

No. 151845

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# Department of Justice RECORDS

AG  
PERMANENT RETENTION  
IN JUSTICE  
CONSERVATION PERMANENTE  
A LA JUSTICE

JANUARY 13th, 1947.

Title JAPANESE ASSOCIATIONS AND SOCIETIES.

SUBJECT: APPLICATION OF ORDERS IN COUNCIL. - P.C. 1665, 4-3-42, P.C. 2483,  
27-3-42 AND P.C. 469, 19-1-43. - POWER OF CUSTODIAN TO ADMINISTER  
ASSETS.

From SEC. OF STATE. MR. MUNDELL.

Agent \_\_\_\_\_

Cross Reference \_\_\_\_\_

MPV / DSUU / ONE FILE / FOR DDC  
YES / OUI ✓ NO / NON ( )

ABSTRACTOR / REDACTEUR: DD

DATE: 18 Aug. 1985

No. 15184

Redi Binder  
No. Sp. 2779



Orders in Council relating to persons  
of the Japanese race.

9590	7/12/41	Regulations <u>re</u> 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 <u>re</u> 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 <u>re</u> 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 <u>re</u> 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 wilfully 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 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

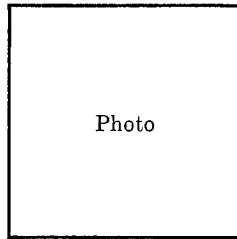
O.C. P.C. 117 by R.C.M. POLICE

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

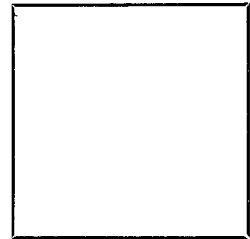
Special Marks of Identification:

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. ....

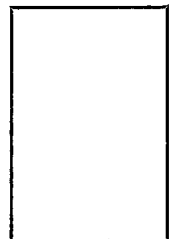
Name...  
Address...  
Age... Height... Weight...

Thumb Print

Marks of Identification...

Occupation...

Signature...



(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  
(Date)

Photo

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



GOVERNMENT NOTICE

DEPARTMENT OF JUSTICE

THE 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

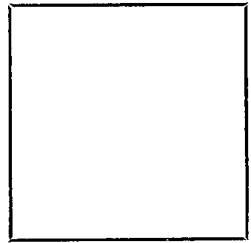
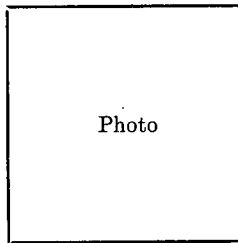
- (a) attains his sixteenth birthday after the 10th of January, 1942
or
(b) owing to absence from Canada on or prior to the 10th of January, 1942, has not so registered shall within thirty days from his sixteenth birthday or from his entry or re-entry into Canada, as the case may be, register in the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

SCHEDULE "A"

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

Photo

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,

....

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/

(A) 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.

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.

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. ) By  
Taylor, Chairman, in the )  
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.

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

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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 revoking P.C. 5523, dated 29th June, 1942  
and P.C. 6885, dated 20th July, 1942 - ~~transfer~~ 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

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

....

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--

- (i) 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

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, of any land or growing crops to or for the benefit of any person whom he knows to be of the Japanese race or to a company which he knows to be a Japanese Company shall be guilty of an offence and liable on summary conviction to a fine not exceeding 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

.....

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)/



P.C. 7355

(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.

P.C. 7355

(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.

L.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.

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 the presence of

"Austin C. Taylor"

" W. A. Eastwood "

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

"William Aberhart"

" G. Fred M. Nally "



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

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

I PLEASE INDICATE:  
VEUILLEZ INDICUER:

A) Department  
Ministère

Justice

B) File No.  
N<sup>o</sup> du dossier

151845  
~~151845~~

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

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

Yes  *Oui*

No  *Non*

Send to the Opinions and Precedents  
Retrieval Unit  
*Envoyez au Unité de Recherches des  
Opinions et de la Jurisprudence*

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

DEFINITION

"Material of precedential value — letters, memoranda,  
judgments or other documents containing opinions,  
research, studies, pleadings or factums which may be  
useful in other future matters."

«Documents susceptibles d'utilisation ultérieure —  
lettres, notes, jugements ou autres documents conte-  
nant des opinions, recherches, études, conclusions  
ou mémoires pouvant servir dans d'autres cas.»

III OPINIONS AND PRECEDENTS RETRIEVAL UNIT PLEASE INDEX THE FOLLOWING MATERIAL:  
UNITÉ DE RECHERCHES DES OPINIONS ET DE LA JURISPRUDENCE VEUILLEZ RÉPERTORIER LES  
DOCUMENTS SUIVANTS:

- A) Letter dated: \_\_\_\_\_  
*Date de la lettre:*
- B) Memorandum dated: \_\_\_\_\_  
*Date de la note:*
- C) Judgment dated: \_\_\_\_\_  
*Date du jugement:*
- D) Other material dated: \_\_\_\_\_  
*Date des autres documents:*

DATE: \_\_\_\_\_

Signature \_\_\_\_\_

IV FOR FILE RETIREMENT SECTION ONLY:

POUR LA SECTION CHARGÉE DE LA DISPOSITION DES DOSSIERS SEULEMENT:

SCHEDULE — CALENDRIER

Scheduled for destruction <i>À éliminer</i>	<input type="checkbox"/>	Master card checked <i>Carte principale à jour</i>	Date of transfer to P.A.R.C.* <i>Date de l'envoi au D.C.A.P.*</i>
Scheduled for retention <i>À conserver</i>	<input checked="" type="checkbox"/>	Yes — <i>Oui</i> <input type="checkbox"/>	Date of destruction <i>Date d'élimination</i>
Not scheduled <i>En attente de décision</i>	<input type="checkbox"/>	No — <i>Non</i> <input type="checkbox"/>	
PAC Approval No. <i>Approbation des APC No.</i>		88/002	
Sec. Art.	2	S. Sec. Para.	4
Retention Period <i>Durée de conservation</i>			
In Justice <i>Au Ministère</i>	Records Management Branch of P.A.C. <i>À la direction de la gestion des documents d'A.P.C.</i>		Total No. of years <i>Nombre total d'années</i>
<input checked="" type="checkbox"/>			

\*P.A.R.C.: Public Archives Records Centre — D.C.A.P.: Dépôt Central des Archives Publiques

\*P.A.C.: Public Archives of Canada — A.P.C.: Archives Publiques du Canada

Signature RG

To be kept in chronological order as per this date:  
À être gardé en ordre chronologique selon cette date:

June 3/91

À CONSERVER DANS CE DOSSIER

TO BE KEPT IN THIS FILE

LOCKE, LANE, GUILD & SHEPPARD

Barristers & Solicitors

—◆—  
C. H. LOCKE, K. C.  
W. S. LANE C. K. GUILD, K. C. (MAN)  
F. A. SHEPPARD, K. C. (SASK) K. L. YULE  
J. R. YOUNG S. C. LANE  
G. C. LOCKE

703 Rogers Building

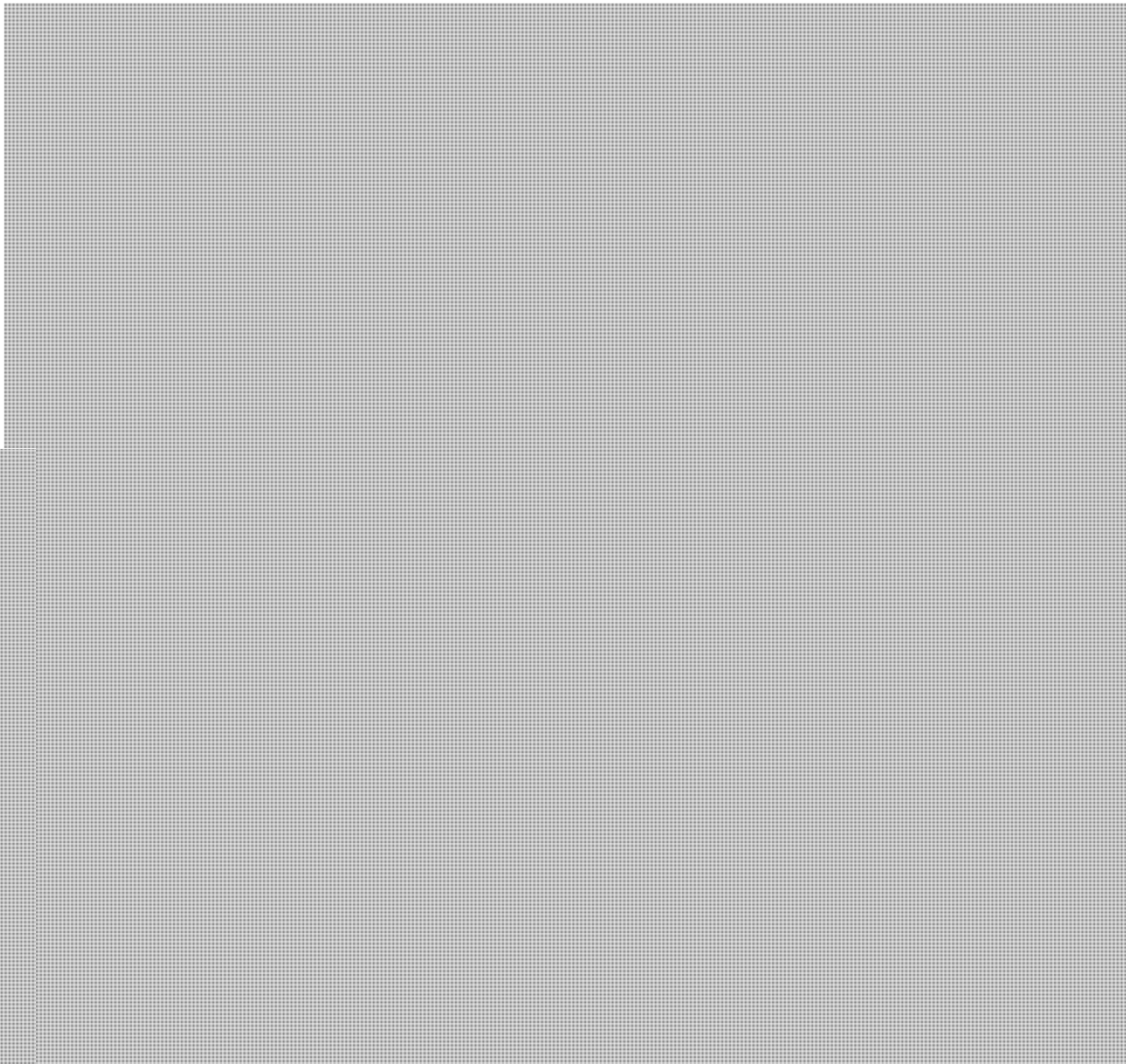
Vancouver B. C.

February 8th, 1947.

s.23

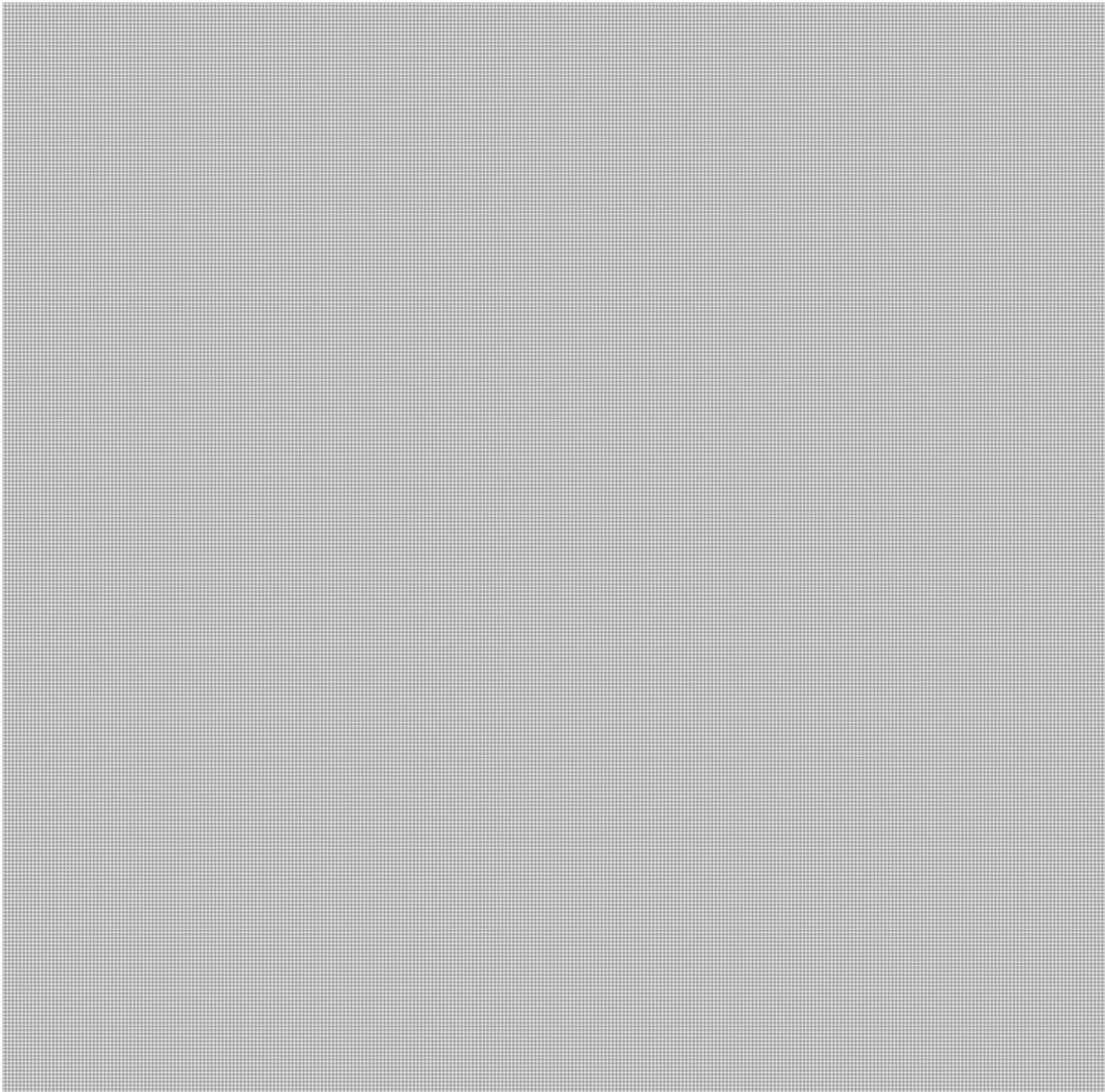
D.W. Mundell, Esq.,  
c/o Department of Justice,  
Ottawa, Ontario.

Dear Davie :-





D.W.Mundell, Esq.,



Yours truly,

FAS/EB.  
Air Mail

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-71

Victoria Bldg., 701 ...  
Ottawa, Ontario  
January 30, 1947



151845

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

Japanese Societies and  
Re: Associations - Your File 151845

Dear Mr. Varcoe:

We have for acknowledgment your communication of the 24th instant and wish to thank you for the information contained therein.

Yours very truly,

K. W. WRIGHT  
COUNSEL TO THE CUSTODIAN

KWW/JF

~~Mr. Murdell.....~~

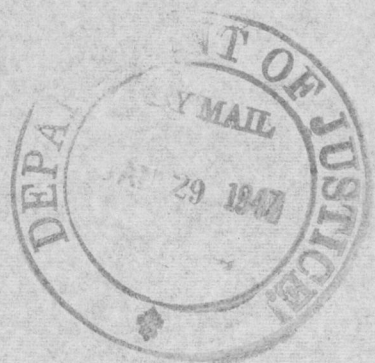
THIS FILE WAS SENT TO YOU

~~ON 13/1.....~~

~~.....~~

FILES SEC.

s.23



January 24th, 1947.

K. W. Wright, Esq., Counsel to the Custodian,  
Department of the Secretary of State, Ottawa.

151845



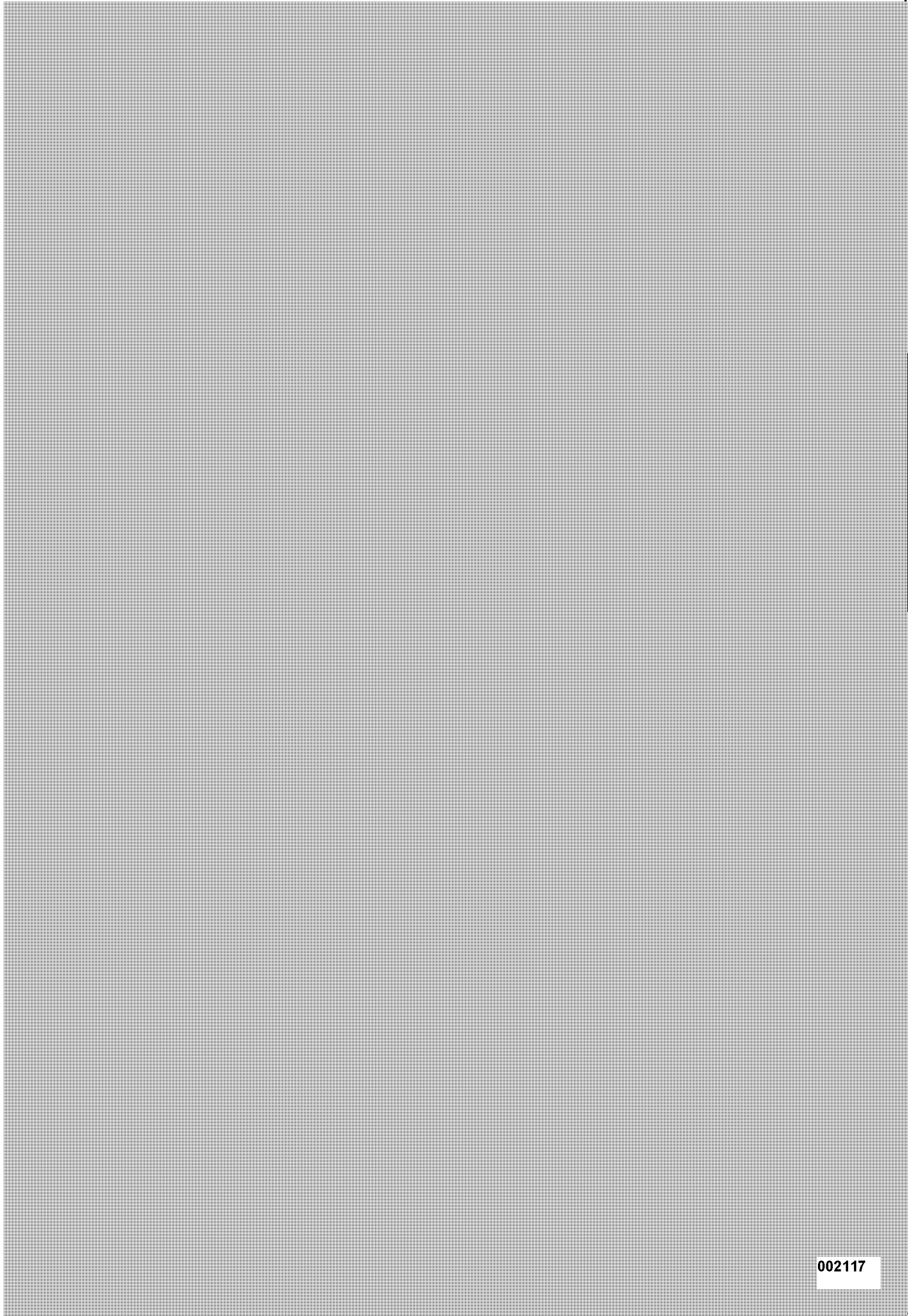
F. P. Varcoe  
Deputy Minister.

s.23

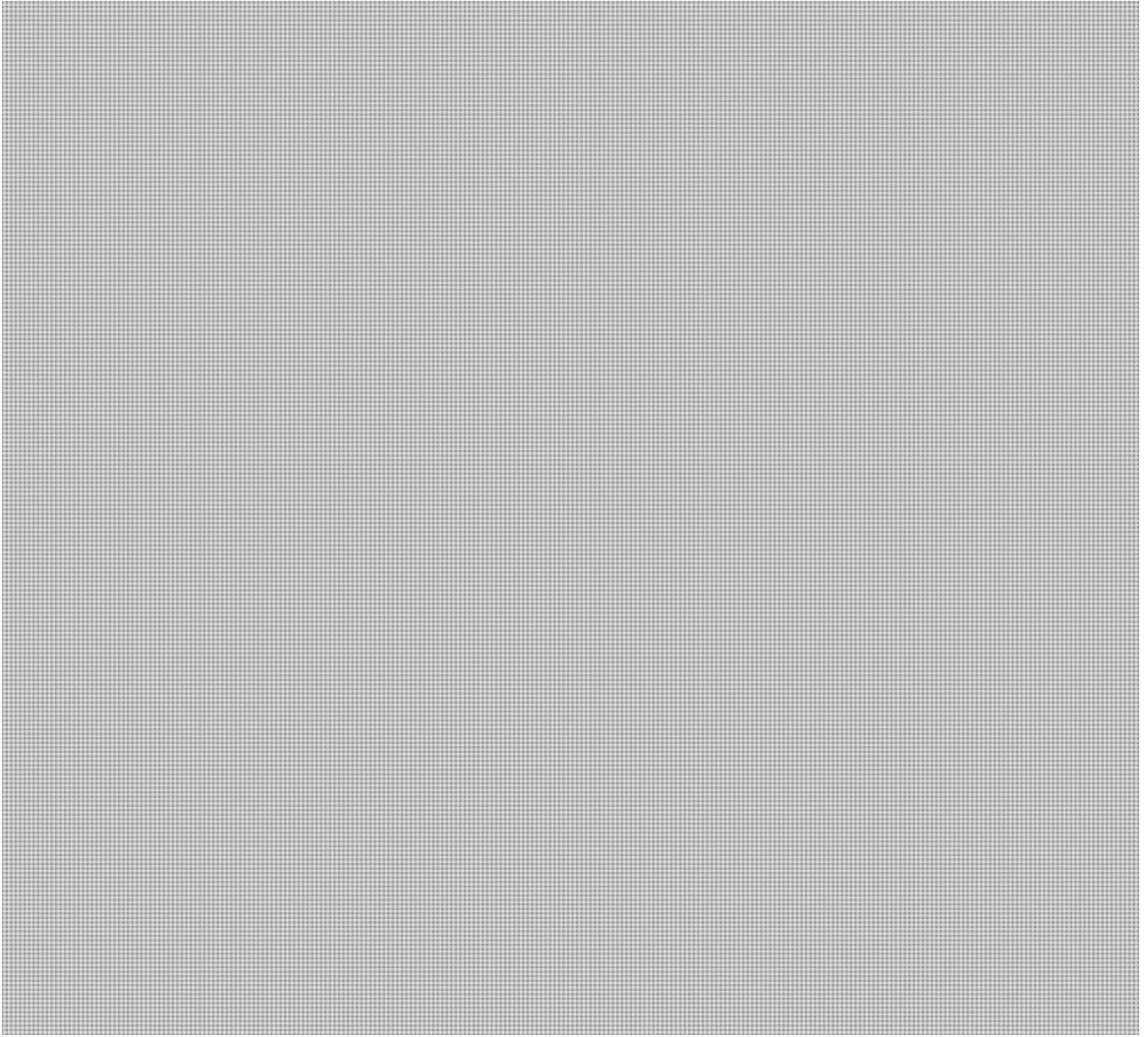
Ottawa, January 24th, 1947.

MEMORANDUM FOR THE DEPUTY MINISTER:

151845



Memorandum for the Deputy Minister - 2.



Attached is a draft letter.

D.W.M.

LIST OF ORGANIZATIONS OWNING REAL PROPERTY IN THE PROTECTED  
AREA OF BRITISH COLUMBIA (In which the majority of the  
interests appear to be Japanese Evacuee)

File No.	Name	General Character and Location of Property	Name on Certificate of Title
5422	BUDDHIST CHURCH, Mission	Buddhist church building on one lot in the Village of Mission.	Registered in the name of <u>two Japanese persons</u> under declaration of Trust, Filing No. 17559
5962	STEVESTON BUDDHIST MISSION	Buddhist church situated on 1st Avenue off Moncton St. Steveston Townsite, Mun. of Richmond	Registered name: Steveston Buddhist Mission
7839	JAPANESE BUDDHIST CHURCH	Buddhist church situated on one lot in the City of New Westminster, B. C.	Registered name: Registered in the names of <u>five Japanese persons</u> under declaration of Trust Filing No. 15439  Note: Voluntary liquidation probable.
10,58	THE FAIRVIEW BUDDHIST CHURCH	Buddhist church situated on 7th Ave. in Vancouver	Registered name: The Fairview Buddhist Church
12811	KITSILANO BUDDHIST MISSION	Buddhist church situated on 1st Ave. in Vancouver	Registered name: Kitsilano Buddhist Mission
12938	HOMPA BUDDHIST TEMPLE	Church and mission building situated on two parcels of land located on E. Cordova St., in Vancouver	<u>Unregistered Deed</u> in the name of Hampa Buddhist Temple.
13509	THE TRUSTEES MAPLE RIDGE BUDDHA MISSION	Buddhist mission and dwelling situated on two parcels of land on Dordney Trunk Road, Haney, B. C.	Registered name: <u>The Trustees Maple Ridge Buddha Mission</u>
4	STEVESTON JAPANESE WOMEN'S SOCIETY	A building used as a hall and kindergarten situated on Broadway St. Steveston Townsite, Mun. of Richmond	Registered name: Steveston Japanese Women's Society.
5356	KITSILANO JAPANESE LANGUAGE ASSOCIATION	A school building situated on 1st Ave. in Vancouver.	Registered name: Kitsilano Japanese Language Association
8986	NEW WESTMINSTER JAPANESE LANGUAGE SCHOOL SOCIETY	School building situated on Agnes St., New Westminster	Registered name: New Westminster Japanese Language School Society.
9754	JAPANESE SCHOOL MAINTAINERS ASSOCIATION	Meeting hall and school house situated on 1½ ac. on Power Line Rd., Hammond, B.C.	Registered name: Japanese School Maintainers Association
10526	THE VANCOUVER NIPPON KYORITSU GO-GAKKO (Japanese School of Languages) MAINTENANCE ASSOCIATION	A large concrete building situated on Alexander St. in Vancouver.	Registered name: The Vancouver Nippon Kyoritsu Go-GAKKO (Japanese School of Languages) Maintenance Association.

File No.	Name	General Character and Location of Property	Name on Certificate of Title
13127	FAIRVIEW NIPPON GO-GAKKO (Fairview Japanese Language School) MAINTENANCE ASSOCIATION	A Japanese school building situated on 5th Ave. in Vancouver.	Registered name: Fairview Nippon Co-Gakko (Fairview Japanese Language School) Maintenance Association  Note: Mr. MacLennan, Barrister, is arranging voluntary liquidation.
6/73	THE WESTERN CANADA HOP CO-OPERATIVE UNION	A large one-storey frame building situated on Lougheed Highway near the City of Mission, B. C.	Registered name: The Western Canada Hop Co-Operative Union
8659	THE HANEY FRUIT RANCHERS' ASSOCIATION	A church building, two halls and other buildings situated on approximately 1 acre on Dewdney Trunk Rd., in the Mun. of Maple Ridge	Registered name: The Haney Fruit Ranchers' Association.
9623	WHONNOCK, RUSKIN & ALBION JAPANESE FARMERS' ASSOCIATION	A hall building situated on approximately 2½ acres at Ruskin, B.C., and a hall and dwelling on approximately ½ acre at Whonnock.	Registered name: Whonnock, Ruskin and Albion Japanese Farmers' Association
10396	SURREY BERRY GROWERS CO-OPERATIVE ASSOCIATION	Small frame building situated on Towline Road outside New Westminster.	Registered name: Surrey Berry Growers Co-Operative Association.
10697	CANADA MIO SONJINKAI	A hall building situated on Moncton St., Steveston Townsite, Mun. of Richmond	Registered name: Canada Mio Sonjinkai.
10721	STEVESTON JAPANESE ASSOCIATION	Several frame hall buildings and dwellings situated on three parcels of land in Steveston Townsite, Mun. of Richmond	Registered names: The Japanese Fishermen's Benevolent Society and Steveston Fishermen's Benevolent Society, both re-registered with the Registrar of Companies under the name Steveston Japanese Association.
12894	THE PRINCE RUPERT JAPANESE ASSOCIATION	A two-storey hall building and small dwelling situated in the City of Prince Rupert.	Registered name: The Prince Rupert Japanese Association
12196	CANADIAN JAPANESE ASSOCIATION	Community hall and small dwelling situated in Port Essington	Registered name: Canadian Japanese Association.

*J. Munnell*

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-71

Victoria Bldg., 7 O'Connor St.,  
Ottawa, Ontario  
January 10, 1947



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

Re: Japanese Associations and Societies

Dear Mr. Varcoe:

You will recall that Orders in Council P.C. 1665, dated March 4, 1942, as amended by P.C. 2483, dated March 27, 1942, and P.C. 469, dated January 19, 1943, empowered the Custodian to administer assets of persons of the Japanese Race evacuated from the Protected Area of British Columbia.

Mr. F. G. Shears, Director of the Custodian's Office in Vancouver, has submitted a list of properties owned by Japanese Organizations, which are situate in the Protected Area of British Columbia, and the question of the application of the above Orders to such Japanese Associations and Societies is a matter upon which the Custodian would appreciate your advice.

The Director indicates that it is desirable to proceed with the liquidation of approximately 20 parcels, registered as aforesaid, but states that Mr. Sheppard of the firm of Messrs. Locke, Lane, Guild & Sheppard of Vancouver, is of opinion that the Orders in Council are not wide enough and should be amended by extending authority to a Japanese Company, Association or Society. It does not appear that under the National Emergency Transitional Powers Act (1945) we may do more than continue or discontinue measures adopted during the war, which leaves us in the position of having to rely on the Orders in Council as they now stand.

You will note from the enclosed that the properties listed are owned by Japanese.

Will you be kind enough to let us have your opinion as early as convenient.

Thanking you for your co-operation in this matter, we are,

Yours very truly,

*K. W. Wright*  
K. W. WRIGHT  
COUNSEL TO THE CUSTODIAN

KWW/JF

002121