

RECORD GROUP 117

VOLUME 1

FILE 2

(PART 5)

NS 111
vol. 1
File 2, pt. 5

J-172

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
April 28, 1947

Raymond Ranger, Esq.,
Secretary,
Privy Council Office,
315 East Block,
Ottawa, Ontario

Re: Deportation of Japanese

Dear Mr. Ranger:

In accordance with your request, I enclose herewith ten copies of communication addressed to the Deputy Minister of Justice by the Under-Secretary of State, under date of January 16, 1947, and Mr. Varcoe's reply, dated April 21, 1947.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

(Sgd.) "F.P. Varcoe"
Deputy Minister

Vol. I
file 2 p 12

ATM

J-172

April 23, 1947

MEMORANDUM TO:

Dr. E. H. Coleman,
Under-Secretary of State

RE: Administration by the Custodian of
Property of Persons of the Japanese Race

I enclose herewith, for your information, copy of
memorandum which I handed to the Minister in the House of Commons
last night.

K. W. WRIGHT

KWW/JF
Encl.

K. W. WRIGHT
Vol. I
file 2 pt 2

ATM

CANADA
DEPARTMENT OF THE SECRETARY OF STATE

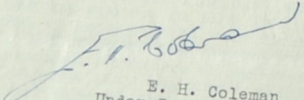
APR 23 1947 ✓

MEMORANDUM

FOR MR. WRIGHT :

re: Repatriation of Japanese

I am attaching for your information a copy of an opinion which I have received from the Deputy Minister of Justice concerning claims to Canadian nationality of persons of Japanese ancestry now in Japan.


E. H. Coleman
Under Secretary of State.

Ottawa, April 22, 1947.

(Sgd.) "F. P. Varcoe"
Deputy Minister

Vol. I
File 2 p 12

COPY

FPV:BB

C
O
P
Y

Please address
Deputy Minister of Justice
Ottawa

OTTAWA, April 21, 1947

The Under-Secretary of State
O T T A W A

152268
Re: Deportation of Japanese

I regret the delay in replying to your letter of January 16th last in this connection. You request my opinion on two questions, namely,

- (1) May a person of the Japanese race who voluntarily went to Japan, whether naturalized or born in Canada, be refused admission to Canada?
- (2) May the Minister of Labour now issue deportation orders in relation to naturalized Japanese persons who returned voluntarily to Japan?

I am of opinion that a person of the Japanese race who was naturalized as a British subject in Canada and who was removed or sent from Canada to Japan pursuant to arrangements made under Order in Council P.C. 7355 following a request for repatriation which remained unrevoked on September 1, 1945, is a person who has been "deported" within the meaning of that term as used in Order in Council P.C. 7355 and, also, as used in Order in Council P.C. 7356 of the same date, which must, in my opinion, be read together with the first-mentioned Order in Council. Such person, in my opinion, has no right of entry into Canada. A person of the Japanese race who was born in Canada, however, has such a right of entry.

In view of the amendments made to Order in Council P.C. 7355 by Order in Council P.C. 288, of January 23, 1947, the Minister of Labour cannot now issue an order for the deportation of persons of the Japanese race, and the answer to your second question is, therefore, in the negative.

(Sgd.) "F.F. Varcoe"

Deputy Minister

Vol. 1
File 2 p. 12

COPY

Ottawa, Ontario
January 16, 1947

J-172
F. P. Varcoe, Esq., K.C.,
Deputy Minister of Justice,
Department of Justice,
Ottawa, Ontario

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
April 23, 1947

Re: Repatriation of Japanese

Dear Mr. Varcoe:

Under Order in Council P.C. 7356, dated the 15th December, 1945, it is provided that any person, who, being a British subject by naturalization, is deported from Canada under the provisions of Order in Council P.C. 7355, dated the 15th December, 1945, shall suffer loss of his Canadian status. This Order in Council does not affect the Canadian nationality of persons born in Canada, and it appears that there will be a number of Japanese persons of Canadian birth in Japan who will be Canadian citizens. Secretary of State under date of May 20, 1947.

The future policy on status of Canadian born Japanese in Japan was discussed at a meeting of the Cabinet Committee on Japanese Problems held in the Privy Council Office on the 13th ultimo, and at that time it was agreed that the relevant legal issues should be submitted to you for opinion.

The Committee has been advised that numerous requests have been received from Canadian Japanese who were repatriated to Japan, indicating their desire to return to Canada, and one question to be decided is whether or not permission may be refused.

Your opinion is also sought in connection with the right of return of naturalized Canadians of Japanese origin who have been repatriated. It should be pointed out that naturalized Japanese returned voluntarily and that the Minister of Labour did not issue deportation orders pursuant to Order in Council P.C. 7355. If those who returned voluntarily have not lost Canadian status, would it now be in order for the Minister of Labour to issue deportation orders in respect to these individuals, and in such event would the provisions of Order in Council P.C. 7356 apply?

The enclosed four dockets, covering cases of Japanese who renounced allegiance and were repatriated to Japan, were sent to me by the Department of Labour and are self-explanatory.

Thanking you for your co-operation, I am,

Yours sincerely,

E. H. Coleman
Under-Secretary of State of Canada

Vol. I
File 2 p. 12

J-172

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
April 23, 1947

Raymond Ranger, Esq.,
Secretary,
Privy Council Office,
315 East Block,
Ottawa, Ontario

Re: Deportation of Japanese

Dear Mr. Ranger:

Further to my earlier communication of today, I enclose herewith copy of communication addressed to the Deputy Minister of Justice by the Under Secretary of State under date of January 16, 1947.

It occurs to me that you may wish to present this letter, together with Mr. Varcoe's opinion on this matter, to the Committee on Japanese Problems.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

The Custodian to the Japanese now residing in various parts of Canada.
By Order in Council P.C. 469, passed on the 19th day of January, 1943, amended by P.C. 271 of January 23, 1947, provision was made for liquidation of Japanese assets and the Order referred to, as amended, is to be found on Page 155 of the Office Consolidation, referred to above.
The only other Order in Council which relates to the administration of Japanese property by the Custodian, is to be found on Page 113, Subsection 2 of Section 6, Order in Council P.C. 7355, which provides for

April 22, 1947

MEMORANDUM TO: Honourable Colonel C. Gibson,
Secretary of State

RE: Administration by the Custodian of Property
of Persons of the Japanese Race

The following is a brief review of the provisions adopted by the Government of Canada decided to evacuate persons of the Japanese Race from an area in British Columbia, the boundaries of which were defined by Government Notice of February 27, 1942. To implement supervision and direct the evacuation from this area, Order in Council P.C. 1665, dated March 4, 1942, was passed, establishing the British Columbia Security Commission under the Department of Labour, with wide powers in regard to the movement of all persons of the Japanese Race, within and without the Protected Area. The Order in Council also provided for the vesting and control by the Custodian, as a protective measure, of all property delivered up or which upon evacuation was left in the Protected Area.

Order in Council P.C. 1665, as amended, appears on Page 154, Office Consolidation of Orders in Council, specified in the Schedule to Bill 104, "The Continuation of Transitional Measures Act, 1947".

It is essential to continue authority conferred for the reason that approximately 50 parcels of real estate under control of the Custodian's Office in Vancouver, have yet to be sold.

In addition, approximately \$240,000.00 has yet to be distributed by the Custodian to the Japanese now residing in various parts of Canada.

By Order in Council P.C. 469, passed on the 19th day of January, 1943, amended by P.C. 271 of January 23, 1947, provision was made for liquidation of Japanese assets and the Order referred to, as amended, is to be found on Page 155 of the Office Consolidation, referred to above.

The only other Order in Council which relates to the administration of Japanese property by the Custodian, is to be found on Page 113, Subsection 2 of Section 6, Order in Council P.C. 7355, which provides for

File 2 p 1

liquidation of assets and transfer of proceeds to voluntary repatriates to Japan. My understanding is that the Minister of Labour will speak to this section in the House of Commons. 1944, and Judge Whiteside died in 1944.

The following is a brief review of the practices adopted by the Custodian's Office in Vancouver, which was established for the purpose of administering Japanese assets left in the protected area. At the outset, may I recall the extreme difficulty experienced in dealing with the large number of substandard buildings and the vast quantity of inferior personal property which the Japanese possessed. It being well known that the property belonged to Japanese, there were many cases of breaking and entering which resulted in thefts, e.g. plumbing and lighting fixtures, and it was impossible for the Custodian or the local police to give the necessary protection. The Custodian did not know how long the war would last, nor did he know whether the Japanese would ever be permitted to return to the Protected Area. It was therefore impossible to determine if there would be any equity if he continued to hold the properties during the enforced absence of the Japanese. As a result of a year's experience, a report was made to a special committee of the Cabinet and the Custodian was instructed to proceed with the policy of liquidation. Two independent Committees were established. One is known as the Advisory Committee on Greater Vancouver Properties. The following members were appointed to the Board on the 8th of March, 1943: Honorable Mr. Justice Sidney Smith of the Appellate Court of B. C., Chairman; Alderman Charles Jones; Mr. Kishiso Kimura (resigned 20th of July, 1943). The other Committee is known as Advisory Committee on Rural Properties. The following members were appointed on the 15th of March, 1943: His Honor Judge David Whiteside, New Westminster, Chairman; Messrs. D. E. MacKenzie; J. J. McLellan; Hal Menzies; Yasutaro Yamaga. Mr. McLellan

Vol. I
File 2 p. 2

resigned almost immediately and Mayor W. Mott of New Westminster was appointed in his stead. Mr. Yamaga resigned on the 26th of May, 1943. Mr. MacKenzie died on the 11th of October, 1944, and Judge Whiteside died in March, 1947.

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

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

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

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

The policy of liquidation has resulted in the Custodian paying out large sums of money to the Evacuees and paying debts on their behalf. In co-operation with the Department of Labour, Japanese Division, the

Vol. I
File 2 p. 12

Custodian releases such funds to Evacuees, still in Interior Housing Schemes operated by the Department, as are considered necessary. Where Evacuees have moved East from the Province of British Columbia, the Custodian releases the balance. Funds held for Evacuees, as of March 31, 1947, amounted to \$843,359.72.

Sales to December 31st, 1946, were as follows:

	<u>SALES</u>	<u>APPRAISAL</u>	<u>SALES VALUE</u>
Greater Vancouver	466	\$ 915,600.00	\$1,004,785.00
Rural	400	529,146.25	570,244.00
Veterans' Land Act	<u>741</u>	<u>847,878.00</u>	<u>826,255.00</u>
	1607	\$2,292,624.25	\$2,411,285.00

May I direct your attention to the fact that proceeds from sales, including farms sold to the Director, Veterans' Land Act, exceeded fixed valuations by \$118,660.75.

STATEMENT OF CASH REALIZATION
OF EVACUEE ASSETS AND REVENUES

Fishing vessels & scows	\$ 203,049.40
Fishing nets & gear	101,215.08
Cars	65,583.98
Trucks	94,540.63
Sundry Business assets	200,230.13
Household effects	255,968.76
Radios	17,049.64
Farm Equipment	15,995.08
Life Insurance	65,259.75
Securities	59,766.04
Accounts Receivable	130,901.03
Sundries	32,524.74
Veterans' Land Act	807,400.22
Real Estate Sales	1,689,103.48
Real Estate Income	503,397.35
Dividends from Securities	9,795.84
Rooming House rentals	33,362.36
Cash turned in by Repatriates	<u>1,070,174.14</u>
	\$ 5,372,317.64

The change of staff personnel was considerable and although our peak in the Vancouver Office was 120 in November, 1942, the number of different persons employed up to the end of 1944 totalled 275. The staff has been greatly reduced and now numbers 30.

The cost of office space in Vancouver has been reduced from \$1,000.00 per month to \$500.00 per month.

K. F. WRIGHT
COUNSEL TO THE CUSTODIAN

KFW/JF

NS 11
Vol. 1
file 2 p 12

COPY

Ottawa, Ontario
January 16, 1947

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
April 23, 1947

J-172
F. P. Varcoe, Esq., K.C.,
Deputy Minister of Justice,
Department of Justice,
Ottawa, Ontario

Re: Repatriation of Japanese

Dear Mr. Varcoe:

Under Order in Council P.C. 7356, dated the 15th December, 1945, it is provided that any person, who, being a British subject by naturalisation, is deported from Canada under the provisions of Order in Council P.C. 7355, dated the 15th December, 1945, shall suffer loss of his Canadian status. This Order in Council does not affect the Canadian nationality of persons born in Canada, and it appears that there will be a number of Japanese persons of Canadian birth in Japan who will be Canadian citizens.

The future policy on status of Canadian born Japanese in Japan was discussed at a meeting of the Cabinet Committee on Japanese Problems held in the Privy Council Office on the 13th ultimo, and at that time it was agreed that the relevant legal issues should be submitted to you for opinion.

The Committee has been advised that numerous requests have been received from Canadian Japanese who were repatriated to Japan, indicating their desire to return to Canada, and one question to be decided is whether or not permission may be refused.

Your opinion is also sought in connection with the right of return of naturalized Canadians of Japanese origin who have been repatriated. It should be pointed out that naturalized Japanese returned voluntarily and that the Minister of Labour did not issue deportation orders pursuant to Order in Council P.C. 7355. If those who returned voluntarily have not lost Canadian status, would it now be in order for the Minister of Labour to issue deportation orders in respect to these individuals, and in such event would the provisions of Order in Council P.C. 7356 apply?

The enclosed four dockets, covering cases of Japanese who renounced allegiance and were repatriated to Japan, were sent to me by the Department of Labour and are self-explanatory.

Thanking you for your co-operation, I am,

Yours sincerely,

E. M. Coleman
Under-Secretary of State of Canada

RECEIVED
Vol. I
File 2 p. 12

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
April 23, 1947

J-172

Raymond Ranger, Esq.,
Secretary,
Privy Council Office,
315 East Block,
Ottawa, Ontario

Re: Deportation of Japanese

Dear Mr. Ranger:

Confirming our telephone conversation, I enclose herewith copy of communication addressed to the Under-Secretary of State by the Deputy Minister of Justice, under date of 21st instant, concerning claims to Canadian nationality of persons of Japanese ancestry now in Japan.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

COPY

FPV:BB

Please address
The Deputy Minister of Justice
Ottawa

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario

J-172

April 23, 1947

MEMORANDUM TO:

Dr. E. H. Coleman
Under-Secretary of State

RE: Repatriation of Japanese

I have for acknowledgment your memorandum of the 22nd instant, enclosing copy of communication received from the Deputy Minister of Justice, under date of 21st instant.

Copy of this opinion has been forwarded for the information of Mr. Raymond Ranger, Secretary, Privy Council Office.

K. W. WRIGHT

KWW/JF

COPY

FPV:BB

Please address
The Deputy Minister of Justice
Ottawa

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
Ottawa, April 21, 1947

The Under-Secretary of State
OTTAWA

152268

Department of Justice
Ottawa, Ontario Re: Deportation of Japanese

I regret the delay in replying to your letter of January 16th last in this connection. You request my opinion on two questions, namely,

- (1) May a person of the Japanese race who voluntarily went to Japan, whether naturalized or born in Canada, be refused admission to Canada?
- (2) May the Minister of Labour now issue deportation orders in relation to naturalized Japanese persons who returned voluntarily to Japan?

I am of opinion that a person of the Japanese race who was naturalized as a British Subject in Canada and who was removed or sent from Canada to Japan pursuant to arrangements made under Order in Council P.C. 7355 following a request for repatriation which remained unrevoked on September 1, 1945, is a person who has been "deported" within the meaning of that term as used in Order in Council P.C. 7355 and, also, as used in Order in Council P.C. 7356 of the same date, which must, in my opinion, be read together with the first-mentioned Order in Council. Such person, in my opinion, has no right of entry into Canada. A person of the Japanese race who was born in Canada, however, has such a right of entry.

In view of the amendments made to Order in Council P.C. 7355 by Order in Council P.C. 268, of January 23, 1947, the Minister of Labour cannot now issue an order for the deportation of persons of the Japanese race, and the answer to your second question is, therefore, in the negative.

(Sgd.) "F. P. Varcoe"

Deputy Minister

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

J-172

E. A. Driedger, Esq.,
Counsel,
Department of Justice,
Ottawa, Ontario

Re: Your File No. 152189

Dear Mr. Driedger:

We have for acknowledgment your communication of the 9th instant, returning booklet of Orders in Council relating to the Japanese, for which we thank you.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

We also enclose, for your information, copy of the Revised Regulations Respecting Trading with the Enemy (1943).

I understand that officials of the Department of Labour expect that more applications for voluntary repatriation may be received and that it is desirable to continue the provisions of Order in Council P.C. 7355, as amended, which enable the Custodian to administer property which has not been sold or otherwise disposed of prior to departure.

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF



EAD/CM

PLEASE ADDRESS
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

OTTAWA April 9, 1947.

APR 10 1947

152189

As requested, I am returning herewith your copies of Orders in Council relating to Japanese which you loaned me in connection with the drafting of a Report to Council for the appointment of a Commissioner to investigate claims by Japanese.

Encl.

E. A. Driedger.

K. W. Wright, Esq.,
Counsel to Custodian of Enemy Property,
7 O'Connor Street,
OTTAWA.

In Council P.C. 268, dated 23rd January, 1947. (Copy attached).

We also enclose, for your information, copy of the Revised Regulations Respecting Trading with the Enemy (1943).

I understand that officials of the Department of Labour expect that more applications for voluntary repatriation may be received and that it is desirable to continue the provisions of Order in Council P.C. 7355, as amended, which enable the Custodian to administer property which has not been sold or otherwise disposed of prior to departure.

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

J-172

Victoria Bldg., 7th Connor St.,
Ottawa, Ontario
March 19, 1947

MEMORANDUM TO:

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

RE: Orders in Council Relating To
The Office of the Custodian

In compliance with your request, the following list of Orders in Council, which should be continued, is submitted:

1. Order in Council P.C. 8526, dated 13th November, 1943. This Order in Council establishes Regulations which are known as The Revised Regulations Respecting Trading with the Enemy (1943) and was amended by Order in Council P.C. 156, dated 14th January, 1947. (Copy attached).

An Act to continue the above Regulations was introduced at the present session of the House of Commons on the 18th day of February, 1947. (See Bill No. 22).

2. Order in Council P.C. 1665, dated 4th March, 1942. (Copy attached). Section 12 provided for the vesting and control by the Custodian of all Japanese property delivered up or which, upon evacuation, was left in the Protected Area. This was amended by Order in Council P.C. 2483, dated 27th March, 1942. (See Regulation 4 in said Order, copy of which is attached).
3. Order in Council P.C. 469, dated 19th January, 1943, (copy attached) provided for liquidation of the property above referred to.
4. Order in Council P.C. 271, dated 23rd January, 1947, amended P.C. 469. (Copy attached).
5. Order in Council P.C. 7355, dated 15th December, 1945 (copy attached) provided for the vesting in the Custodian of the assets left in Canada by repatriated Japanese. (See Section 6). This was amended by Order in Council P.C. 268, dated 23rd January, 1947. (Copy attached).

We also enclose, for your information, copy of the Revised Regulations Respecting Trading with the Enemy (1943).

I understand that officials of the Department of Labour expect that more applications for voluntary repatriation may be received and that it is desirable to continue the provisions of Order in Council P.C. 7355, as amended, which enable the Custodian to administer property which has not been sold or otherwise disposed of prior to departure.

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

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

BY SAFE HAND

MEMORANDUM TO:

Mr. W. O. Davis
Private Secretary to the
Secretary of State

Mr. Wright received a memorandum from the Minister yesterday, in which Mr. Gibson requested further information concerning the matter of fire and thefts of Japanese property under Custodian control. Mr. Wright has requested me to advise that he will endeavour to see Mr. Gibson about this matter on Monday next.

Mr. Gibson also requested information concerning funds held by the Custodian in connection with the sale of Japanese Fishing Vessels. In this connection, we would refer to Pages 13-18 inclusive of Mr. Shearn's report, dated January 22, 1947. We trust that this report will furnish the Minister with the information he requires.

J. Foy
Secretary

... an Council P.C. 288 of
bonds or other securities) delivered up to any person by the owner pur-
suant to an order of the Minister of Justice, or which is turned over
to the Custodian by or on behalf of the owner, or which the owner, on
being evacuated from the protected area, is unable to take with him,
shall be vested in and subject to the control and management of the
Custodian as defined in the Regulations Respecting Trading with the
Enemy (1939); provided, however, that no commission shall be charged
by the Custodian in respect of such control and management.

(2) The Custodian may, notwithstanding anything contained in this
Regulation, order that all or any property whatsoever, situated in any
protected area of British Columbia, belonging to any person of the
Japanese race shall, for the purpose of protecting the interests of the
owner or any other person, be vested in the Custodian, and the Custodian



THE SECRETARY OF STATE OF CANADA

Ottawa, February 5, 1947.

Memorandum for Mr. K.W. Wright, Counsel,
Office of the Custodian of Enemy Property.

In your memorandum of February 3rd, on Page 4, it is stated that there were many cases of breaking and entering which resulted in thefts and it was impossible for the Custodian or the local police to give the necessary protection. In addition there were a number of thefts. Has any estimate been made as to the loss or damage so incurred as quite possibly the owners will claim compensation?

Under Order-in-Council P.C. 2453 of March 27th, 1942, property was turned over to the Custodian, excepting fishing vessels. In the statement of cash realization appears an item for fishing vessels and scows, fishing nets and gear. Were these vessels disposed of by the Custodian or are these the receipts obtained from another Department after liquidation?

John G. [Signature]

P

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

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
February 6, 1947

BY SAFE HAND

MEMORANDUM TO: Mr. W. O. Davis
Private Secretary to the
Secretary of State

Enclosed herewith is copy of an article, relative
to the Custodian's Office, which appeared in the Canadian Business
Magazine, under date of November, 1945.

This for the Minister's information.

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

...order in Council P.C. 288 of
...and deposits of money, shares of stock, debentures,
bonds or other securities) delivered up to any person by the owner pur-
suant 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 is turned over
being evacuated from the protected area, is unable to take with him,
shall be vested in and subject to the control and management of the
Custodian as defined in the Regulations Respecting Trading with the
Enemy (1939); provided, however, that no commission shall be charged
by the Custodian in respect of such control and management.

(2) The Custodian may, notwithstanding anything contained in this
Regulation, order that all or any property whatsoever, situated in any
protected area of British Columbia, belonging to any person of the
Japanese race shall, for the purpose of protecting the interests of the
owner or any other person, be vested in the Custodian, and the Custodian

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
February 6, 1947

BY SAFE HAND

MEMORANDUM TO

Mr. W. J. P. O'Meara, K.C.,
Acting Under-Secretary of State

Enclosed herewith is copy of an article relative
to the Custodian's Office, which appeared in the Canadian
Business Magazine under date of November, 1945.

This for your information.

K. W. WRIGHT

KWW/JF
Encl.

... (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

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
February 6, 1947

BY SAFE HAND

MEMORANDUM TO: Mr. W. J. P. O'Meara, K.C.,
Acting Under-Secretary of State

RE: Revised Regulations Respecting
Trading with the Enemy (1943)

Enclosed please find copies of memoranda relative to
the Revised Regulations and Japanese Evacuee Property.

Miss Foy delivered the originals direct to Mr. Davis
from my home in order to avoid further delay.

This material may be helpful to you in the course of
discussions with the Minister.

K. W. WRIGHT

KWW/JF
Encl.

being evacuated from the protected area, or which the owner, on
shall be vested in and subject to the control and management of the
Custodian as defined in the Regulations Respecting Trading with the
Enemy (1939); provided, however, that no commission shall be charged
by the Custodian in respect of such control and management.

(2) The Custodian may, notwithstanding anything contained in this
Regulation, order that all or any property whatsoever, situated in any
protected area of British Columbia, belonging to any person of the
Japanese race shall, for the purpose of protecting the interests of the
owner or any other person, be vested in the Custodian, and the Custodian

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
February 3, 1947

MEMORANDUM TO: The Secretary of State

FROM: K. W. Wright

RE: Property of Japanese Evacuees

Early in 1942, the Government of Canada decided to evacuate persons of the Japanese Race from an area in British Columbia, the boundaries of which were defined by Government Notice of February 27, 1942. To implement supervision and direct the evacuation from this area, Order in Council P.C. 1665, dated March 4, 1942, (copy attached) was passed, establishing the British Columbia Security Commission under the Department of Labour, with wide powers in regard to the movement of all persons of the Japanese Race, within and without the Protected Area. The Order in Council also provided for the vesting and control by the Custodian, as a protective measure, of all property delivered up or which upon evacuation was left in the Protected Area. (See Section 12).

The Regulation referred to was amended by Order in Council P.C. 2483, dated 27th March, 1942 (copy attached) and as amended, reads as follows:

*4. Regulation twelve is hereby rescinded and the following substituted therefor:

'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 13th, 1942, and deposits of money, shares of stock, debentures, bonds or other securities) delivered up to any person by the owner pursuant to an order of the Minister of Justice, or which is turned over to the Custodian by or on behalf of the owner, or which the owner, on being evacuated from the protected area, is unable to take with him, shall be vested in and subject to the control and management of the Custodian as defined in the Regulations Respecting Trading with the Enemy (1939); provided, however, that no commission shall be charged by the Custodian in respect of such control and management.

(2) The Custodian may, notwithstanding anything contained in this Regulation, order that all or any property whatsoever, situated in any protected area of British Columbia, belonging to any person of the Japanese race shall, for the purpose of protecting the interests of the owner or any other person, be vested in the Custodian, and the Custodian

The Secretary of State

-2-

February 3, 1947

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".

It is essential to continue this Section for the reason that approximately 50 parcels of real estate under control of the Custodian's Office in Vancouver, have yet to be sold.

In addition, approximately \$1,000,000.00 has yet to be distributed by the Custodian to the Japanese now residing in various parts of Canada.

By Order in Council P.C. 469, passed on the 19th day of January, 1943 (copy attached), provision was made for liquidation and it is also necessary to continue the following:

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

Order in Council P.C. 7355, passed on the 15th day of December, 1945, (copy attached) provided for the vesting in the Custodian of the assets left in Canada by repatriated Japanese. Earlier reports to you revealed that all funds in the hands of the Custodian, amounting to \$1,300,000.00, have been transferred to the Treasury and the Department of Labour has arranged for all such funds to be transmitted to

Vol. I
File 2 pt. I

The Secretary of State

-3-

February 3, 1947

Japan through Washington. The Department of Labour, however, seeks an extension of Order in Council P.C. 7355, including Custodian authority to vest assets left in Canada by Japanese, for the reason that they expect more applications will be received for voluntary repatriation.

The foregoing is a summary of legislation pertaining to the affairs of Japanese Evacuees, insofar as such legislation relates to the Custodian's Office. The fact that you do not expect me to furnish you with a complete account of Custodian stewardship in respect to Japanese assets is appreciated. I have a full understanding of Mr. Shears' feelings as he commented on Page 94 of his report of the 22nd of January, 1947, as follows:

"While this Report has run to considerable length I feel that it inadequately portrays a composite picture of the many varied problems with which the office has been confronted. The path which has been traversed was for the most part unknown and the light of previous experience shed but a dim ray on the steps that had to be taken".

You will enjoy reading this Report and will find much useful information therein.

At the end of last November, I made a brief report on the work of the Vancouver Office to Dr. Coleman. This has been amended to the extent of replacing information shown therein as of October 31, with returns as of December 31, 1946, and as amended, is as follows:

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

At the outset, may I recall the extreme difficulty experienced in dealing with the large number of substandard buildings and the vast quantity of inferior personal property which the Japanese possessed.

Vol. I
File 2 pt. I

The Secretary of State

February 3, 1947

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

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

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

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

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

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

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

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

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

Vol. I
File 2 pt I

February 3, 1947

The policy of liquidation has resulted in the Custodian paying out large sums of money to the Evacuees and paying debts on their behalf. In co-operation with the Department of Labour, Japanese Division, the Custodian releases such funds to Evacuees, still in Interior Housing Schemes operated by the Department, as are considered necessary. Where Evacuees have moved East from the Province of British Columbia, the Custodian releases the balance. Funds held for Evacuees, as of December 31st, 1946, amounted to \$1,076,318.76.

Sales to December 31st, 1946, were as follows:

	<u>SALES</u>	<u>APPRAISAL</u>	<u>SALES VALUE</u>
Greater Vancouver	466	\$ 915,600.00	\$ 1,004,785.00
Rural	400	529,146.25	570,244.00
Veterans' Land Act	741	847,878.00	836,256.00
	1607	\$ 2,292,624.25	\$ 2,411,285.00

May I direct your attention to the fact that proceeds from sales, including farms sold to the Director, Veterans' Land Act, exceeded fixed valuations by \$118,660.75.

STATEMENT OF CASH REALIZATION
OF EVACUEE ASSETS AND REVENUES

Fishing vessels & scows	\$ 203,049.40
Fishing nets & gear	101,215.08
Cars	63,583.98
Trucks	94,540.63
Sundry Business assets	200,230.12
Household effects	255,968.76
Radios	17,049.64
Farm Equipment	15,795.08
Life Insurance	65,259.75
Securities	59,766.04
Accounts Receivable	150,901.03
Sundries	32,524.74
Veterans' Land Act	807,400.22
Real Estate Sales	1,689,103.48
Real Estate Income	503,397.35
Dividends from Securities	9,795.84
Rooming House rentals	33,362.36
Cash turned in by Repatriates	1,076,174.14
	<u>\$ 5,373,317.64</u>

The Secretary of State

-6-

February 3, 1947

The field for selecting the most efficient and experienced help was very limited and salary advances became available to many of our best members of staff by acceptance of other positions. The change of ^{staff} personnel was considerable and although our peak was 120 in November, 1942, the number of different persons employed up to the end of 1944 totalled 275. The staff has been greatly reduced and now numbers 30 and it is expected to reduce this to half the present number in the course of the next six months.

You will also note from Mr. Shears' Report that the cost of office space has been reduced from \$1,000.00 per month to \$500.00 per month.

Editorials have appeared in the press and much has been said about the losses of the Japanese. I have no doubt that more will be heard in the House. We have never alleged that no mistakes were made. Having regard for all circumstances, however, those of us who were responsible for the administration from the outset are confident that as, if and when inquiry is made, an account of good stewardship will be presented.

Still another objective and a very important one is to see that every property in the hands of the Japanese War Effort during the war. The proceeds of liquidation of enemy property are invested in the Treasury Board in Canada's war effort. We see that the Custodian, in time of war, controlled and with the enemy, controlled and the enemy property and claims against the enemy in the interest of the State of the country.

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KW/JJ
Encls.

file 2 pt 2

Ottawa, February 3, 1947.

MEMORANDUM TO: The Secretary of State

FROM: K. W. Wright

RE: Revised Regulations Respecting
Trading with the Enemy (1943)

In September, 1939, the lessons of 1914-1918 were not forgotten or ignored. Immediate steps were taken to enact the Consolidated Regulations Respecting Trading with the Enemy (1939). These Regulations had several objectives:

1. To prevent the flow of financial resources to the enemy. This is possibly the most difficult objective to achieve. It meant the actual control of all enemy property in Canada in its widest sense. The Holding Companies, for example, were the most difficult from a Custodian standpoint, to control. They were the favourite brainchild of European Financiers to hide the ownership of assets from their own government, foreign exchange controls and tax gatherers.
2. Another objective was to have a complete record of all enemy-owned property in Canada and all claims by persons residing here against the enemy for property lost due to enemy action. The compilation of this information was not done during World War I, with the result that on the signing of the Treaty of Peace, Canada did not know on which side of the ledger she stood, as to assets and claims. As a result of the information compiled by the Custodian in the course of World War II, the necessary information is available for the Peace Conferences which are now taking place.
3. Still another objective and a very important one was to use enemy property in the best interests of Canada's War Effort during the war. The proceeds of liquidation of enemy property are invested as authorized by the Treasury Board in Canada's war effort. Thus we see that the Custodian, in time of war prevented trading with the enemy, controlled and recorded enemy property and claims against the enemy, and used the assets of the enemy in the interest of Canada's war effort.

The amount of enemy-owned property in Canada at the beginning of World War II was less than it was at the time of our entry into the First World War, even though Japan and Italy were not our enemies in the First World War. In the years intervening, between 1920-1939, the countries with which we are now at war were in no economical position to export substantial amounts of capital. In fact, the net movement of capital was the other way. The rigid controls which these countries imposed on such transactions during most

Memorandum to the Secretary of State February 3, 1947

of those years tended to keep their capital at home, while large scale military preparations absorbed a substantial proportion of their investments abroad. Nevertheless, the amount of enemy-owned property in Canada was still rather substantial when war was declared.

The remaining functions of the Custodian in relation to property seized as a result of the First World War continued and the personnel used in the administration by the Department of the Secretary of State was available and ready to function at the outbreak of World War II. The present office therefore has jurisdiction over First World War assets, where administration is incomplete.

In the case of aliens who were detained or interned, it was necessary to take action and control their property. It was the policy of the office to treat the fact of internment as prima facie evidence that the internee's property should come under the direction, management, supervision or control of the Custodian.

Each case was treated on its individual characteristics and the controlling objectives in each case were to ensure that useful property would not be included or used against the national interest.

The definition of enemy is to be found in Regulation I, which indicates that primarily enemies are persons who reside or carry on business in enemy territory or in territory occupied by the enemy. In view of the rapid advance of the German armies, it was necessary to introduce into the Regulations territories known as "proscribed territories", and the object of such proscription orders which were issued from time to time, was to place under the protective custody of the Custodian the property of persons caught in territories overrun by the enemy, or where all system of Governmental control had vanished in view of the advancing horde.

Since the primary purpose of the Regulations is to prevent the flow of financial resources to the enemy, it is necessary to control the financial resources of every person, regardless of his nationality, who may have resided in enemy territory or under the enemy's control, and thus it follows that the definition of "enemy" is much wider than the definition of "enemy subject".

The practical administration of the Regulations touches almost every aspect of commercial life in the Dominion, reaching out to the farm lands of Western Canada, the fruit valleys of Nova Scotia, the shipping industry of the ports and the industrial centres of Eastern Canada.

Memorandum to the Secretary of State February 3, 1947

The administration of the Regulations is delegated to the Secretary of State who has the duty of conducting the investigations into any questions arising under the Regulations and in his capacity as Custodian, appointed under the Regulations, he has a duty of holding all funds paid to him for or on behalf of enemies and administering all enemy property within Canada as a trustee.

It was found advisable in preparing the Regulations that the onus of proving whether or not a person came within the definition of enemy should be placed upon the claimant himself. To have required the Custodian to prove that a person was an enemy would create an almost insurmountable obstacle in the administration of the Regulations since this would necessitate the Custodian proving the actual place of residence of any particular person before he could take control of that person's securities. It was found to be far more satisfactory to allow the Custodian to take possession of securities on the suspicion of a person being an enemy and then ask that person to prove that he was not.

It is to be noted that under Regulation 2 and 3 the question of trading with the enemy and just what trading constitutes is set out in very wide terms. There is, however, a proviso under Regulation 3 giving the Secretary of State authority to permit any transaction which, except for such consent, would be considered trading with the enemy.

Under the Regulations, particularly Regulation 8 to 19 inclusive, the Secretary of State is given very wide powers to appoint inspectors to investigate into companies and persons' affairs to ascertain whether or not there is an enemy interest in such companies or whether or not such companies have been trading with the enemy. The necessary provisions are made for the taking control by the Secretary of State of any business which he considers to be run mainly or solely for the benefit of an enemy or to be enemy owned. The Secretary of State's power also extends to the cancellation of contracts where it appears to him that by reason of the contract being between an enemy or an enemy subject it is injurious to the public interest and such contract may be cancelled on such conditions as the Secretary of State thinks fit.

Regulation 6 appoints the Secretary of State as the Custodian and places in his hands the administration of the Regulations insofar as the collection and control of enemy property is concerned.

Regulation 21 is extremely wide and is a distinct departure from the regulation in existence during the last war.

During the last war enemy property in Canada was vested in the Custodian by specific Court Orders and it was necessary to go to the particular province concerned and obtain a vesting order vesting the enemy property in the Custodian. It was decided when the

Memorandum to the Secretary of State February 3, 1947

Regulations were drawn that the Custodian should become vested automatically by law with all the rights and powers of the original enemy owner of the property in Canada and he should not have to apply to any Court to obtain these rights. This explains the wording of the Regulation. Provision is made, however, for the Custodian applying to the Exchequer Court (Section 27) where he is suspicious that property belongs to an enemy but he has not definite information.

The Custodian, of course, is given full power to liquidate any enemy property vested in him and may dispose of such property by sale or otherwise as he sees fit. This also applies to real estate and the Custodian can obtain title to such property.

The total amount of assets placed under the control of the Custodian since September 2, 1939, reached a figure well over one billion dollars, but by gradual release of state funds and gold belonging to Governments of former proscribed countries, as well as property belonging to persons who were able to establish that they could no longer be considered enemies under the Regulations, the total assets now under control at present day valuation are approximately \$350,000,000.00.

Negotiations respecting the release of property belonging to residents of the various liberated European countries and now under the Custodian's control are now under way with the respective Governments concerned. The purpose of these negotiations is to reach an agreement on the procedure to be followed with respect to the release of such property.

BELLIGERENT ENEMY ASSETS

The Peace Treaties with Italy, Bulgaria, Roumania, Hungary and Finland, which will be presented to the House for ratification, provide in part that each of the Allied and associated Powers have the right to retain all property within its territory which, on the coming into force of the Treaties, belong to the nationals of the respective countries. All such property in Canada within the limits of claims may be used for such purposes as this Government determines. The Treaty contains a further provision to the effect that the owner may look to his own Government for compensation.

Reparation problems generally arising out of the recent war are being studied by an Inter-Departmental Committee which was established for this purpose, and on which the Custodian is actively represented. One of the functions of this Committee is to formulate and recommend to Cabinet from time to time any definite policies with respect to the handling of reparation claims and other related problems. Under the provisions of the Revised Regulations which are now before you, the Custodian's Office was required to record all claims covering loss or damage to property situated in enemy territory, and all such claims have been recorded in special registers for such purpose. A list of claims is attached as Exhibit "C".

To date, the value of the claims filed exceeds the value of enemy assets under the control of the Custodian. Especially is this true in the case of Germany. German assets under control in Canada at the present time amount to approximately \$8,000,000.00, which is subject to change as a result of investigations now being conducted by Custodian officials in Europe, as well as the screening process which takes place when applications for release of non-belligerent enemy assets are made.

ELIMINATION OF CONTROLS

During the war, certain control measures established under the War Measures Act and more directly under Custodian regulations were under the direct supervision of the Custodian's Office. Such measures included commercial communications under postal and telegraph censorship, prohibitory mailing lists, Canadian Lists of Specified Persons, Black and Suspect Lists and supervision of customs entry for goods originating in enemy or proscribed territory. With the cessation of hostilities, most of these controls were removed or reduced to the minimum. Censorship has now been abolished, as well as Black and Suspect Lists. This is in line with similar moves made by Great Britain and the United States, with whom we have been co-operating.

During the past two years, the Custodian has issued special general licenses permitting the resumption of trade with most of the liberated territories and some of the enemy countries. These licenses permit new transactions entered into after the effective date of the notice, but in no way affect assets vested in the Custodian. For list of countries for which the Custodian has issued licenses permitting the resumption of trade and the effective date of such licenses, see Exhibit "A" attached hereto.

ADMINISTRATION

The present office is a continuation of the Custodian's Office set up under the Treaty of Peace Orders of 1920. When war was declared with Japan, a branch office was opened in Vancouver to take care of Japanese affairs on the Pacific Coast. The number of staff employed is as follows:

	<u>Peak</u>	<u>Present</u>
Ottawa	114	111
Vancouver	120	30
London	5	5

The Custodian's Office is now entering the period of active releasing work and the number of applications for release is increasing daily. This work requires very close observation and thorough screening to locate enemy interest. Since January, 1941, upwards of 10,000 release applications have been dealt with. The monthly average for 1946 was 370 applications, and when the releasing agreements are in full operation, this figure will be greatly increased. The total amount involved in release applications to date is approximately \$792,000,000.00. The administration of assets under control has necessitated the opening of 69,600 individual files, and this number is being steadily increased.

NS 117
Vol. I
File 2, pt. I

The administration of the Custodian's Office, due to the diversified nature of the assets under control, may be compared with that of one of the largest trust companies in Canada. It was therefore necessary to install a modern and flexible accounting system covered by a running internal audit and checking system supported by an annual audit.

From its inception, the Custodian's Office has been self-sustaining. No money is drawn from public funds, all salaries and other expenses being paid out of earnings. The net surplus shown in the Custodian's administration account as of December 31, 1945, amounted to \$1,144,289.38.

K. W. Wright,
Counsel to the Custodian

RG 117
vol. 1
file 2, pt. V

EXHIBIT "A"

The following is a list of the countries for which the Custodian has issued licenses permitting the resumption of trade, and the effective date of such licenses:

Albania	June 25, 1946	Luxembourg	July 7, 1945
Algeria	Nov. 24, 1943	Malay Peninsula	Nov. 23, 1945
Andorra	Jan. 31, 1945	Manchuria	Dec. 15, 1945
Belgium	Feb. 24, 1945	Monaco	Jan. 31, 1945
Bulgaria	May 8, 1946	Morocco (Fr.)	Nov. 24, 1943
Burma	Nov. 23, 1945	Netherlands	July 7, 1945
Channel Islands	July 7, 1945	Netherlands East Indies	Aug. 22, 1946
China (Jap. Occ.)	Dec. 15, 1945	North Borneo (State)	Nov. 23, 1945
Chinese Coastline	Dec. 15, 1945	Norway	July 7, 1945
Corsica	Nov. 24, 1943	Philippine Islands	July 7, 1945
Czechoslovakia	July 7, 1945	Poland	June 25, 1946
Danzig	Oct. 15, 1946	Roumania	May 8, 1946
Denmark	July 7, 1945	Sarawak (State)	Nov. 23, 1945
Estonia	June 25, 1946	Shanghai	Dec. 15, 1945
Finland	Sept. 14, 1945	Singapore	Nov. 23, 1945
Formosa	June 25, 1946	Thailand	Jan. 21, 1946
France	Jan. 31, 1945	Tunisia	Nov. 24, 1943
Greece	July 7, 1945	Yugoslavia	July 7, 1945
Hong Kong	Nov. 23, 1945	Zara	Oct. 15, 1946
Hungary	May 8, 1946	Sicily	Oct. 13, 1945
Indo-China	Aug. 22, 1946	Sardinia and Main-land Province of Italy occupied by Forces of United Nations	Oct. 13, 1945
Italy	Oct. 13, 1945		
Korea	June 25, 1946		
Kwangtung Leased Territory	Dec. 15, 1945		
Latvia	June 25, 1946		
Lithuania	June 25, 1946		

Belgium	28,356,293.42
China	1,187,595.59
Czechoslovakia	576,403.79
Dutch East Indies	28,722,604
Greece	6,300,000.00
Holland	54,323,742.49
Luxembourg	1,413,231.33
Norway	15,747,513.46
Philippine Islands	113,277.47
Poland	326,308.31
Yugoslavia	271,422.22
	\$104,044,733.45

Burma	19,254.87
Channel Islands	2,551,007.86
Federated Malay States	287,474.78
Hong Kong	604,700.00
New Britain	15.12
British Solomon Islands	1,047,307.47

NS 117
vol. 1
file 2, pt. I

EXHIBIT "B"

The total value of assets recorded on the books of the Custodian, set out as per countries, is as follows, as of December 31, 1945, the last balancing date.

It must be noted that the values recorded are based on nominal or par values only.

Total Value of Recorded Assets

OTTAWA

Belligerent Enemies

Austria	19,147.00	
Bulgaria	64,962.66	
Finland	264,055.71	
Germany	8,631,277.56	
Hungary	1,041,232.54	
Italy	5,962,359.07	
Japan	1,129,636.99	
Roumania	351,641.00	
Thailand	177,402.21	\$ 17,581,714.74

Occupied Allied Territories

Belgium	28,256,203.42	
China	1,385,695.59	
Czechoslovakia	896,468.79	
Dutch East Indies	58,788.34	
Greece	630,498.61	
Holland	54,338,762.49	
Luxembourg	1,418,291.55	
Norway	18,347,013.98	
Philippine Islands	115,237.17	
Poland	326,308.33	
Yugoslavia	273,485.22	\$106,046,753.49

Occupied British Territories

Burma	33,234.80	
Channel Islands	2,521,867.65	
Federated Malay States	257,434.98	
Hong Kong	696,705.60	
New Britain	15.42	
Straits Settlements	1,540,119.02	5,049,397.47

Continued

Other Occupied Territories

Denmark	1,894,030.05	
Estonia	35,598.10	
France	122,151,602.79	
French Colonial Empire	3,172,304.20	
French Indo China	25,322.24	
Latvia	23,393.68	
Lithuania	32,868.30	
		\$ 127,338,119.36

Miscellaneous

Blocked Accounts	766,821.57	
Illegal Organizations	151,974.68	(debit)
Instalments	32,998.33	
Internees	20,218.43	
Internees in Other Countries	464.15	
Internees Repatriated	47,830.01	
Doubtful Neutrals	11,214,867.68	
Specified Persons	3,026,142.61	
Sundries	30,264.60	
	<u>14,987,432.75</u>	

TOTAL ---- \$271,003,417.81

Cash received	
Cash held in Depot Accounts	32,412,630.41
Gold and Securities	10,521,638.41
Real Estate	114,709,308.95
Holding Companies	3,133,125.26
	<u>110,226,714.78</u>

\$271,003,417.81

VANCOUVER

Japan (Enemy)	\$2,248,845.33	
Japan (Evacuee)	<u>1,544,234.89</u>	<u>3,793,080.22</u>
<u>T O T A L -----</u>		\$274,796,498.03

Based on present market values the above would total approximately \$350,000,000.00.

vol. 1
file 2, pt. V

EXHIBIT "C"

The following is a list of the claims as they appear on the Canadian Register, as at December 31, 1945:

	Canadian Equivalent
Austria	\$ 8,712,821.51
Germany	25,361,901.41
Italy	5,830,462.34
Japan	6,333,078.89
Finland	7,782,139.39
Roumania	810,314.33
Hungary	998,741.27
Bulgaria	196,197.41
Thailand (Siam)	37,347.85
Manchukuo	2,431.70
Belgium	8,498,837.89
Czechoslovakia	81,485,804.92
Holland	2,366,089.78
Greece	98,261.29
Luxembourg	105,987.05
Iale of Guam	10.68
Poland	4,731,269.13
China	1,638,089.03
Yugoslavia	189,126.75
Norway	1,422,407.52
Netherlands East Indies	699,164.25
Philippine Islands	1,717,172.22
Channel Islands	445,584.18
British North Borneo	1,725.26
Burma	159,380.55
British Malaya	21,998.00
Hong Kong	1,088,305.70
Straits Settlements	944,430.99
Neutral & Doubtful	55,845.16
Internees	2,033.52
French Colonial Empire	1,342.17
Denmark	545,883.55
Monaco	157,975.98
Estonia	35,037.02
Latvia	171,975.84
Lithuania	8,032.00
Memel	34,743.00
Danzig	76,080.80
France	14,515,249.25
Steamship Claims, including "Athenia"	811,976.04
Total - - - -	\$ 177,851,045.62

NS 17
Vol. I
File 2, pt. I

J-71

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
January 30, 1947

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Re: Japanese Associations & Societies

Dear Mr. Shears:

We enclose herewith, for your information, copy of communication, dated 24th instant, which we have today received from the Deputy Minister of Justice, relative to the above.

It would be appreciated if you would present Mr. Varcoe's letter to the Advisory Board at the next meeting.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

Ms. 17
Vol. 1
File 2, pt. 2

J-71

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
January 30, 1947

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

Ms. 17
Vol. 1
File 2, pt. 2

Asst. Secy.
Assistant Deputy Custodian

J-71

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
January 30, 1947

F. P. J. O'Heara, Esq., K.C.,
Acting Under-Secretary of State,
Department of the Secretary of State,
West Block,
Ottawa, Ontario

Re: Japanese Associations & Societies

Dear Mr. O'Heara:

We enclose herewith, for your information, copy of
communication, dated 24th instant, received today from the Deputy
Minister of Justice, relative to the above.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

RG 17
Vol 1
File 2, pt 1

COPY

DEPARTMENT OF JUSTICE
C. M. D. A.

Please Address
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

DWM/TC

Ottawa, January 24th, 1947

Victoria Bldg., 700 Bank St.,
Ottawa, Ontario
January 25, 1947

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

Re: Japanese Associations and Societies.
Your File No. J-71

I acknowledge your letter of January 10th and the enclosure therein mentioned.

I understand from you that, with the exception of the first, third and seventh parcels listed by you, in all cases the property is vested in an association or other body that is incorporated. I am of opinion that Order in Council P.C. 1665, of March 4, 1942, as amended, is not applicable to vest the property of such a corporation in the Custodian. In my opinion, the Order in Council is applicable only in respect of property belonging to a natural person.

I am further of opinion that the National Emergency Transitional Powers Act, 1945, does not authorize the Governor in Council to make an order or regulation vesting the property of these associations in the Custodian.

With reference to the first, third and seventh parcels referred to by you, I note that these are vested in trustees who are persons of the Japanese race. I am of opinion that the titles held by the Japanese trustees are vested in the Custodian subject to the interests of the beneficiaries under the trusts therein.

I have also been informed by the Director of our Vancouver Office that the above balances will be "F. P. Varcoe" in the course of the next week.

Deputy Minister

This detailed review is provided to you so that you may know that the work assigned to the Custodian herein is being completed. I understand that the Government plans to assist persons of the Japanese race who desire to return to Japan in the near future. No information is available as to the number who may wish to be sent back, but we are inclined to believe that they will not leave any Canadian assets which would come under Custodian control.

L. E. Watkins
Assistant Deputy Custodian

RG 77
Vol. 1
File 2, pt. 1

J-101

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
January 26, 1947

TO: The Under-Secretary of State for External Affairs
Ottawa

RE: Assets of Japanese Repatriates

Attention: Mr. R. M. Macdonnell

We have for acknowledgment your communication of 21st instant, enclosing copy of Teletype WA-155 of January 16th from the Canadian Embassy in Washington relative to assets left in Canada by repatriated Japanese.

We agree that the amended wording will permit the Canadian Government to carry out the transfer of funds, under Custodian control, which belong to repatriates.

Reports received from our Office in Vancouver a short time ago indicated that the sum of \$766,162.18, to the credit of Japanese Repatriates, had been paid over to the Treasury for transfer to the U.S. Government for remittance of the yen equivalent to Japan.

A further report has just been received, indicating that the assets transferred to the Custodian by the last group which returned to Japan have been converted into cash and the balance at credit total \$33,756.50. Of the above amount it will be necessary for the Custodian to retain approximately \$9,700.00 to take care of established claims.

I have also been informed by the Director of our Vancouver Office that the above balances will be transferred to the Treasury in the course of the next week.

This detailed review is furnished in order that you may know that the work assigned to the Custodian herein is nearing completion. I understand that the Government plans to assist persons of the Japanese Race who desire to return to Japan in the near future. No information is available as to the number who may wish to be sent back, but we are inclined to believe that they will not leave many Canadian assets which would come under Custodian control.

A. M. Mathieu
Assistant Deputy Custodian

KVB/JF

NS/PJ
Vol. I
File 2, pt. I

J-172

January 27, 1947

BY SAFE HAND

MEMORANDUM TO:

Mr. W. O. Davis
Private Secretary to the
Secretary of State

RE: Continuation of Orders in Council
pertaining to property of the Japanese

With further reference to my memorandum of the 24th instant, the enclosed report, relative to assets of Repatriates in the hands of the Custodian, has been received from Mr. Shears, Director of our Vancouver Office.

Earlier reports indicated that in the course of transfer of funds which belonged to 3151 persons of the Japanese Race who were repatriated, the following amounts were involved:

New Money	\$811,189.57
Custodian balances	<u>124,972.61</u>
Total	<u>\$936,162.18</u>

This for the Minister's information.

K. V. WRIGHT
COUNSEL TO THE CUSTODIAN

KW/JF

Encl.

NS/PJ
Vol. I
File 2, pt. I

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
January 25, 1947

Private & Confidential

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Dear Mr. Shears:

I wired you late yesterday afternoon, as follows:

"DO NOT GIVE ANY INFORMATION TO PRESS OR OTHERS IN THE ABSENCE OF
SPECIFIC INSTRUCTIONS FROM THIS OFFICE".

I fully appreciate that you have always guarded against
issuing statements to the press and referred all inquiries to this
office. I expected however, that as a result of the Prime Minister's
announcement regarding the Japanese, which appears in today's papers,
you would be pressed for a statement and that the telegram would pro-
vide a cushion for you when you refused to disclose any information.
I might also add that the Canadian Press was rather displeased when
I refused to give out details yesterday and pointed out that the
records were in the Vancouver Office and that material could only be
obtained from this source and handed out by the Minister personally.

Enclosed you will find copy of letter addressed to Mr.
Mathieu by Dr. Coleman, under date of 16th instant, relative to
officers dealing with inquiries from reporters and press correspon-
dents. This discloses Colonel Gibson's views in no uncertain manner
and I did not want you to be caught in any jam regardless of the
pressure from the press at the present time.

We have had lengthy conferences on all Japanese questions
this week and when the Orders in Council, passed in accord with our
recommendations, are sent to you, you will find that control of pro-
perties by the Custodian is to be continued and that you will have
full authority to carry on after 31st March.

I also send you copy of letter addressed to the Department
of Justice relative to liquidation of property belonging to Japanese
Organizations. A written reply has not yet reached me, but I have

NS
Vol. I
File 2, pt. I

F. G. Shears, Esq.,

-2-

January 25, 1947

discussed the matter with Justice and am inclined to think they will find that we have no authority to sell properties which belonged to Organizations, unless the titles were registered in the names of individuals as Trustees. You might review your files and let me have a list of those that fall within this category. Under the National Emergency Transitional Powers Act, 1945, we have authority to continue or revoke existing Orders, but certainly no authority to increase the powers conferred by same.

I have sent the Minister a lengthy memo reviewing the work of your office and indicated that I expect to present your Annual Report to him not later than next Wednesday. I hope you will send me four copies.

I further advised that a complete report, relative to assets of Repatriates, would be in his office by Tuesday.

The new Bill, respecting the Enemy Property Act, which will incorporate the amended Regulations, is now in the hands of the printer and will be presented to the House at the coming Session.

It is very difficult to keep pace with the volume of work that is pouring in daily, but we are all carrying on to the best of our ability and after all, that is the best a horse can do!

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

RG 17
Vol. 1
File 2, pt. 1

January 25, 1947

MEMORANDUM TO: Mr. W. O. Davis,
Private Secretary to the
Secretary of State

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

With reference to our conversation, I enclose herewith
copy of memorandum addressed to Dr. Coleman, under date of
November 26, 1946, relative to disposal of property of Japanese
evacuated from the Protected Area of British Columbia.

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

NS/P
Vol. I
File 2, pt. I

COPY

November 26, 1946

MEMORANDUM FOR DR. COLEMAN

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

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

At the outset, may I recall the extreme difficulty experienced in dealing with the large number of substandard buildings and the vast quantity of inferior personal property which the Japanese possessed.

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

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

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

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

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

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

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

RS 17
Vol. I
File 2, pt. I

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

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

The policy of liquidation has resulted in the Custodian paying out large sums of money to the Evacuees and paying debts on their behalf. In co-operation with the Department of Labour, Japanese Division, the Custodian releases such funds to Evacuees, still in Interior Housing Schemes operated by the Department, as are considered necessary. Where Evacuees have moved East from the Province of British Columbia, the Custodian releases the balance. Funds held for Evacuees, as of 31st October, 1946, amounted to \$1,037,313.17.

Sales up to June, 1946, were as follows:

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

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

STATEMENT OF CASH REALIZATION
OF EVACUEE ASSETS AND REVENUES

Fishing vessels & scows	\$ 202,104.96
" nets and gear	101,164.48
Cars	60,583.98
Trucks	94,525.63
Sundry Business assets	187,834.31
Household effects	249,833.03
Radios	17,024.64
Farm Equipment	14,858.23
Life Insurance	48,354.36
Securities	54,538.27
Sundry a/c's. Receivable	136,356.28
Sundries	33,377.89
Veterans' Land Act	808,673.22
Real Estate Sales	1,574,350.78
Real Estate Income	491,170.25
Dividends from Securities	8,310.46
Rooming House Rentals & Chat.	33,217.06
Sundry Miscellaneous	
Transfers between Jap. a/c's. & a/c's. Receivable	742,022.05
	\$ 4,868,369.98

NS 17
Vol. I
File 2, pt. I

CANADIAN NATIONAL TELEGRAPHS

-3-

I have no hesitation in saying that where the Custodian liquidated property, all possible steps were taken to assure that the properties were not disposed of at a sacrifice.

I apologize for not confining this memo to one page as you suggested, but feel the whole question is not fully dealt with even in this.

I return Hon. Mr. Martin's letter of 20th instant with Editorial from the Toronto Star.

K. W. WRIGHT

KWW/JF
Encl.

Vol. I
File 2, pt. I

Exclusive Connection
with
WESTERN UNION
TELEGRAPH CO.
Cable Service
to all the World
Money Transferred
by Telegraph

CANADIAN NATIONAL TELEGRAPHS

D. E. GALLOWAY, Assistant Vice-President, Toronto, Ont.

Form 6102B

CLASS OF SERVICE DESIRED
FULL-RATE MESSAGE
DAY LETTER
NIGHT MESSAGE
NIGHT LETTER

PATRON SHOULD MARK AN X OPPOSITE THE CLASS OF SERVICE DESIRED. OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

RECEIVER'S NO.

TIME FILED

CHECK

Send the following message, subject to the terms on back hereof, which are hereby agreed to
Veuillez expédier la dépêche suivante aux conditions mentionnées au verso auxquelles je consens par les présentes

OTTAWA JANUARY 24 1947

F G SHEARS

DIRECTOR CUSTODIAN'S OFFICE

ROYAL BANK BUILDING VANCOUVER B C

DO NOT GIVE ANY INFORMATION TO PRESS OR OTHERS IN THE
ABSENCE OF SPECIFIC INSTRUCTIONS FROM THIS OFFICE

K W WRIGHT

(Charge to Custodian's Office
7 O'Connor St.)

You will note that Regulation 12, P.C. 1665, empowers the Custodian to manage and control the assets of Japanese evacuated from the Protected Area of British Columbia. This was amended by Regulation 4, of P.C. 2483 and P.C. 469 authorized liquidation.

It is essential to continue the Regulations referred to (marked on the enclosed) for the reason that approximately 60 parcels of real property in British Columbia, under Custodian control, have not been disposed of. Some chattels remain under control and approximately one million dollars stands to the credit of Japanese accounts in our Vancouver Office. These balances are being distributed as rapidly as it is possible to review files and forward remittances to the respective owners.

Order in Council P.C. 7355 directs the Custodian to administer assets left in Canada by Japanese, who, during the past few months, have been sent back to Japan. These assets, which include a few parcels of real estate and securities, are also being disposed of, and balances dealt with in accord with the provisions of the Order in Council. You will therefore understand the need for continuing this Order for the purpose of completing liquidation.

Early next week it will be possible for me to furnish details as to assets belonging to repatriates. I also expect that the Annual Report of the Vancouver Office will be ready for presentation to the Minister by Wednesday next. These will furnish Colonel Gibson with complete information as to the Vancouver Office, which, you understand, was established for the purpose of taking over the Estates of Japanese Evacuees.

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KW/JF

Vol. I
File 2, pt. I

J-172

THE SECRETARY OF THE
18-10-1947
Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
January 24, 1947

MEMORANDUM TO: Mr. W. O. Davis,
Private Secretary to the
Secretary of State
MEMORANDUM TO: Mr. A. H. Mathieu,
Assistant Deputy Custodian.
RE: Continuation of Orders in Council
pertaining to property of Japanese

Your memorandum of yesterday, addressed to Mr. Mathieu,
has been handed to me for reply.

This is the matter Mr. O'Meara and the writer spoke to the
Minister about prior to yesterday's Cabinet Meeting. We spent yes-
terday morning in Mr. Gordon Robertson's office with representatives
from the Departments of Justice and Labour and recommendations were
made and presented to the Cabinet yesterday.

Herewith you will find copies of the following:

Order in Council P.C. 1665, dated 4th March, 1942.
Order in Council P.C. 2483, dated 27th March, 1942.
Order in Council P.C. 469, dated 19th January, 1943.
Order in Council P.C. 7355, dated 15th December, 1945.

You will note that Regulation 12, P.C. 1665, empowers the Custodian
to manage and control the assets of Japanese evacuated from the Protected
Area of British Columbia. This was amended by Regulation 4, of P.C. 2483
and P.C. 469 authorized liquidation.

It is essential to continue the Regulations referred to
(marked on the enclosed) for the reason that approximately 60 parcels
of real property in British Columbia, under Custodian control, have not
been disposed of. Some chattels remain under control and approximately
one million dollars stands to the credit of Japanese accounts in our
Vancouver Office. These balances are being distributed as rapidly as
it is possible to review files and forward remittances to the respective
owners.

Order in Council P.C. 7355 directs the Custodian to administer
assets left in Canada by Japanese, who, during the past few months, have
been sent back to Japan. These assets, which include a few parcels of
real estate and securities, are also being disposed of, and balances
dealt with in accord with the provisions of the Order in Council. You
will therefore understand the need for continuing this Order for the pur-
pose of completing liquidation.

Early next week it will be possible for me to furnish details
as to assets belonging to repatriates. I also expect that the Annual
Report of the Vancouver Office will be ready for presentation to the
Minister by Wednesday next. These will furnish Colonel Gibson with
complete information as to the Vancouver Office, which, you understand,
was established for the purpose of taking over the Estates of Japanese
Evacuees.

F. S. WRIGHT
COUNSEL TO THE CUSTODIAN

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

LA "CANADIAN NATIONAL TELEGRAPH COMPANY"

(OPERATING ITS OWN LINES AND
TERMINAL AND COMMUNICATIONS
ORDER NO. 4972, DATED DECEMBER 8TH, 1945)
CANADIAN NATIONAL TELEGRAPH COMPANY
THE COMPANY'S TELEGRAPH LINES AND
CABLES ARE OPENED TO THE PUBLIC
FOR THE TRANSMISSION OF
TELEGRAMS AND CABLES
PUBLISHED IN THE CANADIAN GAZETTE

THE CANADIAN NATIONAL TELEGRAPH COMPANY
LIMITED, a company incorporated in
Canada, has been authorized by the
Government of Canada to operate
the following telegraph lines and
cables for the transmission of
telegrams and cables:
1. A line from Vancouver, B.C., to
Seattle, Wash., U.S.A., and
back, via the coast of British
Columbia.
2. A line from Vancouver, B.C., to
Portland, Ore., U.S.A., and
back, via the coast of British
Columbia.
3. A line from Vancouver, B.C., to
Tacoma, Wash., U.S.A., and
back, via the coast of British
Columbia.
4. A line from Vancouver, B.C., to
Astoria, Ore., U.S.A., and
back, via the coast of British
Columbia.
5. A line from Vancouver, B.C., to
Long Beach, Calif., U.S.A., and
back, via the coast of British
Columbia.
6. A line from Vancouver, B.C., to
San Francisco, Calif., U.S.A., and
back, via the coast of British
Columbia.
7. A line from Vancouver, B.C., to
Los Angeles, Calif., U.S.A., and
back, via the coast of British
Columbia.
8. A line from Vancouver, B.C., to
San Diego, Calif., U.S.A., and
back, via the coast of British
Columbia.
9. A line from Vancouver, B.C., to
Phoenix, Ariz., U.S.A., and
back, via the coast of British
Columbia.
10. A line from Vancouver, B.C., to
Albuquerque, N.M., U.S.A., and
back, via the coast of British
Columbia.
11. A line from Vancouver, B.C., to
El Paso, Tex., U.S.A., and
back, via the coast of British
Columbia.
12. A line from Vancouver, B.C., to
Dallas, Tex., U.S.A., and
back, via the coast of British
Columbia.
13. A line from Vancouver, B.C., to
Houston, Tex., U.S.A., and
back, via the coast of British
Columbia.
14. A line from Vancouver, B.C., to
New Orleans, La., U.S.A., and
back, via the coast of British
Columbia.
15. A line from Vancouver, B.C., to
Mobile, Ala., U.S.A., and
back, via the coast of British
Columbia.
16. A line from Vancouver, B.C., to
Savannah, Ga., U.S.A., and
back, via the coast of British
Columbia.
17. A line from Vancouver, B.C., to
Jacksonville, Fla., U.S.A., and
back, via the coast of British
Columbia.
18. A line from Vancouver, B.C., to
Tampa, Fla., U.S.A., and
back, via the coast of British
Columbia.
19. A line from Vancouver, B.C., to
Fort Lauderdale, Fla., U.S.A., and
back, via the coast of British
Columbia.
20. A line from Vancouver, B.C., to
Miami, Fla., U.S.A., and
back, via the coast of British
Columbia.
21. A line from Vancouver, B.C., to
Key West, Fla., U.S.A., and
back, via the coast of British
Columbia.
22. A line from Vancouver, B.C., to
Havana, Cuba, U.S.A., and
back, via the coast of British
Columbia.
23. A line from Vancouver, B.C., to
Santiago, Cuba, U.S.A., and
back, via the coast of British
Columbia.
24. A line from Vancouver, B.C., to
Havana, Cuba, U.S.A., and
back, via the coast of British
Columbia.
25. A line from Vancouver, B.C., to
Santiago, Cuba, U.S.A., and
back, via the coast of British
Columbia.
26. A line from Vancouver, B.C., to
Havana, Cuba, U.S.A., and
back, via the coast of British
Columbia.
27. A line from Vancouver, B.C., to
Santiago, Cuba, U.S.A., and
back, via the coast of British
Columbia.
28. A line from Vancouver, B.C., to
Havana, Cuba, U.S.A., and
back, via the coast of British
Columbia.
29. A line from Vancouver, B.C., to
Santiago, Cuba, U.S.A., and
back, via the coast of British
Columbia.
30. A line from Vancouver, B.C., to
Havana, Cuba, U.S.A., and
back, via the coast of British
Columbia.



THE SECRETARY OF STATE OF CANADA
LE SECRÉTAIRE D'ÉTAT DU CANADA

MEMORANDUM TO:

Mr. A. H. Mathieu,
Assistant Deputy Custodian.

Will you be good enough to let the Minister have information as soon as possible indicating what regulations have to be continued under the War Measures Act dealing with the Custodian's handling of Japanese property in B.C., to "complete the liquidation and distribution of Japanese property in B.C."

W. O. Davis,
Private Secretary.

January 23, 1947.

Association properties, under date of 10th instant. The opinion has not yet been received.

In view of the fact that liquidation of the assets referred to is not complete, the Custodian is of opinion that authority to control and liquidate should be continued.

Yours very truly,

K. F. WRIGHT
COUNSEL TO THE CUSTODIAN

KFW/JY
Attach.

RS 17
Vol. I
File 2, pt. I

J-71 & J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
January 17, 1947

D. H. W. Henry, Esq.,
Secretary of Committee on
Orders-in-Council,
Department of Justice,
Ottawa, Ontario

Re: Assets of Evacuated Japanese

Dear Mr. Henry:

At the meeting of the Cabinet Committee on Japanese Problems held on the 10th instant, you suggested that Orders-in-Council, relating to the control and disposition of property which belonged to Japanese evacuated from the Protected Area of British Columbia, should be reviewed.

Enclosed herewith you will find copies of the following:

P.C. 1665, dated the 4th March, 1942.
P.C. 2483, dated the 27th March, 1942.
P.C. 469, dated the 19th January, 1943.

It will be noted that Section 12 of P.C. 1665 provided for vesting in and control and management by the Custodian of property which belonged to persons of the Japanese race evacuated from the Protected Area of British Columbia. This Section was amended by Section 4 of P.C. 2483, and P.C. 469 empowered the Custodian to liquidate and dispose of such property.

The Custodian established an office in Vancouver and a report was submitted to the Cabinet Committee on Japanese Problems (Reference, Document E). You will note from this report that approximately 35 properties, belonging to Japanese, are still available for sale and that between 30 and 40 properties, owned by Japanese Organizations, have not been liquidated as there is some doubt as to whether or not existing Orders-in-Council include properties of such Organizations.

You will also note that balances at credit of the Japanese in the Custodian's books exceed \$1,000,000.00 and these funds are being made available to Japanese residing outside of the Department of Labour projects.

Attached hereto you will find copy of communication addressed to the Deputy Minister of Justice relative to Japanese Association properties, under date of 10th instant. The opinion has not yet been received.

In view of the fact that liquidation of the assets referred to is not complete, the Custodian is of opinion that authority to control and liquidate should be continued.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JV
Attach.

RECEIVED
JAN 21 1947
FILE 2, P. 1

COPY

Ottawa, Ontario
January 16, 1947

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

Ottawa, Ontario
January 16, 1947

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

Re: Repatriation of Japanese

Dear Mr. Varcoe:

Under Order in Council P.C. 7356, dated the 15th December, 1945, it is provided that any person, who, being a British subject by naturalization, is deported from Canada under the provisions of Order in Council P.C. 7355, dated the 15th December, 1945, shall suffer loss of his Canadian status. This Order in Council does not affect the Canadian nationality of persons born in Canada, and it appears that there will be a number of Japanese persons of Canadian birth in Japan who will be Canadian citizens.

The future policy on status of Canadian born Japanese in Japan was discussed at a meeting of the Cabinet Committee on Japanese Problems held in the Privy Council Office on the 13th ultimo, and at that time it was agreed that the relevant legal issues should be submitted to you for opinion.

The Committee has been advised that numerous requests have been received from Canadian Japanese who were repatriated to Japan, indicating their desire to return to Canada, and one question to be decided is whether or not permission may be refused.

Your opinion is also sought in connection with the right of return of naturalized Canadians of Japanese origin who have been repatriated. It should be pointed out that naturalized Japanese returned voluntarily and that the Minister of Labour did not issue deportation orders pursuant to Order in Council P.C. 7355. If those who returned voluntarily have not lost Canadian status, would it now be in order for the Minister of Labour to issue deportation orders in respect to these individuals, and in such event would the provisions of Order in Council P.C. 7356 apply?

The enclosed four dockets, covering cases of Japanese who renounced allegiance and were repatriated to Japan, were sent to me by the Department of Labour and are self-explanatory.

Thanking you for your co-operation, I am,

Yours sincerely,

E. H. Coleman
Under-Secretary of State of Canada

Ms. A. 1. 1
Vol. 1
File 2, p. 1

Victoria Bldg., 700 Queen St. W.,
Ottawa, Ontario
January 16, 1947

Ottawa, Ontario
January 16, 1947

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

Re: Repatriation of Japanese

Dear Mr. Varcoe:

Under Order-in-Council P.C. 7356, dated the 15th December, 1945, it is provided that any person who, being a British subject by naturalization, is deported from Canada under the provisions of Order-in-Council P.C. 7355, dated the 15th December, 1945, shall suffer loss of his Canadian status. This Order-in-Council does not affect the Canadian nationality of persons born in Canada, and it appears that there will be a number of Japanese persons of Canadian birth in Japan who will be Canadian citizens.

The future policy on status of Canadian born Japanese in Japan was discussed at a meeting of the Cabinet Committee on Japanese Problems held in the Privy Council Office on the 15th ultimo, and at that time it was agreed that the relevant legal issues should be submitted to you for opinion.

The Committee has been advised that numerous requests have been received from Canadian Japanese who were repatriated to Japan, indicating their desire to return to Canada, and one question to be decided is whether or not permission may be refused.

Your opinion is also sought in connection with the right of return of naturalized Canadians of Japanese origin who have been repatriated. It should be pointed out that naturalized Japanese returned voluntarily and that the Minister of Labour did not issue deportation orders pursuant to Order-in-Council P.C. 7355. If those who returned voluntarily have not lost Canadian status, would it now be in order for the Minister of Labour to issue deportation orders in respect to these individuals, and in such event would the provisions of Order-in-Council P.C. 7356 apply?

The enclosed four dockets, covering cases of Japanese who renounced allegiance and were repatriated to Japan, were sent to me by the Department of Labour and are self-explanatory.

Thanking you for your co-operation, I am,

Yours sincerely,

S. H. Coleman
Under-Secretary of State of Canada

NS 17
Vol. I
File 2, pt. I

COPY

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. Sheppars 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
COUNSEL TO THE CUSTODIAN

(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./

Ms. 17
Vol. 1
File 2, pt. 2



1946 DEC 24 AM 11:28

UNDER SECRETARY
OF STATE
Ottawa, Ontario.
December 24, 1946.

Dr. E. H. Coleman, K.C.,
Under Secretary of State,
West Block,
Parliament Buildings,
Ottawa, Ontario.

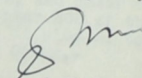
Dear Dr. Coleman: Re: Japanese Repatriation

At the time of the last meeting of the Japanese Sub-Committee of the Cabinet on Japanese, the question was raised by the Department of External Affairs as to the status of naturalized Canadians of Japanese origin who had been repatriated voluntarily to Japan in accordance with the arrangements approved under P.C. 7555 of December 15, 1945, and it was agreed, I believe, that this question would be discussed by you with the Department of Justice.

You asked that we furnish you with full particulars of type cases of repatriates of this type, and I am enclosing herewith dockets covering four family groups: Y. Abe, M. Hyashi, T. Nakai and K. Shimizu. No deportation order was ever issued pursuant to P.C. 7555 in respect to any of the naturalized of Japanese origin included in these dockets.

The naturalization certificates covering naturalized persons in this group, and which were surrendered by the Japanese leaving for Japan, are already in the hands of your Naturalization Branch.

Yours very truly,


A. H. Brown.

Encls.

- (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.

Order in Council re deportation of Japanese.

P.C. 7355.

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 16th 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,-

ORDER -

1. In this Order, unless the context otherwise requires:

- (a) "deportation" means the removal pursuant to the authority of this Order of any person from any place in Canada to a place outside Canada;
- (b) "deported" means removed or sent from Canada pursuant to the authority of this Order;
- (c) "Minister" means the Minister of Labour;
- (d) "request for repatriation" means a written request or statement of desire, to be repatriated or sent to Japan.

RG 77
Vol. 1
File 2, p. 12

2. (1) Every person of sixteen years of age or over, other than a Canadian national, who is a national of Japan resident in Canada and who,
 - (a) has, since the date of declaration of war by the Government of Canada against Japan, on December 8th, 1941, made a request for repatriation; or
 - (b) has been in detention at any place in virtue of an order made pursuant to the provisions of the Defence of Canada Regulations or of Order in Council P.C. 946, of the 5th day of February, 1943, as amended by P.C. 5637, of the 16th day of August, 1945, and was so detained as at midnight of September 1st, 1945; may be deported to Japan.
 - (2) Every naturalized British subject of the Japanese race of sixteen years of age or over resident in Canada who has made a request for repatriation may be deported to Japan: Provided that such person has not revoked in writing such request prior to midnight the first day of September, 1945.
 - (3) Every natural born British subject of the Japanese race of sixteen years of age or over resident in Canada who has made a request for repatriation may be deported to Japan: Provided that such person has not revoked in writing such request prior to the making by the Minister of an order for deportation.
 - (4) The wife and children under sixteen years of age of any person for whom the Minister makes an order for deportation to Japan may be included in such order and deported with such person.
3. Subject to the provisions of section 2 of this Order, a request for repatriation shall be deemed final and irrevocable for the purpose of this Order or any action taken thereunder.
4. The Minister may
 - (a) make orders for the deportation of any persons subject to deportation;
 - (b) take such measures as he deems advisable to provide or arrange for the deportation of such persons, and for their transportation, detention, discipline, feeding, shelter, health or welfare, pending their deportation;
 - (c) make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of this Order;
 - (d) subject to the approval of the Governor in Council, employ such officers and other employees as are necessary to assist him in carrying out this Order and fix their remuneration;
 - (e) authorize from time to time any person to exercise on his behalf any power vested in him under paragraph (b) of this section.
5. An order for deportation made by the Minister shall be in force and effect from the date of the order.
- *****

6. (1) Any person for whom an order for deportation is made or who, having made a request for repatriation, is proceeding to Japan without the issue of such an order, shall be entitled, in so far as circumstances at the time permit

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

(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.
- (2) The Department of National Defence shall provide any military guard personnel which may be required in carrying out the provisions of this Order.
- (3) The Commissioner of the Royal Canadian Mounted Police shall give all assistance which may be required of him by the Minister in the carrying out of the provisions of this Order.

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

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

11. Any person who contravenes or omits to comply with any of the provisions of this Order or any order made or given pursuant thereto is guilty of an offence and liable upon summary conviction to a fine not exceeding Five Hundred Dollars or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment.

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

GENERAL

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

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

P.C. 7355

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.

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

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

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

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

11. Any person who contravenes or omits to comply with any of the provisions of this Order or any order made or given pursuant thereto is guilty of an offence and liable upon summary conviction to a fine not exceeding Five Hundred Dollars or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment.

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

GENERAL

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

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

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

P.C. 7356

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 15th day of December, 1945

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

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

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

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

A.D.P. Heeney,

Clerk of the Privy Council.