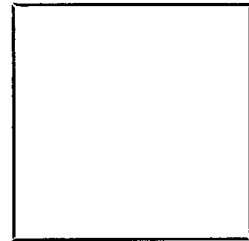
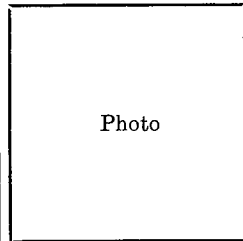
Special Marks of Identification:

Date of entry to Canada . . . . .  
Port of Entry . . . . . Ex. S.S.  
Father's Name . . . . . Father's Serial No. . . . .  
Mother's Name . . . . . Mother's Serial No. . . . .  
Name of Husband (Wife) . . . . . Serial No. of Husband  
(Wife) . . . . .

Occupation . . . . .

Number and type of Fishing Licence (if any)  
.....  
Property owned (Registration No. of Boat, if any)  
.....  
Address of Wife (Husband) . . . . .  
Number of Children Under 16 Years of Age . . . . .  
Name . . . . . Age . . . . . Address . . . . .  
Number and Date of Birth and/or Naturalization  
Certificate . . . . .  
Is Japanese Nationality claimed as well as Canadian  
Nationality? . . . . .  
Is return to Japan contemplated? . . . . .  
If so for what reason? . . . . .

Thumb Print



.....  
Applicant's Signature

(REVERSE)

Police Record (if any)

Special Memo (to contain any information of interest not covered on front of sheet)

Questionnaire completed by: (Signature)

Place .....

Date .....

Registration Card Issued (Yes) or (No) . . . . .

If not why? .....

This space for any notation such as subsequent change of status, death, etc., etc.

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 16th day of DECEMBER, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Justice reports that owing to the war with Japan it is considered desirable that provision should be made to control vessels used or operated by persons of the Japanese race.

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, concurred in by the Secretary of State for External Affairs and the Minister of National Defence for Naval Services, and under the authority of the War Measures Act, chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows,-

"1. No person of the Japanese race shall use or operate any vessel within waters adjacent to the West coast of Canada without the authority in writing of the Commissioner of the Royal Canadian Mounted Police, or other officer designated by him for the purpose.

2. Where any person of the Japanese race uses or operates a vessel without the authority aforesaid, such vessel may be seized and detained on behalf of His Majesty by any officer of the Royal Canadian Navy, Royal Canadian Mounted Police, Provincial Police of British Columbia, or of the Department of Fisheries, and any such vessel shall be released from such seizure and detention at any time on the instructions of the Commissioner of the Royal Canadian Mounted Police or the Minister of Justice: Provided that any such seizure and detention shall be without prejudice to any proceedings under the Order respecting Prize enacted on the twenty-seventh day of September, 1939,

....



2.

as P.C. 2892: And provided further that any seizure made after the eighth day of December, 1941, and prior to the coming into force of this Order of any vessel on the ground that it has been used or operated by a person of the Japanese race shall, nevertheless, be deemed to have been duly made pursuant to this Order.

3. Every one who contravenes the provisions of this Order shall be guilty of an offence and shall be 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."

A.D.P. Heeney,

Clerk of the Privy Council.

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 13th day of JANUARY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Fisheries reports that the conference convened at Ottawa on January 8th, 1942, under the chairmanship of the Honourable Ian Mackenzie, Minister of Pensions and National Health, to consider questions concerned with Canadian Japanese and Japanese Nationals in British Columbia, has recommended that during the period of war, for reasons of national defence and security, the Canadian Government should take steps to prohibit all persons of Japanese racial origin from fishing or serving on fishing vessels off the coast of British Columbia.

AND WHEREAS the Minister further reports that while under the Fisheries Act, Chapter 42, 22-23, George V, authority is vested in the Minister of Fisheries whereby he may, in his absolute discretion, issue or authorize to be issued licenses for fisheries and/or fishing wheresoever situate or carried on, in the extraordinary circumstances governing the above recommendation, it is deemed desirable that action to discontinue the licensing of all persons of Japanese racial origin in fishing activities in British Columbia should be supported by the authority of the War Measures Act.

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and for reasons of national defence and security during the period of the war, is pleased to order and doth hereby order that no fishing licenses authorizing fishing in or off British Columbia, as contemplated by the Fisheries Act, Chapter 42, 22-23, George V, and regulations adopted pursuant thereto, shall be issued to persons of Japanese racial origin; and also, that no such persons shall be permitted to serve on fishing vessels.

Sgd. A.D.P.Heeney

Clerk of the Privy Council.

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 13th January, 1942.

The Committee of the Privy Council have had before them a report, dated 13th January, 1942, from the Minister of Fisheries, representing that the defence and security of Canada has made necessary the immobilization of fishing vessels owned by people of Japanese origin and operated in British Columbia waters;

That some 1,100 boats and their equipment, having a value of between \$2,000,000 and \$3,000,000, are involved, of which about 950 are impounded near New Westminster and the remainder at Prince Rupert and other ports;

That the owners of these vessels, though being of Japanese origin, are Canadian citizens whose productive power, by virtue of this ownership, contributed significantly to the fishing industry;

That a conference has been held between the Standing Committee on Orientals in British Columbia and the interested government departments, at which it was considered that the war needs of Great Britain and the Allies make it imperative that the production of the British Columbian fishing industry be maintained and increased and that, therefore, a way should be found of putting these vessels back into production in hands other than those of Japanese origin, and otherwise consistent with the needs of national defence and security, as well as with due regard to the equity of the Japanese Canadian owners;

That it is, therefore, deemed desirable to implement the release of these Japanese Canadian fishing vessels in accordance with the above considerations; and

That such a purpose could best be accomplished by the establishment of a committee to consist of three persons, with a jurist to act as chairman, another to be appointed from the Department of National Defence (Naval Services), and the third to be chosen to represent the Japanese Canadian owners.

The Minister, therefore, with the concurrence of the Minister of National Defence for Naval Services, recommends that, under the authority of the War Measures Act, -

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P.C. 288

The Honourable Sidney A. Smith,  
Puisne Judge of the Supreme Court of  
British Columbia, Vancouver, B.C.

Commander B.L. Johnson, R.C.N.R.,  
Vancouver, B.C.

and

Kishizo Kimura,  
Vancouver, B.C.

be hereby constituted a committee on the disposal of Japanese fishing vessels, the duties of the said committee to be:

- (1) To make such arrangements as will make it possible for the present owners of detained vessels to freely negotiate for charters, leases, or sales of such vessels as they own to persons other than those of Japanese origin, provided that the committee approve of such charters, leases, or sales, which approval shall be a prerequisite for the use of such vessel under fishing license.
- (2) Where necessary, to arbitrate disagreements on price between owners and intending purchasers with a view to preventing advantage being taken of duress.
- (3) To report on claims which may be made on the government for damage to, or deterioration of, the vessels and equipment while under detention.
- (4) To report on claims which may be made on the government for the returning of the detained vessels from their present storage place to places where they were picked up.
- (5) By consultation with the Department of Fisheries, to determine which of the detained vessels shall first come under the arrangements to be put back into production.
- (6) To report on steps that should be taken to dispose of vessels which the present owners are unable to sell, charter, lease or otherwise transfer.

That the committee be authorized to employ stenographic and other assistance and to incur such other expenses as they find necessary to facilitate the fulfilment of their function as outlined above, with actual travelling and living expenses as may be approved by the Minister of Fisheries;

That the committee, which shall act without remuneration, be paid travelling and living expenses while away from their place of residence on the work of the committee where these are not already provided for; and

That the cost of the committee be charged against the War Appropriation.

The Committee concur in the foregoing recommendation and submit the same for approval.

A.D.P. Heeney,  
Clerk of the Privy Council.

AT THE GOVERNMENT HOUSE AT OTTAWA  
MONDAY, the 9th day of FEBRUARY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Fisheries reports that the Committee under the Chairmanship of the Honourable Justice Sidney A. Smith of Vancouver, appointed under the authority of the War Measures Act to supervise the disposal of impounded fishing vessels and equipment owned by persons of Japanese racial origin in British Columbia, was empowered inter alia, -

- (a) To make such arrangements as will make it possible for the present owners of detained vessels to freely negotiate for charters, leases, or sales of such vessels as they own to persons other than those of Japanese origin, provided that the Committee approve of such charters, leases, or sales, which approval shall be a prerequisite for the use of such vessel under fishing license.
- (b) Where necessary, to arbitrate disagreements on price between owners and intending purchasers with a view to preventing advantage being taken of duress.

That the Committee has proposed that a disposal charge of one per centum on all monies involved in transactions for the disposal of the vessels and equipment coming within its terms of reference should be made, having in mind that the expenses of the Committee will be substantially greater than originally estimated, due to the large number of claims for damages to vessels while in custody, necessitating additional expenses for services of competent marine surveyors; and has reported that Mr. Kishizo Kimura, one of the members of the Committee, has stated the Japanese owners are willing to subscribe to this expense.

Now/

P. C. 987

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to authorize and doth hereby authorize the Committee appointed by Order in Council of January 13th, 1942, P.C. 288, for the disposal of immobilized fishing vessels and equipment in British Columbia, owned by persons of Japanese racial origin, to impose and collect a charge of one per centum on all monies involved in transactions for the disposal of such vessels and equipment, whether by charters, leases or sales, and that all such funds shall be remitted promptly to the Receiver General of Canada for inclusion in the Consolidated Revenue Account.

Sgd. A.D.P.Heeney

Clerk of the Privy Council.

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 5th May, 1942.

The Committee of the Privy Council have had before them a report, dated 2nd May, 1942, from the Minister of Fisheries, stating:-

That the Committee, under the chairmanship of the Honourable Justice Sidney A. Smith, appointed under the authority of the War Measures Act to supervise the disposition of impounded fishing vessels and equipment owned by persons of Japanese racial origin in British Columbia, was authorized, inter alia,-

To report on claims which may be made on the Government for damage to, or deterioration of, the vessels and equipment while under detention;

That the Committee has reported that in the process of immobilizing the vessels, and while such were under impoundment, certain hull damage and equipment losses occurred incidental to the large-scale impounding action under emergent conditions, and in the opinion of the Committee there is a responsibility to the owners to make good such damage or loss as may be judged fair compensation under the circumstances;

That the Committee, based on the joint reports of its Marine Surveyors and those of the Department of National Defence for Naval Services, is in a position to recommend a fair and equitable settlement of such damage claims under general principles, as follows:

(a) Vessels sunk during impoundment. Cost of raising and reconditioning to place machinery in running condition, making hull reasonably water-tight and providing one priming coat of paint.

(b) Other hull and engine damage. Cost of reconditioning on satisfactory assurance that damage occurred while under impoundment.

(c) Equipment losses. Allowance based on a sufficiency for the safe operation of vessel, conditional upon there being satisfactory evidence that such equipment was aboard when vessel was impounded. Due consideration to be given to depreciated values.

(d) Disallowed items. Claims for skiffs or lifeboats or galley equipment and personal effects to be disallowed.

.....

That the Committee, in its disposal operations to date, has taken steps in collaboration with the Commanding Officer, Pacific Coast, Department of National Defence for Naval Services, following the aforementioned principles, to determine the amount of fair and equitable settlement of damage claims of individual boats to permit disposal negotiations to proceed without interruption and in the interest of enabling release of the vessels as quickly as possible for employment in the fishing industry.

That it is desirable all claims be dealt with as expeditiously as possible to further facilitate the work of the Committee.

The Minister, therefore, with the concurrence of the Minister of National Defence for Naval Services, recommends, under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, that the Minister of Fisheries be granted authority whereby he may approve and make payment in settlement of claims made upon the Government for damage to, and deterioration of, impounded fishing vessels and equipment (including repairs arising from such damage or deterioration) owned by persons of Japanese racial origin that may be recommended, following the principles aforementioned, by the Committee appointed by Order in Council of January 13th, 1942, P.C. 288, for the disposition of such vessels and equipment and that the sum of \$80,000.00 be made available for such purpose from the War Appropriation.

The Committee concur in the foregoing recommendation and submit the same for approval.

A.D.P. Heeney,

Clerk of the Privy Council.



OFFICE CONSOLIDATION

P.C. 1348

as amended by P.C. 6758 July 31, 1942 and  
P.C. 8173 September 11, 1942.

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY the 19th day of FEBRUARY, 1942

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS, under authority of the Defence of Canada Regulations (Consolidation) 1941 as amended by Order in Council P.C. 365 dated January 16, 1942, a protected area has been established in British Columbia;

AND WHEREAS it is deemed to be in the interest of national security that certain male enemy aliens, including Japanese Nationals, and/or other persons of Japanese racial origin (P.C. 8173, September 11, 1942) be removed from said area and employed in other localities.

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and the Minister of Mines and Resources and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:-

The Minister of Mines and Resources is hereby authorized to establish work camps for male enemy aliens, including Japanese Nationals, and/or other persons of Japanese racial origin (P.C. 8173, September 11, 1942) on projects located outside of protected areas, that would be of national benefit and to make necessary arrangements for the maintenance, care, and employment of said aliens, including Japanese Nationals, and/or other persons of Japanese racial origin (P.C. 8173, September 11, 1942) who may be allocated to such camps by the Minister of Labour, and for the supervision of the work to be there undertaken;

The projects shall be such as are approved by the Minister of Labour from time to time, with the concurrence of the Minister of Mines and Resources, and, the Minister of Labour may upon such terms and conditions as may be agreed upon enter into agreements with any of the provinces or any corporation or individual in respect to the employment of said enemy aliens, including Japanese Nationals, and/or other persons of Japanese racial origin (P.C. 8173, September 11, 1942) on any other projects approved by the Minister of Labour with the concurrence of the Minister of Mines and Resources;

The remuneration of the said aliens, including Japanese Nationals, and/or other persons of Japanese racial origin (P.C. 8173, September 11, 1942) shall be on the basis of an eight-hour working day and a forty-eight-hour week at 25 cents per hour for unskilled labour and the Minister of Labour shall have authority to make regulations, as required from time to time, in respect to wage schedules, hours of labour, medical inspection and to the extent of medical care, hospitalization, unemployment insurance contributions and workmen's compensation benefits which shall be available to enemy aliens, including Japanese Nationals, and/or other persons of Japanese racial origin (P.C. 8173, September 11, 1942) when employed on the works projects of which he has approved or when employed by the British Columbia Security Commission anywhere in Canada (P.C. 6758, July 31, 1942);

.....

The said aliens, including Japanese Nationals, and/or other persons of Japanese racial origin (P.C. 8173, September 11, 1942) employed under authority of this Order or when employed by the British Columbia Security Commission anywhere in Canada (P.C. 6758, July 31, 1942) who have dependents resident in Canada shall be required to assign twenty dollars from their monthly earnings for the maintenance of the said dependents and the Dominion, upon approval of the Minister of Labour, may pay in addition an allowance of not more than five dollars a month for each dependent child of an employed alien but such payments shall not be made in respect of more than five dependent children in any one family;

The said enemy aliens, including Japanese Nationals, and/or other persons of Japanese racial origin (P.C. 8173, September 11, 1942) when employed as aforesaid, or when employed by the British Columbia Security Commission anywhere in Canada (P.C. 6758, July 31, 1942) shall be deemed to be employees within the meaning of that term as defined in the Government Employees Compensation Act for all purposes other than the payment of compensation for temporary disability, but allowing in all temporary disability cases necessary first aid, medical and hospitalization expenses and in all other cases compensation not in excess of two-thirds of the average weekly earnings of the employee regardless of any minimum rate of compensation, statutory or otherwise, which may be in effect in any province at any time;

The Minister of Labour is hereby authorized to make such arrangements with the Minister of Justice as may be necessary from time to time to insure the proper conduct and control of enemy aliens, including Japanese Nationals, and/or other persons of Japanese racial origin (P.C. 8173, September 11, 1942) employed as aforesaid outside the aforementioned protected area;

Any expenditures incurred in connection with the aforementioned removal, maintenance, care, and employment of the said enemy aliens, including Japanese Nationals, and/or other persons of Japanese racial origin (P.C. 8173, September 11, 1942) shall be met from funds provided from time to time from the War Appropriation Vote.

A.D.P. Heeney,  
Clerk of the Privy Council.

- Notes: 1. Last amendment (P.C. 6758, July 31, 1942) retroactive to and including February 19, 1942.
2. Last paragraph of P.C. 8173, September 11, 1942 -----His Excellency in Council, on the same recommendation and under the above cited authority, is further pleased to order and doth hereby order that every regulation at any time in effect under authority of aforementioned Order in Council P.C. 1348 shall be deemed to be and be fully applicable to the aforesaid other persons of Japanese racial origin, when employed by the Dominion under the terms of said P.C. 1348 or by the British Columbia Security Commission anywhere in Canada, unless said persons are specifically excepted from the operation of the terms thereof.

OFFICE CONSOLIDATION

Order in Council establishing regulations respecting  
the British Columbia Security Commission

P.C. 1665

As amended by P.C. 2483, March 27, 1942, P.C. 2541,  
March 30, 1942, P.C. 3213, April 21, 1942 and P.C.  
946, February 5, 1943.

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. 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.
  - (bb) 'Person of the Japanese race' means any person of the Japanese race required to leave any protected areas of British Columbia by Order of the Minister of Justice under Regulation 4, as amended, of the Defence of Canada Regulations (Consolidation) 1941, (as amended by P.C. 2483, March 27, 1942)
  - (c) Other words and phrases shall have the same meaning as in the Defence of Canada Regulations.

Paragraphs numbered 2 to 11 inclusive revoked by P.C. 946,  
February 5, 1943.

CUSTODY OF JAPANESE PROPERTY

- 12 (1) Subject as hereinafter in this Regulation provided, as a protective measure only, all property situated in any protected area of British Columbia belonging to any person of the Japanese race (excepting fishing vessels subject to Order in Council P.C. 288 of January 13, 1942, and deposits of money, shares of stock, debentures, bonds or other securities) delivered up to any person by the owner pursuant to an order of the Minister of Justice, or which is turned over to the Custodian by or on behalf of the owner, or which the owner, on being evacuated from the protected area, 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) The Custodian may, notwithstanding anything contained in this Regulation, order that all or any property whatsoever, situated in any protected area of British Columbia, belonging to any person of the Japanese race shall, for the purpose of protecting the interests of the owner or any other person, be vested in the Custodian, and the Custodian shall have full power to administer such property for the benefit of all such interested persons, and shall release such property upon being satisfied that the interests aforesaid will not be prejudiced thereby.
- (3) For the purposes of the control and management of such property by the Custodian, the Consolidated Regulations Respecting Trading with the Enemy, (1939), shall apply mutatis mutandis to the same extent as if the property belonged to an enemy within the meaning of the said Consolidated Regulations, (as amended by P.C. 2483, March 27, 1942)

Paragraphs 13 to 16 inclusive revoked by P.C. 946,  
February 5, 1943.

A.D.P. Heeney,

Clerk of the Privy Council.

Order in Council authorizing agreement  
between B.C. Security Commission and  
Province of Alberta - placement of per-  
sons of Japanese race

P.C. 4615

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 2nd day of JUNE, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by Order in Council dated March 4, 1942 (P.C. 1665), as amended by Order in Council dated April 21, 1942 (P.C. 3213), the British Columbia Security Commission was established with authority to enter into an agreement with the Government of any Province relative to the placement in such Province of persons of the Japanese race evacuated from the protected areas of British Columbia under the provisions of regulations authorized by said P.C. 1665, and relative to the removal of such persons from such Province upon the termination of the state of war now existing between Canada and Japan;

AND WHEREAS the aforementioned Commission is desirous of entering into an agreement with the Province of Alberta for the aforesaid purpose, in accordance with draft attached hereto;

AND WHEREAS the Province of Alberta, for greater certainty, has requested that the Governor in Council concur in the terms of the aforementioned agreement.

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to concur and doth hereby concur in the terms of an agreement to be made between the British Columbia Security Commission (acting in its capacity of agent for the Crown) and the Government of the Province of Alberta, in accordance with draft attached hereto.

A.D.P. Heeney,

Clerk of the Privy Council.

THIS AGREEMENT made in duplicate this \_\_\_\_\_ day  
of May, A.D. 1942,

BETWEEN:

BRITISH COLUMBIA SECURITY COMMISSION,  
a Commission established by the Governor-  
General-in-Council under the powers con-  
ferred by the "War Measures Act",  
(Hereinafter called the "COMMISSION")

OF THE FIRST PART:

AND:

HIS MAJESTY THE KING IN THE RIGHT OF THE  
PROVINCE OF ALBERTA, represented herein  
by the Honourable

(Hereinafter called the "PROVINCE")

OF THE SECOND PART:

WHEREAS Order in Council dated March 4, 1942  
(P.C. 1665 as amended by Order in Council dated March 27,  
1942 (P.C. 2483) and Order in Council dated April 21, 1942  
(P.C. 3213) provides, inter alia,

- (a) for the establishing of the British Columbia  
Security Commission;
- (b) That said Commission shall plan, supervise and  
direct the evacuation from the protected areas  
of British Columbia of all persons of the  
Japanese race, determine all matters relative  
to the temporary placement of such persons  
(including power to vary or amend any placement  
order), for the continuation of the state of war  
now existing, pursuant to a plan or plans to be  
submitted to and approved of by the Minister of  
Labour for Canada;

.....

- (c) that any such plan or plans, approved as aforesaid, may authorize the Commission to enter into an agreement with the Government of any Province relative to the placement in such Province of persons of the Japanese race, evacuated as aforesaid, and that any such agreement may provide that any such persons will be removed from such Province upon the termination of the state of war now existing between Canada and Japan;

AND WHEREAS the Commission has submitted to the Minister of Labour for Canada a plan authorizing the Commission to enter into an agreement with the Province of Alberta for the temporary placement in certain areas in said Province of certain persons of the Japanese race evacuated as aforesaid, of which plan the said Minister has approved;

AND WHEREAS the Commission, in the exercise of its powers and at the request of the Province, has agreed to enter into these presents;

NOW THEREFORE THIS AGREEMENT WITNESSETH:-

1. The Commission agrees that it will send into the Province of Alberta only persons of the Japanese race who are agricultural workers together with the wives and families of such Japanese.
2. The Commission agrees that it will assume all responsibility for the movement of the said Japanese to the district in Alberta where they are to be placed, and will see that they are properly housed and provided for at the places in Alberta where they are to be temporarily settled.
3. The Commission will in conjunction with the Royal Canadian Mounted Police exercise strict supervision over such Japanese and their families during the entire period of their residence in Alberta, and in pursuance of the provisions of the said Order-in-Council will request the Royal Canadian Mounted Police to provide all necessary police protection

; . . . .

in the districts in Alberta where such Japanese are placed for the maintenance of public security throughout the term of the residence of such Japanese in the said Province.

4. The Commission agrees that no members of the Japanese race moved on its orders into the Province of Alberta will become a charge on the said Province or on any city, town, village or municipality therein, for relief, medical services, medicine or hospitalization or otherwise. Should any of such Japanese require hospitalization or medical care or dental care, and should they fail to pay for the same as required, the Commission will pay any amount which the Province or any such city, town, village or municipality may incur for such treatment.

5. The Commission further agrees to maintain supervision over such Japanese in order to insure that they will remain resident on the farms to which they are allocated and will not move into or reside in any city in Alberta or become a charge on any municipality in the said Province.

6. The Commission further agrees that should the school authorities of any municipality or school district in Alberta object to the presence of Japanese children in the public schools maintained by such authorities the Commission will provide such education for the said Japanese children as in its opinion is requisite under the circumstances.

7. The parties hereto declare that it is their desire that persons of the Japanese race who are moved by the Commission to Alberta as aforesaid will be employed by residents of Alberta at the regular contract rate for labour and for any other farm or agricultural work at the prevailing rate in the district in which such Japanese are placed, and that each head of a Japanese family so placed will be provided with a house suitable for habitation by said family throughout the year, including a suitable garden plot with each such house, and that said family shall be permitted to improve such house for winter use and occupy the same until such time as



their employment is finally terminated. The parties hereto contemplate that the employment of such Japanese in certain areas will be intermittent by reason of the nature of the farm labour in which they will be employed, but that wherever possible the Japanese workman and his family, between seasons and until their employment is finally terminated as aforesaid, shall be permitted to occupy a house upon or in vicinity to the lands on which he is or has been employed.

8. The Commission will make orders respecting the conduct, activities and discipline of the Japanese removed by them into the Province of Alberta and will request the Royal Canadian Mounted Police to enforce such orders throughout the term of residence of such Japanese in Alberta.

9. The Commission may exercise its power to vary or amend any order of placement made pursuant to this agreement and agrees that when, in the opinion of the Council of any municipality in which Japanese are placed pursuant hereto, it is in the best interests of such municipality that said Japanese be moved the Commission will cause them to be moved therefrom within a reasonable period of time.

10. The Commission agrees to remove or to have removed from the Province, upon the termination of the state of war now existing between Canada and Japan, the Japanese temporarily placed or maintained within the Province pursuant to the terms of this agreement, as requested so to do by the Province.

11. The expression "Japanese" or "persons of the Japanese race", where used herein, shall be deemed to include such persons moved into the Province of Alberta by

.....

the Commission as are of Japanese origin.

IN WITNESS WHEREOF British Columbia Security Commission has caused these presents to be executed on its behalf by Austin C. Taylor, its Chairman, and the Honourable  
has hereunto set his hand on behalf of the Province.

SIGNED on behalf of the )  
British Columbia Security ) BRITISH COLUMBIA SECURITY COMMISSION  
Commission by Austin C. )  
Taylor, Chairman, in the ) By  
presence of )  
 ) Chairman.

SIGNED on behalf of the )  
Province of Alberta by the )  
Honourable )  
 )  
in the presence of )  
 )

I certify that the plan for the placement of certain persons of the Japanese race in the Province of Alberta, referred to in the foregoing agreement, and the said agreement have been approved by me.

Humphrey Mitchell  
Minister of Labour.

OFFICE CONSOLIDATION

Order in Council authorizing that boats and equipment owned by persons of the Japanese race be vested in and subject to the control of the Custodian of Enemy Property

P.C. 6247

(amended by P.C. 469, January 19, 1943)

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 20th day of JULY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Fisheries reports that by virtue of the authority of Order in Council of December 16th, 1941, P.C. 9761, vessels used or operated by persons of the Japanese race within waters adjacent to the West Coast of Canada were seized and detained;

That under the supervision of the Committee, under the chairmanship of Honourable Justice Sidney A. Smith of Vancouver, appointed by Order in Council of January 13th, 1942, P.C. 288, for the disposal of vessels and equipment so seized and detained, 1,027 vessels of a total of 1,265 vessels registered with the Committee have been disposed of;

That under its terms of reference the Committee so organized the disposal arrangements to first assure that boats and equipment would be available to the British Columbia fishing industry as might be needed to maintain essential fisheries production;

That the Committee has reported having achieved this objective up to the point where little further absorption may be immediately expected by the British Columbia fishing industry excepting such vessels as may be disposed of in the course of the next two or three weeks;

That pursuant to the duty attached to its appointment,--

To report on steps that should be taken to dispose of vessels which the present owners are unable to sell, charter, lease or otherwise transfer, the Committee has reported that while the market has not yet been completely exhausted, the bulk of the remaining 238 vessels will have to be stored for a considerable period particularly as in general, the best vessels have already been disposed of;

That the Committee is of the opinion, after consideration of all factors involved, that responsibility for administration of remaining boats and equipment might logically be turned over to the Custodian of Enemy Property, who is now administering other properties of persons of the Japanese race in British Columbia; and

That it is important that personnel of the Department of National Defence for Naval Services, presently employed in the care and maintenance of the remaining vessels, should be released for urgent duties elsewhere at the earliest possible moment;

....

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, concurred in by the Secretary of State and under and by virtue of the powers conferred by the War Measures Act, Chapter 206, Revised Statutes of Canada 1927, is pleased, notwithstanding anything contained in the Regulations established by Order in Council of March 4, 1942, P.C. 1665, as amended by Order in Council of March 27, 1942, P.C. 2483, to order and it is hereby ordered as follows:--

1. As a protective measure only all vessels and equipment seized and detained under the authority of Order in Council of December 16, 1941, P.C. 9761, which have not been disposed of under the supervision of the Committee appointed by Order in Council of January 13, 1942, P.C. 288, shall on and after August 1, 1942, be vested in and subject to the control and management of the Custodian, as defined in the Consolidated Regulations Respecting Trading with the Enemy (1939); provided, however, that no commission shall be charged by the Custodian in respect to such control and management.

2. For the purpose of the control and management of such property by the Custodian, the Consolidated Regulations Respecting Trading with the Enemy, 1939, shall apply mutatis mutandis, to the same extent as if the property belonged to an enemy within the meaning of the said Consolidated Regulations.

3. The Custodian may, where he considers it advisable so to do, liquidate, sell or otherwise dispose of any such vessel or equipment on such terms and conditions as he deems advisable, and any agreement entered into or document executed by the Custodian on or after August 1, 1942, and prior to the date of this Order, purporting to be an agreement for, or to be, a transfer, conveyance or other disposition of any such vessel or equipment or of any right, title or interest therein is hereby given full legal validity, force and effect as if the Custodian had full power to enter into such agreement or to execute such document, and as if such vessel or equipment or such right, title or interest therein, as the case may be, had been vested in the Custodian, at the time of the entry into such agreement or the execution of such document. (amended by P.C. 469 January 19, 1943)

4. Without restricting the generality of the powers hereinbefore conferred, all unfinished business of the said Committee is hereby transferred to the Custodian and shall be deemed to have been so transferred as on and from the 1st August, 1942. (as amended by P.C. 469, January 19, 1943)

A.D.P. Heeney,

Clerk of the Privy Council.

Order in Council revoking P.C. 5523, dated 29th June, 1942  
and P.C. 6885, dated 20th July, 1942 - transfer to the Custodian of the property of persons of the Japanese race evacuated from the protected areas of B.C.

P. C. 469

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of JANUARY, 1943.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL -

WHEREAS by Order in Council dated 29th June, 1942, (P.C. 5523) amended by Order in Council dated 4th August, 1942, (P.C. 6885) Regulations were made imposing certain duties and responsibilities on the Director of Soldier Settlement of Canada in relation to agricultural lands owned by persons of the Japanese race ordinarily resident in the protected areas of British Columbia;

AND WHEREAS the Secretary of State reports that the appraisals of lands contemplated by the said Order in Council as amended have been made and that it is the opinion of the Minister of Mines and Resources, to whom the Director of Soldier Settlement of Canada reports under the said Order in Council as amended, that the said Order in Council as amended, should be revoked;

That by Order in Council, dated 20th July, 1942, (P.C. 6247) it was provided that on and after the 1st August, 1942, all unfinished business of the Committee under the Chairmanship of the Honourable Mr. Justice Sidney A. Smith of Vancouver, appointed by Order in Council of 13th January, 1942, (P.C. 288) in respect of vessels or equipment vested in the Custodian under the said Order should be transferred to the Custodian, and the Custodian was vested with all vessels and equipment which had not been disposed of under the supervision of the said Committee;

That since the transfer was effected, question has been raised as to the authority of the Custodian to deal with unfinished business of the said Committee in relation to vessels or equipment disposed of prior to the 1st August, 1942, and it is expedient to remove any doubts in this respect;

That by Orders in Council relating to the property of persons of the Japanese race evacuated from the protected areas of British Columbia, the Custodian has been vested with the responsibility of controlling and managing property belonging to persons of the Japanese race who have been evacuated from the protected areas, except deposits of money, shares of stock, debentures, bonds or other securities or other property which

P. C. 469

the owner on being evacuated from the protected areas was able to take with him; and

That the evacuation of persons of the Japanese race from the protected areas has now been substantially completed and that it is necessary to provide facilities for liquidation of property in appropriate cases.

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Secretary of State, concurred in by the Minister of Mines and Resources, the Minister of Pensions and National Health, the Minister of Labour and the Minister of Fisheries, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

1. Order in Council, dated 29th June, 1942, (P.C. 5523) and amending Order in Council dated 4th August, 1942, (P.C. 6885) are hereby revoked.

2. Paragraphs numbered 3 and 4 in Order in Council dated 20th July, 1942 (P.C. 6247) are hereby rescinded and the following are substituted therefor:

3. The Custodian may, where he considers it advisable so to do, liquidate, sell or otherwise dispose of any such vessel or equipment on such terms and conditions as he deems advisable; and any agreement entered into or document executed by the Custodian on or after August 1, 1942, and prior to the date of this Order, purporting to be an agreement for, or to be, a transfer, conveyance or other disposition of any such vessel or equipment or of any right, title or interest therein is hereby given full legal validity, force and effect as if the Custodian had full power to enter into such agreement or to execute such document, and as if such vessel or equipment or such right, title or interest therein, as the case may be, had been vested in the Custodian, at the time of the entry into such agreement or the execution of such document.

4. Without restricting the generality of the powers hereinbefore conferred, all unfinished business of the said Committee is hereby transferred to the Custodian and shall be deemed to have been so transferred as on and from the 1st August, 1942.

Wherever, under Orders in Council under the War Measures Act, Chapter 206 of the Revised Statutes of

Canada/

Canada 1927, the Custodian has been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the protected areas, such power and responsibility shall be deemed to include and to have included from the date of the vesting of such property in the Custodian, the power to liquidate, sell, or otherwise dispose of such property; and for the purpose of such liquidation, sale or other disposition the Consolidated Regulations Respecting Trading with the Enemy (1939) shall apply mutatis mutandis as if the property belonged to an enemy within the meaning of the said Consolidated Regulations.

Certified to be a true copy.

A.D.P.Heeney.

Clerk of the Privy Council.

OFFICE CONSOLIDATION

Order in Council establishing regulations re provision for the administration relative to the further placement, control and maintenance of persons of the Japanese race in Canada

P.C. 946

Amended by P.C. 9743, December 29, 1943, P.C. 5637, August 16, 1945, P.C. 5793, December 18, 1945, P.C. 5973, September 14, 1945.

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 5th day of FEBRUARY, 1943.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by Order in Council P.C. 1665 of March 4, 1942, the British Columbia Security Commission was established to plan, supervise and direct the evacuation from the protected areas of British Columbia of all persons of the Japanese race required to leave such areas by Order of the Minister of Justice under Regulation four of the Defence of Canada Regulations (Consolidation) 1941, as amended, and the placement and maintenance of such persons;

And whereas the Minister of Labour reports that the evacuation and initial placement of such persons has been substantially carried out and it is desirable to relieve the members of the said Commission, who are acting without remuneration, of responsibility for the administration relative to the further placement, control and maintenance of such persons;

And whereas it is deemed advisable, by reason of the state of war now existing, for the order and welfare of Canada to make provision for such administration and for the control of persons of the Japanese race in Canada;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under the authority of the War Measures Act, Chapter 206 Revised Statutes of Canada, 1927, is pleased to make the following Regulations and they are hereby made and established accordingly.

DEFINITIONS

1. (1) In these Regulations, unless the context otherwise requires,
  - (a) "Advisory Board" or "Board" means the Advisory Board established by these Regulations;
  - (b) "Commission" means the British Columbia Security Commission established by Order in Council P.C. 1665 of March 4, 1942;
  - (c) "Commissioner" means the Commissioner of Japanese Placement appointed pursuant to these Regulations;
  - (d) "Deputy Minister" means the Deputy Minister of Labour;
  - (e) "Minister" means the Minister of Labour;
  - (f) "person of the Japanese race" means any person wholly or partly of the Japanese race required to leave any protected

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area of British Columbia by order of the Minister of Justice under regulation four of the Defence of Canada Regulations (Consolidation) 1942, as amended, and who is within any such protected area or who was ordinarily resident within any protected area but who has left or leaves such area after February 5, 1942;

(g) other words and phrases shall have the same meaning as in the Defence of Canada Regulations.

(2) The Interpretation Act and every provision thereof shall be applicable to and in respect of every order, rule or regulation made by the Minister pursuant to these Regulations except insofar as any such provision is inconsistent with the intent or object of such order, rule or regulation, or would give to any word, expression or clause thereof an interpretation repugnant to the subject matter of the context, or is in any such order, rule or regulation, declared not applicable thereto.

#### DUTIES OF THE MINISTER

2. It shall be the duty of the Minister to plan, supervise and direct the evacuation from the protected areas of British Columbia of all persons of the Japanese race and the placement and control of such persons elsewhere in Canada and to take such measures as he deems necessary to provide or to arrange for the transportation, housing, feeding, care, protection, employment and welfare of such persons.

#### POWERS OF THE MINISTER

3. (1) The Minister may--

- (1) determine the time and order of the evacuation from any protected areas of British Columbia of persons of the Japanese race and their mode of transportation in such evacuation;
- (ii) determine from time to time the localities in which persons of the Japanese race shall be placed or may reside;
- (iii) take such measures as he deems advisable to provide or to arrange for the transportation, housing, feeding, care, protection, employment and welfare of persons of the Japanese race;
- (iv) employ persons of the Japanese race for such purposes at such rates of wages and on such terms and conditions as he deems advisable;
- (v) take such measures as he deems advisable to provide or to arrange for the care of dependents resident in Canada, including therein dependent parents, of any person of the Japanese race who is engaged in employment pursuant to these Regulations or pursuant to the provisions of Order in Council P.C. 1348 of February 19, 1942, or otherwise, by requiring such person to assign a portion of his wages, or by making deductions or requiring deductions to be made from his wages, or otherwise, and for such purpose may make such orders or regulations as he deems advisable;
- (vi) take such measures as he deems advisable to provide or to make arrangements for the provision of direct relief, including necessary medical services, to any indigent person of the Japanese race;
- (vii) require, by order, any person of the Japanese race in any place in Canada to proceed to any other place in

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Canada at such time and in such manner as he may prescribe;

(viii) make orders, rules or regulations respecting the conduct, activities or discipline of persons of the Japanese race as defined in these Regulations, or of other persons resident anywhere in Canada who are wholly of the Japanese race, or who have a father or a mother who is or was wholly of the Japanese race, and may by order prohibit such persons of the Japanese race or such other persons, from engaging in any activities, employment or business, or in any specified activities, employment or business, in Canada, from moving or travelling anywhere in Canada, from residing in any place or area in Canada, or from associating or communicating with any persons, except subject to a permit issued by or on behalf of the Minister and on such terms and conditions as may be prescribed by him or by any person authorized to act on his behalf under these Regulations. (P.C. 5793 December 18, 1945)

3A (1) All persons of the Japanese race who were detained pursuant to the provisions of Regulation 21 of the Defence of Canada Regulations (Consolidation) 1942, prior to the fifteenth day of August, nineteen hundred and forty-five, and were so detained on the said fifteenth day of August shall continue to be detained and such persons while so detained shall be deemed to be in legal custody.

(2) The Minister of Justice may by order direct the release of any such person upon such conditions, if any, as he may consider advisable and necessary. (added by P.C. 5637 August 16, 1945)

3B (1) No person of the Japanese race and no Japanese company shall, except as hereinafter provided, have the capacity, after the twenty-fourth day of February, 1942, 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 twenty-fourth day of February, 1942, 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 twenty-fourth day of February, 1942, or acquired by such person or company after the twenty-fourth day of February, 1942, pursuant to the terms of a written contract or agreement executed before the twenty-fourth day of February, 1942, or under a will or 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 a term not exceeding one year or from month to month or for some lesser periodic tenancy.

(4) (a) The Minister of Labour 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 twenty-fourth day of February, 1942, 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-paragraph (b) of paragraph (3) of this Regulation, or 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 five hundred dollars or to imprisonment for a term not exceeding three months.
- (5A) Every person who acquires or holds land or growing crops for the benefit of any person known to him to be of the Japanese race or a company known to him to be a Japanese company 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 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 a person wholly of the Japanese race. (as added by P.C. 5973 September 14, 1945.)

#### ENFORCEMENT

4. (1) Any person who contravenes or omits to comply with any of these Regulations or any order, rule or regulation made pursuant to these Regulations shall be guilty of an offence under these Regulations 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.

(2) In any prosecution for an offence under these Regulations it shall be presumed that the accused is a person of the Japanese race as defined in these Regulations, or is a person who is wholly of the Japanese race or is a person whose father or mother is or was wholly of the Japanese race, until the contrary is proved and the burden of such proof shall be upon the accused.

....

(3) Any peace officer may arrest without warrant any person whom he finds committing or whom he has reasonable grounds for believing has committed any offence under these Regulations.

(4) Every document, purporting to be, or to contain or to be a copy of an order, rule, regulation, permit or authority made or given by the Minister, the Deputy Minister or the Commissioner pursuant to these Regulations and purporting to be signed by the Minister, the Deputy Minister or the Commissioner shall be evidence of such order, rule, regulation, permit or authority.

#### ADMINISTRATION

5. The Deputy Minister may exercise all powers conferred on the Minister under these Regulations.

6. There shall be a Commissioner of Japanese Placement who shall, under the Minister and the Deputy Minister, be the Chief Executive Officer charged with the Administration of these Regulations and who may under their control and direction exercise each and every power conferred by these Regulations on the Minister, including any power involving the exercise of a discretion.

7. (1) The Minister may employ such professional, technical or other officers, clerks and employees as he deems necessary for the purpose of the Administration of these Regulations and may, with the approval of the Governor in Council, fix their remuneration.

(2) Notwithstanding anything contained in subsection one of this section, all officers, clerks and employees who are employed by the Commission immediately prior to the coming into operation of these Regulations, may be employed by the Minister for the purpose of the administration of these Regulations at their present rate of remuneration and shall perform such duties as are assigned to them by the Minister.

8. (1) The Minister may enter into contracts and acquire real and personal property on behalf of His Majesty but no contract shall be entered into by him pursuant to these Regulations 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 on behalf of His Majesty pursuant to the provisions of these Regulations except with the approval of the Governor in Council.

9. The Minister may, for the purpose of carrying out his duties under these Regulations, enter into arrangements with any Department of the Government of Canada or into agreements on behalf of the Government of Canada with the Government of any Province for the use or occupation of any Dominion or Provincial Crown lands.

10. The Minister may enter into an agreement on behalf of the Government of Canada with the Government of any Province relative to the placement in such province of persons of the Japanese race and any such agreement may provide that any such persons will be removed from such Province upon the termination of the state of war now existing between Canada and Japan.

#### ADVISORY BOARD

11. (1) There shall be constituted an Advisory Board to advise the Minister on the performance of his duties under these Regulations.

(2) The Board shall consist of the Deputy Minister who shall be the Chairman of the Board, the Commissioner who shall be the Vice-Chairman of the Board and Austin C. Taylor, Esq., of Vancouver, John Shirras of Vancouver, B.C. - Assistant Commissioner of British Columbia Provincial Police and Frederick John Mead of Ottawa, Ontario, Assistant Commissioner, R.C.M.P., together with other persons as the Minister may nominate shall be members thereof.

(3) The Meetings of the Board shall be held at the call of the Chairman or the Vice-Chairman.

(4) The Board may make bylaws for the conduct of its business.

(5) Each member of the Board shall be paid a fee of ten dollars for each day he is absent from his usual place of residence while attending meetings of the Board and his actual and reasonable disbursements incurred in connection therewith.

#### DEPARTMENTAL ASSISTANCE

12. All departments and agencies of the Government of Canada shall assist the Minister by lending to the Minister 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 Minister, and in particular, but without restricting the generality of the foregoing, there shall be furnished to the Minister

- (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;

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.

#### GENERAL

13. (1) All real and personal property or any interest therein held by the Commission shall on and after the coming into operation of these Regulations, be vested in His Majesty in right of Canada.

(2) All rights, duties and obligations of the Commission under any agreements entered into by the Commission with the Government of any province of Canada or under any contract entered into by the Commission with any person shall, on and after the coming into operation of these Regulations be vested in and assumed by His Majesty in right of Canada, represented by the Minister, who shall be the successor to the Commission in respect thereof.

....

(3) The Minister may, in the name of the Commission, execute any conveyance, transfer or other document necessary to transfer the title of any real or personal property or any interest therein held in the name of the Commission to His Majesty.

14. (1) Paragraphs numbered 2 to 11 inclusive and 13 to 16 inclusive of Order in Council P.C. 1665 of March 4, 1942, and Order in Council P.C. 1666 of March 4, 1942, are revoked effective on and after the date of the coming into operation of these Regulations.

(2) All orders, rules or regulations made pursuant to any power conferred by Order in Council, P.C. 1665, of March 4, 1942, effective immediately prior to the coming into operation of these Regulations shall, notwithstanding the revocation of said paragraphs of such Order in Council, continue to be valid and in full force and effect unless or until revoked or varied by the Minister pursuant to these Regulations and shall be deemed to have been made by the Minister pursuant to these Regulations and the power of the Minister to make orders, rules or regulations pursuant to these Regulations shall include power to revoke or vary such orders, rules or regulations.

15. (1) The General Supervisor of Japanese Evacuation and Maintenance appointed by Order in Council, P.C. 1/11037 of December 3, 1942, shall be the Commissioner for the purposes of these Regulations unless and until his appointment is revoked.

(2) The paragraph of the Order in Council, P.C. 1/11037 of December 3, 1942, commencing "The undersigned further recommends that the duties and functions...." and ending "...on the Commissioners" is revoked.

(3) The term "General Supervisor of Japanese Evacuation and Maintenance" wherever it appears in said Order in Council P.C. 1/11037 of December 3, 1942, is deleted and the term 'Commissioner of Japanese Placement' is substituted therefor.

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

17. (1) Nothing contained in these Regulations shall be construed to limit or to derogate from the powers conferred on any authority by the Defence of Canada Regulations or any statute of the Parliament of Canada.

(2) Nothing in these Regulations shall be deemed to limit or restrict the operation of the National Selective Service Civilian Regulations or any direction given by the Minister thereunder to person of the Japanese race except insofar as any such direction is inconsistent with an Order of the Minister made under these Regulations; in which event, the order of the Minister made under these Regulations shall prevail. (Added by P.C. 9743, December 24, 1943.)

18. These Regulations shall be deemed to have come into operation on the 25th day of January, 1943.

A.D.P. Heeney,

Clerk of the Privy Council.

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General in Council on the 17th day of May, 1943.

The Committee of the Privy Council have had before them a report, dated 11th May, 1943, from the Minister of Labour, referring to Order in Council P.C. 1665 of March 4th, 1942, providing for the appointment of the British Columbia Security Commission to administer regulations governing the evacuation of persons of the Japanese race from the protected areas of British Columbia and their placement elsewhere, and to P.C. 946 of February 5th, 1943, authorizing the Minister of Labour to undertake the duties and exercise the powers and carry out the obligations theretofore undertaken, exercised, and carried out by the British Columbia Security Commission.

The Minister reports that by agreement dated September 1st, 1942, between the British Columbia Security Commission and the Province of Alberta, provision was made to enable children of school age of the Japanese race, evacuated from the protected areas of British Columbia, and thereafter placed in the Province of Alberta to attend the schools of the Province and enjoy the teaching services provided by the Province.

The Minister states that, having regard for the provisions of P.C. 946 of February 5th, 1943, it appears necessary and advisable that such agreement should be approved by Your Excellency in Council.

The Committee, therefore, on the recommendation of the Minister of Labour, advise that the said agreement, dated September 1st, 1942, (a copy of which is attached hereto), entered into between the British Columbia Security Commission and the Province of Alberta, making provision for the education of children of persons of the Japanese race, evacuated from the protected areas of British Columbia and placed in the Province of Alberta, be approved.

A.D.P. Heeney,

Clerk of the Privy Council.

THIS AGREEMENT made in duplicate this first day of September, A.D. 1942.

BETWEEN:

BRITISH COLUMBIA SECURITY COMMISSION, a Commission established by the Governor-General-in-Council under the powers conferred by the "War Measures Act", (hereinafter called the "COMMISSION")

OF THE FIRST PART:

AND: HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF ALBERTA, represented herein by the Honourable William Aberhart, Premier and Minister of Education, (hereinafter called the "PROVINCE")

OF THE SECOND PART:

WHEREAS under an agreement made between the parties hereto, and dated the 6th day of May, 1942, a number of Japanese families have been evacuated from the Province of British Columbia and have been temporarily placed in the Province of Alberta;

AND WHEREAS under that agreement other Japanese families may hereafter be evacuated from the Province of British Columbia and be placed temporarily in the Province of Alberta;

AND WHEREAS it is desirable that provision be made for the education of the children of school age in these families;

NOW THIS AGREEMENT WITNESSETH:

1. That the "PROVINCE" agrees to provide or cause to be provided the necessary school accommodation and teaching service for all the children of school age of those persons of the Japanese race who have been evacuated by the "COMMISSION" since March 4th, 1942, or who may hereafter be evacuated from the protected areas of British Columbia by the "COMMISSION", and who have been or may be temporarily placed in Alberta pursuant to the provisions of the agreement made between the parties hereto on the 6th day of May, 1942.

.....



2. That during the time such children or any of them are temporarily placed in Alberta under the terms of the said agreement dated the 6th day of May, 1942, the "COMMISSION" agrees to pay to the "PROVINCE" the sum of Sixty-five Dollars (\$65.00) per year for each such child in Alberta in school attendance on or before the first day of November in any year.

3. That the "COMMISSION" agrees to discharge its obligation under the next preceding paragraph hereof;

(a) for the school year of 1942-43 by making payment on or before the first day of SEPTEMBER, 1942 of an amount to be calculated as nearly as possible on the basis of Thirty Dollars (\$30.00) per child and to make payment of the balance payable under that paragraph on or before the 31st day of March, 1943, and the "PROVINCE" hereby acknowledges receipt from the "COMMISSION" of the sum of Fifteen Thousand Dollars (\$15,000.00) in full discharge of the payment required to be made hereunder on or before the first of September, 1942.

(b) for each school year thereafter by making payment of the full amount payable thereunder on or before the 15th day of November in that year.

4. That if in any school year children of school age become resident in Alberta pursuant to the hereinbefore mentioned agreement after the first day of September and prior to the 31st day of March, the "COMMISSION" agrees that it will pay to the "PROVINCE" in respect of each such child for such school year, such proportion of the sum of Sixty-five Dollars (\$65.00) as the number of school days remaining in the school year bears to two hundred and the payment in respect to each such child shall be made on or before the 31st day of March in that school year.

5. That for the purposes of this agreement any child who has attained the age of six years and has not attained the full age of

.....

fifteen years on or before the first day of September or who becomes of the age of six years on or before the 30th day of November shall be deemed to be a child of school age for the then current school year, and any child who does not become resident in Alberta under the agreement hereinbefore mentioned prior to the 31st day of March shall not be deemed to be a child of school age for the then current school year.

6. That for the purposes of this agreement, school year means that portion of the year between September 1st and the following 30th of June.

7. That no payments shall be made by the "COMMISSION" under this agreement on account of any Japanese children who were resident in Alberta before March 4th, 1942.

IN WITNESS WHEREOF British Columbia Security Commission has caused these presents to be executed on its behalf by Austin C. Taylor, its Chairman, and the Honourable William Aberhart, Premier and Minister of Education has hereunto set his hand on behalf of the Province.

Signed on behalf of the British )  
Columbia Security Commission by )  
Austin C. Taylor, Chairman, in ) "Austin C. Taylor"  
the presence of )

" W. A. Eastwood "

Signed on behalf of the )  
Province of Alberta by the )  
Honourable William Aberhart, )  
Premier and Minister of ) "William Aberhart"  
Education, in the presence of )

" G. Fred M. Nally "

Order in Council authorizing the utilization of Japanese labour re wood fuel cutting and timber operations.

P. C. 4365

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY , the 28th day of MAY, 1943.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Labour reports that an acute shortage of wood fuel exists in British Columbia and parts of the Prairie Provinces;

That there has been established, under the direction of the Minister of Labour, and under the immediate direction of G.C. Collins, Commissioner of Japanese Placement, a number of settlements in the interior of British Columbia where persons of the Japanese race, evacuated from the protected areas of British Columbia, for whose welfare and employment the Minister of Labour is empowered to make provision pursuant to Order in Council, P.C. 946 of February 5, 1943, are resident; and

That, as a measure to relieve the shortage of wood fuel, and at the same time, utilize the services of employable persons of the Japanese race, resident in the aforesaid settlements, it is proposed by arrangement with the Department of Munitions and Supply that the Commissioner of Japanese Placement shall recruit and engage the services of said persons of the Japanese race upon suitable woodcutting projects, to produce wood fuel and other needed timber supplies, which will be delivered and disposed of under arrangements to be made with the Wood Fuel Controller;

NOW THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour (concurring in by the Minister of Munitions and Supply) and under the provisions of the War Measures Act, Chapter 206, Revised Statutes of Canada 1927, is pleased to order as follows:-

A. Under the direction of the Minister of Labour, and without detracting from the powers conferred under the provisions of Order in Council, P.C. 946 of February 5, 1943, the Commissioner of Japanese Placement is hereby authorized:

1. To undertake and engage in wood fuel cutting and other timber operations to the extent necessary to supply the needs of the Interior Japanese Housing Settlement in British Columbia and to supply the quantities authorized or required by the Wood Fuel Controller, from time to time.
2. To make arrangements and enter into agreements to

P. C. 4365

secure timber limits and woodcutting rights as he deems necessary in carrying through the projects referred to in the next preceding paragraph.

3. To deliver, sell or otherwise dispose of, and to make arrangements with the Wood Fuel Controller for, the delivery and sale or other disposition of wood fuel or other timber cut under the provisions of this order.
4. To employ Japanese labour on such projects and fix the rate of wages to be paid therefor whether on a piece work or time basis.
5. Notwithstanding the provisions of the Civil Service Act to employ, from time to time, occidental machine operators, foremen and assistants required in carrying out the said projects, at the going local scale of wages for such employments.
6. To purchase the necessary machinery and equipment to carry out the foregoing projects.
7. To do anything necessary to carry out the powers conferred as above.

B. That the sum of \$500,000 shall be allotted from the War Appropriation for the purpose of establishing a revolving fund to be known as the "Japanese Wood Projects Account", out of which expenditures for the purchase of equipment and the operation of woodcutting projects undertaken pursuant to the provisions of this Order, including wages of the persons employed thereon, shall be paid, and into which the proceeds from the sale of wood cut and delivered from the said projects shall be paid:

And in event of it being ascertained that losses are sustained on operations undertaken pursuant to this order the amount of such losses shall be provided by the transfer to the said Account from time to time, with the concurrence of the Comptroller of the Treasury, of funds allotted from the War Appropriation for the maintenance of persons of the Japanese race, under Order in Council, P.C. 946 of February 5, 1943 and the amounts so transferred shall be charged as provision for the maintenance of persons of the Japanese race under Order in Council, P.C. 946 accordingly.

C. Under the direction of the Minister of Labour, the Commissioner of Japanese Placement is hereby authorized to enter into arrangements with the Wood Fuel Controller for the delivery and sale of wood cut upon the said projects.

D. The Deputy Minister of Labour shall consult with the Wood Fuel Controller from time to time in respect of the operation of the said projects.

Certified to be a true copy.

A.D.P. Heeney

Clerk of the Privy Council.

Certified to be a true copy of a Minute of a Meeting of the  
Committee of the Privy Council, approved by His  
Excellency the Governor General in Council on the  
23rd day of January, 1945.

The Committee of the Privy Council have had  
before them a report, dated 19th January, 1945, from  
the Minister of Labour, stating:

That Mr. George Collins, who was appointed  
Commissioner of Japanese Placement pursuant to the  
provisions of Order-in-Council P.C. 946 of February  
5th, 1943, has advised that in view of the necessity  
for his return to his duties as Assistant Deputy Minister  
of Public Works for the Province of Manitoba, he is  
unable to carry on the duties as Commissioner of  
Japanese Placement and has tendered his resignation  
accordingly; and

That it is necessary to make other provision  
accordingly for the administration of Order-in-Council  
P.C. 946 of February 5th, 1943, and matters included  
therein:

The Committee, therefore, on the recommenda-  
tion of the Minister of Labour, advise,-

1. That the resignation of Mr. George Collins as  
Commissioner of Japanese Placement be accepted effective  
January 31st, 1945.
2. That the duties and powers of the Commissioner  
of Japanese Placement, provided for in Order-in-Council  
P.C. 946 of February 5th, 1943, be assigned to and  
vested in Mr. T.B. Pickersgill, Associate-Director of  
National Selective Service, additional to the duties  
presently performed by him and that he be appointed  
accordingly Commissioner of Japanese Placement, effective  
January 31st, 1945, without change in the rate of remunera-  
tion he is presently receiving as Associate-Director of  
National Selective Service, together with necessary living  
and travelling expenses when absent from Ottawa while so  
employed as Commissioner of Japanese Placement.

A.D.P. Heeney,

Clerk of the Privy Council.

Order in Council re deportation of Japanese

P.C. 7355.

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 15th day of DECEMBER, 1945.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS during the course of the war with Japan certain Japanese nationals manifested their sympathy with or support of Japan by making requests for repatriation to Japan and otherwise;

AND WHEREAS other persons of the Japanese race have requested or may request that they be sent to Japan;

AND WHEREAS it is deemed desirable that provisions be made to deport the classes of persons referred to above;

AND WHEREAS it is considered necessary by reason of the war, for the security, defence, peace, order and welfare of Canada, that provision be made accordingly;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, concurred in by the Secretary of State for External Affairs, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make and doth hereby make the following Order,-

- O R D E R -

1. In this Order, unless the context otherwise requires:
  - (a) "deportation" means the removal pursuant to the authority of this Order of any person from any place in Canada to a place outside of Canada;
  - (b) "deported" means removed or sent from Canada pursuant to the authority of this Order;
  - (c) "Minister" means the Minister of Labour;
  - (d) "request for repatriation" means a written request or statement of desire, to be repatriated or sent to Japan.
2. (1) Every person of sixteen years of age or over, other than a Canadian national, who is a national of Japan resident in Canada and who,
  - (a) has, since the date of declaration of war by the Government of Canada against Japan, on December 8th, 1941, made a request for repatriation; or

(b)/

P.C. 7355.

- (b) has been in detention at any place in virtue of an order made pursuant to the provisions of the Defence of Canada Regulations or of Order in Council P.C. 946, of the 5th day of February, 1943, as amended by P.C. 5637, of the 16th day of August, 1945, and was so detained as at midnight of September 1st, 1945;  
may be deported to Japan.
- (2) Every naturalized British subject of the Japanese race of sixteen years of age or over resident in Canada who has made a request for repatriation may be deported to Japan; Provided that such person has not revoked in writing such request prior to midnight the first day of September, 1945.
- (3) Every natural born British subject of the Japanese race of sixteen years of age or over resident in Canada who has made a request for repatriation may be deported to Japan; Provided that such person has not revoked in writing such request prior to the making by the Minister of an order for deportation.
- (4) The wife and children under sixteen years of age of any person for whom the Minister makes an order for deportation to Japan may be included in such order and deported with such person.
3. Subject to the provisions of section 2 of this Order, a request for repatriation shall be deemed final and irrevocable for the purpose of this Order or any action taken thereunder.
4. The Minister may
- (a) make orders for the deportation of any persons subject to deportation;
  - (b) take such measures as he deems advisable to provide or arrange for the deportation of such persons, and for their transportation, detention, discipline, feeding, shelter, health or welfare, pending their deportation;
  - (c) make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of this Order;
  - (d) subject to the approval of the Governor in Council, employ such officers and other employees as are necessary to assist him in carrying out this Order and fix their remuneration;
  - (e) authorize from time to time any person to exercise on his behalf any power vested in him under paragraph (b) of this section.
5. An order for deportation made by the Minister shall be in force and effect from the date of the order.
6. (1) Any person for whom an order for deportation is made or who, having made a request for repatriation, is proceeding to Japan without the issue of such an order, shall be entitled, in so far as circumstances at the time permit

(a)/

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(a) at or immediately prior to the time of his deportation from Canada, to purchase suitable foreign exchange to the extent of any money in his possession or standing to his credit in Canada or advanced to him by the Minister pursuant to section seven and to take such foreign exchange out of Canada with him;

(b) to deposit any money in his possession or standing to his credit in Canada with the Custodian of Enemy Property, who shall provide such person with a receipt therefor and purchase foreign exchange therewith, and transfer the same, less transfer charges, to such person whenever reasonably possible following upon his deportation;

(c) at the time of his deportation to take with him such other personal property belonging to him as may be authorized by the Minister;

and the Foreign Exchange Control Board shall do such things and issue such permits as may be required to implement these provisions.

(2) Where real or personal property of a person who has been deported to Japan or who, having made a request for repatriation, has proceeded to Japan without the issue of an Order for deportation, has not been sold or otherwise disposed of prior to departure such real and personal property shall, as of the date of deportation of such person, be vested in the Custodian of Enemy Property, who shall sell the same as soon as in his opinion it is reasonably practicable to do so, and in the meantime he may take such measures as he deems proper for the care, maintenance and safeguarding of such property, and the net proceeds realized from such sale, after the deduction of reasonable charges of handling shall be placed to the credit of such person and dealt with as provided in paragraph (b) of subsection (1) of this section.

7. (1) The Minister may at or immediately prior to the time of departure advance to or for a person who is being deported to Japan or who, having made a request for repatriation, is proceeding to Japan without the issue of an order for deportation, an amount in suitable foreign exchange equivalent to the following:

(a) Where such person is sixteen years of age or over and does not possess at least two hundred dollars, the difference between the amount he possesses and two hundred dollars which shall be paid to such person;

(b) Where such person has one or more dependents under sixteen years of age and does not possess at least two hundred dollars together with a further amount computed on the basis of fifty dollars for each such dependent, the difference between the amount he possesses and the total of two hundred dollars and the amount so computed, to be paid to such person.

(2) Any amount advanced as provided for in subsection (1) of this section shall be recoverable from the person to whom it is paid, from any money to the credit of such person with the Custodian of Enemy Property.

8. (1) The Minister may make arrangements with any department or agency of the Government of Canada to assist him in carrying out the provisions of this Order.



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(2) The Department of National Defence shall provide any military guard personnel which may be required in carrying out the provisions of this Order.

(3) The Commissioner of the Royal Canadian Mounted Police shall give all assistance which may be required of him by the Minister in the carrying out of the provisions of this Order.

9. Any person for whom an order for deportation is made and who is detained pending deportation or who is placed under restraint in the course of deportation by virtue of any order or measure made or taken under Section 4 of this Order shall, while so detained or restrained, be deemed to be in legal custody.

10. Any person who resists or obstructs or attempts to resist or obstruct any peace officer or other person from carrying out his duties with respect to any order made pursuant to the provisions of this Order shall be guilty of an offence against this Order.

11. Any person who contravenes or omits to comply with any of the provisions of this Order or any order made or given pursuant thereto is guilty of an offence and liable upon 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.

12. Every document purporting to be or to contain or to be a copy of an order, certificate or authority made or given by the Minister in pursuance of the provisions of this Order and purporting to be signed by the Minister shall be received as evidence of such order, certificate or authority without proof of the signature or of the official character of the person appearing to have signed the same and without further proof thereof.

#### GENERAL

13. The costs involved in the administration of this Order shall be paid from the amounts allotted from the war appropriation to the Department of Labour for Japanese administration.

A.D.P. Heeney,

Clerk of the Privy Council.

Order in Council revoking naturalization  
of persons deported in pursuance of Order  
in Council P.C. 7355, 15th December, 1945

P.C. 7356

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 15th day of December, 1945

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by Order in Council P.C. 7355 of 15th December, 1945, provision is made for the deportation of persons who, during the course of the war, have requested to be removed or sent to an enemy country or otherwise manifested their sympathy with or support of the enemy powers and have by such actions shown themselves to be unfit for permanent residence in Canada;

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Secretary of State (concurring in by the Secretary of State for External Affairs) and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

1. Any person who, being a British subject by naturalization under the Naturalization Act, Chapter 138, R.S.C. 1927, is deported from Canada under the provisions of Order in Council P.C. 7355 of 15th December, 1945, shall, as and from the date upon which he leaves Canada in the course of such deportation, cease to be either a British subject or a Canadian national.
2. The Secretary of State shall publish in the Canada Gazette the names of all persons who have ceased to be British subjects or Canadian nationals by virtue of this Order.

A.D.P. Heeney,

Clerk of the Privy Council.

Order in Council re Commissions to inquire  
into conduct during the war of persons of  
the Japanese race, etc.

P.C. 7357

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 15th day of DECEMBER, 1945.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS during the war particular measures with regard to persons of the Japanese race in Canada were made necessary by reason of their concentration along the Pacific coast of Canada;

AND WHEREAS experience during the war in the administration of Order in Council P.C. 946 of February 5, 1943, providing for the control of persons of the Japanese race has indicated the desirability of determining whether the conduct of such Japanese persons in time of war was such as to make the deportation of any of them desirable in the national interest;

AND WHEREAS it is deemed advisable to make provision for the appointment of a Commission to institute the investigation referred to above;

THEREFORE His Excellency the Governor General in Council, on the recommendation of the Prime Minister, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

1. A Commission consisting of three persons shall be appointed to make inquiry concerning the activities, loyalty and the extent of co-operation with the Government of Canada during the war of Japanese nationals and naturalized persons of the Japanese race in Canada in cases where their names are referred to the Commission by the Minister of Labour for investigation with a view to recommending whether in the circumstances of any such case such person should be deported.

2. Notwithstanding anything contained in the provisions of Order in Council P.C. 7355 of the 15th day of December, 1945, the Commission may, at the request of the Minister of Labour, inquire into the case of any naturalized British subject of the Japanese race who has made a request for repatriation and which request is final under the said Order in Council and may make such recommendations with respect to such case as it deems advisable.

3. The Commission shall report to the Governor in Council.

4./

P.C. 7357

4. Any person of the Japanese race who is recommended by the Commission for deportation shall be deemed to be a person subject to deportation under the provisions of Order in Council P.C. 7355 of the 15th day of December, 1945, and the provisions thereof shall apply, mutatis mutandis, to such person.

5. Where any person is recommended for deportation pursuant to this Order he shall, as and from the date on which he leaves Canada in the course of such deportation, cease to be either a British subject or a Canadian national.

6. The Commission shall, for the purpose of all inquiries and investigations made pursuant to this Order, have all the powers and authority of Commissioners appointed under Part One of the Inquiries Act.

7. The Commission is authorized to engage the services of such clerks, reporters, assistants and counsel as they deem advisable to aid and assist in the performance of their duties.

8. The Commissioners shall be paid such remuneration, allowances and expenses as the Governor in Council may fix.

9. All expenses incurred in connection with the inquiries and investigation of the Commission pursuant to this Order, including the remuneration, allowances and expenses of the commissioners, shall be paid from amounts allowed from the War Appropriation to the Department of Labour for such purpose.

A.D.P. Heeney,

Clerk of the Privy Council.

Dec-12/46

MEMORANDUM RE ORDERS IN COUNCIL RELATING  
TO PERSONS OF THE JAPANESE RACE

| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>   |
|-----------------|-------------|---|
| 9590            | 7/12/41     | Makes the regulations re trading with the enemy applicable to the Japanese.<br><br><u>Remarks:</u> May be allowed to expire.  |
| 251             | 13/1/42     | Prohibition of Japanese fishing licences.<br><br><u>Remarks:</u> May be allowed to expire.<br>Department of Fisheries.  |
| 1348            | 19/2/42     | Authorizes Department of Mines and Resources to establish road camps for employment of evacuee Japanese.<br>Amended by P.C. 6758 - 31/7/42<br>P.C. 8173 - 11/9/42<br><br><u>Remarks:</u> May be allowed to expire.  |
| 1665            | 4/3/42      | Creates British Columbia Security Commission to evacuate all Japanese from protected area, and to provide housing, welfare and placement for evacuees.<br>Amended by P.C. 2483 - 27/3/42<br>P.C. 2541 - 30/3/42<br>P.C. 3231 - 21/4/42<br><br>Repealed except as to section 12 thereof by P.C. 946 - 9/2/43<br><br>Section 12 vested in the Custodian all property in the protected area of evacuated Japanese except liquid assets.<br><br><u>Remarks:</u> The complete repeal of this order is a matter for decision of the Department of Secretary of State. |
| 4615            | 2/6/42      | Concurred in agreement of B.C. Security Commission with Province of Alberta for temporary placement of evacuee Japanese in sugar beet culture in Alberta, and containing a provision that at end of war the Commission would at request of province remove the evacuees.<br><br><u>Remarks:</u> May be allowed to expire. The obligation of the B.C. Security Commission under this agreement has by P.C. 946 of February 9, 1943, been assumed by the Minister of Labour. The obligation under the agreement remains although the order lapses.                |

..2.

| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>  |
|-----------------|-------------|--|
| 469             | 19/1/43     | <p>Revokes P.C. 5523 of June 29, 1942 and amends P.C. 6247 of July 20, 1942, by giving the Custodian authority to complete liquidation of fishing vessels of evacuee Japanese, and authorizes the Custodian to sell and liquidate or otherwise dispose of all property of persons of Japanese race evacuated from protected area which was placed in the custody of the Custodian by any other order. This order is therefore an extension of the powers vested in the Custodian by section 12 of P.C. 1665 of March 4, 1942, as well as amending P.C. 6247 of July 20, 1942, referred to above.</p> <p><u>Remarks:</u> Continuation of this order and of section 12 of P.C. 1665 a matter for Secretary of State. Evidently, however, this authority is required to be continued.</p> |
| 946             | 5/2/43      | <p>Dissolves B.C. Security Commission. Revokes P.C. 1665 of March 4, 1942, except section 12. Vests in the Minister of Labour power to provide for the welfare, placement, control of movement and discipline of persons of the Japanese race in Canada; to issue licences to Japanese to acquire an interest in real property which is otherwise prohibited. Amended by P.C. 5973 of September 14, 1945, and P.C. 5793 of December 18, 1945, P.C. 5637 of August 16, 1945, and P.C. 9743 of December 24, 1945.</p> <p><u>Remarks:</u> To be continued in effect by extension of emergency powers or replaced by legislation if continued controls over movement and placement of Japanese in Canada is necessary.</p>   |
| 1422            | 22/2/43     | <p>This suspends the operation of B.C. legislation which prohibits the employment of Orientals on Crown timberlands.</p> <p><u>Remarks:</u> May be allowed to expire.</p>  |
| 4002            | 17/5/43     | <p>This approves of an agreement entered into between the Province of Alberta and the B.C. Security Commission under which the Security Commission agreed to pay for the schooling of Japanese children moved to Alberta at the rate of \$5.00 per pupil per month for Public School education.</p> <p><u>Remarks:</u> The obligation under this agreement which is now vested in the Minister of Labour by P.C. 946 of February 9, 1942, still exists and will continue to exist even if the order lapses. The order may be permitted to lapse.</p>   |

| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>   |
|-----------------|-------------|---|
| 4365            | 28/5/43     | Authorized the Minister of Labour to operate the fuel cutting project with Japanese labour in B.C., to be financed out of revolving fund.<br><br><u>Remarks:</u> This may be allowed to lapse.  |
| 7355            | 15/12/45    | Provides for deportation of Japanese who requested repatriation to Japan and for payment of repatriation allowances to persons deported or repatriated on a voluntary basis; and payment of transportation expenses for these persons.<br><br><u>Remarks:</u> Continuation of order beyond expiry date is a matter of Government policy.  |
| 7356            | 15/12/45    | Revokes naturalization of naturalized Canadians of Japanese race who are deported or repatriated under P.C. 7355.<br><br><u>Remarks:</u> See 7355.  |
| 7357            | 15/12/45    | Authorizes the establishment of an Inquiry Commission to inquire into the activities of persons of Japanese race with a view to determining whether they should be deported because of disloyalty or lack of co-operation.<br><br><u>Remarks:</u> See 7355.   |
| 219             | 22/1/46     | Establishes the rate of exchange of money turned in by Japanese repatriates for transmission to Japan and authorizes the Controller of the Treasury to make necessary arrangements with U.S. authorities to provide for transfer of funds of Japanese repatriates from Canada via U.S. via a Supreme Allied Commander in Japan to repatriated Japanese.<br><br><u>Remarks:</u> Will be required as long as funds are being transferred to repatriates, pursuant to provisions of P.C. 7355 above. |
| 10773           | 26/11/42    | This provides that British subjects who have applied for repatriation to an enemy country during the war shall in leaving Canada lose their Canadian citizenship.<br><br><u>Remarks:</u> This is an order of the Secretary of State and decision on this order rests with the Secretary of State and Department of External Affairs. Presumably the order may be permitted to lapse.  |

COMMITTEE OF CABINET ON

JAPANESE PROBLEMS

---

DRAFT AGENDA FOR MEETING TO BE HELD IN THE PRIVY COUNCIL OFFICE  
AT 3.15 P.M., THURSDAY, DECEMBER 12, 1946.

1. Report on activities to date.
  2. Future Policy on Deportation and Repatriation.
  3. Future Policy on Relocation and Controls in Canada.
  4. Future Policy on Status of Canadian-born Japanese in Japan.
  5. Review of existing Orders in Council relating to  
Japanese to determine what continuing powers required  
to carry out policy decisions.
-



Those in Japan pressing to  
return to Canada

- (1) Those in Japan who have  
opened
- (2) Those who re-qualified

Cut out 2nd alternative and  
put in alternative of kind of  
under Can. law by  
(1) changing under vagueness - but  
(2) splitting between hotels &c

- (1) Continue Orders
- (2) Pass Bill
- (3) Item in Estimates - ~~Dept. of Justice~~

Deliver to: Mr. Stangroom .....

Room .....

From: A. MacNamara .....

Room: .....

Remarks: With reference to the attached you may already have a copy of this but it should be included in the papers for the Committee on Friday at 2.45 PM.

DEPARTMENT OF LABOUR

✓  
3

OTTAWA, December 11, 1946.

MEMORANDUM to Mr. MacNamara.

This is a breakdown of the Japanese who signed requests for repatriation showing what has happened in the matter of repatriation or relocation to these people.

Att:

*A. H. Brown*  
*per C. J. T.*  
A. H. Brown.

0  
✓

8.

JAPANESE REQUESTING REPATRIATION

omit  
December 7th, 1946

|   | ADULTS      |             |             |             | TOTAL     | CHILDREN |             |             | TOTAL        | GRAND TOTAL |
|---|-------------|-------------|-------------|-------------|-----------|----------|-------------|-------------|--------------|-------------|
|   | JN          | NC          | CB          |             |           | JN       | NC          | CB          |              |             |
| Number of Declarations for Repatriation Signed                      | 2982        | 1460        | 2554        | 6996        | 12        | 2        | 3803        | 3817        | 10813        |             |
| Of Signers, those repatriated to Japan up to Dec. 7, 1946           | 1169        | 534         | 560         | 2263        | 8         | 1        | 1198        | 1207        | 3470         |             |
| Of Signers, those self-supporting in British Columbia               | 607         | 358         | 544         | 1509        | 2         | 1        | 892         | 895         | 2404         |             |
| Of Signers, those in Interior Housing in British Columbia           | 156         | 91          | 94          | 341         |           |          | 184         | 184         | 525          |             |
| Of Signers, those who signed and are still in eastern provinces     | 213         | 90          | 409         | 712         | 1         |          | 283         | 284         | 996          |             |
| Of Signers, those who have died since signing                       | 27          | 23          | 7           | 57          |           |          | 15          | 15          | 72           |             |
| Of Signers, those relocated east of Rockies since signing - Alberta | 124         | 67          | 155         | 346         |           |          | 246         | 246         | 592          |             |
| Sask.   | 38          | 14          | 23          | 75          |           |          | 83          | 83          | 158          |             |
| Manitoba  | 62          | 22          | 39          | 123         |           |          | 96          | 96          | 219          |             |
| Ontario   | 516         | 207         | 628         | 1351        | 1         |          | 688         | 689         | 2040         |             |
| Quebec  | 69          | 54          | 95          | 218         |           |          | 118         | 118         | 336          |             |
| Yukon   | 1           |             |             | 1           |           |          |             |             | 1            |             |
| <b>TOTALS</b>   | <b>2982</b> | <b>1460</b> | <b>2554</b> | <b>6996</b> | <b>12</b> | <b>2</b> | <b>3803</b> | <b>3817</b> | <b>10813</b> |             |

*Replaces 13  
of Recommendation*

December 11, 1946.

The authority to control is given by Order-in-Council P.C. 946 which order will lapse on March 31, 1947. The policy of the government has been declared to be one of distribution across Canada.

Relocation and distribution is now reasonably satisfactory. It will be noted that 4,262 are in Alberta and it is desirable that this number be reduced by moving a number to the eastern provinces. The number in British Columbia will be reduced to a total of about 6,<sup>5</sup>000 which is not considered excessive when it is remembered that about 800 will be under the care of the Labour Department in the housing centre and sanitarium at New Denver.

It could be said that the relocation task had been completed and a solution of a problem which has been bothering the British Columbia people for a long period of years had been found.

If any assurance could be obtained that these persons would not move back to British Columbia as soon as Order-in-Council P.C. 946 lapsed there would be no need to suggest any further control of the movement of persons of the Japanese race. No such assurance can be given.

The opinion of the Labour Department, therefore, is that the safe course to pursue is to continue control of movement for a year or two more until these people become more settled in their new locations.

The recommendation, therefore, is that legislation be introduced in place of P.C. 946 in form as per attached draft, <sup>Doc B(2)</sup> enabling continued control over movement of Japanese in Canada, the lifetime of this Act to be for one year. Any continuing authority required by the Custodian to complete the liquidation and distribution of property of Japanese in the former evacuated area could be incorporated therein.

The introduction of a Bill in the House of Commons will undoubtedly create a critical debate. It is, we believe, a fact that the incentive against controlling the movement of Japanese is becoming stronger. The Manitoba Free Press carried an editorial in this connection on December 9, 1946.

The Department of Labour is of the opinion that the safe course would be to exercise control of movement for a further period; nevertheless, it recognizes the objection inherent in the recommendation for introduction of legislation and refers for consideration of the committee an alternative plan to avoid the necessity of bringing a Bill into the House of Commons which is to rely on keeping a reasonable control by giving assistance in placement, transportation, and welfare. This alternative would mean that no special power would be required and the only authority which would be needed from the House of Commons would be a passing of an item in the estimates providing for an appropriation for placement, transportation, and welfare of the evacuated Japanese in Canada, the wording of the item to be so framed as to permit of the continuation of existing administrative arrangements for voluntary relocations.

~~It is submitted that the decision is an important one.~~

Order in Council stating that persons repatriated to enemy territory in time of war should not be allowed to retain their status as British Subjects or as Canadian Nationals

P.C. 10773

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 26th day of NOVEMBER, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Secretary of State, with the concurrence of the Secretary of State for External Affairs, reports that arrangements have been made with the Japanese Government for the repatriation of persons of Japanese race, together with their wives and minor children, from Canada to Japan in exchange for Canadian nationals and other persons repatriated from Japan and Japanese-occupied territory to Canada;

That it is possible that similar arrangements may be made from time to time with the governments of other enemy states; and

That it is undesirable that any persons so repatriated to enemy territory in time of war should be allowed to retain their status as British subjects or as Canadian nationals;

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Secretary of State, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows: -

1. (a) Any person who is a British subject by reason of marriage, or by reason of birth or naturalization in Canada, or by reason of the birth or naturalization of his father in Canada, and who makes application for repatriation to any country which at the time of the application is at war with Canada, shall, as from the date of his departure from Canada for repatriation, cease to be a British subject, and any person who is a Canadian national but not a British subject, who makes application for repatriation to any country which at the time of the application is at war with Canada, shall, as from the date of his departure from Canada for repatriation, cease to be a Canadian national.

(b) The wife and minor children of any person who ceases to be a British subject by virtue of paragraph (a) of this clause, shall, if they are included in that person's application for repatriation, cease to be British subjects as from date of their departure from Canada.

(c) Notwithstanding the provisions of section 15 of the Naturalization Act, Chapter 138 of the Revised Statutes of Canada, 1927, a minor child of a person who ceases to be a British subject by virtue of paragraph (a) of this clause, shall not cease to be a British subject by reason only that his parent has ceased to be a British subject, unless he is included in his parent's application for repatriation and actually departs from Canada.

.....2

2. (a) Any person who is a British subject by reason of marriage, or by reason of birth or naturalization in Canada, or by reason of the birth or naturalization of his father in Canada, and who makes application for protection to the Protecting Power of a state at war with Canada, or who asserts allegiance to such state, or who makes application for repatriation to such a state but is not so repatriated, may, in the discretion of the Secretary of State, be deprived of his status as a British subject, and any other person who is a Canadian national and who applies for protection or repatriation as aforesaid may, at the discretion of the Secretary of State, be deprived of his status as a Canadian national.

(b) The wife and minor children of a person who is deprived of his status as a British subject, or of his status as a Canadian national, under paragraph (a) of this clause, may, in the discretion of the Secretary of State, be deprived of their status as British subjects.

3. The Secretary of State shall publish in the Canada Gazette the names of all persons who have lost their status as British subjects or as Canadian nationals by virtue of this Order in Council.

Certified to be a true copy.

A.D.P. Heeney,  
Clerk of the Privy Council.



X

Mr. R.G. Robertson,

This is the draft I mentioned to you on the phone and on which I would appreciate your comment.

E.S. 10.12.46

A0027084\_121-001

~~DRAFT~~

OV/23 11.12.46

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

SECRET

REFERENCE DOCUMENT 'C'

Memorandum to the Cabinet Committee  
on Japanese Problems.

re: STATUS OF CANADIAN-BORN JAPANESE IN JAPAN  
AND JAPANESE NATIONALS IN CANADA

A. Under P.C.7356 (~~the National Status of~~) Japanese who have either left Canada voluntarily in the past year, or who may be deported in future if policy to this effect is applied, would appear to suffer loss of their Canadian status. On the other hand, this Order in Council does not affect the Canadian nationality of persons born in Canada, and, in the opinion of the Department of Justice, P.C.10773 of 1942 has no application except to persons who went to Japan in pursuance of an exchange agreement.

This means that there will be a number of Japanese of Canadian birth in Japan who will be Canadian citizens. As such they will have the right of entry into Canada under the Immigration Act.

Therefore, the question of policy with regard to their admissability arises. In addition, questions as to their diplomatic protection in Japan and probable application for assistance in case of indigence require consideration.

B. Both Canadian citizens of Japanese origin and Japanese nationals who have domicile in Canada have a legal right of entry into Canada in the future. The policy regarding their admissability also arises, and our Mission in Tokyo requires instructions on such cases.

The possible courses of action are -

1. To refuse to recognize the right of entry. This would be contrary to the existing law, and require legislation of a controversial nature;
2. To instruct the Mission that they should be prepared to grant visas for travel to Canada, but should not give any assistance in securing transportation, or
3. To instruct the Mission that it should issue visas and give assistance in securing accommodation to Canadian citizens, but not to Japanese nationals.

~~CANADA~~  
DEPARTMENT OF THE SECRETARY OF STATE  
OFFICE OF THE CUSTODIAN

ADDRESS ALL  
COMMUNICATIONS  
TO THE  
CUSTODIAN'S OFFICE  
PLEASE REFER  
TO  
FILE No. J-9

Victoria Bldg., 7 O'Connor St.,  
Ottawa, Ontario  
December 9, 1946

pa

BY SAFE HAND

Eric Stangroom, Esq.,  
Office of the Deputy Minister of Labour,  
108 Confederation Building,  
Ottawa, Ontario

Re: Property of Japanese Evacuated  
from the Protected Area of B.C.

Dear Mr. Stangroom:

In compliance with your request, I wish to submit the following report relative to the liquidation by the Custodian of assets which belonged to persons of the Japanese Race evacuated from the Protected Area of British Columbia.

Immediately after the proposed evacuation was announced, many Japanese started to sell their property at ridiculously low figures in fear of Government confiscation. Further exploitation of the Japanese was prevented when pursuant to Order in Council P.C. 1665, dated 4th of March, 1942, the Custodian took over the problem of administering the assets of approximately 23,000 people.

The Custodian experienced extreme difficulty in dealing with the large number of substandard buildings and the vast quantity of inferior personal property which the Japanese possessed.

It being well known that the property belonged to Japanese, there were many cases of breaking and entering which resulted in thefts, e.g. plumbing and lighting fixtures, and it was impossible for the Custodian or the local police to give the necessary protection. In addition to this, there were a considerable number of fires.

The Custodian did not know how long the war would last, nor ~~did he know~~ whether the Japanese would ever be permitted to return to the Protected Area. It was therefore impossible to determine if there would be any equity if he continued to hold the properties during the enforced absence of the Japanese.

As a result of a year's experience, a report was made to a special committee of the Cabinet and the Custodian was instructed to proceed with the policy of liquidation. (P.C. 469, dated 19th January, 1943).

Two independent Committees were established. One is known as the Advisory Committee on Greater Vancouver Properties. The following members were appointed to the Board on the 8th of March, 1943: Honorable Mr. Justice Sidney Smith of the Appellate Court of B. C., Chairman; Alderman Charles Jones; Mr. Kishizo Kimura (resigned 20th of July, 1943).

The other Committee is known as Advisory Committee on Rural Properties. The following members were appointed on the 15th of March, 1943; His Honor Judge David Whiteside, New Westminster, Chairman; Messrs. D. E. MacKenzie; J. J. McLellan; Hal Menzies; Yasutaro Yamaga. Mr. McLellan resigned almost immediately and Mayor W. Mott of New Westminster was appointed in his stead. Mr. Yamaga resigned on the 26th of May, 1943. Mr. MacKenzie died on the 11th of October, 1944.

The Custodian asked both Committees whether or not they would recommend liquidation. The members visited many Japanese properties and unanimously endorsed, with the approval of the Japanese members, a policy

**CANADA**  
**DEPARTMENT OF THE SECRETARY OF STATE**  
OFFICE OF THE CUSTODIAN

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FILE NO.....

Eric Stangroom, Esq.,

-2-

December 9, 1946

of liquidation. Shortly afterwards both Japanese members resigned and no new Japanese appointments were made.

The Committees were asked to report as to the method of liquidation and they recommended that Catalogues be prepared, listing the properties; that the properties be individually appraised by Agents approved by the Boards; that parcels be not sold for less than the fixed value and that public notices be published in the press calling for tenders. The policy, as outlined, was adopted. All offers for land have been referred to the Advisory Committees and their approval obtained before any have been accepted.

Insofar as the rural properties are concerned, a sale of 741 parcels was made to the Director, Veterans' Land Act, as the Government desired to acquire property for the purpose of rehabilitating returned men. The Advisory Committee recommended acceptance of the sale price eventually agreed upon.

Chattels have been sold on the basis of recommendations by the Committees, that is, by public auctions conducted by licenced auctioneers, except in those cases where chattels were essential to the operation of farms, in which case the tenant or owner of the farm was given an opportunity to buy at an appraised value.

The policy of liquidation has resulted in the Custodian paying out large sums of money to the Evacuees and paying debts on their behalf. In co-operation with your Department, the Custodian releases such funds to Evacuees, still in Interior Housing Schemes operated by your Department, as are considered necessary. Where Evacuees have moved East from the Province of British Columbia, the Custodian releases the balance.

Sales up to June, 1946, were as follows:

|                    | <u>SALES</u> | <u>APPRAISAL</u> | <u>SALES VALUE</u> |
|--------------------|--------------|------------------|--------------------|
| Greater Vancouver  | 462          | \$ 913,712.00    | \$ 1,010,970.00    |
| Rural              | 396          | 532,907.00       | 558,318.00         |
| Veterans' Land Act | 741          | 847,878.00       | 836,256.00         |
|                    | 1599         | \$ 2,294,497.00  | \$ 2,405,544.00    |

May I direct your attention to the fact that proceeds from sales, including farms sold to the Director, Veterans' Land Act, exceeded fixed valuations by \$111,047.00.

**CANADA**  
**DEPARTMENT OF THE SECRETARY OF STATE**  
**OFFICE OF THE CUSTODIAN**

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FILE No.....

Eric Stangroom, Esq.,

-3-

December 9, 1946

STATEMENT OF CASH REALIZATION OF  
EVACUEE ASSETS & REVENUES

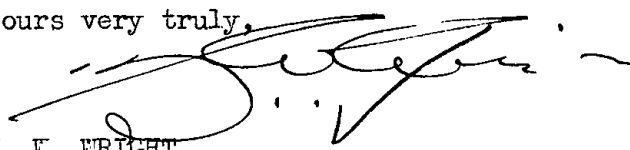
|                                  |                        |
|----------------------------------|------------------------|
| Fishing vessels & scows          | \$ 202,104.96          |
| " nets and gear                  | 101,164.48             |
| Cars                             | 63,583.98              |
| Trucks                           | 94,525.63              |
| Sundry Business assets           | 187,834.31             |
| Household effects                | 249,833.03             |
| Radios                           | 17,024.64              |
| Farm Equipment                   | 14,858.33              |
| Life Insurance                   | 48,354.36              |
| Securities                       | 54,538.27              |
| Sundry a/cs. Receivable          | 136,356.28             |
| Sundries                         | 33,377.89              |
| Veterans' Land Act               | 808,673.22             |
| Real Estate Sales                | 1,574,350.78           |
| Real Estate Income               | 491,170.25             |
| Dividends from Securities        | 8,310.46               |
| Rooming House Rentals & Chattels | 33,217.06              |
| Sundry Miscellaneous             |                        |
| Transfers between Jap.           |                        |
| a/cs. & a/cs. Receivable         | <u>749,092.05</u>      |
|                                  | <u>\$ 4,868,369.98</u> |

At the end of July, 1946, the number of Ledger Accounts in our Vancouver Office for Japanese was reduced to 3,842, and the amount of Evacuee money involved was, at that time, \$1,418,671.00. The credit balances now stand at \$1,037,313.17, and every effort is being made to remit the total available funds to all Japanese residing outside of your Department's projects.

While liquidation is mainly complete, there are approximately 35 properties still available for sale and between 30-40 properties owned by Organizations, which, up to the present time have not been liquidated for the reason that amendments to existing Orders in Council are necessary.

I trust this is the information you require.

Yours very truly,

  
K. W. WRIGHT  
COUNSEL TO THE CUSTODIAN

KW/JF

FROM: *Eric Stangroom*

TO:..... Mr. A.H. Brown.....

Before completing a memo of comment on the Orders in Council, I would appreciate your opinion on the attached.

*ES*  
P.S. 9.12.46

A0027084\_127-001

Miss Roe

Regarding our telephone conversation this morning, attached is a list of persons that I think should be advised of the meeting.

E.S. 10 12 16  
A0027084\_128-001



Mr. A.H. Brown

Before completing a memo of comment on the Orders in Council, I would appreciate your opinion on the attached.

E.S. 9.12.46

A0027084\_129-001

DEPARTMENT OF LABOUR

OTTAWA, December 9, 1946.

MEMORANDUM To: Mr. Eric Stangroom

Re: Orders in Council Relating to Japanese

The summary prepared by this Department lists three Orders in Council which are not noted in Mr. Henry's report. They are P.C. 10773 of 26/11/42, P.C. 1422 of 22/2/43 and P.C. 219 of 22/1/46. As Mr. Brown prepared our summary from an outline list submitted by Mr. Pammatt, I presume that these are quite properly included and that Mr. Henry overlooked them.

There are five Orders in Council listed in Mr. Henry's report which do not appear in our summary.

P.C. 9760 and P.C. 9761 of 16/12/41 were not on Mr. Pammatt's original list. He is now having copies made and it is quite possible that Mr. Brown would want to add them to our summary.

*effected*  
P.C. 288 of 13/1/42 deals with the Smith Committee and the disposal of fishing boats. It is likely that Mr. Brown considered that this order had lapsed.

*lapsed*  
P.C. 468 of 23/1/45 appoints Mr. T. B. Pickersgill as Commissioner; Mr. Pammatt believes orders of this type were omitted intentionally.

P.C. 6247 of 20/7/42 was also omitted, but sections three and four of this order were rescinded and replaced by P.C. 469 of 19/1/43; Mr. Brown may feel that the first two sections have lapsed and that 6247 no longer exists.

It might be wise to mention P.C. 9760, P.C. 9761 of 16/12/41 and P.C. 6247 of 20/7/42 to Mr. Brown and obtain his opinion.

*Morgan Haskett*  
Morgan Haskett

MEMORANDUM  
Privy Council Office

Ottawa...December...7, 1946.

Mr. Stangroom

For information.

J.R.B.

A0027084\_131-001

Ottawa, December 7, 1946.

Mr. D.H.W. Henry,  
Department of Justice,  
Ottawa.

Dear Mr. Henry:-

Re Japanese Orders in Council

I have had a word about this matter with Mr. Stangroom of the Department of Labour and Mr. Robertson of the Prime Minister's office; tentatively Mr. Stangroom is to make arrangements for a meeting of the Cabinet Committee on Japanese Problems sometime next week and he and Mr. Robertson are to collaborate in the preparation of a report for the Committee which will indicate those Orders in Council which may be allowed to expire and will analyse problems related to the remaining Orders in Council where policy decisions are required.

I have suggested to Mr. Stangroom that in making the arrangements for the meeting he should get in touch with you to make sure that representation from Justice is added. I know Mr. Jean felt that you should attend the meeting.

I am enclosing a draft list of Orders prepared by Mr. Stangroom in this connection, with suggestions regarding expiry. This list does not correspond with the list which was prepared for your Committee in that each of the lists contains certain Orders which are not noted in the other. You may wish to attempt a more complete consolidation.

I also enclose for your information at this point, a copy of two memoranda prepared by Mr. Robertson of the Prime Minister's office which may be of interest to you in this connection.

Sincerely yours,

J. R. Baldwin.

~~X~~

Memorandum for Mr. Heeney:

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With further reference to my note of this morning covering a copy of the memorandum which the Prime Minister wished me to send to you, I thought it might be useful to set out some additional problems relating to the general Japanese question which it might be useful for the Cabinet Committee to take into consideration when it meets. There will undoubtedly be a number of other questions which the Department of Labour will wish to raise but those which have occurred to me are the following:

- (a) Future policy re deportation. This is the matter dealt with mainly in the memorandum which I have sent you.
- (b) Internal restrictions on Japanese, the particular ones here relate to travel and land purchase. The present restrictions on travel will normally elapse as of March 31. Any attempt to legislate for continued restriction will probably be subject to severe criticism. A possible solution might perhaps be to eliminate all travel restriction except into the protected area on the coast. With regard to land purchase I believe that very few licenses have thus far been allowed. It might be desirable to have broad relaxation in this policy and perhaps even to give some assistance towards land purchase especially in cases of Japanese who previously held land which they have lost.
- (c) Restitution for property disposed of. The Co-operative Committee on Japanese Canadians is very anxious about this and it might be worth considering whether some sort of coalition should be established to hear claims and try to dispose of the matter.

So far as I know, no judgment has yet been handed down by the Exchequer Court in the case which went before them some two years ago.

- (d) National status of Japanese who have either left Canada voluntarily in the past year or who may be deported in future if policy to this effect is applied. Under P.C. 7356 naturalized persons in both these groups would appear to suffer loss of their Canadian status. On the other hand, this Order in Council does not affect the Canadian nationality of persons born in Canada, and I believe that the Department of Justice has given an interpretation to the effect that P.C. 10773 of 1942 has no application except to persons who went to Japan during the war in pursuance of an exchange agreement. The net result of the present legal position would seem to be that we will have quite a number of Japanese of Canadian birth in Japan who will be Canadian citizens. As such they will have a right of entry into Canada under the Immigration Act and the question of policy with regard to their admissibility arises. There will also be questions with regard to diplomatic protection in Japan, and probably applications for assistance in cases of indigents.
- (e) Future admissibility into Canada of Canadian citizens of Japanese origin and Japanese nationals who have domicile in Canada. Both of these groups will have a legal right of entry, and at least one case has already arisen in the second category -- that is a Japanese national with domicile here. Our Mission in Tokyo needs some instruction as to what it should do in such cases. Possible courses of action are:
- (1) To refuse to recognize the right of entry (which would be contrary to the existing law and would require legislation of a rather unsavoury type).

[The body of the document contains several paragraphs of text that are extremely faint and illegible due to low contrast and significant noise. The text appears to be a formal document or report, but the specific content cannot be discerned.]



- (2) To instruct the Mission that they should be prepared to grant visas for travel to Canada but should not give any assistance in securing transportation, or ,
- (3) To instruct the Mission that it should issue visas and give assistance in securing accommodation to Canadian citizens but not to Japanese nationals. The decision on policy in this connection cannot longer be deferred as cases will arise constantly in the near future.

R.G.R.

6th December, 1946.

Deliver to: Mr. Stangroom .....

Room: .....

From: A. MacNamara .....

Room: .....

Remarks: You might look this over

and if you like you can talk to Baldwin  
about it and get it retyped.

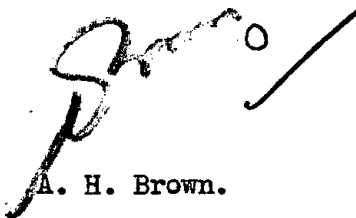
3/  
DEPARTMENT OF LABOUR

OTTAWA, December 5, 1946.

MEMORANDUM to: Mr. A. MacNamara,  
Deputy Minister.

The attached is a draft memorandum to the Sub-Committee on Japanese Affairs. Subject to any changes you suggest, we will have it mimeographed and I presume the Acting Minister will call the Sub-Committee of the Cabinet together at a convenient time.

Personally, I am in favour of providing continued assistance for repatriation after the end of the fiscal year, but I do not favour retention of controls of movement or purchases of property by Japanese after that date.

  
A. H. Brown.

Att.

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

SECRET

MEMORANDUM TO THE SUB-COMMITTEE OF CABINET ON JAPANESE AFFAIRS:

*n*  
Report and Recommendations on Japanese  
Repatriation and Relocation

## 1. Distribution of Japanese in Canada at November 30, 1946:

|                                 |               |
|---------------------------------|---------------|
| British Columbia .....          | 6981          |
| Alberta .....                   | 4262          |
| Saskatchewan .....              | 503           |
| Manitoba .....                  | 1195          |
| Ontario .....                   | 6617          |
| Quebec .....                    | 1210          |
| Nova Scotia .....               | 1             |
| New Brunswick .....             | 10            |
| Prince Edward Island .....      | 6             |
| Yukon and Northwest Territories | <u>51</u>     |
| Total                           | <u>20,814</u> |

2. Of the 6,981 persons of Japanese origin in British Columbia, only 1000 <sup>women</sup> are on Departmental Housing Projects in the Kootenay Valley, the rest being widely distributed in self-sustaining employment scattered throughout the interior. By the end of <sup>December</sup> this month, the Department will be maintaining only one Housing Centre at New Denver, B.C., with a maximum of 700 or 800 people, mostly invalids and other unemployables.

3. Relocation - In the first eleven months of 1946 approximately 4,600 Japanese relocated from British Columbia east of the Rockies. For all practical purposes, movement eastward, <sup>from British Columbia</sup> is completed except for isolated individual families and single persons.

It is proposed to continue to provide assistance for the movement of these ~~few~~ people from British Columbia and <sup>for 9 persons from</sup> Southern Alberta eastward on a voluntary basis during the year 1947 by provision of free transportation and subsistence allowances. The Japanese Placement Offices east of the Rockies will be maintained during 1947 to facilitate placement and re-establishment in <sup>areas from Saskatchewan east</sup> Eastern Canada.

In addition to those in the <sup>departmental</sup> settlements, <sup>in B.C.</sup> there are now approximately 825 Japanese in seven hostels operated by the Department, <sup>at points</sup> between

X There is ~~based~~ no present inclination on the part of Japanese east of Alberta or even in Alberta to return to the coastal area of British Columbia but in the case of the Japanese interned in the interior of British Columbia there may be some ~~cases~~ <sup>cases</sup> where there will be no concerted trend to return to the coast - there may be a movement for back to individual families who believe that they are better prospects of making a living at the coast.

Moose Jaw, Saskatchewan, and Farnham, Quebec. These people are in the process of placement, which should permit a gradual consolidation and closing of these hostels during 1947 as placement is accomplished.

X  
4. Repatriation - A total of 3,674 Japanese have repatriated up to date in 1946 on a completely voluntary basis, in ~~four shipments~~ between May and October. The fifth ship, sailing December 23, 1946, will take from 270 to 300 more, who will probably be the last voluntary group of repatriates.

The Privy Council decision on the Japanese Orders was handed down a few days ago and <sup>held</sup> rules that these Orders are *intra vires in toto*. This means that the Government may proceed with the deportation of Japanese Nationals who signed requests for repatriation (together with their dependents); naturalized Canadians who signed (together with their dependents), and providing that they did not revoke before the end of hostilities with Japan; and Japanese Nationals who were interned (together with their dependents).

5. Conditions have, however, changed greatly since the Orders were enacted in December, 1945. The problem at that time consisted of a total of about 9,500 Japanese in our B.C. Housing Centres who resisted all efforts to relocate them and whose attitude was uncertain. In the last year this problem has been practically solved - firstly, by the repatriation on a voluntary basis of almost 4,000; and secondly, by the movement east of almost 4,600.

6. There are, however, a small group of 40 or 50 Japanese Nationals who were interned for more than four years up to the end of June, 1946, because of resistance to evacuation and refusal to take self-sustaining employment. This group is now at the Moose Jaw Hostel and is still resisting ~~the~~ placement, demanding in some cases to be

sent back to British Columbia and in other cases to be deported by Government Order. In each individual case the records of the R.C.M.P. and the Department of Labour indicate <sup>reasonable</sup> convincing grounds for deportation.

7. Having regard for the foregoing summary of the situation, the following recommendations are submitted for consideration:-

(a) That, <sup>the right of</sup> existing Order in Council P.C. 946 as amended, giving the Minister of Labour power to provide for relocation, welfare and education of Japanese, and power of control over their movement and residence, be continued in effect until March 31, 1948,

OR that legislation be introduced in Parliament at this session giving the Minister of Labour like authority in form similar to the attached draft, and that this Bill have effect for one year only, or be subject to repeal by proclamation;

(b) That no Deportation Order, be <sup>issued for deportation of Japanese</sup> made on the basis of <sup>voluntary</sup> requests for ~~voluntary~~ repatriation, as made during 1945 in the repatriation survey, <sup>or prior thereto</sup> but that either of the two following alternatives be carried out with respect to Japanese Nationals, formerly interned, who have shown continued lack of co-operation and loyalty to Canada since release:

- (i) Orders for deportation be issued under the authority of the Minister of Labour and these persons deported on the next ship sailing for Japan; OR
- (ii) their cases be referred <sup>along with those of next. Can</sup> to the Loyalty Commission, which the Government is authorized to establish under P.C. 7357 of December 15, 1945, and deportation proceeded with in such cases as the Commission recommends.

*Japanese deport  
no forceful deport  
numbers don't amount  
Vagueness*

Of the two alternatives above mentioned, the Department of Labour favours the first, for the reason that this will enable all deportation cases to be dealt with under existing Orders before they lapse without the necessity of continuing the same beyond March 31, 1947, either by extending the life of Orders in Council or enactment of replacing legislation.

- (iii) There are a small number of naturalized Canadians born in Japan who were interned and whose attitude and records are on all fours with that of the Japanese National internees. If a 'Loyalty Commission' were established, these cases would be likewise referred to the Commission to consider.

8. ~~No doubt~~ the Department of the Secretary of State may wish to have extended the life of existing Orders in Council or <sup>to have</sup> ~~enact replacing~~ <sup>enacted in place thereof</sup> legislation, to permit that Department to complete the liquidation of the property of evacuated persons of Japanese origin which is vested in the Custodian of Alien Property under said existing Orders in Council and the distribution of the proceeds to the Japanese persons, either in Canada or repatriated to Japan, who are entitled thereto.

3rd Estimate  
- Relocation

Print Section 5 of Bill

MEMORANDUM RE ORDERS IN COUNCIL RELATING  
TO PERSONS OF THE JAPANESE RACE

| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>  |
|-----------------|-------------|--|
| 9590            | 7/12/41     | Makes the regulations re trading with the enemy applicable to the Japanese.<br><br><u>Remarks:</u> May be allowed to expire.   |
| 251             | 13/1/42     | Prohibition of Japanese fishing licences.<br><br><u>Remarks:</u> May be allowed to expire.<br>Department of Fisheries.   |
| 1348            | 19/2/42     | Authorizes Department of Mines and Resources to establish road camps for employment of evacuee Japanese.<br>Amended by P.C. 6758 - 31/7/42<br>P.C. 8173 - 11/9/42<br><br><u>Remarks:</u> May be allowed to expire.   |
| 1665            | 4/3/42      | Creates British Columbia Security Commission to evacuate all Japanese from protected area, and to provide housing, welfare and placement for evacuees.<br>Amended by P.C. 2483 - 27/3/42<br>P.C. 2541 - 30/3/42<br>P.C. 3231 - 21/4/42<br><br>Repealed except as to section 12 thereof by<br>P.C. 946 - 9/2/43<br><br>Section 12 vested in the Custodian all property in the protected area of evacuated Japanese except liquid assets.<br><br><u>Remarks:</u> The complete repeal of this order is a matter for decision of the Department of Secretary of State. |
| 4615            | 2/6/42      | Concurred in agreement of B.C. Security Commission with Province of Alberta for temporary placement of evacuee Japanese in sugar beet culture in Alberta, and containing a provision that at end of war the Commission would at request of province remove the evacuees.<br><br><u>Remarks:</u> May be allowed to expire. The obligation of the B.C. Security Commission under this agreement has by P.C. 946 of February 9, 1943, been assumed by the Minister of Labour. The obligation under the agreement remains although the order lapses.                   |



| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter</u>  |
|-----------------|-------------|--|
| 469             | 19/1/43     | <p>Revokes P.C. 5523 of June 29, 1942 and amends P.C. 6247 of July 20, 1942, by giving the Custodian authority to complete liquidation of fishing vessels of evacuee Japanese, and authorizes the Custodian to sell and liquidate or otherwise dispose of all property of persons of Japanese race evacuated from protected area which was placed in the custody of the Custodian by any other order. This order is therefore an extension of the powers vested in the Custodian by section 12 of P.C. 1665 of March 4, 1942, as well as amending P.C. 6247 of July 20, 1942, referred to above.</p> <p><u>Remarks:</u> Continuation of this order and of section 12 of P.C. 1665 a matter for Secretary of State. Evidently, however, this authority is required to be continued.</p> |
| 946             | 5/2/43      | <p>Dissolves B.C. Security Commission.<br/>Revokes P.C. 1665 of March 4, 1942, except section 12.<br/>Vests in the Minister of Labour power to provide for the welfare, placement, control of movement and discipline of persons of the Japanese race in Canada; to issue licences to Japanese to acquire an interest in real property which is otherwise prohibited.<br/>Amended by P.C. 5973 of September 14, 1945, and P.C. 5793 of December 18, 1945, P.C. 5637 of August 16, 1945, and P.C. 9743 of December 24, 1943.</p> <p><u>Remarks:</u> To be continued in effect by extension of emergency powers or replaced by legislation if continued controls over movement and placement of Japanese in Canada is necessary.</p>   |
| 1422            | 22/2/43     | <p>This suspends the operation of B.C. legislation which prohibits the employment of Orientals on Crown timberlands.</p> <p><u>Remarks:</u> May be allowed to expire.</p>  |
| 4002            | 17/5/43     | <p>This approves of an agreement entered into between the Province of Alberta and the B.C. Security Commission under which the Security Commission agreed to pay for the schooling of Japanese children moved to Alberta at the rate of \$5.00 per pupil per month for Public School education.</p> <p><u>Remarks:</u> The obligation under this agreement which is now vested in the Minister of Labour by P.C. 946 of February 9, 1942, still exists and will continue to exist even if the order lapses. The order may be permitted to lapse.</p>   |

| <u>P.C. No.</u> | <u>Date</u> | <u>Subject Matter.</u>  |
|-----------------|-------------|---|
| 4365            | 28/5/43     | Authorized the Minister of Labour to operate the fuel cutting project with Japanese labour in B.C. to be financed out of revolving fund.<br><br><u>Remarks:</u> This may be allowed to lapse.   |
| 7355            | 15/12/45    | Provides for deportation of Japanese who requested repatriation to Japan and for payment of repatriation allowances to persons deported or repatriated on a voluntary basis; and payment of transportation expenses for these persons.<br><br><u>Remarks:</u> Continuation of order beyond expiry date is a matter of Government policy.  |
| 7356            | 15/12/45    | Revokes naturalization of naturalized Canadians of Japanese race who are deported or repatriated under P.C. 7355.<br><br><u>Remarks:</u> See 7355.  |
| 7357            | 15/12/45    | Authorizes the establishment of an Inquiry Commission to inquire into the activities of persons of Japanese race with a view to determining whether they should be deported because of disloyalty or lack of co-operation.<br><br><u>Remarks:</u> See 7355.   |
| 219             | 22/1/46     | Establishes the rate of exchange of money turned in by Japanese repatriates for transmission to Japan and authorizes the Controller of the Treasury to make necessary arrangements with U.S. authorities to provide for transfer of funds of Japanese repatriates from Canada via U.S. via a Supreme Allied Commander in Japan to repatriated Japanese.<br><br><u>Remarks:</u> Will be required as long as funds are being transferred to repatriates, pursuant to provisions of P.C. 7355 above. |
| 10773           | 26/11/42    | This provides that British subjects who have applied for repatriation to an enemy country during the war shall in leaving Canada lose their Canadian citizenship.<br><br><u>Remarks:</u> This is an order of the Secretary of State and decision on this order rests with the Secretary of State and Department of External Affairs. Presumably the order may be permitted to lapse.  |

DEPARTMENT OF LABOUR

OTTAWA. December 4, 1946.

MEMORANDUM to Mr. E. Stangroom,  
Assistant to the Deputy Minister.

As requested, I enclose herewith a memorandum summarizing the status of existing Orders in Council relating to Japanese. This amplifies the mimeographed list which you left with me and which is returned herewith.

Enc.

  
A. H. Brown.

*m* MEMORANDUM RE ORDERS IN COUNCIL RELATING  
TO PERSONS OF THE JAPANESE RACE

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| 946             | 5/2/43      | <p>Dissolves B.C. Security Commission. Revokes P.C. 1665 of March 4, 1942, except section 12. Vests in the Minister of Labour power to provide for the welfare, placement, control of movement and discipline of persons of the Japanese race in Canada; to issue licences to Japanese to acquire an interest in real property which is otherwise prohibited. Amended by P.C. 5973 of September 14, 1945, and P.C. 5793 of December 16, 1945, P.C. 5637 of August 16, 1945, and P.C. 9743 of December 24, 1943.</p> <p><u>Remarks:</u> To be continued in effect by extension of emergency powers or replaced by legislation if continued controls over movement and placement of Japanese in Canada is necessary.</p>   |
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| 4002            | 17/5/43     | <p>This approves of an agreement entered into between the Province of Alberta and the B.C. Security Commission under which the Security Commission agreed to pay for the schooling of Japanese children moved to Alberta at the rate of \$5.00 per pupil per month for Public School education.</p> <p><u>Remarks:</u> The obligation under this agreement which is now vested in the Minister of Labour by P.C. 943 of February 9, 1942, still exists and will continue to exist even if the order lapses. The order may be permitted to lapse.</p>   |

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MEMORANDUM  
Privy Council Office

~~Ottawa December 2nd, 1946.~~

108 For Mr. Baldwin  
Mr. Stangroom  
Mr. Ranger on return  
and file.

A.D.P.H.

A0027084\_151-001

MEMORANDUM

Office of the Prime Minister

*J.B. McLaughlin*  
*R.R. or return*

Ottawa,.....December 2, 1946.

Referred from the Office of the Prime Minister to the Clerk of the Privy Council. Copies have also been referred to the Minister of Labour and the Minister of Justice.

*G. J. Matte*  
G. J. Matte,  
Private Secretary.



Ottawa, 2nd December, 1946.

F. A. Brewin, Esq.,  
Nason, Cameron & Brewin,  
Sterling Tower,  
Toronto 1, Ontario.

Dear Mr. Brewin:

The Prime Minister has asked me to acknowledge your letters of November 27th, concerning the interview which you would like to arrange for a deputation on behalf of the Co-operative Committee on Japanese Canadians.

The Prime Minister has noted the request contained in your letters and also the particular subjects which you wish to discuss. He has asked me to say, however, that the government would wish to have an opportunity to examine whatever decision is handed down by the Privy Council in this case before meeting your delegation. In addition, Mr. King feels that it is desirable that Mr. Mitchell, who is the Minister most directly concerned, should be present for the discussion. Mr. Mitchell is at present away from Ottawa and is not expected to return until shortly before Christmas.

I shall keep your letters in mind and try to raise the matter again at the first convenient opportunity.

Yours sincerely,

(R.G. Robertson),  
Secretary.

C O P Y

MASON, CAMERON and BREWIN  
Barristers and Solicitors

Sterling Tower  
Toronto 1, Canada  
November 27, 1946

The Right Honourable W. L. Mackenzie King, C.M.G.,  
Parliament Buildings,  
Ottawa, Canada.

Re Japanese Canadians

Dear Mr. Prime Minister:

Further to my letter of November 27th in regard to a deputation on this matter, I understand that the Judgment of the Judicial Committee will be handed down on Monday next, December 2nd.

In these circumstances I would be particularly glad if it might be possible to have a delegation some time next week.

Yours very truly,

Signed: F. A. Brewin

COPY

Mason, Cameron & Brewin  
Barristers & Solicitors

Sterling Tower,  
Toronto 1, Canada.

November 27, 1946.

The Right Honourable William Lyon Mackenzie King, C.M.G.,  
Parliament Buildings,  
Ottawa, Canada.

Re: Japanese Canadians

Dear Mr. Prime Minister:

I have been asked to write to you on behalf of the Co-operative Committee on Japanese Canadians. We understand from our London agents that a decision by the Judicial Committee on the reference, may be expected very shortly, and probably some time this week. Whatever the decision may be there are a number of matters in respect to which the Committee would like to make representations to you before the Government announces its policy on Japanese Canadians, as it has indicated it will do after the decision. There will remain outstanding before the whole issue is settled, the question of:

1. Further deportations.
2. Restrictions on travel and otherwise, still imposed on Japanese Canadians by P.C.946.
3. Claims for restitution in respect to property losses.

In respect to all of these matters, we believe that we have up to date information that may be of value in considering a satisfactory solution.

Our desire is not to send a large or representative deputation to which publicity would be given, but rather to send a small group probably composed of the President, Rev. J. M. Finlay, the Secretary Mrs. Hugh MacMillan, Mr. B. K. Sandwell and the writer, with a view not so much to formal representations, but to suggestions as to future policy based upon the special knowledge and

information of the subject which we have collected during the past few months.

be

We would/very happy if this interview could take place as soon as possible after the decision is announced, and no doubt if our representations are to be given any weight or to be of any value, you would wish to hear them before the Government announces its policy as a result of the decision.

Yours sincerely,

(sgd) F. A. Brewin  
per H.C.

FAB:HC

TO: CENTRAL REGISTRY,  
Roo. 7, Conf. Bldg.

Please place attached on file

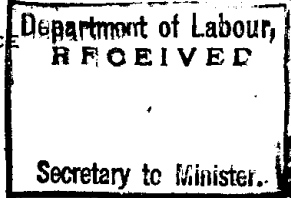
23-2-2-7

H.T. Pammett.

B.F.

P.A.

PRIVY COUNCIL OFFICE

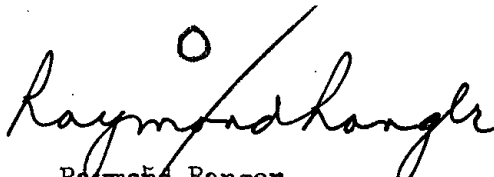


MI RANDUM

FOR MR. HUMPHREY MITCHELL

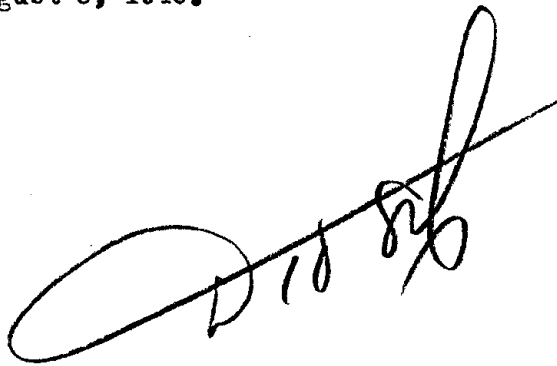
RE: JAPANESE

The attached letter has been sent to the members of the Cabinet Committee on Japanese Problems, and to all members of Cabinet.

  
Raymond Ranger



August 6, 1946.



Ottawa, Ontario,  
August 2, 1946.

The Hon. D.C. Abbott,  
Minister of National Defence,  
Ottawa, Ontario.

Dear Mr. Abbott:

At the request of the Hon. Humphrey Mitchell,  
Chairman of the Cabinet Committee on Japanese Problems,  
I am attaching herewith for your information, a progress  
report, dated July 16th, 1946, on Japanese Repatriation,  
Relocation and legislation.

In view of this report it is thought that, for  
the time being, it is unnecessary to call a meeting of the  
above mentioned Committee.

Yours sincerely,

Raymond Ranger.

RR/GV  
Enc.

*Handwritten signature and initials*  
DIO 826

Movement in July will include several hundreds coming East to the Neys, Ontario and other newly-opened hostels, and at least 400 into Saskatchewan.

(c) There were 14,695 Japanese in British Columbia at March 31, 1946, which was reduced to 10,838 at June 30. The number in the British Columbia Housing Projects at March 31, 1946, was 9,645, and at June 30 had decreased to 5,595. The number in these settlements will be still further reduced by 1,300 persons sailing for Japan about August 2, as well as the hundreds who will move East. It is estimated that the number remaining in our settlement centres in British Columbia may be reduced to 2,500 or 3,000 by Autumn. The Department of Labour is now in the process of closing several British Columbia Housing Projects as the people move out.

(d) The biggest obstacle at the present time to the resettlement of Japanese east of the Rockies and especially in Eastern Canada remains the lack of housing accommodation close to available employment.

### III. Legislation

The Department of Labour recommended that legislation be brought in at the present Parliamentary Session to re-enact in statutory form the provisions of the existing Orders-in-Council for the relocation of Japanese in Canada and for control over their movements and residence during the period of relocation. The Cabinet decided that all emergency Orders covering Japanese including those relating to relocation in Canada should stand over for re-examination after the present Session and that no legislation be introduced at this Session on this subject.

July 16, 1946.



S E C R E T

MEMORANDUM TO THE SUB-COMMITTEE OF CABINET  
ON JAPANESE AFFAIRS:

Progress Report on Japanese Repatriation  
and Relocation.

I. Repatriation

(a) A total of 1774 voluntary Japanese repatriates have been returned to Japan on two ships leaving Vancouver on May 31 and June 16 of this year. The total consists of 1230 adults and 544 children.

(b) A third boatload of 1300 voluntary repatriates will sail around August 2.

(c) In addition, a fourth boat will probably be required for a further 300 to 600 volunteer repatriates but shipping accommodation for same before the end of August appears unlikely.

II. Relocation

(a) A number of former service quarters have been taken over from National Defence to establish hostels for Japanese moved from the settlements in British Columbia for relocation between Saskatchewan and the Maritimes. Hostels have been established as follows:

|                  |    |                       |     |
|------------------|----|-----------------------|-----|
| Moose Jaw, Sask. | -- | maximum accommodation | 400 |
| Winnipeg, Man.   | -- | maximum accommodation | 200 |
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| Farnham, Que.    | -- | maximum accommodation | 200 |

There is also hostel accommodation for some 100 at Toronto and London, Ontario. Family groups are being moved to these hostels and relocated as quickly as local employment and accommodation is found for them.

(b) Movement out of British Columbia settlements to points east has been heavy in the past three months. Figures from April 1 to June 30 are as follows:

|                     |    |      |
|---------------------|----|------|
| To Alberta          | -- | 470  |
| To Saskatchewan     | -- | 21   |
| To Manitoba         | -- | 114  |
| To Ontario          | -- | 1118 |
| To Quebec           | -- | 173  |
| To Prince E. Island | -- | 7    |

---

Total 1973

.....2

23-2-~~1734~~  
-2-7

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT  
OF CANADA

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July 16, 1946.

TO: CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

73-2-2-7

H.T. Pammett.

B.F.

P.A.

S E C R E T

MEMORANDUM TO THE SUB-COMMITTEE OF CABINET  
ON JAPANESE AFFAIRS:

Progress Report on Japanese Repatriation  
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*16 Copies sent  
to Ranger in  
P.C. office  
Hff*

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|-------|--|------|
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|-------|--|------|

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July 16, 1946.



July 15, 1946.

DEPARTMENT OF LABOUR

Progress Report on Japanese Repatriation  
and Relocation.

*his report prepared for  
distribution to Cabinet committee  
on 1/2/46. P.S. return to Mr Bennett  
O.K.*

*pk  
am*

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| To Quebec                  | -- | 173         |
| To Prince Edward<br>Island | -- | 7           |
| Total                      |    | <u>1973</u> |

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III Legislation

The Dept. of Labour recommended legislation be brought in at the present Parliament session to provide for the ~~removal~~ <sup>repeal</sup> of statutory provisions relating to the ~~relocation~~ <sup>relocation</sup> of Japanese <sup>advisors</sup> in Canada and for control over their movements during the period of relocation. Cabinet decided that all emergency orders covering Japanese including those relating to relocation in Canada should stand over for re-examination of the present provisions and that no legislation be introduced at this session on this subject.

S E C R E T

MEMORANDUM TO THE CABINET:

RE JAPANESE-DEPORTATION POLICY

I. In order to complete deportation orders covering Japanese who are to be sent to Japan under P.C. 7355, it is necessary to settle at this time the general principles which will be followed in the matter of deportation where persons are now unwilling to proceed to Japan. In suggesting the following rules, due consideration has been given to the decisions of the majority of the Judges of the Supreme Court of Canada.

P.C. 7355 outlines the classes of persons who may be deported but the issue of deportation orders is discretionary and discretion must be exercised in the case particularly of deportation of family groups in a reasonable and sensible manner. It is considered that the policy in this respect should be cleared through the Cabinet Committee on Japanese Repatriation.

II. The majority decision of the Supreme Court on the recent reference as to the validity of the orders relating to Japanese deportation holds the orders valid with the exception of the provision in P.C. 7355 which says that the wives and children under sixteen years of age of persons who are deportable may be included in an order for the deportation of such persons. This latter provision is declared to be ultra vires.

III. It is proposed that the following principles shall govern the issue of deportation orders:

- (a) Husbands and wives will not be separated by forced deportation measures except in instances where the domestic relations of the man and wife have already been broken up in which case each will be dealt with as a single individual.
- (b) Canadian-born persons will not be deported against their wishes.

IV. Applying the foregoing principles to specific types of family groups, the following rules are proposed, to apply to family groups and single persons:

- 1. Man and wife - both born in Japan. Both being Japanese Nationals and both having made a request for repatriation, - both will be included in Deportation Order regardless of any request for revocation. It will be assumed that parents will take their children with them. However, if difficulties arise in this connection in so far as Canadian born children are concerned the determining consideration will be the avoidance of division of family units.

It may be argued in some quarters that the deportation of parents of children under sixteen years of age indirectly means the effective forced repatriation of children under sixteen years of age and that the effect of such a policy will be to circumvent the decision of the Supreme Court. The policy on this point is therefore a matter for the Government to determine at this time. On the other hand, if deportation is not to be undertaken in the case of married couples where there are children involved, the number of persons who will be subject to deportation will be limited to 1500 persons. Moreover in each case the deportation of the man and wife will be based upon a request from each of them.

2. Man and wife. - both born in Japan. One having become a Naturalized British Subject and both having requested repatriation. If the one who is a Naturalized British Subject applied prior to midnight the first day of September, 1945, for revocation neither will be included in a Deportation Order (in order to avoid compulsory division of a family) unless on further interview the naturalized person makes a new election to go to Japan. It is assumed that the parents will take their children with them. If they refuse to do so no assistance to go to Japan will be given to a man and wife without the children.
3. Man and wife - both born in Japan and both Naturalized British Subjects - both having requested repatriation. If either applied for revocation prior to September 2, 1945, neither will be included in the Deportation Order unless upon a new election both decide to go. If neither person has applied to revoke prior to September 2, 1945, both will be included in the Deportation Order.
4. Rules 1, 2 and 3 are for cases where both have requested repatriation. In such limited number of cases (and there are very few) where the husband alone has requested repatriation and is deportable and the wife has been silent (i.e. has neither applied for repatriation nor made a statement verbally or written, of which there is a record, stating she does not wish to be repatriated) - neither will be sent if the wife is not prepared to go.
5. Man and wife - the husband having requested repatriation and the wife having signified her desire not to be repatriated. If the wife is not prepared to go, neither will be sent.
6. Man and wife - one born in Japan and one born in Canada - both having applied for repatriation. If the Canadian born applies for revocation, neither will be sent.
7. Where the husband goes to Japan and the wife stays in Canada, the children remain with the wife if they have been in the home with her unless the parties otherwise agree.
8. In the case of single Japanese born in Japan and not Naturalized, men or women, who have applied for repatriation, an order for deportation will be made and deportation proceeded with.
9. In the case of a single man or woman born in Japan who is a Naturalized British Subject, an order for deportation will be made and such person will be deported if such person has requested repatriation and has not revoked prior to September 2, 1945.
10. If the domestic relationship of the man and wife has already been broken up, each will be dealt with as in the case of a single individual.
11. No Japanese person, irrespective of national status, who fought for Canada in the last war, will be sent from Canada on other than a voluntary basis.
12. Forced deportation will not be undertaken in the immediate future in the family groups east of Manitoba who signed for repatriation but have since revoked. Voluntary repatriation from Eastern Canada may be proceeded with, however, at any time.

13. Internees

Japanese national internees are subject to deportation without having requested repatriation.

The following is the present status of internees:

JAPANESE NATIONALS

|                                    |     |
|------------------------------------|-----|
| Signed for repatriation.....       | 15  |
| Wouldn't sign but want to go ..... | 81  |
| Undecided .....                    | 49  |
| Want to remain in Canada .....     | 26  |
| <hr/>                              |     |
|                                    | 171 |

NATURALIZED CANADIANS

|                                    |    |
|------------------------------------|----|
| Signed for repatriation .....      | 14 |
| Wouldn't sign but want to go ..... | 16 |
| Undecided .....                    | 0  |
| Want to remain in Canada .....     | 10 |
| <hr/>                              |    |
|                                    | 40 |

CANADIAN BORN JAPANESE

|                                    |     |   |
|------------------------------------|-----|---|
| Signed for repatriation .....      | 123 | (a number of these have revoked recently) |
| Wouldn't sign but want to go ..... | 28  |   |
| Undecided .....                    | 0   |   |
| Want to remain in Canada .....     | 51  |   |
| <hr/>                              |     |   |
|                                    | 202 |   |

In the case of Naturalized Canadian Internees and Canadian born Internees who have applied to be repatriated, the deportation of such persons and their families will be subject to the same provisions as apply to persons having a similar status and who are not presently interned. Persons in these groups who are not to be repatriated will be released as quickly as placement can be found for them.

In the case of Japanese Nationals, a deportation order will be issued covering those who have signed for repatriation and those who, although not having signed, have signified their intention of going. This is, however, subject to the provision that if the wife has not signed neither will be sent.

A decision has to be made as to whether the remaining Japanese Nationals who want to remain in Canada or are undecided should be deported under the same conditions as apply to those who have requested repatriation or whether, in the alternative, these should be permitted to stay in Canada or go to Japan as they may elect. It is suggested that the persons who are undecided should not be sent.

TO: CENTRAL REGISTRY,  
Room 4, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

B.F.

P.A.

MEMORANDUM

Department of Labour  
Privy Council Office

Ottawa, ~~Jul~~ 12, 1946.

~~Mr. MacNamara~~

For information.

*Dr.*  
A.D.P.H.

A0027084\_175-001

CONFIDENTIAL

Ottawa, July 12th, 1946.

The Honourable Humphrey Mitchell, M.P.,  
Minister of Labour,  
Ottawa.

Dear Mr. Mitchell:

You will recall that, at yesterday's meeting of the Cabinet, during the discussion of the disposition of Orders in Council under emergency powers, it was agreed that all emergency Orders dealing with persons of Japanese race, including those relating to re-location in Canada, stand over for re-examination after the present session and that no legislation be introduced this year on this subject.

Yours sincerely,

0  
A.D.P. Heeney,  
Secretary to the Cabinet.



C O P Y

Ottawa, May 9, 1946.

AIR MAIL

CONFIDENTIAL

Mr. T. B. Pickersgill,  
Commissioner of Japanese Placement,  
Department of Labour,  
360 Homer Street,  
Vancouver, B. C.

Re: Relocation Policy

Dear Mr. Pickersgill:

After consideration at the top level, it has been decided that, effective immediately, Japanese Canadians, and Japanese Nationals who have Canadian-born children, who signed for repatriation and remain deportable under the Orders, will be permitted to relocate East of the Rockies, under the same procedure and conditions and with the same allowances which are given to other relocating persons of Japanese origin, without any special restriction by permit or otherwise.

Priority in relocation and preference in placement are to be given, insofar as possible: Firstly to those persons who did not sign for repatriation and to Canadian-born who may have signed and subsequently revoked; secondly to those families where one parent did not sign or which have Canadian-born children. Single Japanese Nationals or families made up entirely of Japanese Nationals who signed for repatriation will not at the present time be permitted to move East.

Persons who remain deportable and who now desire to relocate under the above plan, should be advised that they are still in deportable status and that their cases may be reviewed following a decision by the Privy Council on the Deportation Orders in Council. It should also be intimated to them, however, that their conduct and attitude in the interim will be taken into account if and when their cases are reviewed at that time.

If the above policy requires clarification in any particular, please wire me at once.

Yours very truly,

(Sgd.) A. MacNamara

Approved:

(Sgd.) Humphrey Mitchell  
Minister of Labour

*Yellow carbon*  
*23-2-3-1*

HFP:WBD

A0027084\_177-001

C O P Y

Department of External Affairs  
Canada

Ottawa, 4th May, 1946.

Confidential

Dear Mr. Mitchell:

I should like to refer to your letter of April 26th concerning the policy to be followed with regard to persons of Japanese origin in the settlements who wish to move East of the Rockies but whose position is doubtful with regard to possible deportation.

On the whole, I think that, as you suggest, the policy outlined in paragraph (c) of your letter would be the most desirable. It seems to me that it is of major importance to try to secure as high a degree of relocation of the Japanese as possible and to reduce to the lowest number possible those remaining in the Japanese settlements. As you say, in view of the uncertainties of the Japanese policy, it would not be possible to give persons who come within the categories specified in the Orders in Council any guarantee that they might not, at a subsequent date, be made liable for deportation. In actual fact it seems that the only group we can be relatively certain will ultimately be deported are Japanese nationals who have applied for repatriation. In the circumstances, possibly it would be desirable not to allow single Japanese nationals, or families made up entirely of Japanese nationals who have made applications, to proceed East for resettlement. Apart from these, however, I would agree that the policy set forth in paragraph (c) would be the best to put into effect.

Yours sincerely,

(Sgd.) N.A. Robertson  
Under -Secretary of State  
for External Affairs.

The Honourable Humphrey Mitchell, M.P.,  
Minister of Labour,  
O T T A W A.

Ottawa, May 6, 1946.

Mr. N. A. Robertson,  
Under-Secretary of State for External Affairs,  
O t t a w a.

Dear Mr. Robertson:

On April 26th I arranged for the Minister to send letter, copy attached, to his colleagues who are members of the Cabinet Sub-committee re Japanese.

Copies of the replies are attached.

In view of the replies received we now propose to work on proposal (c).

I thought I should clear with you before going ahead. Will you let me have your concurrence or comments as quickly as possible and very much oblige.

Yours very truly,

A. MacNamara.

Back

Mr. Pammett

Deliver to .....

Room: .....

A. MacNamara

From: .....

Room: .....

Remarks: Will you get draft instructions ready for my signature and put on the bottom left-hand corner "Approved Minister of Labour."  
Follow the plan outlined in Mr. Robertson's letter.

23-2-2-7



Department of Labour,  
RECEIVED  
MAY 6 1946  
Secretary to Minister.

EXTERNAL AFFAIRS  
CANADA

REPLY TO BE ADDRESSED TO:  
THE UNDER-SECRETARY OF STATE  
FOR EXTERNAL AFFAIRS  
OTTAWA

Ottawa, 4th May, 1946.

Confidential

Dear Mr. Mitchell:

I should like to refer to your letter of April 26th concerning the policy to be followed with regard to persons of Japanese origin in the settlements who wish to move East of the Rockies but whose position is doubtful with regard to possible deportation.

On the whole, I think that, as you suggest, the policy outlined in paragraph (c) of your letter would be the most desirable. It seems to me that it is of major importance to try to secure as high a degree of relocation of the Japanese as possible and to reduce to the lowest number possible those remaining in the Japanese settlements. As you say, in view of the uncertainties of the Japanese policy, it would not be possible to give persons who come within the categories specified in the Orders in Council any guarantee that they might not, at a subsequent date, be made liable for deportation. In actual fact it seems that the only group we can be relatively certain will ultimately be deported are Japanese nationals who have applied for repatriation. In the circumstances, possibly it would be desirable not to allow single Japanese nationals, or families made up entirely of Japanese nationals who have made applications, to proceed East for resettlement. Apart from these, however, I would agree that the policy set forth in paragraph (c) would be the best to put into effect.

Yours sincerely,

Under-Secretary of State  
for External Affairs.

The Honourable Humphrey Mitchell, M.P.,  
Minister of Labour,  
O T T A W A.



CANADA

MINISTER OF VETERANS AFFAIRS

OTTAWA, 1st May, 1946.



My dear Colleague,-

I have your letter re Japanese.

I am in favour of such Japanese as may be accommodated being sent East, so long as it is understood they do not subsequently proceed to the protected areas of British Columbia.

Yours truly,

The Honourable Humphrey Mitchell,  
Minister of Labour,  
O t t a w a.

Copy: Mr Robertson

Mr. Mitchell

In view of the replies  
received which are all in  
favour of proposal (c) I  
suggest we instruct Mr.  
Peterson accordingly.

J. H. Brown



O t t a w a,  
April 30th, 1 9 4 6.

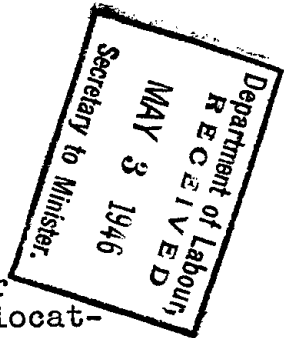
The Honourable Humphrey Mitchell,  
Minister of Labour,  
O t t a w a.

My dear Colleague:

I have your letter of April 26th concerning Japanese relocation and the three alternative courses which might be pursued by your Japanese Administration pending the result of the Privy Council decision.

I have examined these alternative courses and it is also my opinion that Alternative (c), as described in your letter, seems to be the most convenient.

Yours very truly,



*Copy. Mr. A. G. McQuinn*

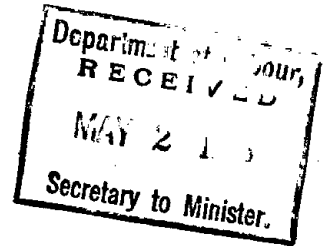




23-2-2-7

MINISTER OF NATIONAL DEFENCE

Ottawa, May 1, 1946.



My dear Colleague:

Re: Japanese Relocation

I have your letter of April 26.

I agree with your views and I feel that we would be justified in proceeding in accordance with alternative (c) as stated in your letter.

Yours very truly,

Honourable Humphrey Mitchell, P.C., M.P.,  
Minister of Labour,  
Ottawa.

*Copy: Mrs H. A. G. G. G. G.*



MINISTER OF JUSTICE AND  
ATTORNEY GENERAL OF CANADA

OTTAWA,  
April 30th, 1946.

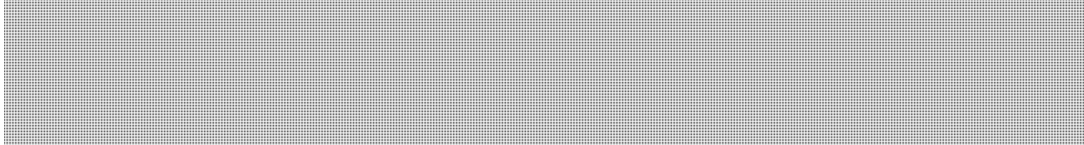
Personal

Honourable Humphrey Mitchell,  
Minister of Labour,  
O t t a w a

Department of Labour,  
RECEIVED  
MAY 1 1946  
Secretary to Minister.

My dear Colleague: Re: Japanese Relocation

I have your letter of April 26th.



Yours sincerely,

*Louis St. Laurent*

*MS*

*Copy to Mr. Robertson*

Minister of Justice

Ottawa  
April 30th, 1946

Personal

Honourable Humphrey Mitchell,  
Minister of Labour,  
O t t a w a

My dear Colleague; Re: Japanese Relocation.

I have your letter of April 26th.



Yours sincerely,

L. S. St. Laurent.

23-2-2-7

*Buttrick*

Ottawa, April 26, 1946.

X  
Honourable Paul Martin,  
Secretary of State,  
Ottawa.

My dear Colleague:

Re: Japanese Relocation

The Department of Labour is completing arrangements at the present time for the repatriation of Japanese voluntary repatriates. Action for the balance of the repatriated groups is deferred pending the outcome of the Privy Council decision.

In the meantime, our Japanese Administration at Vancouver report a marked desire on the part of many of the Japanese subject to deportation to take advantage of placement openings offered east of the Rockies this year. In this respect the attitude is, of course, very much different from the attitude which has prevailed prior to this year. The question arises as to what policy should be followed with respect to these persons. There are three alternative courses which might be pursued:

- (a) Retain these persons in Japanese settlements in the interior of British Columbia pending the result of Privy Council decision.
- (b) Permit persons to go East who have Canadian-born children which are not deportable under the Supreme Court decision advising such persons that those who do so may thereupon be permitted to revoke their request for repatriation. The effect of this would be that only persons who are themselves deportable and who have not Canadian-born children under sixteen years of age would be held in the settlements contrary to their own wishes to go East.
- (c) Permit persons who are deportable but who are ready to go East the opportunity to do so without, however, giving them any assurance that they may not be deported subsequently. These persons who are permitted to go East on this basis would be given the standard transportation and placement allowances applicable to persons moving from British Columbia further east.

21... K/10/2/m

In my opinion, in view of the uncertainties as to what the Privy Council may decide and since the Government's policy with respect to Japanese remaining in Canada is one of dispersal, I would suggest that we would be warranted in proceeding in accordance with Alternative (c) above and permit as many of these persons as wish to go east at the present time to do so giving them the usual assistance for this purpose without prejudice to whatever subsequent action may be taken for deportation following the Privy Council decision.

I would anticipate that if this policy is followed, there may be a considerable number of deportable persons moving to employment east of British Columbia during the current year.

As a member of the Sub-Committee of the Cabinet on Japanese, I would appreciate your views on the above at your earliest convenience.

Yours sincerely,

(sgd.)

Humphrey Mitchell

TO: CEN. L. REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

P.A.

B.F.

10/5-

Ottawa, April 26, 1948.

Honourable Paul Martin,  
Secretary of State,  
O t t a w a.

My dear Colleague:

Re: Japanese Relocation

The Department of Labour is completing arrangements at the present time for the repatriation of Japanese voluntary repatriates. Action for the balance of the repatriated group is deferred pending the outcome of the Privy Council decision.

In the meantime, our Japanese Administration at Vancouver report a marked desire on the part of many of the Japanese subject to deportation to take advantage of placement openings offered east of the Rockies this year. In this respect the attitude is, of course, very much different from the attitude which has prevailed prior to this year. The question arises as to what policy should be followed with respect to these persons. There are three alternative courses which might be pursued:

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1/5/46

copy sent to H/C Wood  
Mr. Robertson May 6.

In my opinion, in view of the uncertainties as to what the Privy Council may decide and since the Government's policy with respect to Japanese remaining in Canada is one of dispersal, I would suggest that we would be warranted in proceeding in accordance with Alternative (c) above and permit as many of these persons as wish to go east at the present time to do so giving them the usual assistance for this purpose without prejudice to whatever subsequent action may be taken for deportation following the Privy Council decision.

I would anticipate that if this policy is followed, there may be a considerable number of deportable persons moving to employment east of British Columbia during the current year.

As a member of the Sub-Committee of the Cabinet on Japanese, I would appreciate your views on the above at your earliest convenience.

Yours sincerely,

ROBERT HENNINGBY MITCHELL

EL/JL



3/5  
Reply in a day or two - (c) HP

Ottawa, April 26, 1946.

Mr. Norman Robertson,  
Under Secretary of State for External Affairs,  
O t t a w a.

Dear Mr. Robertson:

Re: Japanese Relocation

The Department of Labour is completing arrangements at the present time for the repatriation of Japanese voluntary repatriates. Action for the balance of the repatriated group is deferred pending the outcome of the Privy Council decision.

In the meantime, our Japanese Administration at Vancouver report a marked desire on the part of many of the Japanese subject to deportation to take advantage of placement openings offered east of the Rockies this year. In this respect the attitude is, of course, very much different from the attitude which has prevailed prior to this year. The question arises as to what policy should be followed with respect to these persons. There are three alternative courses which might be pursued.

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1/3/46

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I would anticipate that if this policy is followed, there may be a considerable number of deportable persons moving to employment east of British Columbia during the current year.

As a member of the Sub-Committee of the Cabinet on Japanese, I would appreciate your views on the above at your earliest convenience.

Yours very truly,

EL/JL

3/5

*Answers in  
the way*

Ottawa, April 26, 1946.

Honourable Ian Mackenzie,  
Minister of Veterans Affairs,  
O t t a w a.

My dear Colleague:

Re: Japanese Relocation

The Department of Labour is completing arrangements at the present time for the repatriation of Japanese voluntary repatriates. Action for the balance of the repatriated group is deferred pending the outcome of the Privy Council decision.

In the meantime, our Japanese Administration at Vancouver report a marked desire on the part of many of the Japanese subject to deportation to take advantage of placement openings offered east of the Rockies this year. In this respect the attitude is, of course, very much different from the attitude which has prevailed prior to his year. The question arises as to what policy should be followed with respect to these persons. There are three alternative courses which might be pursued:

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9/5/46

In my opinion, in view of the uncertainties as to what the Privy Council may decide and since the Government's policy with respect to Japanese remaining in Canada is one of dispersal, I would suggest that we would be warranted in proceeding in accordance with Alternative (c) above and permit as many of these persons as wish to go east at the present time to do so giving them the usual assistance for this purpose without prejudice to whatever subsequent action may be taken for deportation following the Privy Council decision.

I would anticipate that if this policy is followed, there may be a considerable number of deportable persons moving to employment east of British Columbia during the current year.

As a member of the Sub-Committee of the Cabinet on Japanese, I would appreciate your views on the above at your earliest convenience.

Yours sincerely,

EL/JL

*Reply received*  
*HP*

Ottawa, April 26, 1946.

Honourable D.C. Abbott, ✓  
Minister of National Defence,  
O t t a w a.

My dear Colleague:

Re: Japanese Relocation

The Department of Labour is completing arrangements at the present time for the repatriation of Japanese voluntary repatriates. Action for the balance of the repatriated group is deferred pending the outcome of the Privy Council decision.

In the meantime, our Japanese Administration at Vancouver report a marked desire on the part of many of the Japanese subject to deportation to take advantage of placement openings offered east of the Rockies this year. In this respect the attitude is, of course, very much different from the attitude which has prevailed prior to this year. The question arises as to what policy should be followed with respect to these persons. There are three alternative courses which might be pursued:

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In my opinion, in view of the uncertainties as to what the Privy Council may decide and since the Government's policy with respect to Japanese remaining in Canada is one of dispersal, I would suggest that we would be warranted in proceeding in accordance with Alternative (c) above and permit as many of these persons as wish to go east at the present time to do so giving them the usual assistance for this purpose without prejudice to whatever subsequent action may be taken for deportation following the Privy Council decision.

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As a member of the Sub-Committee of the Cabinet on Japanese, I would appreciate your views on the above at your earliest convenience.

Yours sincerely,

HL/JL

DEPARTMENT OF LABOUR

8.

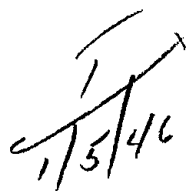
DEPUTY MINISTER'S OFFICE

OTTAWA, April 25 1946.

MEMORANDUM to Mr. MacNamara.

I would suggest that we send this memo out over the Minister's signature to each member of the Cabinet Committee on Japanese. Do you agree?

  
A. H. Brown.

  
1/5/46

Confidential

Memorandum re Japanese Relocation

The Department of Labour is completing arrangements at the present time for the repatriation of Japanese voluntary repatriates. Action for the balance of the repatriated group is deferred pending the outcome of the Privy Council decision.

In the meantime, our Japanese Administration at Vancouver report a marked desire on the part of many of the Japanese subject to deportation to take advantage of placement openings offered east of the Rockies this year. In this respect the attitude is, of course, very much different from the attitude which has prevailed prior to this year. The question arises as to what policy should be followed with respect to these persons. There are three alternative courses which might be pursued:

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In my opinion, in view of the uncertainties as to what the Privy Council may decide and since the Government's policy with respect to Japanese remaining in Canada is one of dispersal, I would suggest that we would be warranted in proceeding in accordance with Alternative (c) above and permit as many of these persons as wish to go east at the present time to do so giving them the usual assistance for this purpose ~~if subsequently this can be done~~ without prejudice to whatever subsequent action may be taken for deportation following the Privy Council decision.

I would anticipate that if this policy is followed, there may be a considerable number of deportable persons moving to employment east of British Columbia during the current year.

As a member of the Sub-Committee of the Cabinet on Japanese, I would appreciate your views on the above at your earliest convenience.

Yours very truly,



TO CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

P.A.

B.F.



Department of Labour,  
RECEIVED  
Secretary to Minister.

Ottawa, April 1, 1946.

The Honourable Humphrey Mitchell,  
Minister of Labour,  
Ottawa, Canada.

Dear Mr. Mitchell:

--  
I am enclosing for your records  
two copies of a minute which was prepared  
on the meeting that was held in the Prime  
Minister's office on March 26 with the  
delegation from the Cooperative Committee  
on Japanese Canadians.

Yours sincerely,

*R. G. Robertson*

R. G. Robertson,  
Secretary.

*copy to Pickering 4/4  
copy on 23-2-13-1*

*AB  
8-4-46*

Minute of a Meeting Concerning the Problem  
of Japanese in Canada.

1. A meeting was held on Tuesday, March 26, at 11.30 a.m. in the Prime Minister's office in the East Block, to enable the delegation representing the Cooperative Committee on Japanese Canadians to place their views before a committee of the Cabinet. Those present were:

The Prime Minister  
Mr. Ian Mackenzie  
Mr. St. Laurent  
Mr. Mitchell  
Mr. Claxton  
Mr. Abbott  
Mr. Martin  
Mr. Heeney  
Mr. N.A. Robertson  
Mr. R.G. Robertson

and for the Cooperative Committee:

Mr. MacMillan  
Mr. Brewin  
Mr. Coldwell  
Mr. Tarr  
Mr. Croll  
Mr. Millard.

2. Mr. MacMillan opened for the Cooperative Committee by explaining its background and organization, and the support which it had in various parts of the country. He stated that it also had representatives on it of the Japanese Canadians themselves. He said that the Committee had noted that approximately one-third of the Japanese in Canada had now been settled east of the Rockies and had been fairly well received. They felt that if the present restrictions were removed it would be easier still for the Japanese to settle down and they felt that few of these would wish to return to British Columbia. In the circumstances, the possibility of settlement seemed brighter than it had previously, but the Committee felt that procedure under the present Orders in Council would not lead to a satisfactory solution. He called on Mr. Brewin to present the details of the Committee's position with regard to the present government policy.

3. Mr. Brewin stated that, while it might seem questionable to raise questions on policy concerning Orders that were at the time under judicial review, nevertheless the Committee was not anxious to proceed with an appeal to a higher body and wanted to set forth considerations which they thought would justify cancellation of the Orders in their entirety. They felt that this would be a feasible policy since any disloyal Japanese could be dealt with under existing legislation.

The particular criticisms which the Committee had to make of the present policy were as follows:

- (a) The Orders provided for the exile of Canadian citizens, a policy which had once been followed but which had been in disuse for centuries.

- (b) The Orders violated fundamental rules of international law in that they infringed upon the sovereign rights of another state and, in effect, constituted an invasion of this territory.
- (c) The Orders put the value on Canadian citizenship at a discount which was particularly untimely since the Canadian Citizenship Bill was just being discussed in Parliament.
- (d) They appeared to be based on racial discrimination.
- (e) They were based on emergency needs created by the war which no longer existed in sufficient measures to require the action embodied in the Orders.
- (f) The Orders were based on "alleged" requests for repatriation to Japan, which were taken as evidence of disloyalty. The assumption that they indicated disloyalty was strongly questioned by the Committee. They felt that many of the Japanese had not appreciated what was involved and had thought that the government wished them to sign the forms that were presented bearing the government crest. Moreover, in the circumstances, in which the people had been placed through their movement from their homes and so forth, they were not in a position to exercise free will properly.
- (g) The Orders constituted a threat to minorities in Canada.
- (h) The Orders could not be enforced without injustice and inhumanity to certain persons. In some cases, young Japanese would feel forced to go to Japan with their parents in order to care for them.
- (i) The policy would create in the Orient a sense of hostility to Canada.
- (j) The policy was in contradiction with the commitments in the United Nations Charter.

If the Orders were not rescinded, the Committee felt that, as an alternative, but definitely a second best, all Japanese, subject to deportation, should be given the right of appeal to a judicial committee which could investigate their cases and ascertain whether there was any real disloyalty. Mr. Brewin pointed out that Canadian nationals had a complete right to withdraw their signatures; that the majority decision of the Supreme Court made deportation of Canadian wives and children impossible, and that there would be a certain number of the persons who would be willing to go voluntarily. In the circumstances, a judicial inquiry would not concern too large a group of people.

So far as resettlement was concerned, the Committee urged removal of present restrictions with regard to land purchase and settlement, and thought the government should take more positive action to encourage a readiness to accept Japanese in various communities. They felt that another 8000 Japanese could be settled at an early date without difficulty.

If the Committee's representations were not deemed acceptable by the government, they, at least, asked that the Japanese should be given full and adequate notice before Orders for their movement were issued. This was necessary in order that all legal steps might be taken for the protection of the position of the individuals. Mr. Brewin stated that the Committee, in co-operation with the Council in British Columbia, were determined that everything possible should be done to exercise the full resources of the law in protecting the position of Japanese persons who did not wish to leave the country.

Finally, if the appeal to the Privy Council were not successful, the Committee asked that the matter be referred to Parliament for decision.

4. Mr. Millard said that there had been some objections from some branches of labour at first to the movement of Japanese into new areas, but those had largely died down. In reply to an inquiry by the Prime Minister, he said that he believed that labour would support any policy of resettlement. In addition, Mr. Millard added that they were conscious of the fact that if our discriminatory policy were followed in Canada, there would, undoubtedly, be future repercussions in World Federation of Trade Unions.
5. Mr. Croll said that he felt that important principles were involved in the settlement of the Japanese problem, and he was also of the opinion that it was intrinsically not as great a problem as it had become. It had been magnified in certain respects and he hoped that it would be possible to reduce it to its proper terms in order that the fundamental principles involved would not be overridden.
6. Mr. Mitchell stated that the activities of the Cooperative Committee on Japanese Canadians would have substantial benefit if they could educate public opinion into an active acceptance of Japanese into various communities. The resettlement required the co-operation of individuals, municipalities and provinces.

So far as requests for repatriation were concerned, Mr. Mitchell stated categorically, that no coercion or pressure of any type had been used. This was substantiated by the International Red Cross in its report.

7. Mr. St. Laurent pointed out that what was contemplated under the Orders in Council was a change in method rather than in principle. The Naturalization Act provided for the cancellation of naturalization certificates in cases where the recipients were found, upon inquiry, to be "disaffected". The ordinary procedure for inquiry, which was provided, was suitable for normal times, but this was an aggravated problem which required extraordinary provisions. The government had taken the view that any person who took the very serious step of signing a declaration of desire to go to Japan during time of war was, in reality, "disaffected".

Mr. St. Laurent also pointed out that the problem of resettlement was an important one. Under the urgency of moving people during the war, the government had entered into commitments with certain provinces to remove the Japanese who were moved into them immediately upon the termination of hostilities. These undertakings had to be carried out unless the provinces released the Dominion from its obligations.

8. The Prime Minister said that a further point the government had to consider was the obligation they had to the families of men who had been killed in the Far East, particularly in the prison camps in Hong Kong. At the time that these men were being killed, many of the Japanese had indicated a desire to go to Japan. He did not, himself, see how a person could sign such a declaration of desire if he did not believe that Japan was going to win the war. Mr. King pointed out that if it had not been for the atomic bomb we would, undoubtedly, still be fighting Japan and more Canadians would be killed constantly. The families of all these men had to be considered in any action that was taken.
9. Mr. Coldwell said that he thought it would be most regrettable if any policy were carried through which looked as if it were based on discrimination with regard to colour or race. In the present state of the world, and with the great amount of distrust and suspicion so prevalent at the present, its effect would be very bad.
10. Mr. Mackenzie stated that so far as the feeling of British Columbia was concerned, he felt that the people there were strongly of the opinion that the Japanese should not be allowed to settle again on the Coast. Their feeling was not racial, although, in part, it was economic in origin. In addition, however, there was a feeling that not only had the Japanese forced white fishermen out of the fishing industry, but they had used their fishing licenses and their work as an opportunity to map the coast of British Columbia to the advantage of the Japanese government.
11. The Prime Minister closed the meeting by assuring the delegation that the views which they had presented would be given careful consideration.

TO: CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

B.F.

P.A.

Mr. MacNamara

*Mr. Brown*

Group Captain Wood says the Prime Minister took press release into Cabinet this morning for approval. If approved, it will be sent out tomorrow.

AW



( C o p y )

6 urgent  
file  
JH

(For immediate release)

March 13th, 1946

Press Release.

Prime Minister's Office.

The Prime Minister, Mr. Mackenzie King, announced to-day that the government would facilitate any appeal which it was desired to carry to the Judicial Committee of the Privy Council from the decision handed down by the Supreme Court of Canada in the reference which was made to it concerning the validity of Orders in Council P.C. 7355, 7356 and 7357 of December 15, 1945, with regard to persons of Japanese origin in Canada.

Pending the outcome of such an appeal to the Privy Council, action under the Orders in Council with regard to deportation will be suspended. In the meantime, the Department of Labour will proceed with arrangements to assist any Japanese who wish to leave Canada to do so at an early date. Mr. King made it clear that notwithstanding the fact that the Orders in Council are under review, any Japanese persons who wish to go to Japan will be accorded the terms provided for in Order in Council P.C. 7355, which allows the removal of the value of all property and assets held in Canada, and which provides for minimum financial credits and government assistance in needy cases. Persons leaving under these arrangements will be accorded free transportation for themselves and their families and for whatever baggage allotment is allowed by shipping conditions.

The Prime Minister stated that the government would defer the appointment of the commission to review the cases of persons of Japanese origin until judicial review of the Orders in Council is completed. Prior to the appointment of the commission, its terms of reference, as set forth in Order in Council P. C. 7357, will be reviewed by the government.

March 13th, 1946.

Press Release.Prime Minister's Office.

The Prime Minister, Mr. Mackenzie King, announced today that the government would facilitate any appeal which it was desired to carry to the Judicial Committee of the Privy Council from the decision handed down by the Supreme Court of Canada in the reference which was made to it concerning the validity of Orders in Council P.C. 7355, 7356 and 7357 of December 15, 1945, with regard to persons of Japanese origin in Canada.

Pending the outcome of such an appeal to the Privy Council, action under the Orders in Council with regard to deportation will be suspended. In the meantime, the Department of Labour will proceed with arrangements to assist any Japanese who wish to leave Canada to do so at an early date. Mr. King made it clear that notwithstanding the fact that the Orders in Council are under review, any Japanese persons who wish to go to Japan will be accorded the terms provided for in Order in Council P.C. 7355, which allows the removal of the value of all property and assets held in Canada, and which provides for minimum financial credits and government assistance in needy cases. Persons leaving under these arrangements will be accorded free transportation for themselves and their families and for whatever baggage allotment is allowed by shipping conditions.

The Prime Minister stated that the government would defer the appointment of the commission to review the cases of persons of Japanese origin until judicial review of the Orders in Council is completed. Prior to the appointment of the commission, its terms of reference, as set forth in Order in Council P.C. 7357, will be reviewed by the government.

23-2-2-7



Department of Labour JUDGES' CHAMBERS  
SUPREME COURT OF CANADA  
CANADA MAR 12 1946 OTTAWA

To:.....  
 DRAFT L<sup>9</sup>th March, 1946.  
 YOU HANDLED  
 YOUR COMMENTS  
 SUPREME COURT  
 MONTREAL  
 GET FILED

Dear Mr. MacNamara:

I have read the enclosure of your favour of the 23rd ultimo with the greatest of interest. One can appreciate how difficult it is to deal with a matter of this nature. However, it is but another of the many difficult situations which you have been called upon to administer. Your capacity and ability in this regard has been a subject of much favourable comment.

I congratulate you upon your achievements and wish for you continued success.

Sincerely yours,

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

23-2-2-7

DEPARTMENT OF LABOUR

OTTAWA, March 9, 1946.

MEMORANDUM to Mr. MacNamara.

*Mr Brown*

I think we should advise Mr. Pickersgill at once of the Government decision on deportation so that he will have it in anticipation of the release of the public statement by the Prime Minister and also be in a position to review his present arrangements without delay.

The position of the group in Alberta and Manitoba who are slated for deportation is difficult at the moment as they are occupying houses on farm property and both the farmer and the Jap want to know where they stand.


The attached letter is to cover the foregoing.

*re deportation policy  
on its way*

*ack*

*[Signature]*  
A. H. Brown.

*13/3/46*

  
Ottawa, March 9, 1946.

Mr. T. B. Pickersgill,  
Commissioner of Japanese Placement,  
Department of Labour,  
360 Homer Street,  
Vancouver, B.C.

CONFIDENTIAL

Re: Repatriation of Japanese

*deportation policy*

The Government has had under consideration the situation arising out of the Supreme Court decision and the subsequent action taken on behalf of Japanese groups to appeal the decision to the Privy Council. The situation is an embarrassing one in that only three members of the Court upheld the validity of the orders in all respects while four members of the Court held that the provision for the deportation of wives and children of persons otherwise deportable was invalid and two members of the Court held that the provision for denaturalization of naturalized Canadians deported is also invalid.

The Government has reached the conclusion that the hearing of the appeal by Privy Council should be facilitated and that pending the outcome of the decision, no action should be taken to proceed with forcible deportation of Japanese. This conclusion is arrived at in view of the differences of opinion shown in the Supreme Court decision and is also predicated on the fact that insofar as the family groups are concerned, the opinion of the majority of the Court that children cannot be deported with their parents, places the Government in a position where pending the disposition of the appeal, it would not be possible for the Government to force the deportation of the parents in the interim. The Government policy has been settled as per the terms of the attached letter of March 8th. It is anticipated that the Privy Council hearing will probably take place in June. This means some months' delay in the programme of forced deportation. On the other hand, the Government



*13/3/46*

is anxious to proceed with the shipment of all those who are prepared to go as voluntary repatriates and is particularly anxious to get initial shipment away as soon as reasonably practicable.

The United States authorities are still holding us up on the question of financial arrangements but in the last few days, some progress has been made and we are hopeful that this situation will be straightened shortly.

What we, therefore, would like you to do is to review your repatriation arrangements in the light of the foregoing and endeavour to reach a conclusion as to the size of the first shipment for which we should requisition space from the U.S. authorities to accommodate a group of voluntary repatriates.

Insofar as the general deportation programme is concerned, the delay in deportation proceedings which will arise out of the above, will necessitate a review of the position of the repatriate group in Alberta and Manitoba. It is obvious that those in this group who, although subject to deportation, are not prepared to go this spring as voluntary repatriates, will have to be left on the farms until the Fall. It would seem to us that in the circumstances it would be necessary to so indicate. In respect to those from these areas who wish to proceed with repatriation, it will be necessary to make provision for their inclusion in the first shipment.

#### Relocation

It has been agreed that insofar as deportation is concerned, family groups will be held together and that where one of the parents is Canadian-born and is not subject to deportation, even though the other parent is subject to deportation, the family will not be sent to Japan if the Canadian-born parent has not signed or has revoked and the family is not now willing to go. The same situation prevails in the case of a naturalized couple where the husband or wife being naturalized has not signed for repatriation or has revoked within the period of time prior to midnight, September 1st, 1945.

In our opinion, all these family groups and persons who are not going to be deported against their will should, where they have definitely revoked or definitely

asserted that they are not going to Japan, be included in the group who are to be relocated in this country and given the opportunity to take advantage of relocation opportunities. It seems to us that some pressure can be asserted on these groups to facilitate their movement outside the province.

You also have in your settlements Japanese National groups who have never requested repatriation but whom you have been permitting to move east only for the purpose of taking farm employment. In our opinion, this limitation should be relaxed to permit placements in other lines where, in your judgment, this is advisable to facilitate placement.

In general, everything should be done to develop a programme this year for placement outside B.C. of those who are not voluntary repatriates or who, under Government policy, will not be deportable, with particular emphasis on farm placement.

We appreciate the situation arising out of the Supreme Court decision and the appeal to Privy Council necessitates a very substantial review of present plans and we will be glad to hear from you in due course.

Enc.

A. MacNamara.



CANADA

PRIVY COUNCIL OFFICE

Department of Labour,  
RECEIVED  
MAR 8 1946  
Secretary to Minister!

CABINET SECRETARIAT

*English announcement*  
*Moss*  
*MM*

Ottawa, Ontario,  
March 8th, 1946.

Honourable Mr. Humphrey Mitchell,  
Minister of Labour,  
Ottawa, Ontario.

Dear Mr. Mitchell:

At its meeting on March 6th the Cabinet, after discussion, agreed on the following policy relative to deportation of persons of Japanese race:

- (a) that, in the light of the uncertainty created in the legal situation by the differing judgments of the Supreme Court, the government facilitate the hearing of an appeal on the question by the Judicial Committee of the U.K. Privy Council;
- (b) that, pending the outcome of the appeal, arrangements be made at as early a date as possible for any Japanese who wished to do so, to leave Canada for Japan on a purely voluntary basis;
- (c) that the appointment of the Commission to review the cases of Japanese persons be deferred until the hearing of the appeal had been completed, and that before its establishment its terms of reference be reconsidered; and,
- (d) that an early announcement be made to the above effect.

*[Handwritten signature]*  
*4/13*  
*3/1*  
*4/6*  
*XT*

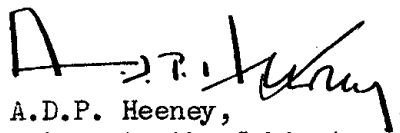
It was further agreed that consideration be given to the steps to be taken by the government immediately to facilitate general re-settlement of loyal Japanese persons throughout the country and that, to assist in achieving re-settlement on a permanent basis the prohibition on on the purchase of land by such persons be lifted



The Prime Minister is preparing an announcement covering these conclusions for release at an early date.

I am forwarding copies of this letter to the Honourable Mr. Mackenzie and Mr. MacNamara.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'A.D.P. Heeney', written over a horizontal line.

A.D.P. Heeney,  
Secretary to the Cabinet.



PRIVY COUNCIL OFFICE

Department of Labour,  
**RECEIVED**  
MAR 7 1946  
Secretary to Minister.

CABINET SECRETARIAT

March 7th. 1946,


Hon. Humphrey Mitchell,  
Minister of Labour,  
Ottawa, Canada.

Dear Mr. Mitchell;

Acting on your instructions I saw  
the Hon. Mr. Mackenzie and acquainted him with the  
recommendations of the Cabinet Committee on the  
question of deportation of Japanese.

Mr. Mackenzie asked me to tell you  
that he was in accord with the decision that had been  
reached.

Yours truly,

  
B. F. Wood

7/3/46.  
copy sent to  
R. G. Robertson  
Secretary to P.M.

13/3/46

Ottawa, March 5, 1945.

Mr. A. D. P. Heeney,  
Clerk of the Privy Council,  
O t t a w a.

Dear Mr. Heeney:

With reference to your letter of March 4 in regard to the Cabinet Committee's recommendation with regard to the next move in connection with repatriation of persons of Japanese race.

Honourable Mr. MacKenzie has considered the proposal of the Sub-Committee, and he is in agreement with the proposal.

Yours sincerely,

(SIGNED) HUMPHREY MITCHELL

*amc*  
*1*

AM/LL

*1*  
*13/3/46*

Department of Labour,  
RECEIVED  
MAR 4 1946  
Secretary to Minister.



TOP SECRET

Department of Labour,  
RECEIVED  
MAR 4 1946  
Secretary to Minister.

PRIVY COUNCIL OFFICE

CABINET SECRETARIAT

Ottawa, March 4th, 1946.

The Honourable Humphrey Mitchell, M.P.,  
Minister of Labour,  
Ottawa, Ontario.

Dear Mr. Mitchell:

*el*  
The report of the Special Cabinet Committee on repatriation and re-location of persons of Japanese race of which you are Chairman, was submitted at a meeting of the Cabinet held on Saturday morning last, March 2nd.

After some discussion of the Committee's recommendations, as set out in Cabinet Document 164 (of which you have a copy) it was agreed that decision thereon be deferred until you were present. Meantime, the Prime Minister felt that you should see Mr. Mackenzie and inform him of the course which the Committee recommended should be followed. You will recall that the Committee's recommendations were as follows:

(a) the government facilitate an appeal to the Privy Council;

(b) pending the outcome of the appeal, the government repatriate only those persons of Japanese race who still desired to be returned to Japan;

(c) the government continue to seek the dispersal of Japanese to all parts of Canada;

(d) the establishment of a Commission of Appeal be deferred pending decision on the appeal to the Privy Council, it being understood that the government would reconsider the terms of reference

*Mr. Mitchell's  
agreed to this  
3/3/46*

*3/3/46*

-2-

of this Commission in the light of  
this decision.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "A. D. P. Heeney". The signature is written in a cursive style with a large initial "A" and a long horizontal stroke.

A. D. P. Heeney  
Secretary to the Cabinet.


DEPARTMENT OF LABOUR

OTTAWA, March 2, 1946.

MEMORANDUM to Honourable Mr. Mitchell,  
Minister of Labour.

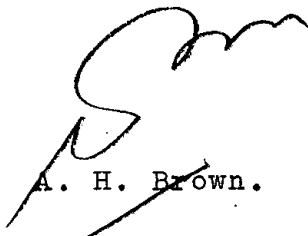
The attached revision of the Report of the Cabinet Committee on Japanese, which is proposed by Mr. Robertson, varies only from the original report on two points, namely:

- (1) The proposal that the Government make an announcement covering the policy approved;
- (2) There is a slight difference in the wording of proposal (c) as revised relating to the appointment of the Commission of Review. This is not important.

 I should think you could accept, therefore, the revision suggested by Mr. Robertson.

In the consideration of this matter by Cabinet, it would be helpful if the Minister of Justice has reached any conclusions as to the actual effect of the Supreme Court decision stating that while parents who request repatriation may be deported, their children cannot be deported. Does this, in fact, preclude the deportation of the parents in such instances?

Att:

  
A. H. Brown.

TO: CENTRAL REGISTRY,  
Room 7, Inf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pamnett.

P.A.

B.F.

March 2, 1946.

to Honourable Mr. Mitchell,  
Minister of Labour.

The attached revision of the Report of the Cabinet Committee on Japanese, which is proposed by Mr. Robertson, varies only from the original report on two points, namely:

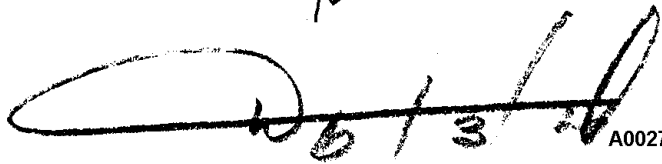
- (1) The proposal that the Government make an announcement covering the policy approved;
- (2) There is a slight difference in the wording of proposal (c) as revised relating to the appointment of the Commission of Review. This is not important.

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Att:

A. H. Brown.

A large, stylized handwritten signature, possibly 'A. H. Brown', is written over the typed name. Below the signature, the date '2/3/46' is written in a cursive hand.



March 2, 1946.

to Honourable Mr. Mitchell,  
Minister of Labour.

The attached revision of the Report of the Cabinet Committee on Japanese, which is proposed by Mr. Robertson, varies only from the original report on two points, namely:

- (1) The proposal that the Government make an announcement covering the policy approved;
- (2) There is a slight difference in the wording of proposal (c) as revised relating to the appointment of the Commission of Review. This is not important.

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Att:

A. H. Brown.



EXTERNAL AFFAIRS  
CANADA

REPLY TO BE ADDRESSED TO:  
THE UNDER-SECRETARY OF STATE  
FOR EXTERNAL AFFAIRS  
OTTAWA

Ottawa, March 1, 1946.

Urgent

By Hand

Dear Mr. MacNamara:

You will, by now, have received the <sup>report</sup> report of the conclusions of the meeting of the Cabinet Committee on Japanese problems which was held on February 27th.

--

While the substance of the report is correct, it seems to me that there would be advantage in having the conclusions placed before Cabinet in a slightly different form - a form which, I believe, would be closer to the exact consensus of the meeting. As you will recall, it was felt that it would be advisable, in order to meet the present flow of letters and protests, to have an announcement of government policy made at an early date, covering the appeal, the movement of persons on a voluntary basis and the reconsideration of the terms of reference of the Commission to be set up to review the cases of Japanese. I am enclosing herewith two copies of a note which would present the conclusions in a form such as to make the above point clear.

If you agree that it might be desirable to have the report modified as I have suggested, possibly you could bring this to the attention of Mr. Mitchell in order that he can raise the points this afternoon.

I am sending a copy of this letter and of the note to Mr. Abbott.

Yours sincerely,

Under-Secretary of State  
for External Affairs.

Arthur MacNamara, Esq.,  
Deputy Minister of Labour,  
Ottawa.

13/3/46

A0027084\_226-001

Confidential

Note on the Report of the Recommendations of  
the Cabinet Committee on the Japanese -  
Meeting of February 27, 1946.

---

The conclusions of the meeting, as set forth in the report of the Secretary, might be modified slightly and presented in the following form:

"The Committee, after lengthy discussion, agreed to make the following recommendations to Cabinet:

That an announcement should be made at an early date, on behalf of the government, to the following effect:

- X (a) That, in the light of the uncertainty created in the legal situation by the differing judgments of the Supreme Court, the government would facilitate the hearing of an appeal on the question by the Privy Council.
- (b) That, pending the outcome of the appeal, arrangements would be made at as early a date as possible for any Japanese who wished to do so, to leave Canada for Japan on a purely voluntary basis.
- (c) That the appointment of the Commission to review the cases of Japanese persons would be deferred until the hearing of the appeal had been completed, and that before its establishment its terms of reference would be reconsidered.

X In addition, (the Committee agreed to recommend that) consideration should be given to the steps that might be taken by the government immediately to facilitate the general resettlement of loyal Japanese persons throughout the country. To assist in achieving such resettlement on a permanent basis, it was felt that the prohibition on the purchase of land by loyal Japanese persons should be lifted."

Confidential

Notes on the Report of the Recommendations of  
the Cabinet Committee on the Japanese -  
Meeting of February 27, 1946.

---

The conclusions of the meeting, as set forth in the report of the Secretary, might be modified slightly and presented in the following form:

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- (b) That, pending the outcome of the appeal, arrangements would be made at as early a date as possible for any Japanese who wished to do so, to leave Canada for Japan on a purely voluntary basis.
- (c) That the appointment of the Commission to review the cases of Japanese persons would be deferred until the hearing of the appeal had been completed, and that before its establishment its terms of reference would be reconsidered.

In addition, the Committee agreed to recommend that consideration should be given to the steps that might be taken by the government immediately to facilitate the general resettlement of loyal Japanese persons throughout the country. To assist in achieving such resettlement on a permanent basis, it was felt that the prohibition on the purchase of land by loyal Japanese persons should be lifted."



CANADA

PRIVY COUNCIL OFFICE

CABINET SECRETARIAT

PA  
 Department of Labour  
 [Signature]  
 Ottawa, Ontario,  
 February 28th, 1946.

Mr. Arthur MacNamara,  
Deputy Minister,  
Department of Labour,  
Ottawa, Ontario.

Dear Mr. MacNamara:

I am enclosing minutes of a meeting of the Cabinet Committee on Japanese Problems which was held in the Privy Council Chamber on February 27th, 1946.

Sincerely yours,

*B.F. Wood*  
 B.F. Wood,  
 Secretary.

*[Handwritten signature]*

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA 194

~~SECRET~~

A meeting of the Special Committee of the Cabinet appointed to consider the repatriation and re-location of persons of Japanese race in Canada was held in the Privy Council office on Wednesday, February 27th, 1946, at 10.30 a.m.

Present:

The Minister of Labour,  
(Mr. Mitchell), - Chairman

The Minister of National Defence,  
(Mr. Abbott).

Also present:

The Under-Secretary of State for External Affairs,  
(Mr. N... Robertson)

The Deputy Minister of Labour,  
(Mr. A. MacNamara)

Mr. A.H. Brown  
Department of Labour,

Mr. R.G. Robertson  
Prime Minister's Office,

Mr. B.F. Wood,  
Secretary,  
Privy Council Office.

1. The Minister of Labour reviewed a memorandum, copies of which had been circulated, in which it was suggested that in the light of the decisions of the Supreme Court the following principles should govern the issue of deportation orders:

- (a) Husbands and wives will not be separated by forced deportation measures except in instances where the domestic relations of a man and wife have already been broken up in which case each will be dealt with as a single individual.
- (b) Canadian born persons will not be deported against their wishes. (Department of Labour memorandum undated).

2. The Chairman reviewed a letter which he had sent to some of his colleagues in which he suggested three possible courses of action which might be followed:

- (1) That the appeal to the Privy Council be proceeded with if the parties so desire and that the hearing be expedited. In the meantime that we content ourselves with making preliminary arrangements and if possible by despatching Japanese nationals who have no minor children and voluntary repatriates.

- (2) That those who are interesting themselves in the case be told of the plan which the government proposes to follow. It is possible that their acceptance of the policy might be obtained and the reference to the Privy Council would then become unnecessary.
- (3) To proceed with deportation within the limits of the Supreme Court decision and notwithstanding that an appeal is taken.

3. Mr. R.G. Robertson stated that a delegation of six or seven persons from Toronto was desirous of discussing the Japanese question with the government. They were particularly anxious to have the government consider the following three points:

- (1) In view of the difference in opinion in the Supreme Court judgements the Japanese orders be withdrawn and the matter dropped.
- (2) Failing an abandonment of the orders they would regard it as a satisfactory solution if the government would agree that all those who are subject to deportation and who are not willing to go should have the right to have their cases heard by the Loyalty Commission which is to be established.
- (3) If there is to be no change in government policy the Committee would like to have assurance that the matter would not be proceeded with pending the outcome of an appeal to the Privy Council.

4. The Deputy Minister of Labour stated that if we were to strictly follow the decision of the Supreme Court approximately 7,000 Japanese would be liable to deportation. If, however, it was decided not to separate parents from their children this number might be reduced to approximately 1,500.

5. The Committee after lengthy discussion agreed to make the following recommendations to Cabinet:

- (1) That the government facilitate an appeal to the Privy Council.
- (2) Pending the outcome of the appeal the government would repatriate only those who still expressed a desire to be returned to Japan.
- (3) The government would proceed with efforts at dispersal of Japanese to all parts of Canada other than the Pacific Coast.
- (4) The setting up of a Commission of Appeal would be deferred until the decision of the Privy Council had been announced and the government would reconsider the terms of reference of this Commission in the light of Privy Council decision.

The meeting adjourned at 12.45 p.m.

Privy Council Office,  
Ottawa, February 27th, 1946.

B.F. Wood,  
Secretary.

TO: CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

B.F.

P.A.





PRIVY COUNCIL OFFICE

CABINET SECRETARIAT

Department of Labour  
*MacNamara*  
*J*

Ottawa, February 26, 1946.

Arthur MacNamara, Esq.,  
Deputy Minister of Labour,  
Ottawa.

Dear Mr. MacNamara:-

A meeting of the Committee of the Cabinet appointed to consider the ~~repatriation~~ <sup>re location</sup> of persons of Japanese race in Canada will be held in the Privy Council Chamber on Wednesday, February 27th at 10:30 a.m.

I am enclosing a memorandum prepared by officials of the Department of Labour containing suggested principles that might be followed in initiating deportation orders.

Sincerely yours,

*B. F. Wood*  
B. F. Wood.

*J*  
*2/27/46*

S E C R E T

MEMORANDUM TO THE CABINET:

RE JAPANESE DEPORTATION POLICY

I. In order to complete deportation orders covering Japanese who are to be sent to Japan under P.C. 7355, it is necessary to settle at this time the general principles which will be followed in the matter of deportation where persons are now unwilling to proceed to Japan. In suggesting the following rules, due consideration has been given to the decisions of the majority of the Judges of the Supreme Court of Canada.

P.C. 7355 outlines the classes of persons who may be deported but the issue of deportation orders is discretionary and discretion must be exercised in the case particularly of deportation of family groups in a reasonable and sensible manner. It is considered that the policy in this respect should be cleared through the Cabinet Committee on Japanese Repatriation.

II. The majority decision of the Supreme Court on the recent reference as to the validity of the orders relating to Japanese deportation holds the orders valid with the exception of the provision in P.C. 7355 which says that the wives and children under sixteen years of age of persons who are deportable may be included in an order for the deportation of such persons. This latter provision is declared to be ultra vires.

III. It is proposed that the following principles shall govern the issue of deportation orders:

- (a) Husbands and wives will not be separated by forced deportation measures except in instances where the domestic relations of the man and wife have already been broken up in which case each will be dealt with as a single individual.
- (b) Canadian-born persons will not be deported against their wishes.

IV. Applying the foregoing principles to specific types of family groups, the following rules are proposed, to apply to family groups and single persons:

- 1. Man and wife - both born in Japan. Both being Japanese Nationals and both having made a request for repatriation, - both will be included in Deportation Order regardless of any request for revocation. It will be assumed that parents will take their children with them. However, if difficulties arise in this connection in so far as Canadian born children are concerned the determining consideration will be the avoidance of division of family units.

It may be argued in some quarters that the deportation of parents of children under sixteen years of age indirectly means the effective forced repatriation of children under sixteen years of age and that the effect of such a policy will be to circumvent the decision of the Supreme Court. The policy on this point is therefore a matter for the Government to determine at this time. On the other hand, if deportation is not to be undertaken in the case of married couples where there are children involved, the number of persons who will be subject to deportation will be limited to 1500 persons. Moreover in each case the deportation of the man and wife will be based upon a request from each of them.

2. Man and wife - both born in Japan. One having become a Naturalized British Subject and both having requested repatriation. If the one who is a Naturalized British Subject applied prior to midnight the first day of September, 1945, for revocation neither will be included in a Deportation Order (in order to avoid compulsory division of a family) unless on further interview the naturalized person makes a new election to go to Japan. It is assumed that the parents will take their children with them. If they refuse to do so no assistance to go to Japan will be given to a man and wife without the children.
3. Man and wife - both born in Japan and both Naturalized British Subjects - both having requested repatriation. If either applied for revocation prior to September 2, 1945, neither will be included in the Deportation Order unless upon a new election both decide to go. If neither person has applied to revoke prior to September 2, 1945, both will be included in the Deportation Order.
4. Rules 1, 2 and 3 are for cases where both have requested repatriation. In such limited number of cases (and there are very few) where the husband alone has requested repatriation and is deportable and the wife has been silent (i.e. has neither applied for repatriation nor made a statement verbally or written, of which there is a record, stating she does not wish to be repatriated) - neither will be sent if the wife is not prepared to go.
5. Man and wife - the husband having requested repatriation and the wife having signified her desire not to be repatriated. If the wife is not prepared to go, neither will be sent.
6. Man and wife - one born in Japan and one born in Canada - both having applied for repatriation. If the Canadian born applies for revocation, neither will be sent.
7. Where the husband goes to Japan and the wife stays in Canada, the children remain with the wife if they have been in the home with her unless the parties otherwise agree.
8. In the case of single Japanese born in Japan and not Naturalized, men or women, who have applied for repatriation, an order for deportation will be made and deportation proceeded with.
9. In the case of a single man or woman born in Japan who is a Naturalized British Subject, an order for deportation will be made and such person will be deported if such person has requested repatriation and has not revoked prior to September 2, 1945.
10. If the domestic relationship of the man and wife has already been broken up, each will be dealt with as in the case of a single individual.
11. No Japanese person, irrespective of national status, who fought for Canada in the last war, will be sent from Canada on other than a voluntary basis.
12. Forced deportation will not be undertaken in the immediate future in the family groups east of Manitoba who signed for repatriation but have since revoked. Voluntary repatriation from Eastern Canada may be proceeded with, however, at any time.

13. Internees

Japanese national internees are subject to deportation without having requested repatriation.

The following is the present status of internees:

JAPANESE NATIONALS

|                                    |       |
|------------------------------------|-------|
| Signed for repatriation.....       | 15    |
| Wouldn't sign but want to go ..... | 81    |
| Undecided .....                    | 49    |
| Want to remain in Canada .....     | 26    |
|                                    | ----- |
|                                    | 171   |

NATURALIZED CANADIANS

|                                    |       |
|------------------------------------|-------|
| Signed for repatriation .....      | 14    |
| Wouldn't sign but want to go ..... | 16    |
| Undecided .....                    | 0     |
| Want to remain in Canada .....     | 10    |
|                                    | ----- |
|                                    | 40    |

CANADIAN BORN JAPANESE

|                                    |       |   |
|------------------------------------|-------|---|
| Signed for repatriation .....      | 123   | (a number of these have revoked recently) |
| Wouldn't sign but want to go ..... | 28    |   |
| Undecided .....                    | 0     |   |
| Want to remain in Canada .....     | 51    |   |
|                                    | ----- |   |
|                                    | 202   |   |

In the case of Naturalized Canadian Internees and Canadian born Internees who have applied to be repatriated, the deportation of such persons and their families will be subject to the same provisions as apply to persons having a similar status and who are not presently interned. Persons in these groups who are not to be repatriated will be released as quickly as placement can be found for them.

In the case of Japanese Nationals, a deportation order will be issued covering those who have signed for repatriation and those who, although not having signed, have signified their intention of going. This is, however, subject to the provision that if the wife has not signed neither will be sent.

A decision has to be made as to whether the remaining Japanese Nationals who want to remain in Canada or are undecided should be deported under the same conditions as apply to those who have requested repatriation or whether, in the alternative, these should be permitted to stay in Canada or go to Japan as they may elect. It is suggested that the persons who are undecided should not be sent.

TO: CENTRAL REGISTRY,  
Room 7, Inf. Bldg.

Please place attached on file

23-2-2-7

H.T. Parnett.

B.F.

P.A.

A0027084\_237-001



Department of Labour

CHIEF JUSTICE'S CHAMBERS,  
SUPREME COURT,  
OTTAWA.

February 25th, 1946.

Dear Mr. Deputy Minister,

I beg to acknowledge receipt of your letter of February 23rd, with memorandum outlining the <sup>re</sup> proposal which the Department of Labour is advancing for consideration of the Cabinet Sub-Committee about to deal with Japanese repatriation.

You were right in assuming that I would be very interested in reading the proposal.

Yours very truly.

Mr. A. MacNamara,  
Deputy Minister of Labour,  
Parliament Bldgs.  
OTTAWA.

TO: CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

B.F.

P.A.



CANADA

Department of Labour,  
RECEIVED  
FEB 26 1946  
Secretary to Minister.

MINISTER OF VETERANS AFFAIRS

Ottawa, February 25, 1946.

My dear Colleague,-

I am in receipt of your letter of February 23rd, and regret I am not in a position of being with you at your pending meeting, especially as the Japanese question is of more interest to me than, possibly, to any other member of the Cabinet.

I am in favour of alternative No. 3. Alternative No. 2, though giving evidence of much careful thought and hard work, looks to me like a Chinese puzzle which the people would not understand.

I would further recommend that Mr. B.K. Sandwell, who is so adept at interfering with declared Government policy, should see to it that his Committee guarantee to absorb into the Province of Ontario, and especially into the City of Toronto, their per capita proportion of Japanese who are not, according to his ukase, to be deported.

In the third place, the agreement to return these Japanese to British Columbia should be cancelled.

We can only in reason be asked to take our per capita share, and even these should stay in the interior of British Columbia.

Very sincerely yours,

The Honourable Humphrey Mitchell,  
Minister of Labour,  
Ottawa,  
Ontario.

*re Japanese  
policy*

*27/5/46*  
MCM



Ottawa, February 23, 1946.

Honourable Ian A. Mackenzie, M.P.,  
Minister of Veterans Affairs,  
O t t a w a.

My dear colleague:

I attach copy of letter to our colleague,  
Rt. Hon. L. S. St. Laurent, together with copy of secret  
memorandum referred to.

Yours sincerely,

AM:AJ

*Mr. A. Brown*

C P Y

Ottawa, February 23, 1946.

Rt. Hon. L. S. St. Laurent, M.P., P.C.,  
Minister of Justice,  
O T T A W A.

My dear Colleague:

The attached secret memorandum (copy of which is going to Mr. Varcoe) outlines the policy in regard to Japanese deportation which I propose to recommend to the Cabinet Committee and the Secretary of the Committee will be calling a meeting early next week. I hope you will be able to attend.

In the attached draft an attempt has been made to decide the various classes of cases on a most reasonable basis and to fit the determining of the action in with the decisions of the majority of Judges of the Supreme Court.

Three probabilities under existing circumstances occur to me:-

- (1) That the appeal to the Privy Council be proceeded with if the parties so desire and that the hearing be expedited. In the meantime, that we content ourselves with making preliminary arrangements and if possible, by dispatching Japanese Nationals who have no minor children, and voluntary repatriates.

or in the alternative -

- (2) That those who are interesting themselves in the case and who will probably be interviewing you in the near future be told that the attached outlines the plan which the Government intends to follow. It is just possible that their acceptance of the policy might be obtained and that the agitation would then stop and the reference to the Privy Council would then become unnecessary.
- (3) To proceed with deportation within the limits of the Supreme Court decision and notwithstanding that an appeal is taken.

Yours sincerely,

(sgd.) Humphrey Mitchell  
Minister of Labour

DEPARTMENT OF LABOUR

OTTAWA, February 23, 1946.

MEMORANDUM - G/C B.F. Wood:

I attach copy of letter sent by the  
Minister to Rt. Hon. L. S. St. Laurent, together with  
25 copies of secret memorandum referred to.



A. MacNamara

TC CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

P.A.

B.F.

Ottawa, February 23, 1946.

Mr. F. P. Varcoe, *X*  
Deputy Minister of Justice, *Q*  
O t t a w a.

Dear Mr. Varcoe:

I attach copy of letter sent by my  
Minister to Rt. Hon. L. S. St. Laurent, together with  
copy of secret memorandum referred to.

Very truly yours,

A. MacNamara

AM:AJ

*re policy in regard  
to Jap  
repatriation*

*AB*  
*22-3-46*

Ottawa, February 23, 1946.

Mr. N. A. Robertson,  
Under Secretary of State  
for External Affairs,  
O t t a w a.

Dear Mr. Robertson:

I attach copy of letter sent by my  
Minister to Rt. Hon. L. S. St. Laurent, together with  
copy of secret memorandum referred to.

Very truly yours,

A. MacNamara

AM:AJ

Ottawa, February 23, 1946.

Rt. Hon. L. S. St. Laurent, M.P., P.C., X  
Minister of Justice, O  
O T T A W A.

My dear Colleague:

The attached secret memorandum (copy of which is going to Mr. Varcoe) outlines the policy in regard to Japanese deportation which I propose to recommend to the Cabinet Committee and the Secretary of the Committee will be calling a meeting early next week. I hope you will be able to attend.

In the attached draft an attempt has been made to decide the various classes of cases on a most reasonable basis and to fit the determining of the action in with the decisions of the majority of Judges of the Supreme Court.

Three possibilities under existing circumstances occur to me:-

- (1) That the appeal to the Privy Council be proceeded with if the parties so desire and that the hearing be expedited. In the meantime, that we content ourselves with making preliminary arrangements and if possible, by dispatching Japanese Nationals who have no minor children, and voluntary repatriates.

or in the alternative -

- (2) That those who are interesting themselves in the case and who will probably be interviewing you in the near future be told that the attached outlines the plan which the Government intends to follow. It is just possible that their acceptance of the policy might be obtained and that the agitation would then stop and the reference to the Privy Council would then become unnecessary.

- 2 -

- (3) To proceed with deportation within the limits of the Supreme Court decision and notwithstanding that an appeal is taken.

Yours sincerely,

AM:AJ



- G/C B.F. Wood:

February 23, 1946.

I attach copy of letter sent by the  
Minister to Rt. Hon. L. S. St. Laurent, together with  
25 copies of secret memorandum referred to.

A. MacNamara

AM:AJ

Ottawa, February 23, 1946.

Mr. F. P. Varcoe, K.C.,  
Deputy Minister of Justice,  
O t t a w a.

Re: Japanese Deportation Policy

I am enclosing memorandum prepared as a basis for discussion by the Sub-Committee of the Cabinet on Japanese, which is self-explanatory.

Your attention is directed to Section IV, Sub-section 1 of this memorandum in which there is raised for consideration the problem which arises where a married couple both born in Japan are deportable under P.C. 7355 and have children under sixteen years of age born in Canada. The recent answers of the Supreme Court on the reference covering the Japanese deportation orders contain a majority finding that paragraph four of section two of P.C. 7355 which provides that wives and children of other classes of Japanese subject to deportation may be included in the deportation order with such person. The effect of this finding insofar as wives are concerned is not important in regard to the Deportation Policy inasmuch as all wives made an independent election and signed a request in those instances where they wished to go to Japan. The number of cases where the husband elected to go to Japan and the wife did not elect to do so are not large. On the other hand, the great majority of Japanese Nationals and Naturalized Canadians who are deportable are married and have Canadian-born children. If, therefore, parents are not deportable in instances where there are Canadian-born children, the effect will be to limit repatriation to a comparatively small number of single National and Naturalized Canadians and childless married couples in the

same categories.

In the light of the Supreme Court decision and reasons furnished in support thereof, we would appreciate your advice as to whether there are valid legal objections towards proceeding with the deportation of parents who are themselves deportable under P.C. 7355 having children who are not deportable and born in this country and to have the benefit of any observations which you may wish to make in reference thereto.

Enc.

A. MacNamara,

CONFIDENTIAL

Ottawa, February 23, 1946.

Honourable Thibaudeau Rinfret,  
Chief Justice of Canada,  
Supreme Court Building,  
O T T A W A.

Dear Mr. Chief Justice Rinfret:

The attached memorandum outlines the proposal which the Department of Labour is advancing for consideration of the Cabinet Sub-committee appointed to deal with Japanese repatriation.

It occurred to me that you might be interested in reading the proposal.

Yours respectfully,

A. MacNamara

AM:AJ

*re Japs deportation  
policy*

*217 / 2 / 46*

Ottawa, February 23, 1946.

CONFIDENTIAL

Honourable Mr. Justice J. W. Estey,  
Supreme Court of Canada,  
O T T A W A.

Dear Mr. Justice Estey:

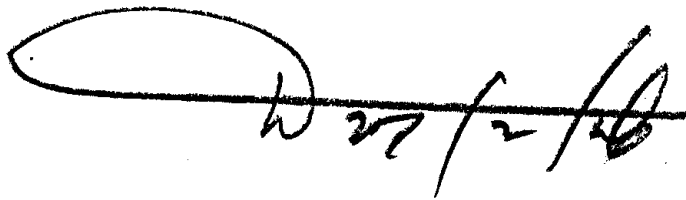
The attached memorandum outlines the proposal which the Department of Labour is advancing for consideration of the Cabinet Sub-committee appointed to deal with Japanese repatriation.

It occurred to me that you might be interested in reading the proposal.

Yours respectfully,

A. MacNamara

AM:AJ



CONFIDENTIAL

Ottawa, February 23, 1946.

Honourable Mr. Justice A. B. Hudson,  
Supreme Court of Canada,  
O T T A W A.

Dear Mr. Justice Hudson:

The attached memorandum outlines the proposal which the Department of Labour is advancing for consideration of the Cabinet Sub-committee appointed to deal with Japanese repatriation.

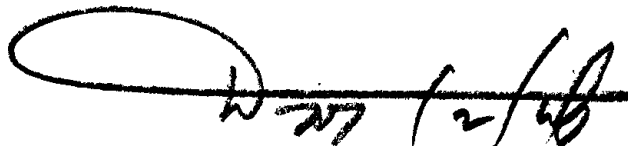
It occurred to me that you might be interested in reading the proposal.

It is my thought that you would not object to my telephoning you in this connection in a day or two.

Yours respectfully,

A. MacNamara

AM:AS



CONFIDENTIAL

Ottawa, February 23, 1946.

Honourable Mr. Justice I. C. Rand, ✓  
Supreme Court of Canada,  
O T T A W A.

Dear Mr. Justice Rand:

The attached memorandum outlines the proposal which the Department of Labour is advancing for consideration of the Cabinet Sub-committee appointed to deal with Japanese repatriation .

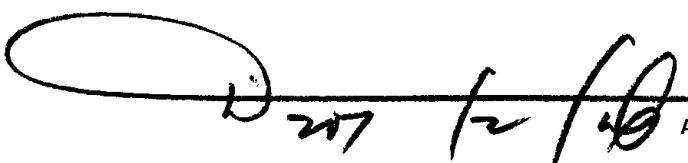
It occurred to me that you might be interested in reading the proposal.

It is my thought that you would not object to my telephoning you in this connection in a day or two.

Yours respectfully,

A. MacNamara

AM:AM



to Group Captain B.F. Wood.

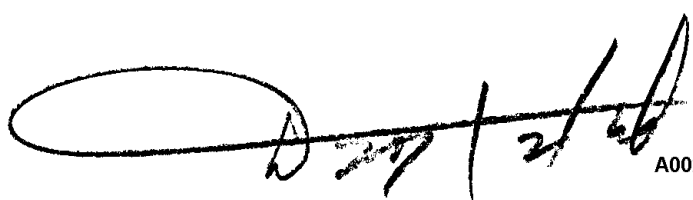
February 22

46.

Herewith 25 copies of Memorandum to  
Cabinet re Japanese Deportation Policy for  
distribution.

Enc.

A. MacNamara.

A large, stylized handwritten signature in black ink, appearing to read 'A. MacNamara', is written across the bottom of the page.



## JAPANESE REPATRIATION

### Memorandum re Deportation Policy

I. In order to complete deportation orders covering Japanese who are to be sent to Japan under P.C. 7355, it is necessary to settle at this time the general principles which will be followed in the matter of deportation where persons are now unwilling to proceed to Japan. In suggesting the following rules due consideration has been given to the decisions of the majority of the Judges of the Supreme Court of Canada.

P.C. 7355 outlines the classes of persons who may be deported but the issue of deportation orders is discretionary and discretion must be exercised in the case particularly of deportation of family groups in a reasonable and sensible manner. It is considered that the policy in this respect should be cleared through the Cabinet Committee on Japanese Repatriation.

II. It is proposed that the following principles shall govern the issue of deportation orders:

- (a) Husbands and wives will not be separated by forced deportation measures except in instances where the domestic relations of the man and wife have already been broken up in which case each will be dealt with as a single individual.
- (b) Canadian-born persons will not be deported against their wishes.

III. Applying the foregoing principles to specific types of family groups, the following rules are proposed to apply to family groups:

1. Man and wife - both born in Japan. Both being Japanese Nationals and both having made a request for repatriation, both will be included in Deportation Order regardless of any request for revocation. It will be assumed that parents will take their children with them. However, if difficulties arise in this connection insofar as Canadian-born children are concerned the determining consideration will be the avoidance of division of family units.
2. Man and wife - both born in Japan. One having become a Naturalized British Subject and both having requested repatriation. If the one who is a Naturalized British Subject applied prior to midnight the first day of September, 1945, for revocation neither will be included in a Deportation Order in order to avoid compulsory division of a family, unless on further interview the naturalized person makes a new election to go to Japan. It is assumed that the parents will take their children with them. If they refuse to do so no assistance to go to Japan will be given to a man and wife without the children.
3. Man and wife - both born in Japan and both Naturalized British Subjects - both having requested repatriation. If either applied for revocation prior to September 2, 1945, neither will be included in the Deportation Order unless upon a new election both decide to go. If neither person has applied to revoke prior to September 2, 1945, both will be included in the Deportation Order.

4. Rules 1, 2 and 3 are for cases where both have requested repatriation. In such limited number of cases (and there are very few) where the husband alone has requested repatriation and is deportable and the wife has been silent (i.e. has neither applied for repatriation nor made a statement verbally or written, of which there is a record, stating she does not wish to be repatriated) she shall be dealt with:-
  - (a) If born in Japan and not a Naturalized British Subject she shall be included in the Deportation Order with her husband.
  - (b) If born in Japan and now a Naturalized British Subject, her wishes shall be determined and if she does not desire to proceed to Japan, neither shall be included in the Deportation Order.
  - (c) If born in Canada and married to one subject to deportation, she shall be asked to state her wish and if she does not want to go to Japan, neither husband nor wife will be included in a Deportation Order.
5. Man and wife - both Japanese Nationals, the husband having requested repatriation and the wife having signified her desire not to be repatriated, the probabilities are that neither can be deported. However, the full facts of each case might be reported to Ottawa.
6. Man and wife - both born in Japan - the husband having been naturalized and requested repatriation - the wife not desiring repatriation - neither will be deported and the case will be reported to Ottawa as in 5. above.
7. Man and wife - both having been born in Canada - both having applied for repatriation. If either applies for revocation, neither will be included in Deportation Order.
8. Man and wife - one born in Japan and one born in Canada - both having applied for repatriation. If the Canadian-born applies for revocation before the issue of a deportation order, neither shall be included in the Deportation Order.
9. Where the husband goes to Japan and the wife stays in Canada, the children remain with the wife if they have been in the home with her unless the parties otherwise agree.
10. If the domestic relationship of the man and wife have already been broken up, each will be dealt with as in the case of a single individual.
11. No Japanese person, irrespective of national status, who fought for Canada in the last war, will be sent from Canada on other than a voluntary basis.
12. Forced deportation will not be undertaken in the immediate future in the family groups east of Manitoba who signed for repatriation but have since revoked. Voluntary repatriation from Eastern Canada may be proceeded with, however, at any time.

13. Internees

Japanese national internees are subject to deportation without having requested repatriation.

The following is the present status of internees:

JAPANESE NATIONALS

|                                    |       |
|------------------------------------|-------|
| Signed for repatriation .....      | 15    |
| Wouldn't sign but want to go ..... | 81    |
| Undecided .....                    | 49    |
| Want to remain in Canada .....     | 26    |
|                                    | <hr/> |
|                                    | 171   |

NATURALIZED CANADIANS

|                                    |       |
|------------------------------------|-------|
| Signed for repatriation .....      | 14    |
| Wouldn't sign but want to go ..... | 16    |
| Undecided .....                    | 0     |
| Want to remain in Canada .....     | 10    |
|                                    | <hr/> |
|                                    | 40    |

CANADIAN BORN JAPANESE

|                                    |       |   |
|------------------------------------|-------|---|
| Signed for repatriation .....      | 123   | (a number of these have revoked recently) |
| Wouldn't sign but want to go ..... | 28    |   |
| Undecided .....                    | 0     |   |
| Want to remain in Canada .....     | 51    |   |
|                                    | <hr/> |   |
|                                    | 202   |   |

In the face of Naturalized Canadian Internees and Canadian-born Internees who have applied to be repatriated, the deportation of such persons and their families will be subject to the same provisions as apply to persons having a similar status and who are not presently interned. Persons in these groups who are not to be repatriated will be released as quickly as placement can be found for them.

In the case of Japanese Nationals, a deportation order will be issued covering those who have signed for repatriation and those who, although not having signed, have signified their intention of going. This is, however, subject to the provision that if the wife is a Canadian-born person or a Naturalized Canadian, the issue of a deportation order will be subject to the rules set out above applicable to other repatriates.

A decision has to be made as to whether the remaining Japanese Nationals who want to remain in Canada or are undecided should be deported under the same conditions as apply to those who have requested repatriation or whether in the alternative, these should be permitted to stay in Canada or go to Japan as they may elect. It is suggested that the persons who are undecided should be treated as having elected to go to Japan.

TO: CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

B.F.

R.A.

Ottawa, January 23, 1946.

Draft letter to the Commissioner of the R.C.M.P.

Re: Repatriation of Japanese

I am enclosing herewith a number of copies of warrant of authority issued to the Commissioner of the R.C.M.P. by the Minister pursuant to Order in Council P.C. 7355 of December 15th, 1945, requesting assistance in the deportation of persons of the Japanese race whose deportation or repatriation is proceeded with under the provisions of P.C. 7355, and vesting in the Commissioner and his officers necessary authority to carry out measures as required to carry out deportation. This document is in the form which was settled by the Deputy Minister of Justice after consultation between officers of your Department, this Department and the Department of Justice.

Regulations have also been prepared for signature by the Minister in form copy of which is attached. We are holding the signing and issue of these Regulations pending clarification from Washington of a minor point with respect to permitting the repatriates to take with them receipts issued by the Custodian covering property left with him.

In accordance with discussions with your officers here and at Vancouver and discussions with National Defence and U.S. authorities, the procedure which will be followed for repatriation will be as follows:

1. Mr. T. B. Pickersgill, Commissioner of Japanese Placement, will be in charge of and will be the responsible officer of this Department for the execution and carrying out of deportation orders. All arrangements for movement of Japanese will be undertaken under Mr. Pickersgill's direction.
2. The Royal Canadian Mounted Police will be responsible for the enforcing of instructions issued by the Commissioner of Japanese Placement with respect to the movement of persons to be deported or repatriated either from the interior settlements to embarkation on board ship or from present places of residence to assembly points in British Columbia as the case may be, and for the safekeeping of such persons until delivered on board ship.
3. When deportation orders are issued by the Minister of Labour, a copy of this order is to be lodged with the Commissioner of Japanese Placement at Vancouver and will also be lodged with the Officer Commanding, R.C.M.P. British Columbia, and in addition, a copy will be forwarded to R.C.M.P. Headquarters, Ottawa, for head office file and an additional copy for transmission by Headquarters, R.C.M.P. Ottawa, to the Officer Commanding each R.C.M.P. district in which persons included in the deportation order are presently resident. This order will serve as the authority for further action taken by the R.C.M.P. with respect to persons included in the order.
4. All instructions for the movement of Japanese in any Mounted Police district will be issued from Vancouver by the Commissioner of Japanese Placement and will be transmitted to the Officer Commanding, R.C.M.P. in the district outside B.C. through the Officer Commanding, R.C.M.P. Vancouver and the Officer Commanding the R.C.M.P. in the district in question will then be responsible to see that the necessary movement orders are issued and that the persons in question report at the time and place required.
5. Where the number of persons involved in a movement require special train facilities for movement to British Columbia or to the point of embarkation, these will be arranged by the Commissioner of Japanese Placement.

6. The R.C.M.P. will be responsible to enforce the regulations of the Minister with respect to permissible baggage and personal property and funds which the Japanese are permitted to take with them out of Canada and will make the necessary searches of persons and baggage for this purpose. The searches will be undertaken in British Columbia prior to embarkation.

7. The military guard furnished by the Department of National Defence will assist the Officer Commanding, R.C.M.P., Vancouver, in the embarkation of persons proceeding to Japan as required by the Officer Commanding and will take over the responsibility for safekeeping and discipline of the persons proceeding to Japan upon embarkation on board ship. The General Officer Commanding, Pacific Command, National Defence, will also assist the Commissioner of Japanese Placement as desired in matters relating to the repatriation of the Japanese involved.

8. The present plan is that persons being deported will be moved from the settlements in British Columbia to ship board on U.S. troop transports which will berth at Vancouver for this purpose. Initial movement will probably be from Tashme and then from the other settlements. Following upon the first movement from Tashme, persons who are to be repatriated and are resident elsewhere within the settlements will then be moved into the Tashme for later shipment.

9. The notice covering in detail the arrangements and regulations in respect particularly to baggage and transfer of funds has been prepared and will be issued shortly from Vancouver by the Department of Labour for the information of Japanese and will be made available from Vancouver to your officers.

I trust that the foregoing arrangements are satisfactory to you.

Yours very truly,

A. MacNamara.

Ottawa, January 9, 1946.

MEMORANDUM TO: Mr. A. MacNamara.

Re: Japanese Repatriation Programme

1. The present shipping arrangement with U.S. is that Pickersgill will advise Col. Mast, Seattle, of the number of Japanese ready for shipment and Mast will then give a shipping date as soon as possible thereafter from Vancouver.
2. In view of the reference to the Supreme Court which involves Canadian-born and naturalized persons of Japanese race, we are not warranted in issue of deportation orders covering persons in this category in the meantime pending decision.
3. This means that, in the meantime, we can only work on deportation arrangements with

- (a) single Japanese Nationals;
- (b) married Japanese Nationals without children;
- (c) voluntary repatriates of other groups.

Group (a) are spread all over Canada as follows:

In settlements 243;  
In B.C. outside settlements 301;  
Alta. 29; Man. 10; Eastern Canada 112 - Total 695

Pickersgill says until he can get a movement from the settlements, there is no place he can gather these people for shipment.

Group (b) are divided as follows:

In settlements 210; in B.C. outside settlements 56  
Elsewhere - nil Total 266

Or in the total of the two groups:

In settlements - 453; In B.C. elsewhere 357  
Alta. 32; Man 10; East 112 Total 962

At present we have no gathering point outside the settlements except the Immigration Hall, Vancouver, which will not hold more than 200 maximum.

With respect to group (c) voluntary repatriates in other groups, both Pickersgill and the R.C.M.P., Vancouver, have a firm opinion that they cannot proceed with firm shipping arrangements for this group without having in hand an order for deportation as these persons will change their mind up to the last minute and the whole programme would suffer if shipping arrangements fall through for a considerable number of such a group designated for sailing.

4. I should think that when we have our financial arrangements in hand, we could

(a) issue orders for deportation of the single National men and married Nationals without families.

(b) have Pickersgill go ahead with arrangements to ship as many in this group as he can bring into the settlements - possibly 600-700 if it is possible for him to arrange a sailing for this small group.

Aside from the above, I should think we have to stand pat pending Supreme Court decision and complete our arrangements as far as

possible in meantime. We are not in a position to requisition shipping in the meantime for this group.

5. Once the Supreme Court decision is made the proposition is to issue deportation orders in the following order:

- (a) Japanese National group;
- (b) Naturalized group

which will be used as the basis of shipping requisitions.

6. What I am still uncertain of is whether we drive through with deportation orders on all deportable cases except border-line compassionate cases specifically recommended by Vancouver and refer only these cases and special non-deportable cases to the Loyalty Commission or whether, in the alternative, a larger variety of naturalized deportable but reluctant cases are to go to the Commission. The responsibility for referral of cases to the Loyalty Commission rests upon the Minister. Possibly we can only reach a conclusion on this when we have gone some distance in disposing of the national group.

7. Will appreciate any comments the Minister and yourself may have on the above.

A. H. Brown.



*see 23-2-2-7  
23-2-2-9*

Ottawa, July 17, 1945.

Mr. N. R. Robertson,  
Under-Secretary of State  
for External Affairs,  
O t t a w a .

Dear Mr. Robertson:

I am obliged for your letter of July 6 on the Japanese.

The total number signing for repatriation will probably run between nine and ten thousand which means that the number east of the Rockies who sign will be apparently limited. It is pretty difficult to make any guess on the percentage who have signed who will later request cancellation. Insofar as Japanese nationals are concerned, I would not anticipate a large number of requests unless there was some indication that they would be allowed to return to the Coast or at any rate, to stay in B. C. There may be a considerable number of Japanese Canadians signed up who will request cancellation. Here again the development of a permanent re-settlement programme for Japanese Canadians would be a determining factor.

We are not indicating that any consideration will be given to a request that repatriation application already made may be withdrawn. This attitude may have to be changed but I should think we should stand firmly on "no change insofar as Japanese nationals are concerned."

The work of the Japanese Loyalty Commission will, as you suggest, be materially cut down by reason of the number of voluntary repatriation applications which have been received. We see no reason why this commission should not commence operations immediately the segregation now going on in the settlements in B.C. is completed. The Commission, I suggest, could deal with the following cases:

- (a) All cases of Japanese Canadians or naturalized Canadians submitted by the R. C. M. P. on the basis of disloyal activities.
- (b) All Japanese nationals other than those applying for repatriation. The Government would be obliged to give the Commission a policy directive in considering this group and we recommend it be "all Japanese nationals to be returned to Japan except those recommended by the Commission to be permitted to remain here on compassionate grounds".
- (c) Review of status of Japanese Canadians who have signed application for repatriation and then cancelled same. This review not to be undertaken at any early date.

On the matter of the Japanese being permitted to return to the Coast, our judgment is that it would be impracticable to attempt this before the end of the war with Japan and probably for a long time to come. I do not believe the situation in the United States is a parallel one. In the first place the property of Japanese on the United States west coast was not sold except with the consent of the owner. Secondly Japanese Americans are more thoroughly Americanized and have established a good war status by reason of the outstanding efforts of the Japanese American Division in Italy and thirdly, the

rights of an American citizen as guaranteed by the Constitution are more firmly established in the public consciousness than in this country. I would think that the return to the coast would only be practicable for Japanese Canadians after the wartime control measures had elapsed.

The matter of quotas is difficult to discuss in a letter. A rigid quota basis opens up a lot of future administrative difficulties. Probably it could be agreed that the only group to be involved in re-settlement would be Japanese Canadians and Japanese nationals recommended to be permitted to remain in this country on a compassionate grounds. The provinces could be asked to agree to permanent relocation of a reasonable number of Japanese without any rigidity as to quota, on the undertaking of the Dominion to be responsible for reimbursement of relief and other welfare advances made by the province, and to continue to exercise during the war and post-war emergency period control of movement and of the issue of property purchase permits so as to avoid undue concentrations.

Undoubtedly the British Columbia Government will not want to and might not consider they are able to make any commitments at this time but unless they are prepared to do so, other provinces will hardly go along. Possibly if we are unable to make definite progress in discussion with the provinces it may be necessary to consider appointing a Royal Commission to consider the whole matter of re-settlement and compensation for displaced Canadians.

As you suggest, a meeting between the two Departments and the R.C.M.P. along with the Department of Justice would be useful and if you will let us know whom you wish to represent you I will arrange to call a meeting.

Yours very truly,

A. MacNamara.

C O P Y

DEPARTMENT OF EXTERNAL AFFAIRS

Ottawa, July 9, 1945.

Dear Mr. MacNamara:

Secret and Personal

I wish to thank you for having sent to me, from time to time during the past two months, copies of the reports made to you by Mr. T. B. Pickersgill concerning the results obtained by the special R.C.M.P. detachment taking applications for repatriation from persons of Japanese origin in British Columbia. I was particularly interested to notice the overall figures thus far received, which were included in the report dated June 29th. In view of the fact that 8,676 persons out of 15,101 have signed applications for repatriation, it seems clear that there will be quite a large group to be removed from Canada on a voluntary basis at the conclusion of hostilities. While the survey has not yet covered all Japanese persons in Canada, I assume that the percentage in favour of repatriation will be much lower among those Japanese who have moved from the resettlement camps in British Columbia and settled elsewhere in Canada. Accordingly, it would probably be an error to assume that the final figure for voluntary repatriates will be as high a proportion of the total Japanese population as the present figure is of the Japanese in British Columbia. I would be interested to have your views as to what the final figure is likely to be and as to the extent to which there are likely to be applications to withdraw requests for voluntary repatriation.

In connection with this matter I have no doubt that you may have been giving some thought to the desirability of having the Japanese problem placed before the Provincial authorities when they are here for the Dominion - Provincial Conference next month. It is my recollection that, when the Dominion - Provincial Conference was in contemplation something over a year ago, the Prime Minister was of the opinion that it would not be desirable to have the Japanese question put on the agenda of the Conference, since it might complicate discussion on the other Dominion - Provincial questions. However, I believe he inclined to the view that it would be useful to have the question discussed by the Federal and Provincial authorities immediately after the Conference whenever it was held. I think it is highly desirable to reach an understanding with the Provinces as soon as possible and, consequently, it might be advisable if we were to try to draw up certain draft proposals for consideration by the Prime Minister and the Cabinet.

As a preliminary to discussion with the Provincial authorities, one point to consider is whether to proceed with the Commission that the Prime Minister contemplated in his statement of last year. If all of those Japanese persons who have signed applications for repatriation are to be sent to Japan, the need for the Commission will be very much less than had originally been thought. However, it will still be advisable to have it appointed to examine some or all of the cases of those who have not signed. It would seem rather doubtful, however, in view of the large number of signatures, whether the Commission would be likely to recommend the repatriation of any very large additional number. Perhaps the best procedure would be to have the Commission consider only cases of doubtful Japanese persons which might be submitted to it by your Department, the Department of Justice, or the R.C.M.P. In addition possibly it should consider the cases of Japanese who have signed for voluntary repatriation and then have applied to withdraw their signatures. I should like to have your views on this question of the operation of the Commission and of the desirability of going ahead with it.

So far as the general approach to the provinces is concerned, the prospect of agreement should be much improved in view of the probability that we can contemplate a post war reduction in the Japanese

population of around 9,000 to 10,000. This would leave a total Japanese population in the country of around 14,000, and of these I suppose something in the vicinity of 4,000 to 5,000 can already be considered to be more or less definitely settled in other parts of the country than British Columbia, assuming that satisfactory agreements can be reached with the Provincial Governments. If these figures are approximately correct, it would leave a possible residue of about 9,000 Japanese who might be likely to want to return to British Columbia. You will be able, from your records, to give much more accurate figures than these, and I am simply using those that are available here to assist consideration of the general problem.

If the probable post war Japanese population of Canada is in the vicinity of 14,000 to 15,000, it seems to me that it might be reasonable to approach the Provinces on the basis of allowing about 50 percent of the Japanese to reside in British Columbia, while the remaining 50 percent would be distributed among the other provinces. This would mean a reduction of something like 15,000 in the Japanese population of British Columbia. It would still leave them with a larger part of the Japanese population than any other province, but I think that this is not unreasonable in view of the pre-war position. It should not be too difficult to arrange agreements with the other eight provinces to receive the remaining 50 percent. Perhaps the number of the Japanese now relatively well settled in other provinces would already come fairly close to this figure.

Assuming that a general agreement on numbers and proportions can be reached, there will be a number of details that will have to be considered. A preliminary question will, of course, be the cancellation of the agreements that were entered into with certain of the provinces calling for removal of relocated Japanese at the end of the war. In the case of all Provinces it would be necessary to go into the question of allowing land purchases. In addition, it would be desirable to ensure that municipalities should not withhold business and other licences from Japanese persons simply on racial grounds. A further matter would be the details of any financial agreement that should be made involving Federal responsibility for the indigence of resettled Japanese within a given period. This could, I assume, be done under the terms of the Order in Council that was passed a few months ago giving general authority for such agreements to the Minister of Labour. There are undoubtedly a great many other details in addition that would have to be investigated.

A further question that would have to be dealt with would be whether to allow Japanese persons to return to the Pacific Coast during the war, or to require them to remain at interior camps until the conclusion of hostilities with Japan. In view of the length of the war, the remoteness of operations from the Coast area, and the policy that has been adopted in the United States, I think it would be desirable to secure agreement in favour of allowing Japanese to return to the Coast as soon as possible after examination and vetting. We might, perhaps, adopt a plan similar to that applied in the United States. There, as I understand it, applications for return to the Coast are received, their persons are investigated and, if passed, they are allowed to return to their homes. If they are not passed for return to the Coast, they may still be eligible for resettlement in other parts of the country. In this way it would be possible to achieve a division of the Japanese during the war into those who could settle freely in British Columbia and those who would be required to go to other provinces.

A great deal of this letter is made up of speculation and "thinking aloud". However, I think it is important that we should try, as soon as possible, to draw up some proposals to be considered by the

Prime Minister in advance of the Conference, which opens on August 6th and I should appreciate it if I could have your views and comments. Perhaps it would be useful for our Departments, along with Justice and R.C.M.P., to have a meeting in the next week or so to go into the question.

Yours sincerely,

(Sgd.) N. A. Robertson,  
Under-Secretary of State  
for External Affairs.

Arthur MacNamara, Esq.,  
Deputy Minister of Labour,  
Ottawa.

MEMORANDUM ON FUTURE JAPANESE POLICY AS DECIDED AFTER CONFERENCES BETWEEN MESSRS. MACHIMARA, BROWN, PICKERSGILL, AND PAMMETT OF THIS DEPARTMENT, AND AFTER CONSULTATION WITH DEPUTY COMMISSIONER MEAD OF THE R.C.M. POLICE AND MR. RIVE AND STAFF OF THE DEPARTMENT OF EXTERNAL AFFAIRS, APR 30 to MAY 4, 1945.

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**I. Maintenance**

(a) Can we refuse maintenance where voluntary repatriates in the settlements have refused employment which we have to offer?

Answer: If persons capable of doing work in connection with the operation of segregation camps refuse to take such work, they may be required to use up their own assets before being given maintenance even beyond the minimum repatriation reserve, or in appropriate cases may be given maintenance lower than the scale otherwise applicable. This applies only to the person who refuses the work, and other members of the family will get regular maintenance.

Voluntary repatriates as a general rule will not be allowed to leave B.C. to take work. They will not be required to take private employment in B.C., but will be permitted and encouraged to do so.

(b) Will the earnings of a member of a family who is not the family head be budgetted at two-thirds as heretofore, in the case of repatriate families, all of whom sign applications?

Answer: Employed persons who are not family heads, if working in B.C., should be required to help maintain their families up to two-thirds of their earnings even if not living with the family. If such refuse to assist their families in the settlements, they should be assessed a reasonable part of their wages and maintenance for the family should be cut down accordingly. Non-family heads who have signed for repatriation and who are working East of the Rockies should not be compelled to assist their families in the settlements, but should be encouraged to do so as in the past.

(c) Will all signing applications who are on maintenance or subsequently are placed on maintenance receive the 10% increase?

Answer: It is suggested that the present policy and scale should be continued in respect to the 10% increase for maintenance, but a generous interpretation should be placed on the special need for this increase.

(d) Where a family head is not living at the project, but working in B.C., would he or she be expected to contribute part of their earnings to the maintenance of the family?

Answer: The family head should contribute to the support of the family whether actually residing in the settlement or engaged in private employment in B.C. If the family head is engaged in private employment outside of B.C. when the family continue to reside in the settlement, he should be urged to contribute what he can to the support of the family.

(e) If Japanese Canadians not signing applications refuse to accept suitable employment, should all of their assets be used before maintenance is provided, or should the minimum rehabilitation reserve be maintained?

Answer: The minimum rehabilitation reserve is not to be disturbed.

(f) Should payment owed for rent be taken from assets of Japanese Canadians not signing voluntary applications but who refuse to accept suitable employment outside of B.C.?

Answer: We cannot draw on the assets of Japanese Canadians for the collection of rents which they owe to us.

(g) Should we continue the policy of requiring a wage earner who has signed for repatriation to pay for his or her own medical care and hospitalization, if engaged in private employment?

Answer: The wage earner should continue to pay from current earnings expenses for medical care and hospitalization.

(h) As relocation East grows in volume the number of maintenance cases may rise considerably. At present we have no arrangements with the provinces, except Manitoba and Alberta, for provision of maintenance. If it is not considered advisable at the present time to negotiate administrative arrangements with the provinces to provide relief, we should have full details of relief rates in all provinces, to assure that maintenance given directly by the Commission will not be out of line with the prevailing provincial rates.

Answer: Mr. MacTavish is checking to see what the Ontario and Quebec relief scales are, and an approach can be made after June to see if the welfare officials of these provinces will handle Japanese relief cases and bill this Department for same. This is the procedure now in effect in Alberta and Manitoba. For other provinces, arrangements can be made when the need arises.

## II. Family Allowances:

(a) Discussion of proposed letter to Mr. Brown, outlining thoughts on payment of family allowances.

(b) Check with Family Allowance Administration to determine what is being done in each province in regard to registration of Japanese families to receive family allowances. Check by Japanese administration to ensure that Japanese file applications for family allowances.

(c) It is suggested that payment of family allowances to those actually residing in the settlements operated by the Commission should be made via the Head Office, Vancouver. It will then be possible to make certain adjustments so as to avoid duplication of services in accordance with the Family Allowance Act. It is suggested that payment should be made direct to all families of Japanese origin engaged in self-supporting employment and not residing in settlements operated by the Commission.

Answer: At the suggestion of Mr. Brown this question will be studied further as discussions will have to be held with the Department of Health and Welfare. The Vancouver Office is to furnish to Head Office information on services now supplied Japanese in settlements and what charges are made to employed Japanese for services provided.

III. Segregation of Those Signing For Repatriation

(a) Discussion of question of privilege in applying for cancellation of requisitions made on new official form. Refer to letter from Deputy Commissioner R.C.M.P., to O.C. "E" Division, stating that those wishing to cancel applications made on official form are to write this application on the back of the copy of the form which is sent to each Japanese signing.

Answer: Persons seeking to cancel applications for repatriation, whether made previously or on the new official form, will be told to put it in writing and send it to the Commissioner of Japanese Placement at Vancouver, either directly or through the R.C.M. Police. This statement will be held on the individual's file for consideration by the Loyalty Tribunal. In the meantime the individual's application for repatriation will remain valid.

(b) In view of apparent large proportion signing for voluntary repatriation the whole question of allocation and disposition should be discussed. It appears as if at least three settlements will be required to accommodate those signing for repatriation. In view of the assurance already given that those signing for voluntary repatriation will be permitted to continue in self-supporting employment, poses a problem concerning concentration in particular settlements of those signing for repatriation.

Answer: It is proposed that Tashme, Lemon Creek and Slooan area with accommodation for about 6,900, will be used to house voluntary repatriates. We will endeavour as quickly as possible to shift the Japanese population so that this may be accomplished. The New Denver area will be used as a settlement for Japanese Nationals not signing applications and for Japanese Canadians whom we are unable for various reasons to relocate.

With respect to transfer between settlements this should be voluntary if at all possible, and completed by the latter part of August at the latest. Those who refuse to move may be cut off if on maintenance, and Commissioner's Orders should be used only if absolutely necessary to transfer these people.

(c) Discussion of citizenship status of those signing for repatriation.

Answer: In view of the statements made to Japanese Committee with respect to interpretation of P.C. 10773, applications for renunciation of citizenship by naturalized and Canadian-born Japanese will not be for the present forwarded for action by the Secretary of State and will be held at Vancouver pending further advice from Ottawa.

(d) Discussion of future educational policy in settlements containing none but who have signed for voluntary repatriation.

Answer: In the settlements housing exclusively those who have signed for voluntary repatriation, we should still continue the same provincial curriculum and teach in English, with a proviso that a portion of the day (say one hour at the close of the day) could be used for the teaching of Japanese under the direction of the Japanese Committee ~~xxxxxxx~~ with their own teachers. This would



mean in effect that our school day would be cut by one hour if the local parent-teachers association desired this. This will not be put into effect before next September and is a tentative decision only, subject to confirmation next August.

Teachers who themselves have not signed for voluntary repatriation will be the only ones employed in those settlements housing Japanese who did not sign. Teachers who signed for repatriation will be used in the segregation centres and should be permitted to attend the summer school session this summer. Teachers who have not signed for repatriation may be used in the repatriation centres.

. . . . .

IV. Relocation

(a) Re: Status of Japanese Nationals who do not sign voluntarily for repatriation.

Answer: The approach to this matter is based on the probability that Japanese Nationals will be repatriated to Japan. Therefore there will be no canvass or encouragement for these persons to take employment outside British Columbia. The only Japanese Nationals who should be permitted to take employment outside B.C. are special cases on compassionate grounds or those who have shown since 1941 a marked degree of cooperation with the Canadian authorities--persons who would be probably permitted to stay in this country in any event as exceptions to any decision for general return of Japanese Nationals to Japan. Also permitted to move East of the Rockies might be elderly Japanese Nationals who are dependents of Loyal Japanese Canadian families and who have no ties in Japan.

This policy should be adhered to rather strictly pending appointment of the Loyalty Tribunal. No Japanese National will be moved to an employment opening East of the Rockies while a Japanese Canadian is available to fill same, and Japanese Canadians should be given priority in moving to all the better jobs in Eastern Canada.

(b) Discussion of application form for purchasing or leasing real property by people of Japanese origin.

Answer: The suggested form appears to be satisfactory. The procedure is to be the same as heretofore, for the present, but on the standardized form.

(c) For those who go East for employment and for a temporary period after they have entered such employment, continue to reside at the hostel, should placement allowance be withheld until they have actually found living accommodation of their own?

Answer: The placement allowance should be withheld until the person in question leaves a hostel operated by us.

V. Staff

- (a) Discussion of certain staff problems.

Answer: This question was discussed with Mr. Black and Civil Service Commission representatives and difficulties ironed out. Adjustments have been secured for three out of four cases discussed. One request was rejected.

- (b) Check with Beaudet of Montreal re-his transportation problem.

Answer: Checking with Mactavish.

- (c) Discuss status of Halonen at Fort William.

Answer: It is agreed that Ernst at Winnipeg will supervise the Manitoba and Northern Ontario area and his territory will extend as far east as Sault Ste. Marie, to include any matters connected with Angler Internment Camp. Mr. Halonen will operate the Branch Placement Office at Fort William under Mr. Ernst's direction, with the rank of Placement Officer. Placement opportunities in this district will be discussed with Mr. Ernst at Winnipeg.

. . . . .

VI. Project Difficulties

- (a) Construction repairs necessary for New Denver Sanatorium. Copy of estimate from Supervisor.

Answer: It appears that a substantial repair job will be necessary to the foundation and footings at the Sanatorium at New Denver. Our suggestion is that a qualified construction man should be asked to advise what is necessary.

- (b) Electric lighting problem at Slocan.

Answer: Our diesel lighting plant at Slocan is now overloaded, and there is danger of a serious breakdown if we continue much longer as at present. We are presently negotiating with the Town of Slocan for the town to establish its own hydro plant and we would purchase electric power from the town, paying for this service at a cost no higher than the present expense in operating our own plant. The operating expenditure of our own plant is about \$900 per month.

- (c) Establishment of special housing accommodation for aged and infirm women having no relatives.

Answer: It is proposed that we establish an Old Folks Home at New Denver for aged and infirm women who have no relatives to look after them. We already maintain an Old Mans Home at New Denver.

COPY  
PRIVY COUNCIL  
CANADA

SECRET

23-2-2-7

Ottawa, February 5th, 1945.

The Honourable H. Mitchell,  
Minister of Labour,  
O T T A W A.

Dear Mr. Mitchell:

The following decision taken by the Cabinet at the meeting of February 2nd, 1945, at which you were present, is of direct interest to your Department.

Consideration was given to the memorandum of December 15th, 1944 concerning repatriation and re-settlement of persons of Japanese race, sent me by your Deputy Minister on that date and referred to subsequently in your letter to me of January 17th. This memorandum on proposed policy and procedure had been prepared by your Department after consultation with External Affairs, the R.C.M. Police and the Department of Justice.

Approval was given by the Cabinet to the memorandum as submitted on the understanding that appropriate reservation be made for Canadian rights to reimbursement by Japan of any repatriation expenses involved. It was also agreed that, for the present, appointment of the proposed Commission be deferred.

It was noted that the suggestion made in sub-para 5 of para 2 of the memorandum regarding transfer to Labour of licensing authority for the holding of land etc. was for consideration of the Minister of Justice.

I am sending a copy of this letter and of the memorandum as approved to the Ministers of Justice and National Defence, the Secretary of State (Custodian), the Under Secretary of State for External Affairs and the Commissioner, R.C.M. Police.

Yours sincerely,

(Sgd.) A. D. P. Heeney,  
Secretary to the Cabinet.

APPROVED BY THE CABINET FEBRUARY 2nd, 1945

TO THE CLERK OF THE PRIVY COUNCIL

RE: Repatriation and re-settlement  
of persons of the Japanese race  
now resident in Canada.

In order to achieve the following objectives and in view of the following considerations --

1. To obtain voluntary applications for repatriation to Japan, either by way of exchange during the war or repatriation at the close of the war, of as many persons of the Japanese race in Canada as possible and to proceed with the immediate segregation of such applicants, and
2. To facilitate re-settlement in Canada of loyal Japanese Canadians and Japanese Nationals, who are subsequently designated by the proposed Japanese Loyalty Commission as eligible to remain in Canada;

The approval by Council of the following policies and procedure is desired:

(1) The Secretary of State for External Affairs to continue to negotiate with the Japanese Government for exchanges of Nationals and in consultation with other departments of the Canadian Government concerned, to make agreements with the Protecting Power for Japanese interests, on the lists of the persons of the Japanese race to be included in such exchanges.

(2) On behalf of the Government of Canada, the Minister of Labour to give assurance to persons of the Japanese race, who make voluntary application to be repatriated to Japan either by way of exchange during the war or following the termination of war, that the net proceeds realized from their property in Canada will be secured to them and may be transferred by them to Japan following the close of the war upon repatriation, and that free passage will be guaranteed by the Canadian Government for repatriated persons.

(3) In the case of persons repatriated under any agreement for the exchange of Nationals between Canada and Japan under which the amount of personal property and funds which may be carried by the repatriates is limited, the Custodian may be authorized, on the advice of the Department of External Affairs, to provide Japanese repatriates with receipts showing the property left behind in Canada with a view to their being permitted to secure possession of the property or the proceeds thereof after the end of hostilities.

(4) The Minister of Labour may take such measures as he considers necessary for the segregation and settlement of persons of the Japanese race who have been accepted or designated for repatriation to Japan, apart from loyal Japanese.

(5) The attention of the Minister of Justice should be directed to the desirability of amending Section 39E of the Defence of Canada Regulations with a view to vesting in the Minister of Labour the authority presently vested in the Minister of Justice, under this section, for the issue of licenses to persons of the Japanese race to hold or acquire land or growing crops in Canada or an interest therein.

(6) On behalf of the Government of Canada, the Minister of Labour be authorized to give assurances to a government of any province that the Government of Canada will be prepared to protect or reimburse the province (including the municipalities therein) for the costs of necessary maintenance, hospitalization or medical services furnished to indigent persons of the Japanese race and their dependents who have left the protected areas of British Columbia since the outbreak of the war with Japan and have re-settled or may hereafter re-settle within the province, provided that such assurance shall not extend beyond a date ten years after January 1st, 1945.

In the view of this Department, early approval of the foregoing is necessary and advisable before substantial progress in the matter of segregation for repatriation purposes and re-settlement of loyal Japanese Canadians can be made.

In considering the above matters, it should be borne in mind that the courses of action proposed are closely related to those which, I am advised, have been dealt with in a memorandum from the Prime Minister dated November 4th, 1944, to which was annexed a submission to Council to provide for the establishment of a Commission to investigate the reliability and loyalty of persons of the Japanese race in Canada.

(Sgd.) HUMPHREY MITCHELL  
Minister of Labour.

TO: CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2.7

H.T. Pammett.

B.F.

P.A.

December 29, 1945

Re: Repatriation of Japanese Internees

The following procedure has been agreed upon for release and transfer west of Japanese internee repatriates, following correspondence and consultation with Commissioner Pickersgill, Japanese Division, and Deputy Commissioner Mead, R.C.M. Police:

(1) In addition to the group now slated for repatriation either because they are Japanese Nationals or because they are Canadians who have signed and have not revoked before the time limit, there is also the possibility that some among the following groups may now wish to sign for repatriation: (a) those who stated at the time of the Survey that they wished to go to Japan but would not sign; and (b) those who were undecided at the time of the Survey.

Inspector Leopold will arrange for instructions to go to the Officer Commanding, R.C.M. Police at Winnipeg, to cooperate with Mr. Ernst, Manitoba Supervisor of the Japanese Division, to have an Officer go into Angler Camp immediately to contact the individuals in groups (a) and (b) above. Mr. Ernst will accompany the Officer as a witness, and will be furnished in advance by Commissioner Pickersgill with the typed Declarations for these groups, plus full particulars of the conditions for repatriation, which will be made available to all persons in groups (a) and (b). It is suggested that they do not contact any other persons in the Camp at this time.

(2) It is proposed that the Minister of Justice issue a blanket Order to the Director of Prisoners of War, Department of National Defence, requesting him to release from the Camp into the custody of the R.C.M. Police upon written request at any time any internees presently detained there who are slated for deportation according to an attached list.

(3) The Minister of Labour will issue an Order of Deportation covering and listing all Japanese National internees, and another Order covering Canadian naturalized internees who are subject to deportation. The original copy of each Order will remain with the Japanese Division, Department of Labour, at Ottawa, and certified copies will be lodged with the following:

- (a) R.C.M. Police Special Section, Ottawa Headquarters.
- (b) R.C.M. Police, Officer Commanding, Winnipeg.
- (c) Commissioner of Japanese Placement, Vancouver.
- (d) Secretary of State, Naturalization Branch - in the case of the Order covering Canadian naturalized repatriates.

(4) Internee repatriates will be moved in small groups from Angler Camp directly to the ship, to coincide with the shipment of family groups to whom the individual internees belong.

(5) Notice for the movement of these groups from Internment Camp to the Pacific Coast will come from Commissioner Pickersgill in Vancouver to the Officer Commanding R.C.M. Police at Winnipeg, who can detail the necessary Officers to proceed to Angler Camp to arrange release and transfer.

(6) Escorts for the internee repatriates proceeding west in groups will be provided by the R.C.M. Police through their Winnipeg Divisional Office.

*See 23-2-17-18*

A. H. Brown,  
Assistant to the Deputy Minister.

TO: CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

B.F.

P.A.



Mr Brown

Booked

Answer

~~Copies on 23-2~~

Ottawa, December 28, 1945.

MEMORANDUM ON TELEPHONE CONVERSATION WITH MR. PICKERSGILL  
DECEMBER 27TH, 1945 RE JAPANESE REPATRIATION.

I advised Mr. Pickersgill

- (a) We had requested National Defence to undertake the vaccination and immunization of all internees at Angler and to provide necessary medical certificates;
- (b) Had requested approval from Washington for ship sailings from Vancouver;
- (c) ~~Had~~ conference with U.S. Treasury officers ~~as~~ taking place on the 26th instant and we would advise as soon as we had news.

Mr. Pickersgill advised as follows:

- (1) The combined judgment of himself and the R.C.M.P. was that the first shipment of Japanese should not be confined to single men as it would be necessary to gather these men in from all over B.C. and Canada east of the Rockies since a great number of the men were working in private employment. Their view was that the first group should be a combined group of single persons and family units from Tashme and that this would be much easier to handle from the administrative point of view.
- (2) The problem of handling excess household effects in excess of the belongings which the repatriates are required to take with them is causing them some concern particularly with respect to the question of interim storage pending shipment to Japan.

I advised that I thought the Department would be satisfied to agree to the shipment at a later date, when feasible, of household effects to Japan within specified limits free of charge to landing points in Japan but it would be a matter for the Japanese Government and repatriates to arrange for distribution from the landing ports; also that while the Department would have to be prepared to pay the costs of interim storage in Canada, it would have to be understood that the goods would be stored and shipped at the owner's risk.

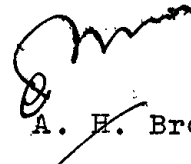
Mr. Pickersgill was concerned as to whether we could provide storage in the meantime for these goods. I suggested that we might see whether National Defence had any storage space at or in the area of Vancouver which would be available for the next several months for this purpose. I said we would check also at this end. In the meantime, the stuff would have to be boxed and left in the settlements.

- (3) In discussing in Seattle the size of individual shipments, the Americans were indefinite as to the number that would be involved but it was indicated that shipment of 1,000 persons would be the minimum

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and Pickersgill was of the opinion that the ship's capacity would run from 1,000 to 2,000 persons or even more.

- (4) In the handling of internees, it was the view of the Vancouver office that while these internees should go to Japan with other members of their family group, they should be moved directly from internment to the shipping point and should not be sent to the settlements in anticipation of subsequent repatriation. It was also the view of the R.C.M.P. and Pickersgill that escorts for internees from internment should be provided by the R.C.M.P. rather than military personnel. He further advised that in their opinion, Canadian-born internees not involved in repatriation should not be released from Angler until the repatriation of others in the Camp had been completed as the effect of release would be to add to the difficulties of repatriation. I advised that while this was sound in principle, we would have considerable difficulty in justifying continued retention after the official end of the war on the first of January, 1946, of Canadian-born Japanese who were not involved in repatriation.
- (5) I asked Mr. Pickersgill to discuss with the Minister the types of cases subject to deportation which, in his judgment, should be nevertheless reviewed by the Loyalty Commission prior to final action being taken. I expressed the view that the type of family case where the husband had elected one way and the wife had elected the other way in the matter of repatriation and where children were involved was the type of case which should be so reviewed. Mr. Pickersgill said that if we opened up the question of review at all, it was felt that we would be flooded with cases and our difficulties in the matter of repatriation would be greatly increased.

  
A. H. Brown.

MEMORANDUM RE REPATRIATION

1. The repatriation movement will be directed by the Commissioner of Japanese Placement who will be assisted in so doing by the R.C.M.P.
2. Sailings will be from Seattle on American troop transports.
3. It is proposed that initial movement will be from the Interior settlements in B.C. and that repatriates will be moved to Vancouver by train and by C.P.R. boat to shipside Seattle or by train direct to Seattle dockside whichever in the judgment of Mr. Pickersgill and the R.C.M.P. is most practicable.
4. The R.C.M.P. will assist in movement and provide escort either to shipside at Seattle or to Vancouver or elsewhere in B.C. where it is considered appropriate that Canadian Army Guards take over.
5. Movement from the settlements will, subject to exigencies of filling available transportation, be in the following order:
  - (a) Japanese National groups
  - (b) Naturalized Canadian groupsThe procedure will be as far as practicable to include in the initial shipments persons and family groups ready and willing to go and to hold family groups offering problems until later shipments.
6. Family group problem cases where the husband has applied to be repatriated but the wife has not applied and is opposed to going may be discussed with Ottawa before final action as desired. This has particular application in case of Canadian-born wife.
7. As persons are moved out from the settlements, persons elsewhere in B.C. who are to be repatriated will be moved into the settlements for later repatriation but this will not preclude movement directly to the coast from railhead points where necessary and practicable.

8. The suggested procedure with respect to settlements to be as follows:

- (1) Notice covering conditions relating to repatriation in both languages / to be posted and explained to Japanese Committees.
- (2) Japanese Canadians sixteen years of age or over who have signed to be advised by notice that final date for filing change of decision will be January 1946 after which date their decision for repatriation will be treated as final.
- (3) All person who are possible repatriates to be medically examined and immunized as soon as possible on a voluntary basis.

Where there is resistance to doing so, it will be necessary to have an order for deportation issued before compulsory action to this effect can be taken.

- (4) It is suggested that preliminary statements of funds and property to be taken from repatriates so that arrangements for issue of American exchange, etc., can be completed on short notice.

9. If regulations for closer control of movement in B.C. than the present travel regulations are considered necessary during the repatriation period and with respect to entry of outsiders into self contained settlements such as Tashme are required during the repatriation period, these can be drafted for the Minister's signature.

10. As required Minister's Order for deportation covering specified persons can be obtained and regulations can be drafted requiring persons who are ordered deported to comply with same to cover as required:-

- (a) baggage regulations
- (b) funds
- (c) compliance with medical inspections and immunization requirements
- (d) compliance with movement orders issued by Commissioner or his representatives

(e) authorizing the placing under restraint or detention or escort of persons who fail to comply with movement orders and enforcement of such provisions by R.C.M.P.

11. Assurances may be furnished that provision will be made for later shipment when such arrangements can be made of household effects within specified limits, free of charge.

TO: CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

B.F.

P.A.



CANADA

Privy Council Office

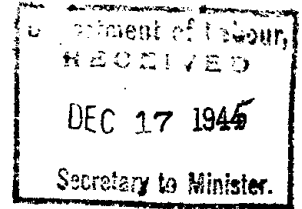
Cabinet Secretariat

December 17, 1945.

Ottawa, Canada

TOP SECRET

The Honourable Humphrey Mitchell,  
Minister of Labour,  
OTTAWA, Ontario.



Dear Mr. Mitchell:

At a meeting of the Cabinet held on Saturday, December 15th, at which you were present, consideration was given to several matters pertaining to the repatriation of persons of the Japanese race in Canada.

The Cabinet, after considerable discussion, agreed:

(a) that, for the present, the scope of the enquiries of the proposed Loyalty Commission should extend only to persons of Japanese nationality and naturalized Canadians of Japanese race;

(b) that repatriation of Canadian-born Japanese should be confined to those who wished to be sent to Japan; and,

(c) that Orders in Council to provide for deportation, to revoke British and Canadian status of deportees and to establish the Loyalty Commission be approved in accordance with the above decisions.

The approved Orders in Council to implement these decisions are numbered 7355, 7356 and 7357, December 15, 1945.

A copy of this letter is being sent to Mr. MacNamara.

Yours very truly,

*A.D.P. Heeny*

A.D.P. Heeny,  
Secretary to the Cabinet.

*EB*  
*2/1/46*



DEPARTMENT OF LABOUR

Regulations made under the authority of Order  
in Council P.C. 7355, of the 15th day of  
December, 1945.

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WHEREAS under the authority of Order in Council P.C. 7355, of the 15th day of December, 1945, the Minister of Labour is authorized to make orders for the deportation of any persons who are subject to deportation under the said Order in Council and to take such measures as he deems advisable to provide or arrange for the deportation of such persons and for their transportation, detention, discipline, feeding, shelter, health or welfare pending their deportation; and to make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of the said Order in Council.

NOW THEREFORE the undersigned Minister of Labour pursuant to the authority vested in him under the aforesaid Order in Council does hereby make the following regulations:

REGULATIONS

1. In these Regulations, unless the context otherwise requires
  - (a) "Minister" means the Minister of Labour;
  - (b) "person ordered deported" means a person for whom an order for deportation has been made under the authority of Order in Council P.C. 7355, of the 15th day of December, 1945.
  
2. With a view to carrying out the deportation of any person ordered deported, any of the following persons, namely, the Commissioner of Japanese Placement, the Medical Supervisor, other Supervisors and Placement Officers of the Department of Labour, appointed pursuant to Order in Council P.C. 946 of the 5th day of February, 1945, or any person authorized by the Minister, may
  - (a) direct any person ordered deported to proceed to any place and to report to any person at such time as may be indicated in such direction;
  - (b) direct any person ordered deported to report and submit himself for medical examination or vaccination or inoculation against disease by a physician at such time or times and at such place as may be indicated in such direction.
  
3. Any person ordered deported may be detained or placed in restraint where in the opinion of the Minister or the Commissioner of the Royal Canadian Mounted Police it is considered advisable for the purpose of effecting the deportation of such person, and without restricting the generality of the foregoing, no person ordered deported who is in or who is placed in any settlement in British Columbia administered under the Japanese Interior Housing Settlement scheme by the Department of Labour or in any other place designated by the Minister as a deportation centre, shall proceed beyond the boundaries thereof without a written permit from the Royal Canadian Mounted Police.
  
4. Military guard personnel detailed by the Minister of National Defence for guard duty in connection with the deportation of persons ordered deported are authorized
  - (a) to assist the senior officer in charge of the Royal Canadian Mounted Police at Vancouver, B.C., as required by him in the embarkation and safeguarding of persons ordered deported.

- (b) to enforce the lawful orders of the ship's commander on board ship for the safe custody and discipline of such persons, and
- (c) to enforce the lawful orders of the Supreme Commander for the Allied Forces in Japan in connection with the disembarkation of such persons in Japan or their transportation to any place designated for their delivery in Japan.

5. (1) Any person ordered deported or who, having made a request for repatriation, is proceeding to Japan without the issue of such an order, may, at or immediately prior to his deportation or departure from Canada, exchange any money in his possession or standing to his credit in Canada or advanced to him by the Minister pursuant to section seven of Order in Council P.C. 7355 of December 15, 1945 for yen receipts issued by the Government of Canada at the conversion rate of 15 Japanese yen to the United States dollar which yen receipts may be cashed in Japan under arrangements made by the Government of Canada for this purpose and may take with him on deportation yen receipts so issued or Japanese currency or Japanese securities in his possession or any receipts issued to him by the Custodian of Enemy Property with respect to funds left on deposit with the Custodian by such person.

(2) Except as provided in subsection one of this section, no person referred to in the said subsection may take with him on deportation any currency, securities for money, or foreign exchange of any kind.

6. Subject to the provisions of section four of these Regulations, any person ordered deported or who, having made a request for repatriation, is proceeding to Japan, without the issue of an order for deportation, may take with him at the time of his deportation personal property belonging to him not in excess of 175 lbs. weight per person but this shall not include furniture, stores, kitchen utensils, other like bulky articles, firearms, explosives, liquor or articles of a readily inflammable nature.

7. Every person ordered deported or who having made a request for repatriation, is proceeding to Japan without the issue of an order for deportation, shall, at any time or from time to time, if so required, report to any officer of the Department of Labour engaged in the deportation of persons ordered deported or a representative of the Custodian of Enemy Property or any officers of the Royal Canadian Mounted Police, and truly answer all questions as to what goods, monies, securities for money and other property he has or proposes to take with him on deportation or repatriation, as the case may be, and shall produce all such goods, monies, securities for money, and other property and the officer or representative in question or any person acting on his instructions may search such person and examine and search any such property for the purpose of satisfying himself that the provisions of these Regulations are complied with and may seize any such property which such person is not permitted to take with him on deportation or repatriation and hold same pending direction by the Minister as to the further action to be taken in respect thereof.

8. Every person ordered deported or who, having made a request for repatriation, is proceeding to Japan without the issue of an order for deportation, shall comply with the provisions of these Regulations and of any order or direction made or given thereunder.

DATED at Ottawa this

day of January, 1946.

Minister of Labour.

DEPARTMENT OF  
LABOUR



Order made under the authority of  
Order in Council P.C. 7355 of the  
15th day of December, 1945.

ORDER NO. A-1

TO THE COMMISSIONER OF THE ROYAL CANADIAN MOUNTED POLICE

WHEREAS the Minister of Labour is authorized by the provisions of Order in Council P.C. 7355, of the 15th day of December, 1945, to make orders for the deportation of any persons who are subject to deportation under the said Order; and to take such measures as he deems advisable to provide or arrange for the deportation of such persons and for their transportation, detention, discipline, feeding, shelter, health or welfare pending their deportation; and to make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of that Order;

AND WHEREAS the Commissioner of the Royal Canadian Mounted Police is authorized by the said Order in Council to give all assistance as may be required of him by the Minister of Labour in carrying out the provisions of the said Order in Council;

NOW THEREFORE I the undersigned Minister of Labour under the authority vested in me as aforesaid by the said Order in Council do hereby require the Commissioner of the Royal Canadian Mounted Police to render assistance to the Minister of Labour and officers of the Department of Labour engaged in the deportation of persons ordered deported under the provisions of the said Order in Council and in the carrying out of measures incidental thereto and in particular and without restricting the generality of the foregoing

- (a) where he considers it necessary for the purpose of effecting the deportation of any person ordered deported by the Minister of Labour under the authority of Order in Council P.C. 7355, of the 15th day of December, 1945, to detain or place in restraint in any place any such person;
- (b) to convey any such person from any place in Canada to any other place in Canada, or if authorized, to any port in the United States of America, and to deliver such person on board ship with a view to his deportation to Japan;
- (c) to enforce any orders, rules or regulations made under the provisions of Order in Council P.C. 7355, of the 15th day of December, 1945.

DATED at Ottawa, Canada, this tenth day of January A.D. 1946.

A large, stylized handwritten signature in black ink, appearing to read 'H. M. L. L.' or similar, with a long horizontal stroke underneath.

Minister of Labour.



Order made under the authority of  
Order in Council P.C. 7355 of the  
15th day of December, 1945.

ORDER NO. A-1

TO THE COMMISSIONER OF THE ROYAL CANADIAN MOUNTED POLICE

WHEREAS the Minister of Labour is authorized by the provisions of Order in Council P.C. 7355, of the 15th day of December, 1945, to make orders for the deportation of any persons who are subject to deportation under the said Order; and to take such measures as he deems advisable to provide or arrange for the deportation of such persons and for their transportation, detention, discipline, feeding, shelter, health or welfare pending their deportation; and to make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of that Order;

AND WHEREAS the Commissioner of the Royal Canadian Mounted Police is authorized by the said Order in Council to give all assistance as may be required of him by the Minister of Labour in carrying out the provisions of the said Order in Council;

NOW THEREFORE I the undersigned Minister of Labour under the authority vested in me as aforesaid by the said Order in Council do hereby require the Commissioner of the Royal Canadian Mounted Police to render assistance to the Minister of Labour and officers of the Department of Labour engaged in the deportation of persons ordered deported under the provisions of the said Order in Council and in the carrying out of measures incidental thereto and in particular and without restricting the generality of the foregoing

- (a) where he considers it necessary for the purpose of effecting the deportation of any person ordered deported by the Minister of Labour under the authority of Order in Council P.C. 7355, of the 15th day of December, 1945, to detain or place in restraint in any place any such person;
- (b) to convey any such person from any place in Canada to any other place in Canada, or if authorized, to any port in the United States of America, and to deliver such person on board ship with a view to his deportation to Japan;
- (c) to enforce any orders, rules or regulations made under the provisions of Order in Council P.C. 7355, of the 15th day of December, 1945.

DATED at Ottawa, Canada, this tenth day of January A.D. 1946.

A large, stylized handwritten signature in black ink, appearing to read "H. M. G. Mitchell".

Minister of Labour.



CANADA

Privy Council Office

23-2-2-7

Cabinet Secretariat

Ottawa, Canada

December 7, 1945.

TOP SECRET

Mr. A. H. Brown,  
Department of Labour,  
Confederation Bldg.,  
OTTAWA, Ontario.

Dear Mr. Brown:

I am enclosing minutes of a meeting of the Special Committee of the Cabinet appointed to consider the repatriation and re-location of persons of Japanese race in Canada, which was held in the office of the Minister of Veterans Affairs in the House of Commons on Friday, December 7th.

Yours sincerely,

B. F. Wood,  
Secretary.

M  
10/12/45

Can. Bar Review:

A stylized handwritten signature or scribble consisting of several overlapping, curved lines.

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

TOP SECRET

A meeting of the Special Committee of the Cabinet appointed to consider the repatriation and re-location of persons of Japanese race in Canada was held in the office of the Minister of Veterans Affairs, Room 273, House of Commons, on Friday, December 7th, 1945, at 10.00 a.m.

Present:

The Minister of Labour,  
(Mr. Mitchell), - Chairman

The Minister of Veterans Affairs,  
(Mr. Mackenzie),

The Minister of National Defence,  
(Mr. Abbott).

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The Secretary (Mr. B.F. Wood), Privy Council Office.

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Also present:

Deputy Minister of Labour,  
(Mr. MacNamara),

Mr. R. G. Robertson,  
Department of External Affairs,

Mr. P. M. Anderson, K.C.,  
Department of Justice,

Mr. A. H. Brown,  
Department of Labour.

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I. LEGISLATION

1. The Committee considered two Orders in Council, copies of which had been circulated, which had been prepared by the sub-committee established for this purpose. The first Order, to be submitted by the Secretary of State, provides for the deprivation of citizenship rights of British subjects and Canadian nationals deported from Canada under the provisions of the second Order in Council. The second Order, to be submitted by the Minister of Labour, provides for the repatriation and deportation of residents of Canada of the Japanese race in accordance with the previous decision of the Cabinet.

2. The Committee after discussion agreed that both Orders should be submitted to Council at the earliest possible moment with a view to tabling them in the House prior to the close of the present session.

## II. TRANSPORTATION

3. Mr. MacNamara enquired regarding the availability of the aircraft carrier, Puncher, to transport at least one group of Japanese.

4. Mr. Abbott stated that this was an American ship and was not considered very sea-worthy but agreed to discuss the matter with officials of the Naval Service.

5. The Committee agreed that the Puncher should be made available if possible but that in any event plans should proceed for the use of American shipping in accordance with arrangements recently completed in Washington.

## III. ESTABLISHMENT OF LOYALTY COMMISSION

6. The Chairman stated that legislation should be drawn up providing for the establishment of a Loyalty Commission.

7. The Committee after discussion agreed that the sub-committee previously appointed to draft legislation should draft an Order in Council establishing a Loyalty Commission and also make recommendations relative to the scope of this Commission. This sub-committee is to report directly to the Minister of Labour who will bring any necessary recommendations before Cabinet without further reference to the Cabinet Committee.

The meeting adjourned at 11.00 a.m.

B. F. Wood,  
Secretary.

Privy Council Office,  
Ottawa, December 7, 1945.



T CENTRAL REGISTRY,  
Room 7, Conf. Bldg.

Please place attached on file

23-2-2-7

H.T. Pammett.

B.F.

P.A.



CANADA

Privy Council Office

Cabinet Secretariat

December 6, 1945.

Department of Labour

TO: [ ]

FROM: [ ]

YOUR OFFICE [ ]

SEEKING [ ]

NO. [ ]

GLT FILE FOR MR. [ ]

CONFIDENTIAL

Mr. A. MacNamara,  
 Deputy Minister of Labour,  
 OTTAWA, Ontario.

Dear Mr. MacNamara:

I am enclosing <sup>^</sup>draft legislation relative to the repatriation of residents of Canada of Japanese race, prepared by the sub-committee appointed for this purpose.

This legislation and the report of Canadian Government representatives who recently visited Washington will be discussed by a meeting of the Cabinet Committee to be held in the office of the Minister of Veterans Affairs, Room 273, House of Commons, on Friday, December 7th, at 10.00 a.m.

Yours sincerely,

B. F. Wood,  
 Secretary.

AD  
 21-3-46

REPORT TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

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The undersigned has the honour to report that by Order in Council P.C. of 1945, provision has been made for the deportation of persons who, during the course of the war, have requested to be removed or sent to an enemy country or otherwise manifested their sympathy with or support of the enemy powers and have by such actions shown themselves to be unfit for permanent residence in Canada.

The undersigned has the honour to recommend, therefore, with the concurrence of the Secretary of State for External Affairs, that, under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, Your Excellency in Council may be pleased to make an Order as follows:

1. Any person who being a British subject or a Canadian national is deported from Canada under the provisions of Order in Council P.C. of 1945, shall, as and from the date upon which he leaves Canada in the course of such deportation, cease to be either a British subject or a Canadian national.

2. The Secretary of State shall publish in the Canada Gazette the names of all persons who have ceased to be British subjects or Canadian nationals by virtue of this Order.

Respectfully submitted,

Secretary of State

REPORT TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

---

THE UNDERSIGNED HAS THE HONOUR TO REPORT THAT:

WHEREAS during the course of the war with Japan certain Japanese nationals manifested their sympathy with or support of Japan by making requests for repatriation to Japan and otherwise; and

WHEREAS other persons of the Japanese race have requested or may request that they be sent to Japan; and

WHEREAS it is desirable that provision be made to deport the classes of persons referred to above; and

WHEREAS it is considered necessary by reason of the war, for the security, defence, peace, order and welfare of Canada, that provision be made accordingly.

NOW THEREFORE the undersigned has the honour to recommend, with the concurrence of the Secretary of State for External Affairs, that, under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, Your Excellency in Council may be pleased to make an Order as follows:

ORDER

1. In this Order, unless the context otherwise requires:
  - (a) "deportation" means the removal pursuant to the authority of this Order of any person from any place in Canada to a place outside Canada;
  - (b) "deported" means removed or sent from Canada pursuant to the authority of this Order;
  - (c) "Minister" means the Minister of Labour;
  - (d) "request for repatriation" means a written request or statement of desire, to be repatriated or sent to Japan.
2. (1) Every person of sixteen years of age or over, other than a Canadian national, who is a national of Japan resident in Canada and who,
  - (a) has, since the date of declaration of war by the Government of Canada against Japan, on December 8th, 1941, made a request for repatriation; or
  - (b) has been in detention at any place in virtue of an order made pursuant to the provisions of the Defence of Canada Regulations or of Order in Council P.C. 946, of the 5th day of February, 1943, as amended by P.C. 5637, of the 16th day of August, 1945, and was so detained as at midnight of September 1st, 1945;

may be deported to Japan.

2. (Cont'd)

(2) Every naturalized British subject of the Japanese race of sixteen years of age or over resident in Canada who has made a request for repatriation may be deported to Japan: Provided that such person has not revoked in writing such request prior to midnight the first day of September, 1945.

(3) Every natural born British subject of the Japanese race of sixteen years of age or over resident in Canada who has made a request for repatriation may be deported to Japan: Provided that such person has not revoked in writing such request prior to the making by the Minister of an order for deportation.

(4) The wife and children under sixteen years of age of any person for whom the Minister makes an order for deportation to Japan may be included in such order and deported with such person.

3. Subject to the provisions of section 2 of this Order, a request for repatriation shall be deemed final and irrevocable for the purpose of this Order or any action taken thereunder.

4. The Minister may

- (a) make orders for the deportation of any persons subject to deportation;
- (b) take such measures as he deems advisable to provide or arrange for the deportation of such persons, and for their transportation, detention, discipline, feeding, shelter, health or welfare pending their deportation;
- (c) make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of this Order;
- (d) subject to the approval of the Governor in Council, employ such officers and other employees as are necessary to assist him in carrying out this Order and fix their remuneration;
- (e) authorize from time to time any person to exercise on his behalf any power vested in him under paragraph (b) of this section.

5. An order for deportation made by the Minister shall be in force and effect from the date of the order.

6. (1) Any person for whom an order for deportation is made or who, having made a request for repatriation, is proceeding to Japan without the issue of such an order, shall be entitled, in so far as circumstances at the time permit

- (a) at or immediately prior to the time of his deportation from Canada, to purchase suitable foreign exchange to the extent of any money in his possession or standing to his credit in Canada or advanced to him by the Minister pursuant to section seven and to take such foreign exchange out of Canada with him;

6. (Cont'd)

- (b) to deposit any money in his possession or standing to his credit in Canada with the Custodian of Enemy Property, who shall provide such person with a receipt therefor and purchase foreign exchange therewith, and transfer the same, less transfer charges, to such person whenever reasonably possible following upon his deportation;
- (c) at the time of his deportation to take with him such other personal property belonging to him as may be authorized by the Minister;

and the Foreign Exchange Control Board shall do such things and issue such permits as may be required to implement these provisions.

(2) Where real or personal property of a person who has been deported to Japan or who, having made a request for repatriation, has proceeded to Japan without the issue of an order for deportation, has not been sold or otherwise disposed of prior to departure such real and personal property shall, as of the date of deportation of such person, be vested in the Custodian of Enemy Property, who shall sell the same as soon as in his opinion it is reasonably practicable to do so, and in the meantime he may take such measures as he deems proper for the care, maintenance and safeguarding of such property, and the net proceeds realized from such sale, after the deduction of reasonable charges of handling shall be placed to the credit of such person and dealt with as provided in paragraph (b) of subsection (1) of this section.

7. (1) The Minister may at or immediately prior to the time of departure advance to or for a person who is being deported to Japan or who, having made a request for repatriation, is proceeding to Japan without the issue of an order for deportation, an amount in suitable foreign exchange equivalent to the following:

- (a) Where such person is sixteen years of age or over and does not possess at least two hundred dollars, the difference between the amount he possesses and two hundred dollars which shall be paid to such person;
- (b) Where such person has one or more dependents under sixteen years of age and does not possess at least two hundred dollars together with a further amount computed on the basis of fifty dollars for each such dependent, the difference between the amount he possesses and the total of two hundred dollars and the amount so computed, to be paid to such person.

(2) Any amount advanced as provided for in subsection (1) of this section shall be recoverable from the person to whom it is paid, from any money to the credit of such person with the Custodian of Enemy Property.

8. (1) The Minister may make arrangements with any department or agency of the Government of Canada to assist him in carrying out the provisions of this Order.

8. (Cont'd)

(2) The Department of National Defence shall provide any military guard personnel which may be required in carrying out the provisions of this Order.

(3) The Commissioner of the Royal Canadian Mounted Police shall give all assistance which may be required of him by the Minister in the carrying out of the provisions of this Order.

9. No court or judge or officer thereof shall have jurisdiction to review, quash, restrain, or otherwise interfere with any proceeding, decision or order had, made, or given by or pursuant to the provisions of this Order.

10. Any person who resists or obstructs or attempts to resist or obstruct any peace officer or other person from carrying out his duties with respect to any order made pursuant to the provisions of this Order shall be guilty of an offence against this Order.

11. Any person who contravenes or omits to comply with any of the provisions of this Order or any order made or given pursuant thereto is guilty of an offence and liable upon 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.

12. Every document purporting to be or to contain or to be a copy of an order, certificate or authority made or given by the Minister in pursuance of the provisions of this Order and purporting to be signed by the Minister shall be received as evidence of such order, certificate or authority without proof of the signature or of the official character of the person appearing to have signed the same and without further proof thereof.

GENERAL

13. The costs involved in the administration of this Order shall be paid from the amounts allotted from the war appropriation to the Department of Labour for Japanese administration.

Respectfully submitted,

Minister of Labour